

Minutes - The Blue Mountains Council Meeting



MEETING DATE: February 28, 2011
LOCATION: L.E. Shore Memorial Library
PREPARED BY: Corrina Giles, Town Clerk

A. Call to Order

- Chair Michael Martin called the meeting to order with all members in attendance save Mayor Anderson and Deputy Mayor McKinlay absent due to attendance at the Ontario Good Roads Conference and Councillor McKean absent due to a work commitment.
- Also in attendance was Acting Chief Administrative Officer and Director of Engineering & Public Works Reg Russwurm, Director of Finance Rob Cummings, and Manager of Water and Wastewater Services John Caswell
- Council then paused for a moment of Personal Prayer or Reflection.

▪ Approval of Agenda:

Moved by: R.J. Gamble Seconded by: Joe Halos

THAT the Agenda of February 28, 2011 be approved as circulated including any items added to the Agenda, Carried.

- No member declared a pecuniary interest with any matter as listed on the Agenda
- Adoption of Consent Agenda

Moved by: R.J. Gamble Seconded by: Gail Ardiel

THAT the Consent Agenda of February 28, 2011 be adopted as circulated, less any items requested for separate review and discussion, Carried.

▪ Previous Minutes

Moved by: Gail Ardiel Seconded by: Joe Halos

THAT the Council minutes of February 14, 2011 and Special Meeting of Council minutes of February 15, 2011 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** Georgian Triangle Real Estate Board, Rob Dubien, President and Stan Reljic, Municipal Relations Committee Rep for Blue Mountains
Re: Realtors working with the Municipality

Rob Dubien, President of the Georgian Triangle Real Estate Board spoke introducing Doug Fraser and Stan Reljic.

Rob noted the Real Estate Board has a need for improved access to information from municipalities. Rob then reviewed sales activities in the Georgian Triangle Real Estate Board.

Rob noted in 2010 1906 units were sold in the Georgian Triangle with 303 of those units in The Blue Mountains.

Rob then reviewed the charitable contributions made by Realtors in 2010.

Rob reviewed the Real Estate Board's strategic plan as realtors represent their clients noting they are acting on behalf of property owners and noted they have a concern with the treatment by Municipal Staff. Rob noted the Real Estate Board would like a dedicated Staff person to respond to the requests of realtors in a timelier fashion.

Stan Relijc then spoke on behalf of Georgian Triangle Realtors and requested Council review and reduce or remove the fees for information sought and to further review the sign by-law with respect to open house and portable signage. Stan noted realtors are selling the area and noted real estate sales are an integral part of this area.

Councillor Gamble then referenced the requested reduction in fees and questioned the rationale for this request, Stan replying recently a client looked at 14 homes, of which 14 searches had to be conducted, noting the costs can be excessive. Stan further noted if more information was available on line realtors could search the information themselves.

Councillor Halos then spoke questioning what type of information is being requested, Rob replying zoning and assessment information, and noted too much time is wasted when going through the formalized request for information.

Joe then questioned if Staff have a response to this request, Director of Planning and Building David Finbow then spoke noted there is a process in place for written responses to zoning information requests for the protection of the clients and for the protection of The Blue Mountains. David then concurred that the Town's zoning by-law is in need of updating as it is quite old. David noted a lot of work is involved in responding to a zoning by-law request and confirmed the Chief Building Official is responsible for responding to these requests. David confirmed the revised zoning by-law amendment will come to Council for consideration later this year.

David then spoke regarding the sign by-law noting that open house signs are rarely picked up by by-law enforcement.

Joe then questioned if the zoning by-law was available on line if that would be of assistance to realtors, Rob replying yes and further requested a dedicated staff person to speak to at the Town.

Michael then spoke noting a zoning response must be accurate and further noted Staff are unable to reply to requests without proper review of the zoning by-law. Michael further noted there are privacy regulations that the Town must abide by.

David then spoke noting the Town has a service delivery guarantee that zoning by-law requests are responded to within five days and confirmed 98% of responses are within this timeline.

Chair Martin then thanked Rob and Stan for their presentation.

Moved by: Joe Halos Seconded by: Gail Ardiel

THAT Staff liaise with the real estate community to consider their issues and report back to Council, Carried.

C. Correspondence as previously circulated

Moved by: R.J. Gamble Seconded by: Joe Halos

THAT this Council does hereby receive the Correspondence of February 28, 2011 and further does support the Staff Recommendation made with regard to the Correspondence items, including any additional direction given to Staff through discussion, with an appropriate Staff action or response awaited for report back to Committee or Council where indicate, Carried.

Author	Recommendation/Action
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C.1 GSCA, 2011 Grey Sauble Conservation Authority Draft Budget	Receive for information
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Councillor Gamble spoke with respect to Agenda Item C.1 noting he has concern with the cost of planning in the Grey Sauble Conservation Authority budget and questioned if Grey Sauble Conservation Authority could review the costs of planning to reduce the costs to its member municipalities.

Chair Martin then spoke in response to Councillor Gamble noting this has been reviewed and questioned, further noting the fees noted include all costs. Michael further noted the *Conservation Act* identifies services that cannot be changed by the Conservation Authority. Michael noted he will forward Council's concerns to the General Manager of the Grey Sauble Conservation Authority and will report back to Council.

Councillor Ardiel then spoke noting the Nottawasaga Valley Conservation Authority budget proposed a 3.964% increase and its member municipalities sent the budget back to the NVCA for further review. Gail requested that the Grey Sauble Conservation Authority review their budget again and referenced the cost of administration included in the budget.

C.2 Canadian Plowing Championship, Request for Support	Refer to the Agricultural Advisory Committee for information
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C.3 Beaver Valley Outreach, Request for Support	For Council direction
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Councillor Halos spoke regarding Agenda Item C.3 noting Council previously debated grants and donations and noted he encourages Councillors to attend this event on their own.

Councillor Gamble then spoke noting if the event does not sell out that the Beaver Valley Outreach should advise the Town so that the matter can be reconsidered by Council at a later date.

D. Motions and Staff Reports

D.1 Hon. Helena Guergis, PC, Support for Petition for Non-Refundable Tax Credit for Volunteer Firefighters

Moved by: Joe Halos Seconded by: R.J. Gamble

THAT this Council is in support of the Association of Municipalities of Ontario Petition to the Government of Canada which calls for a \$3,000 non-refundable tax credit for volunteer firefighters, Carried.

D.2 Notice of Decision – Official Plan Amendment No. 80 to the County of Grey Official Plan, PL.11.23

Senior Policy Planner Cindy Welsh reviewed the Report noting on February 14, 2011 Grey County received the decision of the Ministry of Municipal Affairs and Housing and noted March 7 is the final day for appeals to OPA#80. Cindy noted some issues have been resolved through discussions between Grey County and the Ministry.

Cindy noted the modifications refer to the County's modifications and the County's chart and confirmed she has reviewed all amendments.

Chair Martin noted the report is self-explanatory, Cindy replying that the issues identified in the report are of concern to the Planning Department.

Councillor Gamble referenced affordable housing and noted he believes the County should be responsible for affordable housing, and questioned if the Town should remove itself from affordable housing. Cindy replied to Bob noting it will be the County that will undertake affordable housing studies and noted at the five year review of the Official Plan, the Town can decide if it will include affordable housing or not, Bob replying the Ministry may not approve this.

Bob then questioned the removal of wineries as a secondary use, Cindy replying that wineries will be permitted as a secondary use, but not as a primary use, further noting agricultural is a permitted use that will allow for alignment of agricultural uses including small scale uses. Cindy then noted the Province and County feel that rural economic development will be permitted.

Councillor Ardiel then spoke confirming that that Province wants agricultural lands to remain in agricultural lands with wineries as a secondary use.

Joe then referenced affordable housing studies noting the County recently completed a housing study and noted The Blue Mountains is the area in the most need of affordable housing and noted the Town's Affordable Housing Committee should continue to work with the County on affordable housing, with the acknowledgement that it appears the County wants to take the lead on affordable housing.

In response to Councillor Halos, Chair Martin spoke noting the wording in the Official Plan Amendment is very strong and if the County approves it, the Affordable Housing Committee should review the wording as the Committee will become a commenting body, not a regulating body. Michael further noted Council must look at all comments in the Report.

Michael then noted the issue with the wineries should be clarified and should be objected. Michael then noted the County's comments are not clear.

Cindy then spoke noting the modification is under Specialty Agriculture designated section that identifies grapes, peaches, apples, as the top soil lands in the County.

Director of Planning and Building David Finbow then spoke noting the Georgian Hills Vineyard was recently dealt with and confirmed that the County's Official Plan, the Town's Official Plan and zoning by-law noted that growing grapes and the production of wine at the property was permissible and the sale of the product is permissible provided it is made at the site. David then noted the issue of bringing grapes in to make wine was dealt and provided that a majority of the grapes must be grown on the site for making the wine.

David then noted the County attempted to expand on the decision whereby wineries are permitted with vineyards growing the majority of the grapes on site.

David then noted that the County submitted its comments to the Province that we need to broaden uses to include other businesses in the agricultural areas provided agriculture farmland is not corrupted.

Joe then spoke noting this is important to the area and noted he is satisfied that wineries have to be a secondary farm use.

Joe then questioned if objecting is in the best interests of the Town, David replying that Director of Special Projects Peter Tollefsen and Senior Policy Planner Cindy Welsh have reviewed this noting if the Town objects, there will be an OMB hearing and that the OMB would likely side with the Province.

Peter then spoke noting Staff feel this is a permissive move and are advocates for vineyards and wineries in the municipality and noted through negotiations this amendment is acceptable. Peter then noted the County convinced the Province to change "property" to "farm operation".

Joe then questioned if wineries are permitted on agricultural lands that do not grow grapes, David replying this would be very difficult, further noting that commercial or industrial zoning would be required.

Moved by: Joe Halos Seconded by: Gail Ardiel

THAT Council does hereby receive Planning Staff Report PL.11.23, Notice of Decision – Official Plan Amendment No. 80 to the County of Grey Official Plan.

In speaking to the Motion, Councillor Gamble spoke noting he sees this amendment as a restriction in the rural areas, Chair Martin and Councillor Halos concurring. Bob noted this amendment is more restrictive, but not impossible.

Council then voted on the Motion, Carried.

E. New and Unfinished Business

E.1 Grey County Council Update

EA, DMcK

None

E.2 Notice of Motion

Council

None

E.3 Additions to Agenda

Staff

None

E.4 Staff Discussion

None

F. By-laws

F.1 By-Law for Imposition and Collection of Fees and Charges

Moved by: Gail Ardiel Seconded by: R.J. Gamble
THAT By-law No. 2011 - 13, being a By-law to amend By-Law 2008-113 as amended being a by-law for the imposition and collection of fees and charges for certain municipal services and activities be hereby passed this twenty-eighth day of February, 2011, Carried.

G. Consent Agenda

Accounts

- G.1 Accounts
- G.2 Invoices separated for pecuniary interest (Miller, South Paw)

Reports List (Adopt)

- G.3 Finance and Administration Committee, February 15, 2011

Minutes List (Receive)

- G.4 Source Protection Committee Minutes, November 26, 2010
- G.5 Blue Mountains Public Library Board Minutes, January 19, 2011
- G.6 Nottawasaga Valley Conservation Authority Highlights, January 28, 2011

H. Notice of Meeting Dates

All Council and Committee Meetings to be at the L.E. Shore Memorial Library, unless otherwise noted

Council Meetings, March 14, 28, 2011
Special Meeting of Council, March 9, 2011, at BVCC, Small Hall
Special Meeting of Council, March 21, 2011

Finance and Administration Committee, March 15, 2011, 2:00 p.m.
Town Hall, Building Meeting Room

Infrastructure and Recreation Committee, March 8, 2011
Ravenna Hall

Planning and Building Committee, March 7, 2011
L.E. Shore Memorial Library

I. Confirmation By-law and Adjournment

Moved by: Joe Halos Seconded by: Gail Ardiel

THAT By-law No. 2011 - 14, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on February 28, 2011, be hereby enacted as passed this twenty-eighth day of February, 2011, Carried.

Moved by: R.J. Gamble Seconded by: Joe Halos

THAT this Council does now adjourn at 8:17 p.m. to meet again March 14, 2011, 7:00 pm, L.E. Shore Library, or at the call of the Chair, Carried.

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Ellen Anderson, Mayor

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Corrina Giles, Town Clerk