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# Staff Report

## Operations Department

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**Report To:** Committee of the Whole  
**Meeting Date:** August 26, 2019  
**Report Number:** CSPW.19.054  
**Subject:** Comments Received at Public Meeting and Direction Regarding Sale of Block 29, Plan 16M-14  
**Prepared by:** Michael Campbell, Construction Coordinator

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### A. Recommendations

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THAT Council receive Staff Report CSPW.19.054, entitled "Comments Received at Public Meeting and Direction Regarding Sale of Block 29 Plan 16M-14";

AND THAT Staff report to Council on the comments received regarding the sale of Block 29, Plan 16M-14;

AND THAT Council directs Staff to negotiate the sale of said land with the current owner of 189 Peel Street;

AND THAT Staff report to Council the results of negotiations ahead of any action taken regarding the disposal of the land.

### B. Overview

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The purpose of this report is a summary of the comment received at the Public Meeting and seek direction from Council regarding the sale of Block 29, Plan 16M-14.

### C. Background

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Council received Staff Report CSPW.19.003 "Declaration of Town Land Surplus – Block 29, Plan 16M-14 High Bluff Lane" on February 4, 2019. Council declared the land surplus to the needs of the Corporation on February 20, 2019 by resolution.

As per direction of council in the resolution of February 20, 2019, Staff have had the land appraised.

As per direction of Council in the resolution of February 20, 2019, Staff have given notice to the public of the proposed sale of land as per the Corporate Policy POL.COR.07.02 "Sale and Disposition of Land".

As per the “next steps” outlined in Staff Report CSPW.19.003, Staff have conducted a public meeting at the regularly scheduled Committee of the Whole meeting of Monday July 8, 2019. The Public Meeting was held to receive comments from the public regarding the proposal to sell the subject lands.

## **D. Analysis**

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### Land Value

HG Appraisers Inc. provided an estimate of the Current Market Value of the property, in its Highest and Best Use of Residential Single Lot Development of \$215,000. However, the sale of the block will have restrictions and it will not be used as a single residential lot.

The proposed sale of Block 29 to 189 Peel Street is to solve a problem with the existing entrance to 189 Peel Street when the road is reconstructed. The proposed new road profile will be much lower at the existing entrance requiring a reconstructed driveway and likely relocating existing structures. These would be project costs.

The proposed sale of Block 29 to 189 Peel Street would be subject to the following requirements:

- Block 29 would merge with 189 Peel Street to create a single parcel of land.
- A 300mm reserve would be created along the new lot’s frontage on Peel Street to preclude future access to Peel.
- The new lot’s municipal address would be High Bluff Lane, likely 178 High Bluff Lane.
- The new lot would have a covenant on title that would deem it a single-family residential land use.
- Future development of the new lot would see the existing sanitary service on High Bluff Lane used and the existing on-site septic system abandoned.
- The existing water service from Peel Street will be removed and the existing water service on High Bluff lane would be used.
- The entrance for the new lot will be from High Bluff lane.

The negotiation for the sale of the land will need to consider the value of the land and all the costs to make the lot functional with the entrance and services reoriented from Peel to High Bluff.

### Notice to the Public and Comments Received

Following the resolution of February 20, 2019, Staff notified the public of the proposed sale of land as per the Corporate policy POL.COR.07.02. The Notice was dated February 28, 2019 and as per the policy, was published and distributed to land owners within the required notice area surrounding the subject lands.

Comments were received from 3 individuals as follows:

- Robert Tokio, 176 High Bluff Land, March 14, 2019. Mr. Tokio was in support of the Peel Street Road improvement, “but would strongly object to Block 29 becoming just one more building lot in the midst of what is becoming an ever increasingly busy construction area.”
- Diane Tarr, 297 Sunset Boulevard, March 24, 2019. Ms. Tarr was against selling any publicly owned land. She suggested the land could be used to benefit the population as green space; park; community garden; children’s playground or splash park; senior’s housing; animal shelter or dog park.
- Greg Roberts of Richpark Homes, June 11 & 12, 2019. Mr. Roberts was interested in the Block until he reviewed the Staff Report of February 4<sup>th</sup>. He is now in support of the proposed sale.

The Staff Report of February 4<sup>th</sup> proposed next steps which included a Public Meeting to receive comments on the proposed sale of the land. This step is not called for in the corporate policy, but it is a well-advised step to assure the public has an opportunity to be informed and provide their comments.

In the 21-day period ahead of the Public Meeting on July 8, 2019, comments were received from 2 individuals as follows:

- Veronique Ponce, no address provided, June 13, 2019. Ms. Ponce’s comments were related to the reconstruction of Peel and the expected speed of cars with no comment on the sale of the land.
- Ken Hale, V.P. Dunn Capital Corporation, June 12, 2019 through June 21, 2019. Mr. Hale began with concerns that the Town was holding a meeting regarding selling land when the details of Peel Street reconstruction were undecided.

Following Mr. Hale’s initial comment on the proposed sale of the land, he continued an e-mail exchange with the Town regarding the process to decide the details of Peel Street’s reconstruction. He asked if the proposal to sell the land was premature as an EA or decision on how Peel would be reconstructed was not concluded. From the Municipal Class Environmental Assessment Guide Table, the Works contemplated are pre-approved as follows:

3. Construction or removal of sidewalks or multi-purpose paths or cycling facilities within existing or protected rights-of-way is a pre-approved A+;
11. Streetscaping (e.g. decorative lighting, sidewalk improvements, benches, landscaping not part of another project) in pre-approved A+;
15. Installation of safety projects (e.g. lighting including high mast) <2.4million preapproved A;
19. Reconstruction where the reconstructed road or other linear paved facility (e.g. HOV lanes) will be for the same purpose, use, capacity and at the same location (e.g. addition or reduction of cycling lanes/facilities or parking lanes, provided no change in the number of motor vehicles lanes) preapproved A+.

The Town is communicating with the public to a greater extent than required by an A+ EA.

There were no comments received by individuals at the Public Meeting.

The proposed sale of the land is in response to a specific need of the Town, which is to create a safer sightline over the hill between High Bluff lane and Timber Lane. The Town has determined the land surplus to its needs which would include any kind of community facility or parkland. The sale of the land would not create a new lot for an increase in local development density and would restrict the new merged lot to its current use which is a single-family residential lot.

### Negotiation of Sale

Clause 2 of the Procedures section of the Sale and Other Disposition of Land policy states that "Council may, at their discretion and acting in good faith, upon compliance with clause 1 of this Policy (public notice), advertise to request sealed tenders or bids for the sale of land or to engage a real estate firm or broker for the sale of land or utilize an alternative method for sale or disposal of land to be determined by Council".

In this case direction from Council is needed as to the procedure that Council wish to follow for the sale of the land. The proposed sale of the land is to a specific individual to solve the issue of access to an existing lot when Peel Street grade is changed dramatically. It should be understood here that if, through a separate decision-making process, the existing road grades on Peel Street were not changed, Staff would not recommend sale of the land. Therefore, Staff believe direct negotiation with the owners of 189 Peel Street is appropriate. Council may wish to select the negotiation team for the Town, it may include Staff and/or professionals familiar with the local real estate market.

### Draft Minutes of Public Meeting

Upon review of the draft Public Meeting Minutes, 2 clarifications are required.

Mr. Russwurm's response to Councilor Bordignon regarding the size of Block 29 can be clearer. The lot was reduced in size by the realignment of the Peel Street/Hwy 26 intersection and under the old zoning a house could not be built. Under the new zoning by-law, a house could be constructed with a footprint of approximately 2,000 square feet.

With regard to a legal survey, no recent legal survey work has been undertaken. The land is defined on Plan 16M-14 as Block 29 which was registered October 30, 2007.

## **E. The Blue Mountains Strategic Plan**

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Goal #3: Support Healthy Lifestyles

Objective #4 Commit to Sustainability

Goal #4: Promote a Culture of Organizational & Operational Excellence

Objective #5 Constantly Identify Opportunities to Improve Efficiencies and Effectiveness

Goal #5: Ensure Our Infrastructure is Sustainable

Objective #3 Implement Best Practices in Sustainable Infrastructure

## **F. Environmental Impacts**

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The elimination of an on-site sewage disposal system (septic system) within a Development Area of Town.

## **G. Financial Impact**

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Once the sale of land is finalized and the Town has received the money, Staff will bring a report back to Council outlining options for their consideration.

## **H. In Consultation With**

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Shawn Everitt, CAO

Senior Management Team

John Metras, Town Solicitor

Sam Dinsmore, Deputy Treasurer/Manager of Accounting and Budgets

Planning Department

## **I. Public Engagement**

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The topic of this Staff Report has been the subject of a Public Meeting which took place on July 8, 2019. Those who provided comments at the Public Meeting, including anyone who has asked to receive notice regarding this matter, have been provided notice of this Staff Report.

The Owners of 189 Peel Street have been provided a copy of this report and informed of their opportunity to address the Committee of the Whole and Council when the report is presented.

## **J. Attached**

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1. Site Plan (aerial image) Block 29 and 189 Peel
2. Block 29 Plan 16M-14 Land Review Tool
3. Corporate Policy POL.COR.07.02 "Sale and Other Disposition of Land"
4. Comments received prior to public meeting
5. Minutes of public meeting

Respectfully submitted,

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Michael Campbell, C.E.T.  
Construction Coordinator

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Shawn Everitt  
Chief Administrator Officer

For more information, please contact:  
Michael Campbell, C.E.T.  
[cc@thebluemountains.ca](mailto:cc@thebluemountains.ca)  
519-599-3131 extension 275

Area Map



HIGH BLUFF LN

Block 29 Plan 16M-14

189 Peel St N

PEEL ST N

## PROPERTY ID AND HISTORY

Property Address	Not assigned, likely 178 High Bluff Lane
Municipal Roll Number	15008650000
Legal Description	Block 29 Plan 16M-14
What is the current zoning of the property	R1-1 under Zoning By-law 2018-65
What is the current assessed value "2016"	Finance reports the current assessed value as \$120,000
What is the size of the property	Land Area is 1465m2 using the measuring tool on CityView
Is property currently in use	No
What is the current use	Municipal Land Bank
When was the property obtained	With registration of Plan 16M-14, October 30, 2007
How was property originally obtained	Transfer of land from developer of Trail Woods subdivision
What was the original intended use	The land was a subdivision lot that was reduced in size when MTO re-aligned the Peel Street/Hwy 26 intersection
Does the property have any restrictive covenant	Not sure, likely No
Is the property held in trust	No
Does the property provide municipal drainage	No
If the property is designated a Road Allowance or Street, is that the current use or a potential use	Not designated a Road Allowance and no potential for such use
Does the property contain Water and or Wastewater Infrastructure	The land is serviced with a 19mm water service and 125mm sanitary service
Does the property contain any other major Town infrastructure or other services	Land does not contain major Town infrastructure
Has the property been reviewed by Council before	Land has not been reviewed by Council
If yes, refer to Staff Report	



**SITE CONTAMINATION SECTION**

Known Contamination:	None
Expected Contamination:	None
History of Contamination:	None
Has an Environmental Screening Assessment Occurred?	No
Location of Environmental Screening Assessment File:	
Existing environmental standards to comply with:	?
If contaminated, does it exceed environmental standard:	?
Is the Municipality directly responsible for the site?	Yes
If not, has the Municipality accepted responsibility?	
Probability that the site would require remediation:	Low
Would this require the Municipality to determine a liability?	Not Likely
If yes, what is the estimated cost of remediation?	

## REVIEW OF FUTURE NEEDS AND POTENTIAL OF DECLARING SURPLUS

Does the property have any existing liabilities to the Town	No
Does the property have an existing Road/Street access	Fronts on High Bluff lane but no existing entrance
Does the property have Road/Street access potential	Yes
Does the property have any known architectural significance	No
Does the property have any known historical significance	No
Does the property have any archeological significance	Not likely, an archeological Report should have been completed for Subdivision Approval
Are any specific surveys or studies required	Unaware of any requirements
Are First Nations required to be consulted	Unaware of this requirement
Are there agencies that require consultation i.e. NEC, GSCA, NVCA, MNRF, DFO	Not likely
Is there an Agency that could retain ownership of property consistent with their own mandate	Not Likely
Does the property have any known recreational opportunities	The property is currently being maintained by the Town but it is not used for recreational opportunities and does not provide connection to any trails
Do any ecological or conservation concerns exist on or around the property	Not Likely
Do local residents in the immediate area require specific pre-consultation	Town policy does not require specific pre-consultation
Do local residents in the immediate area require specific notification	Town policy does not require specific notification
Is expert knowledge required to evaluate the property	Yes
Has there been interest from a potential purchaser of the property	Yes

Is there an existing management agreement in place with the Town or other agencies	No
Does the property provide any duplication of use or services in the immediate area	No
What is the estimated cost of divesting (i.e. Appraisal/surveying costs)	An Appraisal should be less than \$2500, Some legal time.
Are there any significant potential public concerns of declaring property surplus	Not Likely
Does the property have any development potential	The property does not have the lot frontage required by the zoning by-law, but as a parcel of record this is not a restriction. The available building envelope defined by the required yards is approximately 5700 sq-ft which could accommodate a building area of approximately 2,000 sq-ft on the first floor.
Could the property be severed into multiple lots	No
Have there been other similar properties appraised within 2 years	No
What are the estimated property taxes of the adjacent properties	To the west \$7,064, to the north \$3,202
Could the property be considered Surplus	Yes

**SIGN OFF INFORMATION**

CAO	
Director of Community Services	
Director of Development Services	
Director of Financial Services	
Director of Operations	
Manager of Road & Drainage	
Manager of Accounting & Budgets	
Manager of Water & Wastewater	
Manager of Solid Waste & EI	
GIS Coordinator	

# TOWN OF THE BLUE MOUNTAINS

## POLICY & PROCEDURES

Subject Title:

Corporate Policy (Approved by Council)

Policy Ref.  
No.:

POL.COR.07.02

Administrative Policy (Approved by  
CAO)

By-law No.:

2008 - 08

Department Policy: (Approved by Mgr.)

Name of Dept.:

Administration

Date

Approved:

January 28, 2008

Staff Report:

A.07.31 (Revised)

### Policy Statement

Policy direction for Council procedure in considering the sale and other disposition of public land by the municipality.

### Purpose

Compliance with Section 270 of the *Municipal Act, 2001*.

### Application

This Policy applies to the actions or decisions to be undertaken or made by the municipality, its Council, its Senior Management Team and Local Boards as defined in subsection 269.1 of the *Municipal Act, 2001*, all collectively called the "municipality", for the purpose of providing accountability and transparency in the municipal decision-making process and its actions.

Council will endeavour in its actions to ensure accountability for its decisions and the manner in which decisions are made will be transparent to the public.

The *Municipal Act, 2001* requires a municipality to adopt a Policy with respect to the sale and other disposition of public land by the municipality..

### Definitions

Appraisal: shall mean an appraisal of the fair market value of the land to be sold or otherwise disposed of and may include consideration of a public benefit in the case of any land transfer or exchange.

## Procedures

1. Subject to any other provisions contained in the *Municipal Act, 2001*, prior to the sale of land Council shall:
  - a) at a regularly scheduled Council meeting deem that any land to be sold or conveyed is surplus to the needs of the Corporation;
  - b) obtain at least one appraisal of the fair market value of the land to be sold or conveyed and this appraisal may include consideration of a public benefit in the case of any land transfer or exchange;
  - c) give notice to the public of the proposed sale of land by publication of notice of the proposed sale for two successive weeks in a local newspaper having general circulation in the area and by posting on the Town website and by e-mail message to any person who requests provision of Town notices.
2. Council may, at their sole discretion and acting in good faith, upon compliance with clause 1. of this Policy, advertise to request sealed tenders or bids for the sale of land or to engage a real estate firm or broker for the sale of land or utilize an alternative method of sale or disposal of land to be determined by Council.
3. Council may, at their sole discretion, add or delete any costs incurred by the municipality with regard to the sale of land to or from the sale price of the land.
4. The Town and any affected Local Board shall establish and maintain a public register listing and describing the land owned or leased by the Town or Local Board.

## Exclusions

5. Council may, at their sole discretion, determine that Clause 1.b) of this Policy does not apply to the sale of the following classes of land:
  - a) Land 0.3 metres or less in width acquired in connection with an approval or decision under the *Planning Act*.
  - b) Closed highways if sold to an owner of land abutting the closed highways.
  - c) Land formerly used for railway lines if sold to an owner of land abutting the former railway land.
  - d) Land that does not have direct access to a highway if sold to an owner of land abutting the former railway land.
  - e) Land repurchased by an owner in accordance with section 42 of the *Expropriations Act*
  - f) Lands sold under Sections 107, 108 and 109 of the *Municipal Act, 2001* (Economic Development Services).
  - g) Easements granted to public utilities or to telephone companies.

6. Council may, at their sole discretion, determine that Clause 1.b) of this Policy does not apply to the sale of land to the following public bodies:
  - a) A municipality
  - b) A local Board, including a School Board and a Conservation Authority.
  - c) The Crown in right of Ontario or Canada and their Agencies.
7. Council may, at their sole discretion, determine that Clause 1. of this Policy does not apply to the sale of the following classes of land:
  - a) Land sold under Section 110 of the *Municipal Act, 2001* (Municipal Capital Facilities).
  - b) Land to be used for the establishment and carrying on of industries and industrial operations and incidental uses.
8. This Policy does not apply to the sale of land under Part XI of the *Municipal Act, 2001*, Sale of Land for Tax Arrears.

#### **References and Related Policies**

Town Policy POL.COR.07.01 and Town Policies POL.COR.07.03 through POL.COR.07.07 inclusive, as approved, together with this Policy.

#### **Consequences of Non-Compliance**

Non-compliance with the *Municipal Act, 2001* is subject to the remedies prescribed therein.

#### **Review Cycle**

This policy will be reviewed annually by the Senior Management Team for report to Council in open session.

**From:** [REDACTED]  
**To:** [Mike Campbell](#); [Reg Russwurm](#); [Shawn Everitt](#)  
**Subject:** RE: Block 29 Plan 16M-14 Declared Surplus to the Town's Needs, Town Intends to Sell  
**Date:** Wednesday, June 12, 2019 10:13:29 AM  
**Attachments:** [image002.jpg](#)  
[image003.jpg](#)  
[image004.png](#)  
[image005.png](#)

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Hi Mike

I have now read the memo from the Town. The reasons to sell the land to the abutting neighbour make very good sense to us. Please withdraw our interest and we support the Town's position to sell or transfer the land to the abutting owner.

Greg



**Greg Roberts**

Direct tel and fax: [REDACTED]  
[REDACTED]  
[REDACTED]

[www.carlylecapital.ca](http://www.carlylecapital.ca)

[www.bluthornbury.ca](http://www.bluthornbury.ca)  
[REDACTED]

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**From:** Mike Campbell [REDACTED] >  
**Sent:** June 12, 2019 9:21 AM  
**To:** Greg Roberts [REDACTED]; Reg Russwurm [REDACTED];  
Shawn Everitt [REDACTED] >  
**Subject:** RE: Block 29 Plan 16M-14 Declared Surplus to the Town's Needs, Town Intends to Sell

Hi Greg,

It was nice to chat this morning. As discussed the sale of the land is not to make money for the Town but rather to solve some engineering issues associated with cutting down the hill to produce a safe sight line for the mix of road users expected. As you mentioned, you were able to review the Staff report on the sale of the land after your e-mail and now understand reason for the sale.

Thanks,



**Michael G. Campbell, C.E.T.**

Construction Coordinator

cid:image003.jpg@01D38484.583341A0



Town of The Blue Mountains  
Infrastructure & Public Works Department  
32 Mill Street, P.O. Box 310  
Thornbury, ON N0H 2P0  
Tel: 519-599-3131 Ext. 275  
[cc@thebluemountains.ca](mailto:cc@thebluemountains.ca)



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**From:** Greg Roberts [REDACTED] >

**Sent:** June 11, 2019 7:37 PM

**To:** Construction Coordinator <[cc@thebluemountains.ca](mailto:cc@thebluemountains.ca)>

**Subject:** Block 29 Plan 16M-14 Declared Surplus to the Town's Needs, Town Intends to Sell

Hi Michael

We are developing the lands across Peel Street (Richpark Homes). We are interested in this piece of land if its still for sale. Let me know at your convenience.

Greg



**Greg Roberts**

Direct tel and fax: [REDACTED]  
[REDACTED]  
[REDACTED]

[www.carlylecapital.ca](http://www.carlylecapital.ca)

[www.bluthornbury.ca](http://www.bluthornbury.ca)  
[REDACTED]

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**From:** [Corrina Giles](#)  
**To:** [Veronique Ponce](#)  
**Cc:** [council](#); [SMT](#); [Mike Campbell](#); [Amy Wilson](#)  
**Subject:** RE: Notice of Public Meeting - Sale of Surplus Land Block 29, Plan 16M-14  
**Date:** Thursday, June 13, 2019 11:06:07 AM

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Good morning Ms. Ponce,  
I acknowledge receipt of your email below in response to the July 3 Notice of Public Meeting, and confirm I have forwarded the same to Council for their information and consideration. Your comments will be included in the record of the July 3 Public Meeting, and attached to a followup staff report regarding this matter.

Kind regards,

Corrina Giles, CMO  
Town Clerk  
Town of The Blue Mountains  
32 Mill Street, P.O. Box 310  
Thornbury, Ontario  
N0H 2P0  
Tel: 519-599-3131 ext 232  
Toll Free: 1-888-258-6867  
Fax: 519-599-7723  
[townclerk@thebluemountains.ca](mailto:townclerk@thebluemountains.ca)

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<http://www.thebluemountains.ca/subscribe-for-updates.cfm>

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**From:** Veronique Ponce [REDACTED] >  
**Sent:** Thursday, June 13, 2019 10:11 AM  
**To:** Town Clerk <[townclerk@thebluemountains.ca](mailto:townclerk@thebluemountains.ca)>  
**Subject:** Fwd: Notice of Public Meeting - Sale of Surplus Land Block 29, Plan 16M-14

The Town will be reconstructing Peel Street and the existing hill will be lowered to improve sight lines.

But this little hump is the only thing that forces cars to slow down. Since all the trees that used to border Peel St N have disappeared, cars have been driving at increased speed already, as the street looks more and more like a highway. It's becoming difficult to bicycle on this road and even more difficult to get out of our driveway, let alone walk peacefully. Once the hump is gone, nothing will stop cars from speeding down Peel as they exit the 26 at 70km/h and most often 80 km/h.

If you really want to improve the sight lines, how are you going to design the road to discourage speeding? Everyone knows that speed limit signs are useless. The design

of the street is what matters.

Véronique Ponce

---

**From:** [websitecommittee@thebluemountains.ca](mailto:websitecommittee@thebluemountains.ca) <[info@thebluemountains.ca](mailto:info@thebluemountains.ca)>

**Sent:** June, 12, 2019 4:18 PM

**To:** Veronique Ponce [REDACTED] >

**Subject:** Notice of Public Meeting - Sale of Surplus Land Block 29, Plan 16M-14



## **Notice of Public Meeting - Sale of Surplus Land Block 29, Plan 16M-14**

*Posted On: Wednesday, June 12, 2019*

**Property Location: High Bluff Lane at Peel Street Public Meeting: July 8, 2019 at 5:00pm Town Hall, Council Chambers 32 Mill Street, Thornbury, ON**

The Town will be reconstructing Peel Street and the existing hill will be lowered to improve sight lines. The existing entrance to 189 Peel Street will be difficult to accommodate in the construction. It is proposed to sell the block of land to 189 Peel Street to allow a new entrance for the merged lands to improve the Town road system and support the goals of the Official Plan.

For more information on the declaration of the land as surplus to the needs of the Town and the concept of selling the land to 189 Peel Street please see Staff Report [CSPW.19.003](#)

### **What happens at a Public Meeting?**

The public meeting is your chance to hear about the proposal and make your views known. You may also speak at the meeting or submit written comments. Information from the public will help Council in their decision-making process, please have your say!

Any person or agency may attend the Public Meeting and/or make verbal or written comments in support or opposition to the proposal.

### **Where do I submit my comments?**

**Your written comments may be sent to the Town Clerk, Corrina Giles by mail or in person:**

**From:** [Terry Tarr](#)  
**To:** [Construction Coordinator](#)  
**Subject:** Sale of Land High Bluff Lane & Peel St.  
**Date:** Sunday, March 24, 2019 5:59:09 PM

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Dear Sir,

Please advise against the selling of any publicly owned land. With the rampant development in the Town any land owned by the town should be cherished and protected for future generations.

There are so many ways that piece of land could benefit our population:

green space

park

community garden

children's playground--splash park

senior's housing

animal shelter

dog park

Thank you for your attention.

Diane Tarr



Resident since 1967

**From:** [Ken Hale](#)  
**To:** [Reg Russwurm](#)  
**Cc:** [Corrina Giles](#); [Shawn Everitt](#); [Mike Campbell](#); [Emily Beauchamp](#)  
**Subject:** RE: Peel Street Land Sale  
**Date:** Friday, June 21, 2019 4:34:27 PM  
**Attachments:** [image002.jpg](#)  
[image003.jpg](#)

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Reg,

Sorry, I did not know the Town has a "local road standard" as you state in your email below.

Can you point to the Official Plan Policy or Town Standard that contains the Local Road Standard that has been endorsed by Council?

Thanks

Ken



**Kenneth Hale, RPP, MCIP, OALA, CSLA**

[Redacted signature block]

THIS COMMUNICATION IS INTENDED SOLELY FOR THE ATTENTION AND USE OF THE NAMED RECIPIENTS AND CONTAINS INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE PERSON RESPONSIBLE FOR DELIVERING THIS INFORMATION TO THE INTENDED RECIPIENT, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE. IF YOU HAVE RECEIVED THIS INFORMATION IN ERROR, PLEASE BE NOTIFIED THAT YOU ARE NOT AUTHORIZED TO READ, COPY, DISTRIBUTE, USE OR RETAIN THIS MESSAGE

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**From:** Reg Russwurm [Redacted]  
**Sent:** June 21, 2019 2:30 PM  
**To:** Ken Hale [Redacted] >  
**Cc:** Corrina Giles [Redacted] a>; Shawn Everitt [Redacted]  
Mike Campbel [Redacted] >; Emily Beauchamp

[Redacted] >

**Subject:** RE: Peel Street Land Sale

Ken,

All roads in the Town are classified as outlined in the OP (Sch B-1 and B-2).

The road classification is based on the traffic volume and engineering judgement of those doing the transportation analysis to classify the road. In addition to the vehicular loading, the expected pedestrian and cycling volumes go into the evaluation. There is no fixed strict criteria that I'm aware of. Generally, the traffic volumes are in the 1500 – 2000 ADT range to step from local to collector road. The Town is starting a Transportation Master Plan later this year where we'll be evaluating the road classifications. Peel Street is currently classed as a local road in the OP and I would not expect that classification to change in the coming study.

Since Peel Street is a local road, it is being planned to be reconstructed to the Town's local road standard. It is proposed in the DCBS to be urbanised in consideration of the coming increase in vehicles, pedestrians and cyclists, and in anticipation of the future level of service and public safety that would be expected of the users in their transportation network. The road needs to function well for all users over the next 40 – 50 years.

- Reg

---

**From:** Ken Hale [Redacted]  
**Sent:** Wednesday, June 19, 2019 2:10 PM  
**To:** Reg Russwurm [Redacted] >  
**Cc:** Corrina Giles [Redacted]; Shawn Everitt [Redacted];  
 Mike Campbell [Redacted] >; Emily Beauchamp  
 [Redacted] >

**Subject:** RE: Peel Street Land Sale

Reg,

Pere section 4.5.2 of the Town Engineering Standards, can you kindly send me the traffic volume requirements that determine the road classifications?

Thanks

Ken



**Kenneth S. Hale, RPP, MCIP**

[Redacted]

[REDACTED]

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**From:** Reg Russwurm [REDACTED] >  
**Sent:** June 18, 2019 4:29 PM  
**To:** Ken Hale [REDACTED]  
**Cc:** Corrina Giles [REDACTED]; Shawn Everitt [REDACTED];  
Mike Campbell [REDACTED] >; Emily Beauchamp  
[REDACTED] >  
**Subject:** RE: Peel Street Land Sale

Ken,

As I have explained before, the road standard is based on the typical level of service expected for roads supporting development which for Peel Street is an urban cross section including sidewalk, street lights, etc. The DCBS outlines what will be constructed. Council accepts the DCBS and as such the level of service for the road. Council then approves the annual capital plan which included Peel Street with an urban cross section. Knowing that there will be interest regarding the look and feel of the road, the Town is holding a Public Information Centre to confirm the ultimate road cross section to be constructed.

- Reg

---

**From:** Ken Hale [REDACTED]  
**Sent:** Monday, June 17, 2019 7:42 PM  
**To:** Reg Russwurm [REDACTED] >  
**Cc:** Corrina Giles [REDACTED] >; Shawn Everitt [REDACTED] >;  
Mike Campbell [REDACTED] >; Emily Beauchamp  
[REDACTED] >  
**Subject:** Re: Peel Street Land Sale

Sorry, how was urban decided and not rural?

Thanks



Ken

Sent from my iPhone

On Jun 17, 2019, at 7:39 PM, Ken Hale [REDACTED] > wrote:

Reg

The question that is asked is how did you determine that the urban cross section is used and not urban?

It's not semantics. They are different standards.

Can you please answer the question

Ken

Sent from my iPhone

On Jun 17, 2019, at 7:24 PM, Reg Russwurm [REDACTED] wrote:

Ken,

I would say "reconstruction" includes improvements and upgrades. It's an argument over semantics in the same manner as you say it's a dirt road and I would say gravel.

I refer you to read the MCEA document at the link I provided particularly Appendix 1 item 19. You'll learn that the work is a Schedule A+ project.

We use the urbanised road section in the Engineering Standards to set the level of service for reconstructed roads supporting development identified in the DCBS. After the PIC, we'll be taking a report to Council outlining public feedback to get direction on the reconstruction standard.

- Reg

---

**From:** Ken Hale [REDACTED]

**Sent:** Monday, June 17, 2019 9:00 AM

**To:** Reg Russwurm [REDACTED]; Corrina Giles  
[REDACTED]

**Cc:** Shawn Everitt [REDACTED]; Mike Campbell

[REDACTED]; Emily Beauchamp [REDACTED] >

**Subject:** RE: Peel Street Land Sale

Reg,

The title of the project is "Peel Street Reconstruction". (Attached MTE Letter July 2018) This would imply a simple replacement or refurbishment of existing conditions.

However, Peel Street is currently a dirt road.

The letter states that it will be "reconstructed to an urban cross section including a paved surface with curbs, sidewalks, street trees, and street illumination".

As the letter states, this is more than a reconstruction and is an upgrade in service.

As you have stated, the Town has no official plan policy directing what Town Council intention is.

In the absence of this direction, a Class B or Class C EA process would direct the designers to choose between 1) rebuild to existing conditions 2) upgrade to rural cross section or 3) upgrade to urban cross section.

Is the Development Charge By-Law the only document that staff has relied on to determine that Option 3 is the intent of Council?

Thank you

Ken

<image001.jpg>

**Kenneth S. Hale, RPP, MCIP**

[Redacted signature block]

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**From:** Reg Russwurm [REDACTED]  
**Sent:** June 17, 2019 7:48 AM  
**To:** Ken Hale [REDACTED]; Corrina Giles [REDACTED]  
**Cc:** Shawn Everitt [REDACTED]; Mike Campbell [REDACTED]; Emily Beauchamp [REDACTED]  
**Subject:** RE: Peel Street Land Sale

Ken,

The work was identified within the Development Charges Background Study. The project doesn't need to be uniquely identified in the Official Plan or through a Schedule B or C Municipal EA. The Town is following the EA process suitable for the proposed works which is Schedule A+ which is simple notification of the proposed works. The Town is engaging the public well beyond the requirements of the Municipal Class EA process.

- Reg

---

**From:** Ken Hale [REDACTED]  
**Sent:** Friday, June 14, 2019 2:19 PM  
**To:** Reg Russwurm [REDACTED]; Corrina Giles [REDACTED]  
**Cc:** Shawn Everitt [REDACTED]; Mike Campbell [REDACTED]; Emily Beauchamp [REDACTED]  
**Subject:** RE: Peel Street Land Sale

Reg,

My direct question is how has the Town decided to collect and spend over 3.6 million in development charges for an Urban Road Section for Peel Street when the upgrade of service is not identified in an Official Plan or Municipal EA?

I appreciate that Council passed a budget. However, I am not sure that this can be used as to remove the public's right to an LPAT Appeal or a MEA Part 2 order.

I appreciate the land sale may be needed regardless of the standard used.

I look forward to your reply.

Thanks

Ken

<image001.jpg>

**Kenneth S. Hale, RPP, MCIP**

[REDACTED]

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---

**From:** Reg Russwurm [REDACTED]  
**Sent:** June 14, 2019 2:08 PM  
**To:** Ken Hale [REDACTED]; Corrina Giles [REDACTED]  
**Cc:** Shawn Everitt [REDACTED]; Mike Campbell [REDACTED]  
[REDACTED]; Emily Beauchamp [REDACTED] >  
**Subject:** RE: Peel Street Land Sale

Ken,

The works are not being done under a Schedule B or C where a PIC is a required component of the process. The decision to proceed with some sort of improvement has been made within the budget. The PIC at this point is to engage the public around the type of improvement. Regardless of the improvement alternative (even reconstruction as gravel) requires the road profile to be changed to achieve current municipal standards from a public safety perspective since the amount of traffic on the road is increasing due to the area development.

In short, the land sale is required in any event and thus is appropriate to proceed with at this time, and doesn't affect the type of road improvements undertaken.

- Reg

---

**From:** Ken Hale [REDACTED]  
**Sent:** Thursday, June 13, 2019 11:18 AM  
**To:** Corrina Giles [REDACTED] >  
**Cc:** Shawn Everitt [REDACTED]; Mike Campbell [REDACTED]  
[REDACTED]; Reg Russwurm [REDACTED] >; Emily  
Beauchamp [REDACTED] >  
**Subject:** RE: Peel Street Land Sale

Thank you!

<image001.jpg>

**Kenneth S. Hale, RPP, MCIP**

[REDACTED]

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**From:** Corrina Giles [REDACTED] >  
**Sent:** June 13, 2019 10:59 AM  
**To:** Ken Hale [REDACTED] >  
**Cc:** Shawn Everitt [REDACTED] >; Mike Campbell  
[REDACTED]; Reg Russwurm [REDACTED]; Emily  
Beauchamp [REDACTED] >  
**Subject:** RE: Peel Street Land Sale

Good morning Mr. Hale,  
I acknowledge receipt of your email and confirm I have forwarded the same to the Infrastructure and Public Works Department for response.

Kind regards,

Corrina Giles, CMO  
Town Clerk  
Town of The Blue Mountains  
32 Mill Street, P.O. Box 310  
Thornbury, Ontario  
N0H 2P0  
Tel: 519-599-3131 ext 232  
Toll Free: 1-888-258-6867  
Fax: 519-599-7723  
[townclerk@thebluemountains.ca](mailto:townclerk@thebluemountains.ca)

*Sign up to receive up-to-date Town news, bulletins and departmental information by visiting:*  
<http://www.thebluemountains.ca/subscribe-for-updates.cfm>

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**From:** Ken Hale [REDACTED]  
**Sent:** Wednesday, June 12, 2019 4:38 PM  
**To:** Town Clerk <[townclerk@thebluemountains.ca](mailto:townclerk@thebluemountains.ca)>; Corrina Giles [REDACTED]  
**Cc:** Shawn Everitt [REDACTED] >  
**Subject:** Peel Street Land Sale

Corrina,

Is it premature to be holding a public meeting about selling lands because of construction that hasn't even been decided on?

Would it prejudice the EA process by declaring what the Town "will do" for construction prior to presenting it through the EA process?

Specifically, the PIC for the Peel Street Class EA is on July 11<sup>th</sup>.

Thanks

Ken

<image001.jpg>

**Kenneth S. Hale, RPP, MCIP**

[REDACTED]

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**From:** [ROBERT TOKIO](#)  
**To:** [Construction Coordinator](#)  
**Cc:** [Bonnie Rolleston](#)  
**Subject:** High Bluff Lane  
**Date:** Thursday, March 14, 2019 1:44:50 PM

---

Hi Michael

Further to yesterday's conversation with respect to the Notice of Sale of Town Land as it relates to Block 29 Plan 16M-14, we wish to formally express our concerns/interest in the proposal.

By way of introduction...My wife Bonnie and I are owners/residents of 176 High Bluff Lane which abuts Block 29. I purchased what was then the model home in August 2008 and became the second resident to reside in Trailwoods. At the time of my acquisition, I was informed by the Builder and the Town that the plan for Block 29 was to include a landscaped area/parkette that would serve as an enhancement to the extensive Trailwoods project. In fact, my acquisition cost included a premium as a result of this enhancement. While the Town never did complete any formal landscaping of the subject lands, the grounds have been maintained (primarily grass cutting) by your parks department.

We are, therefor, disappointed to learn of The Proposal and concerned about the potential changes to the original plan.

We have reviewed the Staff Report of February 4,2019 and, in particular, note the proposed improvements to Peel Street North. We support the improvements to Peel Street but would strongly object to Block 29 becoming just one more building lot in the midst of what is becoming an ever increasingly busy construction area.

Thank you for your time and consideration. We look forward to further updates.

Yours Truly,

Robert Tokio  
Bonnie Rolleston-Tokio

**The following are minutes from the July 8, 2019 Special Committee of the Whole meeting and will be considered for adoption at the September 9, 2019 Council meeting**

**C.1.2 Public Meeting: Sale of Surplus Land Block 29, Plan 16M-14  
Re: Vacant Land at High Bluff Land and Peel Street**

Councillor Sampson vacated the meeting at 6:30 pm

Mayor Alar Soever read the Notice of Public Meeting regarding the sale of surplus land Block 29, Plan 16M-14.

Mayor Soever noted the legal description is High Bluff Land at Peel Street.

Mayor Soever noted the Town will be reconstructing Peel Street and the existing hill will be lowered to improve sight lines. The existing entrance to 189 Peel Street will be difficult to accommodate in the construction. It is proposed to sell the block of land to 189 Peel Street to allow a new entrance for the merged lands to improve the Town road system and support the goals of the Official Plan.

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

Mayor Soever noted any person or agency may attend the Public Meeting and/or make verbal or written comments in support or opposition to the proposal. Mayor Soever noted a decision on the sale of the land has not been made and will not be made at this public meeting.

Mayor Soever noted after reviewing the proposal to sell the land and comments from the public, Staff will make a recommendation to council at a future council meeting.

The Town Clerk spoke noting that the Notice of the Public Meeting was given in accordance with the Town's Public Meeting Notice Policy, and in response, comments were received from Veronique Ponce, Greg Roberts, Diane and Terry Tarr, Ken Hale and Robert Tokio.

Reg Russwurm, Director of Infrastructure and Public Works spoke noting that the reconstruction of Peel Street will require a significant grade alteration to produce a safe road for the mix of road users expected. Reg noted that the Town cuts the grass on Block 29 but does not do anything else with the property. Reg noted that the existing entrance for 189 Peel Street is located at the crest of the hill which will need to be lowered to achieve safe sight lines. Reg noted that lowering the road will require the Town to reconstruct the entrance to the lot, and that the relocation of a small garage and garden shed will be required.



Reg noted that Peel Street is a Development Charges Road that is expected to be reconstructed to accommodate the increased traffic, both vehicular and active transportation associated with development build out. Reg noted that elimination of the existing entrance to 189 Peel Street would result in one less entrance onto what will be a busier road and improve the Town's road system. Reg noted that the proposed sale would have restrictions including that the properties will merge and the land would remain as a single family residential registered on title, in keeping with the nature of High Bluff Lane, a 300 mm reserve would run the length of the land along Peel Street to preclude a future access to Peel Street, the land would be serviced by water and sanitary services that exist on High Bluff Lane.

Reg noted that the advantages to the Town include the improved road system, support the long-term goals of the Official Plan by removing a septic system from the development area, utilize dormant water and sanitary services and remove an old service under a new road, added user rate and property taxes from the site.

Reg noted that the advantages to 189 Peel Street include increased lot size, ability to redevelop the lot without restriction associated with an old septic system, access to a municipal sanitary system, entrance to a lower tier road with expected lower traffic count, eliminate entrance encroachment onto Block 29. Reg confirmed that the owner of 189 Peel Street has been consulted.

Councillor Bordignon spoke confirming that the property would be merged into one property with one roll number and questioned who would be responsible for the construction of the driveway. Reg spoke in response that yes the property would be merged into one lot, and that the Town will have to enter into discussions with the owner on the construction of the driveway as there are benefits to the Town as well. Reg confirmed that the owner is consenting to the sale. Reg confirmed that the Block 29 property is too small to be built on. Reg confirmed that a legal survey has been prepared.

Councillor Potter questioned if there were plans for a parkette on Block 29, Shawn Everitt, CAO, spoke in response noting that no there were no plans for a parkette in this location, Block 29 was an entrance feature into High Bluff Lane on Town land, and that the Parks Department currently cuts the grass on this property.

Councillor Uram questioned if a by-law will come back to Council for approval, Reg replying yes that a report will come back to Council for consideration.

Deputy Mayor Bartnicki questioned if there will be negotiations on value and a sale price and if there was an appraisal completed. Reg replying that we have done some work on this already.

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