



CITY OF ORILLIA COUNCIL MINUTES

2002-157

MINUTES OF THE REGULAR MEETING OF COUNCIL, MONDAY, AUGUST 12, 2002 AT 10:50 P.M. FOLLOWING THE COUNCIL COMMITTEE MEETING

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

Disclosure of Interest

1. Councillor McLaughlin – re Clause 4. of Council Committee Report Number 2002-14.

Nature of Interest – re Councillor McLaughlin's son is an employee of the Orillia Youth Opportunities Centre.

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

Mayor Stevens asked if there was any person in the gallery who wished to speak with respect to proposed road conveyancing By-law Number 2002-104 - closed Huronia Road. No person responded.

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) For Your Information - re Fire Marshal responds to A.M.O. on 10-in-10 Guideline.
 - b) For Your Information - re The Ontarians with Disabilities Act Timelines Proclaimed.
 - c) For Your Information - re Province Offers Relief from Waterworks Requirements.
 - d) Alert - re Premier Eves to Attend A.M.O. Conference.
 - e) For Your Information - re New Signals from the Federal Government.

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

2. City of Welland – re requesting endorsement of its resolution regarding recruitment barriers to repatriate Ontario trained and educated physicians. File: C10-GEN

Recommendation: ~~Receive as informational.~~
(See Resolution Number 2002-263)

3. County of Brant - re requesting endorsement of its resolution requesting the Ontario Ministry of the Environment and Energy to reconsider the criteria and reporting format for the evaluation of water systems. File: C10-GEN

Recommendation: ~~Receive as informational.~~
(See Resolution Number 2002-264)

4. The Corporation of the Municipality of Leamington - re requesting support of its resolution regarding an Environmental Compensation Fund. File: C10-GEN

Recommendation: Receive as informational.

5. Ministry of Community, Family and Children's Services - re Childcare Funding in Simcoe County. (2 letters) File: F05-GEN,XA16-PG

Recommendation: Receive as informational.
 Copy to County of Simcoe Human Services Committee.

6. Minister of Training, Colleges and Universities - re anticipated shortage of health care practitioners. File: A16-PG

Recommendation: Receive as informational.

7. Ministry of Environment and Energy – amendments to Drinking Water Protection Regulation (O.Reg.459). File: A16-MOEE

Recommendation: ~~Receive as informational.~~
~~Copy to Operations Department.~~
(See Resolution Number 2002-265)

8. Rural Ontario Municipal Association - re requesting support for the Ontario farmers. File: A01-GEN

Recommendation: Receive as informational.

9. Ontario Heritage Foundation - re Heritage Community Recognition Program 2002. File: M08-GEN

Recommendation: ~~Receive as informational.~~
~~Copied to: Local Architectural Conservation Advisory Committee;~~
~~Gouchiching Conservancy;~~
~~Orillia Museum of Art and History.~~
(See Resolution Number 2002-266)

10. Ontario Good Roads Association - re New Electrical Safety Inspection Regulations. File: A01-GEN

Recommendation: Receive as informational.
 Copy to Engineering Department.
 Copy to Operations Department.

11. Simcoe County District Health Unit - re 2001 Annual Report. File: S08-SCHU

Recommendation: Receive as informational.

12. Lake Simcoe Region Conservation Authority - re request for nominations for Conservation Awards. File: M08-GEN, XA01-LAKE

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

13. Lake Simcoe Region Conservation Authority - re Lake Simcoe Clean Water Improvement Program – LSRCA’s Environmental Projects Grants – Septic Repairs. File: A01-LAKE

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

14. Corporation of the Township of Ramara - re New Official Plan for the Township of Ramara. File: D25-GEN

Recommendation: Receive as informational.
Copy to Planning and Development Department.

15. County of Simcoe - re Notice of Public Meeting Concerning Proposed Shoreline Development Policies for the County of Simcoe Official Plan. File: A16-COS

Recommendation: ~~Receive as informational.~~
~~Copy to Planning and Development Department.~~
(See Resolution Number 2002-267)

16. Waste Management Advisory Council - re Waste Reduction Week, October 21 - 27, 2002. File: M02-TAG

Recommendation: Receive as informational.
Refer to Mayor’s Office for proclamation.

17. Downtown Orillia Management Board - re request for a no loitering by-law within the B.I.A. boundaries. File: C12-DMB

Recommendation: Refer to Council Committee.
Request report from the Legislative Services’ Division of the City Manager’s Office.

18. Downtown Orillia Management Board – re garbage collection in the B.I.A. area. File: C12-DMB

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

19. Downtown Orillia Management Board - re outdoor patios in the downtown area. File: C12-DMB

Recommendation: ~~Receive as informational.~~
~~Copy to Property Services Department.~~
~~Copy to Planning and Development Department.~~
~~Copy to Operations Department.~~
(See Resolution Number 2002-268)

20. The Intelligent Elders Club (TIE) - re objection to outdoor patios in the downtown area. File C12-DMB

Recommendation: ~~Receive as informational.~~
~~Copy to Downtown Orillia Management Board.~~
(See Resolution Number 2002-269)

21. Orillia Canada Day Committee - re letter of thanks. File: C12-GNT

Recommendation: Receive as informational.
Copy to Grants Committee.

22. Amy DeVillers - re letter of thanks. File: C12-GNT

Recommendation: Receive as informational.
Copy to Grants Committee.

23. Luc Beauvais - re vandalism to property at 1 Christine Place. File: C12-PSB

Recommendation: ~~Receive as informational.~~
~~Request Police Services Board to respond.~~
(See Resolution Number 2002-270)

24. Geoff Hewett - re naming of the Millennium Trail. File: R05-TRL

Recommendation: Receive as informational.
Copy to Trails for Life Committee and the Recreation
Advisory Committee in conjunction with the
previous referral.

25. Neil Latter - re bus transportation to Couchiching Point. File: T03-GEN

Recommendation: Receive as informational.
Copy to Property Services Department.

26. Gym-Con Ltd. – re 10th Anniversary Conference of the Ontario Arenas Alumni,
September 17 - 19, 2002. File: C12-GNT

Recommendation: Refer to Grants Committee.

27. Licensing Committee – re resignation of Lisa Bowlin. File: C01-2002-

Recommendation: That the following resolution be passed:

“THAT the resignation of Lisa Bowlin, as a member of the Licensing Committee is hereby accepted with regrets, and the Clerk be instructed to thank Ms. Bowlin for her valuable contribution to the municipality while serving as a member of the Committee.”

Request the Chamber of Commerce to recommend a
replacement for Lisa Bowlin.

28. Opera House Management Committee - re resignations of Michael Showers and
Barb Shakell-Barkey. File: C01-2002-

Recommendation: That the following resolutions be passed:

“THAT the resignation of Michael Showers, as a member of the Opera House Management Board is hereby accepted with regrets, and the Clerk be instructed to thank Mr. Showers for his valuable contribution to the municipality while serving as a member of the Committee;

AND THAT the matter of a replacement be referred to the Committee of the Whole Council for consideration and recommendation.”

“THAT the resignation of Barb Shakell-Barkey, as a member of the Opera House Management Board is hereby accepted with regrets, and the Clerk be instructed to thank Ms. Shakell for her valuable contribution to the municipality while serving as a member of the Committee;

AND THAT the matter of a replacement be referred to the Committee of the Whole Council for consideration and recommendation.”

29. Property Services Department - re disposal of surplus City-owned property - 1438224 Ontario Inc. (Elgin Bay Club). File: C01-2002-

Recommendation: That the following resolution be passed:

“WHEREAS Notice of Intention to dispose of the lands more particularly described in Schedule “A” hereto (the “Lands”) was given in accordance with the requirements set out in By-law Number 1995-99;

AND WHEREAS no notice of objection to the proposed disposition was received.

NOW THEREFORE BE IT RESOLVED:

1. That Council does hereby declare the lands to be surplus to the needs of the municipality.

Schedule “A”

FIRSTLY: Part of Lot 9, Concession 5, and part of Lakeview Crescent, Registered Plan 543, and part of water lots in front of the west part of Lot 9, Concession 5, City of Orillia, County of Simcoe, designated as Part 1, Plan 51R-31130.

SECONDLY: An easement for special separations required by the Ontario Building Code over part of Lakeview Crescent, Registered Plan 543, and Part of Lot 9, Concession 5 and part of water lots in front of the west part of Lot 9, Concession 5, City of Orillia, County of Simcoe, designated as Part 1, Plan 51R-31152. The said easement shall not permit above-ground buildings or structures on the said lands.

THIRDLY: Part of water lots in front of the west part of Lot 9, Concession 5, and Lots 23 to 25 and part of Lots 22 and 26, Registered Plan 543, City of Orillia, County of Simcoe, designated as Parts 2 and 3, Plan 51R-31152.

FOURTHLY: An easement for storm drainage by open ditch or covered pipe in part of Lot 9, Concession 5, part of Lakeview Crescent, Registered Plan 543, and part of water lots in front of the west part of Lot 9, Concession 5, City of Orillia, County of Simcoe, designated as Parts 9, 10 and 11, Plan 51R-31235.

FIFTHLY: An easement for underground utility services in part of Lot 9, Concession 5, and part of Lakeview Crescent, Registered Plan 543, City of Orillia, County of Simcoe, designated as Parts 10, 12 and 13, Plan 51R-31235.”

30. Property Services Department - re disposal of surplus City-owned property - Huronia Road Allowance. File: C01-2002-

Recommendation: That the following resolution be passed:

“WHEREAS Notice of Intention to dispose of the lands more particularly described in Schedule “A” hereto (the “Lands”) was given in accordance with the requirements set out in By-law Number 1995-99;

AND WHEREAS no notice of objection to the proposed disposition was received.

NOW THEREFORE BE IT RESOLVED:

1. That Council does hereby declare the lands to be surplus to the needs of the municipality.

Schedule “A”

Part of Lots 7 and 8, Registered Plan 171, City of Orillia, County of Simcoe, being part of the former Huronia Road, designated as Parts 2 and 3, Plan 51R-21204.”

2002-262 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 August 12, 2002, with the exception of the recommendations with respect to Correspondence Items 2., 3., 7., 9., 15., 19., 20. and 23. which shall be introduced separately. Carried.

2002-263 Moved by Gardy, seconded by McLaughlin, that Council endorses the resolution of the City of Welland regarding recruitment barriers to repatriate Ontario trained and educated physicians;

AND THAT copies of this resolution and the City of Welland resolution be forwarded to the following:

Honourable Ernie Eves, Premier of Ontario
Honourable Tony Clement, Minister of Health and Long-Term Care
Garfield Dunlop, M.P.P., Simcoe North Carried.

2002-264 Moved by Gardy, seconded by McLaughlin, that Council endorses the resolution of the County of Brant regarding the Ontario Ministry of the Environment and Energy reconsidering the criteria and reporting format for the evaluation of water systems;

AND THAT copies of this resolution and the County of Brant resolution be forwarded to the following:

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

2002-265 Moved by Gardy, seconded by McLaughlin that the recommendation with respect to Correspondence Item 7. on the Consent Agenda for the regular meeting of Council on August 12, 2002, read as follows:

Refer to Council Committee.
Request report from Operations Department. Carried

2002-266 Moved by Buchanan, seconded by Smith, that the recommendation with respect to Correspondence Item 9. on the Consent Agenda for the regular meeting of Council on August 12, 2002, read as follows:

Receive as informational.

Copies to: Local Architectural Conservation Advisory Committee
Couchiching Conservancy
Orillia Museum of Art and History
Leacock Memorial Home Board
Opera House Management Committee
Orillia Heritage Centre Committee Carried.

2002-267 Moved by Gardy, seconded by McLaughlin, that the recommendation with respect to Correspondence Item 15. on the Consent Agenda for the regular meeting of Council on August 12, 2002, read as follows:

Refer to Council Committee.

Request report from Planning and Development Department. Carried.

2002-268 Moved by Gardy, seconded by McLaughlin, that the recommendation with respect to Correspondence Item 19. on the Consent Agenda for the regular meeting of Council on August 12, 2002, read as follows:

Receive as informational.

Copy to Property Services Department.

Copy to Planning and Development Department.

Copy to Operations Department.

Copy to Licensing Committee. Carried.

2002-269 Moved by Gardy, seconded by McLaughlin that the recommendation with respect to Correspondence Item 20. on the Consent Agenda for the regular meeting of Council on August 12, 2002, read as follows:

Receive as informational.

Copy to Downtown Orillia Management Board.

Copy to Property Services Department.

Copy to Planning and Development Department.

Copy to Operations Department.

Copy to Licensing Committee. Carried.

2002-270 Moved by Gardy, seconded by McLaughlin that the recommendation with respect to Correspondence Item 23. on the Consent Agenda for the regular meeting of Council on August 12, 2002, read as follows:

Request report from Orillia Police Services Board. Carried.

Correspondence

1. Olga Apostolou, Elie Billissis and Bill Burkett (President of the Orillia Curling Club) - re request for name change of the "Hog Line Restaurant".
File: R05-BARN (Motion)

2002-271 Moved by Smith, seconded by Downey, that, further to the letters dated July 7 and 27, 2002 from the Barnfield Point Recreation Centre licensees and the Orillia Curling Club, Council approve the renaming of the Barnfield Point Recreation Centre restaurant to Lakeside Restaurant. **LOST**

2002-272 Moved by McLaughlin, seconded by Gardy, that the Hog Line Restaurant in the Barnfield Point Recreation Centre be renamed to Bayside Restaurant. Carried.

Reports

1. Report Number 2002-15 of the Committee of the Whole Council. (See Page 2002-166) (Motion)
2. Report Number 2002-14 of the Council Committee. (See Pages 2002-167 to Pages 2002-169) (Motions)
3. Mayor Stevens and the Manager of Council Services/Clerk - re Procedure By-law.
File: C01-2002- (Tabled)

2002-273 Moved by Morano, seconded by Smith, that Report Number 2002-15 of the Committee of the Whole Council, now before Council, be adopted. Carried.

2002-274 Moved by Downey, seconded by Morano, that Report Number 2002-14 of the Council Committee, now before Council, be adopted with the exception of Clause 4., which shall be introduced separately. Carried.

2002-275 Moved by Downey, seconded by Morano, that Clause 4. of Report Number 2002-14 of the Council Committee, now before Council, be adopted. Carried.

By-laws

2002-276 Moved by Downey, seconded by Morano, that the following by-laws be now introduced and read a first, second and third time today:

- 2002-96 A By-law to authorize the execution of an agreement with Rogers Broadcasting Ltd. for advertising on City of Orillia transit buses and to repeal By-law Number 2002-89.
- 2002-97 A By-law to establish a percentage by which tax decreases are limited for 2002 in respect of capped property classes.
- 2002-98 A By-law to exempt part of Registered Plan 1339 from part lot control under the Planning Act - MacIsaac Drive Extension.
- 2002-99 A By-law to confirm an Agreement of Purchase and Sale for part of Block B, Plan 646 City of Orillia, County of Simcoe located on Brewery Lane and to authorize the sale thereof.
- 2002-100 A By-law to authorize a Site Plan Agreement with 1438224 Ontario Inc. - 140 Cedar Island Road.
- 2002-101 Amendment Number 408 to By-law Number 1973-100, the Zoning By-law for the City of Orillia (1438224 Ontario Inc. - Cedar Island Road).
- 2002-102 A By-law to confirm an agreement of purchase and sale for part of Lot 57 Registrar Compiled Plan 1707, City of Orillia, County of Simcoe and to authorize the purchase thereof (Anglican Church property).
- 2002-103 A By-law to authorize an Agreement of Purchase and Sale for the Elgin Bay Club development with 1438224 Ontario Inc. and to authorize the sale of lands.
- 2002-104 A By-law to sell a portion of closed road (Huron Road) in the City of Orillia.
- 2002-105 A By-law to assume and dedicate one foot reserves as Public Highway (Courtney Crescent - Cindy Lee Crescent). Carried.

2002-276 Moved by Morano, seconded by Downey, that By-law Number 2002-106, being Amendment Number 139 to Traffic and Parking Regulation By-law Number 1983-80, as amended, be now introduced and read a first, second and third time today. Carried.

2002-277 Moved by Buchanan, seconded by Smith, that By-law Number 2002-107, a by-law to repeal and replace Chapter 261 of the City of Orillia Municipal Code - Purchasing, be now introduced and read a first, second and third time today. Carried.

2002-278 Moved by Smith, seconded by Buchanan, that By-law Number 2002-108, a by-law to authorize the execution of Contract R-02-44 with K.J. Beamish Construction Co. Ltd. - Asphalt Resurfacing - Bass Lake Sideroad, be now introduced and read a first, second and third time today. Carried.

2002-279 Moved by Lauer, seconded by Alexander, that By-law Number 2002-109, a by-law to authorize the execution of a contract with Marshall Macklin Monaghan Limited for consulting engineering services for the Water Plant Upgrade - clearwell and disinfection capacity project, be now introduced and read a first, second and third time today. Carried.

2002-280 Moved by Smith, second by Morano, that By-law Number 2002-110, a by-law to amend Chapter 190 of the City of Orillia Municipal Code - Director of Public Works, be now introduced and read a first, second and third time today. Carried.

2002-281 Moved by Alexander, seconded by Lauer, that By-law Number 2002-111, a by-law to confirm the proceedings of Council at its meetings held on August 12, 2002, be now introduced and read a first, second and third time today. Carried.

Open Public Forum

- Nil

MEETING ADJOURNED – 11:45 P.M.

MAYOR

CLERK

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Committee of the Whole Council
DATE: August 12, 2002
SUBJECT: Report Number 2002-15 (From meeting of August 12, 2002)

Your Committee is pleased to report as follows:

1. THAT this Committee recommends to Council that as recommended in a report dated August 6, 2002 from the City Manager, the positions of City Engineer and Director of Operations be merged into a new position of Director of Public Works and Peter Dance be appointed as Director of Public Works effective immediately.

G. Morano,
Chair.

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Council Committee
DATE: August 12, 2002
SUBJECT: Report Number 2002-14 (From meeting of August 12, 2002)

Your Committee is pleased to report and recommend as follows:

1. THAT this Committee recommends to Council that the semi-annual report, dated July 25, 2002, from the Opera House Management Committee, be received as informational.
2. THAT this Committee recommends to Council that the semi-annual report, dated July 31, 2002, from the Leacock Memorial Home Board, be received as informational.
3. THAT this Committee recommends to Council that the semi-annual report, dated July 22, 2002, from the Economic Development Committee, be received as informational.
4. THAT this Committee recommends to Council that the semi-annual report, dated July 31, 2002, from the Orillia Youth Opportunities Committee, be received as informational.
5. THAT this Committee recommends to Council that the semi-annual report, dated July 18, 2002, from the Orillia Public Library Board, be received as informational.
6. THAT this Committee recommends to Council that the semi-annual report, dated July 3, 2002, from the Orillia Police Services Board, be received as informational.
7. THAT this Committee recommends to Council that Council approve the paving of the parking lot extension at the Orillia Detachment of the O.P.P., 66 Peter Street South, at a cost of \$2,000.00, subject to site plan review;
AND THAT the work be funded from the Police Facility Reserve.
8. THAT this Committee recommends to Council that the report dated July 31, 2002 from the Engineering Department regarding traffic concerns on Woodside Drive between Mary Street and Arthur Street, be received as informational;
AND THAT a copy of the report be forwarded to D. G. (Dave) McLean for his information.
9. THAT this Committee recommends to Council that a four-way stop control be installed at the intersection of Collegiate Drive and Park Street.

10. THAT this Committee recommends to Council that the report dated July 31, 2002 from the Operations Department regarding pedestrian traffic on Coldwater Road and Collegiate Drive, be received as informational;

AND THAT a copy of the report be forwarded to Katherine van der Jagt for her information.

11. THAT this Committee recommends to Council that as recommended in a report dated August 7, 2002 from the Purchasing Agent, Council adopt the revised Purchasing By-law dated August 2002, as attached to the report;

AND THAT the existing Purchasing By-law, dated January 1999, be repealed.

12. THAT this Committee recommends to Council that as recommended in a report dated August 7, 2002 from the Fire Chief, Council authorize the hiring of an additional Fire Prevention Inspection Officer for the Orillia Fire Department;

AND THAT the Fire Department be authorized to overrun its approved 2002 budget for salary and benefits in the amount of approximately \$22,410.00 to accommodate this additional position.

13. THAT this Committee recommends to Council that as recommended in a report dated August 7, 2002 from the Senior Planner, the Township of Ramara be advised that the City of Orillia has reviewed the draft of the Township's proposed new Official Plan and offers the following comments:

1. That, similar servicing policies, to those for the "Rama Road Special Development Area", be applied to new development in the "Atherley Village Area" so that individual water and wastewater treatment systems are identified as "not preferred".
2. In areas designated as "Shoreline Residential", partial servicing for water supply (i.e. piped water supply with individual sewage treatment systems) be limited to circumstances where a significant health hazard is associated with a continued reliance on individual water supplies and no new development on partial services is proposed.
3. The policies regarding "Lots of Record" include a provision for a right-of-passage for emergency vehicles in the policy governing an agreement with the municipality for services and maintenance of the private road used for access.
4. The policies regarding Storm Water Management should include the protection of surface water as well as groundwater quality.
5. The provisions for Service Feasibility Studies should identify the presence of a phosphorous management program for Lake Simcoe.

14. THAT this Committee recommends to Council that as recommended in a report dated July 31, 2002 from the Director of Parks and Recreation, staff be authorized to pay Community Centre roof repairs, as identified in the July 31, 2002 staff report, from the capital contingency fund and to pursue recovery of the additional costs from the original contractor.

15. THAT this Committee recommends to Council that the report dated August 2, 2002 from the Director of Parks and Recreation regarding Service Club interest in Frontier, Grenville and Morningstar Parks, be adopted and implemented.

16. THAT this Committee recommends to Council that as recommended in a report dated August 6, 2002 from the Director of Parks and Recreation, staff be authorized to use pesticides on an as required basis on turf areas in Homewood Park in 2002, 2003 and 2004 only.

17. THAT this Committee recommends to Council that as recommended in a report dated August 7, 2002 from the Operations Department, a Capital Budget of \$120,000 be authorized to complete the repair work on the primary digester at the Wastewater Treatment Centre;

AND THAT this funding be taken from the Water and Wastewater Reserve;

AND THAT the waterproofing of the primary digester be awarded to Total Seal Systems Incorporated for the tendered price of \$22,952 plus G.S.T.

18. THAT this Committee recommends to Council that as recommended in a report dated August 2, 2002 from the Engineering Department, K. J. Beamish Construction Co. Ltd. be awarded Contract R-02-44, Asphalt Resurfacing on Line 15 from Bass Lake Sideroad south for 850 metres, for the tendered sum of \$76,488.31 (including 7% G.S.T.) with actual payment made for work done under contract unit prices.

19. THAT this Committee recommends to Council that the report dated July 31, 2002 from the Engineering Department regarding Quote No. PS-02-42, Bayview Pumping Station Rehabilitation 2002, be received as informational.

20. THAT this Committee recommends to Council that as recommended in a report dated August 2, 2002 from the Engineering Department, Marshall Macklin Monaghan Limited be awarded the contract to provide consulting engineering services for the clearwell and disinfection capacity project, at a cost of \$525,722 (including 7% G.S.T.).

21. THAT this Committee recommends to Council that the semi-annual report, dated July 23, 2002, from the Lake Simcoe Regional Airport Commission, be received as informational.

22. THAT this Committee recommends to Council that as recommended in a report dated August 7, 2002 from the Parking Advisory Committee, no action be taken at this time on the concept of carrying unused time purchased at pay and display machines to other municipal parking lots.

D. Downey,
Chair.