



CITY OF ORILLIA COUNCIL MINUTES

2004-115

MINUTES OF THE REGULAR MEETING OF COUNCIL, MONDAY, MAY 3, 2004 AT 8:35 P.M. FOLLOWING THE PUBLIC MEETING RE PLANNING MATTERS

Present: Mayor R. Stevens in the Chair
Councillors: R. Cipolla
D. Downey
W. Gardy
C. Garland
T. Lauer
G. Morano
F. Smith
P. Spears

Disclosure of Interest

1. Councillor Lauer - re Clauses 2. and 3. of Council Committee Report 2004-8.

Nature of Interest - Councillor Lauer is a real estate agent and may have a conflict as the properties are listed on multiple listing.

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

Deputations

1. Mr. Keith Sherman, Co-ordinator for Severn Sound Environmental Association spoke to Council in support of the Association's request for Orillia's membership in the Association. File: A01-GEN

2004-172 Moved by Morano, seconded by Smith, that the City of Orillia join the Severn Sound Environmental Association (SSEA) and become a signator to the SSEA for a five (5) year period commencing April 1, 2004;

AND THAT Council authorize the Mayor and the Clerk to sign a partnership agreement on behalf of the City;

AND THAT the City of Orillia share of the 2004 budget of \$4,806 be approved. Carried.

Meeting recessed - 9:05 p.m.

Meeting re-assembled - 9:15 p.m.

2. Mr. Ian Bender, Director of Planning for the County of Simcoe presented to Council a review of the County of Simcoe Official Plan. File: A16-COS

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) For Your Information - re Minister Extends Affordable Housing Program Deadline.
 - b) For Your Information - re Province Amends *ESA* to Allow Family Medical Leave.

- c) Alert - re Supply/Conservation: Key Elements of New Electricity Plan for Ontario.

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

2. Town of North Perth - re requesting endorsement of its resolution regarding small non-residential facilities with washroom facilities. File: C10-GEN

Recommendation: Receive as informational.

3. Township of the North Shore - re requesting endorsement of its resolution regarding the Town Youth Participation Strategy (TYPS). File: C10-GEN

Recommendation: Receive as informational.

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

Recommendation: ~~Receive as informational.~~
~~Copy to Legislative Services' Division of the City Manager's Office.~~
(See Resolution Number 2004-175)

5. Minister of Municipal Affairs and Housing - re *Residential Tenancy Reform Consultation Paper, Residential Tenancy Reform Executive Summary and Residential Tenancy Reform Questionnaire: Have Your Say*. File: A16-MMAH

Recommendation: Receive as informational.
Copy to Housing Committee.
Consultation Paper Available in Council Services' Office.

6. Ministry of Municipal Affairs and Housing - re News Release entitled "New Legislation to Reduce Rent Hikes". File: A16-MMAH

Recommendation: Receive as informational.
Copy to Housing Committee.

7. Ministry of Municipal Affairs and Housing - re Province's current plan regarding municipal costs incurred in response to the power outage of August 14, 2003. File: A16-MMAH

Recommendation: Receive as informational.
Copy to Treasury Department.

8. Ministry of Natural Resources - re News Release entitled "Ontario Government Signs Protocol with Police about Bears". File: A16-MNR

Recommendation: Receive as informational.
Copy to Police Services Board.

9. Ministry of Health and Long-Term Care - re interim report regarding SARS outbreak. File: A16-MOH

Recommendation: ~~Receive as informational.~~
(See Resolution Number 2004-177)

10. Ministry of Consumer and Business Services - re licensing electrical contractors, master electricians and the compulsory electrical trades. File: A16-MCBS
Recommendation: Receive as informational.
Copy to Legislative Services' Division of the City Manager's Office.
11. Minister of Finance - re 2004 education property tax rate regulations. File: A16-MOF
Recommendation: Receive as informational.
Copy to Treasury Department.
12. The Order of Ontario - re nominations for the Order of Ontario. File: M08-GEN
Recommendation: Receive as informational.
13. Lake Simcoe Region Conservation Authority - re 2003 Annual Report entitled "Leaders in Watershed Health". File: A01-LAKE
Recommendation: Receive as informational.
Copy to Environmental Advisory Committee.
14. Anthony Melihen - re Dream Trail Run. File: M02-GEN
Recommendation: Receive as informational.
Refer to Mayor's Office to co-ordinate.
15. Safe Haven Children's Services - re proposed establishment of a Treatment Foster Home Service in the Orillia area. File: S07-GEN
Recommendation: Receive as informational.
16. St. James Court Non-Profit Apartments Corporation - re proposed four non-profit units at 57 Coldwater Road East. File: C12-HC
Recommendation: Refer to Housing Committee to research and report back, if necessary.
17. Hart Family - re letter of thanks to construction crew on Coldwater Road, April 13, 2004. File: M04-GEN
Recommendation: Receive as informational.
Copy to Public Works Department.
18. Thomas Laprade - re smoking issue and bingo halls. File: C01-2001-185
Recommendation: Receive as informational.

2004-173 Moved by Gardy, seconded by Cipolla, that Council adopt the recommendations as set out on the Consent Agenda for the Regular Meeting of Council on May 3, 2004, with the exception of the recommendation(s) with respect to Correspondence Item(s) 1.a), 4., 8., 9., 11., 13., 15. and 17. which shall be introduced separately. Carried.

2004-174 Moved by Spears, seconded by Lauer, that the recommendation with respect to Correspondence Item 1.a) on the Consent Agenda for the regular meeting of Council on May 3, 2004, be adopted. Carried.

2004-175 Moved by Garland, seconded by Smith, that the recommendation with respect to Correspondence Item 4. on the Consent Agenda for the regular meeting of Council on May 3, 2004 read as follows:

THAT the correspondence from the Mayor of the City of Sarnia, dated April 26, 2004, be received as informational;

AND THAT the City of Orillia write to the Public Safety Advisory Committee expressing the City's concern over the rising costs of court security. Carried.

2004-176 Moved by Gardy, seconded by Cipolla, that the recommendation with respect to Correspondence Item 8. on the Consent Agenda for the regular meeting of Council on May 3, 2004, be adopted. Carried.

2004-177 Moved by Garland, seconded by Smith, that the recommendation with respect to Correspondence Item 9. on the Consent Agenda for the regular meeting of Council on May 3, 2004 read as follows:

Receive as informational.

Request a deputation from the Simcoe County District Health Unit in September 2004 to report on the SARS Action Plan in this area. Carried.

2004-178 Moved by Gardy, seconded by Cipolla, that the recommendation with respect to Correspondence Item 11. on the Consent Agenda for the regular meeting of Council on May 3, 2004, be adopted. Carried.

2004-179 Moved by Gardy, seconded by Cipolla, that the recommendation with respect to Correspondence Item 13. on the Consent Agenda for the regular meeting of Council on May 3, 2004, be adopted. Carried.

2004-180 Moved by Spears, seconded by Lauer, that the recommendation with respect to Correspondence Item 15. on the Consent Agenda for the regular meeting of Council on May 3, 2004, be adopted. Carried.

2004-181 Moved by Gardy, seconded by Cipolla, that the recommendation with respect to Correspondence Item 17. on the Consent Agenda for the regular meeting of Council on May 3, 2004 be adopted. Carried.

Correspondence

- nil

Reports

1. Report Number 2004-6 of the Committee of the Whole Council. (Motion)
(See Page 2004-121)
2. Report Number 2004-8 of the Council Committee. (Motions) (See Pages 2004-122 - 2004-124)
3. Parking Advisory Committee - re Request for Six Permit Parking Spaces - Lot #3. File: C01-2004- (Motion)
4. Communications Committee - re Invitations to Events. File: M02-GEN (Motion)
5. Communications Committee - re Bulletin Board Advertising. File: C00-BUL (Motion)

2004-182 Moved by Cipolla, seconded by Spears, that Report Number 2004-6 of the Committee of the Whole Council, now before Council, be adopted. Carried.

2004-183 Moved by Spears, seconded by Lauer, that Report Number 2004-8 of the Council Committee, now before Council, be adopted with the exception of Clauses 2., 3. and 13., which shall be introduced separately. Carried.

2004-184 Moved by Spears, seconded by Cipolla, that Clauses 2. and 3. of Report Number 2004-8 of the Council Committee, now before Council, be adopted. Carried.

2004-185A Moved by Spears, seconded by Lauer, that Clause 13. of Report Number 2004-8 of the Council Committee, now before Council, be adopted.

2004-185B Moved by Smith, seconded by Morano, that the motion now before Council be amended by adding the following clause:

“with the exception that the figure of \$150,000 be changed to \$130,000”. Carried.

Recorded Vote

Yeas - Morano, Smith, Garland, Gardy, Cipolla, Morano

Nays - Downey, Spears, Lauer

2004-185C Moved by Spears, seconded by Lauer, that Clause 13. of Report Number 2004-8 of the Council Committee, now before Council, be adopted with the exception that the figure of \$150,000 be changed to \$130,000. Carried.

2004-186 Moved by Lauer, seconded by Spears, that as recommended in a report dated March 22, 2004 from the Parking Advisory Committee, six metered parking spaces in Lot #3 be converted into six monthly permit parking spaces at the rate of \$25.00 per space plus applicable taxes. Carried.

2004-187 Moved by Downey, seconded by Garland, that as recommended in a report dated April 27, 2004 from the Communications Committee, all letters of invitations issued to Council will be distributed to members of Council immediately following receipt by the City in a manner based on their individual preferences. Carried.

2004-188 Moved by Downey, seconded by Garland, that the report dated April 28, 2004 from the Communications Committee regarding Bulletin Board advertising, be received as informational. Carried.

Motion

2004-189 Moved by Downey, seconded by Garland, that Council request the Province to regulate revenue neutral transition ratios for the 2004 tax year for the City of Orillia;

AND THAT the Treasurer has calculated revenue neutral transition ratios to be:

Residential	1.0	
Multi-residential	1.6438	
Commercial	2.0270	
Industrial	1.7010	
Pipeline	2.2937	
Farmlands	0.25	
Managed Forests	0.25	Carried.

By-laws

2004-190 Moved by Smith, seconded by Morano, that the following by-laws be now introduced and read a first, second and third time today:

2004-67 A By-law to authorize a one-year extension to Contract Number T-1999/2001 with Penetang Midland Coach Lines Limited - Bus Service.

- 2004-68 A By-law to authorize the execution of Contract ST-04-34 with Aknor Construction Company Limited - Front Street South Storm Sewer Rehabilitation.
- 2004-69 A By-law to authorize the execution of Contract SWM-04-001 with Mid Ontario Disposal (Division of Doug Roe Enterprises Ltd.) for the Solid Waste Collection Programs.
- 2004-70 A By-law to accept and dedicate certain lands from 1450841 Ontario Inc. for the purpose of road widening - 281 Coldwater Road West.
- 2004-71 A By-law to authorize the execution of a Lease Agreement with 998905 Ontario Inc. (Brewery Bay Food Company - Sidewalk Patio).
- 2004-72 A By-law for the purpose of appointing a member to the Orillia Parking Advisory Committee.

2004-191 Moved by Morano, seconded by Smith, that By-law Number 2004-73, a by-law to confirm the proceedings of Council at its meetings held on May 3, 2004, 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 - 11:10 P.M.

MAYOR

CLERK

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Committee of the Whole Council
DATE: April 27, 2004
SUBJECT: Report Number 2004-6 (From meeting of April 26, 2004)

Your Committee is pleased to report as follows:

1. THAT as recommended in the report dated April 19, 2004 from the Director of Real Estate, Laidlaw Transit Ltd. be granted a one-year extension of the existing (PMCL) Orillia Transit operating contract at the rate of \$50.60 per hour commencing July 1, 2004;

AND THAT staff be authorized to call for tenders later this year for a five-year operating contract to administer and maintain the Orillia Transit fleet.

2. THAT as recommended in a report dated April 21, 2004 from the Director of Real Estate, no action be taken in response to the request for compensation from Mr. Barry Norman and Mr. and Mrs. Todd and Diane Sullivan with respect to property damage claims.

3. THAT the following be appointed a member of the Parking Advisory Committee for a term expiring November 30, 2004:

Shelley Love

R. Cipolla,
Chair.

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Council Committee
DATE: April 27, 2004
SUBJECT: Report Number 2004-8 (From meeting of April 26, 2004)

Your Committee is pleased to report and recommend as follows:

1. THAT as recommended in a report dated April 19, 2004 from the Order of Orillia Awards Committee, Council approve the installation of the Commemorative Order of Orillia Award Board on the northwest wall of the main foyer of the City Centre, across from the current location of the wall mural and Tudhope car;
AND THAT the Order of Orillia Awards Committee co-ordinate an unveiling ceremony once installation is complete.

2. THAT the application for Condominium Draft Plan Approval, 43-CD-04601, by 1438224 Ontario Inc. (Elgin Bay Club), in respect of 140 Cedar Island Road, subject to the conditions of Draft Plan Approval included as Attachment 1 to Planning and Development Department Staff Report PD-04-22, be approved.

3. THAT the application for Condominium Draft Plan Approval, 43-CD-03604, by 1369317 Ontario Inc. (Graham) in respect of 125 Bond Street, subject to the conditions of Draft Plan Approval included as Attachment 1 to Planning and Development Staff Report PD-04-016, be approved.

4. THAT the report dated April 5, 2004 from the Public Works Department regarding Harvie Hill Reservoir Mixing, be received as informational.

5. THAT as recommended in a report dated February 25, 2004 from the Public Works Department, the Water System Master Plan Update, attached to the report, be adopted;
AND THAT staff be authorized to submit necessary documentation regarding completion of the Water System Master Plan Update to the appropriate Ministry of Environment offices.

6. THAT no action be taken on the letter dated March 29, 2004 from Kelly Clune requesting a delay in awarding the Solid Waste Collection Contract.

7. THAT the report dated April 15, 2004 from the Manager of Property and Purchasing regarding air quality in the City Centre, be received as informational.

8. THAT as recommended in a report dated April 19, 2004 from the Director of Real Estate, the Clerk be authorized to prepare a by-law to take title to the property described as Part 1, Plan P-1856-43, Lot 12, Concession 2, formerly Township of Orillia.

9. THAT as recommended in a report dated April 19, 2004 from the Public Works Department, Council award Contract No. ST-04-34, Front Street South Storm Sewer Rehabilitation from Colborne Street to Mississauga Street to Aknor Construction Company Limited for the tendered sum of \$75,975.35 (includes G.S.T.) with actual payment made for work done under contract unit prices;
AND THAT staff be authorized to do all things necessary to complete the Front Street South storm sewer rehabilitation.

10. THAT as recommended in a report dated April 21, 2004 from the Public Works Department, Mid Ontario Disposal (Division of Doug Roe Enterprises Ltd.) be awarded the contract for the prices tendered for the Solid Waste Collection Programs, Contract SWM-04-001 with an estimated annual contract value of \$710,074 excluding G.S.T.

11. THAT as recommended in a report dated April 21, 2004 from the Public Works Department, commencing July 1, 2004 with the new collection contract, Polycoat/Aseptic Cartons be included in the recycling box collection program at an annual cost of \$3,060 excluding G.S.T.

12. THAT as recommended in a report dated April 21, 2004 from the Public Works Department, plastic film bags continue to be collected in the recycling box collection program on an interim basis at an annual cost of \$9,010 excluding G.S.T.

13. THAT as recommended in a report dated April 21, 2004 from the Director of Culture and Heritage, Council approve a grant for the Sunshine Festival Theatre Company in the amount of ~~\$150,000~~ \$130,000 for its 2005 season. **(See Resolution Number 2004-185C)**

14. THAT as recommended in a report dated April 21, 2004 from the City Manager, Council approve the 2003 annual financial statement for O.P.P. contract policing costs in the amount of \$3,842,182.

15. THAT as recommended in a report dated April 21, 2004 from the City Treasurer,

1. The Multi-residential tax ratio be established at 1.62 for the 2004 tax year.
2. The New Multi-residential tax ratio remain at 1.1 for the 2004 tax year.
3. The Industrial tax ratio be established at 1.70 for the 2004 tax year.
4. The Commercial tax ratio be established at 1.895 for the 2004 tax year.
5. The Pipeline tax ratio be established at 2.29 for the 2004 tax year.
6. The graduated tax rates for 2004 remain on two bands of Commercial assessment.
7. The first (low) band of Commercial assessment be set for 2004 at \$0 to \$7,000,000 of assessment, and the second (high) band any assessment above \$7,000,000.
8. For 2004 the low band Commercial tax rate be established at 58% of the high band Commercial tax rate.
9. That Council's resolution regarding recommendations 1 through 8 be provided to the province to obtain provincial approval for the Orillia 2004 tax policy.

16. THAT the Finance Liaison Councillors be instructed to approach the Province on behalf of Council to simplify the Property Tax System.

P. Spears,
Chair.