

Minutes - The Blue Mountains Council Meeting



MEETING DATE: June 28, 2010
LOCATION: Beaver Valley Community Centre,
Small Hall
PREPARED BY: Corrina Giles, Town 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 Engineering & Public Works Reg Russwurm, Senior Policy Planner Cindy Welsh, Director of Planning and Building David Finbow, Manager of Human Resources Tracey McKenna, Planner Bryan Pearce and Solicitor John Metras
- 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 June 28, 2010 be approved 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 Councillor McKean with regard to items C.4 and D.2 included in Agenda Item G.3 and his place of employment.
- Adoption of Consent Agenda

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

THAT the Consent Agenda of June 28, 2010 be adopted as circulated, less any items requested for separate review and discussion, being the Infrastructure and Recreation Committee Report Carried.

NOTE: Councillor McKean had earlier declared a pecuniary interest with regard to Agenda item G.3, Infrastructure and Recreation and did not take part in related discussion or voting.

- Previous Minutes

Moved by: Cameron Kennedy Seconded by: John McKean

THAT the Council minutes of June 14, 2010, be adopted as circulated, including any revisions to be made, Carried.

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

B. Deputations/Presentations

B.1 Clarksburg Business Group Re: Clarksburg Sesquicentennial

Mayor Anderson then welcomed Linda Wykes of the Clarksburg 150th Anniversary Committee.

Linda then spoke thanking Council for their support. Linda referenced the celebration in 1960 and noted a one day party is being planned on June 30 for Clarksburg Sesquicentennial. Linda noted the celebration involves a walking tour around Clarksburg. Linda noted recent upgrades to the road and trail along the river and the Lions Park Upgrade.

Linda then asked that the Engineering and Public Works department consider installing new sidewalks in Clarksburg next year since the street has now been repaved.

Linda then introduced members of the Committee, James Hindle and Debbie Crosskill.

James then spoke referencing a number of events planning in Clarksburg on June 30, including Hammond's Ice Cream Cones and the beard growing contest.

Debbie Crosskill then spoke representing Clarksburg and the Canada Day parade on July 1. Debbie noted currently there are 30 entries in the Canada Day parade and noted the organizers are looking for a great turnout to the events.

Debbie then identified Canada Day events including a pancake breakfast at the Hester Street Parking Lot, cake cutting at 12:00 noon, street vendors, music, a Lion's barbeque and fireworks at Tomahawk.

Debbie then invited all to attend and enjoy the celebrations on June 30 and July 1.

B.2 Jeff Usher, Consultant, Travis & Associates Inc. Re: Terrasan Development

Consultant Jeff Usher then spoke thanking Council for having him as a deputation.

Jeff noted this process commenced in 2007 and reviewed the steps taken since that time.

Jeff noted it has been a good process to work through the issues of the Town, the developer and the community. Jeff noted the Terrasan property consists of 63 acres, each piece of the property being an integral part of the development.

Jeff referenced the issue of Plan 529 and noted a request for a quit claim to Plan 529, noting the developer is willing to work with Plan 529.

Jeff then noted the Ontario Municipal Board ("OMB") makes a decision on a case by case basis and referenced a number of reports and work done to this point and noted it is time to move forward and expressed support for the Staff Report included at Agenda Item D.1.

B.3 Donald Kerr on behalf of Blue Mountain Watershed Trust Foundation Re: Terrasan Development

Donald Kerr then spoke on behalf of the Blue Mountain Watershed Trust Foundation ("BMWTF") and read correspondence to Council regarding the Terrasan property and identified how this potential development could harm the Silver Creek Wetlands ("SCW").

Donald noted a precedent has been established for protection of the SCW and referenced the setbacks ordered at the OMB hearing with the Town of Collingwood with respect to the wetland sensitivity in this area. Donald asked that BMWTF's consultant be permitted to work with Town Staff and the Consultant.

Don then noted there is inconsistency with the current provincial policy and noted he does not support the Terrasan project and strongly object to the development.

B.4 Brandi Clement of Jones Consulting, on behalf of Blue Mountain Drive Ratepayers Association Re: Terrasan Development

Brandi spoke noting Jones Consulting are planners for Blue Mountain Drive Ratepayers Association ("BMDRA") and noted the BMDRA have two key concerns, being the right of way and the waterfront.

Brandi noted with respect to the right of way, that BMDRA are asking the developer to rescind Plan 529 access noting the access is too dense.

With respect to access to the waterfront, Brandi noted the passive uses previously proposed has been elevated to a regional park and further noted the proposed boardwalk should be looped back to the easterly portion of the property.

Brandi then spoke noting specific policies with specific provisions should be included, i.e. limit access points, loop of the boardwalk, definition of a waterfront park for passive uses and for the views and vistas.

Leon Goren, resident at 117 Blue Mountain Drive, then spoke noting he is speaking on behalf of residents in the area. Leon noted the increased density in the area is a concern and noted attainable housing is also a concern. Leon noted that on busy weekends, there can be as many as 200 -250 bathers on the beach, and noted he believes the Town and area residents cannot monitor the beach and the right of way. Leon then referenced the park and boardwalk and questioned where the boardwalk will end and the location of the new right of way access points.

B.5 Gail Arena, Chair of Plan 529 – Users of Block E Association
Re: Terrasan Development

Gail Arena then spoke on behalf of Plan 529 – Users of Block E Association and noted she works on behalf of Plan 529, Block E and noted they wish to preserve the manageable setting with calm surroundings of the right of way on Blue Mountain Drive.

Gail spoke regarding a full relinquishment of Plan 529 and noted the area does not want another busy beach such as Northwinds Beach.

Gail referenced the original proposal and noted the ratepayers are hoping for good relationships with new neighbours.

Gail then provided recommendations to Council.

Gail thanked Director of Planning and Building David Finbow and Jeff Usher for their work and noted she hopes Council will keep the existing landscape undeveloped and will consider the wishes of the existing community.

B.6 Brian Withers, President of Craighleith Woods Community Association
Re: Terrasan Development

the report. David noted the official plan amendment speaks to an average 15 metre buffer and noted the County's consultant was satisfied with this.

David then referenced endangered species and noted the 50 metre setback is being used in this regard.

David then reviewed shorefront issues and noted the Town is attempting to gain shorefront for active public use provided a Scoped Environmental Study supports this. David reviewed the nature of the shorefront and noted it will be beyond a neighbourhood park with a Parks Management Plan, noting such a plan would be completed in cooperation with the Grey Sauble Conservation Authority.

David then reviewed the density issues and height concerns. David referenced the issue of transportation and noted an Environmental Assessment will be completed in cooperation with the Ministry of Transportation and County of Grey.

Councillor Martin then spoke noting concern with the housing mix believing it to be inconsistent with the area and noted he is concerned with how the PPS ties into this development.

Michael then expressed concern with the intensification proposed in this area noting such intensification does not relate to The Blue Mountains and noted there are currently a number of lots in The Blue Mountains that are not sold.

Michael then noted the Report speaks to shorefront, and noted he was under the impression the Town would be provided with 25 metres of shorefront in this area.

Michael then questioned the transportation issue and noted he does not know where the objectives came from and noted he can not support the Report.

Michael further spoke noting he does not believe the proposed official plan amendment is in accordance with the existing Official Plan and believes the Town should stick with the current Official Plan. Michael then expressed concerned with statements that the Town has asked that the density be increased in this development. Michael noted he believes this plan is premature, without a site plan in place.

David then spoke in response, noting the direction included in the Report is in accordance with the PPS and Council's direction reflected by discussions associated with the Community Improvement Plan, Housing Needs Study and Integrated Community Sustainability Plan. David noted the County is the lead for the collection of all provincial ministry comments. David noted Michael is correct with respect to the Official Plan, but noted an Official Plan Amendment is being sought.

David then noted smaller units on smaller lots may not be attainable housing, noting there is no certainty in this, but noted the Housing Needs Study identified a need for smaller lots with smaller houses to hopefully gain attainable housing.

David then spoke to the proposed height in the area noting four storeys is proposed for the institutional building with the possibility of five storeys, subject to Council approval. David then noted intensification is not spoken to in the Official Plan.

Councillor Gamble then spoke noting he has concern with the environmentally sensitive areas and the PSW and proposed walking trails through these areas. Bob believes the wetlands should not have trails through these areas as wildlife will not stay in the area if there are walking trails.

Bob then noted a concern with the five story building and noted the building would be too large for the community and the area and noted this is a passive area with passive standards and noted he believes the building should be reduced to three storeys.

Bob then expressed a concern with the road systems in the area and referenced the previous reference to road networks in the area. Bob noted he may not be able to support the report without these concerns addressed.

David then spoke replying that the trail system is subject to an Environmental Impact Study and noted there are currently trails through the PSW that are paved.

With respect to the roads in the area, David noted a Transportation Impact Statement has been completed that noted two access points are adequate and noted an Environmental Assessment will be completed to address the transportation concerns. David noted Council and the public will have an opportunity to contribute to the Environmental Assessment on what the road right of way will look like in 20 years.

Deputy Mayor McKinlay then spoke questioning if there will be further public involvement, David replying yes through an application for site plan approval, removal of the holding symbol and a Parks Management Plan, which will be subject to Council direction.

Bob then replied to reference to the paved walkways through the PSW and noted these walkways were installed years ago at the Easter Seals Camp for children in wheelchairs and mobility issues.

Councillor Kennedy then spoke questioning dedication of the lands by Fraser and questioned who has the right to be on the beach, David replying the document is clear that the owners within Plan 529 are able to use the beach. David further noted he as Staff will be recommending that the use of the new beach be for all public to use, including Plan 529.

Councillor McGee then referenced the bonus height and believes five storeys is too high. John then noted the proposed development in general terms is in line with the Official Plan.

John then referenced the architectural guidelines and noted most of the development will back on Highway 26, not front on it, David replying that the MTO has rules on setbacks from the highway corridor and noted this setback makes it difficult to address urban design issues, but noted the buildings will have an attractive back end of the buildings as well as from the front end due to the requirement for architectural guidelines.

John then spoke regarding increased density and noted the density included in the report is less than proposed in the Official Plan, David replying the Official Plan notes a permissible increase in density of 50% providing for a maximum yield of 120 units, further noting the Official Plan currently permits a yield of 81 units. David further noted the west end will have a higher density.

David then reviewed bonusing provisions in the Craighleith area in the Official Plan.

Michael then questioned how the bonus density can be justified as referenced the Official Plan. David replying that the proposal includes an official plan amendment.

Duncan then noted this is an official plan amendment, being an amendment to the current official plan. Duncan further noted he is comfortable in the fact that the public process has been significant and trust there will be further public involvement in the decision making process, through the studies to be conducted and then Council can make a decision.

Mayor Anderson then spoke noting she has mixed views on this development, but noted the public process has been good and confirmed the transportation study will be

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

THAT Council receive CAO Report No. CAO.10.11 entitled “Rural Connections Broadband Program Grant Application” and;

THAT Council authorize the Chief Administrative Officer to submit an application to the “Rural Connections Broadband Program – Intake 3” as a priority of Council and;

FURTHER THAT Council commits to securing the remaining project funding should the Grant Application be successful, Carried.

D.3 880618 Ontario Limited – Istvan Lendvay Subdivision – Subdivision Agreement Re: Draft Plan of Subdivision, PL.10.63

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

THAT Council receive Report PL.10.63 and authorize the Mayor and Clerk to execute the Subdivision Agreement between the Developer and the Town for the Draft Plan (the “Subdivision Agreement”) in a form approved by the Director of Engineering and Public Works, the Director of Planning and Building Services, the Director of Financial and Information Services and the Town Solicitor.

FURTHER THAT the Mayor and Clerk are authorized to execute all documents, in forms approved by the Town Solicitor, necessary to complete the transfers and other transactions referred to in the Subdivision Agreement and that the Town Solicitor or his designate is authorized to execute all documents necessary to register the subdivision documents in the Land Registry Office.

In speaking to the Motion, Councillor Gamble questioned if there will be parkland dedication to the Town, Solicitor John Metras replying, no there will be a cash-in-lieu of parkland payment to the Town.

Council then voted on the Motion, Carried.

D.4 The Blue Mountains Sustainable Path Implementation Declaration, EPW.10.082

CAO Paul Graham spoke noting Environmental Initiatives Coordinator Adam McMullin made a presentation to Council on June 14 regarding The Blue Mountains Sustainable Path Implementation. Paul referenced the declarations signed by community partners and noted this Report will authorize the Mayor to sign a declaration on behalf of The Blue Mountains. Paul noted it is important to have Council support the Plan.

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

THAT Council receive Report EPW.10.082 entitled “The Blue Mountains Sustainable Path Implementation declaration” and,

THAT Council endorses The Blue Mountains Integrated Community Sustainability Plan by authorizing the Mayor to sign the Sustainable Path Implementation Declaration on behalf of The Corporation of The Town of The Blue Mountains, Carried.

D.5 Sheffield Park Black History and Cultural Museum

Deputy Mayor McKinlay then spoke questioning if providing this support will preclude the Town from supporting other community groups, CAO Paul Graham replying it may.

Moved by: John McKean Seconded by: Cameron Kennedy

THAT Council does hereby support the Sheffield Park Black History and Cultural Museum in their request for funding from the Ontario Trillium Foundation and Department of Canadian Heritage to assist with their renovations, Carried.

E. New and Unfinished Business

E.1 Grey County Council Update

None

E.2 Notice of Motion

None

E.3 Additions to Agenda

None

E.4 Staff Discussion

E.4.1 Community Improvement Plan, SPS.10.10

Director of Special Projects (Sustainability) Peter Tollefsen reviewed the Community Improvement Plan and noted he is seeking input from Council on priorities. Peter noted the Senior Management Team has completed the same exercise.

Peter then reviewed the Public Realm Improvements for Thornbury, Council prioritizing each improvement.

Peter then reviewed the Public Realm Improvements for Clarksburg, Council prioritizing each improvement.

Peter then reviewed the Public Realm Improvements for Craigeith, Council prioritizing each improvement.

Peter then reviewed the Town wide initiatives, Council prioritizing each improvement.

Peter then reviewed the preliminary financial incentive programs, Council ranking each priority.

Moved by: Cameron Kennedy Seconded by: Councillor McGee

THAT Council receive the Staff Report SPS.10.10 "Community Improvement Plan", CARRIED.

Deputy Mayor McKinlay then vacated the meeting.

F. By-laws

F.1 ICBL Re: Adult Entertainment & Drive-through Facilities

Moved by: John McGee Seconded by: John McKean

THAT By-law No. 2010 - 45, being a By-law to extend the period of time that By-Law 2009-09 will be in effect to January 25, 2011, be hereby passed this twenty-eighth day of June, 2010, Carried.

G. Consent Agenda

Accounts

- G.1 Accounts
- G.2 Invoices separated for pecuniary interest

Reports List (Adopt)

- G.3 Infrastructure and Recreation Committee, June 22, 2010

Councillor Gamble then reviewed the Infrastructure and Recreation Committee Report.

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

THAT the Infrastructure & Recreation Committee Report of June 22, 2010 is hereby adopted, together with all Recommendations contained therein, Carried.

Minutes List (Receive)

- G.4 The Blue Mountains Public Library Board, May 19, 2010
- G.5 The Blue Mountains Police Services Board, June 9, 2010

H. Notice of Meeting Dates

Council July 12, August 9, September 13, 27, October 13 (Wed), 2010
All Council meetings to be at the Library unless otherwise noted

Planning and Building Committee, July 5, 2010
Infrastructure and Recreation Committee, July 13, 2010
Finance and Administration Committee, July 20, 2010

I. Closed Session

Moved by: Michael Martin Seconded by: Cameron Kennedy

THAT with regard to subsection 239.(3.1) of the *Municipal Act, 2001*, this Council do now move into closed session in order to address matters pertaining to the educating or training of Council regarding the Town's policy on naming facilities;

AND at the meeting, members will not discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, Committee or Local Board;

AND litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board regarding pension plans;

AND litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board and an OMB Appeal made by Matesa Enterprises Inc.

Council moved into closed session at 10:25 pm.
Council moved into public session at 11:20 pm.

J. Confirmation By-law and Adjournment

Moved by: Cameron Kennedy Seconded by: John McGee

THAT By-law No. 2010 - 48, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on June 28, 2010, be hereby enacted as passed this twenty-eighth day of June, 2010, Carried.

Moved by: John McGee Seconded by: Cameron Kennedy

THAT this Council does now adjourn at 11:22 p.m. to meet again July 12, 2010, 7:00 pm, L.E. Shore Library, or at the call of the Chair.

.....
Ellen Anderson, Mayor

.....
Corrina Giles, Town Clerk