

**Minutes: The Blue Mountains Council Meeting**



**MEETING DATE:** November 24, 2014  
**MEETING TIME:** 5:15 p.m. Closed Session  
7:00 p.m. Council Meeting  
**LOCATION:** Town Hall, Council Chamber  
**PREPARED BY:** Corrina Giles, Town Clerk

**A. Call to Order**

- Mayor Anderson called the meeting to order with all members in attendance. Councillor Martin and Ardiel joined the Closed Session meeting.

Also in attendance were CAO Troy Speck, Director of Engineering & Public Works Reg Russwurm, Director of Planning, Building and By-law Michael Benner, Director of Recreation Shawn Everitt, Acting Director of Finance & IT Services Ruth Prince, Communications & Economic Development Coordinator Elizabeth Cornish, Senior Policy Planner Shawn Postma, Planner I Bryan Pearce, Manager, Building & By-law/CBO Greg Miller, Chief Librarian Terri Pope, Municipal Licensing Officer Luc Proulx

- **Approval of Agenda**

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

THAT the Agenda of November 24, 2014 be approved as circulated, including any revisions to the Agenda, being the removal of Agenda item F.2 Proposed Amendment to the Town's Site Plan Control Area By-law PL.14.120, and Agenda item H.6 Site Plan Control Area By-law, Carried.

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

No member declared a pecuniary interest with any matter as listed on the Agenda, save Councillor McKean regarding Agenda item G.1 and G.2 Accounts and Invoices and his place of employment and family members' place of employment

**B. Closed Session**

Moved by: D.R. McKinlay      Seconded by: Joe Halos

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 labour relations or employee negotiations

AND with regard to personnel matters, Carried.

Council moved into closed session at 5:19 pm.  
Council moved into public session at 5:48 pm.

**C. Call to Order (7:00 pm)**

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

- **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.

Moved by: John McKean                      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, being Agenda item B.10.1 Report PL.14.118 "Short Term Accommodation" as contained in the November 10 Committee of the Whole Report at Agenda item G.3, Carried.

▪ **Previous Minutes**

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

THAT the Council minutes of November 3, 2014, and the Special Meeting of Council minutes of November 10, 2014 be adopted as circulated, including any revisions to be made, Carried.

**D. Deputations / Presentations / Public Meeting**

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.

**D.1 Georgian Planning Solutions, Peter Tollefsen**

Re: Application for Zoning By-Law Amendment, Thornbury Gas Station (2341040 Ontario Ltd.), NW corner of Arthur Street West and Elma Street North

Peter Tollefsen spoke noting he is speaking on behalf of Georgian Planning Solutions, the agent for the Applicant. Peter reviewed the zoning by-law amendments required for this site, as proposed and as recommended by staff.

Peter noted that following the public meeting, the application was revised to reflect the comments received regarding the impact on the residential neighbours, further noting that changes to the site plan triggered the zoning by-law amendment application.

Peter noted that staff support the application, and that the plan conforms to the official plan. Peter requested that Council enact the necessary zoning by-law amendment, further noting that the variances are all minor in nature.

Peter reviewed the site plan, noting the gas pumps will be at the road and the small kiosk will be at the back of the site. Peter noted that there will be an entrance to the site from Elma Street and off of Highway #26. Peter noted that the Elma Street entrance faces the neighbour's backyard, to lessen the impact.

Peter noted that the zoning permits the applicant to place the building at the road, and the pumps at the back of the lot, next to the residential neighbour.

Peter reviewed the proposed buffering on the northern property line. Peter spoke regarding the comments of Council at the November 3 Council Meeting regarding the number of gas stations in Thornbury, further noting the applicant has done market research and determined that a gas station will succeed in this location in serving the travelling public.

Councillor Gamble spoke regarding the setback from the back of the lot, noting the building will have a 1.5 metre overhang, which will reduce the setback to 1.5 metres from the lot line. Bob noted that the proposed development will impact the neighbouring properties, further noting that he believes that the lot should be reallocated to give the neighbours quiet enjoyment.

Bob then questioned how the fuel will be delivered to the site, Peter spoke in response noting that the site plan will be before Council at a later date. Peter noted that the fuel trucks will deliver a maximum of once per week, and that the truck can enter the site from Elma Street and exit onto Highway#26. Peter noted that the Engineering and Public Works Department is satisfied with this traffic movement.

Councillor McKean questioned if there is buffering at the south east corner of the property, Peter replying yes, further noting that there will be plantings, fences, and a park bench in this location. Peter noted that some of the existing trees will be retained.

Councillor Halos questioned reference to the overhang of the building, Planner Bryan Pearce spoke noting the building is a flat roof, with no overhang.

Deputy Mayor McKinlay then spoke noting that all matters are subject to a site plan, further noting that it was Council that asked the applicant to switch the gas station to the front of the site and move the building to the back of the site.

Councillor Martin spoke noting he too is concerned about traffic movements, further noting it is not an appropriate use of the lands to permit a gas station in this location. Michael noted he is concerned about the stacking of vehicles in this location, and he is concerned with placing the building at the back of the lot as it will destroy the residential component of Elma Street.

Mayor Anderson thanked Mr. Tollefsen for his deputation.

**D.2 D.C. Slade Consultants, Andrew Pascuzzo**  
Re: Sleepy Hollow Developments West

Mr. Pascuzzo withdrew his deputation request.

**D.3 Colin Travis, Travis & Associates & Dan Skelton, Blue Mountain Resorts**  
Re: Official Plan Amendment No. 11 and Implementation Matters

Colin Travis spoke noting he is asking Council to reconsider the Committee of the Whole recommendation on staff report PL.14.118.

Colin noted the reasons why Blue Mountain Resort is asking for this to be reconsidered now. Colin noted there are licencing implications at the Legacy Condos, and that there has been confusion and concern on BMR's part. With respect to the number of units in a rental program, BMR did not realize that the 10 condos had to be with one rental manager within each condo development.

Colin noted that BMR are looking at the aspects of OPA#11, further noting that there are no compatibility issues with commercial resort units.

Dan Skelton then spoke noting that BMR supports licencing, and confirmed that BMR is not trying to limit competition. Dan noted that BMR benefits from STAs. Dan noted that he and Colin have been working with staff since the Legacy Condos received letters to comply in September. Dan noted that the by-law being applied is not as it should be, further noting that BMR manages 18 condos, and over 1000 units.

Councillor McKean spoke referencing the 18 units and questioned where they are located, Dan replying that the most they have in one development is 9. Dan noted that condo rentals are not a big part of BMR business.

Councillor Martin spoke regarding the Village land use designation, and questioned if BMR believed that it would not be involved in the licencing. Dan spoke in response and noted that the “10 or more” units is BMR’s concern.

Mayor Anderson thanked Colin and Dan for their deputation.

**E. Correspondence as previously circulated**

<b>Author</b>	<b>Recommendation / Action</b>
E.1 Hannah Woodhouse Re: Request for Support to Assist with costs to travel to Vancouver for Canadian National Cross Country event	For Council consideration
Moved by: D.R. McKinlay	Seconded by: R.J. Gamble
<p>THAT Council of the Town of The Blue Mountains provides support in the amount of \$500 to Hannah Woodhouse to assist with the costs to travel to Vancouver, British Columbia to compete in the Canadian National Cross Country Race on November 29, 2014, Carried.</p>	
E.2 Grey County Re: Request for Collaboration on Historical Community Signage Criteria	Referred to SMT
E.3 The Hospital Campaign Re: Thank you for your support	Received for information
E.4 Ministry of Economic, Development, Employment and Infrastructure Re: deputation regarding Town’s road needs	Received for information
E.5 Ministry of Agriculture, Food & Rural Affairs Re: Building Canada Fund – Small Communities Fund	Received for information
E.6 Ministry of Agriculture, Food & Rural Affairs Re: Ontario Community Infrastructure Fund – Application-Based Component	Received for information
E.7 Ministry of Finance Re: Ontario Municipal Partnership Fund	Received for information
E.8 Ministry of Agriculture, Food & Rural Affairs Re: 2014 Premier’s Award for Agri-Food Innovation Excellence	Received for information
E.9 Breaking Down Barriers Re: Milestones Newsletter, September, 2014	Received for information



**F.3 Application for Removal of the Holding –h- Symbol – Mac’s Convenience (King and Brookeast Inc.) Lot 35 and Part of Lot 36, Northeast of Arthur Street and Part of Lots 35, 36 and 37, Southwest of King Street, Town Plot of Thornbury; Parts 1 and 2, RP 16R-2841, 72 Arthur Street West, Town of The Blue Mountains, PL.14.121**

Moved by: D.R. McKinlay                      Seconded by:                      Joe Halos

THAT Council receive Planning Staff Report PL.14.121 respecting “Application for Removal of Holding –h Symbol – Mac’s Convenience (King and Brookeast Inc); Lot 35 and Part of Lot 36 Northeast of Arthur Street and Part of Lots 35, 36 and 37 Southwest of King Street, Town Plot of Thornbury; Parts 1 and 2, RP 16R-2841; 72 Arthur Street West; Town of The Blue Mountains”;

AND THAT Council enact an amending By-law to remove the Holding –h Symbol for the development of the lands, described as Lot 35 and Part of Lot 36 Northeast of Arthur Street and Part of Lots 35, 36 and 37 Southwest of King Street, Town Plot of Thornbury; Parts 1 and 2, RP 16R-2841; Town of The Blue Mountains, Carried.

**G. Consent Agenda**

**G.1 Accounts**

- G.1 Accounts
- G.2 Invoices separated for pecuniary interest (Miller, MSO, Tatham & South Paw)

**Reports List (Adopt)**

- G.3 Committee of the Whole Report, dated November 10, 2014

**B.10.1 PL.14.118 Short Term Accommodation**

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

THAT Council receive Staff report PL.14.118 entitled “Short Term Accommodation Licensing Program Update”;

THAT Council direct staff to revise the implementation of Phase Two of the STA Licensing program and postpone it within the area described in Staff Report PL.14.118;

AND THAT Council direct Staff to report back to the Committee of the Whole on January 12, 2015 with an updated implementation approach for the postponed portion of the STA Licensing Program, Carried.

**Minutes List (Receive)**

None



## **I. New and Unfinished Business**

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

EA, DMcK

### **I.2 Notice of Motion**

Council

NOTE: In accordance with The Blue Mountains Procedural By-law, a motion to reconsider a resolution entered upon the minutes shall not be received or put unless agreed upon by two thirds of the full membership of Council (being five members) prior to the question being considered. The notice of motion will be treated as any other motion, requiring a mover and a seconder for the motion to be put before Council.

At the November 10, 2014 Committee of the Whole Meeting, 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".

Deputy Mayor McKinlay assumed the Chair.

Moved by: Ellen Anderson                      Seconded by: John McKean

THAT Council 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".

Councillor Gamble requested a recorded vote:

Mayor Anderson	Yay
Councillor Ardiel	Yay
Councillor Gamble	Nay
Councillor Halos	Yay
Councillor Martin	Nay
Councillor McKean	Yay
Deputy Mayor McKinlay	Yay

The Motion is Carried.

Moved by: Ellen Anderson                      Seconded by: John McKean

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.



