

B. Public Meetings - 7:00 p.m.

B.1 Proposed Street Renaming – Hurlbert Court to Hammond Court

Chair Duncan McKinlay advised that our first public meeting tonight is related to the proposed renaming of “Hurlbert Court” to “Hammond Court”. The purpose of this Public Meeting is to receive comments from any person who claims that his or her land will be prejudicially affected by the proposed renaming prior to Council’s consideration of the appropriateness of the renaming.

The Clerk advised that no comments were received with respect to this proposed street renaming.

Chair Duncan McKinlay asked if any person from the public wished to make comments related to this proposed renaming. Ron Speight, Director of Grey Common Elements Condominium Corporation No. 63 advised that the Board of Directors and owners are supportive of the name change to Hammond Court.

Chair Duncan McKinlay declared the Public Meeting closed as no one wished to speak.

B.2 Application for Zoning By-law Amendment Lot 48 & Lot 49, Judges Plan 529 Karen Sheppard

Chair Duncan McKinlay noted 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 Zoning By-law Amendment Application. If you wish to be notified of the adoption of the proposed Application for Zoning By-law Amendment, or of the refusal of the proposed Application for Zoning By-law Amendment, you must make a written request to Corrina Giles, Town Clerk, Town of The Blue Mountains, P. O. Box 310, 32 Mill Street, Thornbury, ON N0H 2P0.

Duncan noted that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of The Blue Mountains before the proposed Application for Zoning By-law Amendment is adopted, the person or public body is not entitled to appeal the decision of Council of the Town of The Blue Mountains to the Ontario Municipal Board.

Duncan noted that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of The Blue Mountains before the proposed Application for Zoning By-law Amendment is adopted, 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 add the person or public body as a party.

Duncan noted additional information relating to the proposed Application for Zoning By-law Amendment is available for inspection during regular office hours at the Planning Division of the Planning & Building Services Department, 32 Mill Street, Thornbury or by calling (888)258-6867 or (519)599-3131 Ext. 248.

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

Shawn Postma, Planner II read the Notice of Public Meeting to receive agency and public comments with respect to an Application for Zoning By-law Amendment. The purpose of this By-law is to consider a request to establish a new building envelope on the subject lands. The lands were subject to a previous consent application (File B03-2004) which created a new vacant residential lot subject to a number of conditions. One of the conditions of the consent application required an amendment to the Zoning By-law. By-law 2007-24 was then passed and it established a new building envelope on the lands for the proposed lot to be created by consent. Prior to the completion of all conditions of consent, the property owner withdrew her intentions of creating the new lot. The consent expired and the application was deemed refused. Zoning By-law 2007-24 remains in effect for the lands, and it is now being requested that an amendment be granted to establish a new building envelope on the lands respecting the intent of the original building envelope, but removing the interior side yard restrictions imposed along the proposed boundary of the lots that were to be created.

The effect of this By-law is to establish a new building envelope for the subject lands that respects the minimum setback requirements for the Residential 'R3' Zone, and to increase the minimum rear yard setback from 10 metres to 15 metres and to increase the easterly side yard setback from 2 metres to 15 metres to provide a minimum of 15 metres from the centre of the creek and a minimum of 9 metres from the top of slope related to the creek.

The subject lands of this Zoning By-law Amendment are legally described as Lot 48 & Lot 49, Judges Plan 529, Town of The Blue Mountains.

The Clerk read the correspondence from County of Grey Planning & Development Department, Grey Sauble Conservation Authority and Ministry of Transportation.

Dave Slade, Agent for the Application advised that this is a lot of record with no conditions imposed upon it and outlined the 7 years of history with this application. David confirmed that the Conservation Authority should establish a setback from the creek on the property and wave up rush. David advised that the Conservation Authority wants to include all of the lands within a hazard zone and a 15 metre setback. There is an existing home on this property today. Dave confirmed his client is trying to make it a simple application when she is listing the property and clarify to let future buyers know what he can do. Dave feels that little building envelope with all other properties is within a hazard zone – more restrictions that would be normally applied to a lot of record.

David confirmed that he has been back and forth with Andrew Sorensen of Grey Sauble Conservation Authority on how to proceed with the building envelope as submitted to the Planning Department.

John Jeffs advised that he is familiar with these sort of lakefront properties and questioned why classify only a portion as hazard land. John asked if it was a dollars and cents situation with Grey Sauble. John indicated they know where the high water mark is and suggested that playing around with this does not make sense to him.

John suggested that the Municipality cannot clarify Plan 529 and Block G and asked where we are going with this. Chair Duncan McKinlay indicated that Plan 529 is a complex problem that we need to address separately.

John Jeffs feels that things are not moving in a realistic direction with respect to what the Conversation Authority wants with respect to 2 lots within Plan 529. They are assuming everything goes to the water edge.

David Slade advised that this property is a regulated property and there are very good controls upon the shoreline. David suggested to put another layer is not necessary in his opinion. Before a Building Permit is issued there is a need for a Fill Permit from Grey Sauble Conservation Authority. David feels this property is very well regulated with very onerous setbacks on this property.

David Finbow indicated that the parcel fabric under discussion is from Terranet and it is to be used to demonstrative purposes only. It is not a survey.

Tom Stone who owns the lot south of the land noted that his only concern is with respect to the right-of-way through between the two properties. There are a lot of mature trees and this is a walkway for people. Mr. Stone would like to be notified if there are any other changes and confirmed that the Town land would not be touched by this application.

Chair Duncan McKinlay asked that Mr. Stone notify the municipality if he sees anything going on that effects this land.

Tom Stone advised that the creek has changed considerably in the last few years on the south side of the highway and wanted confirmation that they are not going to affect the creek. There has been a huge pond installed and the creek flows much more than it used to and it is a lot higher than it used to be. Tom suggested that the neighbour east of them on Highway 26 would be flooded out if there are changes made.

Chair Duncan McKinlay declared the Public Meeting closed as no one wished to speak.

**B.3 Application for Consent – B15-2011
Lot 19, Plan 1127
John Smith**

Chair Duncan McKinlay noted 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 Consent Application. If you wish to be notified of the adoption of the proposed Application for Consent, or of the refusal of the proposed Application for Consent, you must make a written request to Corrina Giles, Town Clerk, Town of The Blue Mountains, P. O. Box 310, 32 Mill Street, Thornbury, ON N0H 2P0.

Duncan noted that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of The Blue Mountains before the proposed Application for Consent is adopted, the person or public body is not entitled to appeal the decision of Council of the Town of The Blue Mountains to the Ontario Municipal Board.

Duncan noted that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of The Blue Mountains before the proposed Application for Consent is adopted, 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 add the person or public body as a party.

Duncan noted additional information relating to the proposed Application for Consent is available for inspection during regular office hours at the Planning Division of the Planning & Building Services Department, 32 Mill Street, Thornbury or by calling (888)258-6867 or (519)599-3131 Ext. 248.

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

Shawn Postma, Planner II read the Notice of Public Meeting to receive agency and public comments with respect to this Application for Consent. The purpose of this consent is to consider a request to sever an existing vacant residential lot approximately in half and deed each half to the adjacent lots to the north and south. Each of the lots to be enlarged contains a single detached dwelling.

The subject land of this Application for Consent is Lot 19, Plan 1127, Town of The Blue Mountains.

The Clerk read the correspondence from County of Grey Planning & Development Department and Grey Sauble Conservation Authority.

Krystin Rennie made a presentation on behalf of the applicant.

Councillor Michael Martin questioned if we are dividing one lot are we losing development fees on the lot being carved in half.

Chair Duncan McKinlay advised that we already have received the hard services but would lose out on the soft services portion.

Chair Duncan McKinlay questioned how this meets the PPS test which calls for intensification. Shawn Postma, Planner II confirmed that he will address this in his staff report back to the Committee.

Councillor Gail Ardiel asked if there are existing homes on Lots 18 and 20. Krystin confirmed there are.

Chair Duncan McKinlay declared the Public Meeting closed as no one wished to speak.

C. Deputations/Presentations

N/A

D. Staff Reports as circulated

D.1 Application for Consent – B14-2011 – PL.11.138 Part Lot 29, Concession 9 – Cedar Run Corporation

Moved by: Michael Martin Seconded by: R. J. Gamble

THAT Council receive Planning Staff Report PL.11.138, "Application for Consent File No. B14-2011, Cedar Run Corporation, Part Lot 29 Concession 9, Town of The Blue Mountains" as amended; and,

THAT Council grant Application for Consent File Number B14-2011 with no conditions, **unanimously CARRIED.**

D.2 Application for Site Plan Approval – PL.11.142 Part Lot 83, Plan 1023, Part 1, RP 16R-8301 - 21 Bruce Street North 1383188 Ontario Inc. (Margaret McGillis)

Councillor Bob Gamble questioned if the whole property would require an Engineering Safety inspection of the building before anything happens.

David Finbow, Director Planning & Building Services advised that through the building permit process they will review this. Through the proposed addition they will look at structural and look at the Beaver River bank in this area. David advised there are erosion concerns further to the south of this property.

Moved by: R. J. Gamble

Seconded by: Gail Ardiel

THAT Council receive Planning Staff Report PL.11.142, "Application for Site Plan Approval – 1383188 Ontario Inc c/o Margaret McGillis; Part Lot 83, Plan 1023; Part 1, RP 16R-8301; 21 Bruce Street North; Town of The Blue Mountains";

AND THAT Council conditionally grant Site Plan Approval for the conversion of the existing two-storey dwelling, with associated 43.5 square metre foot print area addition, into a commercial building (orthodontic practice) on the main floor and a retreat (ancillary residential component) on the second floor on Part 1, RP 16R-8301, in substantial accordance with the drawings referenced in this report, subject to the following conditions:

1. That the owner(s) enter into a Parking Exemption Agreement with the Town at the owner's expense.
2. That the owner(s) enter into a Site Plan Agreement with the Town at the owner's expense.

AND THAT Council approve cash-in-lieu of parking for two (2) parking spaces on Part 1, RP 16R-8301, at a rate of \$1,500 per parking space, subject to the owner(s) entering into a Parking Exemption Agreement with the Town at the owner's expense;

AND FURTHER THAT Council authorize the Mayor and Clerk to execute a Parking Exemption Agreement and Site Plan Agreement, in forms approved by the Town's Director of Planning and Building Services and the Town's solicitor, and be registered in the applicable Land Registry Office, **unanimously CARRIED**

**D.3 Application for Consent B12-2011 and B13-2011 and Zoning By-law Amendment – PL.11.139
Part Lot 24 and 25 Concession 7 - 1666427 Ontario Limited (Safrata)**

Chair Duncan McKinlay questioned the proposed rerouting of the Trail suggesting that it appears that it would take more metres of trail construction to reach the 7th Line compared to leaving as it is. Shawn Postma, Planner II confirmed this is correct and advised that the land exchange section does bring you closer to Georgian Bay Club trail section located on the 7th Line.

Duncan noted that concerns were expressed at the public meeting with fragmentation and effect on their adjoining agricultural operations. Shawn confirmed that this property is designated Rural under the Official Plan. Recognize that the area resident has an active agricultural use on their own lands and there is potential for livestock on their property. Comments for MDS from livestock operation. Revised schedule would include MDS – schedule needs to be updated. Number of hazard areas as recognized by Grey Sauble Conservation Authority, updated property lines, lot area and lot frontage requirements.

Duncan asked if MDS was calculated on a base livestock number. Shawn confirmed that he used the existing area of barn and advised that MDS will determine how many livestock can be in the barn based on the size of the barn. Shawn confirmed that he did use dairy cows as was previously used.

Councillor Bob Gamble indicated that in looking at the new proposed location and questioned if there will ever be a road built there and trails will be established on the severed portion of Sideroad 24. Bob questioned if they will decide to build the trail on Sideroad 24 or proposed trail. Shawn advised that he walked this area with the Recreation Department and the agent. The proposed land exchange section would provide for more viable trails. The watercourse runs into one gully half way through the piece.

Duncan confirmed this is a reasonable gully which has 3 significant elevation changes.

Councillor Gail Ardiel questioned if another development came on board, could the road go right through to 7th line. Shawn confirmed there is a big ditch in that location and the proposed land exchange would keep it the same. There would be significant challenges if you wanted to put a road there.

Moved by: R. J. Gamble

Seconded by: Gail Ardiel

1. THAT Council receive Planning Staff Report PL.11.139, "Application for Consent B12-2011 and B13-2011 and Zoning By-law Amendment, 1666427 Ontario Limited (Safrata), Part Lot 24 and 25 Concession 7, Town of The Blue Mountains";
2. THAT Council grant Application for Consent File Number B12-2011 subject to the following conditions:
 - 1) Council enacting a Zoning By-law Amendment to:
 - a. Establish a new minimum lot area and minimum lot frontage requirement for the severed and retained parcels
 - b. Rezone the lands to recognize the Hazard 'H' Zone and General Rural 'A1' Zone.
 - c. Establish a minimum distance separation setback from an existing livestock facility north of the severed lands.
 - 2) The Payment of applicable Development Charges
 - 3) The Payment of applicable Parkland Dedication Charges
 - 4) That an Entrance Permit be obtained from the Engineering and Public Works Department for the severed and retained parcels.
3. THAT Council grant Application for Consent File Number B13-2011 subject to the following conditions:
 - 1) Council enacting a Zoning By-law Amendment to:
 - a. Establish a new minimum lot area and minimum lot frontage requirement for the severed and retained parcels
 - b. Rezone the lands to recognize the Hazard 'H' Zone and General Rural 'A1' Zone.
 - 2) The Payment of applicable Development Charges

- 3) The Payment of applicable Parkland Dedication Charges
 - 4) That an Entrance Permit be obtained from the Engineering and Public Works Department for the severed parcel.
4. THAT Council enact a Zoning By-law Amendment to establish a new minimum lot area and minimum lot frontage requirements; to rezone the lands to the Hazard 'H' Zone and General Rural 'A1' Zone and General Rural 'A1-h' Zone and to establish a minimum distance setback requirement from an existing livestock facility.
 5. THAT Council authorize the sale and disposition of Town owned lands, being a portion of the 24th Sideroad from the 7th Line to a point 20.1 metres west of the half township concession boundary in exchange for a 20.1 metre wide portion of the subject lands starting at the northwesterly corner of the South Half Lot 25 along the entire northerly property line and also including a 20.1 metre wide portion of the subject lands starting at the northeasterly corner of the South Half Lot 25 along the entire easterly property line connecting to the unopened portion of the 24th Sideroad road allowance, **unanimously CARRIED**

D.4 Application for Consent – B09-2011 and Zoning By-law Amendment – PL.11.143

Part Lot 35, Concession 11, Part of Part 1, RP 16R-2045, Part 3, RP 16R-3996 – 417248 10th Line – Beaver Valley Apple Orchards Ltd. (Kritsch)

Moved by: Michael Martin

Seconded by: R. J. Gamble

THAT Council receive Planning Staff Report PL.11.143, "Application for Consent File No. B09-2011; and Zoning By-law Amendment – Beaver Valley Apple Orchards Ltd. c/o Tom Kritsch; Part Lot 35, Concession 11; Part of Part 1, RP 16R-2045; Part 3, RP 16R-3996; 417248 10th Line; Town of The Blue Mountains";

AND THAT Council authorize Consent No. B09-2011, subject to the following conditions:

1. That the Applicant meet all the requirements, financial and otherwise of the Town, for the Certificate of Consent to be issued.
2. That the Applicant provide a description of the land which can be registered in the Land Registry Office.
3. That the severed parcel be deeded as a lot addition to the property abutting to the west in accordance with Section 50 (3) of the *Planning Act, R.S.O. 1990*.
4. That any existing mortgage commitment on the severed parcel be extended to cover the whole, newly created parcel.
5. That Council enact a Zoning By-law Amendment to recognize the proposed new lot area and lot frontage of the proposed newly enlarged parcel and rezone the existing residential lot into similar zoning of the farmlands; and delineate the environmental hazard lands associated with the watercourses.

AND FURTHER THAT Council enact a Zoning By-law Amendment to rezone the lands to General Rural Exception 231 (A1-231) Zone, General Rural (A1) Zone, and Hazard (H) Zone, **unanimously CARRIED**

**D.5 Application for Zoning By-law Amendment – PL.11.137
Part Lot 27 Concession 9 - Minnie Sheridan**

Moved by: Gail Ardiel Seconded by: R. J. Gamble

THAT Council receive Planning Staff Report PL.11.137, “Application for Zoning By-law Amendment, Minnie Sheridan, Part Lot 27 Concession 9, Town of The Blue Mountains”; and,

THAT Council enact a Zoning By-law Amendment to rezone the subject lands to the General Rural ‘A1’ Zone, General Rural ‘A1-h’ Zone and Hazard ‘H’ Zone and to establish a Minimum Distance Separation from an existing livestock facility located to the west of the subject lands, **unanimously CARRIED**

D.6 Source Water Protection - PL.11.140

Councillor Bob Gamble indicated that this was a good report which contained some startling information. Bob noted areas of concern were Castle Glen & Osler Bluff Ski Club areas. More information will be available on Wednesday at the meeting on Source Water Protection in Flesherton.

Moved by: Michael Martin Seconded by: Gail Ardiel

THAT Council does hereby receive Planning Staff Report PL.11.140, Source Water Protection for information purposes, **unanimously CARRIED**

D.7 Proposed County Official Plan Amendment No. 110, Housing Policies – PL.11.134

Councillor Michael Martin noted that the only areas Item 2 would affect are Thornbury/Clarksburg area. All other areas are Resort Recreational Areas.

Cindy Welsh, Senior Policy Planner advised that County staff have responded to the concern raised on October 27th to County Planning Committee & Housing Committee. Reference will be made to other fully serviced developments in other areas as listed.

Michael agrees with this change.

Chair Duncan McKinlay suggested they should be looking for affordable housing in Ravenna and Gibraltar.

Moved by: Gail Ardiel Seconded by: R. J. Gamble

THAT Council does hereby receive Planning Staff Report PL.11.134 Proposed County Official Plan Amendment No. 110, Housing Policies; and

That Council direct Planning Staff to forward Planning Staff Report PL.11.134 Proposed County Official Plan Amendment No. 110, Housing Policies to the County of Grey for their consideration, **unanimously CARRIED**

D.8 Building Permit Statistics – October 2011 – B.11.31

Moved by: Michael Martin Seconded by: Gail Ardiel

THAT Council receive Staff Report B.11.31 “Building Permit Statistics – October 2011” for information purposes, **unanimously CARRIED**

D.9 Monthly Planning Report – November 2011 – PL.11.131

Councillor Bob Gamble questioned Site Plan Control for Blue Mountain Resorts. David Finbow, Director, Planning & Building Services advised that Blue Mountain Resorts were granted Site Plan Approval to relocate a structure to the east side of the Millpond. A building permit is required and development charges will be paid at that time. David advised that Blue Mountain Resorts do not feel they should pay development charges but the By-law does require that they pay same. David confirmed that only Council can consider and grant that development charges not be applied in this instance.

David Finbow advised that they have been given the option of doing a temporary building for 8 months or alternatively pay developments charges. To date, he has had no response.

Bob Gamble questioned if this was a new structure or a moved structure. David confirmed that the building will be relocated to this location

Bob Gamble asked if they could request refund of development charges from where it is being moved from. David advised that it would have to be the same parcel of land. Not originating from within the building itself.

Chair Duncan McKinlay asked if they had not already paid development charges at this time. David confirmed that the first temporary building they would have to pay development charges.

Councillor Gail Ardiel questioned if this is a temporary permit for 8 months, 3 years or 9 years.

Duncan McKinlay advised that staff have provided them a number of options and we will be kept informed.

Moved by: Gail Ardiel Seconded by: R. J. Gamble

THAT the Planning & Building Committee receive Staff Report PL.11.131, “Planning Applications – November, 2011”, **unanimously CARRIED**

E. Minutes - Receive/Adopt

E.1 Committee of Adjustment minutes – October 20, 2011 –

Moved by: R. J. Gamble Seconded by: Gail Ardiel

THAT Council receive the Committee of Adjustments minutes of October 20, 2011, unanimously **CARRIED**

F. Correspondence

N/A

G. Next Meeting Date

January 16, 2012

H. Adjournment

Recommended (Move, Second)

THAT this Planning & Building Committee meeting does now adjourn.