

Minutes of the Regular Meeting of Council with Closed Session held on Monday, July 27, 2015, at 6:00 p.m. in the Municipal Office Council Chambers.

Present: Councillors G. Canning, J. Contin, G. MacDonald, J. Main, C. Oschefski, P. File and S. Strathearn

Regrets: Mayor G. McKay, Deputy Mayor M. Ross

Also Present: Director of Corporate Services/Clerk/Deputy CAO, A. Fay
Deputy Clerk, K. Desroches

1. CALL TO ORDER

The Deputy Clerk called the meeting to order at 6:00 p.m.

In the absence of the Mayor and Deputy Mayor, Councillor G. Canning assumed the Chair.

2. DECLARATIONS OF PECUNIARY INTEREST

No declarations were brought forward.

3. CLOSED SESSION

a) Motion to move into closed session

Moved by G. MacDonald

Seconded by J. Contin

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 2 (b)
Personal matters about an identifiable individual**

CARRIED.

i) Closed Session Item

Council reviewed Confidential Staff Report CL-2015-39 dated July 21, 2015, from the Deputy Clerk, together with applications submitted for consideration for appointments to the Heritage Committee and the Midland Bay Landing Steering Committee. Council directed staff to prepare the appropriate motions for consideration upon conclusion of this closed meeting session.

- ii) Motion to rise to open session

Moved by G. MacDonald

Seconded by J. Contin

That this Closed Meeting of Council be adjourned at 6:17 p.m. and that Council now rise and report to open session.

CARRIED.

4. OPEN SESSION – 7:00 P.M.

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

Regrets: Mayor G. McKay

Also Present: Director of Corporate Services/Clerk/Deputy CAO, A. Fay
Director of Planning and Building Services, W. Crown
Director of Finance/Treasurer, M. Villeneuve
Director of Operations, S. Berriault
Games Manager, B. Peter (departed meeting after Item 11a)
Deputy Clerk, K. Desroches

5. MOMENT OF SILENT REFLECTION

6. DECLARATION OF PECUNIARY INTEREST

Councillor G. Canning declared a pecuniary interest with respect to Item 11h) 2015 Butter Tart Festival Report Update, as his business participates in the event.

- i) Motions arising from closed session discussions

- a) Appointments to Boards and Committees

Moved by G. MacDonald

Seconded by J. Main

That further to Report CL-2015-39 dated July 21, 2015, Council confirms the appointment of Ted Symons to the Midland Bay Landing Steering Committee.

CARRIED.

It was then,

Moved by G. MacDonald
Seconded by J. Contin

That further to Report CL-2015-39 dated July 21, 2015,
Council confirms the appointment of Steve Marks to the
Midland Heritage Committee.

CARRIED.

7. CONSENT AGENDA

Moved by S. Strathearn
Seconded by C. Oschefski

That Council adopt the recommendations as set out on the Consent
Agenda for the Regular Meeting of Council held July 27, 2015, with
the exception of Item 1C, Public Meeting held July 6, 2015, as
Councillor File wished to speak to the matter.

CARRIED.

1c) Public Meeting held July 6, 2015

Councillor File spoke to the matter and advised that she will be bringing a
motion forward under other business related to options respecting the
Midland Power Utility Corporation for Council's consideration, following
which it was then,

Moved by G. MacDonald
Seconded by J. Main

That the Minutes from the July 6, 2015 Public Meeting be
approved.

CARRIED.

8. DEPUTATIONS

a) Huronian Museum Status Update

Ms. N. Born, Executive Director, provided an update on what has occurred
during the past year, programming, events and fundraising planned for the
future, as well as new collections on display at the Huronia Museum.

b) Speed Limit Concern - Norman Street

Mr. G. Genge, resident, presented a signed petition with 43 names
requesting that the speed limit on Norman Crescent be reduced from 50
km/hour to 30 km/hour for the safety of residents that live on the street.
Mr. Genge spoke to the current issues associated with the existing speed
limit and requested consideration of a speed limit reduction to reduce the
potential risk of injury to pedestrians.

Council directed that matter be forwarded to staff for review.

9. **ACCOUNTS**

a) General Accounts

**Moved by S. Strathearn
Seconded by C. Oschefski**

That the accounts for the month of June 2015, totalling \$5,845,452.86 be approved and confirmed as paid.

CARRIED.

10. **CORRESPONDENCE**

a) Edgehill Park

Council received as information an email dated July 10, 2015, from Mr. T. Stewart, Ward 1 resident, to Councillor File, expressing his concern regarding the potential development of a facility on waterfront property at Edgehill Park.

b) Farmers' Market Event in Conjunction with Art Walk 2015

Council reviewed a letter received July 22, 105, Ms. L. McConnell, Food Access Coordinator, The Karma Project, following which it was then,

**Moved by S. Strathearn
Seconded by C. Oschefski**

That, letter dated July 22, 2015, from Ms. L. McConnell, Food Access Coordinator, The Karma Project, requesting permission to hold a Farmers' Market Event in conjunction with Art Walk 2015, on August 22 and 23, 2015, be supported, in principle, subject to staff approval of the related Special Events Application.

CARRIED.

c) Energy Planning

Council reviewed a letter dated June 18, 2015, from Mr. B. Chiarelli, Minister of Energy, advising of the important changes to increase the role of municipalities in the development of energy projects, following which it was then,

**Moved by P. File
Seconded by J. Main**

That staff be directed to consult with the MPUC staff and Sustainable Severn Sound with respect to the community energy plan funding available from the provincial government and consider whether the Town of Midland should develop a proposal by itself or in partnership with others in furtherance of sustainability and economic development objectives.

CARRIED.

d) FIT 3.1 Solar Resolution for Contract holders - Midland

Council reviewed an email dated June 29, 2015, from Ms. R. Elahi, Partner Relations Manager, Solar Power Network, following which it was then,

Moved by J. Main

Seconded by P. File

THAT WHEREAS capitalized terms not defined herein have the meanings ascribed to them in the FIT Contract, Version 3.1;

AND WHEREAS the Province's FIT Program encourages the construction and operation of roof top solar generation projects;

AND WHEREAS one or more projects may be subject to FIT Contracts and may be constructed and operated in the Town of Midland;

AND WHEREAS in accordance with the FIT Rules, Version 3.0, the Council of the Town of Midland had previously indicated, by Resolution, its support for Projects in the Town of Midland;

AND WHEREAS Council now indicates, by a Resolution, Council's continued support for the construction and operation of the Projects anywhere in the Town of Midland;

AND WHEREAS, pursuant to the FIT Contract, where a New Resolution is received in respect of the Projects in the Town of Midland, suppliers will be recognized as fulfilling the requirements under Section 2.4(d)(vii) of the FIT Contract, which may result in suppliers being offered a Notice to Proceed in accordance with the terms of their respective FIT Contract(s);

NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Town of Midland supports the construction and operation of the Projects anywhere in the Town of Midland;

THAT this resolution's sole purpose is to enable Suppliers to achieve a Notice to Proceed under their FIT Contracts and may not be used for the purpose of any other form of municipal approval in relation to a FIT Contract or Project or for any other purpose.

THAT this resolution shall expire twelve (12) months after its adoption by Council.

CARRIED.

e) Request to rename NSSRC Banquet Hall

Council reviewed a letter dated May 22, 2015, from Mr. B. Deschamps, Director of Hockey Programs, Town of Oyster Bay, New York, requesting support and consideration in officially renaming the Banquet Hall at the North Simcoe Sports and Recreation Centre as The Dan Wood Hall.

Council concurred with the recommendation to recognize Mr. Wood for his significant contributions to the community and directed staff to prepare a report highlighting possible options.

f) Splash Pad Property Request

Council reviewed an email dated July 15, 2015, from Ms. A. Jeanveau, following which it was then,

Moved by J. Main

Seconded by C. Oschefski

That Council approve, in principle, the concept of a splash pad to be located in Little Lake Park;

And further that budgetary consideration for the splash pad project be considered during the 2016 budget process.

CARRIED.

11. REPORTS

a) Funding Application for the Ontario Trillium Foundation – Ontario 55+ Summer Games

Council reviewed a report dated July 15, 2015, from B. Peter, Games Manager, following which it was then,

Moved by J. Contin

Seconded by G. Canning

That Council authorize the Mayor, CAO and Clerk to sign an application for the Ontario Trillium Foundation for a grant to support the 2016 Ontario 55+ Summer Games Organizing Committee.

CARRIED.

b) ML-2015-11 New Municipal Parking Lot

Council reviewed a report dated July 21, 2015, from J. Reichheld, Municipal Law Enforcement Officer, following which it was then,

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

That, as recommended in Report ML-2015-11 dated July 21, 2015, Council pass a resolution amending Schedule “F” of By-law 2010-76 to include 509 Bay Street as “Municipal Lot #2”.

CARRIED.

c) ML-2015-10 Municipal Law Enforcement Officer’s Investigative Report – June 2015

Council received as information a report dated July 21, 2015, from J. Reichheld, Municipal Law Enforcement Officer.

d) CL-2015-40 Karma Farmers’ Market Request

Council reviewed a report dated July 21, 2015, from A. Fay, Director of Corporate Services/Clerk/Deputy CAO, following which it was then,

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

That, as recommended in Report CL-2015-40 dated July 21, 2015, Council support the Karma Farmers’ Market request to receive assistance from the Town for the promotion of their Market; and further that there will be no financial cost associated with this request other than staff time.

CARRIED.

e) Fire Chief

Clerk Fay advised that the appointment of Paul Ryan as Fire Chief at the Special Meeting of Council held July 15, 2015, has resulted in the need to update some existing by-laws. Accordingly, a by-law formally appointing Paul Ryan as Fire Chief for the Town of Midland (By-law 2015-47, as well as a by-law appointing Chief Ryan as a Municipal Law Enforcement Officer for the purpose of enforcing fire related by-laws (By-law 2015-46) have been prepared for Council’s consideration under Item 12, Consent By-laws.

f) BIA – Motion deferred at June Council

Clerk Fay advised that following review of Report CL-2015-32 BIA at the June 8, 2015, staff requested that consideration of the related motion be deferred to allow staff an opportunity to verify wording within the motion. Clerk Fay noted that confirmation from the Ministry of Municipal Affairs and Housing has been received and the wording has been approved. It was then,

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

That, further to Report CL-2015-32 dated June 1, 2015, staff be directed to prepare a by-law to amend By-law 77-74;

And further that said amending by-law be brought forward to the July Council meeting for consideration;

And further that the BIA provide to Council their proposed budget each fiscal year by September 1st of the preceding year and that said budget clearly state all revenues and expenditures anticipated as well as the requested tax levy for the year;

And further that the BIA provide to Council their annual report including financial statements for the preceding year by June 1st of the following year and that said report be prepared in accordance with Public Sector Accounting Standards;

And further pursuant to Section 296 (11) of the *Municipal Act* the BIA is not required to include their audited financial statements with their annual report as their statements are consolidated with the Town.

CARRIED.

By-law 2015-35 is included under Item 12, Consent By-laws, for Council's consideration.

h) 2015 Butter Tart Festival Report Update

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

Council received as information a report dated July 21, 2015, from N. Major, Tourism and Special Events Manager; and B. Rowlandson, 2015 Butter Tart Festival Coordinator, providing an update regarding the above event.

Councillor Canning returned to his seat.

i) TR-2015-19 Amend Schedule "A" to Tax Rate By-law

Council reviewed a report dated July 21, 2015, from M. Villeneuve, Director of Finance/Treasurer, following which it was then,

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

That, as recommending in Report TR-2015-19 dated July 21, 2015, the proposed reporting structure be adopted. And further that By-law 2015-29 be amended by replacing Schedule A included as Appendix B with Schedule A included as Appendix C.

CARRIED.

j) OP-2015-C04 Monthly Report on Waterworks June 2015

Council received as information a report dated July 22, 2015, from J. Beauchamp, Compliance Officer, which included details on current water quality, distribution maintenance, training, and sample results for the month of June 2015.

k) OP2015-C05 Quotations for Refurbished Bus

Council reviewed a report dated July 22, 2015, from S. Berriault, Director of Operations, following which it was then,

**Moved by P. File
Seconded by J. Main**

That, as recommended in Report OP2015-C05 dated July 22, 2015, the Quotation from 1555314 Ontario Inc., o/a Eastway Collision for the supply of a refurbished transit bus in the amount of \$169,635.58 (exclusive of HST), be accepted.

CARRIED.

l) OP2015-C06 Tenders for Accessibility Van

Council reviewed a report dated July 22, 2015, from S. Berriault, Director of Operations, following which it was then,

**Moved by P. File
Seconded by J. Main**

That, as recommended in Report OP2015-C06 dated July 22, 2015, the Tender from Shoppers Home Health Care for the supply of a new 2016 Accessibility Van in the amount of \$48,834 (exclusive of HST), be accepted.

CARRIED.

m) OP2015-C07 Midland Disc Sports Association Information Item

Council received as information a report dated July 22, 2015, from S. Berriault, Director of Operations, providing information with respect to the above.

n) OP2015-C08 Request to Convert Tiffin Park Tennis Court for Pickleball Play

Council reviewed a report dated July 22, 2015, from S. Berriault, Director of Operations, following which it was then,

Moved by P. File
Seconded by J. Main

That, further to Report OP2015-C08 dated July 22, 2015, Council directs Staff with respect to the request from the Midland Area Pickleball Committee to convert one of the Tiffin Park tennis courts to suit both tennis and pickleball play provided a letter supporting same is provided by the Midland Tennis Club and provided funding required to convert to the 4 pickleball courts is provided by the pickleball club in consultation with staff.

CARRIED.

o) OP2015-C09 North Simcoe Sports and Recreation Centre – LED Lighting Retrofit Proposal

Council reviewed a report dated July 22, 2015, from S. Berriault, Director of Operations, following which it was then,

Moved by P. File
Seconded by J. Main

That, as recommended in Report OP2015-C09 dated July 22, 2015, the proposal from LAS for the retrofitting of the existing T8 electronic ballasts for fluorescent fixtures to T8 LED fixtures throughout the North Simcoe Sports and Recreation Centre, including the lobby area, rink 2, the dressing room hallway, the sports store, some office areas and some exterior lighting as set out in LAS's revised proposal dated July 13, 2015, be accepted.

CARRIED.

p) OP2015-C10 Backflow Prevention By-law 2005-20 Repeal

Council reviewed a report dated July 22, 2015, from S. Berriault, Director of Operations, following which it was then,

Moved by P. File.

Seconded by J. Main

That, as recommended in Report OP2015-10, dated July 22, 2015, Council consider a By-law to repeal By-law 2005-20, being a By-law to regulate Cross Connection and Backflow Prevention on plumbing systems in the Town of Midland.

CARRIED.

o) PR-2015-28 Tourism and Special Events Report

Council received as information a report dated July 13, 2015, from N. Major, Tourism and Special Events Manager, providing information regarding tourism and special events initiatives.

p) FD-2015-03 Open Air Burning

Council reviewed a report dated July 20, 2015, from T. Toole, Deputy Fire Chief, following which it was then,

Moved by C. Oschefski

Seconded by G. MacDonald

That Council receive Report FD-2015-03, dated July 20, 2015, Open Air Burning and further that staff be directed to provide notice regarding a public meeting during the August Council meeting to receive comments from the public regarding the suggested annual permit fee;

And further that the draft open air burning by-law be brought for consideration.

And further that annual permits be provided free of charge between July 28 and August 25, 2015.

CARRIED.

q) Fire Department Activity Reports

Council received as information Activity Reports from T. Toole, Deputy Fire Chief, for the months of May 2015 and June 2015.

r) Planning and Development Committee Report 2015-7

a) Midland Bay Landing Approval Process
(Reference Item 1B of the above Report)

Moved by G. Canning

Seconded by J. Contin

That Council approve the proposed “Midland Bay Landing Approval Process” as set out in Staff Report PL-2015-37 dated June 16, 2015 and that Staff be directed to prepare the appropriate By-laws to implement the approval process.

CARRIED.

It was then,

Moved by G. Canning

Seconded by J. Contin

That Report 2015-7 of the Planning and Development Committee of Council Meeting dated July 8, 2015, be adopted as printed and circulated.

CARRIED.

Deputy Mayor Ross noted that he was not in attendance at the Planning and Development Committee of Council Meeting and requested that the minutes be amended to reflect same.

s) PL-2015-44 Downtown Master Plan

Council reviewed a report dated July 10, 2015, from W. Crown, Director of Planning and Building Services, following which it was then,

Moved by G. Canning

Seconded by J. Contin

That, as recommended in Report PL-2015-44, dated July 10, 2015, the Downtown Master Plan And Community Improvement Plan dated June 2015 by Urban Strategies Inc., as recommended by the Downtown Master Plan Steering Committee, be hereby approved; and

That Staff be directed to prepare a report for Council in respect of the implementation of the Downtown Master Plan and Community Improvement Plan.

DEFEATED.

It was then,

Moved by P. File
Seconded by J. Contin

That the Downtown Master Plan and Community Improvement Plan dated June 2015 by Urban Strategies Inc., as recommended by the Downtown Master Plan Steering Committee be received.

That staff be directed to prepare a report for Council in respect of the implementation of the Downtown Master Plan and Community Improvement Plan.

DEFEATED.

It was then,

Moved by G. Canning
Seconded by J. Contin

That Council direct staff to bring the Downtown Master Plan and Community Improvement Plan dated June 2015 by Urban Strategies Inc., as recommended by the Downtown Master Plan Steering Committee back to the Planning and Development Committee for further consideration.

CARRIED.

t) PL-2015-45 Official Plan Review Consultant Selection

Council reviewed a report dated July 10, 2015, from W. Crown, Director of Planning and Building Services, following which it was then,

Moved by G. Canning
Seconded by J. Contin

That, as recommended in Report PL-2015-45, dated July 10, 2015, Council accepts the proposal from The Planning Partnership dated June 12, 2015 for a maximum upset limit of \$99,966.52 (taxes included) to undertake the Official Plan Review Study.

CARRIED.

u) PL-2015-46 Zoning By-law Amendment Application ZBA-04-15 Hanson Development – 16821 Highway 12

Council reviewed a report dated July 20, 2015, from W. Crown, Director of Planning and Building Services, recommending that By-law No. 2015-48 be passed by Council. Accordingly, By-law 2015-48 is included under Item #12, Consent By-laws, for Council's consideration.

- v) Temporary Sales Centre Agreement with Somerset Gables Inc. (Hanson Development Group)

W. Crown, Director of Planning and Building Services, advised that all the requirements of the agreement for a Temporary Sales Centre have been satisfied by the developer. These included the submission of a Letter of Credit, drawings, insurance, securities and approval from the Ministry of Transportation. Accordingly, By-law 2015-49 is included under Item #12, Consent By-laws, for Council's consideration.

- w) Agreement with the Township of Tay for the provision of Temporary Ontario Building Code Enforcement Services

W. Crown, Director of Planning and Building Services, spoke to a request from the Township of Tay for the provision of Ontario Building Code Enforcement Services from August 3 to 14, 2015, to accommodate staff holidays. The Township currently has only one Building Inspector. Accordingly, By-law 2015-44 is included under Item #12, Consent By-laws, for Council's consideration.

12. CONSENT BY-LAW

Moved by G. MacDonald

Seconded by C. Oschefski

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

By-law 2015-35 Amend By-law 77-74 to establish and designate an improvement area.

By-law 2015-44 Agreement with the Township of Tay - provision of Temporary Ontario Building Code Enforcement Services.

By-law 2015-46 Authorize Paul Ryan as a Municipal Law Enforcement Officer – enforcing fire related by-laws and to amend By-law 2012-67.

By-law 2015-47 Appointment of Paul Ryan as the Fire Chief and to repeal By-law 2001-80.

By-law 2015-48 Amendment to Zoning By-law 2004-90, Application ZBA-04-15, Hanson Development – 16821 Highway 12.

By-law 2015-49 Temporary Sales Centre Agreement with SOMERSET GABLES INC. (Hanson Development Group).

By-law 2015-50 Repeal By-law 2005-20, to regulate Cross Connection and Backflow Prevention.

By-law 2015-51 Amend By-law 2015-29 – Tax Rate By-law – Schedule “A”.

By-law 2015-52 Regulating the setting of open air fires and to repeal By-law 2005-61.

CARRIED.

It was then,

Moved by G. MacDonald

Seconded by C. Oschefski

That By-laws 2015-35, 2015-44, 2015-46, 2015-47, 2015-48, 2015-49, 2015-50, 2015-51 and 2015-52 be read a first, second and third time and finally passed.

CARRIED.

13. GENERAL BUSINESS

1) Notices of Motion

a) Installation of CCTV Cameras along Bourgeois Lane and Borsa Lane

Councillor Canning presented the following motion,

Moved by G. MacDonald

Seconded by C. Oschefski

That in the interest of increasing public safety and confidence Council supports extending street light coverage to include Bourgeois Lane and Borsa Lane;

And further that Council directs staff to investigate the installation of CCTV cameras in select areas along Bourgeois Lane and Borsa Lane as a means of protecting public safety through detecting or deterring, and to assist in the investigation of criminal activity.

And further that said staff investigation consider the “Guidelines for the Use of Video Surveillance Cameras in Public Places” as published by the Information and Privacy Commissioner of Ontario.

CARRIED.

2) Other Business Introduced by Members of Council or Staff

Councillor File presented the following motion,

Moved by P. File
Seconded by J. Main

That staff be directed to follow up on the request for more information about what our neighbouring communities are doing or have done with respect to their LDC's that reflect different options for LDC's and consider a public meeting inviting representatives from Collingwood PowerStream (50:50 with Collingwood and Power Stream), Newmarket Tay (merger with Newmarket and Tay) and Penetanguishene/Barrie Hydro (100% purchase of Penetanguishene LDC).

CARRIED.

14. CONFIRMATORY BY-LAW

a) By-law 2015-53

Moved by G. MacDonald
Seconded by C. Oschefski

That leave be granted to introduce By-law 2015-53, being a by-law to adopt the proceedings of the Council Meeting held on July 27, 2015, and to authorize its execution.

CARRIED.

It was then,

Moved by G. MacDonald
Seconded by C. Oschefski

That By-law 2015-53 be read a first, second and third time and finally passed.

CARRIED.

15. ADJOURNMENT

Moved by G. MacDonald
Seconded by C. Oschefski

That this Regular Meeting of Council adjourn at 10:58 p.m.

CARRIED.

A. Fay, Director of Corporate Services/Clerk/Deputy CAO
