

## Minutes - The Blue Mountains Council Meeting



**MEETING DATE:** February 8, 2010

**LOCATION:** L.E. Shore Memorial Library

**PREPARED BY:** Corrina Giles, Acting Town Clerk

### A. Call to Order

- The Deputy Clerk called the meeting to order with all members in attendance save Mayor Anderson, Deputy Mayor McKinlay and Councillor Martin absent due to vacation.
- Also in attendance was Chief Administrative Officer Paul Graham, Deputy Treasurer Liz Thompson, Director of Recreation Shawn Everitt, Harbour Manager Ryan Gibbons 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, Communications & Economic Development Coordinator Rob Potter
- Selection of Chair:  
Moved by: John McKean                      Seconded by: Cameron Kennedy  
  
THAT Councillor Gamble Chair the February 8, 2010 Council Meeting, unanimously Carried
- Council then paused for a moment of Personal Prayer or Reflection.
- Approval of Agenda:  
Moved by: John McGee                      Seconded by: Cameron Kennedy  
  
THAT the Agenda of February 8, 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: John McGee  
  
THAT the Consent Agenda of February 8, 2010 be adopted as circulated, less any items requested for separate review and discussion, Carried.
- Previous Minutes  
Moved by: John McGee                      Seconded by: Cameron Kennedy

THAT the Council minutes of January 25, 2010 and Special Meeting minutes of January 19, 2010 be adopted as circulated, including any revisions to be made, unanimously Carried.

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

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

## **B. Deputations/Presentations**

### **B.1 Wayne Wilson, CAO, Chris Hibbard, Director of Planning, Nottawasaga Valley Conservation Authority - Municipal Streamlining Partnership Agreement**

Councillor McKean introduced Chris Hibbard, Director of Planning at the Nottawasaga Valley Conservation Authority (NVCA).

Chris then spoke regarding the Municipal Streamlining Partnership Agreement.

Chris noted the NVCA has reviewed their Business Plan and noted they are looking to streamline agreements with municipalities in their watershed. The NVCA are updating their existing municipal agreements and to establish new agreements and have consulted with neighbouring conservation authorities including the Grey Sauble Conservation Authority. Chris further noted the NVCA is attempting to streamline support in terms of Planning and part of the agreement is to support municipalities. The key elements of the Agreement would be to support municipalities, define relevant legislation and describe available technical expertise of the NVCA. Chris also noted that issue resolution is being identified as to how to deal with any issues and provide mechanisms for issue resolution.

Chris noted that currently the draft agreement has been circulated to member municipalities and the NVCA is looking for comments from Council.

Chris further noted the municipal screening protocol will continue to deal with minor variances, consents, zoning and official plan amendments. Chris noted larger scale subdivisions would be circulated because of storm water management concerns.

Chris noted that the NVCA is aware that each municipality will have its own interests.

Chris then identified the key areas of the agreement, further noting that currently all applications are circulated to the NVCA though this is not necessarily fair to the applicant.

Chris then reviewed the Natural Heritage interests of the NVCA.

Chris confirmed that pre-development consultation is an expectation of the NVCA, and the earlier the consultation the better.

Chris noted in accordance with the *Planning Act*, all applications are to be circulated to the NVCA, confirming they are consistent with these policies.

Chris thanked Council for hearing his deputation.

As no one wished to speak, Chair Gamble thanked Chris for his presentation and confirmed Staff will report back to the NVCA with their comments.





## **D.2 Hester Street Parking Lot Improvements, EPW.10.018**

Director of Engineering and Public Works Reg Russwurm then spoke regarding the Report, noting it is straightforward and asked if Council had any questions.

Moved by: Cameron Kennedy                      Seconded by:                      John McGee

THAT Council receive Staff Report EPW.10.018 "Hester Street Parking Lot Improvements", and

THAT Council direct Staff to attempt with all expediency and effort to gain agreement with the owners whose property form a portion of the Hester Street Parking Lot in order for the Lot Improvements to proceed and then complete the related final design and construction activities prior to the planned start of the Beaver River Bridge Rehabilitation Project in mid June 2010.

In speaking to the Motion, Councillor Kennedy spoke noting it should be clear that this is an economic necessity for downtown Thornbury and for Hester Street, and further noted now is a good time to improve the parking lot as it is in the 2011 Budget.

Cameron then noted it is important to contact the property owners to advise they are not losing their business land to the Town.

Councillor McGee then spoke noting the parking lot space will be used for the bridge construction staging area, Reg replying the staging area is immediately across from the Hester Street parking lot, being 10 parking spaces or 25% of the parking lot, at the Northeast of the parking lot.

John then questioned what the Town is going to do for local business to attempt to mitigate issues because of the bridge construction. John then referenced paving the Hester Street parking lot and questioned if Town Staff have met with affected businesses and the BIA, Reg replying a Public Information Centre was held and further noted Town Staff will attend a BIA meeting in the near future to discuss the Hester Street parking lot.

Councillor McKean then spoke questioning if Staff are aware of what is buried under the Hester Street parking lot, i.e. gas lines, Reg replying no utility search has been completed yet and further noted through the design process, underground utilities will be identified, John replying that moving underground services can often take a significant amount of time, Councillor Kennedy concurred with John.

Councillor Gamble then spoke noting there is a strong urgency on paving the Hester Street parking lot and asked that Staff keep Council apprised of any progress, Reg replying through the Infrastructure & Recreation Committee this matter can be brought forward as an item for discussion. Bob then questioned if the property owners have been approached about putting Town property (pavement) on private land, Reg replying the concept plan will be updated and Town Staff will proceed to create an agreement between the property owners and the Town, to deal with such issues as maintenance.

Cameron then asked that there be open communication with the landowners.

Council then voted on the Resolution, unanimously Carried.



David then noted Council had approved the payment of cash-in-lieu from 2000 to 2009 on the basis of a flat fee of \$500 for all consents with no regard to the value of the land, further noting this fee was imposed across the Municipality. David then noted Staff is aware the value of rural land is not consistent with values along the Highway 26 corridor.

Councillor Kennedy then referenced Option (e) of the Report and questioned if this would be an issue that could be appealed to the Ontario Municipal Board (OMB), David replying that any condition of Consent could be appealed to the OMB. David then noted in the urban community an appraisal of the property is required by Town Staff, noting the proponent would retain the services of an appraiser who would prepare an appraisal and submit the same to the Town for its review and satisfaction as to the property value.

Cameron then questioned if Option (e) is selected can the Applicant appeal, David replying if a specific value is assigned, then yes, the Applicant could appeal the condition.

Councillor McKean then questioned the value per acre and asked if area sales are considered, David replying that Town Staff needs a tool to deal with the Grainger Consent and future consents, further noting if the fee is too high it could be appealed, if it is too low it may not amount to much. David then noted if the Town continues to ask for an appraisal from Applicants, that the appraisal may cost more than the amount of the cash-in-lieu to be paid to the Town.

Councillor McGee then questioned if there is any different uses for parkland dedication fees in the rural areas versus in the urban areas, David replying no, residents in the rural areas have access to the Town's recreational facilities, including the baseball diamonds, arena or parks.

John then noted the cost for a lot in the urban areas could be \$100,000 that would amount to \$5000 in development charges, but in the rural areas a property could be valued at \$500,000 or \$1000 an acre, David replying yes, and further noted Provincial legislation years ago determined a value of 5% for parkland or cash-in-lieu. John then questioned the difference in rural land is treating only 2 acres of a parcel of land, David replying the *Planning Act* speaks to residential purposes only, whereas rural properties have only a small percentage used as residential, further noting .8 hectares is the minimum size of a parcel for residential lot.

Councillor McKean then spoke noting item (c) of the Report should be used for cash-in-lieu until further information can be obtained, David replying if Option (c) was applied across the entire Municipality, urban and rural, the loss to the Town would be significant.

David then spoke noting a recent cash-in-lieu payment of \$23,000 was received by the Town.

Cameron then spoke questioning if the Town could proceed with Option (e) with a minimum cash-in-lieu payment of \$500, David replying the Town would then be asking for an appraisal of the land as Staff need to be able to determine the appropriateness of the cash-in-lieu payment, further noting there are land values of less than \$7500 per acre.

Cameron then questioned if there is an urgency associated with this Report, David replying the Grainger Consent expires in the spring so Council does have some time, further noting he is attempting to find a comfortable solution.

Council then voted on the Resolution, Lost.

Council then dealt with the following subsidiary Resolution:

Moved by: Cameron Kennedy                      Seconded by: John McGee

THAT Report PL.10.14 be Tabled for a future Council Meeting until a full complement of Council is present, Carried.

David then noted appraisers have to do detailed work on each property, Councillor Gamble then questioned if Council could place a minimum cash-in-lieu sum of \$2500 for properties outside the serviced areas, David replying Council must take into consideration the value of the land the day before the land is conveyed without added value to the land.

David then noted he would be in contact with the Jack and Naomi Vail.

**D.5 Bill 198 – An Act to amend the Planning Act with respect to inclusionary housing, SPS.10.01**

Director of Special Projects Peter Tollefsen reviewed Report SPS.10.01 noting Staff have been seeking a tool for affordable housing requirements, noting Bill 198 has recently come to Staff's attention. Peter noted Bill 198 has received two readings and is currently before the Standing Committee.

Peter noted he is in the process of contacting other municipalities to make them aware of Bill 198. Peter noted he will report back to Council when more information is available.

Moved by: John McGee                      Seconded by: John McKean

THAT Council receive the Staff Report SPS.10.01 titled "Bill 198-An Act to amend the *Planning Act* with respect to inclusionary housing".

In speaking to the Motion, CAO Paul Graham spoke noting Staff are advising Council to support this measure, Paul then asked if Council is aware that Staff are behind what the legislation is proposing, Councillor Gamble questioning if inclusionary housing could be demanded of developers, Peter replying yes or housing in lieu.

Council then voted on the Resolution, Carried.

**D.6 Coyote Predation**

Moved by: John McKean                      Seconded by: John McGee

WHEREAS Coyote Predation continues to be a significant issue in the municipality;

AND WHEREAS the Ministry of Natural Resources, pursuant to Fish & Wildlife Act, are required to license hunters who receive remuneration for hunting;

AND WHEREAS the availability for hunting licenses related to coyotes is restricted by the Ministry of Natural Resources;

AND WHEREAS recent studies have indicated that the best time for hunting coyotes is during the lambing & breeding season;

NOW THEREFORE Council directs the Director, Planning & Building Services to write to the Ministry of Natural Resources requesting the implementation of a pilot project for the hunting of coyotes in the municipality with such program commencing as soon as possible through to April 15<sup>th</sup>, unanimously Carried.



