



Minutes

The Blue Mountains, Committee of the Whole Meeting

Meeting Date: December 5, 2016
Meeting Time: 1:00 p.m.
Location: Town Hall, Council Chambers
Prepared by Corrina Giles, Town Clerk

A. Call to Order

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

Also in attendance were Acting CAO/Director of Community Services Shawn Everitt, Director of Director of Finance and IT Services Ruth Prince, Director of Infrastructure & Public Works Reg Russwurm, Fire Chief Rob Collins, Director of Planning and Development Services Michael Benner, Manager of Development Engineering Brian Worsley, Manager of Water & Wastewater Services John Caswell, Communications & Economic Development Coordinator Elizabeth Cornish, Manager of Human Resources Jenn Moreau, Senior Policy Planner Shawn Postma, Planner 1 Denise Whaley

- Committee then paused for a Moment of Reflection

- **Approval of Agenda**

Moved by: Gail Ardiel Seconded by: Michael Martin

THAT the Agenda of December 5, 2016 be approved as circulated, including any items added to the Agenda, Carried.

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

Mayor McKean declared a pecuniary interest regarding Agenda item C.10.9 and the proximity to his property. Deputy Mayor Ardiel declared a conflict regarding Agenda item C.5.1 and her family's business interests.

- **Adoption of Consent Agenda**

With the adoption of the Consent Agenda, all Recommendations found within the staff reports at Agenda items C.3.1 and C.11.1 as listed:

- **C.3.1 Monthly Financial Report – October 2016, FAF.16.106**
- **C.11.1 Comprehensive Zoning By-law Project Information Report #2, PDS.16.157**

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: Michael Martin Seconded by: John McGee

THAT the Consent Agenda of December 5, 2016 be adopted as circulated, less any items requested for separate review and discussion, Carried.

B. Public Meetings / Deputations

Mayor McKean 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.

B.1 Statutory Public Meetings

B.1.1 Public Meeting: Imposition and Collection of Fees and Charges for Planning and Development Services and Activities

Mayor McKean read the Notice of Public Meeting regarding amendments to By-law No. 2010-35, as amended, for the imposition and collection of fees and charges for planning and development services and activities.

Mayor McKean noted that Section 69(1) of the Planning Act enables the council of a municipality to establish a tariff of fees made in respect of planning matters, with such tariff designed to meet only the anticipated cost to the municipality, or to a committee of adjustment, the cost of processing of each type of application provided for in the tariff.

Section 391 of the Municipal Act, 2001 authorizes a municipality to impose fees or charges on persons for services or activities provided or done by or on behalf of it.

The purpose of this Public Meeting is to obtain public and agency comments on the proposed amendments to the Fees By-law.

Clerk noted that notice of the public meeting was given in accordance with the Planning Act, and that in response no comments were received.

Andrew Grunda of Watson & Associates Economists Ltd. ("Watson") provided a presentation on the Development Services Fees Review. Andrew noted that Watson was retained by the Town to undertake a Development Services Fees Review with the goal to determine current cost recovery levels and corresponding reserve fund strategies, develop appropriate fee structures and make recommendations regarding the potential of moving towards a full cost recovery financial model that eliminates taxpayer subsidies.

Andrew spoke regarding the legislative context and trends of the Planning Act, Building Code Act and the Municipal Act. Andrew spoke regarding activity based costing methodology and full cost recovery activity-based costing definitions.

Andrew then spoke regarding the process undertaken, noting that Watson reviewed documented costing categories, process steps and participating staff positions. Andrew noted that Watson established staff processing effort estimates for each costing category and quality tested the effort estimates through capacity utilization assessment and benchmarked estimates against comparator municipalities. Andrew noted that Watson constructed an activity-based costing model to determine the full costs of the various application processes, met with the Town's project team to review outcomes of the costing analysis and financial impact analysis and prepared potential user fees rate structure options to be reviewed with development industry stakeholders.

Andrew then reviewed the costing results and fee estimate recommendations. Andrew spoke regarding comparison of development cost impacts and municipal development fees for various scenarios.

Andrew noted that the next steps include receiving input from the development community, review implementation options with Town Project Team, prepare report, including input from development community, with proposed by-law for presentation to Council.

Councillor Seguin questioned the direct costs, and if the capital asset direct replacement costs are related. Andrew spoke in response noting the assets to provide services, including office space, desks, IT, further noting this is a recognition of this costs.

Councillor Seguin questioned why Collingwood is not used in the large development comparator. Andrew spoke in response noting that Watson used municipalities they surveyed as part of benchmarks, further noting that Watson has not done work for Collingwood, so they were not used.

Andrew Pascuzzo of D.C. Slade Consultants expressed concern with the proposed fees, further noting that developers will be subject to another increase in fees. Andrew noted that no local municipalities have been used as comparators. Andrew noted that an increase of 4% to 8% is concerning, and questioned why such an increase. Andrew questioned if there has been a change in the last fee with respect to engineering review, and if The Blue Mountains is at a full cost recovery position. Andrew questioned if Council would consider not proceeding to a full cost recovery.

Andrew Pascuzzo noted that there are gaps in the chart with respect to the costs of lot additions and easements, further noting there should be more flexibility in the chart. Andrew then referenced affordable housing, further noting there should be flexibility in review fees, further noting he is concerned with the affordability in The Blue Mountains. Andrew suggested that Council consider implementing some flexibility to allow for exception to a developer of units that are below the average price so that developers will be encouraged to build affordable housing projects. Andrew confirmed that he will submit a formal letter to the Town noting their concerns.

Michael Benner, Director of Planning and Development Services spoke noting the comments have been received and that they will be included in a followup staff report.

Lindsay Ayers of Blue Mountain Resort then spoke noting that she has just received the information, and expressed concern with the fees on the comparison sheet. Lindsay noted that much of the changes at Blue Mountain Resort is smaller scale, but that full cost recovery fees is concerning as the fees are increasing by double. Andrew noted that many municipalities have gone through this process

C. Staff Reports, Deputations, Correspondence

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

C.1 Deputations, if any

C.1.1 Alar Soever, Resident

Re: Town's Workplace Harassment and Violence Policy

C.1.2 Rosemary Gosselin, Integrative Consulting Services

Re: Corporate Policy HS.10.12 Revisions

C.2 Staff Reports

C.6.2 WSP Canada Inc. Request for Additional Engineering, CSPW.16.121

Moved by: John McGee Seconded by: Gail Ardiel

THAT Council receive Staff Report CSPW.16.121 entitled “WSP Canada Inc. Request for Additional Engineering”;

AND THAT Council approve increasing WSP Canada Inc.’s budget by \$1,225 from \$9,000 to \$10,225 excluding HST for the additional contract and site administration work relating to the Water Treatment Plant High Lift Pump replacement;

AND THAT Council approve funding the additional \$1,225 from the Water Asset Replacement Reserve Fund, Carried.

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

None

C.8 Correspondence, if any

None

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

C.9 Deputations, if any

C.9.1 Eric Heinrich, Heinrich Property Corporation

Re: 63 Arthur Street Development

C.9.2 Viv Alper, Thornbury Resident

Re: Sign By-law

C.10 Staff Reports

C.10.1 Sign By-law Review Committee Report, dated November 7, 2016

Moved by: Joe Halos Seconded by: Michael Seguin

THAT Council acknowledge receipt of the Niche Living Sign By-law variance request;

AND THAT Council refer the Niche Living Sign By-law variance request back to the Sign By-law Committee for future report to the Committee of the Whole, Carried.

C.10.2 Sign By-law Review Committee Report, dated November 24, 2016

Moved by: Michael Martin Seconded by: Gail Ardiel

THAT Council receive Staff Report PDS.16.154, entitled “Sign By-law”; and

THAT Council authorize the repeal of Sign By-law No. 2001-57, and authorize the enactment of By-law 2016-___, being a By-law to regulate the size, use, location and maintenance of signs within the Town of The Blue Mountains, included as Attachment “s” to this report, Carried.

C.10.3 Tyrolean Properties Consents Files B03-2016, B04-2016, B9-2016 and B10-2016, PDS.16.138

Moved by: John McKean Seconded by: Michael Martin

THAT Council receive Staff Report PDS.16.138 “Tyrolean Properties Consents Files B03-2016, B04-2016, B9-2016 and B10-2016”; and

THAT Council grant applications B03-2016, B04-2016, and B09-2016, subject to the following conditions:

1. That the Applicant meet all the requirements of the Town, financial and otherwise, for the Certificate of Consent to be issued;
2. That the Applicant ensures that the lands consolidate with Part 3 of 16R6360.
3. That the Applicant provide a description of the land which can be registered in the Land Registry Office;
4. The execution of required Agreement with the Town that would include, but not be limited to, matters related to cost sharing for the existing constructed works benefitting this lot and the construction of full municipal services to the satisfaction of the Town.
5. That all above conditions be fulfilled within one year of the Notice of Decision so that the Town’s Clerk is authorized to issue the Certificate of Consent pursuant to Section 53(42) of the Planning Act.

THAT Council grant application B10-2016, subject to the following conditions:

1. That the Applicant meet all the requirements of the Town, financial and otherwise, for the Certificate of Consent to be issued;
2. That the Applicant provide a description of the land which can be registered in the Land Registry Office;
3. The execution of required Agreement with the Town that would include, but not be limited to, matters related to cost sharing for the existing constructed works benefitting this lot and the construction of full municipal services to the satisfaction of the Town.
4. That all above conditions be fulfilled within one year of the Notice of Decision so that the Town’s Clerk is authorized to issue the Certificate of Consent pursuant to Section 53(42) of the Planning Act, Carried.

C.10.4 Van Strien Consent Application B11-2016, PDS.16.140

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

THAT Council receive Staff Report PDS.16.140, “Van Strien Consent Application B11-2016”; for the property at 14 Alfred St. W (Plan 100, Lot 5) in Thornbury, and

THAT Council grant application B11-2016, subject to the following conditions:

1. That the Applicant meet all the requirements of the Town, financial and otherwise, for the Certificate of Consent to be issued;
2. The payment is made to the Town for the applicable Development Charges, Parkland Dedication Fee and any Water and Sewer Charges;
3. That the Applicant provide a description of the land which can be registered in the Land Registry Office;
4. That all above conditions be fulfilled within one year of the Notice of Decision so that the Town’s Clerk is authorized to issue the Certificate of Consent pursuant to Section 53(42) of the Planning Act, Carried.

C.10.5 Cundy Bino Zoning Amendment for B&B, PDS.16.141

Moved by: John McGee Seconded by: Joe Halos

THAT Council receive Staff Report PDS.16.141, “Cundy Bino Zoning Amendment for B&B”; for the lands know as Plan 807, Lot 37 (formerly the Township of Collingwood), and

THAT Council enact a Zoning By-law Amendment to permit the use of Bed and Breakfast Establishment, in the existing dwelling, Carried.

C.10.6 Short Term Accommodation (STA) Licensing Committee Appointment – Appeal number CEAPP2016-631 – Hearing date January 13, 2017, PDS.16.152

Moved by: John McGee Seconded by: John McKean

THAT Council receive Staff Report PDS.16.152 “Short Term Accommodation (STA) Licensing Committee Appointment – Appeal number CEAPP2016-631 – Hearing date January 13, 2017”, and;

THAT Council appoint Deputy Mayor Gail Ardiel, Councillor Michael Martin and Councillor John McGee as the three (3) members of Council plus one alternate, being Councillor R.J. Gamble to act as the STA Licensing Committee for the January 13, 2017 Appeal Hearing date, Carried.

C.10.7 Official Plan Appeals Update Jozo Weider Boulevard Area Residents Appeal, PDS.16.153

Moved by: Michael Martin Seconded by: Michael Seguin

THAT Council receive Staff Report PDS.16.153 “Official Plan Appeals Update, Jozo Weider Boulevard Area Residents Appeal, Town of The Blue Mountains”; and

THAT Council support the Draft Minutes of Settlement so as to reinstate Exception 43 in the Jozo Weider Boulevard area from the 2007 Official Plan into the new 2016 Official Plan.

THAT Council authorize the Mayor and Clerk to execute Minutes of Settlement with the Jozo Weider Area Residents and that Council direct Town Staff and Legal Counsel to submit the Minutes of Settlement to the Ontario Municipal Board for final approval, Carried.

C.10.8 Peaks Bay Agreement, PDS.16.156

Moved by: Michael Martin Seconded by: John McGee

THAT Council refer Staff Report PDS.16.156 “Peaks Bay Agreement” back to staff for a future report to the Committee of the Whole, Carried.

C.10.9 Zoning as Condition of Consent B02-2016 Gyles-Gooderham, PDS.16.158

Mayor McKean vacated the Council Chamber having earlier declared an interest in Agenda item C.10.9. Deputy Mayor Ardiel chaired this portion of the meeting.

Moved by: Joe Halos Seconded by: Michael Martin

THAT Council receive Staff Report PDS.16.158, “Zoning as Condition of Consent B02-2016 Gyles-Gooderham” for the lands known as Concession 6, Part of Lot 5 and Part of Lot 6; and

THAT Council pass a zoning by-law amendment to approve the proposed building envelope and recognize the deficient lot frontage on the retained lands, Carried.

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

C.11.1 Comprehensive Zoning By-law Project Information Report #2, PDS.16.157

THAT Council receive Staff Report PDS.16.157 “Comprehensive Zoning By-law Project, Information Report #2, Town of The Blue Mountains” for information purposes, Carried.

C.12 Correspondence, if any

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

Special Committee of the Whole, December 12, 2016, 9:00 a.m.
Town Hall, Council Chamber

Special Committee of the Whole, December 14, 2016, 9:00 a.m.
Town Hall, Council Chamber

Council Meeting, December 19, 2016, 7:00 pm
Town Hall, Council Chambers

Committee of the Whole Meeting, January 9, 2017
Town Hall, Council Chambers

F. Adjournment

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

THAT this Committee of the Whole does now adjourn at 4:31 p.m. to meet again January 9, 2017, Town Hall, Council Chambers, or at the call of the Chair, Carried.

John McKean, Mayor

Corrina Giles, Town Clerk