



**THE CORPORATION OF THE
TOWNSHIP OF RAMARA**
Proud History - Progressive Future

COUNCIL MINUTES

AUGUST 9, 2004

The first meeting for the month of August of the Council of the Township of Ramara was held in the Council Chambers with the following members and staff in attendance:

- | | |
|--------------|----------------|
| Mayor | Bill Duffy |
| Deputy Mayor | Dan McMillan |
| Councillor | Marilyn Brooks |
| Councillor | John O'Donnell |
| Councillor | Basil Clarke |
| Councillor | Neal Snutch |

Absent: Councillor Nadir Jamal

- | | |
|----------------------------------|------------------|
| CAO/Clerk | Richard P. Bates |
| Deputy Clerk | Janice McKinnon |
| Corporate Services Mgr/Treasurer | Margaret Black |
| Planning Administrator | Deb McCabe |
| Township Planner | Mark Dorfman |
| Township Engineer | Rex Meadley |

1. OPENING OF THE MEETING

- 1.1 Mayor Duffy opened the meeting at 7:00 p.m. with the Lord's Prayer.
- 1.2 Mayor Duffy requested that the members of the audience tone down during Council discussions and reminded the members of Council to put all their remarks through the Chair.

2. ADOPTION OF AGENDA AND/OR AGENDA ADDITIONS

The following items were added to the Agenda dated August 9, 2004:

- 6.2 Mark Dorfman, Planner, Atherley Secondary Plan, Amended Phase One, Existing Conditions Opportunities and Constraints.
- 8.1 Amended Accounts Voucher 10 and 10A, dated August 9, 2004
- 9.23 Ted Conway, Fire Chief, memo dated August 9, 2004, regarding Fire Response Statistics Amendment.
- 9.30 Richard Bates, memo dated August 9, 2004, regarding Casino Impact Study.
- 9.31 Plum Point Cottage Association, correspondence dated August 4, 2004, regarding proposed assumption of Plum Point Road.

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- 9.32 Residents of Ellis Drive, correspondence dated August 9, 2004, regarding No Parking areas.
- 9.33 Russell, Christie, correspondence dated July 30, 2004, regarding fence infraction. CONFIDENTIAL LITIGATION MATTER.

RESOLUTION NUMBER CR.325.04

MOVED BY: BROOKS

SECONDED BY: CLARKE

THAT the Agenda dated August 9, 2004, and additions thereto, be adopted.

CARRIED.

3. ADOPTION OF MINUTES

RESOLUTION NUMBER CR.326.04

MOVED BY: BROOKS

SECONDED BY: CLARKE

THAT the Minutes of the regular Council Meeting dated July 19, 2004, be adopted.

CARRIED.

4. DISCLOSURE OF INTEREST

Councillor Brooks declared a pecuniary interest with respect to Voucher 10A of Item 8.1, the nature being the payee is her brother-in-law. Councillor Brooks did not participate in any discussion or vote on the matter.

5. PUBLIC MEETINGS - 7:00 P.M.

5.1 2004 Development Charges

Richard Bates, Clerk, provided the background information, described the circulation process and advised of Council's intention to pass the following bylaws, all in accordance with the Development Charges Act, 1997:

1. a Municipal Wide Bylaw
2. a Specific Area Bylaw for the Bayshore Village Sewer System;
3. a Specific Area Bylaw for the Bayshore Village Water System;
4. a Specific Area Bylaw for the Brechin/Lagoon City Water System; and
5. a Specific Area Bylaw for the Lagoon City Sewer System.

The audience and members of Council were asked if there were any questions.

Jack Parker of Bayshore Village indicated that any new demands on the water and sewer plants should be supported by new development. He questioned the zoning for the 10 lot development and indicated if the commercial development proceeds the capital expenditure will be significant and whose responsibility will it be to pay the costs.

Don Lawry of Bayshore Village indicated that the water rates are double to what they have been in the past and are out of proportion to what was used then vs. now. Mr. Lawry enquired if the charges were only applicable to new development.

Norm Whitney enquired how the proposed charges compare to other municipalities in the area.

RESOLUTION NUMBER CR.327.04

MOVED BY: CLARKE

SECONDED BY: BROOKS

THAT we adopt, in principle, the Addendum to the Development Charges Background Report dated August 4, 2004.

AND THAT the comments from the public meeting of August 9, 2004, be forwarded to staff for comment.

AND THAT the required bylaws be presented to the August 30, 2004, Council meeting.

CARRIED.

6. DEPUTATIONS AND RECEIVING OF PETITIONS

6.1 Peggy Chiu and Richard Wengle, Architect, provided an overview of the development being proposed behind the Days Inn on Rama Road. The proposal consists of a 66 unit, 4-5 storey condominium complex with a recreational pavilion. The exterior of the building will be brick faced and mechanical spaces in the roof will improve the aesthetics from the outside. The vacant land between the Days Inn and the proposed condos, which holds the existing tile beds for the hotel, is slated for future recreational use. Access, stormwater management and servicing will be issues that must be addressed. Contacting First Nations was suggested for servicing, however, it is the intent of the applicants to incorporate an independent system for the proposal as well as the drilling of a new well. At present, there are three different zones on the property, which will constitute the requirement of a zoning amendment. An Official Plan amendment will also be a requirement to permit this type of development. The involvement of the Ministry of the Environment will be a process that will take some time. It was suggested a pre-consultation with the Township's Planning Consultant take place prior to submitting applications for a Zoning Bylaw amendment, Official Plan amendment and Site Plan.

RESOLUTION NUMBER CR.328.04

MOVED BY: CLARKE

SECONDED BY: BROOKS

THAT the deputation by Peggy Chiu and Richard Wengle regarding the proposed residential condominium development at the Days Inn, be received.

AND THAT they be advised to make an application.

CARRIED.

6.2 Mark Dorfman addressed Council with respect to the Atherley Secondary Plan. The approximate study area for the Secondary Plan is 2600 acres, with approximately 2500 acres slated for land use. In this area there are 645 separate legal properties, 90% of which are used for residential purposes. The approximate population for this area is 1130 residents. The drainage areas within this area are influenced by the effect of the glaciers, and all flow in the same direction. The historical village of Atherley is within one drainage area.

Mark Dorfman reviewed the various soil types and the varied depths of bedrock. The mapping for the Secondary Plan were reviewed and areas designated as residential clusters and environmentally sensitive areas were identified. Areas with development potential have not yet been identified.

Rex Meadley commented on the potential servicing of the area. All options will be explored due to development in the area being pocketed. This will also include future road use and expansion.

The servicing study should be completed by September. Once the servicing study is complete, an open house should be scheduled to introduce the plan to the public. The proposed completion date for the plan is early 2005.

RESOLUTION NUMBER CR.329.04

MOVED BY: CLARKE

SECONDED BY: BROOKS

THAT the deputation by Mark Dorfman, Planner, regarding the Atherley Secondary Plan, be received.

CARRIED.

6.3 Erika Neher addressed Council with respect to the unsatisfactory workmanship in relation to the Highway 12 / Rama Road reconstruction project in Atherley as well as reducing the speed limit through this area. She advised that a number of residents had individual complaints with respect to the work performed on their property not being complete after receiving assurances from MTO that their concerns would be addressed before the project was considered complete.

A petition with 26 names on it requesting Council assistance was presented.

RESOLUTION NUMBER CR.330.04

MOVED BY: O'DONNELL

SECONDED BY: SNUTCH

THAT the deputation by Erika Neher, on behalf of residents of Highway 12, Henry, Caroline and Courtland Streets, regarding problems surrounding the construction of Highway 12/Rama Road and the lowering of the speed limit, be received.

AND THAT we request the MTO to reduce the speed limit from 80 kph to 60 kph on Highway 12 from Henry Street to east of Rama Road.

AND THAT we forward the residents' complaints received on August 9, 2004, to the MTO and request a meeting with all those concerns to resolve these issues as promised in the MTO letter of September 30, 2003 from Charles Organ.

CARRIED.

7. **TENDER OPENING REPORT**

8. **PASSING OF ACCOUNTS**

RESOLUTION NUMBER CR.331.04

MOVED BY: CLARKE

SECONDED BY: BROOKS

THAT Accounts Voucher #10, dated August 9, 2004, in the amount of \$703,723.57 be approved.

CARRIED.

RESOLUTION NUMBER CR.332.04

MOVED BY: CLARKE

SECONDED BY: MCMILLAN

THAT Accounts Voucher #10A, dated August 9, 2004, in the amount of \$3,972.38 be approved.

CARRIED.

RESOLUTION NUMBER CR.333.04

MOVED BY: CLARKE

SECONDED BY: BROOKS

THAT Accounts Voucher #10B, dated August 9, 2004, in the amount of \$1,634.64 be approved.

CARRIED.

9. **ITEMS OF INFORMATION**

- 9.1 Durham Region, correspondence dated July 14, 2004, regarding request for additional Justices of the Peace.
- 9.2 MPAC correspondence dated July 28, 2004, regarding appointment of President and CAO
- 9.3 Ministry of Community and Social Services, correspondence dated July 26, 2004, regarding Provincial Rent Bank Funding or Provincial Emergency Energy Funding.
- 9.4 Ministry of Transportation, correspondence dated July 14, 2004, regarding Highway 12/Rama Road Relocation funding.
- 9.5 Richard Bates, CAO/Clerk, memo dated August 9, 2004, regarding "closed meetings".

- 9.6 Richard Bates, CAO/Clerk, memo dated August 9, 2004, regarding Union Gas Franchise Agreement.
- 9.7 AMO, facsimile dated July 27, 2004, regarding voting caucus.
- 9.8 Minister of Municipal Affairs and Housing, correspondence dated July 23, 2004, regarding Air Quality and Climate Change Handbooks.
- 9.9 Lake Simcoe Region Conservation Authority, correspondence dated July 16, 2004, regarding Nominations for Conservation Awards.
- 9.10 Lagoon City Parks & Waterways Commission, minutes of meeting held June 10, 2004.
- 9.11 Simcoe County District Health Unit, West Nile Virus Situation Reports dated July 21st, 28th and August 4th, 2004.
- 9.12 Ministry of the Environment, Notice of Proposed Order dated July 16, 2004, regarding Stepan Canada Inc.
- 9.13 Richard Bates, CAO/Clerk, memo dated August 9, 2004, regarding the Davy Drive Well.
- 9.14 Lafarge Brechin Quarry, Blast Notice Update received July 27, 2004, regarding Blasting Schedule.
- 9.15 The Ontario Aggregate Resources Corporation (TOARC) correspondence dated July, 2004, regarding the 2003 Annual Report.
- 9.16 County of Simcoe, correspondence dated July 26, 2004, regarding OPA #4, File OP-2/04, MacDonald, Part Lot 27, Concession 10, Mara.
- 9.17 Township of Severn, notice of public meeting dated July 27, 2004, regarding proposed Official Plan and Zoning Bylaw Amendments and draft plan of Subdivision, Part Lots 9 & 10, Concession 17, Township of Severn.
- 9.18 Ministry of Agriculture and Food, correspondence dated July 27, 2004, regarding Municipal Outlet Drainage program.
- 9.19 Bill Newman, memo dated August 9, 2004, regarding Grader Unit 7 out of service.
- 9.20 Ministry of Natural Resources, correspondence dated July 21, 2004, regarding bear bounties.
- 9.21 Simcoe County District Health Unit, correspondence dated July 21, 2004, regarding Operation Health Protection.

- 9.22 Ramara Canine Control Report dated June 1-30, 2004. Notes are CONFIDENTIAL UNDER F.O.I.
- 9.23 Ted Conway memo dated August 9, 2004, regarding Fire Response Statistics.
- 9.24 Ted Conway memo dated August 9, 2004, regarding Pumper #3 out of service.
- 9.25 Town of Midland correspondence dated July 27, 2004, regarding Double Hatter Firefighters.
- 9.26 Lagoon City Marina, correspondence dated July 16, 2004, regarding the Annual Boaters Corn Roast.
- 9.27 Ontario Heritage Foundation, correspondence dated July 12, 2004, regarding Heritage Community Recognition Program 2004.
- 9.28 Janice McKinnon, memo dated August 9, 2004, regarding a request to purchase Township-owned lands with water frontage (adjacent to Lot 11, Plan 354 - Orkney Beach Road).
- 9.29 Cliff Armstrong, correspondence dated August 3, 2004, regarding Brechin Sanitary Servicing.

RESOLUTION NUMBER CR.334.04

MOVED BY: CLARKE

SECONDED BY: BROOKS

THAT Items of Information 9.1 to 9.33 inclusive, as listed on the Agenda and any Additions to the Agenda, dated August 9, 2004, be received.

CARRIED.

9.12 **RESOLUTION NUMBER CR.335.04**

MOVED BY: MCMILLAN

SECONDED BY: SNUTCH

THAT we invite the local manager of the MOE to a Council meeting to explain the Ministry's Notice of Proposed Order concerning Stepan Canada Inc. dated July 16, 2004.

CARRIED.

9.16 **RESOLUTION NUMBER CR.336.04**

MOVED BY: CLARKE

SECONDED BY: BROOKS

THAT the correspondence from the County of Simcoe dated July 26, 2004, regarding OPA #4, Part Lot 27, Concession 10, Mara, MacDonald File OP-2/04, be received; AND THAT we forward the correspondence to Mark Dorfman to respond.

CARRIED.

9.25 RESOLUTION NUMBER CR.337.04

MOVED BY: MCMILLAN

SECONDED BY: SNUTCH

THAT the correspondence from the Town of Midland dated July 27, 2004, regarding Double Hatter Firefighters, be received;

AND THAT we support the motion and advise the Town of Midland.

CARRIED.

9.27 RESOLUTION NUMBER CR.338.04

MOVED BY: CLARKE

SECONDED BY: BROOKS

THAT the correspondence from the Ontario Heritage Foundation dated July 12, 2004, regarding the Heritage Community Recognition Program 2004, be received.

AND THAT we forward the correspondence to the Historical Group for a recommendation.

CARRIED.

9.28 RESOLUTION NUMBER CR.339.04

MOVED BY: CLARKE

SECONDED BY: BROOKS

THAT the memo from Janice McKinnon dated August 9, 2004, regarding a request from Frederick Ladd Smith dated July 21, 2004, to purchase Township owned lands, be received.

AND THAT we advise we do not wish to sell the lands.

CARRIED.

9.29 RESOLUTION NUMBER CR.340.04

MOVED BY: SNUTCH

SECONDED BY: MCMILLAN

THAT the correspondence from Cliff Armstrong dated August 3, 2004, regarding Brechin Sanitary Servicing, be received;

AND THAT we forward the correspondence to our engineers to respond.

CARRIED.

9.30 RESOLUTION NUMBER CR.341.04

MOVED BY: O'DONNELL

SECONDED BY: SNUTCH

THAT the Township advise the County of Simcoe that we will commit to paying 50% (approximately \$11,500.00) of the Casino Impact Report.

CARRIED.

10. REPORTS OF COMMITTEES

RESOLUTION NUMBER CR.342.04

MOVED BY: CLARKE

SECONDED BY: BROOKS

THAT Section A of Committee of the Whole Report 17/04 dated July 26, 2004, be adopted.

CARRIED.

RESOLUTION NUMBER CR.343.04

MOVED BY: O'DONNELL

SECONDED BY: SNUTCH

THAT Section B (Fern Resort Road Dock) of Committee of the Whole Report 17/04 dated July 26, 2004, be adopted.

Councillor Clarke requested a recorded vote on the attached resolution CR.343.04

Councillor Brooks	yes
Councillor Clarke	no
Mayor Duffy	yes
Councillor Jamal	absent
Deputy Mayor McMillan	yes
Councillor O'Donnell	yes
Councillor Snutch	yes

CARRIED.

11. ITEMS REQUIRING THE IMMEDIATE ATTENTION OF COUNCIL

11.1 Report CD-40-04 Plum Point Road

RESOLUTION NUMBER CR.344.04

MOVED BY: O'DONNELL

SECONDED BY: SNUTCH

THAT we are willing to assume the private portion of Plum Point Road subject to:

1. the land being transferred to the Township either by means of a quit claim including all rights-of-ways or by some other means;
2. all legal, survey costs and appraisal costs (if required) being borne by the residents or their Association;
3. the road being improved with paving, a turning easement and any required drainage with easements provided to the Township; and
4. the benefitting owners paying their share of the improvement costs.

AND THAT it is the Township's intention to proceed under the provisions of the Municipal Act, Ont. Reg. 119/03 - Local Improvement Charges

AND THAT the Township will advise its solicitors to commence the process to gain title to the land once a deposit of \$1,000 is received.

CARRIED.

11.2 Report TR-16-04 Kron Subdivision - Security Reduction

RESOLUTION NUMBER CR.345.04

MOVED BY: CLARKE

SECONDED BY: BROOKS

THAT the security held in accordance with the Subdivision Agreement between the Corporation of the Township of Ramara and 1522501 Ontario Inc. (known as Kron Subdivision), for the completion of municipal servicing requirements be reduced from \$237,671 to \$66,200.00 (a difference of \$171,471.00).

CARRIED.

11.3 Mayor Duffy memo dated August 9, 2004, regarding paper biosolids.

RESOLUTION NUMBER CR.346.04

MOVED BY: MCMILLAN

SECONDED BY: SNUTCH

THAT the memo from Mayor Duffy dated August 9, 2004, regarding paper biosolids, be received.

AND THAT staff prepare a report and bring it back to Council for consideration.

CARRIED.

12. UNFINISHED OR NEW BUSINESS

Councillor Clarke enquired under whose insurance baseball players were covered when playing at the community centres. He also advised there was going to be a baseball tournament on August 21st and requested the washrooms be open for that day or if it rains, August 22nd.

Councillor Snutch indicated he has received a request from Mr. and Mrs. McGarrity of Lake Avenue requesting reimbursement for drainage work as a result of a water main break.

RESOLUTION NUMBER CR.347.04

MOVED BY: SNUTCH

SECONDED BY: O'DONNELL

THAT we pay the McGarrity's out of pocket expenses of \$121.00 as a result of a water main break on Lake Avenue.

AND THAT they be thanked for putting up with this lengthy problem.

CARRIED.

Councillor Clarke advised the garbage bins in Val Harbour have not been emptied and a property in the area was not cut because it did not have a culvert for access.

Councillor Snutch advise he had received numerous complaints from a resident in Lagoon City requesting the removal of a dead goose on another property. He advised that it is the responsibility of the individual property owner.

Councillor O'Donnell enquired now that the Committee Report has been adopted will the road on Plan M-145 (Dalrymple Drive) be graveled and ready for paving next year.

13. ANNOUNCEMENTS AND ENQUIRIES

14. COUNTY COUNCIL UPDATE

Mayor Duffy advised the following:

- the Casino Impact Study will proceed;
- County Road 47 paving is almost complete;
- Landfill Site #7 could be expanded at the expense of the County if Ramara Council provides a request for the expansion.

15. MOTIONS OF WHICH NOTICE HAS BEEN PREVIOUSLY GIVEN

16. NOTICES OF MOTION

Mayor Duffy withdrew his Notice of Motion regarding the location of council meetings.

17. QUESTION PERIOD FOR MEDIA AND PUBLIC DEALING WITH AGENDA ITEMS

Norm Whitney provided the following questions and/or comments:

- there is significant mud washing down the drainage ditch and eventually plugging up the ditch at Lake Simcoe. The mud is from the Hendricks property and has caused the minnow population to decrease.
- the property on Orkney Beach Road should never have been sold. The owner at the time indicated they would put up a small addition which has now turned out to be very large.

18. BILLS AND BYLAWS

2004.65 Agreement with Wassuc Inc. for the Haulage and Disposal of Biosolids from the Lagoon City Sewage Plant

2004.68 Application to OSIFA for Brechin Sewers funding

RESOLUTION NUMBER CR.349.04

MOVED BY: SNTUCH

SECONDED BY: MCMILLAN

THAT Bills 2004.65 and 2004.68 as listed on the Agenda of August 9, 2004, be considered read a first, second and third time and finally passed as bylaws.

CARRIED.

2004.66 OPA #3 (Johnston - storage units)

2004.67 Amend Bylaw 87-008 (Johnston - storage units)

RESOLUTION NUMBER CR.350.04

MOVED BY: CLARKE

SECONDED BY: BROOKS

THAT Bills 2004.66 and 2004.67 as listed on the Agenda of August 9, 2004, be considered read a first, second and third time and finally passed as bylaws.

CARRIED.

RESOLUTION NUMBER CR.351.04

MOVED BY: CLARKE

SECONDED BY: BROOKS

THAT we now meet in closed session at 10:35 p.m. to discuss a confidential litigation matter (Item 9.33 - Boyd).

CARRIED.

RESOLUTION NUMBER CR.352.04

MOVED BY: CLARKE

SECONDED BY: BROOKS

THAT we now rise and report from closed session at 10:49 p.m.

CARRIED.

RESOLUTION NUMBER CR.353.04

MOVED BY: CLARKE

SECONDED BY: BROOKS

THAT Bylaw 2004.68, a bylaw to Confirm the Proceedings of Council at the meeting held on the 9th day of August 2004, be considered read a first, second and third time and finally passed.

CARRIED.

19. **ADJOURNMENT**

RESOLUTION NUMBER CR.354.04

MOVED BY: CLARKE

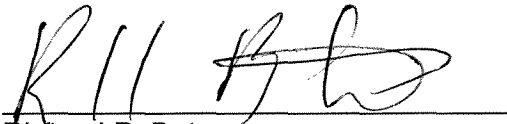
SECONDED BY: BROOKS

THAT we do now adjourn at 10:50 p.m. until August 30, 2004 at 7:00 p.m.

CARRIED.



William Duffy
Mayor



Richard P. Bates,
CAO/Clerk