Minutes

The Blue Mountains, Committee of the Whole Meeting

Meeting Date: **November 14, 2016**
Meeting Time: **1:00 p.m.**
Location: **Town Hall, Council Chambers**
Prepared by **Corrina Giles, Town Clerk**

A. Call to Order

Deputy Mayor Ardiel called the meeting to order with all members in attendance save Mayor McKean due to a previous commitment.

Also in attendance were Acting CAO/Director of Director of Finance and IT Services Ruth Prince, Director of Infrastructure & Public Works Reg Russwurm, Director of Planning and Development Services Michael Benner, Manager of Development Engineering Brian Worsley, Manager of Water & Wastewater Services John Caswell, Construction Coordinator Mike Campbell, Manager of Solid Waste & Environmental Initiatives Jeffery Fletcher, Communications & Economic Development Coordinator Elizabeth Cornish, Manager of Harbour/Cemetery Ryan Gibbons, Deputy Treasurer/Manager of Accounting & Budgets Sam Dinsmore, Manager of Human Resources Jenn Moreau, Senior Policy Planner Shawn Postma, Planner 1 Denise Whaley and Chief Executive Officer Terri Pope.

- Committee then paused for a Moment of Reflection

- **Approval of Agenda**

Moved by: John McGee Seconded by: Michael Martin

THAT the Agenda of November 14, 2016 be approved as circulated, including any items added to the Agenda, Carried.

- **Declaration of Pecuniary Interest and general nature thereof**

None

- **Previous Minutes**

Moved by: R.J. Gamble Seconded by: Joe Halos

THAT the Committee of the Whole minutes of October 24, 2016, 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 listed:

- **B.3.1 Tenders awarded by the Tender / Proposal Award Committee, FAF.16.101**
- **B.3.2 Monthly Financial Report – September 2016, FAF.16.98**
- **B.7.1 November 2016 Construction Status Report, CSPW.16.028**
- **B.11.1 Planning Applications – October 2016, PDS.16.142**
- **B.11.2 Town of The Blue Mountains Official Plan Appeals Update, PDS.16.146**
- **B.11.3 Comprehensive Zoning By-law Project Information Report #1, PDS.16.147**

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: R. J. Gamble Seconded by: John McGee

THAT the Consent Agenda of November 14, 2016 be adopted as circulated, less any items requested for separate review and discussion, being Agenda item B.11.3 PDS.16.147 Comprehensive Zoning By-law Project Information Report #1, Carried.

B. Staff Reports, Deputations, Correspondence

Finance, Administration and Fire Reports
To be chaired by Councillor John McGee

B.1 Deputations, if any

None

B.2 Staff Reports

B.2.1 Town's Workplace Harassment and Violence Program, FAF.16.99

Moved by: Joe Halos Seconded by: R. J. Gamble

THAT Council receive report FAF.16.99 entitled "Town's Workplace Harassment and Violence Program";

AND THAT Council direct that "Independent Mediation" be a part of the Dispute Resolution Process in the Town's "Workplace Harassment and Violence Program";

AND THAT staff be directed to revise the draft "Workplace Harassment and Violence Program" and bring a report back to the December 5 Committee of the Whole meeting, Carried.

Moved by: Gail Ardiel Seconded by: Michael Martin

THAT with respect to staff report FAF.16.99 entitled "Town's Workplace Harassment and Violence Program", Council direct staff to engage the Town's Human Resources Lawyer to provide an opinion on including "Independent Mediation" as part of the Dispute Resolution mechanisms in the draft "Workplace Harassment and Violence Program";

AND THAT the Town's Human Resources solicitor provide any other suggested best practices to the policy, Carried.

B.2.2 Policy Update for Accessibility Standards for Customer Service, FAF.16.105

Moved by: Michael Martin Seconded by: Joe Halos

THAT Council receive report FAF.16.105 entitled "Policy Update for Accessibility Standards for Customer Service";

THAT Council approve the revised Accessibility Standards for Customer Service as appended, Carried.

B.2.3 New Member to Economic Development Advisory Committee (EDAC), FAF.16.93

Moved by: Gail Ardiel Seconded by: Michael Martin

THAT Council receive Staff Report FAF.16.93 'New Member to Economic Development Advisory Committee (EDAC)';

AND THAT Council appoints Tim Newton as the South Georgian Bay Small Business Enterprise Centre (SBEC) representative to the Economic Development Advisory Committee;

AND THAT Council grants the Centre for Business and Economic Development status as a member of the Economic Development Advisory Committee, with Gillian Fairley, General Manager as their representative, Carried.

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

B.3.1 Tenders awarded by the Tender / Proposal Award Committee, FAF.16.101

THAT Council receive Staff Report FAF.16.101, entitled "Tenders Awarded by the Tender/Proposal Award Committee" detailing the following awards for information purposes:

1. Standardization of Softchoice as the supplier of Microsoft Product and Services for three years.
2. Standardization of Air Technology Solutions as the supplier, installer and maintainer of Exhaust Extraction Systems for the Fire Department.
3. Award of Tender 2016-48-T-COM Mould Abatement and Building Restoration, L. E. Shore Memorial Library to Ferro Canada Inc. in the amount of $51,740, Carried.

B.3.2 Monthly Financial Report – September 2016, FAF.16.98

THAT Council receive Staff Report FAF.16.98, entitled "Monthly Financial Report – September 2016" for information purposes, Carried.

B.4 Correspondence, if any

None

Community Services and Infrastructure & Public Works Reports
To be chaired by Councillor Michael Martin

B.5 Deputations, if any

B.5.1 Jeffery Fletcher, Manager of Solid Waste & Environmental Initiatives
Re: Class Environmental Assessment for Leachate Management at Blue Mountains Landfill Site

Jeffery Fletcher, Manager of Solid Waste & Environmental Initiatives provided a presentation to the Committee regarding the Class Environmental Assessment for Leachate Management at Blue Mountains Landfill Site.

B.6 Staff Reports

B.6.1 Leachate Environmental Assessment Consultation, CSPW.16.149

Moved by: Gail Ardiel Seconded by: John McGee

THAT Council receive report CSPW.16.14 entitled "Leachate Environmental Assessment Consultation";

THAT Council approve providing technical review capacity to the Saugeen Ojibway Nations' technical review of the leachate management environmental assessment project in the sum of $8,421 as outlined in the Technical Assessment Budget;

AND THAT Council approve increasing the 2016 Leachate Management Environmental Assessment budget by $10,000 from $35,000 for a total of $45,000;

AND THAT Council approve funding the additional $10,000 from the Landfill Reserve, Carried.

B.6.2 Approval to Purchase Land – Hillcrest Drive, CSPW.16.133

Moved by: John McGee Seconded by: Joe Halos

THAT Council receive Staff Report CSPW.16.133 entitled "Approval to Purchase Land - Hillcrest Drive";

AND THAT Council approve the purchase of property known as Parts 1, 2, 3 and 4, Plan 16R-10730 and authorize the Mayor and Clerk to execute the necessary documents to transfer the property into the Town's ownership, Carried.

B.6.3 Award of Preliminary Engineering Services for Elma St. S and Alice St. W, CSPW.16.144

Moved by: Gail Ardiel Seconded by: Joe Halos

THAT Council receive Staff Report CSPW.16.144 entitled "Award of Preliminary Engineering Services for Elma St. S. and Alice St. W.";

AND THAT Council approve the award of the Preliminary Engineering Services for Elma St. S and Alice St. W. (2016-11-P-IPW) to WSP Canada Inc. in the amount of $110,000 excluding HST, consisting of $100,400 upset cost estimate plus $9,600 fee contingency;

AND THAT the Mayor and Clerk be authorized to execute the Engineering Services Agreement for the Preliminary Engineering Services for Elma St. S. and Alice St. W. (2016-11-P-IPW) with WSP Canada Inc., Carried.

Moved by: John McGee Seconded by: Michael Martin

THAT with respect to Staff Report CSPW.16.144 entitled "Award of Preliminary Engineering Services for Elma St. S. and Alice St. W.", Council direct staff to include a workshop on the design options and engineering standards for the older areas of Thornbury, Carried.

B.6.4 Huron Street Sanitary Servicing Reimbursement, CSPW.16.147

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

THAT Council receive Staff Report CSPW.16.147 entitled, "Huron Street Sanitary Servicing Reimbursement";

AND THAT Council approve Option 2 and reimburse the owner of Part Lot 41 and Part Lot 43/Lot 44 for one third (1/3) of the total project cost for the Huron Street Sanitary Extension in the amount of $24,736.14, Carried.

B.7 Community Services and Infrastructure & Public Works Reports "Information Reports" and correspondence to be considered in the adoption of the Consent Agenda:

B.7.1 November 2016 Construction Status Report, CSPW.16.028

THAT Council receive Staff Report CSPW.16.028 entitled "November 2016 Construction Status Report" for their information, Carried.

B.8 Correspondence, if any

None

Planning & Development Services Reports
To be chaired by Deputy Mayor Gail Ardiel

B.9 Deputations, if any

B.9.1 Ian Sinclair, Friends of the Pretty River Valley
Re: That Council not grant the Official Plan Amendment to Re-zone for Aggregate Extraction bordering the Pretty River Provincial Park

Ian Sinclair spoke on behalf of the "Friends of Pretty River Valley" group. Ian noted that it is their hope to work with Council and ask that Council not amend the Official Plan to grant the official plan amendment to allow expanded aggregate extraction bordering The Pretty River Valley Provincial Park.

Ian noted that the group submitted comments and a petition through the Clerk at the October 24, 2016 Public Meeting, confirming that the number of signatures totaled 1085 at that time, and that now they have close to 1200 signatures asking that Council not grant the requested the official plan amendment. Ian noted that the petition asks that Council not allow 150,000 tons to be extracted below the water table by the owners of the Eden Oak pit at Gibraltar. Ian noted the goal of their group is to preserve, not devastate.

Ian spoke regarding the Duntroon pit, noting that this is a travesty to the environment. Ian noted that the Bates pit is massive, being from the 4th Line to the 3rd Line in Gibraltar, and that it is at the entrance to the Pretty River Park.

Ian noted that their request is to protect the Pretty River Valley Park and to request that Council not grant the official plan amendment. Ian noted that the requested amendment would bring an additional 44 trucks per day on top of the current Bates truck traffic.

Ian noted that the area has moved from an industry based community to a major destination location with tourism, recreation and residential with major attractions including Pretty River Provincial Park, Blue Mountain Village, Scenic Caves, Waterfronts and the Harbour, and growing residential development.

Ian noted that the Pretty River Provincial Park is a pristine jewel, further noting that there is no shortage of gravel in the area. Ian noted that the Bates pit is in full operation five days per week, and questioned how many pits are needed in the area.

Ian noted that the environment would suffer if the official plan amendment is granted, and expressed concern for the water table. Ian noted that the community does not want another Duntroon pit, and asked that Council deny the request, referencing concerns for the environment.

Councillor Halos thanked Mr. Sinclair for his deputation, and noted the Town was instrumental in closing vehicular access to the 5th Line, further noting this was an environmental issue.

Councillor Seguin spoke questioning who is included, when Mr. Sinclair references "community". Ian spoke in response noting that he has provided a petition with 39 pages of signatures from taxpayers and tourists that use the Pretty River Provincial Park on a regular basis.

Councillor Martin then questioned the status of the application at this time, Director of Planning and Development Services Michael Benner spoke noting that staff are waiting on the applicant to file a revised application, further noting that staff will provide a detailed report in the future.

Deputy Mayor Ardiel then spoke questioning if this application is being considered under the old or new official plan. Michael Benner spoke in response noting that it is being considered under the 2007 Official Plan as it was in place when the application was received.

Councillor Martin spoke noting that the Aggregate Act is being revised, and questioned if the Ministry of the Environment has jurisdiction to change the official plan. Michael Benner spoke noting there are two steps in the planning approval process and licensing process, further noting that the Ministry of Environment could appeal to the OMB. Michael noted that there are workshops and webinars scheduled to detail the changes to the Aggregate Act that all planning staff will attend.

Ian then spoke noting that on review of the Town's Strategic Plan, that he would hope that the will of the community will prevail. Ian noted that the Friends of the Pretty River Valley are gaining momentum and that the group would like to work with Council, further noting they are committed.

Ian thanked Council for hearing his deputation.

B.10 Staff Reports

B.10.1 Proposal Award for Engineering Support Services, Proposal Award RFP No. 2016-40-P-PDS, PDS.16.137

Moved by: Joe Halos Seconded by: R. J. Gamble

THAT Council receive Report PDS.16.137 entitled "Proposal Award for Engineering Services Support, Proposal Number 2016-40-P-PDS";

THAT Council award C.C Tatham & Associates Ltd., B.M. Ross and Associates Limited, WSP Canada Inc., and Greenland International Consulting Ltd. to provide Engineering Services Support for a contract period of two years with the option to extend for an additional two one-year periods; and

THAT the Mayor and the Clerk be authorized to execute the Contract Documents with C.C Tatham & Associates Ltd., B.M. Ross and Associates Limited, WSP Canada Inc., and Greenland International Consulting Ltd., Carried.

B.10.2 Glen Zoning By-law Amendment for Hazard Area Revision, PDS.16.139

Moved by: John McGee Seconded by: Michael Martin

THAT Council receive Staff Report PDS.16.139 "Glen Zoning By-law Amendment for Hazard Area Revision" for the property known as Lots 150 & 155, of Plan 529 (209774 Hwy 26); and

THAT Council pass a zoning by-law amendment to approve the proposed hazard area revision to allow a new dwelling to be built on the lands, Carried.

B.10.3 Thornbury Commercial C1 Zone – Inn as Accessory Use, PDS.16.148

Moved by: Joe Halos Seconded by: Michael Martin

THAT Council receive Staff Report PDS.16.148, entitled "Thornbury Commercial C1 zone – Inn as an Accessory Use"; and

THAT Council authorize the preparation of draft amendments for consideration of Council in the introduction of an Inn as an accessory use in the Commercial C1 zone of Thornbury through the new comprehensive zoning by-law, Carried.

B.10.4 Taylor Consent B08 2014, PDS.16.149

Moved by: R. J. Gamble Seconded by: Joe Halos

THAT Council receive Staff Report PDS.16.149, entitled "Taylor Consent B08 2014";

THAT Council authorize staff to explore a connection to the Beaver River Trail from the eastern end of Alice Street East that includes adjacent landowner consultation, and;

THAT should the Alice Street East connection to the Beaver River Trail be deemed to be viable, that Council authorize an amendment to the conditions of consent for file B08 2014 removing Condition 5 and replacing Condition 6 with the following condition:

"That the Applicant shall make payment of cash-in-lieu of applicable parkland dedication for the severed parcel, pursuant to Section 51.1 of the Planning Act, as further endorsed by Town Council policy," Carried.

B.11 Planning & Development Services Information Reports and correspondence to be considered in the adoption of the Consent Agenda:

B.11.1 Planning Applications – October 2016, PDS.16.142

THAT Council receive Staff Report PDS.16.142, "Planning Applications –October 2016" for information purposes, Carried.

B.11.2 Town of The Blue Mountains Official Plan Appeals Update, PDS.16.146

THAT Council receive Staff Report PDS.16.146 "Town of The Blue Mountains Official Plan Appeals Update" for information purposes, Carried.

B.11.3 Comprehensive Zoning By-law Project Information Report #1, PDS.16.147

Moved by: John McGee Seconded by: Michael Martin

THAT Council receive Staff Report PDS.16.147 "Comprehensive Zoning By-law Project Information Report #1" for information purposes, Carried.

B.12 Correspondence, if any

None

C. 5:00 PM Public Meetings / Deputations

Deputy Mayor Ardiel 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

C.1.1 Public Meeting: Application for Consent for New Lot – Van Strien Developments Inc. (14 Alfred Street, Thornbury)

Deputy Mayor Gail Ardiel read the notice of Application for Consent for New Lot.

Gail noted the property is located at 14 Alfred Street, Thornbury. Gail noted the property owner is Van Strien Developments Inc.

Gail noted the applicant has applied to sever a new building lot. The proposed severed lot is vacant, with approximately 18.3 metres (60 feet) of frontage on Alfred Street and an area of approximately 916 square metres (9,860 square feet). The proposed retained lot would have approximately 19 metres (62 feet) of frontage on Alfred Street, an area of 956 square metres (10,290 square feet) and contain the house and detached garage.

Gail noted the property is on an opened and maintained municipal road (Alfred Street) and serviced by municipal water and sewer services.

Gail noted the legal description of the lands is Lot 5 or Plan 100, (formerly the Town of Thornbury), Town of The Blue Mountains.

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

The Clerk noted that notice of the public meeting was given in accordance with the Planning Act, and that in response, comments were received from Grey County Planning and Development, Grey Sauble Conservation Authority and Historic Saugeen Metis.

Planner Denise Whaley spoke noting the applicant applied to sever a new building lot, and that the property would be divided in half. Denise noted that there is development on one side of the lot and the other side is vacant. Denise confirmed that this application conforms to the R2 zone, and that this application was approved in 2006, but the approval lapsed.

As no one further wished to speak, Deputy Mayor Ardiel declared the public meeting to be closed.

C.1.2 Public Meeting: Application for Zoning Amendment – Gyles/Gooderham (555259 6th Line)

Deputy Mayor Gail Ardiel read the notice of Application for Zoning Amendment.

Gail noted the property is located at #555259 6th Line. Gail noted the property owner is Gyles/Gooderham.

Gail noted this application for zoning amendment is applies only to a portion of the lot and is required as a condition of Consent File #B02-2016. In that application, the property owners applied to sever a 40 ha (100 ac) lot from their property. While the new lot is not proposed for any new buildings at this time, protection for the area of Significant Woodlands is required to ensure any future development will not have a negative impact on the woodlands. In order to protect the woodlands, a zoning amendment is required to limit development to a building envelope outside of the Significant Woodlands Area.

Gail noted the zoning amendment would rezone the lands to place a Holding "H" provision on the lands, except for the approved building envelope at the north-east corner of the property. The Holding provision may only be removed where an Environmental Impact Study demonstrates there will be no negative impacts as a result of development. The property would remain in General Rural (A1) and Hazard zone.

Gail noted the legal description of the property is Concession 6, Part of Lot 5 and Part of Lot 6 (formerly the Township of Collingwood), Town of The Blue Mountains.

Gail noted if a person or public body does not make oral submissions at a public meeting or make written submissions to Town of The Blue Mountains before the by-law is passed, the person or public body is not entitled to appeal the decision of Council to the Ontario Municipal Board.

Gail further noted if a person or public body does not make oral submissions at a public meeting, or make written submissions to Town of The Blue Mountains before the by-law is passed, 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 do so.

The Clerk noted that notice of the public meeting was given in accordance with the Planning Act, and that in response comments were received from Grey County Planning and Development Historic Saugeen Metis, Grey Sauble Conservation Authority, and area residents Jean Dalton and Frank Farfan.

Planner Denise Whaley spoke noting that the proposal is to divide the property into two parcels. Denise noted that Grey Sauble Conservation Authority had agreed to a building envelope that would not have significant impact on the woodlands. Denise identified the building envelope location, further noting staff are at the information gathering stage.

Councillor Martin referenced the comments of Jean Dalton and Frank Farfan asking that the building envelope not be in close proximity to their home. Councillor Martin noted that the neighbor chose to build close to the property line.

Councillor McGee questioned the size of the building envelope, Denise spoke in response noting that it is approximately 1.75 to 2 acres in size. Denise noted that the building envelope could be made smaller, and noted that the remainder of the property has the "H" symbol applied. Denise noted that the sideyard setback is 25 feet, and that the building envelope is 80 metres by 80 metres in size.

Deputy Mayor Ardiel noted that trees could be planted for buffering between the properties.

Councillor Martin questioned if the building envelope could be moved to the westerly treeline, Denise spoke in response noting that Grey Sauble asks for a buffer from the woodlands.

Applicant Brian Gooderham spoke noting that he took the hay off this property this year, and noted that the property line is dense between he and the Farfan house. Mr. Gooderham noted that Mr. Farfan built a garage too close to the property line a few years ago and that Mr. Gooderham did not object at that time. Mr. Gooderham noted that the application is to divide the property back into two parcels.

Applicant Sue Gyles spoke noting she understands the requested buffering from the Farfan home. Ms. Gyles noted that the trees are white pine and scrubland, and the property line is

white pine. Ms. Gyles noted that she would like to see a larger building envelope than what is proposed. Ms. Gyles noted that the property will continue to be a managed woodlot.

As no one further wished to speak, Deputy Mayor Ardiel declared the public meeting to be closed.

C.2 Deputation

None

D. New and Unfinished Business

D.1 Notice of Motion (Council)

None

D.2 Additions to the Agenda

None

E. Notice of Meeting Dates

Committee of the Whole Meeting, December 5, 2016
Town Hall, Council Chambers

Council Meeting, November 28, 2016, 7:00 pm
Town Hall, Council Chambers

F. Adjournment

Moved by: Michael Martin Seconded by: John McGee

THAT this Committee of the Whole does now adjourn at 5:30 p.m. to meet again December 5, 2016, Town Hall, Council Chambers, or at the call of the Chair, Carried.

_____
Gail Ardiel, Deputy Mayor

_____
Corrina Giles, Town Clerk