



# CITY OF ORILLIA COUNCIL MINUTES

2005-141

## **MINUTES OF THE REGULAR MEETING OF COUNCIL, MONDAY, JUNE 27, 2005 AT 7:30 P.M. IN THE COUNCIL CHAMBER**

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

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

### **Disclosure of Interest**

1. Councillor Downey - re motion regarding the Ad Hoc Sign Advisory Committee.  
  
Nature of Interest - Councillor Downey is a Director on the Orillia District Chamber of Commerce.  
  
Councillor Downey declined to discuss the matter or to vote on its disposition.
2. Councillor Lauer - re Clause 5. of Council Committee Report 2005-10.  
  
Nature of Interest - Councillor Lauer's firm deals with the proponent.  
  
Councillor Lauer left the platform during discussion and voting on this matter.

### **Presentation**

Mr. Ernie Hills, Emergency Management Ontario, presented Council with a certificate regarding the Essential Level Emergency Management Program. File: M08-GEN

### **Deputations**

1. Mr. Bob Kennedy, Vice President of External Relations, Georgian College and Dr. Bill Gordon, Associate Vice President - Institute of University Partnerships and Advanced Studies, Georgian College, presented a conceptual plan of the future development of Georgian College's Orillia Campus. File: A01-GEO
2. Mr. Ross Goddard spoke to Council in support of the concept of waste incineration. Mr. Goddard also read a supporting presentation submitted by Ms. Diane Shook. File: E07-GEN

### **Minutes**

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

### **Correspondence**

1. Town of Penetanguishene - re Ontario Municipal Partnership Fund (OMPF).  
File: F11-CRF (Motion)

2. City of Cambridge - re requesting endorsement of its resolution regarding trails and the Occupiers Liability Act. File: C10-GEN (Councillor Gardy removed from NFAIO package of June 6, 2005) (Motion)
3. Audio Plus - re request for two parking spaces for a one-day event, July 13, 2005. File: T02-GEN (Motion)

**2005-171** Moved by Downey, seconded by Garland, Council support the position of the Town of Penetanguishene, as set out in its letter dated May 31, 2005, with respect to requesting the Ministry of Finance to review the methodology used to allocate grants under the Ontario Municipal Partnership Fund (OMPF);

AND THAT a copy of this resolution and the correspondence from the Town of Penetanguishene, be forwarded to the following:

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

AND THAT a copy of the City's letter dated May 4, 2005 to the Minister of Finance and the Minister of Municipal Affairs and Housing expressing similar concerns be forwarded to the Town of Penetanguishene for its information. Carried.

**2005-172** Moved by Gardy, seconded by Cipolla, that Council endorses the resolution of the City of Cambridge regarding the amendment of the Occupiers Liability Act;

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

Honourable John Gerretsen, Minister of Municipal Affairs  
Honourable Jim Bradley, Minister of Tourism and Recreation  
Garfield Dunlop, M.P.P., Simcoe North Carried.

**2005-173** Moved by Downey, seconded by Garland, that, further to the letter of request dated June 21, 2005 from Audio Plus, two parking spots in Municipal Parking Lot No. 5, located close to Mississauga Street, be reserved all day for the display of the Alpine Mini Speedster on Wednesday, July 13, 2005. Carried.

### **Reports**

1. Report Number 2005-8 of the Committee of the Whole Council. (Motion)  
(See Page 2005-149)
2. Report Number 2005-10 of the Council Committee. (Motions) (See Pages 2005-150 - 2005-152)
  - a) Clause 5 - re letter dated June 23, 2005 from Nils and Elaine Peterson.
  - b) Clause 5 - re e-mail dated June 24, 2005 from Hildegard and Hugh Tulloch.
  - c) Clause 5 - re e-mail dated June 27, 2005 from James R. Bentley.

**2005-174** Moved by Lauer, seconded by Spears, that Report Number 2005-8 of the Committee of the Whole Council, now before Council, be adopted. Carried.

**2005-175** Moved by Morano, seconded by Smith, that Report Number 2005-10 of the Council Committee, now before Council, be adopted with the exception of Clauses 5. and 11., which shall be introduced separately. Carried.

**2005-176** Moved by Morano, seconded by Cipolla, that Clause 5. of Report Number 2005-10 of the Council Committee, now before Council, be adopted. **TABLED**

**2005-177** Moved by Garland, seconded by Downey, that Clause 11. of Report Number 2005-10 of the Council Committee, now before Council, be adopted. **TABLED**

**2005-178** Moved by Gardy, seconded by Cipolla, that the following be appointed to the Ad Hoc Sign Advisory Committee:

Lucia McGarvey (Downtown Management Board Appointee)  
Angelo Orsi (Orillia District Chamber of Commerce Appointee) Carried.

**2005-179** Moved by Cipolla, seconded by Gardy, that the following be appointed to the Ad Hoc Anti-Littering Committee:

Ken McLaughlin (Recreation Advisory Committee Appointee)  
Bob Bowles (Trails for Life Committee Appointee)  
David Joy (Waste Management Advisory Council Appointee) Carried.

### **Consent Agenda**

1. Association of Municipalities of Ontario: File: A01-AMO
  - a) For Your Information - re Environmental Penalties and Municipalities.  
**(See Resolution Number 2005-181)**
  - b) Alert - re Waste Electronic and Electrical Equipment (WEEE) Datacall.
  - c) Effective Municipal Councillor Training Program 2005.
  - d) Alert - re Legislative Updates:
    - Bill 128 re: Marijuana Home Grow Operations
    - Legislation to End Mandatory Retirement
  - e) Alert - re MAH releases report on Line Fences Act.
  - f) Alert - re AMO Secures Per Capita Allocation for Federal Gas Tax Funding.
  - g) Alert - re AMO Secures \$2.2 Billion Gas Tax Deal for Ontario Municipalities.
  - h) End of Session Status on Legislation relating to Municipal Governments.

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

2. Ministry of Municipal Affairs and Housing - re News Release entitled "McGuinty Government Takes Next Step on Plan for Greenbelt Protection".  
File: A16-MMAH

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

3.
  - a) Ministry of Municipal Affairs and Housing - re News Release entitled "Government Supports Growth of Local Business". File: A16-MMAH
  - b) Ministry of Municipal Affairs and Housing - re News Release entitled "Government Strengthens Prosperity in Hearst". File: A16-MMAH
  - c) Ministry of Municipal Affairs and Housing - re News Release entitled "Ontario Government Strengthens Prosperity in West Nipissing".  
File: A16-MMAH
  - d) Ministry of Municipal Affairs and Housing - re News Release entitled "Ontario Strengthens Prosperity in Timmins". File: A16-MMAH
  - e) Ministry of Municipal Affairs and Housing - re News Release entitled "Ontario Invests in Building Stronger Communities in Ingersoll".  
File: A16-MMAH

- f) Ministry of Municipal Affairs and Housing - re News Release entitled "Ontario Supports Economic Development in Huntsville".  
File: A16-MMAH

- g) Ministry of Municipal Affairs and Housing - re News Release entitled "Ontario Supports Economic Development". File: A16-MMAH

Recommendation: Receive as informational.

4. Ministry of Municipal Affairs and Housing - re News Release entitled "Peel Residents to get fairer regional representation". File: A16-MMAH

Recommendation: Receive as informational.

5. Ministry of Municipal Affairs and Housing - re News Release entitled "Ontario Bolsters Provincial-Municipal Cooperation". File: A16-MMAH

Recommendation: Receive as informational.

6. Ministry of Municipal Affairs and Housing - re News Release entitled "Province Appoints New Chair of The Ontario Rental Housing Tribunal". File: A16-MMAH

Recommendation: Receive as informational.  
Copy to Housing Committee.

7. Ministry of Municipal Affairs and Housing - re News Release entitled "McGuinty Government Enhances Greenbelt Legacy". File: A16-MMAH

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

8. Ministry of Municipal Affairs and Housing - re McGuinty Government Helps Strengthen Agriculture Industry. File: A16-MMAH

Recommendation: Receive as informational.

9. Ministry of Municipal Affairs and Housing - re Canada and Ontario Launch Intake Two of the Canada-Ontario Municipal Rural Infrastructure Fund. File: A16-MMAH

Recommendation: Receive as informational.  
Copy to Treasury Department.

10. Ministry of Municipal Affairs and Housing - re Gas Tax Funds to Flow Directly to Ontario Municipalities. File: A16-MMAH

Recommendation: Receive as informational.  
Copy to Treasury Department.

11. Ministry of Labour - re News Release entitled "McGuinty Government Introduces Legislation to End Mandatory Retirement". File: A16-PG

Recommendation: Receive as informational.  
Copy to City Manager's Office.

12. Ministry of the Environment - re Final New Regulation for Drinking Water Systems Serving Non-Residential and Seasonal Residential Uses.  
File: E05-DWR

Recommendation: Receive as informational.

Copy to Public Works Department.

**2005-145**

13. Ministry of Consumer and Business Services - re News Release entitled "Ontario Government Improving Services to the Public". File: A16-MCBS

Recommendation: Receive as informational.  
Copy to Orillia Public Library Board.

14. Ministry of Consumer and Business Services - re News Release entitled "Government and Businesses Work Together to Bring Stronger Protections to Consumers". File: A16-MCBS

Recommendation: Receive as informational.

15. a) Ministry of Public Infrastructure Renewal - re News Release entitled "Historic Act Supports Planning for Economic Growth". File: A16-PG  
b) Ministry of Public Infrastructure Renewal - re Places to Grow Act, 2005 (Bill 136). File: A16-PG

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

16. Ministry of Public Infrastructure Renewal - re PIR Net News, June 2005. File: A16-PG

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

17. a) Minister of Citizenship and Immigration - re 2005 Ontario Medal for Good Citizenship. File: M08-GEN  
b) Minister Responsible for Seniors - re 2005 Senior Achievement Awards. File: M08-GEN

Recommendation: Receive as informational.  
Circulated in accordance with approved policy.

18. aboutRemediation - re News Release entitled "Toolbox Guides Rejuvenation of Ontario's Brownfield Sites". File: A16-MOE

Recommendation: ~~Receive as informational.~~  
~~Copy to Planning and Development Department.~~  
**(See Resolution Number 2005-182)**

19. Linda Jeffrey, M.P.P. - re Bill 141, The Home Fire Sprinkler Act, 2004. File: L11-GEN

Recommendation: ~~Receive as informational.~~  
**(See Resolution Number 2005-183)**

20. County of Simcoe, Human Services Committee - re New Affordable Housing Program. File: A01-COS

Recommendation: Receive as informational.  
Copy to Housing Committee.

21. County of Simcoe, Human Services Committee - re Additional 2005 Provincial Homelessness Initiative Funding. File: A16-COS

Recommendation: Receive as informational.  
Copy to Housing Committee.

22. City of Owen Sound - re invitation to attend a "Court Security Costs" workshop, June 29, 2005. File: M02-GEN,XP01-GEN

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

23. Recycling Council of Ontario - re invitation to host the 2005 Ontario Waste Minimization Awards. File: M02-GEN

Recommendation: Receive as informational.  
Copy to Public Works Department.  
Copy to Waste Management Advisory Council.

24. Georgian College - re News Release entitled "Northwood University recognizes Georgian President and CEO Brian Tamblyn with honorary doctorate".  
File: A01-GEO

Recommendation: Receive as informational.

25. Lakehead University - re Media Release entitled "Orillia Embraces Lakehead U Campus". File: C12-UC

Recommendation: Receive as informational.

26. Northwestern Ontario Municipal Association - re forest sector and southern Ontario. File: A01-GEN

Recommendation: Receive as informational.

27. Severn Sound Environmental Association - re invitation to attend a two-city meeting, July 12, 2005. File: M02-GEN

Recommendation: Receive as informational.

28. Vaughn Strange - re proposed MURF project. File: C12-MURF

Recommendation: Receive as informational.  
Copy to MURF Communications Committee.

29. Branch 34 Royal Canadian Legion - re property on the east side of the Legion.  
File: T02-GEN

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

30. Champlain Manor - re requesting temporary parking spaces on Park Street during construction. (2 letters) File: C01-2005-

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

31. Joan Doyle - re resignation from the Farmers' Market Management Committee.  
File: C01-2005-

Recommendation: That the following resolution be passed:

"THAT the resignation of Joan Doyle, as a member of the Farmers' Market Management Committee is hereby accepted with regrets, and the Clerk be instructed to thank Ms. Doyle 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."

32. Frank Kehoe - re appeal of Zoning By-law 2005-72. File: C01-2005-72  
Fogler, Rubinoff, Barristers and Solicitors - re appeal of Zoning By-law 2005-72.  
MHBC Planning Limited - re appeal of Zoning By-law 2005-72.  
Goodmans, Barristers and Solicitors - re appeal of Zoning By-law 2005-72.

Recommendation: That the following resolution be passed:

"THAT notwithstanding the objections to By-law Number 2005-72, Council supports the by-law and the Clerk is hereby instructed to submit the by-law to the Ontario Municipal Board with the request that the Board hold a Hearing so that all interested parties may be heard;

AND THAT staff endeavour to resolve those appeals that can reasonably be addressed prior to a Hearing, if deemed appropriate."

**2005-180** 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 June 27, 2005, with the exception of the recommendation(s) with respect to Correspondence Item(s) 1.a), 18., 19., 25. and 28. which shall be introduced separately. Carried.

**2005-181** Moved by Gardy, seconded by Cipolla, that the recommendation with respect to Correspondence Item 1.a) on the Consent Agenda for the regular meeting of Council on June 27, 2005, read as follows:

Refer to MURF Communications Committee Carried.

**2005-182** Moved by Gardy, seconded by Cipolla, that the recommendation with respect to Correspondence Item 18. on the Consent Agenda for the regular meeting of Council on June 27, 2005, read as follows:

Refer to MURF Communications Committee Carried.

**2005-183** 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 June 27, 2005, read as follows:

Refer to Fire Liaison for consideration and recommendation. Carried.

**2005-184** Moved by Cipolla, seconded by Gardy, that the recommendation with respect to Correspondence Item 25. on the Consent Agenda for the regular meeting of Council on June 27, 2005 be adopted. Carried.

**2005-185** Moved by Cipolla, seconded by Gardy, that the recommendation with respect to Correspondence Item 28. on the Consent Agenda for the regular meeting of Council on June 27, 2005 be adopted. Carried.

**By-laws**

**2005-186** Moved by Smith, seconded by Morano, that the following by-laws be now introduced and read a first, second and third time today:

2005-108 A By-law to amend Chapter 456 of the City of Orillia Municipal Code – User Fees - Parks and Recreation.

2005-109 A By-law to exempt part of Registered Plan 1339 from Part Lot Control under the Planning Act - MacIsaac Drive Extension.

2005-110 Amendment Number 166 to Traffic and Parking Regulation By-law Number 1983-80, as amended.

2005-111 A By-law to authorize the execution of a Contract with KMK Consultants Limited - Engineering Design and Contract Administration of the Septage and Hauled Sewage Receiving Facility.

2005-112 A By-law to authorize the execution of a Release of Property - Mark Rich Model Home Agreement.

2005-113 A By-law to amend Chapter 132 of the City of Orillia Municipal Code - Acting Chief Building Official.

2005-114 A By-law to amend Chapter 170 of the City of Orillia Municipal Code - Municipal By-law Enforcement Officer.

**2005-187** Moved by Downey, seconded by Garland, that By-law Number 2005-115, a by-law to confirm the proceedings of Council at its meeting held on June 27, 2005, 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**

Mr. Allan Millard, 231 Westmount Drive South  
- re MURF soil tests

**MEETING ADJOURNED - 9:10 P.M.**

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MAYOR

\_\_\_\_\_  
CLERK

**CITY OF ORILLIA**

**TO:** The Mayor and Members of Council  
**FROM:** Committee of the Whole Council  
**DATE:** June 21, 2005  
**SUBJECT:** **Report Number 2005-8 (From meeting of June 20, 2005)**

Your Committee is pleased to report as follows:

1. THAT as recommended in a report dated June 14, 2005 from the Director of Planning and Development, staff be authorized to prepare, for Council's consideration at the earliest possible opportunity, by-laws to amend By-law 1973-100, as amended, and By-law 2005-72, as amended, for the purpose of deleting all apartment minimum floor area standards from the subject by-laws.

T. Lauer,  
Chair.

## CITY OF ORILLIA

**TO:** The Mayor and Members of Council  
**FROM:** Council Committee  
**DATE:** June 21, 2005  
**SUBJECT: Report Number 2005-10 (From meeting of June 20, 2005)**

Your Committee is pleased to report and recommend as follows:

1. THAT the report dated May 27, 2005 from the Recreation Advisory Committee regarding bonspiel rates, be adopted;

AND THAT Chapter 456 of the City of Orillia Municipal Code be amended to include this rate in the fee schedule.

2. THAT as recommended in a report dated June 10, 2005 from the Accessibility Advisory Committee, the 2005-2006 Accessibility Plan for the City of Orillia attached to the report, be adopted;

AND THAT a copy of the Plan be forwarded to the Ministry of Citizenship and Culture.

3. THAT as recommended in a report dated June 15, 2005 from the Director of Culture and Heritage, Council approve the implementation of a convenience fee of \$1 to be applied to all ticket sales at the Orillia Opera House to be used to finance the new box office software, annual software support and maintenance fees and increased overhead costs;

AND THAT the fee be applicable effective January 1, 2006;

AND THAT the fees be included in the City of Orillia Municipal Code.

4. THAT as recommended in a report dated May 30, 2005 from the Director of Planning and Development and the Director of Culture and Heritage, a copy of the report, with enclosures, be forwarded to the Downtown Orillia Management Board and Municipal Heritage Committee for their review and comment.

5. THAT as recommended in a report dated June 8, 2005 from the Director of Planning and Development, Director of Public Works and the Trails for Life Committee, the request set out in a letter dated April 28, 2005 by Fayne Bullen (151 and 153 Cedar Island Road) for the former Canadian Pacific Railway corridor to be opened and assumed from Cedar Island Road east along Mr. Bullen's lot line adjacent to the corridor by the City of Orillia as a public road, be approved subject to:

- i) the road being built to a collector standard acceptable to the City including the capacity of locating sufficient trail corridors within both sides of the road right-of-way, and
- ii) all associated costs (i.e. including, but not limited to, notice, legal, engineering, surveying, construction, securities and inspection) being the obligation of Mr. Bullen. **TABLED**

6. THAT as recommended in a report dated May 26, 2005 from the Public Works Department, "No Parking Anytime" be implemented on the north side of Progress Drive from Memorial Avenue to Ontario Street.

7. THAT as recommended in a report dated June 7, 2005 from the Public Works Department, no action be taken on the request by the Orillia Presbyterian Church in a letter dated May 12, 2005 for parking restrictions on Peter Street adjacent to the Church.

8. THAT no action be taken on the implementation of a Community Safety Zone on West Ridge Boulevard from Bass Lake Sideroad to Monarch Drive at this time.

9. THAT "appropriate signage" be installed on Forest Avenue South to discourage littering.

10. THAT the report dated June 9, 2005 from the City Manager regarding correspondence from the County of Simcoe regarding the Casino Rama Impact Study, be received as informational.

11. THAT as recommended in a report dated June 13, 2005 from the Manager of Property and Purchasing, the tender from W.S. Morgan Construction Limited for the price of \$93,000 (plus taxes) be accepted for the exterior window replacement program.

**TABLED**

12. THAT as recommended in a report dated May 30, 2005 from the Fire Chief, the 1968 G.M.C. LaFrance pumper be donated to the Orillia Shrine Club.

13. THAT the report dated June 14, 2005 from the Chief Lottery Licensing Officer regarding Bingo Financial Results, be received as informational.

14. THAT as recommended in a report dated June 10, 2005 from the Public Works Department, the proposed solid waste management fee schedule (Attachment 1 to the report) be approved in principle;

AND THAT a public meeting with respect to these fees be held on July 18, 2005 prior to the regular Council Meeting;

AND THAT staff be authorized to initiate the 21-day notice period for the public meeting prior to ratification by Council;

AND THAT following appropriate amendments resulting from the public meeting, Chapter 457 of the Municipal Code be amended by deleting the existing Schedule 'A' and replacing it with the Schedule 'A' presented in the report;

AND THAT the new fees become effective August 1, 2005.

15. THAT the Pilot Project Community Safety Zone (CSZ) on Fitton's Road between West Street and Dancy Drive, on Park Street between Fitton's Road and Brant Street, and on Collegiate Drive between Park Street and Coldwater Road be made permanent;

AND THAT the CSZ on Westmount Drive between Mississaga Street and Nottawasaga Street be made permanent.

16. THAT as recommended in a report dated June 7, 2005 from the Public Works Department, the Salt Management Plan dated April 3, 2005, be approved.

17. THAT as recommended in a report dated June 7, 2005 from the Public Works Department, Schedule "A" - Sidewalks Not Plowed, of the Winter Control Policy and Procedure, be approved as revised.

18. THAT as recommended in a report dated June 14, 2005 from the Public Works Department, KMK Consultants be retained to carry out Engineering Design and Contract Administration of the Septage and Hauled Sewage Receiving Facility at the James Street Sewage Pumping Station for the proposed cost of \$89,800 plus G.S.T.

19. THAT the report dated June 13, 2005 from the City Manager regarding soil testing at the MURF site, be received as informational;

AND THAT a copy of the Ministry of the Environment's letter dated May 31, 2005 be forwarded to Mr. A. Millard for his information.

G. Morano,  
Chair.