

Rob Sampson,



November 12, 2024

Council,
The Town of The Blue Mountains,
32 Mill Street, Box 310,
Thornbury, Ontario
N0H 2P0

Council;

I am writing to comment on Agenda item E3 Staff Report FAF.24.144 on the November 12, 2024 Council Meeting Revised Agenda. The item is entitled "*Termination of 125 Peel Street Campus of Care Negotiations*".

- As I mentioned in my Public Comments of November 12, 2024, based upon the limited information contained in the Staff Report and my summary of the point noted below, I can only conclude that this item was discussed in a Closed Session of Council sometime between November 04, 2022 and the date of item E3, and as such the termination decision that was rendered at that meeting was improper and not in accordance with the Municipal Act or the Town's own Procedural Bylaw. I concede that the item involved Town property, however the decision rendered in Closed Session was of a financial nature and not eligible for Closed Session exemption provided for in ss. 239(2), (3) and (3.1) of the Municipal Act. The decision to terminate the negotiations with the private developer meant walking away from the developer's publicly reported commitment to purchase the property for \$15 Million. In addition, the decision to terminate negotiations also potentially risked a recent grant of \$25 Million from the Province's Housing Enabling Program. The loss of the property sale revenue and potentially all the grant funds would cost individual Town ratepayers over \$4,000 each. I am asking Council to rescind the Closed Session decision and post the item to reconsider the termination as an open session item with proper notice and documentation provided to the public well in advance of that public meeting.
- At the Council meeting on Nov. 4, 2024, Coun. Ardiel requested a Campus of Care update from staff at the meeting and had the item added to the agenda. In response to Ardiel's request, CAO Shawn Everitt advised that there was nothing new to report. Everitt advised that the "negotiation process" for the project was continuing and that information remains confidential. The direction from Council to terminate discussions from Skyline must have been considered between November 4th and November 8th. Can Council advise at what Council meeting the termination advice was provided to Staff? Was Staff Report FAF.24.144 reflecting the decision of the developer to walk from the transaction only? If so, can Staff provide any written communication from the developer on this subject?
- Any future public session where this item will be considered should call for a recorded vote on all matters being considered on this item.

- The public needs to have information on all the reasons for the breakdown in negotiations. The Staff Report noted a change in market conditions as well as recently passed Development Charges increases, but I suspect there may have been other issues that arose and frustrated the negotiations. The public deserves to know what the Town offered to counter the obstacles to a successful conclusion of negotiations. The private developer should be invited to present at the public meeting.
- Given the large number of much needed housing units in the project, if the economics of the project became too challenging for the developer, what did the Town do to look for other financial supports from senior levels of government for the project? Both senior levels of government are willing to support affordable housing growth and this project was designed to meet those objectives.
- The public needs to know if the Town considered the possible impact the termination decision would have on the \$25 M provincial grant. It seems to me that the argument for the “housing enabling” grant portion for the Mill St lift station is less convincing given that there are several other building units in various stages of development in the west end of the Town but none of those have received Council approval and many are at the early stages of planning.
- This decision has a significant impact on the Town’s growth models both directly and indirectly. The indirect impact comes from the lack of proper local long term care options and affordable housing on other housing growth. Will growth be negatively impacted when it becomes known that there are no local care options for seniors and local labour is unable to live near a Town work site? Does this impact alter the population growth data supporting the recently considered and approved DC study, or was the Campus of Care growth not even considered in the DC study at all with Council knowing much earlier on this year that the project was already at risk?
- If the Peel St. site was such an infrastructure challenge, did the Town consider or offer an alternative site? How about Tees Place site that is fully serviced and ready to go? This site could provide an opportunity to build something in cooperation with Collingwood who is also looking for a Campus of Care type site and additional long term care beds.
- The original Long Term Care bed allocation was to the Town, a unique allocation that was designed to allow the Town the best opportunity to control the site location and to ensure that Town residents did not have to find Long Term Care services in faraway locations. What has happened to that allocation, and if the allocation is now in the hands of a private party, what are the contractual obligations of that developer to build the beds near the Town?
- Has the Town communicated its decision to the Province? What is their position on the matter given that there was a time fuse on the bed allocation? Is the initial bed allocation itself at risk meaning that seniors in the Town will have lost their chance for long term care options near their home? Were the Campus of care units (totalling 712 beds/units) included or noted in the application the Town made for the Housing Enabling Water Systems funding? If so, what is the Town doing to meet its obligation under the “Duty to Consult” section of the application guidelines?
- What is the Town’s plan to replace the retirement building units (146), the affordable labour force units (90 units), the attainable multi-family housing units (316 units), and the 80 day care spaces that the project was contemplating? Did the Town consider the fact that there

are virtually no similar type units in any stages of planning in the Town, and there have never been any?

As a final comment, I noticed that the November 12, 2024 Council Agenda had six separate Notices of Motions. This reflects a Council that cannot work with each other or with staff, and Council members rowing in different directions. The Town strategic plan appears to have been abandoned. Council appears to be totally rudderless without leadership. This must change, or your legacy will be that of a Council that can't get things done and was unable to speak to the priorities facing the Town!

I consent to this letter being read as public comment for the next Council meeting.

Yours truly,

A solid black rectangular box used to redact the signature of Rob Sampson.

Rob Sampson



Notice of Decision and Right to Appeal

This is a notice regarding the decision made on October 16, 2024, by the Director of Planning & Development Services for an application for Consent.

A certified copy of the decision is attached to this notice.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

If you disagree with this decision, you may file an appeal to the Ontario Land Tribunal. An appeal must include the required **Appellant Form** and **Applicable Fees** in a Certified Cheque or Money order, made out to the Minister of Finance. The Appellant Form must state the reasons for the appeal.

The Appellant Form and fees must be delivered in person or by registered mail to the Clerk of the Town of The Blue Mountains:

Town Clerk, Town of The Blue Mountains
PO Box 310, 32 Mill Street
Thornbury, Ontario N0H 2P0

The last date for filing an appeal is **Tuesday November 12, 2024, by 4:30 pm.**

More information about how to file an appeal, including the forms and fees, is available on the Ontario Land Tribunal website at <https://olt.gov.on.ca/>.



The Corporation of the Town of The Blue Mountains

Decision on Consent Application File B17-2024

Owner/Applicant: Fischer and Shultz Family Trust 2016

Purpose / Effect: The purpose of this application is to consider a lot addition to be added onto 154 Delphi Lane from the subject lands at 152 Delphi Lane.

Legal Description: COLLINGWOOD CON 5 PT LOT 26 RP 16R9473 PARTS 4 AND 8

Severed Parcel: Frontage: 2.4 m (width) Depth: 22.70 m Area: 27 sq.m

Retained Parcel: Frontage: 23 m Depth: 41 m Area: 1,038 sq.m

Road Access: Delphi Lane

Municipal Water: Yes **Municipal Sewer:** Yes

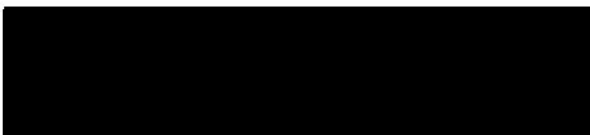
Decision: Grant Provisional Consent

Date of Decision: October 23, 2024

In making the decision upon this application for Consent, the Director of Planning & Development Services of the Town of The Blue Mountains is satisfied that the proposed Consent Application is consistent with the Provincial Policy Statement, complies with the County of Grey Official Plan and the Town of The Blue Mountains Official Plan and represents good planning.

If provisional consent is given, then the following conditions must be met prior to the issuance of a Certificate of Official:

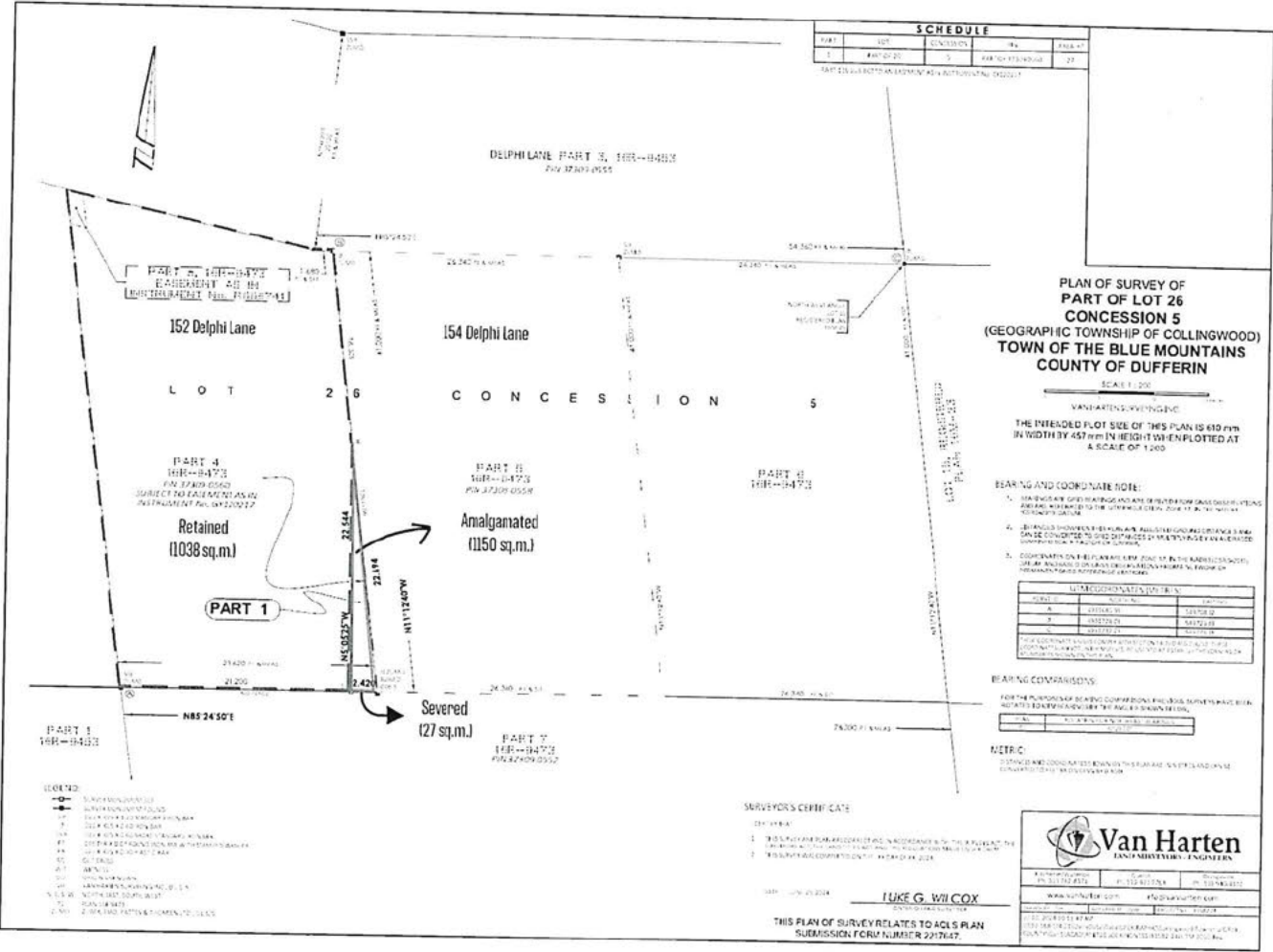
1. That the Owner meets all the requirements of the Town, financial or otherwise, for the Certificate of Consent to be issued;
2. That the Owner provides a description of the land which can be registered in the Land Registry Office;
3. That the severed parcel be deeded as a lot addition to the existing parcel to the east.
4. That the owner provides proof of mortgage details for both the severed and retained lands.
5. That all above conditions be fulfilled within two years of the Notice of Decision so that the Town Clerk is authorized to issue the Certificate of Consent pursuant to Section 53(42) of the Planning Act.



Adam Smith, Director of Planning & Development Services
Town of The Blue Mountains
32 Mill Street, Box 310, Thornbury, ON N0H 2P0

Dated: October 23, 2024

Consent Sketch



Certification

Planning Act, R.S.O 1990, c. P.13, Sec 53(17) and 53(24), as amended

I, Adam Smith, Director of Planning & Development Services of The Corporation of the Town of The Blue Mountains, certify that the above is a true copy of the decision of with respect to the application recorded therein.



Adam Smith, Director of Planning & Development Services
Town of The Blue Mountains

Dated: October 23, 2024



Notice of Decision and Right to Appeal

This is a notice about the decisions from the November 20, 2024, Committee of Adjustment Meeting.

A certified copy of the Committee of Adjustment's decision is attached to this notice.

If you disagree with this decision, you may file an appeal with the Ontario Land Tribunal (OLT). An appeal must include the required Appellant Form and the required Fees made out to the Minister of Finance. The Appellant Form must also set out the objection to the decision and the reasons in support of the objection. Please note, only the applicant, public bodies with an interest in the matter, the Minister of Municipal Affairs and Housing, and 'specified persons', as defined by the Planning Act, are permitted to appeal decisions related to minor variance applications. These are recent changes that have been made to the Planning Act by the province.

The Appellant Form and fees must be delivered in person or by registered mail to the Secretary-Treasurer of the Committee of Adjustment:

Secretary-Treasurer
Committee of Adjustment
Town of The Blue Mountains
32 Mill Street, P.O. Box 310
Thornbury, ON, N0H 2P0

The last date for filing an appeal is December 10, 2024, by 4:30 pm.

More information about how to file an appeal, including the forms and fees, is available on the Ontario Land Tribunal website at <https://olt.gov.on.ca/>.

If there is an appeal to the Ontario Land Tribunal, except where all appeals are withdrawn, a hearing will be held and notice will be given to the Applicant, the Appellant, the Secretary-Treasurer of the Committee, and to anyone else as determined by the Ontario Land Tribunal.

If no appeal on this decision is received within twenty days of the decision, the decision of the Committee is final and binding. The Secretary-Treasurer will notify the Applicant and file a certified copy of the decision with the Clerk of the Town of The Blue Mountains.



Town of The Blue Mountains
Committee of Adjustment
Decision

In the matter of application for File No. **A26-2024** to consider a variance to the Town of The Blue Mountains Comprehensive Zoning By-law 2018-65, as amended.

Date of Hearing: November 20, 2024
Property Location: 191 Summit View Crescent
Owner/ Applicant: Grandmont

Purpose of Application:

The purpose of this application is to request a minor variance to Sections 4.3(d) and (j) of the Zoning By-law to permit a detached garage to be:

- 1. Located closer to the front lot line than the main building; and
- 2. 6.75 metres in height, whereas 5.0 metres is permitted.

DECISION:

THAT the Committee of Adjustment GRANT Application **A26-2024** to permit the construction of a detached garage.

Conditions and Reasons For Decision:

See Attached Schedule "A"

Robert B. Waind
Chairman

Jim Oliver
Vice Chairman

Michael Martin

Jah Pratt

Duncan McKinlay

Date of Decision: November 20, 2024

The last date for filing an appeal to the decision is December 10, 2024

CERTIFICATION

Planning Act, R.S.O. 1990, c.P13, Sec 45(10)

I, Carrie Fairley, Secretary-Treasurer of the Town of The Blue Mountains Committee of Adjustment, certify that the above is a true copy of the decision of the committee with respect to the application recorded therein.

Carrie Fairley, Secretary-Treasurer

Town of The Blue Mountains Committee of Adjustment

32 Mill Street, Thornbury, Ont., N0H 2P0

Dated: November 20, 2024



**Town of The Blue Mountains
Committee of Adjustment
Decision**

- Schedule A -

CONDITIONS:

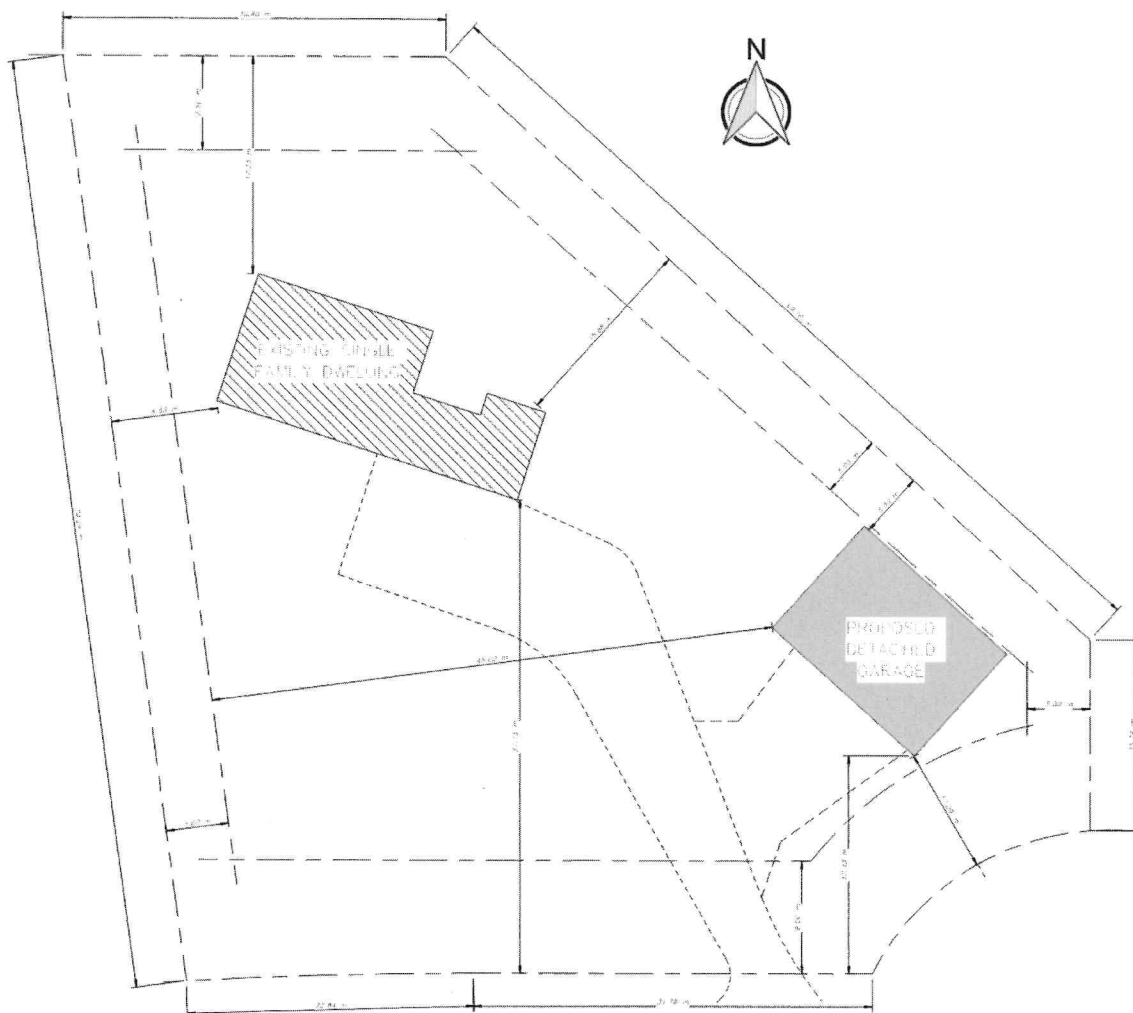
1. That a permit is obtained from the Grey Sauble Conservation Authority.
2. That the site development be constructed in a manner substantially in accordance with the submitted site plan; and
3. That this variance to the Zoning By-law is for the purpose of obtaining a building permit and is only valid for a period of two (2) years from the date of decision. Should a building permit not be issued by the Town within two years, the variance shall expire on November 20, 2026.

REASON FOR DECISION:

The Committee has reviewed the request as it relates to the four tests for minor variance of S.45. (1) of the Planning Act, as noted in the Planning and Development Services Staff Report PDS.24.145.

The Committee received written and/or oral submissions before and/or during the hearing and have taken these submissions into consideration when making the decision.

APPLICANT'S SITE PLAN:





Notice of Decision and Right to Appeal

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The Appellant Form and fees must be delivered in person or by registered mail to the Secretary-Treasurer of the Committee of Adjustment:

Secretary-Treasurer
Committee of Adjustment
Town of The Blue Mountains
32 Mill Street, P.O. Box 310
Thornbury, ON, N0H 2P0

The last date for filing an appeal is December 10, 2024, by 4:30 pm.

More information about how to file an appeal, including the forms and fees, is available on the Ontario Land Tribunal website at <https://olt.gov.on.ca/>.

If there is an appeal to the Ontario Land Tribunal, except where all appeals are withdrawn, a hearing will be held and notice will be given to the Applicant, the Appellant, the Secretary-Treasurer of the Committee, and to anyone else as determined by the Ontario Land Tribunal.

If no appeal on this decision is received within twenty days of the decision, the decision of the Committee is final and binding. The Secretary-Treasurer will notify the Applicant and file a certified copy of the decision with the Clerk of the Town of The Blue Mountains.



**Town of The Blue Mountains
Committee of Adjustment
Decision**

In the matter of application for File No. **A38-2024** to consider a variance to the Town of The Blue Mountains Comprehensive Zoning By-law 2018-65, as amended.

Date of Hearing: November 20, 2024
Property Location: 61 Lansdowne Street North
Owner/ Applicant: Gordon
Purpose of Application:

The purpose of this application is to request a minor variance to Section 4.3 (i) of the Zoning By-law 2018-65 to permit:

1. An increase of 5.3 metres in height, whereas 4.5 metres is permitted.

DECISION:

THAT the Committee of Adjustment GRANT Application **A38-2024** to permit the construction of a 53.51 m² detached shop.

Conditions and Reasons For Decision:

See Attached Schedule "A"

Robert B. Waing
Chairman

Jim Oliver
Vice Chairman

Michael Martin

Jan Pratt

Duncan McKinlay

Date of Decision: November 20, 2024

The last date for filing an appeal to the decision is December 10, 2024

CERTIFICATION

Planning Act, R.S.O. 1990, c.P13, Sec 45(10)

I, Carrie Fairley, Secretary-Treasurer of the Town of The Blue Mountains Committee of Adjustment, certify that the above is a true copy of the decision of the committee with respect to the application recorded therein.


Carrie Fairley, Secretary-Treasurer

Town of The Blue Mountains Committee of Adjustment
32 Mill Street, Thornbury, Ont., N0H 2P0

Dated: November 20, 2024



Town of The Blue Mountains
Committee of Adjustment
Decision

- Schedule A -

CONDITIONS:

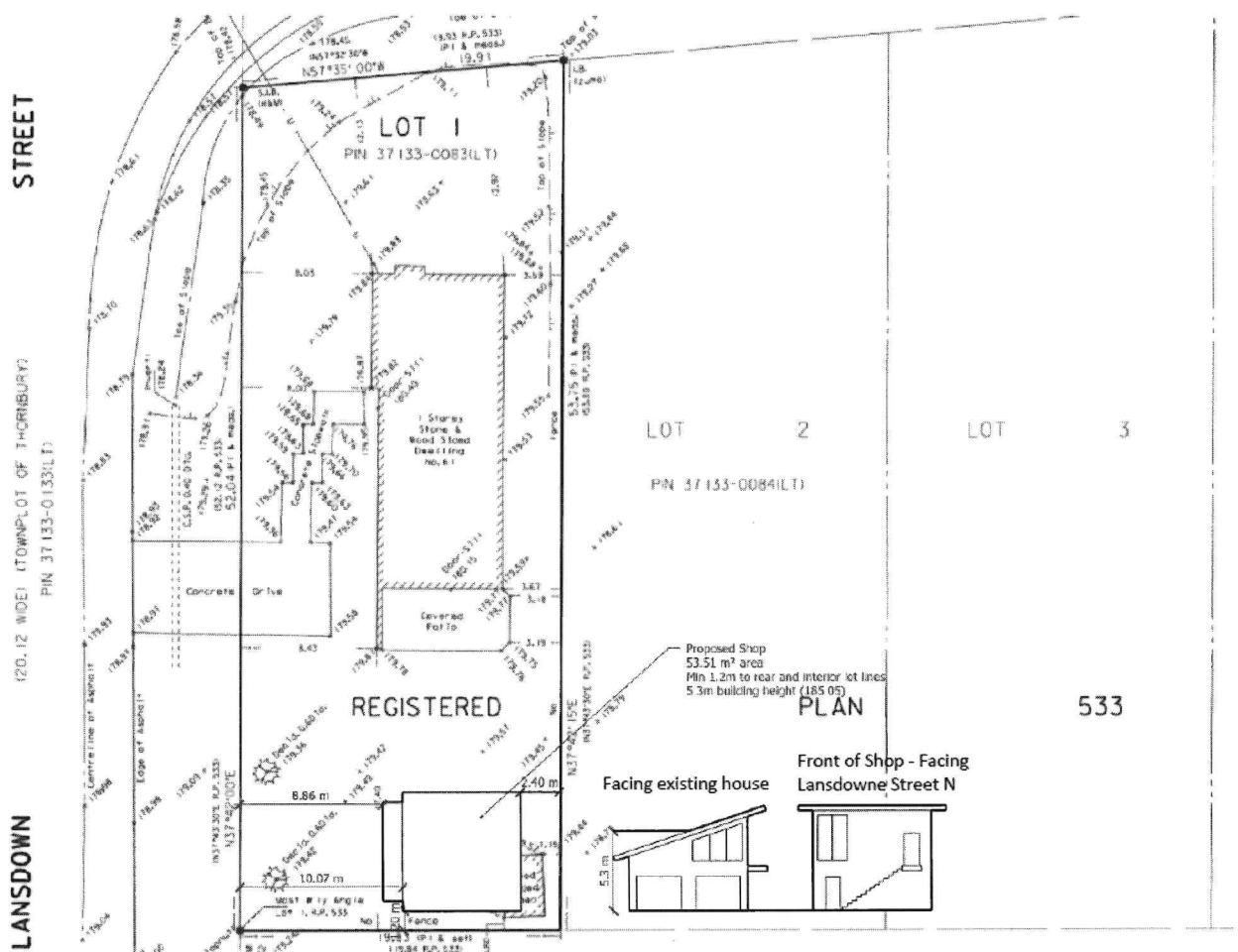
1. That the site development be constructed in a manner substantially in accordance with the submitted site plan; and
2. That this variance to the Zoning By-law is for the purpose of obtaining a building permit and is only valid for a period of two (2) years from the date of decision. Should a building permit not be issued by the Town within two years, the variance shall expire on November 20, 2026.

REASON FOR DECISION:

The Committee has reviewed the request as it relates to the four tests for minor variance of S.45. (1) of the Planning Act, as noted in the Planning and Development Services Staff Report PDS.24.133.

The Committee received written and/or oral submissions before and/or during the hearing and have taken these submissions into consideration when making the decision.

APPLICANT'S SITE PLAN:



61 Lansdowne Street North
Shop Site Plan(1) 18Oct24
Prepared by: Devin Gordon P.Eng.

The existing lot is 958.70m².
The existing single family dwelling is 221m².
The existing shed will be removed and the proposed 53.51m² shop will cover 5.6% of the lot.
The total lot coverage will be 28.6%



Notice of Decision and Right to Appeal

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The Appellant Form and fees must be delivered in person or by registered mail to the Secretary-Treasurer of the Committee of Adjustment:

Secretary-Treasurer
Committee of Adjustment
Town of The Blue Mountains
32 Mill Street, P.O. Box 310
Thornbury, ON, N0H 2P0

The last date for filing an appeal is December 10, 2024, by 4:30 pm.

More information about how to file an appeal, including the forms and fees, is available on the Ontario Land Tribunal website at <https://olt.gov.on.ca/>.

If there is an appeal to the Ontario Land Tribunal, except where all appeals are withdrawn, a hearing will be held and notice will be given to the Applicant, the Appellant, the Secretary-Treasurer of the Committee, and to anyone else as determined by the Ontario Land Tribunal.

If no appeal on this decision is received within twenty days of the decision, the decision of the Committee is final and binding. The Secretary-Treasurer will notify the Applicant and file a certified copy of the decision with the Clerk of the Town of The Blue Mountains.



**Town of The Blue Mountains
Committee of Adjustment
Decision**

In the matter of application for File No. **A39-2024** to consider a variance to the Township of Collingwood Zoning By-law 83-40, as amended.

Date of Hearing: November 20, 2024
Property Location: Plan 1065 PT Lots 6, 10, 14, 15 PT Village Cres RP 16R9197
PARTS 1 TO 3 PARTS 4 AND 5 RP 16R10248 PARTS 1 TO 5
Owner/ Applicant: BMR GP Inc (Freed Developments)
Purpose of Application:

The purpose of this application is to request a minor variance to Town of Collingwood By-law 83-40 as amended, Section 5.8 (b)(i), Section 15.2 (c), (e) and Section 15.9 (e) to permit:

1. A development on a lot which fronts on a private road;
2. A reduction in the required minimum front yard setback from 15 metres to 7.5 metres;
3. A reduction in required minimum surface parking from 30% to 0% surface parking space; and
4. An increase of maximum lot coverage from 30 % to 32 %.

DECISION:

THAT the Committee of Adjustment REFUSE Application **A39-2024** to permit:

1. A development on a lot which fronts on a private road;
2. A reduction in the required minimum front yard setback from 15 metres to 7.5 metres;
3. A reduction in required minimum surface parking from 30% to 0% surface parking space; and
4. An increase of maximum lot coverage from 30 % to 32 %.

Reasons For Decision:

See Attached Schedule "A"

Robert B. Waing
Chairman

Jim Oliver
Vice Chairman

Michael Martin

Jan Pratt

Duncan McKinlay

Date of Decision: November 20, 2024

The last date for filing an appeal to the decision is December 10, 2020

CERTIFICATION

Planning Act, R.S.O. 1990, c.P13, Sec 45(10)

I, Carrie Fairley, Secretary-Treasurer of the Town of The Blue Mountains Committee of Adjustment, certify that the above is a true copy of the decision of the committee with respect to the application recorded therein.

Carrie Fairley, Secretary-Treasurer

Town of The Blue Mountains Committee of Adjustment

32 Mill Street, Thornbury, Ont., N0H 2P0

Dated: November 20, 2024



**Town of The Blue Mountains
Committee of Adjustment
Decision**

- Schedule A -

REASON FOR DECISION:

The Committee has reviewed the request as it relates to the four tests for minor variance of S.45. (1) of the Planning Act, as noted in the Planning and Development Services Staff Report PDS.24.134.

The Committee received written and/or oral submissions before and/or during the hearing and have taken these submissions into consideration when making the decision.