

Minutes - The Blue Mountains Council Meeting



MEETING DATE: January 25, 2010

LOCATION: L.E. Shore Memorial Library

PREPARED BY: Corrina Giles, Deputy Clerk

A. Call to Order

- Mayor Anderson called the meeting to order with all members in attendance save Councillor Martin, absent due to vacation.
- Mayor Anderson then asked Deputy Mayor McKinlay to Chair the meeting
- Also in attendance was Chief Administrative Officer Paul Graham, Director of Financial and Information Services Rob Cummings, Director of Engineering and Public Works Reg Russwurm, Manager of Water and Wastewater Services John Caswell, Director of Special Projects (Sustainability) Peter Tollefsen, Library CEO Carol Cooley, Director of Planning and Building David Finbow, Planner Cindy Welsh, Planner Bryan Pearce, Manager of Building and By-Law Greg Miller, and Director of Recreation Shawn Everitt

- Council then paused for a moment of Personal Prayer or Reflection.

- Approval of Agenda:

Moved by: R.J. Gamble Seconded by: Ellen Anderson

THAT the Agenda of January 25, 2010 be approved as circulated, including any items added to the Agenda, and as to the amendment in the order of the items on the Agenda, unanimously Carried.

- No member declared a pecuniary interest with any matter as listed on the Agenda, save, Councillor Kennedy with regard to Agenda item G.2, Accounts and cheques payable to his daughter.

- Adoption of Consent Agenda

Moved by: John McKean Seconded by: Ellen Anderson

THAT the Consent Agenda of January 25, 2009 be adopted as circulated, less any items requested for separate review and discussion, Carried.

NOTE: Councillor Kennedy had earlier declared a pecuniary interest with regard to Agenda item G.2, Accounts and did not take part in related discussion or voting.

Previous Minutes

Moved by: R.J. Gamble Seconded by: John McGee

THAT the Council minutes of January 11, 2010 be adopted as circulated, including any revisions to be made, Carried.

There was no business arising from the minutes at that time.

B. Deputations/Presentations

B.1 PUBLIC MEETING – Proposed Fees and Charges – Planning and Building Services Department, Engineering and Public Works Department

Deputy Mayor McKinlay then read the Notice noting that Council of the Town of The Blue Mountains will hold a Public Meeting in the L.E. Shore Memorial Library at 183 Bruce Street South, Thornbury, Ontario commencing at 7:00 p.m. on the 25th day of January, 2010 for the purposes of considering proposed Fees & Charges for the Planning & Building Services Department and Engineering and Public Works Department.

Duncan noted the Town is holding a Public Meeting in accordance with the provisions of the Town's Notice Policy (POL.COR.07.04), the *Planning Act*, the *Municipal Act* and the *Building Code Act* with respect to proposed Fees & Charges for Planning & Building Services Department and Engineering & Public Works Department Services.

Duncan noted the proposed Fees and Charges are related to Planning Services (Official Plan & Zoning By-Law Amendments, Draft Plan Applications, Site Plan Applications, Consent Applications, Agreement Preparation, etc.) Building Services (including Building Permit Fees) and Engineering & Public Works Services (including review of Engineering Drawings and other information provided in support of Planning Applications).

Director of Planning and Building Services David Finbow then spoke noting the Planning Department has reported to the Planning & Building Committee on the need to revise the current fees, which was endorsed by Council. David further noted that the Infrastructure and Recreation Committee received a similar report on the Engineering & Public Works fees, in which it was noted that the Engineering & Public Works should increase their fees and that a Public Meeting should be held on the matter.

David then noted that comments were solicited from the Georgian Triangle Development Institute and that a Public Information Centre was held on January 25, 2010. David further noted three people attended the Public Information Centre and that Staff would be reporting back to Council with a proposal for the proposed fees and charges.

Deputy Mayor McKinlay then questioned if all the information is available on the Town's website, David replying yes.

Duncan then asked if anyone wished to speak.

Shelley Hensel, President of the Georgian Triangle Development Institute ("GTDI"), spoke advising that the GTDI has concerns with the proposed increases given the current economic times noting that development is still slow. Shelley advised that GTDI will be forwarding comments to Staff. David then spoke noting Staff will receive comments for three weeks before a Report is brought back to Council.

As no one further wished to speak, Deputy Mayor McKinlay declared the Public Meeting to be adjourned.

B.2 2010 Budget – Ontario Municipal Partnership Fund and Assessment Growth Impacts and Solutions, Rob Cummings, Director of Financial and Information Services

Director of Financial and Information Services Rob Cummings reviewed Report FIS.10.08 and the adjustments made to the 2010 Proposed Budget in order to maintain the 2% increase in taxation requested by Council.

Rob noted the reduction of the Ontario Municipal Partnership Fund to the Town will have an impact of \$56,800 on the 2010 Budget.

Rob then confirmed the assessment growth projection in 2010 is .6%, which is less than the projected 1%, further noting this reduction will have an impact of \$38,100 on the 2010 budget year.

Rob then reviewed the Budget Impact Summary and noted a shortfall of \$134,900 in the 2010 Budget.

Rob then reviewed the proposed budget adjustments in the 2010 budget noting a total budget reduction of \$134,900 was required to maintain the 2% increase.

Mayor Anderson then questioned the reduction in the Fire Department budget, CAO Paul Graham replying that hiring of the Deputy Fire Chief position is delayed and noted three other positions in the Fire Department are pending, further noting he would like to hire the Deputy Fire Chief before hiring the three other positions.

Rob then reviewed the medical clinic debt, confirming a grant of \$350,000 to the medical clinic. Rob noted this sum is coming from the working capital reserve and further noted this fund is getting low. Rob noted in the short term, if there is an operating surplus that Staff could direct a portion of any surplus to the working capital reserve.

Rob then reviewed the medical clinic Expected Capital Resource requirements and reviewed the expected project timeline for repayment from the medical clinic.

Councillor McGee then spoke noting if the changes outlined are reducing the Town's surplus and questioned the amount of the surplus in 2011, Rob replying there is pressure put on that surplus, but typically the surplus is based on historical data. Rob feels that the \$150,000 is a sufficient estimate.

John then referenced the medical clinic capital form and questioned where the \$100,000 in financing will come from, Rob replying, the actual debt is \$350,000 not \$100,000, and further noted the Town will start putting \$50,000 per year, starting in 2013, into the working capital reserve. John then referenced the \$35,000 in our health services budget, Rob replying we will include that sum as part of the repayment.

Ellen then spoke noting the medical clinic representatives have indicated since the Town has become involved with the medical clinic that they have seen an increase in donations.

Moved by: Cameron Kennedy Seconded by: Ellen Anderson

THAT Council receive Staff Report FIS.10.08 "2010 Budget Adjustments and Approval"; and

THAT Council authorizes staff to implement the adjustments to the 2010 Proposed Budget as noted in Staff Report FIS.10.08 "2010 Budget Adjustments and Approval" noting that the adjustments do not affect the 2% increase in taxation shown in the 2010 Proposed Budget, as presented at the November 30, 2009 Council meeting.

D. Motions and Staff Reports

D.1 Town Wide Development Charges

Deputy Mayor McKinlay asked that Director of Financial and Information Services Rob Cummings and Capital Accountant Darcy Chapman speak to the Report.

Rob then spoke noting there has been a number of discussions on assumptions, further noting Council has directed Staff to review and analyze using a 75% discount reducing stats Canada employee data to .1, being 210 jobs over the next 10 years.

Rob then reviewed the difference in using a 0.1 employment factor and how it will not affect the rate. Deputy Mayor McKinlay questioning why this is, Capital Accountant Darcy Chapman, replying that at 0.1, 210 employees would generate 7500 square metres of space needed over the next 10 years for non-residential rate and would share in 2.5% of the cost whereas 420 employees would generate 15000 square metres and share in 5% of the cost, therefore with all things being equal, the rate would calculate out as an identical amount. This relates to the fact that the driver to determine the Gross Floor Area is 40 square metres per employee in either instance. An increase over 40m² would not be overly acceptable by the consultant, and justifying a number in excess of 50 square metres would be unreasonable considering Provincial averages.

Darcy then noted the 15000 square metre base rate for non-residential, further noting water and sewer costs determine how much is going to be paid, further noting too much of the 15000 square metres was attributed to the Craigeith area, noting there is insufficient land in Craigeith to have this much non-residential development.

Darcy then noted Thornbury West and Craigeith are the two main areas for non-residential development, further noting that twice as much commercial space has been added to Thornbury West.

Darcy then reviewed the existing non-residential rates noting there is no impact on residential rates.

Councillor Gamble thanked Darcy for this report and referenced the different options, being item 3, 5 or 7 and noted he believes we may scare away development if our fees are too high, further noting Council should try to reduce the residential and non-residential development because development charges are unmanageable.

Darcy then spoke noting the recommendation took the assumption of changing the per employee gross floor area from 35.7 square metres to 40 square metres and that this is still within reason of the averages across Province.

Councillor Kennedy then questioned if the consultant would consider 45 square metre, gross floor area per employee (GFA), Darcy replying that essentially the document is the Town's document and we can consider whatever we want, but further noted the Consultant has advised that 45 square metres would be stretching it.

Cameron then concurred with Councillor Gamble regarding the possibility of items 3, 5, and 7 of the Report.

Councillor McGee then questioned the Background Study referencing the potential non-residential build out at both 70,000m² and 85,000m², Darcy replying that the correct number is 70,000m² to build out.

Moved by: Cameron Kennedy

THAT the original Motion include the following paragraph:

AND THAT Council instruct Staff to prepare a Report to utilize the provisions in the Development Charges Act and establish a phase-in or discount of non-residential rates or allow for the development of policies to entertain individual development discounts. Although taxation will have to cover the shortfall, a policy could be established that would fund the shortfall in DC's by allocating a portion of the assessment growth dollars on an annual basis. Part of the assessment growth is the result of development.

As there was no seconder for the Motion, the matter was not dealt with any further.

Councillor McGee then questioned the change in development land, Darcy replying 2005 assumptions, further noting 50% were slated for the Craigleith area noting the same amount of land is not available in Craigleith to allow for 35000 m² of non-residential development. Darcy then reviewed the non-residential percentages by service area, noting it is conceivable that each of the areas could support this development. Duncan then questioned if these figures will be incorporated into the Background Study, Darcy replying yes.

As there was no further discussion, Deputy Mayor McKinlay called for the vote, Carried.

CAO Paul Graham then spoke questioning if Staff could bring a Report back to Council without the need for a further Public Meeting, Duncan replying yes.

D.2 New Town Hall, SRB.10.04 and SRB.10.05

Director of Planning & Building Services David Finbow then spoke reviewing Reports SRB.10.04 and SRB.10.05 regarding the New Town Hall. David confirmed that Report SRB.10.05 was distributed to Council this evening.

David then noted the purpose of the Reports is to provide Council with an update on the progress to date on the New Town Hall.

David then reviewed the costs associated with the demolition of Diane's Attic and the Esso Station, the removal of the pumps and lines and UST's, being a total of \$42,500.

David noted significant contamination was discovered at the Esso Station and upon discovery, the Town consulted with the Ministry of Environment, noting 16000 m³ of material was removed from the site at a cost of \$225,000. David then reviewed the cost of environmental consulting being \$160,000, fill material, compaction and testing of \$120,000.

David then noted he is working towards submitting the application for a permit in mid-February, 2010.

David then reviewed the external elevations and noted the floor plans will be posted on the website if the Report is adopted by Council. David then reviewed the proposed floor area, being 26,981 square feet.

David then reviewed the internal renderings of the New Town Hall and identified the LEED certification requirements, noting the Town is aiming for a minimum of Silver certification, but further noted Gold certification is possible.

David then noted the capital cost of \$310,000 for LEED certification will be paid back in 13.2 years.

David then reviewed the project budget, being \$8.448M, noting to date, the Town is still on budget.

David then reviewed the Infrastructure Stimulus Funding requirements, noting completion of the project by March 2011 is crucial, noting he is estimating a start date of June 2010. David then reviewed the issues with time constraints for completion by March 2011. David recounted recent discussions and negotiations with Chamberlain Construction Services and reviewed the "Negotiations and Single Source" provisions of the Town's Purchasing Policy given the unexpected circumstances in the tight timelines.

David then noted the 2010 Budget has not been approved as yet and if it is Council wish, perhaps Agenda Item F.1 should be dealt with prior to this Report.

Councillor McKean then spoke questioning if Chamberlain has confirmed they are able to complete the project by March 2011, David replying yes, Chamberlain believes they are able to give the Town substantial completion by March 2011.

Councillor Kennedy then referenced recent correspondence David sent to COLLUS Power Corp. requesting a financial contribution to the New Town Hall project to assist in bringing the LEED Certification from Silver to Gold, questioning if a response has been received, David replying nothing has been received from COLLUS to date. Cameron then questioned if Council should forward an additional correspondence to COLLUS following up on David's correspondence. Council concurred that the Mayor would follow up with a letter to COLLUS.

David then spoke noting funding for Green Energy projects and for Brownfields are available and the noted the Town has applied for this funding through the Federation of Canadian Municipalities. David confirmed the Town has applied for a loan of \$3M and a grant of 10% or \$300,000 is possible, but nothing has been confirmed.

As no one further wished to speak, Deputy Mayor McKinlay confirmed Agenda Item D.2 would be dealt with after Agenda Item F.1.

D.3 Application to Stop Up and Close a Portion of Pilsen Way, Part 3, Plan 16R-6360, Part of Lot 19, Concession 2, Town of The Blue Mountains PL.10.06

Moved by: R.J. Gamble Seconded by: Ellen Anderson

THAT Council receive Planning Staff Report PL.10.06, "Application to Stop Up and Close a Portion of Pilsen Way, Part 3, Plan 16R-6360, Part of Lot 19, Concession 2, Town of The Blue Mountains"; and

THAT Council does hereby deem Part 3, Plan 16R-6360 as lands surplus to the needs of the Corporation; and

THAT Council authorize Staff to provide notice for the sale of land deemed surplus to the needs of the Corporation in accordance with the "Town Sale and Other Disposition of Land Policy", Carried.

D.4 Application for Site Plan Approval – Sheffield Park Museum, Part Lot 31, Concession 9, Town of The Blue Mountains, PL.10.02

Councillor Kennedy then questioned why the boom was not straight across the River, noting the measurements of 20m from the dam on the East side of the River, versus 45m from the dam on the West side of the River, David replying, this is the agreement reached with the different property owners.

Council then voted on the Motion, Carried.

E. New and Unfinished Business

E.1 Grey County Council Update

None

E.2 Notice of Motion

None

E.3 Additions to Agenda

None

E.4 Committee of the Whole / Staff Discussion

1. Proposed Terrasan Development and Potential Area Transportation Implications

Director Engineering and Public Works Reg Russwurm then reviewed the Silver Creek at Craikleith Development and the potential implications for transportation in the area. Reg noted the development consists of both residential and mixed use commercial.

Reg noted that Longpoint Road would be moved and that Brophy's Lane and Timmins Street would potentially be closed. Reg noted there will be an East and a West pod inside the development and confirmed that the Town and the Ministry of Transportation ("MTO") feel there should be a connection inside the development between the East and West pods. Reg confirmed the developer would be required to develop this road.

Reg then noted the MTO has identified that if the developer insists on a "right-in" movement onto Timmins Street, that the MTO would require a centre barrier on Highway 26. Reg confirmed this option is not feasible.

Reg then identified the different principles for Council to consider, requesting Council's input.

Deputy Mayor McKinlay then spoke confirming that Council does not want to be an impediment to the developer.

Councillor Gamble then questioned if it is proposed that traffic would have to exit the development from a different street than that used to gain access to the development, Reg replying yes, on Longpoint Road or Hope Street. Bob expressed concern that this could be confusing.

Reg then noted if a "right-in" is allowed to the development, that Timmons Street would have to be closed because of safety concerns crossing diagonally across Highway #26, Bob questioning if Timmons Street residents have been consulted yet, Reg replying no, not yet, further noting this issue has not been brought out and confirmed there will be full public input.

Councillor McKean then questioned if Longpoint Road would have a traffic signal, Reg replying that MTO has identified Longpoint as a Road that should have a traffic signal, further noting that Terrasan would have to erect the traffic signals. Reg

then noted a Traffic Impact Study at Hope Street would determine whether or not a traffic signal is appropriate at Hope Street.

Councillor McGee then questioned if changes to Timmons and Hope Streets are required, if the cost would be borne by the developer, Reg replying yes.

Mayor Anderson then confirmed that the MTO has identified that Longpoint Road should have a traffic light at the intersection on Highway 26, yet the MTO does not have the funding to pay for it, Reg replying yes, further noting the developer will have to erect the traffic signals. Ellen then noted this area of Highway 26 can be a dangerous area for driving.

Cameron then questioned if Timmons Street could be realigned rather than closed, Reg replying that the MTO is content with Longpoint and Hope Street, but does not want any other roads have access onto Highway 26 in this area.

Councillor McKean then spoke noting it is unfair that the developer is required to pay for the traffic signals.

Councillor McGee then questioned how residents will be involved in the possible closure of Timmons Street, Reg replying the residents will be involved early in the process. Reg then noted if Council is agreeable, that this matter will go back to the developer to decide if he wishes to proceed, and at a minimum individual letters to residents will be sent, as well as ads in the newspapers and information posted to the website.

Ellen then questioned when the development construction will proceed, David replying the Town is to report early this year on the zoning by-law amendment application followed by a plan of subdivision. David then noted the proponent wishes to start construction in the spring, keeping in mind applicable appeal periods and plan of subdivision approvals with the County of Grey.

Duncan then questioned the status of the corridor access proposed changes, Reg replying that he has made changes for the Town and that a meeting is scheduled with the County in February to discuss their requirements.

Reg then noted the MTO's Destination Study Report is almost complete and in that Report deficiencies will be identified. CAO Paul Graham then spoke regarding discussions with the MTO that the Town should know where the circle will be drawn by the end of 2010.

Reg then noted he needs to be assured that Council is generally in agreement with the principles proposed.

Bob then questioned if Timmons Street could be rerouted through Tyrolean, Reg replying that is unknown, David replying that the Town does not have land for that connectivity.

Paul then spoke noting the MTO would like to close Lakeshore as it is practicable to assemble the land, though nothing has been dealt with in any particular detail.

Councillor McGee then spoke noting residents should be notified now that there are proposed changes to the area so the residents can participate in discussions early on.

Deputy Mayor McKinlay thanked Reg for his presentation.

2. Haiti Disaster

CAO Paul Graham then spoke regarding the recent disaster in Haiti noting relief is being raised internally by Staff, approximately \$1000 to date, to donate to the Rotary Club for their Shelterbox Program. Paul questioned if Council was interested in participating in the relief effort.

Moved by: R.J. Gamble Seconded by: Cameron Kennedy

THAT the Town contribute two to one (2-1) of the total amount raised by Town Staff to contribute to the Haiti disaster relief, which funds will be forwarded to the Thornbury Clarksburg Rotary Club in support of their Shelterbox Program, unanimously Carried.

F. By-laws

F.1 2010 Budget Estimates

Moved by: Ellen Anderson Seconded by: Cameron Kennedy

THAT By-law No. 2010 - 09, being a By-law to adopt the estimates in the amount of \$9,775,884 required for 2010 for own purposes including all taxation purposes for The Corporation of the Town of The Blue Mountains, be hereby passed this twenty-fifth day of January, 2010.

In speaking to the Motion, Councillor Gamble expressed concern with the capital expenditures and in borrowing internally to fund these projects and noted it is for this reason that he cannot support that aspect of the 2010 Budget.

Council then voted on the Resolution, Carried.

F.2 Camperdown Capital Water Charges

Deputy Mayor McKinlay spoke noting that resident, Albert Gobbo of Camperdown, was present and asked if Council would allow Mr. Gobbo to address Council.

Moved by: R.J. Gamble Seconded by: Ellen Anderson

THAT Council permit resident Albert Gobbo to address Council regarding Agenda Item F.2 Camperdown Capital Water Charges, Carried.

Mr. Gobbo then thanked Council for allowing him to speak. Mr. Gobbo asked that #3 of the proposed By-law be removed as he feels it is unfair and is discriminatory against those who have been paying taxes in the area for years. Mr. Gobbo noted he will never be able to recoup these costs and feels that new owners will be the ones who benefit from these services.

Mr. Gobbo then asked that Council allow the costs to be transferable.

Moved by: John McGee Seconded by: R.J. Gamble

THAT By-law No. 2010 - 10, being a By-law to impose capital water charges for the use of the Town's water works within the Camperdown Service Area, be hereby passed this twenty-fifth day of January, 2010.

In speaking to the Motion, Councillor McGee recounted the points brought forward by Mr. Gobbo noting fairness and consistency, and noted the Town must be consistent as this has been the Town's approach in the past and the Town must proceed the same way to treat all residents the same.

Deputy Mayor McKinlay then spoke noting Council and Staff had a considerable amount of interaction with the community regarding the water and wastewater by-laws and because of that interaction Council and Staff have learned a lot of lessons and believe this approach to be as fair as possible.

Council then voted on the Resolution, unanimously Carried.

F.3 Camperdown Capital Sewer Charges

Moved by: Cameron Kennedy Seconded by: John McKean

THAT By-law No. 2010 - 11, being a By-law to impose capital sewer charges for the use of the Town's sewage system within the Camperdown Service Area, be hereby passed this twenty-fifth day of January, 2010, unanimously Carried.

D.2 New Town Hall, SRB.10.04 and SRB.10.05

Council then dealt with Agenda Item D.2:

New Town Hall, SRB.10.05

Council then dealt with the following Resolution:

Moved by: John McGee Seconded by: Cameron Kennedy

THAT Council receive Staff Report SRB.10.05 with respect to "New Town Hall – Negotiations and Single Source" and consider the information contained in this Report in conjunction with Staff Report SRB.10.04 respecting the New Town Hall, Carried.

New Town Hall, SRB.10.04

Council then dealt with the following Resolution:

Moved by: Cameron Kennedy Seconded by: John McKean

1. THAT Council receive Staff Report SRB.10.04 with respect to the New Town Hall for information purposes;
2. THAT Council endorse the proposed New Town Hall Site Plan, Elevations and Floor Plans appended to this Report;
3. THAT Council authorize the construction of the New Town Hall with a project budget of \$8.448 million as reflected in the 2010 Proposed Capital Project Form;
4. THAT Council authorize the retention of Chamberlain Construction Services Limited for Construction Management Services at an upset price of \$262,250.00; and,
5. THAT Council direct the Director, Planning & Building Services to report on a monthly basis to Council, through the Finance & Administration Committee, on the project budget.

Moved by: John McGee Seconded by: John McKean

THAT By-law No. 2010 - 12, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on January 25, 2010, be hereby enacted as passed this twenty-fifth day of January, 2010, Carried.

NOTE: Councillor Kennedy had earlier declared a pecuniary interest and did not take part in related discussion or voting.

Moved by: Cameron Kennedy Seconded by: John McKean

THAT this Council does now adjourn at 11:30 p.m. to meet again February 8, 2010, 7:00 pm, L.E. Shore Library, or at the call of the Chair

.....
Ellen Anderson, Mayor

.....
Corrina Giles, Deputy Clerk