



Minutes

The Blue Mountains, Committee of the Whole Meeting

Meeting Date: October 1, 2018
Meeting Time: 1:00 p.m.
Location: Town Hall, Council Chambers
32 Mill Street, Thornbury, ON
Prepared by Corrina Giles, Town Clerk

A. Call to Order

Mayor John McKean called the meeting to order with all members in attendance save Councillor McGee absent due to vacation.

Also in attendance Interim Chief Administrative Officer Shawn Everitt, Director of Infrastructure & Public Works Reg Russwurm, Director of Finance and IT Services Ruth Prince, Director of Enforcement Services and Fire Chief Rob Collins, Acting Director of Community Services Ryan Gibbons, Director of Human Resources Jennifer Moreau, Solicitor Retained to Act on Behalf of the Town John Metras, Library Chief Executive Officer Sabrina Saunders, Manager of Development Engineering Brian Worsley, Manager of Water & Wastewater Services Allison Kershaw, Compliance & Efficiency Coordinator Meg Boyd, Construction Coordinator Mike Campbell, Planner II Denise Whaley, and District Chief/Community Emergency Management (CEMC) Steve Conn.

Committee then paused for a Moment of Reflection

▪ Approval of Agenda

Moved by: Joe Halos

Seconded by: Michael Martin

THAT the Agenda of October 1, 2018 be approved as circulated, including any items added to the Agenda, being a deputation added at Agenda item B.11.4 Cam Kennedy Re: Towns of Thornbury, 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 2018-20, Council Members must file a written statement of the interest and its general nature with the Clerk for inclusion on the Registry.

Councillor Gamble declared a non-pecuniary interest regarding Agenda item B.3.2 Proposed Naming of 35 Bruce Street North, FAF.18.130 and did not participate in discussion or voting.

▪ Previous Minutes

Moved by: Rob Potter

Seconded by: R. J. Gamble

THAT the Committee of the Whole minutes of September 10, 2018 be adopted as circulated, including any revisions to be made, Carried.

▪ **Adoption of Consent Agenda**

With the adoption of the Consent Agenda, all Recommendations found within the staff reports at Agenda items B.4, B.9 and B.14 as listed:

- **B.4.1 Monthly Financial Report – August 2018, FAF.18.128**
- **B.4.2 Asset Management Legislation Update, FAF.18.120**
- **B.9.1 Project Status Update Report – Clarksburg Servicing Master Plan, CSPW.18.074**
- **B.14.1 Planning Applications – Month of August, 2018, PDS.18.102**

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: Joe Halos

Seconded by: Gail Ardiel

THAT the Consent Agenda of October 1, 2018 be adopted as circulated, less any items requested for separate review and discussion, Carried.

B. Staff Reports, Deputations, Correspondence

**Finance, Administration, Enforcement and Fire Reports
To be chaired by Councillor R.J. Gamble**

B.1 Deputations, if any

None

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.

None

B.3 Staff Reports

B.3.1 Emergency Management Program By-law Revision, FAF.18.138

Moved by: Rob Potter

Seconded by: Joe Halos

THAT Council receive Staff Report FAF.18.138, entitled “Emergency Management Program Bylaw Revision”

AND THAT Council authorize the repeal of Bylaw 2004-126 this being the bylaw for an Emergency Management Program and an Emergency Response Plan and authorize the enactment of bylaw 2018-___being a bylaw to adopt an Emergency Management and Civil Protection Act and to meet other Requirements under the Emergency Management and Civil Protection Act, Carried.

B.3.2 Proposed Naming of 35 Bruce Street North, FAF.18.130

Councillor Gamble vacated the Council table, having earlier declared a non-pecuniary interest regarding Agenda item B.3.2. Councillor Gamble did not participate in discussion or voting.

Moved by: Gail Ardiel

Seconded by: Rob Potter

THAT Council receive Staff Report FAF.18.130, entitled “Proposed Naming of 35 Bruce Street North”;

AND THAT Council approve naming 35 Bruce Street North property the “Gamble Park” in recognition of Robert “Bob” Gamble’s long standing commitment to our Community as a member of Council of the former Town of Thornbury and Council of the Town of The Blue Mountains, Carried.

B.3.3 Realignment of Municipal Public Art Committee Mandate, FAF.18.135

Moved by: R. J. Gamble

Seconded by: Rob Potter

THAT Council receive Staff Report FAF.18.135, entitled “Realignment of Municipal Public Art Committee Mandate”;

AND THAT Council acknowledge the realignment responsibilities of the Public Art Committee outlined in the Corporate Public Art Policy, POL.COR.12.15;

AND THAT Council Rescind Corporate Public Art Policy POL.COR.12.15 and approve the revised Corporate Public Art Policy as written in Attachment 4 of this report, Carried.

B.3.4 Appointment of Library Board Members Following the 2018 Municipal Election – Process, FAF.18.142

Moved by: Joe Halos

Seconded by: Rob Potter

THAT Council receive Staff Report FAF.18.142, entitled “Appointment of Library Board Members Following the 2018 Municipal Election - Process”; and

THAT Council direct the Town Clerk to work with the CEO of The Blue Mountains Public Library to establish a committee which will have a mandate to screen, interview and shortlist Library Board applications for consideration by Council at the December 17, 2018 Council Meeting, Closed Session, Carried.

B.4 Finance, Administration, Enforcement and Fire “Information Reports” and correspondence to be considered in the adoption of the Consent Agenda

B.4.1 Monthly Financial Report – August 2018, FAF.18.128

THAT Council receive Staff Report FAF.18.128 entitled “Monthly Financial Report – August 2018” for information purposes, Carried.

B.4.2 Asset Management Legislation Update, FAF.18.120

THAT Council receive Staff Report FAF.18.120, entitled “Asset Management Legislation Update” for information purposes, Carried.

B.5 Correspondence, if any

None

**Community Services and Infrastructure & Public Works Reports
To be chaired by Councillor John McGee**

B.6 Deputations, if any

B.6.1 Victor Vandergust Re: Final Lower Whitby Formation ANSI Parks Management Post Summer Follow-up, CSPW.18.078

Vic Vandergust spoke noting he is appearing personally regarding staff report CSPW.18.078 and for families in the area. Mr. Vandergust noted that the non-waterfront owners were not contacted for comment by Skelton Brumwell in preparation of the report, and noted that just waterfront owners were contacted for comment.

Mr. Vandergust noted that the area in question is the waterfront area to the west and east of the drainage ditch. Mr. Vandergust referenced the correspondence from John Bell, landscape architect and the correspondence from the Ministry of Natural Resources indicating that passive uses do not pose an impact to the integrity or function of the ANSI. Mr. Vandergust noted that the boulders and plantings were recently placed to restrict access to the west. Mr. Vandergust noted that he represents the owners of Lots 23, 21, 20, 19, 12, 8 and 6 and asked that Council direct staff to permit access to the west of the drainage ditch, further noting that the public wants waterfront access.

B.6.2 James Leone Re: Final Lower Whitby Formation ANSI Parks Management Post Summer Follow-up, CSPW.18.078

James Leone spoke requesting that Council direct staff to remove the recently placed boulders and plantings on the west side of the drainage ditch at Delphi and to bring the waterfront back to what it was previously. Mr. Leone noted that the current boulders and plantings have created an impassible barrier for pedestrians.

Mr. Leone noted that he was of the impression that signage would be placed, and he was taken aback by the plantings. Mr. Leone noted that the access is now prohibitive.

Mr. Leone noted that the waterfront public access is at odds with the Province, noting that beaches are created to give access to all. Mr. Leone noted that the waterfront is fantastic and should not be taken away from the public, and asked that Council give the access back to the public.

Councillor Martin spoke asking if Mr. Leone is requesting a pathway to the west, Mr. Leone replying yes.

Councillor Potter questioned if Mr. Leone has any ideas as to how access to the west can be achieved, Mr. Leone replying that a recreational trail, marked as such, has a lessened standard of care. Mr. Leone noted that the drainage ditch is more dangerous now than it was, further noting that the public would like to see signage and a recreational trail.

B.6.3 Tom Talbot Re: Final Lower Whitby Formation ANSI Parks Management Post Summer Follow-up, CSPW.18.078

Tom Talbot spoke noting he is a waterfront owner, and confirmed that he supports the comments made by other waterfront owners. Mr. Talbot asked that Council discount the emotion and bias heard and asked that Council listen to its experts. Mr. Talbot noted that when the water was low, there was no issue, but now that the water is high the drainage ditch has been the means of access to the west. Mr. Talbot noted that the Skelton Brumwell report recommended the protection of the ANSI with limited but not prohibitive access.

Mr. Talbot noted that Terry Green, Manager of Parks and Trails asked that at times of high water, that residents not walk to the west of the access point to protect the ANSI. Mr. Talbot noted that the ANSI should be protected at times of high water levels, further noting that no one wants a fence erected.

B.6.4 John Ferraro Re: Final Lower Whitby Formation ANSI Parks Management Post Summer Follow-up, CSPW.18.078

John Ferraro, owner of Lot 2, spoke noting that in 2012 it was a different time and the water levels were much lower. Mr. Ferraro noted that it is not the intention to prohibit the public from using the waterfront. Mr. Ferraro noted that the ANSI should be protected and that bringing more people to the ANSI is concerning.

Mr. Ferraro referenced the Skelton Brumwell report, noting that Council supported Option 3 to limit access, and noted that this is the right decision. Mr. Ferraro noted that the Delphi Park provides access to the water for the public.

Councillor Martin questioned if Mr. Ferraro would support a walking bridge over the drainage ditch to gain access to the west, and a year-round access path. Mr. Ferraro noted that he would not want to see anything placed that nature did not create.

B.6.5 Marc Anthony Venere Re: Delphi Parks Management Plan

Marc Anthony Venere spoke noting that Council support the Option 3 of Skelton Brumwell report allowing limited, but not prohibitive access to the ANSI to the west of the drainage ditch. Mr. Venere noted that Council should continue to support Option 3, further noting that the drainage ditch provides stormwater flow, is unsafe to traverse and was never intended to be a pedestrian access point.

Mr. Venere noted that he was given permission by the Town to clear the tree preservation zone after the 2009 tornado, noting that this area was not traversable prior to it being cleared. Mr. Venere noted that, at that time, the water was low, being out 100'. Mr. Venere noted that in 2015 the work was completed, and confirmed that there was no access point to the west of the drainage ditch at that time. Mr. Venere noted that now that we are experiencing high water levels, access to the west is not feasible. Mr. Venere noted that all residents are subject to the tree preservation zone restrictive covenants and asked that the restrictive covenants be respected.

Mayor McKean spoke questioning reference to the placement of a boardwalk and if this would be possible with the wind and shale movement experienced in this area. Shawn Everitt, Interim CAO spoke noting that the wave action at high level prohibits the placement of a boardwalk, further noting that the water and ice action would devastate a boardwalk.

B.6.6 Michael Magonet, Magonet Law Re: Delphi Point Parks Management

Michael Magonet spoke noting that he represents the Venere family. Mr. Magonet noted that the current high water level is causing the issue. Mr. Magonet noted that the Skelton Brumwell report was commissioned by the Town and that Town resources have been put towards this report.

Mr. Magonet noted that the Town commissioned landscaper John Bell to complete the tree preservation zone and that the plan was adopted by the Town. Mr. Magonet noted that the Town required the developer to enter into an agreement to protect the tree preservation zone, further noting that trees are not to be cut in this area.

Mr. Magonet noted that the Skelton Brumwell report references the subdivision agreement obligations of the Town and the developer, and highlights the importance of the tree preservation zone. Mr. Magonet noted that the Skelton Brumwell report notes the

importance of protecting the ANSI. Mr. Magonet noted that traversing the ditch through a manmade path is a liability, further noting that Council approved the Skelton Brumwell report and that limited, but not prohibitive, access should be provided to access the waterfront to the west of the drainage ditch. Mr. Magonet asked that Council protect the ANSI, ensure the safety of the public, reduce the Town's liability and enforce the Skelton Brumwell plan previously adopted by Council.

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.

B.7.1 Mike Christie, 157 Delphi Lane

Mike Christie spoke noting that he was shocked with the placement of the rocks at the end of the drainage ditch, further noting that he believed the rocks were placed at the direction of the owner of Lot 5. Interim CAO Shawn Everitt spoke noting that the placement of the rocks was a Town project that was lead by Town staff, further noting the Terry Green, Manager of Parks, provided direction to the contractor.

Mr. Christie noted that the placement of the rocks have prohibited access to the west of the drainage ditch.

B.7.2 Susan Behan, resident of Georgian Peaks

Susan Behan spoke noting that she has walked the waterfront in this area for 30 years, further noting that she has always been able to access the waterfront to the east of west of the drainage ditch. Ms. Behan noted that the placement of the rocks has now prohibited access to the west of the drainage ditch

B.7.3 Lucy Ferraro, 162 Delphi Lane

Lucy Ferraro spoke noting she completed their house in 2013, and noted that she has always walked the beach from the east and west of the drainage ditch since that time. Ms. Ferraro noted that the placement of the rocks has prohibited access to the west. Ms. Ferraro noted that restoring the area to what it was previously does not include the placement of huge boulders.

B.7.4 Jill Teskey, 104 Ellis Drive

Jill Teskey spoke noting that she has used the pathway to the west of the drainage ditch for years, further noting that the public should not be restricted to a small pathway. Ms. Teskey referenced the native species, and noted that she does not see deer in the area anymore. Ms. Teskey noted that the high water protects the area.

B.7.5 Karen Christie, 157 Delphi Lane

Karen Christie spoke noting that she paddleboarded in this area, and that since the rocks have been placed, she is unable to access the waterfront to the west of the drainage ditch. Ms. Christie noted that now she is required to access the west side of the drainage ditch through the water. Ms. Christie noted that signage should be placed to limit access to the west, rather than the physical barrier that has been placed. Ms. Christie noted that the bedrock is the ANSI area, and asked that Council preserve their access.

B.8 Staff Reports

B.8.1 Final Lower Whitby Formation ANSI Parks Management Post Summer Follow-up, CSPW.18.078

Moved by: John McKean

Seconded by: R. J. Gamble

THAT Council receive Staff Report CSPW.18.078, entitled “Final Lower Whitby Formation ANSI Parks Management Post Summer Follow-up”;

AND THAT Council confirm that work completed to date, including the planting of vegetation of native species of Dogwood and Sumac and placement of boulders to limit access to the Areas of Natural and Scientific Interest (ANSI), is consistent with Council’s previous direction to Staff through the approval of the Lower Whitby Formation ANSI Parks Management Plan and implementation;

AND THAT Council direct staff to continue replacing plantings with like plantings and, in the future, pursue charges, fines and prosecution relating to damage and or destruction of Town owned lands, Carried.

B.8.2 Entrance Permit PRENT 2018-463, CSPW.18.075

Moved by: John McKean

Seconded by: Joe Halos

THAT Council receive Staff Report CSPW.18.075, entitled “Entrance Permit 2018-463”;

AND THAT Council endorse the permanent entrance permit requirements for Entrance Permit PRENT 2018-463, Carried.

B.8.3 Water Section Operations Update – May to August 2018, CSPW.18.077

Moved by: R. J. Gamble

Seconded by: Gail Ardiel

THAT Council receive Staff Report CSPW.18.077, entitled “Water Section Operations Update –May to August 2018” for their information, Carried.

B.9 Community Services and Infrastructure & Public Works Reports “Information Reports” and correspondence to be considered in the adoption of the Consent Agenda:

B.9.1 Project Status Update Report – Clarksburg Servicing Master Plan, CSPW.18.074

THAT Council receive Staff Report CSPW.18.074, entitled “Project Status Update Report – Clarksburg Servicing Master Plan” for their information, Carried.

B.10 Correspondence, if any

None

**Planning & Development Services Reports
To be chaired by Councillor Joe Halos**

B.11 Deputations, if any

B.11.1 Rod McPhail, President of Appleridge Condominium Association Re: Staff Report B.13.5 “Zoning By-law Amendment, Towns of Thornbury, PDS.18.86”

Rod McPhail spoke noting that the west end of Thornbury is developing and that Victoria, Beaver and Louisa Street are in bad condition. Appleridge Condominiums have full basements and Beaver Street is at the low point of this area. Mr. McPhail noted that cold-patching Beaver Street does not work, further noting that Beaver Street is very broken up. Mr. McPhail noted that Louisa Street is more important now, further noting that there is an increase in traffic in this area of Thornbury and is an alternative to Arthur Street.

Mr. McPhail noted that Appleridge Condominiums is working with the developer on the development. Mr. McPhail noted that originally a freehold development was proposed, but Appleridge expressed concern that properties may not be maintained as Appleridge owners would like to see. Mr. McPhail noted that the Appleridge Condominium owners support the development as a condominium development, and support the development at this time as a condominium corporation.

Reg Russwurm, Director of Infrastructure and Public Works spoke noting that the condition of Beaver and Louisa Streets is known by Council and staff. Reg noted that the Town is experiencing growth pressures and that he would like to see a Master Transportation Study completed for this area.

Councillor Potter spoke with respect to development pressures, referencing the development lands in the west end, noting that the route to Foodland used by many is now down Lansdowne. Councillor Potter noted that the roads in this area are important for future development.

Mr. McPhail spoke noting that sidewalks are also needed in the area.

B.11.2 Roman Tsap, KF Architects & Planners Inc. Re: Staff Report B.13.5 “Zoning By-law Amendment, Towns of Thornbury, PDS.18.86”

Roman Tsap spoke noting he is the consultant for the applicant. Mr. Tsap noted that they have considered the comments and feedback from the public in the area, and have made changes to the development. Mr. Tsap noted that the development has increased setbacks to Lansdowne and Beaver Street. Mr. Tsap noted that his client is working with Appleridge and are now developing the site as a condominium corporation so that the condominium corporation can control the exterior of the development, including landscaping. Mr. Tsap noted that with respect to the height, that no variance is required, further noting that they can make the development work based on what is prescribed. Mr. Tsap noted that they are currently at the zoning by-law amendment stage and will continue to work with staff and the public.

Councillor Potter questioned the pricepoint of the units, Mr. Tsap spoke in response noting that the units are in the \$550,000 price range, 2000 square feet with three and four bedroom units being offered. Mr. Tsap noted that the design and size fits the area.

Councillor Potter questioned the entrances onto Beaver and Lansdowne. Planner Denise Whaley spoke in response noting that the main entrance to the development will be from Lansdowne Street and that the Beaver Street entrance will be for emergency access. Denise noted that the site plan has not been completely finalized yet.

Councillor Gamble spoke questioning the beautification of the project, Mr. Tsap spoke in response noting that this will be part of the landscape plan.

Deputy Mayor Ardiel spoke noting that the Town is in need of attainable housing and questioned if there is any consideration to make some of the units smaller and available at a lower cost. Mr. Tsap noted that the site plan has not been finalized yet, and that there may be an opportunity for this.

B.11.3 Shawn McBurney Re: Lora Bay Sidewalks & Cart Path

Shawn McBurney spoke noting that he represents the residents of West Ridge Drive, being the road that runs from the roundabout in Lora Bay to the 39th Sideroad. Mr. McBurney questioned the purpose of having a sidewalk and cart path along West Ridge Drive. Mr. McBurney noted that West Ridge Drive will be the only street with a sidewalk in Lora Bay and questioned how the placement of the sidewalk can be stopped.

Shawn Everitt, Interim CAO spoke noting that the golf cart path is an easement to the golf course and that staff have reviewed the request of West Ride Drive residents. Shawn Everitt noted that as West Ridge Drive builds out, that there will be a community in this area. Shawn Everitt noted that Lora Bay has internal trails, but that the sidewalk is important for public safety, and referenced the importance of active transportation and healthy living. Shawn Everitt noted that this request has been reviewed by the Planning and Development Services Department and staff have confirmed that the sidewalk location originally identified is the location that is best served for the sidewalk. Shawn Everitt noted that landscaping has been done on Town property without a permit.

Councillor Martin spoke questioning who will pay for the sidewalk. Shawn Everitt spoke noting that the developer is paying for the sidewalk and that this is part of the assumption process. Shawn McBurney spoke noting that property owners feel that the Town is pressing Lora Bay Corporation to pay for the sidewalk, further noting that this is unfair given that property owners do not feel a sidewalk is needed. Shawn Everitt spoke in response clarifying that the Town is not pressing Lora Bay Corporation to build the sidewalk, that Lora Bay Corporation is required to complete the works and that Lora Bay Corporation wants to move forward with assumption. Shawn Everitt noted that Lora Bay Corporation has a responsibility to complete the sidewalk.

B.11.4 Cam Kennedy Re: Towns of Thornbury

Cameron Kennedy spoke noting that he represents a number of residents in the area of the Towns of Thornbury development. Mr. Kennedy noted that the residents in close proximity of the development received the information related to this development on the evening of September 26, and noted that this is not sufficient time for the residents to respond to a development of this size. Mr. Kennedy noted that their concerns include lack of notice and insufficient time to develop a response to the application. Mr. Kennedy asked that the decision of this application be deferred until the neighbours may be able to provide comment.

Mr. Kennedy noted that he is opposed to an entrance on Lansdowne Street, further noting the entrance should be on Louisa Street, and that the development should not have the maximum number of units.

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. Each speaker is allotted three minutes.

B.12.1 Bob Mitchell, 44 Lansdowne Street

Bob Mitchell spoke noting that the access to the Towns of Thornbury development should be from Louisa Street, not Lansdowne. Mr. Mitchell expressed concern with the density, noting it is too high. Mr. Mitchell noted that the units are not affordable or attainable, and that the proposed height is not consistent with the area.

B.12.2 Brent Scoby, 115 West Ridge Drive

Brent Scoby spoke with respect to the sidewalk on West Ridge Drive, and noted that a cart path is on the other side of the street. Mr. Scoby questioned the Town's position on the cart path. Interim CAO Shawn Everitt noted that if there is no cart path, that Lora Bay will be required to consult with the OPP to determine if the Lora Bay golf cart equipment can use the road for the golf carts.

B.12.3 Chris Decoste, 52 Beaver Street

Chris Decoste spoke noting that he reached out to the Town, and that he would like to see deferral of the Towns of Thornbury development application to allow the residents to respond appropriately.

B.12.4 Luke Sauder, 45 Lansdowne Street

Luke Sauder spoke noting that this area is a transportation corridor with no sidewalks and roads that are in bad condition. Mr. Sauder noted that as Council moves forward that Council should also consider infrastructure in this area. Mr. Sauder questioned what the Town's plans are for the area, further noting that the Town needs to move quickly as traffic has increased significantly in this area, including pedestrians. Mr. Sauder asked that Council look at the area as a whole, and ensure that what is proposed fits in with the infrastructure. Mr. Sauder noted that traffic calming measures should be developed, further noting that this development will be precedent setting. Mr. Sauder urged Council to consider this as they move forward.

B.12.5 Colleen Reid, 51 Beaver Street

Colleen Reid spoke noting that she is not opposing the Towns of Thornbury development, further noting that she would support an affordable housing project for the community.

B.13 Staff Reports

B.13.1 Home Farm Memorandum of Understanding, PDS.18.119

Moved by: Gail Ardiel

Seconded by: Rob Potter

THAT Council receive Staff Report PDS.18.119, entitled "Home Farm Memorandum of Understanding";

AND THAT the Town terminate the Memorandum of Understanding with MacPherson Builders (Blue Mountains) Limited dated November 4, 2014 and that the Town Clerk is instructed give notice of this termination to MacPherson Builders (Blue Mountains) Limited in accordance with the requirements of this Memorandum of Understanding, Carried.

B.13.2 Assumption of Works – Blocks 72, 74 and 75 of Registered Plan 16M53 being Trailwoods Phase 3, PDS.18.115

Moved by: Gail Ardiel

Seconded by: Rob Potter

THAT Council receive Staff Report PDS.18.115, entitled “Assumption of Works – Blocks 72, 74 and 75 of Registered Plan 16M53 being Trailwoods Phase 3”;

AND THAT Council direct staff to draft a By-law for future consideration by Council to assume the Lands and the Works constructed and installed within Blocks 72, 74, and 75 of Registered Plan 16M53, being lands in the Trailwoods Phase 3 Plan of Subdivision, Carried.

B.13.3 Windfall – Street Names, PDS.18.120

Moved by: Rob Potter

Seconded by: John McKean

THAT Council receive Staff Report PDS.18.120, entitled “Windfall – Street Names”;

AND THAT Council reserve the following Street names in accordance with the Town’s Street Naming Policy (Appendix “A”) for the Windfall Site Plan:

Street A: Black Willow Crescent

Street B: Courtland Street

Street C: Sycamore Street

Street D: Chestnut Street

Street E: Sugar Maple Street

Street F: Red Pine Street

Street G: White Oak Street, Carried.

B.13.4 Lora Bay Sidewalk, PDS.18.121

Moved by: John McKean

Seconded by: Rob Potter

THAT Council receive Staff Report PDS.18.121, entitled “Lora Bay Sidewalk” for information purposes, Carried.

B.13.5 Zoning By-Law Amendment – Towns of Thornbury, PDS.18.86

Moved by: John McKean

Seconded by: R. J. Gamble

THAT Council receive Staff Report PDS.18.86, Zoning By-law Amendment – Towns of Thornbury; and

THAT Council enact a Zoning By-law Amendment to rezone the lands at Part of Park Lot 10, West Side of Louisa Street (Town Plot of Thornbury) from Development (D) to Residential Multiple Exception (RM1-56-h) to permit the development of 23 Townhouses, Carried.

B.14 Planning & Development Services Information Reports and correspondence to be considered in the adoption of the Consent Agenda:

B.14.1 Planning Applications – Month of August, 2018, PDS.18.102

THAT Council receive Staff Report PDS.18.102, entitled “Planning Applications – Month of August, 2018” for information purposes, Carried.

B.15 Correspondence, if any

None

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: Application for Lot Addition and Application for Zoning By-law Amendment

Re: East Part Lot 57, Plan 562, Clarksburg, File #B09-2018 (Kadwell)

Mayor McKean read the Notice of Application and Public Meeting regarding Application for Lot Addition and Application for Zoning By-law Amendment, property location East Part Lot 57, Plan 562. Clarksburg.

Mayor McKean noted the purpose of the application is to consider a request for a lot addition. The application requests to sever a portion of the subject lands and transfer it to an adjacent property. The retained lands are proposed to have a resulting area of 25.7ha in size, while the severed lands are proposed to have an area of 2.5ha and are proposed to be added to the adjacent parcel. These lands are also subject to an application for Zoning By-law Amendment that proposes to rezone the severed parcel and the receiving parcel from the General Rural (A1) and Hazard (H) zone into the Development (D) zone and Hazard (H) zone.

Mayor McKean noted that the legal description of the severed lands is East Part Lot 57, Plan 562, while the receiving lot is legally described as Part Lot 57, Plan 562, Part 1, Plan 16R-9464.

Mayor McKean noted that the public meeting is your chance to hear more about the proposal and make your views about it known. 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. 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.

Mayor McKean noted that 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 or the consent decision is made, the person or public body is not entitled to appeal the decision of Council to the Local Planning Appeal Tribunal (LPAT) or the LPAT may dismiss the appeal.

Mayor McKean noted that 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 or consent decision is made, the person or public body may not be added as a party to the hearing of an appeal before the LPAT unless, in the opinion of the LPAT, there are reasonable grounds to do so.

The Town Clerk spoke noting that the Notice of Application and Public Meeting was given in accordance with the Planning Act, and that in response comments no comments were received. The Town Clerk noted that the Town Infrastructure and Public Works Department had no comments

Krystin Rennie, Planning Consultant spoke noting that she is acting for the Applicant. Krystin noted that the application is for a lot addition and zoning by-law amendment, and identified the area of the application. Krystin identified the current zoning and noted that 2.5 hectares is being added to the adjacent parcel, bringing the receiving property to 25.7 hectares in total.

Councillor Halos questioned if the remnant parcel has road frontage. Krystin spoke in response noting that the access to the remnant parcel is via a laneway. Councillor Halos questioned why a rezoning is required, Krystin responding that it is required to bring the property into conformity with the zoning by-law.

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

C.1.2 Public Meeting: Proposed Changes to Procedural By-law 2018-20 Re: Regarding the Use of Cell Phones/Recording Devices at Council Meetings

Mayor McKean read the Notice of Public Meeting regarding Proposed Changes to Procedural By-law 2018-20 regarding the Use of Cell Phones/Recording Devices at Council Meetings.

Mayor McKean noted the public meeting was being held to receive comments on the proposed changes to the Procedural By-law. The Procedural By-law sets out the rules and regulations for the proceedings of Council, Committees and Local Boards.

Mayor McKean 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 November 19, 2018 intends to consider a By-law to revise the Procedural By-law regarding the use of cell phones/recording devices at Council Meetings.

Mayor McKean noted that a decision on the proposed changes to Procedural By-law 2018-20 regarding the use of cell phones/recording devices at Council Meetings has not been made at this point and will not be made at the Public Meeting. After reviewing the comments from the public, Staff will bring its recommendations to Council at a future Council Meeting.

The Town Clerk spoke noting that the notice of the public meeting was given in accordance with POL.COR.07.03 Provision of Notice and Manner of Giving Notice Policy. The Town Clerk confirmed that no comments were received.

Councillor Martin spoke noting that if Council wishes to record closed session meetings in the future, if this would prohibit this. The Town Clerk spoke in response noting that if Council wished to record closed sessions in the future, that the Procedural By-law would have to be revised.

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

None

E. Notice of Meeting Dates

Council Meeting, October 9, 2018
Town Hall, Council Chambers

Special Committee of the Whole Meeting, October 10, 2018
Town Hall, Council Chambers

Committee of the Whole Meeting, November 5, 2018
Town Hall, Council Chambers

F. Adjournment

Moved by: R. J. Gamble

Seconded by: Rob Potter

THAT this Committee of the Whole does now adjourn at 6:38 p.m. to meet again, November 5, 2018 Town Hall, Council Chambers, or at the call of the Chair, Carried.

John McKean, Mayor

Corrina Giles, Town Clerk