

Minutes - The Blue Mountains Council Meeting



MEETING DATE: May 12, 2008

LOCATION: Beaver Valley Community Centre

PREPARED BY: Stephen Keast, Clerk

A. Call to Order

- Mayor Anderson called the meeting to order with all members in attendance save Councillor Martin, absent due to vacation.
- Also in attendance was Chief Administrative Officer Paul Graham, Director of Engineering and Public Works Reg Russwurm, Director of Planning Peter Tollefsen, Manager of Development Planning Rob Armstrong, Senior Planner Cindy Welsh Director of Recreation Shawn Everitt, Director of Building and By-Law Enforcement David Finbow, Communications & Economic Development Coordinator Lisa Kidd, Director of Finance Rob Cummings, Deputy Treasurer Elizabeth Thompson and Capital Accountant Darcy Chapman.

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

- Approval of Agenda

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

THAT the Agenda of May 12, 2008 be adopted as circulated, including any items added to the Agenda, Carried.

- No member declared a pecuniary interest with any matter as listed on the Agenda, save Deputy Mayor McKinlay with regard to Agenda Item D.12 Request for Relief from the Noise By-Law and employment of his daughter at a neighbouring institution, Mayor Anderson with regard to Agenda Item G.2 and cheques payable to her father and Councillor McKean with regard to Agenda Item G.2 and cheques payable to his place of employment.

- Adoption of Consent Agenda

Moved by: John McGee Seconded by: Cameron Kennedy

THAT the Consent Agenda of May 12, 2008 be adopted as circulated, Carried.

NOTE: Mayor Anderson and Councillor McKean previously declared a pecuniary interest with respect to Agenda Item G.2 and are deemed not to have voted on that matter.

- Previous Minutes

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

THAT the Council minutes of April 28, 2008 be adopted as circulated, including any revisions to be made, Carried.

Council then adjourned for the scheduled Public Meeting.

B. Deputations/Presentations

7:00 pm – PUBLIC MEETING - Official Plan and Zoning By-law Amendments Short Term Accommodation Study

Mayor Anderson then called the scheduled Public Meeting to order with all members in attendance save Councillor Martin, absent due to vacation and explained the purpose of the second statutory public meeting is to consider recommendations of the Short Term Accommodation Study undertaken by the municipality. It is also for the purposes of considering the following changes and amendments.

Changes to the Official Plan Amendment will include minor wording changes and the addition of performance standards.

There are two draft amendments proposed to the Township of Collingwood Zoning By-law, No. 83-40.

The first draft Township of Collingwood Zoning By-law Amendment proposed change would be to identify a further area within the municipality where existing short term accommodation uses would be recognized in the Tyrolean Lane, Arlberg Crescent, Kandahar Lane and Birch View Trail area.

The second draft Township of Collingwood Zoning By-law Amendment would allow for the lands comprised of Lots 1 and 2 and 4 thru 81, Plan 910, known as the Thunder Hill Subdivision to be rezoned from Resort Residential RR Zone to Residential Third Density R3-210 Zone. The only change for this area is the name or label of the category. Exception 210 will allow for existing provisions in the RR Zone to remain in the R3-210 Zone.

There are proposed changes to the Town of Thornbury Zoning By-law No. 10-77.

Ellen then noted if a person or public body that files a notice of appeal of a decision of the Town of The Blue Mountains in respect of the proposed Official Plan Amendment does not make oral submissions at a public meeting or make written submissions to the Town of The Blue Mountains before the proposed Official Plan Amendment is adopted, the Ontario Municipal Board may dismiss all or part of the appeal.

Senior Planner Cindy Welsh than noted Notice of the Public Meeting was published in local newspapers having general circulation in the area and by direct mail and e-mail to those who requested it. Notice was also given by pre-paid first class mail to all landowners within 120 metres of the subject lands identified on the Schedules.

Cindy then noted correspondence had been received from:

- John Fursey – comment on limit of bedrooms in short term accommodation definition and feels this should be increased.
- Penny Preston, Annette MacMaster and Robert Mobbs, Janet Jardine, Betty Ann Sakaluk, and Harvey Wormald – in support of zoning by-law amendments and licensing by-laws.
- Richard Havlicek – property owner of a lot on border of Tyrolean Area and would like his property included in the proposed area which would include all short term accommodation.

- Mary Beth and Peter Sharpe – in support of amendments and licensing by-law but have concerns regarding proposed exempted properties.
- Anne Cauley – comments pertaining to the operation of the Blue Mountain Accommodation Providers Association.
- Chris Watson and Tom Kochuta, and James Twining – property owners in the Tyrolean Area, concerns with proposed zoning change which would permit short term accommodation in the area.
- Tracey Ostermann – not in support of zoning by-law amendments, would like Anne Heggveit Drive recognized as an area where short term accommodation will be permitted.
- Helen Woodward – rental properties should be taxed at commercial rates. The issuing of building permits for these properties should be scrutinized.
- Stanley Makuch, Cassels Brock Lawyers (on behalf of Sheldon Rosen, The Lodges at Blue Mountain Corporation and Blue View Chateaux Inc.) – objecting to the proposed Official Plan Amendment and the Zoning By-law Amendments.
- Krystin Rennie, Travis & Associates Inc. (on behalf of Dr. Ian Cunningham) – representing a property owner of a lot on border of Tyrolean Area and would like this property included in the proposed area which would include all short term accommodation.
- Dan Piggott, Intrawest – concerns regarding licensing by-law, occupancy loads and the definition of short term accommodation.

Cindy then recounted past consideration of the issues, including workshops and a previous Public Meeting, as well as the passing of an Interim Control By-law, which was subsequently appealed, as well as an amendment to the Interim Control By-law to remove lands zoned Residential R6, R7 and R8 from the study, the remaining Residential Zones subject to the study and proposed regulation.

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

Ian Huffman then spoke on behalf of Grey Condominium Corporation (GCC) 31, noting the unit owners share the previously noted concerns of area residents.

Ian then requested GCC 31 be included in the area of regulation for short term accommodation to allow prompt enforcement of any short-term rental issues.

Terry White then spoke on behalf of GCC 38, supporting Mr. Huffman's previous position and request with regard to GCC 38.

John Pineo then spoke on behalf of the Blue Mountain Ratepayers Association, questioning if a clear definition of short term rental accommodation would be included in the By-laws to allow the issue to be clearly addressed, Cindy replying yes.

Solicitor Stan Makuch then spoke on behalf of Sheldon Rosen, The Lodges at Blue Mountain Corporation and Blue View Chateaux Inc., noting opposition to the proposed amendments.

Mr. Makuch noted he did not believe the Town could regulate land tenure versus land use, adding he believed the Planning background study did not support the proposed amendments and provide justification regarding the perceived problems that did not exist.

Mr. Makuch then noted the Town's estimate of legal costs appeared insufficient in his opinion, once appeals of the Interim Control By-law and Amendments are pursued.

Harvey Goldmintz then spoke, questioning if Arlberg Crescent would be included for short term accommodation through to Pilsen Way, Cindy replying yes.

Mr. Goldmintz then noted there are existing By-laws to address many of the issues that exist but these are not being enforced at present, adding there did not seem to be any attempt to work with the short term accommodation providers.

Ruth Kellar then spoke, noting houses now under construction have been advertised for short term rental and questioned if such uses would be grandfathered once advertised, Director of Planning Peter Tollefsen noting the proposed By-law would recognize existing uses but would not permit new uses in the Residential R3 Zone.

Mrs. Kellar then proposed that licencing fees be increased to address any additional Town costs.

John Pineo then spoke, questioning if any grandfathered uses would be subject to licencing, Peter replying yes, further recounting the enactment of the Interim Control By-law to restrict any new uses in the study area.

Jeff Davis then spoke, questioning if short term accommodation would be permitted in the Arrowhead at Blue development, Peter replying short term accommodation was proposed in the R6, R7 and R8 Zones.

Randy Smithson then spoke in opposition to the proposed regulations, noting a landowner should have the right to rent property, his property occasionally rented out since 1980 with no complaints.

Steve Donohue then spoke, questioning the precise definition of short term accommodation, Cindy reading the definition as contained in the draft By-law which was made available to the public prior to the Public Meeting.

Solicitor Paul Peterson then spoke on behalf of Intrawest, Blue Mountain Resort and Intrawest Resort Owners Corporation, noting the majority of the Intrawest property was always intended for short term rental, with regulations now proposed in contrast to the former Official Plan.

Paul then requested the Village Core be exempted from any regulation or performance standards, noting Intrawest had strict control over their rental units with a comprehensive parking study ongoing, all at private cost.

As no-one further wished to speak, Mayor Anderson thanked those in attendance and declared the Public Meeting to be adjourned.

Mayor Anderson then called the Council to back to order.

7:30 pm – Chris Smith, Canada Post – Collingwood L9Y Postal Code

Director of Building and By-law Enforcement David Finbow then provided background on the proposed addressing changes for the L9Y postal code area, containing approximately 945 property titles, noting it was proposed to

change the address to The Blue Mountains from RR 1, 2 and 3, Collingwood. David noted community mailboxes would be installed and rural delivery terminated.

David then introduced Chris Smith of Canada Post, Chris noting mail service would improve with the proposed changes and Canada Post would provide winter maintenance for the mailbox sites.

Chris noted the community mailbox program will galvanize civic addressing with an identified postal site for each property acting as an identified point of call, 166 such units in total to be installed.

Chris noted Canada Post would work with the Town in determining mailbox sites and expansion would be allowed for.

Chris noted delivery of the revised program was proposed for November 2008, with six months free mail re-direct provided, the postal system able to check new and previous addresses for processing.

David then noted that the moniker Collingwood would no longer appear in the L9Y postal code area, with Concession 1 being the first phase of the change.

David then noted residents would be able to post from the community mailboxes as well as receive packages, with a communications plan to be implemented for those affected.

David further noted Blue Mountain Resort had indicated concern with the proposed change given their long-time use of the Collingwood address and location reference, Staff being involved in ongoing negotiations.

Council then concurred to hear questions from those in attendance.

An area resident then questioned if the community mailboxes would be located within gazebos as at the Orchards at Craighleith, David noting the gazebo was constructed by the developer.

Council then dealt with the following Resolution:

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

THAT Council receive Staff Report SRB.08.26 for information purposes, Carried.

C. Correspondence as previously circulated

Council then dealt with the following Resolution:

Moved by: John McKean Seconded by: Cameron Kennedy

THAT this Council does hereby receive the Correspondence of May 12, 2008 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 Postal Addressing Change for a Portion of the Town of The Blue Mountains: Communications Plan, CEDC.08.11

Council then dealt with the following Resolution:

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

THAT Council receive Staff Report CEDC.08.11, "Postal Addressing Change for a Portion of the Town of The Blue Mountains: Communications Plan", for information purposes; and

THAT Council endorse the "Postal Addressing Change for a Portion of the Town of The Blue Mountains: Communications Plan" (attached).

In speaking to the Motion, Councillor Gamble questioned concerns from corporate residents would be addressed before any final decision was made, David noting Staff would attempt to address any concerns or issues, further noting the change would have to happen at some point.

Deputy Mayor McKinlay then questioned if other postal code areas were being considered for change, David noting the L9Y area was the only one under consideration, adding any new postal code addresses had to feature a municipal name rather than area or hamlet.

Council then voted on the Resolution, Carried.

D.2 Community Communications Initiatives, CEDC.08.09

Communications and Economic Development Coordinator Lisa Kidd then reviewed the Report, noting communication initiatives to date and proposed.

Councillor McGee then questioned if there were options for delivery of communications to residents, for example paper copies, Lisa replying a paper option was available for anyone who so requested.

Deputy Mayor McKinlay then questioned the Town web portal, Lisa noting it was a single Internet access point for the most requested documents and information.

Duncan then questioned if Staff could be available for inquiries or interviews with media as Councillors were not always available, Lisa noting media advisories included Staff references and interviews can be organized upon request.

Council then dealt with the following Resolution:

Moved by: John McKean Seconded by: Cameron Kennedy

That Council receive Staff Report CEDC.08.09 'Community Communications Initiatives' for information purposes; and

THAT Council authorize proceeding with the communication initiatives outlined herein.

In speaking to the Motion, Councillor Gamble questioned how information is relayed to ratepayer groups, Lisa noting community partners are copied on all advisories and bulletins.

Council then voted on the Resolution, Carried.

D.3 Award of Tender TBM-2008-28 – Reconstruction of Blues Baseball Diamond and Resurfacing of Lennox Baseball Diamond, DOR.08.15

In speaking to the Recommendation, Councillor Gamble then questioned demand on the ball diamonds, Director of Recreation Shawn Everitt noting 84 youth were registered at present with the Blues diamond the only one with a raised mound, required for Midget baseball.

Council then dealt with the following Resolution:

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

THAT Council approve Staff Report DOR.08.15. "Award of Tender for Reconstruction of Blues Baseball Diamond and Resurfacing of Lennox Baseball Diamond Tender TBM-2008-28 and authorize proceeding with the award of the Tender to Harold Sutherland Construction at a cost of \$54,954.91 (excluding GST), plus an \$8,000 contingency totalling \$62,954.91, which includes the option to install approximately a 15 ft width of sod on the extension of the excavation to the same elevation of infield for transition of infield to outfield, Carried.

D.4 Placement of Gretzky Classic Promotional Banners, DOR.08.16

Council then dealt with the following Resolution:

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

THAT Council receive Staff Report DOR.08.16, "Placement of Gretzky Classic Promotional Banners and allows for the placement of banners on the former Esso Station for the promotion of the 2008 Wayne Gretzky Classic Golf Tournament.

In speaking to the Motion, Councillor Kennedy requested information on the banners, Shawn replying they would be similar to the Telus banners with the Town having input into final design.

Council then voted on the Resolution, Carried.

D.5 Management, Regulation and Use of Parks and Trails, DOR.08.17

Council then dealt with the following Resolution:

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

THAT Council receive Staff Report DOR.08.17, "Parks Use By-law" and refer to the Recreation Committee Recommendation to approve the Parks Use By-law as presented.

In speaking to the Motion, Deputy Mayor McKinlay questioned enforcement of the By-law, Shawn noting the majority of enforcement would be OPP related.

Council then voted on the Resolution, Carried.

D.6 Public Washrooms – Thornbury Downtown Area, DOR.08.18

Director of Recreation Shawn Everitt then reviewed the Report, noting rental of two portable units was proposed for 2008, with funding possible from savings on the ball diamond reconstruction.

Councillor Gamble then noted support for the rental units, questioning location, Shawn noting locations at the former curling club and adjacent to the Hester Street parkette were considered, Bob noting a preference for Hester Street.

Councillor Kennedy then noted concern that only portable structures were being considered given the significant annual support given the Town by the Business Improvement Area.

Director of Finance Rob Cummings then noted any consideration of a permanent facility would not be funded in 2008 unless another capital project was eliminated.

Deputy Mayor McKinlay then questioned if any partnerships had been explored with area businesses, Shawn noting BIA members had driven consideration to date.

Mayor Anderson then noted the portable facilities were an interim use and a permanent facility should be considered in the near future.

Council then dealt with the following Resolution:

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

THAT Council receive Staff Report DOR.08.18, "Public Washrooms – Thornbury Downtown Area" for information purposes as a follow-up to correspondence received from the Thornbury Business Improvement Association, Carried.

D.7 Award of Tender TBM-2008-23 - Acquisition of Personal Computers and Notebooks, IT.08.03

In speaking to the Recommendation, Councillor McGee questioned if any post-use disposal or e-waste services would be offered in the contract, Manager of Information Services Rob Armstrong noting he was not aware of any, such equipment presently recycled at the Landfill site.

John then noted disposition of such material should be built into future tenders.

Councillor Kennedy then questioned how often computers are replaced, Rob replying every three years, the Town having approximately 110 work stations including the Library.

Mayor Anderson then questioned when further information on such environmental issues could be expected, CAO Paul Graham noting Staff had discussed the issue and a Report would be forthcoming in the very near future.

Council then dealt with the following Resolution:

Moved by: John McGee Seconded by: Cameron Kennedy

THAT Council approve Staff Report IT.08.03. "Award of Tender TBM-2008-23 - Acquisition of Personal Computers and Notebooks" and authorize proceeding with the award of the Tender to Dell Computers at a maximum cost of \$743.74 per desktop, \$1,316.30 per notebook with docking station and \$254.99 per monitor (excluding GST) in accordance with the limitations established under the 2008 approved Budget, Carried.

D.8 Town Hall Financial Impacts on Reserves, FS.08.20

Director of Finance Rob Cummings and Capital Accountant Darcy Chapman then reviewed the Report.

Councillor Gamble then noted concern with reduced investment revenue in 2010 if reserves were spent on the project, as well as impact on utility fees and tax monies, in addition to the possibility of lower building user fees in the future.

Councillor Kennedy then questioned waiting to proceed with the project versus increased construction costs if delayed, Rob noting there were not sufficient reserves at present to fund the project, David noting construction cost increases were outpacing investment income.

Deputy Mayor McKinlay then questioned if investment income should have been put back into reserves, Darcy clarifying a reserve fund is an obligatory fund set up by the Town, one example being Development Charges, where money is intended to accumulate and investment income accrue, versus a reserve, which is set up to pay for a particular project or purchase based on an estimated cost and cash flow and acts to reduce financing costs.

Councillor Gamble then noted interest revenue is used to reduce taxation and spending reserves acts to eliminate the income, Rob noting there was an interest revenue budget line that came from different sources, including Local Improvement loans.

Council then dealt with the following Resolution:

Moved by: Cameron Kennedy Seconded by: John McGee

THAT Council receive Staff Report FS.08.20, "Town Hall Financial Impacts on Reserves", for information purposes, Carried.

D.9 Town Hall Project, SRB.08.25

Director of Building and By-law Enforcement David Finbow then reviewed the Report, including progress on the project to date.

Councillor Kennedy then proposed the word "minimum" be placed in Recommendation No. 4 before the term "LEED".

Councillor Gamble then questioned on-street parking given the recent streetscape proposal to remove on-street parking from the Highway corridor, David clarifying that no Bridge Street parking was proposed with perhaps consideration of some parking along Mill Street.

Councillor McKean then questioned retention of the existing building and would preparation of a business plan for the building address existing building deficiencies, David noting the deficiencies should be addressed for validation of any business plan.

Councillor McGee then questioned retention of the existing building, noting a lot of money would be required just for maintenance and Recommendation No. 3 should be deleted.

Councillor Kennedy concurred with deletion of Recommendation No. 3, alternatively proposing the phrase “provided it is financially self-sustainable” be added to the end of the Recommendation.

Deputy Mayor McKinlay then questioned options to remove parking from the Town Hall site to allow development of the community space, David noting given public response to date, the project would fail without an adequate community space, adding adjacent properties may be considered for off-site parking.

Duncan then questioned if a relocation of Mill Street had been considered to allow site development, David replying on a preliminary basis only.

Duncan then proposed that the questions in the Recommendations be separated for individual consideration, Council concurring.

Council then dealt with the following Resolution:

Moved by: Cameron Kennedy Seconded by: John McKean

THAT Council receive Staff Report SRB.08.25; and,

1. THAT Council authorize Town Staff to proceed with the preliminary/schematic design of a New Town Hall having an area of approximately 1,720 square metres (18,500 square feet) orientated towards the intersection of Mill Street and Bridge Street East.

In speaking to the Motion, Councillor McGee then questioned setbacks from the street, David replying a maximum of 6 metres.

Council then voted on the Resolution, Carried.

Council then dealt with the following Resolution:

Moved by: Cameron Kennedy Seconded by: John McGee

THAT Council receive Staff Report SRB.08.25; and,

2. THAT Council endorse in principle Concept B as the “Master Plan” for the Town Hall site – “Phase II Site Plan” save and except for the provision of integral/underground parking (Addendum “A”), Carried

Council then dealt with the following Resolution:

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

THAT Council receive Staff Report SRB.08.25; and,

3. THAT Council endorse in principle the retention of the existing Town Hall for community related purposes for a minimum of five years post the Town vacating the building – “Phase I Site Plan” (Addendum “B”) provided it is self-sustainable.

In speaking to the Motion, Deputy Mayor McKinlay noted retention of the existing building may or may not serve future needs but questioned if the Town should discard a building that may have value, adding Council could consider business plans for future uses as well as demolition at that time.

Councillor McGee then noted if the building was kept for an additional five years just to have it available without a business plan having shown it to be self-sustainable, the Town would accumulate additional costs over that time.

John then noted support for removal of the existing building at this time with the space to be used by the public.

Duncan then questioned if the building could be examined for other uses at this time, David noting a partner may be identified within 24 months but additional project costs are not available to address deficiencies.

Councillor McGee then questioned the retention of the existing building for up to seven years if the project was completed within two years.

Deputy Mayor McKinlay then requested a recorded vote on the matter and Council then voted on the Resolution:

Mayor Anderson,	yay
Councillor Gamble,	yay
Councillor Kennedy,	nay
Councillor McGee	nay
Councillor McKean,	nay
Deputy Mayor McKinlay,	yay

The Clerk then declared as the vote did not carry the Resolution was Lost.

Council then dealt with the following Resolution:

Moved by: Cameron Kennedy Seconded by: John McKean

THAT Council receive Staff Report SRB.08.25; and,

4. THAT Council endorse the principle of the New Town Hall being designed to meet minimum LEED Silver Certification.

In speaking to the Motion, Deputy Mayor McKinlay questioned additional costs if the Silver Certification was exceeded, David replying Staff believe the Silver Certification can be met with the current project cost estimates.

Council then voted on the Resolution, Carried.

Council then dealt with the following Resolution:

Moved by: John McKean Seconded by: Cameron Kennedy

THAT Council receive Staff Report SRB.08.25; and,

5. THAT Council not endorse the provision of a publically accessible conditioning centre within the New Town Hall, Carried.

In speaking to a proposed ad hoc Design Committee, Councillors McGee, Kennedy expressed interest as did Deputy Mayor McKinlay, Duncan questioning meeting

times, David replying during normal business hours to minimize consultant costs, Duncan moving the matter be further considered with a full Council attendance, Council concurring.

D.10 Noise By-law Exception – “Canadian Cancer Society Relay for Life” at Beaver Valley Community School, SRB.08.24

Council then dealt with the following Resolution:

Moved by: D.R. McKinlay Seconded by: R.J. Gamble

THAT Council receive Staff Report SRB.08.24 and authorize an exception from the Town’s Noise By-law, By-law No. 2002-9, so as to permit the making of noise related to the “Canadian Cancer Society Relay For Life” Event at the Beaver Valley Community School, 189 Bruce Street South, on July 18 and 19, 2008, with the condition that no exemption be granted as it relates to music or noise from a PA System or similar amplification system between 11:00 p.m. and 7:00 a.m. and that Town Staff provide notices to neighbouring property owners of the event and specific duration, Carried.

D.11 DQI (Mill Pond Homes), 59 King Street East, Request for Relief from the Noise By-law (Construction Noise, SRB.08.20

Director of Building and By-law Enforcement David Finbow then reviewed the report and distributed correspondence from area residents Anne and Gary Bochna in opposition to the request for relief.

David noted exemptions for construction have been periodically granted in the past, Deputy Mayor McKinlay noting it is not a habit of Council.

Councillor McKean then noted a request for a two year exemption seems excessive, Councillor Gamble noting he could support an exemption for 1 to 2 weeks, Duncan questioning the need for a two year exemption based on lost weather days only.

Council then dealt with the following Resolution:

Moved by: John McGee Seconded by: John McKean

THAT Council receive Staff Report SRB.08.20 and make a determination with respect to the proponent’s request for relief from the Town’s Noise By-law and deny relief from the from the Noise By-law as requested, Carried.

D.12 2071400 Ontario Limited, 53 Bruce Street South, “The Dam Pub”, Request for Relief from the Noise By-law (May 24, 2008) SRB.08.27

NOTE: Deputy Mayor McKinlay declared a potential pecuniary interest with regard to this matter and employment of his daughter in an adjacent business and vacated the Table and did not take part in related discussion or voting.

David Finbow then then reviewed the Report, noting the proponent had not yet identified the significant event other than a deck opening.

Councillor McKean then questioned if it was the same exemption previously granted to Bridges, David replying yes, for a wedding.

Council then dealt with the following Resolution:

Moved by: John McGee Seconded by: John McKean

THAT Council receive Staff Report SRB.08.27 and make a determination with respect to the proponent's request for relief from the Town's Noise By-law and grant relief from the Town Noise By-law as requested, Carried.

E. New and Unfinished Business

E.1 Grey County Council Update

Mayor Anderson reported on a recent Grey County strategic planning exercise, Deputy Mayor McKinlay noting the issues discussed included what roles the County would play in the future, it being left that Staff would collect additional information for report back to County Council.

Councillor Gamble then noted concern with media reports that Court security and landfill management appeared to be considered as County costs and roles, Duncan noting at this point Staff is only collecting information for Council's consideration.

E.2 AMO Board of Directors Update

None

E.3 Notice of Motion

None

E.4 Additions to Agenda

Councillor Kennedy then reported on recent fundraising efforts to assist in the \$8,000.00 entry fee for Town resident Megan Chapman to enter the Ford Wayne Gretzky Nationwide Classic, Cam noting the Thornbury BIA was challenging the Town and the Chamber of Commerce to match a pledge of \$1,000.00.

F. By-laws

F.1 Management, Regulation and Use of Parks and Trails

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

THAT By-law No. 2008 - 44, being a By-law to provide for the management, controls, regulations, maintenance and usage of parklands, trails, open space properties and other public facilities owned or leased by the Town of The Blue Mountains, be hereby enacted this twelfth day of May, 2008.

In speaking to the Motion, Councillor Gamble noted the By-law had received extensive review by the Recreation Committee.

Deputy Mayor McKinlay then noted parking of not more than four cars may preclude wedding photographs in Town parks, Director of Recreation Shawn Everitt noting wedding parties would be granted an exemption.

Council then voted on the Resolution, Carried.

G. Consent Agenda

Accounts

1. Accounts
2. Invoices separated for pecuniary interest (A. Gibson, Miller Waste)

Reports List (Adopt)

3. Recreation Committee, April 24, 2008

Mayor Anderson then spoke to the Recreation Committee Report, questioning why the Committee did not support a revised Committee name, being the Recreation and Youth Initiatives Committee, Councillor Gamble noting Committee discussion included recognition the Committee represented all residents and youth should not be singled out.

Councillor Kennedy then noted it was determined that Recreation addressed the entire spectrum.

Minutes List (Receive)

4. Source Protection Committee, March 18, 2008
5. N.V.C.A., Board Highlights, April 11, 2008
6. Grey Sauble Conservation Authority, April 9, 2008

H. Next Meeting Date(s)

Council May 26, June 9, 23, July 14, August 18, September 8, 2008
Planning Council June 2, July 7, September 3, 2008

All Council meetings to be at the Library unless otherwise noted

Engineering and Public Works Committee, May 13, 2008
Finance and Administration Committee, May 20, 2008
Recreation Committee, May 29, 2008

I. Closed Session

I.1 Thornbury Self Storage Replacement Billboard Request

Moved by: Cameron Kennedy Seconded by: John McKean

THAT with regard to subsection 239(2) of the *Municipal Act, 2001*, this Council do now move into closed session in order to address matters pertaining to litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board;

AND with regard to a previous Council Resolution directing that an appropriate exception to the Town Sign By-law be negotiated with the applicant, being 524614 Ontario Limited, for a billboard sign subject to provision of a Release from any litigation or costs concerning the exception, Carried.

Council moved into closed session at 10:22 p.m.
Council rose from closed to public session at 10:40 p.m.

NOTE: following closed session discussion there was no further consideration of the matter.

Council then dealt with the following Resolution:

Moved by: John McKean Seconded by: John McGee

THAT Council hereby suspends the provisions of the Town Procedural By-law as they would apply to the adjournment of a Council meeting at 11:00 pm, Carried.

I.2 Town Employee Ontario Municipal Employment Retirement System

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

THAT with regard to subsection 239(2) of the *Municipal Act, 2001*, this Council do now move into closed session in order to address matters pertaining to personal matters about an identifiable individual, including Town or local board employees;

AND with regard to consideration of OMERS and its application to Town employees, Carried.

Council moved into closed session at 10:53 p.m.
Council rose from closed to public session at 11:10 p.m

NOTE: following closed session discussion there was no further consideration of the matter.

J. Confirmation By-law and Adjournment

Councillor Gamble then assumed the Chair for consideration of the Confirmation By-Law, it being noted Mayor Anderson, Deputy Mayor McKinlay and Councillor McKean had each earlier declared a pecuniary interest and did not vote on the Confirmation By-law.

Moved by: Cameron Kennedy Seconded by: John McGee

THAT By-law No. 2008 - being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on May 12, 2008, be hereby enacted as passed this twelfth day of May, 2008, Carried.

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

THAT this Council does now adjourn at 11:15 pm to meet again Monday, May 26, 2008, at 7:00 pm or at the call of the Chair, Carried.

.....
Ellen Anderson, Mayor

.....
Stephen Keast, Clerk