

**COMMITTEE REPORT: PLANNING and BUILDING COMMITTEE**

**MEETING DATE:** February 1, 2010, 7:00 pm  
**LOCATION:** L.E. Shore Memorial Library  
**PREPARED BY:** Sharon Long, Administrative Assistant

**A. Recommendations**

**1. Update on Ontario Municipal Board Mediation Session – Martinek/Tyrolean Village Resorts Appeal, Short Term Accommodation Zoning By-law No. 2009-03 – PL.10.11**

THAT Council receive Staff Report SRB.10.11 respecting “Update on Ontario Municipal Board Mediation Session – Martinek/Tyrolean Village Resorts” for information purposes.

**2. Niagara Escarpment Commission – G/R/2009-2010/9099  
Helen Bambrough, SW Part Lot 7, Concession 2 – PL.10.10**

THAT Council advise the Niagara Escarpment Commission that the Town has no objection to the Development Permit Application File No. G/R/2009-2010/9099; legally described as SW Part Lot 7, Concession 2; Part 5, RP 16R-2236; Town of The Blue Mountains; subject to the following conditions:

1. That the proposed accessory building shall preclude any form of human habitation, to the satisfaction of the Niagara Escarpment Commission.
2. That the accessory building commence in conjunction with or, following the construction of the main building, being the single detached dwelling, to the satisfaction of the Niagara Escarpment Commission.
3. That the subject lands, inclusive of the accessory building, shall preclude any form of commercialized use, to the satisfaction of the Niagara Escarpment Commission.
4. That an Entrance Permit must be obtained from the Town of The Blue Mountains Engineering and Public Works Department prior to the onset of construction.
5. That Building Permit(s) must be obtained from the Town of The Blue Mountains Building Division for the development proposal prior to the onset of construction.
6. That On-Site Sewage Permit(s) must be obtained from the Town of The Blue Mountains Building Division for the development proposal prior to the onset of construction.

**3. Update on Ontario Municipal Board Mediation Session – Rosen/The Lodges at Blue Mountain Appeals, Short Term Accommodation ICBL, Official Plan Amendment & Zoning By-laws – PL.10.12**

THAT Council receive Staff Report SRB.10.12 respecting “Update on Ontario Municipal Board Mediation Session – Rosen/The Lodges at Blue Mountain Appeals, Short Term Accommodation Interim Control By-law, Official Plan Amendment & Zoning By-laws”.

#### **4. New Business – Paving of Hester Street Parking Lot**

THAT Staff prepare a Report on the feasibility of paving the Hester Street parking lot prior to bridge construction in 2010, Carried

#### **B. Staff Reports**

1. PL.10.11, Update on Ontario Municipal Board Mediation Session – Martinek/Tyrolean Village Resorts Appeal, Short Term Accommodation Zoning By-law No. 2009-03
2. PL.10.10, Niagara Escarpment Commission – G/R/2009-2010/9099 Helen Bambrough, SW Part Lot 7, Concession 2
3. PL.10.12, Update on Ontario Municipal Board Mediation Session – Rosen/The Lodges at Blue Mountain Appeals, Short Term Accommodation ICBL, Official Plan Amendment & Zoning By-laws

#### **C. Correspondence**

1. Committee of Adjustment Minutes – October 22, 2009

#### **D. Public Meetings/Deputations**

1. **Proposed Zoning By-law Amendment – Toronto Ski Club**  
Part Lot 19, Concession 3 - 796456 Grey Road 19
2. **Consent B25-2009 and Zoning By-law Amendment – Nona Ardiel**  
Part Lot 27, Concession 12

#### **E. Next Meeting Date**

March 1, 2010

**STAFF REPORT: PLANNING & BUILDING SERVICES**



**REPORT TO:** Planning & Building Committee  
**MEETING DATE:** February 1, 2010  
**REPORT NO.:** PL.10.11  
**SUBJECT:** Update on Ontario Municipal Board Mediation Session – Martinek/Tyrolean Village Resorts Appeal, Short Term Accommodation Zoning By-law No. 2009-03

**PREPARED BY:** David Finbow, Director, Planning & Building Services

**A. Recommendations**

**THAT** Council receive Staff Report SRB.10.11 respecting “Update on Ontario Municipal Board Mediation Session – Martinek/Tyrolean Village Resorts” for information purposes.

**B. Background**

1. On January 26, 2010 Town staff and the Town’s Solicitor attended an Ontario Municipal Board (OMB) Mediation Session respecting the Martinek/Tyrolean Village Resorts appeal of Short Term Accommodation Zoning By-law No. 2009-03. This session was mediated by OMB Vice-Chair James McKenzie. In attendance were the Appellant’s Agent and Planning Consultant.
2. There was a good exchange of information and fulsome discussion.
3. The full amount of time allocated for the mediation was utilized prior to the Mediator pausing the session.
4. The session will be reconvened at a later date based on the Board’s schedule.
5. The Mediator has asked that the Parties reflect on the information exchanged and discussions.

**C. The Blue Mountains’ Strategic Plan**

*“Providing a strong, well managed municipal government.”*

**D. Environmental Impacts**

N/A

**E. Budget Impact**

Legal costs & staff time

**F. Addendums**

N/A

Respectfully submitted by:

David Finbow  
Director, Planning & Building Services

**STAFF REPORT:** Planning & Building Services Department



**REPORT TO:** Planning & Building Committee  
**DATE:** Monday, February 1, 2010  
**REPORT NO.:** PL.10.10  
**SUBJECT:** Request for Comments  
Niagara Escarpment Commission  
File No. G/R/2009-2010/9099  
Helen Bambrough  
SW Part Lot 7, Concession 2;  
Part 5, RP 16R-2236;  
Town of The Blue Mountains

**PREPARED BY:** Bryan Pearce,  
Planner I

#### **A. Recommendations**

**THAT Council advise the Niagara Escarpment Commission that the Town has no objection to the Development Permit Application File No. G/R/2009-2010/9099; legally described as SW Part Lot 7, Concession 2; Part 5, RP 16R-2236; Town of The Blue Mountains; subject to the following conditions:**

- 1. That the proposed accessory building shall preclude any form of human habitation, to the satisfaction of the Niagara Escarpment Commission.**
- 2. That the accessory building commence in conjunction with or, following the construction of the main building, being the single detached dwelling, to the satisfaction of the Niagara Escarpment Commission.**
- 3. That the subject lands, inclusive of the accessory building, shall preclude any form of commercialized use, to the satisfaction of the Niagara Escarpment Commission.**
- 4. That an Entrance Permit must be obtained from the Town of The Blue Mountains Engineering and Public Works Department prior to the onset of construction.**
- 5. That Building Permit(s) must be obtained from the Town of The Blue Mountains Building Division for the development proposal prior to the onset of construction.**
- 6. That On-Site Sewage Permit(s) must be obtained from the Town of The Blue Mountains Building Division for the development proposal prior to the onset of construction.**

## **B. Background**

The purpose of this Report is to consider and to develop comments related to a Development Permit Application filed with the Niagara Escarpment Commission (NEC) with respect to a proposal to:

- construct a 1.5 storey, 214 square metre (2300 square foot) dwelling, having a maximum height of 8.5 metres (28 feet) measured from the lowest grade to the peak;
- construct a 1 storey, 631 square metre (6787 square foot) accessory building, having a maximum height of 8.5 metres (28 feet) measured from the lowest grade to the peak;
- install two private sewage disposal systems, one for the dwelling and a separate system for an arena/barn; and
- establish a new driveway entrance from the 6<sup>th</sup> Sideroad and construct a driveway; and
- demolish an existing barn foundation

It should be noted that the accessory building would be comprised of the following:

- a 395 square metre (4250 square foot) “arena” section having a maximum height of 8.5 metres (28 feet), to be used as a private, multi-use arena for a “three-on-three” hockey rink in winter and tennis in summer,
- a 1.5 storey, 215 square metre (2307 square foot) “barn” section, having a maximum height of 8.5 metres (28 feet), with an open loft, to be used for storage for ice making and maintaining equipment, and shower facilities,
- the above two parts would be connected with a 21 square metre (230 square foot) section to be used as a bar and viewing area

The subject property is located on Southwest Part Lot 7, Concession 2; northeast of the intersection of 2<sup>nd</sup> Line and 6<sup>th</sup> Sideroad in the Town of The Blue Mountains, on a 10 hectare (24.9 acre) existing lot.

The Owner/Applicant is Helen Bambrough, who retained Upstream Construction Ltd – Andrew Noxon to act on her behalf for this development permit application. The subject property had a Development Permit Application filed in the permit year of 2007-2008 and 1992-1993 with the Niagara Escarpment Commission.

### **Official Plan**

The subject lands are designated as Rural (R) in the Town of The Blue Mountains Official Plan. The purpose of the Rural designation is to provide for the continuation of agricultural practices in areas of generally lower capability soils while permitting other uses considered compatible with the rural environment. Agricultural operations and related buildings and structures and farm related residential dwellings are a permitted use; and accessory structures, such as the proposed detached garage and shed, are a common incidental use to the main dwelling.

It is noted that there is an Area of Natural and Scientific Interest (ANSI) – Earth Science on the adjacent lands. It would appear that the development proposal would not impact the 50 metre adjacent lands of the ANSI and therefore would appear not to generate any potential negative impacts to the ANSI.

Therefore, Planning Staff note that the development proposal would appear to conform with the Official Plan.

## **Zoning**

If zoning were in place, the Rural Estate Residential (RERc) Zone would apply to the subject lands due to the limited lot area. The Rural Estate Residential (RERc) Zone would permit this type of use on the subject lands.

It should be noted that to be compliant with zoning:

- The proposed accessory building would preclude any form of human habitation.
- The accessory building commence in conjunction with or, following the construction of the main building, being the single detached dwelling.
- The subject lands, inclusive of the accessory building, would preclude any form of commercialized use.

Planning Staff recommends these items listed above as a condition to this application, to the satisfaction of the NEC.

There would be compliance issues with regards to this development proposal, if zoning were in place. This relates to the proposed location of the detached accessory building, as it appears to be located closer to the street than the proposed dwelling, contrary to the general provisions for accessory uses under Section 5.2(iii). Given that the proposed detached accessory building would have a front yard setback over 78 metres (258 feet) from the public road (6<sup>th</sup> Sideroad), it would appear to have limited visual impacts on the surrounding area; and therefore Planning Staff have no concern with the proposed location of the proposed accessory building on the lands.

## **Additional Comments**

The Town's Engineering and Public Works Department requires an entrance permit be obtained on the subject lands for the proposed new entrance onto 6<sup>th</sup> Sideroad. Planning Staff recommends this as a condition to this application prior to the onset of construction.

The Town's Building Division requires that building permit(s) be obtained for the proposed development. Planning Staff recommends this as a condition to this application prior to the onset of construction.

The Town's Building Division requires that on-site sewage permit(s) be obtained for the proposed development. It is recommended that the proponent retain the services of an Ontario Building Code qualified "On-site Sewage Systems" person to review the

schematic design/location of the proposed On-site Sewage System. Particular regard should be had to the field size required and the capability of the soils to support the proposed loading. Planning Staff recommends this as a condition to this application prior to the onset of construction.

Based on the foregoing, Planning Staff would have no objections to this application for a Development Permit, conditional upon precluding human habitation in the proposed accessory building, the accessory building commence in conjunction with or, following the construction of the dwelling, precluding commercialized use on the subject lands, inclusive of the accessory building, all to the satisfaction of the NEC; and obtaining an entrance permit, building permit(s) and on-site sewage permit(s) with the Town.

### **C. The Blue Mountains' Strategic Plan**

The recommendation in this Planning Staff Report PL.10.10 is consistent and supports the following Strategic Plans Goals:

*"1. Managing growth to ensure the ongoing health and prosperity of the community"*

### **D. Environmental Impacts**

The proposed development does not appear to generate any significant environmental impacts that can be regulated by the Town.

### **E. Budget Impact**

NIL

### **F. Attached**

1. Lot Configuration
2. Site Plan

Respectfully submitted,

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**MAP 2  
LOT CONFIGURATION**

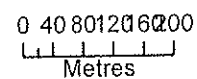
FILE NO. G/R/2009-2010/9099

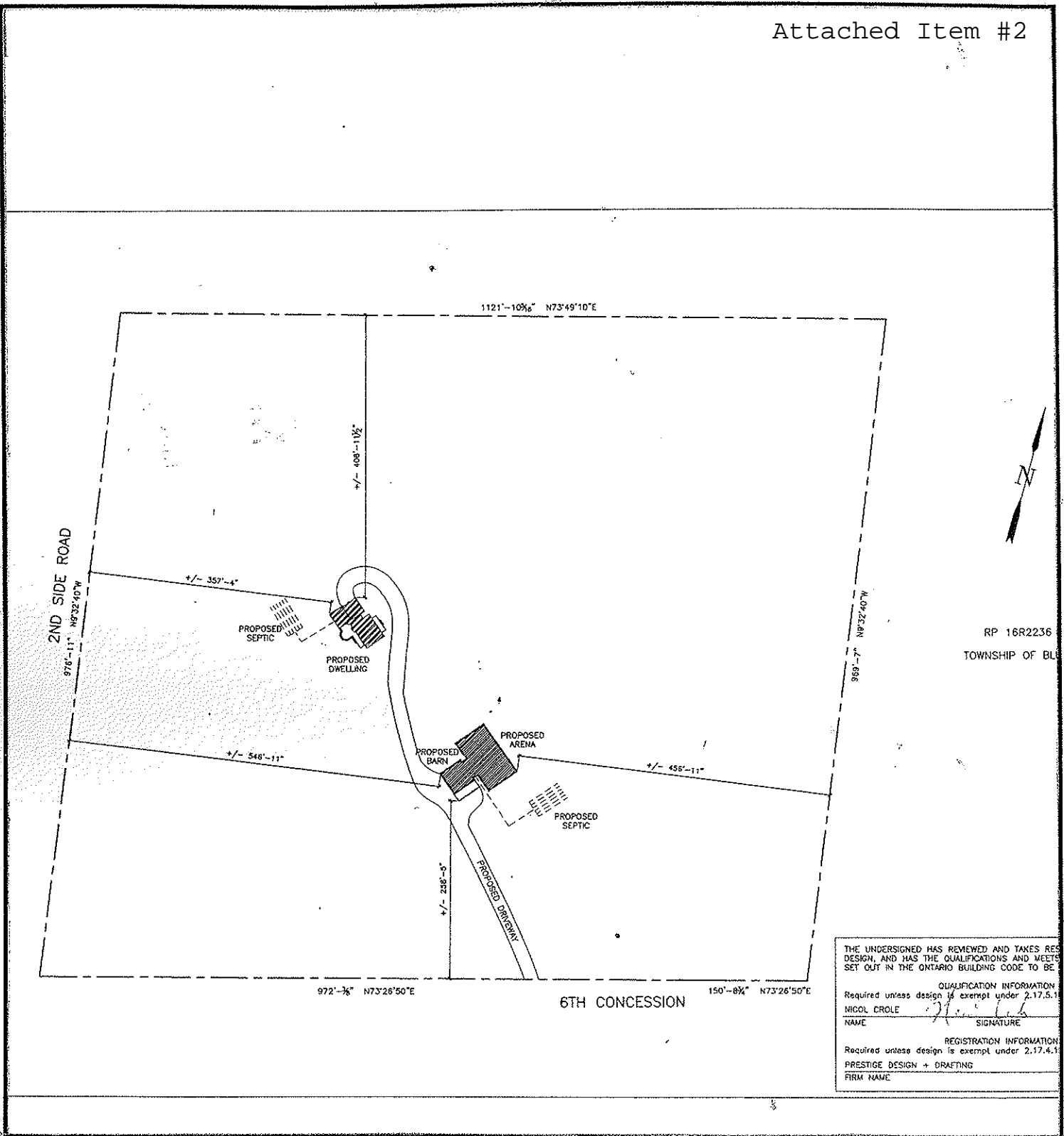
APPLICANT: HELEN BAMBROUGH

**LEGEND**

 Subject Property

Approximate Scale 1:10000





# Map 3A

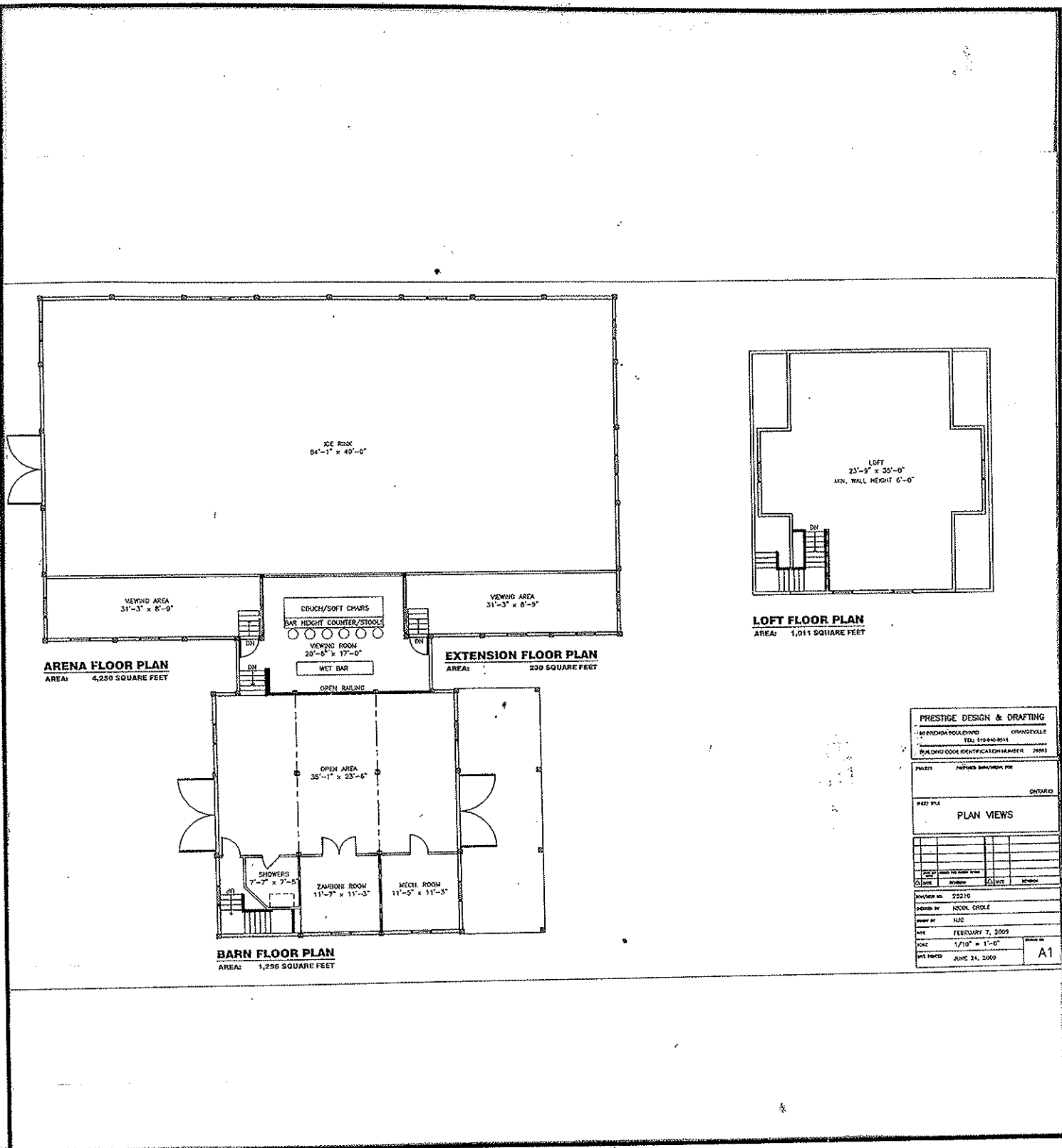
## Site Plan

Name... Helen Bambrough

File Number... G/R/2009-2010/9099



Not to Scale



<b>PRESTIGE DESIGN &amp; DRAFTING</b>	
30 BRINDEN ROAD	ORANGEVILLE
TEL: 810-888-8811	
REGISTERED PROFESSIONAL ENGINEER	2003
PROJECT: HAYDEN BAMBROUGH FOR	
ONTARIO	
SHEET NO: PLAN VIEWS	
DATE: FEBRUARY 7, 2009	
SCALE: 1/16" = 1'-0"	
DATE: JUNE 24, 2009	A1

# Map 3B

## Site Plan

Name Helen Bambrough  
 File Number G/R/2009-2010/9099



Not to Scale

**STAFF REPORT: PLANNING & BUILDING SERVICES**



**REPORT TO:** Planning & Building Committee  
**MEETING DATE:** February 1, 2010  
**REPORT NO.:** PL.10.12  
**SUBJECT:** Update on Ontario Municipal Board Mediation Session – Rosen/The Lodges at Blue Mountain Appeals, Short Term Accommodation ICBL, Official Plan Amendment & Zoning By-laws  
**PREPARED BY:** David Finbow, Director, Planning & Building Services

**A. Recommendations**

**THAT** Council receive Staff Report SRB.10.12 respecting “Update on Ontario Municipal Board Mediation Session – Rosen/The Lodges at Blue Mountain Appeals, Short Term Accommodation Interim Control By-law, Official Plan Amendment & Zoning By-laws”.

**B. Background**

1. On January 27, 2010 Town staff and the Town’s Solicitor attended an Ontario Municipal Board (OMB) Mediation Session respecting appeals of the Short Term Accommodation Interim Control By-law, Official Plan Amendment & Zoning By-laws. This session was mediated by OMB Vice-Chair James McKenzie. In attendance were the Appellant and his solicitor and Planning Consultant.
2. Although there was a good exchange of information, the session concluded without reaching a mutually satisfactory result.
3. Given that mediation has now concluded, staff will now prepare for a full OMB Hearing that will likely be scheduled for sometime in the early to mid-summer.

**C. The Blue Mountains’ Strategic Plan**

*“Providing a strong, well managed municipal government.”*

**D. Environmental Impacts**

N/A

**E. Budget Impact**

Legal costs & staff time

**F. Addendums**

N/A

David Finbow  
Director, Planning & Building Services



two-car garage to be located a minimum distance of 5 metres from the front lot line. It should be noted that the lands are zoned General Rural (A1) and Hazard (H) in the former Township of Collingwood Zoning By-law No. 83-40; and that Section 5.2(ii) of the By-law requires accessory buildings and structures to be located no closer to the front or side lot line than the minimum distance required by the zoning by-law; and that Section 5.2(iii) of the By-law requires accessory buildings and structures to be located no closer to the street than the main building.

The land affected by this application is described as South Part Lot 25, Concession 7, (104 Camperdown Road).

Secretary/Treasurer stated that the Public Notice was circulated in accordance with the Planning Act. The Notice was provided to the applicant and was posted on the subject property.

Comments were received from the following:

*Grey County Planning Dept.* – “Section 2.8.4 of the OP states that ‘in areas identified as Special Policy Areas on Appendix ‘A’ it will be necessary for the proponent of any planning application for address the need of an Environmental Impact Study (EIS)”. This is to determine whether or not karst topography does exist and this may be accomplished by an on-site test hole. An e-mail dated Oct.22/09 from Town Planning Staff to the County of Grey Planning Dept. attaching pictures that the test holes had been completed with no indication of karst, and a reply from the County dated Oct.22/09 that they were satisfied that there was no karst and had no further concerns.

*Niagara Escarpment Commission (NEC)*– provided that the Committee is satisfied that the proposal does not present any site specific or neighbourly planning, visual or environmental impacts that cannot be mitigated, they would have no objection to the variance.

*Grey Sauble Conservation Authority* – no objection provided the structure is located outside the hazard zone and regulated area; a permit is required prior to development and/or site alteration within the affected area.

*Van Strein Developments (agent for the applicant)* – due to the minor nature of the proposal felt that the conditions proposed in the planning staff report were ‘overly onerous’ and requested that the conditions be waived.

*TOTBM Engineering & Public Works* – no comments.

*TOTBM Planning Dept.* – no objection subject to the conditions noted in planning staff report #PL.09.112.

Discussion as to what the term ‘neighbourly planning’ is being referenced by the NEC and to which of the four conditions in the planning staff report does it pertain to, if any. Planning staff explained that the conditions in the planning staff report are built upon Town staff comments. The east side of Camperdown Road is in the NEC development control area but this proposal is not. The

Town's development control conditions are in the general rural and hazard zones. Therefore regulations stated that the proposed building may be located in the side or rear yard in order to comply with zoning. This proposal triggers planning approvals and therefore must reference against the municipality's official plan being Escarpment (E), noting visual impacts and landscaping. The purpose is to have a 'natural' look with no buildings or structures in view.

Discussion regarding condition #'s 2, 3 & 4 being to the satisfaction of both the NEC and the Town. The Committee felt that it was unnecessary that these conditions be to the satisfaction of the NEC, especially when they did not indicate it or have a concern with it in their letter dated Oct.22/09.

Discussion as to whether or not the conditions in planning staff report No.PL.09.112 were too extreme. The Committee thought that, in all likelihood, within a few years, the natural screening that is already there and the extra landscaping proposed by the applicants would be sufficient screening and should not have any impact on any visual from the base of the hill. As well, the visual from the two subdivisions below probably wouldn't be an issue to those living there as those residents' view would, in all likelihood, be to the north looking towards the Bay rather than south of them where the garage is proposed, i.e. looking up the hill.

No complete drawings were available until the date of the public hearing.

Chair Metras then opened the meeting up to the public.

Jacqueline Van Strien, agent for the applicants, and Anne and Robert Luton, applicants, were all in attendance. Ms. Van Strien circulated the drawings to the Committee members stating that they had just become available to her that day. She stated that the intent of the proposal is to blend in with the existing landscape and the garage to have the look of an 'older' building. There would be no change to the existing driveway as it to be used to access the garage and residence. There would be little or no grading as the proposed garage is based on the same grade level as the residence.

Planning staff explained that a 'visual assessment' is a document that shows the views from different aspects and how it would impact the surrounding area.

Ms. Van Strien further stated that it is the intent to have minimal impact on the surrounding area with little to no removal of any existing vegetation. It was noted that there is an old apple tree close to where the proposed garage will be and its the applicants hope to save the tree. As well, earth-tone colours are proposed for the exterior of the garage.

Discussion on impact on the existing trail with planning staff stating that any impact would be on the surrounding area not on the actual proposal, i.e. the two subdivisions at the base of the hill. Further, that there is an approximate 30 metre elevation difference from the two subdivisions up to where the garage is proposed being 300 metres in linear distance away, i.e. 1:10 slope.

Mr. Luton noted that there was no indication from the developer below that there was any concern with this proposal.

No other members of the public were in attendance to speak either in favour or in opposition to the application. Chair Metras then closed the public portion of the meeting.

The Committee members considered the following:

- regarding visual assessment, it was felt that the applicants had already done due diligence and mitigated any visual impact by placing the garage in the proposed location and going through the minor variance process rather than placing it in the rear yard, which would be more visible. Should the applicants have chosen to do so and were within the required setbacks of the zoning by-law then all that would have been required was to apply for a building permit. The Committee felt that the applicants chose a more lengthy and expensive process but one that was more suitable to the surrounding area and neighbourhood;
- regarding the grading plan, due to the size of the property a grading plan would not be required through the building permit process. As it is, little or no grading should be required as the proposed garage will be at the same elevation as the existing driveway;
- regarding landscaping, the Committee felt that the applicants agent was capable of producing a suitable landscaping plan to the satisfaction of the Town. Ms. Van Strein, agent, was in agreement with this recommendation.

Moved by: Robert Waind

Seconded by: Bill Remus

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A16-2009 in order to permit a maximum 72 square metre detached two-car garage to be located a minimum distance of 5 metres from the front lot line on the subject property.

**CONDITIONS:**

1. That the maximum 72 square metre detached two-car garage be constructed substantially in accordance with the drawings submitted on September 24, 2009 with Minor Variance Application No. A16-2009.
2. That a landscaping plan be completed and submitted to the satisfaction of the Town.

**REASON FOR DECISION:**

The Committee is satisfied that the application meets the four tests for minor variance, as noted in the Planning Staff Report PL.09.112”.

Carried.

**D. Correspondence:** none

**E. New & Unfinished Business:**

- December’s meeting date - TBA

**F. Next Meeting Date** – November 19, 2009

**G. Adjournment:**

Moved by: Bill Remus

Seconded by: Robert Waind

THAT this Committee of Adjustment meeting now be adjourned. Carried.

**THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS  
NOTICE OF APPLICATION AND PUBLIC MEETING  
TO RECEIVE COMMENTS REGARDING A PROPOSED ZONING BY-LAW AMENDMENT**

TAKE NOTICE THAT the Town requests your comments on this Application;

AND THAT the Town of The Blue Mountains has received a complete application for a Zoning By-law Amendment;

AND THAT the Planning & Building Committee of The Corporation of the Town of The Blue Mountains will hold a **PUBLIC MEETING** in the **L. E. SHORE MEMORIAL LIBRARY, 183 BRUCE STREET SOUTH, THORNBURY, ONTARIO, COMMENCING 7:00 P.M. ON THE 1<sup>ST</sup> DAY OF FEBRUARY, 2010**, for the purpose of receiving comments on this application.

The purpose of this Application is to consider a request by the Toronto Ski Club to construct a new 351 square metre addition to the existing clubhouse, as well as providing other interior and exterior improvements to the building. The application also proposes to recognize a deficiency in the number of parking spaces provided for the ski club use on the property. It should be noted that a second parking area exists on a separate property across the street from the main property.

The proposed addition requires an amendment to the existing Zoning By-law (By-law 83-40) which limits the existing clubhouse to a maximum gross floor area of 1450 square metres. The existing By-law also recognizes a number of reduced setbacks from property lines required for the building, decks and parking areas, which are not proposed to change.

The effect of this By-law Amendment should it be granted, would increase the maximum gross floor area permitted on the property to a maximum of 1850 square metres to recognize the gross floor area of the existing structure and proposed addition, and to establish a new minimum parking space requirement on the property and adjacent lands.

The subject lands of this proposed Amendment are owned by the Toronto Ski Club and are legally described as Part Lot 19 Concession 3; Town of The Blue Mountains. These lands are locally described with a civic address of 796456 Grey Road 19; as shown on the attached sketch.

Any person or agency may attend the Public Meeting and/or make written or verbal representation either in support of or in opposition to the proposed Amendment.

If a person or public body does not make oral or written submissions at a public meeting to the Town of The Blue Mountains in respect of the proposed Zoning By-law Amendment, the person or public body is not entitled to appeal the decision of Town Council to the Ontario Municipal Board; and may not be added as a party to the Hearing of an appeal before the Ontario Municipal Board.

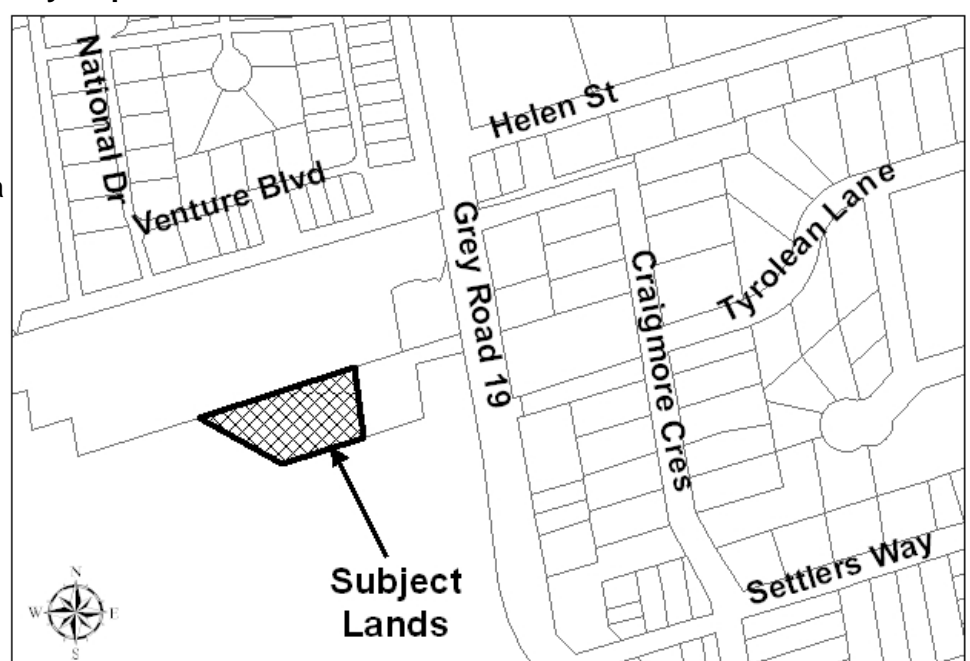
Additional information relating to the proposed Amendment is available for inspection during regular office hours in the Planning Division of the Planning & Building Services Department at the Municipal Office, at the address below, or contacting the Planning Division directly at (519)599-3131 ext.248.

At this public meeting, the Town is looking to receive written and/or verbal comments which will be reviewed in the Planning Staff Report and then taken into consideration for decision by Town Council. It should be noted that a decision on this Application will not be made at this public meeting. Planning Staff will bring a Staff Report and recommendation forward to a future Planning & Building Committee Meeting.

DATED at Town of The Blue Mountains this 11<sup>th</sup> day of January, 2010.

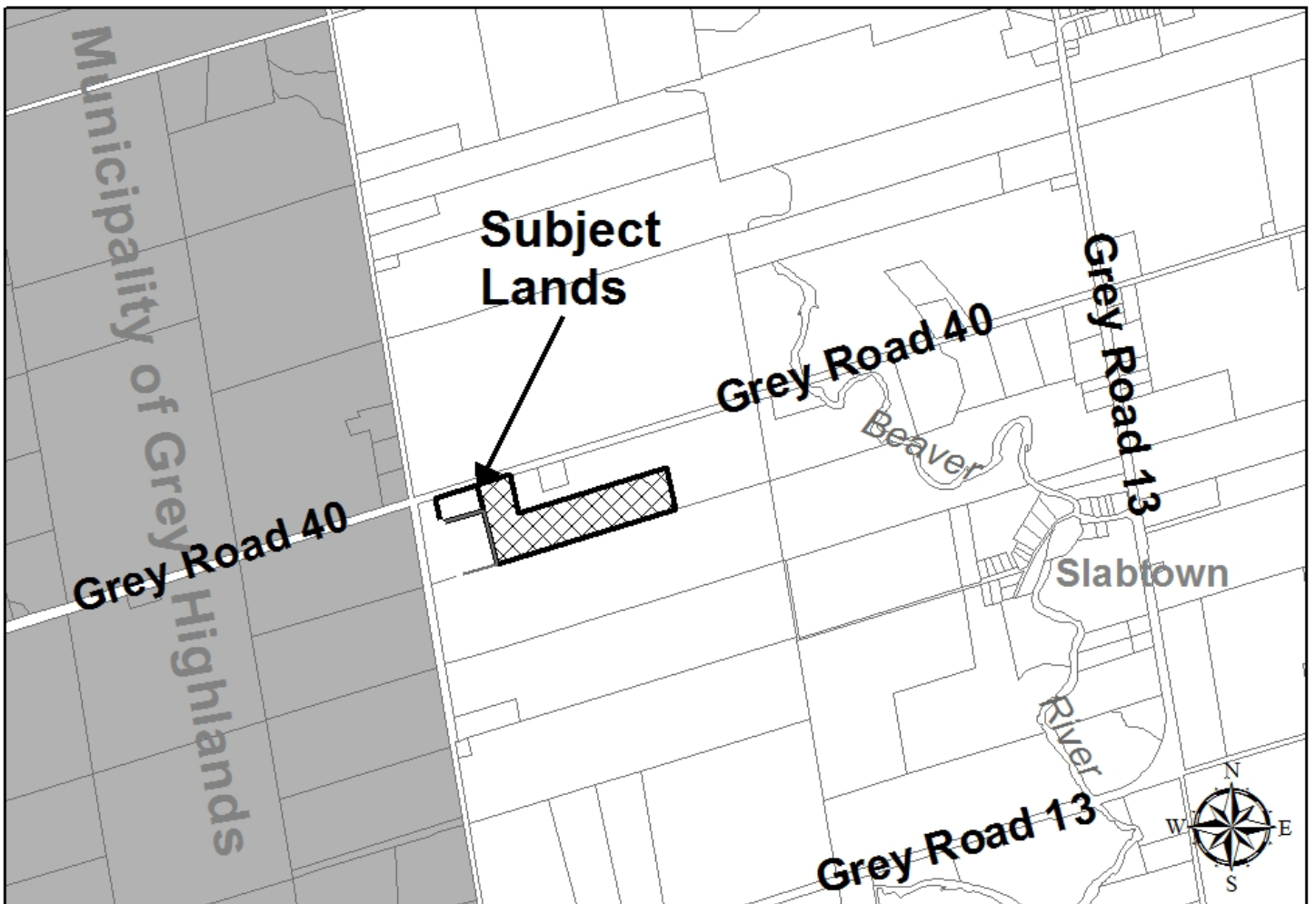
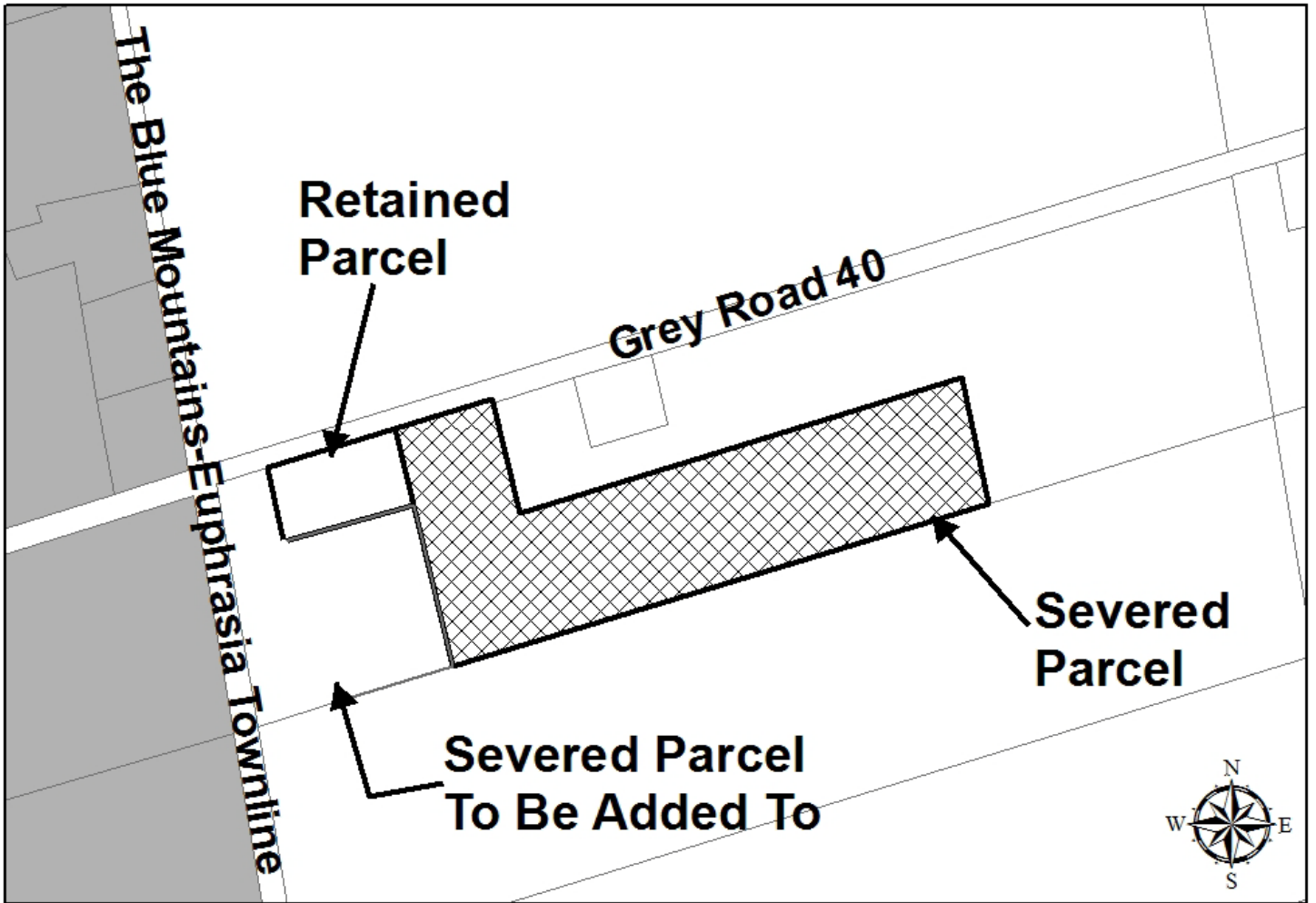
Stephen Keast, Clerk,  
Town of The Blue Mountains  
P.O. Box 310  
26 Bridge Street East  
Thornbury, Ontario  
N0H 2P0  
Toll-Free: (888) 258-6867  
Telephone: (519) 599-3131  
Facsimile: (519) 599-7723  
Email: skeast@thebluemountains.ca

**Key Map**





LOCATION



**THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS  
NOTICE OF APPLICATION & PUBLIC MEETING  
TO RECEIVE AGENCY & PUBLIC COMMENTS  
REGARDING A PROPOSED ZONING BY-LAW AMENDMENT**

TAKE NOTICE THAT the Town wants your comments on this Application;

AND THAT the Planning Division of the Planning & Building Services Department of The Corporation of the Town of The Blue Mountains has received an Application for a Zoning By-law Amendment;

AND FURTHER THAT the Planning & Building Committee of Council of The Corporation of the Town of The Blue Mountains will hold a **PUBLIC MEETING** in the **L. E. SHORE MEMORIAL LIBRARY, 183 BRUCE STREET SOUTH, THORNBURY, ONTARIO, COMMENCING 7:00 P.M. ON THE 1<sup>ST</sup> DAY OF FEBRUARY, 2010**, for the purpose of receiving agency and public comments on an Application for a Zoning By-law Amendment.

The purpose of this Application is to address a potential condition of Consent on Application B25-2009. The consent application proposes to sever a 12.0 hectare vacant agricultural parcel on the eastern portion of the property and deed it as a lot addition to the existing 5.87 hectare rural residential parcel to the west, containing an existing dwelling and agricultural building. A 1.58 hectare rural residential parcel would be retained, containing an existing dwelling. If the Consent is granted, a Zoning By-law Amendment would be required to rezone the retained parcel and proposed newly enlarged parcel, and to recognize the proposed newly enlarged parcel as being deficient of the 20 hectare lot area requirement of the General Rural (A1) Zone.

The effect of this Amendment would be to rezone the subject lands to General Rural (A1) Zone and Rural Estate Residential (RURa) Zone; and to establish a new minimum lot area of 17 hectares for the newly enlarged parcel in the General Rural (A1) Zone.

The subject lands of this proposed Amendment are owned by Ardis and Nona Ardiel and are legally described as Part 1, 16R-5211; Part 1, 16R-7807; Part Lot 27, Concession 12; Town of The Blue Mountains. These lands are locally described as being located on the southeast corner of the intersection between Grey Road 40 and The Blue Mountains-Euphrasia Townline with a civic address of 356769 The Blue Mountains-Euphrasia Townline and 827209 Grey Road 40; as shown on the attached sketch.

Any person or agency may attend the Public Meeting and/or make written or verbal representation either in support of or in opposition to the proposed Amendment.

If a person or public body does not make oral submissions at a public meeting or make written submissions to The Corporation of The Town of The Blue Mountains before the by-law is passed, the person or public body is not entitled to appeal the decision of The Corporation of the Town of The Blue Mountains Council to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to The Corporation of The Town of The Blue Mountains before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Additional information relating to the proposed Amendment is available for inspection during regular office hours in the Planning Division of the Planning & Building Services Department at the Municipal Office, at the address below, or contacting the Planning Division directly at (519)599-3131 ext.269.

At this public meeting, the Town seeks to receive comments to aid in our decision making process. It should be noted that a decision on this Application will not be made at this public meeting. The Planning Division will bring recommendations forward to a Planning & Building Committee Meeting at a future date following this public meeting.

DATED at Town of The Blue Mountains this 6<sup>th</sup> day of January, 2010.

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