A. Call to Order

Mayor Alar Soever called the meeting to order with all members in attendance save Deputy Mayor Bartnicki absent and Councillor Bordignon absent. Councillor Matrosovs joined the meeting at 5:12 pm.

Also in attendance Chief Administrative Officer Shawn Everitt, Director of Finance and IT Services Ruth Prince, Director of Human Resources Jenn Moreau, Director of Community Services Ryan Gibbons, Director of Planning and Development Nathan Westendorp, Director of Operations Shawn Carey, Fire Chief Steve Conn, Program Coordinator STA/MLEO Officer Kirsty Robitaille, Senior Policy Planner Shawn Postma, Municipal Law Enforcement Officer/Prosecutor Wayne DeWitt and Construction Coordinator Mike Campbell.

• Traditional Territory Acknowledgement

• Council Member Attendance

The Town Clerk noted that Councillor Bordignon provided notice that he would be absent from this evening’s Council Meeting, Councillor Matrosovs provided notice that she would be late arriving to this evening’s Council Meeting, and that Deputy Mayor Bartnicki did not provide notice of her absence.

• Approval of Agenda

Moved by: Jim Uram Seconded by: Rob Potter

THAT the Agenda of December 16, 2019 be approved as circulated, with Agenda item “J.1 By-Law to Appoint a Fire Chief” moved to 7:00 pm on the Agenda, Carried.

• Declaration of Pecuniary Interest and general nature thereof

NOTE: In accordance with the Municipal Conflict of Interest Act and the Town Procedural By-law 2019-56, Council Members must file a written statement of the interest and its general nature with the Clerk for inclusion on the Registry.

None
B. Closed Session

Moved by: Rob Potter  Seconded by: Jim Uram

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 personal matters about an identifiable individual, including municipal or local board employees, and with regard to the CAO review, Carried.

Council moved into closed session at 5:11 p.m.
Council moved into public session at 6:06 p.m.

Closed Session Reporting Out Statement

Mayor Soever reported out of closed session noting that Council met in closed session to discuss the performance review of the CAO and provided further direction for 2020 goals and objectives.

C. Holiday Open House, 6:30 pm to 7:00 pm

Council of the Town of The Blue Mountains invites the public to a Holiday Open House for refreshments and snacks with Council, from 6:30 pm to 7:00 pm

D. Call to Order (7:00 pm)

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: Rob Potter  Seconded by: Jim Uram

THAT the Consent Agenda of December 16, 2019 be adopted as circulated, less any items requested for separate review and discussion, being Agenda items “B.8.4 Town of The Blue Mountains Support for the 150th Beaver Valley Fall Fair, CSOPS.19.091”, and “B.14.2 Recommendation Report: Application for Zoning By-law Amendment for Lot Coverage at Second Nature Phase 3, PDS.19.151” as contained in Agenda item I.1 Committee of the Whole Report dated December 9, 2019.

Deputy Mayor Bartnicki  absent
Councillor Bordignon  absent
Councillor Matrosovs  Yay
Councillor Potter  Yay
Councillor Sampson  Yay
Councillor Uram  Yay
Mayor Soever  Yay
The Motion is Carried.

Previous Minutes

Moved by: Rob Potter  Seconded by: Jim Uram

THAT the Council minutes of November 13, 2019 and December 2, 2019 be adopted as circulated, including any revisions to be made, Carried.
Mayor Sover 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.

E.1 Deputation: Brad Mulligan, Beaver River Watershed Initiative (BRWI)  
Re: Updates on work completed

Debbie Crosskill spoke introducing Brad Mulligan to speak on behalf of the BRWI.

Brad spoke on behalf of the Executive Committee of the Beaver River Watershed Initiative, reviewing the mission statement, and noted that the BRWI is a volunteer, not for profit group, with funding coming from donations, and grants. Volunteers do 90% of the work and arborists are hired when needed.

Brad spoke noting the BRWI have completed work in the Upper Beaver River and the Boyne River and are working to remove phragmites along the shoreline. Brad noted that the BRWI are rehabilitating the Clarksburg Creek, and noted that a significant amount of debris was removed from the Creek.

Brad noted that they are currently starting a new project in the Little Beaver River and hope to remove a concrete abutment that is stopping the fish from spawning. Brad noted the BRWI completed two fencing projects on the Beaver River.

Brad noted that on the Beaver and the Boyne Rivers they are working on private property, with permission from landowners, to rehabilitate sections of the Rivers that have been damaged to restore the natural setting of the Rivers, creating habitat and spawning areas, and to reduce water temperatures.

Brad noted that many of the volunteers have come from the Ministry of Natural Resources and Conservation Authorities and unfortunately, because of cuts to funding from the Provincial Government the BRWI have lost many of their volunteers from these groups. Brad noted that the BRWI are always looking for volunteers to assist with the projects.

Brad noted that the BRWI is a subcommittee of Grey Sauble Conservation Authority (“GSCA”) and that GSCA provides insurance and holds the funds for the BRWI.

Councillor Matrosovs spoke thanking Brad for his deputation, and questioned how volunteers can become involved. Brad noted that the cost to join the BRWI is $10 per year and that they are happy to have new volunteers. Debbie noted that information can be found on the website.

Councillor Uram questioned where the funding comes from, Brad spoke in response noting that the BRWI receives donations from the public and that they apply for grant money, and that they have found corporations that are interested in supporting the BRWI as well. Brad spoke regarding the fencing projects and noted that funding was received from the Weston Foundation to keep livestock out of the river. Debbie noted that qualified fencers are always contracted for the fencing projects.

Councillor Matrosovs noted that the public can donate to the BRWI and can designate their donation to be put toward a specific project.
Councillor Potter thanked BRWI for the work they do, and questioned if they are gaining on the fight against fragmites. Debbie spoke noting that at the Pease Marsh the fragmites was cut and left in place to smother the fragmites, further noting that this experiment appears to be effective. Debbie noted that they have access to four fragmites cutting machines to provide to organizations to cut fragmites.

Debbie noted that the presence of Brown Trout has increased in the upper parts of the Beaver River, and that it generally takes three to four years to see the effects of their work.

Mayor Soever thanked Brad for his deputation.

E.2 Public Meeting: Consultation for the Draft Municipal Licensing By-law and the Draft Municipal Administrative Penalties By-law

Mayor Alar Soever read the Notice of Public Meeting for consultation for the Draft Municipal Licensing By-law and the Draft Municipal Administrative Penalties By-law.

Mayor Soever noted the Draft Municipal Licensing By-law that is being proposed will allow the Town to not only provide a clear and transparent By-law for Short Term Rental Properties, but also provide the ability to increase the range of License types if the Town wishes to create additional Licenses in the future. The proposed by-law will require the rescinding of the existing Short-Term Accommodation By-law 2004-45 in its entirety.

Mayor Soever noted Staff has also proposed a By-law to potentially allow for a Comprehensive System of Administrative Monetary Penalties to provide the ability for the Town to deal with Offences that contravene select Municipal By-laws in a Municipal Tribunal setting as opposed to having these infractions tried in Provincial Offences Court.

Mayor Soever noted the Draft Municipal Licensing By-law and the Draft Municipal Administrative Penalties By-law were the subject of Staff Report FAF.19.202.

Mayor Soever noted it is important to note that a decision on the Draft Municipal Licensing By-law and the Draft Municipal Administrative Penalties By-law has NOT been made at this point and will NOT be made at this Public Meeting.

Mayor Soever noted after reviewing the Draft By-laws and comments from the public, Staff will bring its recommendations to Council at a future Council Meeting.

Mayor Soever noted comments at the Public Meeting aid the Town and Council in their decision-making process, so be sure to have your say.

Mayor Soever noted any person or agency may attend the Public Meeting and/or make verbal or written comments regarding the Draft Municipal Licensing By-law and/or the Draft Municipal Administrative Penalties By-law.

The Town Clerk spoke noting that the notice of the Public Meeting was given in accordance with Town Policy, POL.COR.07.03 Provision of Notice and Manner of Giving Notice. The Town Clerk confirmed that comments were received from Werner Stahl, Mike & Elaine Foley, Bill Palko, John Kutcy, Bryan Lavery, Neil Majoros, John Sage & Kristi Leore Sage, Jon & Kate Murphy, Sharon & Kirk Donaldson, Pieter & Amy Kiezebrink, Mirko Radjenovic, Betty Wallace, Cass Jackson, Nadia Skira-Mullen & Michael Mullen, The Blue Mountains Short Term Accommodation Owners Association, Jeff Lopes, North Creek Resort, Terry Kellar for the Blue Mountain Ratepayers Association Short Term Accommodation Committee, Lenore & Greg Villeneuve, Blue Mountain Resorts LP.
Shawn Everitt, CAO, spoke noting the goal of the draft municipal licensing by-law and draft municipal administrative penalties by-law is to provide clarity and transparency to how we get to the final by-law. Shawn noted that Council and staff will absorb the comments received and will come back with a final review and a by-law noting what makes sense.

Shawn noted that the administrative penalties by-law would permit the Town to issue other licences, ie. landscaping licences.

Shawn and Wayne, Municipal Licensing Officer provided information on the draft municipal licensing by-law and draft municipal administrative penalties by-law, including parking, responsible person, maximum occupancy, noise complaints, and legal non-conforming.

Councillor Sampson, spoke noting that he is interested to see how the proposed by-law can deal with illegal short-term accommodation operators in the Town. Shawn spoke in response noting that the tribunal and administrative penalties will require a different type of evidence than Provincial Offences Act court requires, and that safeguards and tools will allow staff to prosecute more effectively.

Terry Kellar, Lucille Wheeler Crescent spoke noting that AirBnB is an issue in many places, but not in The Blue Mountains yet. Mr. Kellar noted that he does not believe that anyone wishes to live next to a short term accommodation (“STA”) unit. Mr. Kellar noted that he supported The Blue Mountains short term accommodation by-laws when they were implemented years ago, further noting that enforcement has been difficult as there has been conflict with by-law enforcement and the owners. Mr. Kellar noted that he would like to see a licensing system that recognizes that having a short term accommodation license is not a right, further noting that he would like a rule that ties the parking to the occupancy limits. Mr. Kellar noted that he would like to see the noise problems addressed, including no hottub use after 10:00 pm. Mr. Kellar supports the use of demerit points and noted that those units that were issued STA licenses that should not have had a licence issued should not have their licence reissued.

Mr. Kellar noted that the property standards by-law was revised two years ago to permit two persons per bedroom, plus four persons in an STA unit. Mr. Kellar noted that noise complaints show that two extra persons in a bedroom cause more problems, and requested that Council enforce the two persons per bedroom plus two formula in the new Type C areas, further noting that proactive rather than reactive enforcement is requested. Mr. Kellar then asked how the Town can educate visitors to call By-law Enforcement, otherwise there are no repercussions for STA owners. Mr. Kellar noted that he is encouraged by a new era of communications for initiatives and asked that Council protect its residential areas.

Doreen Hannon, of Scarp and Scrape Bed and Breakfast, spoke noting her Bed and Breakfast is a legal bed and breakfast and that she applauds the new by-law. Ms. Hannon noted that all STA units should have to go through the process, with a one-time prescreening fee and questioned what the fee would be. Ms. Hannon noted that she paid $1700 for a zoning by-law amendment for her bed and breakfast. Ms. Hannon noted that she has just ordered promotional material for her business and noted that the new by-law indicates that the STA licences must have a valid licence number on their promotional materials and asked that she be permitted to use these materials before having to order new promotional materials that include her licence number. Ms. Hannon noted that the by-law also indicates that owners must be on site when the guests are present and noted that owners should be permitted to do errands during the day while guests are in their homes.
Alec Fersillo, Chair of the North Creek Resort, spoke noting that North Creek Resort has requested a meeting with Council and staff regarding the by-law and that he has never been asked to meet to discuss North Creek Resort’s concerns.

Jon Kutcy, 161 Grand Cypress Lane, spoke noting that it is good to hear that the Town is cracking down on unlicensed STA’s and questioned how many STAs are needed in The Blue Mountains. Mr. Kutcy questioned if there are any objectives around this initiative that will be considered through this process.

Jan Visonet, Craigleith, spoke regarding the STA by-laws and rules, noting that there are many responsible STA owners and noted that he resides next to a legal non-conforming STA. Mr. Visonet noted that the STA unit should never have been given a licence, further noting that he and his neighbours enjoy the quiet, further noting that their weekends have been taken away from them for the past two years. Mr. Visonet noted that STAs are a commercial enterprise. Mr. Visonet noted that STAs will hollow-out communities and will devalue residential homes, further noting that living next to an STA is not pleasant. Mr. Visonet noted that hotels are clustered away from residential neighbourhoods, further noting that renters have more rights than the homeowners.

Josi Harper, 162 Settlers Way, spoke referencing section 14.8 of the by-law that notes that every director of an operation is guilty of an offence of $50,000 that knowingly concurs in the contravention of a by-law. Ms. Harper noted she is concerned for the implications of the board of directors of condo corporations and management companies. Ms. Harper asked that Council consider including direction or actions for board members as to what is necessary to satisfy compliance as a board member.

Israel Ellis, cofounder of Stay at Blue Mountain, spoke noting that he applauds The Blue Mountains and Council for being progressive, further noting that The Blue Mountains should not turn away from disruptive ways of doing business and that the idea is to figure out how to do this responsibly. Mr. Ellis noted that Stay at Blue Mountain owns 13 large units in The Blue Mountains that can accommodate 16 – 20 people. Mr. Ellis noted that Stay at Blue Mountain welcomed STA licensing, further noting that they take great pride in the way they operate, noting that they have technology in place to ensure compliance. Mr. Ellis noted that they welcome licensing so that it is balanced for owners and renters, further noting that they operate their business in a way that will not disturb neighbours. Mr. Ellis noted that they have had no violations or police visits to any of their units. Mr. Ellis noted that there will always be good and bad operators, further noting that the bad STA operators affect the good operators. Mr. Ellis noted that he is a Board Member of the Blue Mountain Short Term Accommodation Owners Association (“BMSTA”), and that the BMSTA works cooperatively with each other and have a common objective to bring responsible STAs to the community. Mr. Ellis noted that all of their STA units have Noise Aware Technology that is monitored 24/7, and that any outside or inside noise exceedances messages and emails guests to notify them that they could be in violation of the noise by-law and lose their $1500 deposit. Mr. Ellis noted that this is a useful tool. Mr. Ellis noted that their guest services is available until 2:00 am, and that renters must be over 25 years of age, have a drivers licence, two pieces of identification, and must provide the names of all occupants as well in the STA units. Mr. Ellis noted that they rent to low risk groups, with families being over 50% of the renters, and they book 90 days in advance. Mr. Ellis noted that renters enter into a comprehensive agreement with Stay at Blue Mountain. Mr. Ellis noted that the Town should not punish those that have STA licenses, further noting that BMSTA supports the community and encourages open dialogue with the community. Mr. Ellis noted that Stay At Blue Mountain meets the residents in the area of their STA units to ensure that residents have their telephone numbers. Mr. Ellis asked that
Council focus on illegal operators, further noting that those that are operating outside of the law do not respect the law.

Denis Martinek, spoke as a followup to Mr. Ellis noting that a large part of their business are the large family reunions where two to three chalets are rented side by side. Mr. Martinek noted that the way the by-law is drafted, the renters of the STA units in this scenario would not be permitted to join together in one STA unit. Mr. Martinek asked that Council allow the noise by-law to address noise issues with this type of gathering. Mr. Martinek questioned if the draft by-law has been reviewed by legal counsel, further noting that errors and omissions should be considered.

Gina Peshak, North Creek Resort, spoke noting she moved here 16 years ago, and had the unit for sale. Ms. Peshak noted that she was happy with STA use at North Creek Resort, further noting that owners know each other, the units are renovated, and further noted that she supports North Creek Resort for short term accommodation. Mr. Peshak asked that Council consider allowing STAs at North Creek Resort, further noting that they have complied with the electrical requirements.

James Henry, Vice-President of Hospitality of Blue Mountain Resort (“BMR”), and Chairman of Blue Mountain Village Association (“BMVA”) Board of Directors spoke to reinforce BMR and BMVA support in principle of STA licensing under the Town’s proposed municipal by-law. Mr. Henry noted that the overall safety and welfare of visitors is paramount. BMR and BMVA is an industry leader in STA and has been for over 40 years. Mr. Henry noted that the quality of the visitor and resident experience at the resort and the area is a priority, as is safety. Mr. Henry noted that they appreciate the efforts of Council and staff in addressing matters relating to short term accommodation uses as these types of accommodations are crucial to the visitor experience, and are one of the fundamental pillars to the local and regional economy. Mr. Henry noted that the Resort agrees with the Town that reasonable and equitable industry regulations are appropriate in order to ensure compliance with community development policies, rules and regulations. The proposed by-laws are a significant contribution to the Town’s efforts in working with the industry and the general community to maintain standards to help ensure a memorable and safe visitor experience. Mr. Henry noted that they are in the process of finalizing their review of the by-laws and would appreciate the opportunity to finalize some limited commentary on a few definitions along with specific license requirements for existing developments that were designed and built with short term accommodation as an end use. Mr. Henry noted that they would like to meet with Council and staff and recommend greater details on the implementation plan for the proposed regulations which should include, fees, staffing relating requirements, administrative budgets and timelines, etc. Mr. Henry asked that the cost of the STA program be recovered through STA licensing fees and not from taxpayers. Mr. Henry noted that illegal STAs impact our community, and recommended more language in the draft bylaw for an implementation plan that illegal STAs will be managed and rules are enforced, further noting that a penalty alone will not be sufficient. Mr. Henry noted that there is also a need for licensing units that are “purpose built” for STA use that do not require the same level of oversight, and also requested a close review of the BMSTA that articulated a number of questions. Mr. Henry noted that they look forward to continued consultation.

Vicki Kellar, resident of Lucille Wheeler read the correspondence of Betty Wallace in Ms. Wallace’s absence. Ms. Kellar noted that in her experience, that established neighbourhoods have suffered from STAs, and that the “two per bedroom plus four” occupancy load is not supported by residents. Ms. Kellar noted that this model is not used by Blue Mountain Resort and that units are rented as units, not by the number of bedrooms. Ms. Kellar noted that the new by-law should be consistent.
Ms. Kellar noted that the “Responsible Person” is not an agent of the Town and should not be involved in the Town processes. Ms. Kellar noted that she does not oppose all STAs, further noting that the “plus two” model should be supported, or move to a “two per bedroom, plus zero” model. Ms. Kellar asked that a sunset clause be implemented to return legal non-conforming units to its intended residential use, and noted that “grandfathered” units are not intended to be a permanent use. Ms. Kellar noted that not issuing demerit points for calls to the OPP is ridiculous.

Stu Frith, resident of Blue Mountains and President of the Blue Mountains Short Term Accommodation Owners Association (“BMSTA”) spoke noting that BMSTA supports the Blue Mountain Resort (“BMR”) model on occupancy load, further noting that the BMR formula worked with condos or townhouses they rented, being two or three bedroom units, 1100 to 1500/1600 square feet being two per bedroom plus two in the living room. Mr. Frith noted that many STAs are three to four times that size now, being 3000 to 4000 square feet. Mr. Frith noted that an Implementation Policy was written by Town Staff to account for the extra space. Mr. Frith noted that Tyrolean Village has bunkbeds that are not contrary to the Building Code, further noting that the total occupant load should be considered. Mr. Frith noted that there is no tangible proof that two extra occupants creates additional noise. Mr. Frith noted that illegal STAs should be eliminated, further noting that The Blue Mountains should partner with the Town of Collingwood to eliminate illegal STAs as they are not permitted in Collingwood either. Mr. Frith noted that they support collaboration.

Stephanie Fillingham, 114 Grand Cypress Lane, spoke noting she has not heard any comments about density load, further noting that she understands the concept of resort areas where there are built and designed areas that are purpose built. Ms. Fillingham noted that the bylaws need to be suitable for what is coming. Ms. Fillingham noted that we need to protect the areas that are not part of the big resort areas, to allow owners to have rights and quiet enjoyment of their property. Ms. Fillingham noted that Council needs to have a good set of bylaws to control STAs as there is so much to offer here, and that we need to protect it. Ms. Fillingham noted that STAs change neighbourhoods.

Jeff Lopes, North Creek Resort, spoke noting that he invested in four units at North Creek Resort, noting that it was run by a management group at that time. Mr. Lopes noted that he renovated his four units and managed the units on his own. Mr. Lopes noted that he was of the understanding that his units were STAs, further noting that he applied for and received STA licenses from the Town, and that Bylaw enforcement never received any complaints regarding his units. Mr. Lopes noted that he takes great pride in his units, and asked that Council not pull his STA licenses. Mr. Lopes noted that STA licenses allow the Town to know who is licensed and who is not. Mr. Lopes noted that units in North Creek Resort are being renovated and that property values are increasing. Mr. Lopes asked that Council not take STA licenses away from North Creek Resort owners.

Ken Mehi, resident at 209551 Highway 26, spoke noting that he applauds the owners of STAs, noting that there are a number of responsible STA owners that do their best to minimize the effects of STAs on residents. Mr. Mehi noted that at a previous meeting, the BMSTA indicated they represent 25% of STAs in The Blue Mountains. Mr. Mehi noted that he resides next door to an STA, and that the number one deterrent for after hours issues is demerit points, further noting that the proposal now indicates that if the responsible person is not called, that no demerit points will be assigned. Mr. Mehi noted that responsible persons are often difficult to get in touch with. Mr. Mehi noted that there are good STA operators, further noting that he will call the OPP if there is a problem at night.
Mr. Frith spoke in response to Mr. Mehi noting that BMSTA represents 72% of licensed STAs in The Blue Mountains.

Jeff Hearn spoke noting that he owns STA rentals in The Blue Mountains and noted that he applauds the Town’s efforts to get rid of illegal STAs. Mr. Hearn noted that good STA operators are good, and that North Creek Resort should deemed a legacy property, noting that the owners in North Creek Resort support each other and that this creates revenue and increases value to the community.

Jan Visonent spoke questioning if the onus is on the neighbour to call the Bylaw officer when there are issues. Mayor Soever responded, yes.

Peter Lister, North Creek Resort owner spoke asking Council to have a special property type for North Creek Resort, referencing Commercial Resort Units. Mr. Lister noted that the Town should have specific STA licences for North Creek Resort.

As no one further wished to speak, the Mayor declared the Public Meeting to be closed.

E.3 Deputation: Krystin Rennie, Georgian Planning Solutions
Re: Planning Staff Report PDS.19.15 – ZBA Second Nature Phase 3 (Primont) for Covered Porches

Krystin Rennie spoke noting that she is the consultant for Primont and is speaking regarding Staff Report PDS.19.15 recommending an increase in the lot coverage from 30% to 35% for covered porches only in Second Nature. Krystin noted that many of the home models can be accommodated with 35% coverage.

Steve Hukari, RN Design spoke noting that he represents Primont Homes. Mr. Hukari spoke noting that “loggia” is a trendy name for a covered porch. Mr. Hukari noted that a loggia is open on the sides. Mr. Hukari noted that all lots have models that will work with a covered porch in the rear, and that some models require a variance on specific lots. Mr. Hukari noted that the overall zoning amendment was the easiest way to proceed. Mr. Hukari noted that 12 models are offered and that 6 require a variance only on specific lots. Mr. Hukari noted that the covered porch is not standard, it is an upgrade, further noting that there is a demand to provide outdoor amenity space. Mr. Hukari noted that 72% of the lots are affected, and that the lots range in size from 1800 square feet to over 4000 square feet, with a wide range of layouts. Mr. Hukari noted that the loggia is part of all models.

Councillor Uram questioned the size of the lots, Mr. Hukari noted that the lots are 60’ x 130’, some being a bit larger. Mr. Hukari noted that the covered porch area is 16’ x 12’ deep. Councillor Uram questioned the impacts to the outside development if a zoning by-law amendment is granted, Mr. Hukari noted that the infiltration study has been completed and that there is no impact.

Councillor Sampson spoke questioning if the area to the south of this application allows 35% lot coverage, further noting this could be precedent setting for the area. Mr. Hukari noted that the houses are not designed for over 30% lot coverage, further noting that it is just the loggia that would increase the lot coverage.

Councillor Sampson spoke questioning the affordability of the houses, Steve spoke in response noting that the market for the houses is a luxury type consumer, likely a weekend home, or a vacation home, not for the everyday user.
Councillor Potter spoke noting that the loggia looks more like a room, and questioned what guarantee the Town would have that the loggia would not be closed in, then another deck added. Mr. Hukari noted that the loggia is part of the house, taking living to the outdoors, further noting that a building permit would be required to close the loggia in. Mr. Hukari noted that some of the lots allow the loggia, and that only a select number of lots and a specific number of models require the amendment for increased lot coverage.

Councillor Matrosovs spoke noting that the development should meet all market needs, further noting that there is a need for attainable housing as well.

Krystin Rennie, then spoke noting that the development has blocks for multi-residential units, that will have multi-price points.

Mayor Soever spoke questioning if the zoning by-law amendment to allow increased lot coverage is granted, if any home model could be built on any of the lots in the development. Mr. Hukari spoke in response noting that all models are designed to fit on all lots, further noting that due to the geometry of some of the lots, that some of the larger homes will not fit on some of the lots. Mr. Hukari noted that they are hoping for a clean sales approach where they can offer all homes on all lots with a loggia, if the purchaser is interested in a loggia.

Councillor Sampson spoke questioning the name of the applicant. Krystin Rennie spoke in response noting that Skyline Development is the owner and they have sold to Primont. Krystin noted that Primont was authorized to move forward with the application, and that the sale will be finalized in the near future.

Councillor Uram questioned if there will be a basement under the loggia, Mr. Hukari replying no. Councillor Uram noted that, at a glance, it would be difficult to tell if there was an additional 5% lot coverage if there are no negative impacts to neighbouring lots. Mr. Hukari noted that the additional 5% lot coverage will have no impact to the public from the street, further noting that the loggia is in the back. Mr. Hukari noted that this is a desirable area, being in close proximity to the village.

Councillor Potter questioned why the Town has defined lot coverages if it does not matter. Shawn Postma spoke in response noting that lot coverages were discussed at length with the zoning bylaw, noting that lot coverage maintains the character of a development.

Mayor Soever questioned if the proponent has done any studies on outdoor living space, reference heating, considering that the Town has declared a climate emergency. Mr. Hukari replied no, further noting there are no additional concerns.

Councillor Matrosovs spoke questioning the rule about outdoor efficiency, and if an outdoor fireplace requires a permit, Director of Planning and Development Services, Nathan Westendorp, spoke noting that he would have to look into this and report back. Nathan noted that an outdoor fireplace would have to comply with the Building Code.

F. Public Comment Period

F.1 Public Comment Period (each speaker is allotted three minutes)

NOTE: In accordance with the Town Procedural By-law 2019-56 fifteen minutes is allotted at the Council Meeting to receive public comments regarding Town matters. The speaker shall provide their name and address, and shall address their comments to the Chair. Comments shall not refer to personnel, litigation or potential litigation matters, or regarding matters that are a follow-up to a Public Meeting.

None
G. Correspondence as previously circulated

G.1 George Matamoros, Chair, Thornbury Business Improvement Area (BIA)
Re: BIA Levy

Moved by: Rob Sampson  Seconded by: Jim Uram

THAT Council of the Town of The Blue Mountains refers the December 4, 2019 correspondence from the Thornbury Business Improvement Area requesting that Council revise the levy structure of the Thornbury BIA to an assessment-based BIA levy, including minimum and maximum levies, to the Finance Department for response back to Council.

Deputy Mayor Bartnicki  absent
Councillor Bordignon  absent
Councillor Matrosovs  Yay
Councillor Potter  Yay
Councillor Sampson  Yay
Councillor Uram  Yay
Mayor Soever  Yay
The Motion is Carried.

Moved by: Andrea Matrosovs  Seconded by: Rob Potter

THAT Council of the Town of The Blue Mountains requests that the Town of The Blue Mountains Economic Development Advisory Committee consider if multiple Business Improvement Areas in The Blue Mountains, or a single Business Improvement Area should be considered, and provide information and recommendations to Council for consideration.

Deputy Mayor Bartnicki  absent
Councillor Bordignon  absent
Councillor Matrosovs  Yay
Councillor Potter  Yay
Councillor Sampson  Yay
Councillor Uram  Yay
Mayor Soever  Yay
The Motion is Carried.

G.2 Township of Schreiber
Re: Resolution of Support to The Blue Mountains regarding an Integrity Commissioner decision database
(Received for Information)

G.3 Township of Central Frontenac
Re: Resolution of Support to The Blue Mountains regarding an Integrity Commissioner decision database
(Received for Information)

G.4 Hon. Jim Wilson, MPP
Re: Letter of Support to The Blue Mountains regarding Declaration of Climate Change Emergency to Environment Canada
(Received for Information)

G.5 Sylvie Poulin, Manager, Environment and Climate Change Canada
Re: Response to Correspondence Received from The Blue Mountains regarding Declaration of Climate Change Emergency
(Received for Information)
G.6 Grey Sauble Conservation Risk Management Office
Re: Risk Management Services – Status Report
(Received for Information)

Moved by: Rob Sampson  Seconded by: Rob Potter

THAT Council receive for information correspondences included at Agenda items G.2 through G.6, Carried.

G.7 Committee of Adjustment
Re: B16-2019 Application for a Consent to Establish an Easement – 209093 Highway 26
(Received for Information)

G.8 Committee of Adjustment
Re: B17-2019 Application for a Consent to Establish an Easement – 417076 10th Line
(Received for Information)

G.9 Committee of Adjustment
Re: A21-2019 Application for a Minor Variance to Zoning By-law 2018-65 – 245 Cameron Street
(Received for Information)

G.10 Committee of Adjustment
(Received for Information)

G.11 Committee of Adjustment
Re: A24-2019 Application for a Minor Variance to Zoning By-law 2018-65 – 209511 Highway 26
(Received for Information)

G.12 Committee of Adjustment
(Received for Information)

G.13 Committee of Adjustment
(Received for Information)

G.14 Committee of Adjustment
Re: A27-2019 Application for a Minor Variance to Zoning By-law 2018-65 – 120 Alpine Crescent
(Received for Information)

Moved by: Rob Potter  Seconded by: Jim Uram

THAT Council acknowledge receipt of the correspondences included at Agenda items G.7 through G.14 regarding applications received by the Committee of Adjustment, Carried.

G.15 Municipality of Grey Highlands
Re: Notice of Public Meeting – January 14, 2020 – Bruce Trail Conservancy
(Received for Information and Referred to Planning & Development Services)
G.16  Municipality of Grey Highlands
Re: Notice of Public Meeting – January 14, 2020 - Bruce Trail Conservancy
(Received for Information and Referred to Planning & Development Services)

Moved by: Jim Uram  Seconded by: Andrea Matrosovs

THAT Council of The Blue Mountains refers correspondences included at Agenda items G.15 and G.16 regarding Notice of Public Meetings of the Municipality of Grey Highlands, to Planning and Development Services, Carried.

H.  Motions and Staff Reports

H.1 Committee Appointment Resignation (verbal)

Moved by: Rob Potter  Seconded by: Jim Uram

THAT Council of the Town of The Blue Mountains acknowledges receipt of the resignation letter of Bill Abbotts from the Transportation Advisory Committee effective December 5, 2019, Carried.

Moved by: Rob Sampson  Seconded by: Rob Potter

THAT, in response to a number of Committee resignations from members of the public, Council of the Town of The Blue Mountains requests a method from the Integrity Commissioner that would allow a member of the public to participate as a Committee member and, at the same time, be able to exercise their civic rights to participate in the business of the Town, Carried.

H.2 Chair of the Finance, Administration, Enforcement and Fire Services portion of the Committee of the Whole meetings

Moved by: Andrea Matrosovs  Seconded by: Jim Uram

THAT Councillor Rob Sampson is appointed as the Chair of the Finance, Administration, Fire and Enforcement portion of the Committee of the Whole meetings for the 2020 calendar year, Carried.

H.3 Chair of the Community Services and Operations portion of the Committee of the Whole meetings

Moved by: Jim Uram  Seconded by: Rob Sampson

THAT Councillor Rob Potter is appointed as the Chair of Community Services and Operations portion of the Committee of the Whole meetings for the 2020 calendar year, Carried.

H.4 Chair of the Planning and Development Services portion of the Committee of the Whole meetings

Moved by: Rob Potter  Seconded by: Andrea Matrosovs

THAT Councillor Jim Uram is appointed as the Chair of the Planning and Development Services portion of the Committee of the Whole meetings for the 2020 calendar year, Carried.

Moved by: Andrea Matrosovs  Seconded by: Rob Potter

THAT Council of the Town of The Blue Mountains waives the provisions of the Procedural By-law 2019-56 to allow the Council Meeting to continue past the 11:00 p.m. deadline, Carried.
I. Consent Agenda

Reports List (Adopt)

I.1 Committee of the Whole Report, dated December 9, 2019

B.8.4 Town of The Blue Mountains Support for the 150th Beaver Valley Fall Fair, CSOPS.19.091

Moved by: Rob Sampson  Seconded by: Rob Potter

THAT Council receive Staff Report CSOPS.19.091, entitled “Town of The Blue Mountains Support for the 150th Beaver Valley Fall Fair”;

AND THAT Council direct staff to include an addition to the 2020 budget in the amount of $21,400.00 to support the 150th Beaver Valley Fall Fair

Deputy Mayor Bartnicki  absent
Councillor Bordignon  absent
Councillor Matrosovs  Yay
Councillor Potter  Yay
Councillor Sampson  Yay
Councillor Uram  Yay
Mayor Soever  Yay
The Motion is Carried.


Moved by: Andrea Matrosovs  Seconded by: Rob Sampson

THAT Council receive Staff Report PDS.19.151, entitled “Recommendation Report: Application for Zoning By-law Amendment for Lot Coverage at Second Nature Phase 3”;

AND THAT Council REFUSE the request for a Zoning By-law Amendment to permit an increase in Lot Coverage from 30% to 35% where the increase in lot coverage shall only apply to a covered porch

Deputy Mayor Bartnicki  absent
Councillor Bordignon  absent
Councillor Matrosovs  Yay
Councillor Potter  Yay
Councillor Sampson  Yay
Councillor Uram  Yay
Mayor Soever  Yay
The Motion is Carried.

Minutes List (Receive)

I.2 Thornbury Business Improvement Area minutes dated November 6, 2019
I.3 Georgian Bay Youth Roots Meeting minutes dated November 21, 2019
I.4 Nottawasaga Valley Conservation Authority minutes dated November 22, 2019
J. By-laws

J.1 By-law to Appoint a Fire Chief

Moved by: Andrea Matrosovs  Seconded by: Rob Potter

THAT By-law No. 2019- 64 being a By-law to Appoint a Fire Chief for the Town of The Blue Mountains be passed this sixteenth day of December, 2019

Deputy Mayor Bartnicki  absent
Councillor Bordignon  absent
Councillor Matrosovs  Yay
Councillor Potter  Yay
Councillor Sampson  Yay
Councillor Uram  Yay
Mayor Soever  Yay
The Motion is Carried.

J.2 By-law to Remove Lots 1 to 5, Registered Plan 1134, from Part Lot Control for a Temporary Period of Time (Polfer Developments Inc. - Timberwolf Condominiums)

Moved by: Jim Uram   Seconded by: Rob Sampson

THAT By-law No. 2019- 65 being a By-law to remove Lots 1 to 5, Registered Plan 1134, from Part Lot Control for a temporary period of time, be passed this sixteenth day of December, 2019

Deputy Mayor Bartnicki  absent
Councillor Bordignon  absent
Councillor Matrosovs  Yay
Councillor Potter  Yay
Councillor Sampson  Yay
Councillor Uram  Yay
Mayor Soever  Yay
The Motion is Carried.

J.3 By-law to Designate a Plan of Subdivision, or part thereof, not to be a Registered Plan of Subdivision for the purposes of Subsection 50(3) of the Planning Act (Thornbury Cidery)

Moved by: Jim Uram   Seconded by: Rob Sampson

THAT By-law No. 2019- 66 being a By-law to designate a Plan of Subdivision, or part thereof, not to be a Registered Plan of Subdivision for the purposes of Subsection 50(3) of the Planning Act (Thornbury Cidery), as it relates to Lot 15 and Part Lots 16, 17 and 18 Northeast of King Street Plan Thornbury Parts 8 and 10 Plan 16R9726; together with an easement over Part Lot 18 Northeast of King Street Plan Thornbury Part 11 Plan 16R9726, in favour of Part 10 Plan 16R9726 as in GY19607, be passed this sixteenth day of December, 2019.

Deputy Mayor Bartnicki  absent
Councillor Bordignon  absent
Councillor Matrosovs  Yay
Councillor Potter  Yay
Councillor Sampson  Yay
Councillor Uram  Yay
Mayor Soever  Yay
The Motion is Carried.
J.4  By-law to Amend By-law 2018-67, as amended, being a By-law to Appoint Municipal Law Enforcement Officers

Moved by:  Rob Potter  Seconded by:  Andrea Matrosovs

THAT By-law No. 2019-67 being a By-law to amend By-law 2018-67, as amended, being a By-law to Appoint Municipal Law Enforcement Officers and to replace Schedule “A” of By-law 2018-67 with a new Schedule “A” be passed this sixteenth day of December, 2019

Deputy Mayor Bartnicki absent
Councillor Bordignon absent
Councillor Matrosovs Yay
Councillor Potter Yay
Councillor Sampson Yay
Councillor Uram Yay
Mayor Soever Yay

The Motion is Carried.

K.  New and Unfinished Business

K.1  Grey County Council Update (AS, OB)

Mayor Soever noted Paul McQueen is the new Warden for Grey County Council.

K.2  Notice of Motion (Council)

None

K.3  Additions to Agenda

None

K.4  News and Celebrations

None

L.  Notice of Meeting Dates

Council Meeting, January 13, 2020
Town Hall, Council Chambers

Committee of the Whole Meeting, January 14, 2020, 9:00 am
Town Hall, Council Chambers

M.  Confirmation By-law and Adjournment

Moved by:  Rob Potter  Seconded by:  Jim Uram

THAT By-law No. 2019 - 68, being a By-law to confirm proceedings of the Council of The Corporation of the Town of The Blue Mountains on December 16, 2019 be hereby enacted as passed this 16th day of December, 2019, Carried.
THAT this Council does now adjourn at 11:29 p.m. to meet again January 13, 2020
Town Hall, Council Chambers, or at the call of the Chair, Carried.

Alar Soever, Mayor

Corrina Giles, Town Clerk