

## Questions for Council

### Council Meeting February 24, 2025

Section 4, Item 2.1 Presentation by Julien Wong Lun Hing Devonish regarding Request for the Creation of an Exemption in the Bylaws for Provincially Licensed Falconers.

In reference to the Recommendation that the above noted presentation be received for information, this is an inappropriate response to this very important request.

Mr. Devonish is making a specific request to amend the Zoning Bylaw for which there is a Planning Process with an application and associated cost. He submitted his request prior to the previous Council Meeting but no one appears to have told Mr. Devonish that there is a process to do this nor has he been referred to the Town Planner who would be able to explain to him what would be required to do this. I would also anticipate that the essence of his request would be that this minor change to the Zoning Bylaw be undertaken at no cost to himself.

It should be noted that Falconry is an Ancient Art that requires a great deal of time, effort, patience and expertise to successfully accomplish a positive outcome. It is a rare and special set of skills and requires a special person to undertake such a task. The Town of Shelburne should fully support and accommodate this valuable Historic Use to the full extent of their ability and be proud to do so. I am certain that the Members of your Culture and Heritage Committee would support this, if asked.

Most residents do not understand the workings of Municipal Bylaws and Regulations although the supporting documents that Mr. Devonish has provided shows that he understands which Bylaw needs to be amended and gone so far as to provide the Orangeville Bylaw which permits this use. As a former Municipal Planner, I would submit that Mr. Devonish has provided significant information for a determination to be made by Council in order for them to

direct the Town Planner to undertake the necessary amendments to the Town Zoning Bylaw, and Official Plan, should that be required, to permit this unique and important Historical Hunting and Conservation Practice as requested here.

Given this preamble, my request to Council is:  
Instead of receiving this presentation for information, are you prepared to support this request, from a member of this Community, for an amendment to the Zoning Bylaw to permit this important use by requesting the Town Planner to undertake all of the steps required to accomplish this task today? Further, are you also willing to waive any and all fees associated with this amendment to the Zoning Bylaw, requested by Mr. Devonish, as a show of support for this Ancient Art being preserved within our Community? Further, if you are uncomfortable with supporting this request today, are you willing to schedule this item on the Agenda of the very next Council Meeting and provide a specific Motion of Support with direction to the Town Planner to undertake the Amendment process with no cost to Mr. Devonish? If not, why not?

Section 6, Item 1.1 Report P2025-01 from the Town Planner regarding  
Shelburne Towns (Scone) Subdivision Final  
Acceptance of Town Works

AND

Item 1.2 Report P2025-02 from the Town Planner  
regarding Emerald Crossing (Shelburne 89  
Developments Limited) Subdivision Final  
Acceptance - Phase 1

My concerns are very similar for both of these items. These reports are clearly template form responses that provide the bare minimum of information for Council to provide the required positive response to the recommendations.

Unfortunately, it appears that the Town Planner has neglected to understand that Council is a forum open to the Public and Residents of the Town. These documents do not seem to address the potential concerns or questions

the the Town Residents and/or Owners of properties within these developments or Owners adjacent to these developments. I believe that a higher level of detail should be provided in attempts to address any questions or concerns which might arise from the Community or those directly impacted.

Why does the Planning Report for Shelburne Towns Subdivision, which references Registered Plan No. 5A in Schedule "A", not include any Plan? A plan for reference should be provided, particularly when a Block 7 is referenced for exclusion but the location is unidentified.

In contrast, the Emerald Crossing Phase 1 Planning Report includes a General Servicing Plan. Why would a General Servicing Plan not be included for the Shelburne Towns Subdivision? Regardless of the scales of development and the need to identify areas of Exclusion for Emerald Crossing, although the Shelburne Towns Subdivision also has an area of exclusion, these plans allow the Public to understand the specific areas which would require inspection for the purposes of Assumption, which should be public knowledge, particularly for Owners within these Subdivisions. Why would the actual Registered Subdivision Plans referenced in Schedule "A" of both reports not be provided for clarity?

As we are all aware there is significant snow cover outside and the snow has been in place for months which begs the question of when were all of the inspections done, in particular the Final Inspections, by the Developer's Engineers and the Town Engineer? When and how long were the Maintenance Periods and what components of the developments were included in any Maintenance Period?

For the Shelburne Towns Subdivision, under Financial Impact in the Planning Report, a portion of the securities is to be retained, for the landscaping and work within Block 7, until all the requirements have been met. This is extremely vague and does not allow any clarity as to when all of the work within the subdivision will be

completed. What landscaping is being referred to? Maybe a landscape plan identifying this should be provided? What work within Block 7? If not a plan, even a description of the outstanding work would be better than nothing. What portion of the securities are being retained? How is this amount determined? Is it a standard formula, such as a percentage? Was it a cost estimate for all the outstanding works? Were cost of living increases taken into consideration for future works?

As above there appears to be a general lack of clarity to the specifics of what has been done and when, in relation to the Emerald Crossing Phase 1 Subdivision. It appears that Final Acceptance of Phase 1 may be somewhat premature for, and I quote the Planning Report Analysis: "subject to receiving the following items remaining under the Subdivision Agreement:

- The required statutory declarations;
- The required as-constructed drawings and documentation, CCTV video inspection reports and certification of acoustic fencing to the satisfaction of the Town Engineer;
- A contingency deposit for curb repairs and for rectifying any final landscape deficiencies within the stormwater management facility block."

There are also additional exclusions identified.

Under the Consultations and Communications section in both Planning Reports, any Public Notifications and Consultations should be listed, with dates, for greater clarity and general awareness purposes. Why would this not be provided?

I think by now you should understand that a higher level of detail should be provided for Public Consumption in order that the Residents have a greater understanding of the Development Processes and to provide some answers to potential questions.

Inquiring minds want to know.

Sincerely,  
Ms. Randa James  
132 First Avenue East, Shelburne