

AGENDA: The Blue Mountains Council Meeting



MEETING DATE: October 28, 2013
MEETING TIME: 7:00 p.m.
LOCATION: Town Hall, Council Chamber
PREPARED BY: Corrina Giles, Town Clerk

A. Call to Order

- **Moment of Personal Prayer or Reflection**
- **Approval of Agenda**

Recommended (Move, second)

THAT the Agenda of October 28, 2013 be approved as circulated, including any items added to the Agenda.

- **Declaration of Pecuniary Interest and general nature thereof**
- **Adoption of Consent Agenda**

With the adoption of the Consent Agenda, all Recommendations found within previous Committee Reports or Minutes are then approved or received by Council, as noted. These Committee meetings are open to the public. 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.

Recommended (Move, second)

THAT the Consent Agenda of October 28, 2013 be adopted as circulated, less any items requested for separate review and discussion.

- **Previous Minutes**

Recommended (Move, second)

THAT the Council minutes of October 7, 2013, be adopted as circulated, including any revisions to be made.

B. Deputations / Presentations / Public Meeting

Under the authority of the Municipal Act, 2001 and in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), The Corporation of the Town of The Blue Mountains wishes to inform the public that all information including opinions, presentations, reports and documentation provided for or at a Public Meeting, Public Consultation, or other Public Process are considered part of the public record. This information may be posted on the Town's website and or/ made available to the public upon request.

B.1 Public Meeting: Re: Proposed Infrastructure Renewal Fee For Unconnected Vacant Lots Fronting Municipal Water and Wastewater Services

B.2 Collingwood G& M Hospital, CEO Linda Davis & Board Chair, Shiela Metras Re: Collingwood General & Marine Hospital's new Strategic Plan, 2013 – 2017

B.3 Brian Withers Re: Wind Power Turbine at 108 Kimheather, Blue Mountains

C. Correspondence as previously circulated

Recommended (Move, second)

THAT this Council does hereby receive the Correspondence of October 28, 2013 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.

Author	Recommendation
C.1 Beaver Valley Figure Skating Club c/o BVAA Re: Request for Support	For Council consideration
C.2 The Royal Canadian Legion Re: Request for Support for the Poppy Fund	For Council consideration
C.3 Wally Brinson Re: Request for Exemption to By-Law 2005-55 Regulation of Firearm Discharge For the property at Lot 39, Concession 12	For Council consideration
C.4 Operation Catsnip Re: Thank you for support	Received for information

- | | | |
|-----|--|--------------------------|
| C.5 | Ministry of Citizenship and Immigration
Re: June Callwood Outstanding
Achievement Award for Volunteerism
In Ontario | Received for information |
| C.6 | Ron Hartlen Re: Green Energy Act | Received for information |

D. Motions and Staff Reports

D.1 Site Plan Agreement Security, PL.13.114

Recommended (Move, second)

THAT Council receive Staff Report PL.13.114 respecting “Site Plan Agreement Security” and that Council affirm the provision of security, and the security amounts, as outlined in Staff Report PL.13.114

D.2 Proposed Public Works Assumption Criteria, EPW.13.016

Recommended (Move, second)

WHEREAS Councillors Gamble, Martin and McKinlay were tasked by Council as the Development Template Review Committee to review the Town’s Development Agreement Templates and provide recommendations to Council, and

WHEREAS Council was presented with Report EPW.12.001 and adopted the recommendations, and

WHEREAS the Committee was instructed to recommend a Municipal Lands Works Permit Process for Council’s consideration and enactment,

THIS Committee hereby provides Report EPW.13.016 for Council’s consideration and recommends Council adopt a 3 year maintenance period prior to Assumption by:

1. Implementing a Frontage Deposit Process via a Municipal Lands Works Permit; and,
2. Requiring a security deposit to guarantee the performance of the roads for 5 years post assumption equal to 6.5% of the capital cost of the applicable road works; and,
3. Requiring a one-time non-refundable payment for maintenance of the stormwater management system to be determined at the time of Assumption by the Director of Engineering and Public Works based on a formulation established within the Development Agreement.

D.3 Small, Rural and Northern Municipal Infrastructure Fund – Capital Program, FIT.13.56

Recommended (Move, second)

THAT Council receive Staff Report FIT.13.56 “Small, Rural and Northern Municipal Infrastructure Fund - Capital Program” for information purposes;

AND THAT the Council of the Town of The Blue Mountains hereby declares that the information in the Expression of Interest for the “Small, Rural and Northern Municipal Infrastructure Fund Capital Program” is factually accurate;

AND THAT the Town of The Blue Mountains is committed to developing a comprehensive asset management plan that includes all of the information and analysis described in “Building Together: Guide for Municipal Asset Management Plans” by December 31, 2013;

AND THAT the comprehensive asset management plan will be publically available by May 30, 2014;

AND THAT the Elma Road Reconstruction Project put forward in this application will be completed by December 31, 2015.

D.4 The Blue Mountains Attainable Housing Corporation, Appointments (verbal)

Recommended (Move, second)

THAT Council appoint two (2) members of Council to sit as Directors of The Blue Mountains Attainable Housing Corporation for the period of one year, or until they are replaced;

THAT Council appoint the Town’s proxy to vote on the Town’s behalf as the Municipal Member at the next annual general meeting of members of The Blue Mountains Attainable Housing Corporation;

AND THAT Council direct the Town’s proxy to vote for the following individuals as directors on the Board of The Blue Mountains Attainable Housing Corporation:

- 1.
- 2.
- 3.
- 4.
- 5.

D.5 Tenders Awarded by the Tender Proposal Award Committee, FIT.13.54 Recommended (Move, second)

THAT Council receive Staff Report FIT.13.54 "Tenders Awarded by the Tender Proposal Award Committee" detailing the following award for information purposes:

1. Award of Proposal 2013-26-P-EPW, Engineering Assessment for Public Works within Thunderhill Development to Gamsby and Mannerow Limited in the amount of \$73,563.50 excluding HST.

D.6 Silver Creek Wetlands (verbal)
Recommended (Move, second)

WHEREAS the Draft Plan Conditions associated with a Draft Plan of Subdivision and a Draft Plan of Condominium on lands composed of Part Lot 89, Plan 529 being part of Part of Lot 21, Concession 1, in the Town of The Blue Mountains ("Havens" Draft Plan) require the dedication of provincially significant wetlands and/or buffers associated therewith that are part of the Silver Creek Wetlands Complex to the Town;

AND WHEREAS a portion of the lands associated with Town Official Plan Amendment No. 20 ("Meridian Credit Union Craigleith Development Project"), located on lands composed of Lots 86, 88 and 89, Plan 529 being Part of Lots 21 and 22, Concession 1, are provincially significant wetlands and/or buffers associated therewith and part of the Silver Creek Wetlands Complex;

AND WHEREAS there is a Draft Plan of Subdivision Application before the County of Grey, File No. 42T-2012-03, with respect to the Meridian Credit Union Craigleith Development Project;

AND WHEREAS there are other lands within the Town that are designated for development that contain provincially significant wetlands and/or buffers associated therewith that is part of the Silver Creek Wetlands Complex;

AND WHEREAS the Blue Mountain Watershed Trust Foundation is requesting joint support of their strategy for the protection of the Silver Creek Wetlands Complex from the Town of Collingwood, The Town of The Blue Mountains, Nottawasaga Valley Conversation Authority, Grey Sauble Conservation Authority and the Niagara Escarpment Commission;

THEREFORE BE IT RESOLVED THAT Council of The Town of The Blue Mountains hereby supports in principle the stewardship of the Provincially Significant Wetlands known as the Silver Creek Wetlands through a management plan/contract with the Nottawasaga Valley Conservation Authority;

AND FURTHER THAT Council authorizes Planning Staff to work co-operatively with the various agencies to investigate this initiative.

D.7 Bill 2, Restoring Planning Powers to Municipalities Act, 2013 (verbal)

Recommended (Move, second)

WHEREAS the Green Energy and Green Economy Act, 2009, amended the Planning Act, R.S.O. 1990, so as to preclude the operation of official plans and local zoning by-laws as they relate to renewable energy undertakings;

AND WHEREAS the Green Energy Act, 2009, permits a person to engage in a renewable energy project despite any restriction established by a municipal by-law;

AND WHEREAS the installation and use of a wind facility must conform to the Environmental Protection Act, R.S.O. 1990, as it relates to the prohibition to discharge a contaminant into the natural environment, if the discharge causes or may cause an adverse effect;

AND WHEREAS the installation and use of any wind facility in an area zoned residential, or in close proximity to an area zoned residential, may cause an adverse effect within the meaning of the Environmental Protection Act, specifically noise;

AND WHEREAS the Minister of Energy in his directive MC-2012-1071 directed the Ontario Power Authority not to enter into FIT or microFIT contracts for wind generation facilities up to and including 3 kW where those facilities are located on property that is zoned for residential use, or borders a property zoned to permit a residential use and thereby acknowledges the adverse effect that wind generation facilities may have on property that is zoned for residential use;

AND WHEREAS Bill 2, Restoring Planning Powers to Municipalities Act, 2013 received First Reading on February 20, 2013;

AND WHEREAS Bill 2, Restoring Planning Powers to Municipalities Act, 2013 would, if enacted, amend the Planning Act to reverse the effect of the amendments made to the Act by Schedule K to the Green Energy and Green Economy Act, 2009, which exempted renewable energy undertakings from the normal application of the Planning Act, including policy statements, provincial plans, official plans, demolition control by-laws, zoning by-laws and development permit regulations and by-laws;

AND WHEREAS Council of The Corporation of The Town of The Blue Mountains supports Bill 2, Restoring Planning Powers to Municipalities Act, 2013;

NOW THEREFORE Council of The Corporation of The Town of The Blue Mountains hereby requests that the Province of Ontario immediately enact Bill 2, Restoring Planning Powers to Municipalities Act, 2013;

AND THAT The Council of the Corporation of The Town of The Blue Mountains hereby directs that this resolution be circulated to the Premier, Ministers of Energy, Municipal Affairs & Housing and Rural Affairs, The Association of Municipalities of Ontario (AMO), The Ontario Small Urban Municipalities (OSUM) of Ontario, the County of Grey and all municipalities in Grey County.

D.8 The Sustainable Path Committee, Implementation Steering Committee Council Appointment (verbal)

Recommended (Move, second)

THAT Council of the Town of The Blue Mountains appoints (council member) to sit on The Sustainable Path Implementation Steering Committee for a one year term, November 2013 to the end of October, 2014.

D.9 Support for Great Lakes Protection Act (Bill 6) (verbal)

Recommended (Move, second)

WHEREAS there is an urgent and pressing need for a new, strong and effective law to protect and restore the Great Lakes and St. Lawrence River watershed;

WHEREAS 3 of our 4 Great Lakes are in decline (Lakes Ontario, Erie and Huron);

WHEREAS the Great Lakes provide more than 80 per cent of Ontario's drinking water;

WHEREAS over 95 per cent of Ontario's agricultural land is in the Great Lakes basin; AND

WHEREAS the health of the lakes contribute to a \$4.4 trillion economy in the Great Lakes-St. Lawrence basin in Canada and the United States.

NOW THEREFORE BE IT RESOLVED THAT Council request the Premier of Ontario and the Minister of the Environment to enact, expeditiously, the long-awaited and promised 'Great Lakes Protection Act' (Bill 6), with the understanding that our support is contingent on there being no additional financial implications for municipal governments.

E. By-laws

None

F. Consent Agenda

Accounts

- F.1 Accounts
- F.2 Invoices separated for pecuniary interest (none)

Reports List (Adopt)

- F.3 Finance and Administration Committee Report, October 8, 2013
- F.4 Infrastructure and Recreation Committee Report, October 8, 2013
- F.5 Sign By-law Review Committee Report, October 15, 2013

Minutes List (Receive)

- F.6 Public Art Committee Minutes, April 4, 2013
- F.7 Public Art Committee Minutes, May 9, 2013
- F.8 Thornbury Business Improvement Area Minutes, August 7, 2013
- F.9 Grey Sauble Conservation Authority Minutes, August 14, 2013
- F.10 Thornbury Business Improvement Area Minutes, August 28, 2013
- F.11 Thornbury Business Improvement Area Minutes, September 10, 2013
- F.12 Grey Sauble Conservation Authority Minutes, September 11, 2013
- F.13 The Blue Mountains Public Library Minutes, September 18, 2013
- F.14 Thornbury Business Improvement Area Minutes, September 18, 2013
- F.15 Nottawasaga Valley Conservation Authority Highlights, September 27, 2013

G. New and Unfinished Business

- G.1 Grey County Council Update** EA, DMcK
- G.2 Notice of Motion** Council
- G.3 Additions to Agenda** Staff
- G.4 Staff Discussion**

H. Notice of Meeting Dates

Committee of the Whole Meeting, November 13, 2013
Town Hall, Council Chamber

Council Meeting, November 25, 2013
Town Hall, Council Chamber

I. Closed Session

Recommended (Move, second)

THAT, with regard to subsection 239 of the *Municipal Act, 2001*, this Council does now move into closed session in order to address matters pertaining to litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board;

AND with regard to contract negotiations.

Council moved into closed session at (time) pm.

Council moved into public session at (time) pm.

J. Confirmation By-law and Adjournment

Recommended (Move, second)

THAT By-law No. 2013 - 47, being a By-law to confirm proceedings of the Council of The Corporation of the Town of The Blue Mountains on October 28, 2013, be hereby enacted as passed this 28th day of October, 2013.

Recommended (Move, second)

THAT this Council does now adjourn at (time) p.m. to meet again November 25, 2013, 7:00 pm, Town Hall, Council Chamber, or at the call of the Chair.

Meeting Notes
