

**MINUTES OF REGULAR MEETING OF  
TOWN COUNCIL**

**Held Tuesday, March 22, 2016  
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	Chief Administrative Officer
H. Bryce	Town Clerk
A. McNeill	Director of Economic Development and Tourism
J. Legget	Communications Officer
N. Wukasch	Planner
D. Herron	Manager of Planning
T. Jarrett	Zoning Administrator
M. Quinlan	Treasurer

**1. CALL TO ORDER**

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

**2. DISCLOSURE OF PECUNIARY INTEREST**

None were disclosed at this time.

**3. ADOPTION OF MINUTES**

- a) **Regular Minutes of Council – February 16, 2016**
- b) **Special Meeting of Council – March 10, 2016**

MOVED BY Councillor Smith  
SECONDED BY Councillor Stockwell

RESOLUTION NO. 2016-04-01

RESOLVED THAT the Minutes of the Regular Meeting of Council held Tuesday, February 16, 2016, and Special Meeting of Council held Thursday, March 10, 2016 are hereby adopted as circulated.

CARRIED

**4. DEPUTATIONS, PRESENTATIONS, PETITIONS & PUBLIC MEETINGS**

**PUBLIC MEETING**

**Held pursuant to the *Planning Act*, Section 17 and 21  
Amendment to the Official Plan of the Town of Wasaga Beach  
Downtown Wasaga Beach Special Policy Area**

The Mayor began the public meeting indicating that Notice of Public Meeting was published in the Wasaga Sun Newspaper on March 3, 2016. This provided 20 days of notice for the public meeting and this meeting is therefore properly constituted as required by the Planning Act. Notices were mailed to property owners in accordance with the Planning Act.

THE PROPOSED Amendment has been initiated by the Town following the decision by Council to create a Downtown Area within the Town of Wasaga Beach.

THE PURPOSE of the draft Town-initiated Official Plan Amendment is to create Official Plan policies to form the basis for a Downtown Master Plan.

THE EFFECT of the amendment is to:

1. Formalize the geographic boundary of the Downtown as an overlay designation on Official Plan Land Use Schedule 'A-7'. No changes to the existing land use designations of Downtown properties are being made at this time;
2. Create guiding policies for the Downtown Special Policy Area to lay the groundwork for a Downtown Master Plan; and
3. Identify the Downtown as a Community Improvement Project Area on Official Plan Schedule 'H', allowing the Town to plan for physical improvements and encourage private investment in the Downtown.

The following written correspondence was received as a result of the circulation of the Notice of Public Meeting:

Letters of Support: Julie Pontarollo, 159 Main Street (Angels Wasaga Inn)  
Michelle and Lee Brittain, 346 Zoo Park Road

Letters of No objection: Simcoe County District School Board – Pupils living in the Downtown may attend Birchview Dunes and Collingwood Collegiate Institute.

Nottawasaga Valley Conservation Authority – NVCA would be pleased to work with the Town to ensure that future development in Downtown is not impacted by Natural Hazards from the Georgian By shoreline and erosion along the Nottawasaga River. NVCA also wished to ensure that appropriate approaches are incorporated with any future development designs to avoid, and where necessary, mitigate any potential impacts to Natural Heritage features, such as the Nottawasaga River, Sturgeon Creek, and wetland and dune features.

Yurij Pelech, Principal Planning Consultant, representing 2307328 Ontario Limited & 2055065 Ontario Inc., interested purchasers of 371 River Road East (DiGiovanni Village) – Requests inclusion of lands at 371 River Road East to be added and considered as part of a Downtown Wasaga Beach node.

Letters of Concern: None

Letters of Objection: Kathryn Bennett, 43 John Street – Agrees that Wasaga Beach needs a revitalized downtown area but objects to it extending to Zoo Park Road. Concerned about providing financial incentives to developers through a Community Improvement Plan.

The Mayor asked the Clerk if any further letters or correspondence in regard to this application had been received. The Clerk indicated one additional letter was received today. The Town Planner, Mr. Nathan Wukasch advised Council that an email was received from Pine Valley Developments, who own a property south of the proposed Downtown Area, and

have pre-consulted with the Town for a medium density townhouse plan of subdivision called Ansley Grove. They wish to continue with the proposed development applications that they discussed in pre-consultation and not be affected by the Downtown Official Plan Amendment.

The Town Planner then took to the podium and made a brief presentation and provided further details with respect to the proposed amendments.

The Mayor thanked the Planner for his presentation.

Before taking questions, the Mayor noted that 1 year and 6 days ago today the Town received a letter about the beachfront offering to sell properties to the Town. Council moved forward to make the purchase and to invest in the future for residents. In 2015 tourism climbed by over 500,000 for various reasons. Staff have worked hard to ensure things were happening in Town in 2015 including increased festivals and events. Through the purchase of the properties at the Beachfront, Council has ensured more businesses were open and there will be more this year. Our community outlook is positive. What is important is the identification of a downtown and a place for the full time residents and everyone to enjoy. Thoughts have been gathered from the public on where a downtown should be, discussions have occurred with various Provincial Ministries that has resulted in \$150,000 in funding to help towards the plan for downtown. The Minister has made it clear that they support the direction Wasaga is going. It will take time but rest assured we are heading in the right direction for the permanent residents. Tourists will enjoy the downtown as well it but is for us. He further noted that there was a walk-on item pertaining to the RT07 for additional funding of \$7,000 that would be discussed later in the meeting.

The Mayor then asked if there was anyone present that would like to provide input either in support of, or in opposition to, this proposed amendment. If so, please stand and clearly state your name and address in order that it may be correctly entered into the records of today's proceedings.

Earl Veale, 34 Savanna Crescent, thanked the Mayor for his foresight in purchasing land and to Council for agreeing to the purchase. Mr. Veale inquired if the Town has restrictions on the height of buildings and if so, should the Town reconsider those restrictions to aid in promoting the development of multi-story buildings such as a hotel. Stonebridge wanted to build a nice hotel but the restriction of 3 stories stopped it. The Manager of Planning responded that the Official Plan and Zoning By-law provide for height restrictions which vary per zone from approximately 30 feet for single-detached residential to up to 40 feet (4 storeys) for apartments. Currently in the main tourist beachfront area, the permitted heights are higher, with residential building heights being permitted to be increased to 6 stories if the developer provides a community benefit that is agreed to by Council, called "bonusing" under the Planning Act. For a hotel in the main beachfront area, the current height permission allows for up to 6 stories that can be "bonused" up to 8 stories. The Mayor stated that council is working hard to provide benefits to the community and are open to looking at all options.

Tara McDonald, 16 Bluejay Way, stated she is not fully in agreement with the proposed Downtown as she felt the residents were not truly asked their opinion. Most of the people in attendance at the November public meeting were business people but not many residents were present or asked to attend.

Gianmarco Minichillo, 53 Beck Street, stated concerns about traffic on weekends and the long weekend along Mosley and Main Streets given there is only one bridge. He inquired if any thought had been given to a secondary route to alleviate traffic so residents do not have to go all the way to Mosley and River Road at McDonalds. The Mayor responded that staff

will be looking at the Town's entire infrastructure as part of the plans but as of now, there are no plans for second bridge. Traffic is a good thing if managed well.

Art Dyer, 147 Mosley Street, said the new bridge has been a joy. It is wonderful now and helps manage traffic in a tourist area. Commercial and residential all need to work together. It is only 10 weeks where traffic may be congested.

Peter Marcucci, 794 Eastdale Road, asked that Council keep in mind that the planning principles need to ensure new downtown is accessible and inviting in the winter so residents can enjoy it year round. The Mayor agreed that we want it enjoyable year round.

Dianna Wiens, 302-16 Westbury Road, noted that in the winter, the sidewalks are not cleared well enough to be used safely. In addition, with snowmobiles using the sidewalks, pedestrians have to use street and it frightens pedestrians.

The Mayor then asked is there any further comments from the public?

Hearing none, the Mayor asked members of Council if they have any questions or comments with regards to the proposed amendment.

Hearing none, the Mayor stated that the comments received today will be referred back to Development Services Section of Coordinated Committee where a decision will be made whether to recommend the proposed amendment proceed further through the approval process.

If you would like to receive the Notice of Decision for the proposed Official Plan Amendments, please make a written request to the Clerk of the Town of Wasaga Beach.

The Mayor adjourned the Public Meeting at 7:36 pm and gave a few minutes for members of the public to clear out.

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## **PUBLIC MEETING**

### **Proposed Official Plan and Zoning By-Law Amendments Lots 19 and 20, Plan 674 6 Dunkerron Avenue**

The Mayor began the public meeting indicating that Notice of Public Meeting was published in the Wasaga Sun Newspaper on March 3, 2016, and circulated to all property owners and assessed persons within 400 feet from the subject lands. This provided 20 days of notice for the public meeting and this meeting is therefore properly constituted as required by the Planning Act.

THE SUBJECT LANDS are located on the west side of 18th Street North with frontages on Shore Lane, Dunkerron Avenue and 18th Street North. The subject lands are legally described as Lots 19 and 20, Plan 674, and municipally addressed as 6 Dunkerron Avenue in the Town of Wasaga Beach.

THE PROPOSED OFFICIAL PLAN AMENDMENT would amend the policies of Section 7.4.2 of the Official Plan, which regulate the development of lands within the Mosley Village area of Wasaga Beach, to allow high density residential use consisting of a maximum of 7 street

townhouse dwelling units.

THE PROPOSED ZONING BY-LAW AMENDMENT would re-zone the subject lands from the Residential Type 1 (R1) Zone to an Accommodation Commercial Special Exception Holding (CAH-xx) Zone. The proposed CAH-xx Zone would permit “street townhouse” use for use as a street townhouse dwelling and/or tourist establishment, and exceptions pertaining to building size, yard setbacks, lot size, building coverage, and driveway locations.

THE EFFECT of the proposed Official Plan and Zoning By-Law Amendments would permit the development of 7 street townhouse units, fronting on 18th Street North.

As a result of the circulation of the Notice of Public Meeting the following written comments were received:

Letters of Support: None

Letters of No objection: A letter dated March 4, 2016 from the Nottawasaga Valley Conservation Authority.

A letter dated March 4, 2016 from the Simcoe County District School Board.

Letters of Concern: None

Letters of Objection: None

The Mayor asked the Clerk if any further letters or correspondence in regard to this application had been received to which she respond no additional correspondence had been received.

The Mayor welcomed Ms. Kristine Loft to the podium and she made a brief presentation and provided further details with respect to the proposed amendments.

The Mayor thanked Ms. Loft for her presentation and asked if there anyone present that would like to provide input either in support of, or in opposition to, the proposed amendments? If so, please stand and clearly state your name and address in order that it may be correctly entered into the records of today’s proceedings.

Tersilia Tesolin from 15 Dunkerron Ave raised concerns about traffic on long weekend and street parking. She felt that the development would have a negative increased effect on traffic in her area making it unsafe for her to walk to the store in the summer. Since purchasing her cottage in 1973, her nice quiet neighbourhood now has a parking lot in of her cottage and traffic that is so bad it takes 15-20 mins to get out of driveway. She did not feel this type of development belong there and it is not a place for seven townhouses.

The Mayor then asked is there any further comments from the public?

Hearing none, the Mayor asked members of Council if they have any questions or comments with regards to the proposed amendment.

Hearing none, the Mayor stated that the comments received today will be referred back to Development Services Committee where a decision will be made whether to recommend the proposed Official Plan and Zoning By-Law Amendments proceed further through the

approval process.

Anyone receiving Notice of the Public Meeting will receive Notice of the Decision of Council in this matter. If you did not receive the Notice and would like to receive a copy of the Notice of Decision for the proposed Official Plan and Zoning By-law Amendments, please leave your name and address with the recording secretary or make a written request to the Clerk of the Town of Wasaga Beach.

The Mayor adjourned the Public Meeting at 7:56 pm

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5. **UNFINISHED BUSINESS – None**
6. **CORRESPONDENCE – Received for Information - None**  
**CORRESPONDENCE – Requiring Action**
  - a) **World Autism Awareness Day – April 2, 2016**

MOVED BY Deputy Mayor Bifulchi

DATE: MARCH 22, 2016

SECONDED BY Councillor Bray

RESOLUTION NO. 2016-04-02

WHEREAS World Autism Awareness Day will be recognized on April 2<sup>nd</sup>, 2016 in Canada thanks to Liberal Senator Jim Munson's Bill S206, *An Act Respecting World Autism Awareness Day*; and,

WHEREAS Autism Spectrum Disorder (ASD) affects more than 100,000 Ontarians. Autism Spectrum Disorder is now recognized as the most common neurological disorder affecting 1 in every 94 children, as well as their friends, family and community; and,

WHEREAS ASD is a spectrum disorder, which means it not only manifests itself differently in every individual in whom it appears, but its characteristics will change over the life of each individual as well. A child with ASD will become an adult with ASD; and,

WHEREAS Autism Ontario (formerly Autism Society Ontario) is the leading source of information and referral on autism and one of the largest collective voices representing the autism community. Since 1973, Autism Ontario has been providing support, information and opportunities for thousands of families across the province; and,

WHEREAS Autism Ontario is dedicated to increasing public awareness about autism and the day-to-day issues faced by individuals with autism, their families, and the professionals with whom they interact. The association and its chapters share common goals of providing information and education, supporting research, and advocating for programs and services for the autism community; and,

THEREFORE BE IT RESOLVED THAT Council hereby proclaim April 2<sup>nd</sup>, 2016 as "World Autism Awareness Day" in the Town of Wasaga Beach.

CARRIED

**b) Ontario Power Authority – Feed in Tariff (FIT) Program – rooftop solar**

MOVED BY Councillor Bray

DATE: MARCH 22, 2016

SECONDED BY Councillor Smith

RESOLUTION NO. 2016-04-03

WHEREAS capitalized terms not defined herein have the meanings scribed to them in the FIT Rules, Version 3.0; and,

WHEREAS 2387276 Ontario Inc. (the “Supplier”) has entered into a FIT Contract to construct and operate a rooftop solar PV Facility (the “Project”) on 2315 Fairgrounds Road, Wasaga Beach, On L9Z 2Y6 (the Lands) in the Town of Wasaga Beach (the “Local Municipality”) under the Province’s FIT Program; and,

WHEREAS the Supplier previously requested that Council of the Local Municipality (“Council”) indicate by resolution Council’s support for the construction and operation of the Project on the Lands or all Projects with the same Renewable Fuel anywhere in the Local Municipality, and Council did provide such support in a prior resolution; and,

WHEREAS the Supplier has requested that Council indicate by a resolution dated no earlier than June 10, 2015 (the “New Resolution”), Council’s continued support for the construction and operation of the Project on the Lands; and,

WHEREAS a New Resolution is receive in respect of a Project, the Supplier will be recognized as fulfilling the requirements under Section 2.4(d) (vii) of the FIT Contract, which may result in the Supplier being offered Notice to Proceed in accordance with the terms of the Supplier’s FIT Contract.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of Wasaga Beach supports the construction and operation of the Project on the Lands. This resolution’s sole purpose it to enable the Supplier to achieve Notice to Proceed under its FIT Contract and may not be used for purposes of any other form or municipal approval in relation to the FIT Contract or Project or for any other purpose.

CARRIED

**CORRESPONDENCE – Referred - None****7. COMMITTEE, BOARDS & STAFF REPORTS****a) Coordinated Committee – March 10, 2016**

Councillor Stockwell spoke to the highlights of the Public Works Section of Coordinated Committee.

Councillor Anderson spoke to the highlights of the General Government Section of Coordinated Committee.

Deputy Mayor Bifulchi spoke to the highlights of the Development Services Committee Section of Coordinated Committee.

Councillor Smith spoke to the highlights of the Community Services Committee Section of Coordinated Committee.

The Mayor asked if any members wished to discuss any of the matters from the

Coordinated Committee separately. Deputy Mayor Bifolchi requested that Resolution GG2016-03-08 be separated dealing with Skydive Wasaga Beach. Bananas is listed later on the agenda under by-laws so will speak to it later. It was then;

MOVED BY Councillor Smith

DATE: MARCH 22, 2016

SECONDED BY Councillor Stockwell

RESOLUTION NO. 2016-04-04

RESOLVED THAT Council does hereby adopt the Coordinated Committee Reports dated March 10, 2016 as circulated, and approves all actions contained therein, as amended.

CARRIED

### **Skydive Wasaga Beach**

Deputy Mayor spoke to the logistics of the proposed Skydive activity on the beach. Although exciting, she has concerns with safety in the landing area and the previous decision by MNR not to allow landing on the beach or in the water. She was concerned that the item was not circulated to staff for the history on this request and for any comments, especially special events as it has a direct impact on at least 6 events, prior to the report coming forward to Council for consideration.

Recorded vote was requested. It was then;

MOVED BY Councillor Stockwell

DATE: MARCH 22, 2016

SECONDED BY Councillor Ego

RESOLUTION NO. 2016-04-05

RESOLVED THAT as per the recommendation of the General Government Section of Coordinated Committee Council direct Staff to prepare a report that will detail the terms and conditions for an agreement between the Town and Skydive Wasaga Beach to operate at Beach Areas One and Two commencing in 2016, for approval by Council; and,

Further That the Staff be directed to prepare a report that will detail the requirements to make the proposed landing site, as identified on Appendix One, ready for use, for approval by Council.

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

CARRIED

### **b) Committee of the Whole Report – March 15, 2016**

Mayor Smith spoke to the highlights of the Committee of the Whole Report.

Deputy Mayor Bifolchi requested that Resolution CoW2016-05-16 be separated for discussion dealing with Wasagabares. Copa and Beer Garden later under by-laws and will speak to them at that time. It was then;

MOVED BY Councillor Stockwell

DATE: MARCH 22, 2016

SECONDED BY Councillor Ego

RESOLUTION NO. 2016-04-06

RESOLVED THAT Council does hereby adopt the Committee of the Whole Report dated March 15, 2016 as circulated, and approves all actions contained therein, as amended.

CARRIED

### **Wasgabares**

The Deputy Mayor spoke to the inaccurate information contained within the report in reference to Ontario Parks support of the sign and activity. She indicated that there must have been a misunderstanding between Staff and Ontario Parks as Ontario Parks does not support the activity or the use of signs for this purpose. She also cautioned Council that by supporting the motion, Council was endorsing an illegal activity that is outside the jurisdiction of the Town.

Councillor Ego asked for clarification from the Deputy Mayor on what was “illegal” as if it wasn’t legal why don’t Park Wardens lay charges.

Councillor Stockwell indicated that this past summer there was a large gathering of Wasgabares for which the OPP and Park Wardens attended, spoke to the group and left without laying charges or telling them to cease and desist.

Councillor Bray stated that she felt Council needs to clarify if full public nudity is illegal or not as the Town is getting a lot of media attention over this matter.

The CAO clarified for Council that the Parks Superintendent, John Fisher has stated that full nudity in Ontario Provincial Parks is not permitted. Park Wardens respond on a complaint basis and asks offenders to put clothes on to be in conformity with the laws of Ontario.

Councillor Smith noted that full public nudity has been going on for 20 + years in this location but the problem is that the participants have made it public. If it is not allowed it should be clear they can’t continue.

The Mayor felt that the motion was putting the matter back in MNR hands as the final decision is not the Town’s to make.

The Deputy Mayor also noted that the MNR does not support the placement of A frame signs for this purpose and felt the entire issue is not something the Town should push on MNR but could be an item for discussion as part of the Parks Master Plan.

Recorded vote was requested. It was then;

MOVED BY Councillor Stockwell

DATE: MARCH 22, 2016

SECONDED BY Councillor Ego

RESOLUTION NO. 2016-04-07

RESOLVED THAT as per the recommendation of the Committee of the Whole Council does hereby support Wasagabares' efforts to have Ontario Parks designate the North tip of Beach Area 1 as a Clothing Optional Beach for a three year trial period;

Further that Council encourage Ontario Parks to permit appropriate temporary signage along the beach to indicate to visitors that they may encounter people in a natural state;

Finally, that Council encourage Wasagabares to become engaged in the Wasaga Beach Provincial Park Master Planning Process so that their request can be properly considered as part of the future of the park.

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

DEFEATED

**c) Accounts – January 2016**

MOVED BY Councillor Smith

DATE: MARCH 22, 2016

SECONDED BY Deputy Mayor Bifulchi

RESOLUTION NO. 2016-04-08

RESOLVED THAT Council approves the January 2016 Accounts in the amount of \$2,352,353.03.

CARRIED

**d) Corporate Efficiency Review – Project Award**

MOVED BY Councillor Smith

DATE: MARCH 22, 2016

SECONDED BY Councillor Stockwell

RESOLUTION NO. 2016-04-09

RESOLVED THAT Council receive the report pertaining to the Corporate Efficiency Review – Project Award; and,

THAT Council award the Corporate Efficiency Review project to KPMG LLP in the amount of \$55,000 plus HST.

CARRIED

**8. NOTICES OF MOTION - None**

**9. MOTIONS – WHERE NOTICE HAS BEEN PREVIOUSLY GIVEN**

**a) Procedural By-Law Amendment – Question & Answer Period**

The Mayor spoke to his notice of motion and outlined his reasons for putting forward the motion. By having a question and answer period at the start of the meeting, the public will have the opportunity to voice their comments on items on the evening agenda and provide Council with the opportunity to consider those comments in their final deliberations.

Councillor Smith asked if there would be a time limit to the question and answer period to which the Mayor indicated he would consider 15 mins with 5 mins per person as reasonable.

Councillor Bray spoke in favour of the motion noting that by the time the agenda is made public, residents do not have the ability to be added to the agenda as a delegation to speak on an issue on the agenda. It was then;

MOVED BY Councillor Bray

DATE: MARCH 22, 2016

SECONDED BY Councillor Smith

RESOLUTION NO. 2016-04-10

RESOLVED THAT in an effort to encourage and enhance public participation in the decisions of Council, that Council discuss amending the Procedural By-Law to allow for a questions and answer period at the beginning of each Council agenda pertaining to items outlined on the meeting agenda.

CARRIED

**a) Procedural By-Law Amendment – All motions be Recorded  
Votes**

The Mayor spoke to his notice of motion and outlined his reasons for putting forward the motion. It is important for members of the public to know where each Council Member stands on an issue and how they voted.

Councillor Bray suggested if we are considering changes to the Procedural By-law perhaps we could look at moving Committee of the Whole to Council Chambers and broadcast the meetings.

Councillor Anderson stated he thought recording all votes is a good idea, however, will add time to the meetings for the Clerk to call each vote. He suggested that an electronic voting method may improve the efficiency of the meetings for recording votes.

The Mayor asked the Clerk if it recording every vote will substantially lengthen the time of the meetings to which the Clerk indicated it will add a bit of time and that she would look into electronic voting methods as an alternative option. It was then;

MOVED BY Councillor Stockwell

DATE: MARCH 22, 2016

SECONDED BY Deputy Mayor Bifulchi

RESOLUTION NO. 2016-04-11

RESOLVED THAT in an effort to increase accountability and transparency, Council discuss amending the Procedural By-Law pertaining to the method in which votes are taken for matters on the Coordinated Committee, Committee of the Whole and Council agendas to state that all votes on all matters shall be done by recorded vote.

CARRIED

**10. BY-LAWS AND CONFIRMATORY BY-LAW**

**a) 2016-38 A By-law to Authorize the Execution of a Lease Agreement Between the Town of Wasaga Beach and Enzo Grossi, in Trust for a Corporation to be Incorporated for a Commercial Lease at 41 Beach Drive, Upper Level**

The Deputy Mayor addressed strong concerns with the process of how this lease was negotiated as the process for each lease has not been consistent. Staff was directed by Council to negotiate the terms of the lease, however, after the Mayor and CAO met with the proposed tenant, the Mayor brought forward a motion at the meeting to increase the rental rate after the proposed tenant had agreed to a lesser rental amount. Although more rental income is good for the Town, she questioned why someone would agree to pay more, why the process was different and therefore, she cannot support the lease as presented.

Councillor Bray noted that the lease indicates that the taxes will be prorated after Council had indicated that they were not to be prorated. The CAO clarified that language is included in this lease dealing with pro-rating as the building has multiple units and therefore the taxes are divided amongst all the tenants.

Councillor Anderson asked the Mayor if he has met with other prospective tenants and asked them to pay more rent. The Mayor noted they were not and the reason for this lease being re-negotiated by him was that the operator said last year that he would pay more rent this year if he had a longer lease. The Mayor noted he and the CAO had a good conversation with the operator and the operator agreed to the rent increase in good faith and left on good terms. The Mayor stated he would not apologise for getting more rent to help the Town and taxpayers with more revenue.

Councillor Stockwell stated that Council has been dealing with this lease since before Christmas and it has gone through the proper process. To question it now is bad business and if Council wants to criticize the Mayor for getting the Town additional rent, so be it.

Councillor Anderson stated his strong opposition to the way in which this item has been dealt with but will vote in favour of the lease so the operator can get started and be ready for the summer season.

A recorded vote was requested. It was then;

MOVED BY Councillor Anderson

DATE: MARCH 22, 2016

SECONDED BY Councillor Smith

RESOLUTION NO. 2016-04-12

RESOLVED THAT a By-Law to Authorize the Execution of a Lease Agreement Between the Town of Wasaga Beach and Enzo Grossi, in Trust for a Corporation to be Incorporated for a Commercial Lease at 41 Beach Drive, Upper Level, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-38

Councillor Anderson	Yea
Deputy Mayor Bifulchi	Nay
Councillor Bray	Nay
Councillor Ego	Yea
Councillor Smith	Yea
Mayor Smith	Yea

Councillor Stockwell

Yea

CARRIED

**b) 2016-41 A By-law to Adopt a Busker Policy and Guidelines for the Town of Wasaga Beach**

MOVED BY Councillor Smith

DATE: MARCH 22, 2016

SECONDED BY Councillor Bray

RESOLUTION NO. 2016-04-13

RESOLVED THAT a By-Law to Adopt a Busker Policy and Guidelines for the Town of Wasaga Beach, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-41

CARRIED

**c) 2016-42 A By-law to Designate Private Roadways as Emergency Fire Routes along which No Parking of Vehicles Shall be Permitted**

MOVED BY Councillor Bray

DATE: MARCH 22, 2016

SECONDED BY Councillor Stockwell

RESOLUTION NO. 2016-04-14

RESOLVED THAT a By-Law to Designate Private Roadways as Emergency Fire Routes along which No Parking of Vehicles Shall be Permitted be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-42

CARRIED

**d) 2016-43 A By-law to Amend By-law 2007-38 being a By-law to License, Regulate and Govern Businesses Carried on Within the Municipality**

MOVED BY Councillor Bray

DATE: MARCH 22, 2016

SECONDED BY Councillor Ego

RESOLUTION NO. 2016-04-15

RESOLVED THAT a By-Law to Amend By-law 2007-38 being a By-law to License, Regulate and Govern Businesses Carried on Within the Municipality be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-43.

CARRIED

**e) 2016-44 A By-law to Adopt a Social Media Policy for the Town of Wasaga Beach**

MOVED BY Councillor Smith

DATE: MARCH 22, 2016

SECONDED BY Councillor Bray

RESOLUTION NO. 2016-04-16

RESOLVED THAT a By-Law to Adopt a Social Media Policy for the Town of Wasaga Beach be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-44.

CARRIED

**f) 2016-45 A By-law to Adopt an Investment Policy for the Town of Wasaga Beach**

MOVED BY Councillor Smith

DATE: MARCH 22, 2016

SECONDED BY Councillor Ego

RESOLUTION NO. 2016-04-17

RESOLVED THAT a By-Law to Adopt an Investment Policy for the Town of Wasaga Beach be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-45.

CARRIED

**g) 2016-46 A By-law to Adopt an Emergency Plan for the Town of Wasaga Beach**

MOVED BY Councillor Stockwell

DATE: MARCH 22, 2016

SECONDED BY Councillor Bray

RESOLUTION NO. 2016-04-18

RESOLVED THAT a By-Law to Adopt an Emergency Plan for the Town of Wasaga Beach be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-46.

CARRIED

**h) 2016-47 A By-law to Adopt a Special Events Fees for Use of Municipal Parking Lots Policy**

MOVED BY Councillor Ego

DATE: MARCH 22, 2016

SECONDED BY Councillor Smith

RESOLUTION NO. 2016-04-19

RESOLVED THAT a By-Law to Adopt a Special Events Fees for Use of Municipal Parking Lots Policy be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-47.

CARRIED

**i) 2016-48 A By-law to Authorize the Execution of an Agreement between the Town of Wasaga Beach and the Majesty the Queen in Right of Canada (Canada 150 Community Infrastructure Program)**

MOVED BY Councillor Ego

DATE: MARCH 22, 2016

SECONDED BY Councillor Smith

RESOLUTION NO. 2016-04-20

RESOLVED THAT a By-Law to Authorize the Execution of an Agreement between the Town of Wasaga Beach and the Majesty the Queen in Right of Canada (Canada 150 Community Infrastructure Program) be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-48.

CARRIED

**j) 2016-49 A By-law to Authorize the Execution of an Agreement between the Town of Wasaga Beach and the Majesty the Queen in Right of Ontario (Tourism Development Fund)**

MOVED BY Councillor Stockwell

DATE: MARCH 22, 2016

SECONDED BY Councillor Ego

RESOLUTION NO. 2016-04-21

RESOLVED THAT a By-Law to Authorize the Execution of an Agreement between the Town of Wasaga Beach and the Majesty the Queen in Right of Ontario (Tourism Development Fund) be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-49.

CARRIED

**k) 2016-50 A By-law to Authorize the Execution of a Lease Agreement Between the Town of Wasaga Beach and RLS Wasaga Group Inc. for a Commercial Lease at 31 Beach Drive**

The Deputy Mayor commented on a number of faults with the lease negotiation process and when she compared the lease terms with the other leases, there are significant differences with clauses that should be consistent in all of our leases. It's like different templates are being utilized. In the final lease there is no mention of the lease hold improvements or capital works so does that mean that Council has no expectations for any of them within the term of the lease?

Councillor Anderson stated his concerns with awarding the lease to someone that is not the highest bidder and questioned why the Mayor did not go back to the proposed operator for more money on this lease. The process was flawed and we should not be awarding the lease to this operator. If we establish a process, we need to ensure it is the same for everyone to avoid situations like this.

Councillor Bray agreed that the RFP process was flawed and can't support the motion as a result.

Councillor Smith supports the lease as staff have done their best to get the best deal possible and staff need to have the flexibility to make minor changes to the terms of the lease during the negotiating process.

The Mayor comments he finds it interesting that some members of Council are interested in some leases and not others. As a businessman himself, if he didn't like the terms of a lease, he simply would not sign it. The proposed operators have signed the lease and obviously are in agreement with the terms.

A recorded vote was requested. It was then;

MOVED BY Councillor Smith

DATE: MARCH 22, 2016

SECONDED BY Councillor Ego

RESOLUTION NO. 2016-04-22

RESOLVED THAT a By-Law to Authorize the Execution of a Lease Agreement Between the Town of Wasaga Beach and RLS Wasaga Group Inc. for a Commercial Lease at 31 Beach Drive be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-50.

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

CARRIED

**I) 2016-51 A By-law to Authorize Execution of a Lease Agreement between the Town of Wasaga Beach and Wasaga Beach Brewing Company for a Commercial Lease at 12 Main Street**

The Deputy Mayor stressed concerns about the details of the construction of the beer garden that keep changing such as the inclusion of washrooms and the capacity going from 180 people to 80 despite staff stating it was never presented at 180.

Councillor Smith stated that staff were asked to renegotiate the terms of the lease and they have. If Council doesn't agree with the terms then they shouldn't approve it but it has come back to the table several times and needs to be voted on.

Councillor Bray made a point to the Mayor's previous comments that some Councillors are only interested in some leases and not others. She reviews the terms of each lease to see if it is fair to business community, tax payers and Town. The questions she asks at the table are asked in best interests of all parties.

Councillor Anderson questioned why we are approving a lease for a building we have not yet constructed or know the cost of construction. What happens if the construction costs exceed what Council is willing to pay, there does not appear to be an out clause in the lease for Council to change their mind? Council needs the construction details first before they approve a lease.

Councillor Smith thought that Council had already been provided with costing in addition to confirming that the Brewery was willing to pay up to \$30,000 to offset the construction costs. The Director of Economic Development and Tourism clarified that the final costs have yet to be determined as the final construction drawings have yet to be completed. He noted that the Brewery is willing to pay up to \$30,000 towards the construction cost and the Town has budgeted an additional \$30,000. The costs are anticipated to fall within the allocated funds, however, if costs are more, a report would come forward to Council requesting additional funds.

Councillor Ego asked the CAO to clarify that all leases are not the same, to which the CAO indicated that was correct; each lease can be slightly different such as names, lease rate and

clauses that are inserted that are unique to premises or operator. The bulk of the lease is the same and was drafted in consultation with the Town Solicitor.

The Mayor felt that the Town needs to have the ability to back out of the lease if the construction costs are too high. If the lease is signed as is, it will be too late.

Councillor Anderson suggested that the item be deferred until more information on the building construction is provided and approved.

Councillor Stockwell has observed that if you want something messed up, let government do it. Council has been talking about this for months and it is too late in the game to change direction now if we accept a full summer operating season. He does not see anything wrong with the process the Town has followed and if Council has issues they should have raised them months ago. If the tenant was deciding on what was going in the building, that would be a problem, but the town has final say.

Deputy Mayor Bifulchi reiterated that the details have changed and Council only found out after questions were raised.

The Mayor interrupted the Deputy Mayor's comments to address all of Council. Moving forward unfair accusations or statements being made at our staff need to stop especially in a public forum. He is surprised any staff want to do anything for Council for fear of what Council will do. It is not fair to staff, they do their very best to get the job done that council ask them to do. The Mayor is not going to allow Council members to berate staff anymore and cautioned council. Make you point but don't point at staff. If you have issues, go to Department Head or CAO.

Councillor Anderson stated in fairness to Councillor Bray and Deputy Mayor Bifulchi, they have asked for costs for months but did not receive them. It is not good business practice to sign a lease before the building is built. It was then;

MOVED BY Councillor Anderson

DATE: MARCH 22, 2016

SECONDED BY Councillor Bray

RESOLUTION NO. 2016-04-23

RESOLVED THAT Council does hereby defer the passing of By-law 2016-51 until such time that the costs associated with the construction of the Main Street Beer Garden are presented and approved by Council.

CARRIED

The CAO conferred with the Director of Economic Development and Tourism to determine a timeframe when the costing and final drawings would be available for Council to receive and approve. The design is in the hands of the engineer and staff hope to have them very soon. The construction estimated used during the budget process were based on the CBO's estimate per square foot.

RESOLVED THAT a By-Law to Authorize Execution of a Lease Agreement between the Town of Wasaga Beach and Wasaga Beach Brewing Company for a Commercial Lease at 12 Main Street be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-51.

DEFERRED

**m) 2016-52 A By-law to Amend Town of Wasaga Beach Comprehensive Zoning By-law 2003-60, as amended (Trillium Forest North – Amendment to Phase 1)**

MOVED BY Deputy Mayor Bifulchi

DATE: MARCH 22, 2016

SECONDED BY Councillor Ego

RESOLUTION NO. 2016-04-24

RESOLVED THAT a By-Law to Amend Town of Wasaga Beach Comprehensive Zoning By-law 2003-60, as amended (Trillium Forest North – Amendment to Phase 1) be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-52.

CARRIED

**n) 2016-53 A By-law to Authorize the Execution of an Agreement Between the Town of Wasaga Beach and Regional Tourism Organization 7 (Destination Development Fund)**

MOVED BY Councillor Ego

DATE: MARCH 22, 2016

SECONDED BY Councillor Smith

RESOLUTION NO. 2016-04-25

RESOLVED THAT a By-Law to Authorize the Execution of an Agreement Between the Town of Wasaga Beach and Regional Tourism Organization 7 (Destination Development Fund) be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-53.

CARRIED

**o) 2016-54 Confirmatory By-Law**

MOVED BY Councillor Stockwell

DATE: MARCH 22, 2016

SECONDED BY Deputy Mayor Bifulchi

RESOLUTION NO. 2016-04-26

RESOLVED THAT a By-Law to Confirm the Proceedings of the Council of the Town of Wasaga Beach at its Regular Meeting held Tuesday, March 22, 2016 be received and be deemed to have been read a first, second and third time, passed and numbered No. 2016-54.

CARRIED

**11. CALLING OF COMMITTEE MEETINGS**

Coordinated Committee  
Committee of the Whole  
Council

April 7 at 8:30 a.m.  
April 12 at 4:00 p.m.  
April 19 at 7:00 p.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

Members of Council did not have any comments pertaining to the closed session minutes and therefore did not need to enter into closed session.

#### a) Closed Session Minutes

- Committee of the Whole Education Session  
February 17, 2016
- General Government March 10, 2016
- Committee of the Whole March 15, 2016

MOVED BY Councillor Smith

DATE: MARCH 22, 2016

SECONDED BY Councillor Anderson

RESOLUTION NO. 2016-04-27

RESOLVED THAT Council does hereby adopt the following Closed Session Minutes and Reports as circulated:

- Committee of the Whole Education Session Report February 17, 2016
- General Government Committee Report of March 10, 2016
- Committee of the Whole March 15, 2016

CARRIED

### 14. ADJOURNMENT

Mayor Smith adjourned the meeting at 9:22 p.m.

The Minutes of this meeting were adopted on the 19<sup>th</sup> day of April, 2016.

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Brian Smith, Mayor

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Holly Bryce, Town Clerk