

## Minutes - The Blue Mountains Council Meeting



**MEETING DATE:** October 23, 2006

**LOCATION:** The Blue Mountains Council Chamber

**PREPARED BY:** Stephen Keast, Clerk

### A. Call to Order

- Mayor Anderson called the meeting to order with all members in attendance
- Council then paused for a moment of personal prayer or reflection.
- Approval of Agenda

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

THAT the Agenda of October 23, 2006 be adopted 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 Mayor Anderson with regard to Item G.2 and accounts payable to her father, Councillor McKean with regard to Item G.2 and accounts payable to his place of employment and Deputy Mayor McKinlay with regard to Item D.2 and his daughter's place of employment.
- Adoption of Consent Agenda

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

THAT the Consent Agenda of October 23, 2006 be adopted as circulated, less Items G.3, G.4 and G.5, requested for separate review and discussion, Carried.

NOTE: Mayor Anderson declared a pecuniary interest with regard to Item G.2 and accounts payable to her father and Councillor McKean declared a pecuniary interest with regard to Item G.2 and accounts payable to his place of employment and neither took part in related discussion or voting.

- Previous Minutes

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

THAT the Minutes of October 11, 2006 and Special Meetings of October 11 and 16, 2006 be adopted as circulated including any revisions to be made, Carried.

### B. Deputations/Presentations

None

### C. Correspondence as previously circulated

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

THAT this Council does hereby receive the Correspondence of October 23, 2006 and further does hereby support and adopt the Staff Recommendations made with regard to the Correspondence items including any additional direction give to Staff and Committees through discussion, Carried.

Regarding Item 1, correspondence from Margaret Robertson noting concern with Highway 26 speed limits, Council concurred to refer the matter to the Engineering and Public Works Committee and Police Services Board.

Regarding Item 2, correspondence from Ernie Hardeman, MPP referring to a Provincial – Municipal fiscal review, Councillor Gamble noted a previous Council Resolution circulated to the County and Province addressed the matter.

Regarding Item 3, correspondence from Anne Cauley and Gord Palin noting concern with short term rental of residential dwelling units, Council concurred to refer the matter to Planning Staff and the Police Services Board.

Regarding Item 11, correspondence from the Association of Ontario Health Centres and noting a proposed discussion forum, Deputy Mayor McKinlay questioned the background and history of the organization and if there should be a municipal presence at the forum.

Councillor Ardiel noted the matter was not discussed at the last General and Marine Hospital Board meeting, Council concurring the Clerk obtain more information on the matter.

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

### **D.1 Application for Site Plan Approval – Bluewater School Board, Report PL.06.131**

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

That Council authorizes the Mayor and Clerk to execute a Site Plan Agreement for the development of a new, maximum 212 square metre daycare building, play area, parking area and entrance improvements on Part of Lot 6, Plan 211, Napier West/South, in accordance with Drawing 05053 and dated September 19, 2006 as noted in the amended Planning Staff Report PL.06.131.

In speaking to the Motion, Deputy Mayor McKinlay questioned if the minor site plan approval could have been provided by Staff as a delegated approval, Manager of Development Planning Rob Armstrong noting Staff deemed the matter as an issue that required Council's attention.

Councillor Ardiel then questioned if the Site Plan Agreement would allow the structure to be placed on the subject lands as funding timelines were in place, Rob noting authorization of the Site Plan Agreement would allow consideration of the building permit process.

Council then voted on the Resolution, Carried.

### **D.2 Site Plan Modification - Errinrung Nursing Home, Report PL.06.132 (Revised)**

Manager of Development Planning Rob Armstrong then reviewed the revised Report, noting the landowners were now in agreement on landscaping and a revised parking area with five extra spaces.

Mayor Anderson then thanked Rob for his efforts in achieving agreement among the parties.

Councillor Ardiel then noted the increased parking area may allow for complementary uses to locate in the facility.

Council then dealt with the following Resolution:

Moved by: John McKean                      Seconded by: Gail Ardiel

That Council hereby approves revisions to the Site Plan approved under the Site Plan Agreement registered as Instrument Number 0457146 for Cared Holdings Inc. (Errinrung Retirement Home) so as to modify the landscaping required along the north west property line from 12 to 8 Colorado Blue Spruce at the same specifications and to permit the establishment of additional parking in accordance with a Plan prepared by Cared Holdings Inc dated August 6, 2006, Carried.

NOTE: Deputy Mayor McKinlay declared a pecuniary interest with regard to Item D.2 , Errinrung Site Plan Approval and his daughter's place of employment and did not take part in related discussion or voting.

### **D.3 Discharge of Firearm Regulation By-law Training**

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

That this Council hereby does approve to cover up to \$1,000.00 in training costs to be incurred by The Blue Mountains/Collingwood OPP related to the retention of a Fish and Wildlife Conservation Act Contract Training Officer and that the source of funding for same be from the approved 2006 By-law Enforcement Budget (professional services/fees), it being noted that:

1. The hunting season in Ontario has commenced; and
2. Trespassing and the discharge of firearms in regulated areas are of concern to the municipality; and
3. The MNR provide enforcement services related to the Fish and Wildlife Conservation Act and the OPP provide enforcement of both the Act and By-law No. 2005 – 55, being a By-law to regulate the discharge of firearms within the Town of The Blue Mountains; and
4. Council is desirous that the hunt season proceed in an orderly and lawful manner.

In speaking to the Motion, Councillor Gamble questioned background, the Clerk noting the OPP proposed increased training for Fish and Wildlife Conservation Act enforcement prior the 2006 hunting season which is now upon us.

Councillor Martin then questioned if the training would normally be a police cost, Director of Building and By-law Enforcement David Finbow noting the specialized training was seen as necessary and needed in a timely manner.

Deputy Mayor McKinlay then noted Council had previously indicated a desire for an increased level of enforcement during the hunting season and the specialized training should assist OPP officers in enforcement, adding perhaps the training could take place earlier in the future to provide a higher level of co-ordination between enforcement agencies.

Councillor Ardiel then noted support for earlier training in the future and budgeted for by the police.

Councillor Gamble then questioned if a full complement of officers could be made available during the hunting season.

Duncan then reported that recent discussions with MNR Staff indicated the Ministry would have a heightened presence in the Town during the hunt season.

Council then voted on the Resolution, Carried.

#### **D.4 Fence By-law Variance, Lot 59, Plan 320 – 209539 Highway 26**

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

That this Council hereby does authorize a variance to Fence By-law, By-law No. 2003-14 to Margaret Anderson in order to allow a chain link fence wherein the height exceeds 1 metre within the front yard (photo of fence attached) of the property known municipally as 209539 Highway 26 (Roll No. 06-238-00).

In speaking to the Motion, Deputy Mayor McKinlay questioned rationale for the variance, Director of Building and By-law Enforcement David Finbow noting a complaint resulted in an investigation which determined the fence is approximately one foot above that height permitted.

Councillor Gamble then questioned location of the fence, David noting it appeared the fence was located on the property owner's land.

Council then voted on the Resolution, Carried.

#### **D.5 Canada World Youth**

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

THAT Council does hereby acknowledge the opportunities and life experience offered by Canada World Youth and gained by more than 26,000 young people from Canada and around the world in this, their 35<sup>th</sup> anniversary year, Carried.

#### **D.6 Collingwood Branch of the Taoist Tai Chi Society**

Moved by: Michael Martin      Seconded by: John McKean

THAT Council does hereby acknowledge the efforts of the Collingwood Branch of the Taoist Tai Chi Society in offering mental and physical well being to the residents of the Georgian Triangle in their efforts through a volunteer-run charitable organization.

In speaking to the Motion, Councillor Gamble questioned if Council would be inundated with such requests for acknowledgement, Mayor Anderson noting the local organization is simply being recognized.

Council then voted on the Resolution, Carried.

### **E. New and Unfinished Business**

## **E.1 Grey County Council Update**

Deputy Mayor McKinlay then requested Council support for his continuing review of funding sources for projected development-related infrastructure that is not supported by the County Development Charges By-law, Council concurring to support Duncan's efforts.

## **E.2 Notice of Motion for Subsequent Meeting - None**

## **F. By-laws**

### **F.1 Stop Sign Location (Grey Road 19 and the 10th Line)**

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

THAT By-law No. 2006-111, being a By-law to provide for the erection of stop signs at the intersection of Grey Road 19 and the 10<sup>th</sup> Line facing north and southbound traffic on the 10<sup>th</sup> Line, be hereby enacted as passed this twenty-third day of October, 2006, Carried.

## **G. Consent Agenda**

### **Accounts**

1. Accounts
2. Invoices separated for declaration of pecuniary interest (Miller, A. Gibson)

### **Reports List – ADOPT**

3. Engineering and Public Works Committee – October 10, 2006

Deputy Mayor McKinlay then reviewed the Report, noting traffic control measures for the Blue Mountain South area were considered, including real-time modeling of a modern roundabout facility.

Council then dealt with the following Resolution:

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

THAT the Engineering and Public Works Committee Report of October 10, 2006 be adopted as circulated, Carried.

4. Recreation Committee – October 12, 2006

Councillor Gamble then reviewed the Report, noting the early installation of ice in the Arena in 2007 may require reorganizing some Beaver Valley Fall Fair activities to replace Arena use.

Bob then reported on the proposed Relay for Life event, now proposed for a different location.

Council then dealt with the following Resolution:

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

THAT the Recreation Committee Report of October 12, 2006 be adopted as circulated.

In speaking to the Motion, Deputy Mayor McKinlay questioned if Fall Fair discussions were finalized, Bob replying not at this time, with discussion ongoing.

Councillor Martin noted the Fall Fair representatives were present at the meeting and asked if the arena was required and they indicated it was not, the same dates being preferred.

Council then voted on the Resolution, Carried.

#### 5. Finance and Administration – October 17, 2006

Director of Finance Chris Fawcett then reviewed the Committee Report and recommended transfers to reserves.

Deputy Mayor McKinlay then questioned status of CAUSE projects, Chris noting the projects would be completed in 2006 and 2007.

Councillor Ardiel then questioned gasoline tax transfers, Chris noting there was no requirement to spend funds until the third year of the program.

Councillor Gamble then reviewed the budget to date, noting landfill fees were below projected targets.

Council then dealt with the following Resolution:

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

THAT the Finance and Administration Committee Report of October 17, 2006 be adopted as circulated, Carried.

### **H. Next Meeting Date(s)**

Council, November 27, 2006                      Planning Council, November 20, 2006  
Town/County Joint Public Meeting, October 25, 2006, 7:00 pm

### **I. Closed Session**

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

THAT with regard to subsection 239(2) of the *Municipal Act, 2001*, this Council do now move into closed session in order to address matters pertaining to a proposed or pending acquisition or disposition of land by the municipality or local board;

AND WITH REGARD TO a proposed acquisition of a servicing easement and lands for highway purposes, Carried.

Council moved into closed session at 7:56 p.m.  
Council rose from closed to public session at 8:14 p.m.

As an addition to the Agenda, Council then considered the following Resolutions:

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

THAT By-law No. 2006-112, being a By-law to authorize the expropriation of an easement or rights in the nature of an easement in, on and over part of Block 39, Plan 1079 for the purposes of municipal servicing and the expropriation of Blocks 42 and 43, Plan 1079 for the purposes of establishment of a portion of municipal highway known as Indian Circle, be read a first time this twenty-third day of October, 2006, Carried.

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

THAT By-law No. 2006-112 be read a second time and referred to Committee of the Whole this twenty-third day of October, 2006, Carried.

Deputy Mayor McKinlay assumed the Chair in Committee and upon Committee rising reported that all clauses passed in By-law No. 2006-112 while in Committee.

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

THAT By-law No. 2006-112, be read a third time, signed by the Mayor and Clerk, sealed with the corporate seal and duly engrossed in the By-law Book this twenty-third day of October, 2006, Carried.

#### **J. Confirmation By-law and Adjournment**

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

THAT By-law No. 2006 - 113, being a By-law to confirm proceedings of the Council of The Corporation of the Town of The Blue Mountains on October 23, 2006, be hereby enacted as passed this twenty-third day of October, 2006, Carried.

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

THAT this Council does now adjourn at 8:17 p.m. to meet again November 27, 2006, at 7:00 pm or at the call of the Chair, Carried.

.....  
Ellen Anderson, Mayor

.....  
Stephen Keast, Clerk