

**Minutes: The Blue Mountains, Committee of the Whole Meeting**



**MEETING DATE:** November 10, 2014  
**MEETING TIME:** 2:30 p.m.  
**LOCATION:** Town Hall, Council Chambers  
**PREPARED BY:** Corrina Giles, Town Clerk

**A. Call to Order**

- Mayor Anderson called the meeting to order with all members in attendance.

Also in attendance were CAO Troy Speck, Director of Engineering & Public Works Reg Russwurm, Director of Planning & Building Services Michael Benner, Director of Community Services Shawn Everitt, Acting Director of Finance & IT Services Ruth Prince, Communications & Economic Development Coordinator Elizabeth Cornish, Manager of Water & Wastewater Services John Caswell, Chief Librarian Terri Pope and Manager of Human Resources Tracey McKenna, Financial Analyst Sam Dinsmore, Manager of Solid Waste and Environmental Initiatives Jeff Fletcher, Manager of Building and By-Law Greg Miller

- 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 November 10, 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 regard to any matter as listed on the Agenda, save Councillor McKean regarding item #9 included in Agenda item B.7.4 Capital and Development Status Report, EPW.14.080.

- **Previous Minutes**

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

THAT the Committee of the Whole minutes of October 20, 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** as indicated below:

- B.3.1 Third Quarter Financial Report – September 30, 2014, FIT.14.60
- B.7.1 2014 Centurion Cycling Event, DOR.14.36
- B.7.2 Canadian Museum Operating Grant Update, DOR.14.37
- B.7.3 2014 DWQMS External Audit Results, EPW.14.079
- B.7.4 Capital and Development Status Report, EPW.14.080
- B.11.1 Planning Applications, October, 2014, PL.14.112
- B.11.2 By-law Enforcement Activity: October 2014, BL.14.36
- B.11.3 Building Permit Activity: October 2014, B.14.08

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: Gail Ardiel

THAT the Consent Agenda of November 10, 2014 be adopted as circulated, less any items requested for separate review and discussion, Carried.

Councillor McKean did not vote having earlier declared a pecuniary interest.

## **B. Staff Reports, Deputations, Correspondence**

### **Finance, Administration and Fire Reports To be chaired by Councillor Gail Ardiel**

#### **B.1 Deputations, if any**

None

#### **B.2 Staff Reports**

##### **B.2.1 Tenders Awarded by the Tender Proposal Award Committee, FIT.14.62**

Moved by: Ellen Anderson                      Seconded by: Joe Halos

THAT Council receive Staff Report FIT.14.62, "Tenders Awarded by the Tender Proposal Award Committee" detailing the following award for information purposes:

1. Execution of a Three Year Contract with Staples Advantage for the supply of General Office Products.
2. Award of Tender for Contract 2014-31-T-EPW, Installation of New Lighting Fixtures and Lamps at Various Town Facilities, to Motion Electrical Contracting Limited at a cost of \$61,579 exclusive of HST, Carried.

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

##### **B.3.1 Third Quarter Financial Report – September 30, 2014, FIT.14.60**

THAT Council receive Staff Report FIT.14.60 "Third Quarter Financial Report – September 30, 2014" for information purposes, Carried.

#### **B.4 Correspondence, if any**

##### **B.4.1 Davison and Strickland**

Re: Request to Purchase Part 7,  
Plan 16R-6050

Refer to SMT

Moved by: Joe Halos                      Seconded by: Ellen Anderson

THAT the correspondence of Jill Davison and Steve Strickland dated September 4, 2014 regarding the purchase of Part 7, Plan 16R-6050 be referred to the Senior Management Team for response, Carried.

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

#### **B.5 Deputations, if any**

**B.5.1 David Argue, R.J. Burnside & Associates**  
**Re: Thornbury West Road Improvements Project**

David Argue spoke regarding the road improvements in Thornbury West, including portions of Arthur, Beaver and Victoria Streets. David reviewed the specific improvements proposed for each street.

David provided an overview of the construction specifics including, sidewalks and curbs, and reviewed the cross-sections of the streets.

David reviewed the project schedule, noting that a Public Information Centre is planned for March 2015, and noted that the design is 90% complete, and will be submitted to the Town for review. David noted that adjacent land owners will be consulted in November and December, and that tendering will commence in January/February 2015. David noted the utility relocations will commence in the spring until the end of June, and the road relocations will proceed.

David reviewed the public consultation details and notice to be given.

Councillor Gamble questioned where traffic will be directed if Victoria is closed, David replying Louisa and Elma Streets.

Councillor Halos questioned if the resident communication proposed is standard, David replying yes, that residents will be communicated with early, noting that some driveways will be affected.

Councillor Martin spoke referencing the work east of Victoria, and questioned if this will include sidewalks, David replying that some sidewalks will have to be replaced, and that that work will be part of the development charge works, and will be at the Town's cost.

Councillor Halos thanked David for his presentation.

**B.5.2 Christine Yee, Sobeys Development**  
**Re: Thornbury Foodland, West End Improvement Project**

Christine Yee spoke on behalf of Sobeys Development. Christine noted Sobeys is eager to start next spring. Christine noted that the site design is 90% complete and that Sobeys hopes to receive comment from Engineering and Public Works in the next few weeks, and start tendering the works in January. Christine noted that Sobeys does not want to be delayed because of the Mac's development.

Councillor Halos then questioned when Sobeys will start construction, Christine replying that Sobeys would like to apply for a building permit this year.

Deputy Mayor McKinlay questioned when Sobeys will announce to the public that they are moving forward, Christine replying not until the tender results are in, at which time Sobeys will decide whether to proceed or not.

Councillor Halos thanked Ms. Yee for her deputation.

**B.5.3 Deborah Alexander, Weston Consulting**  
**Re: Road and Servicing Improvements related to Sobeys and Mac's Convenience Gas Bar in Thornbury**

Deborah Alexander spoke noting Weston Consulting supports the details included in the Burnside presentation today. Deborah noted that Weston Consulting are in discussions with staff and are working with Burnside. Deborah noted that Weston has site plan approval and that they are looking forward to working with staff, Sobeys and Burnside.



Councillor Martin spoke questioning if the assumption period for the road is the greatest concern of the GTDI, Alex spoke in response, noting yes as this change would result in an eight year assumption period. Alex noted this is a major issue for developers, further noting that he would like to see the clause written as was voted on by Council in November, 2013.

Alex noted that the GTDI have not fully digested the comments of Reg Russwurm, further noting that the GTDI would like the eight year period changed to three years.

## **B.6 Staff Reports**

### **B.6.1 Response to Georgian Triangle Development Institute Re: Draft Subdivision Agreement Template, EPW.14.082**

Moved by: Ellen Anderson                      Seconded by: Gail Ardiel

THAT Council defer Staff Report EPW.14.082, "Response to Georgian Triangle Development Institute re Draft Subdivision Agreement Template" until further dialogue between the Town and the Georgian Triangle Development Institute can occur, Carried

### **B.6.2 Corporate Ban on Microbeads, EPW.14.081**

Moved by: Ellen Anderson                      Seconded by: John McKean

THAT Council receive Staff Report EPW.14.081, "Corporate Ban on Mircobeads";

AND THAT Council endorse a corporate ban by 2015 on the purchase and use of products containing microbeads within Town facilities and operations, wherever an equivalent product is available, to preserve and protect the water of the Great Lakes Basin, Carried.

### **B.6.3 Sale of Unnamed Town Lane Bisecting the Property Used for Moore's Motel – Declaration as Surplus Lands, EPW.14.077**

Moved by: Michael Martin                      Seconded by: John McKean

THAT Council receive Staff Report EPW.14.077, "Sale of Un-named Town Lane Bisecting the Property Used for Moore's Motel – Declaration as Surplus Lands";

AND THAT Council having previously provided notice to the public of the proposed closing and sale of a portion of the unnamed Town lane bisecting the property used for Moore's Motel, Plan 529, through advertisement in a local newspaper, posting of the Notice on the Town's website, e-blast to subscribers, and having held a Public Meeting regarding the proposed closing and sale, do now deem the lands described as the laneway which runs from Blue Mountain Drive to Highway 26 between Lots 125 and 126, bisecting the Moore's Motel property (the "Highway") surplus to the needs of the Town;

AND THAT Council authorize the Director of Engineering and Public Works to negotiate with the adjoining property owners for the sale of the Highway at the appraised value;

AND THAT a By-law be presented to Council to authorize the permanent closing of the Highway and the sale and disposition of the permanently closed Highway to the owner of the adjoining lands for the sale price of \$4,800 plus legal costs, 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 2014 Centurion Cycling Event, DOR.14.36**

THAT Council receive Staff Report DOR.14.36, “2014 Centurion Cycling Event Review” for information purposes only, Carried.

**B.7.2 Canadian Museum Operating Grant Update, DOR.14.37**

THAT Council receive Staff Report DOR.14.37, “Canadian Museum Operating Grant Update” for information purposes, Carried.

**B.7.3 2014 DWQMS External Audit Results, EPW.14.079**

THAT Council receive Staff Report EPW.14.079 entitled “2014 DWQMS External Audit Results”, for their information, Carried.

**B.7.4 Capital and Development Status Report, EPW.14.080**

THAT Council receive Staff Report EPW.14.080 entitled “Capital and Development Status Report” for their information, Carried.

**B.8 Correspondence, if any**

B.8.1 Ministry of Tourism, Culture and Sport  
Re: Craighleith Heritage Depot ineligible for a  
Community Museum Grant

Received for information

B.8.2 FCM Re: Request for support to advise  
federal government that a long term  
dedicated federal fund is needed for  
Wastewater Treatment Upgrades

For Council consideration

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

THAT Council of the Town of The Blue Mountains supports the request of FCM to write the federal government advising that a long-term dedicated federal fund is needed for wastewater treatment upgrades, Carried

**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 Short Term Accommodation Licensing Program Update, PL.14.118**

Moved by: D.R. McKinlay                      Seconded by: Ellen Anderson

THAT Council recognize Stu Frith present, to speak regarding Agenda item B.10.1 “Short Term Accommodation Licensing Program Update” PL.14.118

Stu Frith spoke noting the recommendation contained in Report PL.14.118 is unnecessary and is procedurally unfair. Stu noted that his concern is with Legacy Ridge, and noted he is recommending that the Committee not consider the

recommendation contained in the staff report. Stu noted that this recommendation is an illegal bonus.

Stu noted that Phase 2 of the STA Licensing Program should proceed as planned.

Councillor Martin thanked Mr. Frith for his comments and questioned if Mr. Frith is requesting that the entire STA Program be delayed. Stu spoke in response and noted that there is no problem, and that the properties included on the map contained in the report should not be excluded. Stu noted that the core problem is the Fire Code issue on all STA properties.

Deputy Mayor McKinlay spoke regarding the Fire Code concerns, and noted that these concerns will be resolved, Stu replying yes, that a set of alternative fire solutions will be established.

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

THAT Council receive Staff Report PL.14.118 entitled "Short Term Accommodation Licensing Program Update";

AND THAT Council direct staff to proceed with the implementation of Phase Two of the STA Licensing program as previously scheduled, Carried.

**B.10.2 Sleepy Hollow West Application for: Zoning By-Law Amendment and Draft Plan of Subdivision Bradley McMullen, Conc 3, Pt Lot 21, RP16R-1109 Part 1 to 2 ROW, PL.14.110**

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

THAT Council receive Staff Report PL.14.110 "Sleepy Hollow West, Application for: Draft Plan of Subdivision and Zoning By-law Amendment, Bradley McMullen, CON 3 PT LOT 21 RP 16R1109 PART 1 TO 2 ROW, Town of The Blue Mountains";

AND THAT Council direct staff to report back to Council with options that would include the dedication of lands south of Salzburg Place as part of the open space requirements, Carried.

**B.10.3 Private MLEO Appointment Request: Blue Mountain Village Association, BL.14.35**

Moved by: Ellen Anderson                      Seconded by: Joe Halos

THAT Council receive Staff Report BL.14.35 entitled "Private MLEO Appointment Request: Blue Mountain Village Association;

THAT Council authorize Blue Mountain Village Association to enforce By-law 2004-116, being a By-law to regulate parking in a designated parking space without a permit and designated fire route; and

THAT Council enact an amendment to By-law No. 2008-92, as amended to add Blue Mountain Village Association and to appoint additional persons as Municipal Law Enforcement Officers for the purposes of enforcing specific parking related by-laws of the municipality, appoint current staff to enforce the by-laws within the Blue Mountain Village Association property and delete persons previously appointed as Municipal Law Enforcement Officers who will no longer be returning, Carried.

#### **B.10.4 Sign By-Law Review Committee, BL.14.34**

Moved by: Gail Ardiel                      Seconded by: John McKean

THAT Council receive Staff Report BL.14.34 entitled "Sign By-law Review Committee; and

THAT Council endorse the Sign By-law Review Committee Terms of Reference attached to this report, Carried.

#### **B.10.5 Town Comments on Proposed NEC Amendment PC 201 13 – Niagara Escarpment Plan and the Endangered Species Act, PL.14.111**

Moved by: Ellen Anderson                      Seconded by: Joe Halos

THAT Council receive Planning Staff Report PL.14.111 respecting "Town comments on Proposed Niagara Escarpment Plan Amendment PC 201 13 – Niagara Escarpment Plan and the Endangered Species Act";

AND THAT Town Council raise the issues of concern outlined in Planning Staff Report PL.14.111 based on the review of the July 2014 draft of the Proposed Niagara Escarpment Plan Amendment PC 201 13 – Niagara Escarpment Plan and the Endangered Species Act;

AND FURTHER THAT Council direct staff to forward these comments contained in Planning Staff Report PL.14.111 to the Niagara Escarpment Commission, Carried.

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

##### **B.11.1 Planning Applications, October, 2014, PL.14.112**

THAT Council receive Staff Report PL.14.112, "Planning Applications – October, 2014", Carried.

##### **B.11.2 By-law Enforcement Activity: October 2014, BL.14.36**

THAT Council receive Staff Report BL.14.36 "By-law Enforcement Activity: October 2014" for information purposes, Carried.

##### **B.11.3 Building Permit Activity: October 2014, B.14.08**

THAT Council receive Staff Report B.14.08 "Building Permit Activity: October 2014" for information purposes, Carried.

#### **B.12 Correspondence, if any**

None

### **C. 5:00 PM Public Meetings / Deputations**

Mayor Anderson noted 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.



## **C.1 Statutory Public Meetings**

None

## **C.2 Deputation**

None

## **D. New and Unfinished Business**

### **D.1 Notice of Motion**

Council

Mayor Anderson provided a Notice of Motion to reconsider the November 3, 2014 motion made by Council regarding Staff Report PL.14.107 “Application for Zoning By-Law Amendment – Thornbury Gas Station (2341040 Ontario Limited) Part of Lot 30, Northeast of Arthur Street, Town Plot of Thornbury, Town of The Blue Mountains” as follows:

THAT Council receive Planning Staff Report PL.14.107 respecting “Application for Zoning By-law Amendment – Thornbury Gas Station (2341040 Ontario Limited; Part of Lot 30, Northeast of Arthur Street, Town Plot of Thornbury; Town of The Blue Mountains”;

AND THAT Council confirm that a further public meeting is not required for the subject proposal;

AND FURTHER THAT Council enact a Zoning By-law Amendment to rezone the subject lands from the General Commercial C2 Zone to the General Commercial Exception 49 C2-49 Zone, with Exception 49 stating that notwithstanding the regulations in the General Commercial C2 Zone of this By-law to the contrary, within the General Commercial Exception 49 C2-49 Zone, the following shall apply for these lands:

- a) The main wall of the retail building opposite Arthur Street West shall be located no greater than 39.0 metres from the front lot line.
- b) The Minimum Rear Yard Setback for Retail Store Building shall be 3.0 metres.
- c) The parking space(s) shall be permitted within the front yard of the Retail Store Building, abutting Arthur Street, with a minimum setback of 30.4 metres.
- d) The Minimum lot frontage for an automobile service station shall be 41.3 metres.
- e) The Minimum Front Yard Setback for Automobile Service Station (Arthur Street) shall be 11.0 metres.
- f) The Minimum Side Yard Setback abutting a public street for Automobile Service Station (Elma Street) shall be 4.3 metres, Lost.

### **D.2 Additions to Agenda**

Staff

None

## **E. Notice of Meeting Dates**

Council Meeting, November 24, 2014  
Town Hall, Council Chamber

Inaugural Meeting of Council, December 1, 2014 11:00 a.m.  
Town Hall, Council Chamber

Committee of the Whole Meeting, December 8, 2014  
Town Hall, Council Chamber

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

**F. Adjournment**

Moved by: Michael Martin                      Seconded by: Joe Halos

THAT this Committee of the Whole meeting does now adjourn at 5:20 p.m. to meet again December 8, 2014, Town Hall, Council Chamber, or at the call of the Chair, Carried.

.....  
John McKean, Mayor

.....  
Corrina Giles, Town Clerk