

Minutes - The Blue Mountains Council Meeting



MEETING DATE: July 14, 2008

LOCATION: L.E. Shore Memorial Library

PREPARED BY: Corrina Giles, Deputy Clerk

A. Call to Order

- Mayor Anderson called the meeting to order with all members in attendance save Councillor Martin, absent due to a previous commitment.
- Also in attendance was Chief Administrative Officer Paul Graham, Director of Engineering and Public Works Reg Russwurm, Manager of Water and Waste Water Services John Caswell, Director of Recreation Shawn Everitt, Deputy Treasurer Elizabeth Thompson, Manager of Development Planning Rob Armstrong, Senior Policy Planner Cindy Welsh and Manager of Purchasing Sherri Adams.
- 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 July 14, 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 Consent Agenda Item G.2, Accounts and a cheque payable to her father, Councillor Kennedy with regard to Consent Item G2, Accounts and cheques payable to Sam Kennedy and Maggie Kennedy and Councillor McKean with regard to Consent Item G.2, Accounts and a cheque made payable to his place of employment, Miller Waste and Agenda Item G.5, Engineering and Public Works Committee Report of July 8, 2008 and award of a tender to his place of employment.
- Adoption of Consent Agenda
Moved by: D.R. McKinlay Seconded by: R.J. Gamble
THAT the Consent Agenda of July 14, 2008 be adopted as circulated, Carried.
- Previous Minutes
Moved by: R.J. Gamble Seconded by: John McKean
THAT the Council minutes of June 23, 2008, Joint Meeting minutes of June 5, 2008 and Planning Council minutes of June 2, 2008 be adopted as circulated including any revisions to be made, Carried.

B. Deputations/Presentations

7:05 pm – Clarksburg Ratepayers Association, Paul Malone, Re: Clarksburg Sewer and Water Project

Next as Paul Malone of the Clarksburg Ratepayers Association (CRA) was in attendance, it was Council's pleasure to hear him regarding the concerns of Clarksburg residents and a proposed servicing project for Clarksburg.

Paul referenced the May 24, 2008 Public Meeting and the sewer and water report introducing services for Clarksburg. Paul noted the Comment Sheets from the Public Information Centre indicated 4 property owners were in favour of proceeding with servicing, 7 were against and some residents being in favour of only water services.

Paul noted the CRA held a public meeting on July 7 with 90 residents in attendance, further noting the CRA surveyed Clarksburg residents and noted 124 were against servicing, 4 were in favour of receiving water servicing only, and 12 were in favour of the full project. Paul reconfirmed the majority of residents do not want servicing. Paul noted expansion of water services in Clarksburg and Osler Bluff will lower Georgian Bay water levels and lowering the water intake pipe into the sediment bed will make the water undrinkable.

Paul further noted that water testing conducted by Ainley & Associates are questionable as one property on William Street had good water test results, but the neighbouring property had poor water results, confirming both properties draw water from the same well. Paul then noted that many residents were advised by the consultants that their wells were contaminated but private testing of the wells resulted in positive results.

Paul further noted the environmental assessment showed the Beaver River being negatively impacted because of the private septic systems though the results were not definite.

Paul noted if only a few residents are in favour of the project and if there is an environmental issue, that the province should correct it, further stating that perhaps just the downtown area is in need of sewer and water services, confirming the CRA is aware that the sewage treatment plant needs to be upgraded.

Paul then questioned if the Town can legally force the residents of Clarksburg to connect to the services, how this will affect the real estate market in Clarksburg, if the water services could be installed now and the sewers done later and who initiated the project, the Town or developers. Paul stated new homes in Clarksburg have new wells and septic systems and are not interested in connecting.

Paul noted that the Town should ask Clarksburg residents if they are interested in these services as many will have financial hardship if the project proceeds.

Paul then questioned if the federal funding is contingent on the province matching the funding.

Mayor Anderson then clarified the reason why, being privacy issues, the Town could not accept the survey results conducted by the CRA.

Deputy Mayor McKinlay then questioned, as Chair of Environmental Services, if members of the CRA would like to meet to discuss concerns and items that may be prudent for residents to understand. Paul Malone replying yes, there needs to be public discussion, Duncan then replying he is receptive to meeting with residents and will meet with staff and Council to schedule a meeting.

Duncan then replied to Mr. Malone's question as to why the issue of servicing arose, noting the issue has been brought forward during the last two or three elections further noting the concept of proceeding with servicing and knowing the actual cost is often quite different. Duncan further noted Council has supported the application to the province to proceed with the project.

Mayor Anderson then spoke, noting the CRA and residents should work with Town committees to address concerns. Duncan further stated he is happy to assist residents to understand the whole picture.

Paul Malone then noted Chris Wilson of Clarksburg would have to pay \$200,000 in servicing costs for his apartment building, further noting the rent will have to be increased to fund the cost.

Mayor Anderson then spoke noting as a resident, she too is concerned with costs, further noting that one day the Province may direct that services have to be installed because of health concerns. Ellen further noted the Town has \$5,000,000 now from the Federal Government, and if this funding is taken away, the Town and residents would have to pay 100% of the cost of services.

Ellen further noted as a resident she does not want to have to pay 100% of the cost of services as the cost to install could possibly triple by that time. Ellen further noted a committee should be formed to work with staff to deal with this.

Paul Malone then questioned how septic systems affect Georgian Bay and how the chlorine from water services would affect Georgian Bay, Ellen replied this issue could be addressed at another time.

Ellen then thanked Paul Malone for his deputation and his hard work preparing his presentation.

Paul Malone thanked Council and noted he will remain in touch.

Next as solicitor Leo Longo was in attendance, Council concurred to consider Agenda D.1 at this time.

D. Motions and Staff Reports

D.1 Short Term Accommodation – Proposed Official Plan Amendment and Zoning By-law Amendments, PL.08.93

Senior Planner Cindy Welsh introduced solicitor Leo Longo and briefly reviewed the draft report.

Deputy Mayor McKinlay then noted he could not review the report prior to the meeting because of technical difficulties.

Cindy noted the Official Plan Amendment and Zoning By-Law Amendments were earlier provided to Council.

Chief Administrative Officer Paul Graham then responded to Deputy Mayor McKinlay's technical difficulties, noting there was a problem with the internet service that caused the system to crash and confirmed this will not happen regularly.

Cindy then reviewed the Official Plan Amendment and noted one issue with Short Term Accommodation is if a land use is capable of definition. Cindy then reviewed changes to be incorporated.

Cindy noted Section 3.4.2(1) of the Official Plan referencing Bed and Breakfast will be changed to "establishment", reference to the number of bedrooms in the short term accommodation use would be replaced with the number of occupants.

Cindy noted Section 3.4.3, Bed and Breakfast, is proposed to be changed to Bed and Breakfast Establishments, Duncan questioning if this would cull out other issues like parking, Cindy replying parking would be dealt with in the Zoning By-law.

Cindy then noted "Ancillary Residential Accommodation" was a term previously used, and further noted this is being replaced with Short Term Accommodation. Cindy further noted the term Medium Density Residential (MDR) is being deleted and replaced with "Commercial Resort Unit".

Cindy noted the Township of Collingwood Zoning By-law Amendment will delete reference to "bedroom" and will replace it with the number of occupants. Cindy further noted Section 3, parking, has been changed to note .5 parking spaces per occupant. Councillor Martin then questioned why one space per occupant would not be required, Cindy replying the justification report shows .5 parking spaces is part of the solution to help address the issue of parking. Cindy then noted ideally all vehicles would be parked on the property.

Solicitor Leo Longo then spoke, noting it is a practical issue to define the number of parking spaces per bedroom. Leo then noted that staff feels that placing a maximum on the number occupants is an appropriate standard. Councillor McGee then questioned who is an occupant, referencing party attendees, Leo replying an occupant is one who is sleeping overnight, not a temporary guest.

Leo then noted that more than 8 persons sleeping in a short term accommodation would be prohibited. Councillor McGee then questioned sleeping in a short term accommodation versus attending an all-night party, Leo replying that enforcement of the by-law is an issue no different than any other by-law enforcement matter and would be determined in by-law enforcement.

Cindy then reviewed Section 23 of the Zoning By-law Amendment, noting properties to be removed from the short term accommodation area.

Cindy noted "commercial resort units" will have to be permitted as a use and the term "single family" will be replaced by "single detached".

Cindy then reviewed Section 23 of the Zoning By-law Amendment and noted the minimum parking requirements will have to be complied with and further stated Section 26 of the Zoning By-law Amendment dealing with occupancy loads, parking requirements and minimum distance will also have to be complied with. Cindy then noted the owners of Part Lot 19, Concession 2 and owner Richard Havlicek requested their properties be included in the short term accommodation area.

Councillor McGee then questioned the rationale in including vacant lots in the short term accommodation Zoning By-law Amendment, Cindy replying the Town wants to define where we want short term accommodation units to be located, John replying the town had a defined area. Cindy then responded that when the area was reviewed it was noted that short term accommodation uses could occur in this general area. Duncan then noted support for defining vacant lots in the short term accommodation area as single family use dwellings should not be located in this area. Leo then noted the proposed use is in addition to single family use and that the lot could be used as a single family use but would have the possibility to change to a short term accommodation unit.

Cindy then noted the Town of Thornbury Zoning By-law Amendment proposing the short term accommodation would be amended to delete reference to 3 bedroom units and replace with maximum 8 occupants. Cindy further noted a proposal to replace "single family detached" with "single detached residential", further noting parking would be changed as well to .5 spaces per occupant.

Cindy then noted there would be no proposed changes to the Zoning By-law Amendment in Castle Glen developments.

Cindy then questioned if Council would request any other changes to be made, Michael then referenced the correspondence received regarding the ICBL appeal and questioned the appeal versus timing and further noted he feels our use is land use planning and then questioned the timing of the Official Plan and Zoning By-law Amendments, Leo responding that the fundamental concept is that people cannot be regulated, but we can regulate land use. Leo further noted that STA is different from a detached single family home, that it takes on a commercial use.

Leo further noted that he believes defining short term accommodation as an actual defined use with a time period is an acceptable way of defining the land use.

Leo then noted he has reviewed cases across Canada and with other lawyers and noted he does not believe the Town should hold back because of potential legal matters and further noted that based on land use, this use can be regulated. Michael then questioned if our concept of short term accommodation is a land use the same as a commercial garage, Leo replying yes, as it is capable of definition.

Michael then referenced enforcement and noted part of it relates to licencing and further noted the Town would not be enforcing under land use, that we would be enforcing under licencing.

Leo noted that the Zoning By-law will state in order to be a lawful use that properties will need to be licenced, further noting that if a property is not licenced, it will not be permitted under the Zoning By-law Amendment. Leo

then noted once a property is licenced, the property owner must advise of the number of occupants. Michael then noted in the initial stage of licencing that there would also be an inspection issue.

Michael then questioned if legal non-confirming uses will comply, Leo replying yes.

Councillor McGee then questioned reference to 30 days or less and stated this term should be consistent and questioned if a property has more than 8 occupants what would be the status, Leo replying it would become a legal non-confirming use and would be allowed to continue, adding if currently more than 8 residents are permitted then after the Zoning By-law Amendment is passed that 8 residents would still be permitted.

John then questioned if enforcement of the Zoning By-law without licencing is possible, Leo replying that Director of Building and By-Law David Finbow is reporting to Council on this and confirmed this is possible without licencing.

John then questioned how the town would deal with sub-letting, Leo replying the by-law encompasses this, less than 30 days occupancy regardless if the property is being sub-letted. Leo further confirmed renting for more than 30 days is a more stable manner of renting and sub-letting is no different.

Deputy Mayor McKinlay then questioned if there are any legal non-confirming properties, Leo replying "residential" was broadly defined and there is a good argument that short term accommodation uses did so lawfully at the time.

Cameron then questioned if an existing legal non-confirming rental is licenced, can it be regulated after the By-law is passed, Leo replying that case law suggests the site plan agreements cannot change, but further noted he will review the matter.

Michael then questioned if the Town could get a ruling from the OMB regarding the use of land and what the process would be, Leo replying that landowners normally would do this, not the municipality and that the remaining appellant is waiting for the OMB to make a ruling. Leo further noted that the OMB does not give rulings the same as a court would, noting the Town would have to pass a By-law and proceed to the OMB.

Duncan then questioned if Leo would be available on another occasion to discuss this matter should it not be passed this evening, Leo replying yes.

Cindy then spoke noting this report is for information purposes only.

Ellen noted this is a difficult issue and would invite council to call on Leo Longo with any questions, Leo then noting the Town is a lot further ahead on this issue than 12 – 18 months ago.

Ellen thanked Leo for his attendance and Leo retired from the meeting.

Duncan then clarified the Report is for information purposes only, Cindy replying yes. Duncan then questioned if the Official Plan and Zoning By-law Amendments will not be passed until the entire package is received, Cindy replying yes.

Council then dealt with the following Resolution:

Moved by: Michael Martin Seconded by: Cameron Kennedy

THAT Council receive Planning Staff Report PL.08.93, Official Plan Amendment and Zoning By-law Amendments, Short Term Accommodation;

AND THAT Council endorse in principle the draft Official Plan Amendment and Zoning By-law Amendments as a foundation for developing requirements of licensing.

In speaking to the motion, Duncan then noted support for the Report, confirming it has been received and he is endorsing it in principal, but further noted he believed more information would be necessary.

Council then voted on the Resolution, Carried.

C. Correspondence as previously circulated

Councillor Kennedy then moved that Agenda Item C.1 be pulled for further discussion.

Council then dealt with dealt with the following Resolutions:

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

THAT this Council does hereby receive the Correspondence of July 14, 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.

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

THAT Council reconsider the request made in Agenda Item C.1, Noise By-law exemption request, Bridges Tavern.

In speaking to the Motion, Councillor Martin then noted Council previously made a decision on this matter. Mayor Anderson then spoke, noting she encouraged the writer to write to Council as the request had been granted the previous year, but then rejected this year and confirmed the discrepancy should be dealt with.

Council then voted on the Resolution, Carried.

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

THAT in order to be consistent with a previous decision made in 2007 and given that no complaints were received, Council does hereby grant the Noise By-Law Exemption to Bridges Tavern for August 30, 2008 from 7:00 p.m. to 11:00 p.m.

In speaking to the Motion, Councillor Martin noted one fact is incorrect, that he called Bridges at 11:30 p.m. and 12:15 p.m. and asked that the music be shut down and also called the Ontario Provincial Police, further noting he has a record of the noise complaints against this applicant.

Councillor McKean then questioned if the Town was using the Policy and Procedure regarding Criteria and Process for Noise By-Law Relief Requests in 2007, Direction of Building and By-Law David Finbow replying no, the Policies and Procedures were recently adopted.

Duncan then questioned if this event meets the criteria set out in the Policy and Procedure regarding Noise By-Law Relief Requests, further noting it is a matter of perspective, David replying the Policy document indicates criteria, noting there are numerous items listed and confirmed it is up to Council to decide.

Cameron then noted this request would be addressed under tourism and statutory holidays.

Councillor Gamble then noted he is in support of the request as the Town should support commercial enterprises.

Michael then spoke, noting he is in agreement in supporting commercial business but questioned why Council is supporting a business that consistently does not abide by the rules.

Council then voted on the Motion, Carried.

D.2 Craigleith Depot/Georgian Triangle Tourist Association Agreement, DOR.08.34

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

THAT Council receive Staff Report DOR 08 34 "Craigleith Depot/Georgian Triangle Tourist Association Tourist Information Services Agreement" and authorize The Clerk and Mayor to Sign and execute the Agreement, Carried.

D.3 Development Agreement Execution Authorization, PL.08.90

Moved by: John McGee Seconded by: John McKean

THAT Council does receive Staff Report #PL.08.90, "Development Agreement Execution Authorization"; and

THAT Council endorse the execution of any of the following Agreements by the Mayor or Deputy Mayor and Clerk based on the comments contained in the Staff Report:

- 1 Peaks Bay - Subdivision Agreement
- 2 Second Nature – Subdivision Agreement
- 3 Eden Oak – Subdivision Agreement
- 4 Georgian Glen – Subdivision Agreement

Subject to approval by the Town Solicitor, Director of Engineering and Public Works, Manager of Development Planning and Director of Finance; compliance with all current Town polices and any applicable Planning Approval, and; "Accepted for Construction" drawings being issued by the Director of Engineering and Public Works.

In speaking to the Motion, Councillor Gamble questioned the location of the Second Nature Subdivision, Manager of Planning Rob Armstrong replying it is the next phase of Westbrook.

Council then voted on the Resolution, Carried.

D.4 Application for Consent, B04-2007, Catapano & Larosa, Lot 35, Plan 824, 149 Kandahar Lane, PL.08.75

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

THAT Council does receive Planning Staff Report PL.08.75, "Application for Consent File No. B04-2007, Andrew Catapano & Lidia Larosa"; Lot 35, Plan 824;

AND THAT Council does hereby grant approval to Application for Consent File No. B04-2007, subject to the following conditions:

1. A Zoning By-law Amendment to rezone the subject lands from the Residential (R5-43) zone to the Residential (R4) zone.
2. The re-establishment of the former swale along the north side of the property, or other suitable alternative, for drainage purposes to the satisfaction of the Town's Engineering and Public Works Department, Carried.

D.5 Application for Consent, B04-2008 and B05-2008, Narapan Dopp, Lot 2, Part Lot 3, Concession 5, PL.08.88

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

THAT Council does receive Planning Staff Report PL.08.88, "Application for Consent, File No. File No. B04-2008 and B05-2008, Lot 2 Part Lot 3, Concession 5, Town of The Blue Mountains";

AND THAT Planning Staff support Application for Consent File No. B04-2008 and B05-2008, subject to the following conditions:

1. A mutual agreement between the applicant and the adjacent landowner Dale Eagles for the repair and replacement of the damaged portions of fence along the common property line.
2. That an Entrance Permit is available for the Severed and Retained Parcels.
3. The Payment of applicable Development Charges;
4. The Payment of applicable Parkland Dedication Charges.

In speaking to the Motion, Deputy Mayor McKinlay questioned if an agreement had been reached between the owners regarding the fence at the rear of the property, Manager of Planning Rob Armstrong replying the fence will be repaired and replaced, Duncan replying a fence cannot be repaired and replaced, Rob further replying the owners of the subject property will repair or replace the fence similar to the balance of the fence on the property.

Duncan further questioned if the shares of the fence were defined, Rob replying that property owner Dale Eagles will be responsible for more fence after the severance.

Council then voted on the Resolution, Carried.

- D.6 Application for Consent, B11-2008, Jacek Stepniak, Part Block 'A', Plan 807, Parts 8, 9, 10, 11, 13 of 16R-1767, PL.08.89

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

THAT Council receive Planning Staff Report PL.08.89, "Application for Consent File No. B11-2008; Jacek Stepniak; Part Block 'A', Plan 807. Parts 8, 9, 10, 11, 13 of 16R-1767; Town of The Blue Mountains.

AND THAT Planning Staff support Application for Consent File No. B03-2008, subject to the following conditions:

1. NIL

Carried.

- D.7 Community Exchange Program Team, CEDC.08.12

Mayor Anderson noted Communications and Economic Development Coordinator Lisa Kidd is seeking volunteers for this team and questioned if a Staff person could be appointed, Chief Administrative Officer Paul Graham replying that a Council member is being sought as one of the five members. Paul further noted the Town of Gravenhurst would have a Council member on their team as well.

Ellen then noted Council is interested, but it is also a time issue.

Duncan then questioned what date in September had been chosen and when would the follow up visit be, Paul replying the full group had not been established yet, and that the tour dates would be determined by the group, further noting the town of Gravenhurst will not be aware the group is visiting and Gravenhurst would do the same with the Town. Paul further noted the follow up visit would be later and that the five members would visit Gravenhurst together.

Councillor Kennedy then noted, depending on the date, that he may be interested.

Council then dealt with the following Resolution:

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

THAT Council receive Staff Report, CEDC.08.11, "Community Exchange Program Team"; and

THAT Council appoint one member of Council, Cameron Kennedy, to be part of the Community Exchange Program Team, Carried.

- D.8 Application for Zoning By-law Amendment to remove Holding Symbol – Peaks Meadows – Phase 1 and 2. PL08.91

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

THAT Council does receive Planning Staff Report PL.08.91, "Application for Zoning By-law Amendment to remove Holding '-h' Symbol – Peaks Meadows Phase 1 and 2, Part Lots 25 and 26, Concession 6, Registered Plan 16M-20 Town of The Blue Mountains";

AND THAT Planning Staff supports a Zoning By-law Amendment to remove the Holding '-h' symbol for a portion of Phases 1 and 2 (44 single detached units), Carried.

D.9 Application for Zoning By-law Amendment to remove Holding Symbol – Keepers Cove – Phase 1, PL08.92

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

THAT Council does receive Planning Staff Report PL.08.92, "Application for Zoning By-law Amendment to remove Holding '-h' Symbol – Keeper's Cove Phase 1, Part Lots 3, Plan 1032 Town of The Blue Mountains";

AND THAT Planning Staff supports a Zoning By-law Amendment to remove the Holding '-h' symbol for the remainder of Phase 1 (28 single detached units), Carried.

D.10 Ontario Municipal Board Decision, Lot 4, Plan 880, 104 Margaret Drive, Consent B25-2007 - Elka Seccombe

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

THAT Council receive Memorandum dated July 14, 2008 regarding Ontario Municipal Board Decision, Lot 4, Plan 880, 104 Margaret Drive, Consent No, B25-2007 – Elka Seccombe, for information purposes, Carried.

Chief Administrative Officer Paul Graham then spoke, noting Planner Shawn Postma represented the interests of the Town at the Hearing and noted the OMB member complimented Shawn on his testimony and that staff as well commended Shawn on this matter. Deputy Mayor McKinlay then reviewed the Hearing decision and noted Shawn represented the Town in a professional manner.

D.11 Lucille Wheeler Crescent Watermain Tender 2008-45, EPW.08-83

Manager of Water and Wastewater John Caswell then noted additions to the Recommendation included in the initial Report and noted Staff is recommending the amended Recommendation.

Councillor McGee then questioned if there was any explanation as why the engineer's estimate is increased by 40% over the latest estimate, John replying that the tender was not placed in the papers and that contractors had been contacted but the project came in more than budgeted for. Councillor McGee then noted work being done by consulting firms is troubling and questioned what can be done to get better value.

Councillor McKean then spoke, noting there has been a huge increase in costs because of fuel prices and no one could have foreseen this increase. John McGee replying a 40% increase from the latest tender is significant. John McKean then noted there are a lot of construction projects out there at the present time and the Town is fortunate that contractors are bidding on a job that is worth less than \$100,000.

Deputy Mayor McKinlay then noted estimates should be updated to keep current.

Council then dealt with the following Resolution:

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

THAT Council approve awarding of Tender TBM-2008-45 Lucille Wheeler Crescent Watermain to B & J Contracting in the amount of \$89,040.00 and

THAT Council approve increasing the project budget for the Lucille Wheeler Crescent Watermain (TBM-2008-45) by \$29,040.00, to \$89,040.00 as outlined in Report EPW.08.83, and

FURTHER THAT the Mayor and Clerk be authorized to execute the Contract Documents for TBM-2008-45, Carried.

E. New and Unfinished Business

1. Grey County Council Update

Deputy Mayor McKinlay then noted open houses for the Five Year Official Plan have been completed and noted they were lightly attended by the public. Duncan further noted the information can be obtained on the County website and that comments were received from most municipalities and the County will need to determine what policies will be adopted.

Mayor Anderson noted she recently attended the sod turning for the affordable housing project in Owen Sound.

Duncan then noted the County is receiving concerns on the new County road from Ravenna to Scenic Caves and that the Grier Creek Bridge construction is underway.

Councillor Gamble then noted concern with the County level on decisions on proposed projects at Craighleith and the cost share of waste management issues. Duncan replied that he too is concerned, noting that waste management had never been dealt with at the County level but now the County is reconsidering, including cost sharing versus user pay, noting the Town would favour a user pay system.

2. AMO Board of Directors Update

None

3. Notice of Motion

None

4. Additions to Agenda

Manager of Purchasing Sherri Adams then reviewed a Report, noting Grey County invited the Town join its tender for fuel products and that the Tender was just received.

Council then dealt with the following Resolution:

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

THAT Council receive Staff Report #FS.08.32 Award of Tender #GCH 12/2008, Supply and Delivery of Various Fuel Products and;

THAT Council authorize the award of the tender for the Town's Fuel Supply to Bird Fuels at a price of \$0.0350 above the Daily Rack Price for Furnace Oil and \$0.0250 above the Daily Rack Price for various fuel products, excluding Federal Excise Tax (FET), Provincial Fuel Tax (PFT) and GST, for a contract period of two years upon execution of the contract and;

FURTHER THAT Council authorize the Mayor and Clerk to sign the appropriate contract agreement as approved by the Town's contract Solicitor, Carried.

F. By-laws

F.1 Removal of Holding Symbol – Keeper's Cove

Moved by: John McGee Seconded by: Michael Martin

THAT By-law No. 2008 - 71, being a By-law to remove the Holding (-h) symbol from the lands lying and being in Keepers Cove, Phase 1, Part Lot 3, Plan 1032, be hereby enacted this fourteenth day of July, 2008, Carried.

F.2 Removal of Holding Symbol – Peaks Meadows –

Moved by: Cameron Kennedy Seconded by: John McKean

THAT By-law No. 2008 - 72, being a By-law to remove the Holding (-h) symbol from the lands lying and being in Peaks Meadows, Phase 1 and 2, Part Lots 25 and 26, Concession 6, Registered Plan 16M-20, be hereby enacted this fourteenth day of July, 2008, Carried.

Deputy Mayor McKinlay then questioned if Council wished to deal with the deputation of Paul Malone of the Clarksburg Ratepayers Association.

Councillor Kennedy then requested clarification on the status of the project to date, Director of Engineering and Public Works Reg Russwurm noting the conceptual design is completed, further noting it is a broad look at the project. Reg then noted the preliminary design will be completed in the fall and will consider phasing options and will look at unit count and costs further. Cameron then noted it interesting that the media release from the Federal Government was executed by two ministers, one being the Minister of Health.

Councillor Gamble then noted the serious long term impact if the Town does not proceed at this time and noted that a strong public document should be prepared to clearly identify the reasons why the project should proceed, Mayor Anderson concurring.

Ellen then noted an education process would be helpful for residents.

Duncan then stated he wants to do as Council wishes and noted we have an obligation to the community to provide information and answers.

Council then dealt with the following Resolution:

Moved by: Michael Martin Seconded by: John McGee

THAT the remarks of Paul Malone of the Clarksburg Ratepayers Association should be referred to Engineering and Public works for recommendation to council, Carried.

G. Consent Agenda

Accounts

1. Accounts
2. Invoices separated for pecuniary interest (Albert Gibson, Miller Waste, Sam Kennedy and Maggie Kennedy)

Reports List (Adopt)

3. Recreation Committee, June 19, 2008
4. Finance and Administration Committee, June 24, 2008
5. Engineering and Public Works Committee, July 8, 2008

Minutes List (Receive)

6. NVCA Board Highlights
7. GSCA Source Protection Committee

H. Next Meeting Date(s)

Council August 18, September 8, 22, 2008, October 15 (Wed), 27, 2008
Planning Council September 3 (Wed), October 6, 2008

All Council meetings to be at the Library unless otherwise noted

Engineering and Public Works Committee, August 12, 2008
Finance and Administration Committee, August 19, 2008
Recreation Committee, August 28, 2008

I. Closed Session

None

J. Confirmation By-law and Adjournment

Councillor McGee then took the chair due to previous pecuniary interests having been declared by Mayor Anderson and Councillors Kennedy and McKean.

Councillor Martin then noted a suggestion that Council abandon the Committee of the Whole practice, Mayor Anderson noting Council will consider this.

Michael then questioned if the County consults the Town on road closures, Deputy Mayor McKinlay replying no.

Moved by: D.R. McKinlay

Seconded by: R.J. Gamble

THAT By-law No. 2008-73, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on July 14, 2008, be hereby enacted as passed this fourteenth day of July, 2008, Carried.

Moved by: Ellen Anderson

Seconded by: Cameron Kennedy

THAT this Council does now adjourn at 9:31 pm to meet again Monday, September 8, 2008, at 7:00 pm or at the call of the Chair, Carried.

.....
Ellen Anderson, Mayor

.....
Corrina Giles, Deputy Clerk