



Committee Report

Sustainability Advisory Committee Report

Meeting Date: October 13, 2021
Meeting Time: 9:00 a.m.
Location: Town Hall, Council Chambers
32 Mill Street, Thornbury, ON

Sustainability Advisory Committee Recommendations

NOTE: The following are recommendations from the Sustainability Advisory Committee to be considered for adoption by Council

- [Receive Minutes \(October 13, 2021\)](#)

Recommended (Move, second)

THAT Council of The Town of The Blue Mountains receives Sustainability Advisory Committee minutes dated October 13, 2021, as attached, for information purposes.



Minutes

The Blue Mountains, Sustainability Advisory Committee

Date: October 13, 2021
Time: 9:00 a.m.
Location: Town Hall, Council Chambers - Virtual Meeting
32 Mill Street, Thornbury, ON
Prepared by:
Sarah Merrifield, Executive Assistant Committees of Council

Members Present: Deputy Mayor Rob Potter, Andrew Siegwart, Pamela Spence, Elora Tarlo, Steven Troster, Kim Harris, Councillor Andrea Matrosovs
Regrets: Elora Tarlo
Staff Present: Director of Operations Shawn Carey, Director of Planning and Development Services Nathan Westendorp, Manager of Community Planning Trevor Houghton, Manager of Sustainability and Solid Waste Jeff Fletcher, Library CEO Dr. Sabrina Saunders, Planner II Travis Sandberg, Senior Infrastructure Capital Project Coordinator Mike Humphries, Communications Coordinator Jason Petznick, Sustainability Coordinator Nicholas Cloet, and Administrative Assistant Committees of Council Kyra Dunlop

A. Call to Order

A.1 Traditional Territory Acknowledgement

We would like to begin our meeting by recognizing the First Nations, Metis and Inuit peoples of Canada as traditional stewards of the land. The municipality is located within the boundary of Treaty 18 region of 1818 which is the traditional land of the Anishnaabek, Haudenosaunee and Wendat-Wyandot-Wyandotte peoples.

A.2 Committee Member Attendance

Executive Assistant Committees of Council Sarah Merrifield confirmed that all Committee members were present, save Elora Tarlo.

From The Blue Mountains Attainable Housing Corporation, Chair Rob Sampson, and Administrative Assistant Melissa Pollock were present.

Town staff present were Director of Operations Shawn Carey, Director of Planning and Development Services Nathan Westendorp, Manager of Community Planning Trevor Houghton, Manager of Sustainability and Solid Waste Jeff Fletcher, Library CEO Dr. Sabrina Saunders, Planner II Travis Sandberg, Senior Infrastructure Capital Project Coordinator Mike Humphries, Communications Coordinator Jason Petznick, Sustainability Coordinator Nicholas Cloet, and Administrative Assistant Committees of Council Kyra Dunlop.

Members of the Sustainability Advisory Committee's Tree By-law Sub-committee were also present.

A.3 Approval of Agenda

Moved by: Pamela Spence

Seconded by: Steven Troster

THAT the Agenda of October 13, 2021 be approved as circulated, including any additions to the Agenda, being the change in position for Item D.1. to be heard before Item C.1

Yay (6): Deputy Mayor Rob Potter, Andrew Siegwart, Pamela Spence, Steven Troster, Kim Harris, and Councillor Andrea Matrosovs

Absent (1): Elora Tarlo

The motion is Carried (6 to 0, 1 absent)

A.4 Declaration of Pecuniary Interest and general nature thereof

NOTE: In accordance with the *Municipal Conflict of Interest Act* and the Town Procedural By-law 2021-76, Sustainability Advisory Committee Members must file a written statement of the interest and its general nature with the Clerk for inclusion on the Registry.

None

A.5 Previous Minutes

Moved by: Andrew Siegwart

Seconded by: Kim Harris

THAT the Minutes of August 11, 2021 be approved as circulated, including any revisions to be made.

Yay (6): Deputy Mayor Rob Potter, Andrew Siegwart, Pamela Spence, Steven Troster, Kim Harris, and Councillor Andrea Matrosovs

Absent (1): Elora Tarlo

The motion is Carried (6 to 0, 1 absent)

B. Staff Reports and Deputations

B.1 Deputations, if any

B.1.1 Councillor Rob Sampson, Chair, and Eldon Theodore, MHBC Re: The Blue Mountains Attainable Housing Corporation Gateway Site Design Guidelines

NOTE: This deputation scheduled following the June 2021 request of the Sustainability Advisory Committee

Link to Design Guidelines, as presented at the October 7, 2021 Attainable Housing Corporation Board meeting:

<https://www.thebluemountainshousing.ca/sites/thebluemountainshousing.ca/files/2021-09/B.1.1%20Eldon%20Theodore%20MHBC%20RE%20Gateway%20Urban%20Design%20and%20Architectural%20Control%20Guidelines%20Report.pdf>

It was noted by Councillor Sampson that Eldon Theodore, MHBC, would be in attendance at 9:30 a.m. As such, the Committee proceeded with Item C.2 ahead of the B.1.1 deputation.

Following Item C.2, Councillor Sampson introduced Eldon and noted that the Guidelines were presented and approved by the Board at its recent meeting with some minor modifications. The sustainability criteria is 1 of 8 criteria identified in the Guidelines document, and will be moved ahead to the beginning of the document, with all other criteria following afterward. Councillor Sampson further noted that he listened with interest to the Arthur Street Parking Lot discussion, and some of the sustainability features noted might be considered for attainable housing. Councillor Sampson further noted he is a supporter of car-sharing options.

Eldon commented that the sustainability criteria were previously identified with softer language such as "should" and "may". The current wording now states "Unless it is demonstrated that there are economic challenges to the project and its affordability, the developer **shall** implement green initiatives on the site to assist with reducing the community's impact on the environment and energy dependency". This

means that the criteria identified related to sustainability should be sought and it is incumbent on proponents to demonstrate why they cannot meet the criteria. The list of criteria identified also does not preclude proponents from going beyond the list provided.

Committee member Pamela Spence noted she is pleased to see emphasis on the environmental and sustainability features. Pamela enquired as to how the Guidelines will be utilized. Pamela further noted there was no mention of rainwater capture and enquired as to the threshold for rating a tree in "good health". Eldon commented that rainwater capture is under the criteria for minimizing storm water runoff, and noted that the Guidelines can be more implicit. Eldon clarified that each municipality has a different rating system for tree preservation, and the Town's By-law should outline the requirements. Eldon noted he could share samples of the same.

Councillor Sampson noted that the Board has not yet set scoring criteria for the Request for Proposal (RFP), but the criteria would be set prior to its release. Councillor Sampson further noted the RFP would be broken into 2 steps: Initial designs submitted by proponents to be reviewed by the Board, following which, the proponents will submit amended designs. The Board has also retained a Design Architect to create a concept which serves as a development indicator for proponents when they do their design submission. Councillor Sampson emphasized that the end objective for the project is low cost housing for people in the community. Councillor Sampson noted the Board is trying to communicate these steps to the community in order to de-risk the project.

Deputy Mayor Potter enquired whether there have been any issues with broadband access to the site, and whether the Board would consider installing infrastructure that would allow further spread of broadband to other areas of the community.

Co-Chair Kim Harris noted that the Guidelines document is fantastic, but wondered if there is really a need to include the preface to the sustainability criteria which allows proponents to demonstrate economic challenges to the project and its affordability and its potential impact on meeting sustainability criteria. Councillor Sampson noted the Board is trying to balance the affordability component, based on anticipated rental rate. The language is much stronger, but there needs to be some allowance to ensure proponents are not submitting bids that are unaffordable.

Pamela enquired whether there are sustainability criteria related to the construction phase of the project. Eldon noted this expectation could also be more implicit. Councillor Matrosovs commented that demolition of the previously-existing building on the Gateway Site is a good example of recycling the materials. Manager of Sustainability and Solid Waste Jeff Fletcher noted that if the Board would like to enhance requirements, it could require a construction waste management plan where 75% (or any number selected by the Board) of materials are diverted.

Councillor Matrosovs thanked Councillor Sampson and Eldon for the presentation.

Councillor Sampson and Melissa Pollock left the meeting at 10:20 a.m.

Moved by: Pamela Spence

Seconded by: Steven Troster

THAT the Sustainability Committee receives and supports Item B.1.1 regarding the Attainable Housing Corporation Gateway Site Design Guidelines.

Yay (6): Deputy Mayor Rob Potter, Andrew Siegwart, Pamela Spence, Steven Troster, Kim Harris, and Councillor Andrea Matrosovs

Absent (1): Elora Tarlo

The motion is Carried (6 to 0, 1 absent)

B.2 Public Comment Period (each speaker is allotted three minutes)

NOTE: In accordance with the Town Procedural By-law 2021-76 fifteen minutes is allotted at the Meeting to receive public comments regarding Sustainability Advisory Committee matters included on the Agenda. The speaker shall provide their name and address, and shall address their comments to the Chair. Comments shall not refer to personnel, litigation or potential litigation matters, or matters that are a follow-up to a Public Meeting.

NOTE: Committee meetings are currently being held virtually to assist with social distancing with respect to COVID-19. Comments received from the public that have not been included on the Agenda will be read at the meeting by the Executive Assistant.

None

B.3 Staff reports, if any

None

C. Matters for Discussion

C.1 Tree By-law Discussion - Planning staff

Link to PDS.21.080 provided to August 24, 2021 Committee of the Whole: <https://pub-bluemountains.escribemeetings.com/FileStream.ashx?DocumentId=6040>

Directions provided by Council on September 7, 2021 :

- a) THAT Council of the Town of The Blue Mountains acknowledges receipt of the July 14, 2021 Sustainability Advisory Committee recommendation as below:
 - THAT the Sustainability Advisory Committee endorses the suggestions made by the Tree Preservation Subcommittee, attached herewith, and for consideration for the review of the Tree By-Law and as part of the Integrated Community Sustainability Plan, CARRIED.
- b) THAT Council receive Staff Report PDS.21.080, entitled “Tree By-Law Update and Directions Report”;
AND THAT Council direct Staff to implement Option 2, in consultation with the Agricultural Advisory Committee and Sustainability Advisory Committee, as outlined in Staff Report PDS.21.080, which includes the following:
 - 1. Direct Staff to complete housekeeping updates to Municipal Tree Preservation By-law 2010-68, as necessary, to ensure coordination with any updates completed by the County of Grey regarding County Forest Management By-law 4341-06, as amended;
 - 2. To also include in the update to the Municipal Tree Preservation By-law 2010-68, provisions that controls tree clearing, prior to development applications and pursue the following objective and/or exemptions:
 - Apply the Town’s Tree Preservation Bylaw inside the Settlement Areas of the Town only (as defined in the County of Grey Official Plan)
 - Require a permit for tree removal on parcels with a minimum of 0.5 ha when
 - A. When the applicant proposes to destroy five (5) or more trees simultaneously or in a given calendar year, regardless of diameter; and
 - B. When the applicant proposes to destroy a tree with a minimum diameter of thirty (30) cm or more.”
 - Only allow permits in certain Official Plan land use designations, when supported by appropriate studies and reports, such as a Certified Arborist Report, Environmental Impact Study, or any other report that the Director deems necessary:

- To pursue additional exemptions to the By-law:
 - A. Land parcels which are less than 0.5ha in size”;
 - B. The removal of a tree that necessitates removal as a result of being considered locally as an invasive species, diseased, dead, or a hazard to life or property
 - C. 4 or fewer trees a certain size can be removed
- 3. To consider the development of a Comprehensive Tree Canopy Strategy in conjunction with the planned Natural Heritage Study (subject to Budget 2022 Approval) and Integrated Community Sustainability Plan, CARRIED.

c) THAT Council of the Town of The Blue Mountains receives for information the deputation material from Kim Gardner, Harbour West Residents Group regarding Staff Report "PDS.21.080 Tree By-law Update and Directions Report" and refers the deputation materials to Planning and Development Services, and to the Sustainability Advisory Committee, CARRIED.

Director of Planning and Development Services Nathan Westendorp opened discussion and noted the Tree By-law process has been long, with COVID-19 causing an approximate 1-year delay. Planning staff articulated a 2-step process and a draft By-law and it was determined that additional consultation would be sought, which resulted in staff releasing a survey to the public. The survey results showed passion in the community for stewardship and protection of trees. Staff recently sent a report to Council seeking further direction. The recent staff report noted that trees on future development sites within the Town should be prioritized and can be prioritized right away. The second step is taking inputs from the Integrated Community Sustainability Plan and the Urban Natural Heritage and Tree Canopy Analysis to see what refinements are needed to the By-law. From the staff report, Council directed engagement with agencies, the Sustainability Advisory Committee and the Agricultural Advisory Committee. Nathan referenced the September 16, 2021 memorandum from Planning Services which was also provided to the Agricultural Advisory Committee as well as a memorandum from the Tree By-law Sub-committee to Planning staff.

Planner II Travis Sandberg noted staff are seeking feedback on the applicability of the current proposed update which has the intent to regulate injury or destruction of trees on privately held lands subject to a Tree Preservation Plan. Further, should the settlement areas applicable to the proposed update be scoped further, or is it sufficient as proposed? The By-law as currently proposed will apply to lands with a minimum area of 0.5 hectares - intent is to provide oversight on larger urban properties that might be subject to future

development. Travis enquired whether the exceptions as proposed are appropriate, or if there are additional comments in that regard.

Travis reviewed potential additional exemptions being: land parcels which are less than 0.5ha in size, removal of trees that are invasive, diseased, dead or dangerous, and 4 or fewer trees a certain size. Council directed staff to consider development of Comprehensive Tree Strategy in conjunction with Natural Heritage Study (subject to budget approval) and the Integrated Community Sustainability Plan.

Travis further noted that Planning staff have now responded to the sub-committee memo with formal comments. Travis advised that the upper tier authority will supersede any Town by-law. Further, the Town is not required by legislation to have a Tree Preservation By-law, but is required to develop Tree Policies. The Town has authority to regulate destruction and injury of trees, but must also ensure appropriate care is taken to not go beyond the policies afforded by the Act. Travis further noted the Town has not received recent circulations from Grey County regarding the Forest Management By-law, but staff will be working with the County to ensure the two By-laws are harmonious. The draft By-law will also be circulated to applicable agencies (i.e. Niagara Escarpment Commission) for comments prior to its presentation to Council. Travis explained that the By-law will be extended to future/potential development lands to provide a base level of oversight on tree cutting prior to a development application being submitted, however, the By-law cannot regulate cutting of trees that are permitted through the *Planning Act*/Development process.

Manager of Sustainability and Solid Waste Jeff Fletcher provided an overview of the Operations Department Tree Program. Jeff noted Operations Department is responsible for removal of hazard trees, and during construction/reconstruction projects, it is the Operations Department's Policy to replace trees - elm, oak and maple cultivars are typically used. Jeff further noted that Community Services staff replace up to 500 trees per year on the Georgian Trail and Memorial Tree Program. Jeff also noted that when facilities are being constructed, it is typical for Operations to plant trees (for example: fence replacement at the Thornbury Wastewater Treatment Plant project). Jeff highlighted the work being done in the community, including The Blue Mountains Tree Trust, which seeks to protect heritage trees identified through the program.

Committee member Steven Troster commented that new penalties for non-compliance are not proposed through the By-law - have staff sought an opinion regarding injunctive relief against people who breach the by-law? Steven noted the intent of the by-law is excellent, but wondered if implementation and enforcement would require retention of additional staff? Travis noted penalties outlined in the By-law are the result of the *Municipal Act* and are fairly substantive, including monetary fines and replacement as deemed appropriate. With respect to implementation, Travis noted staff is still working through this, but at this time, additional staff are not anticipated. Implementation will be by the Director while enforcement will be overseen by By-law Enforcement staff.

Committee member Andrew Siegwart commented that the By-law seems to be oriented toward development parcels versus a broader community sustainability initiative. Further, if there is a process (County) which supersedes the Town's, is there a need for the Town to have its own Policy? Andrew enquired if consultation has been undertaken with development land owners, and why smaller parcels are excluded. Andrew noted there is no comment about existing sites with landscaped trees and environments (i.e. golf courses). Travis commented that the By-law remains applicable to future development properties or exiting development property - the intent is to provide oversight prior to a development application being received. The By-law will apply to all properties greater than 0.5ha. Travis noted the intent is not to fetter development. Travis noted the Tree By-law process has included broad public outreach.

Director of Operations Shawn Carey left the meeting at 11:00 a.m.

Committee member Andrew Siegwart left the meeting at 11:02 a.m.

Committee member Pamela Spence noted her belief that the By-law should apply to all land and trees over a certain size (1 acre). Pamela further enquired how the permit evaluation will occur, and the documentation that will be accepted (i.e.: photos, arborist report, etc.). Pamela commented that the By-law identifies Settlement Areas (County language) versus Official Plan Designations (Town language). The language should be consistent with Town's definition and should be included in the Official Plan. Pamela noted she is not supportive of tree destruction for personal firewood, unless it is a primary source of fuel, etc. Pamela referenced additional comments made by the Tree Sub-committee which should be considered. Pamela commented that any findings of the Natural Heritage Study will not be implemented until 2024 which is a long time to wait.

Tree Sub-committee member Kim Harris-Gardner noted that January 19, 2019 is when the Tree By-law work began. Kim noted along with the Climate Emergency and the sustainability focus, there is strong public interest in the Tree By-law. Kim noted her support of Councillor Sampson's comments to the effect of developing interim measures to protect the broader tree canopy. Kim noted her view that there has been a delay due to the detailed review and additional consultation, and requested confirmation of her understanding that the Town cannot push through a more extensive By-law at this time. Travis noted in 2019, there was a revised Draft By-law for consideration, but prior to a decision being made, there were additional comments from the public with concerns for rural/agricultural impact. Council paused consideration of the draft By-law to complete additional public consultation. Travis noted that additional delays were brought on by the COVID-19 pandemic.

Manager of Community Planning Trevor Houghton clarified that Council has not advised which Director will be administering the Tree By-law.

Tree Sub-committee member Lucy Richmond referenced the Settlement Area mapping which portrays areas identified by Council for focus, with the purpose being to prevent clear cutting of trees before there is a Plan of Subdivision or Tree Preservation Plan in place in conjunction with submission of a development or redevelopment plan. Lucy noted the area referenced as Thornbury is defined as a Primary Settlement Area which has a set of rules outlined in the Official Plan. There is also reference to Residential Recreation Land Designation which is also clearly defined in the Official Plan. Per the Official Plan, development or redevelopment on Residential Recreation Land will adhere to 10 units/hectare residential units and a 40% allocation of open space. This Designation is very important when the community is being consulted. Lucy noted that the Grey County Forest Management By-law has a good definition of Woodland, but commented that there might be an issue with the enforcement structures of the same. Lucy noted that there needs to be acknowledgement that the By-law will not be developed by the end of 2021, but an interim step is needed. Lucy noted suggestions are needed for interim solutions - this Committee can suggest to Council to put forward a Policy revision that would include wording to the effect that prior to development or redevelopment applications are deemed complete, a step be added to complete a full Tree Inventory on the property, along with a Tree Preservation Plan. Travis thanked Lucy for her comments and clarified that the Residential Recreational Designation is identified in the Town's Official Plan. The designations that the By-law would apply to will be further identified as the process unfolds. Travis noted that the current planning process includes a Pre-consultation process which often includes Tree Preservation Plan and Tree Inventory requirements.

Councillor Matrosovs thanked the Committee, and Tree Sub-committee for their work and time on the Tree By-law matter, and thanked staff for the presentation.

C.2 Arthur Street Parking Lot Update - Director of Operations Shawn Carey

Note: This presentation was presented to the Thornbury BIA at their September 14, 2021 meeting:

<https://pub-bluemountains.escribemeetings.com/FileStream.ashx?DocumentId=6392>

Director of Operations Shawn Carey shared the Arthur Street West Parking Lot presentation that was originally provided to the Thornbury Business Improvement Area on September 14, 2021. The presentation included background and overview mapping, proposed works, functional and aesthetic design, aesthetic design examples, sustainable design, project schedule, and next steps. Staff also provided an example of gutter bins that are being considered for the site. Manager of Sustainability and Solid Waste Jeff Fletcher also advised that an analysis can be conducted of the materials that accumulate in the gutter bins. Staff further confirmed that grit separators will be installed at the site.

Committee member Steven Troster enquired whether e-bikes could make use of the electric vehicle charging stations. Similarly, Committee member Pamela Spence enquired about electric scooters. Shawn confirmed that staff will investigate the suggestion further. Steven noted that bicycle rental might be possible if there is enough space to accommodate a small rental set up. Shawn commented that there may be sufficient area seasonally in the area reserved for snow storage; partnerships to offer bicycle rentals might be possible.

Pamela noted the Town should test permeable paving and albedo paving in several spots. Jeff advised that permeable paving has been tested at the Hester Street Parking Lot and is fairly plugged up with debris. Jeff noted that permeable paving technology is typically used in areas without winter operations. It was further noted that there were issues identified with groundwater in the area, and the Town does not want to add to those issues. Senior Infrastructure Capital Project Coordinator Mike Humphries explained that the Town is undergoing geotechnical investigation at the site to understand existing groundwater issues at adjacent properties.

Councillor Matrosovs thanked staff for the presentation.

C.3 Integrated Community Sustainability Plan Update

Item deferred.

C.4 Rural Access to Broadband Internet Technology (RABIT) Task Force Update - Deputy Mayor Rob Potter

Item deferred.

C.5 Green Development Standards Update - Manager of Sustainability and Solid Waste Jeff Fletcher

Item deferred.

C.6 Sub-committee Updates

Item deferred.

- Tree Preservation Sub-committee
- Renewable Energy Sub-committee
- ICSP Sub-committee

C.7 Action Item Tracking

Item deferred.

- University of Toronto Seabin Efforts Update
 - Attending November Committee meeting
- Policy for Development Charges - Attainable Housing
- Knowledge Series
 - Greenbelt Association
- Official Plan Review

C.8 Follow-up Direction from Council

Item deferred.

Direction from Council at the September 7, 2021 meeting:

- a) THAT Council of the Town of The Blue Mountains acknowledges receipt of the July 14, 2021 Sustainability Advisory Committee recommendation as below:

THAT Council of the Town of The Blue Mountains receives the May 21, 2021 correspondence from Climate Action Now Network regarding Single Use Plastic at the Farmers Market and refers the correspondence to the Sustainability Advisory Committee and to the Farmers Market Representatives for information, with the request to minimize plastics at the Farmers Market, CARRIED.

D. Correspondence

D.1 Pamela Spence, Committee Member Re: Tree Preservation By-Law Recommendation Arising from August 24, 2021 Committee of the Whole

Moved by: Pamela Spence

Seconded by: Andrew Siegwart

THAT the Sustainability Advisory Committee receives Item D.1. for information.

Yay (6): Deputy Mayor Rob Potter, Andrew Siegwart, Pamela Spence, Steven Troster, Kim Harris, and Councillor Andrea Matrosovs

Absent (1): Elora Tarlo

The motion is Carried (6 to 0, 1 absent)

E. New and Unfinished Business

E.1 Additions to Agenda

E.2 Items Identified for Discussion at the Next Meeting

- Official Plan Update
- Presentation by University of Toronto SeaBin Representatives
- Municipal Vehicle Idling Practice By-Law 2004-104

F. Notice of Meeting Dates

November 3, 2021 at 1:00 p.m. - **Tentative Special Committee Meeting**
Town Hall, Council Chambers (virtual)

November 10, 2021 - **Regular Committee Meeting**
Town Hall, Council Chambers (virtual)

G. Adjournment

Moved by: Kim Harris

Seconded by: Deputy Mayor Rob Potter

THAT the Sustainability Advisory Committee does now adjourn at 11:32 a.m. to meet again at the call of the Chair;

AND THAT Items C.3 through C.8 are deferred to the following Committee meeting.

Yay (4): Deputy Mayor Rob Potter, Pamela Spence, Kim Harris, and Councillor Andrea Matrosovs

Absent (3): Andrew Siegwart, Elora Tarlo, and Steven Troster

The motion is Carried (4 to 0, 3 absent)