



Minutes

The Blue Mountains, Council Meeting

Meeting Date: November 19, 2018
Meeting Time: 7:00 p.m. Council Meeting
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 Deputy Mayor Gail Ardiel absent due to illness and Councillor Michael Martin absent.

Also in attendance Interim Chief Administrative Officer Shawn Everitt, Director of Enforcement Services/Fire Chief Rob Collins, Acting Director of Community Services Ryan Gibbons, Director of Finance and IT Services Ruth Prince, Director of Human Resources Jenn Moreau, Director of Infrastructure and Public Works Reg Russwurm, Director of Planning and Development Services Nathan Westendorp, Senior Policy Planner Shawn Postma, and Manager of Development Engineering Brian Worsley.

Council then paused for a Moment of Reflection.

▪ Approval of Agenda

Moved by: R.J. Gamble

Seconded by: John McGee

THAT the Agenda of November 19, 2018 be approved as circulated, including any items added to the Agenda, being Item B.4 Deputation: Terry Kellar, Blue Mountain Ratepayers Association (BMRA) Short Term Accommodation (STA) Committee Re: STA Staff Report, and Item H.3.1 Comprehensive Zoning By-law Update, 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.

None

▪ **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: John McGee

Seconded by: R.J. Gamble

THAT the Consent Agenda of November 19, 2018 be adopted as circulated, less any items requested for separate review and discussion, being F.1 Special Committee of the Whole Report dated October 10, 2018 (C.3 Short Term Accommodation Licensing By-law Revision, FAF.18.137, and C.4 Comprehensive Zoning By-law Final Report, PDS.18.118) and F.2 Committee of the Whole Report, dated November 5, 2018 (B.3.1 STA By-law Revision, FAF.18.151), Carried.

▪ **Previous Minutes**

▪ Moved by: Rob Potter

Seconded by: Joe Halos

THAT the Council minutes of October 09, 2018 be adopted as circulated, including any revisions to be made, Carried.

Council introduced a Notice of Motion to consider Item E.1 Integrity Commissioner Report, Complaint dated July 4, 2018, FAF.18.158 at the beginning of the meeting.

Moved by: Joe Halos

Seconded by: John McGee

THAT Agenda Item E.1 Integrity Commissioner Report, Complaint dated July 4, 2018 be moved to the beginning of the agenda, Carried.

E.1 Integrity Commissioner Report, Complaint dated July 4, 2018, FAF.18.158

Note: Report FAF.18.158, "Integrity Commissioner Report, Complaint dated July 4, 2018" to be posted to the website Thursday, November 15, 2018.

Moved by: John McGee

Seconded by: R.J. Gamble

THAT Council receive Staff Report FAF.18.158, entitled "Integrity Commissioner Report, Complaint dated July 4, 2018";

AND THAT Council consider the findings and recommendations to Council included in the Integrity Commissioner's Report dated November 14, 2018 as it relates to the breach of Rule 2 (Confidentiality) of the Code of Conduct for Members of Council Policy, POL.COR.07.07 by Councillor Michael Martin;

AND THAT Council reprimand Councillor Michael Martin for breach of Rule 2 (Confidentiality) of the Code of Conduct for Members of Council Policy, POL.COR.07.07, Carried.

B. Deputations / Presentations / Public Meeting

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

B.1 Deputation: David Finbow, Blue Mountains Short Term Accommodation Owners Association (BMSTA) Re: STA Licensing By-law Review & Related Revisions

David Finbow spoke on behalf of the Blue Mountains Short Term Accommodation Owners Association (BMSTA) regarding proposed revisions to the STA Licensing By-law, noting that as Council is aware, the Town's review of the STA Licensing By-law has been ongoing for many months. Mr. Finbow noted that Council has the opportunity to finalize its By-law Review by enacting the draft By-law attached to staff report FAF.18.151, being Agenda item B.3.1 in the Committee of the Whole Report of November 5, 2018, adopting a resolution directing staff to defer enforcement of Section 5.23 of the Property Standards By-law until the review of the By-law is completed, and providing explicit direction to staff in terms of further review of the STA Licensing By-law.

Councillor Rob Potter questioned the harm in allowing the public more time to comment, Mr. Finbow spoke in response noting that much time has been spent on this and taking more time is not an efficient process.

B.2 Deputation: Mark Woodburn, Scenic Caves Nature Adventures Re: Scenic Caves Overflow Parking

Mark Woodburn, General Manager for Scenic Caves Nature Adventures spoke requesting Council's support for the Scenic Caves Overflow Parking project.

Krystin Rennie, agent for Scenic Caves, asked Council to consider approval of the zoning by-law. Ms. Rennie noted that the neighbours comments have been addressed, and asked that Council consider the by-law this evening.

Councillor Rob Potter spoke and questioned how long the proposed solution will solve the parking issues at Scenic Caves. Mark Woodburn confirmed it is a 20 year solution.

B.3 Deputation: John Ardiel, Agricultural Advisory Committee Re: Initial Steps for Replacement of the Clendenan Bridge

John Ardiel spoke on behalf of the Agricultural Advisory Committee, noting they are requesting that Council move forward with an Environmental Impact Assessment to replace the Clendenan Bridge over the Beaver River on the 10th Line. Mr. Ardiel noted that this bridge has been closed to vehicular traffic for several years now and is negatively impacting agricultural traffic as well as affecting the safe traffic flow through Clarksburg.

Mr. Ardiel noted that a lot of orchard/farm equipment must travel from farm to farm and since the bridge closure, now have to travel through the core of Clarksburg. Mr. Ardiel noted that this is emphasized during the fall harvest when large volumes of apples are being hauled both ways to local storages, packing and processing plants. Mr. Ardiel noted that the Agricultural Advisory Committee feel that a bridge replacement would be very beneficial to both the agricultural community and the residents of The Blue Mountains in terms of safety and traffic flow.

Councillor Halos spoke noting that with respect to economic development, that a transportation network is important and that a by-pass along the 10th Line is a good idea. Councillor Halos noted that the initiative would be expensive, but it would take some of the traffic off Marsh Street.

Director of Infrastructure and Public Works Reg Russwurm spoke noting that within the upcoming capital budget, that a Transportation Master Plan is proposed that includes the Clendenan Bridge replacement, and a Public Information Centre to discuss the Clendenan Bridge.

Councillor Potter noted that as the Town develops that the entire road network should be considered.

Councillor Gamble spoke noting that he appreciates the concerns raised regarding the Clendenan Bridge, and noted that the larger equipment will be an issue. Councillor Gamble noted that the intersections of Matilda and 30th Sideroad will have to be addressed as well as the load weights.

**B.4 Deputation: Terry Kellar, Blue Mountain Ratepayers Association (BMRA) Short Term Accommodation (STA) Committee
Re: STA Staff Report**

Terry Kellar spoke asking that Council enforce the occupancy of STA units to two per bedroom, plus two persons, noting that the current “plus four” model is in contravention of the by-law.

C. Public Comment Period

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

NOTE: In accordance with the Town Procedural By-law 2018-20 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.

C.1.1 Deb Crosskill, 154 Marsh Street

Deb Crosskill provided her thanks to members of Council for four years of service. Ms. Crosskill noted that Council has done a good job, has faced many challenges, and acknowledged the good work accomplished.

D. Correspondence as previously circulated

Author	Recommendation / Actions
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D.1 The Royal Canadian Legion
Re: Request for Support for Poppy Fund

Moved by: John McGee

Seconded by: Rob Potter

THAT the Council of the Town of The Blue Mountains acknowledge receipt of Correspondence Item D.1 The Royal Canadian Legion regarding Request for Support for Poppy Fund dated October 3, 2018 and donate \$500 to The Royal Canadian Legion Poppy Fund, Carried.

D.2 David Finbow, Land Development, Municipal & Building Code Consulting
Re: Short Term Accommodation (STA) Licensing By-law Review and Related Revisions

For Council consideration

Moved by: Joe Halos

Seconded by: Rob Potter

THAT the Council of the Town of The Blue Mountains receive of Correspondence Item D.2 David Finbow, Land Development, Municipal & Building Code Consulting regarding Short Term Accommodation (STA) Licensing By-law Review and Related Revisions dated November 7, 2018, Carried.

D.3 Leslie Lewis, Glamapalooza Committee
Re: Silent Auction Request for Donation

For Council consideration

Moved by: Joe Halos

Seconded by: Rob Potter

THAT the Council of the Town of The Blue Mountains receive of Correspondence Item D.3 Leslie Lewis, Glamapalooza Committee regarding Silent Auction Request for Donation and donate two passes to Tomahawk Golf Course for the 2019 golf season, Carried.

D.4 Dr. Sabrina Saunders, CEO, The Blue Mountains Public Library
Re: Notice of Vacancy of Councillor Martin

Received for information

D.5 Elizabeth Stephenson and Bruce Perkins, Resident
Re: Proposed Scenic Caves Parking Lot

Received for information

D.6 Ken Hale, President, Georgian Triangle Development Institute
Re: Collingwood is highest risk for floods: NVCA – July 6, 2018

Received for information

D.7 Jeff Yurek, Minister of Natural Resources and Forestry
Re: Thornbury Generating Station Water Management Plan

Received for information and Referred to IPW

D.8 Stewardship Ontario Re: Second Quarter Funding for 2018 Municipal Blue Box Recycling Program	Received for information and Referred to IPW
D.9 Ministry of Indigenous Affairs Re: Settlement of Williams Treaties Land Claim	Received for information
D.10 Georgian Bay Regatta Re: Thank you	Received for information
D.11 Collingwood/TBM OPP Detachment Re: OPP Community Satisfaction Survey Results for Central Region – Collingwood Detachment	Received for information
D.12 Committee of Adjustment Re: Notice of Public Hearing, 132 Lakewood Drive	Received for information
D.13 Township of McKellar Re: Governance Models – Ontario Government	Received for information
D.14 Grey Sauble Conservation Authority Re: Appointment of Member to the GSCA Board of Directors	Received for information
D.15 Nottawasaga Valley Conservation Authority Re: Appointment of Member to the NVCA Board of Directors	Received for information

Moved by: Joe Halos

Seconded by: John McGee

THAT this Council does hereby receive the Correspondence of November 19, 2018 and further does support the Staff Recommendation made with regard to the Correspondence items D.4 to D.15, including any additional direction given to Staff through discussion, with an appropriate Staff action or response awaited for report back to Committee or Council where indicated, Carried.

E. Motions and Staff Reports

E.2 Scenic Caves Parking Lot Official Plan and Zoning By-law Amendments – Follow Up Report, PDS.18.133

Moved by: Rob Potter

Seconded by: John McGee

THAT Council receive Staff Report PDS.18.133, entitled “Scenic Caves Parking Lot Official Plan and Zoning By-law Amendments – Follow Up Report”.

Council then considered the following amendment to the main motion to include the following paragraph to the main motion:

Moved by: John McGee

Seconded by: Joe Halos

AND THAT Council direct Staff to schedule a Special Meeting of Council prior to the end of November to consider the motion to approve Scenic Caves Parking Lot Official Plan and Zoning By-law Amendments, Carried.

Council then voted on the main motion, as amended, and as noted below:

THAT Council receive Staff Report PDS.18.133, entitled “Scenic Caves Parking Lot Official Plan and Zoning By-law Amendments – Follow Up Report”;

AND THAT Council direct Staff to schedule a Special Meeting of Council prior to the end of November to consider the motion to approve Scenic Caves Parking Lot Official Plan and Zoning By-law Amendments, Carried.

E.3 CAO Performance Appraisal Process Policy Revised, FAF.18.156

Moved by: John McGee

Seconded by: Rob Potter

THAT Council receive Staff Report FAF.18.156, entitled “CAO Performance Appraisal Process Policy Revised”; and

AND THAT Council approve the new Corporate Policy POL.COR.18.XX “CAO Performance Appraisal Process Policy POL.COR.18.XX”, as attached to this staff report;

AND THAT Council rescinds POL.COR.10.17 “CAO Performance Monitoring Policy”, Carried.

F. Consent Agenda

Reports List (Adopt)

F.1 Special Committee of the Whole Report, dated October 10, 2018

C.3 Short Term Accommodation Licensing By-law Revision, FAF.18.137

Moved by: John McGee

Seconded by: Rob Potter

- (a) THAT Council receive Staff Report FAF.18.137, entitled Short Term Accommodation By-law Revision;

AND THAT Council direct staff to bring a report to the November 5, 2018 Committee of the Whole meeting providing further information regarding:

- i) Clarification on occupancy (being 2 per bedroom plus 4 persons)
- ii) Provincial Offences Act Court (enforcement through POA Court)
- iii) Operating without a licence
- iv) Details where existing infractions to property standards are referred to for enforcement;

AND THAT Council direct staff to update the draft Short Term Accommodation licensing by-law as directed above, Carried.

Moved by: Rob Potter

Seconded by: John McGee

- (b) THAT Council direct staff to include enforcement of the by-law through the Provincial Offences Court as described in Staff Report FAF.18.137, entitled Short Term Accommodation By-law Revision, Carried.

C.4 Comprehensive Zoning By-law Final Report, PDS.18.118

Moved by: Rob Potter

Seconded by: John McGee

THAT Council receive Staff Report PDS.18.118, entitled "Comprehensive Zoning By-law Final Report";

AND THAT Council enact a new Comprehensive Zoning By-law for the Town of The Blue Mountains;

AND THAT Council repeal the Township of Collingwood Zoning By-law 83-40 and the Town of Thornbury Zoning By-law 10-77 and all amendments thereto save and except all provisions related to Short Term Accommodation uses, and all other by-laws currently before LPAT;

AND THAT Council repeal all Minor Variances authorized by the Committee of Adjustment or the Ontario Municipal Board / Local Planning Appeal Tribunal that were enacted prior to the approval date of the Town of The Blue Mountains Official Plan, being July 21, 2016;

AND THAT Council confirm that adequate public notice has been provided on the Comprehensive Zoning By-law project and that in accordance with Section 34(17) of the Planning Act, RSO 1990, c.P.13, that further notice is not required;

AND THAT Council waive the two-year moratorium on all zoning by-law amendments to the new Town of The Blue Mountains Comprehensive Zoning By-law by declaring that Section 34(10.0.0.1) of the Planning Act, RSO 1990, c.P.13 does not apply in respect to any application for amendment to the new Comprehensive Zoning By-law;

AND THAT Council direct Staff to schedule a Special Meeting of Council prior to the end of November 2018 to consider the Comprehensive Zoning By-law, Carried.

F.2 Committee of the Whole Report, dated November 5, 2018

B.3.1 STA By-law Revision, FAF.18.151

Moved by: Rob Potter

Seconded by: John McGee

THAT Council receive Staff Report FAF.18.151, entitled "STA By-law Revision";

AND THAT Council receive the draft Short Term Accommodation licensing By-law as attached to Staff Report FAF.18.151;

AND THAT Council direct staff to initiate the Public Consultation Process including the required Public Meeting for consideration of the draft Short Term Accommodation and draft Property Standards By-law for consideration, Carried.

Minutes List (Receive)

- F.3 Public Art Committee minutes dated April 12, 2018
- F.4 Economic Development Advisory Committee minutes dated July 17, 2018
- F.5 The Blue Mountains Public Library Board minutes dated July 19, 2018
- F.6 The Blue Mountains Police Services Board minutes dated August 8, 2018
- F.7 Public Art Committee minutes dated September 6, 2018
- F.8 Multi-Municipal Long-Term Working Group minutes dated September 10, 2018
- F.9 The Blue Mountains Public Library Board minutes dated September 20, 2018
- F.10 Grey Sauble Conservation Authority minutes dated September 26, 2018
- F.11 Public Art Committee minutes dated October 4, 2018

G. By-laws

G.1 Being a By-law to establish lands as part of a highway in Block 67, Plan 16M-42 known as Crosswinds Boulevard

Moved by: R.J. Gamble

Seconded by: Joe Halos

THAT By-law No. 2018-58 being a By-law to establish lands as part of a highway in Block 67, Plan 16M-42 known as Crosswinds Boulevard be passed this nineteenth day of November, 2018, Carried.

G.2 Being a By-law to establish lands as part of a highway in Block 45, Plan 16M-24 known as George McRae Road

Moved by: John McGee

Seconded by: Rob Potter

THAT By-law No. 2018-59 being a By-law to establish lands as part of a highway in Block 45, Plan 16M-24 known as George McRae Road be passed this nineteenth day of November, 2018, Carried.

G.3 Being a By-law to revise By-law 2018-20, Procedural By-law

Moved by: Joe Halos

Seconded by: Rob Potter

THAT By-law No. 2018-60 being a By-law to revise By-law 2018-20 to include the following paragraphs; 4.9 Members of Council shall turn off all cell phones and pagers during Committee of the Whole and Council meetings and 4.10 During meetings that are closed to the public, no member of Council or staff (with the exception of the Clerk, or her designate) shall be permitted to have in their possession, any cell phone or electronic device that has the ability to record be passed this nineteenth day of November, 2018, Carried.

G.4 Being a By-law to accept and assume works in Windfall Subdivision Phase 1

Moved by: Rob Potter

Seconded by: R.J. Gamble

THAT By-law No. 2018-61 being a By-law to accept and assume works in Windfall Subdivision Phase 1, Registered Plan 16M-42 be passed this nineteenth day of November, 2018, Carried.

H. New and Unfinished Business

H.1 Grey County Council Update (JMck, GA)

None

H.2 Notice of Motion (Council)

None

H.3 Additions to Agenda

None

I. Notice of Meeting Dates

Inaugural Meeting, December 3, 2018 11:00 a.m.
Town Hall, Council Chambers

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

Council Meeting December 17, 2018
Town Hall, Council Chambers

J. Confirmation By-law and Adjournment

Moved by: Rob Potter

Seconded by: R.J. Gamble

THAT By-law No. 2018 - 62, being a By-law to confirm proceedings of the Council of The Corporation of the Town of The Blue Mountains on November 19, 2018 be hereby enacted as passed this nineteenth day of November, 2018, Carried.

Moved by: Joe Halos

Seconded by: R.J. Gamble

THAT this Council does now adjourn at 8:55 p.m. to meet again December 17, 2018 Town Hall, Council Chambers, or at the call of the Chair, Carried.

John McKean, Mayor

Corrina Giles, Town Clerk

NOTE: Mayor Alar Soever is the Mayor for the 2018 to 2022 term of Council, and was sworn in December 3, 2018. Mayor Soever has executed the attached minutes as they were approved by Council on December 17, 2018.