



CLEARVIEW

MINUTES

CLEARVIEW TOWNSHIP COUNCIL

The Council of the Corporation of the Township of Clearview met in a virtual zoom session on August 23rd, 2021 at 3:00 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 (4:30 p.m.)
Ward 4 – Councillor Robert Walker
Ward 5 – Councillor Thom Paterson
Ward 6 – Councillor Connie Leishman
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
Fire Chief, Roree Payment
Human Resources Manager, Tammy Gill
Senior By-law Enforcement Officer, Joseph Paddock
Community Planner, Rossalyn Workman
Community Planner, Nick Ainley

1. Closed Session (3:00 p.m.)Resolution:

Moved by Councillor Walker, Seconded by Councillor McKechnie, 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:

- c) a proposed or pending acquisition or disposition of land by the municipality or local board (recreation land opportunities)
 - f) advise 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:
 - Recreation Land opportunities
 - 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 p.m.)Resolution:

Moved by Deputy Mayor Burton, Seconded by Councillor McKechnie, Be It Resolved, that Council of the Township of Clearview hereby approve the agenda dated August 23rd, 2021 as presented. Motion Carried.

3. Disclosure of Pecuniary Interest and General Nature Thereof

None declared.

4. Public Participation

- 4.1 Mandi Grantmyre (cannabis sales should be allowed in Clearview)
- 4.2 Linda Vanderstelt (people that use product will get it anyway – should have the revenue)
- 4.3 Stephanie Moreau (support to entrepreneur to open cannabis store)

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- 4.4 Stephanie Moreau (council should be aware of positives of cannabis)
 - 4.5 Gina Pimentel (great idea – people need it for health reason especially MS)
 - 4.6 Saundra Kitchen (would be easier to purchase medical marijuana in town)
 - 4.7 Elise Beauregard (against opening cannabis retailer in Clearview)
 - 4.8 Stephanie Davenport (medicinal cannabis - support for local businesses)
 - 4.9 Jen Scarrow (support of cannabis sales in Stayner)
 - 4.10 Kelly Foster (supports cannabis shop in Clearview)
 - 4.11 Karin Bradey (in favour of Clearview having retail cannabis)
 - 4.12 Brian Burns (no brainer to have a store in Stayner)
 - 4.13 Alicia Lawson (support cannabis shops in Clearview)
 - 4.14 Richard Edwards (oppose cannabis farms and retail outlets)
 - 4.15 Dave Witzke (will Clearview employees be required to be fully vaccinated by October 30th)
 - 4.16 Robin Grantmyre (supports cannabis stores in Clearview)
 - 4.17 Linda de Winter (towns and cities that are licensed – jam packed with cannabis stores)

Mayor Measures addressed all items submitted under Public Participation.

5. Deputations & Presentations

No items.

6. The Public Meetings were held at 6:30 p.m.

7. Approval of Minutes of Council Meetings

Resolution:

Moved by Councillor Lamers, Seconded by Councillor Leishman, Be It Resolved, that Council of the Township of Clearview hereby approve minutes of the July 19th, July 26th, August 5th & August 9th, 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 (no report)

9.2 County of Simcoe – Newcomer Recognition Awards Sponsorship

Resolution:

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

- 1) Support the County of Simcoe's 2021 Newcomer Recognition Awards as a bronze sponsor in the amount of \$500; and
- 2) That is be funded from the 2021 Community Assistance Grants. Motion Carried.

9.3 NVCA Media Release

Resolution:

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

10. County Reports & Information

10.1 County continues to roll-out new carts until late October

Deputy Mayor Burton provided a verbal County update

Resolution:

Moved by Deputy Mayor Burton, Seconded by Councillor Lamers, Be It Resolved that Council of the Township of Clearview hereby receive County reports for information. Motion Carried.

11. Council Reports & Community Announcements

11.1 Ward Reports

Councillor Walker

- Council and Small Hall meetings
- attended Stayner Farmers Market

Councillor Broderick

no report

Councillor McKechnie

- Council meetings
- attended virtual AMO Conference

Councillor Dineen

- Nathan Handley - promoting community of Nottawa through get togethers and socialization
- road line painting in the area

Councillor Lamers

- attended meetings
- receiving complaints

Councillor Paterson

- receiving calls – noise and nuisance complaints (Creemore)
- schedule for special meetings ie. traffic study, budget strategic planning meeting

Deputy Mayor Burton

no report

Councillor Leishman

- Cycle Simcoe – Mad River Park in Creemore
- Hall Board meetings
- Affordable Housing meeting
- concerns regarding increased traffic
- attended markets – Stayner & Creemore

Mayor Measures

- attended markets
- Kinsmen Club will be a part of the Clearview Garden party event – September 2nd
- Raymond Hardisty has raised \$100,000 for SickKids and the Children's Miracle Network
- attended virtual AMO sessions

12. Department Reports

PARKS, CULTURE & RECREATION

PCR-018-2021 (Arena Operations 2021/2022 season)

Resolution:

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

- 1) Receive PCR-018-2021 (Arena Operations 2021/2022 season) report for information ; and
- 2) Approve adjusting the 2021 operations budget to add one full time and one seasonal maintenance employees to assist in operating the two arenas for the 2021/2022 season, due to the Covid-19 pandemic health regulations. Motion Carried.

6. Public Meetings (6:30 p.m.)

Mayor Measures initiated the public meeting and provided the procedures as required under the *Planning Act*

6.1 Zoning By-law Public Meeting – 143 -145 Mill Street, Creemore

- i) A presentation was given by Community Planner, Rossalyn Workman, outlining the subject lands, existing policy framework, existing official plan map, existing zoning by-law map, the proposal, proposed site plan, proposed elevation, notice and circulation and circulation map, contact information and review process.
- ii) Public Comments received were summarized by the Planner:

Ben & Donna Lansik – 150 Mill St. (written submission)

- support application, compliment owners proposed new design

Keith Boulter – 172 Mill St. Creemore (written submission)

- concerns regarding parking
- (developer appears to ignore the minimum requirements for loading spaces
- downtown Creemore suffers from acute shortage of parking and this needs to be addressed

Stuart Lazier (Creemore Foundation) (written submission)

- foundation supportive of the proposed amendment, subject to the comments provided by ERA
- concerns regarding set back of store front windows, elevations, retail ceiling heights, signage, doors and windows should be of heritage design

ERA Architects Inc.; on behalf of Creemore Foundation (written submission)

- development at-grade should be parallel to Mill St.
- detailing of the principal façade should be further restrained
- signage; scale should be reduced to match nearby storefronts

Trevor Stephenson (2385 Riverside Dr., Creemore) (written submission)

- last thing Creemore needs is less parking
- application should not be approved as is

Marissa Handley, Planner, Skelton Brumwell & Associates Inc. (Zoning by-law amendment, 143 – 145 Mill Street, Creemore, Mannington Investments)

A presentation was provided by Marissa Handley outlining, subject property, surrounding land uses, proposed changes, public comments and documents submitted. Also in attendance were Michael Wynia, Senior Planner and Nolan Bentley, Architect to provide further details related to planning matter.

Carol Sperandeo (141 Mill St., Creemore The Old Mill House Pub) (participated via zoom)

- access to delivery lane
- proximity to entrance of apartments
- concerns for safety of patio guests and staff during demolition and construction
- debris, dust and noise a serious detriment to our business
- safety of tenants entering and leaving their apartment on north side by construction
- various equipment on north side of pub
- not pleased with the façade of new construction
- parking is not sufficient for tenants and retailers

Tracey Ferguson (written submission)

- oppose the application that deals with reduced parking
- parking on Mill St. severely lacking

Elise Beauregard (written submission)

- Creemore parking space should not be reduced
- need to keep street parking available to customers

Laurie Severn, President, Creemore BIA (participated via zoom)

- pleased with new development on Mill St.
- reduction of parking is serious issue
- happy to see snow removal addressed
- all development should be treated under the same standards
- concern for the laneway usage
- make hoarding attractive
- deliveries a problem
- garbage compound too small for new county bins
- grey hoarding construction zone – should be painted
- construction on Mill St.
- concerns regarding façade design, windows, signs, brick colour

Mayor Measures opened the floor to members of Council.

Councillor Paterson

- issues and concerns with growth
- consideration from developer for off street parking upon advice from Planning Dept.
- consideration given to cash in lieu of parking
- waste collection concerns

Councillor Walker

- safety concerns
- number of parking spaces – not enough
- snow removal

Councillor Leishman

- location of entrance into back of building
- signage for parking

Councillor Lamers

- why building on the angle along the sidewalk
- what is the setback

Mayor Measures

- clarification of the laneway for community safety and if the laneway is a fire route

Community Planner, Rossalyn Workman addressed all concern and comments.

As there were no further comments on Zoning By-law Public Meeting 143 – 145 Mill Street Creemore, Mayor Measures introduced the next public meeting.

6.2 Proposed Zoning By-law Amendment – Cannabis Cultivation and Cannabis production Facilities (2021-060-ZB)

- i) A presentation was given by Director of Planning, Mara Burton, providing background information, notice and circulation, types of licenses, unlicensed production, existing operations, public response, research, other municipalities' regulations, 1000m separation distance to other cultivators and producers, 70m on site setback, 300m separation to sensitive uses, federally required odour control, draft MOECC land use compatibility guideline, finding the balance, proposed definitions, proposed regulations, industrial vs. agricultural, proposed Peace Naturals, proposed Agrifarm, review process and contact information
- ii) The Director of Planning received a number of written comments, which have been forwarded to Council and are posted on the Clearview website. A Planning report will be brought back to Council with a recommendation at a future Council meeting.

Mayor Measures opened the floor for oral submissions via zoom.

Ilya Strashun

- background – licensed micro cultivator in Creemore
- no complaints received of their operation
- concerns with sections 2.36 of the proposed by-law
- no evidence of any harm or damage to Clearview in any way

- revenue to township, local employment, crop diversification
- much need revenue resources to the township
- eliminates illicit drug market
- constraints to farmers looking to enter sector for a sustainable business
- by-law would allow large scale licensed producers to flourish while micro producers set up to fail

Kevin Elwood

- 500 m setback from all residential homes
- sensitive land use should include cemeteries
- separation setback of 1000 m from any other cannabis cultivation or production facility as a means to reduce cumulative effect of cannabis operation
- restricting odour producers in those minimum setbacks

Chris Hoffman

- doesn't want to see Clearview having weaker regulations that could attract developers who have been prevented from operating elsewhere
- require cannabis production (including greenhouses) be located only in areas zoned industrial
- control size, setbacks, water use, traffic, etc.
- only cannabis production allowed outside of industrial area be micro-growing
- strongest measures possible to control further entry of industry in community

Konstantine Stavrakos (representing members of the community)

- scale of operation in agriculture zone is unrestricted and unlimited
- green houses permitted there
- green houses be limited to the AG1 zone, indoor greenhouses serious problem
- outdoor cultivation be limited to micro cultivation
- adjustments to setback – impact to facilities
- adjustment to definitions and wording

Jean-Yves Urbain

- by-law to be significantly modified to better protect citizens
- setback is grossly inadequate
- concerns with odour drying, processing and packaging within fully enclosed buildings, lighting impact, noise, greenhouses, hoop houses
- proposes fine for non-compliance of \$10,000 per day

Mike Freund

- do not make short term decisions that would allow significant and uncontrolled cannabis production interfere with the magic of Clearview
- most people will not want to live near a cannabis growth operation
- strictest possible controls for cannabis

Lynn Eakin

- draft by-law is too open to cannabis as an agricultural crop
- uses large quantities of water, produces toxic waste and water discharge, use of highly toxic pesticides, is a drug not a food, light and odour pollution
- township has had negative experience with industrial cannabis
- not in the best interest of Clearview and visitors
- restrict cannabis outdoor growing, to micro operations
- urges Council to not allow large cannabis operations to destroy existing businesses and to protect the residents

Resolution:

Moved by Councillor Walker, Seconded by Councillor McKechnie, Be It Resolved, that Council approve extending the meeting past 9:30 p.m. Motion Carried.

Tim Hughes

- township should invest in by-law enforcement to police operations
- oppose cannabis production
- by-laws not strict enough, cannabis will be out control
- surrounded by farmland
- vast amount of water could cause well to dry up
- truck traffic
- security lighting should be considered
- insufficient hydro supply
- need comprehensive strict by-laws

Mary Laszlo

- experience of Peace Natural across the road - 300,000 sq ft structure
- impact since arrived; construction, bulldozers, trucks, noise, non stop construction, noise; heavy dangerous traffic, operation draws a lot of water
- clean fresh air is gone – corrupted by plant
- Clearview is becoming industrialized
- what is there to gain by allowing this application to go forward

Peter Miller

- builder and operator of a licenced cannabis facility
- major gaps in cannabis cultivation information
- support for those trying to participate in a legal way
- greater risk of losing positive business

Cheri Mara

- vision to build outdoor cannabis micro cultivation site on their property
- good understanding of the legal cannabis market in Ontario and regulations
- cannabis production provides jobs
- micro cultivation to meet market needs, high quality cannabis, eradicate illegal market
- concerns with setbacks

Chris Kornacki

- regenerative farming
- legal cannabis provides opportunity for all local farmers
- potential revenue out performs other crops
- should focus resources on restricting illegal operations and support regenerative farming

Christopher Miller

- cannabis production on farmable land is extreme waste
- allowing investors to purchase farmland for cannabis production will increase land prices
- cannabis operations involve putting up large greenhouses and warehouses or factory looking buildings on land that once produced food which will never be returned to food production - what happens to large factories when they close
- Peace Naturals – a factory, not a farm
- cannabis isn't regenerative

Jasmine McDonnell (representing Cronos Group)

- committed to achieving high levels of quality and safety and compliance with laws and regulations,
- support reasonable regulations to help it succeed
- have submitted written comments highlighting several areas of the proposed regulations that would benefit from amendments

Brent Merritt (Vice Present of operations for the Cronos group)

- key points of interest – waste, soil storage and disposal
- provided clarification regarding illumination with respect to indoor grow
- consider an amendment to not prohibit the illumination of cannabis as long as it is not visible outside the facility

Mayor Measures opened the floor to members of Council.

Councillor Paterson

- have we received formal submissions from farm communities, either locally or provincially?

Director of Planning, Mara Burton provided clarification on all questions and concerns.

As there were no further questions or comments, Mayor Measures concluded the public meeting and returned to Item 12 Department Reports.

BY-LAW ENFORCEMENT

BL-006-2021 (Vending Licence Fees Update)

Resolution:

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

- 1) Receive report BL-006-2021 Vending Licence Fees Update; and,
- 2) That Council approve the annual fee for a Class A Vending Licence be changed to \$300.00 and the annual fee for a Class B Vending Licence be changed to \$250.00; and,
- 3) That Schedule F of the Township's Fees and Charges By-law 17-110 be amended to reflect these updated fees.

Amendment to BL-006-2021 (Vending Licence Fees Update)

Resolution:

Moved by Councillor Walker, Seconded by Councillor Dineen, That the motion before Council be amended as follows:

That a Class A licence be \$500.00 and a Class B Licence be \$300.00. Motion Carried.

Original motion carried as amended.

CAO**CAO-001-2021 (Non-Union Staff Compensation Review, Pay Equity Review and Council Remuneration Review)****Resolution:**

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

- 1) Receive report CAO-001-2021 (Non-Union Staff Compensation Review, Pay Equity Review and Council Remuneration Review) for information. Motion Carried.

CAO-002-2021 (Public Survey – Retail Cannabis Operation)**Resolution:**

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

- 1) Receive report CAO-002-2021 (Public Survey – Retail Cannabis Operation); and,
- 2) Approve the recommendation from the Economic Development Advisory Committee dated August 3, 2021, to conduct a community survey to determine the public's support for retail cannabis operations within the boundaries of Clearview Township.
- 3) Direct staff to report back on survey methods with associated costs for each. Motion Carried.

FIRE & EMERGENCY SERVICES**FD-005-2021 (Fire Protection Agreement with Town of the Blue Mountains)****Resolution:**

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

- 1) Receive Report FD-005-2021 (Fire Protection Agreement with the Town of the Blue Mountains) dated August 23, 2021; and,
- 2) That a by-law authorizing the Fire Protection Agreement with the Town of the Blue Mountains be presented for consideration at the August 23, 2021 regular meeting of Council. Motion Carried.

FD-007-2021 (Master Fire Plan)Resolution:

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

- 1) Receive report FD-007-2021 Master Fire Plan for information; and,
 - 2) That the Mayor and Clerk be authorized to execute the contract with Emergency Management & Training for the development of the Township's Master Fire Plan.
- Motion Carried.

BY-LAWS**21-83 (Fire Protection Agreement – Town of the Blue Mountains)**Resolution:

Moved by Councillor Lamers, Seconded by Councillor Leishman, Be It Resolved, that By-law 21-83, being a by-law to enter into a Fire Protection Agreement with the Town of the Blue Mountains, be presented and read a first, second and third time and finally passed this 23rd day of August, 2021.

21-84 (Canine Control By-law)Resolution:

Moved by Deputy Mayor Burton, Seconded by Councillor McKechnie, Be It Resolved, that By-law 21-84, being the Canine Control By-law, be presented and read a first, second and third time and finally passed this 23rd day of August, 2021. Motion Carried.

13. Notice of Motion/New Business

No items.

14. By-Law to Confirm Proceedings of Council MeetingResolution:

Moved by Councillor Dineen, Seconded by Councillor McKechnie, Be It Resolved, that By-Law 21-86, being a by-law to confirm the proceedings of the August 23rd, 2021 Council Meeting, be presented and read a first, second and third time and finally passed this 23rd day of August, 2021. Motion Carried.

15. Motion to Adjourn

Resolution:

Moved by Councillor Dineen, Seconded by Councillor Lamers, Be It Resolved, that the Council Meeting be adjourned at 10:54 pm. Motion Carried.

Original signed by:

Doug Measures, Mayor

Sasha Helmkey, Clerk

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