

- **B.4.1 Monthly Financial Report – June 2019, FAF.19.161**
- **B.4.2 Costs Associated with Strategy Corp., FAF.19.163**
- **B.9.1 2018 Year End Water & Wastewater Capacity Assessment, CSPW.19.063**
- **B.14.1 Quarterly Building Permit Statistics (Q2 2019), PDS.19.102**

are then approved or received by the Committee of the Whole, as noted. The Consent Agenda content is available to the public when the Agenda is finalized but is not subject to discussion from the floor at this time, however, representations may be made at subsequent meetings on matters of interest.

Moved by: Rob Potter

Seconded by: Odette Bartnicki

THAT the Consent Agenda of August 26, 2019 be adopted as circulated, less any items requested for separate review and discussion being Agenda Item B.4.1 Monthly Financial Report – June 2019, FAF.19.161, B.9.1 2018 Year End Water & Wastewater Capacity Assessment, CSPW.19.063 and B.14.1 Quarterly Building Permit Statistics (Q2 2019), PDS.19.102, Carried.

B. Staff Reports, Deputations, Correspondence

Planning & Development Services Reports

To be chaired by Councillor Jim Uram

B.11 Deputations, if any

B.11.1 Deputation: Dr. Donald Avery, Friends of the Pretty River Valley

Re: New Resolve - Preserving Pretty River Provincial Park from Inappropriate Development

Don Avery spoke noting that he endorses Mr. Sinclair's deputation and noted the major problems with the expansion of the Gibraltar pit including removal of traditional buffer from the existing Eden Oaks Pit, the plans to clear-cut regionally significant forest (4 ha.) and fragment Pretty River based forest system, disrupt wildlife corridor and the threat to endangered species, the new pit will obstruct access to the Pretty River Provincial Park, and the cumulative impact of long term aggregate mining.

Mr. Avery noted that the flaws in Staff Report PDS.18.18 remain unresolved, there is a lack of evidence to substantiate the MHBC Consultant claims about agency endorsements for pit expansions, MHBC technical reports remain unchallenged by outside experts, and there is a narrow focus on legal issues not the welfare of the community.

Mr. Avery noted that there is no major economic asset in developing the subject lands as the gravel is of marginal quality and there are many local suppliers, the company's economic contribution to The Blue Mountains is relatively insignificant, Grey Sauble Conservation Authority recommends no below the water-table extraction, economic benefits of eco-tourism is far greater.

Mr. Avery noted their fundamental goals include saving significant woodlands and preserve wildlife corridor, ensure ecological well-being of endangered/threatened species, provide area for gateway to Pretty River Provincial Park and provide a model for creative relationships between local government, the resource sector and the environmental community.

Mr. Avery noted that the Pretty River Provincial Park is a special part of the Niagara Escarpment Biosphere reserve and has been a protected nodal park since 1973. Mr. Avery noted that the Gibraltar pit expansion is a serious ecological and social threat to the operation of the Park with little economic benefit, and noted that the Town must not establish the dangerous precedent that gravel pits can encroach on escarpment nodal parks.

Deputy Mayor Bartnicki thanked Mr. Avery for his work and research on the LPAT myth and asked that he forward the same to all Council members.

Mayor Soever spoke noting that Mr. Avery makes good points, and questioned if the gravel pit can exist without impacting the park. Mr. Avery spoke in response noting that there would have to be a substantial buffer of at least one kilometer, further noting that it would be a disaster for the park. Mayor Soever questioned if the Bates Pit extends to the corner of the 3rd Line and 6th Sideroad, Mr. Avery replying yes.

Mayor Soever questioned if the extraction below the watertable is an issue, further noting that no pumping below the watertable is proposed. Mayor Soever questioned if the Friends of the Pretty River have hired an independent planner to work on the project, Mr. Avery replying no, that they feel this is the responsibility of the Town. Mayor Soever questioned if the Friends of the Pretty River have standing at the LPAT hearing, Mr. Avery replying no, they were denied.

Councillor Sampson spoke noting that the “must-haves” of the Friends include a barrier between the pit and the park, but noted that a barrier does not exist for the Bates Pit, no extraction below the watertable and no Saturday trucking. Mr. Avery spoke in response noting that yes these are the issues. Ian Sinclair spoke noting that the Bates Pit had a licence before this matter started at the 4th Line that extended East to the 3rd Line with the appropriate berms.

Councillor Uram questioned if the proposed buffer is requested for all Niagara Escarpment Nodal Parks, Mr. Avery replying yes.

**B.11.2 Deputation: Ian Sinclair, Friends of the Pretty River Valley
Re: Preserving-Pretty-River-Provincial-Park**

Mr. Sinclair spoke noting that the Friends are doing this, with their personal disposable income, and that they are concerned and care about the community. Mr. Sinclair noted that this area could be a business opportunity for the Town, further noting that the pillar of this community is tourism. Mr. Sinclair noted that they have put their hearts into this as it is important.

**B.11.3 Deputation: Geordie Dalglish, Friends of the Pretty River Valley
Re: Gibraltar Sand & Gravel Pit Expansion**

Geordie Dalglish spoke noting that he lives near the pit in the winter time. Mr. Dalglish noted that they were shocked by the support they received for the Friends of the Pretty River Valley, noting over 1000 voices of support in one month.

Mr. Dalglish noted the reason they have not continued to oppose the application is that Council voted to vigorously oppose the application and noted that he believes Council has been scared off by this fight to oppose the expansion of the pit. Mr. Dalglish asked that Council not settle and to keep the Pretty River Valley and Pretty River park pristine. Mr. Dalglish noted that the applications can be beaten at LPAT and encouraged Council to go that route, and not to compromise. Mr. Dalglish noted that the Bates pit does not border the Park, and requested that Council not allow extraction below the water-table. Mr. Dalglish noted that Council voted to vigorously defend and the Friends felt that Council would spend the money to defend the application.

B.11.4 Deputation: Brian Zeman, President, MHBC Planning, Urban & Landscape Architecture
Re: Gibraltar Sand & Gravel Pit Expansion, Official Plan Amendment and Zoning By-law Amendment

Mr. Zeman spoke thanking Council for the opportunity to delegate today to respond to the issues raised by the Friends of the Pretty River Valley. Mr. Zeman noted that he is a land use planner with MHBC assisting the applicant with the proposed gravel pit expansion.

Mr. Zeman noted that aggregate extraction is an established use in the area, and identified the location of the pit being to the west and other pits are located to the north and to the south of the proposed expansion. Mr. Zeman noted that the County and Town Official Plan contemplate future aggregate operations in this area and have policies to make as much of the aggregate available as possible, further noting that the proposed application is small and the existing extraction area is 12.1 ha and the proposed extraction area is 10.3 ha.

Mr. Zeman noted that the proposed pit does not change the amount of aggregate that is permitted to be shipped annually, or the hours of operation for the pit. Mr. Zeman noted that the proposed expansion will utilize the existing entrance/exit, and the existing haul route.

Mr. Zeman noted that the application includes removing 3.2 ha of woodland, that this represents 0.4% of the woodland and that the Town's Official Plan permits removing the woodland. Mr. Zeman noted that the application includes 4.6 ha of woodland planting that improves wildlife corridors and results in a net increase in woodland area. Mr. Zeman noted that the Ministry of Natural Resources and Forestry and the Conservation Authority have no objection to the removal of the on-site woodland based on the lack of ecological function and the proposed planting plan to enhance wildlife corridors.

Mr. Zeman noted that the site is not considered a Prime Agricultural Area, there are no cultural heritage features on-site, and the site is not located within the Niagara Escarpment Plan Area.

Mr. Zeman noted that this application is not about the pit versus the park, further noting that both can co-exist and the technical review confirms this. Mr. Zeman noted that the material of the Friends of the Pretty River Valley suggested the application was comparable to the Duntroon Quarry and that the application included removing part of the Pretty River Provincial Park, further noting that these statements are not accurate.

Mr. Zeman noted that the applicant completed all of the technical reports required by the Town and the application was subject to over two years of agency review. Mr. Zeman noted that as a result of this review, the following agencies have no outstanding issues Ontario Parks, Niagara Escarpment Commission, Ministry of Tourism, Culture and Sport, Ministry of Natural Resources and Forestry, Ministry of the Environment and Climate Change, Grey Sauble Conservation Authority, Ministry of Agriculture, Food and Rural Affairs, County of Grey Staff and Council. Mr. Zeman noted that Town of The Blue Mountains Planning Staff recommend approval of the application and confirmed the application was consistent with Provincial Policy and conformed to the County of Grey and Town of the Blue Mountains Official Plan.

Mr. Zeman noted that The Blue Mountains remains the only appellant to the hearing which commences in October, and confirmed the applicant continues to be willing to meet with The Blue Mountains in an effort to settle the matter and although not technically required, is willing to make further revisions to the application to try and address issues that have been raised.

B.15 Correspondence, if any

B.15.1 Ministry of Municipal Affairs and Housing

Re: Provincial Policy Statement Review – Draft Policies

Moved by: Odette Bartnicki

Seconded by: Rob Potter

THAT Council of the Town of The Blue Mountains acknowledges receipt of the July 22, 2019 letter from the Ministry of Municipal Affairs and Housing regarding Provincial Policy Statement Review – Draft Policies for information, Carried.

B.15.2 Committee of Adjustment Application for a Minor Variance to Zoning By-law 2018-65, A12/2019 Re: 145 Pioneer Lane (Adamson)

B.15.3 Committee of Adjustment Application for a Minor Variance to Zoning By-law 2018-65 A14/2019 Re: 111 Fawcett Lane (Hodgkinson)

B.15.4 Committee of Adjustment Application for a Minor Variance to Zoning By-law 2018-65 A13/2019 Re: 164 Craigleith Road (Craigleith Ski Club)

B.15.5 Committee of Adjustment Application for a Minor Variance to Zoning By-law 2018-65 A10/2019 Re: 126 Aspen Way

B.15.6 Committee of Adjustment Application for a Minor Variance to Zoning By-law 2018-65 A15/2019 Re: 93 Bay Street East (Banks)

B.15.7 Committee of Adjustment Application for a Consent - Lot Addition B11/2019 Re: 212 Arlberg Crescent (Lesiak)

B.15.8 Committee of Adjustment Application for a Consent - Lot Addition B10/2019 Re: Part Lot 7, Concession 5, (vacant lot in Gibraltar) (Rice)

B.15.9 Committee of Adjustment Application for a Consent to create two New Lots B12-2019 & B13-2019 Re: 61 Alfred Street (Thornbury) (GP Inc)

Moved by: Rob Potter

Seconded by: Andrea Matrosovs

THAT Council of the Town of The Blue Mountains does hereby receive Correspondence Items B.15.2 Committee of Adjustment Application for a Minor Variance A12/2019 Re: 145 Pioneer Lane (Adamson), B.15.3 Committee of Adjustment Application for a Minor Variance A14/2019 Re: 111 Fawcett Lane (Hodgkinson), B.15.4 Committee of Adjustment Application for a Minor Variance A13/2019 Re: 164 Craigleith Road (Craigleith Ski Club), B.15.5 Committee of Adjustment Application for a Minor Variance A10/2019 Re: 126 Aspen Way, B.15.6 Committee of Adjustment Application for a Minor Variance A15/2019 Re: 93 Bay Street East (Banks), B.15.7 Committee of Adjustment Application for a Consent - Lot Addition B11/2019 Re: 212 Arlberg Crescent (Lesiak), B.15.8 Committee of Adjustment Application for a Consent - Lot Addition B10/2019 Re: Part Lot 7, Concession 5, (vacant lot in Gibraltar) (Rice) and B.15.9 Committee of Adjustment Application for a Consent to create two New Lots B12-2019 & B13-2019 Re: 61 Alfred Street (Thornbury) (GP Inc) for information purposes, Carried.

**Community Services and Infrastructure & Public Works Reports
To be chaired by Councillor Rob Potter**

B.6 Deputations, if any

**B.6.1 Deputation: Bill Abbotts, Resident
Re: Elma/Alice Street Reconstruction**

Bill Abbotts spoke thanking Council for the time to say a few words regarding Elma and Alice Streets, further noting he appreciates the opportunity to provide feedback on our street reconstruction project. Mr. Abbotts noted that they trust the underground facilities will be engineered and installed as required and we have no concerns about that.

Mr. Abbotts noted that the above ground is what we live with, see every day, walk on, cycle on and everyone drives on for the next 30+ years. This we want to make sure is done right.

Mr. Abbotts noted that Alice Street currently has one sidewalk on the north side which many Alice St residents prefer, further noting that Elma south of Alice has one sidewalk on the west side, then sidewalks on both sides from Alice north to the top of the hill, then only on the east side from Louisa to Hwy 26. Mr. Abbotts noted that Louisa has one sidewalk on the north side, and there are no sidewalks on Lorne & Park Lane. Mr. Abbotts noted that all streets have many large trees.

Mr. Abbotts noted that he prefers a mountable curb similar to Beaver Street, Orchard Park, and Hwy 26 east as it is much safer and more Bike Friendly for cyclists and is less of a barrier for prams, wheelchairs and walkers for those folks with no sidewalk on their side of the road. Mr. Abbotts noted that a barrier curb limits the escape routes while a mountable curb provides options for safety and movement

Mr. Abbotts requested that sidewalks should be 1.5m as proposed, but on both sides of Elma from Alice down to Hwy 26, similar to what is partially in place now. Mr. Abbotts noted that the road treatment or marking for the Louisa Street sidewalk crossing of Elma Street is another key critical element for pedestrian safety and for traffic calming to reduce drivers speeding up for the hill and beyond.

Mr. Abbotts noted that Elma St. has seen a huge increase in traffic since Foodland has moved to the west side of town and requested sidewalks with mountable curbs on both sides of Elma from Alice to Hwy 26.

Mr. Abbotts spoke regarding street trees and noted the more trees the better in order to achieve the included benefits of cleaner air, traffic calming, etc. Mr. Abbotts requested more trees than just replacing the removed trees and requested Street trees in the boulevard that will also help with a stated goal of pedestrian safety. These trees need to be as large a size as possible.

Mr. Abbotts noted that there has been discussion about Victoria being a collector road with two sidewalks on Victoria, and suggested that Victoria may be a vehicle collector street but that Elma is an active transportation collector street and to that end requires the fog lines for cyclists and sidewalks on both sides from Alice to the highway for pedestrians. Mr. Abbotts noted that Elma is safer for pedestrians away from the traffic of the commercial area of Foodland, LCBO, Ultramar, proposed Subway, etc. Mr. Abbotts noted that Elma St is the connection between residential areas of Apple Jack, Orchard Park and beyond in the south to the Pharmacy, Liquor store, Grocery store, Georgian Trail, Beach, Swimming, Playground at the harbour, post office, bank, TBM offices, BVO, Medical Clinic, and is the only direct access to the Beach, Swimming, Playground area. Mr. Abbotts noted that at the top of Elma we have our Community Centre, playground, ball diamonds and dog park.

C. 5:00 PM Public Meetings / Deputations

Mayor Soever noted under the authority of the *Municipal Act, 2001* and in accordance with Ontario's *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), The Corporation of the Town of The Blue Mountains wishes to inform the public that all information including opinions, presentations, reports and documentation provided for or at a Public Meeting, Public Consultation, or other Public Process are considered part of the public record. This information may be posted on the Town's website and or/ made available to the public upon request.

C.1 Statutory Public Meetings

C.1.1 Public Meeting: Application for a Zoning Amendment

Re: Lot 102 to 103 and Part Lot 177 Plan 529 (Harrington – 234 Brophy's Lane)

Mayor Soever read the Notice of Public Meeting regarding application for Zoning Amendment for the property location at 234 Brophy's Lane.

Mayor Soever noted that the Town of The Blue Mountains has received a Complete Application for Zoning By-law Amendment in accordance with the Planning Act and the Town of The Blue Mountains Official Plan.

Mayor Soever noted the purpose of this application is to consider a Zoning By-law Amendment to recognize revised Hazard 'H' zone boundaries for the subject lands based on a 2007 County of Grey Official Plan Amendment (OPA 68) and an Environmental Impact Study completed in 2009.

Mayor Soever noted the effect of this application is to modify the boundaries between the Residential 'R1-1' Zone and the Hazard 'H' Zone in accordance with OPA 68 and as supported by the 2009 Environmental Impact Study.

Mayor Soever noted the public meeting is your chance to hear more about the proposal and make your views about it known. You may also speak at the meeting or submit written comments. Information from the public will help Council in their decision-making process, so make sure to have your say.

Mayor Soever noted any person or agency may attend the Public Meeting and/or make verbal or written comments either in support or in opposition to the proposed amendment.

Mayor Soever noted a decision on this proposal has not been made at this point and will not be made at the Public Meeting.

Mayor Soever noted after reviewing the application and any comments received, Town staff will bring a recommendation on this project to a future council meeting.

Mayor Soever noted you must make a request in writing if you wish to receive a notice of any decision of Council on this proposal.

Mayor Soever noted if a person or public body does not make oral submissions at a public meeting or make written submissions to Town of The Blue Mountains before the by-law is passed, the person or public body is not entitled to appeal the decision of Council to the Local Planning Appeal Tribunal.

Mayor Soever noted if a person or public body does not make oral submissions at a public meeting, or make written submissions to 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 Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The Town Clerk spoke noting that the Notice of the Public Meeting was given in accordance with the Planning Act, and in response, comments were received from Historic Saugeen Metis Lands, Grey County Planning and Development, Grey Sauble Conservation Authority, Town of The Blue Mountains, Building Services Division, Don Kerr, Lucy Richmond, Heidi Kathleen McGregor, Brigitte Eaton, Howard MacDonald, Paul Fox, Karen Poncelet.

Andrew Pascuzzo of Pascuzzo Planning spoke on behalf of Dave Harrington, a builder in the area noting that Mr. Harrington has a building on this irregular shaped property, further noting that Mr. Harrington is not proposing new development but that the application is to consider a zoning by-law amendment to recognize the revised Hazard H zone boundaries for the subject lands based on a 2007 Grey County Official Plan Amendment and an Environmental Impact Study completed in 2009.

Andrew noted that the mapping indicates that a portion of the property should be amended from wetland escarpment recreation area. Andrew noted that The Blue Mountains Official Plan 2016 is inconsistent with the County Official Plan, further noting that Mr. Harrington was not aware of the process going on in 2016 so he did not express his concerns at that time. Andrew noted that he does not believe that a local Town Official Plan Amendment should be required and provided the rationale. Andrew then reviewed the sketch of what is requested and a summary of the request.

Andrew noted that Mr. Harrington is not proposing new development on the property, further noting that he wants to correct the mapping on the property and communicate with Grey Sauble Conservation to work out the details.

Mayor Soever spoke noting that the LIDAR survey should provide good topographical information to update the hazard information. Director of Planning and Development Services Nathan Westendorp spoke noting that the LIDAR data is expected shortly, and that the hazard mapping will take longer.

Mayor Soever questioned the use of the storage building, Mr. Harrington replying it stores his personal items such as a boat, etc.

Brigitte Eaton, neighbour to the property noted that the photos were taken at the wrong time of the year, further noting that if the photos were taken in March, that the area would be very wet. Ms. Eaton noted that the soil does not drain in this area, further noting that the conditions are worsening because of the weather and Blue Mountain. Ms. Eaton noted that she cannot walk through the area at Easter time as the area is so wet, further noting that the culverts need to be cleaned throughout the year. Ms. Eaton expressed concern with what will be built at this location.

Paul Henderson, 244 Brophy's Lane spoke noting he has been in this location since 1978, further noting that in the spring the pond extends to the other properties. Mr. Henderson noted that he is opposed to a change in the designation, further noting there is wildlife in the area that will be affected.

Don Kerr, Blue Mountain Watershed Trust Foundation spoke noting there is a delineation of a wetland and that it is important to follow the Ontario Wetland Evaluation System, further noting that he is unsure what body (i.e Ministry of Natural Resources) has authority to designate a wetland, and noted that this should be done before considering this request.

Mr. Harrington spoke noting that the mapping was used to show the area above the waterline.

Deputy Mayor Bartnicki spoke thanking Mr. Pascuzzo for the presentation. Deputy Mayor Bartnicki noted that an environmental assessment was completed in 2009 and questioned if another environmental assessment should be completed before anything is changed. Senior Policy Planner Shawn Postma spoke noting that an environmental assessment was completed in 2009 that delineated the boundary of Provincially Significant Wetland, further noting this is not what is being applied for. Shawn noted that there is no hazard associated around Mr. Harrington's building, further noting there is a discrepancy between the upper and lower tier mapping. Shawn noted that Official Plan Amendment #68 recognized the findings of the environmental impact study and finetuned the boundaries.

Mayor Soever questioned why the Town is not using Grey County mapping, Nathan replying that the Town's objective is to be on the same page with the County, with good GIS and new mapping.

Councillor Sampson questioned what happens to the other properties that are impacted by this, Shawn replying that the hazard mapping for the official plan was provided by Grey Sauble Conservation and it takes an environmental impact study to finetune and determine where those lines area.

Councillor Bordignon questioned if the Town used Grey County mapping if this application would be required. Shawn replying yes, further noting that the County identified the area, but does not identify the boundaries, The Blue Mountains mapping is more detailed.

Andrew Pascuzzo spoke noting that an ecologist has to determine what is and is not hazard, further noting there is no intent to fill the lands and no new buildings are proposed on the site.

As no one further wished to speak, Mayor Soever declared the Public Meeting to be closed.

C.1.2 Public Meeting: Application for a Zoning Amendment Re: Part Lot 19, Concession 1 (Tyrolean Village Resorts – Hillside)

Mayor Soever read the Notice of Public Meeting regarding application for Zoning Amendment for the property location at Tyrolean Village Resorts (Hillside).

Mayor Soever noted that the Town of The Blue Mountains has received a Complete Application for Zoning By-law Amendment in accordance with the Planning Act and the Town of The Blue Mountains Official Plan.

Mayor Soever noted the purpose of this application is to consider a Zoning By-law Amendment on a portion of the subject lands known as Tyrolean Hillside that would increase the maximum permitted height from 2 storeys (8.0 metres) to 2.5 storeys (9.5 metres). It should be noted that the Tyrolean Hillside project is a Draft Plan Approved subdivision consisting of 20 lots originally approved in 1998.

Mayor Soever noted the effect of this application is to add a site specific exception to the Residential R1-2 Zone to permit a maximum height of 2.5 storeys (9.5 metres) for single detached dwellings on the subject lands.

Mayor Soever noted the public meeting is your chance to hear more about the proposal and make your views about it known. You may also speak at the meeting or submit written comments. Information from the public will help Council in their decision-making process, so make sure to have your say.

Mayor Soever noted any person or agency may attend the Public Meeting and/or make verbal or written comments either in support or in opposition to the proposed amendment.

Mayor Soever noted a decision on this proposal has not been made at this point and will not be made at the Public Meeting.

Mayor Soever noted after reviewing the application and any comments received, Town staff will bring a recommendation on this project to a future council meeting.

Mayor Soever noted you must make a request in writing if you wish to receive a notice of any decision of Council on this proposal.

Mayor Soever noted if a person or public body does not make oral submissions at a public meeting or make written submissions to Town of The Blue Mountains before the by-law is passed, the person or public body is not entitled to appeal the decision of Council to the Local Planning Appeal Tribunal.

Mayor Soever noted if a person or public body does not make oral submissions at a public meeting, or make written submissions to 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 Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The Town Clerk spoke noting that the Notice of the Public Meeting was given in accordance with the Planning Act, and in response, comments were received from Historic Saugeen Metis Lands, Grey Sauble Conservation Authority and Town of The Blue Mountains, Building Services Division.

Andrew Pascuzzo of Pascuzzo Planning Inc., consultant for the Applicant Denis Martinek spoke noting that the purpose of the application is to consider a Zoning By-Law Amendment on a portion of the subject lands known as Tyrolean Hillside that would increase the maximum permitted height from 2 storeys to 2.5 storeys. Andrew noted that the effect of this application is to add a site specific exception to the Residential R1-2 Zone to permit a maximum height of 2.5 storeys for single detached dwellings on the subject lands.

Andrew then reviewed the sketch of the draft plan approval, noting they are at the third submission of engineered drawings stage. Andrew noted that they feel that the application is consistent with the surrounding areas, further noting that the applicant is close to final approval. Andrew noted that the lands to the immediate west of the Hillside Subdivision are zoned R2 with a maximum height of 3 storeys, the lands to the north and east are zoned hazard and will not be built on, and the lands to the south are zoned R1-1 with a maximum permitted height of 2.5 storeys.

Andrew noted that this subdivision was approved in 2018, R1-2 zoned, and noted they are requesting an increase in the approved height. Andrew noted that the development to the west is R2 zoned and can be developed to 11 metres or 3 storeys, further noting that he believes that the application is consistent with the surrounding lands and will have minimal impact to the area.

Andrew then noted when older homes in the area are redeveloped, that many will be redeveloped to 2.5 storeys, or 9.5 metres in height. Andrew then reviewed the zoning maximum heights of R1 zone, noting that the request is to increase the height to 9.5 metres.

Andrew noted that the applicant requested through the Comprehensive Zoning By-law 2018-65 review that this site be permitted 2.5 storeys in height, and that now the applicant is proceeding through the site specific zoning by-law amendment to address the height.

Mayor Soever then spoke questioning if there are photos to show the style of homes to be constructed, Andrew replying no, that they will be custom homes.

Councillor Bordignon spoke questioning if single family dwellings are proposed, Andrew replying, correct, with large lots.

Councillor Potter spoke noting there are many trees in this location and requested that the applicant retain as many trees as they can.

Gary Miller, 130 Lisa's Lane, spoke noting that Block 21 runs into the ravine and is a part of the housing development. Andrew spoke in response noting that there is no intent to build on Block 21, further noting Block 21 will be dedicated to the Town. Mr. Miller then spoke noting that the ravine floods and questioned if this will be dedicated to the Town, Andrew spoke in response noting that there will be a trail that is dedicated to the Town. Mr. Miller spoke noting that there is much wildlife in the area and that this would be a loss to the area.

Blanka Guyatt, 114 Birchview Trail, spoke questioning the purpose of the new development and if short term accommodation uses will be permitted, and how their quiet enjoyment will be maintained. Andrew spoke in response noting that the application is for an increase in height, further noting that short term accommodation is not permitted in this area because of the R1-1 zone.

Ms. Guyatt then spoke noting that there is much wildlife in this area and questioned how the wildlife will be protected or relocated. Andrew spoke in response noting that the submission was considered by the County, the Town and Grey Sauble Conservation Authority. Grey Sauble commented and has not objected to the development or the footprint.

Ms. Guyatt questioned why the extra height is required and questioned when the land, that will be dedicated from Tyrolean to the Town, be available to the public. Andrew spoke in response noting that final approval is required and that they are in the engineering stage seeking final approval. Andrew noted that once final approval is received that lots will be registered, the land will be dedicated to the Town and the trail will be developed. Ms. Guyatt noted that there was a trail in this location previously, but that it was not maintained, further noting it will be nice to have a new trail.

Ms. Guyatt questioned if the development will be another Tyrolean Village, Andrew replying that short term accommodation is not permitted in this area, that the development will be single-family high-end homes, further noting that there will be no compatibility issues with noise.

Anthony Miceli, 110 Ridgeview, spoke noting that this system is flawed, further noting that he did not receive notice of this public meeting. Mr. Miceli noted that all homes were built in the 1970s and at that time the height was two storeys, further noting that allowing 2.5 storeys will impact their properties. Mr. Miceli noted that the applicant wants to increase the value of his lots, and asked that Council not approve the application. Mr. Miceli noted that they do not have the right soil to accommodate 2.5 storeys as it is sandy, further noting that a creek runs through the area.

Lucy Richmond, 102 Fraser Crescent, spoke noting that she is concerned for the environment and overdevelopment in the area from here to Georgian Bay. Ms. Richmond noted that the municipal laws have been drafted and put into effect and they should be complied with. Ms. Richmond noted that she has no problem with the proceeding, but is concerned that amendments to the zoning by-law can be

requested so soon after the by-law is enacted. Ms. Richmond noted that this location could satisfy the need for attainable housing or social housing, further noting that development should be managed.

Terry Billo, 111 Brooker Boulevard, spoke noting that Lots 9, 10 and 11 abut his property and questioned why there is no reference to the stream that is present all year, further noting that the land between his property and the new lots is Grey Sauble Conservation Authority lands. Mr. Billo requested clarification, and questioned if there is wetland there. Mr. Billo questioned how close the development will be to the condo complex. Andrew spoke in response noting that there are portions that are regulated by Grey Sauble Conservation Authority and noted there will be a trail on the west side of lots 9 – 11.

Mr. Billo noted that this development was never shown on the real estate sale notice and does not believe that all condo owners received notice of this meeting today.

Gary Miller, spoke noting that this is the first time he has viewed the plan and questioned the building envelopes of Lot 9 to Lot 4, Andrew spoke in response noting that the building envelope will be 45 – 50 feet from the rear of the building envelope, further noting that they are working with staff on tree preservation within the regulated area.

Councillor Sampson spoke questioning if the site plan will be provided to Council for approval. Director of Planning and Development Services Nathan Westendorp spoke noting that the draft plan was approved by the County and the developer has to satisfy the conditions. Nathan noted that provided that the developer clears the conditions to the satisfaction of the Town and the County, that the approvals were granted years ago.

Mayor Soever questioned if there is a pre-servicing agreement in place for this development, Nathan spoke in response noting that not all developments go through a pre-servicing agreement, but that all go through a subdivision agreement. Mayor Soever questioned if there is a tree preservation in place in the subdivision agreement, Nathan responding that the subdivision agreement is not yet drafted.

Terry Billo spoke again questioning the life of site plan approval for a plan of subdivision, Nathan spoke in response noting that this development was draft approved in 1998 and that a lapse date was not included in the approval at that time. Mr. Billo noted that this is wrong, further noting that things change and that the natural environment changes as well.

Betty Ann Rossimel, 104 Ridgeview Drive spoke noting that they will lose their laneway with this development. Ms. Rossimel questioned the number of bedrooms for the houses, further noting that the development will impact their quiet enjoyment. Andrew spoke in response noting that short term accommodation is not permitted in this area.

Tony Slipanek, 124 Ridgeview Drive, spoke noting that he agrees with the concern that if the height is increased to 2.5 storeys that it will not be in keeping with the area. Mr. Slipanek noted that he backs onto one of the lots and that if the height is increased, that he will have a high house towering his house. Mr. Slipanek noted that Ridgeview Drive has one to two storey homes and that the only purpose of the requested additional height is to increase the value of the lots which is not a valid reason to grant the requested 2.5 storeys.

C.1.3 Public Meeting: Procedural By-law 2018-20

Re: Proposed Changes to the Town Procedural By-law 2018-20

Mayor Alar Soever read the Notice of Public Meeting regarding proposed changes to the Town Procedural By-law 2018-20.

Mayor Soever noted that notice is hereby given that Council of The Corporation of the Town of The Blue Mountains, at its regularly scheduled Committee of the Whole Meeting on Monday, August 26, 2019, will be holding a Public Meeting to receive comments on the proposed changes to the Procedural By-law. The Procedural By-law sets out the rules and regulations for the proceedings of Council, Committees and Local Boards.

Mayor Soever noted Staff Report "[FAF.19.120 Draft Procedural By-law for Council Consideration before Proceeding to Public Meeting](#)" provides additional information regarding the proposed changes and proposed timelines. Copy of the Staff Report is also available through the Town's website, www.thebluemountains.ca

Mayor Soever noted it is important to note that a decision on the draft Procedural By-law has not been made at this point, and will not be made at this Public Meeting.

Mayor Soever noted following receipt of comments from the public, Staff will bring its recommendations to Council at the September 16, 2019 Committee of the Whole Meeting.

Mayor Soever noted comments at the Public Meeting aid the Town and Council in their decision making process, so be sure to have your say.

Mayor Soever noted any person or agency may attend the Public Information Session and Public Meeting and/or make verbal or written comments regarding the proposed changes to the Procedural By-law.

Town Clerk Corrina Giles spoke noting that notice of the Public Meeting was given in accordance with the Town's Notice Policy, and that in response, no comments have been received. Corrina noted that the public meeting is scheduled to receive comments from the public on the proposed changes to the Procedural By-law 2018-20. Corrina provided the steps for Council to consider adopting the new Procedural By-law.

Councillor Sampson noted that substantive amendments to notices of motion should not be permitted.

Councillor Sampson questioned the differences in the Code of Conduct of Committee members. Corrina noted that a Committee Procedural By-law is being drafted. CAO Shawn Everitt spoke noting that a draft Procedural By-law for the Committees will be provided to Council for review.

Mayor Soever spoke regarding the proposed Council and Committee of the Whole meeting schedule and that any matters not heard during the allotted time will be deferred to the next meeting. Finance, Administration and Enforcement Services and Community Services and Operations would be scheduled in the morning, with Planning and Development Services in the afternoon.

Councillor Potter questioned the meeting cycle

Councillor Uram spoke noting that the public should have an allotted time to provide their comments in response to a public meeting notice, and that if the public requests a second opportunity to address Council to provide their comments in response to a public meeting, that this opportunity should also be time limited. Councillor Uram suggested three minutes and one minute time allotments.

Councillor Bordignon spoke noting that the Chair should keep the speakers on track at Public Meetings.

Councillor Sampson spoke noting that he would not support time limiting public comments, further noting that it is up to the Chair to ensure that the meeting is managed and ensure that the speaker remains on track.

Shawn Everitt noted that speakers have an opportunity to address Council to provide their comments on the public comment topic, unless the Chair advises that a second opportunity is permitted. Shawn noted that the public meeting should not become a debate between speakers. Deputy Mayor Bartnicki spoke noting that she agrees with Shawn that the chair will note that each person will have one opportunity to speak at the Public Meeting.

Councillor Potter spoke noting that it is unfair to allow speakers multiple opportunities to speak and that time limits should be implemented at public meetings as well.

John White, resident of Sunset Boulevard, spoke noting that there is no opportunity to commence the Council Meeting prior to 5:00 pm. Mr. White noted that electronic participation of Council members should be permitted if an emergency meeting is called as it may not be possible to achieve quorum. Mr. White noted that he supports a roll call at each meeting, and that the reason for a Council Member's absence should also be included, including if a Council Member leaves a meeting. Mr. White noted that a Public Comment Period should be included at the beginning and end of each section of the Committee of the Whole meeting. Mr. White noted that the Public Comment Period should allow comments in response to a staff recommendation in response to a public meeting. Mr. White recommended that a countdown clock be installed to allow speakers the opportunity to view the time they have remaining in their allotted time to speak. Mr. White noted that "abstain" should be allowed in a recorded vote. Mr. White noted that the draft minutes of a meeting should be available within one week of the meeting. Mr. White noted that Committees and Boards require a Procedural By-law of their own, and that there should be another set of rules for Committees. Mr. White noted that an Appendix should be attached to the Procedural By-law that Committees exist and under the consent of the CAO that certain items should be permitted by the Committees that should not have to go through Council. Mr. White noted that Council needs to develop committees to deal with matters, what is assigned to Committees, including timing, to move things forward in a more expedited fashion.

As no one further wished to speak, Mayor Soever declared the Public Meeting to be closed.

C.2 Deputation

None

D. New and Unfinished Business

D.1 Notice of Motion (Council)

Deputy Mayor Odette Bartnicki provided the following Notice of Motion that will be included on the September 9, 2019 Council Agenda for Council consideration.

That staff provide a report to Council addressing the requirements for notice to the public regarding:

1. Planning and Development matters (as per *Planning Act*);
2. By-law exemptions;
3. Other legally required notices to members of the public currently provided by the Town of The Blue Mountains;

And, that staff provide details of how we can ensure that:

- (a) All property owners within legislated distances receive appropriate notices, and
- (b) Rural property owners outside legislative distances receive notices of Planning and Development matters related to neighbouring properties.

D.2 Additions to the Agenda

None

E. Notice of Meeting Dates

Council Meeting, September 9, 2019
Town Hall, Council Chambers

Committee of the Whole Meeting, September 16, 2019.
Town Hall, Council Chambers

F. Adjournment

Moved by: Rob Potter

Seconded by: Jim Uram

THAT this Committee of the Whole does now adjourn at 8:05 p.m. to meet again, September 16, 2019, Town Hall, Council Chambers, or at the call of the Chair, Carried.

Alar Soever, Mayor

Corrina Giles, Town Clerk