

Minutes The Blue Mountains Council Meeting



MEETING DATE: **March 9, 2009**
LOCATION: **L.E. Shore Memorial Library**
PREPARED BY: **Stephen Keast, Clerk**

A. Call to Order

Mayor Anderson called the meeting to order with all members in attendance

Also in attendance was Chief Administrative Officer Paul Graham, Director of Planning and Building David Finbow, Director of Engineering and Public Works Reg Russwurm, Director of Finance Rob Cummings, Manager of Water & Wastewater Services John Caswell, Communications & Economic Development Coordinator Lisa Kidd and Deputy Treasurer/Manager of Accounting & Budgets Elizabeth Thompson

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

Approval of Agenda:

Moved by: John McKean Seconded by: John McGee

THAT the Agenda of March 9, 2009 be approved as circulated, including any items added to the Agenda, Carried.

The Clerk then noted consideration of extension of draft plan approval for the LMCM Holdings plan of subdivision would be considered as an addition to the Agenda.

No member declared a pecuniary interest with any matter as listed on the Agenda, save Mayor Anderson with regard to Agenda Item G.2, Accounts and cheques payable to her father, Councillor Kennedy with respect to Agenda item G.2, Accounts and a cheque made payable to his daughter and Councillor McKean with regard to Agenda Item G.2, Accounts and cheques payable to his place of employment.

Adoption of Consent Agenda

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

THAT the Consent Agenda of March 9, 2009 be adopted as circulated, less Agenda Item G.1, Accounts and Agenda Item G.3, the Finance and Administration Committee Report dated February 17, 2009, both requested for separate review and discussion, Carried.

Previous Minutes

Moved by: John McKean Seconded by: John McGee

THAT the Council minutes of February 9, 2009 and Special Council meeting minutes of February 19 and 23 and March 2, 2009 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

8:00 pm – Dave Emery, Stantec Consulting, Dan Leake, Ministry of Transportation, Highway 26 Rehabilitation – Thornbury to Meaford

Dave then reviewed the preliminary information regarding the Highway 26 rehabilitation project, noting two Public Information Centres were scheduled for March 10 in Meaford and March 11 in the Beaver Valley Community Centre.

Dave then reviewed the proposed Rehabilitation Plan including new surface asphalt with two passing lane areas, pavement widening on curves and several intersection realignments.

Dave then noted certain road sections would be closed as well as some existing entrances, adding a culvert near the entrance to Craigleith Provincial Park would be replaced as part of the project as well.

Dan then discussed timing, noting utility relocation will occur in spring of 2009, including a new natural gas main between Meaford and Thornbury, the remainder of the work to be tendered in late 2009 and completed in 2010.

Councillor Kennedy then questioned location of the Craigleith culvert, Dave noting approximately five metres east of the Park entrance.

Councillor Gamble then noted there was a significant flow of water in Swarthmore Creek crossing the Highway and eroding the Georgian Trail and questioned if this project would address flows, Dave noting the matter would be reviewed.

Councillor Martin then questioned what controls would be placed on construction to not block lanes, Dave noting the Ministry will have full control over any lane closings.

Councillor McKean then questioned if any intersections would be signalized, Dan noting no intersections currently meet warrants for signals, adding the Lora Bay intersection would require signals when the development of Phase 2 begins.

John then questioned if signal infrastructure could be considered at this time, Dan noting pre-installation frequently does not work out in terms of proper locations and funding would be required from the developer.

Mayor Anderson then questioned if the Georgian Trail Indian Brook crossing of Highway 26 had been discussed, Director of Engineering and Public Works Reg Russwurm noting the Town is in discussions with the Ministry through the Transportation Study and it is being considered to bring the along the south side of Highway 26 to Grey Road 2 for crossing.

Ellen then questioned if this intersection would be signalized, Reg noting not for pedestrian use but it could be if warrants support it.

Bob then questioned if road markings could be put on the pavement at present to increase awareness of the crossing, Dan noting the matter could be taken under consideration but any markings would be to Provincial standards.

Duncan then noted he would support increased measures to address deer-vehicle contact along Highway 26.

Dan then noted the Ministry has conducted pilot projects that have not been considered effective, adding work is ongoing on the issue but no best practices have yet been developed.

Dan noted deer fences have been erected in northern Ontario in areas of Crown land.

Duncan then noted it is a matter of controlling where the deer are able to cross.

Mayor Anderson then thanked the deputation for their presentation and they retired from the meeting.

C. Correspondence as previously circulated

In speaking to Item C.5, Municipal Affairs and Housing expenditure restraints, Councillor Gamble noted it appeared to be a fairly significant message from the Province as to the availability of funding in the near future and any organization relying on Provincial funding should resolve to keep their expenditures in line.

Council then dealt with the following Resolution:

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

THAT this Council does hereby receive the Correspondence of March 9, 2009 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 indicated, Carried.

D. Motions and Staff Reports

D.1 2008 Citizen Survey Results, CEDC.09.01

Communications and Economic Development Coordinator Lisa Kidd then reviewed the Report, noting Council had previously directed that a Citizen's Survey be conducted.

Lisa Kidd then reviewed the Citizen Survey Objectives and Methodology, as well as responses.

Lisa then concluded the Citizen's Survey was successful with almost 1,000 respondents.

Lisa noted the Survey may have reached out to citizens who may not normally participate in more traditional methods of communications.

Councillor McGee then questioned the Quality of Life polling and if there are any plans to follow-up, Lisa noting a further survey could ask more detailed questions.

Deputy Mayor McKinlay questioned if there were different response rates if an incentive to respond was used, Lisa replying yes, with up to a 70% response rate utilizing incentives versus 12% for the Citizen Survey.

Council then dealt with the following Resolution:

Moved by: Cameron Kennedy Seconded by: John McGee

That Council receive Staff Report CEDC.09.01 '2008 Citizen Survey Results' for information purposes, Unanimously Carried.

D.2 Accessibility for Ontarians with Disabilities Act- Information and Communications Standard Response, CEDC.09.02

In speaking to the Report, Deputy Mayor McKinlay questioned what the reasonable expectations were with regard to meeting the requirements of the Act, Communications and Economic Development Coordinator Lisa Kidd noting the Province has an expectation that all services would be accessible with the cost being significant.

Duncan then noted if a person wishes information on a matter, how far would the Town have to go to provide services without having to have every building accessible, Lisa noting it is required the Town would provide accessible services and the standards are not yet finalized, adding the Town and Grey County are working towards achievable standards.

Councillor McGee then questioned when the regulations would come into effect, Lisa noting the Customer Service Standard will take effect in January 2010, adding this service is achievable.

Lisa then noted requirements will be forthcoming for the other four Standards addressing Transportation, Information and Communications, Built Environment and Employment, clarifying there is no effective date as of yet but they will be required by 2025 or earlier.

Councillor Martin then questioned the impact of approving the Report, Cameron noting the Report is for information purposes only.

Lisa then noted the KPMG Study estimating costs for implementation was commissioned by the Province, such costs estimated between \$1.345 and \$3.805 million for a municipality similar to the Town.

Council then dealt with the following Resolution:

Moved by: John McGee Seconded by: Cameron Kennedy

THAT Council receive Staff Report, CEDC.09.02, "Accessibility for Ontarians with Disabilities Act- Information and Communications Standard Response", for information purposes, Unanimously Carried.

Mayor Anderson then proposed that Council could consider a Motion at the next meeting noting the previously discussed concerns as to reasonableness in establishing any new standards.

D.3 2009 Proposed Budget, FIS.09.05

Director of Financial and Information Services Robert Cummings then reviewed the Report, noting the proposed 2009 Budget follows seven Council Meetings together with a Public Information Centre and Public Meeting, resulting in a proposed 2.2% local levy increase.

Rob further noted the proposed Budget By-Law would also address estimates for user-fee and water and wastewater Budgets, the rate structure for water and wastewater having been earlier determined.

Rob then noted a Public Meeting to consider water and wastewater rates is scheduled for March 23, 2009.

Council then dealt with the following Resolution:

Moved by: John McGee Seconded by: John McKean

THAT Council receive Staff Report FIS.09.05 "2009 Proposed Budget" being the estimates of all sums required during 2009 for the purposes of the Town of The Blue Mountains,

AND THAT Council enact a By-law to adopt the estimates in the amount of \$9,527,545 required for municipal tax purposes and estimates in the amount of \$2,913,936 required for the water system purposes and \$2,160,722 required for the wastewater system purposes, Carried.

D.4 2009 Grant Application Opportunities, EPW.09.019

Director of Engineering & Public Works Reg Russwurm then reviewed the Report, noting it addressed possible shovel-ready projects that could be eligible for infrastructure funding programs.

Reg then noted proposed Hester Street and Clarksburg parking lot projects at an estimated cost of \$212,000 and \$90,000 respectively should be included in the Recommendation following No. 3, 2009 Plan 915 Reconstruction (2009).

Councillor Gamble then noted a few years ago the Slabtown and Clendennan bridges were studied and questioned what the status of these projects are, Reg noting the Slabtown bridge is subject to the environmental assessment process, as is Clendennan, which would take the projects beyond 2010.

Mayor Anderson then questioned if environmental issues were more significant in the Plan 915 reconstruction project or the Lake Drive servicing project, Reg replying Lake Drive would be more significant in his opinion, given the presence of septic systems and shore wells on the Georgian Bay shoreline.

Deputy Mayor McKinlay then noted total affected residences may also be an issue as there are 38 residences on Lake Drive, over one hundred in Plan 915.

Duncan then questioned if the Clarksburg servicing project would fit the next funding program intake, Reg noting it would not be considered construction-ready.

Council then dealt with the following Resolution:

Moved by: Cameron Kennedy Seconded by: John McKean

THAT Council receive Report EPW.09.017 entitled "2009 Grant Application Opportunities", and

THAT Council authorise Staff to prepare grant applications for funding programs as appropriate for the terms of the funding program, expectations of success and Council priority for the following projects in order of preference.

1. Town Administration Building Construction
2. Plan 915 Reconstruction (2010)
3. Plan 915 Reconstruction (2009)
4. Hester Street and Clarksburg Parking Lots
5. Waste Receiving Area Improvements
6. Lakewood Drive WWPS
7. Lake Drive Servicing Extension
8. Georgian View Sanitary Extension

In speaking to the Motion, Duncan questioned if there were projects that could be submitted at present, Reg noting there are no funding program details available yet.

Duncan then noted Reg could review programs as announced and fit projects in as appropriate.

CAO Paul Graham then noted the Town had been contacted by a Federal Minister's office staff and advised that the funding programs will move quickly once announced and projects should be construction-ready and prioritized.

Duncan then questioned if the funding programs would be third/third/third Federal Provincial municipal, Paul replying there would be two programs, one in thirds and the other is believed to be a 50-50 program with Federal funding.

Council then voted on the Resolution, Unanimously Carried.

D.5 2009 Summer Council Schedule, A.09.02

Councillor Gamble then noted Option 1 with a Council meeting on August 10 and no meetings the two weeks previous or following would allow some Staff to take vacation in July and others in August.

Councillor Kennedy then noted Option 1 would give Council at least two weeks off in July and two in August.

Council then dealt with the following Resolution:

Moved by: D.R. McKinlay Seconded by: Cameron Kennedy

THAT Council receive Staff Report A.09.02, "2009 Summer Council Schedule" and authorize the following 2009 summer Council schedule:

Council June 8, 22, July 13, **Off** July 27, **Council** August 10, **Off** August 24, **Council** September 14, 28.

In speaking to the Motion, Cam then questioned if Staff had a preference, CAO Paul Graham noting Staff had no preference.

Council then voted on the Resolution, Unanimously Carried.

E. New and Unfinished Business

E.1 Grey County Council Update

Mayor Anderson then noted the County Budget process was proceeding and may be completed this week, Deputy Mayor McKinlay noting the County Committee budget process is continuing with meetings on March 10 and as well the County is preparing for infrastructure funding applications.

Duncan then noted the Five Year Official Plan Review is proceeding, Councillor Gamble questioning approval dates, Duncan noting the review has been submitted to the Ministry of Municipal Affairs and Housing for approval with an appeal period available.

Duncan continued minor revisions can still be discussed with Ministry Staff for inclusion in the final document.

Ellen then reported on her and Councillor McGee's attendance at an Affordable Housing Committee meeting in Collingwood and that perhaps The Blue Mountains and Collingwood Committees would work together in the future.

Councillor Kennedy questioned if two municipalities can apply for affordable housing funding, Ellen replying yes and it may be more effective to work with a partner.

Duncan then noted a single municipal Committee uses up grant funding simply to operate and a more streamlined process would increase effectiveness.

The 8:00 pm Deputation then arrived.

E.2 Notice of Motion

None

E.3 Additions to Agenda

Council then dealt with Staff Report PL.09.28, "Request for Draft Plan Extension, County File No. 42T-2001-01, LMCM Holdings, Part Lot 19, Concession 2" as an addition to the Agenda.

Director of Planning and Building Services David Finbow then reviewed the Report, noting Staff recommended extension of draft plan approval for one year.

Council then dealt with the following Resolution:

Moved by: D.R. McKinlay Seconded by: Michael Martin

THAT Council receive Planning Staff Report PL.09.28, "Request for Draft Plan Extension, County File No. 42T-2001-01, LMCM Holdings, Part Lot 19, Concession 2, The Blue Mountains"; and,

THAT Council support the extension of Draft Plan Approval for a maximum period of one year from the expiry date of March 13, 2009.

In speaking to the Motion, Councillor Kennedy questioned if there would be impact from short term rentals, David noting there were such uses in the general area although none were intended for the proposed development which is proposed for Residential R3 Zoning which would not permit short term rentals.

Cam then questioned if there would be any warning mechanism for prospective purchasers, David noting it could be referenced in the subdivision agreement.

Deputy Mayor McKinlay then noted Council should be cautious in warning of certain uses in certain areas but not others and a person who is considering purchase of land should conduct their own research as to whether they can co-habitate with other uses in the area.

Council then voted on the Resolution, Unanimously Carried.

F. By-laws

F.1 2009 Budget By-law

Council then dealt with the following Resolutions:

Moved by: John McKean Seconded by: John McGee

THAT By-law No. 2009 - 15, being a By-law to adopt the estimates in the amount of \$9,527,545 required for municipal tax purposes and estimates in the amount of \$2,913,936 required for the water system purposes and \$2,160,722 required for the wastewater system purposes, be hereby passed this ninth day of March, 2009, Carried.

F.2 Parking on Privately Owned Lands

Moved by: Cameron Kennedy Seconded by: John McGee

THAT By-law No. 2009 - 16, being a By-law to amend By-law No. 2008-92, being a By-law to appoint Municipal Law Enforcement Officers, so as to appoint additional persons as Municipal Law Enforcement Officers for the purposes of enforcing specific parking related by-laws of the municipality at Grey Condominium Corporation No. 18 (Chateau Ridge), be hereby passed this ninth day of March, 2009, Unanimously Carried.

F.3 Fortification of Land

Moved by: Michael Martin Seconded by: R.J. Gamble

THAT By-law No. 2009 - 17, being a By-law to regulate the fortification of land and to prohibit excessive fortification of land and to prohibit the application of excessive protective elements to land within the municipality, be hereby passed this ninth day of March, 2009, Carried.

F.4 Zoning By-law Amendment, Consent B15/08, John Brown

Moved by: D.R. McKinlay Seconded by: John McKean

THAT By-law No. 2009 - 18, being a By-law to establish a new minimum lot area of 17.0 hectares for the retained parcel's General Rural (A1) Zone and to rezone the natural hazard areas identified by Grey Sauble Conservation Authority to the Hazard (H) Zone, be hereby passed this ninth day of March, 2009, Unanimously Carried.

F.5 Zoning By-law Amendment, Part Lot 33, Concession 11, Blue Water Storage

Moved by: D.R. McKinlay Seconded by: Cameron Kennedy

THAT By-law No. 2009 - 19, being a By-law to rezone a portion of Part Lot 33, Concession 11 from the General Rural A1 zone and Rural Industrial M3-114 zone to the Rural Industrial M3-114 zone, and to amend exception 114 to permit an agricultural produce warehouse, as well as uses accessory thereto, to be located a minimum distance of 85 metres from the front lot line, be hereby passed this ninth day of March, 2009, Unanimously Carried.

G. Consent Agenda

Accounts

1. Accounts
2. Invoices separated for pecuniary interest (Al Gibson, E.C. King, Sadler's, Miller, Maggie Kennedy)

In speaking to the Accounts, Councillor Gamble noting municipal insurance costs are increasing substantially and if insurance companies' investments are decreasing insurance costs may be further increased.

Council then dealt with the following Resolution:

Moved by: R.J. Gamble Seconded by: Michael Martin

THAT the Accounts of March 9, 2009 be approved, Carried.

NOTE: Pecuniary interests were previously declared by Mayor Anderson with regard to Agenda Item G.2, Accounts and cheques payable to her father, Councillor Kennedy with respect to Agenda item G.2, Accounts and a cheque made payable to his daughter and Councillor McKean with regard to Agenda Item G.2, Accounts and cheques payable to his place of employment and they did not take part in related discussion or voting, Deputy Mayor McKinlay assuming the Chair for the duration of the meeting.

Reports List (Adopt)

3. Finance and Administration Committee, February 17, 2009

Chair Gamble then spoke to the Finance and Administration Committee Report of February 17, 2009, bringing Council's attention to the 2007 Municipal Performance Measures, noting that it may not represent good or valuable information but was required by the Province.

Bob then noted grant funding provided under the Building Canada Fund appeared to show preferred types of projects were approved for the last round.

Council then dealt with the following Resolution:

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

THAT the Finance and Administration Committee Report of February 17, 2009 is hereby approved together with all the Recommendations contained therein, Unanimously Carried.

4. Planning Committee, March 2, 2009

Minutes List (Receive)

None

H. Next Meeting Date(s)

Council March 23, April 15 (Wed), 27, May 11, 25, June 8, 22, 2009
All Council meetings to be at the Library unless otherwise noted

Planning Committee, April 6, 2009
Engineering and Public Works Committee, March 10, 2009
Finance and Administration Committee, March 17, 2009

I. Confirmation By-law and Adjournment

Moved by: John McGee Seconded by: Michael Martin

THAT By-law No. 2009 - 20, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on March 9, 2009, be hereby enacted as passed this ninth day of March, 2009, Carried.

NOTE: Pecuniary interests were previously declared by Mayor Anderson, Councillor Kennedy and Councillor McKean and they did not take part in related discussion or voting, Deputy Mayor McKinlay remaining in the Chair.

Moved by: Michael Martin Seconded by: Cameron Kennedy

THAT this Council does now adjourn at 8:28 p.m. to meet again March 23, 2009, 7:00 pm, L.E. Shore Library, or at the call of the Chair, Unanimously Carried.

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Ellen Anderson, Mayor

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Stephen Keast, Clerk