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Minutes: Infrastructure & Recreation Committee



MEETING DATE: Tuesday, September 10th 2013
MEETING TIME: 3:00pm
LOCATION: Town Hall, Council Chambers
PREPARED BY: Jenny-Maria Ferraro, Engineering and Public Works Administrative Assistant

A. Call to Order

Present:

Deputy Mayor Duncan McKinlay,
Mayor Ellen Anderson,
Councillor Joe Halos,
Councillor Michael Martin,
Councillor Gail Ardiel,
Chief Administrative Officer Troy Speck,
Director of Engineering & Public Works Reg Russwurm,
Manager of Water & Wastewater John Caswell,
Manager of Roads & Drainage Jim McCannell,
Manager of Solid Waste & Environmental Initiatives Jeff Fletcher,
Compliance & Efficiency Coordinator Meg Boyd,
Engineering & Public Works Administrative Assistant Jenny-Maria Ferraro

Regrets: Councillor Bob Gamble

A.1 Approval of Agenda

Deputy Mayor Duncan McKinlay called the meeting to order at 3:00pm, explaining that Committee Chair Councillor Bob Gamble will be absent from the meeting and with the permission of Committee, Deputy Mayor McKinlay will Chair the meeting on his behalf.

Director of Engineering and Public Works, Reg Russwurm requested that Staff provide Committee with a verbal update on the status of the Historic Snowbridge Subdivision Island Removal.

Moved by: Joe Halos

Seconded by: Michael Martin

THAT the Agenda of Tuesday, September 10th 2013, Infrastructure & Recreation Committee Meeting be approved as circulated, including any items added to the Agenda, **CARRIED.**

A.2 Declaration of Pecuniary Interest

No member of Committee declared a pecuniary interest at this time.

A.3 Previous Minutes

Moved by: Michael Martin

Seconded by: Joe Halos

THAT the minutes of the Tuesday, August 20th 2013, Infrastructure & Recreation Committee be adopted as circulated, **CARRIED**.

B. Deputations / Presentations

Committee Chair Deputy Mayor McKinlay 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.

B.1 Vera Lloyd and Glenn Weatherall, Dufferin Grey ATV Club Inc. Re: ATV's within Blue Mountains

Vera Lloyd and Glenn Weatherall of the Dufferin Grey ATV Club, spoke to Committee noting that they came to Council in 2004 and they are back today asking that ATV's be allowed in the Town of The Blue Mountains.

Deputy Mayor McKinlay asked Ms. Lloyd and Mr. Weatherall which roads they wish to have ATV's on. Ms. Lloyd indicated the majority of the roads in the south west corner of the Blue Mountains.

Deputy Mayor McKinlay then asked Ms. Lloyd to clarify for Committee the location she is referring to within the Town and specifically what her request is.

Mr. Weatherall explained that they would like ATV's allowed on all of the roads. Ms. Lloyd noted that there are roads in Grey Highlands are designated for ATV's.

Ms. Lloyd then asked that a bylaw be passed that will allow ATV's in the Town of the The Blue Mountains, noting that she would come back with a map.

Mayor Anderson indicated ATV's were discussed in great lengths with Council in the past and they are currently not allowed on the roads in the Town with respects to safety hazards on travelled roads and the concern for vehicle traffic and the chance of an accident being far too great. Mayor Anderson also noted that there were discussions surrounding environmental concerns with motorized vehicles as well. Mayor Anderson also indicated that ATV's are not allowed on the Georgian Trail and that the Kolapore Uplands are kept natural, minus cyclists or pedestrians who are walking or hiking.

Ms. Lloyd noted that the Kolapore Uplands was an area they were wondering about.

Mayor Anderson noted that in the past it was the Province who regulated ATV use. Deputy Mayor McKinlay noted that he recalls these conversations from the past as well.

Councillor Martin asked Ms. Lloyd if she has worked with the Conservations Areas. Ms. Lloyd noted that has and her club assists with maintaining the trails and reporting trespassers. Councillor Martin noted that the Grey Sauble Conservation Authority has not been positive toward ATV clubs, and Ms. Lloyd noted that she does not work with them.

Deputy Mayor McKinlay addressed the package which Ms. Lloyd and Mr. Weatherall presented to Committee noting that it provides Committee with a good history on the ATV Club.

Deputy Mayor McKinlay then asked Committee how they wish to proceed, noting to Ms. Lloyd and Mr. Weatherall that there not a strong appetite for ATV's to be allowed everywhere in Town.

Councillor Halos suggested that Ms. Lloyd and Mr. Weatherall meet with the Director of Recreation, Shawn Everitt, regarding their request. Deputy Mayor McKinlay agreed and instructed Ms. Lloyd and Mr. Weatherall to set up a meeting with Shawn Everitt.

Mr. Weatherall noted that there will be a "Ride for Dad's" taking place and he would like a day's grace from the Town for the ride. Deputy Mayor McKinlay suggested that Mr. Weatherall put his request in writing, noting that there is no guarantee it will be approved. Deputy Mayor McKinlay then noted that it is better to be granted permission then to be caught by the bylaw officers.

Deputy Mayor McKinlay then suggested that when Ms. Lloyd and Mr. Weatherall meet with Director of Recreation, Shawn Everitt, they provide a map indicating the specific piece of road they wish to use, and Shawn will determine if their request is considered a special event, and from there, the request can come to Council seeking special permission to proceed.

Ms. Lloyd and Mr. Weatherall thanked Committee for their time.

C. Staff Reports as circulated

C.1 EPW.13.074 Land Use Agreement with 636697 Ontario Limited (o/a Scenic Caves Nature Adventures)

Jim McCannell

Manager of Roads and Drainage Jim McCannell, briefed Committee on his Report noting that in the summer of 2012 Scenic Caves came to the Town looking to expand their zip line and as part of the construction process they built a construction entrance access off of the 15th side road. Jim indicated that although the work is complete, the entrance way is still there.

Jim then explained to Committee that the Agreement presented in the Report would formalize that entrance and allow Scenic Caves to use it for their Staff for three seasons of the year, not including the winter.

Jim also indicated that a meeting has been set up at the end of the month, regarding expanding the entrance further, clarifying that this proposed expansion, is not the intended use of the Agreement.

Councillor Martin asked Jim if Scenic Caves has looked over the Agreement and if they are in agreement with it. Jim noted that he is working with Krystin Rennie, from Georgian Planning Solutions and that he has not heard from owner Rob Thorburn directly.

Councillor Martin then asked Jim if Scenic Caves requests changes to the Agreement at a later date, if Staff will have to make amendments to the Agreement. Jim said yes, noting further that he is not sure exactly what their ask will be.

Deputy Mayor McKinlay then asked Staff to confirm that amendments to the Agreement will take time and nothing will be place allowing continued use of the entrance for the time being. Jim confirmed this, explaining further that the Agreement presented now will cover them for current use.

Councillor Halos then asked Jim how the fees were arranged for this Agreement. Jim explained that he worked with the Planning Department and used the fees they have set for simple agreements.

Moved by: Ellen Anderson

Seconded by: Michael Martin

THAT Council receive Staff Report EPW.13.074, "Land Use Agreement with 636697 Ontario Limited (o/a Scenic Caves Nature Adventures)";

AND THAT Council authorize the Mayor and Clerk to execute a Land Use Agreement with 636697 Ontario Limited (o/a Scenic Caves Nature Adventures) in the form attached

to this Report upon the recommendation of the Director of Engineering and Public Works and the Town's solicitor, **CARRIED.**

C.2 EPW.13.075 Camperdown Road South – Winter Restriction of Passage until 2019

Jim McCannell

Deputy Mayor McKinlay reminded Committee of an email which they received on September 9, 2013 from Alan Jones entitled "Infrastructure and Recreation Committee re: Camperdown Road". Deputy Mayor McKinlay noted that paper copies of the email have been distributed to Committee and Council for this meeting.

Manager of Roads and Drainage Jim McCannell briefed Committee on the Report, noting that in 2011 and in 2012, a bylaw was passed to restrict public access to Camperdown Road South, in turn reducing the liability which the Jones' are exposed to with the current land use agreement they are in.

Councillor Halos asked Staff if they have considered this situation in the same manner the Town approached Castle Glen in that, the local residents pay an area-rated cost for snow removal. Jim noted that internally, the 3 residents share the cost of snow plowing, but the Jones' are concerned about their liability with the use of the road.

Director of Engineering and Public Works, Reg Russwurm noted that the Town's solicitor, John Metras has considered all options regarding ways to encumber the other property owners to be part of the Agreement. Reg indicated that there is no way to do so. Reg further explained that the Jones' have signed the Agreement to be the sole responsible party providing winter maintenance up that hill, and although their neighbours are willing to help, they are not obligated to do so, as they did not sign anything saying that they would.

Reg further indicated that the Jones' have asked that the Town take over winter maintenance. Reg noted that the key to working through this from the beginning is to ensure there is trail linkage to the bottom of the hill. Reg explained that once the trail linkage is constructed, the Town would then reconsider, but for now, without the trail linkage constructed, there is no reason to release the Jones' from their obligation which they signed 12 years ago.

Reg explained further that Staff requested that Council enact a bylaw to restrict public access on Camperdown Road South over the past few years, so that John Metras would have time to consider options and solutions with at the request of the Jones'.

Deputy Mayor McKinlay then asked about the type of bylaw which Staff are asking Council to pass, asking if it is a type of bylaw which any landowner could appeal. Reg noted that he is unsure of the intricacies of the bylaw appeal process.

Moved by: Michael Martin

Seconded by: Joe Halos

THAT Council receive Staff Report EPW.13.075 entitled “Camperdown Road South – Winter Restriction of Passage until 2019”;

AND THAT Council enact a By-law to restrict common law right of passage during the winter season on the deviation portion of Camperdown Road South until May 15 2019 upon recommendation by the Town’s solicitor and Director of Engineering and Public Works, **CARRIED**

Mayor Anderson left the meeting at this time and Councillor Ardiel joined the meeting.

C.3 EPW.13.057 Disposal Site Fees By-law

Jeffery Fletcher

Manager of Solid Waste and Environmental Initiatives, Jeffery Fletcher explained to Committee that the bylaw he is presenting will increase the fees at the disposal site by \$20.00.

Jeffery indicated that there still will be no charge for yard waste from residential sources but there is now a change for commercial sources that bring in yard waste. Jeffery noted that chipped wood will be accepted at no charge because it can be used at the site.

Moved by: Joe Halos

Seconded by: Duncan McKinlay

THAT Council receive Staff Report EPW.13.057, “Disposal Site Fees By-law”;

AND THAT Council enact a By-law to improve waste diversion, establish tipping fees and penalties and enforce sorting of recyclable, divertible and compostable materials, **CARRIED.**

D. Information Reports / Correspondence

D.1 EPW.13.068 2013 Quality Management System Review Outcomes

Meg Boyd

Deputy Mayor Duncan McKinlay requested that Compliance and Efficiency Coordinator Meg Boyd outline the high points of information within the Report, as Council plays an important role in the Drinking Water Quality Management Standard, and the requirements behind it.

Meg indicated to Committee that the purpose of the Report is to communicate the results of the 2013 DWQMS review which took place in June involving top management team.

Meg noted that Element #20 in the management review indicates that the Town is compliant.

Meg then noted that the standard requires any deficiencies be presented to the owners, referring to Attachment #1 of the Report which indicates all of the action items following the 2013 Management Review.

Deputy Mayor Duncan McKinlay asked Meg if the action items are on schedule. Meg noted that any items identified have been addressed and any which are still pending are being worked on.

Duncan asked about the diesel fuel supplier. Meg explained that that item is still pending until the end of September 2013.

Councillor Martin then explained that Council is the 'watchers of the watchers' and he believes there is a logistical problem as Council goes through the review with the Operators in June, questioning what exactly Council should be looking for besides the remedial efforts which have to be addressed and acted on.

Manager of Water and Wastewater John Caswell assured Councillor Martin, that Council would be advised of anything major through Reports such as the Report currently being presented and other Reports which are provided regularly by Staff. John explained that training was offered last Fall providing insight on what the responsibilities of Council are; noting that the responsibilities of Council have been the same for some time, even post Walkerton.

Deputy Mayor McKinlay asked Staff to confirm that if anything serious was discovered, Staff would notify Council, who are the owners, immediately. Meg and John both agreed. John noted further that through the year-end report and the report to the Ministry of the Environment, Staff are required to address all concerns and report them. John also indicated that taste concerns, odor concerns and water quality are all concerns which are logged, responded to and followed up with after.

Deputy Mayor McKinlay then asked if hypothetically there was an earthquake and waterlines broke and a boil water advisory has been issued, Council know of this before they hear it on the streets or read about in the paper. John explained that the Emergency Management System would come into effect, which would notify Council almost immediately if something like that was to happen.

Councillor Martin indicated that beyond catastrophes which have to be dealt with, he is asking Staff if there are other ways that reporting can be explored besides Council being presented with adverse Reports. John explained that any samples which are collected that have a low bacteria count, is an example of an adverse sample which Council would not need to know about right away. John further explained that if E-Coli were found in the water system then Council would be informed immediately.

Chief Administrative Officer Troy Speck noted that in the Management Review an action item chart was presented which lists requirements and time frames. Troy noted that this is presented to ensure that Council knows what is to be done and what is being done.

Councillor Martin then moved the recommendation as presented in the Staff Report.

Councillor Martin then noted that having great water is important, and that has a responsibility regarding the great water. Councillor Martin feels it would be prudent to advise Council of all defaults found regardless if they are serious or not, reminding Staff that something which is considered minor might be taken out of context.

Councillor Halos then seconded the motion as presented in the Staff Report.

Councillor Ardiel noted that Staff can email Council when there is an adverse result, letting them know that Staff are on top of fixing the problem. Councillor Ardiel believes that as owners, Council should be aware of these things.

Deputy Mayor McKinlay then asked Staff to consider what Councillor Ardiel is suggesting, asking Staff to provide an outline of when Council should be notified and when they should not. Councillor Ardiel suggested that Staff look into this, and perhaps provide Council with a Report on how Reporting will be done and how Council can be educated on the issues and what they need to know and when.

Councillor Ardiel then reflected on what happened in Walkerton, noting that if there if was day to day reporting and a protocol for it, then maybe it could have been avoided. Noting that the onus is on Council, Councillor Ardiel believes that Council should be educated and know what is happening.

Deputy Mayor McKinlay noted that Council needs education as part of the process so Council understands what they are being notified of.

Deputy Mayor McKinlay then suggested that Staff formalize a way to address Council's concerns so that it can be established that the watchers of the watchers are doing what they should be doing and knowing what they need to know.

John reminded Committee that there is a document which outlines Council's responsibilities which Staff will present in the next few months. John also noted that Staff could come up with an outline for reporting as suggested as well. Deputy Mayor McKinlay thanked Staff for their time and indicated he is looking forward to hearing recommendations from Staff.

Committee then dealt with the following recommendation:

THAT Council receive Staff Report No. EPW.13.068 entitled "2013 Quality Management System Review Outcomes" for their information, **CARRIED.**

D.2 EPW.13.079 Capital and Development Status Report

Mike Campbell & Mike Humphries

Councillor Martin asked about the work on Napier Street, referencing Item # 7 on page 70.

Councillor Martin asked Staff if another OMB hearing has been planned and if that will affect the work on Napier Street. Reg confirmed that there is another OMB hearing, and noted that from an Engineering standpoint, the AFC drawings are on their way this week and although a cost estimate is lacking, there are no major concerns from the Engineering Department.

Moved by: Joe Halos

Seconded by: Michael Martin

THAT Council receive Staff Report EPW.13.079 entitled “Capital and Development Status Report” for their information, **CARRIED**.

E. New and Unfinished Business

E.1 Letter to Jim McCannell from McCormick Rankin

Re: Ontario Ministry of Transportation – Notice of Study Commencement Highway 26 from the Town of Thornbury to the Town of Collingwood

Director of Engineering and Public Works, Reg Russwurm noted to Committee that Staff have received a notice of commencement letter from Dan Green, a Project Manager for the Preliminary Design and Class Environmental Assessment for the rehabilitation of 13.2 km on Highway 26 from the east limits of Thornbury to the west limits of Collingwood. Reg noted that in response to this, he will be sending out a letter within the week noting that the Town of the Blue Mountains’ environmental assessment is leading partnership with the MTO and Grey County.

Reg reminded Committee that the EA’s for Grey Road 2 and Grey Road 40 Highway intersections are underway and that the Craigeith EA is coming up next. Reg noted that he has spoke with the MTO regarding the importance of coordinating the EA’s in order to avoid conflicting or non-compatible solutions from the assessments.

Councillor Martin asked Reg if any new traffic studies will be brought out through the assessments. Reg noted that there will be traffic studies, but they will be basic and nothing presented will be far reaching or comprehensive. Reg explained that these are operational EA’s noting existing deficiencies as opposed to growth related EA studies.

Deputy Mayor McKinlay asked Reg about a meeting which was held at The Peaks. Reg explained that that meeting was with regards to the Transportation Strategic Plan, and that the information in the Plan will be used when the Town is considering proposed intersections.

Committee had no further questions or comments regarding the correspondence.

E.2 – ADDITION

Verbal Update on the Status of the Historic Snowbridge Subdivision Island Removal

Manager of Roads and Drainage Jim McCannell noted to Committee that he met with the Historic Snowbridge Rate Payers Association on site to look at and discuss field options that reflect Council's recommendation to move forward with the island removal.

Jim explained that the work proposed for the first island has been planned out and the second tree will remain in place as requested by Council.

Jim noted that concerns have been raised regarding the proposed work at the other end of the islands, as residents feel that people will drive quickly around the corner because the intersection will be in the shape of a "Y". Deputy Mayor McKinlay asked Jim if there is a stop sign at the intersection and Jim confirmed that there is a 3-way stop sign at the intersection.

Director of Engineering and Public Works Reg Russwurm explained to Committee that the Town intendeds to keep the two panel of sidewalk in place, and that they are planning to put up a bull noise on the sidewalk with flush concrete and rumble strips. Reg explained that this will give the impression of an island and that it is also a traffic calming method. Jim noted that he will do line painting outlining the island as well.

Reg then explained that Staff considered creating an island three meters in diameter, reminding Committee that are a few residents who are in favour of the removal of the islands as proposed by Staff.

Deputy Mayor McKinlay reminded Staff that those letters received by residents in favour of the island removal have no greater stand than those voices opposed.

Reg noted that as residents express concern, he will continue to respond to them the same way he has been doing for the past few weeks, keeping in mind that winter control is the primary concern.

Councillor Halos asked Staff about the interior island asking Staff to ensure that the sidewalks will not be removed. Reg noted that there are 2 panels, about 8 feet of sidewalk, assuring Councillor Halos that they will not be removed.

Deputy Mayor McKinlay thanked Reg for his verbal update.

F. Next Meeting Date(s)

Tuesday, October 8th 2013, Town Hall, Council Chambers

G. Adjournment

Moved by: Joe Halos

Seconded by: Michael Martin

THAT the Infrastructure & Recreation Committee Meeting of Tuesday, September 10th 2013, is adjourned at 4:03pm, **CARRIED.**