



CITY OF ORILLIA COUNCIL MINUTES

2002-220

MINUTES OF THE REGULAR MEETING OF COUNCIL, MONDAY, NOVEMBER 18, 2002 AT 7:30 P.M. IN THE COUNCIL CHAMBER

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

The meeting opened with the singing of O Canada and a moment of silence.

Disclosure of Interest

1. Councillor Lauer – re Clause 7. of Council Committee Report Number 2002-18.

Nature of Interest - Councillor Lauer is a member of the Board of Directors for the Mariposa Folk Festival - Festival Orillia Inc.

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

2. Councillor Buchanan – re Planning Advisory Committee report.

Nature of Interest – Councillor Buchanan’s mother’s property is directly across from the subject property.

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

3. Councillor McLaughlin - re Consent Item No.’s 16., 17. and 18.

Nature of Interest - Councillor McLaughlin’s son is employed by the Orillia Youth Centre.

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

Presentations

Mayor Stevens, assisted by David Sherk, Member of the Yuletide Committee, and Mr. Doug Bunker of the Orillia and District Chamber of Commerce, presented the 2002 Santa Claus Parade Participant Awards to the winning entrants.

Minutes

The Minutes of the previous meeting, having been prepared and copies distributed, were taken as printed.

Consent Agenda

1. Association of Municipalities of Ontario: File: A01-AMO
 - a) Alert – re Ontario Regulation 244/02.
 - b) Alert – re Added Concern about OMERS Devolution.
 - c) Alert – re “Two-Hatter” Bill moves forward despite close vote.

- d) For Your Information – re AMO Responds to Introduction of Safe Water Act.
- e) News Release – re Municipalities following Electricity Rules.
- f) Alert – re Municipalities Being Blamed for Electricity Woes.
- g) Alert – re Premier Proposes to Freeze Electricity Rates.

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

2. Minister of Municipal Affairs and Housing - re regulations recently filed under the Municipal Act and Municipal Act, 2001. File: A16-MMAH

Recommendation: Receive as informational.

3. Minister of Labour - re resolution from the City of Woodstock regarding increasing the minimum wage in Ontario. File: C10-GEN

Recommendation: Receive as informational.

4. Ministry of Environment and Energy - re Ontario Pesticides Advisory Committee report entitled "Municipal Use of Pesticides". File: A16-MOE,XP04-PES

Recommendation: Receive as informational.
Copy to the Environmental Advisory Committee in conjunction with previous referrals.

5. Minister of Finance - re status of the Ontario Jobs and Opportunity Bonds, the Ontario Municipal Economic Infrastructure Financing Authority (OMEIFA) and Tax Incentive Zone initiatives. File: A16-MOF

Recommendation: Receive as informational.
Copy to Treasury Department.
Copy to Economic Development Committee.

6. Public Concern Timiskaming - re toxic waste incinerator in Ontario. File: C10-GEN

Recommendation: ~~Receive as informational.~~
(See Resolution Number 2002-357)

7. OPSEU Local 322 - re restructuring of the Municipal Property Assessment Corporation (MPAC) and its effects on municipalities across Ontario. File: C10-GEN

Recommendation: Receive as informational.

8. Ontario Goods Roads Association - re highlights from the OGRA Board of Directors' Meeting: September 26, 2002. File: A01-GEN

Recommendation: Receive as informational.
Copy to Public Works Department.

9. Simcoe County District School Board - re free access on all routes of the Orillia Transit System on weekdays to Orillia co-op secondary students. File: T03-GEN

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

10. Branch 34 Royal Canadian Legion - re invitation to attend the unveiling of the WWI Memorial. File: M02-GEN

Recommendation: Receive as informational.

11. Ontario Early Years Centre - Simcoe North - Orillia - re invitation to attend the Christmas Open House, December 12, 2002. File: M02-GEN

Recommendation: Receive as informational.
Copy to Mayor's Office to RSVP.

12. Orillia Curling Club – re petition from the Day Ladies Section regarding the altering of their curling dates and times. File: R05-BARN

Recommendation: Receive as informational.
Copy to Parks and Recreation Department.

13. Community Physician Recruitment Committee – re status of recruitment of doctors. File: S00-DR

Recommendation: Receive as informational.

14. Norman Yorke – re proposed property tax increase for 2003. File: M04-GEN

Recommendation: Receive as informational.

15. Keith Evans – re request to repair Heyden Avenue. File: M04-GEN

Recommendation: Receive as informational.

16. Orillia Youth Opportunities Committee – re request to amend Constitution By-law to remove youth member. File: C01-2002-

Recommendation: Prepare a by-law to amend Chapter 109 of the City of Orillia Municipal Code – Orillia Youth Opportunities Committee.

17. Orillia Youth Opportunities Committee – re resignation of Scott Lindsey. File: C01-2002-

Recommendation: That the following resolution be passed:

“THAT the resignation of Scott Lindsey, as a member of the Orillia Youth Opportunities Committee is hereby accepted with regrets, and the Clerk be instructed to thank Mr. Lindsey 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.”

18. Orillia Youth Opportunities Committee – re renewal of lease for 92 Barrie Road.
File: L04-M-206

Recommendation: That the following resolution be passed:

“THAT Council authorize the execution of a lease agreement with 92 Barrie Road Mini-Storage Ltd. for the location of the Orillia Youth Resource and Drop-In Centre at Unit #6, 92 Barrie Road for a term from December 1, 2002 to November 30, 2003 at a rental rate of \$1021.92 per month plus G.S.T., including utilities;

AND THAT such lease contain a renewal option providing for two additional one-year renewals with a maximum 2% increase cap.”

19. The Salvation Army – re requesting permission to proceed with their annual Christmas Kettle campaign. File: M02-GEN

Recommendation: That the following resolution be passed:

“THAT the Salvation Army be authorized to place their Christmas Cheer Kettles in various designated locations in Orillia from November 22, 2002 to December 24, 2002.”

20. Property Services Department - re surplussing land and granting of an easement to Union Gas Limited (2 Hunter Valley Road). File: L07-

Recommendation: That the following resolution be passed:

“THAT the lands known as part of the west half of Lot 7, Concession 3, Geographic Township of South Orillia, now in the City of Orillia, County of Simcoe, designated as Part 1 on Plan 51R-31337 (municipally known as 2 Hunter Valley Road) be declared surplus to the needs of the municipality;

AND THAT an easement over the lands be granted to Union Gas Limited.”

2002-356 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 November 18, 2002, with the exception of the recommendation(s) with respect to Correspondence Item(s) 6., 16., 17. and 18. which shall be introduced separately. Carried.

2002-357 Moved by Lauer, seconded by Buchanan, whereas the Bennett toxic waste incinerator would be the largest toxic waste incinerator of its kind in Canada;

AND WHEREAS Bennett Environmental Inc. will be importing waste from across the United States and Mexico;

AND WHEREAS Ontario has seen a major influx of toxic waste from across North America;

AND WHEREAS these wastes - soils, sludges and other materials - will be contaminated with dioxins, PAHs, PCBs and other toxins;

AND WHEREAS the trucking of these wastes has the potential to add tens of thousands of trucks onto Ontario highways and through the already overstressed southern Ontario corridors;

AND WHEREAS the Ontario College of Family Physicians is on record as condemning the plan as a “direct attack on the health of public”;

AND WHEREAS the medical community of Timiskaming region has raised formal opposition to the incinerator as a potential threat to the health of residents;

AND WHEREAS the incinerator is not being subject to public hearings, independent peer review or the Environmental Assessment safeguards that existed prior to Bill 76;

AND WHEREAS this project is being actively opposed by Ontario farmers as a potential threat to the dairy, flour and crop industry of Ontario's Northern Claybelt region;

AND WHEREAS the project has been the subject of increasing opposition by municipalities, residents, groups and First Nations in the north.

THEREFORE BE IT RESOLVED that we, the Council of the City of Orillia, express our formal opposition to the siting of this incinerator in Ontario and the resulting toxic trucking which could impact our communities;

AND THAT this resolution be sent to the following:

Honourable Ernie Eves, Premier of Ontario
Honourable Chris Stockwell, Minister of the Environment Carried.

2002-358 Moved by Downey, seconded by Morano, that the recommendation with respect to Correspondence Items 16., 17. and 18. on the Consent Agenda for the regular meeting of Council on November 18, 2002, be adopted. Carried.

Correspondence

1. Rural Ontario Municipal Association and the Ontario Good Roads Association - re ROMA/OGRA Combined Conferences, February 23 - 26, 2003.
File: A04-GEN (Motion)
2. Rotary International - re requesting permission for its banner to remain on Coldwater Road until November 24, 2002. File: M02-GEN (Motion)

2002-359 Moved by McLaughlin, seconded by Alexander, the following are hereby authorized to attend the ROMA/OGRA Combined Conferences in Toronto from February 23 - 26, 2003, with expenses:

Councillor Downey
Councillor Morano
Councillor Smith
Councillor Gardy
Councillor McLaughlin Carried.

2002-360 Moved by McLaughlin, seconded by Alexander, that, pursuant to City Policy No. 1.5.1.3. Council authorize expenses for spouses for the ROMA/OGRA Combined Conferences from February 23 - 26, 2003 in Toronto. **LOST**

2002-361 Moved by McLaughlin, seconded by Downey, that, notwithstanding Policy No. 1.10.4.2. - Overhead Banners and pursuant to section 832.4.2(f) of the City of Orillia Municipal Code - Signs, Council hereby grants permission to Rotary International to have their Festival banner remain on Coldwater Road until Monday, November 25, 2002 at 6:00 p.m. Carried.

Reports

1. Report Number 2002-18 of the Committee of the Whole Council. (Motion)
(See Page 2002-227)
2. Report Number 2002-18 of the Council Committee. (Motions) (See Pages
2002-228 - 2002-230)
3. Planning Advisory Committee - re Report Number 2002-4. File: L04-O-325 (Motion)
4. Councillors Morano and McLaughlin - re Ward Three Public Meeting. File: C00-GEN
(Motion)
5. Councillor Lauer - re Trail Extension. File: R05-TRL (Motion)
6. Mayor Stevens - re County Human Services Committee. File: A16-HSC (Motion)

2002-362 Moved by Lauer, seconded by Alexander, that Report Number 2002-18 of the Committee of the Whole Council, now before Council, be adopted. Carried.

2002-363 Moved by Morano, seconded by Downey, that Report Number 2002-18 of the Council Committee, now before Council, be adopted with the exception of Clauses 3. and 7., which shall be introduced separately. Carried.

2002-364 Moved by Smith, seconded by Buchanan, that Clause 3. of Report Number 2002-18 of the Council Committee, now before Council, be adopted. Carried.

2002-365 Moved by Buchanan, seconded by Smith, that Clause 7. of Report Number 2002-18 of the Council Committee, now before Council, be adopted. Carried.

2002-366 Moved by Morano, seconded by Smith, that Report Number 2002-4 of the Planning Advisory Committee, now before Council, be adopted. Carried.

2002-367 Moved by Morano, seconded by Downey, that the report dated November 4, 2002 from Councillors Morano and McLaughlin regarding the Ward 3 Public Meeting, be received as informational. Carried.

2002-368 Moved by Lauer, seconded by Alexander, that as recommended in a report dated November 13, 2002 from Councillor Lauer, the Director of Public Works, Director of Parks and Recreation, Director of Planning and Development and the Trails for Life Committee be requested to comment on the logistics and implications of establishing a trail extension from the existing trail (south section) along the shoreline located on the southern edge of Orillia's Waste Diversion Site to the east end of Kitchener Park. Carried.

2002-369 Moved by Alexander, seconded by Lauer, that the report dated November 13, 2002 from Mayor Stevens regarding the County Human Services Committee, be received as informational. Carried.

By-laws

2002-370 Moved by Downey, seconded by Morano, that the following by-laws be now introduced and read a first, second and third time today:

2002-138 A By-law to amend By-law Number 2000-98 of the City of Orillia – West Orillia – Sanitary Sewer.

2002-139 A By-law to amend By-law Number 2000-99 of the City of Orillia – West Orillia – Storm Water Management.

2002-140 A By-law to amend By-law Number 2000-100 of the City of Orillia – West Orillia – Water Rates.

2002-141 A By-law to adopt Chapter 114 of the City of Orillia Municipal Code – Licensing Committee.

- 2002-142 A By-law to adopt Chapter 700 of the City of Orillia Municipal Code – Business Licensing.
- 2002-143 A By-law to amend Chapter 363 of the City of Orillia Municipal Code – Site Plan Control Area.
- 2002-144 A By-law to amend Chapter 487 of the City of Orillia Municipal Code – Planning Application Fees.
- 2002-145 A By-law to authorize the execution of an agreement with Local Authority Services Ltd. for the supply of natural gas.
- 2002-146 A By-law to authorize the execution of a Collective Agreement between the City of Orillia and the Orillia Professional Fire Fighters Association.
- 2002-147 A By-law to authorize the execution of a License of Occupation with Her Majesty the Queen in right of Canada represented by the Minister responsible for the Royal Canadian Mounted Police – Radio Repeater – Benner Street Water Tower.
- 2002-148 Amendment Number 141 to Traffic and Parking Regulation By-law Number 1983-80, as amended.
- 2002-150 A By-law to authorize the execution of a License Agreement with Rogers Cable Inc. for installation of cable on City land.
- 2002-151 A By-law to repeal By-law Number 2001-23 – Deeming By-law Victoria Crescent.
- 2002-152 A By-law to authorize the disposition of an easement in lands to Union Gas Limited (2 Hunter Valley Road).
- 2002-153 A By-law to authorize the execution of an amendment to an Agreement of Purchase and Sale with 1438224 Ontario Inc. (Mariposa Land Development Company).
- 2002-371** Moved by Smith, seconded by Buchanan, that By-law Number 2002-149, a by-law to authorize a Site Plan Agreement with Charter Construction Limited (3200 Monarch Drive), be now introduced and read a first, second and third time today. Carried.
- 2002-372** Moved by Morano, seconded by Downey, that By-law Number 2002-154, a by-law to confirm the proceedings of Council at its meeting held on November 18, 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 – 9:10 P.M.

MAYOR

CLERK

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Committee of the Whole Council
DATE: November 5, 2002
SUBJECT: Report Number 2002-18 (From meeting of November 4, 2002)

Your Committee is pleased to report as follows:

1. THAT as recommended in a report dated October 30, 2002 from the Economic Development Committee, Council confirm the Tax Incentive Zone - Expression of Interest, as submitted to the Province.

T. Lauer,
Chair.

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Council Committee
DATE: November 5, 2002
SUBJECT: Report Number 2002-18 (From meeting of November 4, 2002)

Your Committee is pleased to report and recommend as follows:

1. THAT as recommended in a report dated October 28, 2002 from the Licensing Committee, City of Orillia Municipal Code Chapter 700 - Business Licensing be amended to allow the Licensing Committee to authorize the transfer of a business license;

AND THAT Council re-affirm Chapter 700 - Business Licensing, as amended.

2. THAT as recommended in a report dated October 28, 2002 from the Licensing Committee, City of Orillia Municipal Code Chapter 114 - Licensing Committee, be adopted;

AND THAT Councillor Smith and Councillor Gardy remain on the Licensing Committee.

3. THAT as recommended in a report dated October 29, 2002 from the Trails for Life Committee, Rogers Cable be authorized to locate services on portions of the City's trail lands, subject to execution of a License Agreement with the City and payment of an annual fee of \$715 per location.

4. THAT as recommended in a report dated October 16, 2002 from the Parking Advisory Committee, the Municipal Parking Lot #1 and 22-24 Colborne Street East redevelopment plan number 3A, be adopted;

AND THAT authorization be granted to undertake the pre-engineering, landscape design, lighting and electrical design, storm water management design components of this project;

AND THAT authorization be given to proceed with the call for tenders for this work under the direction of Roderick H. Young, Architect.

5. THAT as recommended in reports dated October 16, 2002 and October 30, 2002 from the Parking Advisory Committee and Property Services Department respectively, free three-hour parking be provided in all three-hour municipal parking lots from Friday, November 15, 2002 to and including Tuesday, December 31, 2002;

AND THAT staff be authorized to proceed prior to ratification by Council.

6. THAT the report dated October 17, 2002 from the Recreation Facility Supervisor regarding the Ladies Day Curlers of the Orillia Curling Club, be received;

AND THAT a copy of the report be forwarded to Mrs. Mary Wilson for her information.

7. THAT as recommended in a report dated October 29, 2002 from the Director of Parks and Recreation, the Mariposa Folk Festival be authorized to proceed with plans for Tudhope Park electrical installations and storage provisions in accord with the conditions in the report.

8. THAT a three-hour parking restriction be placed on the south side of Jarvis Street, from Lacie Street to Parkview Avenue.

9. THAT the report dated October 16, 2002 from the Public Works Department regarding the West Ridge Storm Water Pond maintenance, be received as informational.

10. THAT as recommended in a report dated October 28, 2002 from the City Treasurer, Council amend By-law Numbers 2000-98, 2000-99 and 2000-100 (West Orillia Servicing) by replacing the original Schedule "A" in each by-law with the revised schedules attached to the report.

11. THAT as recommended in a report dated October 30, 2002 from the Property Services Department, Council authorize the use of the Association of Municipalities of Ontario's (AMO) GASAMO gas purchasing program as the qualified vendor for natural gas purchases for the City of Orillia for the 2002/2003 season.

12. THAT as recommended in a report dated October 30, 2002 from the Property Services Department, Council authorize the execution of a License of Occupation Agreement to allow a radio repeater to be maintained on the Benner Street water tower;
AND THAT authority be granted to continue to renew this license as long as the terms and conditions remain acceptable.

13. THAT as recommended in a report dated October 29, 2002 from the Public Works Department, Harvie Settlement Road between Cleopatra Court and the Charter Construction entrance remain closed to vehicular traffic until the road allowance is closed and transferred;
AND THAT the process for closing and conveying the road allowance be initiated.

14. THAT as recommended in a report dated October 28, 2002 from the Public Works Department, the City will pay for the installation of 825mm diameter storm sewer from the existing 1050mm diameter storm sewer at the end of South Street to the west limit of Lot 11 of the South/Park Streets Subdivision and for the oversizing of this sewer from 375mm diameter to 825mm diameter from the west limit of Lot 11 to Park Street at the estimated cost of \$32,000;

AND THAT source funding for this upgrade to the storm drainage system be the 2002 Storm Sewer Rehabilitation Program budget;

AND THAT the developer be advised to proceed with the work prior to ratification by Council.

15. THAT as recommended in a report dated October 3, 2002 from the Director of Planning and Development and Director of Public Works, the construction of a 400 mm water transmission main on West Ridge Boulevard from Bass Lake Sideroad north to Highway 12 be approved and 90% of the costs be charged to the City's Development Charges Reserve;

AND THAT 10% be paid by Charter Construction;

AND THAT Charter Construction be authorized to complete the design and contract for the construction of the water transmission main under the terms of the site plan agreement for their Phase 5 Commercial Development;

AND THAT staff be authorized to proceed prior to ratification by Council.

16. THAT the report dated October 30, 2002 from the Director of Planning and Development regarding an amendment to the Purchase and Sale Agreement with 1438224 Ontario Inc. (Mariposa Land Development Company), be adopted and implemented.

17. THAT the report dated September 30, 2002 from the Assistant to the Manager of Council Services regarding the Schedule of Council Meeting Dates for the Year 2003, be adopted and implemented.

G. Morano,
Chair.