

**THE CORPORATION OF THE TOWNSHIP OF TAY**  
**REGULAR COUNCIL MEETING**  
**WEDNESDAY, MARCH 11<sup>TH</sup>, 2009**  
**7:00 P.M.**

**PRESENT:** Mayor Scott Warnock  
Deputy Mayor Michael Ladouceur  
Councillor James Pearsall  
Councillor Rick Black  
Councillor Bill Rawson  
Councillor Axel Frandsen

**STAFF PRESENT:** Simone Latham, C.A.O./Deputy Clerk  
Alison Thomas, Clerk  
Mara Burton, Director of Planning & Development  
Joanne Sanders, Director of Finance  
Nick Colucci, Director of Public Works  
Brian Thomas, Fire Chief

**REGRETS:** Councillor Nelson Baumgardner

**1. CALL TO ORDER:**

Mayor Warnock called the meeting to order at 7:14 p.m.

**2. MOMENT OF SILENT REFLECTION:**

The moment of silence was not held as it was held during the earlier Public Meeting.

**3. DECLARATIONS OF INTEREST:**

There were no declarations of interest.

**4. CORRESPONDENCE:**

**MOVED BY: DEPUTY MAYOR MICHAEL LADOUCEUR**

**SECONDED BY: COUNCILLOR AXEL FRANSEN**

**THAT THE CORRESPONDENCE BE DIRECTED TO FILE WITH  
THE EXCEPTION OF THOSE ITEMS BEING REFERRED TO  
COMMITTEE CHAIRPERSONS.**

**CARRIED.**

**5. DELEGATIONS:**

None were presented.

**6. MUNICIPAL REPORT NO. 2009-03-01:**

**MOVED BY: DEPUTY MAYOR MICHAEL LADOUCEUR**

**SECONDED BY: COUNCILLOR AXEL FRANDBSEN**

**THAT MUNICIPAL REPORT NO. 2009-03-01 BE AND IS HEREBY ADOPTED AS FOLLOWS:**

- |                    |                     |                     |
|--------------------|---------------------|---------------------|
| <b>1. CARRIED.</b> | <b>7. CARRIED.</b>  | <b>13. CARRIED.</b> |
| <b>2. CARRIED.</b> | <b>8. CARRIED.</b>  | <b>14. CARRIED.</b> |
| <b>3. CARRIED.</b> | <b>9. CARRIED.</b>  | <b>15. CARRIED.</b> |
| <b>4. CARRIED.</b> | <b>10. CARRIED.</b> | <b>16. CARRIED.</b> |
| <b>5. CARRIED.</b> | <b>11. CARRIED.</b> |                     |
| <b>6. CARRIED.</b> | <b>12. CARRIED.</b> |                     |

**CARRIED.**

**7. OTHER BUSINESS:**

**7.1 Report – Dir. of Planning & Development – Re: Application for Extension of Draft Plan Approval – Riverdale:**

Council considered a report from the Director of Planning and Development, under date of February 25, 2009 regarding the Application for Extension of Draft Plan Approval – Riverdale – TA-T-91022.

**MOVED BY: DEPUTY MAYOR MICHAEL LADOUCEUR**

**SECONDED BY: COUNCILLOR AXEL FRANDBSEN**

**THAT THE DRAFT PLAN APPROVAL FOR THE RIVERDALE SUBDIVISION, FILE NUMBER TA-T-91022 BE EXTENDED FOR TWO YEARS TO JANUARY 14, 2011.**

**CARRIED.**

**7.2 Report – Dir. of Planning & Development – Re: Application for Extension of Draft Plan Approval – Huron Bay Estates:**

Council considered a report from the Director of Planning and Development, under date of February 25, 2009 regarding the Application for Extension of Draft Plan Approval – Huron Bay Estates (north side of McDermitt Trail) – TA-T-93009.

**MOVED BY: COUNCILLOR AXEL FRANDBSEN**

**SECONDED BY: COUNCILLOR RICK BLACK**

**THAT THE DRAFT PLAN APPROVAL FOR THE HURON BAY ESTATES SUBDIVISION, FILE NUMBER TA-T-93009 BE EXTENDED FOR TWO YEARS TO JANUARY 14, 2011.**

**CARRIED.**

**7.3 Report – Dir. of Planning & Development – Re: Application for Extension of Draft Plan Approval – The Heights of Victoria Harbour – Crenian:**

Council considered a report from the Director of Planning and Development, under date of March 3, 2009 regarding the Application for Extension of Draft Plan Approval – The Heights of Victoria Harbour – Crenian – TA-T-90017.

**MOVED BY: COUNCILLOR RICK BLACK**

**SECONDED BY: COUNCILLOR AXEL FRANSEN**

**THAT THE DRAFT PLAN APPROVAL FOR THE HEIGHTS OF VICTORIA HARBOUR SUBDIVISION, FILE NUMBER TA-T-90017 BE EXTENDED FOR TWO YEARS TO JANUARY 14, 2011 UPON CONDITION OF RECEIPT OF THE APPLICATION FEES BY MARCH 31, 2009.**

**CARRIED.**

**7.4 Report – Dir. of Planning & Development – Re: Application for Extension of Draft Plan Approval – Waverley Estates:**

Council considered a report from the Director of Planning and Development, under date of March 3, 2009 regarding the Application for Extension of Draft Plan Approval – Waverley Estates – TA-T-90070.

**MOVED BY: COUNCILLOR RICK BLACK**

**SECONDED BY: COUNCILLOR AXEL FRANSEN**

**THAT THE DRAFT PLAN APPROVAL FOR THE HEIGHTS OF WAVERLEY ESTATES SUBDIVISION, FILE NUMBER TA-T-90070 BE EXTENDED FOR TWO YEARS TO JANUARY 14, 2011 UPON CONDITION OF RECEIPT OF THE APPLICATION FEES BY MARCH 31, 2009.**

**CARRIED.**

**7.5 Verbal – Dir. of Planning & Development – Re: Site Plan Agreement – 93 Dock Lane:**

Council considered a verbal report from the Director of Planning and Development regarding the Site Plan Agreement for 93 Dock Lane.

In addition, she reported that the necessary authorizing by-law will be coming forward later in the meeting.

**7.6 Verbal – Clerk – Re: Land Sale – 2505 Newton St.:**

Council considered a verbal report the Clerk regarding land sale of 2505 Newton Street and related Indemnity Agreement between the purchaser and municipality.

In addition, she reported that the necessary authorizing by-laws will be coming forward later in the meeting.

**7.7 Report – Dir. of Finance – Re: Development Charges By-law:**

Council considered a report from the Director of Finance, under date of March 5, 2009, regarding the Development Charges By-law.

**MOVED BY: COUNCILLOR JIM PEARSALL**

**SECONDED BY: COUNCILLOR BILL RAWSON**

**THAT WHEREAS THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY HAS CONSIDERED THE REPORTS OF THE DIRECTOR OF PLANNING DATED FEBRUARY 18, 2009 AND THE DIRECTOR OF FINANCE OF MARCH 5, 2009;**

**AND WHEREAS THE CONSULTANT HAS PREPARED AN ADDENDUM TO AMEND THE BACKGROUND STUDY;**

**AND WHEREAS COUNCIL HAS CONSIDERED THE INPUT FROM THE PUBLIC MEETING OF FEBRUARY 11, 2009;**

**AND WHEREAS COUNCIL CONFIRMS THAT THE AMENDMENT TO THE BACKGROUND STUDY DOES NOT INCREASE THE CHARGE AND THE CHANGES ARE OF A CORRECTING AND A MINOR NATURE;**

**NOW THEREFORE BE IT RESOLVED THAT COUNCIL HEREBY CONFIRMS THAT A SECOND PUBLIC MEETING IS NOT REQUIRED.**

**CARRIED.**

**MOVED BY: COUNCILLOR BILL RAWSON**

**SECONDED BY: COUNCILLOR JIM PEARSALL**

**THAT WHEREAS THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY HAS CONSIDERED THE BACKGROUND STUDY OF DECEMBER 22, 2008 AND ADDENDUM DATED MARCH 3, 2009 PREPARED BY WATSON AND ASSOCIATES ECONOMISTS LTD.;**

**NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY HEREBY ADOPTS THE ADDENDUM TO THE BACKGROUND STUDY ALONG WITH THE FORECAST OF ANTICIPATED DEVELOPMENT, THE UNDERLYING CAPITAL FORECAST AND THE CALCULATIONS CONTAINED IN THE BACKGROUND STUDY AS AMENDED BY THE ADDENDUM.**

**CARRIED.**

**7.8 Verbal – Mayor Warnock – Re: Chip Truck Application:**

Council requested clarification regarding a proposed chip truck to be located near the Victoria Harbour Foodland. Staff advised that to date no licensing or zoning by-law application has been made for the proposed chip truck.

**8. BY-LAWS:**

**MOVED BY: COUNCILLOR JIM PEARSALL**

**SECONDED BY: COUNCILLOR BILL RAWSON**

**THAT LEAVE BE GRANTED TO INTRODUCE BY-LAWS 2009-07, 2009-14, 2009-15, 2009-18, 2009-19, 2009-20, 2009-22, AND 2009-23.**

**CARRIED.**

**MOVED BY: COUNCILLOR AXEL FRANDBEN**

**SECONDED BY: COUNCILLOR RICK BLACK**

**THAT BY-LAWS 2009-07, 2009-14, 2009-15, 2009-18, 2009-19, 2009-20, 2009-22, AND 2009-23 BE READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED.**

**CARRIED.**

**9. NOTICES OF MOTION:**

None were presented.

**10. IN CAMERA SESSION:**

**MOVED BY: COUNCILLOR JIM PEARSALL**

**SECONDED BY: COUNCILLOR BILL RAWSON**

**THAT COUNCIL ADJOURN TO AN IN CAMERA SESSION;  
AND FURTHER THAT THIS PORTION OF THE MEETING BE  
CLOSED TO THE PUBLIC PURSUANT TO THE FOLLOWING  
SECTION(S) - AS MARKED, OF SECTION 239, SUBSECTION (2)  
OF THE MUNICIPAL ACT, 2001;**

- **LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (COLLECTION OF OUTSTANDING FINES).**

**CARRIED.**

**MOVED BY: COUNCILLOR RICK BLACK**

**SECONDED BY: COUNCILLOR AXEL FRANDBEN**

**THAT COUNCIL ADJOURN FROM THE IN CAMERA SESSION AT  
8:18 P.M. AND RETURN TO THE REGULAR MEETING.**

**CARRIED.**

**MOVED BY: COUNCILLOR RICK BLACK  
SECONDED BY: COUNCILLOR AXEL FRANSEN  
THAT THE REPORT OF THE COMMITTEE OF THE WHOLE BE  
ADOPTED AS READ.**

**CARRIED.**

**11. ADJOURNMENT:**

**MOVED BY: COUNCILLOR BILL RAWSON  
SECONDED BY: COUNCILLOR JIM PEARSALL  
THAT THIS REGULAR MEETING OF COUNCIL ADJOURN AT  
8:19 P.M. AND TO RECONVENE ON APRIL 8, 2009 AT 7:00 P.M.**

**CARRIED.**

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**MAYOR**

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**CLERK**