

Acting Chair Wayman Fairweather called the meeting to order with Mayor Anderson/Noel absent due to illness and Deputy-Mayor McKinlay absent due to a previous commitment.

Council then dealt with the following Resolution:

Resolution No. 1

Moved by: John McKean
Seconded by: Harold Holden

THAT with regard to subsection 239(2) of the *Municipal Act 2001*, this Council does now move into closed session in order to address matters pertaining to discussion of an Ontario Municipal Board Hearing scheduled for March, 2004 with regard to appeals of development applications made by Castle Glen Development Corporation and a possible negotiated settlement;

AND correspondence received from Ellen Naylor with regard to an area aggregate pit licence;

AND litigation or potential litigation, including matters before administrative tribunals, affecting the Town;

AND the receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose;

AND that Development Services Manager Peter Tollefsen, Planner Rob Armstrong, Planner Jim Uram, Environment Services Superintendent John Caswell, Town Solicitor Roger Beaman and Clerk Stephen Keast be requested to attend.

CARRIED...

Council moved In-camera at 6:35 p.m.
Council rose from In-camera to public session 7:00 p.m.

Deputy-Mayor McKinlay attended the meeting while in closed session.

Council then adjourned for the scheduled Public Meetings.

Deputy-Mayor McKinlay then called the first scheduled Public Meeting to order and explained the purpose of this By-law is to satisfy a request by the applicant to remove the present entrance and driveway to the existing extractive industrial operation and relocate it to the southerly property line.

The effect of this By-law is to re-zone a portion of the subject lands where the new driveway is proposed from the General Rural A1 Zone to the Extractive Industrial M4 Zone and to re-zone the existing driveway on the subject lands from the Extractive Industrial M4 Zone to the General Rural A1 Zone.

The subject lands are comprised of Part Lot 29, Concession 11.

The Clerk then noted Notice of Public Meeting had been given in accordance with the Planning Act and read correspondence as received from area resident Ellen Naylor, the G.S.C.A., the Grey County Transportation and Public Safety Department and Grey County Planning and Development Department.

Deputy-Mayor McKinlay then asked if anyone wished to speak to the proposed By-law.

Planning Consultant Don Scott then reviewed the proposed Amendment on behalf of the applicant.

Don noted the proposed relocation of the entrance is safer for traffic and less intrusive with regard to nearby residential uses.

Area pit owner John Ardiel then spoke in support of the new laneway, noting he believed it created a safer access to the pit.

Area resident Michael Naylor, landowner southerly adjacent to the existing driveway then spoke, requesting clarification that the rezoning was for the driveway land only, questioning why the whole of the subject land was not considered to be rezoned at this time.

Mr. Naylor then stated the recent lane installation and grading change has resulted in water flow into his basement.

Mr. Naylor then noted the speed limit increased from 50 km/hr to 80 km/hr at the location of the proposed entrance, adding a proposed pit entrance taper from Grey Road No. 13 southbound is in close proximity to his driveway, which will increase danger in accessing his property.

Mr. Naylor then asked for a second Public Meeting to be held following review of the recently completed Justification Report.

Deputy-Mayor McKinlay noted a Planning Staff report will be generated following this Public Meeting and further consideration of the matter will be given at a subsequent meeting, which may or may not include the holding of a second Public Meeting.

Area resident Laurel Bent, landowner northerly adjacent to the existing laneway, then spoke in support of the lane relocation as a condition of a previous development agreement, adding the area speed limit may be an issue to address in terms of slowing vehicles.

John Ardiel then again spoke, noting in his 30 years of operating the adjacent southerly farm land, he has never seen water flow across the land although the groundwater was very high this year.

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

Deputy-Mayor McKinlay then called the second scheduled Public Meeting to order and explained the purpose of this By-law is to satisfy a request by the applicant to erect an addition to a dwelling that would increase the lot coverage on this lot zoned Rural Residential from 14.5 percent to 20 percent and be located 10 metres from the front lot line utilizing the existing setback of the existing dwelling.

The effect of this By-law is to increase the maximum lot coverage as it applies to the subject property from 14.5 percent to 20 percent and to reduce the required front yard from 15 metres to 10 metres.

The subject lands are comprised of Part Lot 26, Concession 10, being Part 1 of Plan of Survey 16R-4085.

The Clerk then noted Notice of Public Meeting had been given in accordance with the Planning Act and read correspondence as received from area residents Wayne & Susan Forsythe, the Grey Bruce Health Unit, the G.S.C.A. and the Grey County Planning and Development Department.

Duncan then asked if anyone wished to speak to the proposed By-law.

Area resident Wayne Forsythe then spoke, noting drainage from the existing residence on the subject property should remain on the lands, with run-off at present impacting neighbouring properties.

Wayne further noted the dwelling was very close to Grey Road 13 at present.

Councillor Fairweather then questioned if the subject lands were tile drained to the roadside ditch would this in part address his concerns, Wayne replying that would certainly help as the land in the area of the dwelling has a clay base and ponding is occurring.

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

Deputy-Mayor McKinlay then called the third scheduled Public Meeting to order and explained the purpose of the meeting was to consider a By-law to change the name of a road section connecting Highway 26 and Sunset Boulevard in Concessions 11 and 12, from "Kenwood Drive" to "Lora Bay Drive".

The Clerk then noted Notice of Public Meeting had been given in accordance with the Town's Giving of Public Notice By-law.

Duncan then asked if anyone wished to speak to the proposed road name change.

Councillor Fairweather then spoke in favour of the proposed By-law.

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

Deputy-Mayor McKinlay then called the Special Meeting to order and Council then dealt with the following Resolutions:

Resolution No. 2

Moved by: Harold Holden
Seconded by: John McKean

THAT this Council does hereby receive Building Staff Report SRB.04.09, "2004 Building Activity Report - March", dated April 5, 2004, for information purposes.

CARRIED...

Resolution No. 3

Moved by: Wayman Fairweather
Seconded by: R. J. Gamble

THAT this Council hereby does authorize a variance to Sign By-law No. 2001-57 to Mountain Beach Resorts Inc. for the erection of a two-sided development sign at Old Lakeshore Road and the Georgian Trail (Roll No. 3-368-02) notwithstanding such development sign will not be located on the land to which it applies provided:

1. the sign complies with all other provisions related to development signs; and,
2. The existing ground sign located on the lands be removed.

It being noted that the subject variance was circulated to potentially affected neighbouring land owners and no objections were received, and the proposed development lands are located immediately across Old Lakeshore Road.

CARRIED...

Resolution No. 4

Moved by: Wayman Fairweather
Seconded by: R. J. Gamble

THAT this Council hereby does authorize the continued erection of the existing projecting sign related to the business at 21 Bruce Street South (Jessica's Book Nook) over Town property known municipally as 17 Bruce Street South (Town Parkette) for a period not to exceed two years on the condition that:

1. Such sign is maintained; and,
2. Such authorization is not transferrable to new ownership of the business.

It being noted that the subject matter was considered by CAUSE at its meeting of October 30, 2003 and supported by CAUSE with the noted conditions (see extract below).

CAUSE Meeting Minutes - October 30, 2003

1. Excerpt:

Jessica's Book Nook Sign

Resolution No. 1

Moved by: Rob Potter
Seconded by: Linda Wykes

That this Committee recommends that the "Jessica's Book Nook" sign currently projecting into the parkette area be allowed to remain, as is / where is, for a period not to exceed two years, and further that the matter can be reviewed for possible extension. It being noted that this recommended amendment to the Sign By-law is not transferrable to new business ownership.

Carried...

CARRIED...

Resolution No. 5

Moved by: R. J. Gamble
Seconded by: Wayman Fairweather

THAT By-law No. 2004-16, being a By-law to amend the Town Noise By-law, being By-law No. 2002-09, so as to permit use of the Blue Ridge Sportsmen's Club shooting range, part Lots 5 and 6, Concession 8, between the hours of 08:00 hours and 21:00 hours, subject to any Provincial or Federal Statute or Regulation with regard to the discharge of firearms and weapons, be hereby enacted as passed this fifth day of April, 2004.

CARRIED...

Resolution No. 6

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

THAT By-law No. 2004-17, being a By-law to rename a section of Municipal Highway connecting Highway 26 and Sunset Boulevard in Concessions 11 and 12 from "Kenwood Drive" to "Lora Bay Drive", be hereby enacted as passed this fifth day of April, 2004.

CARRIED...

Town Planner Jim Uram then reviewed a Planning Report on the Ministry of Environment Whitepaper on Watershed-Based Source Protection Policy.

Councillor Fairweather then commended Staff on the Report, Councillor Gamble noting concern with the pace of the Province in addressing the matter, given its importance.

Council then dealt with the following Resolution:

Resolution No. 7

Moved by: G. Ardiel
Seconded by: Wayman Fairweather

THAT this Council does receive and adopt Planning Report S.R.PL.16.04, "Whitepaper on Watershed-based Source Protection Planning", dated April 5, 2004, and further does direct that the Report be forwarded to the Ministry of Environment and the Grey County Planning and Community Development Committee.

CARRIED...

Council then received Planning Staff Report S.R.PL.17.04, Planning Application Fees.

Councillor Fairweather then noted concern with the proposed fees for O.M.B. Hearing attendance given the workload and value of Staff, the proposed figure to be reviewed.

Next, as Michael Hammond was in attendance, it was Council's pleasure to hear him regarding previous consideration by the B.V.C.C. Committee of Management as to retaining ice in the arena through the Georgian Bay River Rats playoffs.

Deputy-Mayor McKinlay then questioned the cost associated with any ice being retained past the

original date of April 12th, now requested to the 16th, Councillor McKean noting concern with be with electrical cost associated with extended compressor operation, Councillor Gamble estimating an amount of perhaps \$1,500.00, same to be required only in the event of a sixth playoff game.

Council then reviewed correspondence as previously distributed.

With regard to a request from the Thornbury B.I.A. for partnered advertising in the “Where” travel magazine distributed at Intrawest Resorts, Councillor Gamble noted there was not consideration in the present draft budget for such advertising, adding the 2004 International Plowing Match may involve municipal sponsorship of certain events. Councillor Fairweather moved the matter be referred to the Tourism and Economic Development Committee, Councillor Ardiel seconding, Council concurring.

With regard to a request from Grey County that area municipalities contribute “In-kind” support for field and site preparation with regard to the 2004 International Plowing Match, Councillor Ardiel noted the Public Works Committee would review staff and equipment availability and report back.

Council then received a Town of Collingwood Staff Report with regard to initial consideration of an amalgamated animal control and shelter program.

Council then received a request from realtor Max Hahne on behalf of his client Andrew Libera requesting confirmation for access along a portion of unopened road allowance to allow logging at part Lot 12, Concession 5, with the possibility the road section could be brought up to Town standard by Mr. Libera sometime in the future. Councillor McKean noted the Town Manager was to investigate the holding of securities to guarantee reinstatement following any access, the Clerk to review the matter.

Council then dealt with the following Resolution:

Resolution No. 8

Moved by: R. J. Gamble
Seconded by: Wayman Fairweather

THAT the Accounts in the amount of \$163,970.44 be submitted to the Treasurer for payment. (Less any accounts authorized by separate Resolution.)

CARRIED...

Senior Town Planner Rob Armstrong then updated Council on a proposed G.I.S. Co-op student placement for four months, Council concurring to proceed with advertising for the position.

Council then dealt with the following Resolutions:

Resolution No. 9

Moved by: R. J. Gamble
Seconded by: Wayman Fairweather

Reference request from B.V.C.C. Board of Management for financial assistance for provision of

ice in B.V.C.C. to April 17th, this Council does approve retaining of ice facilities for Game 6 for Georgian Bay River Rats Conference Championship game and that financial consideration for additional electrical costs can be addressed at a future date.

CARRIED...

Resolution No. 10

Moved by: G. Ardiel
Seconded by: Wayman Fairweather

THAT this Council does support an increase in the membership of The Blue Mountains Police Services Board from three members to five members, such a Board to be comprised of two Council member appointments, two Provincial appointments and a member appointed by Council to represent the public at large.

In speaking to the Motion, Councillor Gamble noted that the Police Services Board was considered following amalgamation and the membership was set at three persons, with Councillor Fairweather moving the matter be tabled pending availability of the Mayor for discussion, Councillor Ardiel seconding, Council concurring.

TABLED...

Resolution No. 11

Moved by: R. J. Gamble
Seconded by: Wayman Fairweather

THAT By-law No. 2004-18, being a By-law to rezone part Lot 26, Concession 10, applicant Trethewey, so as to permit an addition to an existing dwelling that would increase permitted lot coverage within the Rural Residential RuR Zone from 14.5 per cent to 20 per cent and to reduce the required front yard setback from 15 to 10 metres, be hereby enacted as passed this fifth day of April, 2004.

In speaking to the Motion, Councillor Gamble noted he would support the Amendment as the proposed 20% lot coverage is not excessive given urban development standards, Rob noting a Planning Report and Site Plan Review could address site drainage characteristics, Councillor Gamble moving the matter be tabled pending consideration of a Planning Report, Councillor McKean seconding, Council concurring.

TABLED...

Resolution No. 12

Moved by: Wayman Fairweather
Seconded by: R. J. Gamble

THAT this Council does hereby authorize a reduction in the Letter of Credit provided by Craigleith Meadows Inc. (Property roll #6-018) pursuant to a registered subdivision agreement and held to ensure construction of works. The Letter of Credit currently in the amount of \$328,700.27, may be reduced by \$125,426.96 to continue in the amount of \$203,273.31. The reduction of securities has been recommended by The Ainley Group, municipal engineering

consultants, it being further noted the developer has provided a Statutory Declaration of Accounts Paid.

CARRIED...

Resolution No. 13

Moved by: R. J. Gamble
Seconded by: Wayman Fairweather

THAT the following Councillor's Expenses and per diems be submitted to the Treasurer for payment:

Gail Ardiel	\$0.00 per diem	\$408.82 Expenses
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CARRIED...

Resolution No. 14

Moved by: Wayman Fairweather
Seconded by: G. Ardiel

THAT the Mayor and Clerk are hereby authorized to sign the "First Amending Agreement" (Ministry of Tourism and Recreation File No. 2001TSEM0002) between the "Ministry", Blue Mountain Village Association and the Town, regarding the revised Schedule "B".

CARRIED...

Resolution No. 15

Moved by: Harold Holden
Seconded by: John McKean

THAT this Council has no objection to the Beaver Valley Royal Canadian Legion selling tickets within our municipality for a Provincial Lottery Raffle event being held at the Royal Canadian Legion - Ontario Command, Aurora, May 17, 2004, provided that the Terms and Conditions of such a lottery, as issued by the Alcohol and Gaming Commission of Ontario, are complied with.

CARRIED...

Resolution No. 16

Moved by: Harold Holden
Seconded by: John McKean

THAT this Council has no objection to 714 Georgian Triangle Air Cadet Squadron conducting a Tag Day for fund-raising purposes in the Town of The Blue Mountains on the following days and during the specified time periods in 2004:

April 9, 6:00 pm to 9:00 pm
April 10, 9:00 am to 5:00 pm

CARRIED...

Council then considered a request from The Blue Mountains Chamber of Commerce for grant funding to cover Community Centre rental cost for a Volunteer Awards Dinner, Councillor Holden noting the Beaver Valley Community Centre Committee of Management would first consider the request for report back to Council, Council concurring to await report.

As there was nothing further before the Chair, the following verbal Resolution was then presented:

Moved by: Wayman Fairweather
Seconded by: John McKean

THAT this meeting do now adjourn.

CARRIED...

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Duncan McKinlay, Deputy-Mayor

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Stephen Keast, Clerk