

Minutes - The Blue Mountains Council Meeting



MEETING DATE: May 11, 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 CAO Paul Graham, Director of Planning and Building Services David Finbow, Director of Finance Robert Cummings, Deputy Treasurer Elizabeth Thompson, Director of Engineering and Public Works Reg Russwurm and Manager of Water & Wastewater Services John Caswell.
- Council then paused for a moment of Personal Prayer or Reflection.
- Approval of Agenda:

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

THAT the Agenda of May 11, 2009 be approved as circulated, including any items added to the Agenda, unanimously Carried.

- No member declared a pecuniary interest with any matter as listed on the Agenda, save Councillor McKean with regard to Agenda item G.1 and G.2, Accounts & Invoices and cheques payable to his place of employment.
- Adoption of Consent Agenda

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

THAT the Consent Agenda of May 11, 2009 be adopted as circulated, save Consent Agenda Items G.3, May 4, 2009 Planning and Building Committee Report and G.4, May 5, 2009 Finance and Administration Committee Report, separated for further review and discussion, unanimously Carried.

Previous Minutes

Moved by: John McKean Seconded by: John McGee

THAT the Council minutes of April 27, 2009 be adopted as circulated, including any revisions to be made, unanimously Carried.

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

B. Deputations/Presentations

7:05 pm – PUBLIC MEETING – Grey Road 19/Craigleith Road Wastewater Capital Charges

Mayor Anderson then called the scheduled Public Meeting to order and explained that Council of The Corporation of the Town of The Blue Mountains will hold a Public Meeting at the Regular Meeting of Council, Monday, May 11, 20-09 at 7:05 p.m. at the L.E. Shore Memorial Library, 183 Bruce Street South, Thornbury to consider a proposed By-Law that will impose capital sewer charges to benefitting property owners for the use of the Town's sewage system on Grey County Road 19 and Craigleith Road.

Ellen further noted the proposed By-Law will be presented to Council for adoption at the Regular Meeting on Monday, May 25, 2009.

The Clerk then noted Notice was given by direct mailing to benefitting landowners and publication in a newspaper having general circulation in the area.

Director of Finance Robert Cummings then reviewed the proposed By-Law, noting correspondence was received late this afternoon from a front-end financing party noting concerns with some noted costs and Staff will meet with the party and review the concerns. Rob further noted if the review leads to significant revisions to the By-Law, a second Public Meeting will be scheduled.

Rob then outlined the payment options for benefitting landowners.

Mayor Anderson then asked if any member of the public wished to speak.

As no one further wished to speak, Mayor Anderson declared the public meeting to be adjourned.

C. Correspondence as previously circulated

Councillor Gamble referenced Agenda Correspondence Item C.8, My Friends House Daisy of Hope Putting Challenge fundraising event and noted Council has participated in the past and should consider entering a team to be billed as a Council expense.

Council then dealt with the following Resolution:

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

THAT Council authorizes a Town Team be entered in the My Friends House Daisy of Hope Putting Challenge fundraising event and billed through Council's expense account, unanimously Carried.

Councillor McGee then referenced Correspondence Item C.7, Ontario Drinking Water Stewardship Program and questioned the two year time of travel reference consideration for the program as the website appears to refer to a two hour time of travel period.

Manager of Water and Wastewater John Caswell then spoke, noting a wellhead protection area addresses a two year time of travel, a lake sourced water intake addressing a two hour time of travel.

Councillor Gamble then referenced Agenda Correspondence Item C.11, Cops for Cancer, noting his spouse Eileen Gamble and Deputy Mayor McKinlay's daughter will participate in the May 30 Cops for Cancer event.

Council then dealt with the following Resolution:

Moved by: Cameron Kennedy Seconded by: John McKean

THAT this Council does hereby receive the Correspondence of May 11, 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, unanimously Carried.

D. Motions and Staff Reports

D.1 “Award of Request for Proposal for Cellular Services and Related Hardware”, FIS.09.26

Council then dealt with the following Resolution:

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

THAT Council receive Staff Report FIS.09.26, “Award of Request for Proposal for Cellular Services and Related Hardware” for information purposes; and,

THAT Council approve the recommendation of the Tender Proposal Award Committee being that the award of the Proposal to Bell Mobility for a three (3) year contract term; and,

THAT the Mayor and the Clerk be authorized to execute the Agreement, unanimously Carried.

In speaking to the matter, Councillor Gamble commended Staff in realizing significant savings through the program of partnering with Grey County for purchasing.

D.2 Cops for Cancer Bicycle Ride – Events Permit Exemption, Corr. C.11

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

THAT Council does hereby grant an exemption from the permit requirements of Roads Use for Events By-law No. 2005-34 for a Cops for Cancer bicycle ride from CFB Borden to LFCA TC Meaford on May 27, 2009, it being noted police escort vehicles will be front and rear of riders and The Blue Mountains OPP have no issues with the proposed event.

In speaking to the Motion, Councillor McKean questioned if route mapping was available, the Clerk replying it was not at this point and there was a time concern giving the event date, adding The Blue Mountains OPP reviewed the request and noted no concerns.

Council then voted on the Resolution, Carried.

E. New and Unfinished Business

E.1 Grey County Council Update

Mayor Anderson then reported on the Great Lakes St. Lawrence Cities Initiative Shoreline Protection meeting in Toronto last week and the five proposed action items that were received favourably by the Province, the information available on the GLSCI website.

Ellen then reported on the recent County Council trip to Cape Croker, Duncan noting the County deputation was graciously received and many common concerns and programs were noted with further meetings proposed.

Ellen then noted such meetings acted to better inform Council of aboriginal and heritage issues.

Deputy Mayor McKinlay then reported on a recent County roads tour.

Councillor Gamble then noted a recently scheduled May 21 sod-turning for the Grey Road 19 roundabout as well as a proposed May 21 meeting with County paramedics appeared to conflict with a May 21 Council development charges workshop previously scheduled.

Duncan then noted the development charges workshop was important for Council, Bob noting perhaps the workshop could be moved forward one hour, Staff to review.

Bob then referred to the Grey County member municipality levy information recently received, indicating The Blue Mountains levy was up 2% for 2009, now representing more than 25% of the total County levy at present.

E.2 Notice of Motion

None

E.3 Additions to Agenda

None

Councillor Martin then questioned if Council should consider the Building and Planning Committee Report of May 4, 2009 prior to considering Agenda Items F.2 and F.4 and F.7, as there were areas of concern with each.

F. By-laws

F.1 2009 Final Property Tax Due Dates

Council then dealt with the following Resolution:

Moved by: John McGee Seconded by: John McKean

THAT By-law No. 2009-29, being a By-law to enact the 2009 Tax Rates with final tax instalment due dates of August 26, 2009 and October 28, 2009, be hereby passed this eleventh day of May, 2009.

In speaking to the By-law, Councillor Gamble noted the By-law moved the final tax due dates back by one month, adding these dates are more in keeping with area municipalities, further noting taxpayers can opt for a monthly payment program to lessen the impact of the final instalments.

Council then voted on the Resolution, Carried.

F.2 Lampton Greens Corporation (Lora Bay Heights) Zoning By-law Amendment

Councillor Martin then noted it had been previously requested that the matter be deferred but no deputation was requested for this meeting to address the matter and Council could now consider the Building and Planning Committee Recommendation.

Council then dealt with the following Resolutions:

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

THAT By-law No. 2009 - 30, being a By-law to rezone the subject lands, being Lampton Greens Corporation (Lora Bay Heights), Lots 47 & 48, SW King Street and Lots 47 & 48, Part of Lots 49 & 50 NE Arthur Street, from the Development (D) zone and Hazard (H) zone to the Residential Multiple (RM1-h) zone and Hazard (H) zone, be hereby passed this eleventh day of May, 2009, unanimously Carried.

F.3 The Ridge Estates Removal of Holding “-h” Symbol

Moved by: Cameron Kennedy Seconded by: John McGee

THAT By-law No. 2009 - 31, being a By-law to to remove the Holding ‘-h’ symbol for the Phase 1 lands comprised of Lots 1 to 36 of Registered Plan 16M-24 and Lots 1 to 7 of Grey Vacant Land Condominium Plan 81, The Ridge Estates, be hereby passed this eleventh day of May, 2009, unanimously Carried.

F.4 Osler Bluff Ski Club Zoning By-law Amendment

Mayor Anderson noted she had earlier received a call from Osler Bluff cabin leaseholder Mr. Little requesting the By-Law be deferred as he believed it negatively impacted his property, adding the individual had spoken at length with Planner Shawn Postma.

Deputy Mayor McKinlay then questioned if concerns had been addressed at the Staff level, Ellen replying she did not believe so.

Councillor Martin then noted Council had completed the public process regarding the proposed By-law and he would not support deferring the matter.

Ellen then noted Mr. Little chose not to attend the Council meeting as he was not listed as a deputation.

Michael then reviewed the By-law to date, noting two revisions were proposed for the By-Law, adding the Niagara Escarpment Commission and the Ski Club were now in agreement.

Director of Building and By-Law David Finbow then reviewed the revisions to the By-law following a meeting this day with NEC staff, noting the revisions were minor in nature, being a slight reduction in permitted ground floor areas and a slight increase in maximum height for cabins with year-round access.

Solicitor Stephen Christie representing Osler Bluff Ski Club then spoke in support of the proposed By-law.

Mr. Christie then noted Mr. Little's cabin is located in an area of four cabins adjacent to ski slopes with no road access and building replacement would be permitted, but without any increase in floor area.

Duncan then noted the restriction on the cabins would likely be similar to other private ski clubs with older, leased cabins.

Council then dealt with the following Resolutions:

Moved by: Michael Martin Seconded by: John McKean

THAT By-law No. 2009 - 32, being a By-law to to rezone a portion of the subject lands, being Part Lot 7, Lots 8 & 9, Concession 1 - Osler Bluff Ski Club, from the Recreational Ski (SF-73) zone and Private Open Space (OS2) zone to the Recreational Ski Facility (SF) zone, Residential (R3) and Private Opens Space (OS2) Zone and to establish new Exception numbers required to recognize chalet redevelopment requirements for those chalets located below the Toe of the Niagara Escarpment, above the Toe of the Niagara Escarpment with vehicle access, and above the Toe of the Niagara Escarpment without vehicle access, be hereby passed this eleventh day of May, 2009, unanimously Carried.

F.5 Neighbourhoods of Delphi Zoning By-law Amendment

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

THAT By-law No. 2009 - 33, being a By-law to rezone the subject lands, being Draft Plan of Condominium 42-CDM-2007-15, "Redline Revision to 42-CDM-2007-15, Draft Plan of Condominium of Vacant Land of Condominium of Block 7", Neighbourhoods of Delphi, as prepared by Patten & Thomsen Limited and dated received March 12, 2009, be hereby passed this eleventh day of May, 2009, unanimously Carried.

F.6 Swimming Pool Fence By-law Amendment – Memorandum of Understanding

Moved by: John McGee Seconded by: John McKean

THAT By-law No. 2009 - 34, being a By-law to amend By-law No. 2002-08 so as to require an applicant for a private swimming pool fence to provide a Memorandum of Understanding and Indemnity and other documentation in conjunction with an application, be hereby passed this eleventh day of May, 2009, unanimously Carried.

F.7 Development Application Pre-Consultation By-law

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

THAT By-law No. 2009 - 35, being a By-law to require applicants to consult with the Corporation of the Town of The Blue Mountains prior to the submission of development applications, be hereby passed this eleventh day of May, 2009.

In speaking to the Motion, Councillor Martin noted such a By-Law would assist the Town in declaring when Applications would be complete and clearly define what background information and studies would be required.

Deputy Mayor McKinlay then noted the By-law would clarify the rules for development

Council then voted on the Resolution, unanimously Carried.

G. Consent Agenda

Accounts

1. Accounts
2. Invoices separated for pecuniary interest (Sadler's Haulage)

Reports List (Adopt)

3. Planning and Building Committee, May 4, 2009

Councillor Martin then spoke, noting the areas of concern with respect to the Planning and Building Committee Report have been previously addressed.

Council then dealt with the following Resolution:

Moved by: Michael Martin Seconded by: John McGee

THAT the Planning and Building Committee Report dated May 4, 2009 be adopted as circulated, including the Recommendations contained therein, unanimously Carried.

4. Finance and Administration Committee, May 5, 2009

Councillor Gamble then spoke to the Report, noting the recommended Year End Transfers were important and should be satisfactory to the auditor.

Bob then reviewed the Investment Performance and noted diminishing returns were expected.

Bob then reviewed the 2008 Unaudited Financial Statements.

Council then dealt with the following Resolution:

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

THAT the Finance and Administration Committee meeting dated May 5, 2009 be adopted as circulated, including the Recommendations contained therein, Carried.

5. Infrastructure and Recreation Committee, April 28, 2009

Minutes List (Receive)

6. Source Protection Committee, March 27, 2009

H. Notice of Meeting Dates

Council May 25, June 8, 22, July 13, August 10, September 14, 28, October 14 (Wed), 26, November 9, 23, December 14, 2009

All Council meetings to be at the Library unless otherwise noted

Finance and Administration Committee, May 19, 2009
Infrastructure and Recreation Committee, May 26, 2009
Planning Committee, June 1, 2009

I. Confirmation By-law and Adjournment

Moved by: Cameron Kennedy Seconded by: John McGee

THAT By-law No. 2009 - 36, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on May 11, 2009, be hereby enacted as passed this eleventh day of May, 2009, unanimously Carried.

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

THAT this Council does now adjourn at 7:45 p.m. to meet again May 25, 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