



**THE CORPORATION OF THE  
TOWN OF MIDLAND**

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**Minutes of the Regular Meeting of Council with Closed Session held on Monday,  
July 24, 2017 at 5:00 p.m. in the Municipal Office Council Chambers.**

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

**Regrets:** Councillors C. Oschefski, J. Main and P. File

**Also Present:** Chief Administrative Officer, J. Skorobohacz  
Director of Corporate Services/Solicitor, A. Sidhu  
Director of Planning and Building Services, W. Crown  
Director of Finance/Treasurer  
Clerk, K, Desroches

**1. CALL TO ORDER**

Mayor McKay called the meeting to order at 5:00 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**

Deputy Mayor Ross declared a pecuniary interest with respect to Item 3a)i)a) Proposed Sale of Municipal Parking Lot 7 – Update (526 Bay Street), as his employer owns a brewing company.

**3. CLOSED SESSION**

a) Motion to move into closed session

**Moved by           G. Canning  
Seconded by       G. MacDonald**

**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 Disposition of Land**
  - Subject matter**
  - Proposed sale of Municipal Parking Lot 7 – update**
- **Subsection 2e)  
Litigation or Potential Litigation**
  - Subject matter- Highway 12 Property Litigation Update**
- **Subsection 2 (b)  
Personal matters about an identifiable individual**
- **Subsection 2e)  
Matter before Administrative Tribunal**
  - Subject matter**
  - Letter from a member of the public regarding an alleged incident**

**CARRIED.**

i) Closed Session Items

a) Proposed Sale of Municipal Parking Lot 7 - Update

Having declared a pecuniary interest, Deputy Mayor Ross left the Council Chamber.

Council reviewed Confidential Report CAO-2017-17 from the CAO providing an update on the proposed sale of Municipal Parking Lot 7 (526 Bay Street) and requesting Council's direction on how to proceed.

The CAO 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) Highway 12 Property Litigation Update

Deputy Mayor Ross returned to his seat.

Council reviewed a confidential letter dated June 29, 2017 from HGR Graham Partners providing an update on the status of a current litigation matter respecting a Highway 12 property.

The Director of Planning and Building Services 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.

- c) Letter from a member of the public regarding an alleged incident

Council reviewed a letter dated July 11, 2017.

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

- ii) Motion to rise to open session

**Moved by G. MacDonald**

**Seconded by G. Canning**

**That this Closed Meeting of Council be adjourned at 6:37 p.m. and that Council now rise and report to open session.**

**CARRIED.**

#### **4. OPEN SESSION – 7:03 P.M.**

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

**Regrets:** Councillors J. Main and C. Oschefski

**Also Present:** Chief Administrative Officer, J. Skorobohacz  
Director of Finance/Treasurer, S. Turnbull  
Clerk, K. Desroches  
Director of Operations, S. Berriault  
Director of Corporate Services/Solicitor, A. Sidhu  
Director of Engineering/Water and Wastewater, A. Campbell  
Director of Planning and Building Services, Wes Crown  
Director of Human Resources/HS, G. Green  
Marketing and Communications Coordinator, S. Cooper

\*Arrived during Item 7a), Deputations.

Mayor McKay presented an award to the S. Berriault, Director of Operations, in recognition of the exceptional work provided by the Operations Department and volunteers with respect to Feastfest and the Town's Canada 150 celebrations.

**5. DECLARATIONS OF PECUNIARY INTEREST**

Deputy Mayor Ross declared a pecuniary interest with respect to Item 5i)a) Proposed Sale of Municipal Parking Lot 7 – Update (526 Bay Street), as his employer owns a brewing company.

i) Motions arising from closed session discussions

a) Proposed Sale of Municipal Parking Lot 7 - Update

Having previously declared a pecuniary interest, Deputy Mayor Ross pushed away from the table and refrained from voting on the matter.

**Moved by G. MacDonald  
Seconded by S. Strathearn**

**That Council receives Report CAO-2017-17, dated July 24, 2017 respecting an update related to the proposed sale of Municipal Parking Lot 7 as an economic development opportunity within the Downtown; and**

**That Administration BE AUTHORIZED to negotiate an amendment to the Offer of Purchase and Agreement of Sale respecting the engagement of external expertise as it relates to the property; and**

**That the Director of Corporate Services/ Town Solicitor BE AUTHORIZED to retain the appropriate contract professional services to develop a framework and work- plan for Council’s consideration with said costs being capped at an upset limit of \$50,000 excluding HST; and**

**That the Downtown Parking Study be placed on hold pending the outcome of the Service delivery review and the final determination of the negotiations respecting the proposed sale of Municipal Parking Lot 7.**

**CARRIED.**

b) Highway 12 Property Litigation Update

**Moved by S. Strathearn  
Seconded by G. MacDonald**

**That the confidential letter dated June 29, 2017, from HGR Graham Partners, providing an update on the status of a litigation matter respecting a Highway 12**

property and reviewed during a Closed Meeting of Council held July 24, 2017, be received as information.  
**CARRIED.**

- c) Letter from a member of the public regarding an alleged incident

Moved by           **G. MacDonald**  
Seconded by       **S. Strathearn**

That the letter dated July 11, 2017 from a member of the public concerning an alleged incident currently under investigation by the Midland Police Service reviewed by Council at the Closed Session held July 24, 2017 be received as information.

**CARRIED.**

## **6. CONSENT AGENDA**

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

That Council adopt the recommendations as set out on the Consent Agenda for the Regular Meeting of Council held July 24, 2017.

**CARRIED.**

## **7. PRESENTATION**

- a) Major Atom Girls Basketball Team Provincial Champions

Mayor McKay presented medallions to the Major Atom U12 Girls Basketball Team and coaches in recognition of their 2016-2017 Ontario Basketball Division 7 Provincial Championship win.

## **8. DEPUTATIONS**

- a) Ontario's Best Butter Tart Festival

Ms A. Bird, Event Coordinator, provided a PowerPoint presentation highlighting the results of this year's Buttertart Festival and preparations underway for the 2018 event.

- b) "We Own It" Campaign

Mr. A. Parker, OPSEU Representative, North Simcoe Correction Centre, provided details regarding the "We Own It" campaign and the efforts being undertaken to protect public services as well as the campaign's successes to date. It was then,

**Moved by G. MacDonald**  
**Seconded by S. Strathearn**

**That the presentation regarding the “We Own It” Campaign be referred to staff for review with a report to be brought back to a future meeting.**

**CARRIED.**

c) Downtown Safety Committee

Mr. R. Sykes, Guesthouse Shelter, provided a PowerPoint presentation highlighting the North Simcoe Situation Table, a joint initiative involving community partners to address those in the community facing the highest need with police as one of the champions to move it forward.

**9. REPORTS**

1. PL-2017-42 By-law 2017-52 Proposed Deeming By-law

Council reviewed a report dated June 24, 2017, from W. Crown, Director of Planning and Building Services, following which it was then, (By-law 2017-52)

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

**That, further to Report PL-2017-42 dated June 24, 2017, Council pass a deeming By-law for Lots 38 to 40 Registered Plan of Subdivision:**

**Registered Plan 582A**

**That Notice of the Passage be given in accordance with subsection 50 (29) of the *Planning Act* and that the owner be provided with the information contained in subsection 50 (30) of the *Planning Act* for hearing by Council.**

**CARRIED.**

2. PL-2017-43 Heritage Conservation District “The Grand Mansions of King”

Council reviewed a report dated June 30, 2017, from W. Crown, Director of Planning and Building Services, following which it was,

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

**That, as recommended in Report PL-2017-43 dated June 30, 2017, Council hereby directs and requests the Midland Heritage Committee to undertake a formal Information and Consultation process with the property owners within the proposed Heritage Conservation District for “The Grand**

**Mansions of King” and report back to Council the outcomes of the consultation process.**

**CARRIED.**

3. PL-2017-46 Second Units

Council reviewed a report dated July 4, 2017, from W. Crown, Director of Planning and Building Services, following which it was then,  
(By-law 2017-54)

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

**That Staff Report PL-2017-46 dated July 4, 2017 regarding Second Units be received.**

**That the proposed Zoning By-law Amendment attached to Staff Report PL-2017-46 dated July 4, 2017 be approved by Council.**

A verbal motion was presented, moved by P. File and seconded by J. Contin, to amend the previous motion by adding the following clause:

**“include 40% of floor space (maybe up to 80 square metres) and/or and basement (may be whole).”**

**CARRIED.**

It was then,

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

**That Staff Report PL-2017-46 dated July 4, 2017 regarding Second Units be received.**

**That the proposed Zoning By-law Amendment attached to Staff Report PL-2017-46 dated July 4, 2017 be approved by Council, include and amend 40% of floor space (maybe up to 80 square metres) and/or and basement (may be whole).”**

**CARRIED.**

It was then,

**Moved by P. File  
Seconded by M. Ross**

**That further to Staff Report PL-2017-46 the minimum floor area requirement be deleted and that draft By-law 2017-52 be amended to reflect this amendment.**

**CARRIED.**

- b) Council received as information an email dated July 23, 2017 from Mr. A. Arlett regarding second units.

4. PL-2017-48 Official Plan Review Project

Council reviewed a report dated July 12, 2017, from W. Crown, Director of Planning and Building Services, following which it was then,

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

**That, as recommended in Report PL-2017-48 dated July 12, 2017, Council receives Staff Report PL-2017-48 dated July 12, 2017 respecting the Official Plan Review Project; and**

**That Council hereby approves a “Pause” in the OPR Project to permit the Town to undertake the additional review work to ensure that the proposed Official Plan is in full conformity with the new 2017 Growth Plan for the Greater Golden Horseshoe which came into full force and effect July 1, 2017; and**

**That Council hereby approves the additional and extended Scope of Work for the Town of Midland Official Plan Review Project as set out in the Memorandum dated July 13, 2017 from The Planning Partnership in the amount of \$44,315 (excluding taxes); and**

**That the project costs be accrued to the 2017, 2018 and 2019 budgets as set out in Staff Report PL-2017-48 dated July 12, 2017.**

**CARRIED.**

5. HR/HS-2017-04 Chief Administrative Officer Performance Evaluation Process

Council reviewed a report dated July 11, 2017, from G. Green, Director of Human Resources/Health and Safety, on behalf of the HR Committee of Council, following which it was then,

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

**That, as recommended in Report HR/HS-2017-04 dated July 11, 2017, Council confirm the process approved by the HR Committee of Council with respect to the Chief Administrative Officer Performance Evaluation.**

**CARRIED.**



6. HR-2017-05 OMERS Normal Retirement Age (Fire Management)

Council reviewed a report dated July 11, 2017, from G. Green, Director of Human Resources/Health & Safety, following which it was then, (By-law 2017-56)

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

**That, as recommended in Report HR-2017-05 dated July 11, 2017, Council receive Report HR-2017-05 with respect to the OMERS plan for Fire Management and consider the amending by-law during this meeting of Council.**

**CARRIED.**

7. CAO-2017-18 Presentation of OPP Costing Analysis

Council reviewed a report dated July 24, 2017, from J. Skorobohacz, CAO.

Mr. J. Hambides, consultant, provided an overview of the process, following which it was then,

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

**That Report CAO-2017-18 dated July 24, 2017, respecting the transmittal of the Consultant's Analysis of the OPP Costing BE RECEIVED; and**

**That the Council Ad-Hoc OPP Costing Committee be requested to host community information and consultation meetings for the purpose of sharing the findings with the community and reporting back to a Special Council Meeting to be held on September 6, 2017.**

**CARRIED.**

8. TR-2017-12 Guesthouse Shelter Request

Council reviewed a report dated July 24, 2017, from S. Turnbull, Director of Finance/Treasurer, following which it was then,

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

**That, as recommended in Report TR-2017-12 dated July 24, 2017, Council receive Report TR-2017-12 regarding the Guesthouse Shelter loan and agree with their request to delay the commencement of loan repayment.**

**CARRIED.**

9. TR-2017-13 Severn Sound Environmental Association Request for Refund

Council reviewed a report dated July 24, 2017, from S. Turnbull, Director of Finance/Treasurer, following which it was then,

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

**That, as recommended in Report TR-2017-13 dated July 24, 2017, Council receive Report TR-2017-13 regarding the Severn Sound Environmental Association Request for a refund, and**

**That direction on the refund be provided – negotiate further to achieve a fair refund balance.**

**CARRIED.**

It was then,

**Moved by G. MacDonald  
Seconded by M. Ross**

**That staff be directed to inform the SSEA that the Town of Midland effective January 1, 2018 will no longer provide Human Resources Administration and Financial Administration to the SSEA, and**

**That the organization be requested to identify an alternate service provider.**

**CARRIED.**

10. CONSENT BY-LAW

**Moved by G. MacDonald  
Seconded by S. Strathearn**

**That leave be granted to introduce the following by-law:**

By-law 2017-52 Deem Lots 38 to 40 (inclusive) Registered Plan of Subdivision 582A.

By-law 2017-53 Repeal By-law 2014-83 being a By-law to adopt Amendment No. 6 to the Official Plan.

By-law 2017-55 Change the normal retirement age under the OMERS primary pension plan (“Primary Plan”), and the retirement compensation arrangement that provides benefits for members and former members of the Primary Plan (“RCA) (Fire Management)

By-law 2017-56      Extend the term of the Fire Chief Services Agreement with the Town of Penetanguishene as previously authorized by By-law 2015-45 for an additional 20 months.

**CARRIED.**

Moved by            **G. MacDonald**  
Seconded by        **S. Strathearn**

That By-laws 2017-52, 2017-53, 2017-55, and 2017-56, be read a first, second and third time and finally passed.

**CARRIED.**

It was then,

Moved by            **S. Strathearn**  
Seconded by        **G. MacDonald**

That leave be granted to introduce By-law 2017-54 to amend Zoning By-law 2004-90, as amended, with respect to Second Units, as amended by way of resolutions reflecting a maximum floor area of 40% and the elimination of the minimum floor area requirement.

**CARRIED.**

It was then,

Moved by            **G. MacDonald**  
Seconded by        **S. Strathearn**

That By-law 2017-54, be read a first, second and third time and finally passed.

**CARRIED.**

**11. GENERAL BUSINESS**

1) Other Business Introduced by Members of Council or Staff

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

**12. CONFIRMATORY BY-LAW**

1) By-law 2017-57

Moved by            **S. Strathearn**  
Seconded by        **G. MacDonald**

That leave be granted to introduce By-law 2017-57, being a by-law to adopt the proceedings of the Council Meeting held on July 24, 2017, and to authorize its execution.

**CARRIED.**

It was then,

**Moved by G. MacDonald**

**Seconded by S. Strathearn**

**That By-law 2017-57 be read a first, second and third time and finally passed.**

**CARRIED.**

**13. ADJOURNMENT**

**Moved by G. MacDonald**

**Seconded by S. Strathearn**

**That this Regular Meeting of Council adjourn at 10:57 p.m.**

**CARRIED.**

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Karen Desroches, Clerk

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