

THE CORPORATION OF THE TOWN OF WASAGA BEACH

**MINUTES OF THE REGULAR MEETING OF
TOWN COUNCIL**

**Held Tuesday, August 25, 2015 at 7:00 p.m.
In the Council Chambers**

PRESENT:

B. Smith	Mayor
N. Bifulchi	Deputy Mayor
R. Anderson	Councillor
S. Bray	Councillor
R. Ego	Councillor
B. Smith	Councillor
B. Stockwell	Councillor
G. Vadeboncoeur	CAO
P. Archdekin	Deputy Clerk
M. McWilliam	Fire Chief

1. CALL TO ORDER

Mayor Smith called the meeting to order at 7:00 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

Deputy Mayor Bifulchi declared a Pecuniary Interest with respect to Public Work accounts Cheque #18264 as it pertains to a family member but will vote on all other matters.

3. ADOPTION OF MINUTES

a) Minutes of the Regular Meeting of Council held Tuesday, July 28, 2015

MOVED BY B. SMITH

SECONDED BY B. STOCKWELL

RESOLUTION NO. 2015-09-01

RESOLVED THAT the Minutes of the Regular Meeting of Council held Tuesday, July 28, 2015 at 7:00 p.m. in the Council Chambers, are hereby adopted as circulated.

CARRIED

4. DEPUTATIONS, PRESENTATIONS, PETITIONS & PUBLIC MEETINGS

a) Stayner Legion – cheque presentation to the Fire Department to purchase two defibrillators

Mayor Smith welcomed two ladies from the Stayner Legion and Fire Chief McWilliam to the table. The Mayor noted that the Stayner Legion is making a donation towards the purchase of two defibrillators that will be located at the two fire halls. The Town has a defibrillator in all Town buildings and in the fire trucks, but none in the fire halls. This donation is made possible through the annual Poppy sales and every three years the Wasaga Beach Fire Department receives a portion of the funds for public safety.

A cheque in the amount of \$7,500.00 was presented to Fire Chief McWilliam and Mayor Smith. Photos were taken and the Stayner Legion was thanked for their kind donation.

b) Nick Vidinovski will be in attendance with respect to the stopping up and closing of Lake Avenue

Mayor Smith welcomed Mr. Vidinovski to the table. Mr. Vidinovski spoke to Lake Avenue and frontage of his property at 9 Main Street. He provided some background on an Agreement with Beachfront Developments and read a portion of the Agreement as it pertains to returning the property to its original state. He stated that Lake Avenue was a street and frontage for his stores. A portion of his property is now being used as a walkway from Spruce Street through to Playland Parking Lot and people are walking where cars are coming and going creating safety and liability concerns. He believed that a pedestrian walkway is needed between Spruce Street and the Playland Parking Lot for safety.

Mayor Smith noted that Mr. Vidinovski's concerns are a logistical matter, separate from the road closure and not for discussion today. The purpose of the street closing is to clean up the legal road network and won't change anything as it stands today with respect to Mr. Vidinovski's property or the Town property. Both are parking lots.

The CAO confirmed that this is a housekeeping matter to clean up remnants of Lake Avenue. Mr. Vidinovski does raise an issue with people walking through his property and the potential liability. Council may have to look at how pedestrians cross and access the beachfront from Spruce Street. That is a separate issue and the matter before Council is cleaning up the remnant of Lake Avenue.

Mayor Smith noted we understand there is an issue and we will have to look at it as a separate issue. Clearing up the road allowance will not affect the pedestrians crossing though to the pedestrian mall.

Mr. Vidinovski then suggested that it affects the value of his property. As well, his property is joined to the Town's property making it difficult to lease. He asked that Council give consideration to returning the property to the way it existed prior to the dome being constructed, which was a street between his land and that of the Town.

Mayor Smith spoke to his memory of the parking lot. Mr. Vidinovski stated that a long time ago it was not used as a parking lot but for mall employees to park.

The CAO noted that Mr. Vidinovski has submitted a letter that will go to General Government Committee in September requesting that the property be restored back to its previous condition. The Agreement has a provision that restoration will take place.

Mayor Smith thanked Mr. Vidinovski for his comments.

5. **UNFINISHED BUSINESS – None**
6. **CORRESPONDENCE – Received for Information**
 - a) **Correspondence from AMCTO recognizing Mr. George Vadeboncoeur for twenty (20) years of longstanding commitment to the AMCTO**

Mayor Smith extended congratulations to Mr. Vadeboncoeur for his twenty years of commitment to the AMCTO, noting he is a great asset to the community. It was then;

MOVED BY N. BIFOLCHI
SECONDED BY B. SMITH

RESOLUTION NO. 2015-09-02

RESOLVED THAT the Council of the Town of Wasaga Beach does hereby acknowledge and recognize Mr. George Vadeboncoeur's twenty (20) years of longstanding commitment to the Association of Municipal Managers, Clerks and Treasurers of Ontario and to the municipal profession.

CARRIED

CORRESPONDENCE – Requiring Action

- a) **Correspondence from Randy Pettapiece, MPP requesting support to a Resolution for Fairness in Provincial Infrastructure Funds**

MOVED BY B. STOCKWELL
SECONDED BY B. SMITH

RESOLUTION NO. 2015-09-03

RESOLVED THAT Council does hereby support the Resolution for Fairness in Provincial Infrastructure Funds from Mr. Randy Pettapiece, MPP for Perth-Wellington as follows:

``That the government should guarantee that government-held ridings and opposition-held ridings be given equal and transparent consideration on infrastructure funding, and that when funding decisions are made, should guarantee that all MPPs, whether in government or opposition, be given fair and equal advance notice of the official announcement.``

CARRIED

CORRESPONDENCE – Referred - None

7. COMMITTEE, BOARDS & STAFF REPORTS

- a) **Public Works Committee – August 12, 2015**

Councillor Stockwell spoke to the highlights of the meeting. Deputy Mayor Bifulchi's conflict was noted and it was then;

MOVED BY B. STOCKWELL
SECONDED BY B. SMITH

RESOLUTION NO. 2015-09-04

RESOLVED THAT Council does hereby adopt the Public Works Committee Report dated August 12, 2015 as circulated, and approves all actions contained therein.

CARRIED

b) General Government Committee – August 12, 2015

Councillor Anderson spoke to the Report. Councillor Stockwell spoke to the motion with respect to 1788 River Road West and spoke to the issue at hand noting the gentleman was given a two year extension, but he really wanted the same extension that was granted to another gentleman by a previous Council. Councillor Stockwell requested that this be referred back to Committee so the gentleman can make his case and consider the previous situation where the precedent was set.

The CAO advised that Mr. Miller asked for a two year extension and the recommendation being made by Committee was for two years as per his deputation. The CAO noted he had conversations with Mr. Miller and he stated that two years would be sufficient for his purposes.

Mayor Smith noted that for clarification, Mr. Miller asked for two years, was granted two years and now wants his fees waived in keeping with a previous Council's decision.

The CAO noted that under the Development Charges By-Law if a building is demolished a resident has five years to build without Development Charges. In both these circumstances the parties went past the five years. It was then;

MOVED BY B. STOCKWELL
SECONDED BY R. EGO

RESOLUTION NO. 2015-09-05

RESOLVED THAT General Government Committee Resolution No. 2015-08-01 be referred back to General Government Committee for further consideration.

CARRIED

MOVED BY B. SMITH
SECONDED BY R. EGO

RESOLUTION NO. 2015-09-06

RESOLVED THAT Council does hereby adopt the General Government Committee Report dated August 12, 2015 as circulated, and approves all actions contained therein, as amended.

CARRIED

c) Community Services Committee – August 13, 2015

Councillor Ego spoke to the highlights of the meeting.

Councillor Bray requested that Resolution No. 2015-08-07 be voted on separately and with a recorded vote. The resolution is about accessible taxis and, as the MLEO staff is reviewing the Taxi By-Law in September, they should be included as they are an important part of a barrier free community. Committee agreed and it was then;

MOVED BY S. BRAY

SECONDED BY R. ANDERSON

RESOLUTION NO. 2015-09-07

RESOLVED THAT Community Services Committee Resolution No. 2015-08-07 be referred to staff for consideration as part of the review of the Taxi By-Law.

CARRIED

MOVED BY B. SMITH

SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2015-09-08

RESOLVED THAT Council does hereby adopt the Community Services Committee Report dated August 13, 2015 as circulated, and approves all actions contained therein, as amended.

CARRIED

d) Development Services Committee – August 13, 2015

Councillor Smith spoke to Development Committee Resolution No. 2015-08-05. She explained that she will be voting in support of the Committee recommendation as she is of the view that staff should undertake a review of the planning policies for the whole area around the property at 58 River Road East, as the proposed re-zoning is for a tourist accommodation use, while the area as seen a lot of residential development in the recent past. She would like to see a staff report on the Official Plan policies for the area.

Deputy Mayor Bifulchi then spoke to the highlights of the August 13th Development Committee Report.

Councillor Stockwell also spoke to Development Committee Resolution No. 2015-08-05 and indicated that he agreed with Councillor Smith that there needed to be a review of the planning policies in the area given how the area is evolving to have more of a residential mix.

Deputy Mayor Bifulchi then spoke to Development Committee Resolution No. 2015-08-05, noting that Planning staff has asked that members of Council state their reasons why they are not in support of the proposed rezoning at 58 River Road East. She is not supporting the proposed re-zoning as she is of the view that the site is overdeveloped

The Mayor agreed that the site is over overdeveloped and Council should be reviewing the Official Plan policies in this area to determine if new Tourist Commercial uses are appropriate or not. That is why he will be supporting the Committee recommendation. It was then;

MOVED BY N. BIFOLCHI
 SECONDED BY R. EGO

RESOLUTION NO. 2015-09-09

RESOLVED THAT Council does hereby adopt the Development Services Committee Report dated August 13, 2015 as circulated, and approves all actions contained therein.

CARRIED

Mayor Smith advised that the next item is a walk-on for an Appointment to the High School Task Force. Council concurred with adding the item to the Agenda.

MOVED BY B. SMITH
 SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2015-09-10

RESOLVED THAT Council does hereby appoint the following to the:

High School Task Force
 * Richard White

CARRIED

e) Accounts – July 1-30, 2015

MOVED BY B. STOCKWELL
 SECONDED BY R. EGO

RESOLUTION NO. 2015-09-11

RESOLVED THAT Council does hereby approve the July 2015 Accounts in the amount of \$1,941,282.07.

CARRIED

8. NOTICES OF MOTION - None

9. MOTIONS – WHERE NOTICE HAS BEEN PREVIOUSLY GIVEN - None

10. BY-LAWS AND CONFIRMATORY BY-LAW

a) A By-Law to Authorize the Stop-Up and Closure of the Unopened Road Allowance Forming Part of Wasaga Avenue on Registered Plan 525, Reference Plan 51R-39713

MOVED BY R. EGO
 SECONDED BY B. SMITH

RESOLUTION NO, 2015-09-12

RESOLVED THAT a By-Law to Authorize the Stop-Up and Closure of the Unopened Road Allowance Forming Part of Wasaga Avenue on Registered Plan 525, Reference Plan 51R-39713, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2015-57.

CARRIED

- b) A By-Law to Authorize the Assumption of Part of the Road Allowance Forming Part of 4th Street, 5th Street and 6th Street on Registered Plan 525, Reference Plan 51R-39713**

MOVED BY B. SMITH
SECONDED BY R. EGO

RESOLUTION NO. 2015-09-13

RESOLVED THAT a By-Law to Authorize the Assumption of Part of the Road Allowance forming Part of 4th Street, 5th Street and 6th Street on Registered Plan 525, Reference Plan 51R-39713, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2015-58.

CARRIED

- c) A By-Law to Authorize the Stop-Up and Closure of the Unopened Road Allowance Forming Part of Lake Avenue on Registered Plan 360, Reference Plan 51R-39706**

MOVED BY B. STOCKWELL
SECONDED BY R. EGO

RESOLUTION NO. 2015-09-14

RESOLVED THAT a By-Law to Authorize the Stop-Up and Closure of the Unopened Road Allowance forming Part of Lake Avenue on Registered Plan 360, Reference Plan 51R-39706, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2015-59.

CARRIED

- d) A By-Law to Authorize the Assumption of Part of the Unopened Road Allowance Forming Part of Lake Avenue on Registered Plan 360, Reference Plan 51R-39706**

MOVED BY B. STOCKWELL
SECONDED BY R. EGO

RESOLUTION NO. 2015-09-15

RESOLVED THAT a By-Law to Authorize the Assumption of Part of the Unopened Road Allowance forming Part of Lake Avenue on Registered Plan 360, Reference Plan 51R-39706, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2015-60.

CARRIED

- e) A By-Law to Authorize Execution of an Agreement between the Wasaga Beach Professional Firefighters Association and the Town of Wasaga Beach**

A short discussion ensued and a recorded vote was requested. It was then;

MOVED BY B. SMITH
SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2015-09-16

RESOLVED THAT a By-Law to Authorize Execution of an Agreement Between the Wasaga Beach Professional Firefighters Association and the Town of Wasaga Beach, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2015-61.

Councillor Anderson	Nay	
Deputy Mayor Bifolchi		Yea
Councillor Bray		Yea
Councillor Ego		Yea
Councillor Smith		Yea
Mayor Smith	Yea	
Councillor Stockwell	Nay	

CARRIED

f) A By-Law to Authorize Execution of an Agreement with the Township of Springwater for Plans Examiner Services

MOVED BY R. EGO
SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2015-09-17

RESOLVED THAT a By-Law to Authorize Execution of an Agreement with the Township of Springwater for Plans Examiner Services, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2105-62.

CARRIED

g) A By-Law to Adopt an Amend to the Town of Wasaga Beach Official Plan (OPA No. 39 – Hamount – RRE – Beachway Trail)

MOVED BY N. BIFOLCHI
SECONDED BY B. SMITH

RESOLUTION NO. 2015-09-18

RESOLVED THAT a By-Law to Adopt an Amendment to the Town of Wasaga Beach Official Plan, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2015-63.

CARRIED

h) A By-Law to Amend Town of Wasaga Beach Comprehensive Zoning By-Law No. 2003-60, as Amended

MOVED BY B. SMITH
SECONDED BY R. EGO

RESOLUTION NO. 2015-09-19

RESOLVED THAT a By-Law to Amend Town of Wasaga Beach Comprehensive Zoning By-Law No. 2003-60, as Amended, be received and deemed to have been read a first, second and third time, passed and numbered No. 2015-64.

CARRIED

i) A By-Law to Authorize the Construction of Robinson Road between 58th Street and Violet Street (Referred to as “Phase 2” of the Development Servicing Area)

MOVED BY R. EGO
SECONDED BY N. BIFOLCHI

RESOLUITON NO. 2015-09-20

RESOLVED THAT a By-Law to Authorize the Construction of Robinson Road between 58th Street and Violet Street, (Referred to as ``Phase 2`` of the Development Servicing Area), as a Local Improvement by By-Law Under the Provisions of the Municipal Act, 2001, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2015-65.

CARRIED

Mayor Smith advised that the next item is a walk-on for a Tax Extension Agreement.

j) Tax Extension Agreement

MOVED BY B. SMITH
SECONDED BY R. EGO

RESOLUTION NO. 2015-09-21

RESOLVED THAT A By-Law to Authorize a Tax Arrears Extension Agreement be received and be deemed to have been read a first, second and third time, passed and numbered No. 2015-66.

CARRIED

k) Confirmatory By-Law

MOVED BY R. ANDERSON
SECONDED BY R. EGO

RESOLUTION NO. 2015-09-22

RESOLVED THAT a By-Law to Confirm the Proceedings of the Council of the Town of Wasaga Beach at its Regular Meeting held Tuesday, August 25, 2015, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2015-67.

CARRIED

11. CALLING OF COMMITTEE MEETINGS

Public Works Committee	September 9 at 8:30 a.m.
General Government	September 9 at 10:30 a.m.
Community Services	September 10 at 8:30 a.m.
Development Committee	September 10 at 10:30 a.m.

12. QUESTION PERIOD

“A fifteen (15) minute session wherein persons in attendance at the Regular Meeting of Council have an opportunity to raise questions pertaining to items that were dealt with by Council on the evening’s Agenda.”

13. CLOSED SESSION

- a) Procedural Matters – Adoption of Closed Session Report**
- July 28, 2015 – Council
 - August 13, 2015 – Development Services

b) Proposed Acquisition or Disposition of land

MOVED BY R. EGO

SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2015-09-23

RESOLVED THAT pursuant to Section 239 of *The Municipal Act, 2001*, as amended, the next portion of the August 25, 2015 Council meeting be closed to the public to deal with:

- Procedural matters regarding the adoption of Closed Session Reports from
 - July 28, 2015 – Council
 - August 13, 2015 – Development Services
- Proposed acquisition or disposition of land by the municipality re property matters

CARRIED

Council entered the Closed Session at 8:00 p.m. and Mayor Smith called for a five minute break.

Committee reconvened at 8:10 p.m.

a) Procedural Matters – Adoption of Closed Session Report

- July 28, 2015 – Council
- August 13, 2015 – Development Services

Adopted: Resolution No. 2015-09-24 being the Closed Session of Council, July 28, 2015, and Development Services Committee of August 13, 2015.

b) Proposed Acquisition or Disposition of land

Passed Resolution No. 2015-09-25

Open Session resumes Resolution No. 2015-09-26

The open session resumed at 8:19 p.m.

MOVED BY R. EGO

SECONDED BY B. SMITH

RESOLUTION NO. 2015-09-27

RESOLVED THAT Council of August 25, 2015 does hereby confirm the direction given to the Chief Administrative Officer, in Closed Session.

CARRIED

Mayor Smith rose and reported that Council adopted Closed Session Minutes/Reports as well as discussion on a proposed property matter and there would be no action taken on the matter.

Mayor Smith then spoke to Council with respect to some comments that have been circulating through e-mails and a discussion ensued.

14. ADJOURNMENT

Mayor Smith adjourned the meeting at 8:40 p.m.

The Minutes of this Meeting were adopted the 22nd day of September 2015.

Brian Smith, Mayor

Pam Archdekin, Deputy Clerk