

Minutes - The Blue Mountains Council Meeting



MEETING DATE: September 22, 2008

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, save Councillor Martin, absent while recuperating from an accident.
- Also in attendance was Director of Engineering and Public Works Reg Russwurm, Director of Planning Peter Tollefsen, Director of Building and By-Law David Finbow, Director of Finance Rob Cummings, Manager of Water and Waste Water Services John Caswell, Manager of Development Planning Rob Armstrong and Communications and Economic Development Coordinator Lisa Kidd

- 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 September 22, 2008 be approved as circulated, including any items added to the Agenda, Carried.

- No member declared a pecuniary interest with any matter as listed on the Agenda, save Councillor Kennedy with regard to Agenda Item G.2, Accounts and a cheque payable to his business and Councillor McKean with regard to Agenda Item G.2, Accounts and a cheque payable to his place of employment.
- Adoption of Consent Agenda

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

THAT the Consent Agenda of September 22, 2008 be adopted as circulated, save and except Agenda Item G.3, Recreation Committee Report, requested for separate review and discussion, Carried.

- Previous Minutes

Moved by: John McKean Seconded by: John McGee

THAT the Council minutes of September 8, 2008 and Planning Council minutes of September 3, 2008 be adopted as circulated, including any revisions to be made, Carried.

B. Deputations/Presentations

B.1 7:05 pm – PUBLIC MEETING – Amendment to the Water Regulations By-Law

Mayor Anderson then called the first scheduled Public Meeting to order and explained that the Council of the Town of The Blue Mountains will hold a Public Meeting to consider the proposed By-law to amend By-Law No. 2008-02 "Water Regulation By-Law", increasing the minimum charge for water users that have failed to have their water meter installed and inspected.

Manager of Water and Waste Water Services/Assistant Director John Caswell, then reviewed the proposed By-Law Amendment, noting the Engineering and Public Works Committee had previously recommended the amendment.

Councillor Kennedy then questioned the number of non-connected meters, John replying 175.

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

As it was not yet time for the first deputation, Council then dealt with Correspondence.

C. Correspondence as previously circulated

Councillor Gamble then noted correspondence Item C.7, Bridges Tavern, Request for Noise By-law Exemption, should be considered this evening.

Deputy Mayor McKinlay noted Agenda Item C.5, Ministry of Natural Resources, Managing Human-Wildlife Conflict, should be referred to Engineering and Public Works to review the matter for consultation with the Ministry of Transportation and in consideration of design and future projects.

Council then dealt with the following Resolution:

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

THAT this Council does hereby receive the Correspondence of September 22, 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.

B.2 7:10 pm - Collingwood Mayor Chris Carrier, Clearview Mayor Ken Ferguson and Wasaga Beach Mayor Cal Patterson, Collingwood Director of Leisure Services Peter Dunbar, Airport Manager Pierre Lajoie – Collingwood Regional Airport operations.

Chris and Cal then reviewed the airport presentation requesting Council consider partnering in funding, Mayor Ferguson unable to attend.

Chris first noted the current 5,000 foot landing strip is designed to allow expansion in the future.

Chris noted the airport is valued at \$12,000,000 with the regional partnership strengthened over time and at this time, it was hoped the partnership would get stronger with participation by The Blue Mountains.

Chris noted few municipal facilities operate on a full cost recovery, with Airport revenues generated through sale of fuel, landing fees, tie-down fees and hangar leases.

Chris then noted he believed the airport was very relevant to the Town of The Blue Mountains.

Cal then reviewed statistics regarding airplane movement, up 25% from last year, with hanger construction continuing and 20 people employed in Airport-related business.

Cal then noted it was requested that Town of The Blue Mountains partner in Airport operations with annual funding of \$25,000, the same amount as Clearview and Wasaga, with Collingwood at \$75,000 per year, together with participation on the Board.

Mayor Anderson then recounted recent discussions with the Ministry of Defence discussing Port of Entry status for the Airport, The Blue Mountains being well known to the officials.

Councillor Gamble then questioned other fees, Pierre noting all commercial craft were charged landing fees, with private aircraft also paying for fuel other fees, generating revenue in that manner.

Bob then noted Thornbury Harbour is completely self-sufficient in terms of funding, adding any aircraft that uses the airport should pay a fee.

Chris then noted the facility users pay hanger construction costs with the land leased from the Airport. Chris then referred to the partnered Georgian Trail Board as well as servicing and fire agreements that benefit the regional partners, adding the Town benefits from active use of the airport.

Cal then noted there may not be a dollar payback but the benefit of partnering would reap a significant return.

Deputy Mayor McKinlay then questioned what percentage of operating costs would a total municipal contribution of \$150,000 cover, Pierre noting annual operation costs of \$140,000.00 after fees.

Councillor McKean then questioned any proposed capital projects, Peter noting a new terminal has been constructed, adding runway surfaces are always a concern.

Duncan then questioned how an arrangement would be structured with regard to future capital requirements beyond a \$25,000 annual grant, Chris noting there would be no capital contribution requests, simply an annual grant as well as a position on the Board, both recognized in a formal agreement.

Councillor McGee then noted merit in participating from a business standpoint and questioned Economic and Development Coordinator Lisa Kidd what the economic development impact might be.

Economic and Development Coordinator Lisa Kidd then noted the Town is completing an economic development strategy which would consider Airport funding.

Councillor Kennedy then questioned ownership, Chris noting the Town of Collingwood owns the land within Clearview Township with the hangars leased to operators. Cam then noted he would appreciate some additional financial information, Chris noting additional information would be provided.

Duncan then questioned actual participation, Peter replying the Board gives direction for the operation of the facility.

Mayor Anderson then noted a \$25,000 investment in a political partnership could be very attractive, with additional information from CEDC Lisa Kidd and the Airport Board most welcome.

The deputation then thanked Council and retired from the meeting.

Council then adjourned for the scheduled Public Meeting.

B.3 7:20 pm –PUBLIC MEETING – Zoning By-Law Amendment - Neighbourhood at Delphi

Mayor Anderson then called the Public Meeting to order with all members in attendance save Councillor Martin, absent while recuperating from an accident, and explained the purpose of the Public Meeting is to consider a request by the applicant for a number of variances to the site performance standards applicable to the Residential (R1) first density – single detached units and the Residential (R7) seventh density – row house units for a proposed 159 unit residential development. The Draft Plan and Zoning by-law Amendment for Phase 1 and 2 of this development was approved by the Ontario Municipal Board as part of a number of other applications in the Camperdown area. In addition, the request includes a modification to the phasing limits and permission for 8 townhouse units to be used as model homes.

The proposed changes to the zone standards include reductions in the maximum lot area, minimum lot frontage, front and side yard setbacks and increases in the maximum lot coverage. For the single detached units (R1) they have also requested an increase in the maximum height from 2 to 3 stories and a reduced rear yard setback.

The subject lands of this By-law are legally described as Part Lot 26, Concession 5 and 6, Town of The Blue Mountains. These lands are locally described as being located at 209155 Highway 26, at the intersection of Highway 26 Peaks Road.

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

The Clerk then noted notice of Public Meeting had been given in accordance with the provisions of the Planning Act and read correspondence from solicitor Vic Vandergust on behalf of 558499 Ontario Inc. and Ken Szekely, Blue Mountain Resort, the Grey Sauble Conservation Authority and the Grey County Planning and Development Department.

Mayor Anderson then asked if anyone wished to speak to the proposed Application.

Manager of Development Planning Rob Armstrong then reviewed the proposal and agency comments, noting some revisions had been made to earlier requested variances and negotiations were ongoing.

Planning Consultant Alison Enns then spoke, reviewing the revisions to the earlier proposed amendments, including reduced height and lesser setback relief.

Councillor McGee then questioned the setback reductions, Alison noting setbacks adjacent to water courses would be maintained.

Councillor Kennedy then questioned if the overall number of units would change, Alison noting total units were actually reduced from the initial proposal.

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

Mayor Anderson then called the Council meeting to order.

B.4 7:30 pm – John McGee, 2008 Federation of Canadian Municipalities Conference – Sustainability Report

Councillor McGee then reviewed his attendance at the 2008 FCM Sustainable Communities Mission in British Columbia.

Deputy Mayor McKinlay then noted certain current practices may not take in consideration of real costs, for example, clearing forest for new development but importing timber for construction.

John then noted as a Team we could push ourselves toward sustainability on a step by step basis.

Councillor Gamble then noted if the whole organization put effort to it, fuel and energy costs could be significantly reduced.

Councillor Kennedy then noted support for demonstrating cost saving projects and practices such as LEED standard construction in municipal projects.

Council then thanked John for his presentation.

D. Motions and Staff Reports

D.1 524614 Ontario Ltd. – Self Storage Facility – 5 Grey Street North, SRB.08.53

Director of Building and By-Law Enforcement David Finbow then circulated and reviewed Staff Report SRB.08.53.

David then noted the applicant had recently executed the Site Plan Agreement and provided a Release as earlier requested and Staff are now recommending the granting of Site Plan Approval and enactment of a By-law to amend the Sign By-law.

Council then dealt with the following Resolution as recommended in Staff Report SRB.08.53:

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

THAT this Council hereby grant Site Plan Approval pursuant to Section 41 of the *Planning Act* to 524614 Ontario Ltd. with respect to lands known municipally as 5 Grey Street North; and,

THAT this Council hereby authorizes the Mayor and Clerk to execute the Site Plan Agreement between 524614 Ontario Ltd. and the Town with respect to the lands known municipally as 5 Grey Street North upon the owner of such lands executing same; and,

THAT this Council hereby enact the attached Sign By-law amendment so as to permit a replacement two-sided third party ground sign on the lands known municipally as 5 Grey Street North, Carried.

D.2 Tourism Competitiveness Study Response, CEDC.08.15

Communications and Economic Development Coordinator Lisa Kidd then reviewed the Report.

Council then dealt with the following Resolution:

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

THAT Council receive Staff Report, CEDC.08.15, "Tourism Competitiveness Study Response", for information purposes.

In speaking to the Motion, Councillor Gamble questioned if correspondence from Mr. Farmilo would be considered, Lisa Kidd replying yes.

Council then voted on the Resolution, Carried.

D.3 Application for Consent File No. B13-2008; 6352987 Canada Inc (Le Scandinave Spa), Part Lot 16, Concession 1.

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

THAT Council receive Planning Staff Report PL.08., "Application for Consent File No. B13-2008; 6352987 Canada Inc (Le Scandinave Spa), Part Lot 16, Concession 1.

AND THAT Planning Staff support Application for Consent File No. B13-2008, subject to the following conditions:

1. That the severed parcel be deeded as a lot addition to the property to the south in accordance with Section 50 (3) of the Planning Act, R.S.O. 1990;

2. That any existing mortgage commitment be extended to cover the newly created parcel;
3. Verification that the 5.2 metre road widening to the County of Grey as required under the Site Plan Agreement has be completed, and;
4. Execution of a Development Agreement to address the following:
 - a. Recognition of the Spa as being a portion of the contribution for Growth and Settlement for the enlarged parcel in accordance with the provisions of the Official Plan;
 - b. Requirements for trail connections in accordance with the Site Plan Agreement for the Spa, and;
 - c. Future potential access to the spa lands from the newly enlarged parcel in accordance with the provisions of the Site Plan Agreement, Carried.

D.4 Investing in Ontario Funding, FS.08.45

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

THAT Council does receive Staff Report FS.08.45, "Investing in Ontario Funding" for information purposes.

In speaking to the Motion, Councillor McGee noted concern with Provincial Grant funding based on permanent population rather than households.

Mayor Anderson then requested Staff consider a Resolution for Council that would clarify Council's concern with the current Provincial grant funding formula.

Council then voted on the Resolution, Carried.

D.5 Cultural Heritage Plaques, A.08.10

In speaking to the Report, Councillor Gamble noted funding sources to assist landowners should be reviewed, adding Depot Curator Suzanne Ferri would be of assistance to such a program.

Council then dealt with the following Resolution:

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

THAT Council receive Staff Report A.08.10, "Cultural Heritage Plaques" for information purposes and direct Staff to release details of a Cultural Heritage Plaque Program to the public, Carried.

E. New and Unfinished Business

E.1 Grey County Council Update

Deputy Mayor McKinlay then reported on County Planning Staff proposing to further meet with lower-tier Staff for review of Official Plan mapping as part of the five year review. Duncan further noted the Warden was proceeding with a County governance review.

E.2 AMO Board of Directors Update

None

E.3 Notice of Motion

Councillor Gamble noted Agenda Item C.7, Bridges Noise By-law exemption request should be addressed this evening.

E.4 Additions to Agenda

Council then dealt with the following matters and Resolutions as Additions to the Agenda:

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

THAT Bridges Tavern be granted an exemption from the Town Noise By-law on Saturday, September 27, 2008 from 7:00 pm to 11:00 pm for fundraising purposes, Carried.

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

THAT Council does hereby declare the 2008 Apple Harvest Festival to be held October 10, 11, 12 and 13 at various venues throughout the Town as a significant Community Festival Event, Carried.

F. By-laws

Council then dealt with the following By-law and Resolutions as an Addition to the Agenda related to Staff Report SRB.08.53, earlier considered:

F.1 By-law to Amend the Sign By-law, being By-law No. 2001-57, as amended

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

THAT a By-law to amend the Sign By-law, being By-law No. 2001-57, so as to permit a two-sided "V-shaped" billboard sign at 5 Grey Street North, subject to certain conditions, be read a first time and numbered 2008-87 this twenty-second day of October, 2008, Carried.

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

THAT a By-law No. 2008-87 be read a second time and referred to Committee of the Whole, Carried.

Deputy Mayor McKinlay assumed the Chair while in Committee and upon the Committee rising, reported that all clauses passed in By-law No. 2008-87 while in Committee.

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

THAT By-law No. 2008-87 be read a third time, signed by the Mayor and Clerk, sealed with the corporate seal and duly embossed in the By-law Book, Carried.

G. Consent Agenda

1. Accounts
2. Invoices separated for pecuniary interest (CK & A)

Reports List (Adopt)

3. Recreation Committee, August 28, 2008

Councillor Gamble then reviewed the Recreation Committee Report, noting the off-leash dog parks would not be pursued at this time due to cost.

Bob then reviewed the Tomahawk pond improvements and pre-approval of "F" Dock replacement due to time constraints.

Mayor Anderson then questioned the cost of off-leash dog parks, Bob noting such parks should feature substantial fencing to ensure dog safety, for example an animal running onto a road and into traffic.

Councillor Kennedy then noted there was an off-leash area established at Moreau Park, Ellen noting a permanent off-leash area could be established somewhere on public property.

Director of Building and By-Law David Finbow then noted the Dog Control By-Law could be amended but litigation could result if an accident occurs without adequate fencing.

Bob clarified the Recreation Committee recommended that no action be taken at this time with regard to off-leash dog parks.

Councillor McGee then proposed the matter be referred back to the Committee for further consideration.

Councillor McKean then noted perhaps a legal opinion should be obtained to determine legal obligations in the operation of such a park.

Councillor Gamble then noted a small number of people had requested such a facility.

Council then dealt with the following Resolution:

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

THAT Council does hereby receive and adopt the Recreation Committee Report of August 28, 2008, save and except Recommendation No. 2, which is referred back to the Committee for further information including options and alternatives to be considered in 2009 and future capital and operating budgets.

In speaking to the Motion, Duncan noted he understands funding concerns and perhaps a legal opinion could be obtained.

Councillor Kennedy then noted the Committee has considered the matter for the past couple of years and did not make the Recommendation lightly.

Cam then noted there may or may not be a lot of need for the facility.

Bob then noted dog park proponents note any such area must be maintained, adding Conservation Authority areas may be appropriate.

Council then voted on the Resolution, Carried.

Councillor Kennedy then questioned status of the vote on the matter, Mayor Anderson clarifying she was in support of the Resolution, together with three other members.

Minutes List (Receive)

None

H. Next Meeting Date(s)

Council October 15 (Wed), 27, November 10, 24, December 8, 22, 2008
Planning Council October 6, November 3, December 1, 2008

All Council meetings to be at the Library unless otherwise noted

Engineering and Public Works Committee, September 23, 2008
Finance and Administration Committee, October 28, 2008
Recreation Committee, September 25, 2008

I. Confirmation By-law and Adjournment

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

THAT By-law No. 2008 - 88, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on September 22, 2008, be hereby enacted as passed this twenty-second day of September, 2008, Carried.

Councillors Kennedy and McKean previously declared a pecuniary interest and did not take part in discussion or voting with regard to the Confirmation By-law.

Moved by: John McGee Seconded by: John McKean

THAT this Council does now adjourn at 9:03 p.m. to meet again Wednesday, October 15, 2008, 7:00 pm, L.E. Shore Library, or at the call of the Chair.

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Ellen Anderson, Mayor

.....
Stephen Keast, Clerk