

Minutes - The Blue Mountains Council Meeting



MEETING DATE: June 22, 2009

LOCATION: L.E. Shore Memorial Library

PREPARED BY: Stephen Keast, Clerk

A. Call to Order

- Deputy Mayor McKinlay called the meeting to order with all members in attendance, save Mayor Anderson absent due to attendance at a Great Lakes & St. Lawrence Cities Initiative conference and Councillor Kennedy, absent due to surgery.
- Also in attendance was Chief Administrative Officer Paul Graham, Director of Planning and Building Services David Finbow, Director of Recreation Shawn Everitt, Director of Finance Robert Cummings, Deputy Treasurer Elizabeth Thompson, Manager of Revenue Ruth Prince, Capital Accountant Darcy Chapman, Director of Engineering and Public Works Reg Russwurm, Manager of Water & Wastewater Services John Caswell and Library CEO Carol Cooley.
- Council then paused for a moment of Personal Prayer or Reflection.
- Deputy Mayor McKinlay then introduced newly appointed Bluewater District School Board Trustee Paul Wehrle, representing Meaford and The Blue Mountains. Paul then provided contact information and noted he was available for questions at any time.

- Approval of Agenda:

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

THAT the Agenda of June 22, 2009 be approved as circulated, including any items added to the Agenda, unanimously Carried.

The Clerk then noted additions to the Agenda, being Report CAO.09.05, Thornbury Horse Park – Letter of Support, a By-law to adopt Official Plan Amendment No. 16, Complete Applications that should have been considered at the June 8, 2009 Council meeting and consideration of a revision to the Town Hiring Policy.

- No member declared a pecuniary interest with any matter as listed on the Agenda, save
- Adoption of Consent Agenda

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

THAT the Consent Agenda of June 22, 2009 be adopted as circulated, less any items requested for separate review and discussion, unanimously Carried.

Previous Minutes

Moved by: John McGee Seconded by: John McKean

THAT the Council minutes of June 8, 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

None

C. Correspondence as previously circulated

Council then dealt with the following Resolution:

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

THAT this Council does hereby receive the Correspondence of June 22, 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.

In speaking to the Motion, Councillor Gamble noted an appointment is required for the Grey Bruce Regional Economic Development Partnership, CAO Paul Graham noting it is proposed the contract replacement for the Communications and Economic Development Coordinator would attend meetings, timelines to be reviewed prior to confirmation.

Council then voted on the Resolution, unanimously Carried.

D. Motions and Staff Reports

D.1 2009 Thornbury Business Improvement Area Levy, FIS.09.34

Ruth then reviewed the Report, noting the BIA Board had adopted the 2009 Budget at its April 15, 2009 annual general meeting.

Councillor McGee then questioned the status of previously received petitions requesting repeal of the BIA By-law, the Clerk noting Staff continue to review the matter but the petitions did not appear to meet the requirements of the Municipal Act, 2001, adding notice requirements in the Act would represent time constraints that would likely result in any action affecting 2010 operations.

Deputy Mayor McKinlay then questioned if levies would still apply if the BIA was dissolved, Rob noting that would be a Council decision in considering liabilities and assets that might apply to former members.

Councillor Gamble then noted he is not please with the general feeling within the BIA but Council has to live with the current regime and procedures.

Council then dealt with the following Resolution:

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

THAT Council receive Staff Report FIS.09.34, "2009 Thornbury Business Improvement Area Levy" for information purposes;

AND THAT Council enact the By-law to levy a special charge upon rateable property in the Thornbury Business Improvement Area, Carried.

D.2 Town Wide Development Charges Background Study, FIS.09.35

Darcy then reviewed the Report and Background Study consideration to date, as well as proposed capital expenditures.

Darcy then noted unit definition has been reviewed and it is proposed there be four different residential unit definitions based on floor area, versus the previous "unit is a unit" consideration.

Darcy further noted 85 to 90% of the capital projects were included in the previous Background Study, now featuring updated cost estimates.

Darcy then noted Staff are currently proposing a meeting with the development community on July 8, following which the Background Study would be released to the public with a statutory public meeting scheduled for August 10.

Darcy then reviewed Town-wide and area-specific development charges.

Darcy then noted all Environmental Assessment documents have been included to determine optimum servicing levels, 2,100 units of growth projected over the next ten years.

Deputy Mayor McKinlay then questioned if servicing should even be considered for the Clarksburg Service Area in the next ten years given recent efforts and could development charges be deferred in the case of new lot creation, Darcy noting a Town-wide development charge would apply to any new lot and area-specific servicing charges would apply when services were installed.

Duncan then questioned how the different residential unit definitions would apply to local servicing extensions, Darcy noting development charges do not apply to local extensions and they are simply considered on a unit share basis.

Paul then noted the proposed variation in residential rates is intended to encourage a diversity of housing size and market, Duncan noting concern with implementation given a unit is a unit history.

Duncan further noted market variability may drive development, Darcy acknowledging that was a risk, the variable approach working well in other communities.

Councillor Gamble then noted a development charge by-law is intended to have new development pay their costs but noted concern with making new development pay too much, with some proposed Town capital projects perhaps not actually required.

Bob further noted the proposed capital projects would have to be financed until all development charges were collected.

Deputy Mayor McKinlay then noted it was important to engage the development community and to have developers consult the Background Study, as it may be considered that certain capital projects would complement new development.

Councillor Martin then noted Hemson Consulting had earlier stated that high development charges did not appear to discourage development, adding if projects were pulled out of the Background Study they would have to be paid through taxation.

Councillor Gamble then noted the Background Study is estimating capital projects worth tens of millions of dollars and refers to both development charges and taxation sources for funding.

Council then dealt with the following Resolution:

Moved by: Michael Martin Seconded by: John McKean

THAT Council receive Staff Report FIS.09.35, "Town Wide Development Charges Background Study", for information purposes;

AND WHEREAS Council wishes to ensure that Growth-Related Service Needs maintain the same service level as the past ten years and as such, support the ten year capital program contained in the Development Charges Background Study;

AND THAT Council authorize staff to present the proposed Background Study to the Development Community on July 8, 2009;

AND FURTHER THAT Council authorize staff to release the proposed Background Study to the public for comment by no later than July 17, 2009;

AND FURTHER THAT Council schedules a mandatory public meeting to be held on August 10, 2009 or another appropriate date if required to present the Background Study and allow the public to comment.

In speaking to the Motion, Councillor Martin as Mover proposed an amendment to reference "or another appropriate date if required" so as to allow Staff to arrange another meeting date without requiring Council approval, Council concurring to consider the Motion as amended.

Council then voted on the amended Resolution, Carried.

Deputy Mayor McKinlay then questioned if Council wishes a public information session prior to a Council meeting to provide the public additional opportunity to seek information, Darcy to review such a meeting.

D.3 Thornbury BIA Canada Day Events, Correspondence C.1

Moved by: John McGee Seconded by: Michael Martin

THAT Council has no objection to the use of the Municipal Office parking lot by the Thornbury Business Improvement Area on July 1, 2009, for the second annual Canada Day Pancake Breakfast from 7:00 am to 10:30 am, subject to final approval by the Fire Prevention Officer, unanimously Carried.

D.4 Thornbury Horse Park (Cedar Run) – Unopened Road Allowances Within Plan 1035, PL.09.68

Town solicitor John Metras then attended the meeting

David then reviewed the Report and background on the original Industrial Park plan, noting Staff has attempted to solve land ownership issues within the Park prior to considering site plan approval for development of the Horse Park.

David noted Staff are recommending a land exchange that would minimize impact on the potential Horse Park and would maximize value to the Town, including a re-alignment of Clark Street at Grey Road 2 and increased public area contiguous to the Firehall and OPP Station.

David then noted the proponent had earlier this day indicated some concerns with the proposed land exchange, Council concurring the concerns be explained.

Councillor Martin then noted Report D.5, The Cedar Run Corporation – Site Plan Approval should also be considered at this time, David then reviewing the Report, noting outstanding issues with the Grey Sauble Conservation Authority and certain drainage works that also had to be resolved.

David noted Staff felt comfortable in recommending site plan approval for a three week horse show event with no new structures and subject to resolution of the land ownership issues.

David then reviewed the recently received concerns of Cedar Run regarding the proposed land exchange agreement, being land exchanged beyond what would be required for a road allowance, lands being included that extend west up the Clark Street ridge, negative impacts on the site by including excessive lands and land on the ridge and issues related to a proposed EA process.

David noted the final road design cannot be considered until the EA process is complete, then reviewing the options for the Clark Street re-alignment including the recommended option.

Councillor Gamble then questioned where internal traffic from Cedar Run would exit, David noting Grey County would have to approve any entrances on Grey Road 2, the Site Plan Agreement considering two access points onto Clark Street.

Councillor McKean then questioned if the proponent would request land to the north if the EA process recommended the southernmost road option, David replying it was too early in the process to determine.

Deputy Mayor McKinlay then questioned if the site was a conventional residential development would a different process be followed, David noting any new development would construct internal roads, however, in this case the Town is also proposing a re-alignment of Clark Street to address traffic and volume issues.

Duncan then noted some interim land uses are to be considered prior to finalization of design and therefore some flexibility is required at this time.

Councillor Martin then questioned if one of the agreements could stand without the other, David noting the two agreements would have to work together, Town solicitor John Metras noting the two agreements are the first step in the ultimate development of the site.

David then noted some of the matters are the legacy of previous consideration of the relocation of the Collingwood Horse Show.

Michael then noted the two agreements are almost conceptual and if facts change through time, there would have to be flexibility on both sides.

Council then dealt with the following Resolution:

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

THAT Council hear from Cedar Run proponent Peter Lush at this time, Carried.

Peter then reviewed the land exchange options, noting the northernmost road alignment was preferred but without the additional lands being proposed contiguous to the firehall and police station as it impacted a proposed parking area. Peter further noted the proposed alignment also negatively impacted residential development on the westerly ridge if lands were exchanged that included the hill area.

Peter then noted the Horse Park would be successful if it remained financially viable and reduced parking area would mean less capacity in the park, adding he would live with Council's decision.

Duncan then noted the proposed plans were preliminary and subject to the EA process and engineered design.

David then noted the matter was being considered at a very high level and if it was determined that certain features of transferred land were not required they could be returned, as considered in the Site Plan Agreement.

Council then dealt with the following Resolution:

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

THAT Council authorizes the Mayor and Clerk to execute a Land Exchange Agreement with The Cedar Run Corporation ("Thornbury Horse Park") substantially in accordance with the Land Exchange Agreement attached hereto.

In speaking to the Motion, Councillor Martin noted it was important that Council show initiative in moving the project forward and consider the agreement as an example of support for the community.

Council then voted on the Resolution, unanimously Carried.

D.5 Thornbury Horse Park (Cedar Run) – Site Plan Approval, PL.09.69

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

THAT Council hereby conditionally grants Site Plan Approval to The Cedar Run Corporation subject to the following:

- A. The execution and registration of the Site Plan Agreement; and
- B. Resolution of outstanding matters with the Grey Sauble Conservation Authority; and

THAT Council authorizes the Mayor and Clerk to execute a Site Plan Agreement with The Cedar Run Corporation (“Thornbury Horse Park”) substantially in accordance with the Site Plan Agreement attached hereto, Carried.

D.6 Thornbury Horse Park – Letter of Support, CAO.09.05

Paul then reviewed the Report, noting the proponent had requested a letter of support from the municipality in dealing with the Business Development Bank of Canada.

Councillor McKean then noted concern with the Town being involved in a relationship between a lending institution and the development community, Councillor Martin noting the current economic situation has changed the way governments view situations, adding the Business Development Bank of Canada is not an ordinary bank.

Council then dealt with the following Resolution:

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

THAT Council authorize the Mayor or her designate to sign a letter of support addressed to the Business Development Bank of Canada for the Thornbury Horse Park, Carried.

E. New and Unfinished Business

Deputy Mayor McKinlay then reported on recent odour concerns at the Thornbury Wastewater Treatment Plant and Staff actions taken to address the matter.

E.1 Grey County Council Update

None

E.2 Notice of Motion

None

E.3 Additions to Agenda

CAO Paul Graham then reviewed Corporate Policy POL.COR.07.06, Hiring of Employees and proposed a revision which would include volunteer firefighters as being eligible for application to internal job postings, Council concurring with the recommendation.

Council then dealt with the following Resolution:

Moved by: Michael Martin Seconded by: John McKean

THAT Council does hereby approve a revision to Corporate Policy POL.COR.07.06, Hiring of Employees, to include volunteer firefighters as being eligible to apply for internal job postings, unanimously Carried.

Paul then reported on co-operative efforts on a pilot project with Riverside Graphics to operate the Clarksburg Country Market in 2009.

F. By-laws

F.1 2009 Thornbury Business Improvement Levy, FIS.09.34, Report D.2

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

THAT By-law No. 2009 - 44, being a By-law to levy a special charge upon rateable property in the Thornbury Business Improvement Area, be hereby passed this twenty-second day of June, 2009.

In speaking to the Motion, Councillor McGee questioned if the By-law should be deferred to the next meeting so as to allow interested persons to consider the Staff Report, Director of Financial and Information Services Rob Cummings noting as an administrative matter the BIA Board forwards their Budget to the Town for adoption following Board approval.

Council then voted on the Resolution, Carried.

F.2 Capital Sewer Charge – Grey Road 19 and Craigleith Road Sanitary Sewer Works, FIS.09.32, June 8, 2009 Council

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

THAT By-law No. 2009 - 45, being a By-law to impose upon benefiting property owners a capital sewer charge for use of the sewage system and to pay a portion of the capital cost of new sewage works fronting Grey Road 19 and Craigleith Road, be hereby passed this twenty - second day of June, 2009, unanimously Carried.

F.3 Assume Snowbridge Way, Plans 1115 and 1120, Committee Report G.4

Moved by: John McKean Seconded by: Michael Martin

THAT By-law No. 2009 - 46, being a By-law to accept and assume public works constructed in accordance with subdivision agreements in Registered Plans 1115 and 1120 and to establish and assume Snowbridge Way for public use, be hereby passed this twenty-second day of June, 2009, unanimously Carried.

F.4 Temporary Road Closures, Canada Day 2009, Correspondence, June 8, 2009 Council

Moved by: John McGee Seconded by: Michael Martin

THAT By-law No. 2009 - 47, being a By-law to temporarily stop up and close Bruce Street north and Louisa Street between 9:00 am and 4:00 pm on July 1, 2009 for Canada Day celebrations, be hereby passed this twenty-second day of June, 2009, unanimously Carried.

F.5 Official Plan Amendment No. 16

F.4 Tempora

Moved by: Michael Martin Seconded by: John McGee

THAT By-law No. 2009 - 48, being a By-law to adopt Official Plan Amendment No. 16, Complete Applications, be hereby passed this twenty-second day of June, 2009, unanimously Carried.

G. Consent Agenda

Accounts

- 1. Accounts
- 2. Invoices separated for pecuniary interest (None)

Reports List (Adopt)

- 3. Infrastructure and Recreation Committee, June 9, 2009

H. Notice of Meeting Dates

Council 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, June 24, 2009
- Planning Committee, July 6, 2009
- Infrastructure and Recreation Committee, July 14, 2009

I. Confirmation By-law and Adjournment

As there was nothing further before the Chair, Council then dealt with the following Resolutions:

Moved by: John McKean Seconded by: John McGee

THAT By-law No. 2009 - 49, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on June 22, 2009, be hereby enacted as passed this twenty-second day of June, 2009, unanimously Carried.

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

THAT this Council does now adjourn at 9:19 p.m. to meet again July 13, 2009, 7:00 pm, L.E. Shore Library, or at the call of the Chair, unanimously Carried.

.....
Duncan R. McKinlay, Deputy Mayor

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Stephen Keast, Clerk