

Minutes: The Blue Mountains, Committee of the Whole Meeting



MEETING DATE: September 29, 2014
MEETING TIME: 3:30 p.m.
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 save Councillor Ardiel due to family emergency.

Also in attendance were CAO Troy Speck, Director of Engineering & Public Works Reg Russwurm, Director of Recreation Shawn Everitt, Acting Director of Finance & IT Services Ruth Prince, Budget Analyst Debbie Brown, Financial Analyst Sam Dinsmore, Manager of Information Technology Cathy Bailey, Evan Davis IT Technician, Communications & Economic Development Coordinator Elizabeth Cornish, BR&E Project Coordinator Barbara Kavanagh, Senior Policy Planner Shawn Postma, Planner I Bryan Pearce, Manager of Roads & Drainage Jim McCannell, Manager of Solid Waste & Environmental Initiatives Jeff Fletcher, Manager, Building & By-law/CBO Greg Miller, and Chief Librarian Terri Pope.

- Mayor Anderson then spoke asking that we all keep Councillor Ardiel's daughter, Britney in our thoughts as she is recovering from a bicycle accident. 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 September 29, 2014 be approved as circulated, including any items added to the Agenda, Carried.

- **Declaration of Pecuniary Interest and general nature thereof**

No member declared a pecuniary interest with any matter as listed on the Agenda, save Councillor McKean regarding Agenda item B.7.2 "EPW.14.073 Capital and Development Status Report", item #10 Bay Street, and a family member's place of employment, and Agenda item B.10.1 "PL.14.99 Application for Consent B03-2014- Gibraltar Rock Inc." and his business.

- **Previous Minutes**

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

THAT the Committee of the Whole minutes of September 8, 2014, be adopted as circulated, including any revisions to be made, Carried.

- **Adoption of Consent Agenda**

With the adoption of the Consent Agenda, all Recommendations found within the staff reports at Agenda items **B.3, B.7 and B.11** are then approved or received by the Committee of the Whole, as listed below:

- B.3.1 FIT.14.58 Monthly Financial Report – August 2014
- B.7.1 EPW.14.070 Water Section Operations Update – May to August
- B.7.2 EPW.14.073 Capital and Development Status Report

The Consent Agenda content is available to the public when the Agenda is finalized but is not subject to discussion from the floor at this time, however, representations may be made at subsequent meetings on matters of interest.

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

THAT the Consent Agenda of September 29, 2014 be adopted as circulated, less any items requested for separate review and discussion, Carried.

Councillor McKean did not participate in related discussion or voting of the consent agenda having earlier declared a pecuniary interest.

B. Staff Reports, Deputations, Correspondence

Finance, Administration and Fire Reports To be chaired by Mayor Ellen Anderson

B.1 Deputations, if any

None

B.2 Staff Reports

B.2.1 Updated Information Technology Acceptable Use Policy, FIT.14.49

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

THAT Council receive Staff Report FIT.14.49 “Updated Information Technology Acceptable Use Policy”; and,

THAT Council approve the revised Information Technology (IT) Acceptable Use Policy as attached, Carried.

B.2.2 2014 Response to Georgian Triangle Development Institute Deputation, CEDC.14.4

Moved by: D.R. McKinlay Seconded by: Joe Halos

That Council receive Staff Report CEDC.14.4, “**2014 Response to Georgian Triangle Development Institute Deputation**” for information purposes; and

That Council **invite the Georgian Triangle Development Institute** to become a member of the Economic Development Advisory Committee, Carried.

B.2.3 2014 Business Retention and Expansion Study Update, CEDC.14.3

Moved by: Joe Halos Seconded by: Michael Martin

That Council receive Staff Report CEDC.14.3 “2014 Business Retention and Expansion Study Update” for information purposes.

That Council receive Staff Report CEDC.14.3 “2014 Business Retention and Expansion Study Update” for information purposes, Carried.

B.3 Finance, Administration and Fire “Information Reports” and correspondence to be considered in the adoption of the Consent Agenda

B.3.1 Monthly Financial Report – August 2014

THAT Council receive Staff Report FIT.14.58 “Monthly Financial Report – August 2014” for information purposes, Carried.

B.4 Correspondence, if any

None

**Engineering & Public Works and Community Services Reports
To be chaired by Councillor Joe Halos**

B.5 Deputations, if any

None

B.6 Staff Reports

B.6.1 Contract Extension for Sidewalk and Parking Lot Winter Maintenance, Snowplowing, Sanding and Salting, 2012-3-T-EPW, EPW.14.060

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

THAT Council receive Report EPW.14.060 entitled “Contract Extension for Sidewalk and Parking Lot Winter Maintenance, Snowplowing, Sanding and Salting, 2012-3-T-EPW”; and;

THAT Council extend the contract for sidewalk and parking lot winter maintenance to 2348291 Ontario Inc. o/a Sheridan Farm Management in the annual estimated amount of \$ 133,146.95 plus applicable taxes per year for a one (1) year period; and,

THAT the Mayor and the Clerk be authorized to execute the Contract Documents with 2348291 Ontario Inc. o/a Sheridan Farm Management, Carried.

B.6.2 Hunter Weale Easement, EPW.14.074

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

THAT Council receive Staff Report EPW.14.074 entitled, “Hunter Weale Easement”;

AND THAT Council advise Staff to create an attenuation area related to the Town’s Solid Waste Disposal Site to be registered on title;

AND THAT Council approve execution of the related agreement by Mayor and Clerk, Carried.

B.6.3 Speed Limit Reduction on Bay Street East and Bayview Drive from Elgin Street to Lakeshore Road, EPW.14.068

Moved by: Michael Martin Seconded by: John McKean

THAT Council receive Staff Report EPW.14.068 entitled, "Speed Limit Reduction on Bay Street East and Bayview Drive from Elgin Street to Lakeshore Road";

AND THAT Council enact a By-law to reduce the speed limit along Bay Street and Bayview Drive to 40 km from Bayview Park (Elgin Street) to Lakeshore Road, Carried.

B.7 Engineering & Public Works and Community Services "Information Reports" and correspondence to be considered in the adoption of the Consent Agenda:

B.7.1 Water Section Operations Update – May to August 2014, EPW.14.070

THAT Council receives Report EPW.14.070 entitled "Water Section Operations Update – May to August 2014" for their information, Carried.

B.7.2 Capital and Development Status Report, EPW.14.073

THAT Council receive Staff Report EPW.14.073 entitled "Capital and Development Status Report" for their information, Carried.

B.8 Correspondence, if any

None

**Planning, Building and By-Law Enforcement Reports
To be chaired by Councillor Michael Martin**

B.9 Deputations, if any

None

B.10 Staff Reports

B.10.1 Application for Consent File No. B03-2014 – Gibraltar Rock Inc. (c/o Robert Yanowski) South Part Lot 3, Concession 4; 595145 4th Line, PL.14.99

Councillor McKean declared a pecuniary interest and vacated the Council Chamber.

Moved by: Joe Halos Seconded by: R.J. Gamble

THAT Council receive Planning Staff Report PL.14.99 respecting "Application for Consent File No. B03-2014 – Gibraltar Rock Inc. (c/o Robert Yanowski); South Part Lot 3, Concession 4; 595145 4th Line; Town of The Blue Mountains";

AND THAT Council authorize Consent No. B03-2014, subject to the following conditions:

1. That the Applicant meet the requirements, financial and otherwise, of the Town, for the Certificate of Consent to be issued.
2. That the Applicant provide a description of the land which can be registered in the Land Registry Office.

3. That the severed parcel be deeded as a lot addition to the property abutting to the southwest in accordance with Section 50 (3) of the *Planning Act, R.S.O. 1990*.
4. That any existing mortgage commitment on the severed parcel be extended to cover the whole, newly created parcel.
5. That all conditions noted above shall be fulfilled within one year of the decision so that the Town's Clerk is authorized to issue the Certificate of Consent pursuant to Section 53(42) of the *Planning Act, Carried*.

B.10.2 Sleepy Hollow Developments Inc. East Application for: Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, Concession 3, Part Lot 21, RP 16R-3337, Part 4, Town of The Blue Mountains, PL.14.98

Moved by: Joe Halos Seconded by: Ellen Anderson

THAT the Committee of the Whole receive Staff Report PL.14.98 "Sleepy Hollow Developments Inc. East, Application for: Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, Concession 3, Part Lot 21, RP 16R-3337, Part 4, Town of The Blue Mountains"; and

THAT Council accept a cash-in-lieu payment as an appropriate alternative to providing a minimum of 40% open space as required under Sections 6.5.1 and 6.5.2 to the Official Plan.

THAT Council adopt Official Plan Amendment 30 to re-designate the Subject Lands from the Residential Infilling 'RI' designation to the Recreational Residential 'RR' designation.

THAT Council enact a Zoning By-law to rezone the subject lands from the Development 'D' Zone to the Residential 'R3-h' Zone and Development 'D-Exception' Zone.

THAT Council support a recommendation to the County of Grey to grant Draft Plan Approval of Subdivision File 42T-2014-01, subject to the Draft Plan Conditions attached to this report, Carried.

B.11 Planning and Building "Information Reports" and correspondence to be considered in the adoption of the Consent Agenda:

None

B.12 Correspondence, if any

B.12.1 The Lillypad, Grant and Liz Campbell For Committee Recommendation
Re: Request for Relief

Mayor Anderson spoke regarding the correspondence from The Lillypad, noting there are good points included in the letter. Ellen noted that she sometimes struggles with the Town's policies, and noted that many parking lots in Thornbury are not paved. Ellen noted that she believes this requirement to pave the parking lot is unfair. Ellen noted that the Campbell's have operated in good faith, they have hired a planning consultant to assist them to move their business forward and they have contributed to the economic base of the Town.

Deputy Mayor McKinlay then spoke noting he would like to receive some background as to why the parking lot is required to be paved in the downtown area.

Mayor Anderson read the Notice of Public Meeting, noting that Council of The Corporation of the Town of The Blue Mountains will hold a **PUBLIC MEETING** in the **TOWN HALL COUNCIL CHAMBERS, 32 MILL STREET, THORNBURY, ONTARIO, COMMENCING 5:00 P.M. ON THE 29TH DAY OF SEPTEMBER, 2014**, for the purpose of considering an Amendment to the Town of Thornbury Zoning By-law No. 10-77 and the Township of Collingwood Zoning By-law No. 83-40 as follows:

Vacant Lots - By-law 83-40 has a provision that enables building on existing lots that do not meet the by-law requirements for frontage and area. However, the By-law requires the lot to have been vacant at the time the by-law was passed. This means that if there was any building, for example tool shed, garage or small dwelling on the property at the time the by-law passed, the provisions for building on undersized lots do not apply. The requirement for the lot to have been vacant at the time of the by-law being passed is proposed to be deleted and the provisions enabling the development of an undersized lot that otherwise meets the requirements of the By-law will apply.

Open Space in the Shoreline Areas - The boundaries clause of both Zoning By-laws indicate that the boundaries should be determined by scaling from the maps. However, the maps are very old and a large-scale map printed in the municipality does not accurately reflect the line of flooding and wave uprush from Georgian Bay as was originally intended when the Zone was created.

The intent of the OS2 Zone was to provide for protection of persons property, buildings and structures within the area that is subject to flooding. The Conservation Authority advises that the elevation of flooding on Georgian Bay is 177.9 metres GSC. The Conservation Authority would also recommend a 15 metre setback from that line and a minimum opening elevation of 179.2 metres GSC. The boundaries clause of both By-laws would be amended to indicate that the limit of the inshore limit of the OS2 zone is 177.9 M (GSC) elevation and the by-law should include a minimum opening elevation of 179.23. It should be noted that Conservation Authority regulations may require a higher level of flood protection in some areas.

Since the proposed Amendments are general in nature and application no Key Map has been provided with this Notice.

Any person or agency may attend the Public Meeting and/or make written or verbal representation either in support of or in opposition to the proposed Amendment.

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 noted that notice of the public meeting was given in accordance with the Town's Notice Policy and that in response, no comments were received.

Planner Shawn Postma then spoke noting the Notice applies to both the former Town of Thornbury and the Township of Collingwood, for open space and undersized lots and provides better clarification in the by-laws. Shawn noted that comments are being received this evening and that comments will be requested from Grey Sauble Conservation Authority and other outside agencies. Shawn noted that a followup staff report will be provided to Council.

Deputy Mayor McKinlay then spoke referencing the 9 metre setback in the former Town of Thornbury and 10 metre setback in the former Township of Collingwood and questioned why the setback is not consistent, Shawn replying that he will look into this and will report back.

Councillor Halos then spoke with respect to shoreline and mapping and questioned how often this is reviewed and the data updated, Shawn replying that the requirements for elevation point have been set in stone, and that a hard number will be included in the Town by-law.

Councillor McKean then spoke questioning if there are any buildings within the 177.9 metre floodplane, Shawn replying yes, further noting that these buildings would be recognized as a legal non-conforming use.

Deputy Mayor McKinlay then spoke questioning if a building would be required to be rebuilt if it is within the floodplane, Shawn replying that it may be protected as a legal non-conforming use, further noting that Grey Sauble Conservation Authority would be involved.

As no member of the public wished to speak, Mayor Anderson declared the public meeting to be closed.

C.2 Deputations

None

D. New and Unfinished Business

D.1 Notice of Motion Council

D.2 Additions to Agenda Staff

E. Notice of Meeting Dates

Council Meeting, October 15, 2014
Town Hall, Council Chamber

Committee of the Whole Meeting, October 20, 2014
Town Hall, Council Chamber

F. Adjournment

Moved by: John McKean Seconded by: Michael Martin

THAT this Committee of the Whole meeting does now adjourn at 5:27 p.m. to meet again October 20, 2014, 1:00 pm, Town Hall, Council Chamber, Carried.

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Ellen Anderson, Mayor

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Corrina Giles, Town Clerk