

**THE CORPORATION OF THE TOWNSHIP OF TAY
COMMITTEE OF ALL COUNCIL MEETING
WEDNESDAY MARCH 19TH, 2008
1:00 P.M.**

PRESENT:

Mayor Scott Warnock
Deputy Mayor Michael Ladouceur
Councillor Rick Black
Councillor Nelson Baumgardner
Councillor Axel Frandsen
Councillor James Pearsall
Councillor Bill Rawson

STAFF PRESENT:

Brian Thomas, Fire Chief (Section A)
Sergeant Douglas Marshall, OPP
Herb Proudley, Director of Public Works (Section B)
Jamey Adams, Environmental Superintendent (Section B)
Gerard LaChapelle, Works Superintendent (Section B)
Joanne Sanders, Director of Finance (Section C)
Holly Bryce, Recreation Coordinator (Section C)
Mara Burton, Director of Planning & Development (Section D)
Simone Latham, C.A.O./Acting Clerk
Cyndi Bonneville, Acting Deputy Clerk

Mayor Warnock called the meeting to order at 1:00 p.m.

(The order of items dealt with during the meeting may differ from the order presented in these Minutes.)

1. DECLARATIONS OF INTEREST:

There were no declarations of interest at this point.

2. DELEGATIONS:

There were no delegations.

4. COMMITTEE BUSINESS:

**A: PROTECTION TO PERSONS & PROPERTY COMMITTEE –
CHAIRD BY COUNCILLOR JIM PEARSALL:**

A.1 We received for information the O.P.P. monthly statistic reports for February 2008.

A.2 We received for information the Fire Chief's report for the month of February 2008. The Fire Chief spoke to the report and responded to questions brought forth.

A.3 We received a report from the Recreation Coordinator under date of March 4th, 2008 in regard to proposed measures to curb vandalism within community parks. The Recreation Coordinator spoke to the implementation process to facilitate the measures in an attempt to deter future vandalism.

After discussion and consideration the following motion was moved by Deputy Mayor Ladouceur and seconded by Councillor Rawson recommending the following to Council for consideration:

THAT THE MEASURES TO CURB VANDALISM AS OUTLINED IN THE REPORT DATED MARCH 4, 2008 BE APPROVED AND IMPLEMENTED IMMEDIATELY TO DETER FUTURE VANDALISM AND RELATED PROBLEMS WITHIN TOWNSHIP OWNED PARKLAND.

CARRIED.

- A.4.1 We received a verbal report from the Fire Chief in regard to a review of the Firehall boundaries. The Fire Chief advised that after careful deliberation and consultation with the Deputy Chief and District Chief's it was agreed that the running areas have been carefully planned with only three areas that require attention.

The Fire Chief reported that Newton Street and Maskinonge Road will now fall under Hall 5's jurisdiction, Highway 12 from Midland to Reeves Road will fall under Hall 2's jurisdiction (Hall 1 responding with their extrication equipment). All non-hydrant areas will have the tanker trucks respond from their respective halls on all structure or chimney fire call outs.

The Fire Chief advised that the Township has numerous private lanes and unopened roads providing access to residences with the majority not maintained in a condition to provide access for fire fighting vehicles to travel. The Fire Chief advised that his objective is to compile a list of the affected property owners to make them aware that fire protection may not be available until such time that their road is maintained to permit the fire fighting vehicles accessibility. The Fire Chief advised that a report will follow at a later date for Council's perusal.

- A.4.2 We received a verbal report from the Fire Chief in regard to capital costs associated with fire dispatch services. The Fire Chief spoke to the matter and requested authorization to proceed with the purchase of the antenna and radio equipment to prepare for the conversion of dispatch services to Barrie Dispatch.

Council concurred with staff recommendation and the Fire Chief was so directed.

B: PUBLIC WORKS COMMITTEE - CHAIRED BY: COUNCILLOR BILL RAWSON:

- B.1 We received for information Staff Report No. 08-13 from the Works Superintendent under date of March 10th, 2008 with respect to the Works Department monthly activity report for February 2008.

The Works Superintendent spoke to the report and responded to questions brought forth.

B.2 We received for information Report No. 08-07 from the Environmental Superintendent under date of March 10th, 2008 with respect to the Environmental Department monthly report for February 2008.

The Environmental Superintendent spoke to the report and responded to questions brought forth.

B.3 We reviewed Report No. 08-11 from the Director of Public Works under date of March 10th, 2008 in regard to a review of the current state of sidewalks within the Township.

The Director of Public Works advised that the report was compiled as a joint effort from staff and recommended that the report be received with direction to staff that they proceed with the 2008 improvement maintenance.

After discussion and consideration the following motion was moved by Councillor Black and seconded by Deputy Mayor Ladouceur recommending the following to Council for consideration:

THAT THE REPORT TITLED “SIDEWALKS IN TAY – WALKING THE WALK” BE RECEIVED;

AND FURTHER THAT THE FOLLOWING WORKS BE CARRIED OUT UNDER THE SIDEWALK MASTER PLAN IMPROVEMENTS PROGRAM FOR 2008:

1. REMOVE THE FOLLOWING REDUNDANT SIDEWALKS IN WAUBAUSHENE:

ALBIN ROAD FROM OUIDA STREET TO PINE STREET

AMANDA STREET FROM OUIDA STREET TO PINE STREET;

2. REPLACE THE FOLLOWING SIDEWALK IN VICTORIA HARBOUR:

MAPLE STREET FROM 100 METRES WEST OF PARK STREET TO ALBERT STREET.

CARRIED.

B.4.1 We received a verbal report from Councillor Black in regard to snow removal concerns on Hilltop Drive. Councillor Black advised that he received a complaint from a resident in regard to the technique used by Public Works staff to remove snow from the dead end street and queried if creating a turn-around at end of road would resolve this matter.

The Works Superintendent spoke to the matter and recommended that an agreement be entered into with the neighbouring property owner to facilitate a turn around for the snowplow operator.

We concurred with staff recommendation and the Director of Public Works was requested to forward a letter to the resident advising that his concerns are under review.

C: GENERAL GOVERNMENT/FINANCE – CHAIRED BY COUNCILLOR AXEL FRANSEN:

C.1 We received for information a Report from the Recreation Coordinator under date of March 4th, 2008 with respect to the recreation update for the month of February 2008.

C.2 We reviewed a Report from the Recreation Coordinator under date of March 4th, 2008, in regard to volunteer recognition and step 2 of the recreation structure implementation.

After discussion and consideration the following motion was moved by Mayor Warnock and seconded by Councillor Pearsall recommending the following to Council for consideration:

THAT THE PROPOSED OPEN HOUSE FOR VOLUNTEER RECOGNITION AND RECREATION STRUCTURE IMPLEMENTATION - STEP 2 BE APPROVED AND IMPLEMENTED AS OUTLINED IN THE REPORT DATED MARCH 4, 2008.

CARRIED.

C.3 We reviewed a report from the Recreation Coordinator under date of March 4th, 2008 with respect to the annual “Pitch-In” community cleanup event.

After discussion and consideration the following motion was moved by Councillor Baumgardner and seconded by Councillor Rawson recommending the following to Council for consideration:

THAT THE PROPOSED EXPANSION OF THE PITCH-IN CLEANUP EVENT BE APPROVED AND IMPLEMENTED AS OUTLINED IN THE REPORT DATED MARCH 4TH, 2008 EXCLUDING THE BATTERY RECYCLING PROGRAM.

CARRIED.

C.4 We reviewed a report from the Recreation Coordinator under date of March 18th, 2008 in regard to an appointment of a representative from Ward 1 to the Tay Shore Trail Committee.

After discussion and consideration the following motion was moved by Deputy Mayor Ladouceur and seconded by Councillor Pearsall recommending the following to Council for consideration:

THAT THE REPORT DATED MARCH 18TH, 2008 REGARDING THE APPOINTMENT OF A WARD 1 REPRESENTATIVE TO THE TAY SHORE TRAIL COMMITTEE BE ACCEPTED;

AND THAT THE RECOMMENDATION CONTAINED WITHIN TO APPOINT JACK MCFADDEN AS THE WARD 1 REPRESENTATIVE ON THE TAY SHORE TRAIL COMMITTEE IS APPROVED EFFECTIVE AS OF APRIL 9, 2008 TO DECEMBER 21, 2010.

CARRIED.

- C.5 We reviewed a verbal report from the C.A.O. under date of March 1st, 2008 with respect to the Fire Department Personnel Policy as it relates to retirement.

After discussion and consideration the following motion was moved by Councillor Rawson and seconded by Deputy Mayor Ladouceur recommending the following to Council for consideration:

THAT THE COUNCIL OF THE TOWNSHIP OF TAY HEREBY ADOPTS THE AMENDMENT PROPOSED TO THE FIRE DEPARTMENT PERSONNEL POLICY REGARDING RETIREMENT.

CARRIED.

- C.6 We reviewed a letter from a resident under date of February 25th, 2008 requesting a refund of the excess amount of water consumption fees.

After discussion and consideration the following motion was moved by Councillor Rawson and seconded by Deputy Mayor Ladouceur recommending the following to Council for consideration:

THAT THE REQUEST FROM ACCOUNT NO. 900036.02 FOR A REFUND OF THE EXCESS AMOUNT OF WATER USAGE BILLED BE DENIED.

CARRIED.

- C.7 We received correspondence from the City of Woodstock under date of February 19th, 2008 requesting support of a resolution in regard to taxation matters.

After discussion and consideration the following motion was moved by Councillor Baumgardner and seconded by Deputy Mayor Ladouceur recommending the following to Council for consideration:

THAT THE TOWNSHIP OF TAY SUPPORTS THE RESOLUTION FROM THE CITY OF WOODSTOCK WITH RESPECT TO REQUESTS THAT THE PROVINCE OF ONTARIO ELIMINATE TAX CAPPING AND REPLACE IT WITH AN EQUITABLE SYSTEM BASED ON CURRENT VALUE ASSESSMENT.

CARRIED.

- C.8 We received correspondence from the Town of Amherstburg under date of January 25th, 2008 requesting consideration and endorsement of a resolution in regard to lead testing of municipal drinking water as mandated by the Province.

After discussion and consideration the following motion was moved by Mayor Warnock and seconded by Councillor Pearsall recommending the following to Council for consideration:

THAT WHEREAS THE ONTARIO GOVERNMENT AMENDED THE EXISTING DRINKING WATER SYSTEMS REGULATION O.REG. 170/03, EFFECTIVE JULY 2007, MANDATING MUNICIPALITIES TO COMPLY BY PERFORMING ADDITIONAL TESTS AT PRIVATE RESIDENTIAL TAPS TO CHECK FOR LEAD IN THE DRINKING WATER;

AND WHEREAS THE TOWN OF AMHERSTBURG CIRCULATED TO ALL MUNICIPALITIES IN ONTARIO A RESOLUTION REGARDING LEAD TESTING MANDATED BY THE PROVINCE; AND WHEREAS THE COSTS OF THE REQUIRED TESTING FOR THE TOWNSHIP OF TAY IS APPROXIMATELY \$14,000.00 PER YEAR;

AND THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE TOWNSHIP OF TAY REQUESTS THE PROVINCE OF ONTARIO PROVIDE THE IMMEDIATE NECESSARY FUNDING TO ONTARIO MUNICIPALITIES TO FINANCE THE COSTS OF THE MANDATED LEAD TESTING FOR MUNICIPAL DRINKING WATER;

AND FURTHER, THAT THE MOTION BE CIRCULATED THROUGH AMO TO ALL ONTARIO MUNICIPALITIES FOR SUPPORT AND COPIED TO THE PROVINCE OF ONTARIO.

CARRIED.

- C.9 We received correspondence from the Town of Newmarket under date of February 11th, 2008 requesting support of a resolution in regard to the misuse of disabled parking permits and parking spaces.

After discussion and consideration the following motion was moved by Deputy Mayor Ladouceur and seconded by Councillor Pearsall recommending the following to Council for consideration:

THAT THE TOWNSHIP OF TAY SUPPORT RESOLUTION R1-2008 FROM THE TOWN OF NEWMARKET REQUESTING THAT THE PREMIER OF ONTARIO TAKE ACTION TO ELIMINATE THE MISUSE OF DISABLED PARKING PERMITS AND PARKING SPACES.

CARRIED.

- C.10 We received correspondence from the Simcoe Muskoka District Health Unit under date of February 21st, 2008 with respect to the transfer of ownership of the Gravenhurst Health Unit building to the Town of Gravenhurst.

After discussion and consideration the following motion was moved by Mayor Warnock and seconded by Deputy Mayor Ladouceur recommending the following to Council for consideration:

THAT THE TOWNSHIP OF TAY SUPPORT THE RESOLUTION FROM THE COUNTY OF SIMCOE CONSENTING TRANSFER OF OWNERSHIP OF THE HEALTH UNIT BUILDING TO THE TOWN OF GRAVENHURST.

CARRIED

- C.11 We received correspondence from the Regional Municipality of Niagara requesting support of a resolution with respect to members of Parliament as it relates to representation of Ontarians.

Mayor Warnock spoke to the matter and advised that the County of Simcoe is supporting the resolution and that the correspondence be received for information only.

- C.12.1 We received a letter from the Township of Severn under date of March 10th, 2008, in regard to an agreement with area municipalities for capital contributions to the Coldwater Community Centre.

The C.A.O. provided a brief synopsis of the Township's past practice with respect to capital contributions for the SuperBuild Project and the imposition of user fees on all users of the facility, as an attempt to collect a portion of the costs to operate same.

After discussion and consideration the following motion was moved by Councillor Rawson and seconded by Deputy Mayor Ladouceur recommending the following to Council for consideration:

THAT THE TREASURER IS HEREBY AUTHORIZED TO FORWARD PAYMENT TO THE TOWNSHIP OF SEVERN IN THE AMOUNT OF \$5,500.00 AS A FINAL CONTRIBUTION TOWARD THE COLDWATER ARENA SUPERBUILD PROJECT.

CARRIED.

- C.12.2 We received a letter from the Simcoe Muskoka District Health Unit under date of March 7th, 2008 with respect to enforcement of the Smoke-Free Ontario Act.

After discussion and consideration the following motion was moved by Councillor Rawson and seconded by Mayor Warnock recommending the following to Council for consideration;

THAT THE TOWNSHIP OF TAY LEVEL OF SERVICE FOR ENFORCEMENT OF SMOKE-FREE FACILITIES BE CONSISTENT WITH THE PROVISIONS OF THE SMOKE-FREE ONTARIO ACT.

CARRIED.

- C.12.3 We received a verbal report from Mayor Warnock in regard to the upcoming Sweetwater Festival hosted by the Wye Marsh.

Mayor Warnock advised that he is challenging neighbouring Mayors to participate in the Pancake Eating Contest and extended an invitation to members of Council and staff to attend in support of the Wye Marsh fundraiser event.

- C.12.4 We received a verbal report from Mayor Warnock with respect to the OSUM Conference to be held in Collingwood from April 30th to May 2nd, 2008.
Mayor Warnock directed members of Council to contact the Secretary to the C.A.O. if interested in attending.
- C.12.5 We received a verbal report from the Director of Finance advising the need to schedule a budget meeting.
We concurred to meet April 15th, 2008.
- C.12.6 We received a verbal report from the Acting Deputy Clerk with respect to correspondence received from the County of Simcoe requesting to host an information session to communicate the new waste programs.
We concurred with staff recommendation to schedule the information session extending an invite to members of Council to attend if they are available.
- C.12.7 We received a verbal report from the C.A.O. recommending that Council consider revamping the format for Committee meetings as we are completing the items on the agenda before the allotted scheduled time for each committee business.
After discussion and consideration we concurred that Public Meetings be scheduled during Regular Council Meetings with delegations remaining under the Committee of All Council Agenda. Staff was directed accordingly.

D: PLANNING & DEVELOPMENT COMMITTEE – CHAIRED BY DEPUTY MAYOR MICHAEL LADOUCEUR:

At this point a public meeting of the Committee of All Council was held in compliance with By-law No. 98-75 and Sections 34 and 39 of the Planning Act.

Two applications with respect to the General Zoning By-Law No. 2000-57 will be presented with the first being, a proposed Temporary Use By-law for Part of Lot 15, Concessions 5 & 6. The second application is an amendment to Zoning for Part of Lot 10, Concession 8, being Park Lot “C” Registered Plan 1264.

The Chair outlined the format for the meeting and all persons present were given an opportunity to ask questions and comment on the proposed amendment.

The Chair advised that in accordance with the Planning Act, if a person does not provide comments at the Public Meeting or a written submission prior to the final decision, the Ontario Municipal Board may, on an appeal, dismiss the appeal on the basis that no concerns were raised during the public process. If you have a concern or comment regarding any of the Applications they should be addressed this evening.

1. Proposed Temporary Use By-Law and Site Plan Agreement – 311 Talbot Street (Skyline Port McNicoll Development Inc.):

The Director of Planning and Development reviewed the process of notice and advised that notices were circulated to all assessed persons within 120 metres of the subject properties and any agencies that may have an interest on February 28th, 2008, therefore, the 20 day notice requirement has been met.

To date we have not received any formal correspondence with respect to this application.

The Chairman called on the Director of Planning and Development to provide some background with respect to the application. The Director advised the proposed Temporary Use By-law would permit a limited set of recreational rental and related uses on a portion of the property at the Port McNicoll harbour.

The Director outlined the uses that the proposed Temporary Use By-law would permit on the subject land for up to three years.

- Recreational equipment rental establishment including boats, bicycles and snowmobiles
- Outdoor storage of recreational equipment including boats and snowmobiles
- Commercial school for instruction of outdoor recreation
- Retail related to recreation and leisure

The Director advised that development and use of the property will be subject to a Site Plan Agreement between the owner and the Township.

The Chairman then called on Mr. Gary Bell, Planner for the applicant, to provide further description of the proposed application.

Mr. Bell identified the subject area on a key map and advised that the Planning Act provides opportunity of land owners to make use of land for up to 3 years that is outside of the permitted use, subject to site plan control. Mr. Bell advised that this undertaking is an excellent opportunity for a harbour adventure centre and reviewed the use for the main building, related storage area, boat rentals and the sale of related goods. Mr. Bell continued to advise that instructors will be on site to properly demonstrate use of the rental equipment and reiterated the overall proposal is a great venture for the community.

The Chairman then inquired if there were any questions or comments from the audience in support of or in opposition to this matter.

1. Doug Thompson – 744 First Avenue – questioned the hours of operation for the recreational rental business and expressed concern that the noise level and additional lighting will create potential interruptions to his peaceful lifestyle. Mr. Thompson also expressed concern with increased taxes as a result of installation of sidewalks to accommodate the patrons renting bicycles.

At this point Mr. Ward spoke on behalf of Skyline and advised that the nature of operations is to enhance the existing sales office and to attract patrons from the harbour and the operations will be strictly devoted to daytime hours. Mr. Ward expressed that it is their objective that this type of activity be controlled and noted that the building will be used as a sales centre with no night time activity permitted. Mr. Ward also advised that it is anticipated that Phase 1 will be serviced in the near future and it is their desire to create a pleasant atmosphere not one with excessive noise that will burden the surrounding residents as well as discourage future sales.

The Director of Planning & Development addressed Mr. Thompson's concerns and advised that she does not anticipate any concern with this type of day time use and assured Mr. Thompson that the business operations will have to conform to the Township's Noise Control By-law. The Director of Planning & Development also pointed out that Mr. Thompson resides in the downtown core and will be subjected to more commercial activity in the next few years as this area develops.

As there were no more questions or comments from the audience the Chairman queried if there were any questions from the Committee concerning the information presented.

Councillor Rawson requested a more in-depth definition of "temporary use" and questioned what is permitting Skyline from operating the business for greater than three years. The Director of Planning & Development advised that the developers have future plans for this portion of property.

Councillor Black proceeded to inquire if the existing boat ramp will remain and if the public will have access to same. Mr. Ward advised that the application for consideration of Council is simply for canoe and watercraft rentals associated with the proposed business activity. Mr. Ward spoke of a future public boat ramp at an alternative location in Port McNicoll.

Councillor Black proceeded to inquire about the commitment that the common beach area remains dedicated for public use. Mr. Ward spoke of the understandings and principle of the matter and advised that Skyline shares the same concerns and welcome open dialogue with the public, however reiterated that tonight's application does not endorse this element and felt it premature to comment at this time.

2. Proposed Zoning By-law Amendment – 110 Maskinonge Road (Bob Richards):

The Director of Planning and Development reviewed the process of notice and advised that notices were circulated to all assessed persons within 120 metres of the subject properties and any agencies that may have an interest on February 28th, 2008, therefore, the 20 day notice requirement has been met.

To date we have not received any formal correspondence with respect to this application.

The Director of Planning and Development advised that the purpose and effect on the proposed Zoning By-law amendment proposes to rezone the subject lands from the Open Space “OS” zone to the Shoreline Residential “SR” zone to permit the use of the property for a single detached dwelling.

The Chairman then called on Mr. John Richards, representing the applicant to provide further description of the proposed application.

Mr. Richards briefly spoke to the matter and advised that the surrounding area consist of single family dwellings and is requesting that the property in question be zoned to Shoreline Residential. Mr. Richards advised that the property was zoned Open Space in error and that it be converted back to Shoreline Residential at the municipality’s expense.

The Chairman then inquired if there were any questions or comments from the audience in support of or in opposition to this matter.

As there were no more questions or comments from the audience the Chairman queried if there were any questions from the Committee concerning the information presented.

There were no questions brought forward by the Committee at this time.

D.1 We reviewed a report from the Director of Planning and Development under date of February 28th, 2008, with respect to an application for a temporary use by-law and site plan agreement for properties at 311 Talbot Street.

It was reported that the Director will reserve a recommendation until after the public meeting on this matter and will then forward same to the next available meeting of council.

D.2 We reviewed a report from the Director of Planning & Development under date of February 4th, 2008, with respect to an application to amend Zoning By-law for lands located at 110 Maskinonge Road.

It was reported that the Director will reserve a recommendation until after the public meeting on this matter and will then forward same to the next available meeting of Council.

At this point a discussion ensued with respect to the request made by Mr. Richards that the Township absorbs the zoning amendment fees.

After discussion and consideration the following motion was moved by Councillor Pearsall and seconded by Deputy Mayor Ladouceur recommending the following to Council for consideration:

THAT THE REQUEST RECEIVED FROM THE PROPERTY OWNER OF 110 MASKINONGE ROAD THAT THE TOWNSHIP OF TAY ABSORBS THE COSTS FOR THE RE-ZONING APPLICATION BE DENIED.

CARRIED.

- D.3 We reviewed a report from the Director of Planning & Development under date of March 10th, 2008 with respect to the proposed community improvement plan. The Director spoke to the report and responded to questions brought forth.
It was reported that the Director will reserve a recommendation until after the public meeting on this matter and will then forward same to the next available meeting of Council.
- D.4 We received for information the monthly By-law Enforcement Services Activity Report for the month of February 2008.
- D.5 We received for information the monthly Building Services Activity Report for the month of February 2008.
- D.6 We reviewed for information a staff memo from the Director of Planning & Development under date of February 3rd, 2008 reiterating details of a recent meeting regarding the proposed hydro station location at Ney Avenue.
- D.7.1 We received a verbal update from the Director of Planning & Development in regard to a recent meeting attended at the County with respect to Simcoe County's Growth Program.

5. IN CAMERA SESSIONS:

During the section of the meeting dealing with Planning & Development we adjourned to an In Camera Session on a motion moved by Councillor Black and seconded by Councillor Baumgardner to deal with a personal matter about an identifiable individual and a proposed land matter.

- D.8.1 We received a verbal report from the Director of Planning & Development with respect to a proposed land matter.

After discussion and consideration Council concurred with the recommendations as presented and the Director of Planning & Development was so directed.

- D.8.2 We received a verbal report from Councillor Rawson with respect to a personnel matter.

After discussion and consideration Council directed the Director of Planning & Development accordingly.

6. ADJOURNMENT:

Moved by Councillor Rawson and seconded by Councillor Frandsen.

**THAT THIS COMMITTEE OF ALL COUNCIL MEETING
ADJOURN AT 7:35 P.M. AND RECONVENE APRIL 16TH, 2008.**

CARRIED.

Minutes Recorder: Cyndi Bonneville, Acting Deputy Clerk

