

Minutes - The Blue Mountains Council Meeting



MEETING DATE: September 14, 2009

LOCATION: L.E. Shore Memorial Library

PREPARED BY: Stephen Keast, Clerk

A. Call to Order

- Mayor Anderson called the meeting to order with all members in attendance.
- Also in attendance was Acting CAO and Director of Engineering and Public Works Reg Russwurm, Deputy Treasurer Elizabeth Thompson, Manager of Revenue Ruth Prince, Capital Accountant Darcy Chapman, Director of Special Projects (Sustainability) Peter Tollefsen, Planner Cindy Welsh, Manager of Solid Waste & Environmental Initiatives Jeff Fletcher, Library CEO Carol Cooley and Communications & Economic Development Coordinator Rob Potter
- Council then paused for a moment of Personal Prayer or Reflection.
- Approval of Agenda:

Moved by: Cameron Kennedy Seconded by: John McKean

THAT the Agenda of September 14, 2009 be approved as circulated, including any items added to the Agenda, and as to the amendment in the order of the items on the Agenda, Carried.

The Clerk then noted it had been mutually agreed to defer Deputation B.2 and Staff Report D.1 to the September 28 meeting and that an additional workshop and training closed session regarding the 2010 Budget process would be added.

- No member declared a pecuniary interest with any matter as listed on the Agenda, save Mayor Anderson with regard to Agenda item G.2, Accounts and cheques payable to her father, Councillor McKean with regard to Agenda item G.2, Accounts and cheques payable to his place of employment and Agenda item G.4, Infrastructure and Recreation Committee Report of September 8, 2009 and award of a tender to his place of employment and Councillor Kennedy with regard to Agenda item G.2, Accounts and a cheque payable to his daughter and.
- Adoption of Consent Agenda

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

THAT the Consent Agenda of September 14, 2009 be adopted as circulated, less any items requested for separate review and discussion, with Agenda items G.3 and G.4, Infrastructure and Recreation Committee Reports both separated for separate review and discussion, Carried.

Previous Minutes

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

THAT the Council meeting minutes of August 10, 2009 and Special Meeting minutes of August 24, 2009 be adopted as circulated, including any revisions to be made, Carried.

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

B. Deputations/Presentations

B.1 PUBLIC MEETING – Town-Wide Development Charges

Mayor Anderson then called the Public Meeting to order and explained Council of The Corporation of the Town of The Blue Mountains will hold a public meeting pursuant to *The Development Charges Act, 1997*, regarding proposed development charge rates and policies that will be applied Town Wide. It is proposed that enactment of a Development Charge By-law by Council would occur October 14, 2009.

Ellen further noted Development Charges are levied against new development, and are a primary source of funding for growth-related capital expenditures. Town capital services for this By-law include water and wastewater services.

Ellen then noted Town Council is required under *The Development Charges Act, 1997*, to hold at least one public meeting to allow the public the opportunity to review and provide comments on the Town Wide Development Charges Background Study, August 2009, related staff reports and the proposed Development Charges By-law.

Ellen then stated copies of the Development Charges Background Study, related staff reports and the proposed Development Charges By-law will be available through the Town Administration Office and/or the Town's website www.thebluemountains.ca/municipality.cfm on August 26, 2009. Written comments received prior to the meeting and submissions made at the public meeting will be considered by Town Council prior to the enactment of a new Development Charges By-law for Town of The Blue Mountains.

Ellen then noted inquiries should be directed to Darcy Chapman, Capital Accountant (519) 599-3131 ext 274 or dchapman@thebluemountains.ca.

Craig Binnings of Hemson Consulting then provided an overview of the 2009 Development Charges Background Study, noting development charges are fees levied against new development to help pay for capital costs of servicing growth, adding in reality DC's cannot pay all growth related costs due to statutory limitations.

Craig then reviewed 100% cost recovery growth related services, being Protection and Engineered Services, as well as 90% cost recovery services, being General Government (studies), Library, Recreation and Buildings and Fleet. Craig noted the 10% difference is required to be financed from a source other than DC's.

Craig then reviewed historic service levels based on 1999 – 2008 and Capital Program Planning Periods for General Services from 2009 – 2018 and for Engineered Services from 2009 to Build-out of development lands.

Craig then reviewed Residential Growth Forecast, projected at 2,100 new units from 2009 – 2018 and 8,919 new units from 2009 to Build-out.

Craig then reviewed Non-residential Growth, projected at 70,000 m² of new space at Build-out.

Craig then reviewed the Summary of Capital Plan for Town-wide General Services through 2018, projected at a total cost of \$22.9 million with a net capital cost after discount and other shares deducted of \$13.382 million, the 10% discount being \$1.174 million.

Craig then reviewed the Summary of Capital Plan for Roads, Sewer and Water with a total cost of \$197.7 million and net total cost of \$162.185 million.

Craig then reviewed the four proposed Residential DC rate calculation based on the gross floor area of the dwelling unit, ranging from less than 75 m² to over 225 m², together with the Town-wide Residential and Non-residential DC rates.

Craig then reviewed the Water and Sewer Rates by Service Area and Total Charges by Service Area.

Craig then reviewed a proposed project timeline with Council to consider approval of a Town-wide By-law on October 14, 2009.

Councillor Gamble then questioned if the Town-wide DC program was a wish list or are all projects required, as the increased DC rates may hinder new development. Bob then noted further concern with the 10% discounted portion of some capital projects that would have to come from taxation, again, larger projects that would have to be financed.

Bob then questioned if the Town was perhaps too optimistic in proposing development growth rates and capital projections.

Cameron then noted concern with some proposals such as the Multi Use Recreational Facility which is included in the DC Background Study but has never been before Council.

Councillor McGee then questioned a floor area calculation for new residential DC's and a flat rate for connecting existing units.

Darcy then noted previously a unit was considered a unit, with the new calculations anticipating floor area and therefore level of use of services which would be offset by existing units connecting, the existing having been calculated based on a single unit amount projections.

Deputy Mayor McKinlay then noted we would be estimating size and floor area of new units and existing floor areas might be calculated with new software, Darcy noting previous development was estimated based on the buildable area of lots rather than actual floor area.

Michael then questioned use of the term "Build-out", Craig noting it considered area and density of development lands within the Town and was calculated at 8, 919 units when built out to capacity, Michael noting the estimate would refer more to development capacity than unit count.

Michael then stated he believed the growth projections were on the high side and if the growth was not achieved there would be spending deficits in DC projects, adding 50% of the Town-wide DC charge is Roads and perhaps not all the estimated road work is growth-related.

Councillor McKean then noted growth of 2,100 units over the next ten years seems optimistic and he would hope it is not too late to re-assess projections at the next Five Year Review.

Engineering Consultant Alex Fleming then spoke to the issue of timing of DC payment, requesting Council consider payment of 100% of DC's at the time of land transfer or building permit issuance, rather than the hard services portion at time of development agreement execution and the remainder at the time of permit issuance. Alex continued banks will not lend based on a development agreement being finalized.

Alex then further noted the Harmonized Sales Tax will increase the cost of development and early DC payment and development may be driven away if the phased DC payment is continued. Alex then proposed that any remaining or unsold units could pay DC's at the end of the development Maintenance Period.

Craig then noted the Town is permitted to collect the hard services portion at the time of agreement execution and this allows hard services to be installed and maintained before development proceeds.

Councillor Gamble then noted a fairly significant Non-residential DC is being considered and this may hinder such development, Duncan noting the alternative is for taxpayers to cover additional costs that were not charged to the new development.

Michael Seguin then questioned the rationale of lower DC rates for smaller units and if this was to spur affordable housing, Craig replying small units may be more affordable but this was not the driving force, Mayor Anderson noting the floor area calculation may also encourage intensification in accordance with Provincial policy.

Councillor Gamble then noted it was earlier suggested that development should pay for new growth but the capital projections have to be actually required and not represent what developers want, Duncan adding the projects should represent what buyers want and what is needed for development.

Duncan then questioned where the Roads program came from, Reg noting from the Comprehensive Strategic Transportation Plan, which is nearing completion. Duncan then questioned how do we know which roads, trails, etc. are included, Craig noting all projects are identified in the Background Study.

Darcy then noted Roads are based on the Comprehensive Strategic Plan and the 2005 Background Study and Water and Wastewater projects on the Comprehensive Environmental Assessment, with Council able to shift soft service projects in or out and determine if there is enough funds to proceed or if a project is required, such as the MURF.

Duncan then noted the development industry can review the Background Study and determine what services and amenities will be available and projected and it would not appear Council may not have much leniency in shifting the capital program.

Michael then requested clarification of where the Roads program originated, Reg noting the Comprehensive Strategic Transportation Plan was used for road classification.

Cameron then questioned reference to the MURF in the Background Study, Darcy noting the DC Background Study was commenced in March, 2008 and most figures are already 6 to 8 months old. Darcy continued the consultant selected to complete the MURF feasibility study provided a budget figure when the study was initiated but the study is not yet completed, the estimated cost reduced since the project was first considered in the 2005 DC Background Study.

Cam then questioned where the impetus is coming from to include the MURF at this time, Darcy noting it was included in the five year capital budget prepared in 2008, then proposed for completion in 2011.

Paul Mitchell then questioned if DC funds could be shifted internally from an initially proposed project to one that is now preferred, Craig replying any funds collected for example for a Parks and Recreation project would have to be spent in that Department but could be shifted between projects.

Councillor Gamble then questioned what determines a DC eligible road, Darcy replying the cost to upgrade any existing road from current Town standards to new development standard would be attributable to growth, for example upgrading an asphalt surface road to full urban standards. Bob then questioned why Teskey Drive would be a DC road, Reg replying there have been discussion the road may continue through the adjacent property to the east if developed.

Bob then questioned what if a resident saw it shown as a DC eligible road and requested it be reconstructed, Reg replying it would only be done in connection with new development.

Deputy Mayor McKinlay then stated he believed he had a lack of understanding of rationale behind certain assumptions and he would like to better understand why some long term programs are proposed, Mayor Anderson noting a further meeting should be organized prior to considering a By-law.

Craig then noted the By-law did not need to be considered October 14.

Duncan then noted he would request a review of long-term goals from each Department and what they are based on.

Councillor Martin then noted he would caution Council in changing any parameters used by Hemson Consulting but minor revisions could be considered, Mayor Anderson noting Council needs to further review the Background Study to be more comfortable.

As no-one further wished to speak Mayor Anderson declared the Public Meeting to be adjourned.

B.2 Blue Mountain Village Association – Plunge aquatic facility taxation – deferred to September 28, 2009.

C. Correspondence as previously circulated

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

THAT this Council does hereby receive the Correspondence of September 14, 2009 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, unanimously Carried.

| Author | Recommendation/Action |
|--|-------------------------------------|
| 1. Terry Fox Run, request for road closure | By-law F.4 |
| 2. Thornbury BIA, Apple Harvest BBQ | Refer to Fire, Building |
| 3. New Tecumseh, Harmonized sales tax | Refer to Financial Services |
| 4. Duncan Community Hall, Assistance | Refer to Finance, Recreation |
| 5. Collus, Energy pricing | Refer to Engineering & Public Works |
| 6. Bill and Marta Kostyniuk, Lane naming | Refer to Planning |
| 7. True Sport, True Sport Movement | Refer to Recreation |
| 8. BVO, Community Thanksgiving Dinner | Refer to Economic Development |

lighting system for entrance signage and recognized Councillor Kennedy and Manager of Solid Waste and Environmental Initiatives Jeff Fletcher for their efforts.

F. By-laws

F.1 Infrastructure Stimulus Fund Contribution Agreement

Moved by: John McKean Seconded by: Cameron Kennedy

THAT By-law No. 2009 - 63, being a By-law to authorize the Mayor and Clerk to execute an Infrastructure Stimulus Fund Contribution Agreement, be hereby passed this fourteenth day of September, 2009, unanimously Carried.

F.2 Sheffield Park Museum Zoning By-law Amendment – Part Lot 31, Concession 9

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

THAT By-law No. 2009 - 64, being a By-law to rezone part Lot 31, Concession 9, Sheffield Park Museum, from the Recreational Commercial C4-10 Zone to the Institutional I-h Zone, be hereby passed this fourteenth day of September, 2009, unanimously Carried.

F.3 Bill Bannerman Zoning By-law Amendment – Part Lot 161, Plan 529

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

THAT By-law No. 2009 - 65, being a By-law to rezone part Lot 161, Plan 529, from the Deferred Development DD, Residential R3 and Hazard H Zones to the Residential R3-h, Institutional I-h, Public Open Space OS1-h and Hazard H Zones, be hereby passed this fourteenth day of September, 2009, unanimously Carried.

F.4 Temporarily Stop Up and Close Napier, Russell and Mary Streets – Terry Fox Run

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

THAT By-law No. 2009 - 66, being a By-law to temporarily stop up and close portions of Napier, Russell and Mary Streets on Friday, September 25 in conjunction with the 2009 Terry Fox Run, be hereby passed this fourteenth day of September, 2009, unanimously Carried.

G. Consent Agenda

Accounts

1. Accounts
2. Invoices separated for pecuniary interest (A. Gibson, Sadler's, Miller, M. Kennedy)

Reports List (Adopt)

3. Infrastructure and Recreation Committee, August 11, 2009

Mayor Anderson then questioned status of Ministry of Transportation Connecting Link Funding related to the Beaver River Bridge works, Reg noting he spoke this day with MTO representatives as to Town challenges in meeting project funding timeframes with the Ministry year end being March 31, 2010 and projects required to be completed by then with no funding roll-over. Reg noted it is now proposed to split the project with the under deck work being done first with a subsequent project addressing the upper deck work for next year.

Deputy Mayor McKinlay then noted there will be a Public Information Centre on Camperdown Water and Wastewater capital charges on September 19, adding all PIC's should be placed in Council calendars.

Duncan then referred to the Report Recommendation regarding the proposed Southgate BioWaste Treatment Plant and commitment in principle to sending Town solid waste to the facility.

4. Infrastructure and Recreation Committee, September 8, 2009

NOTE: Councillor McKean earlier declared a pecuniary interest with regard to Agenda item G.4, Infrastructure and Recreation Committee Report of September 8, 2009 and award of a tender to his place of employment and did not take part in related discussion or voting.

Deputy Mayor McKinlay then reviewed the recommended award of the tender for Curbside Waste and Recyclables Collection to Mid-Ontario Disposal, a firm that was not the incumbent, further noting it was recommended the Containerized Waste and Recyclable Collection tender be awarded to Miller Waste Systems.

Duncan then reviewed the Beaver River Bridge Resurfacing project will include heavy railings on the outside of the bridge for vehicle retainment and smaller, inner railings for pedestrian traffic.

Councillor Kennedy then questioned if it was proposed that Hester Street would be one way, Reg replying Hester Street would be accessed in both directions from Bruce Street but would be a one way entrance from Highway 26.

Councillor Martin then referred to the Town Comprehensive Transportation Strategic Plan, noting it is a very significant project and it should be consistent with other traffic and planning studies, with several competing interests within the Plan itself. Michael stressed the Plan must be consistent with other documents as it may be used before the Ontario Municipal Board and if not consistent may be rejected as evidence.

Reg then noted the Plan should balance the competing interests, adding he is in fact the project manager, Michael noting he hoped Council would be kept abreast of the Plan as it progressed.

Duncan then noted the Town and the County cannot deal with their respective issues in isolation and the Province is now a partner and the good aspect of the Plan is three levels of government cooperation in moving forward.

Michael then again noted concern with growth unit projections and perhaps an addendum could be considered with lesser unit projections for an alternative.

Michael then questioned a proposed Class EA and design of a reconfigured Clark Street and Grey Road 2 intersection and questioned if Council receives the Report

Municipal Board.

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

AND consideration of the 2010 Budget process, Carried.

Council moved into closed session at 9:35 p.m.

Council rose into public session at 10:45 p.m.

J. Confirmation By-law and Adjournment

Mayor Anderson moved out of the Chair as she had declared a pecuniary interest earlier in the meeting and did not take part in consideration of the Confirmation By-law, as did Councillors McKean and Kennedy who had both earlier declared a pecuniary interest.

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

THAT By-law No. 2009 - 67, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on September 14, 2009, be hereby enacted as passed this fourteenth day of September, 2009, Carried.

Moved by: R.J. Gamble Seconded by: Ellen Anderson

THAT this Council does now adjourn at 10:47 p.m. to meet again September 28, 2009, 7:00 pm, L.E. Shore Library, or at the call of the Chair, Carried.

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Ellen Anderson, Mayor

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Stephen Keast, Clerk