



## CITY OF ORILLIA COUNCIL MINUTES

2002-76

### **MINUTES OF THE REGULAR MEETING OF COUNCIL, MONDAY, APRIL 29, 2002 AT 8:05 P.M. FOLLOWING THE SPECIAL MEETING ON PLANNING MATTERS**

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**Present:** Mayor R. Stevens in the Chair  
Councillors: A. M. Alexander  
M. Buchanan  
D. Downey  
W. Gardy  
T. Lauer  
K. McLaughlin  
F. Smith

**Absent:** Councillor G. Morano

#### **Disclosure of Interest**

1. Councillor Buchanan – re Clause 1. of Committee of the Whole Report 2002-9, Clauses 13. and 14. of Council Committee Report 2002-7 and By-law Numbers 2002-47 and 2002-49.

Nature of Interest – Councillor Buchanan’s employer, Georgian College, is referenced in the lease agreement with TeleTech.

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

2. Councillor Downey - re Clause 2. of Committee of the Whole Report 2002-9.

Nature of Interest - Councillor Downey is a member of the law firm that has acted for J&B Food Services.

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

3. Councillor Lauer - re Report 2002-4 of the Grants Committee.

Nature of Interest - Councillor Lauer’s wife is a director of the Orillia Rowing Club.

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

#### **Deputation**

Mr. Keith Elliott spoke to Council regarding the deregulation of electricity in Ontario.

File: L11-35

#### **Minutes**

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

#### **Consent Agenda**

1. Association of Municipalities of Ontario: File: A01-AMO
  - a) Alert - re Government Consulting Stakeholders on OMERS Devolution - May 6, 2002 Deadline.
  - b) For Your Information - re AMO Announces Details of the New Ontario Centre for Municipal Best Practices.

- c) Alert - re AMO Rejects MOE Administrative Monetary Penalties Proposal.
- d) Office of the President - re Ontario's Promise. **(See Resolution Number 2002-143)**
- e) Alert - re New Taxation Regulations Released.
- f) Alert - re AMO President Lends Support to OMA Report on Physician Shortages.
- g) For Your Information - re More Pressure on Municipal Budgets.

Recommendation: Receive as informational.  
Copied to appropriate Departments and Agencies.

- 2. Town of Haileybury - re requesting support of its resolution regarding detour costs associated with the maintenance and operations of the sections of municipal roadway used as detours while Highway 11 is closed for emergency purposes. File: C10-GEN

Recommendation: Receive as informational.

- 3. Town of Oakville - re requesting endorsement of its resolution regarding the Ontario Municipal Board. File: C10-GEN

Recommendation: Receive as informational.

- 4. Township of Oro-Medonte - re requesting endorsement of its resolution regarding the Permits to Take Water (PTTW) process. File: C10-GEN

Recommendation: ~~Receive as informational.~~  
**(See Resolution Number 2002-144)**

- 5. Township of Essa - re requesting support of its resolution regarding the new drinking water regulations. File: C10-GEN

Recommendation: Receive as informational.

- 6. City of Barrie - re Press Release entitled "City Implements Next Phase of Restructuring". File: A16-GEN

Recommendation: Receive as informational.

- 7. The City of Windsor - re requesting endorsement of its resolution regarding deregulation of Ontario's electricity system. File: C10-GEN

Recommendation: Receive as informational.

- 8. Ontario Electricity Coalition - re deregulation of Ontario's electricity system. File: C10-GEN

Recommendation: Receive as informational.

- 9. Social & Enterprise Development Innovations (SEDI) - re new national youth initiative called youth.comm. File: C12-YOC

Recommendation: ~~Receive as informational.~~  
~~Copy to Orillia Youth Opportunities Committee.~~  
**(See Resolution Number 2002-145)**

- 10. La Seve de Penetanguishene - re County of Simcoe Library Co-operative. File: C10-GEN

Recommendation: Receive as informational.

11. Orillia Hall of Fame Committee - re 2002 brochure. File: C12-HOF  
Recommendation: Receive as informational.
12. Office of the National Director & CEO - re World Youth Day, July 18 - 28, 2002.  
File: M02-GEN  
Recommendation: Receive as informational.
13. Canada Post - re 2002 Canada Post Literacy Awards. File: M08-GEN  
Recommendation: Receive as informational.
14. Orillia District Chamber of Commerce – re invitation to attend the Port of Orillia  
Opening Ceremonies, May 9, 2002. File: M02-GEN  
Recommendation: Receive as informational.  
Copy to Mayor's Office for RSVP.
15. CropLife Canada - re Bill C-53, the *Pest Control Products Act, 2002*. File: P04-PES  
Recommendation: Receive as informational.  
Copy to Environmental Advisory Committee with position  
paper.
16. Kelly Clune - re fireworks event on May 19, 2002. File: M02-GEN  
Recommendation: ~~Receive as informational.~~  
~~Copy to Orillia District Chamber of Commerce.~~  
~~Copy to Parks and Recreation Department.~~  
**(See Resolution Number 2002-147)**
17. Orillia Fine Arts Association - re letter of thanks. File: C12-GNT  
Recommendation: Receive as informational.  
Copy to Grants Committee.
18. Orillia Youth Symphony Parents' Committee - re request for financial assistance.  
File: C12-GNT  
Recommendation: Refer to Grants Committee.
19. Royal Canadian Legion, Branch 34, City of Orillia Pipes and Drums - re request  
for financial assistance. File: C12-GNT  
Recommendation: Refer to Grants Committee.
20. Girl Guides of Canada, Maple Ridge District - re requesting permission to  
conduct a "Yellow Fish Road" day, April 27, 2002. File: M02-GEN  
Recommendation: Refer to Council Committee.  
Request report from the Operations Department.

**2002-142** Moved by Lauer, seconded by Alexander, that Council adopt the recommendations as set out on the Consent Agenda for the Regular Meeting of Council on April 29, 2002, with the exception of the recommendation(s) with respect to Correspondence Item(s) 1.d), 4., 9., 11. and 16. which shall be introduced separately. Carried.

**2002-143** Moved by Buchanan, seconded by Smith, that the recommendation with respect to Correspondence Item 1.d) on the Consent Agenda for the regular meeting of Council on April 29, 2002 read as follows:

Receive as informational with the request that staff provide additional information on the program, to be circulated to members of Council. Carried.

**2002-144** Moved by Gardy, seconded by McLaughlin, that Council endorse the resolution of the Township of Oro-Medonte regarding the Permits to Take Water (PTTW) process;

AND THAT copies of this resolution and the Township of Oro-Medonte resolution be forwarded to the following:

Honourable Chris Stockwell, Minister of Environment and Energy  
Garfield Dunlop, M.P.P. Carried.

**2002-145** Moved by Downey, seconded by Smith, that Councillor Alexander is hereby authorized to attend the youth.comm Community Forum and "Train the Trainer" sessions, sponsored by Social and Enterprise Development Innovations (SEDI), at the Orillia Highwayman Inn on May 13 - 15, 2002. Carried.

**2002-146** Moved by Buchanan, seconded by Smith, that the recommendation with respect to Correspondence Item 11. on the Consent Agenda for the regular meeting of Council on April 29, 2002 be adopted. Carried.

**2002-147** Moved by Lauer, seconded by Alexander, that the recommendation with respect to Correspondence Item 16. on the Consent Agenda for the regular meeting of Council on April 29, 2002 read as follows:

Receive as informational.  
Copy to Environmental Advisory Committee with request for a report on current information available on environmental impacts of fireworks on lakes and that they report back to Council on the least environmental impact that fireworks would have on our environment. Carried.

### **Correspondence**

1. Clare Long - re proposal for Orillia to become the "Mural Capital of Ontario".  
File: M04-GEN (Motions)
2. Simcoe County District Health Unit - re Board of Health 2002 Funding Notice.  
File: S08-SCHU (Motion)

**2002-148** Moved by Alexander, seconded by Lauer, that the correspondence from Clare Long regarding a proposal for Orillia to become the "Mural Capital of Ontario", be received as informational. **LOST**

**2002-149** Moved by Buchanan, seconded by Smith, that the correspondence from Clare Long regarding a proposal for Orillia to become the "Mural Capital of Ontario", be referred to the following organizations for consideration and recommendation:

Orillia and District Arts Council  
Downtown Orillia Management Board  
Orillia Museum of Art and History  
Orillia District Chamber of Commerce  
LACAC Carried.

**2002-150** Moved by Smith, seconded by Buchanan, that the correspondence dated April 17, 2002 from the Simcoe County District Health Unit regarding the Board of Health 2002 Budget, be received as informational;

AND THAT Health Unit representatives be requested to attend a City Council meeting at a future date to discuss the future direction of its programming and budget. Carried.

**Reports**

1. Report Number 2002-9 of the Committee of the Whole Council. (Motions)  
(See Page 2002-83)
2. Report Number 2002-7 of the Council Committee. (Motions) (See Pages 2002-84 – 2002-86)
3. Grants Committee - re Report Number 2002-4. File: C12-GNT (Motions)
4. Stephen Leacock Memorial Home - re Parking Lot Paving - Stephen Leacock Museum. File: C12-LMHB (Motion)
5. Opera House Management Committee - re Request for Funds. File: C12-OHMC (Motion)

**2002-151** Moved by Smith, seconded by Downey, that Clause 1. of Report Number 2002-9 of the Committee of the Whole Council, now before Council, be adopted with the exception that the initials “C.Y.” be replaced with the word “Cy”. Carried.

**2002-152** Moved by Smith, seconded by Buchanan, that Clause 2. of Report Number 2002-9 of the Committee of the Whole Council, now before Council, be adopted. Carried.

**2002-153** Moved by Smith, seconded by Downey, that Clause 3. of Report Number 2002-9 of the Committee of the Whole Council, now before Council, be adopted. Carried.

**2002-154** Moved by Buchanan, seconded by Smith, that Report Number 2002-7 of the Council Committee, now before Council, be adopted with the exception of Clause(s) 13. and 14., which shall be introduced separately. Carried.

**2002-155** Moved by McLaughlin, seconded by Gardy, that Clauses 13. and 14. of Report Number 2002-7 of the Council Committee, now before Council, be adopted. Carried.

**2002-156** Moved by McLaughlin, seconded by Gardy, that as recommended in Report Number 2002-4 of the Grants Committee, the following grant be approved:

Orillia Rowing Club	\$750	Carried.
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**2002-157** Moved by McLaughlin, seconded by Gardy, that as recommended in Report Number 2002-4 of the Grants Committee, the following grant be approved:

Canadian Hard of Hearing Association	\$1,000	Carried.
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**2002-158** Moved by Downey, seconded by Smith, that as recommended in a report dated April 23, 2002 from the Stephen Leacock Memorial Home, K. J. Beamish Construction be awarded the contract for paving the parking lot at the Leacock Home for the tendered amount of \$63,017.50 (excluding taxes);

AND THAT the remaining balance of the project funding be applied to security lighting for the parking lot. Carried.

**2002-159** Moved by Downey, seconded by Buchanan, that Council authorize the completion of life safety improvements as set out in the report dated April 23, 2002 from the Opera House Management Committee at a cost of \$9,727;

AND THAT the funds be appropriated from the Capital Contingency account. Carried.

**Motions**

**2002-160A** Moved by Buchanan, seconded by McLaughlin, whereas there is growing public interest amongst the citizens of Orillia in the proposed privatization of Hydro One;

AND WHEREAS the citizens of Orillia have a number of unanswered questions regarding the potential environmental impact, the cost-benefit relationship, the consideration of other options and the ability of the privatized utility to continue to provide reliable and affordable power in the face of NAFTA provisions;

AND WHEREAS the Superior Court of Justice has ruled that the Provincial Government does not currently have the statutory authority to sell its shares in Hydro One.

NOW THEREFORE BE IT RESOLVED THAT in order to address the concerns of its citizens, Orillia City Council requests that the Provincial Government hold a full and open discussion on the privatization of Hydro One and supports the Provincial Government decision to hold public hearings throughout the Province;

AND THAT a copy of this resolution be forwarded to the M.P.P. for Simcoe North for his support and to the Orillia Power Corporation for information and for submission to Council of any relevant information about local cost and service impacts;

AND THAT the Provincial Government be urged to postpone the sale of any assets until the public consultations have been completed and the privatization of Hydro One has been debated in the Legislature.

**2002-160B** Moved by Buchanan, seconded by Smith, that the motion now before Council be amended by adding the following clause after clause two :

“AND WHEREAS any significant increase in electricity rates would have a devastating effect on the people and the economy of the Orillia community;” **LOST**

**2002-160C** Moved by Buchanan, seconded by McLaughlin, whereas there is growing public interest amongst the citizens of Orillia in the proposed privatization of Hydro One;

AND WHEREAS the citizens of Orillia have a number of unanswered questions regarding the potential environmental impact, the cost-benefit relationship, the consideration of other options and the ability of the privatized utility to continue to provide reliable and affordable power in the face of NAFTA provisions;

AND WHEREAS the Superior Court of Justice has ruled that the Provincial Government does not currently have the statutory authority to sell its shares in Hydro One.

NOW THEREFORE BE IT RESOLVED THAT in order to address the concerns of its citizens, Orillia City Council requests that the Provincial Government hold a full and open discussion on the privatization of Hydro One and supports the Provincial Government decision to hold public hearings throughout the Province;

AND THAT a copy of this resolution be forwarded to the M.P.P. for Simcoe North for his support and to the Orillia Power Corporation for information and for submission to Council of any relevant information about local cost and service impacts;

AND THAT the Provincial Government be urged to postpone the sale of any assets until the public consultations have been completed and the privatization of Hydro One has been debated in the Legislature. Carried.

Recorded Vote

Yeas – Buchanan, Smith, Lauer, Alexander, McLaughlin, Gardy, Stevens

Nays – Downey

**2002-161** Moved by Gardy, seconded by Smith, that Council endorse the resolution of the Township of Ramara regarding privatization of Hydro One and deregulation of the energy market;

AND THAT copies of this resolution and the Township of Ramara resolution be forwarded to the following:

Honourable Ernie Eves, Premier of Ontario  
Garfield Dunlop, M.P.P. **WITHDRAWN**

By-laws

**2002-162** Moved by Downey, seconded by Buchanan, that the following by-laws be now introduced and read a first, second and third time today:

2002-44 A By-law to establish tax ratios for the City of Orillia for the year 2002.

2002-45 A By-law to establish two bands of assessment of property for the purposes of facilitating graduated tax rates for commercial property classes for the 2002 taxation year.

2002-46 A By-law to amend Chapter 132 of the City of Orillia Municipal Code – Deputy Chief Building Official.

2002-48 Amendment Number 135 to Traffic and Parking Regulation By-law Number 1983-80, as amended. Carried.

**2002-163** Moved by Smith, seconded by Downey, that By-law Number 2002-47, a by-law to authorize the execution of an agreement with Cy Rhealt Construction Ltd. - 2 Hunter Valley Road, be now introduced and read a first, second and third time today. Carried.

**2002-164** Moved by Smith, seconded by Downey, that By-law Number 2002-49, Amendment Number 403 to By-law Number 1973-100 the Zoning By-law for the City of Orillia (2 Hunter Valley Road), be now introduced and read a first, second and third time today. Carried.

**2002-165** Moved by Downey, seconded by Buchanan, that By-law Number 2002-50, a by-law to confirm the proceedings of Council at its meeting held on April 29, 2002, 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

- Nil

**MEETING ADJOURNED – 10:18 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:** April 23, 2002  
**SUBJECT:** **Report Number 2002-9 (From meeting of April 22, 2002)**

Your Committee is pleased to report as follows:

1. THAT the design and build contract for the building at 2 Hunter Valley Road be awarded to Cy ~~C.Y.~~ Rheault Construction Limited;  
AND THAT the Economic Development Committee be authorized to enter negotiations with Cy ~~C.Y.~~ Rheault Construction Limited to review and revise its projected project cost.  
**(See Resolution Number 2002-151)**

2. THAT as recommended in a report dated April 17, 2002 from the Director of Parks and Recreation, the Hog Line Restaurant and Vending License Agreement be assigned to Olga Apostolou and Elie Bilissis, subject to license agreement compliance by J&B Food Services;  
AND THAT the previous Council action to assign the vending license agreement to Marina and John Labrakos be rescinded.

3. THAT as recommended in a report dated April 18, 2002 from the City Manager, Gazda, Houlné & Associates Inc. be retained to undertake a compensation review at an estimated cost of \$23,000 plus G.S.T.

F. Smith,  
Chairman.

## CITY OF ORILLIA

**TO:** The Mayor and Members of Council  
**FROM:** Council Committee  
**DATE:** April 23, 2002  
**SUBJECT:** Report Number 2002-7 (From meeting of April 22, 2002)

Your Committee is pleased to report and recommend as follows:

1. THAT as recommended in a report dated April 17, 2002 from the Recreation Facility Supervisor, the request from the Orillia District Chamber of Commerce in a letter dated April 12, 2002 to hold a community fireworks event on Sunday, May 19, 2002 (rain date of May 20, 2002) be approved subject to compliance with the Orillia Fire Department regulations and the facility permit process.
2. THAT the report dated April 15, 2002 from the Chief Lottery Licensing Officer regarding the City of Woodstock's request for endorsement of its resolution respecting the allocation of revenues being distributed by the Ontario Trillium Foundation, be received as informational.
3. THAT the existing no parking restriction on the west side of Orchard Point Road be extended to include the area from the south side of Atherley Road (Highway 12) to a point 46 metres southerly therefrom;  
AND THAT By-law Number 1983-80 be amended accordingly.
4. THAT as recommended in a report dated April 9, 2002 from the Director of Planning and Development, the request from the Ganaraska Hiking Club in a letter dated March 5, 2002 to re-route the Orillia section to follow the former CN line be approved, subject to compliance with the signage standards contained in the Trails for Life Signage Manual and obtaining the written agreement of the MTO in respect of the section of trail proposed for the Hwy 12 by-pass right of way;  
AND THAT the Ganaraska Hiking Club be invited to meet jointly with the Scout's Valley Sub-Committee of the Environmental Advisory Committee and the Trails for Life Committee to discuss a possible further re-routing that would take advantage of the existing trails through Scout's Valley.
5. THAT the report dated April 9, 2002 from the Director of Planning and Development regarding waterfront planning, be received as informational.

6. THAT as recommended in a report dated April 15, 2002 from the City Treasurer:

1. The Multi-residential tax ratio be established at 1.9 for the 2002 tax year.
2. The New Multi-residential tax ratio remain at 1.1 for the 2002 tax year.
3. The Commercial tax ratio be established at 1.84 for the 2002 tax year.
4. The Industrial tax ratio be established at 1.98 for the 2002 tax year.
5. The Pipeline tax ratio remain at 1.9074 for the 2002 tax year.
6. That graduated tax rates for 2002 remain on two bands of Commercial assessment; the first band from \$0 to \$5,700,000 of assessment, and the second band being all assessment above \$5,700,000.
7. That for 2002 the low band Commercial tax rate remain at 68% of the high band Commercial tax rate.

7. THAT the report dated April 17, 2002 from the Director of Parks and Recreation regarding Equipment Tenders, be adopted and implemented.

8. THAT as recommended in a report dated April 15, 2002 from the Operations Department, the limit of two corrugated cardboard bundles from businesses be removed;

AND THAT a limit of four corrugated cardboard bundles from both residential and business sources be implemented;

AND THAT corrugated cardboard bundles in excess of four at the curbside require a garbage tag;

AND THAT residents and businesses have the option of using a garbage tag for bundles brought to the Waste Diversion Site.

9. THAT the report dated April 15, 2002 from the Operations Department regarding Plastic Film Recycling, be received as informational.

10. THAT as recommended in a report dated April 15, 2002 from the Operations Department, the Victoria Park Spring facility be modified to remove the electrical service.

11. THAT as recommended in a report dated April 9, 2002 from the Director of Planning and Development, the request from Parklane Homes for a partial refund of their rezoning application fee be received;

AND THAT, pursuant to the authority granted by Section 69 of the Planning Act, the application fee for processing of the zoning by-law amendment application applicable to the proposed four-plex be partially refunded in the amount of \$200.

12. THAT the report dated April 9, 2002 from the City Manager regarding the OMERS Contribution Holiday, be received as informational.

13. THAT as recommended in a report dated April 12, 2002 from the Director of Planning and Development, staff be authorized to proceed with an application to the City's Committee of Adjustment to permit consideration of the relocation of accessory electrical supply equipment in the front yard of TeleTech at 2 Hunter Valley Road;  
AND THAT staff be authorized to proceed prior to ratification by Council.

14. THAT, as recommended by the Economic Development Committee, in a report dated April 22, 2002, C. C. Tatham & Associates Ltd. be hired at a budget of approximately \$13,500 to act as project coordinator/technical consultant to represent the interests of the City during the design and building at 2 Hunter Valley Road;  
AND THAT such cost be charged against the cost of the construction of the building.

M. Buchanan,  
Chairman.