

Minutes - The Blue Mountains Council Meeting



MEETING DATE: May 26, 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 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, Director of Finance Rob Cummings 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: Cameron Kennedy
THAT the Agenda of May 26, 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 Mayor Anderson with regard to Agenda Item G.2, Accounts, and a cheque payable to her father and Councillor Kennedy with regard to Agenda Item G.2 Accounts, and a cheque payable to his daughter.

- Adoption of Consent Agenda

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

THAT the Consent Agenda of May 26, 2008 be adopted as circulated, save Agenda Item G.4, Finance and Administration Committee Report of May 20, 2008, Carried.

NOTE: Mayor Anderson and Councillor Kennedy 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: R.J. Gamble Seconded by: John McGee

THAT the Council minutes of May 5, 2008 and May 12, 2008 be adopted as circulated, including any revisions to be made, Carried.

Deputy Mayor McKinlay then clarified during discussion of a Parks Use By-law on May 12, 2008, he questioned if wedding photography would be excluded through a restriction in vehicular parking, Director of Recreation Shawn Everitt confirming wedding and team photography and family events would be exempted from any restrictions.

As business arising from the minutes, Deputy Mayor McKinlay then questioned if any report would be made to Council on Line Fences concerns following the May 5, 2008 Public Meeting for the Dopp Consents, Manager of Development Planning Rob Armstrong noting the Clerk was to have contacted the concerned individual and the matter could be reviewed as possible condition of Consent.

Duncan noted an adjacent resident has concerns as to future maintenance of existing fences with the creation of three lots in the area.

Council then adjourned for the scheduled Public Meeting.

B. Deputations/Presentations

7:05 pm – PUBLIC MEETING – Camperdown Development Charges

Mayor Anderson then called the scheduled Public Meeting to order and explained that Council of the Town of The Blue Mountains had scheduled a public meeting pursuant to *The Development Charges Act, 1997*, regarding proposed updates to the current water and wastewater development charge rates that will be applied to the Camperdown Service Area. It is proposed that enactment of a Development Charge By-law by Council would occur on a date subsequent to this public meeting.

Ellen further noted that Development Charges are levied against new development, and are a primary source of funding for growth-related capital expenditures. The Town of The Blue Mountains services include library, fire protection, park and recreation, public works, roads and related, water and sewer services.

Ellen noted Town Council is required under *The Development Charges Act, 1997*, to hold at least one public meeting to allow the public the opportunity to review and provide comments on the Camperdown Service Area Development Charges Study, April 2008, related staff reports and the proposed Development Charges By-Law. The 2008 Development Charges By-law relates solely to the provision of water and wastewater services provided in the Camperdown Service Area.

Ellen then noted that written submissions are invited and should be directed to the Clerk no later than May 30, 2008. Written comments received prior to the meeting and submissions made at the public meeting will be considered by Town Council to the enactment of a new Town of The Blue Mountains Development Charges By-law – Camperdown Service Area.

Director of Finance Rob Cummings then introduced Craig Binnings of Hemson Consulting.

Craig then noted the background study had been prepared and released, and reviewed work to date on the Camperdown Service Area Development Charges.

Craig then reviewed Town-wide Development Charge and area-specific charges, in this case in Camperdown, based on estimated construction costs, affecting an estimated 1,043 units with waterworks and 1,001 with wastewater.

Craig noted the total cost of the water works was estimated at \$3,851,540.00 with a total growth-related capital cost of \$2,209,363, wastewater being \$7,081,558 and \$5,762,640 respectively.

Craig noted the estimated water charges per unit would be \$2,118 and wastewater \$5,757.

Craig noted this charge was .3% less than the 2005 Development Charge By-law for water and a 37.8% increase for wastewater.

Deputy Mayor McKinlay then noted without the 2008 update, the estimated project costs would be inadequate for the collection of funds.

Councillor McGee then questioned if proposed development was included in the unit count, Craig replying yes. Manager of Development Planning Rob Armstrong clarified unit counts for all development-designated lands were included in the totals.

John then questioned application of the construction cost index to project costs, Craig replying the Development Charges Act allowed only this index to be applied.

John then questioned exemptions for additional living units within existing residences, Craig replying the Development Charges Act recognizes only residential and non-residential uses.

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

Mayor Anderson then called the Council meeting to order.

7:15 pm – Fred Nix, Chair, Wayne Wilson, CAO, Nottawasaga Valley Conservation Authority - Natural Heritage - Species at Risk

Next, as NVCA Chair Fred Nix and CAO Wayne Wilson were in attendance it was Council's pleasure to hear them regarding Natural Heritage and Species at Risk.

Fred noted the NVCA Board attempted to appear before each member municipality to speak on current issues.

Wayne then spoke on biodiversity and the individual species acting as building blocks within the ecosystem.

Wayne noted the Ontario Species at Risk legislation will come into effect on June 18, 2008, with significant penalties applicable to any loss of at-risk habitat.

Wayne noted planning review of development applications provides an opportunity to determine impact on species at risk, the NVCA working with municipalities and the Ministry of Natural Resources to identify species and habitat, with land acquisition an option.

Councillor McKean then thanked Fred and Wayne for attending and questioned at what point are species at risk identified as a priority.

Wayne noted the Niagara Escarpment Plan area would already be mapped with other agencies privy to identified habitat.

Councillor Gamble then questioned status of purple loostrife, Fred noting there had been attempts at controlling it, with the plant not seemingly a front-line issue any longer.

Deputy Mayor McKinlay then questioned why legislation did not reward landowners who discover species at risk, Wayne concurring that would be preferred, with additional Provincial funding always being sought, Fred noting larger conservation authorities will actually rent agricultural land to preserve habitat.

Mayor Anderson then noted a more grass-roots approach may yield more positive results.

As there were no further questions, Fred and Wayne thanked Council and retired from the meeting.

7:25 pm – Tammie Buckler, Breaking Down Barriers – 2008 Fundraising campaign

Next, as Tammie Buckler and Linda Wilson's of Breaking Down Barriers were in attendance, it was Council's pleasure to hear them regarding the 2008 Get Into the Sling of Thinking fundraising campaign.

Tammie then reviewed programs offered by Breaking Down Barriers to area residents, including an accessibility review service for small businesses and counselling services, all aimed at providing an independent living experience.

Linda Davis of Meridian Bank then spoke as chair of the 2008 fundraising campaign, requesting residents consider financial support for the programs.

Tammie and Linda then thanked Council and retired from the meeting, having earlier distributed campaign arm slings for members of Council .

7:35 pm – Robert Burcher, Slabtown resident concerns

Next as Robert Burcher was in attendance it was Council's pleasure to hear him regarding Slabtown residents concerns.

Robert then noted Slabtown residents believed service levels have been reduced in the area and information from the Town involving various projects has not been forthcoming.

Robert then reviewed the history and status of Slabtown, noting the reduced load limit on the bridge has caused concern with regard to winter maintenance, road surface maintenance and refuse collection.

Robert noted an environmental assessment scheduled for 2008 was now deferred to 2009 with proposed bridge upgrades considered for 2010.

Robert then noted resident concerns were initiated in 2004, the road currently filled with potholes and requested the road be gravelled and signed as a narrow road. Robert noted a temporary sand pile on the east side of the river was a concern over last winter, a proposed refuse and sand compound as proposed representing a welcome solution.

David then reviewed the proposed Committee work, a meeting proposed every two weeks with Council participants providing Council's input on various matters regarding the project.

Council then dealt with the following Resolution:

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

That Council appoint Councillor McGee and Councillor Kennedy, being two members of Council, to sit on an ad-hoc Town Hall Project Committee, Carried.

D.2 Public Washrooms – Thornbury Downtown Area, DOR.08.19

Director of Recreation Shawn Everitt then reviewed the Report, noting it was proposed to locate the portable washrooms at the Hester Street Parkette as an interim measure.

Councillor Gamble then questioned practicality of future public washrooms at the Town Hall intended to serve the downtown Thornbury area, Councillor Kennedy concurring. Bob further noted another long term solution should be considered.

Deputy Mayor McKinlay then noted a private-public partnership should be considered regarding any proposed redevelopment in the downtown area.

Mayor Anderson then questioned if the post office location might be preferred, given previous emphasis regarding parkette aesthetics, Shawn noting the facilities would be located to blend in with the parkette wall.

Council then dealt with the following Resolution:

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

THAT Council receive Staff Report DOR.08.19, "Public Washrooms – Thornbury Downtown Area", and approve the site preparation and placement of one accessible, barrier-free portable washroom and one typical portable washroom at a cost of \$4,282.00 from June to December, 2008, including site preparation; and

THAT Public access washroom facilities be identified in the future concepts of the proposed new Town administration facility, Carried.

D.3 Community Improvement Plan – Funding Agreements, PL.08.53

Director of Planning Peter Tollefsen then reviewed the Report, Deputy Mayor McKinlay questioning how the Plan would be implemented, Peter noting there would be an initial implementation phase, a subsequent land use planning phase and an urban design element as parts of the overall program.

Duncan then clarified the program funding is for the creation of planning and design documents only, at this time.

Councillor Kennedy then questioned project timing, Peter replying twelve months to complete the Plan, the Plan itself exploring future funding opportunities as well as incentives that might be offered by the Town.

Council then dealt with the following Resolution:

Moved by: Cameron Kennedy Seconded by: John McKean

That Council receive Planning Staff Report PL.08.53, "Community Improvement Plan"; and

THAT the Mayor and Clerk be authorized to sign the Agreements on behalf of the Municipality, Carried.

D.4 Commercial Front Yard Setback, PL.08.52

Director of Planning Peter Tollefsen then distributed a revised By-law following further Staff discussion and reviewed the Report.

Peter noted the proposed By-law would complement long-range work relating to the Highway 26 streetscape exercise and Community Improvement Plan. Peter noted it was intended to locate future development closer to the street and to encourage parking at the rear of buildings in the downtown commercial core.

Peter noted the proposed By-Law would only affect the Commercial C2 Zone, with front yard setbacks permitted from 1.0 to 6.0 metres.

Deputy Mayor McKinlay then questioned a restriction of parking or loading within the front yard, and questioned if exemptions should be considered, for example, front yard loading/unloading at Mac's Convenience, Peter noting existing uses could continue as legal, non-conforming.

Manager of Development Planning Rob Armstrong noted if any existing properties were redeveloped, they would then comply with the new provisions, with any existing, specific uses able to continue.

Councillor Gamble then spoke, noting concern with the proposed regulations, recounting a previous Thornbury Council decision to move buildings back from the street.

Bob further noted concern that any new construction activity would have to utilize the municipal right-of-way, adding any uses of property should be carried out on private property and a minimum of 1 metre setback is, in his opinion, extreme, noting the minimum front yard setback should be 6.0 metres.

Mayor Anderson then questioned if an increased setback would affect on-site parking, Director of Building and By-law Enforcement David Finbow replying if parking and loading are prohibited in the front yard and the building was also set back 6.0 metres at a minimum there may be insufficient land area to allow adequate parking and loading on-site on some properties.

Councillor McKean then noted sustainability efforts also includes stormwater infiltrating in areas on-site, rather than being piped to a storm sewer.

John then questioned if the Community Improvement Plan should be completed prior to consideration of the By-Law, Peter noting the By-Law could be revisited following completion of the Plan.

Duncan then noted the existing downtown Bruce Street core has a traditional community sense to it, in part because of the proximity of the buildings to the street with a resulting traffic calming effect, a similar effect desired for the Highway 26 corridor.

Mayor Anderson then spoke in support of the By-Law.

Duncan then noted if the By-Law proceeds, the Town will have to manage the Highway 26 corridor differently and more in a manner like the Bruce Street area.

Councillor Gamble then noted the majority of the buildings along First Street in Collingwood all had 15 to 20 foot setbacks, adding he may personally object to the By-law.

Council then dealt with the following Resolution:

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

That Council receive Planning Staff Report PL.08.52, "Commercial Front Yard Setback"; and

THAT Council pass a Zoning By-law Amendment for commercial front yard setbacks to range between 1 metre and 6 metres and restrict parking in the front yard, Carried.

E. New and Unfinished Business

E.1 Grey County Council Update

Deputy Mayor McKinlay then noted a Report had been prepared on the Grey Roots Museum and Archives facility and he would present it at a subsequent meeting.

E.2 AMO Board of Directors Update

None

E.3 Notice of Motion

None

E.4 Additions to Agenda

Council then dealt with the following as an addition to the Agenda:

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

THAT Council does hereby authorize an exemption from By-law No. 2004-34, being a By-law to provide for Road Use Permits for events on public highways, for the 2008 Law Enforcement Torch Run for the Special Olympics scheduled for May 28, 2008 at 1:30 a.m. from Grey Street West to Thornbury Carquest, it being noted the event is organized and controlled by the Ontario Provincial Police and no roads will be closed during the event, Carried.

F. By-laws

F.1 Commercial Front Yard Setback, PL.08.52

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

THAT By-law No. 2008 - 46, being a By-law to revise Commercial front yard setbacks and restrict parking in the front yard within the Thornbury Highway 26 corridor, be hereby enacted this twenty-sixth day of May, 2008, Carried

F.2 Delegation of Certain Power or Authority, EPW May 13, 2008

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

THAT By-law No. 2008 - 47, being a By-law to delegate authority to prepare, maintain, update and administer the Town Engineering Standards to the Director of Engineering and Public Works subject to certain Council approval, be hereby enacted this twenty-sixth day of May, 2008, Carried.

F.3 Prescribing a Motor Vehicle Speed Limit, EPW May 13, 2008

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

THAT By-law No. 2008 - 48, being a By-law to prescribe a speed limit for motorized vehicles of 50 km/hour on a portion of The Blue Mountains/Euphrasia Townline from the 30th Sideroad to a point 800 metres south (Grier Creek bridge), be hereby enacted this twenty-sixth day of May, 2008, Carried.

F.4 Temporary Parking Regulation, EPW May 13, 2008

Moved by: John McKean Seconded by: Cameron Kennedy

THAT By-law No. 2008 - 49, being a By-law to regulate the parking of vehicles on certain roads on a temporary basis during the Ford Wayne Gretzky Classic golf tournament from June 23 to June 29, be hereby enacted this twenty-sixth day of May, 2008, Carried.

G. Consent Agenda

Accounts

1. Accounts
2. Invoices separated for pecuniary interest (A. Gibson, M. Kennedy)

Reports List (Adopt)

3. Engineering and Public Works Committee, May 13, 2008
4. Finance and Administration Committee, May 20, 2008

Chair Gamble then reviewed the Finance and Administration Committee Report, noting a quorum had not been achieved and Council should consider and approve the Report specifically.

Council then dealt with the following Resolution:

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

THAT Council does hereby receive the Finance and Administration Committee Report of May 20, 2008, and does further adopt the Recommendations contained therein.

In speaking to the Motion, Councillor Kennedy questioned charging a fee for a Noise By-Law exemption for family events such as a wedding, effectively a tax, Deputy Mayor McKinlay noting a fee would shift the administration cost to the applicant where a request has been considered and approved.

Director of Building and By-Law David Finbow then spoke, noting exemptions were considered for charitable and family events, adding the proposed fee would likely not cover costs.

Council then voted on the Resolution, Carried.

Minutes List (Receive)

5. Nottawasaga Valley Conservation Authority Highlights, May 9, 2008

H. Next Meeting Date(s)

Council June 9, 23, July 14, August 18, September 8, 22, 2008
Planning Council June 2, July 7, September 3 (Wed), 2008

All Council meetings to be at the Library unless otherwise noted

Engineering and Public Works Committee, May 27, 2008
Finance and Administration Committee, June 17, 2008
Recreation Committee, May 29, 2008

I. Closed Session (If required for discussion of meeting minutes)

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

THAT the closed session meeting minutes of January 22, January 28, February 4, February 5, March 10, April 7, April 28 and May 12 (2), 2008, be adopted as circulated, Carried

J. Confirmation By-law and Adjournment

Deputy Mayor McKinlay then assumed the Chair for consideration of the Confirmation By-law, Mayor Anderson and Councillor Kennedy having earlier declared a pecuniary interest with regard to Agenda Item C.2.

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

THAT By-law No. 2008 - 50, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on May 26, 2008, be hereby enacted as passed this twenty-sixth day of May, 2008, Carried.

Recommended (Move, second)

THAT this Council does now adjourn at 9:30 p.m. to meet again June 2, 2008, 7:00 pm, L.E. Shore Library, or at the call of the Chair, Carried.

.....
Ellen Anderson, Mayor

.....
Stephen Keast, Clerk