



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

### **B.1 Application for Zoning By-law Amendment Part Lot 27, Concession 9 – Minnie Sheridan**

Chair McKinlay 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 address a condition of Consent Application B01-2011 that proposes to sever two parcels which have merged together into one. The severed parcel is approximately 38.8 hectares in size and is presently vacant. The retained parcel is 20.2 hectares in size and contains an existing residence, barn and outbuildings. Both parcels are used for agricultural purposes. An amendment is required as a condition of consent to establish a suitable building envelope on the severed parcel recognizing that 1. the lands are within 500 metres of a former landfill site and that 2. increased setbacks as calculated through Minimum Distance Separation (MDS) from livestock facilities may also be required.

The effect of this By-law is to implement the holding ‘-h’ symbol for those lands within 500 metres of the former landfill site. Development would not be permitted within these lands until such time as a Ministry of Environment D4 study is completed. Increased setbacks for a proposed residence will be prohibited for 120 metres along westerly property line from the front lot line to a boundary 420 metres back from the front lot line. This increased setback restriction is to ensure sensitive land uses are not constructed too close to livestock and manure facilities.

The subject lands of this By-law are legally described as Part Lot 27, Concession 9; Town of The Blue Mountains.

Duncan 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. If you wish to be notified of the adoption of the proposed 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.

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

Planner Shawn Postma made a presentation on this application on behalf of the Town. Shawn advised that the Zoning By-law Amendment is required to determine the MDS and recognize the former landfill site and setbacks from it. The Zoning By-law recognizes an increase in MDS and applies the holding symbol until the D4 study is completed. Shawn noted there are no restrictions on the General Rural A1 zoning portion of the property.

Chair Duncan McKinlay asked if any person from the public wishes to make comments related to this Zoning By-law Amendment.

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

**B.2 Application for Consents – B12-2011 & B13-2011 and Zoning By-law Amendment  
Part Lot 25, Concession 7 – 1666427 Ontario Limited (Safrata)**

Chair McKinlay read the Notice of Public Meeting to receive agency and public comments with respect to Applications for Consent and Zoning By-law Amendment.

The purpose of consent B12-2011 is to consider a request to sever an 8.6 hectare vacant parcel of land while retaining a 10.4 hectare vacant parcel. A land exchange has also been proposed where 20.1 metres of land along the entire northerly and easterly property lines would be dedicated to the Town in exchange for a portion of the unopened 24<sup>th</sup> Sideroad road allowance.

The purpose of consent B13-2011 is to consider a request to sever an 10.1 hectare vacant parcel of land while retaining a 10.3 hectare vacant parcel. A land exchange has also been proposed where 20.1 metres of land along the

entire northerly and easterly property lines would be dedicated to the Town in exchange for a portion of the unopened 24<sup>th</sup> Sideroad road allowance.

The purpose of the Zoning By-law is to address a potential condition of Consent Applications B12-2011 and B13-2011 that propose to create two additional rural residential lots from two existing 50 acre parcels. An amendment is required in order to establish a new minimum lot frontage and new minimum lot area requirement for the proposed parcels. The General Rural 'A1' Zone requires a minimum lot frontage and lot area requirement of 150 metres and 20 hectares.

The effect of this By-law is to rezone portions of the subject lands to the General Rural 'A1' zone and Hazard 'H' zone and to establish a new minimum lot frontage requirement of 128 metres for one of the four proposed parcels and a new minimum lot area requirement between 8 hectares to 10 hectares in size for the four proposed parcels..

A land exchange has been proposed by the landowner to the Town where 20.1 metres of land along the entire northerly and easterly property lines would be dedicated to the Town in exchange for a portion of the unopened 24<sup>th</sup> Sideroad road allowance.

A previous proposal submitted in 2008 for an Official Plan Amendment and Zoning By-law Amendment that proposed a low density ten unit residential development with organic agricultural operations, community trails and eco-agricultural demonstrations has been withdrawn.

The subject lands of this By-law are legally described as Part Lot 24 Concession 7, Part Lot 25 Concession 7 and a portion of the unopened 24<sup>th</sup> Sideroad road allowance, Town of The Blue Mountains, County of Grey.

Duncan 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 Consents and Zoning By-law Amendment Application. If you wish to be notified of the adoption of the proposed Application for Zoning By-law Amendment or Consents, or of the refusal of the proposed Application for Zoning By-law Amendment or Consents, 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 or Consents 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 or Consents 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 Consents and 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. 269.

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.

The Clerk then read correspondence received from Grey Sauble Conservation Authority, Planning & Development Department, Niagara Escarpment Commission and David Camplin, resident.

Planner Shawn Postma then reviewed the application and consideration of sale and disposition of Town owned lands. Shawn advised that the consents would create 4 parcels and noted a Zoning By-law Amendment is required as one lot is deficient in frontage and all are deficient in the minimum size of lot permitted. Shawn reviewed the land exchange proposed as it relates to the trail system in The Blue Mountains and Bruce Trail.

Krystin Rennie, Consultant on behalf of the applicant spoke with respect to the 2 consents and Zoning By-law Amendment. Krystin reviewed the Official Plan of The Blue Mountains as it relates to the property, noting there is limited farming on the property because of the trees, stream and hazards on the land. Krystin spoke with respect to the land exchange as part of the consent application. Krystin noted the consent application is cost effective as the current road allowance has streams that provide extra costs when creating a trail, further noting connection to the Georgian Bay Club would be closer with the land exchange in place.

Councillor Halos questioned the hazard, streams and workable acreage. Krystin identified the sites.

Councillor Martin questioned if the proponent will proceed if the land exchange does not move forward, Krystin replying that the proponent will continue with the consent applications.

David Camplin, neighbouring property owner spoke expressing his concern with the land exchange and the unopened road allowance, connectivity of trails at the top of Loree and noted he has been asked to donate land and confirmed advised that he will not donate land for trails.

Chair Duncan McKinlay asked if any person from the public wishes to make comments related to this proposed application.

Chair Duncan McKinlay declared the Public Meeting closed at 8:15 p.m. as no one wished to speak.

**B.3 Application for Consent – B14-2011  
Part Lot 29, Concession 9 – Cedar Run**

Chair McKinlay read the Notice of Public Meeting to receive agency and public comments with respect to an Application for Consent.

The purpose of this consent is to consider a request to sever a 23.67 hectare agricultural parcel while retaining a 40.45 hectare agricultural parcel.

The intent of this consent is to separate the lands for mortgage purposes.

The subject lands of this Consent are legally described as Part Lot 29, Concession 9, Town of The Blue Mountains.

Duncan 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 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. 269.

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.

The Clerk then read correspondence received from Planning & Development Department and Grey Sauble Conservation Authority.

Planner Shawn Postma provided an overview of the proposal, noting the consent application is seeking to reestablish two former farm parcels that merged when acquired by Cedar Run. Shawn noted the purpose of the consent is to sever the properties for mortgage purposes.

Peter Lush spoke noting that ownership to the property is not changing and advised that the severed parcel will be put into the name of "Indian Brook". Peter confirmed each parcel is operating for Cedar Run for trails, riding, tree plantings, hay and agricultural purposes.

Chair Duncan McKinlay asked if any person from the public wishes to make comments related to this proposed consent application.

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 - File Nos. B04-2011 and B05-2011 and Zoning By-law Amendment – PL.11.113 Town Plot Park Part Lots 5 and 6, Alfred E/S; Part Lot 5 and Lot 6, Plan 107 21 Alice Street West and 22 Alfred Street West - Jeremy Gourlay**

Councillor Gamble asked if this severance provides for ample entrance and setbacks from adjoining households. Planner Bryan Pearce confirmed that yes, the lot lines are in compliance with the Zoning By-law provisions with one condition to demolish the gazebo, carport and shed.

Bob questioned if the development would proceed by way of Plan of Subdivision or Plan of Condominium, Bryan replying that the development would most likely proceed by way of Plan of Condominium which would require a public process.

Councillor Martin questioned if Zoning By-law 10-77 is the relevant Zoning By-Law, Bryan replying that the zoning by-law amendment application is seeking to amend the zoning to the Development "D" Zone. Bryan further noted the current permitted uses are single detached homes therefore the lands are stagnant for development at this time. Michael then questioned the limits of the "D" zone, Bryan replying that any

development needs to conform with the Official Plan and that the “D” zone permits a wide range of development, from singles to multi-uses, in keeping with the development in the area. Bryan then noted that assembly of land is permitted, and that it allows for orderly development.

Director, Planning & Building Services David Finbow spoke noting the lands are currently designated residential, and noted the maximum densities under the Official Plan do not change under this application. David noted the proponent is proposing the R2Z to a more restricted zone that would be subject to public process.

Moved by: Ellen Anderson

Seconded by:

Joe Halos

THAT Council receive Planning Staff Report PL.11.113, “Application for Consent File Nos. B04-2011 and B05-2011; and Zoning By-law Amendment – Jeremy Gourlay; Town Plot Park Part Lots 5 and 6, Alfred E/S; Part Lot 5 and Lot 6, Plan 107; 21 Alice Street West; 22 Alfred Street West; Town of The Blue Mountains”; and

THAT Council authorize Consent No. B04-2011, 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 east 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 an Entrance Permit be obtained from the County of Grey Transportation and Public Safety Department for the newly enlarged parcel.
6. That a Demolition Permit be obtained to the satisfaction of the Town’s Chief Building Official for the removal of the existing carport, gazebo and shed.
7. That the existing water well within the westerly side yard of the dwelling be abandoned in accordance with the Wells Regulation 903 under the *Ontario Water Resources Act, R.S.O. 1990, c. O.40*.
8. That Council enact a Zoning By-law Amendment to rezone the proposed newly enlarged residential parcel to the Development D Zone.

THAT Council authorize Consent No. B05-2011, 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 south in accordance with Section 50 (3) of the *Planning Act, R.S.O. 1990*.







Director of Planning and Building David Finbow spoke noting the rate should be indexed in accordance with the Canadian Construction Price Index.

Councillor Martin then referenced the budget constraints and noted he fails to see the value in applying a rate of \$3,675 as it is deficient of the actual cost of a parking space.

Councillor Ardiel spoke noting this has been an issue for many years and noted \$1,500 would be more manageable for businesses and expressed concern that if the rate is too high that it may deter businesses from coming here. Duncan spoke noting if the rate is free, it would take away from current businesses.

Councillor Gamble then spoke questioning what parking is required of Main Street businesses, David replying that the options are cash-in-lieu, application for a minor variance, zoning by-law amendment, with more intensive uses such as restaurants requiring more spaces. David further noted a policy will help control how many parking spaces are required.

Councillor Halos questioned how many requests for cash-in-lieu of parking are received each year, David replying approximately one request per year actually materializes.

Mayor Anderson then spoke questioning if Council can be flexible with respect to cash-in-lieu of parking, David replying if this is Council's direction, that it needs to be explored further.

The Committee then voted on the resolution, Lost.

David then noted Staff have received a development proposal on Bruce Street North, amending the zoning from residential to commercial, and noted Staff require direction with respect to parking, failing that, a parking agreement will be put in place with the \$1500 rate.

Moved by: Ellen Anderson

Seconded by: Joe Halos

THAT Council receive Staff Report PL.11.114 respecting "Cash in Lieu of Parking" and that Council endorses the creation of a policy for cash payment-in-lieu of parking for the Thornbury and Clarksburg area as follows:

1. Up to a maximum of 5 of the parking spaces required in conjunction with a non-residential use may be provided by way of cash-in-lieu provided:
  - a. In the instance of an existing building or structure, the number of parking spaces that existed on the site prior to the proposed addition are not diminished; and,
  - b. In the instance of a new building or structure, a minimum of 75% of the required parking spaces, or fraction thereof, are provided on-site in accordance with the provisions of the Zoning By-Law.
2. Cash payment-in-lieu of parking required in conjunction with residential uses is not permitted, unanimously Carried.



The Town's comments to the Niagara Escarpment Commission on this Development Permit Application shall be subject to the following conditions:

1. 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, Carried.

#### **D.7 Building Permit Statistics – September 2011 – B.11.30**

Moved by: Michael Martin                      Seconded by: Gail Ardiel

THAT Council receive Staff Report B.11.30 "Permit Statistics – September 2011" for information purposes, Carried.

#### **D.8 Planning Applications – October 2011 – PL.11.121**

Moved by: Michael Martin                      Seconded by: Joe Halos

THAT the Planning & Building Committee receive Staff Report PL.11.121, "Planning Applications – October, 2011", Carried.

#### **D.9 Applications for Consent – B10-2011 & B11-2011 – PL.11.122 Part Lot 22, Concession 3; Parts 1 and 2, RP 16R-1520 – 274 & 276 Arrowhead Road – Joseph Barnicke & Integrated Financial Corporation of Canada Limited**

Moved by: Michael Martin                      Seconded by: Joe Halos

THAT Council receive Planning Staff Report PL.11.122, "Applications for Consent File Nos. B10-2011 and B11-2011 – Joseph Barnicke and Integrated Financial Corporation of Canada Limited; Part Lot 22, Concession 3; Parts 1 and 2, RP 16R-1520; 274 and 276 Arrowhead Road; Town of The Blue Mountains"; and

THAT Council authorize Consent No. B10-2011, 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 south 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; and further



### **D.13 Georgian Gate “Windfall”**

Director of Planning & Building Services, David Finbow advised that the Official Plan Amendment and Zoning By-law Amendment are now in full force and effect. The Official Plan Amendment is also in full force and effect with no appeals. David advised that The County of Grey has scheduled November 15<sup>th</sup> for their Committee to deal with this which will be followed by an appeal period.

### **E. Minutes - Receive/Adopt**

**E.1** Committee of Adjustment minutes – September 15, 2011.

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

THAT Council receive the Committee of Adjustment minutes of September 15, 2011, Carried.

### **F. Correspondence**

**F.1** Official Plan Public Workshop Comments – September 22, 2011.

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

THAT Council receive the Official Plan Review, Participant Feedback Summary from the Official Plan Five Year Review Public Workshop of September 22, 2011, Carried.

### **G. Upcoming Public Open Houses/Public Meetings**

The Planning and Building Committee requested that the Clerk schedule a Special Meeting of the Planning and Building Committee for Service Delivery Review on November 16, 2011 from 1:30 – 3:30 pm

### **H. Next Meeting Date**

December 5, 2011

### **I. Adjournment**

Moved by: Michael Martin                      Seconded by: Joe Halos

THAT this Planning & Building Committee meeting does now adjourn at 9:11 p.m., Carried.