



November 3, 2021

Mr. Ryan Gibbons,  
Director of Community Services  
Town of The Blue Mountains  
32 Mill Street, Box 310  
Thornbury Ontario N0H 2P0

**VIA EMAIL ONLY**

Dear Mr. Gibbons,

**RE: Sunset Blvd Waterfront Access  
Waterfront Property Classifications  
Request for Amendment**

We have been retained by [REDACTED], the Owner of 149 Sunset Blvd, to review the classification of a municipal parcel fronting onto Sunset Blvd and extending to the bay. We know that [REDACTED] has spoken with you and that he appreciated your time in referencing the nature and scope of the Leisure Activities Plan update and the classification of town owned waterfront properties throughout the municipality.

The purpose of this letter is to request a reclassification of the parcel of municipal land situated immediately to the west of [REDACTED] property. This parcel is 6m wide and fronts onto Sunset Blvd. The original intent of the parcel is not clear, however, it is possible that when Plan 515 was approved, several such parcels were created in order to provide firefighting access lanes. Given the age of the subdivision, it is highly likely piped municipal water was either not available or, available in limited quantities.

**Leisure Activities Plan**

The Leisure Activities Plan 2020 (LAP 2020) was the subject of Staff Report CSOPS.21.030 and was considered at the June 15, 2021 meeting of the Committee of the Whole.

We understand that the LAP 2020 will be used by the Town to detail implementation action plans affecting town owned or managed waterfront properties, in addition to consider a new process for engaging residents in the planning of leisure services (p.2). We trust that this letter and it's concluding request will be considered as part of your public engagement process.



Location Context

The LAP inventoried Town owned waterfront property and categorized them into Classes 1 through 6. These various classes differentiate Town waterfront properties according to location, size, facilities, access, and suitability for public use. Based on such assessments, the Classes indicate “intended use” of each property. The subject lands are categorized as “Class 3” (LAP 2020, page 227). This classification has the following description:

**CLASS 3 WATERFRONT PROPERTY:**

On-street parking only and may incorporate the establishment of time limit parking by-laws, required signage and enforcement; no washroom facilities; no waste receptacles.

- Intended Use: Water access for brief duration swimming, viewing the water, launching non-motorized watercraft and fishing. Signs to include “Pack it in, pack it out, Leave no Trace”.



## Sunset Boulevard/Official Plan

Sunset Blvd is a local road having a purpose of serving local traffic. It meanders west from Lora Bay Drive through to Christie Beach Road. It does not have any additional function other than to serve local traffic needs. This is supported in the Town's Official Plan Scheduled 'B-1', Transportation, as Sunset Blvd is identified with a "local road" classification. Section D2.2 to the Official Plan states that the function of a local road is to "connect individual properties to collectors and arterials" and "carry comparatively low volumes of traffic".



Sunset Blvd Existing Condition in Vicinity of 147-149 Sunset Blvd



An additional characteristic is that Sunset Blvd is built to a rural cross section. It has a narrow, travelled gravel surface, soft shoulders and roadside ditches. The road alignment is rarely straight as irregular turns and bends are a principal alignment characteristic. The existing conditions pictures were taken recently during a late afternoon weekday. They illustrate the available travel road apron in relation to on-street parking. The road appears to be at about 6m wide, the minimum width.



**View of Municipal Parcel West of 149 Sunset Blvd**

On-street parking requires part of the vehicle to be on the soft shoulder. Given roadside ditches, it is probable that most of the vehicle will be parked on the travelled portion of the road. There are no separate provisions for pedestrians. The opportunity to combine parking, traffic and pedestrians is severely compromised by existing road design and conditions.

### **Town Parcel**

The Town parcel fronts onto Sunset Blvd in proximity to bends in the road, is heavily treed and will require substantial work to make it passable from the road to the bay. When at the bay, the parcel waterfront is stone. In the water, existing stone breakwaters are at the immediate right

and left (these are visible in the air photo location context, above). All told, these characteristics are not conducive to safe public use of this parcel.

In addition to existing conditions and site context, the actual size of the parcel does not lend itself to anything other than three or four people standing abreast. The public uses anticipated in the Class 3 waterfront lands include swimming, fishing, or, launching watercraft. The subject parcel does not realistically enable these activities.

Encouraging public access at such points brings potential for nuisance (due to limited municipal space), Trespass on to adjacent residential properties (the municipal space is not secured) and littering.

## Summary

In summary, use of this municipal parcel for any type of public recreational use is inappropriate based on the following:

1. Sunset Blvd is not a paved road, it has a narrow gravel travelled surface and, for the most part, meanders with several bends and curves in a treed setting. These characteristics combine to suggest that inviting on-street parking for the purposes of enabling/encouraging public access to this small parcel to the bay raises concerns over public safety. Therefore, on-street parking should not be encouraged or available.
2. Access will require preparation and maintenance of a trail. This entails tree removal, grading and surface preparation and maintenance. The “recreational” function is limited to a trail. The public cost/benefit is questionable, and it is reasonable to ask if the Town’s limited resources are better spent on projects supporting broader public recreational benefits and needs.
3. At this location, access at the bay is narrow, stony, and hazardous. There is no water recreational value.
4. Sunset Blvd is a local road intended to provide access to local properties only. It is not designed or intended to encourage or accommodate traffic from outside of the immediate neighbourhood.
5. Encouraging use of municipal lanes in this situation raises questions over land use compatibility due to the size of the parcel: public access to the bay via a relatively narrow strip of land introduces concerns over noise, trespassing and, garbage.
6. A re-evaluation of the Class 3 categorization is warranted so as to take into account site specific conditions explained in this letter.

The LAP 2020 anticipates that some municipal parcels that have the characteristics established above. Such parcels would appropriately be in the Class 6 Waterfront Property category, excerpted below.

**CLASS 6 WATERFRONT PROPERTY:**

No parking available and may incorporate the establishment of no on-street or time limit parking by -laws, required signage and enforcement; no washroom facilities; no waste receptacles.

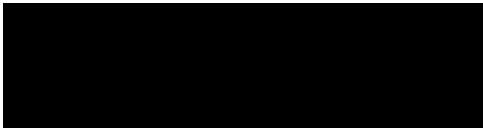
- Intended Use: Drainage ditch or other municipal use (i.e. Fire Department water supply), not intended for public recreational use.

**Request**

That the Town re-class the subject municipal parcel, lying between 147 and 149 Sunset Blvd from Class 3 to Class 6 so that it is clearly identified as not for public recreational use.

We ask that your office notify us of your review of this request. In the meantime, we would appreciate acknowledgement of receipt of this letter.

Yours Truly,



Travis & Assoc  
Colin Travis, MCIP RPP

Cc: Mayor and Members of Council c/o Town Clerk, Corrina Giles  
[Redacted], Owner