



Staff Report

Planning and Development Services

Report To: Committee of the Whole
Meeting Date: November 15, 2017
Report Number: PDS.17.104
Subject: Home Farm Memorandum of Understanding
Prepared by: Michael Benner, Director of Planning and Development Services

A. Recommendations

THAT Council receive Staff Report PDS.17.104, entitled "Home Farm Memorandum of Understanding";

THAT in accordance with the terms outlined in staff report PDS.17.104, Council direct staff to update the Memorandum of Understanding between MacPherson Builders and the Town of The Blue Mountains, in consultation with MacPherson Builders and other parties, particularly with respect to confirming that significant archaeological areas will be protected and remain in public ownership, and;

THAT staff provide Council with the updated Memorandum of Understanding for their review and consideration at a future Committee of the Whole meeting.

B. Overview

This report addresses concerns brought forward over a proposed land exchange between the Town and MacPherson Builders associated with the proposed Home Farm development.

In particular, these concerns relate to the confirmation that significant archaeological areas will be protected and remain in public ownership, updating the financial considerations contained within the Memorandum, and recognizing the means and method of assuring adequate buffering between the proposed development and neighbouring lands.

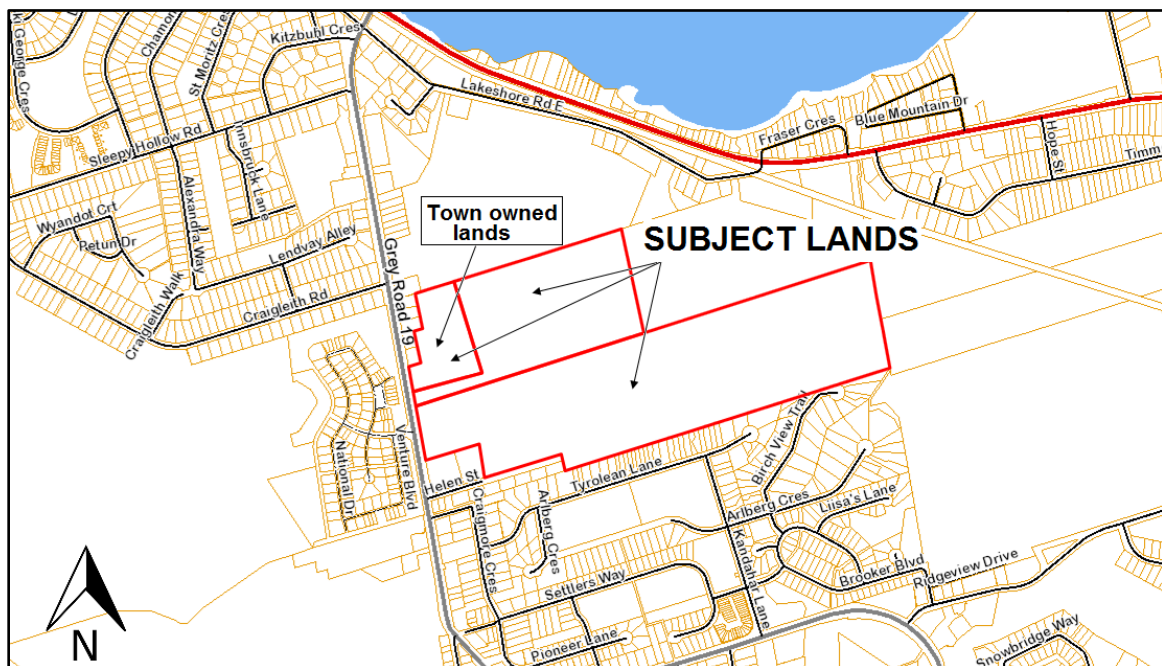
C. Background

The Home Farm development was formally initiated in 2015 when the Town received Official Plan Amendment, Zoning By-law Amendment and condominium applications on June 25, 2015. To date, approval of the submitted applications has yet to be provided. The current proposal is to develop 277 residential units through a plan of condominium. The condominium will have access off Grey Road 19 and contain both municipal and condominium roads. The lands are being developed by MacPherson Builders Limited.

The development site is made up of three separate parcels as outlined in Figure 1. Two parcels are owned by the developer and one is owned by the Town.

Several archaeological, environmental, and planning justification studies have been prepared in support of the proposal. These studies have been under review by various agencies with some, such as the archaeological and planning justification studies, being approved, while others, such as the environmental, stormwater and traffic studies, still under review. Additionally, the Home Farm development group launched an appeal to the Town's 2016 Official Plan which has been adjourned for the time being to allow the parties to reach a negotiated settlement.

Figure 1: Home Farm Subject Lands



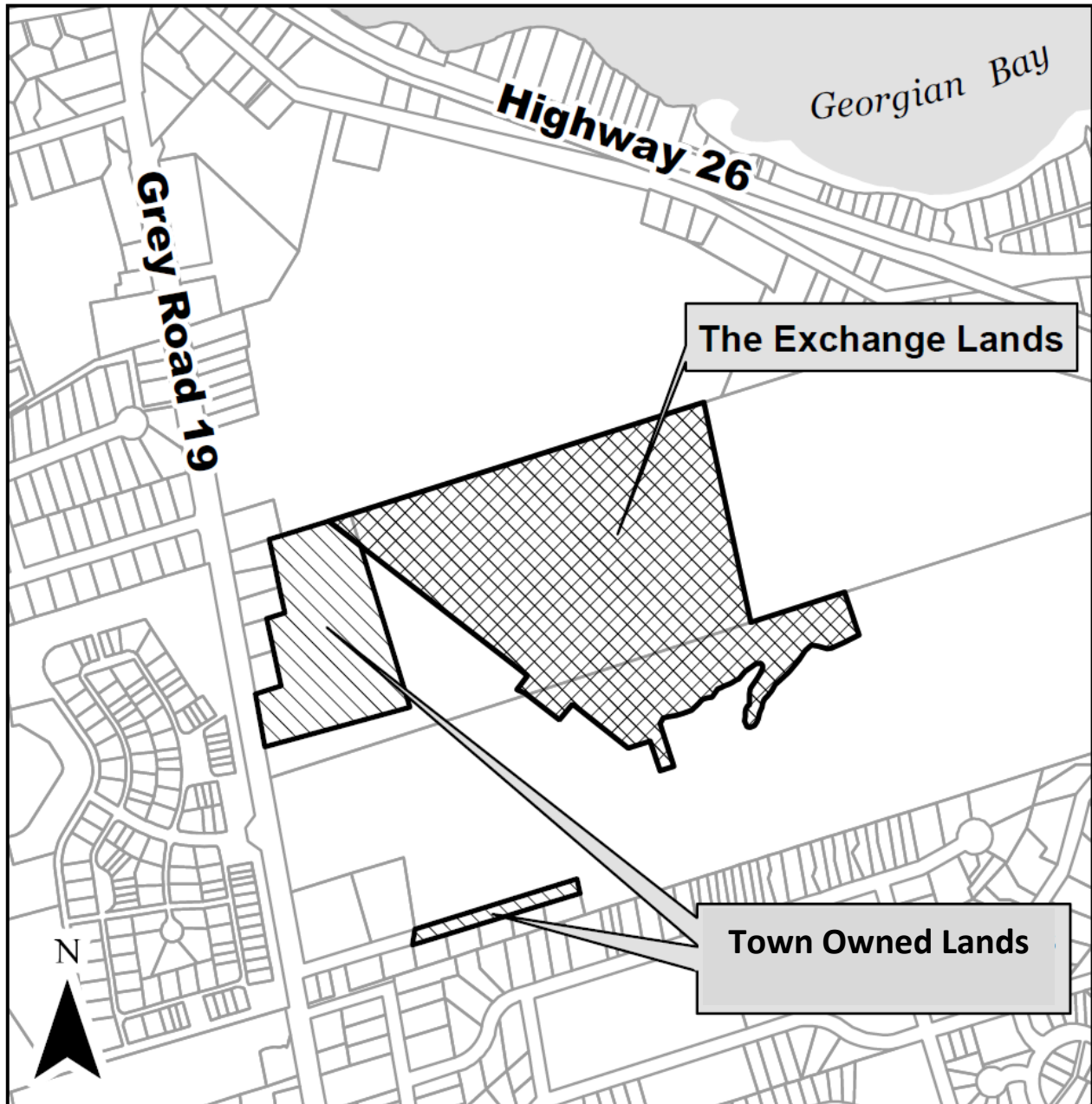
Various proposals for the Home Farm property have come forward since the 1980's, but because the property contains a significant Archaeological site known as "Plater-Martin BdHb-1", any development required substantial mitigation prior to moving forward. The Plater-Martin site is a 17th Century, Petun-Wendat village and was previously subject to Stage 1-3 Archaeological Assessments.

During 2011-2014 Town staff worked with the developer to come up with a solution to the archaeological issues that would preserve the Plater-Martin site in consultation with First Nations, Provincial ministries, the County of Grey and other agencies. As noted in Figure 2, below, the proposed solution was for an approximate cash contribution of \$378,300 and the Plater-Martin site to be given to the Town and preserved as parkland, in exchange for former Bluewater District school lands, a surplus parcel of Town-owned lands and a portion of the Helen Street road allowance which could be developed as part of the subdivision.

A Memorandum of Understanding (MOU) was signed between the Town and MacPherson Builders in November 2014, which sets out the land exchange. The MOU does not fetter Council

in its review of the development proposal for these properties and no land would be exchanged if the proposal is not approved or the project does not move forward. The notion of a land exchange received positive comments from various agencies including the Wyandot Nation during the Public Consultation process.

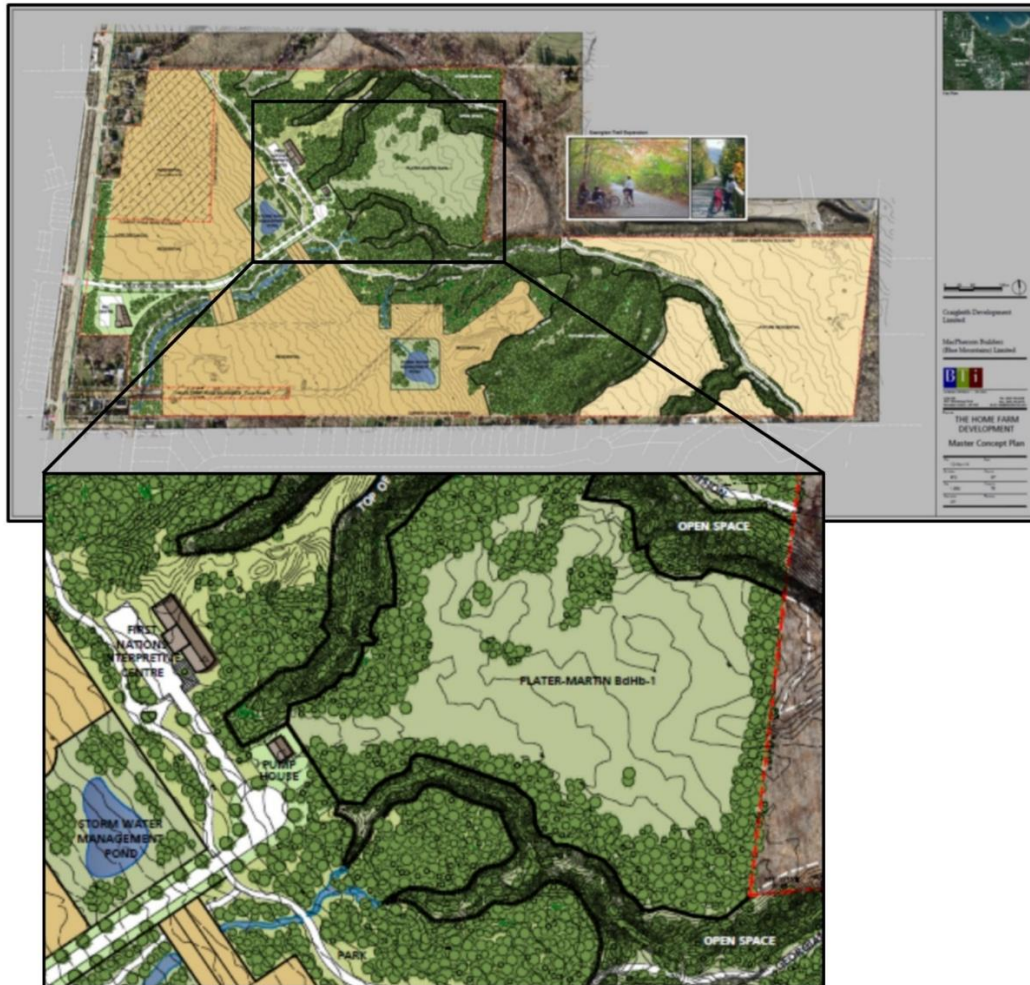
Figure 2. Home Farm Proposed Land Exchange



In reviewing the files and reports associated with the land exchange Council were provided a concept plan, Figure 3, that alluded to the development of the Plater Martin site as the Craigeith Heritage Park with an Interpretative Centre shown on the concept plan. The

development of the Craigleith Heritage Park was supported by language in the 2007 Official Plan and referenced in the MOU. The Heritage Park and Interpretative Centre were intended to be the public benefit component of the MOU. The further development of the Heritage Park and Interpretative Centre were to be the responsibility of the Town to be developed at a future date.

Figure 3. Home Farm Concept.



During the Public Meetings associated with the land exchange, a neighbouring property owner, who owns lands backing on to the Town owned lands associated with the development, also requested that consideration be given to selling a portion of the Town lands to him for buffering between his 2 lots and the Home Farm Development. To date, no decision on that request has been made.

D. Analysis

Through the due diligence process associated with this development, additional discussions were held with representatives of the Saugeen Ojibway Nation (SON) regarding the Plater

Martin site and other archaeological sites within the Town. It should be noted that SON have been given management authority by First Nations groups over these and other lands within the Town. SON's approach to the preservation of archaeological resources and sites is one of 'non-disturbance' and 'non-attention', and as such, they discourage any signage or other attention brought to their sites and will not support any actions that vary from this approach. The position of SON brings the creation of the Craigleith Heritage Park into question and certainly does not support the creation of an interpretative centre. It should also be noted that the 2016 Official Plan places much less emphasis on the creation of the Craigleith Heritage Park and reinforces the passive approach to heritage site preservation. Given this, the MOU will need to be updated to reflect and confirm the preservation of the archaeological sites and buffer areas as passively managed lands that are intended to remain in public ownership.

Staff have discussed the notion of updating the present MOU with representatives from SON. Those representatives support updating the MOU provided that the updated MOU continues to confirm that significant archaeological areas will be protected and remain in public ownership.

It should be noted that the above concerns have been brought to the attention of the Home Farm development group. Through these discussions, it was made clear that the development group has no interest in cancelling the MOU given the time and effort invested in the creation of the original MOU. They are however, very willing to work with the Town in updating the MOU on matters relating to preserving archaeological areas, updating the financial considerations contained within the Memorandum, and recognizing the means and method of assuring adequate buffering between the proposed development and neighbouring lands.

Staff will continue to work with all parties to update the MOU and provide same to Council for their consideration in the near future.

E. The Blue Mountains Strategic Plan

Goal #2: Engage Our Communities and Partners
Objective #3. Strengthen Partnerships

Goal #4: Promote a Culture of Organizational and Operational Excellence
Objective #4: To Be a Financially Responsible Organization

F. Environmental Impacts

Significant environmental and archaeological features are present on the Home Farm development site that need to be preserved and protected over the long term.

G. Financial Impact

There is a concern that the 2014 MOU between the Town and MacPherson Builders no longer represents a like for like exchange given the changes in the approach to the preservation of archaeological sites and the growing needs of municipal lands within the Craigleith area.

H. In Consultation With

Senior Management Team, Planning Department Staff, Town Solicitor, MacPherson Builders, SON representatives and the adjacent land owner.

I. Attached

Nil

Respectfully Submitted,

Michael Benner, MCIP RPP
Director of Planning and Development Services

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