

## Minutes - The Blue Mountains Council Meeting



**MEETING DATE:** August 8, 2011

**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 was CAO Troy Speck, Director of Engineering & Public Works Reg Russwurm, Director of Planning and Building David Finbow, Communications and Economic Development Coordinator Lisa Kidd, Manager of Water and Wastewater Services John Caswell, Chief Librarian Carol Cooley, Event and Youth Coordinator Peter McGee and Town Solicitor John Metras.

- Council then paused for a moment of Personal Prayer or Reflection.
- Approval of Agenda:

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

THAT the Agenda of August 8, 2011 be adopted as circulated, including any items added to the Agenda, being an addition at agenda item G.3.1 Report DOR.11.57 Cedar Run Horse Park Rodeo Event Noise By-Law Exemption and G.3.2 Report DOR.11.59 Noise By-Law Exemption for Peak to Shore Festival, Carried.

- No member declared a pecuniary interest with any matter as listed on the Agenda save Councillor McKean with regard to Agenda Item F.2 Invoices and his place of employment and a family member's employment, Councillor Ardiel with regard to Agenda Item D.8 Apple Promotion Initiative and F.2 Invoices and a family member's employment and Councillor Halos with regard to Agenda Item D.9 Request for Expression of Interest (RFEI) for the former Town Hall with regard to interests in a commercial tenancy.
- Adoption of Consent Agenda

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

THAT the Consent Agenda of August 8, 2011 be adopted as circulated, less any items requested for separate review and discussion being Agenda item F.5 Planning and Building Committee Report dated August 3, 2011, Carried.

NOTE: Councillor McKean and Councillor Ardiel having earlier declared a pecuniary interest did not participate in related discussion or voting.

- Previous Minutes

Moved by: John McKean                      Seconded by: Gail Ardiel

THAT the Council minutes of June 27, 2011 and July 11, 2011, 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/Public Meetings**

### **B.1 John Cottrill, Chief Administrative Officer, Grey Sauble Conservation Authority Re: Haines Dam, Decommissioning Study**

Dick Hibma spoke noting it is a privilege to be here as Chair of the Grey Sauble Conservation Authority (GSCA) and congratulated Council on the new Town Hall building.

Dick then referenced the recent Public Meeting regarding the Haines Dam.

John Cottrill, Chief Administrative Officer spoke referencing his April attendance at Council where it was agreed that a Public Open House would be held regarding the Haines Dam. John noted there was overwhelming support to GSCA to remove the Dam.

John noted the Board recommended decommissioning the structure and has applied for and received funding for similar decommissioning. John noted a study would be completed for possible removal of the dam in 2012.

Councillor Gamble questioned if 100% of the cost for removal will be covered by GSCA. John advised that 50% of the cost would come from the funding from the Ministry of Natural Resources (MNR) and the other 50% from GSCA thru levies.

Councillor Halos then questioned what studies are needed for removal of the Haines Dam. John Cottrill replying a study to assess the quality of the material behind the dam, and further noted that permits are required from the Department of Fisheries and Oceans Canada and the Ministry of Natural Resources for the removal of the Dam.

Moved by: Gail Ardiel                      Seconded by: John McKean

THAT Council support Grey Sauble Conservation Authority to proceed with the decommissioning and removal of the Haines Dam located in Clarksburg, Carried.

Mayor Anderson thanked John for his work with Grey Sauble Conservation Authority.

### **B.2 Lorne Shiff, Representing Developer's Group Re: Subdivision Agreement Template**

Lorne Shiff spoke on behalf of the Developer's Group and noted the concern of the development industry is that financing is challenging at this time due to the economic climate and noted financial institutions have concern with the 50% built on before the municipality will assume a development.

Lorne spoke regarding 2 year assumption of the development noting the municipality can then collect taxes to pay for the road and waste collection. Lorne noted developers have concern with the proposed five year period because of insurance and because it is well beyond the 2 year industry standard.

Lorne then noted developers will find it difficult to continue with development if assumption increases to 5 years. Lorne noted he understands the Committee position, but is asking that they reconsider.

Mayor Anderson thanked Lorne for his attendance.

George Fleming then spoke stressing the financial impact that will be imposed on developers and noted a signed subdivision agreement is required by the banks and lawyers on closing of a transaction.

George noted developers will be unable to pre-sell lots before the subdivision agreement is signed and registered. George asked that the Committee discuss this provision again.

Councillor Martin then spoke noting there is a problem in the Report on this evening's Agenda at D.1 and reiterated Mr. Fleming's comments that financial institutions are not comfortable with a 5 year requirement. Michael then noted it was his understanding that a representative of the Town was going to speak with the financial industry to obtain their input.

**B.3 Alex Fleming, Representing Georgian Triangle Development Institute  
Re: Subdivision Agreement Template**

Alex Fleming spoke on behalf of the Georgian Triangle Development Institute ("GTDI") noting the GTDI have a 20 year history in the area. Alex referenced the GTDI correspondence to the Planning Committee and recounted the background of the subdivision agreement template.

Alex noted Mr. Shiff and Mr. Fleming were clear in their concerns and noted the GTDI share their concerns. Alex noted the GTDI is concerned that the proposed changes to the subdivision agreement template will depress the area, and is of the opinion there are major differences at this point. Alex noted the template needs to be correct as it will affect development charges and is requesting that Council refer this matter back to the Steering Committee for further discussion.

Councillor Halos spoke noting the Infrastructure and Recreation Committee are concerned with damage to curbing before the subdivision is assumed. Alex replying that GTDI would appreciate receiving comments from the Town on damages before subdivisions are assumed.

**B.4 Dan Mainguy, Race Director, Centurion Canada  
Re: The Blue Mountains Centurion Cycling Event**

Patti Kendall spoke on behalf of Dan Mainguy noting additional road closures are proposed in addition to those roads closed for last year's Centurion event. Patti then referenced Centurion events, including a hill climb and children's rides with a finishing concert at the Village.

Patti noted last year's Centurion event drew over 1300 riders with 5-6 people travelling with each rider to the area and noted it is anticipated that this number will double this year as very high ratings were received after last year's event. Patti referenced other upcoming Centurion events in Niagara Falls and noted Centurion would like to build The Blue Mountains as one of the top 3 cycling events in Canada.

Patti then referenced road closures. Peter McGee, Event and Youth Coordinator spoke noting he would like to see one way travelling up Scenic Caves, as in last year's event, and would like to see improved communication with Swiss Meadows this year.

Mayor Anderson then spoke noting Centurion Blue Mountain is projecting impressive numbers in 2011. Patti noted Tour De France referred to Centurion Blue Mountain during the recent Tour De France event.

Deputy Mayor McKinlay spoke noting this event is good for tourism and noted last year there was communication with apple growers and cash croppers and questioned if this will happen this year as well, Patti replying that Dan Mainguy met with the Agricultural Advisory Committee at their last meeting.



Bob spoke noting he is concerned with the 8.2% increase and does not believe current users should pay for the installation and replacement of the system.

Councillor Halos then questioned if a Public Meeting was held, John replying that a Public Information Centre was held.

Deputy Mayor McKinlay then spoke noting the purpose is to advise Municipal Staff, Council and residents of what it will cost to have potable water.

Duncan noted it is important for residents to attend Public Information Centres.

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| C.4  | Georgian Triangle Humane Society<br>Re Thank you for support               | Receive for information |
| C.5  | Nottawasaga Valley Conservation<br>Authority Re: Congratulations           | Receive for information |
| C.6  | Collingwood General & Marine Hospital<br>Re: Thank you for support in 2010 | Receive for information |
| C.7  | Collingwood General & Marine Hospital<br>Re: Community Report              | Receive for information |
| C.8  | Donald Parks<br>Re: Thank you  | Receive for information |
| C.9  | AMO,<br>Re: 2011 Provincial Election                                       | Receive for information |
| C.10 | 102.9 the Breeze<br>Re: Request for letter of support                      | For Council Direction   |

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

THAT Council authorizes the Mayor to issue a letter of support with regard to the request of 102.9 The Breeze, unanimously Carried.

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| C.11 | County of Huron<br>Re: Request for Support, Chronic<br>Lyme Disease | For Council Direction |
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Moved by: John McKean                      Seconded by: D.R. McKinlay

THAT Council of the Town of The Blue Mountains supports the July 6, 2011 Resolution of the County of Huron petitioning the legislative assembly of Ontario to request the Minister of Health to direct the Ontario Public Health system and OHIP to include all currently available and scientifically verified tests for Acute and Chronic Lyme diagnosis, to do everything necessary to create public awareness of Lyme Disease in Ontario, and to have the internationally developed diagnosis and successful treatment protocols available to patients and physicians, Carried.

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| C.12 | Town of Collingwood,<br>Re: Request for Support of Resolution,<br>regarding opposition to proposed location<br>of proposed Fairview Wind Farms Project | For Council Direction |
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Moved by: R.J. Gamble                      Seconded by: Joe Halos

THAT Council of the Town of The Blue Mountains supports the June 28, 2011 Resolution of the Town of Collingwood opposing the proposed location of the proposed Fairview Wind Farm Project turbines due to the significant adverse affect the development will have on the safety and economic viability of the Collingwood Regional Airport, unanimously Carried.

## **D. Motions and Staff Reports**

### **D.1 Modifications to Development Agreement Templates – Assumption and Rough Grading, EPW.11.071**

Councillor McKean spoke questioning the source of the resolution included in the Report, Director of Engineering & Public Works Reg Russwurm replying that the Committee met with the development community and the Committee then met and discussed and considered what was heard at the meeting.

Reg noted the Committee came to the position as referenced in the motion, as it protects the interests of the Town of The Blue Mountains, once 50% of the houses are built.

Councillor Martin noted the recommendation is premature, and noted he would like to hear from Financial Services as to what they see as issues for the development community. Michael noted Council can receive the Report for information this evening.

Michael then referenced grading and notes grading should change priority that does not strip away vegetation and or trees in developments. Reg replying to Michael that developers can retain trees by setting a street pattern to maximize tree preservation, further noting final grades will have to be satisfied to permit adequate drainage as other properties should not be effected.

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

THAT Council receive Staff Report EPW.11.071 entitled “Modifications to Development Agreement Templates - Assumption and Rough Grading”; and,

WHEREAS representatives of the development community have requested that the Report EPW.11.071 be referred back to the Council Task Force to review additional presented information; and

THAT Council do direct the Task Force to review the presented information, research financial information and meet again with the development representatives; and

THAT a further report be circulated to Council.

In speaking to the Motion, Councillor McKean noted it is not the responsibility of the Town’s Finance Department to check with banks on the development community’s financial issues, Duncan replying that there is some urgency for developers to come up with a template so he believes this motion is sufficient. Duncan further noted he would like Robert Cummings, Director of Finance to make a few calls to financial institutions to confirm the information provided by developers. Mayor Anderson noted this is a small inquiry that would provide a guideline for the Committee.

Councillor Ardiel spoke noting she will support the motion as proposed by the Deputy Mayor.

Duncan then noted the motion directs the taskforce to report to the Infrastructure and Recreation Committee or to Council, as the Committee deems fit.

Council then voted on the Motion, Carried.

## **D.2 Centurion Road Closures, DOR.11.055**

Moved by: Joe Halos      Seconded by: John McKean

THAT Council delegates authority to Reg Russwurm, Director of Engineering & Public Works to close municipal roads for the 2011 Centurion Event; and

THAT upon confirmation of the specific road closures, to communicate the information to Council, Carried.

Moved by: D.R. McKinlay      Seconded by: Gail Ardiel

THAT Council receive Staff Report DOR.11.055 "Centurion Road Closures" for information purposes, Carried.

## **D.3 Contract Award for Tender 2011-39-T-EPW Tender for Reconstruction of Sidewalks in Thornbury, EPW.11.072**

Moved by: D.R. McKinlay      Seconded by: Gail Ardiel

THAT Council receive Staff Report EPW.11.072, Contract Award for Tender 2011-39-T-EPW Tender for Re-construction of Sidewalks in Thornbury and,

THAT the tender be awarded to the lowest responsive and responsible bidder being Autoform Contracting London Limited at the cost of \$100,612.75 excluding HST and,

THAT Council receives for their information notice that the Former Acting CAO and Manager of Purchasing have approved the Manager of Roads and Drainage to negotiate with the Contractor for additional sidewalk re-construction at the tendered units rates to a maximum value of \$50,000.00 and,

THAT Council authorizes the Contract value to be increased by \$50,000 from \$100,612.75 to \$150,612.75, excluding HST, upon successful negotiations.

In speaking to the Motion, Councillor Gamble referenced locations along Arthur Street and questioned if work will be completed on the sidewalks along Arthur Street West. Director of Engineering and Public Works Reg Russwurm replying the locations to be repaired will be discussed at the next Infrastructure and Recreation Committee meeting. Councillor Gamble spoke noting he has no issue with the extra sidewalk work being proposed.

Councillor McKean spoke noting that because of changes in provincial legislation and Minimum Maintenance Standards, the Town is required to complete this work.

Mayor Anderson then spoke noting all sidewalks should be examined for accessibility standards and if a problem is discovered, it should be addressed and improved. Councillor Halos spoke noting this would have been a great opportunity for the Town to save money.

Reg spoke noting Jim McCannell, Manager of Roads and Drainage budgeted for and Council approved \$155,000 for sidewalk repair, and further noted Staff are proposing to spend this sum to improve all necessary sidewalks.





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

THAT this Council receive Staff Report PL.11.83, "Request for Expression of Interest (RFEI) for the Tenancy of the former Town Hall and Evaluation Committee", for information purposes; and

THAT Council directs Staff to schedule the appropriate process on the next regular Council agenda, for appointment to the Evaluation Committee, Carried.

#### **D.10 Craigleith Roof Replacement Noise By-Law Exemption, EPW.11.075**

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

THAT Council receive Staff Report EPW.11.075 entitled "Craigleith Roof Replacement Noise Bylaw Exemption" and;

THAT Council authorize relief from the Town's Noise By-Law 2002-09 to Crawford Roofing Corporation to permit construction activities at the Craigleith Wastewater Treatment Plant thereby allowing an exception from August 15<sup>th</sup> until September 20<sup>th</sup> 2011, during the hours of 6:30 am and 7:00 am Monday to Saturday, Carried.

### **E. By-laws**

#### **E.1 By-Law to Impose Capital Sewer Charges and Capital Water Charges for the Use of the Town's Sewage System and the Supply of Water, Lot 25, Plan 529**

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

THAT By-law No. 2011 - 49, being a By-law to impose capital sewer charges and capital water charges for the use of the Town's sewage system and the supply of water Re: Lot 25, Plan 529 be hereby passed this eighth day of August, 2011, Carried.

#### **E.2 By-Law to designate a Plan of Subdivision or part thereof, not to be a Registered Plan of Subdivision for the purposes of Subsection 50(3) of *The Planning Act* with respect to Lots 20 and 21, Plan 634**

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

THAT By-law No. 2011 - 50, being a By-law to designate a Plan of Subdivision, or part thereof, not to be a Registered Plan of Subdivision for the purposes of Subsection 50(3) of *The Planning Act* with respect to Lots 20 and 21 within Registered Plan 634 be hereby passed this eighth day of August, 2011, Carried.

#### **E.3 Zoning By-Law Amendment, Part Lot 35, Concession 10**

Moved by: Gail Ardiel                      Seconded by: Joe Halos

THAT By-law No. 2011 – 51, being a By-law to amend Township of Collingwood Zoning By-Law 83-40 to rezone the lands comprised of Part Lot 35, Concession 10 from the Development Zone to the Rural Estate Residential Exception 230 Zone and Hazard Zone be hereby passed this eighth day of August, 2011, Carried.

#### **E.4 By-Law to designate a Plan of Subdivision or part thereof, not to be a Registered Plan of Subdivision for the purposes of Subsection 50(3) of *The Planning Act* with respect to Lots 46 and 47, Plan 1127**

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

THAT By-law No. 2011 - 52, being a By-law to designate a Plan of Subdivision, or part thereof, not to be a Registered Plan of Subdivision for the purposes of Subsection 50(3) of *The Planning Act* with respect to Lots 20 and 21 within Registered Plan 634 be hereby passed this eighth day of August, 2011, Carried.

## **F. Consent Agenda**

### **Accounts**

- F.1 Accounts
- F.2 Invoices separated for pecuniary interest  
(Miller, Clarksburg Contractors, South Paw)

### **Reports List (Adopt)**

- F.3 Infrastructure and Recreation Committee Report, July 12, 2011
- F.4 Finance and Administration Committee Report, July 26, 2011
- F.5 Planning and Building Committee Report, August 3, 2011

Moved by: D.R. McKinlay                      Seconded by: Gail Ardiel

THAT the Planning and Building Committee Report dated August 3, 2011 be adopted together with the recommendations contained therein, subject to the following amendments;

#### **THAT Short Term Accommodation, Report PL.11.78 resolution should read:**

THAT Council direct Staff to proceed with a detailed financial analysis, including required staffing and infrastructure, related to zoning by-law enforcement of short term accommodation uses as well as a licencing regime of short term accommodation uses pursuant to the Municipal Act, CARRIED.

#### **AND THAT Georgian Woodlands – Phase IV, Stage 1 – PL.11.76 Draft Plan Conditions and Implementation resolution should read:**

THAT Council receive Staff Report PL.11.76 - Revised, Georgian Woodlands – Phase IV, Stage 1 (Draft Plan Conditions and Implementation);

THAT Council endorse the recommendations of the proponent's Professional Planner dated June 2, 2011 as they relate to required dedications/conveyances save for Block 109;

THAT Council require the conveyance of the northerly portion of Draft Block 109 within the Draft Plan of Subdivision; and,

THAT Council require a \$650.00 cash-in-lieu of parkland payment for each of the Lots to be created by way of registration of Phase IV, Stage 1; and,

THAT the Mayor and Clerk be authorized to execute a subdivision agreement related to Phase 4, Sub-phase 1, being a five lot subdivision comprised of Draft Lots 1 and 61-64 upon the written recommendation of the Town's solicitor and Directors of Engineering & Public Works, Financial and Information Technology Services and Planning & Building Services, unanimously CARRIED.



Duncan noted the organizers are taking corrective measures so that the event has a lesser impact on the surrounding communities. Duncan noted a series of events brings people back to the area. Duncan then noted he has confidence this event will be an improvement from the last event with respect to noise impact on area residents.

Councillor McKean questioned the proposed sound system, David Rocque, Program and Event logistics at Cedar Run spoke noting the sound system is designed for high quality projection at close proximity not like a concert projection.

Councillor Halos questioned the location of the stage, David replying that the back of the stage will be next to the Indian Brook with the stage facing the berm.

Council then voted on the Motion, Carried.

### **G.3.2 Peak to Shore Noise By-law Exemption, DOR.11.59**

Moved by: Michael Martin                      Seconded by: John McKean

THAT Council receives Staff Report DOR.11.059 "Noise By Law Exemption for Peak to Shore Festival" for their information; and,

THAT Council authorize relief from the Town's Noise By Law 2002-09 to The Peak to Shore Festival to permit live entertainment and music on Bruce Street from Highway 26 South to Louisa Street on August 13<sup>th</sup> from 11:30a.m. to 6:00p.m. and August 14<sup>th</sup> from 11:30a.m. to 4:00p.m, Carried.

### **G.4 Staff Discussion**

None

## **H. Notice of Meeting Dates**

Council, September 12, 2011 7:00 p.m.  
Town Hall, Council Chamber

Finance and Administration Committee, August 23, 2011 2:00 p.m.  
Town Hall, Committee Room

Infrastructure and Recreation Committee, August 9, 2011 7:00 p.m.  
Ravenna Hall

Planning and Building Committee, September 7, 2011  
Town Hall, Council Chamber

## **I. Closed Session**

Moved by: John McKean                      Seconded by: Gail Ardiel

THAT with regard to subsection 239 of the *Municipal Act, 2001*, this Council do now move into closed session in order to address matters regarding proposed or pending acquisition or disposition of land by the municipality or local board;

AND with regard to the municipality's inventory of land, Carried.

Council moved into closed session at 9:15 p.m.  
Council rose from closed to public session at 10:02 p.m.

