

The Corporation of the Township of Tay
Committee of all Council Meeting Minutes

Wednesday, March 13, 2019
10:00 A.M.

Present: Mayor Ted Walker
Deputy Mayor Gerard LaChapelle
Councillor Paul Raymond
Councillor Sandy Talbot
Councillor Jeff Bumstead
Councillor Mary Warnock
Councillor Barry Norris

Staff Present: Robert Lamb, CAO/Deputy Clerk
Alison Gray, Clerk
Peter Dance, Director of Public Works
Joanne Sanders, Director of Finance
Steve Farquharson, Director of Planning & Development
Daryl O'Shea, ICT Coordinator *
Robert Kennedy, By-law Enforcement Officer (Sec. A)
Lindsay Barron, Financial Analyst (Sec. B)
Bryan Anderson, Manager of Parks, Recreation & Facilities (Sec. C)
Mike Emms, Superintendent of Water & Wastewater (Sec. C)
Lyell Bergstrom, Manager of Roads & Fleet (Sec. C)

* did not attend Closed Session

1. Call to Order:

Mayor Walker called the meeting to order at 10:00 a.m.

2. Adoption of the Agenda:

Mayor Walker inquired as to any additions, deletions or amendments to the agenda.

After discussion and consideration the following motion was moved by Councillor Bumstead and seconded by Councillor Raymond recommending the following to Council for consideration:

That the March 13, 2019 agenda be adopted with the following amendments:

- **Deferral – 10:00 - C. Lambie, CEO & President – R: Update on Waypoint and Waypoint/CHIGAMIK Health Hub**
- **Addition – Planning & Development – 3.2 – Correspondence from a Ratepayer – Re: Request for Reduction in Development Charges.**

Carried.

3. **Disclosure of Interest:**

None were declared.

5. **Committee Business:**

A: Protection to Persons & Property Committee – Chaired by Chair Councillor Sandy Talbot:

A.1 The Protection to Persons & Property Committee was called to order by the Vice Chair at 10:03 a.m.

A.2.1 We received Report No. PPP-2019-21 from the Fire Chief, under date of March 13, 2019 regarding a Monthly Activity Report for February 2019.

After discussion and consideration the following motion was moved by Deputy Mayor LaChapelle and seconded by Councillor Raymond recommending the following to Council for consideration:

That Staff Report No. PPP-2019-21 regarding Fire Chief's Monthly Activity Report – February 2019 be received for information.

Carried.

The Fire Chief and Director of Public Works were directed to send correspondence to MTO regarding Highway 400 closures during inclement weather and emergency detour routes.

A.2.2 We received Report No. PPP-2019-18 from the Deputy Fire Chief/Fire Prevention Officer, under date of March 13, 2019 regarding a Monthly Activity Report for February 2019.

After discussion and consideration the following motion was moved by Councillor Warnock and seconded by Councillor Raymond recommending the following to Council for consideration:

That Staff Report No. PPP-2019-18 regarding Deputy Fire Chief/FPO Monthly Activity Report – February 2019 be received for information.

Carried.

A.2.3 We received Report No. PPP-2019-22 from the Municipal Law Enforcement Officer, under date of March 13, 2019 regarding a By-law Monthly Activity Report for February 2019.

After discussion and consideration the following motion was moved by Councillor Bumstead and seconded by Councillor Talbot recommending the following to Council for consideration:

That Staff Report No. PPP-2019-22 regarding By-law Monthly Activity Report – February 2019 be received for information.

Carried.

4. **Delegations:**

10:00 – C. Lambie, CEO & President – R: Update on Waypoint and Waypoint/CHIGAMIK Health Hub

Delegation deferred to May 2019.

10:15 – M. Lavigne – Re: Canine By-law & Fencing Requirements

We received a delegation from Mrs. Michele Lavigne regarding the Canine Control By-law and fencing requirements, as detailed in her correspondence. Mrs. Lavigne reported that while the by-law changes came into effect in 2017, she was not made aware of the new fencing requirements until her 2018 kennel inspection. She commented that she understands Council's concerns, but noted that her lot is very forested and her neighbours live a distance away. Due to the density of trees on her property, when leafed, you cannot see her neighbours for the majority of the year.

Mrs. Lavigne advised that the cost to install a wood fence is considerable given their plans to retire in the next year, and is more than they would raise through the sale of a litter. In conclusion, she requested that each kennel should be looked at individually, although she understands the circumstances that led to the rules.

Staff was directed to look into the matter and report back with respect to Mrs. Lavingne's request. In addition, Council advised that they would like to review the Canine Control By-law.

10:30 – E. Conroy, Friends of Keewatin – Re: SS Keewatin Update & Future Plans.

We received a delegation from Mr. Eric Conroy, Friends of Keewatin providing an update on the SS Keewatin and detailing future plans, as detailed in his correspondence. Mr. Conroy reviewed the history of the SS Keewatin, and advised that the Friends of Keewatin group now has a lease with CIM Development to be docked in its current location, although the ship itself is still owned by Skyline Developments. He requested that once the parklands are given to the Township that a similar lease agreement be considered between the Friends of Keewatin and municipality.

Mr. Conroy reported that they have applied to Heritage Canada to have the SS Keewatin classified as a Category B Museum, which will facilitate the ownership transfer of the ship from Skyline Development to the Friends of Keewatin. He detailed the uniqueness of the ship in history and highlighted that they had 14,000 visitors in 2018. He requested that the Township establish a Committee to look at park design again, and that the Friends of Keewatin be involved as a partner in the park design.

Staff was requested to report back detailing to the history of the parklands and preliminary park design for Council's information.

5. **Committee Business:**

A: Protection to Persons & Property Committee – Chaired by Chair Councillor Sandy Talbot cont'd:

A.2.4 We received Report No. PPP-2019-19 from the Municipal Law Enforcement Officer, under date of March 13, 2019 regarding Proposed Set Fines for the Parking By-law.

Council directed that the Chair, Vice Chair and Deputy Mayor meet with staff with respect to the concerns surrounding the Parking By-law, and Council members were requested to submit comments to staff for consideration.

A.2.5 We received Report No. PPP-2019-23 from the Canine Municipal Law Enforcement Officer, under date of March 13, 2019 regarding a By-law Monthly Activity Report for February 2019.

After discussion and consideration the following motion was moved by Councillor Raymond and seconded by Councillor Warnock recommending the following to Council for consideration:

That Staff Report No. PPP-2019-23 regarding MLEO Canine By-law Monthly Activity Report – February 2019 be received for information.

Carried.

A.2.6 We received Report No. PPP-2019-25 from the Clerk, under date of March 13, 2019 regarding a Business Licensing.

After discussion and consideration the following motion was moved by Councillor Bumstead and seconded by Councillor Warnock recommending the following to Council for consideration:

That Staff Report No. PPP-2019-25 regarding Business Licensing be received; and

That that the minor housekeeping amendments to the Business Licensing By-law be approved;

And that the required amending by-law be brought forward to the next Council meeting.

Carried.

A.3.1 We received a verbal report from Councillor Warnock regarding the Parking By-law and Driveways with Sidewalks.

Councillor Warnock advised that she would submit her comments as part of the Parking By-law review.

A.4.1 We received correspondence for information from the Portarama Committee regarding a request for exemption of by-law to permit fireworks display.

Council directed that the Chair, Vice Chair and Deputy Mayor meet with staff with to review the Fireworks By-law.

Council temporarily recessed at 12:05 p.m.

Council resumed at 12:40 p.m.

B: General Government & Finance Committee – Chaired by Chair Deputy Mayor Gerard LaChapelle:

B.1 The General Government & Finance Committee was called to order by the Chair at 1:15 p.m.

B.2.1 We received for information a report from the Chief Administrative Officer regarding the CAO's Monthly Update – February 7 to March 6, 2019.

Council directed that a Special GGF meeting be held on April 24, 2019 at 4:00 p.m. to review the Township's complement and provide direction on the Management Review.

B.2.2 We received for information a report from the Clerk regarding the Clerk's Monthly Update – February 2019.

Councillor Talbot and Councillor Warnock agreed to review Senior of the Year nominations with the Clerk.

B.2.3 We received Report No. GGF-2019-18 from the Clerk, under date of March 13, 2019 regarding Sale of Land Policy.

After discussion and consideration the following motion was moved by Councillor Raymond and seconded by Councillor Norris recommending the following to Council for consideration:

That Staff Report No. GGF-2019-18 regarding Sale of Land Policy be received;

And that Council provides any comments on the draft policy to staff by noon on March 20th, so that staff may bring a final report forward to the March 27th Council meeting, with the required by-law.

Carried.

B.2.4 We received Report No. GGF-2019-21 from the Clerk, under date of March 13, 2019 regarding Integrity Commissioner.

After discussion and consideration the following motion was moved by Councillor Warnock and seconded by Councillor Talbot recommending the following to Council for consideration:

That Staff Report No. GGF-2019-21 regarding an Integrity Commissioner be received;

That the resignation of Ms. Kristin Eliot, Integrity Commissioner, be received;

And that the Township issue a Request for Proposal for an Integrity Commissioner.

Carried.

B.2.5 We received Report No. GGF-2019-19 from the Director of Finance, under date of March 13, 2019 regarding 2018 Statement of Remuneration and Expenses.

After discussion and consideration the following motion was moved by Councillor Norris and seconded by Councillor Bumstead recommending the following to Council for consideration:

That Report GGF-2019-19 regarding the 2018 Statement of Remuneration and Expenses, paid to members of Council, Local Boards and Committees be received.

Carried.

B.2.5 We received Report No. GGF-2019-20 from the Director of Finance, under date of March 13, 2019 regarding 2018 Year End – Capital.

After discussion and consideration the following motion was moved by Councillor Talbot and seconded by Councillor Bumstead recommending the following to Council for consideration:

That Staff Report No. GGF-2019-20 regarding the 2018 Year End Report- Capital be received;

And that Staff be authorized to adjust the transfer from the Municipal Fleet & Equipment (Fire Capital) Reserve by \$4,717 to reflect the cost of additional portable radios needed for new recruits;

And that Staff be authorized to adjust the transfer from the Parks and Recreation Reserve by a total \$4,011 to reflect the project overage on the First Avenue Trail;

And that Staff be authorized to use the balance of deferred gas tax funds amounting to \$3,105 towards the 2018 Roads Capital Program;

And that the net cost of \$43,555 incurred to supply and install conduit for future telecommunication projects in the Paradise Point and Grandview Beach area be funded from the Contingency Reserve;

And that the future connection charges applicable of approximately \$62,977 for properties in the Grandview Beach and Paradise Point area be funded from the Water Capital Reserve until they become payable by the benefiting property owners (by January 1, 2021);

And that the project overage of \$351,000 noted on the 2017/2018 watermain replacement, road reconstruction and drainage works project be funded from additional revenues and other budget underages in the Roads Capital Program (\$125,800), the 2018 Operating Surplus (\$168,000) and the Water Capital Reserve (\$57,200);

And whereas the project costs for the watermain and road reconstruction work completed in Grandview Beach and Paradise Point have exceeded the original estimate of \$6,900,000;

That the total project funding be amended as follows:

- **Ontario Community Infrastructure Fund – Formula Based Component - \$ 311,044**
- **Ontario Community Infrastructure Fund – Top-Up Component - \$1,486,931**
- **Clean Water and Wastewater Fund - \$221,679**
- **Paradise Point and Grandview Beach Grant – \$2,675,342**
- **Gas Tax Fund - \$313,208**
- **Water Capital Reserve - \$888,416**
- **Contingency Reserve - \$44,555**
- **Tax Rate/Development Charges - \$969,453**
- **2018 Operating Surplus - \$110,004**
- **Benefiting Property Owners - \$315,640**
- **Other Agencies (Bell) - \$14,089**

For a total project funding of \$7,350.361.

Carried.

B.3.1 We received a verbal report from the CAO regarding the selection of 2 Council Members for the Ad Hoc Committee to select the Strategic Plan Consultant.

Mayor Walker and Councillor Raymond advised that they will sit in on the consultant selection.

Council concurred with merging the planned recreation community consultation with the strategic plan community consultation process.

B.4.1 We received correspondence for information from the Simcoe Muskoka District Health Unit regarding Public & Environmental Health Implications of Bill 66, Restoring Ontario's Competitiveness Act, 2018.

B.4.2 We received correspondence for information from the Simcoe County Agricultural Hall of Fame regarding Annual General Meeting.

B.4.3 We received an invitation for information from the Huronia Community Foundation regarding Community Grants Information Session for Charities.

B.4.4 We received correspondence for information from the Township of Springwater regarding the Annual Log-Sawing Contest – Elmvale Maple Syrup Festival.

B.4.5 We received correspondence for information from Mayor Cornell to the Premier of Ontario regarding Ensuring Ontarians have enough money to feed themselves and their families.

Council directed that a letter of support be sent.

C: Public Works Committee – Chaired By Chair Councillor Barry Norris:

C.1 The Public Works Committee was called to order by the Chair at 1:26 p.m.

C.2.1 We received for information Report No. PW-2019-14 from the Director of Public Works, under date of March 13, 2019, regarding a Monthly Activity Report for the February 2019.

C.2.2 We received for information Report No. PW-2019-17 from the Director of Public Works, under date of March 13, 2019, regarding Double Surface Treatment and Gravel Rehabilitation.

After discussion and consideration the following motion was moved by Deputy Mayor LaChapelle and seconded by Councillor Talbot recommending the following to Council for consideration:

That Council withdraw the 2019 gravel program, and that the Dufferin Aggregates tender not be awarded at this time, and that staff report back to the March 27th, 2019 Council meeting regarding the 2019 gravel contract.

Carried.

After discussion and consideration the following motion was moved by Councillor Talbot and seconded by Councillor Bumstead recommending the following to Council for consideration:

That Staff Report No. PW-2019-17 regarding Double Surface Treatment and Slurry Seal contract 2019-04, and Gravel Rehabilitation Contract 2019-06 be received;

And that the Council of the Township of Tay accepts the Double Surface Treatment and Slurry Seal tender low bid from Duncor Enterprises Inc. in the amount of \$291,388.50 plus HST;

And that staff be directed to prepare the by-law authorizing the execution of the contract between the Township of Tay and Duncor Enterprises Inc. for the Double Surface Treatment and Slurry Seal.

Carried.

C.2.3 We received for information Report No. PW-2019-20 from the Director of Public Works, under date of March 13, 2019, regarding Contract 2019-03 Propane Powered Ice Resurfacer.

After discussion and consideration the following motion was moved by Councillor Talbot and seconded by Councillor Bumstead recommending the following to Council for consideration:

That Staff Report No. PW-2019-20 regarding Contract 2019-03 – One Propane Powered Ice Resurfacer be received;

And that the contract be awarded to Resurface Corp. in the amount of \$80,990.00 plus HST; cont'd...

And that the required by-law authorizing execution of the agreement between the Township and Resurface Corp. be approved.

Carried.

C.2.4 We received for information Report No. PW-2019-21 from the Director of Public Works, under date of March 13, 2019, regarding 2018 Rope Drinking Water system Annual Report.

After discussion and consideration the following motion was moved by Deputy Mayor LaChapelle and seconded by Councillor Raymond recommending the following to Council for consideration:

That Staff Report No. PW-2019-21 regarding the 2018 Rope DWS Annual Report be received;

And that the 2018 Rope Drinking Water System Annual Report be accepted By Council as required by Schedule 22 and Section 11 of Ontario Regulation 170/03.

Carried.

C.2.5 We received for information Report No. PW-2019-22 from the Director of Public Works, under date of March 13, 2019, regarding 2018 Tay Area Drinking Water System Annual Report.

After discussion and consideration the following motion was moved by Councillor Talbot and seconded by Councillor Warnock recommending the following to Council for consideration:

That Staff Report No. PW-2019-22 regarding the 2018 Tay Area DWS Annual Report be received;

And that the 2018 Tay Area Drinking Water System Annual Report be accepted By Council as required by Schedule 22 and Section 11 of Ontario Regulation 170/03.

Carried.

C.2.6 We received for information Report No. PW-2019-23 from the Director of Public Works, under date of March 13, 2019, regarding 2018 Victoria Harbour WWTP Annual Report.

After discussion and consideration the following motion was moved by Councillor Talbot and seconded by Councillor Raymond recommending the following to Council for consideration:

That Staff Report No. PW-2019-23 regarding the 2018 Victoria Harbour WWTP Annual Report be received for information.

Carried.

C.2.7 We received for information Report No. PW-2019-24 from the Director of Public Works, under date of March 13, 2019, regarding 2018 Victoria Harbour WWTP Annual Report.

After discussion and consideration the following motion was moved by Councillor Talbot and seconded by Councillor Raymond recommending the following to Council for consideration:

That Staff Report No. PW-2019-24 regarding the 2018 Port McNicoll WWTP Annual Report be received for information.

Carried.

C.2.9 We received for information Report No. PW-2019-16 from the Water/Wastewater Superintendent, under date of March 13, 2019 regarding a Monthly Activity Report for February 2019.

C.2.8 We received for information Report No. PW-2019-25 from the Director of Public Works, under date of March 13, 2019, regarding Tay Township Local Climate Change Action Plan.

After discussion and consideration the following motion was moved by Councillor Talbot and seconded by Councillor Warnock recommending the following to Council for consideration:

That Staff Report No. PW-2019-25 regarding the climate change action plan be received;

And that the Township adopt 2015 to 2028 reduction targets for Community Sector and Corporate Sector greenhouse gas emission of 6% and 25% respectively;

And that the Tay Township Local Climate Change Action Plan be adopted;

And that the Plan be revised and updated regularly and the actions be implemented as resources and budget permit.

Carried.

C.2.10 We received for information Report No. PW-2019-18 from the Manager of Roads & Fleet, under date of March 13, 2019 regarding a Monthly Activity Report for February 2019.

C.2.11 We received for information Report No. PW-2019-19 from the Manager of Parks, Recreation & Facilities, under date of March 13, 2019 regarding a Monthly Activity Report for February 2019.

C.3.1 We received a verbal report from Councillor Warnock regarding Boat Launch & Non-resident Parking Pass.

Staff was directed to include a review of boat launch parking and a potential pass for non-residents in the review of the Parking By-law.

C.3.2 We received correspondence from the Portarama Committee regarding Request Use of ATV's on Specific Roads during Soapbox Derby.

After discussion and consideration the following motion was moved by Councillor Bumstead and seconded by Councillor Raymond recommending the following to Council for consideration:

That the correspondence from the Portarama Family Festival be received; **cont'd...**

And that Council authorizes the use of ATV's for the Soapbox Derby and the requested temporary road closure of Talbot Street on May 19th, or May 20th rain date, for the Paul Spencer Memorial Soapbox Derby.

Carried.

- C.3.3 We received correspondence for information from the Royal Canadian Legion regarding Flooding of Branch 523 RCL Victoria Harbour.
- C.4.1 We received for information correspondence from a resident regarding street lighting for Bourgeois Beach Road.
- C.4.2 We received for information an email from the Director of Public Works regarding reply to questions – natural gas to rural areas.

D: Planning & Development Committee – Chaired by Chair Councillor Mary Warnock:

D.1 The Planning & Development Committee was called to order by the Chair at 3:00 p.m.

D.2.1 We received for information Report No. PD-2019-12 from the Director of Planning & Development, under date of March 13, 2019 regarding Directors Monthly Update – February 2019.

D.2.2 We received for information Report No. PD-2019-13 from the Director of Planning & Development, under date of March 13, 2019 regarding Modifications to Draft Plan conditions for Heights of Victoria Harbour Draft Plan of Subdivision (File Number TA-T-90017).

After discussion and consideration the following motion was moved by Councillor Raymond and seconded by Councillor Talbot recommending the following to Council for consideration:

That Staff Report No. PD-2019-13 regarding a modification to the draft plan conditions of the Heights of Victoria Harbour subdivision File Number TA-T-90017 be received;

That the revised conditions of draft plan approval for the Heights of Victoria Harbour Subdivision be amended as outlined in Attachment "B" of Staff Report PD-2019-13.

And that the owners be notified of the decision of Council, with respect to the revised conditions.

Carried.

D.2.3 We received Report No. PD-2019-14 from the Director of Planning & Development, under date of March 13, 2019 regarding 2019 Housekeeping Amendment to Zoning By-law 2000-57.

After discussion and consideration the following motion was moved by Councillor Raymond and seconded by Councillor Norris recommending the following to Council for consideration:

That Staff Report No. PD-2019-14 regarding Zoning By-law Amendment Housekeeping be received;

And further that Council authorizes staff to begin the appropriate Planning process and schedule a public meeting in accordance with the Planning Act.

Carried.

D.2.4 We received Report No. PD-2019--11 from the Chief Building Official, under date of March 13, 2019 regarding Building Services Division Monthly Report – February 2019.

After discussion and consideration the following motion was moved by Councillor Talbot and seconded by Councillor Norris recommending the following to Council for consideration:

That Report No. PD-2019-11 regarding Building Services Division Monthly Report – February 2019 be received.

Carried.

D.3.1 We received correspondence from Maxson Building Corporation regarding Building Permits – Victoria Woods Phase 4.

Staff was requested to report back at the April Committee meeting with an update on the matter.

D.3.2 We received correspondence from a Ratepayer regarding a Request for Reduced Development Charges.

After discussion and consideration the following motion was moved by Councillor Raymond and seconded by Councillor Talbot recommending the following to Council for consideration:

That the request by the owner of 17 Bourrie Avenue for the waiving or reduction of development charges be denied.

Carried.

D.4.1 We received correspondence for information from the Ministry of Municipal Affairs & Housing regarding Housing Supply Action Plan.

D.4.2 We received correspondence for information from the County of Simcoe regarding Seniors Housing Grant Program.

D.4.3 We received correspondence for information from a resident to Jill Dunlop, MPP regarding Property Designation – Green Space.

6. CLOSED SESSION:

Following the regular Committee of All Council business we adjourned to a Closed Session and the following motion was passed.

Moved By: Councillor Barry Norris

Seconded By: Deputy Mayor Gerard LaChapelle

That Council adjourn to a Closed Session;

And further that this portion of the meeting be closed to the public pursuant to Section 239, Subsection 2 of the Municipal Act, 2001 - as marked:

- **A proposed or pending acquisition or disposition of land by the municipality or local board (Potential Land Acquisition)**
- **Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (By-law Enforcement Matter).**

Carried.

Closed Session commenced at 4:07 p.m.

6.1 We received a verbal report from the Clerk regarding a proposed or pending acquisition or disposition of land by the municipality or local board (Potential Land Acquisition).

The Clerk reviewed a potential land acquisition with Council and received direction.

6.2 We received a verbal report from the Fire Chief regarding a litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (By-law Enforcement Matter).

Staff reviewed a potential litigation with Council and was directed to send correspondence.

Moved By: Deputy Mayor Gerard LaChapelle

Seconded By: Councillor Barry Norris

That Council adjourn to a Closed Session at 4:25 p.m.

Carried.

7. ADJOURNMENT:

Moved by Councillor Raymond and seconded by Councillor Bumstead.

That this Committee of All Council meeting adjourn at 4:26 p.m. and reconvene on April 10, 2019.

Carried.

Minutes Recorder: Alison Gray, Clerk