



COUNCIL AGENDA

Council Meeting – 5:30 p.m.

Monday, April 29, 2019

5:30 P.M.

Council Chambers

All information including opinions, presentation, reports, documentation, etc. that are provided at a public or open meeting are considered a public record.

Order of Proceedings:

1. Closed Session

No Items

2. Approval of Agenda

Recommendation:

Be It Resolved, that Council of the Township of Clearview hereby approve the Agenda dated April 29th, 2019 as presented.

3. Disclosure of Pecuniary Interest and General Nature Thereof

4. Public Participation

PLEASE NOTE:

- Public Participation is limited to 15 minutes
- Each Person is limited to 5 minutes
- Questions or comments are to be directed to the Mayor
- Questions shall not refer to personnel matters, litigation or potential litigation or planning matters that have already had a public meeting or any item considered confidential

Remember, please share the time with your fellow citizens.

5. Deputations & Presentations

5.1 TD Lands Community Consultation Committee

6. Public Meetings

No Items

7. Approval of Minutes of Council Meeting (April 8th, 2019)

Recommendation:

Be It Resolved, that Council of the Township of Clearview hereby approves the Minutes of the April 8th, 2019 Council Meeting as presented.

8. Business arising from Minutes (if any)

9. Communications from the Mayor

9.1 Closed Session Report (if any)

9.2 **Niagara Escarpment Commission (County of Simcoe appointment to NEC)**

Recommendation:

Be It Resolved, that Council of the Township of Clearview hereby:

- 1) Receive Niagara Escarpment Commission letter to the County of Simcoe dated April 12, 2019 for information; and
- 2) That Council recommend to the County of Simcoe the three names ranked in the following order for consideration of appointment to the NEC: _____

9.3 **Regional Government Review Input**

Recommendation:

Be It Resolved, that Council of the Township of Clearview hereby receives Communication from the Mayor for information.

10. County Reports & Information

No items

11. Council Reports & Community Announcements

11.1 Ward Reports

12. Department Reports

COMMUNITY SERVICES

CS-026-2019 (Position of Council on the Appeal to the Housekeeping Zoning By-law Amendment Phase 2 (File No. 2017-067))

Recommendation:

- 1) That Council receive report CS-026-2019 from the Director of Community Services regarding the Appeal filed by Laurie Thatcher-Craig and John Craig against the Housekeeping Zoning By-law Amendment (File No. 2017-67);

- 2) That Council pass the following resolution:

Whereas the purpose of the Housekeeping Zoning By-law Amendment is to simplify wording and clarify the intent of ambiguous provisions; removes policy that does not belong in a Zoning By-law; clean up the definitions used in the By-law and replace undefined uses with defined uses; make some minor adjustments to the Zones; include some site specific amendments to correct some mapping errors including where existing dwellings are located in the Environmental Protection Zone; and to include some additional Waste Disposal Assessment Areas as required by the County of Simcoe and included in the County of Simcoe Official Plan;

And whereas, the Township undertook two public meetings, one on March 5, 2018 and one on February 11, 2019 to seek public input;

And whereas, the Housekeeping Amendment is not a conformity exercise to the County Official Plan, Places to Grow for the Greater Golden Horseshoe or the Provincial Policy Statements;

And whereas, the Housekeeping Amendment is consistent with the Provincial Policy Statement; conforms to Places to Grow for the Greater Golden Horseshoe; complies with the Simcoe County Official Plan and the Township Official Plan;

And whereas, the Housekeeping Amendment brings the Zoning By-law into further conformity with the County Official Plan by adding the Waste Disposal Assessment Area's as requested by the County of Simcoe;

And whereas the Housekeeping Amendment addresses a provision of the Bylaw that does not comply to the Planning Act; whereby the By-law referenced utilizing the definitions from other By-laws of the municipality, despite the fact that those other By-laws may not have been passed under the Planning Act;

And whereas, the Council of the Township of Clearview gave consideration to the input received by the Appellant prior to the Appeal;

And whereas, the Appellants do not explain how the Housekeeping Amendment is inconsistent with the Provincial Policy Statement or the Growth Plan for the Greater Golden Horseshoe as required by Section 34 (19.0.2) "Notice of Appeal" of the Planning Act, R.S.O. 1990, c.P.13, as amended, nor do they suggest any changes that staff could consider for a recommendation to Council;

Now therefore, the Council of the Corporation of the Township of Clearview hereby takes the position that they support their passing of the Housekeeping Amendment By-law 19-09 in its current form; and

- 3) That Council direct staff to submit Report Number CS-026-2019 to the Local Planning Appeal Tribunal (LPAT) as part of the Municipality submission.

CS-031-2019 (January to March 2019 Building Department Activities Report)

Recommendation:

Be It Resolved, that Council of the Township of Clearview hereby:

- 1) Receive CS-031-2019 Building Department Activities report for information.

CS-032-2019 (Lafarge Official Plan Amendment and Zoning By-laws)

Recommendation:

Be It Resolved, that the Council of the Township of Clearview hereby:

- 1) Receive CS-032-2019 report for information;
- 2) Pass By-law 19-44 regarding an adoption of the Official Plan Amendment 20 for lands municipally known as 6797 3/4 Sideroad Nottawasaga and legally described as Part of Lot 3, Concession 1 and 2, formerly Nottawasaga Township, now in the Township of Clearview;
- 3) Pass a Zoning By-law amendment to Township of Clearview Zoning By-law 06-54, being By-law 19-45 for the lands municipally known as 6797 3/4 Sideroad Nottawasaga and legally described as Part of Lot 3, Concession 1 and 2, formerly Nottawasaga Township, now in Township of Clearview; and
- 4) Pass a Zoning By-law amendment to former Nottawasaga Township By-law 10-93, being By-law 19-46 for the lands municipally known as 3758 Centre Line Road and 6797 3/4 Sideroad Nottawasaga and legally described as Part of Lot 1, 2 and 3, Concession 1 Part Lot 2, Concession 2, formerly Nottawasaga Township, now in the Township of Clearview.

CS-033-2019 (Site Plan – Peace Naturals)

Recommendation:

Be It Resolved, that the Council of the Township of Clearview hereby:

- 1) Receive CS-033-2019 report for information;
- 2) Issues Site Plan Approval to Peace Naturals Project Inc. for the construction of three new buildings consisting of: an addition to the administration building; a new maintenance building; and a single storey storage building as illustrated in A 100 Site Plan, by Saccoccio Wepler Architects Inc., dated March 20, 2019; and;
- 3) Approves a By-law 19-49 authorizing the Mayor and Clerk to execute the Site Plan Amending Agreement to the Site Plan Agreement with Peace Naturals Project Inc.

CS-034-2019 (Site Plan – Lafreniere Sales and Service)

Recommendation:

Be It Resolved, that the Council of the Township of Clearview hereby:

- 1) Receive CS-034-2019 report for information;

- 2) Issues Site Plan Approval to Lafreniere Auto Sales & Service Ltd., for the construction of a storage building and an addition to the existing buildings as illustrated in Conceptual Site Plan, by Ed Leimgardt Contracting Inc., dated January 29, 2019; and
- 3) Approves By-law 19-47 authorizing the Mayor and Clerk to execute the Site Plan Agreement with Lafreniere Auto Sales & Service Ltd.

PARKS CULTURE & RECREATION

PCR-006-2019 (Tender Approval for Tender 2019-02 – XL Passenger Van Four Door)

Recommendation:

Be It Resolved, that Council of the Township of Clearview hereby:

- 1) Receive PCR-006-2019 (Tender Approval for Tender 2019-02 XL Passenger Van Four-Door) report for information.
- 2) Approve the tender submitted by Mike Jackson GM in the amount of \$40,978.85 including H.S.T. for Tender 2019-02 - XL Passenger Van Four-Door

PUBLIC WORKS

Information Item:

Georgian Bay Waterworks Conference (Drinking Water Taste Test Winner)

BY-LAWS

19-44 (Lafarge Official Plan Amendment)

Recommendation:

Be It Resolved, that By-law 19-44, being an official plan amendment for lands municipally known as 6797 3/4 Sideroad Nottawasaga, be presented and read a first, second and third time and finally passed this 29th day of April, 2019.

19-45 (Lafarge Zoning By-law Amendment)

Recommendation:

Be It Resolved, that By-law 19-45, being a zoning by-law amendment for lands municipally known as 6797 3/4 Sideroad Nottawasaga, be presented and read a first, second and third time and finally passed this 29th day of April, 2019.

19-46 (Lafarge Zoning By-law Amendment)

Recommendation:

Be It Resolved, that By-law 19-46, being zoning by-law amendment for lands municipally known as 3758 Centre Line Road and 6701 3/4 Sideroad Nottawasaga, be presented and read a first, second and third time and finally passed this 29th day of April, 2019.

19-47 (To enter into a Site Plan Agreement with Lafreniere Auto Sales & Services Ltd.)

Recommendation:

Be It Resolved, that By-law 19-47, being a by-law to enter into a Site Plan Agreement with Lafreniere Auto Sales & Services, be presented and read a first, second and third time and finally passed this 29th day of April, 2019.

19-48 (To amend By-law 19-06)

Recommendation:

Be It Resolved, that By-law 19-48, being a by-law to amend Schedule "A" of By-law 19-06, be presented and read a first, second and third time and finally passed this 29th day of April, 2019.

19-49 (Site Plan Agreement – Peace Naturals)

Recommendation:

Be It Resolved, that By-law 19-49, being a by-law to authorize entering into a Site Plan Amending Agreement with peace Natural Project Inc., be presented and read a first, second and third time and finally passed this 29th day of April, 2019.

13. Notion of Motion / New Business

13.1 Councillor Christie - Farm Tax Ration distribution

(for discussion at the May 13, 2019 Council Meeting)

Whereas, establishing property tax distribution is a complex and complicated issue; and

Whereas, Farm Property Tax Rates are legislated to be up to 25% of the residential rate as established by the upper tier municipal government (Simcoe County); and

Whereas, in Simcoe County all farms are taxed at 25% of the residential rate with the exception the farm house plus one acre of land that is taxed at full residential tax rate; and

Whereas, the MPAC Assessment of farmland has sky rocketed and with it the tax load on farms; and

Whereas, bare farm land requires far fewer municipal services;

Now Therefore, Be It Resolved, That Council of the Township of Clearview hereby request the County of Simcoe's consideration to reduce the farm property tax rates from 25% to 20% of the assessed values in the Township of Clearview.

13.2 Councillor Walker – (By-law Enforcement Review)

(for discussion at the May 13, 2019 Council Meeting)

Be It resolved, that Council direct the Clerk to review By-Law enforcement services and bring back a report to Council prior to the 2020 budget process on opportunities to increase customer service and furthermore look at the reactive versus the proactive approach of enforcement.

14. By-Law to Confirm Proceedings of Council Meeting

Recommendation:

Be It Resolved, that By-Law 19-50, being a by-law to confirm the proceedings of the April 29th, 2019 Council Meeting, be presented and read a first, second and third time and finally passed this 29th day of April, 2019.

15. Motion to Adjourn

Recommendation:

Be It Resolved, that the Council Meeting be adjourned at _____pm.