

**Minutes of the Regular Meeting of Council held on Monday, September 26, 2011,  
at 7:00 p.m. in the Council Chambers at the Municipal Office.**

**Present:** Mayor G. McKay, Deputy Mayor S. Kramp, Councillors Z. Pendlebury, J. Charlebois, M. Ross, P. File, G. Canning, B. Jeffery and J. Attwood

**Also Present:** Chief Administrative Officer, T. Walker  
Director of Parks and Recreation, B. Peter  
Deputy Fire Chief, T. Toole  
Director of Public Works, S. Berriault  
Director of Planning and Development, W. Crown  
Treasurer, S. Gignac  
Acting Deputy Clerk, K. Desroches  
Acting Senior Executive Assistant, T. Leonard

**1. CALL TO ORDER**

Mayor G. McKay called the meeting to order at 7:00 p.m.

**2. MOMENT OF SILENT REFLECTION**

A moment of silent reflection was held.

**3. DECLARATIONS OF PECUNIARY INTEREST**

Councillor M. Ross declared a pecuniary interest with respect to By-laws 2011-64 and 2011-65 by reason that he has a pending membership in the Royal Canadian Legion - Midland Branch.

**4. PRESENTATION**

CAO T. Walker noted that the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) has recognized Treasurer S. Gignac with a certificate for 10 years of membership in AMCTO.

**5. CONSENT AGENDA**

Adoption of recommendations as set out on the Consent Agenda for the Regular Meeting of Council on September 26, 2011.

Moved by S. Kramp  
Seconded by J. Attwood

THAT COUNCIL ADOPT THE RECOMMENDATIONS AS SET OUT ON  
THE CONSENT AGENDA FOR THE REGULAR MEETING OF COUNCIL  
HELD SEPTEMBER 26, 2011.

CARRIED.

6. **DEPUTATION**

a) **Southern Georgian Bay Chamber of Commerce**

Ms. Barbara Jones, President, SGBCC, gave a Power Point presentation outlining the tourism services the Chamber provides for the four North Simcoe municipalities, as well as membership activities.

Mayor McKay thanked Ms. Jones for her presentation.

b) **Huronian Community Foundation**

Mr. George Cornell, President, Huronia Community Foundation (HCF), gave a Power Point presentation which provided an overview of HCF and the Foundation's activities.

Mayor McKay thanked Mr. Cornell for his presentation.

7. **ACCOUNTS**

a) **General Accounts**

Moved by J. Charlebois  
Seconded by J. Attwood

THAT THE ACCOUNTS FOR THE MONTH OF AUGUST 2011,  
TOTALLING \$1,776,452.83 BE APPROVED AND CONFIRMED  
AS PAID.

CARRIED.

8. **CORRESPONDENCE**

a) **Volunteer Appreciation Barbeque**

Council reviewed a letter dated August 31, 2011, from Ms. A. Wilkes, regarding the use of Styrofoam plates and plastic water bottles at the Volunteer Appreciation Barbeque.

Staff were directed to prepare a report on environmental and recycling initiatives that are currently in place and to bring forward ideas on improvements.

**b) Girls Holiday Weekend Event**

Council reviewed a letter dated September 19, 2011, from Ms. D. Juzytsch, Manager, Downtown Midland BIA, requesting permission to hang a banner on King Street and Highway 12 beginning October 14, 2011, for a minimum of three weeks, to promote a Girls Holiday Weekend Event on November 4, 5 and 6, 2011, and to encourage early Christmas shopping.

**Moved by J. Charlebois**

**Seconded by J. Attwood**

**THAT PERMISSION BE GRANTED TO THE DOWNTOWN MIDLAND BIA TO HANG A BANNER ON KING STREET AND HIGHWAY 12 BEGINNING OCTOBER 14, 2011, FOR A MINIMUM OF THREE WEEKS, TO PROMOTE A GIRLS HOLIDAY WEEKEND EVENT ON NOVEMBER 4, 5 AND 6, 2011, AND TO ENCOURAGE EARLY CHRISTMAS SHOPPING.**

**CARRIED.**

**c) 2011 Board of Directors**

Council reviewed a letter dated September 15, 2011, from Ms. D. Juzytsch, Manager, Downtown Midland Business Improvement Area, advising of the new Directors of the Downtown Midland BIA Board of Management.

**Moved by J. Charlebois**

**Seconded by J. Attwood**

**THAT COUNCIL HEREIN CONFIRMS THE FOLLOWING INDIVIDUALS AS APPOINTED TO THE BOARD OF MANAGEMENT FOR THE BUSINESS IMPROVEMENT AREA, EFFECTIVE SEPTEMBER 2011.**

<b>Chair</b>	<b>Steve Maurice</b>	<b>Maurice's Valu-Mart</b>
<b>Vice-Chair</b>	<b>Sandy Templeton</b>	<b>The Lighthouse Store</b>
<b>Treasurer</b>	<b>Trevor Henderson</b>	<b>Homecoming</b>
<b>Director</b>	<b>Ashley Howell</b>	<b>Simply County</b>
<b>Director</b>	<b>Karianne Copeland</b>	<b>Graffiti Art</b>
<b>Director</b>	<b>Karen Shepherd</b>	<b>Little Monkey Tree House</b>
<b>Director</b>	<b>Catherine Millward</b>	<b>212 King Street</b>
<b>Director</b>	<b>Steve Barber</b>	<b>TD Canada Trust</b>
<b>Delegate</b>	<b>Mike Ross</b>	<b>Council</b>

**NEW**

**Director  
Director  
Director  
Director  
Director**

**Andre Sanche  
Kelly Moss  
Wanda Arreola  
Scott Campbell  
Brenda Slater**

**Ciboulette et Cie  
Kelly Moss Photography  
Image Salon  
Grounded Coffee Company  
Carson Wagonlit**

**CARRIED.**

**9. REPORTS**

**1) General Committee Report 2011-7 of its meeting held September 12, 2011**

Prior to calling upon the Section Chairpersons to present their motions from the Reports, Deputy Mayor Kramp requested that the minutes be amended to show his declaration of pecuniary interest as relating to the Party on the Dock matter included in the Information Report under Section A, Item #1 and not the Pete Pettersen Park matter under Section A, Item #2.

Deputy Mayor Kramp then called upon the Section Chairpersons to present their motions from the report.

**a) Disposal of 1990 Pumper  
(Reference Section A, Item #4 of the above report)**

**Moved by           Z. Pendlebury  
Seconded by       M. Ross**

**THAT THE 1990 PUMPER BE DECLARED SURPLUS AND  
DISPOSED OF BY DONATING IT TO GEORGIAN COLLEGE  
FOR USE IN THE PRE-SERVICE FIREFIGHTER EDUCATION  
AND TRAINING PROGRAM.**

**CARRIED.**

**b) High School Cross-Country Race  
(Reference Section A, Item #6 of the above report)**

**Moved by           M. Ross  
Seconded by       Z. Pendlebury**

**THAT PERMISSION BE GRANTED TO ST. THERESA'S HIGH  
SCHOOL TO USE LITTLE LAKE PARK TO HOST A HIGH  
SCHOOL CROSS-COUNTRY RACE FROM 2:00 P.M. TO 6:00  
P.M. ON THURSDAY, OCTOBER 6, 2011, CLOSURE OF  
LITTLE LAKE PARK ROAD FROM YONGE STREET TO THE  
YMCA ENTRANCE, AS WELL AS USE OF THE WASHROOMS  
LOCATED BY THE VOLLEYBALL COURTS; AND THAT A  
CERTIFICATE OF INSURANCE, IN THE AMOUNT OF \$2  
MILLION WAS RECEIVED PRIOR TO THE EVENT, NAMING  
THE TOWN AS AN ADDITIONAL INSURED.**

**CARRIED.**

- c) **4-Way Stop Condition at Sixth and Ontario**  
(Reference Section B, Item #3 of the above report)

Moved by B. Jeffery

Seconded by M. Ross

THAT SCHEDULE III OF BY-LAW 98-21 BE AMENDED  
TO PROVIDE FOR A 4-WAY STOP CONDITION AT SIXTH  
STREET AND ONTARIO STREET.

CARRIED.

Following a review of the remainder of the Report, it was then,

Moved by J. Attwood

Seconded by S. Kramp

THAT GENERAL COMMITTEE REPORT 2011-7 OF ITS MEETING  
HELD SEPTEMBER 12, 2011, BE ADOPTED AS PRINTED AND  
CIRCULATED.

CARRIED.

2) **NEER Summary**

Council received for information a copy of the quarterly NEER Summary which depicted costs as of June 30, 2011, applicable to the Accident Cost Statements received by the Town on a monthly basis.

Staff were directed to provide a summary of this information along with the quarterly NEER Summary.

3) **Report on Waterworks**

Council received as information the report for the month of August 2011.

4) **Chief Building Official Report**

Council received as information the Building Permit Report and Analysis for the month of August 2011.

5) **Soccer Field Fencing Tender**

Council reviewed a report dated September 22, 2011, from B. Peter, Director of Parks and Recreation, recommending that the tender submitted by Lalonde Fencing for the supply and installation of fencing for the soccer fields in the amount of \$91,354.17, plus HST, be approved.

Moved by Z. Pendlebury  
Seconded by M. Ross

THAT THE TENDER SUBMITTED BY LALONDE FENCING FOR THE SUPPLY AND INSTALLATION OF FENCING FOR THE SOCCER FIELDS IN THE AMOUNT OF \$91,354.17, PLUS HST, BE APPROVED.

CARRIED.

6) **Planning and Development Committee Report 2011-9**

Deputy Mayor S. Kramp presented and reviewed the above report, and the following items of business were recorded.

a) **Clagar Holdings Inc. – 519 King Street**  
(Reference Section #4B of the above report)

Moved by S. Kramp  
Seconded by J. Attwood

THAT ZONING BY-LAW AMENDMENT APPLICATION NO. ZBA-06-11 (CLAGAR HOLDINGS INC.) RESPECTING LANDS AT 519 KING STREET BE RECOMMENDED TO COUNCIL FOR APPROVAL AND THE PASSING OF THE REQUIRED IMPLEMENTING ZONING BY-LAW AMENDMENT.

CARRIED.

b) **North Simcoe Emergency and Transitional Residential Projects Inc. (Shelter Now) – 860 Yonge Street**  
(Reference Section #4C of the above report)

Councillor Z. Pendlebury spoke to several calls she has received from residents concerning the nature of the housing. Director of Planning and Development W. Crown confirmed the zoning as “residential apartment exception”, which is consistent with other zoning in the area.

Following a lengthy discussion regarding the impact of the proposed project on nearby residents, it was determined that the item and by-law should be deferred for a further report from staff on the issues identified by Council.

It was then,

Moved by J. Charlebois  
Seconded by J. Attwood

THAT CONSIDERATION OF BY-LAW 2011-62 BE DEFERRED TO PERMIT AN OPPORTUNITY TO OBTAIN ADDITIONAL INFORMATION.

A recorded vote was requested.

	<u>AYE</u>	<u>NAY</u>
Mayor G. McKay	X	
Deputy Mayor S. Kramp	X	
Councillor P. File		X
Councillor J. Attwood	X	
Councillor Z. Pendlebury		X
Councillor J. Charlebois	X	
Councillor B. Jeffery	X	
Councillor M. Ross	X	
Councillor G. Canning	X	

**CARRIED.**

c) **Sign By-law**  
(Reference Section #4E of the above report)

Moved by J. Charlebois  
Seconded by P. File

**THAT THE REVISED WORK PLAN AND SCHEDULE FOR THE SIGN BY-LAW CONTENT REVIEW AS SET OUT IN STAFF REPORT PLE-2011-57 BE APPROVED; and**

**THAT THE DRAFT NEW SIGN BY-LAW DATED AUGUST 10, 2011 BE APPROVED FOR PUBLIC REVIEW AND COMMENT, IN ACCORDANCE WITH THE REVIEW WORK PLAN AND SCHEDULE.**

**CARRIED.**

d) **Bay Port Village Inc. – Phase I Townhouse Development**  
(Reference Section #4G of the above report)

Moved by J. Charlebois  
Seconded by P. File

**THAT THE PLANNING AND DEVELOPMENT COMMITTEE RECOMMENDS THE APPROVAL OF SITE PLAN APPLICATION SPA-02-11 PHASE 1 OF THE BAY PORT VILLAGE STREET TOWNHOUSE COMPONENT; AND**

**THAT ALL REQUIRED DRAWINGS AND/OR REPORTS SHALL BE SUBMITTED AND APPROVED BY THE APPROPRIATE STAFF IN ACCORDANCE WITH THE SITE APPROVED SITE PLAN.**

**CARRIED.**

Following a review of the remainder of the Report, it was then,

**Moved by J. Charlebois**

**Seconded by P. File**

**THAT REPORT 2011-9 OF THE PLANNING AND DEVELOPMENT COMMITTEE MEETING DATED WEDNESDAY, SEPTEMBER 7, 2011 BE ADOPTED AS PRINTED AND CIRCULATED.**

**CARRIED.**

Councillor B. Jeffery vacated his seat.

**7) Request to Replace Windows – Heritage Animal Hospital**

Council reviewed a report dated September 21, 2011, from W. Crown, Director of Planning and Development, recommending that Council require the owner of the Heritage Animal Hospital at 687 King Street to replace the existing windows with similar wood windows that match the style and character of the existing windows, as noted in the Heritage Designation By-Law (2010-18), under the *Ontario Heritage Act*. Councillor B. Jeffery returned to his Council seat during discussion of this matter.

**Moved by M. Ross**

**Seconded by Z. Pendlebury**

**THAT COUNCIL OF THE CORPORATION OF THE TOWN OF MIDLAND REQUIRE THE OWNER OF THE HERITAGE ANIMAL HOSPITAL AT 687 KING STREET TO REPLACE THE EXISTING WINDOWS WITH SIMILAR WOOD WINDOWS THAT MATCH THE STYLE AND CHARACTER OF THE EXISTING WINDOWS, AS NOTED IN THE HERITAGE DESIGNATION BY-LAW (2010-18), UNDER THE *ONTARIO HERITAGE ACT*.**

**DEFERRED.**

Following a brief discussion, it was then,

**Moved by S. Kramp**

**Seconded by J. Charlebois**

**THAT THE MATTER REGARDING THE REPLACEMENT OF WINDOWS AT THE HERITAGE ANIMAL HOSPITAL BE DEFERRED TO PERMIT AN OPPORTUNITY TO OBTAIN ADDITIONAL INFORMATION.**

A recorded vote was requested.

	<u>AYE</u>	<u>NAY</u>
Mayor G. McKay	X	
Deputy Mayor S. Kramp	X	
Councillor P. File	X	
Councillor J. Attwood	X	
Councillor Z. Pendlebury		X
Councillor J. Charlebois	X	
Councillor B. Jeffery	X	
Councillor M. Ross		X
Councillor G. Canning	X	

**CARRIED.**

**8) Midland Public Library – Report to Council**

Council received as information a report from B. Molesworth, CEO/Chief Librarian, for September 2011.

**10. CONSENT BY-LAW**

**Moved by M. Ross  
Seconded by B. Jeffery**

**THAT LEAVE BE GRANTED TO INTRODUCE THE FOLLOWING BY-LAWS:**

- By-law 2011-61 Amend Zoning By-law 2004-90 to rezone 519 King Street.
- By-law 2011-63 Accessibility Plan for the Town of Midland and Midland Transit.

**CARRIED.**

It was then,

**Moved by M. Ross  
Seconded by B. Jeffery**

**THAT BY-LAW 2011-61 AND 2011-63 BE READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED.**

**CARRIED.**

Having previously declared a pecuniary interest, Councillor M. Ross vacated his seat.

It was then,

**Moved by B. Jeffery**  
**Seconded by Z. Pendlebury**

**THAT LEAVE BE GRANTED TO INTRODUCE THE FOLLOWING BY-LAWS:**

- By-law 2011-64 Municipal Capital Facilities Agreement – Royal Canadian Legion – Parking Lot
- By-law 2011-65 Municipal Capital Facilities Agreement - Royal Canadian Legion – Museum

**CARRIED.**

It was then,

**Moved by B. Jeffery**  
**Seconded by Z. Pendlebury**

**THAT BY-LAW 2011-64 AND 2011-65 BE READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED.**

**CARRIED.**

Councillor M. Ross returned to his seat.

## **11. GENERAL BUSINESS**

### **1) Other Business Introduced by Members of Council or Staff**

#### **a) Free Cycle Event**

Councillor Z. Pendlebury noted that Georgian College is holding a Free Cycle event on Saturday October 22<sup>nd</sup> from 8:30 a.m. until noon to promote reusing, recycling and diversion from land fills.

#### **b) County Updates**

Deputy Mayor S. Kramp provided an update on efforts to encourage the County to consider the installation of a paved shoulder on County Road 93 between the Towns of Midland and Penetanguishene as a trail connection. Deputy Mayor Kramp also provided an update on efforts to resolve a waste management matter impacting Tiffin by Bay condominium residents, and the status of Council's request to the County for consideration of Midland as a pilot project for the heavy garbage voucher system including a transportation component.

12. **CONFIRMATORY BY-LAW**

a) **By-law 2011-66**

Moved by G. Canning  
Seconded by B. Jeffery

THAT LEAVE BE GRANTED TO INTRODUCE BY-LAW 2011-66.  
CARRIED.

It was then,

Moved by G. Canning  
Seconded by B. Jeffery

THAT BY-LAW 2011-66 BE READ A FIRST, SECOND AND  
THIRD TIME AND FINALLY PASSED.  
CARRIED.

13. **ADJOURNMENT**

Moved by B. Jeffery  
Seconded by J. Attwood

THAT THE MEETING BE ADJOURNED AT 9:20 p.m.  
CARRIED.

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T. Walker, CAO/Acting Clerk