

▪ **Adoption of Consent Agenda**

With the adoption of the Consent Agenda, all Recommendations found within the staff reports at Agenda items B.9 as listed:

- **B.4.1 Public Meeting and Preliminary Comment Report – Re-Zoning – Bed and Breakfast (12th Concession), PDS.19.53**
- **B.9.1 Monthly Financial Report – First Quarter 2019, FAF.19.069**

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: Odette Bartnicki

Seconded by: Rob Sampson

THAT the Consent Agenda of April 29, 2019 be adopted as circulated, less any items requested for separate review and discussion, being Agenda Item B.9.1 Monthly Financial Report – First Quarter 2019, FAF.19.69, Carried.

B. Staff Reports, Deputations, Correspondence

Planning & Development Services Reports

To be chaired by Councillor Jim Uram

B.1 Deputations, if any

**B.1.1 Presentation – Stefan Szczerbak, Senior Planner, Planscape
Re: Community Planning Permit System**

Stefan Szczerbak, Senior Planner, Planscape spoke regarding the Community Planning Permit System (“CPPS”). Mr. Szczerbak noted the CPPS assists in streamlining the planning process and provides more flexibility. Under CPPS, the municipality can pose a range of conditions on the issuance of a development permit. Mr. Szczerbak provided an overview of the traditional planning process versus the CPPS.

Mr. Szczerbak noted initially CPPS was used only for waterfront areas but is now being considered for implementation by numerous municipalities. Deputy Mayor Bartnicki questioned if it is possible to consult with other stakeholders, including the Niagara Escarpment Commission and the conservation authorities in the event the Town considers adoption of a CPPS.

Director of Planning and Development Services Nathan Westendorp noted CPPS provides clarity and integrated planning and includes an ability to delegate certain appeals to staff and further noted the need to ensure a rigorous public engagement strategy if the Town wishes to consider CPPS.

Councillor Matrosovs noted the Town and its stakeholders have existing plans, i.e. Sustainability Plans, which would need to be integrated into a CPPS, Mr. Szczerbak confirmed this is possible; the intent of the CPPS is to apply the community and character policies that are pre-existing into the planning process.

Councillor Uram noted the CPPS is complicated and questioned how staff can be prepared to implement the system, and further questioned if the CPPS is intended to change the basic review process. Councillor Uram noted enhanced Official Plan policies will be needed to enable staff in implementation of the CPPS. Mr. Szczerbak replied Official Plan policies can be strict or flexible, which is ultimately the decision of Council and the County. The Official

Plan equips staff to manage a CPPS. Mr. Szczerbak noted much of the system is based on how the by-law is structured and if minor applications are delegated to staff.

Councillor Potter questioned if the CPPS would be implemented in site-specific areas, or throughout the entire municipality. Nathan noted the CPPS could apply to types of development and/or specific areas within the municipality.

Nathan confirmed the County is still the approval authority for plans of subdivisions, plans of condominiums, and Official Plan Amendments this will not change. Mayor Soever noted LPAT appeals are costly to the municipality and questioned if the CPPS assists in minimizing the number of LPAT appeals. Mr. Szczerbak advised it has been noted CPPS minimizes the number of frivolous LPAT appeals.

Mayor Soever thanked Mr. Szczerbak for his presentation.

Moved by: Rob Sampson

Seconded by: Odette Bartnicki

THAT Council receive presentation from Stefan Szczerbak, Senior Planner, Planscape for their information;

AND THAT Council direct Staff to provide a report back to Council on Community Planning Permit System (CPPS) including options and recommendations for possible CPPS implementation in The Blue Mountains, Carried.

B.2 Public Comment Period (each speaker is allotted three minutes)

NOTE: In accordance with the Town Procedural By-law 2018-20 ten minutes is allotted to receive public comments regarding staff reports included on the Agenda. 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. Each speaker is allotted three minutes.

None

B.3 Staff Reports

None

B.4 Planning & Development Services Information Reports and correspondence to be considered in the adoption of the Consent Agenda:

B.4.1 Public Meeting and Preliminary Comment Report – Re-Zoning – Bed and Breakfast (12th Concession), PDS.19.53

THAT Council receive Staff Report PDS.19.53, entitled “Public Meeting and Preliminary Comment Report –Re-Zoning - Bed and Breakfast (12th Concession)” for information purposes only, Carried.

B.5 Correspondence, if any

None

**Finance, Administration, Enforcement and Fire Reports
To be chaired by Councillor Rob Sampson**

B.6 Deputations, if any

None

B.7 Public Comment Period (each speaker is allotted three minutes)

NOTE: In accordance with the Town Procedural By-law 2018-20 ten minutes is allotted to receive public comments regarding staff reports included on the Agenda. 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

B.8 Staff Reports

B.8.1 One Time Provincial Unconditional Grant, FAF.19.061

Moved by: Jim Uram

Seconded by: Rob Sampson

THAT Council receive Staff Report FAF.19.061, entitled "One Time Provincial Unconditional Grant" for information purposes;

AND THAT Council direct staff to transfer the grant money to the Working Capital Reserve to be used as determined by Council, Carried.

B.8.2 Procedural By-law Review, FAF.19.041

Moved by: Rob Potter

Seconded by: Odette Bartnicki

THAT Council receive Staff Report FAF.19.041, entitled "Procedural By-law Review";

AND THAT Council provide the following direction to staff regarding suggested changes to the Town of The Blue Mountains Procedural By-law 2018-20, as amended:

1. Include a Traditional Territory Acknowledgement in revised Procedural By-law

2. Meeting Cycle – select Option #2, being Two Week Rotation, commencing January 2020:

Week 1, Monday Council Meeting with Public Meetings at 5:00 pm. Regular portion of the Council Meeting to commence at 7:00 pm

Week 1, Tuesday Committee of the of the Whole commencing at 9:00 am.

Week 2, No meeting

4. Remove "Consent Agenda" from Committee of the Whole Agendas

5. Include revised "Acting Head of Council" definition, as follows:

"ACTING HEAD OF COUNCIL" shall first mean the Deputy Mayor and secondly another designate selected from time to time solely by the Mayor, who shall act in the Absence of the Mayor or Deputy Mayor. The Acting Head of Council will assume certain duties of the Head of Council outlined in Section 6 for the duration requested by the Head of Council. Notice of the delegation will be provided to the Clerk.

6. Include revised "Meeting" definition, as follows:

"MEETING" shall mean any regular, special or other scheduled meeting of a Council, Local Board or of a Committee where:

1. a quorum of members is present; and
2. members deal with any matter in a way that materially advances the business or decision making of the council, local board or committee; and
3. the Clerk or another designated record keeping person is present to record such material advances of the business or decision making of the Council, Local Board or Committee.

For the purposes of clarity, it is not intended that a meeting of Council, Local Board or Committee shall automatically occur because a quorum of the members is present at a particular location.

7. Include Closed Session Video Recording, and a new paragraph as follows:

Closed Sessions shall be recorded and securely archived so that a digital record is available should it be required by the Closed Meeting Investigator or Integrity Commissioner. Inability to record a meeting will not prohibit the meeting from commencing or continuing. The official minutes of the closed session meeting shall be the minutes as adopted by Council, and retained in the Clerks Department. The Council members that participated in the Closed Session are permitted to view the Closed Session Video Recording in the presence of the Clerk.

8. Include a "Reporting Out of Closed Session" as follows:

Upon returning to open session from a Closed Session, Council or Committee shall issue a statement confirming the general nature of the business conducted in Closed Session. The reporting out statement shall be included in the open session minutes.

9. Revise "Cell Phone Use During Council Meetings" paragraph to read as follows:

"All communication devices shall be switched to "silent" upon entering the location of any Council or Committee of the Whole Meeting"

10. Revise the Meeting Cancellation paragraph to read as follows:

The Head of Council or the Chair of a Committee, prior to a regularly scheduled meeting, may cancel the meeting due to inclement weather, a matter of respect or a lack of corporate business requiring immediate attention. In the event of a cancelled statutory public meeting, Staff shall make every effort to give notice of the cancellation to interested parties and the public as soon as it practicable via telephone, email, the Town website, radio and/or any other method, as well as the date of rescheduling, if known.

11. Revise "Conduct of Members" paragraph to read as follows:

The Chair may allow for a free and organized discussion at the meeting, however, in the event of a need to manage the meeting time or agenda items, the Chair shall declare that no person other than the one proposing a question (who shall have leave to reply) shall speak more than once without leave of the Chair, unless it is to explain their remarks which have been misunderstood, and then the member shall not introduce any new matter.

12. Include a new section "Council Member Attendance" following "Moment of Reflection"

Council Member Attendance– if a member cannot be present at a meeting, they must notify the Clerk in advance of the meeting stating the general reason for the absence. The Clerk shall note the general reason for the absence during the Council Member Attendance section of the meeting and will record the same in the minutes. Council attendance records will be posted on the Town website.

13. Include a “Public Comment Period” at the end of each section of Committee of the Whole meetings, as follows:

Public Comment Period – as referred to in Section 13 of this By-law. Ten minutes is allotted at the beginning **and end** of each section of the Committee of the Whole Meeting to receive public comments regarding matters included on the Agenda. (NOTE: comments regarding reports that are a follow-up to a Public Meeting are not permitted as the commenting period has ended.)

14. Include a new section entitled “News and Celebrations” under “New and Unfinished Business”

15. Revise the Deputations section to include that the speaker will be alerted when they have one minute remaining to address Council:

Any person desiring to present information orally on matters of fact or to make a request of Council shall submit a completed Deputation and Procedure Request Form, no later than 9:00 a.m. on the Monday before the subject meeting (one week in advance), together with their Deputation material, that provides an explanation of their deputation and their request of Council, if any. Any exceptions must be approved by a majority of Council. The Clerk or a countdown clock shall alert the speaker when they have one minute remaining to address Council.

16. All Council, Committee of the Whole and Closed Session Votes will be recorded. The current paragraph 14.2 will be revised as follows:

The Rules of the Council as provided for in this By-law shall be observed in Committee of the Whole and in the procedure of Committees of Council. The Clerk or designate or Committee Secretary shall record in the Minutes all Resolutions and amendments to Reports or By-laws as made in Committee of the Whole or Committee for subsequent consideration by Council.

The current paragraph 16.8 will be revised as follows:

All votes of Council (including while in Closed Session) and the Committee of the Whole shall be recorded, and each Member present, except a Member who is prohibited from voting by any Act, shall announce his or her vote openly or record it by electronic means and the vote shall be recorded by the Clerk, with the Chair voting last. Where a Member present is prohibited from voting by any Act, the Clerk shall record the name of the Member and the reason they are prohibited from voting.

17. The current Committee Members paragraph will be revised to read as follows:

Standing, Advisory and Ad-hoc Committees wholly within the sphere of the jurisdiction of Council may be established, revised, disbanded and replaced as Council deems necessary. **If legislated**, members of Committees and Boards shall be qualified electors within the municipality (i.e. Public Libraries Act), Carried.

Moved by: Peter Bordignon

Seconded by: Rob Potter

THAT with respect to staff report "FAF.19.041 Procedural By-law Review", Council direct staff to provide a staff report that includes options available to Council when a Council vacancy occurs, for the development of a corporate Council Vacancy Policy, Carried.

Moved by: Odette Bartnicki

Seconded by: Peter Bordignon

THAT with respect to staff report "FAF.19.041 Procedural By-law Review", Council direct staff to include electronic participation in the draft Procedural By-law Review, as follows:

Members may participate at Council and Committee meetings electronically, subject to an electronic participation policy, and where infrastructure is available, Carried.

B.9 Finance, Administration, Enforcement and Fire "Information Reports" and correspondence to be considered in the adoption of the Consent Agenda

B.9.1 Monthly Financial Report – First Quarter 2019, FAF.19.069

Moved by: Rob Potter

Seconded by: Odette Bartnicki

THAT Council receive Staff Report FAF.19.069 entitled "Monthly Financial Report – First Quarter 2019" for information purposes, Carried.

B.10 Correspondence, if any

**B.10.1 Christine Clark, Event Coordinator, Alzheimer Society Grey-Bruce
Re: Walk for Alzheimer's – May 11, 2019**

Moved by: Peter Bordignon

Seconded by: Odette Bartnicki

THAT Council receive correspondence from Christine Clark, Event Coordinator, Alzheimer Society Grey Bruce regarding upcoming event "Walk for Alzheimer's – May 11, 2019" for information purposes, Carried.

**Community Services and Infrastructure & Public Works Reports
To be chaired by Councillor Rob Potter**

B.11 Deputations, if any

None

B.12 Public Comment Period (each speaker is allotted three minutes)

NOTE: In accordance with the Town Procedural By-law 2018-20 ten minutes is allotted to receive public comments regarding staff reports included on the Agenda. 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

B.13 Staff Reports

None

B.14 Community Services and Infrastructure and Public Works “Information Reports” and correspondence to be considered in the adoption of the Consent Agenda

None

B.15 Correspondence, if any

B.15.1 Angela Storey, 2019 President, Ontario Public Works Association

Re: Municipal Proclamation, National Public Works Week, May 19-25, 2019

Moved by: Odette Bartnicki

Seconded by: Jim Uram

THAT Council of The Town of The Blue Mountains the Council supports Angela Storey, 2019 President of the Ontario Chapter of the Canadian Public Works Association by designating the week of **May 19-25, 2019** as **National Public Works Week;**

AND THAT we recognize the substantial contributions that our public works professionals, engineers, managers and employees make in protecting our national health, safety, and quality of life, Carried.

C. 5:00 PM Public Meetings / Deputations

Under the authority of the *Municipal Act, 2001* and in accordance with Ontario’s *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), The Corporation of the Town of The Blue Mountains wishes to inform the public that all information including opinions, presentations, reports and documentation provided for or at a Public Meeting, Public Consultation, or other Public Process are considered part of the public record. This information may be posted on the Town’s website and or/ made available to the public upon request.

C.1 Statutory Public Meetings

C.1.1 Public Meeting: Proposed Updates to Purchasing of Goods and Services Policy, POL.COR.07.05

Mayor Soever read the Notice of Public Meeting regarding Proposed Updates to Purchasing of Goods and Services Policy, POL.COR.07.05. Mayor Soever noted The Blue Mountains Council is holding the Public Meeting to allow the public the opportunity to comment on the proposed updates to the Purchasing of Goods and Services Policy, POL.COR.07.05. Mayor Soever noted a summary of the proposed updates includes the provision of electronic bidding and minor administrative updates. Details of the proposed changes are included in Staff Report FAF.19.040.

Mayor Soever noted that notice is hereby given that the Council of The Corporation of the Town of The Blue Mountains, at its regularly scheduled Council Meeting on

June 3, 2019, intends to adopt the proposed Purchasing of Goods and Services Policy and By-law. Mayor Soever noted that copies of the Purchasing of Goods and Services Policy are available through the Town's website.

Mayor Soever noted it is important to note that a decision on the Purchasing of Goods and Services Policy has not been made at this point, and will not be made at the Public Meeting. After reviewing the Purchasing of Goods and Services Policy and comments from the public, Staff will bring its recommendations to Council at the May 22, 2019 Committee of the Whole 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. Any person or agency may attend the Public Meeting and/or make verbal or written comments regarding the Purchasing of Goods and Services Policy.

The Town Clerk spoke noting that the Notice of the Public Meeting was given in accordance with the Town Policy POL.COR.07.03 Provision of Notice and Manner of Giving Notice. The Town Clerk noted that in response no comments were received.

Manager of Purchasing and Risk Management Serena Wilgress noted the report which details electronic bidding was reviewed with Council previously.

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

C.1.2 Public Meeting: Application for Zoning Amendment Part Lot 13, Concession 4 (12th Sideroad), - Bed and Breakfast Establishment

Mayor Soever read the Notice of Public Meeting regarding Application for Zoning Amendment for the property located at Part Lot 13, Concession 4 (12th Sideroad). The Mayor noted the applicant would like to include a Bed and Breakfast establishment as an additional permitted use of the property. The Bed & Breakfast will be owner-operated by the applicant.

Mayor Soever noted this application for zoning amendment is seeking approval to add a "Bed & Breakfast Establishment" use to the existing residential zone applied to the property. A Bed & Breakfast is defined in the Zoning By-law as a dwelling that offers up to three (3) guest rooms, where the dwelling is also the primary residence of the proprietor.

Mayor Soever noted that should this application be approved, it would not permit Short Term Accommodation (STA) uses on these lands. The Mayor noted the property is designated *Rural* in the Town of The Blue Mountains Official Plan.

The Mayor noted the legal description of the subject property is S/E part Lot 13, Concession 4, Parts 4 and 5, Registered Plan 16R-2555, and Part 2, Registered Plan 16R-3058, (formerly the Township of Collingwood), Town of The Blue Mountains.

The Mayor noted the Public Meeting is your chance to hear more about the proposal and make your views about it known. Mayor Soever noted you may also speak at the meeting or submit written comments. Information from the public will help Council in their decision-making process, so make sure to have your say.

Mayor Soever noted any person or agency may attend the Public Meeting and/or make verbal or written comments either in support or in opposition to the proposed amendment. The Mayor noted a decision on this proposal has not been made at this point and will not be made at the Public Meeting. After reviewing the application

and any comments received, Town staff will bring a recommendation on this project to a future council meeting.

Mayor Soever noted you must make a request in writing if you wish to receive a notice of any decision of Council on this proposal. If a person or public body does not make oral submissions at a public meeting or make written submissions to Town of The Blue Mountains before the by-law is passed, the person or public body is not entitled to appeal the decision of Council to the Local Planning Appeal Tribunal. Mayor Soever noted if a person or public body does not make oral submissions at a public meeting, or make written submissions to Town of The Blue Mountains before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The Town Clerk spoke noting that the Notice of the Public Meeting was given in accordance with the Planning Act, and in response, comments were received from Grey Sauble Conservation Authority, the Building Department, Infrastructure and Public Works Department, Grey County, and the Niagara Escarpment Commission.

Director of Planning and Development Services Nathan Westendorp noted that the application requires a site-specific zoning by-law amendment.

Councillor Potter questioned if the existing on-site septic system requires upgrading to support the requested use. Planner for the Applicant, Ron Davidson, noted the property is currently vacant with the intent to build a house. Mr. Davidson noted the zoning amendment is to allow for a portion to be used as a Bed & Breakfast. Mr. Davidson advised a site visit has been arranged with Grey Sauble Conservation Authority to address issues with flooding.

Councillor Bordignon requested confirmation that this will be the primary residence of the owners. Deputy Mayor Bartnicki noted if rooms are rented out, the owners must be present. The property owner agreed.

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

C.1.3 Public Meeting: Proposed Changes to the Town Special Event By-law 2013-39

Mayor Soever read the Notice of Public Meeting with regard to Proposed Changes to the Town Special Event By-law 2013-39. The Mayor noted the Council of the Town of The Blue Mountains is holding a Public Meeting to receive comments on the proposed changes to the Town Special Event By-law 2013-39. The Special Event By-law sets out the rules that regulate special events taking place within the Town of The Blue Mountains.

Mayor Soever noted Staff Report CSPW.19.011 "Updates to the Town's Special Event By-law 2013-39" provides additional information regarding the proposed changes. A copy of the Staff Report is available through the Town's website.

The Mayor noted it is important to note a decision on the draft Special Event By-law has not been made at this point and will not be made at this Public Meeting. Following receipt of comments from the public, staff will bring its recommendations to Council at the May 22, 2019 Committee of the Whole 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. Any person or agency may attend the Public Meeting and/or make verbal or written comments regarding the proposed changes to the Special Event By-law.

The Town Clerk spoke noting that Notice of the Public Meeting was given in accordance with the Town Policy POL.COR.07.03 Provision of Notice and Manner of Giving Notice. The Town Clerk noted that in response no comments were received.

Director of Community Services Ryan Gibbons noting that the background staff report was provided at the March 18, 2019 Committee of the Whole meeting. Ryan further noted the updates to the Special Events By-law are being proposed to ensure the By-law reflects the processes currently happening.

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

C.2 Deputation

None

D. New and Unfinished Business

D.1 Notice of Motion (Council)

None

D.2 Additions to the Agenda

D.2.1 High Rainfall and Georgian Bay Water Levels and Impact on Town Infrastructure

Mayor Soever noted concern regarding the amount of rainfall experienced and its impact on Town infrastructure and questioned the effect if the lake level exceeds the 1986 high water line. Director of Infrastructure and Public Works Reg Russwurm noted lake level is always a concern. Reg noted the Town's infrastructure is designed based on a high-water level received from the Department of Fisheries and Oceans/Ministry of Environment. Stormwater discharges, locations, and sanitary outfalls are designed based on that information. Reg noted the wet spring has been a challenge for the Town, particularly for the gravel roads and the Thornbury Wastewater Treatment Plant. Reg confirmed he will provide to Council the provincial lake flow level that is referenced in infrastructure design.

Councillor Potter questioned if there has been serious drainage and flooding issues within the Town, Reg confirmed there have been issues on private property, not so much with Town infrastructure. Councillor Potter further questioned if there are any infrastructure needs that should be addressed to ensure the Town does not experience a major infrastructure failure in relation to high rainfall and water levels. Reg advised some of the difficulties are related to inflow and infiltration into the sanitary collection system and capacity limitations at the Thornbury Wastewater Treatment Plant. Reg confirmed capital projects are in place to address some of these issues.

Mayor Soever noted the obligation to initiate expansion upon the Thornbury Wastewater Treatment Plant reaching 80% capacity and questioned if expansion will be moved forward from current projections. Reg confirmed the average over year is an 80% criteria and peak capacity entering the Thornbury Wastewater Treatment Plant. Reg commented the peak capacity may ultimately be the determinant of expansion but it is unknown at this time.

E. Notice of Meeting Dates

Council Meeting, May 13, 2019
Town Hall, Council Chambers

Committee of the Whole Meeting, May 22, 2019
Town Hall, Council Chambers

F. Adjournment

Moved by: Odette Bartnicki

Seconded by: Jim Uram

THAT this Committee of the Whole does now adjourn at 5:16 p.m. to meet again, May 22, 2019, Town Hall, Council Chambers, or at the call of the Chair, Carried.

Alar Soever, Mayor

Corrina Giles, Town Clerk