



The Corporation of The Town Of Midland

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Minutes of the Regular Meeting of Council with Closed Session held on Monday, March 26, 2018 at 5:30 p.m. in the Municipal Office Council Chambers.

Present: Mayor G. McKay, Deputy Mayor M. Ross, Councillors G. MacDonald,
J. Contin, J. Main*, G. Canning and S. Strathearn

Regrets: Councillors P. File and C. Oschefski

Also Present: Chief Administrative Officer, J. Skorobohacz
Director of Operations, Parks and Facilities, S. Berriault
Director of Engineering/Water & Wastewater Services, A. Campbell
Director of Planning and Building Services, W. Crown
Clerk, K. Desroches
Deputy Clerk/Committee Coordinator, S. Edgar

*Joined the meeting during discussion on Item 3 a) i).

1. CALL TO ORDER

Mayor G. McKay called the meeting to order at 5:30 p.m.

The Clerk informed Council that public notice of the meeting was provided consistent with the Town's notice provisions.

Mayor McKay asked members of Council if they had any concerns to move into a closed session based on the stated purpose of the meeting.

There were no concerns brought forward.

2. DECLARATIONS OF PECUNIARY INTEREST

There were none declared.

3. CLOSED SESSION

a) Motion to move into Closed Session

Moved by G. Canning
Seconded by S. Strathearn

**That Council move into closed session;
And further that this portion of the meeting be closed to the
public pursuant to Section 239 of the *Municipal Act, 2001*, as
indicated;**

Subsection 2c)

Proposed or pending acquisition or disposition of land

Subject Matters

- **526 Bay Street – Municipal Parking Lot 7**
- **Potential Land Acquisition - Letter of Expression of Interest re: acquisition of Municipal property**

CARRIED.

i) Closed Session Items

a) 526 Bay Street – Municipal Parking Lot 7

Council received a verbal update from the Chief Administrative Officer regarding the status of Municipal Parking Lot 7 (526 Bay Street) and highlighted potential options respecting the property.

The Chief Administrative Officer responded to questions raised by members of Council.

Following discussion, Council directed staff to prepare the appropriate motion for consideration upon conclusion of the closed meeting session.

b) Potential Land Acquisition – Letter of Expression of Interest re: acquisition of Municipal property

Council received a PowerPoint presentation from the Chief Administrative Officer, with respect to the potential acquisition of a municipal property which was promoted by a letter of expression of interest.

The Chief Administrative Officer responded to questions raised by members of Council.

Following discussion, Council directed Staff to prepare the appropriate motion for consideration upon conclusion of the closed meeting session.

Moved by G. Canning
Seconded by S. Strathearn

That this Closed Meeting of Council be adjourned at 6:40 p.m. and that Council now rise and report to open session.

CARRIED.

4. OPEN SESSION – 7:00 P.M.

Now Present: Mayor G. McKay, Deputy Mayor M. Ross, Councillors J. Main, G. MacDonald, P. File, J. Contin, G. Canning and S. Strathearn

Regrets: Councillor C. Oschefski

Also Present: Chief Administrative Officer, J. Skorobohacz
Director of Operations, S. Berriault
Director of Planning and Building Services, W. Crown
Director of Engineering/Water & Wastewater Services, A. Campbell
Clerk, K. Desroches
Committee Coordinator/Deputy Clerk, S. Edgar

ii) Motions to rise to open session

a) 526 Bay Street – Municipal Parking Lot 7

Moved by J. Main
Seconded by G. MacDonald

That further to the verbal update provided by the CAO at the closed meeting session held March 26, 2018 and related discussions regarding 526 Bay Street (Parking Lot 7), the CAO be directed to prepare a report respecting future options.

CARRIED.

b) Potential Land Acquisition – Letter of Expression of Interest re: acquisition of Municipal property

Moved by G. MacDonald
Seconded by J. Main

That further to the presentation provided by the CAO at the closed meeting session held March 26, 2018 and related discussions regarding a letter of expression of interest regarding a potential acquisition of municipal property, Council here confirms its direction to the CAO on how to proceed respecting the matter.

CARRIED.

5. MOMENT OF SILENT REFLECTION

6. DECLARATIONS OF PECUNIARY INTEREST

- i) Councillor G. Canning declared a pecuniary interest with respect to Item 11. f) Request to use Harbourside Park as he is a downtown business owner and will be participating in the Ontario's Best Buttertart Festival.

- ii) Councillor J. Contin declared a pecuniary interest with respect to Item 12 b) ii) Draft Plan of Condominium CD-T-0602, Sunrise Pier – 711 Aberdeen Boulevard, Request for Draft Plan Extension, as he is the owner of a unit at 699 Aberdeen Boulevard.

7. CONSENT AGENDA

Moved by G. MacDonald

Seconded by J. Main

That Council adopt the recommendations as set out on the Consent Agenda for the Regular Meeting of Council held March 26, 2018 with the Minutes of Council re: Budget held February 22, 108 and March 1, 2018 being adopted as amended.

CARRIED.

8. PRESENTATIONS

- a) Presentation to Pamela Wayne

Mayor McKay presented Ms. Pamela Wayne, the Town of Midland's former Manager of Revenue and Taxation with flowers on the occasion of her retirement.

9. DEPUTATIONS

- a) New Community Health Hub Update (Waypoint and Chigamik)

Ms. L. Hilderley, Waypoint Centre for Mental Health, provided Council with a PowerPoint presentation detailing how the construction of the new Community Health Hub is progressing.

10. PETITION

- a) S.S. Keewatin

Council received as information a Petition dated March 19, 2018 from an informal committee of concerned citizens of the Town of Midland supporting the berthing of the Keewatin in Midland.

11. CORRESPONDENCE

- a) Candlelight Tribute Ceremony

Council reviewed a letter dated March 26, 2018, from the Candlelight Tribute Committee, following which it was then,

Moved by G. Canning
Seconded by J. Contin

That, further to letter dated March 26, 2018, from The Candlelight Tribute Committee, permission be granted, in principle, to conduct the Candlelight Tribute Ceremonies on May 9, 2018, at the Cenotaph; and that Council approve the closure of King Street, from Hannah Street to Colborne Street on that day from 6:30 pm to 9:00 pm, subject to approval of the related Special Events Application.

CARRIED.

b) Annual Downtown Midland Road Basketball Game

Council reviewed a letter dated March 6, 2018, from Mr. M. Shepherd, Communications Manager, Downtown Midland Business Improvement Area, following which it was then,

Moved by G. Canning
Seconded by J. Contin

That, further to letter dated March 6, 2018, from Mr. M. Shepherd, Communications Manager, Downtown Midland Business Improvement Area, permission be granted, in principle, for the closure of the 509 Bay Street Parking Lot on the Friday evening or Saturday morning; with barricades, to accommodate the 3rd Annual Downtown Midland Road Basketball Game on Saturday, July 14, 2018, from 2:00 pm to 3:00 pm, subject to approval of the related Special Events Application.

CARRIED.

c) Midland Movie Nights 2018

Council reviewed a letter dated March 6, 2018, from Mr. M. Shepherd, Communications Manager, Downtown Midland Business Improvement Area, following which it was then,

Moved by G. Canning
Seconded by J. Contin

That, further to letter dated March 6, 2018, from Mr. M. Shepherd, Communications Manager, Downtown Midland Business Improvement Area, permission be granted, in principle, to partner with the Midland BIA to host Midland Movie Nights once again at the 509 Bay Street parking lot, subject to approval of the related Special Events Application.

CARRIED.

d) 2018 Music on the Dock - Midland

Council reviewed an email dated March 8, 2018, from Mr. A. Light, following which it was then,

Moved by G. Canning
Seconded by J. Contin

That, further to email dated March 8, 2018, from Mr. A. Light, permission be granted, in principle, to host live music under the canopy on the PMCL wharf every other Saturday from 12:00 pm to 4:00 pm, beginning June 2, 2018 and ending on August 25, 2018, subject to approval of the related Special Events Application.

CARRIED.

e) Request to Close Elizabeth Street between King and First Street

Council reviewed a letter dated March 14, 2018, from Ms. C. Witzke, CEO & Chief Librarian, following which it was then,

Moved by J. Contin
Seconded by G. Canning

That, further to letter dated March 14, 2018, from Ms. C. Witzke, CEO & Chief Librarian, Midland Public Library, permission be granted to host their 'Brand Launch Block Party' on May 11, 2018, from 4:00 pm to 8:00 pm; and further requesting the closure of Elizabeth Street between King Street to First Street, from 2:00 pm to 8:00 pm, subject to approval of the related Special Events Application.

CARRIED.

f) Request to use Harbourside Park

Having previously declared a pecuniary interest, Councillor Canning vacated his council seat and refrained from voting on the matter.

Council reviewed a letter dated March 14, 2018, from Ms. C. Oschefski, following which it was then,

Moved by J. Contin
Seconded by P. File

That, further to letter dated March 14, 2018, from Mr. C. Oschefski, permission be granted to use the Harbourside Park entertainment area for an extension of the Ontario's Best Butterscotch Festival from 6:00 pm to 10:00 pm on June 9, 2018, for an Ontario Butterscotch Festival Free Evening Entertainment with Beatles Cover Bands, subject to approval of the related Special Events Application.

And further that staff be requested to explore the possibility of providing financial support from the Ontario Trillium Foundation Seed Grant.

CARRIED.

Councilor Canning returned to his Council seat.

g) Street Closure Request – Midland Rib and Craft Beer Fest

Deputy Mayor Ross declared a pecuniary interest with respect to this item as he is employed by a local Craft Beer company, and vacated his seat.

Council reviewed a letter dated March 19, 2018, from Mr. J. Brown, Director at Northern Heat Rib Series, following which it was then,

**Moved by J. Contin
Seconded by G. Canning**

That, further to letter received March 19, 2018, from Mr. J. Brown, Director at Northern Heat Rib Series, permission be granted, in principle, to host the Midland Rib and Craft Beer Festival on June 28 to July 2, 2018; and that a section of Bayshore Drive be closed, as per the map provided, subject to approval of the related Special Events Application.

CARRIED.

Deputy Mayor Ross returned to his Council seat.

h) 2018 Mandarin MS Walk - Midland

Council reviewed a letter dated March 20, 2018, from Ms. L. Downing, Development Coordinator, Multiple Sclerosis Society of Canada, Simcoe Muskoka Chapter, following which it was then,

**Moved by J. Contin
Seconded by G. Canning**

That, further to letter dated March 20, 2018, from Ms. L. Downing, Development Coordinator, Multiple Sclerosis Society of Canada, Simcoe Muskoka Chapter, permission be granted, in principle, to host the 2018 Mandarin MS Walk - Midland on May 6, 2018, from 8:00 am to 1:30 pm, according to the 5km route provided, subject to approval of the related Special Events Application.

CARRIED.

i) Proclamation - #ItStartsHere Campaign

Mayor McKay spoke to the above, following which it was then,

Moved by G. MacDonald
Seconded by J. Main

That the Council of the Town of Midland hereby proclaims April 23 to May 4, 2018 as #ITStartshere Weeks in the Town of Midland and encourages everyone to take a stand and participate in and learn more about the #ITStartsHere campaign.

CARRIED.

12. REPORTS

a) General Committee Report 2018-3 of its meeting held March 5, 2018

- 1) ENG-2018-007 2017 Midland Drinking Water Annual Summary Report
(Reference Section A, Item 1, of the above Report)

Moved by G. MacDonald
Seconded by P. File

That Council receive Report ENG-2018-007 being the Midland Drinking Water Annual Summary Report 2017; and

That Council direct staff to post the Annual Report on the Town's website by March 31, 2018.

CARRIED.

- 2) ENG-2018-008 2017 Midland Wastewater Annual Performance Report
(Reference Section A, Item 2, of the above Report)

Moved by G. MacDonald
Seconded by P. File

That Council receive Report ENG-2018-008 being the Midland Wastewater Operations Annual Performance Report 2017; and

That Council direct staff to forward a copy of the Annual Report to the District Manager of the MOECC.

CARRIED.

- 3) CAO-2018-06 Municipal Services/Development Corporation in Support of the Future Development of Midland Bay Landing
(Reference Section B, Item 1, of the above Report)

Moved by G. Canning
Seconded by J. Contin

That Report CAO-2018-06 dated March 5, 2018, being an update on the incorporation of the Midland Bay Landing Development Corporation “MBLDC” be received; and

That Council receives the draft Articles of Incorporation for the MBLDC and directs the Director of Corporate Services/Town Solicitor to finalize the Articles of Incorporation and register the MBLDC as a Corporation; and

That Council authorizes the Director of Corporate Services/Town Solicitor to act as an incorporator of the Corporation under s. 203(1)2 of the *Municipal Act, 2001*.

CARRIED.

- 4) CL-2018-9 Animal Control Contract Renewal
(Reference Section B, Item 2, of the above Report)

Moved by G. Canning
Seconded by J. Contin

That, further to Report CL-2018-9 dated March 1, 2018, staff be directed to bring forward the related by-law authorizing the entering into of an Agreement with Huronia Animal Control for a period of three years ending March 31, 2021.

CARRIED.

- 5) Walk for Dog Guides
(Reference Section B, Item 3, of the above Report)

Moved by G. Canning
Seconded by J. Contin

That, further to letter dated February 20, 2018, from Ms. R. Hounsone, President, permission be granted to the Midland Lions Club to conduct a “Walk for Dog Guides” on May 27, 2018, starting at 1:00 pm from the Midland Town Dock, along the Rotary Trail to Aberdeen Blvd, then back to the Dock, subject to approval of the related Special Events Application.

CARRIED.

- 6) Water Walk Event
(Reference Section B, Item 4, of the above Report)

Moved by J. Contin
Seconded by G. Canning

That, further to email dated February 26, 2018, from Ms. R. Barnstaple, permission be granted to the Georgian Bay Native Women's Association to conduct a Water Walk on May 12, 2018, in Little Lake Park, subject to approval of the related Special Events Application.

CARRIED.

- 7) Request for By-law allowing for the use of Utility Vehicles and Tractors on Town Roads and Highways
(Reference Section B, Item 5, of the above Report)

Moved by J. Contin
Seconded by G. Canning

That, further to letter dated February 22, 2018, the Municipal Law Enforcement Officer be directed to prepare a report regarding the potential use of utility vehicles and tractors on municipal roadways for Council's consideration at the April General Committee meeting.

CARRIED.

- 8) Annual Log-Sawing Contest – Elmvale Maple Syrup Festival
(Reference Section B, Item 6, of the above Report)

Moved by J. Contin
Seconded by G. Canning

That, further to a letter, dated February 23, 2018 from Springwater Township, Mayor French be advised that Councillor J. Main and Deputy Mayor Ross will represent Midland in the annual log-sawing contest as part of the Elmvale Maple Syrup Festival on Saturday, April 28, 2018.

CARRIED.

Moved by M. Ross
Seconded by P. File

That General Committee Report 2018-3 of its meeting held March 5, 2018, be adopted as printed and circulated.

CARRIED.

b) Planning and Development Committee Report 2018-3
Meeting held March 7, 2018.

i) Hanson Development – Community Design Guidelines
(Reference Item 3.A) of the above Report)

Moved by J. Contin
Seconded by G. Canning

That Council approve the Hanson Subdivision “Community Design Guidelines” subject to the changes as set out in Staff Report PL-2018-19 dated February 27, 2018.

That Council direct Town Staff to monitor the effectiveness of the Guidelines for a period of at least two (2) years to determine if any further revisions are warranted for Council consideration.

CARRIED.

ii) Draft Plan of Condominium CD-T-0602, Sunrise Pier – 711 Aberdeen Boulevard, Request for Draft Plan Extension
(Reference Item 3.B) of the above Report)

Having previously declared a pecuniary interest, Councillor Contin vacated his Council seat and refrained from voting on the matter.

Moved by J. Main
Seconded by G. MacDonald

That, further to Report PL-2018-8 dated February 2, 2018, the Council of the Town of Midland grants an extension of Draft Plan of Condominium Approval pursuant to Section 51(33) of the *Planning Act* for the Tiffin Harbour Development Corporation “Sunrise Pier” Draft Plan of Condominium, File No. CD-T-0602, for a period of three (3) years to April 27, 2021, subject to the addition of a new Condition as follows: “That the owner be required to consult with and provide confirmation to the Town that the design, at the site plan approval stage, has been reviewed with Tiffin Pier Condominium Board and that all necessary arrangements and appropriate agreements have been entered into.”

CARRIED.

Councillor Contin returned to his Council seat.

- iii) Draft Plan of Subdivision- MD-T-0108, Pratt Development Inc. – 823 King Street, Request for Extension of Draft Plan
(Reference Item 3.C) of the above Report)

Moved by J. Contin
Seconded by G. Canning

That, further to Report PL-2018-16 dated February 26, 2018, the Application submitted by Mitchinson Planning and Development Consultants Inc. on behalf of the Pratt Development Inc. for an extension to the Draft Plan approval of Subdivision File No. MD-T-0108 be approved pursuant to Section 51 of the *Planning Act*, for a period of three (3) years to April 27, 2021.

That Draft Plan approval and extension applies to the Draft Plan dated January 27, 2009 by cdn Land Surveyors Inc.

That pursuant to Sub-Section 51(47) of the *Planning Act* Council determines that no further written notice under Sub-Section 51(45) is required.

CARRIED.

- iv) Site Plan Application SPA-01-18, 1901289 Ontario Inc. (Barber) – 880 King Street
(Reference Item 3.E) of the above Report)

Moved by J. Contin
Seconded by G. Canning

That Site Plan Application SPA-01-18 be hereby approved as set out in Staff Report PL-2018-17 dated February 26, 2018.

That all required drawings and/or reports shall be submitted and approved by the appropriate Staff in accordance with approved Site Plan Application SPA-01-18 and in accordance with the revisions requested by Staff as set out in Staff Report PL-2018-17 dated February 26, 2018.

That the Site Plan Agreement for Site Plan Application SPA-01-18, be brought forward to Council for approval and that a By-law to authorize the Mayor and Clerk to execute the said Site Plan Agreement be presented at a future meeting, subject to Ministry of Transportation approval.

CARRIED.

Moved by J. Contin
Seconded by G. Canning

That Report 2018-3 of the Planning and Development Committee of Council Meeting held March 7, 2018, be adopted as printed and circulated.

CARRIED.

c) ENG-2018-09 Ontario Main Streets Revitalization

Moved by G. MacDonald
Seconded by J. Main

THAT Council receives Report ENG-2018-09, Ontario Main Streets Revitalization Initiative, dated March 26, 2018; and

WHEREAS the Municipality wishes to enter into an Agreement in order to participate in Ontario's Main Streets Revitalization Initiative;

AND WHEREAS the Municipality acknowledges that Funds received through the Agreement must be invested in an interest bearing reserve account until the earliest of expenditure or March 31, 2020;

NOW THEREFORE, the Council of the Town of Midland, a municipal corporation pursuant to the *Municipal Act, 2001*, enacts as follows: That the Mayor and Clerk are hereby authorized to execute this Municipal Funding Agreement for the transfer of Main Streets Revitalization Initiatives funds between the Association of Municipalities of Ontario and The Town of Midland as in Schedule 'A' attached hereto.

CARRIED.

d) OP-2018-C04 Tender for Janitorial Services – OPP Offices at 250 Second Street – 2 Offices at Midland Court House at 605 Yonge Street – Operations Depot at 1099 MacDonald Road

Moved by G. MacDonald
Seconded by J. Main

That Report OP2018-C04 dated March 21, 2018 respecting janitorial services for the OPP Offices at 250 Second Street, 2 Offices at the Midland Court House at 605 Yonge Street and the Operations Depot at 1099 MacDonald Road, and;

That Council accept the tender bid received from Junior Enterprise Ltd. for the provision of janitorial services including the supply of the necessary equipment and supplies required to complete such work, for the OPP offices at 250 Second Street, two (2) offices at the Midland Court

House at 605 Yonge Street and the Operations Centre at 1099 MacDonald Road for a two (2) year period commencing April 1, 2018 in the amount of \$73,726.66 (exclusive of H.S.T.), and;

That Council consider By-law 2018-21, being a By-law to provide for the entering into of an Agreement with Junior Enterprise Ltd. for the provision of janitorial services including the supply of the necessary equipment and supplies required to complete such work, for the OPP offices at 250 Second Street together with 2 offices at the Midland Court House at 605 Yonge Street and the Town of Midland Operations Centre at 1099 MacDonald Road for a two (2) year period commencing April 1, 2018.

CARRIED.

e) MPUC Board Appointments

Council was advised that Mr. Kurvink's term on the Midland Power Utility Board is due to expire April 30, 2018. It was then

Moved by G. Canning
Seconded by J. Contin

That Mr. John Kurvink's appointment to the Midland Power Utility Corporation (MPUC) Board be extended until completion of the sale of the MPUC.

CARRIED.

13. CONSENT BY-LAW

Moved by G. Canning
Seconded by J. Contin

That leave be granted to introduce the following By-laws:

By-law 2018-17 Agreement with Randy Bidan, carrying on business as Huronia Animal Control.

By-law 2018-18 Remove Part Lot Control on Phase 3 and Phase 4 of Registered Plan of Subdivision 51M-989.

By-law 2018-21 Agreement with Junior Enterprise Ltd. for the provision of janitorial services for the OPP offices at 250 Second Street, 2 offices at the Midland Court House at 605 Yonge Street and the Town of Midland Operations Centre at 1099 MacDonald Road.

By-law 2018-22 Site Plan Agreement with the Waypoint Centre for Mental Health Care.

By-law 2018-24

Municipal Funding Agreement with the Association of Municipalities of Ontario authorizing participation in Ontario's Main Street Revitalization Initiative.

CARRIED.

It was then,

Moved by G. Canning

Seconded by J. Contin

That By-laws 2018-17, 2018-18, 2018-21, 2018-22 and 2018-24 be read a first, second and third time and finally passed.

CARRIED.

14. GENERAL BUSINESS

1) Notice of Motion

None were presented.

2) Other Business Introduced by Members of Council or Staff

Individual members advised of events and activities in the municipality for information purposes.

15. CONFIRMATORY BY-LAW

1) By-law 2018-23

Moved by J. Contin

Seconded by G. Canning

That leave be granted to introduce By-law 2018-23, being a by-law to adopt the proceedings of the Council Meeting held on March 26, 2018, and to authorize its execution.

CARRIED.

It was then,

Moved by J. Contin

Seconded by G. Canning

That By-law 2018-23 be read a first, second and third time and finally passed.

CARRIED.

16. **ADJOURNMENT**

Moved by J. Contin
Seconded by G. Canning

That this Regular Meeting of Council adjourn at 8:19 p.m.
CARRIED.

Karen Desroches, Clerk

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