

Minutes: The Blue Mountains, Committee of the Whole Meeting



MEETING DATE: June 30, 2014
MEETING TIME: 1:00 p.m.
LOCATION: Town Hall, Council Chamber
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 were CAO Troy Speck, Director of Engineering & Public Works Reg Russwurm, Acting Director of Planning & Building Services Jim Dymont, Manager, Building & By-law/CBO Greg Miller, Director of Community Services Shawn Everitt, Manager of Revenue Ruth Prince, Financial Analyst Sam Dinsmore, Financial Accountant Renee Ouellette, Manager of Harbour/Cemetery Ryan Gibbons, Communications & Economic Development Coordinator Elizabeth Cornish, Planner Shawn Postma, Municipal Law Enforcement Officer Luc Proulx.

- 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 June 30, 2014 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.

- Previous Minutes

Moved by: R.J. Gamble Seconded by: Gail Ardiel

THAT the Committee of the Whole minutes of June 9, 2014, be adopted as circulated, including any revisions to be made, Carried.

- Adoption of Consent Agenda

Moved by: John McKean Seconded by: Duncan McKinlay

THAT the Consent Agenda of June 30, 2014 be adopted as circulated, less any items requested for separate review and discussion, Carried.

B. Staff Reports, Deputations, Correspondence

**Finance, Administration and Fire Reports
To be chaired by Councillor Joe Halos**

B.1 Deputations, if any

None

B.2 Staff Reports

B.2.1 Residential Development Charge Categories, FIT.14.40

Moved by: Joe Halos Seconded by: John McKean

THAT Council receive Staff Report FIT.14.40 “Residential Development Charges Categories”; and

THAT Council recommend that Option #1 “Status Quo” is used for the calculation of Residential Development Charges; and

THAT Council direct staff to bring forward a By-law to revise By-law No 2010-18, being a By-law to establish development charges for The Town of The Blue Mountains to the July 14, 2014 Council meeting for Council’s consideration, **CARRIED.**

B.2.2 Follow up to Development Charges Public Meeting, FIT.14.39

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

THAT Council receive Staff Report FIT.14.39 “Follow Up to Development Charges Public Meeting”; and

THAT Council direct staff to revise the draft Roads Development Charge to reflect changes to the Roads Capital Program as a result of updated cost estimates for Thornbury West Arterial and Local Roads program; and

THAT Council direct staff to provide a report at a Special Meeting of Council to be scheduled before August 10, 2014, to outline the impacts of Castle Glen Options Number 2 and Number 3, as outlined in Staff Report FIT.14.39, **CARRIED.**

B.2.3 Treasurer’s Statement 2013, FIT.14.36

Moved by: R.J. Gamble Seconded by: Joe Halos

THAT Council receive Staff Report FIT.14.36, “Treasurer’s Statement 2013”; and,

THAT the Treasurer forward a copy of the Treasurer’s Statement 2013 and this report to the Minister of Municipal Affairs and Housing, **CARRIED.**

B.3.1 2013 Annual Report – Building Fees, FIT.14.38

THAT Council receive Staff Report FIT.14.38 “2013 Annual Report – Building Fees” being a report of the Town of The Blue Mountains’ 2013 direct and indirect costs of delivering services related to the administration and enforcement of the *Building Code Act*, **CARRIED.**

B.3.2 Monthly Financial Report – May 2014, FIT.14.35

THAT Council receive Staff Report FIT.14.35 “Monthly Financial Report – May 2014” for information purposes, **CARRIED.**

B.4 Correspondence, if any

None

**Engineering & Public Works and Community Services Reports
To be chaired by Councillor Joe Halos**

B.5 Deputations, if any

**B.5.1 Don Braden, Blue Mountain Village Association
Re: The Blue Mountains / Collingwood Public Transit**

Don spoke on behalf of Blue Mountain Village Association (“BMVA”) and Blue Mountain Resorts (“BMR”) noting that transit ridership is higher than budget, and that the transit operating cost is better than budget.

Don spoke regarding the expected benefits and actual benefits of the transit.

Don then spoke regarding the gas tax funding and the contributions of each party to the agreement.

**B.5.2 Terry Thompson, Georgian View Estates Ratepayers Association
Re: Guiderails on Indian Circle**

Terry Thompson, 112 Indian Circle, spoke as President of Georgian View Estates. Mr. Thompson noted that residents are concerned with the guiderails placed over the creek in Indian Circle, noting that this is a quiet residential area with 35 homes, and is a dead-end. Mr. Thompson noted that there has not been an accident in this subdivision in 25 years, and that residents feel there is no reason for the guiderails. Mr. Thompson noted that residents are concerned with the lack of notice of the installation of the guiderails from the Town to the residents in this area. Mr. Thompson noted that the guiderails are unsightly and that two to three homes are directly affected by the guiderails running alongside their properties. Mr. Thompson noted that residents at Georgian Bay Estates are concerned with the impact the guiderails will have on their property.

Mr. Thompson then circulated photos of the guiderails to the Committee. Mr. Thompson then questioned if there was a value cost analysis completed and why steel guiderails were used as opposed to wood posts, further noting that some subdivisions have just wood posts, and some have wood posts with wire.

Mr. Thompson then requested that the guiderails be removed and that the speed limit be reduced in the area to reduce any risk. Mr. Thompson then noted that if a valid study identified that the guiderails were necessary, that wood posts and wire should be installed.

Mr. Butterfield, resident at 114 Indian Circle, then spoke noting he is the most effected by the guiderails and that he will pay to have the guiderails removed that face his home.

B.6 Staff Reports

B.6.1 Permanent Collingwood Blue Mountain Transit Service, DOR.14.026

Moved by: R.J. Gamble

Seconded by: Gail Ardiel

THAT Council receive Report DOR.14.026 entitled "Permanent Collingwood Blue Mountain Transit Service", for information purposes;

AND THAT Subject to the Town of Collingwood Council approval, The Blue Mountains Council authorize the Mayor and Clerk to sign the necessary documents to execute a five (5) year agreement with the Town of Collingwood, Blue Mountain Resorts Ltd and Blue Mountains Village Association for the purposes of offering a Permanent Public Transit System, provided that such agreement is to the satisfaction of the Town's solicitor, Chief Administrative Officer and Director of Community Services;

AND THAT Council pre approve a shared purchase of a new bus for the Collingwood Blue Mountains Transit Service in 2015 with the Town of Collingwood to an upset limit of \$220,000 plus HST with funding coming from Federal Gas Tax.

AND THAT Council pre approve the Bus Stop Enhancements Collingwood Blue Mountains Transit Service in 2015 to an upset limit of \$68,000 plus HST with funding coming from Federal Gas Tax.

AND THAT Council authorize the use of the working capital reserve to fund the remainder of the 2014 Public Transit System to an upset limit of \$36,000,

AND THAT Council pre approve the 2015 annual operating cost of \$37,400 in the 2015 base budget to be funded from taxation, with the remaining operational costs in 2016, 2017, 2018, 2019 to be reviewed on annual basis through the budget approval process, **CARRIED.**

B.6.2 I Dock Pre-Approval, DOR.14.29

Moved by: John McKean

Seconded by: D.R. McKinlay

THAT Council receive Staff Report DOR.14.29 "I Dock Pre-Approval";

AND THAT Council grant pre approval for the replacement of the I dock system and its aluminum ramp in the 2015 municipal budget process,

AND THAT the overall cost exclusive of HST does not exceed \$79,000, plus an additional \$10,000 for contingency,

AND THAT an agreement is signed with T&W Enterprises to the satisfaction of the Town's Solicitor, Chief Administrative Officer, Director of Finance and Director of Community Services;

AND THAT Council authorize the Mayor and Clerk to execute the agreement with T&W Enterprises, **CARRIED.**

B.6.3 Response to Inquiry re: Guiderails on Indian Circle, EPW.14.048

Moved by: Ellen Anderson Seconded by: John McKean

THAT Council receive Staff Report EPW.14.048 entitled "Response to Inquiry re Guiderails on Indian Circle" for their information, **CARRIED**.

B.6.4 Award of Engineering Services for Water Distribution Capital Improvements, 2014-13-P- EPW, EPW.14.045

Moved by: D.R. McKinlay Seconded by: Michael Martin

THAT Council receive Report EPW.14.045 entitled "Award of Engineering Services for Water Distribution Capital Improvements, 2014-13-P-EPW";

AND THAT Council approve the award of engineering services for Water Distribution Capital Improvements (2014-13-P-EPW) to C3 Water Inc. in the amount of \$109,968 (excluding HST) consisting of \$99,968 upset fee estimate plus \$10,000 fee contingency;

AND THAT the Mayor and the Clerk be authorized to execute the Engineering Agreement Documents for 2014-13-P-EPW, **CARRIED**.

B.7.1 2014 DWQMS Management Review Outcomes, EPW.14.046

THAT Council receives Report EPW.14.046 entitled "2014 DWQMS Management Review Outcomes" for their information, **CARRIED**.

B.8 Correspondence, if any

B.8.1 Municipality of Grey Highlands Re: Oro Ridge Proposal and road deficiencies on Townline and Sideroad 45

Moved by: Ellen Anderson Seconded by: John McKean

THAT Council of the Town of The Blue Mountains acknowledges receipt of a copy of correspondence from the Municipality of Grey Highlands to Oro Ridge Corporation dated June 2, 2014;

THAT Council of the Town of The Blue Mountains directs staff to forward correspondence to the Municipality of Grey Highlands confirming that the Grey Highlands / Blue Mountains Townline from the property at Part Lot 9, Concession 14, Municipality of Grey Highlands to Grey Road 2 shall not be used as a haul route for the subject property, **CARRIED**.

B.8.2 Samantha Penny Re: Request to Purchase Land, behind 133 Bruce Street

Moved by: D.R McKinlay Seconded by: Michael Martin

THAT Council receive correspondence from Samantha Penny dated June 18, 2014 requesting Council consider selling the strip of land behind 133 Bruce Street, Thornbury, **CARRIED**.

Planning, Building and By-Law Enforcement Reports To be chaired by Councillor Michael Martin

B.9 Deputations, if any

B.9.1 Morley Forsyth, Resident in the Orchard
Re: Proposed Mountain Spring Zoning Change

Paul McGregor spoke noting he has two homes in the Orchard. Mr. McGregor notes that the Lodges at Blue Mountain do many things at Mountain Springs, including linens, and questioned how many employees the Lodges have. Mr. McGregor notes that he has concerns with the staff recommendation to the Committee, further noting that Mountain Springs Lodge is currently operating as an off-site check-in facility, and that there are 92 offsite chalets/cottages for lease.

Mr. McGregor noted that the bylaw cannot be enforced and that he has concerns with the proposal of the laundry facility. Mr. McGregor noted that he does not believe the traffic report is correct, further noting that there are 1200 people arriving Friday night and leaving on Sunday.

Mr. McGregor noted that there are 144 units owned by individuals in the rental pool, and noted he has concern about his property being devalued. Mr. McGregor noted that this proposal is not appropriate in this area.

Morley Forsyth then spoke noting that the Lodges at Blue Mountain are underserviced for the proposed development. Mr. Forsyth noted that 10% of the owners in the Orchard are fulltime residents and that the residents should be protected from this type of development. Mr. Forsyth noted that noise and traffic are a concern, and that the residents of the Orchard will oppose this development to the Ontario Municipal Board. Mr. Forsyth asked that Council refuse the application.

B.9.2 Andrew Pascuzzo, D.C. Slade Consultants Inc.
Re: Proposed Zoning By-Law Amendment, Mountain Springs, GCC#37

Andrew Pascuzzo of D.C. Slade Consultants spoke as consultant for the applicant. Andrew provided the committee with the history of the application. Andrew noted that the report is on the Agenda today for the Committee's consideration. Andrew noted that no new comments have been received, and confirmed that laundry is completed offsite and is delivered to this site for disbursal. Andrew noted that noise and parking has been addressed and the restaurant is open for patrons and guests currently and confirmed the restaurant will not be a pub. Andrew noted that the Traffic Impact Study and peer review have been completed and confirmed the parking is adequate.

Andrew then reviewed what would be permitted on the property if the zoning by-law application was passed by Council. Andrew noted that all information requested by Council has been provided.

Mayor Anderson then questioned the number of units to be serviced by this site, Andrew replying that the client has requested a check-in for 50 offsite units, and noted there are 144 commercial resort units in the building.

Sheldon Rosen then spoke noting the applicant is Mountain Springs Lodge. Mr. Rosen noted that he has leased the property and noted he is following the by-law of the property and has adhered to the provisions of the by-law, and that no complaints have been received. Mr. Rosen noted that he has two to three staff at this site and that the housekeeping staff are offsite. Mr. Rosen noted that many of his staff are mobile and not located at the site, and confirmed that laundry is not done on site.

Mr. Rosen then noted that 1200 guests do not arrive at the location for check-in, further noting that generally one person checks in for each unit. Mr. Rosen noted that it is not a crime to own a short term accommodation unit, further noting that the Orchard residents purchased their property knowing the uses of the site.

Mayor Anderson then questioned if property management is done at this site, Mr. Rosen replying yes, noting that property management includes snow removal and grass

**B.12.1 Board of Directors at Mountain Springs Resort
Re: Mountain Springs**

Moved by: D.R. McKinlay

Seconded by: Gail Ardiel

THAT Council of the Town of The Blue Mountains acknowledges receipt of correspondence from The Board of Directors at Mountain Springs Resort (GCC#37) , **CARRIED.**

C. Public Meetings

Mayor Anderson noted that under the authority of the Municipal Act, 2001 and in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), The Corporation of the Town of The Blue Mountains wishes to inform the public that all information including opinions, presentations, reports and documentation provided for or at a Public Meeting, Public Consultation, or other Public Process are considered part of the public record. This information may be posted on the Town's website and or/ made available to the public upon request.

C.1.1 Public Meeting: Notice of Application Re: Zoning By-Law Amendment, Plan 104, Lot 24, Pt. Lot 23, RP16R2661 Part 2, Susan and Robert McDonald

Mayor Anderson noted that the Planning Department of the Corporation of the Town of The Blue Mountains has received an Application for Zoning By-law Amendment;

AND THAT the Council of the Corporation of the Town of The Blue Mountains will hold a PUBLIC MEETING in the TOWN HALL COUNCIL CHAMBERS, 32 MILL STREET, THORNBURY, ONTARIO, COMMENCING 5:00 P.M. ON THE 30th DAY OF JUNE, 2014, for the purpose of considering an Application for Zoning By-law Amendment.

Ellen noted that the purpose of this Public Meeting is to consider a request to install a secondary suite (basement apartment) within the existing dwelling on the subject lands.

Ellen noted that the effect of this By-law is to permit a secondary suite within the existing home and to establish minimum site standards such as but not limited to exterior entrance requirements and parking requirements.

Ellen noted that the lands subject to this By-law are comprised of PLAN 104 LOT 24 PT LOT 23 RP 16R2661 PART 2, and are locally described as 129 Leming Street Town of the Blue Mountains.

Ellen noted that any person or agency may attend the Public Meeting and/or make written or verbal representation either in support of or in opposition to the proposed Amendment.

Ellen noted that if a person or public body does not make oral or written submissions at a public meeting to the Town of The Blue Mountains in respect of the proposed Zoning By-law Amendment, the person or public body is not entitled to appeal the decision of Town Council to the Ontario Municipal Board; and may not be added as a party to the Hearing of an appeal before the Ontario Municipal Board.

The Clerk noted that Notice was given in accordance with the Planning Act and in response correspondence was received from Grey County Planning and Development.

Planner Shawn Postma then reviewed the application, noting that this application is for a basement apartment and if granted would place an exemption on the property. Shawn then reviewed the planning process for this file.

Rob McDonald, resident 127 Leming Street, spoke noting he and his wife are in the area of an old development and a new development. Mr. McDonald noted that they would like to create a legal secondary suite in their basement, further noting that they have a large driveway to accommodate extra vehicles.

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

C.1.2 Public Meeting: Notice of Application for Consent, B02-2014, Don Gallinger, Scenic Caves Nature Adventures, Part Lot 13, Concession 2

Mayor Anderson read the Notice of Application for Consent and Public Meeting regarding Application for Consent File No. B02-2014.

Ellen noted that the owner is Don Gallinger, the applicant is Scenic Caves Nature Adventures, and the agent is Georgian Planning Solutions

Ellen noted that the purpose of this consent is to consider a request for a lot addition. The request proposes to sever a 14.45 hectare parcel of Escarpment land and deed it as a lot addition to the existing Scenic Caves property for recreational and trail purposes. A 17.1 hectare parcel of Escarpment land will be retained for the existing rural residential use.

Ellen noted that property will have a frontage of 476 m, a depth of 325 m, and an area of 14.45 ha. Ellen noted that the retained parcel will have a frontage of 477 m, a depth of 351 m, and an area of 17.10 ha.

Ellen noted that property has access on an open and maintained municipal street and non-maintained municipal street, and that the property does not have municipal water or municipal sewer.

Ellen noted that land is not subject to an application for official plan amendment or zoning by-law amendment.

Ellen noted that all property owners within 120 metres (legislation requires 60 metres) of the subject land are hereby notified of the above application for consent.

Ellen noted that if a person or public body that files an appeal of a decision of the Council of the Town of The Blue Mountains in respect of the proposed consent does not make written submissions to the Council of the Town of The Blue Mountains before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.

Ellen noted if you wish to be notified of the decision of the Council of the Town of The Blue Mountains in respect of the proposed consent, you **MUST** make a written submission to: Office of the Clerk, P.O. Box 310, Thornbury, Ontario N0H 2P0.

The Clerk noted that notice was given in accordance with the Planning Act and that in response, comments were received from Grey County Planning and Development, and the Nottawasaga Valley Conservation Authority.

Planner Shawn Postma then reviewed the application and noted the severed and retained parcel are identified as “escarpment”, and that recreational uses are permitted.

Consultant Peter Tollefsen, spoke on behalf of Georgian Planning Solutions, and that the Applicant Rob Thorburn, on behalf of Scenic Caves is also present. Peter noted

that the parcel to be severed is 35 acres and that 42 acres is being retained. Peter noted that Mission Road is open for a portion of the frontage of the retained land. Peter noted that the land being severed is currently leased to Scenic Caves and that Scenic Caves also own other neighbouring lands.

Rob Thorburn then spoke noting the land to be severed has been leased by Scenic Caves for 12 years and that Scenic Caves would like to acquire the land for a Nordic Centre.

Councillor Halos questioned if Mission Road is a four season maintained road, Shawn replying yes, further noting that the 12th Sideroad is closed in the winter.

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

C.2 Deputation

None

D. New and Unfinished Business

D.1 Notice of Motion Council

None

D.2 Additions to Agenda Staff

None

E. Notice of Meeting Dates

Council Meeting, July 14, 2014 7:00 pm
Town Hall, Council Chamber

Committee of the Whole Meeting, August 18, 2014
Town Hall, Council Chamber

F. Adjournment

Moved by: Gail Ardiel Seconded by: Michael Martin

THAT this Committee of the Whole meeting does now adjourn at 5:25 p.m. to meet again August 30, 2014, 1:00 pm, Town Hall, Council Chamber, or at the call of the Chair, Carried.

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Ellen Anderson, Mayor

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Corrina Giles, Town Clerk