



The Corporation of The Town of Midland

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Minutes of the Regular Meeting of Council held on Wednesday, September 4, 2019 at 6:00 p.m. in the Municipal Office Council Chambers.

Present: Mayor S. Strathearn, Councillors J. Main, C. Oschefski, C. McGinn, B. Gordon, J. Downer, and C. Cunningham

Regrets: Deputy Mayor M. Ross, Councillor B. Prost

Also Present: Acting CAO/Director of Fire Services/Fire Chief, P. Ryan
Director of Finance/Treasurer, S. Turnbull*
Director of Planning and Building Services, W. Crown
Director of Infrastructure, A. Campbell
Clerk, K. Desroches
Deputy Clerk, S. Edgar

* left the meeting after the 6:00 p.m. session

6:00 PM Draft Multi-Modal Transportation Master Plan Presentation

Present: Brandon Orr, Project Lead/Author - Stantec Consulting Ltd.
Kristy Tu, Transportation Planner/Author – Stantec Consulting Ltd.

Mr. Brandon Orr, Transportation Planner, Stantec Consulting Ltd. provided a PowerPoint presentation outlining the Draft Multi-Modal Transportation Master Plan.

1. Call to Order

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

2. Mayor's Introductory Remarks and Moment of Silent Reflection

3. Declarations of Conflict of Interest

- i) Councillor J. Downer declared a Conflict of Interest with respect to Item 15. 7) Motion to allow those with a valid wheelchair plate to park in any legally designated parking spot/area for free, as he owns a wheelchair plate.

4. Approval of Agenda

Moved by C. Oschefski

Seconded by J. Main

That the contents of the Council Agenda for September 4, 2019, be approved with the following amendment:

- **Addition of two on-desk items related to the Public Meeting**

It was then,

Moved by C. Cunningham

Seconded by J. Downer

That the Motion to approve the contents of the Council Agenda for September 4, 2019, be amended by removing the following items listed under “Motions for Which Notices was Given”

- **Item 15.2 – Speed trailer Cook Drive**
- **Item 15.4 – e-bikes on Midland Trails**
- **Item 15.5 – Installation of Kindness Meters**
- **Item 15.8 – Review of Terms of Reference for any Board or Committee**

DEFEATED.

The Mayor then called the vote on the original motion.

The motion was CARRIED.

5. Consent Agenda

Moved by C. Oschefski

Seconded by J. Main

That the items and related recommendations contained within the September 4, 2019, Consent Agenda as consent items having been considered by Council be adopted.

CARRIED.

i. Council Minutes for adoption

1) Regular Meeting of Council held on August 14, 2019

That the Minutes of the Regular Meeting of Council held on August 14, 2019, be adopted as printed and circulated.

2) Special Council Meeting held on August 15, 2019

That the Minutes of the Special Meeting of Council held on August 15, 2019, be adopted as printed and circulated.

ii. Council Information Packages for receipt

1) CIP August 2 to August 9, 2019

2) CIP August 12 to August 15, 2019

3) CIP August 19 to August 23, 2019

Received as information.

iii. All Reports

1) ENG-2019-15 Draft Transportation Master Plan

That Report ENG-2019-15, Draft Transportation Master Plan, dated September 4, 2019, be received; and

That Council request staff to schedule a Public Information Session (PIC) in October to present the draft report and recommendations to our stakeholders and report back to Council in due course.

2) PL-2019-69 Site Plan Control Approval Application No. SPA-09-18 947 Jones Road – Midland Honda

That Staff Report PL-2019-69, Site Plan Control Approval Application No. SPA-09-18 for 947 Jones Road, dated September 4, 2019 be received; and

That the required drawings be submitted to Municipal Staff for approval in accordance with approved Site Plan Application SPA-09-18; and

That the Site Plan Agreement (No. SPA-09-18) regarding 947 Jones Road be presented to Council for approval and that the Mayor and Clerk be authorized to execute said Site Plan Agreement.

3) PL-2019-70 Site Plan Control Approval Application No. SPA-07-18 Franke Kindred Canada Limited – 1000 Franke Kindred Road

That Staff Report PL-2019-70, Site Plan Control Approval Application No. SPA-07-18 for 1000 Franke Kindred road, dated September 4, 2019 be received; and

That the required drawings and /or reports be submitted to Municipal Staff for approval in accordance with approved Site Plan Application No. SPA-07-18; and

That the Site Plan Agreement (No. SPA-09-18) regarding 1000 Franke Kindred Road, be presented to Council for approval and that the Mayor and Clerk be authorized to execute said Site Plan Agreement.

4) CL-2019-11 Employee Recognition Celebration

That Report CL-2019-11, Employee Recognition Celebration, dated September 4, 2019 be received; and

That subject to the exigencies of the Town's service requirements, a two-hour closure of Town services be authorized on September 19,

2019 for an Employee Appreciation Event from 11:30 am through 1:30 pm, in accordance with Employee Recognition Policy CP-2018-06.

6. Motion to suspend Council into Committee of the Whole

Moved by C. Oschefski

Seconded by J. Main

That Council resolve into the Committee of the Whole.

CARRIED.

COMMITTEE OF THE WHOLE

7. Presentations

There were none.

8. Deputations

1) Walk a Mile in Her Shoes – La Maison Rosewood Shelter

Ms. Kathy Willis and Mr. Kevin Leonard of the Midland Y's Men Club provided a PowerPoint presentation regarding the Walk which will take place on October 5, 2019 from 10:00 am to noon. They also encouraged Council Members to raise funds and participate in the Walk and to challenge Councils in other municipalities to participate as well.

2) PL-2019-68 Zoning By-law Amendment Application ZBA-02-19

Coland Development Corporation – 16928 Highway 12

Mr. Brian Zeman, Land use Planner, President of MHBC, addressed Council on behalf of his client CRH Canada Group Inc. He stated that as the Coland Development has a direct impact on his client, the parties have agreed to defer the passing of the Zoning By-law to the October 2, 2019 Council Meeting.

3) PL-2019-68 Zoning By-law Amendment Application ZBA-02-19

Coland Development Corporation – 16928 Highway 12

Mr. Chad John-Baptiste and Ms. Mikaela Sword, of WSP Group Canada Inc. provided a PowerPoint presentation to Council on behalf of their client Coland Development Corporation. They confirmed that they have agreed to work with CRH and their agent in order to complete their analysis. They concurred that the Zoning By-law could be deferred to the October 2, 2019 Council Meeting.

4) Petition – Request for Porta Potties at Midland Bay Landing Park

A Petition signed by 299 residents from Midland and surrounding communities was provided to Council, requesting that the Town of Midland have porta potties placed at Midland Bay Landing Park as there is a major increase of visitors to the park in the summer months.

Mr. Kim Contois of 313 Lindsay Street addressed Council and stated that the petition currently has 450 names.

An addendum to the petition was provided on desk with included an additional 200 signatures.

9. Public Meeting

1) Zoning By-law review Amendment Project

The Mayor advised that this is a Public Meeting under the *Planning Act* and Town By-law 2011-3 to consider proposed Amendments to the Town's Zoning By-law.

The Director of Planning and Building Services confirmed that Notice of the Public Meeting was provided in accordance with the requirements of the *Planning Act*.

The following correspondence was received:

- Email dated May 4, 2017 from Colin Pape, 270 King Street, recommending that proposed removal of office space and personal service establishments from main floor on King Street as permitted use should not be implemented and removed from the document.
- Email dated August 27, 2019 from Bill Smith, 17111 Highway 12, requesting that the Holding symbol (H) be removed from their property.
- Comment from Engaging Midland portal with respect to the size of parking spaces.

The Director of Planning and Building Services described the proposed Amendments to the Town's Zoning By-law.

The Mayor then asked for comments from the audience and the following people spoke:

- 1) Chad John-Baptiste of WSP Group Canada Inc., 100 Commerce Valle Drive West, Thornhill, ON L3T 0A1 (on behalf of Somerset Gables owners 16821 Highway 12)

As there were no further comments the Mayor called the Public Meeting to a close. Council will consider the Amendment in Section 10 of the Agenda.

10. Reports and other items withdrawn from Consent Agenda for Council's consideration

1) PL-2019-68 Zoning By-law Amendment Application ZBA-02-19 Coland Development Corporation – 16928 Highway 12

Council reviewed Report PL-2019-68 dated September 4, 2019 from W. Crown, Director of Planning and Building Services, following which it was then,

Moved by C. Oschefski
Seconded by C. McGinn

That Report PL-2019-68, Zoning By-law Amendment Application ZBA-02-19 Coland Development Corporation for 16928 Highway 12, be received; and

That Zoning By-law Amendment Application ZBA-02-19 respecting the lands at 16928 Highway 12 (Applicant – Coland Development Corporation) be approved and the implementing Zoning By-law be passed, as set out in Staff Report PL-2019-68 dated September 4, 2019, at the October 2, 2019 Regular Council Meeting; and

Pursuant to Section 34(17) of the *Planning Act*, Council determines that no further Notice of the proposed By-law is required as the changes to the proposed By-law are minor in nature; and

That the Site Plan Application and proposed development be designed in accordance with the required mitigation measures as set out in Staff Report PL-2019-68 dated September 4, 2019.

CARRIED.

2) PL-2019-71 Zoning By-law Review Public Meeting

Council reviewed Report PL-2019-71 dated August 14, 2019 from W. Crown, Director of Planning and Building Services, following which it was then,

Moved by C. Cunningham
Seconded by J. Downer

That Report PL-2019-71, Zoning By-law Review Public Meeting dated September 4, 2019, be received; and

That Council refer the results of the Statutory Public Meeting (held September 4, 2019) with respect to the Zoning By-law Review to Staff for a report on the results of the Public Meeting, including any revisions to the Draft By-law, if required and a recommendation.

CARRIED.

11. Notice of Motion

Councillor Bill Gordon gave notice that he would be presenting the following Motions at the next Regular Council Meeting:

- 1) That Council approve in principle the installation of a community splash pad water feature and that an ad-hoc committee be formed to research capital and operational cost estimates, ideal location, sustainable funding options and report back to council for the 2020 budget process.

- 2) That Council approve in principle, the installation or migration of portable toilet(s) at key locations around Midland, including the parking area by the former coal docks and downtown near the Library as a 12-month pilot project.

12. General Announcements

Individual Members advised of various items, events and activities in the Municipality for information purposes.

13. Motion to close Committee of the Whole and resume to formal Council session

Moved by J. Main

Seconded by C. Oschefski

That the Committee of the Whole rise and report.

CARRIED.

FORMAL SESSION

14. Motion to adopt actions of Committee of the Whole

Moved by J. Main

Seconded by C. Oschefski

That the recommendations of the Committee of the Whole for the meeting of September 4, 2019, be adopted as Resolutions of Council.

CARRIED.

15. Motions for which Notice was given

1) **Moved by C. Oschefski**

Seconded by J. Main

That Administration be directed to provide an approximate costing for Floatie Fest/Jaws on the Lake to be presented to Council for consideration and pending Council's approval, that the Floatie Fest/Jaws on the Lake event be added to the 2020 Events Schedule and beyond and paid for using the events/tourism budget.

CARRIED.

2) **Moved by B. Gordon**

Seconded by C. McGinn

That Staff deploy the speed trailer on Cook Drive and that the metrics be presented to Council and the MPSB for recommendation to OPP for enforcement; and

That Staff look into costs of speed bumps and signage that can be located in various trouble spots in our Community.

A verbal Motion to Amend was Moved by J. Downer and Seconded by B. Gordon to remove the reference to speed bumps. **CARRIED.**

A vote on the main motion as amended was called.

That Staff deploy the speed trailer on Cook Drive and that the metrics be presented to Council and the MPSB for recommendation to OPP for enforcement; and

That Staff look into costs signage that can be located in various trouble spots in our Community.

DEFEATED.

- 3) **Moved by B. Gordon**
Seconded by C. McGinn

That any member of a committee or board be assigned a Municipally controlled and audited email address for any and all official correspondence and that members be prohibited from using personal email accounts for the purpose of their business in relation to their position; and

That any email correspondence in their possession that has been sent/received for the purposes of their position on that committee or board be exported and transferred to the Town of Midland so that it may comply with the requirements of the *Municipal Freedom of Information and Protection of Privacy Act* and enable Freedom of Information requests to be made against same.

That prior to formal decision regarding the aforementioned, staff be directed to prepare a report for Council's consideration at an upcoming meeting detailing the financial implications and compliance with legislative requirements.

A motion to amend the motion was,

- Moved by J. Downer**
Seconded by C. Cunningham

That prior to formal decision regarding the aforementioned, staff be directed to prepare a report for Council's consideration at an upcoming meeting detailing the financial implications and compliance with legislative requirements.

CARRIED.

The main motion as amended was called to a vote.

That any member of a committee or board be assigned a Municipally controlled and audited email address for any and all official correspondence and that members be prohibited from using personal email accounts for the purpose of their business in relation to their position; and

That any email correspondence in their possession that has been sent/received for the purposes of their position on that committee or board be exported and transferred to the Town of Midland so that it may comply with the requirements of the *Municipal Freedom of Information and Protection of Privacy Act* and enable Freedom of Information requests to be made against same.

That prior to formal decision regarding the aforementioned, staff be directed to prepare a report for Council's consideration at an upcoming meeting detailing the financial implications and compliance with legislative requirements.

CARRIED.

- 4) Moved by B. Gordon
Seconded by C. McGinn

That Staff report on the options available to regulate or reconsider the continued use of e-bikes on Midland's trail systems with a focus primarily on pedestrian safety.

CARRIED.

- 5) Moved by B. Gordon
Seconded by C. McGinn

That Council approve in principle the installation of Kindness Meters in locations throughout the Downtown Core for the purposes of collecting cash donations.

That a Staff Report be prepared outlining the feasibility of this project and suggestions respecting locations and the distribution of the funds towards initiatives such as the Community Grant Program or local Charity.

A verbal Motion to Amend was Moved by J. Main and Seconded by C. Oschefski to remove the second paragraph.

CARRIED.

The main motion as amended to put to a vote.

That Council approve in principle the installation of Kindness Meters in locations throughout the Downtown Core for the purposes of collecting cash donations.

CARRIED.

- 6) Moved by C. McGinn
Seconded by J. Main

That Council consider a suitable means for people who are vulnerable or concerned about stating their full name and address in public to confirm that they are a resident or a stakeholder within the Town of Midland.

A motion to amend the main motion by adding, "pending a report from staff detailing potential options for consideration at an upcoming meeting, was moved by C. McGinn and Seconded by J. Main and **CARRIED.**

The main motion as amended was put to a vote.

That Council consider a suitable means for people who are vulnerable or concerned about stating their full name and address in public to confirm that they are a resident or a stakeholder within the Town of Midland, pending a report from staff detailing potential options for consideration at an upcoming meeting.

CARRIED.

- 7) Having declared a Conflict, Councillor J. Downer vacated his seat.

Moved by C. McGinn

Seconded by J. Main

That Council consider permitting those with a valid wheelchair plate to park in any legally designated parking spot/area for free.

It was then,

Moved by C. Oschefski

Seconded by J. Main

That the Motion be deferred pending commentary from the Midland Accessibility Advisory Committee and confirmation on the requirements respecting the AODA with a report from staff to be considered at the October 2, 2019 Council meeting.

CARRIED.

Councillor J. Downer returned to his seat.

It was then,

Moved by C. Cunningham

Seconded by B. Gordon

That pursuant to Section 9.2 c) of Procedural By-law 2018-62, Council agrees to remain in session past 11:00 p.m. in order to deal with the remaining items included on the Agenda.

CARRIED.

- 8) **Moved by B. Gordon**

Seconded by C. McGinn

That the Terms of Reference be reviewed for any committee where there is a belief by their members and/or our administration that the committee has an ability to direct administration without coming back to Council with such recommendations, an opportunity to discuss/debate and to make a resolution.

DEFEATED.

16. By-laws

1. By-law 2019-64

**Moved by C. Oschefski
Seconded by J. Main
That the following By-law:**

By-law 2019-64 Authorize the entering into of a Site Plan Agreement with Midland Acquisition Corp.

**be passed and enacted.
CARRIED.**

17. Confirmatory By-law

**Moved by J. Main
Seconded by C. Oschefski
That By-law 2019-66 being a by-law to adopt the proceedings of the Council meeting held September 4, 2019, be passed and enacted.
CARRIED.**

18. Adjournment

**Moved by C. Oschefski
Seconded by J. Main
That this Regular Meeting of Council adjourn at 11:03 p.m.
CARRIED.**

Stewart Strathearn, Mayor

Karen Desroches, Clerk

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