



# CITY OF ORILLIA COUNCIL MINUTES

1999-183

## MINUTES OF THE REGULAR MEETING OF COUNCIL, MONDAY, AUGUST 30, 1999 AT 7:30 P.M. IN THE COUNCIL CHAMBER

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**Present:** Mayor K. McCann in the Chair  
Councillors: M. Buchanan  
D. Evans  
W. Gardy  
M. Kirby  
T. Lauer  
G. Morano  
D. Shaw  
P. Spears

### **Disclosure of Interest**

1. Councillor Evans - re Clause 1. of Report Number 1999-13 of the Council Committee.

Nature of Interest – Councillor Evans is in a potential position of being employed as an illustrator for WMAC.

Councillor Evans declined to discuss the matter or to vote on its disposition.

### **Deputations**

The Honourable Jim Wilson, Minister of Energy, Science and Technology, introduced by Mr. Garfield Dunlop, M.P.P., Simcoe North, spoke with respect to Bill 35, the Energy Competition Act - Restructuring of Municipal Electric Utilities in Ontario.

### **Minutes**

The Minutes of the previous meetings, having been prepared in typewritten form and copies distributed, were taken as printed.

### **Consent Agenda**

1. Mr. and Mrs. Florence and Norm Nidderly - re card of thanks. (N/C) File: M04-GEN

Recommendation: Receive as informational.

2. Association of Municipalities of Ontario: File: A01-AMO

- a) Alert - re AMO Requests Further Extension for Education Payments.

Recommendation: Receive as informational.

3. The City of Windsor - re requesting support of their resolution regarding the resumption of subsidy for funerals and burials for low income citizens receiving social assistance. File: C10-GEN

Recommendation: Receive as informational.

4. Corporation of the Town of Hawkesbury - re requesting endorsement of their resolution regarding property tax rebates to new industries. File: C10-GEN  
Recommendation: Receive as informational.  
Copy to Economic Development Commission.
5. The Corporation of the Township of Hamilton - re requesting support of their resolution regarding escalating gas prices. File: C10-GEN  
Recommendation: Receive as informational.
6. The Corporation of the Township of Ramara - re Ad Hoc Economic Development Task Force. File: C12-EDTF  
Recommendation: Receive as informational.
7. Alzheimer Society - re invitation to attend an Open House and Alzheimer Coffee Break, September 23, 1999. M02-GEN  
Recommendation: Receive as informational.
8. Downtown Orillia Management Board - re sponsorship of hanging baskets in the downtown area. File: C12-DMB  
Recommendation: Receive as informational.
9. Orillia Canada Day Committee - re letter of thanks regarding financial support for the fireworks. File: M02-GEN  
Recommendation: Receive as informational.
10. Jubilee Chorale - re letter of thanks for the donation of 100 City pins. File: M04-GEN  
Recommendation: Receive as informational.
11. Ontario Municipal Board - re Decision regarding the reconstruction of a boathouse at 20 Clifford Street. File: E10-GEN,XL01-OMB  
Recommendation: Receive as informational.
12. Ministry of Municipal Affairs and Housing - re News Release entitled "Year 2000 Rent Increase Guideline Drops to 25 -year Low". File: A16-MMAH  
Recommendation: Receive as informational.
13. Retail Council of Canada - re letter of thanks and "Certificate of Recognition" regarding "National Kids' Day/The Smile Trust" held on June 12, 1999. File: M02-GEN  
Recommendation: Receive as informational.
14. Home Hardware Stores Limited - re acquisition of Beaver Lumber. File: M06-GEN  
Recommendation: Receive as informational.

15. Ministry of Natural Resources - re Lake Simcoe Fishing Report, Spring 1999.  
File: A16-MNR

Recommendation: Receive as informational.  
Copy to Environmental Advisory Committee.

16. Residents on Elmer Park - re request for installation of "Children at Play" signs at both ends of the street. File: T07-GEN

Recommendation: Refer to Council Committee.  
Request report from the Engineering Department.

17. Petition from Ms. Carol Speed and Ms. Sue Leslie and others - re Kitchener Park tennis courts. File: R04-GEN

Recommendation: Refer to Year 2000 Budget.

18. Office of the Governor General of Canada - re nominations for awards. File: M08-GEN

Recommendation: Refer to Ad Hoc Communications Committee to review in conjunction with the Awards Policy.

**1999-215** Moved by Buchanan, seconded by Shaw, that Council adopt the recommendations as set out on the Consent Agenda for the Regular Meeting of Council on August 30, 1999 as amended. Carried.

### **Correspondence**

1. Orillia Area Community Casino Task Force - re creation of a regional promotional video highlighting Orillia and the connecting Townships of Oro-Medonte, Ramara and Severn. File: M09-GEN (Motion)
2. Ms. Debra Edwards - re education development charges. File: F20-DEV (Info)
3. Mr. Jim Marchbank, Chief Executive Officer, Science North - re TimeShip 2000.  
File: M02-MILL (CC)
4. Mr. and Mrs. Keith and Jocelyn Thompson - re development/culvert charges.  
File: F20-DEV (CC)
5. IBEW Local 636 - re waterfront spill. File: E05-GEN,XH00-GEN (Info)

**1999-216** Moved by Buchanan, seconded by Shaw, that this Council endorse in principle the proposal by the Orillia Area Community Casino Task Force to create a regional promotional video highlighting Orillia and the connecting Townships of Oro-Medonte, Ramara and Severn;

AND THAT further details be requested from the Task Force. Carried.

### **Reports**

1. Account List for the period ending August 25, 1999. File: F02 (Info)
2. Report Number 1999-13 of the Committee of the Whole Council.  
(Motions) (See Page 1999-189)
3. Report Number 1999-14 of the Committee of the Whole Council. (Motion) (See Page 1999-190)
4. Report Number 1999-13 of the Council Committee. (Motions) (See Pages 1999-191 – 1999-194)

5. Ad Hoc Grants Committee - re Report Number 1999-6. File: C12-GRA (Motion)
6. Chair, Transition Committee - re Bill 35. File: L11-Bill 35 (Info)
7. Director of Parks and Recreation - re Tudhope Park Parking Lot Paving Contract.  
File: R05-REC (Motion)
8. Chair, Recreation Facility Steering Committee - re Purchase of Tables and  
Chairs. File: R05-REC (Motion)
9. Senior Planner - re Development Charges By-law. File: C01-1999-118 (Motion)

**1999-217** Moved by Lauer, seconded by Morano, that Report Number 1999-13 of the Committee of the Whole Council, now before Council, be adopted with the exception of Clause 1. which shall be introduced separately. Carried.

**1999-218** Moved by Lauer, seconded by Morano, that Clause 1. of Report Number 1999-13 of the Committee of the Whole Council, now before Council, be adopted. Carried.

**1999-219** Moved by Lauer, seconded by Morano, that Report Number 1999-14 of the Committee of the Whole Council, now before Council, be adopted. Carried.

**1999-220** Moved by Shaw, seconded by Lauer, that Report Number 1999-13 of the Council Committee, now before Council, be adopted with the exception of Clauses 1., 4., 5., 6., 7., 15. and 16. which shall be introduced separately. Carried.

**1999-221** Moved by Shaw, seconded by Lauer, that Clause 1. of Report Number 1999-13 of the Council Committee, now before Council, be adopted. Carried.

**1999-222** Moved by Shaw, seconded by Lauer, that Clause 4. of Report Number 1999-13 of the Council Committee, now before Council, be adopted. Carried.

**1999-223** Moved by Shaw, seconded by Lauer, that Clause 5. of Report Number 1999-13 of the Council Committee, now before Council, be adopted. Carried.

**1999-224** Moved by Shaw, seconded by Morano, that Clause 6. of Report Number 1999-13 of the Council Committee, now before Council, be adopted. Carried.

**1999-225** Moved by Shaw, seconded by Buchanan, that Clause 7. of Report Number 1999-13 of the Council Committee, now before Council, be adopted. Carried.

**1999-226** Moved by Buchanan, seconded by Shaw, that as recommended in a report dated August 16, 1999 from the Ad Hoc Grants Committee, the following grant be approved:

Orillia District Small Business Association	\$175.00
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AND THAT the unallocated funds of \$7,500 from the Advance Funding Program be allocated to the Quota Club for the benefit of the Trails for Life project. Carried.

**1999-227** Moved by Lauer, seconded by Morano, that as recommended in a report dated August 25, 1999 from the Director of Parks and Recreation, the Tudhope Park road entrance and parking lot tender submitted by G. H. Stewart Construction Inc. be accepted, with the exception of the asphalt paving, for the amount of \$118,408.25 (includes 3% G.S.T.). Carried.

**1999-228** Moved by Lauer, seconded by Morano, that as recommended in a report dated August 26, 1999 from the Recreation Facility Steering Committee, the supply of tables and chairs for the Tudhope Park Recreation Facility as submitted by Hamilton & Company be accepted for the amount of \$40,400.64 (includes 8% P.S.T.);

AND THAT the purchase be funded out of the contingency allowance for this project. Carried.

**1999-229** Moved by Evans, seconded by Spears, that the report dated August 25, 1999 from the Senior Planner with respect to the Development Charges By-law, be adopted. Carried.

**1999-230** Moved by Spears, seconded by Evans, that as recommended in a report dated August 5, 1999 from the Senior Planner, Council approve, subject to an annual review as part of the City's Capital Budget program, the project listing, set out in Appendix "B" of the Development Charges Background Study, dated June 1999, as amended, and as further amended by the report of the Senior Planner, dated August 25, 1999. Carried.

**1999-231** Moved by Gardy, seconded by Kirby, that the Development Charges Background Study, dated June, 1999, as amended, including the forecast of anticipated development, the capital forecasts and the calculations contained therein, be received and approved. Carried.

**1999-232** Moved by Morano, seconded by Lauer, that Council, having considered the nature and effect of the changes to the proposed by-law under the Development Charges Act made since the Public Meeting held on June 29, 1999, has determined that no further meeting under Section 12 of the Act is necessary. Carried.

**1999-233** Moved by Kirby, seconded by Lauer, that the wording in the draft by-law to impose development charges be changed by:

1. deleting section 3.5.1.(c) "industrial buildings"
2. that the Industrial column represent a charge of \$2.38 and that the allocation of the charge be the same as the Commercial/Institutional column.
3. adding the following section:
 

"3.7.1. That the Industrial development charge be set at zero % until such time as Council considers the local economic environment to be acceptable." Carried.

#### **Recorded Vote**

Yeas – Kirby, Spears, Evans, Buchanan, Shaw, Morano, Lauer

Nays – Gardy, McCann

**1999-234** Moved by Morano, seconded by Shaw, that Clauses 15. and 16. of Report Number 1999-13 of the Council Committee, now before Council, are hereby withdrawn. Carried.

#### **By-laws**

**1999-235** Moved by Lauer, seconded by Morano, that the following by-laws be now introduced and read a first, second and third time today:

- 1999-114 A By-law to authorize the termination of an Advertising Contract with Street Level Media Inc. for transit advertising.
- 1999-115 A By-law to authorize the execution of Contract Number R-99-52 with Niagara Crack Sealing to asphalt crack seal various municipal roads.
- 1999-116 A By-law to authorize the execution of Contract Number R-99-54 with K. J. Beamish Construction Co. Ltd. to asphalt overlay Line 15 North and on Harvie Settlement Road in the City of Orillia.
- 1999-117 A By-law to adopt Chapter 490 of the City of Orillia Municipal Code – Inspection Fees.

- 1999-118 A By-law for the imposition of Development Charges.
- 1999-119 A By-law to authorize the execution of an agreement between the City of Orillia and the International Brotherhood of Electrical Workers, Local 636 – Operations Department.
- 1999-120 A By-law for the purpose of appointing members to certain Boards, Commissions, Committees and other designated offices (Orillia Youth Opportunities Committee).
- 1999-121 A By-law to authorize the execution of a Late Payment Agreement with John N. Johnson Construction Limited with respect to the deferral of the payment of development charges (Quaker Hill Subdivision).
- 1999-122 A By-law to authorize the execution of a Late Payment and Credit Agreement with Charter Construction Limited with respect to the deferral of the payment of development charges (West Ridge Subdivision – Phase 2).
- 1999-123 A By-law to settle a debt owing to The Corporation of the City of Orillia by Dondeb Inc.
- 1999-124 A By-law to authorize the execution of a Subdivision Agreement between the City of Orillia and John N. Johnson Construction Limited (Quaker Hill Subdivision).
- 1999-125 A By-law to authorize the execution of a Subdivision Agreement between the City of Orillia and Charter Construction Limited (West Ridge Subdivision – Phase 2).

**1999-236** Moved by Morano, seconded by Lauer, that By-law Number 1999-126, a by-law to confirm the proceedings of Council at its meeting held August 30, 1999, be now introduced and read a first, second and third time today. Carried.

By-laws read a first, second and third time and passed.

**Open Public Forum**

1. Donald Foxtton - old Administration Building.
2. Dennis Edmonds - Correspondence Item No. 5 re letter from I.B.E.W regarding waterfront spill on August 10, 1999.

**MEETING ADJOURNED – 11:10 P.M.**

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MAYOR

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CLERK

**CITY OF ORILLIA**

**TO:** The Mayor and Members of Council  
**FROM:** Committee of the Whole Council  
**DATE:** August 10, 1999  
**SUBJECT:** **Report Number 1999-13 (From meeting of August 9, 1999)**

Your Committee is pleased to report as follows:

1. THAT Council authorize a discount based on the bank prime rate minus two percent for early payment of the City-held mortgage of \$295,000 on 256 Hughes Road and that the same rate be applied as interest on the portion of the mortgage that is overdue.
  
2. THAT Ryan Harber is hereby appointed the youth member of the Orillia Youth Opportunities Committee for a term expiring August 31, 2000.
  
3. THAT Gail Clark is hereby appointed a member of the Orillia Youth Opportunities Committee, to replace Christine Jolliffe, who has resigned, for a term expiring November 30, 1999.

T. Lauer,  
Chairman.

**CITY OF ORILLIA**

**TO:** The Mayor and Members of Council  
**FROM:** Committee of the Whole Council  
**DATE:** August 16, 1999  
**SUBJECT:** **Report Number 1999-14 (From meeting of August 16, 1999)**

Your Committee is pleased to report as follows:

1. THAT the memorandum of agreement with the Local Union 636 of the International Brotherhood of Electrical Workers covering Operations Department employees be approved, subject to ratification by the Union.

T. Lauer,  
Chairman.

CITY OF ORILLIA

**TO:** The Mayor and Members of Council

**FROM:** Council Committee

**DATE:** August 10, 1999

**SUBJECT: Report Number 1999-13 (From meeting of August 9, 1999)**

Your Committee is pleased to report and recommend as follows:

1. THAT additional funding in the amount of \$2,440. is hereby granted to the Waste Management Advisory Council as requested in their letter of July 9, 1999.

2. THAT Policy No. 1.3.3.1. of the City of Orillia - *Appointment Qualifications* be amended by repealing the portion of the policy that states that:

*“an appointed member shall remain qualified throughout his term or be deemed to have resigned”*

and inserting the following clause:

*“An appointed member shall remain qualified throughout his/her term or be deemed to have resigned; however Council may, at its discretion, adopt a resolution allowing the member to remain as a member on the board/commission/committee until the completion of his/her current term”*

3. THAT Councillor Gardy is hereby appointed a member of the Children’s Aid Society for a term expiring November 30, 2000.

4. THAT as recommended in a report dated July 30, 1999 from the Engineering Department, the current traffic signal phasing at the Colborne Street/West Street intersection remain unchanged.

5. THAT as recommended in a report dated July 20, 1999 from the Engineering Department, the current traffic signal phasing at the King Street/Front Street intersection remain unchanged.

6. THAT as recommended in a report dated August 3, 1999 from the Program Supervisor, the requests as set out in a letter dated July 20, 1999 from the Orillia Terry Fox Run Committee 1999, are hereby adopted, subject to compliance with the facility permit process.

7. THAT as recommended in a report dated July 30, 1999 from the Program Supervisor, the special event requests for the year 2000 as set out in a letter dated June 30, 1999 from the Orillia and District Chamber of Commerce, are hereby adopted as presented, subject to compliance with the facility permit process and the Special Event/Marina agreements.

8. THAT as recommended in a report dated July 29, 1999 from the Director of Parks and Recreation, the parkland on the west side of Fourth Street between Lahay Avenue and Frontier Street be named the "Don Shave Park".

9. THAT as recommended in a report dated July 23, 1999 from the Operations Department, the tender by Altec Ltd. for the stock truck be accepted at a total tendered price of \$113,687.85;

AND THAT staff proceed with ordering this vehicle prior to ratification by Council.

10. THAT as recommended in a report dated July 21, 1999 from the Manager of Legislative Services, an inspection fee of \$75.00 be charged to every individual who continues, after a first notice to comply, to contravene any of the provisions of the Zoning, Clean and Clear and Property Standards By-laws;

AND THAT staff be directed to prepare the necessary by-law to implement the inspection fee.

11. THAT as recommended in a report dated August 4, 1999 from the Purchasing Agent, Council approve the selection of Acklands-Grainger Inc. to supply and install lockers, at a cost of \$32,499.00 plus taxes, for the Tudhope Park Recreation Centre;

AND THAT staff proceed with the purchase, prior to ratification, due to the delivery constraints of this product.

12. THAT as recommended in a report dated August 4, 1999 from the Director of Parks and Recreation, the installation of topsoil, grading, purchase of seed and seeding of Dorset Park be approved for a cost up to \$3,331.00;

AND THAT funding be appropriated from the Reserve Fund – Purchase of Parkland.

13. THAT as recommended in a report dated July 23, 1999 from the Engineering Department, Niagara Crack Sealing be awarded Contract R-99-52, Asphalt Crack Sealing on Various Municipal Roads, for the sum of forty-four thousand, two hundred and ninety-eight dollars (\$44,298.00) including G.S.T., with actual payments made for work done under the contract unit price;

AND THAT City staff be authorized to undertake all work necessary in connection with Contract R-99-52;

AND THAT work on this contract be allowed to commence prior to ratification by Council.

14. THAT as recommended in a report dated July 30, 1999 from the Engineering Department, K.J. Beamish Construction Co. Ltd. be awarded Contract R-99-54 Asphalt Overlay on Line 15 North from approximately 30m north of Memorial Avenue to approximately 160m south of Old Barrie Road East and on Harvie Settlement Road from approximately 650m north of Old Barrie Road East to approximately 780m south of Bass Lake Sideroad East, for the tendered sum of \$165,694.76 (including 7% G.S.T.) with actual payment made for work done under contract unit prices;  
AND THAT City Staff be authorized to do all things necessary to complete Contract R-99-54;  
AND THAT the surplus in the 1998 Overlay Project account (No. 01226) of \$7,000.00 be allocated to partially fund this project;  
AND THAT work on this contract be allowed to commence prior to ratification by Council.

15. THAT as recommended in a report dated August 5, 1999 from the Senior Planner, Council approve, subject to an annual review as part of the City's Capital Budget program, the project listing, set out in Appendix "B" of the Development Charges Background Study, dated June 1999, as amended, and further amended by deleting the reference to "Bridge at West St. North" following the reference to Highway #11 Interchanges. **WITHDRAWN (See Resolution Number 1999-234)**

16. THAT the Development Charges Background Study dated June 1999, as amended, be received and approved. **WITHDRAWN (See Resolution Number 1999-234)**

17. THAT a joint meeting of Engineering and Planning staff and their respective Liaison Councillors, the City Treasurer and our Development Charges Consultant be held, as soon as possible, to review the proposed project list and related growth allocations.

18. THAT the draft Development Charges By-law be amended so as to recognize the payment of lot levies or similar charges related to development through an agreement with the City or as a Condition of Approval for a Consent either of which predate the adoption of a Development Charges By-law under the Act, and provides for a development charge reduction to recognize the amount paid, adjusted for inflation, to a maximum of the applicable Charge;  
AND THAT the said Development Charges By-law be forwarded to the Council meeting of August 30, 1999 for approval.

19. THAT the report dated August 4, 1999 from the Senior Planner with respect to proposed School Board Development Charges - Update, be received as informational; AND THAT a copy of the report be forwarded to the two School Boards for their information.

20. THAT as recommended in a report dated July 27, 1999 from the Manager of Council Services/Clerk, the City Centre mural be named "Mariposa Memories"; AND THAT the artist, Mr. Daniel Green, be granted permission to make minor changes to the painting to incorporate the name into the mural.

21. THAT Council authorizes the relocation of the Orillia Hall of Fame Gallery to the main floor of the City Centre, specifically on the brick wall located on the south side of the pedestrian mall, opposite the HRDC offices and between the main entrance and the Council Chamber entrance.

D. Shaw,  
Chairman.