



## GENERAL GOVERNMENT COMMITTEE

# REPORT

Held Thursday, April 17, 2014 at 2:30 p.m.  
Classroom, Town Hall

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### PRESENT:

R. Anderson	Councillor/Chair
D. Foster	Deputy Mayor
G. Watson	Councillor
S. Wells	Councillor
C. Patterson	Mayor
G. Vadeboncoeur	Chief Administrative Officer
T. Nicholson	Clerk
P. Archdekin	Deputy Clerk
D. Vincent	Sr. MLEO
M. Quinlan	Treasurer
J. Legget	EDCCO

### 1. CALL TO ORDER

Councillor Anderson called the meeting to order at 2:30 p.m.

### 2. DISCLOSURE OF PECUNIARY INTEREST - None

### 3. DELEGATIONS/PRESENTATIONS

#### a) Mary Ann Watts – Wild Wing – Noise By-Law Exemption

Ms. Watts was welcomed to the table. Michelle Santos, General Manager of Wild Wings, spoke on behalf of Wild Wing and thanked Committee for the opportunity to speak. They have concerns and suggestions, noting the atmosphere at Wild Wings is family and are not just looking for a noise exemption for the bands the hire, which cater to age 35+. They have family members who dance on the patio, have an Easter event, karaoke, and face painting, all at no charge. Ms. Santos advised that this is the atmosphere they provide to residents and tourists. She indicated the music is not obscene; it is classic rock and not loud where people can't enjoy talking to the people sitting at the table. Wild Wing also participates in fundraising outside of the restaurant. They are about Wasaga Beach as a whole and what's happening in general. Ms. Watts personally fundraises for the Library; Mayor's Golf Tournament; Radio for Radiation; Film Festival and Blues Fest. Ms. Santos advised there is no cover charge. The bars at the main end cater to the younger crowd and they don't have as many patrons of that age. They are looking to provide choices for residents and tourist.

Ms. Santos advised that Ms. Watts invests a lot in summer and when they advertise a band they also advertise what event is also scheduled in Town. They advertise outside Wasaga Beach in their pamphlets. They find that their main supports are those staying in the hotels and they have not had a noise complaint from Kingsbridge which is across the street. They applied through Special Events for a noise exemption for every weekend and were told they could not do that. They then met with Mr. Vincent and Ms. Legget and that meeting was more about putting barriers around the patio at MaryAnn's expense. In checking with Mr. Crowe he has advised that no patios are to be closed off. Ms. Watts is trying to do her part to resolve the issue to have bands and no problems. Ms. Santos spoke to issues around last year's noise complaints and they are asking if Council would consider an exemption for Saturday nights.

Councillor Anderson thanked the ladies for the presentation.

Deputy Mayor Foster indicated that Council has to figure out a way to address this as there is an ongoing challenge with noise around the beach - residential or commercial. He noted the area of Wild Wings is generally a commercial area. There was a T shirt shop at the Main Beach who most often played offensive music. At a bar music is part of the atmosphere and what people are going for. We have to think outside the lines or come up with something. Wild Wings has tried to adjust by moving the bands and we have to come up to something and challenge our By-Law staff to come up with a solution for these eleven (11) nights.

Councillor Wells agreed that it is a commercial area; however, stated that there is a huge residential component in Stonebridge and questioned how the residential area of primarily seniors or retirees responds. There is another retirement community behind Sunshine Park that has loud bands and Council dealt with that one for several years. There is a growing residential area around Wild Wing.

Mayor Patterson spoke to issues with Sunshine Park and how it dealt with the bars downtown. Council receives numerous complaints about noise from Bananas and other ones as well.

Mr. Vincent advised the Council's By-Law is for 24 hours a day for this type of noise. There are only construction noise restrictions within the By-Law.

Councillor Wells inquired of the timing as some events are 7 pm -11 pm or 6 pm – 11 pm or to 12 p.m. Ms. Watts advised that the timing is basically to the event they are connected with. People on vacation have dinner then go out for entertainment and might not arrive until 10 p.m. There has not been a complaint on people for noise; it is the sound of the band. As there isn't a time on the By-Law, they could be shut down at 7:00 p.m.

Mayor Patterson advised that he has had a number of phone calls from Stonebridge property owners. There have been bands and music in Wasaga Beach for as long as he can remember.

The residents have nine (9) months quiet and three (3) months of having to deal with the noise. The Mayor advised that a Committee was formed of local residents and business operators, OPP, MLEO to deal with this noise issues coming from Sunshine Park. There were several meetings to discuss what arrangements could be made to operate the Park so that it worked. Last year there were no meetings. The same type of Committee was formed for the Dyconia to work out those issues. The business operator and residents affected came to an agreement that worked for everyone. The Mayor suggested that the same type of agreement could be made for Wild Wings and the residents affected by the noise. The Mayor stated that the complainant has to accept that the entertainment business draws tourists and Wild Wings has been there longer than Stonebridge residents. He has also received complaints of noise travelling across the Bay. Based on weather conditions, it will happen. In conclusion he advised that Council and staff are willing to set up a Committee to work with Wild Wings. If there is an issue with residents behind Sunshine Park they have a number to call and it has been working. We have to establish what a reasonable noise is and he has no problem with a 12 o'clock shut down time. That is what Wasaga Beach is about.

Councillor Watson suggested that if we don't have set hours, one size doesn't fit all. Construction hours are 7 a.m. to 7 p.m. and not on Sunday's. Council has to put something in place and we need a By-Law we can enforce as it makes it difficult for the Law Enforcement staff as well.

Councillor Wells inquired if we had any restrictions for 11 p.m. that relates to general noise. Mr. Vincent responded that in the general prohibitions it lists noises you can't make and is not totally inclusive just a general provision, which he read out. The By-Law prohibits at any time those things that can be heard. A short discussion ensued with respect to what authority By-Law can shut them down. Mr. Vincent advised that the By-Law was reviewed by the Prosecutor and it is enforceable. It is the practice of the Department not to shut people down, but advise that if the noise continues there will be a charge and it becomes their decision then. Staff has been trying to work with Wild Wings. He noted that the owners have to self-regulate and deal with a problem through their own enforcement before Officers arrive. It was further noted that Sunshine Park took the base out of the music as it was uncontrollable and carries a long distance. DJ's tend to creep up the level as the night goes on. Mr. Vincent asked Committee for direction on how they would like to proceed.

Mayor Patterson supported the committee format, get the record of complainers and work together to eliminate the complaining and everyone is happy. Mayor Patterson inquired if Mr. Vincent was aware of what Suable Beach or Grand Bend do for noise, to which he responded he was not. The Mayor asked if he would inquire.

Councillor Anderson noted that what one person thinks is loud, another might not think is loud. He felt a committee is the best way to solve it.

Councillor Wells commented that the By-Law needs to be looked at. It seems that someone can just complain for whatever reason, By-Law responds right away and the complaint has to be dealt with. If there is a timeline of midnight in the commercial district then the Officers can advise that bands/music is permitted until midnight and not have to deal with noise complaints. Councillor Wells could support taking out the base. Residential communities living close to entertainment areas have to accept noise.

Deputy Mayor Foster supported the forming of a committee and inquired of the short term so they can book their bands.

Councillor Anderson did not feel that time is important; loudness is the point. It has to be a measured sound level and work with them to work both ways. There isn't enough time to do anything else but form a committee.

Councillor Bercovitch felt that everyone that moved here knows about Wasaga Beach and this music is not new. This is Wasaga Beach and it is what it is. He didn't know why people are complaining.

Mayor Patterson suggested Wild Wings book their bands, form the committee and work on what is an acceptable noise level.

Councillor Wells noted that midnight is the time for Sunshine Park and the Dyconia and Wild Wings should be granted the same consideration.

Councillor Anderson noted that all are supportive of a committee being formed, letting Wild Wings book the bands and dealing with the noise.

Ms. Santos added that a Stonebridge tenant meeting was held and noise was discussed. They are open to the committee and hopes staff will continue to look at the By-Law. It was noted that staff are not being asked to amend the By-Law, rather deal with this noise issue through the committee.

Councillor Anderson thanked the Wild Wings representatives for the presentation.

#### **4. UNFINISHED BUSINESS**

- a)** Sign By-Law (reviewed) – March 12, 2009
  - b)** Business Licencing – Schedule 'A20a' (broaden mixed uses) – 15 April 2009
  - \*\* On Agenda
  
  - c)** Business Licence Provisions – Refreshment Cart
  - \*\* On Agenda
- Items b and c will be removed from future Agendas.

## 5. DEPARTMENT REPORTS

### Municipal Law Enforcement

#### a) Monthly Report – March 2014

MOVED BY S. WELLS

SECONDED BY G. WATSON

RESOLUTION NO. 2014-04-01

RESOLVED THAT the General Government Committee does hereby receive the March 2014 Municipal Law Enforcement Department's Report, for information.

CARRIED

Councillor Wells inquired about dogs attacking dogs and running off property and attacking. He noted he has told people to call the OPP and MLEO so it is on record. Mr. Vincent advised that the Animal Control By-Law has an offence for dogs running at large and also a provision for dogs attacking/injuring them. They do investigate but sometimes people do not know who the offending dog belongs to. If a dog attacks a person the Police are involved. Under the Animal Control By-Law they have successfully prosecuted offenders. The Police will not deal with a dog on dog attack.

Mayor Patterson inquired if there was a three (3) bite law that exists. Mr. Vincent advised he was not aware of one. Once bitten by a dog, the owner gets a "freebee" and then assumes liability for the dog from that point forward once you know the dog is aggressive. It becomes a civil liability issue. Council's By-Law says "attack" so if the bite breaks the skin we will consider that an actual attack.

#### b) **Business Licensing By-Law – Proposed Amendment to deal with Mixed Uses**

MOVED BY S. WELLS

SECONDED BY D. FOSTER

RESOLUTION NO. 2014-04-02

RESOLVED THAT the General Government Committee recommends to Council that the Business Licensing By-Law #2007-38 be amended to provide that where possible, a single business licence be required for multiple types of businesses operating from the same premises, where all businesses activities are clearly under common ownership.

CARRIED

**c) Fire By-Law – Fire Chief Authority to Grant Exemptions to Open Fire Restrictions**

Mr. Vincent explained that a bonfire has to burn in an enclosed devise and if someone has a special event and is having a large bonfire, this gives the Fire Chief the ability to grant an exemption. For example, the bonfire at Snowman Mania. It was then;

MOVED BY D. FOSTER  
SECONDED BY S. WELLS

RESOLUTION NO. 2014-04-03

RESOLVED THAT the General Government Committee recommends to Council that By-Law #2007-64, a By-Law to Regulate “Open Fires” be amended to allow the Fire Chief the ability to authorize in advance, exemptions or variations to any of the General Provisions sections (2.1-2. 18) of the said By-Law.

CARRIED

**d) Proposed New Watering By-Law**

Councillor Wells advised that he will not support the By-Law as meters are a way of control and it is up to the individual land owner what they want to pay. He did not support putting By-Law staff as the control. He felt conservation is through the metering system and control of the water.

Councillor Watson could agree with Councillor Wells’ position but will support it even though he is not sure it is needed. The business owners wanted the flexibility to water and the best time to water is when the sun is low.

Mayor Patterson will support continued conservation despite the ability of an owner to pay.

Councillor Anderson agreed that metering is the conservation. With the odd and even day watering restriction, someone gets two (2) extra days and that is not fair. He does not support the By-Law. There being no further discussion, it was then;

MOVED BY C. PATTERSON  
SECONDED BY G. WATSON

RESOLUTION NO. 2014-04-04

RESOLVED THAT the General Government Committee recommends to Council that the Watering By-Law be enacted and the former Lawn Watering By-Law #2002-25 be rescinded in accordance with the transitional provisions of the new By-Law.

CARRIED

**e) Licence Fee(s) – Proposed Revisions for Motorized/Non-Motorized Refreshment Vehicles**

MOVED BY D. FOSTER

SECONDED BY C. PATTERSON

RESOLUTION NO. 2014-04-05

RESOLVED THAT the General Government Committee recommends to Council that the licence fee for Motorized/Non-Motorized Refreshment Vehicles for residents, be reduced to the standard licence fee for retail establishments.

CARRIED

Councillor Bercovitch stated that the current Licensing By-Law does not permit refreshment vehicles in downtown and limits food choices to visitors at the beach. At AMO there were food vehicles on the street everywhere. They are also popular in Phoenix. Councillor Bercovitch asked if there was support for staff to explore to eliminate or relieve the vending vehicle restriction at the Beach front. If there is more interesting food it might attract more people.

Councillor Watson advised that in Toronto they just recently tailored the By-Law to be a brick and mortar building. They have a very big issue with people just coming and taking business from those with buildings who pay taxes and rent.

Mayor Patterson advised carts have been discussed many times before and the reason they are not permitted is a way to protect the business that pay rent and taxes. They have to make as much money as they can within a three (3) month summer and not compete with a mobile vehicle.

Councillor Anderson would like to see different foods available, but is not willing to change the By-Law to permit carts at this time.

Councillor Bercovitch noted that some food trucks are very interesting and they have a following themselves. He would like to see two (2) or three (3) food trucks tried to see how it goes and it might encourage those with bricks and motor to step up.

At this time there was no Committee support to permit mobile vending vehicles.

**f) Lot parking – Buses and Oversize Vehicles**

Deputy Mayor Foster noted that the MPA is the closest lot to the mobi-mats and we could have a bus coming from a senior's residence that would be forced to park in the Nancy lot. There has to be some exemption there and the mat is designed to assist those who need it.

Mr. Vincent indicated that bus/RV areas will be directed by signs.

The Chief Administrative Officer spoke to drop off vs. parking. A coach can stop at the area near the mobi-mats for drop off then go park in the designated area.

Deputy Mayor Foster suggested that sometimes there could be support equipment and if the bus is located elsewhere it could become a challenge. If there is accessibility through signage he is satisfied. Mr. Vincent advised that he is trying to get a structure as to where a bus can park as they are not allowed in any of the Town lots. The big buses need to be restricted in the new MPA because it is very restrictive. Staff would like to formalize where buses/RV's are allowed to park and the cost.

Councillor Anderson inquired how a boat and trailer are charged for parking in the Nancy Lot. Mr. Vincent advised that the Nancy Lot has the same rate as other lots and if they are taking up two spots, they pay for two spots.

Councillor Bercovitch inquired about a scout or church group, etc. bus. Once again Mr. Vincent advised the idea is to concentrate buses/RV's to the Nancy Lot as it is the most poorly used lot in the main beach area.

Councillor Watson felt it was a good initiative, but not sure how the Town was going to direct people to get to Nancy Island Lot. Mr. Vincent advised that there will be signage for the new MPA which will designate what can be there. The signage at the other lots requires upgrading and it will prohibit buses and direct where to go for parking.

Councillor Watson advised he received complaints from residents of people parking at Walmart overnight, camping on the lot, changing etc. It was noted that it is a Walmart practice to permit people to stay the night.

Mr. Vincent advised that is not a By-Law issue. He had discussions with the Walmart manager and advised they need signage for what is permitted so Walmart can deal with problem vehicles.

Councillor Bercovitch noted that without an RV Park in Wasaga Beach, there is a need to permit RV's. It was then;

MOVED BY G. WATSON  
SECONDED BY D. FOSTER

RESOLUTION NO. 2014-04-06

RESOLVED THAT the General Government Committee recommends to Council that the buses and other oversized vehicles be prohibited from parking in the Municipal Picnic Area (M.P.A.) and ALL municipal parking lots, except Nancy Lot, except where expressly authorized by posted signage; and,

FURTHER THAT the fee for such vehicles in the Nancy Lot shall be two valid parking receipts from the Pay & Display Machine.

CARRIED

**g) Amendment – Business Licensing By-Law to Enhance Enforcement Respecting illegal business activities**

Councillor Anderson supported people renting their homes to add to the business in Town for those who don't want to stay in a hotel. People will find a way around it and the houses they are using. Some people just want to rent a house.

Councillor Watson felt that if people want to rent they should be zoned, inspected, and licenced. There are also insurance and Canada Revenue issues. Illegal renting can't be allowed as it is an offence under the Zoning By-Law. It was then;

MOVED BY C. PATTERSON  
SECONDED BY D. FOSTER

RESOLUTION NO. 2014-04-07

RESOLVED THAT the General Government Committee recommends to Council that the Business Licensing By-Law #2007-38 definitions and enforcement provisions be strengthened to provide for more efficient and effective application of the By-Law concerning illegal businesses.

CARRIED

Mayor Patterson advised that the Town of the Blue Mountains finalized their new By-Law.

The CAO advised that the Town of the Blue Mountains approached rentals through the Zoning By-Law and it went to an OMB Hearing, and the OMB up held the Zoning By-Law. Their Zoning By-Law is quite restrictive.

Mr. Vincent advised that the Town can look at the Town of the Blue Mountains By-Law and how it works to determine if it might be practical in Wasaga Beach. There have been a lot of illegal rentals in the west end and they responded to a barrage of complaints. Small subdivision parking is a real issue.

Mayor Patterson inquired if a report will be coming forward to which Mr. Vincent responded yes.

Mr. Vincent advised that he has a rough draft of a revised Noise By-Law he is working on.

**h) Municipal Law Enforcement Accounts – March 2014 – No comments.**

## **Economic Development and Communications**

### **a) Monthly Report – March 2014**

Councillor Bercovitch inquired of a sign for the business park. Ms. Legget advised there is not a sign and that a report will be coming forward on recommended uses of the business park. It was then;

MOVED BY G. WATSON

SECONDED BY C. PATTERSON

RESOLUTION NO. 2014-04-08

RESOLVED THAT the General Government Committee receive the March 2014 Economic Development and Corporate Communication Officer's Report, for information.

CARRIED

Deputy Mayor Foster inquired of the advertising at Georgian College. Ms. Legget advised it was for sponsorship for Entrepreneur Day.

It was noted the Report was not in the Agenda and it will be circulated separately and as there is no direction in it, any questions can come back next time.

### **b) Economic Development & Communications Accounts – March 2014 - No comments**

## **Administration**

### **a) Treasurer - 2013 Treasurer's Statement of Remuneration and Expenses Paid to Members of Council and Appointed Board/Committee Members**

Councillor Anderson stated he disagrees with the Report as HST and CPP is not paid to people. Mayor Patterson felt they were expenses incurred by the Councillor. It was then;

MOVED BY D. FOSTER

SECONDED BY C. PATTERSON

RESOLUTION NO. 2014-04-09

RESOLVED THAT the General Government Committee recommends to Council that it receive the Treasurer's 2013 Annual Statement of Remuneration and Expenses paid to Members of Council and appointed Board/Committee members, for information.

CARRIED

**b) Treasurer – 2014 First Quarter Financial Report**

MOVED BY G. WATSON

SECONDED BY C. PATTERSON

RESOLUTION NO. 2014-04-10

RESOLVED THAT the General Government Committee recommends to Council that it receive the Treasurer's 2014 First Quarter Financial Report, information.

CARRIED

**c) Treasurer – 2015 Budget Review and Approval Schedule**

Deputy Mayor Foster inquired of the "Lame Duck" Council. The Clerk advised that with seven (7) members of Council and six (6) file and/or elected (more than 75%), then Council is not in a "Lame Duck" position. If less than six (6) file/elected then Council is considered "Lame Duck", and cannot act on certain decisions. The Clerk further advised that Council passed a By-Law in 2010 to enable the Chief Administrative Officer to make decisions on behalf of Council should they be considered in a "Lame Duck" position. The CAO can't adopt the budget but can make decisions and continue business as usual. There are two "Lame Duck" periods – one between Nomination Day and Election Day; the other between Election Day and the end of the current term.

Councillor Wells noted it is our standard procedure that the budget process starts in September and the new Council will refer the budget and they have every opportunity to do whatever they want. He felt it was appropriate to get the process started. It was then;

MOVED BY D. FOSTER

SECONDED BY C. PATTERSON

RESOLUTION NO. 2014-04-11

RESOLVED THAT the General Government Committee does hereby recommend to Council that the 2015 Budget Review and Approval Schedule be approved.

CARRIED

**d) Deputy Treasurer – Extension Agreement Roll 15-104**

Councillor Wells inquired if the agreement takes the property out the tax sale process and if one payment is missed, does it go back into the process. Mrs. Quinlan advised that the Arrears Certificate is registered and if they default it carries on.

It was noted that December 2<sup>nd</sup> is the Inaugural meeting so the Budget Meeting date will have to be shifted. It was then;

MOVED BY C. PATTERSON  
 SECONDED G. WATSON

RESOLUTION NO. 2014-04-12

RESOLVED THAT the General Committee does hereby recommend to Council that it enact a By-Law authorizing the Mayor and Clerk to enter into an extension agreement for the payment of taxes with the owner of 3097 Mosley Street to extend the period of time in which the cancellation price is to be paid with payment terms as follows:

- Lump sum payment of \$4,500.00 (made January 21<sup>st</sup>, 2014);
- Monthly payments in the amount of \$350.00 from May 2104 to June 2014;
- Payment of the 2014 Interim Levy installment #1 by the end of April 2014; and
- Payment of all other tax installments as they become due.

CARRIED

**e) Archivist - Redesign Proposal for Playland Park**

MOVED BY C. PATTERSON  
 SECONDED BY D. FOSTER

RESOLUTION NO. 2014-04-13

RESOLVED THAT the General Government Committee does hereby recommend to Council that the name Playland Park be included in the name for the event area at Beach Area 1.

CARRIED

**f) Council and Administration Accounts – March 1-31, 2014**

MOVED BY C. PATTERSON  
 SECONDED BY D. FOSTER

RESOLUTION NO. 2014-04-14

RESOLVED THAT the March 2014 Accounts as reviewed by General Government Committee, are hereby confirmed.

CARRIED

Councilor Bercovitch inquired of the Clerk's distribution of information for the Election.

The Clerk responded that information will be in the water bill, tax bill, at the service counters, she is attending events, web site, radio, Roger's TV, newspaper and distributed by the candidates.

**6. OTHER AGENCY REPORTS - None**

**7. DATE OF NEXT MEETING – May 15, 2014**

**8. ADJOURNMENT**

Councillor Anderson adjourned the meeting at 4:00 p.m.