



## CITY OF ORILLIA COUNCIL MINUTES

2004-130

### **MINUTES OF THE REGULAR MEETING OF COUNCIL, MONDAY, MAY 17, 2004 AT 8:10 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 Garland - re Clause 13. of Council Committee Report 2003-9.  
  
Nature of Interest - Councillor Garland's brother is an employee of one of the companies tendering.  
  
Councillor Garland declined to discuss the matter or to vote on its disposition.
2. Councillor Lauer - re Consent Item No. 23.  
  
Nature of Interest - Councillor Lauer's real estate firm is involved in a transaction involving an adjacent property.  
  
Councillor Lauer 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) For Your Information - re Province Introduces Legislation on Hours of Work.
  - b) Alert - re Canada, Ontario and Municipal Governments - A Partnership in Support of Municipal, Rural Infrastructure.
  - c) Alert - re Minister Introduces New Heritage Amendment Bill.
  - d) Alert - re First Time Ever that Municipal Governments will contribute to an Immigration Agreement.  
Recommendation: Receive as informational.  
Copied to appropriate Departments and Agencies.
2. Township of North Kawartha - re requesting endorsation of its resolution regarding the impact of the Safe Drinking Water Act on tourism operators and other small businesses. File: C10-GEN  
  
Recommendation: Receive as informational.

3. City of Welland - re requesting endorsement of its resolution regarding the Ontario Pension and Benefit Guarantee Fund. File: C10-GEN  
Recommendation: Receive as informational.
4. Regional Municipality of Niagara - re requesting endorsement of its resolution regarding a request for Provincial action in the areas of diversion and environmental assessment. File: C10-GEN  
Recommendation: Receive as informational.
5. Township of Alfred and Plantagenet - re requesting endorsement of its resolution regarding the preliminary list of electors provided to each local municipality by MPAC every election year. File: C10-GEN  
Recommendation: ~~Receive as informational.~~  
**(See Resolution Number 2004-205)**
6. Loyalist Township - re requesting endorsement of its resolution regarding a request to the Province for financial relief to smaller municipalities facing cost increases for water and sewer services. File: C10-GEN  
Recommendation: ~~Receive as informational.~~  
**(See Resolution Number 2004-206)**
7. Ministry of Municipal Affairs and Housing - re The Municipal Performance Measurement Program (MPMP) - Release of 2001 Summary Data Report.  
File: A16-MMAH, XF00-MPM  
Recommendation: Receive as informational.  
Copy to Treasury Department.
8. Ministry of Consumer and Business Services - re News Release entitled "Retail Closings on Victoria Day". File: A16-MCBS, XL11-RBHA  
Recommendation: Receive as informational.
9. Road Watch Huron - re "Road Watch - Watch Us Grow" Conference, September 19 - 20, 2004. File: A04-GEN  
Recommendation: Receive as informational.  
Copy to Public Works Department.
10. Association of Ontario Road Supervisors - re 2004 Municipal Trade Show, June 2 - 3, 2004. File: A04-GEN  
Recommendation: Receive as informational.  
Copy to Public Works Department.
11. The Community Foundation of Orillia and Area - re letter of thanks for grant.  
File: C12-GNT  
Recommendation: Receive as informational.  
Copy to Grants Committee.
12. Telecare Orillia - re requesting financial assistance. File: C12-GNT  
Recommendation: Refer to Grants Committee.

13. Hospice Orillia - re requesting financial assistance. File: C12-GNT  
Recommendation: Refer to Grants Committee.
14. Canadian Federation of University Women (CFUW) - re requesting financial assistance. File: C12-GNT  
Recommendation: Refer to Grants Committee.
15. Orillia Police Services Board - re deputation by Nick Montague regarding taxi driver licenses. File: C12-PSB  
Recommendation: Receive as informational.
16. Township of Essa - re Essa Challenge - *Swing for a Cure*, July 26, 2004.  
File: M02-GEN  
Recommendation: Receive as informational.
17. Keith Evans - re Sunshine Festival Theatre Company. File: A01-SUN  
Recommendation: Receive as informational.
18. Troy Sullivan - re proposed sculpture for the City of Orillia. File: R01-CH  
Recommendation: Receive as informational.  
Copy to Culture and Heritage Department.
19. Fayne Bullen - re Public Planning Meeting of May 3, 2004 regarding 67 and 71 Victoria Street. File: C01-2004-63, XC01-2003-64  
Recommendation: Receive as informational.  
Copy to Planning Advisory Committee.
20. Wendy Slattery - re proposed MURF complex. File: C12-MURF  
Recommendation: Receive as informational.  
Copy to MURF Committee.
21. Patricia Stewart and others - re proposed MURF complex. File: C12-MURF  
Recommendation: Receive as informational.  
Copy to MURF Committee.
22. Paul and Ruth Edmonds - re proposed MURF complex. File: C12-MURF  
Recommendation: Receive as informational.  
Copy to MURF Committee.
23. Diane Zimmer and Robin Hale - re appeal to By-law Numbers 2004-43 and 2004-44 (Moty Lugassy - 1002-1038 Mississauga Street West).  
File: C01-2004-44

Recommendation: That the following resolution be passed:

“THAT notwithstanding the objection to By-law Numbers 2004-43 and 2004-44, Council supports the by-laws and the Clerk is hereby instructed to submit the by-laws to the Ontario Municipal Board with the request that the Board hold a Hearing so that all interested parties may be heard.”

**2004-201** 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 17, 2004, with the exception of the recommendation(s) with respect to Correspondence Item(s) 1.b), 1.d), 4., 5., 6., 9., 10., 15., 17., 19., 22. and 23. which shall be introduced separately. Carried.

**2004-202** Moved by Gardy, seconded by Cipolla, that the recommendation with respect to Correspondence Item 1.b) on the Consent Agenda for the regular meeting of Council on May 17, 2004, be adopted. Carried.

**2004-203** Moved by Gardy, seconded by Cipolla, that the recommendation with respect to Correspondence Item 1.d) on the Consent Agenda for the regular meeting of Council on May 17, 2004, be adopted. Carried.

**2004-204** Moved by Gardy, seconded by Cipolla, that the recommendation with respect to Correspondence Item 4. on the Consent Agenda for the regular meeting of Council on May 17, 2004, read as follows:

Receive as informational.  
Copy to Waste Management Advisory Council Carried.

**2004-205** Moved by Gardy, seconded by Cipolla, that Council endorses the resolution of the Township of Alfred and Plantagenet regarding the preliminary list of electors provided to each local municipality by MPAC every election year;

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

Honourable John Gerretsen, Minister of Municipal Affairs and Housing  
Garfield Dunlop, M.P.P., Simcoe North Carried.

**2004-206** Moved by Gardy, seconded by Cipolla, that Council endorses the resolution of the Loyalist Township regarding a request to the Province for financial relief to smaller municipalities facing cost increases for water and sewer services;

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

Honourable Dalton McGuinty, Premier of Ontario  
Honourable Leona Dombrowsky, Minister of the Environment  
Honourable John Gerretsen, Minister of Municipal Affairs and Housing  
Garfield Dunlop, M.P.P., Simcoe North Carried.

**2004-207** Moved by Gardy, seconded by Cipolla, that the recommendation with respect to Correspondence Item 9. on the Consent Agenda for the regular meeting of Council on May 17, 2004, be adopted. Carried.

**2004-208** Moved by Gardy, seconded by Cipolla, that the recommendation with respect to Correspondence Item 10. on the Consent Agenda for the regular meeting of Council on May 17, 2004, be adopted. Carried.

**2004-209** Moved by Gardy, seconded by Cipolla, that the recommendation with respect to Correspondence Item 15. on the Consent Agenda for the regular meeting of Council on May 17, 2004, be adopted. Carried.

**2004-210** 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 17, 2004, be adopted. Carried.

**2004-211** Moved by Gardy, seconded by Cipolla, that the recommendation with respect to Correspondence Item 19. on the Consent Agenda for the regular meeting of Council on May 17, 2004, be adopted. Carried.

**2004-212** Moved by Gardy, seconded by Cipolla, that the recommendation with respect to Correspondence Item 22. on the Consent Agenda for the regular meeting of Council on May 17, 2004, be adopted. Carried.

**2004-213** Moved by Downey, seconded by Garland, that the recommendation with respect to Correspondence Item 23. on the Consent Agenda for the regular meeting of Council on May 17, 2004, be adopted. Carried.

### **Correspondence**

- nil

### **Reports**

1. Report Number 2004-7 of the Committee of the Whole Council. (Motion)  
(See Page 2004-137)
2. Report Number 2004-9 of the Council Committee. (Motions) (See Pages  
2004-138 - 2004-139)
3. Mayor Stevens - re Appointment to Severn Sound Environmental Association  
(SSEA). File: C01-2004- (Motion)
4. Councillor Downey - re Ad Hoc Transit Committee. File: C12-TC (Motions)
5. Orillia Public Library - re 2003 Annual Report. File: C12-LIB (Motion)

**2004-214** Moved by Cipolla, seconded by Gardy, that Report Number 2004-7 of the Committee of the Whole Council, now before Council, be adopted. Carried.

**2004-215** Moved by Spears, seconded by Lauer, that Report Number 2004-9 of the Council Committee, now before Council, be adopted with the exception of Clauses 1., 2., 5., 11. and 13., which shall be introduced separately. Carried.

**2004-216A** Moved by Spears, seconded by Cipolla, that Clause 1. of Report Number 2004-9 of the Council Committee, now before Council, be adopted.

**2004-216B** Moved by Lauer, seconded by Garland, that the motion now before Council be amended by adding the following phrase:

AND THAT Council hold further meetings on the proposal before taking action on or before June 17, 2004. **LOST**

### **Recorded Vote**

Yeas - Lauer, Garland, Morano

Nays - Spears, Cipolla, Gardy, Downey, Smith, Stevens

**2004-216C** Moved by Spears, seconded by Cipolla, that Clause 1. of Report Number 2004-9 of the Council Committee, now before Council, be adopted. Carried.

Meeting recessed - 9:20 p.m.

Meeting re-assembled - 9:25 p.m.

**2004-217** Moved by Spears, seconded by Cipolla, that Clause 2. of Report Number 2004-9 of the Council Committee, now before Council, be adopted. Carried.

**2004-218A** Moved by Morano, seconded by Cipolla, that Clause 5. of Report Number 2004-9 of the Council Committee, now before Council, be adopted. Carried.

**2004-218B** Moved by Spears, seconded by Downey, that the motion now before Council be amended by deleting the figure "1,174" and inserting the figure "1,000". Carried.

**2004-218C** Moved by Morano, seconded by Cipolla, that Clause 5. of Report Number 2004-9 of the Council Committee, now before Council, be adopted, as amended. Carried.

**2004-219** Moved by Gardy, seconded by Cipolla, that Clause 11. of Report Number 2004-9 of the Council Committee, now before Council, be adopted. Carried.

Recorded Vote

Yeas - Cipolla, Gardy, Downey, Smith, Morano, Stevens

Nays - Lauer, Spears, Garland

**2004-220** Moved by Spears, seconded by Cipolla, that Clause 13. of Report Number 2004-9 of the Council Committee, now before Council, be adopted. Carried.

**2004-221** Moved by Cipolla, seconded by Gardy, that the following be appointed a member of the Severn Sound Environmental Association (SSEA) for a term expiring November 30, 2006:

Mayor Ron Stevens Carried.

**2004-222** Moved by Downey, seconded by Garland, that as recommended in a report dated May 5, 2004 from Councillor Downey, Council endorse the "Improvement to Orillia Transit Plan" attached to the report. Carried.

**2004-223** Moved by Downey, seconded by Garland, that the Ad Hoc Transit Committee be composed of the following members:

Councillor Downey (Ward 2)  
Councillor Spears (Ward 3)  
Councillor Smith (Ward 1)  
One Ward 4 Councillor  
One Stakeholder from Georgian College or O.P.P.

AND THAT advertisements be placed for the two citizen representatives. Carried.

**2004-224** Moved by Garland, seconded by Downey, that the 2003 Annual Report from the Orillia Public Library, be received as informational. Carried.

Motions

Council waived the 24 hour notice by a vote of two-thirds of the members present.

**2004-225** Moved by Smith, seconded by Morano, that Council agree to consider a site in West Orillia as an alternate location for the multi-use recreation facilities complex, if, at any time prior to construction, the current West Street South site proves not to be feasible. Carried.

Councillor Smith intends to introduce a motion regarding the traffic lights at the intersection of Couchiching Point Road and Atherley Road at the next regular Council meeting to be held on June 7, 2004.

Council waived the 24 hour notice by a vote of two-thirds of the members present.

**2004-226** Moved by Garland, seconded by Downey, that the Municipal Heritage Committee be invited to provide input in an advisory capacity, on the design of the MURF building. Carried.

**2004-227** Moved by Downey, seconded by Garland, that the indoor multi-use recreation facilities (MURF) programme elements be approved as set out in the report dated May 5, 2004 from the MURF Committee, and as amended by Report Number 2004-9 of the Council Committee, as amended, subject to amendments required as a result of detailed design. Carried.

**2004-228** Moved by Downey, seconded by Garland, that the outdoor multi-use recreation facilities (MURF) programme elements be approved as set out in the report dated May 5, 2004 from the MURF Committee, and as amended by Report Number 2004-9 of the Council Committee, as amended, subject to amendments required as a result of detailed design. Carried.

**By-laws**

**2004-229** Moved by Morano, seconded by Garland, that the following by-laws be now introduced and read a first, second and third time today:

2004-80 A By-law to authorize the execution of an agreement with Severn Sound Environmental Association (SSEA).

2004-81 A By-law to amend Chapter 998 of the City of Orillia Municipal Code - Parking Permit - Municipal Lot.

2004-82 A By-law to authorize the execution of Contract T-2004-2005 with Laidlaw Transit Ltd. - Bus Service.

2004-83 A By-law to confirm an Agreement of Purchase and Sale for Part 8 and Part 31 on Plan 51R-20297, City of Orillia, County of Simcoe - Brammer Drive - Drinkwater Industrial Park - 1194311 Ontario Inc.

2004-84 A By-law to adopt Chapter 460 of the City of Orillia Municipal Code - User Fees - Farmers' Market.

2004-85 A By-law to establish tax ratios for the City of Orillia for the year 2004.

2004-86 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 2004 taxation year.

**2004-230** Moved by Smith, seconded by Morano, that By-law Number 2004-87, a by-law to confirm the proceedings of Council at its meetings held on May 17, 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**

1. Doug Peddle - re MURF complex.
2. Allan Millard - re MURF complex.

**MEETING ADJOURNED - 10:45 P.M.**

---

MAYOR

---

CLERK

**CITY OF ORILLIA**

**TO:** The Mayor and Members of Council  
**FROM:** Committee of the Whole Council  
**DATE:** May 11, 2004  
**SUBJECT:** **Report Number 2004-7 (From meeting of May 10, 2004)**

Your Committee is pleased to report as follows:

1. THAT as recommended in a report dated April 27, 2004 from the Economic Development Committee, Council authorize the sale of .812 acres of land on Brammer Drive in the Drinkwater Business Park, being composed of Parts 8 and 31 on Reference Plan 51R-20297 to 1194311 Ontario Inc. at a price of Fourteen Thousand Dollars (\$14,000) and pursuant to the terms and conditions contained in an Agreement of Purchase and Sale dated April 26, 2004;

AND THAT the sale is subject to easements shown as Parts 8, 9, 11, 15, 16, 28 and 29 on Reference Plan 51R-20329 in favor of the City of Orillia and the Orillia Power Corporation or its subsidiaries.

2. THAT no action be taken on the correspondence dated April 29, 2004, from Grass Roots Orillia respecting conflict of interest issues.

R. Cipolla,  
Chair.

## CITY OF ORILLIA

**TO:** The Mayor and Members of Council  
**FROM:** Council Committee  
**DATE:** May 11, 2004  
**SUBJECT:** **Report Number 2004-9 (From meeting of May 10, 2004)**

Your Committee is pleased to report and recommend as follows:

1. THAT the report, dated May 5, 2004, from the Multi-Use Recreation Facilities Committee, respecting programme elements, be received.
2. THAT the outdoor MURF programme elements, set out in the report dated May 5, 2004 from the MURF Committee, be amended by including the provision of the foundation for a future bubble, conditional upon a firm financial commitment by user groups by the end of November, 2004, to reimburse the City for the cost.
3. THAT the option of development of the adjacent Norweld property be eliminated.
4. THAT the indoor MURF programme elements set out in the report dated May 5, 2004 from the MURF Committee, be amended by increasing the size of the pool deck space as recommended in the report.
5. THAT the indoor MURF programme elements set out in the report dated May 5, 2004 from the MURF Committee, be amended by reducing the permanent seating in the Olympic rink to ~~4,474~~ 1,000 seats, with provision for standing room/temporary seating for an additional 250. **(See Resolution Number 2004-218C)**
6. THAT the indoor MURF programme elements set out in the report dated May 5, 2004 from the MURF Committee, be amended by increasing the track in the Olympic rink to three lanes.
7. THAT further to the report dated May 5, 2004 from the MURF Committee, and with respect to the indoor MURF programme elements, a fully equipped fitness facility not be added to the space programme;  
AND THAT one of the multi-purpose rooms currently in the programme be adapted to be utilized as a dedicated fitness area.
8. THAT as recommended in the report dated May 5, 2004 from the Multi-Use Recreation Facilities Committee, the firm of Shaheen & Peaker Limited be authorized to proceed with the environmental investigation on the MURF site, as proposed in their letter dated April 30, 2004, at the cost of \$41,000.

9. THAT as recommended in the report dated May 5, 2004 from the Multi-Use Recreation Facilities Committee, the Environmental Management Plan, draft Screening Level SSRA and the 2002 Environmental Subsurface Investigation reports be referred to the Environmental Advisory Committee (EAC) for review of the site management plan, and that the Committee be invited to provide input on these and subsequent reports as part of the SSRA process.

10. THAT as recommended in the report dated May 5, 2004 from the Multi-Use Recreation Facilities Committee, the 2002 Environmental Subsurface Investigation be referred to the Director of Public Works and the Waste Management Advisory Council, and that they be requested to provide input to Council Committee on the potential disposal of excavated impacted soils at the Waste Diversion Site.

11. THAT further to the report dated May 5, 2004 from the MURF Committee, no action be taken on the request to relocate the Youth Centre to the MURF.

12. THAT as recommended in a report dated May 5, 2004 from the Farmers' Market Management Committee, Council approve amendments to stall rental fees as outlined in the report;  
AND THAT the Farmers' Market policy be amended to include the definition of "casual vendor";  
AND THAT, to meet the requirements of the Municipal Act, 2001, staff be directed to amend the Farmers' Market policy by deleting the fees from the policy;  
AND THAT staff be requested to prepare a by-law to authorize these fees.

13. THAT as recommended in a report dated April 28, 2004 from the Public Works Department, the contract for the supply of the solar powered school zone maximum speed limit flashing systems be awarded to Innovative Traffic Solutions for the sum of \$54,199.92 (G.S.T. included);  
AND THAT staff be authorized to proceed prior to ratification by Council.

14. THAT as recommended in a report dated April 29, 2004 from the Public Works Department, staff be authorized to proceed with the tendering for the Shannon Street Pumping Station at an estimated cost of \$116,000 to be funded from the 2001 and 2004 Sanitary Pumping Station Rehabilitation budgets.

P. Spears,  
Chair.