

Minutes - The Blue Mountains Council Meeting



MEETING DATE: August 18, 2008

LOCATION: L.E. Shore Memorial Library

PREPARED BY: Corrina Giles, Deputy Clerk

A. Call to Order

- Deputy Clerk Corrina Giles called the meeting to order with all members in attendance save Mayor Anderson, Deputy Mayor McKinlay, and Councillor McGee, absent due to previous commitments.
- Also in attendance was Director of Engineering and Public Works Reg Russwurm, Director of Planning Peter Tollefsen, Communications & Economic Development Coordinator Lisa Kidd, Director of Building and By-Law David Finbow, Director of Finance Rob Cummings, Manager of Water and Waste Water Services John Caswell, Director of Recreation Shawn Everitt, Deputy Treasurer Elizabeth Thompson, Manager of Development Planning Rob Armstrong, and Senior Policy Planner Cindy Welsh.

- Council then then dealt with the following Resolution:

Moved by: John McKean Seconded by: Cameron Kennedy

THAT Councillor R.J. Gamble be appointed as the Acting Head of Council for the August 18, 2008 meeting in the absence of Mayor Anderson and Deputy Mayor McKinlay, Carried.

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

- Approval of Agenda

Moved by: Michael Martin Seconded by: John McKean

THAT the Agenda of August 18, 2008 be adopted as circulated, including the two additions to the Agenda, Report CEDC.08.14 and Report SRB.08.43 and the deletion from the Agenda of By-law Items F.2 through F.4, Carried.

- No member declared a pecuniary interest with any matter as listed on the Agenda save Councillor McKean with regard to Consent Agenda Item G.2, Accounts and a cheque payable to his place of employment, EC King, and Councillor Kennedy with regard to Consent Item G.2, Accounts and cheques payable to Maggie Kennedy and CK & A.

- Adoption of Consent Agenda

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

THAT the Consent Agenda of August 18, 2008 be adopted as circulated.

In speaking to the Motion, Acting Head of Council Gamble asked that Item G.3 Engineering & Public Works be pulled for further discussion.

Carried.

- Previous Minutes

Moved by: Michael Martin Seconded by: Cameron Kennedy

THAT the Council minutes of July 14, 2008 and Planning Council minutes of July 7, 2008 be adopted as circulated including any revisions to be made, Carried.

B. Deputations/Presentations

7:05 pm – PUBLIC MEETING – Water and Wastewater rates, servicing extension to the west side of 209691 Highway 26, Lot 24, Plan 529, Craigleith

Manager of Water and Wastewater Services John Caswell then spoke regarding the servicing extension to the west side of 209391 Highway 26, Lot 24, Plan 529, Craigleith and noted staff are proposing a deferral of the capital charges noting the residents affected have been contacted.

John further noted an agreement has been formulated by the municipal solicitor and a report was taken to the Engineering & Public Works Committee regarding the services.

John noted the servicing extension was advertised for the required 21 days and that the By-law can be passed at a subsequent meeting.

Acting Head of Council Gamble then questioned the financial aspect and who would be responsible for the costs, John Caswell replying the proponent on Lot 24 would be responsible for the upfront costs and that 50% of the capital costs would be required if the other benefitting lot is sold.

As there were no further questions, Acting Head of Council Gamble declared the public meeting to be closed.

C. Correspondence as previously circulated

Moved by: Michael Martin Seconded by: Cameron Kennedy

THAT this Council does hereby receive the Correspondence of August 18, 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.

In speaking to the Motion, Acting Head of Council Gamble noted item C.1 required an appointment by Council.

Councillor McKean noted because of work commitments, that he is not able to be on the committee as the meetings are during the day and noted that Mayor Anderson has been asked through her involvement with the Great Lakes & St. Lawrence Cities Initiative.

Council then voted on the Resolution, Carried

Moved by: Michael Martin Seconded by: John McKean

THAT Agenda Items C1 and C2 be referred to the next meeting of council for appointment of a committee member, Carried.

D. Motions and Staff Reports

D.1 Land Acquisition – Heathcote Parkland and Beaver River Access, DOR.08.38

Director of Recreation Shawn Everitt reviewed the Report, noting the property in question is 9 acres and is adjacent to the Pioneer Cemetery. Shawn noted that purchasing the property would allow the Town to have access to the Beaver River and that the Town is working in connection with the Escarpment Biosphere Conservancy on the joint purchase of the property.

Councillor McKean noted there does not seem to have a lot of parking, Shawn replying this is temporary and that the parking lot would be relocated, further noting the agreement to be entered into would allow 30 parking spaces.

Shawn then introduced Bob Barnett, Executive Director of the Escarpment Biosphere Conservancy (EBC).

Bob then spoke, noting the EBC is a charitable organization having 77 properties protected across Ontario, further noting this is the first within the Town of The Blue Mountains. Bob provided maps and newsletters to council for their information.

Bob noted the EBC presented three different offers to the owners for the property, noting the current offer was presented after six months and is conditional on financing. Bob noted the EBC would like to partner with the Town, providing pictures of the subject lands and other properties owned by the EBC. Bob then introduced Emily Black of the Rotary Club.

Emily then spoke of the Rotary's initiative and noted this undertaking fits with Rotary's goals. Emily further noted the Rotary wished to commemorate Rotary member George South and find a way to recognize him as worked and lived in the area for his entire life.

Councillor Martin then questioned if the Conservation Authority had been asked to partner on the purchase of the property, Shawn replying that the Grey Sauble Conservation Authority has been in contact with the Town, but they have not been asked to partner on the purchase. Bob Barnett then noted the EBC contacted the Grey Sauble Conservation Authority to partner on the purchase of the property but the conservation declined as they did not have the financing to assist. Michael then noted if the Town and the EBC enters into a partnership agreement, that a protocol should be entered into to determine who does what.

Michael then questioned if there had been a land appraisal of the property completed and if Council was to enter into an agreement that an appraisal should be provided, a protocol prepared and further noted this purchase could be of interest to the Grey Sauble Conservation Authority. Shawn replied the EBC and the Town have a draft agreement prepared for review by Town solicitor John Metras and CAO Paul Graham, noting the agreement considers joint ownership and outlines parking area, future structures, etc.

Bob then questioned if Council should be looking at Option A or B, Shawn replying a full agreement should be entered into.

Bob then noted the erosion of the Beaver River and questioned if this is a concern, Shawn replying the GSCA was more concerned with a house being built in the area, adding the GSCA would assist with the erosion issue.

Councillor Kennedy then questioned an appraisal of the property, noting it is a good property to purchase but he would like to see an appraisal completed.

Bob Gamble concurred with Cameron, noting it is a worthwhile project for canoeing on the Beaver River as access to the River is an issue and access through private property is a concern, further noting this property could help with the Heathcote Hall Board, Shawn replying this property represents a great opportunity to investigate the need for a hall in Heathcote and noted this could be a location for a new hall. Shawn then noted the Town does not own the property where the Heathcote Hall is currently located and that additional land would be required for parking at the Hall's present location.

Bob Barnett then noted the appraisal was not completed because another offer was received by the owner so the offer by the Town and ECB had to increase the offer. Bob noted he has experience in real estate and further noted the residential part of the property would be worth \$100,000.

Council then dealt with the following Resolution:

Moved by: John McKean Seconded by: Cameron Kennedy

THAT Council authorize a formal Offer for the purchase of Lot 23, Concession 12 (Roll No. 42-42-000-014-030-00), being a 9 acre parcel of land; with the Offer to include the following:

- purchase price of \$115,000.00 GST Excluded
- \$57,500.00 from Town Parkland Reserve
- \$57,500.00 from the Escarpment Biosphere Conservancy
- Ownership and Management of entire property to be in the name of the Town/Escarpment Biosphere Conservancy.
- Normal Title Search required
- Completion date of August 30, 2008.

In speaking to the motion, Councillor Martin then requested an amendment to the motion that the purchase price include a satisfactory appraisal of the property, a satisfactory protocol of the management of the property and the ability of the Town to partner with the applicable conservation authority

Council then voted on the amended Resolution, Lost.

Council then voted on the main Motion, Carried.

D.2 Amendment to Motor Vehicle Safety Act, A.08.07

Acting Head of Council Gamble then read the Recommendation.

Councillor Martin then noted the Recommendation should be divided and Council then dealt with the following Resolution:

Moved by: John McKean Seconded by: Michael Martin

THAT Council receives Staff Report A.08.07, "Amendment to Motor Vehicle Safety Act", Carried.

Councillor McKean then questioned Director of Engineering and Public Works Reg Russwurm if there is any engineering rationale on the speed limit of 150 km, Reg replying the highway designed speed limits are the posted limits plus 10 to 20 km. John then noted the limited speed should be lower than 150 km.

Councillor Kennedy then noted concern that cars and drivers may not be ready for this.

Moved by: John McKean Seconded by:

THAT Council endorses and supports Private Member's Bill C-568 titled "An Act to amend the Motor Vehicle Safety Act (speed limiters)", Lost.

D.3 Naming of Road Section, A.08.06

Councillor Martin declared a pecuniary interest with regard to the Report and occasional employment of his spouse at the Lora Bay Corporation and did not participate in the discussion or vote.

Manager of Development Planning Rob Armstrong then reviewed the Report, noting it is a housekeeping matter, noting there was a place on the road that was void of a name.

Councillor Kennedy questioned if the road is named Sunset Boulevard from the roundabout down, Rob replying that technically the road has a name, but there is no signage, further noting this section is at the top of the hill.

Acting Head of Council Gamble questioned if the road will now be signed correctly, Rob replying yes.

Council then dealt with the following Resolution:

Moved by: John McKean Seconded by: Cameron Kennedy

THAT Council receive Staff Report A.08.06, "Naming of Road Section" and enact a By-law to name that section of municipal highway between the northernmost terminus of Lora Bay Drive as shown in Registered Plan 16M-8 and the terminus of Sunset Boulevard at the southwest point of Lot 39, Registered Plan 442 as Sunset Boulevard, Carried.

D.4 County of Grey - Official Plan Five Year Review, PL.08.96

Senior Planner Cindy Welsh then reviewed the Report, noting Grey County is preparing a 5 year Official Plan review and noted a second draft was prepared and is considered in the subject Report. Cindy noted comments have been made and confirmed that most comments made by Town Staff are minor typographical or grammatical errors, adding there are also some substantial changes requested by staff.

Cindy then reviewed the changes, including no new non-farm parcels to be created by Consent within special agriculture designations, and noted

policies for Escarpment Recreation Area have been updated to reflect the approved Town of The Blue Mountains Official Plan.

Cindy reviewed the primary, secondary and tertiary settlement areas, noting Thornbury and Clarksburg are the only areas in the Town, further noting the term "Hamlets" has been removed as a designation.

Councillor Martin then noted if "Hamlets" are removed the Grey County Official Plan, it would be in contravention of the Town's Official Plan.

Director of Planning Peter Tollefsen then noted the new County Official Plan has defined what is a primary, secondary and what is tertiary to include hamlets, noting this would affect four of our hamlets, but would be of no impact. Peter noted as a result of the Grey County Official Plan, there is going to be areas where the Town will have to amend its Official Plan. Peter then noted that some of the changes to the Grey County Official Plan the Town can live with and some the Town are opposed to.

Bob then questioned if infilling lots in the Hamlets, ie. Banks and Heathcote, would be available in the future, Peter replying with respect to the lots listed on the chart, the answer is yes, but further noted these areas are almost fully developed.

Michael then noted the 139 minimum unit target for intensification at Blue Mountain Resorts is 10% of existing and questioned if this percentage matches what the Town is doing in terms of waste water capacity, Peter replying table 7 on page 139 sets out minimum targets for intensification and confirmed the Town sets its intensification higher than 10%.

Cindy then noted the minimum target for residential intensification is 5% for secondary settlement areas, but noted the Town does not have secondary settlement areas.

Cindy then noted a new section, Recreation Resort Area, has been created within the Town and confirmed there will be an amendment to this section and that this section will be used in other areas of the County.

Cindy then reviewed the new section entitled, Significant Woodlands and noted the Heritage Policies section ties in with Provincial Policy Statement definition.

Cindy then noted Sections 8 through 18 are new and relate to renewable energy policies.

Michael then questioned if the County has sent this out for general circulation yet, Cindy replying yes.

Cindy then reviewed the water policies proposed by the County and noted the Town is requesting local Official Plan Amendments and Zoning By-Law Amendments be required. Cindy then noted source water protection issues will have to be addressed.

Cindy then noted the County is proposing new policies regarding development charges, maintenance and occupancy standards, in Section 6.16 Community Improvement.

Michael then noted reference to development charges being collected by the local municipality and questioned if the local municipalities have consented to do this, Rob replying this is just to state a fact, further noting it is the County's charge.

Cindy then reviewed the accessory apartments section, confirming the Town permits accessory apartments. Cindy further noted the Town will be reviewing policies in relation to affordable housing. Michael then questioned if there is a conflict between short term accommodation and accessory apartments, Cindy noting short term accommodation is defined as 30 days or less.

Cindy then reviewed the Schedule "A" Land Use Designation, Michael questioning if Castle Glen is in the Recreational Resort Area, Cindy replying yes.

Cindy then referenced a special meeting planned at the County on August 19, and noted after the meeting all lower tier municipalities will receive all comments on the Official Plan. Cindy noted the County will hold a joint meeting in the fall to discuss the proposed changes and the 5 year review will be brought forward in October and the final approval of the official plan will be in December 2008.

Michael then questioned if there was any input from the development community, Cindy replying it is unknown, but further indicating the draft Official Plan was posted on the County's website and is a public document. Cindy advised that the County Planning Department assured the Town will receive all comments on the document.

Bob then questioned if alterations should be made to the Town's Official Plan noting the Town should in conformity with the County and questioned if there is a time element for this. Cindy noted the Town's Official Plan review is in 2012, noting County policies should be reviewed and required changes made to the Town's official plan.

Bob then questioned if one or two prior Applications on Specialty Agriculture Land would be able to proceed given the amendments to the Official Plan, Rob replying the County has recognized these Applications and they can proceed.

Bob then noted the Official Plan has to consider waste management costs, noting currently the Town contributes 25% into the County's waste management costs and questioned what the official definition is in the Official Plan is with respect to waste management and community improvement. Bob further noted the residents of the Town should not have to pay 25% of the waste management costs of the County, Cindy noting the Official Plan is all encompassing, Bob replying the County Plan appears hard on the Town's tax payers.

Michael then noted that this Official Plan exercise is a five year review, Cindy confirming this will be the final document.

Council then dealt with the following Resolution:

Moved by: John McKean Seconded by: Cameron Kennedy

THAT Council does receive Planning Staff Report #PL.08.96, "County of Grey – Official Plan Five Year Review" for information and review purposes and that this report be forwarded to the County as the Town's response to the County of Grey - Official Plan Five Year Review, Carried.

E.4. Request for Additional Funding for the 2008 Citizen Survey, CEDC.08.14

As an addition to the Agenda, Communications and Economic Development Coordinator Lisa Kidd then reviewed the Report, noting this expenditure relates to the citizen survey, adding this expense was budgeted for in the 2008 budget but she is seeking an additional sum of \$900 for postage.

Lisa confirmed her budget can support this increase.

Council then dealt with the following Resolution:

Moved by: John McKean Seconded by: Cameron Kennedy

THAT Council receive Staff Report CEDC.08.14, 'Request for Additional Funding for the 2008 Citizen Survey'; and

THAT Council approve additional funding in the amount of \$900 for postage for the Citizen Survey.

In speaking to the Motion, Councillor Kennedy questioned if the survey will go out with the tax bills, Lisa replying yes, noting the cost for return mail was .12¢, but is now .71¢ because it is declared a round-trip.

Council then voted on the Resolution, Carried.

E.5 County of Grey Noise By-law Exemption, SRB.08.43

As an addition to the Agenda, Director of Building and By-Law David Finbow then spoke to the Report, noting the matter was scheduled to be on the Finance and Administration Committee Agenda for August 19, 2008, but was brought forward because of the urgency of the matter. David noted the residents that may be affected and confirmed the exemption does not include Saturdays.

Acting Head of Council Gamble questioned if the exemption would be from now until completion of the project, David replying yes.

Council then dealt with the following Resolution:

Moved by: Cameron Kennedy Seconded by: Michael Martin

THAT this Council receive Staff Report SRB.08.43 and authorize the County of Grey to carry out construction on the Grier Creek Bridge from 6:00 a.m. to 8:00 p.m. – Monday to Friday.

In speaking to the Motion, Councillor McKean noted it is not daylight at 6:00 a.m. and it is almost dark at 8:00 p.m. and further noted this has been a controversial project, adding area residents should have been consulted.

David then noted in discussions with Gary Shaw of Grey County, that the construction crew at the Grier Creek Bridge will require lighting to complete

the project in the near future, further noting that the Town and the Municipality of Grey Highlands have been asked for additional funds.

Councillor Martin then questioned if it was the contractor or Grey County that was requesting the exemption, Director of Engineering and Public Works Reg Russwurm replying that the project is subcontracted out and that Gary Shaw is seeking the exemption on behalf of the contractor.

Councillor Kennedy then questioned if allowing the exemption to the noise by-law and extending the hours of work would assist the contractor to complete the project on time and how it would affect cost overruns, David replying it will not mitigate costs to the residents and further confirmed the residents have not been circulated with this request.

Council then voted on the Resolution, Lost.

E. New and Unfinished Business

1. Grey County Council Update

None

2. AMO Board of Directors Update

None

3. Notice of Motion

None

F. By-laws

F.1 Naming of Highway Section, Sunset Boulevard

Councillor Martin declared a pecuniary interest with respect to Agenda Item F.1 and occasional employment of his spouse at Lora Bay Corporation and did not participate in the discussion or vote.

Moved by: John McKean Seconded by: Cameron Kennedy

THAT By-law No. 2008 - 74, being a By-law to name that section of municipal highway between the northernmost terminus of Lora Bay Drive as shown in Registered Plan 16M-8 and the terminus of Sunset Boulevard at the southwest point of Lot 39, Registered Plan 442 as Sunset Boulevard, be hereby enacted this eighteenth day of August, 2008, Carried.

F.2 Removed from the Agenda

F.3 Removed from the Agenda

F.4 Removed from the Agenda

F.5 Temporary Road Closure, Terry Fox Run

Moved by: John McKean Seconded by: Cameron Kennedy

THAT By-law No. 2008 - 78, being a By-law authorizing the temporary closing of the portion of Napier Street East/Russell Street in Thornbury from just east of the Library entrance to just south of Mary Street from 11:30 am to 1:30 pm on Thursday, September 25, 2008, be hereby enacted this eighteenth day of August, 2008, Carried.

F.6 Temporary Road Closure, Beaver Valley Fall Fair

Moved by: Cameron Kennedy Seconded by: Michael Martin

THAT By-law No. 2008 - 79, being a By-law authorizing the temporary closing of the portion of Victoria Street South from the southernmost boundary of Alice Street West in the north to the northernmost boundary of Alfred Street West in Thornbury from 8:00 am to 5:00 pm on Saturday, September 6, 2008, be hereby enacted this eighteenth day of August, 2008, 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

Regarding the Engineering and Public Works Committee Report, Acting Head of Council Gamble then reviewed the Recommendations contained in the Report.

Council then dealt with the following Resolution:

Moved by: John McKean Seconded by: Cameron Kennedy

THAT the Engineering and Public Works Committee Report of July 8, 2008 be adopted as circulated, including any Recommendations made, Carried.

Minutes List (Receive)

6. NVCA Board Highlights
7. GSCA Source Protection Committee

H. Next Meeting Date(s)

Council September 8, 22, 2008, October 15 (Wed), 27, November 10, 24, 2008

Planning Council September 3 (Wed), October 6, November 3, 2008

All Council meetings to be at the Library unless otherwise noted

Engineering and Public Works Committee, August 26, 2008

Finance and Administration Committee, August 19, 2008

Recreation Committee, August 28, 2008

I. Confirmation By-law and Adjournment

As Councillors Kennedy, Martin and McKean had previously declared pecuniary interests and would not discuss or vote upon the Confirmation By-law, the By-law was deferred to the subsequent meeting.

Moved by: John McKean Seconded by: Cameron Kennedy

THAT this Council does now adjourn at 9:00 p.m. to meet again September 8, 2008, 7:00 pm, L.E. Shore Library, or at the call of the Chair.

.....
R.J. Gamble, Councillor

.....
Corrina Giles, Deputy Clerk