

Minutes: The Blue Mountains Committee of the Whole Meeting



MEETING DATE: November 13, 2013
MEETING TIME: 1:00 p.m.
LOCATION: Town Hall Council Chamber
PREPARED BY: Corrina Giles, Clerk

A. Call to Order

- Mayor Anderson called the meeting to order with all members in attendance save Councillor McKean, absent due to a previous commitment.

Also in attendance were CAO Troy Speck, Director of Engineering & Public Works Reg Russwurm, Director of Planning & Building Services David Finbow, Director of Recreation Shawn Everitt, Director of Finance & IT Services Robert Cummings, Manager of Water & Wastewater Services John Caswell, Chief Librarian Terri Pope, Communications & Economic Development Coordinator Elizabeth Cornish, Manager of Revenue Ruth Prince, Financial Accountant Renee Ouellette, Deputy Fire Chief AJ Lake, District Station Chief Steve Conn and Chief Fire Prevention Officer Duncan Rydall.

- The Committee then paused for a moment of Personal Prayer or Reflection, Mayor Anderson remembering the Hill family and their recent tragedy and the good work of first responders.

- Approval of Agenda

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

THAT the Agenda of November 13, 2013 be approved 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 Councillor Halos with regard to Agenda Item B.2.4, Requested Expansion to the Thornbury Business Improvement Area Boundaries, A.13.09 and his membership in the BIA and Councillor Gamble with regard to Agenda Item C.1.3, Public Meeting: Application for Consent, File No. B05-2013, Sid and Louse McFarlane, Town Plot Part Lot 7, Louisa W/S (36 Elma Street South) and his dwelling's proximity to the site.

- Previous Minutes

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

THAT the Committee of the Whole adopt the minutes of October 8, 2013 of the Infrastructure & Recreation Committee and the Finance & Administration Committee 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 noted. 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: Joe Halos Seconded by: Gail Ardiel

THAT the Consent Agenda of November 13, 2013 be adopted as circulated, less any items requested for separate review and discussion, being Agenda Item B.7.2, 2013 Centurion Cycling Event Review, Carried.

B. Staff Reports, Deputations, Correspondence

Finance, Administration and Fire Reports Chaired by Councillor Joe Halos

B.1 Deputations, if any

None

B.2 Staff Reports

B.2.1 The Blue Mountains Fire Underwriters Survey Update. FD.13.4

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

THAT Council receive Staff Report FD.13.4, "The Blue Mountains Fire Underwriters Survey Update, 2013" for information purposes;

AND THAT following Fire Underwriters Survey notifying the Fire Chief in writing of the Public Fire Protection Classification (PFPC) and Dwelling Protection Grade (DPG) updated grading results, the information will be presented to Council for review and analysis and any determination of the Town's wishes to receive additional information or optional services, Carried.

B.2.2 Pre-Consult on Development Charges Background Study & Updates to By-laws, FIT.13.52 (Revised)

Moved by: Duncan McKinlay Seconded by: Gail Ardiel

THAT Council receive Staff Report FIT.13.52, "Pre-consult on Development Charges Background Study & Updates to By-Laws", for information purposes;

AND WHEREAS the Town is commencing the project work for the upcoming Town Wide Development Charges Background Study and related By-laws;

AND WHEREAS Council wishes to ensure that Growth-Related Service Needs maintain the same service level as the past ten years;

THAT Council provide preliminary direction on the 2010 10-year capital program contained in the existing Development Charges Background Study;

AND THAT Council provides direction on using the discounted development charge on smaller sized residential dwellings as was applied in the 2010 Development Charges By-law, Carried.

Moved by: Duncan McKinlay Seconded by: Michael Martin

THAT with respect to Staff Report FIT.13.52, "Pre-consult on Development Charges Background Study & Updates to Bylaws" that Council will hold a special meeting to review Growth-Related Service Needs and the 2010 10-year capital program as contained in the existing Development Charges Background Study, Carried.

Moved by: Duncan McKinlay Seconded by: Ellen Anderson

THAT with respect to Staff Report FIT.13.52, "Pre-consult on Development Charges Background Study & Updates to Bylaws", that Council direct staff to continue using the adjusted development charge on smaller sized residential dwellings as was applied in the 2010 Development Charges By-law, Carried.

B.2.3 Closed Meeting Investigator, A.13.10

Moved by: Michael Martin Seconded by: Gail Ardiel

THAT Council receive Staff Report A.13.10, "Closed Meeting Investigator";

AND THAT Council direct staff to continue its "Investigator Services Agreement" for appointment of a closed meeting investigator, as is required under section 239.2 of the *Municipal Act, 2001*, with Local Authority Services Limited, and authorizing the Mayor and Clerk to execute the Addendum to the Investigator Services Agreement with Local Authority Services Limited effective January 1, 2014, Carried.

B.2.4 Requested Expansion to the Thornbury Business Improvement Area Boundaries, A.13.09

NOTE: Councillor Halos declared a pecuniary interest with regard to the matter, vacated the Chair and did not take part in related discussion or voting, Councillor Ardiel assuming the Chair as Council representative to the BIA.

Moved by: Ellen Anderson Seconded by: Duncan McKinlay

THAT Council receive Staff Report A.13.09 "Requested Expansion to the Thornbury Business Improvement Area Boundaries ("BIA"); and

THAT Council acknowledge receipt of the Thornbury BIA Board of Management motion of October 8, 2013 requesting Council consider expanding the boundaries of the Thornbury Business Improvement Area with such boundaries to be consistent with the Community Improvement Plan for the Town of Thornbury; and

THAT Council direct staff to provide notice to the owners of commercial or industrial assessed property within the existing and proposed expanded Thornbury Business Improvement Area of Council's intention to alter the boundaries of the Thornbury Business Improvement Area to be consistent with the Community Improvement Plan area for the Town of Thornbury;

AND THAT, following provision of Notice, the Town Clerk shall make a determination as to whether the conditions set out in the Municipal Act have been met to alter the existing boundaries of the Thornbury Business Improvement Area, Carried.

B.2.5 Unconnected Vacant Lots Fronting Municipal Water and Wastewater Services – Public Comments, FIT.13.57 (Revised)

Moved by: Duncan McKinlay Seconded by: Gail Ardiel

THAT Council receive Staff Report FIT.13.57 "Unconnected Vacant Lots Fronting Municipal Water and Wastewater Services – Public Comments" for information purposes;

AND THAT Council approve the revision of Policy Number POL.COR.13.21 Unconnected Vacant Lots Fronting Municipal Water and Wastewater Services, and other related Policies, with an additional revision to Policy Number POL.COR.13.21 to read under the title “Application” that the Policy will apply at the earlier of assumption of or three years after provision of Basic Services;

AND THAT Council direct staff to bring forward an amendment to By-law Number 2013-6, being a By-law to Impose Water Charges and Sewer Charges and to amend By-law 2005-02, being a By-law for the Regulation of Water Supply, as amended, for Council’s consideration at the November 25th Council Meeting, Carried.

B.2.6 Link to Collingwood Transit, CAO.13.10

Moved by: Ellen Anderson Seconded by: Gail Ardiel

THAT Council receive Staff Report CAO.13.10 entitled “Link to Collingwood Transit” for their information purposes;

AND THAT the Mayor and Clerk be authorized to sign an agreement for a 6-month transit trial, in the form set out as Appendix “A” to report CAO.13.10, Carried.

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

B.3.1 The Blue Mountains Fire Department Third Quarter Report July – September 2013, FD.13.3

THAT Council receive Staff Report FD.13.3, “The Blue Mountains Fire Department Third Quarter Report July – September, 2013” for information purposes.

B.3.2 LAS Program Update, FIT.13.59

THAT Council receive Staff Report FIT.13.59, “LAS Program Update” for information purposes.

B.3.3 Monthly Financial Report – September 2013, FIT.13.60

THAT Council receive Staff Report FIT.13.60 “Monthly Financial Report – September 2013” for information purposes.

B.4 Correspondence, if any

The Committee of the Whole will receive or provide direction with respect to the following:

None

**Engineering & Public Works and Recreation Reports
Chaired by Councillor R.J. Gamble**

B.5 Deputations, if any

None

B.6 Staff Reports

B.10.2 Draft Short Term Accommodation Licensing By-Law – Directions, PL.13.120

Moved by: Ellen Anderson Seconded by: Joe Halos

THAT Council receive Staff Report PL.13.120 respecting “Draft Short Term Accommodation Licensing By-law – Directions” and that Council confirm the directions identified in this Report as they relate to a Draft Short Term Accommodation Licensing By-law, Carried.

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

B.11.1 Planning & Building Services Department Pending Business List – September 2013, PL.13.121

THAT Council receive Staff Report PL.13.121 respecting “Planning & Building Services Pending Business List – September 2013” for information purposes.

B.11.2 Delegated Authorizations - September 2013, PL.13.122

THAT Council receive Staff Report PL.13.122 “Delegated Authorizations - September 2013” for information purposes.

B.11.3 Building Permit Activity - September 2013, B.13.36

THAT Council receive Staff Report B.13.36 “Building Permit Activity: September 2013” for information purposes.

B.11.4 By-Law Enforcement: Short Term Accommodation Activity – September 2013, B.13.37

THAT Council receive Staff Report B.13.37 “By-Law Enforcement: Short Term Accommodation Activity – August 2013” for information purposes.

B.11.5 By-Law Enforcement Activity – September 2013, B.13.38

THAT Council receive Staff Report B.13.38 “By-Law Enforcement Activity – September 2013” for information purposes.

B.11.6 Planning Applications – September & October, 2013, PL.13.115

THAT Council receive Staff Report PL.13.115 “Planning Applications – September & October 2013”.

B.12 Correspondence, if any

The Committee of the Whole will receive or provide direction with respect to the following:

B.12.1 Land Use Planning and Appeal System, Consultation Document – Fall 2013

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

THAT Council receive the Land Use Planning and Appeal System, Consultation Document – Fall 2013 for information, Carried.

B.12.2 Notice of Complete Application for Official Plan Amendment under Section 22 and 22(6.1) of the Planning Act Re: Appplewood (Thornbury Gate)

Moved by: Ellen Anderson

Seconded by:

Joe Halos

THAT Council receive the Notice of Complete Application Amendment under Section 22 and 22(6.1) of the Planning Act Re: Applewood (Thornbury Gate) for information, Carried.

RECESS

Moved by: D.R. McKinlay

Seconded by:

Ellen Anderson

THAT Council recess until 5:00 pm, Carried.

C. 5:00 PM Public Meetings / Deputations

Mayor Anderson resumed the Chair.

C.1 Statutory Public Meetings

Mayor Anderson noted that 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.1.1 Public Meeting: Proposed Plan of Condominium, Skyline Blue Mountain Development Inc. Lots 9 and 11, and Block 17, Registered Plan 1065

Mayor Anderson read the Notice of Public Meeting noting that the Planning & Development Department of the County of Grey has received an application for a Proposed Plan of Condominium filed by the owner, Skyline Blue Mountain Development Inc., for lands described as Lots 9 and 11 and Block 17, Registered Plan 1065, The Town of The Blue Mountains, and has deemed the application complete (County of Grey File No. 42-CDM-2013-05);

Ellen noted that the County of Grey has delegated the holding of the Statutory Public Meeting for the Proposed Plan of Condominium to the Corporation of the Town of The Blue Mountains;

Ellen noted that on November 13, 2013 at 5:00 PM, or soon thereafter, the Council of The Corporation of the Town of The Blue Mountains will hold the Public Meeting regarding the Proposed Plan of Condominium pursuant to the *Planning Act* in the Town Hall Council Chambers at 32 Mill Street, Thornbury, Ontario.

Ellen noted that the Plan of Condominium application proposes nine (9) single detached lots with vehicular access from an existing vehicular entrance from Jozo Weider Boulevard with the subject lands comprising an area of approximately 10,649 square metres (1.06 hectares), as shown on the Key Map.

Ellen noted that draft Plan Approval for these lands for nine (9) single detached lots was previously given by the County of Grey but this approval lapsed and therefore a new application has been submitted and a related Public Meeting is being held.

Ellen noted that any person may attend the Public Meeting and make written or verbal representation either in support of or in opposition to the Proposed Draft Plan of Condominium. Written submissions should be directed to the undersigned prior to the Public Meeting so that they may be considered at the Public Meeting. Written comments received and submissions made at the Public Meeting will be considered by County Council and Town Council prior to the consideration of the Proposed Draft Plan of Condominium.

Ellen noted that if a person or public body does not make oral submissions at the Public Meeting or make written submissions to the County of Grey before the proposed Draft Plan of Condominium is adopted, the person or public body is not entitled to appeal the decision of the County of Grey to the Ontario Municipal Board and, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

Ellen noted that additional information relating to the Proposed Draft Plan of Condominium may be obtained by contacting Sarah Morrison, Intermediate Planner, County of Grey.

The Clerk then noted that Notice of the Public Meeting had been given in accordance with the provisions of the *Planning Act* and read correspondence as received from Grey County Transportation, the Grey Sauble Conservation Authority, Union Gas, the Blue Mountain Village Association and Blue Mountain Resorts.

Director of Planning and Building David Finbow then reviewed the application.

Planner Krystin Rennie then spoke on behalf of the applicant, noting the application is for renewal of draft plan approval and then provided an overview of the background of the proposed development. Krystin noted the application is for reinstatement of draft plan approval for a plan of condominium featuring nine single detached lots, as was previously applied for in 2004.

Krystin then noted the proposed development would feature buffering and connections to pedestrian trails to Blue Mountain Resort and the Village.

Councillor Ardiel then questioned winter maintenance snow storage, Krystin replying storage would be accommodated along the side of the road and on the lots.

Deputy Mayor McKinlay then questioned if there was a remedy for a reduction in units, David replying no. Duncan then questioned if there is a remedy for conflicts that could arise with high density development areas in this area, David replying through the management of the site.

As no one wished to speak Mayor Anderson declared the Public Meeting to be adjourned.

C.1.2 Public Meeting: Application for Consent , File No. B06-2013, Sean and Julie Regan, Lot 3, Registered Plan 910

Mayor Anderson read the Application for Consent, File No. B06-2013, noting the owner is Sean and Julie Regan, and the agent is Kristine Loft, Loft Planning Inc.

Ellen noted that the purpose and effect of this consent is to re-locate an existing 3 metre wide easement for underground waterlines to the northerly side lot line. The existing easement is in favour of Castle Glen Development Corporation for waterlines that previously serviced other residential homes in the area. These waterlines are no longer in use and there is no intention to construct new waterlines at this time. The intent of this application is to relocate the existing easement that runs through the middle of the property to the edge of the property and to retain the ability for the future installation of waterlines should they be required.

Ellen noted that the legal description of the property is Lot 3, Registered Plan 910, Town of The Blue Mountains.

Ellen noted the severed parcel has a frontage of 3.00 metres, a depth of 98.91 metres and an area of 297 square metres.

Ellen noted the retained parcel has a frontage of 35.37 metres, a depth of 102 metres and an area of .33 hectares. Ellen noted the property is on an open and maintained private road.

Ellen noted that there is no municipal water or sewer

Ellen noted that all property owners within 120 metres (legislation requires 60 metres) of the subject land are hereby notified of the above application for consent.

Ellen noted that if a person or public body that files an appeal of a decision of the Council of the Town of The Blue Mountains in respect of the proposed consent does not make written submissions to the Council of the Town of The Blue Mountains before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.

Ellen noted that if you wish to be notified of the decision of the Council of the Town of The Blue Mountains in respect of the proposed consent, you **MUST** make a written submission to: Office of the Clerk, P.O. Box 310, Thornbury, Ontario N0H 2P0.

The Clerk then noted that Notice of the Public Meeting had been given in accordance with the provisions of the *Planning Act* and read correspondence received from Grey County Planning and Development, Grey County Transportation, the Nottawasaga Valley Conservation Authority and area resident Nicholas Civilei.

Planner Shawn Postma then reviewed the application and future use of the easement if required.

Deputy Mayor McKinlay then questioned if the Planning Report will address topographic constraints, Shawn replying yes.

Solicitor Stephen Christie then spoke on behalf of the applicants, noting his clients had bought the property in 2013 and now wished to renovate and it was discovered an existing garage is located on the current easement lands which were previously used to locate waterlines from Mountain Lake that serviced other residential properties in the area but which are no longer utilized. Stephen further noted Castle Glen developer Michael Larkin has agreed to a relocation of the easement but did not wish to lose the benefit of the easement, adding the proposed easement is in an area of mixed trees.

Duncan then questioned any impacts on sideyard setbacks to the edge of an easement, Shawn replying an easement has no effect on sideyard setbacks.

As there was nothing further Mayor Anderson declared the Public Meeting to be adjourned.

C.1.3 Public Meeting: Application for Consent, File No. B05-2013, Sid and Louise McFarlane, Town Plot Part Lot 7, Louisa W/S (36 Elma Street South)

NOTE: Councillor Gamble earlier declared a pecuniary interest with regard to Agenda Item C.1.3, Public Meeting: Application for Consent, File No. B05-2013, Sid and Louise McFarlane, Town Plot Part Lot 7, Louisa W/S (36 Elma Street South) and his dwelling's proximity to the site and did not take part in any related discussion.

Mayor Anderson read the Application for Consent, File No. B05-2013. Ellen noted that the owner is Sid and Louise McFarlane. Ellen noted that the purpose and effect of this consent is to consider a proposal to create a new 576 square metre vacant residential lot while retaining a 3091 square metre residential lot containing an existing dwelling.

Ellen noted that the legal description of the property is Town Plot Part Lot 7, Louisa E/S (36 Elma Street South), Town of The Blue Mountains.

Ellen noted that the severed parcel has a frontage of 18 metres, a depth of 32 metres and an area of 576 metres square metres. Ellen noted that the retained parcel has a frontage of 30.8 metres, a depth of 100.5 metres and an area of 3092 square metres. Ellen noted that the property is on an open and maintained municipal road, and has municipal water and municipal sewer.

Ellen noted that all property owners within 120 metres (legislation requires 60 metres) of the subject land are hereby notified of the above application for consent.

Ellen noted that if a person or public body that files an appeal of a decision of the Council of the Town of The Blue Mountains in respect of the proposed consent does not make written submissions to the Council of the Town of The Blue Mountains before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.

Ellen noted if you wish to be notified of the decision of the Council of the Town of The Blue Mountains in respect of the proposed consent, you **MUST** make a written submission to: Office of the Clerk, P.O. Box 310, Thornbury, Ontario N0H 2P0.

The Clerk then noted that Notice of the Public Meeting had been given in accordance with the provisions of the *Planning Act* and read correspondence received from Grey County Planning and Development, the Grey Sauble Conservation Authority and area resident C. Curtis.

Planner Shawn Postma then reviewed the application, noting the lands to be severed are currently vacant with an entrance installed through an entrance permit. Shawn then reviewed the Known Abandoned Landfill 500 metre buffer, noting an Environmental Guideline D-4 Study may be required if the Town seeks one. Shawn then noted R.J. Burnside & Associates recently recommended a reduction in the 500 metre buffer in a recent study.

Deputy Mayor McKinlay then questioned if any Planning Report would address if the proposed severance would be the best use of the lands, Shawn replying yes.

Councillor Martin then questioned if the proposed lot extends to the right-of-way to the house to the north, adding this should be addressed as the driveways are close together and would this represent compatibility. Michael then questioned if a plan of subdivision should be created within the larger lots, adding the Official Plan, Sustainability Plan and relevant portions of the Zoning By-law look to this area as a Village area and the mix in this area is sufficient should connect with the existing neighbourhood.

Mayor Anderson then commented that developers who try to infill get criticized and stalled for their efforts.

Tim Curtis resident of 45 Louisa Street spoke noting concern with traffic in the area, adding he has lived in the area with the existing large lots and would like to see this preserved. Mr. Curtis noted that adding severed lots with less area would set a precedent and the application needs further review, adding he respects Councillor Gamble's declaration of pecuniary interest

As there was nothing further Mayor Anderson declared the Public Meeting to be adjourned.

C.2 Deputations

None

D. New and Unfinished Business

D.1 Notice of Motion

Deputy Mayor McKinlay provided Notice of Motion regarding the reconsideration of staff report EPW.13.016 Proposed Public Works Assumption Criteria, considered by Council at the October 28, 2013 Council Meeting.

D.2 Additions to Agenda

None

E. Notice of Meeting Dates

Council Meeting, November 25, 7:00 pm
Town Hall, Council Chamber

Committee of the Whole Meeting, December 2, 1:00 pm
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 5:44 p.m. to meet again December 2, 1:00 pm, Town Hall, Council Chamber, or at the call of the Head of Council or designate, Carried.

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Ellen Anderson, Mayor

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Corrina Giles, Town Clerk