



CLEARVIEW

## MINUTES

### CLEARVIEW TOWNSHIP COUNCIL

The Council of the Corporation of the Township of Clearview met in a virtual zoom session on September 13<sup>th</sup>, 2021 at 4:00 p.m.

Those in attendance were:

Mayor: Doug Measures

Deputy Mayor: Barry Burton

Councillors: Ward 1 – Councillor Phyllis Dineen  
Ward 2 – Councillor Doug McKechnie  
Ward 3 – Councillor John Broderick  
Ward 4 – Councillor Robert Walker  
Ward 5 – Councillor Thom Paterson  
Ward 6 – Councillor Connie Leishman (absent)  
Ward 7 – Councillor John Lamers

Staff: Director of Legislative Services/Clerk, Sasha Helmky  
Deputy Clerk, Brenda Falls  
CAO, John Ferguson  
Director of Finance, Kelly McDonald  
Director, Community Services, Mara Burton  
Director, Public Works, Mike Rawn  
Deputy Director, Public Works, Dan Perreault  
General Manager, Parks, Culture & Recreation, Terry Vachon  
Senior By-law Enforcement Officer, Joseph Paddock  
Community Planner, Rossalyn Workman  
Community Planner, Nick Ainley  
Committee Coordinator, Cayla Reimer  
Community Culture & Tourism Coordinator, Amanda Murray  
EcoPark Assistant, Erica Dewey

## 1. Closed Session (4:00 p.m.)

### Resolution:

Moved by Councillor Broderick, Seconded by Councillor Walker, Be It Resolved that the next portion of the meeting be closed to the public in accordance with S. 239 (2) of the Municipal Act

- b) personal matters about an identifiable individual, including municipal or local board employees (Board Appointments).
  - f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose (update regarding NEC and potential impacts to the municipality)
- Motion Carried.

### **Items for Direction** (including Procedural Matters) Section 239(6) (b)

- a) Approval of Closed Minutes
- b) Item for Closed Session:
  - Board Appointments
  - Update regarding NEC and potential impacts to the municipality
- c) Identification of items to arise in open session
- d) Resolution to reconvene into open session

## 2. Approval of Agenda (5:30 pm.)

### Resolution:

Moved by Councillor Walker, Seconded by Councillor Broderick, Be It Resolved, that Council of the Township of Clearview hereby approve the agenda dated September 13<sup>th</sup>, 2021 as presented. Motion Carried.

## 3. Disclosure of Pecuniary Interest and General Nature Thereof

None declared.

## 4. Public Participation

- 4.1 Dave Witzke (why salary is not disclosed on two current job postings)
- 4.2 Jamie Styles (distance limitations on vendors to other businesses)
- 4.3 Dave Witzke (school crosswalk painting)
- 4.4 Dave Witzke (sand storage public works yard)

Mayor Measures addressed all items submitted under Public Participation.

## 5. Deputations & Presentations

No items.

6. The Public Meeting was held at 6:30 p.m.

## 7. Approval of Minutes of Council Meeting

### Resolution:

Moved by Councillor Broderick, Seconded by Councillor Lamers, Be It Resolved, that Council of the Township of Clearview hereby approve minutes of the August 18<sup>th</sup>, August 23<sup>rd</sup>, August 25<sup>th</sup> and August 30<sup>th</sup>, 2021 Council Meetings as presented. Motion Carried.

## 8. Business arising from Minutes

There were none.

## 9. Communications from the Mayor

### 9.1 Closed Session Report (Board Appointments – By-law 21-93)

Mayor Measures announced the names of the appointments:

- Len Verstraten to the Brentwood Hall Board;
- Ellie Pattillo, Lynn Wilkinson, Jason Spilchen and Jim Leithead to the Dunedin Hall Board
- Milynn Benoit to the Creemore Business Improvement Area Board

### 9.2 AMO Policy Update – Draft Resolution for Municipal Recognition of September 30<sup>th</sup> as National Day for Truth and Reconciliation

### Resolution:

Moved by Councillor Broderick, Seconded by Councillor Paterson,

**Whereas** the Truth and Reconciliation Commission released its final report on June 2, 2015, which included 94 Calls to Action to redress the legacy of residential schools and advance the process of Canadian reconciliation;

**And Whereas** the recent discoveries of remains and unmarked graves across Canada have led to increased calls for all levels of government to address the recommendations in the TRC's Calls to Action;

**And Whereas** all Canadians and all orders of government have a role to play in reconciliation;

**And Whereas** Recommendation #80 of the Truth and Reconciliation Commission called upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process;

**And Whereas** the Federal Government has announced September 30th, 2021, as the first National Day for Truth and Reconciliation (National Orange Shirt Day) and a statutory holiday;

**Therefore, Be It Resolved** that the Council of the Township of Clearview does hereby commit to recognizing September 30<sup>th</sup>, 2021, as the National Day for Truth and Reconciliation (National Orange Shirt Day) by sharing the stories of residential school survivors, their families, and communities. Motion Carried.

9.3 Clearview Community Church (letter of thanks – Community Grant)

9.4 NVCA August 2021 Board Meeting Highlights

Resolution:

Moved by Councillor Broderick, Seconded by Councillor Dineen, Be It Resolved that Council of the Township of Clearview hereby receive Communications from the Mayor for information. Motion Carried.

## **10. County Reports & Information**

10.1 Regional partners host collaborative event to discuss the future of food

Deputy Mayor Burton provided a verbal County update.

## **11. Reports & Community Announcements**

11.1 Ward Reports

### **Councillor Broderick**

- Special Council meetings – Affordable Housing & Small Halls
- Stayner Farmers Market
- Library Board budget committee meeting

- Stayner Garden Party
- Clearview Chamber of Commerce special meeting
- Clearview Chamber Committee Business presentation awards

**Councillor McKecknie**

- attended Council Meetings
- CAA Magazine – Town of Collingwood awarded “Art of being bike friendly”

**Councillor Dineen**

- Attainable Housing committee – preparing a report to Council
- arts and culture event in Nottawa - September 25<sup>th</sup> 25; 2 Townley St. (Townley & 36/37 SR)

**Councillor Walker**

- Council meetings
- Stayner Farmers market
- Small Halls meeting
- Youth Committee in October
- Presented 90<sup>th</sup> birthday certificate to Isabel Morby

**Councillor Lamers**

- special council meetings
- on site meetings with Avening Hall Board & Brentwood Hall Board

**Councillor Paterson**

- receiving noise complaints calls
- traffic management – public input with concerns
- September 27<sup>th</sup> – Creemore Tree Society – survey existing tree stock

**Deputy Mayor Burton**

- Economic Development Committee
- Council Meetings

**Mayor Measures**

- Economic Development Committee discussion re: viability study of attracting accommodation
- Chamber of Commerce awards

- concert event at New Farm
- Stayner Garden party
- MTO tour of Collingwood, Town of Blue Mountains & Clearview with parliamentary assistant regarding regional traffic issues

## **12. DEPARTMENT REPORTS**

### **COMMUNITY SERVICES**

#### **CS-044-2021 (Site Plan Approval – Dog Kennel, Morgan-Watmore, 11323 County Road 10, Clearview)**

Resolution:

Moved by Councillor Broderick, Seconded by Councillor Lamers, Be It Resolved that Council of the Township of Clearview hereby:

- 1) Receive the report CS-044-2021 for information;
- 2) Issues Site Plan Approval to Louise Morgan and Mark Watmore for the establishment of a dog kennel, accessory apartment, outdoor dog play area and parking lot for the dog kennel on a portion of the subject lands as illustrated in Site Plan Drawing 1.0 Dog Kennel dated September 2, 2020 prepared by Axial Designs; and
- 3) Approves By-law No. 21-92 authorizing the Mayor and Clerk to execute the Site Plan Agreement with Louise Morgan and Mark Watmore (Owners of 11323 County Road 10, Clearview). Motion Carried.

#### **CS-046-2021 (Subdivision Agreement – Ashton Meadows Phase 1A)**

Resolution:

Moved by Councillor Broderick, Seconded by Councillor Walker, Be It Resolved that Council of the Township of Clearview hereby:

- 1) Receive the report CS-046-2021 regarding the Final Approval of the Ashton Meadows Phase 1A plan of subdivision; and
- 2) Pass a by-law authorizing the Mayor and Clerk to execute a Subdivision Agreement with 863194 & 863195 Ontario Limited ("The Owner") and authorize the Mayor and Clerk to sign the Ashton Meadows Phase 1A plan of subdivision which is located on lands described as 251 Margaret Street, Clearview and legally described as CON 2 E PT LOT 23 RP;51R35868 PARTS 1 3 AND 4 TO;10, formally the Township of Nottawasaga, now in the Township of Clearview. Motion Carried.

**CS-047-2021 (Community Improvement Plan Application – 236 Huron Street)**Resolution:

Moved by Councillor Lamers, Seconded by Councillor Dineen, Be It Resolved that Council of the Township of Clearview hereby:

- 1) Receive report CS-047-2021 for information; and,
- 2) Approve the Community Improvement Grant as per the Director of Community Services Report CS-047-2021 for 236 Huron Street, Get Moore Auto Service. Motion Carried.

Report PCR-020-2021 was presented at this time.

**PARKS, CULTURE & RECREATION****PCR-020-2021 (Trails Connecting Communities 2021 Proposal)**Resolution:

Moved by Councillor McKechnie, Seconded by Deputy Mayor Burton, Be It Resolved that Council of the Township of Clearview hereby:

- 1) Receive PCR-020-2021 (Trails Connecting Communities 2021 Proposal) report for information; and,
- 2) To direct staff to work with the County of Simcoe for the improvements identified within the New Lowell Trail Accessibility & Upgraded Surface proposal. Motion Carried.

**BY-LAW ENFORCEMENT****BL-007-2021 (DocuPet Safe and Happy Fund Donation Program)**Resolution:

Moved by Councillor Walker, Seconded by Councillor Broderick, Be It Resolved that Council of the Township of Clearview hereby:

- 1) Receive Report BL-007-2021 (DocuPet Safe and Happy Fund Donation Program) dated September 13, 2021; and
- 2) That Council approve Alliston and District Humane Society as Clearview's recipient of the Safe and Happy Fund Donation Program. Motion Carried.

Report PCR-022-2021 was presented at this time.

## **PARKS, CULTURE & RECREATION**

### **PCR-022-2021 (Tender Approval – Stayner Library Landscaping)**

#### Resolution:

Moved by Councillor Broderick, Seconded by Councillor Walker, Be It Resolved that Council of the Township of Clearview hereby:

- 1) Receive report PCR-022-2021 (Tender Approval - Stayner Library Landscaping) dated September 13, 2021; and,
- 2) That Council approve the tender submitted by Bomar Landscaping Inc in the amount of \$257,664.00 plus H.S.T. for the Stayner Library Landscaping project; and,
- 3) That the total cost of the project be funded through the Land Sale Reserve.

### **Motion to Refer**

#### Resolution:

Moved by Councillor McKechnie, Seconded by Deputy Mayor Burton, that the report before Council be referred back to staff for a report to be brought back in February 2022 with more information on costs and re-tendering the Stayner Library Landscaping project; and,

That the tender submitted by Bomar Landscaping Inc. not be accepted. Motion Carried.

Mayor Measures turned the meeting over to Deputy Mayor Burton to chair the Public Meeting.

## **PUBLIC MEETING**

Deputy Mayor Burton initiated the Public Meeting and provided procedures as required under the *Planning Act*

### **6.1 Zoning By-law Amendment 2021-031-ZB (794047 County Road 124)**

Community Planner, Nick Ainley provided a brief overview outlining the subject lands, the proposal, subject lands (site plan), existing policy framework, notice and circulation, circulation map, contact information, review process.



Nick Ainley summarized comments received from Judy & Chris Ferguson and Garry Lipset (also attended via zoom)

**Presentation by Applicant's Agent – Loft Planning on behalf of JKI Canada Utilities Inc.**

Presenters: Kristine Loft, Loft Planning; Jessie Elder, Crozier Consulting Engineers; Jon Proctor, Crozier Consulting Engineers

Kristine Loft provided a presentation outlining the proposed development, site location, purpose: zoning by-law amendment; site plan (Crozier Consulting Engineers); list of technical studies and conclusion of the proposed development. Jon Proctor was in attendance to provide clarification on the proposed development.

**Participants via zoom:**

**Judy Ferguson – adjacent property owner**

- owner of land adjacent to property
- setback a concern
- public serving food adjacent to agricultural land
- salt off vehicles in drive through – impact to cedar hedge on property
- snow storage – piled on property line and edge of property
- soil and surface contamination
- garbage concerns littering field – drive through will increase garbage
- entire neighbourhood affected
- gravel truck from quarry – terrific speeds
- traffic safety concerns
- encouraged Council to visit this property on site
- cedar hedge will be destroyed during construction of site and during snow removal
- culverts and ditch not adequate
- storage pond will be eye sore – unwelcomed
- grade level of commercial site – concerns if drainage does not function
- maintenance of dry storage pond

**Chris Ferguson – adjacent property owner**

- concerns with 1.3 m. setback
- concerns for their farming operation
- garbage
- traffic study report – concerns with turning lane and need to widen
- clarification regarding exception to existing uses

**Garry Lipset – adjacent property owners**

- concerns with water flowing to the ditch
- curbing
- storage
- parking
- speed limit should be reduced
- would like to see a turn lane on Cty Rd. 124

Deputy Mayor Burton opened the floor to members of Council

**Mayor Measures**

- speed a concern on County Rd. 124
- need to protect agriculture and the community

**Councillor McKechnie**

- clarification regarding comments will be circulated to Council from the public
- concerns – cedar hedge, salt on vehicles, run off onto Mr. Fergusons property, mitigate drainage going onto Ferguson's field
- 1.3 m setback– trunks of trees on property line, extend to stacking lane, fencing on stacking lane, without damaging trees
- storm water management pond – work with Fergusons regarding landscaping plan

**Councillor Dineen**

- fencing near property
- hours of operation – can it change without notice

**Councillor Lamers**

- concerns with cedar hedge
- barrier fence to prevent garbage from going onto to adjacent properties
- pond – salt can leach out into farmers fields

**Councillor Walker**

- safety concerns regarding parking on both sides of entrance and drive through
- stacking number - drive through lane

Christine Loft, Jon Proctor and Nick Ainley provided clarification on all concerns and comments.

A further report will be brought back to a future Council meeting.

As there were no further comments, Deputy Mayor Burton concluded the public meeting and returned the chair to Mayor Measures.

Mayor Measures returned to Department Reports.

## **PARKS, CULTURE & RECREATION**

### **PCR-021-2021 (Clearview EcoPark & Community Garden Update)**

#### Resolution:

Moved by Councillor Broderick, Seconded by Councillor Dineen, Be It Resolved that Council of the Township of Clearview hereby:

- 1) Receive PCR-021-2021 (Clearview EcoPark & Community Garden 2021 Update) report for information. Motion Carried.

## **PUBLIC WORKS**

### **PW-033-2021 (Consolidated Linear Infrastructure)**

#### Resolution:

Moved by Councillor Lamers, Seconded by Deputy Mayor Burton, Be It Resolved that Council of the Township of Clearview hereby:

- 1) Receive report PW-033-2021 Consolidated Linear Infrastructure for information; and,
- 2) Direct staff to proceed with works required to complete the application before the deadline date of February 18, 2022. Motion Carried.

### **PW-034-2021 (Establish Public Highway – County Road 42 and Margaret Street)**

#### Resolution:

Moved by Councillor Walker, Seconded by Deputy Mayor Burton, Be It Resolved that Council of the Township of Clearview hereby:

- 1) Receive report PW-034-2021 regarding the establishment of certain lands as public highway - County Road 42 & Margaret Street; and,
- 2) Pass a by-law to establish certain lands as a public highway. Motion Carried.

### **PW-035-2021 (Establish Public Highway – Warrington Road and Margaret Street)**

#### Resolution:

Moved by Councillor Lamers, Seconded by Councillor Broderick, Be It Resolved that Council of the Township of Clearview hereby:

- 1) Receive report PW-035-2021 regarding the establishment of certain lands as public highway – Warrington Road & Margaret Street; and,
- 2) Pass a by-law to establish certain lands as a public highway. Motion Carried.

### **PW-036-2021 (Establish Public Highway – Superior Street & Nixon Street)**

#### Resolution:

Moved by Councillor Dineen, Seconded by Councillor Walker, Be It Resolved that Council of the Township of Clearview hereby:

- 1) Receive report PW-036-2021 regarding the establishment of certain lands as public highway – Superior Street and Nixon Street; and,
- 2) Pass a by-law to establish certain lands as a public highway. Motion Carried.

### **PW-037-2021 (Public Works Administrative Assistant Position)**

#### Resolution:

Moved by Councillor Broderick, Seconded by Councillor Walker, Be It Resolved that Council of the Township of Clearview hereby:

- 1) Receive report PW-037-2021 (Public Works Administrative Assistant Position) dated September 13, 2021; and,
- 2) That Council approve the new permanent full-time Public Works Administrative Assistant position; and,
- 3) That staff be directed to recruit and fill the position in the 4<sup>th</sup> quarter of 2021. Motion Carried.

## **FINANCE**

### **FIN-022-2021 (OILC Debenture By-law – Clearview Library Stayner Branch)**

#### Resolution:

Moved by Councillor Broderick, Seconded by Deputy Mayor Burton, Be It Resolved that Council of the Township of Clearview hereby:

- 1) Receives the OILC Debenture By-Law – Clearview Library, Stayner Branch report for information; and,
- 2) Pass By-law 21-91 to authorize the OILC Debenture at 2.5% for the Clearview Library, Stayner Branch. Motion Carried.

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**LEGISLATIVE SERVICES/CLERK****LS-011-2021 (Indigenous Land Acknowledgement)**Resolution:

Moved by Councillor Broderick, Seconded by Councillor Dineen, Be It Resolved that Council of the Township of Clearview hereby:

- 1) Receive Report LS-011-2021 (Indigenous Land Acknowledgement) dated September 13, 2021; and,
- 2) That Council direct staff to schedule an education session on the proposed Indigenous Land Acknowledgement Statement provided within this report, to give further context on the Acknowledgment and provide Council the opportunity to give feedback prior to adoption. Motion Carried.

**LS-012-2021 (Alternative Voting Methods Update – 2022 Municipal & School Board Election)**Resolution:

Moved by Councillor Broderick, Seconded by Councillor Walker, Be It Resolved that Council of the Township of Clearview hereby:

- 1) Receive Report LS-012-2021 (Alternative Voting Methods Update – 2022 Municipal & School Board Election) dated September 13, 2021; and,
- 2) That telephone voting be removed as an alternative voting method for the 2022 Municipal & School Board Election; and,
- 3) That a new by-law repealing and replacing By-law 20-87 and authorizing the use of Voting and Vote-Counting Equipment and Alternative Voting Methods for the 2022 Election be presented for consideration at the September 13<sup>th</sup> regular meeting of Council. Motion Carried.

**LS-013-2021 (Release of Easement – 1912 County Road 42)**Resolution:

Moved by Councillor Lamers, Seconded by Deputy Mayor Burton, Be It Resolved that Council of the Township of Clearview hereby:

- 1) Receive Report LS-013-2021 (Release of Easement – 1912 County Road 42) dated September 13, 2021; and,
- 2) That the Clerk be authorized to take all necessary steps to transfer, release and abandon the following easement and register the required documentation at the Land Registry Office:

Easement to The Municipal Corporation of the Town of Stayner for placement of waterpipes registered February 14, 1954 as instrument number RO51293 over the property municipally known as 1912 County Road 42 and legally described as S 1/2 LT 17 CON 3 NOTTAWASAGA EXCEPT NOT23175 & PT 1, 51R20548; SIT RO51293; CLEARVIEW. Motion Carried.

### **LS-014-2021 (Amend Cemetery Fees)**

#### Resolution:

Moved by Councillor Broderick, Seconded by Councillor Lamers, Be It Resolved that Council of the Township of Clearview hereby:

- 1) Receive LS-014-2021 (Amend Cemetery Fees) report for information; and
- 2) Amend By-law 17-110 (Fees and Charges By-law) to include the revised fees and information to Schedule "K" Cemetery Fees. Motion Carried.

### **LS-015-2021 (Extension of Virtual Council, Board and Committee Meetings)**

#### Resolution:

Moved by Councillor Dineen, Seconded by Councillor Broderick, Be It Resolved that Council of the Township of Clearview hereby:

- 1) Receive Report LS-015-2021 (Extension of Virtual Council, Board and Committee Meetings) dated September 13, 2021; and,
- 2) That Council support continuing with virtual Council, Board and Committee Meetings for the remainder of 2021 based on regulations and recommendations from the Medical Officer of Health for the Simcoe Muskoka District Health Unit; and,
- 3) That staff continually review the feasibility of in-person meetings and provide a follow-up report to Council in January 2022. Motion Carried.

## **BY-LAWS**

### **21-89 (Authorize Voting and Vote Counting Equipment & Alternative Voting Methods 2022 Election)**

#### Resolution:

Moved by Councillor Walker, Seconded by Councillor Dineen, Be It Resolved that By-law 21-89, being a by-law to authorize voting and vote counting equipment and alternative voting methods for the 2022 Municipal and School Board Election, be presented and read a first, second and third time and finally passed this 13<sup>th</sup> day of September, 2021. Motion Carried.

**21-90 (Amend Fees & Charges By-law 17-110 (Schedules F & K))**Resolution:

Moved by Councillor Lamers, Seconded by Councillor Broderick, Be It Resolved that By-law 21-90, being a by-law to amend Fees & Charges By-law 17-110, be presented and read a first, second and third time and finally passed this 13<sup>th</sup> day of September, 2021. Motion Carried.

**21-91 (OILC Debenture By-law – Clearview Library Stayner Branch)**Resolution:

Moved by Councillor Broderick, Seconded by Deputy Mayor Burton, Be It Resolved that By-law 21-91, being a bylaw to authorize the OILC Debenture for the Clearview Library Stayner Branch, be presented and read a first, second and third time and finally passed this 13<sup>th</sup> day of September, 2021. Motion Carried.

**21-92 (Site Plan Agreement – Dog Kennel 11323 County Road 10)**Resolution:

Moved by Councillor Lamers, Seconded by Councillor Walker, Be It Resolved that By-law 21-92, being a bylaw to authorize entering into a Site Plan Agreement between Louise Anne Morgan, Mark Russell Watmore and the Corporation of the Township of Clearview for 11323 County Road 10, be presented and read a first, second and third time and finally passed this 13<sup>th</sup> day of September, 2021. Motion Carried.

**21-93 (Amend Appointment By-law 19-06 (Schedules A & H) On Desk)**Resolution:

Moved by Councillor Dineen, Seconded by Councillor Broderick, Be It Resolved that By-law 21-93, being a by-law to amend Appointment By-law 19-06 to appoint members to Township committees and boards, be presented and read a first, second and third time and finally passed this 13<sup>th</sup> day of September, 2021. Motion Carried.

**21-95 (Subdivision Agreement – Ashton Meadows Phase 1A)**Resolution:

Moved by Councillor Lamers, Seconded by Councillor Walker, Be It Resolved that By-law 21-95, being a by-law to enter into a Subdivision Agreement with 863194 & 863195 Ontario Limited for Ashton Meadows Phase 1A, be presented and read a first, second and third time and finally passed this 13<sup>th</sup> day of September, 2021. Motion Carried.

**21-96 (Establish Public Highway – Margaret, Superior, Nixon, County Road 42)**Resolution:

Moved by Councillor Broderick, Seconded by Deputy Mayor Burton, Be It Resolved that By-law 21-96, being a by-law to establish and name lands as part of a public highway, be presented and read a first, second and third time and finally passed this 13<sup>th</sup> day of September, 2021. Motion Carried.

**13. Notice of Motion/New Business**

No items.

**14. By-Law to Confirm Proceedings of Council Meeting**Resolution:

Moved by Councillor Broderick, Seconded by Councillor McKechnie, Be It Resolved, that By-Law 21-94, being a by-law to confirm the proceedings of the September 13<sup>th</sup>, 2021 Council Meeting, be presented and read a first, second and third time and finally passed this 13<sup>th</sup> day of September, 2021. Motion Carried.

**15. Motion to Adjourn**Resolution:

Moved by Councillor McKechnie, Seconded by Councillor Paterson, Be It Resolved, that the Council Meeting be adjourned at 9:05 pm. Motion Carried.

Original signed by:

Mayor Measures

Director Legislative Services/Clerk, Sasha Helmkey

Minutes of the Council Meeting are not a Final Document of the Corporation until adopted by Council.