

## Minutes - The Blue Mountains Council Meeting



**MEETING DATE:** November 10, 2008

**LOCATION:** L.E. Shore Memorial Library

**PREPARED BY:** Stephen Keast, Clerk

### A. Call to Order

- Deputy Mayor McKinlay called the meeting to order with all members in attendance, save Mayor Anderson due to a meeting conflict and Councillor McKean absent due to illness
- Also in attendance was Chief Administrative Officer Paul Graham, Director of Engineering and Public Works Reg Russwurm, Director of Planning Peter Tollefsen, Manager of Development Planning Rob Armstrong, Director of Finance Rob Cummings, Manager of Water and Wastewater Services John Caswell, Director of Building and By-Law Enforcement David Finbow, Chief Librarian Carol Cooley

- Council then paused for a moment of Personal Prayer or Reflection.

- Approval of Agenda:

Moved by: John McGee                      Seconded by: Cameron Kennedy

THAT the Agenda of November 10, 2008 be approved as circulated, including any items added to the Agenda, Carried.

The Clerk then noted there would be a closed session added to the Agenda at the end of the meeting for an update on Town's retirement benefit program.

- No member declared a pecuniary interest with any matter as listed on the Agenda.

- Adoption of Consent Agenda

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

THAT the Consent Agenda of November 10, 2008 be adopted as circulated, save and except Agenda Item G.3, Recreation Committee Report dated October 23, 2008 and Agenda Item G.4 Finance and Administration Committee Report dated October 28, 2008 requested for separate review and discussion, Carried.

- Previous Minutes

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

THAT the Council minutes of October 27, 2008 and Special Council minutes of October 21, 27, 29 and 30, 2008 and Planning Council minutes of November 3, 2008 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**

None

## **C. Correspondence as previously circulated**

Council then dealt with the following Resolution:

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

THAT this Council does hereby receive the Correspondence of November 10, 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 indicate, Carried.

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

### **D.1 Building Canada Fund – Communities Component – Preferred Project Clarksburg Water and Wastewater Servicing, FS.08.51**

Director of Financial Services Rob Cummings then reviewed the Report, Councillor Gamble questioning if anything could be removed from the project to aid in the Application being granted, such as road reconstruction that would not directly relate to servicing.

Director of Engineering and Public Works Reg Russwurm then noted some road reconstruction could be reviewed, further noting some remedial work should remain.

Deputy Mayor McKinlay then questioned if the program or Application is any different for this intake, Reg noting the program is the same, CAO Paul Graham noting the current round is only for municipalities of less than 100,000 population.

Councillor Gamble then noted the Town request may be perceived as excessive given the total program funds available.

Councillor Martin then noted the Federal Government has agreed to provide funding with the Province appearing not to meet its obligations.

Duncan then noted concern that the Federal funding may lapse before any Provincial funding is available.

CAO Paul Graham then noted the only funding available is through this program.

Councillor McGee then questioned if an expanded description of source water protection information is being provided to provide a compelling Application.

Council then dealt with the following Resolution:

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

THAT Council does receive Staff Report FS.08.51, "Building Canada Fund – Communities Component – Preferred Project Clarksburg Water and Wastewater Servicing" for information purposes; and

FURTHER THAT Council endorse the submission of an application of Clarksburg Water and Wastewater Servicing as the highest priority under the Building Canada Fund – Communities Component, Carried.

**D.2 Tree Lighting Nov., 14<sup>th</sup>, 2008 – Olde Fashioned Christmas, Dec. 13<sup>th</sup>, 2008, SRB.08.64**

Moved by: John McGee                      Seconded by: Cameron Kennedy

THAT COUNCIL receive Staff Report SRB.08.64 and authorize relief from the Noise By-law to the Thornbury BIA for their "Tree Lighting" event on the Town Hall site on November 14<sup>th</sup>, 2008 from 7:00 pm to 8:00 pm;

AND THAT COUNCIL authorize relief from the Noise By-law to the Thornbury BIA for their "Olde Fashioned Christmas" event on Bruce Street from King Street to Alice Street on December 13<sup>th</sup>, 2008 from 10:00 am to 10:00 pm., Carried.

**D.3 Application for Zoning By-law Amendment – Lidia Laroso and Andrew Catapano, Lot 35, Plan 824, Town of The Blue Mountains, PL.08.121**

Councillor McGee then questioned if there are two separate services at present to each unit, Director of Planning Peter Tollefsen noted there are no development charges as there is no new unit, simply two separate residential units.

Councillor Kennedy then questioned separate services, Planning Consultant Colin Travis noting he understood there are two separate services for each unit.

Council then dealt with the following Resolution:

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

THAT Council does receive Planning Staff Report PL.08.121, "Application for Zoning By-law Amendment – Lidia Larosa and Andrew Catapano, Lot 35, Plan 824, Town of The Blue Mountains";

AND THAT Planning Staff support the Application for Zoning By-law Amendment to rezone the severed lands from the Residential R5-43 Zone to the Residential R4 Zone, Carried.

**D.4 Application for Consent File No. B12-2008; and Zoning By-law Amendment – Albert Timmer & Janina Zaremba; North Part Lot 24, Concession 11, PL.08.119**

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

THAT Council does receive Planning Staff Report PL.08.119, "Application for Consent File No. B12-2008; and Zoning By-law Amendment – Albert Timmer & Janina Zaremba; North Part Lot 24, Concession 11; Part of Part 2, RP 16R-657; Town of The Blue Mountains";

AND THAT Planning Staff support Application for Consent File No. B12-2008, subject to the following conditions:

1. A Zoning By-Law Amendment
2. That the severed parcel be deeded as a lot addition to the property to the west in accordance with Section 50 (3) of the Planning Act, R.S.O. 1990; and
3. That any existing mortgage commitment on the severed parcel be extended to cover the whole, newly created parcel;

AND THAT Planning Staff support the Application for Zoning By-law Amendment to rezone a portion of the severed parcel from the General Rural (A1) Zone to the Rural Estate Residential (RERb) Zone, Carried.

#### **D.5 Ministry of Transportation Expropriation – Highway 26, A.08.08**

The Clerk then reviewed the Report, Councillor Gamble questioning any design for the proposed parking area, Manager of Development Planning Rob Armstrong noting design had not yet been considered.

Deputy Mayor McKinlay then questioned if the Georgian Trail Board is seeking new parking areas when available, Councillor Gamble replying the Board is trying to locate parking wherever it would be available along the Trail.

Town CAO Paul Graham then noted it was the Town's plan that when Peel Street was relocated the parking would be located on the former road platform, with no detailed design at this time.

Councillor Martin then noted the Town should seek fair market value for the land, the Clerk to further research how the Province valued the land.

Duncan then questioned if the MTO would spend additional funds.

Councillor Martin then noted Council would be better to receive the Report noting no objection to the transfer with compensation yet to be determined.

Council then dealt with the following Resolution:

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

THAT Council receive Staff Report A.08.08, "Ministry of Transportation Expropriation – Highway 26" and has no objection to the transfer of lands described as part Lot 35, Concession 10 (Peel Street), Part 1, 16R-9316 to the Province for the amount of \$900.00 together with intersection reconstruction and relocation of a portion of the Georgian Trail and construction of a parking area on the remaining area of Peel Street that would be surplus following realignment at no charge to the Town; and

THAT Council has no objection to the transfer of lands described as parts of the 11<sup>th</sup> Concession and 36<sup>th</sup> Sideroad road allowances, Parts 14, 15 & 16, 16R-9253 to the Provincial Highway network for intersection reconstruction and assumption at no charge to the Town.

In speaking to the Motion, Councillor McGee then noted further information on property valuation would be useful and Council then dealt with the following subsidiary Resolution:

Moved by: Michael Martin                      Seconded by: John McGee

THAT Council receive Staff Report A.08.08, "Ministry of Transportation Expropriation – Highway 26" and the Report be Tabled pending further information on a land valuation until mid-January, 2009, Carried.

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

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

Deputy Mayor McKinlay then reported on a County Memo requesting that he and Ellen are to advise as to what Committee they wished to proceed with for the next year.

Duncan noted he is currently Chair of Planning and has been on Transportation and Public Safety, the Mayor being on the Finance and Social Services Committee.

Councillor Gamble then noted he believed it was up to the County representatives to determine their preferences.

Duncan then noted Town Council was invited to the inaugural County Meeting on December 2.

Duncan further noted the County budget was progressing.

Councillor Gamble then noted previous concern with the draft County Official Plan Five Year Review and waste management references, adding his earlier concern had been addressed in the current version of the document.

Bob also noted there is one year to bring local Official Plans into compliance.

### **E.2 AMO Board of Directors Update**

None

### **E.3 Notice of Motion**

None

### **E.4 Additions to Agenda**

Closed session

## **F. By-laws**

### **F.1 Permanently Close Parts of Mountain Drive**

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

THAT By-law No. 2008 - 101, being a By-law to permanently close parts of Mountain Drive described as Parts 7 and 10, Reference Plan 9406, be hereby enacted this tenth day of November, 2008, Carried.

## **F.2 Authorize the Conveyance of Parts of Certain Closed Highways**

Moved by: Cameron Kennedy Seconded by: John McGee

THAT By-law No. 2008 - 102, being a By-law to authorize the conveyance of part of Carmichael Crescent described as Part 5, Reference Plan 16R-9406 and parts of Mountain Drive described as Parts 7 and 10, 16R-9406 to Blue Mountain Resorts in exchange for a municipal servicing easement and road widening lands along Mountain Drive, be hereby enacted this tenth day of November, 2008, Carried.

## **F.3 Zoning By-law - Lidia Laroso and Andrew Catapano, Lot 35, Plan 824**

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

THAT By-law No. 2008 - 103, being a By-law to rezone Lot 35, Plan 824 from the Residential R5-43 Zone to the Residential R4 Zone as a condition of Consent, be hereby enacted this tenth day of November, 2008, Carried.

## **F.4 Zoning By-law - Albert Timmer & Janina Zaremba; North Part Lot 24, Concession 11**

Moved by: Michael Martin Seconded by: Cameron Kennedy

THAT By-law No. 2008 - 104, being a By-law to rezone part Lot 24, Concession 11, from the General Rural A1 Zone to the Rural Estate Residential RERb Zone as a condition of Consent, be hereby enacted this tenth day of November, 2008, Carried.

## **G. Consent Agenda**

### **Accounts**

1. Accounts
2. Invoices separated for pecuniary interest

### **Reports List (Adopt)**

3. Recreation Committee, October 23, 2008

Councillor Kennedy then clarified the Committee revisited the Off-Leash Dog Park and unanimously voted to not further consider the matter, particularly in the current economic situation.

Councillor Martin then noted concern with Recommendation 2 and a possible conflict with previous Council decisions regarding the Recreation Department Maintenance Building, CAO Paul Graham noting the Committee only recommends Council receive the Report.

Councillor Gamble then noted the Maintenance Building matter was further addressed by Council in detail at an open meeting on October 27, following the October 23 Recreation Committee meeting.

Council then dealt with the following Resolution:

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

THAT Council does hereby receive and adopt the Recreation Committee Report of October 23, 2008, including the Recommendations contained therein, Carried.

4. Finance and Administration Committee, October 28, 2008

In speaking to the Report, Deputy Mayor McKinlay questioned status of the BV Agricultural Society funding request, the Clerk noting the Society was invited to the November 18 Committee meeting to further review the matter.

Chair Gamble then noted the Society had earlier received \$2,500.00 grant funding and was now seeking an additional \$1,935.00 and further information was required.

Council then dealt with the following Resolution:

Moved by: Cameron Kennedy Seconded by: John McGee

THAT Council does hereby receive and adopt the Finance and Administration Committee Report of October 28, 2008, including the Recommendations contained therein, Carried.

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

Council November 24, December 8, 22, 2008, January 12, 26, 2009  
Planning Council November 3, December 1, 2008, January 19, February 2, 2009

**All Council meetings to be at the Library unless otherwise noted**

Engineering and Public Works Committee, November 12, 2008  
Finance and Administration Committee, November 18, 2008  
Recreation Committee, November 20, 2008

#### I. Closed Session Minutes - Adoption

Moved by: John McGee Seconded by: Cameron Kennedy

THAT the Closed Session Council minutes of June 2, October 6, 21 and 27, 2008, be adopted as circulated, Carried.

Council then dealt with the following Resolution as an Addition to the Agenda:

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

THAT with regard to subsection 239 of the *Municipal Act, 2001*, this Council do now move into closed session in order to address matters pertaining to personal matters about an identifiable individual, including Town or local board employees;

AND WITH REGARD TO administration of the Town's retirement benefit program, Carried.

Council moved into closed session at 7:55 pm.

Council rose from closed to public session at 9:45 pm.

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

Moved by: Michael Martin      Seconded by: John McGee

THAT By-law No. 2008 - 105, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on November 10, 2008, be hereby enacted as passed this tenth day of November, 2008, Carried.

Moved by: Cameron Kennedy      Seconded by: John McGee

THAT this Council does now adjourn at 9:50 p.m. to meet again November 24, 2008, 7:00 pm, L.E. Shore Library, or at the call of the Chair, Carried.

.....  
Ellen Anderson, Mayor

.....  
Stephen Keast, Clerk