



CITY OF ORILLIA COUNCIL MINUTES

2003-47

MINUTES OF THE REGULAR MEETING OF COUNCIL, MONDAY, MARCH 24, 2003 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 2. of Council Committee Report 2003-4 re Mariposa Folk Foundation/Festival Orillia - re Mariposa Folk Festival, July 4 - 6, 2003.

Nature of Interest – Councillor Lauer is a director of the Mariposa Folk Foundation.

Councillor Lauer left the meeting during discussion and voting on this matter.

2. Councillor Smith - re Clause 4. of Council Committee Report 2003-4 re Kehoe Development Corporation Inc.

Nature of Interest - Councillor Smith is an acquaintance of the principal of Kehoe Development Corporation Inc.

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

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 AMO Drinking Water Seminar Program Available.
 - b) Alert - re Provincial Study Released on Hydro Bills/Charges.
 - c) For Your Information - re New Minister and AMO President to Meet Soon.
 - d) Alert - re Ontario Child Supplement Proposal. **(See Resolution Number 2003-81)**
 - e) For Your Information - re Legislature Prorogued and Postponed.
 - f) For Your Information - re AMO Supports *Kids Voting Canada* - You Can Too!

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

2. Parks Canada - re appointment of Field Unit Superintendent, Central Ontario.
File: A16-FED

Recommendation: Receive as informational.

3. Ministry of Municipal Affairs and Housing - re strategic directions for a Central Ontario Smart Growth strategy. File: A16-MMAH

Recommendation: Receive as informational.
Copy to Planning and Development Department in
conjunction with previous referral.
Discussion Paper available for review in Council Services.

4. Ministry of Municipal Affairs and Housing and the Region of Peel - re 2003 Central Ontario Municipal Conference, April 3, 2003. File: A04-GEN

Recommendation: Receive as informational.

5. Ministry of the Environment - re changes to the submission date of second Engineers' reports regarding water works. File: A16-MOE

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

6. City of Sarnia - re court security. File: P01-GEN

a) Letter - City of Sarnia.

Recommendation: Receive as informational.
Copy to the Legislative Services Division of the City
Manager's Office.

7. County of Simcoe - re Media Release entitled "Shortfall in Provincial Funding Impacts County's Tax Rate. File: A16-COS

Recommendation: Receive as informational.
Copy to Treasury Department.

8. Orillia Youth Opportunities Committee - re 4 Year Anniversary Celebration Open House, April 4, 2003. File: M02-GEN

Recommendation: Receive as informational.

9. Waste Management Advisory Council - re year-round kitchen organics collection.
File: E07-RECY

Recommendation: Receive as informational.

10. Waste Management Advisory Council - re film plastic recycling. File: E07-RECY

Recommendation: That the following resolution be passed:

"THAT Council supports the correspondence dated March 13, 2003 from the Waste Management Advisory Council to the Environment and Plastics Industry Council regarding film plastic recycling;

AND THAT a copy be forwarded to the Association of Municipalities of Ontario requesting its support."

11. Sunshine Festival Theatre Company - re 2002 Annual Report. File: A01-SUN

Recommendation: Receive as informational.

12. Simcoe County District Health Unit, Good for Life Committee - re invitation to participate in the Mayor's Walk on Friday, May 30, 2003. File: M02-GEN

Recommendation: Receive as informational.
Copy to Mayor's Office to R.S.V.P.

13. 99 Lynx Squadron, Royal Canadian Air Cadets - re 2003 Annual Ceremonial Review, June 1, 2003. File: M02-GEN

Recommendation: That the following resolution be passed:

"THAT the granting of "Freedom of the City" to 99 Lynx Squadron Royal Canadian Air Cadets be approved."

Refer to Mayor's Office for proclamation.
Refer to Mayor's Office to co-ordinate ceremony.

14. John Hogg - re private-sector property assessments. File: A16-MPAC

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

15. Russ Hutchings - re storm water deposits/water damage/safety concerns.
File: E05-GEN

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

16. Helga Rinneard - re card of thanks. File: M04-GEN

Recommendation: Receive as informational.
Copy to Grants Committee.

17. Rev. Donald L. Telford - re affordable housing. File: C12-HOU

Recommendation: Receive as informational.
Copy to Housing Committee.

18. Steven Howcroft - re noise from the Lake Simcoe Regional Airport.
File: C12-LSRA, XL04-L-68

Recommendation: Request comments from the Lake Simcoe Regional Airport Commission.

19. Derek Ford - re Orillia Peace Group resolution. File: A01-GEN

Recommendation: Receive as informational.

2003-80 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 March 24, 2003, with the exception of the recommendation(s) with respect to Correspondence Item(s) 1.d), 3., 9., 10, 11, 12., 13. and 19. which shall be introduced separately. Carried.

2003-81 Moved by Buchanan, seconded by Morano, that the recommendation with respect to Correspondence Item 1.d) on the Consent Agenda for the regular meeting of Council on March 24, 2003, read as follows:

“THAT the following resolution be passed:

“That this Council endorse the Ontario Child Supplement Proposal prepared by the Association of Municipalities of Ontario, calling for the Province of Ontario to make changes to the social assistance system in Ontario that will benefit children and their families;

AND THAT copies of this resolution of support be forwarded to the following:

County of Simcoe
Garfield Dunlop, M.P.P., Simcoe North” Carried.

2003-82 Moved by Buchanan, seconded by Smith, that the recommendation with respect to Correspondence Item 3. on the Consent Agenda for the regular meeting of Council on March 24, 2003 be adopted. Carried.

2003-83 Moved by Gardy, seconded by McLaughlin, that the recommendation with respect to Correspondence Item 9. on the Consent Agenda for the regular meeting of Council on March 24, 2003 be adopted. Carried.

2003-84 Moved by Gardy, seconded by McLaughlin, that the recommendation with respect to Correspondence Item 10. on the Consent Agenda for the regular meeting of Council on March 24, 2003 be adopted. Carried.

2003-85 Moved by Lauer, seconded by Alexander, that the recommendation with respect to Correspondence Item 11. on the Consent Agenda for the regular meeting of Council on March 24, 2003 be adopted. Carried.

2003-86 Moved by Alexander, seconded by Lauer, that the recommendation with respect to Correspondence Item 12. on the Consent Agenda for the regular meeting of Council on March 24, 2003 be adopted. Carried.

2003-87 Moved by Gardy, seconded by McLaughlin, that the recommendation with respect to Correspondence Item 13. on the Consent Agenda for the regular meeting of Council on March 24, 2003 be adopted. Carried.

2003-88 Moved by Lauer, seconded by Alexander, that the recommendation with respect to Correspondence Item 19. on the Consent Agenda for the regular meeting of Council on March 24, 2003 read as follows:

Place on Council Agenda for April 7, 2003 under the Correspondence section and ask the group to present any relevant petitions. **LOST**

2003-89 Moved by Morano, seconded by Downey, that the recommendation with respect to Correspondence Item 19. on the Consent Agenda for the regular meeting of Council on March 24, 2003 be adopted. Carried.

Correspondence

1. The Corporation of the County of Simcoe - re Affordable Housing Program and Municipal Housing Facilities By-law. File: A16-COS (Motion)

2003-90 Moved by Buchanan, seconded by Gardy, that in response to the letter dated March 12, 2003, from the Simcoe County Warden, County Council be advised:

- (i) That Orillia City Council endorses the draft Municipal Housing Project Facilities By-law attached to the letter and expresses its appreciation for the changes made to the previous draft to reflect the input from the separated cities;
- (ii) That the municipal corporation is unlikely to be a direct applicant as a housing provider under the Community Rental Housing Program, but City Council will give consideration to providing the assistance contemplated by O.Reg. 46/94 to any housing providers within the municipality selected by the County for participation in the Program, on a case-by-case basis;
- (iii) That, in order to ensure a transparent competitive process, Orillia City Council recommends that the County solicit applications for participation in the Program, including this year's proposed "pilot projects", through advertisements in the local media;

AND THAT a copy of the Warden's letter with attachments and Council's response be forwarded to local rental housing providers identified by the Chair of the City's Housing Committee for their information. Carried.

Reports

- 1. Report Number 2003-4 of the Committee of the Whole Council. (Motion)
(See Page 2003-54)
- 2. Report Number 2003-4 of the Council Committee. (Motions) (See Pages 2003-55 - 2003-57)
 - a) Christine Thomson - re Clause 5. of Council Committee Report 2003-4 regarding Neywash Street. File: T02-GEN
- 3. City Treasurer - re Statement of the Treasurer - Remuneration and Expenses Paid to Members of Council, Local Boards and Other Bodies in 2002.
File: C01-1985-131 (Motions)
- 4. Councillors Morano, Smith and Gardy - re 2003 ROMA/OGRA Combined Conferences. File: A04-GEN (Motion)

2003-91 Moved by Alexander, seconded by Lauer, that Report Number 2003-4 of the Committee of the Whole Council, now before Council, be adopted. Carried.

2003-92 Moved by Gardy, seconded by McLaughlin, that Report Number 2003-4 of the Council Committee, now before Council, be adopted with the exception of Clauses 2., 4., 5. and 13., which shall be introduced separately. Carried.

2003-93 Moved by Gardy, seconded by McLaughlin, that Clause 2. of Report Number 2003-4 of the Council Committee, now before Council, be adopted. Carried.

2003-94 Moved by Gardy, seconded by McLaughlin, that Clause 4. of Report Number 2003-4 of the Council Committee, now before Council, be adopted. Carried.

2003-95 Moved by Gardy, seconded by McLaughlin, that Clause 5. of Report Number 2003-4 of the Council Committee, now before Council, be adopted. **TABLED**

2003-96 Moved by Gardy, seconded by McLaughlin, that Clause 13. of Report Number 2003-4 of the Council Committee, now before Council, be adopted with the following amendment:

- i) delete the words "for an additional year" and insert the words "annually for up to two additional years". Carried.

2003-97 Moved by Lauer, seconded by Alexander, that the Finance Liaison Councillors be requested to bring forward a report dealing with the control of Council expenses. Carried.

2003-98 Moved by Downey, seconded by Morano, that as recommended in a report dated February 20, 2003 from the City Treasurer, the annual Statement of the Treasurer prepared pursuant to s.284 of the Municipal Act, 2001, S.O. 2001, c.25 and the Statement of Remuneration and Expenses for Members of Council, be received as informational;

AND THAT Chapter 493 of the City of Orillia Municipal Code be amended to reflect the provisions of s.284 of the new Act. Carried.

2003-99 Moved by Morano, seconded by Downey, that the report dated March 24, 2003 from Councillors Morano, Smith and Gardy regarding the 2003 ROMA/OGRA Combined Conferences, be received as informational. Carried.

2003-100 Moved by McLaughlin, seconded by Downey, that Council request reports from the Director of Property Services, Police Services Board and Parking Advisory Committee on the potential impact of setting up a Transit Commission. Carried.

By-laws

2003-101 Moved by Morano, seconded by Smith, that By-law Number 2003-29, a by-law to confirm the acquisition of an easement from Jaypark Properties Inc. for the Millennium Trail (Forest Avenue), be now introduced and read a first, second and third time today. Carried.

2003-102 Moved by Downey, seconded by Smith, that the following by-laws be now introduced and read a first, second and third time today:

2003-30 A By-law to authorize the sale of land to the Minister of Transportation (Highway 12 By-pass).

2003-31 A By-law to authorize the sale of lands on Grenville Avenue.

2003-32 A By-law to authorize the execution of an Agreement with the Municipal Property Assessment Corporation - Assessment Mapping.

2003-33 A By-law to authorize the execution of an Agreement with the Ontario Society for the Prevention of Cruelty to Animals – Animal Control.

2003-34 A By-law to authorize the execution of a Subdivision Agreement between the City of Orillia and John N. Johnson Construction Limited (South Park Subdivision).

2003-35 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 (South Park Subdivision).

2003-36 A By-law to authorize the execution of an Agreement of Purchase and Sale between The Corporation of the City of Orillia, The Corporation of the City of Barrie, The Corporation of the Township of Oro-Medonte and UKCAN II Inc.

2003-37 A By-law to authorize the execution of Contract No. WW-02-38 with Gabe Desrochers Roofing Specialist Limited – Wastewater Treatment Centre Chlorine Building Rehabilitation.

- 2003-38 A By-law to authorize the sale of lands in Champlain Industrial Park to 2002 Ventures Inc. (Parts 3 – 11 Inclusive, Plan 51R-29812).
- 2003-39 A By-law to adopt Chapter 25 of the City of Orillia Municipal Code – Notice Procedure.
- 2003-40 A By-law to authorize the Release and Abandonment of a storm drainage easement on Part of Lot 105, Plan 1339, City of Orillia, County of Simcoe, designated as Part 2 on Plan 51R-12952 - Maclsaac Drive (Corbett).
- 2003-41 A By-law to authorize the Release and Abandonment of a storm drainage easement on Part of Lots 378 and 379, Registered Plan 1026 - Leonard Drive (Leatherdale/Hooper).

2003-103 Moved by Morano, seconded by Downey, that By-law Number 2003-42, a by-law to confirm the proceedings of Council at its meeting held on March 24, 2003, 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. Allan Millard – re Consent Item No. 19 re Orillia Peace Group resolution.

MEETING ADJOURNED – 9:30 P.M.

MAYOR

CLERK

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Committee of the Whole Council
DATE: March 18, 2003
SUBJECT: Report Number 2003-4 (From meeting of March 17, 2003)

Your Committee is pleased to report as follows:

1. THAT as recommended in a report dated March 13, 2003 from the Economic Development Committee, Council approve the revised Purchase and Sale Agreement dated March 12, 2003 with 2002 Ventures Inc. for 12.5589 acres of land in Champlain Business Park, being composed of Parts 3 - 11 inclusive, Plan 51R-29812; AND THAT a by-law to accept this revised Agreement of Purchase and Sale and to repeal the previous agreement be prepared.

2. THAT no action be taken to exercise the repurchase option set out in Clause 16(a)(iii) of the Agreement of Purchase and Sale with Andaric Developments Inc., prior to the expiry of one year from the closing date, with respect to lands in Champlain Park, comprised of Part 3, Plan 51R-28422.

3. THAT as recommended in a report dated March 12, 2003 from the Director of Property Services, Earth Tech Canada Inc. be awarded a contract to provide a Phase II Environmental Assessment at 95 Barrie Road for a quoted price of \$15,460 (plus tax); AND THAT the funds be appropriated from the Property Tax account.

4. THAT Council authorize the execution of an Agreement of Purchase and Sale, dated February 19, 2003, between the Corporation of the City of Barrie, the Corporation of the Township of Oro-Medonte, the Corporation of the City of Orillia and Ukcan II Inc. for the sale of one commercial development lot at a cost of \$65,000 per acre and as situated in the south-west commercial development area, Phase 1, Part 1, of the Lake Simcoe Regional Airport, being Part 5 on Plan 51R-31319.

A. M. Alexander,
Chair.

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Council Committee
DATE: March 18, 2003
SUBJECT: Report Number 2003-4 (From meeting of March 17, 2003)

Your Committee is pleased to report and recommend as follows:

1. THAT as recommended in a report dated March 6, 2003 from the Opera House Management Committee, Council approve an additional \$29,000 for the lighting and sound projects at the Opera House;
AND THAT these funds be appropriated from Capital Contingency.
2. THAT as recommended in a report dated February 10, 2003 from the Recreation Facility Supervisor, the requests by the Mariposa Folk Foundation/Festival Orillia Inc. in a letter dated January 12, 2003, be approved subject to compliance with the facility permit process and the dispositions listed in the report.
3. THAT as recommended in a report dated February 7, 2003 from the Director of Property Services, the Orillia Transit "Day Pass" trial program be continued on a permanent basis.
4. THAT as recommended in a report dated March 12, 2003 from the Director of Property Services, no action be taken on the request by Kehoe Development Corporation Inc., contained in a letter dated November 30, 2002, requesting that Oak Street be stopped up and conveyed to Kehoe Development Corporation Inc.
5. THAT as recommended in a report dated February 4, 2003 from the Public Works Department, the existing parking on Neywash Street between Peter and Matchedash Streets, remain unchanged;
AND THAT a copy of the report be forwarded to Lorne and Christine Thomson for their information. **TABLED (See Resolution Number 2003-95)**
6. THAT as recommended in a report dated February 5, 2003 from the Public Works Department, the existing parking on Parkview Avenue between Jarvis and Brant Streets remain unchanged;
AND THAT a copy of the report be forwarded to Mary Campbell for her information.
7. THAT the report dated February 26, 2003 from the Director of Planning and Development regarding an executive summary for all site plan and development agreements, be received as informational.

8. THAT as recommended in a report dated March 6, 2003 from the Director of Planning and Development, the Mayor and Clerk be authorized to execute a Subdivision Agreement and Late Payment Agreement for development charges with John N. Johnson Construction Limited in respect of draft plan of subdivision 43T-74158.

9. THAT as recommended in a report dated February 25, 2003 from the Director of Planning and Development, the Mayor and Clerk be authorized to execute an agreement with the Municipal Property Assessment Corporation to recognize joint ownership and use of assessment mapping for the City of Orillia.

10. THAT as recommended in a report dated March 6, 2003 from the Director of Planning and Development and Director of Property Services, the Harvie Settlement Road allowance from Cleopatra Court south to its intersection with West Ridge Boulevard, and all abutting 0.3 metre reserves, with the exception of Blocks 113 and 116, Plan 613, be declared surplus, formally closed and conveyed to Charter Construction pursuant to Section 66 of the Municipal Act;
AND THAT Council authorize a notice period of two consecutive weeks pursuant to Section 251 of the Municipal Act.

11. THAT as recommended in a report dated February 27, 2003 from the Senior Project Technologist, a by-law be passed to authorize the Release and Abandonment of Easement over Part 2 on Plan 51R-12952 (Maclsaac Drive).

12. THAT as recommended in a report dated February 28, 2003 from the Senior Project Technologist, a by-law be passed to authorize the Release and Abandonment of Easement on Lots 378 and 379 on Registered Plan 1026 (Leonard Drive).

13. THAT as recommended in a report dated March 4, 2003 from the Waste Diversion Site Manager, the transportation and disposal of household hazardous waste material from the City of Orillia's depot to approved sites be awarded to Buckham Transport Ltd., as per the proposal submitted, for a period of one year commencing April 3, 2003 with the option of renewing ~~for an additional year~~ *annually for up to two additional years. (See Resolution Number 2003-96)*

14. THAT as recommended in a report dated March 10, 2003 from the Public Works Department, Contract No. WW-02-38, Wastewater Treatment Centre Chlorine Building Rehabilitation be awarded to Gabe Desrochers Roofing Specialist Limited for the tendered sum of \$38,991.27 (includes 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 the Wastewater Treatment Centre Chlorine Building Rehabilitation.

15. THAT as recommended in a report dated March 10, 2003 from the Manager of Council Services/Clerk, the recommendations contained in this report with respect to the establishment of procedures for the giving of notice in a form, and in the manner and at the times that Council considers adequate to give reasonable notice, be adopted;

AND THAT Council pass a by-law to establish procedures for the giving of reasonable notice as required under the Municipal Act 2001, S.O. 2001, chapter 25.

W. Gardy,
Chair.