



CLEARVIEW

MINUTES

CLEARVIEW TOWNSHIP COUNCIL

The Council of the Corporation of the Township of Clearview met in a virtual session on March 8, 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
- Ward 4 – Councillor Robert Walker (3:06 pm)
- Ward 5 – Councillor Thom Paterson
- Ward 6 – Councillor Connie Leishman
- Ward 7 – Councillor John Lamers

Staff:

- Director, Legislative Services/Clerk, Pamela Fettes
- Deputy Clerk, Brenda Falls
- Director of Finance, Kelly McDonald
- Director of Community Services, Mara Burton
- General Manager, Parks, Culture & Recreation, Terry Vachon
- Director, Public Works, Mike Rawn
- Deputy Director, Public Works, Dan Perreault
- Fire Chief, Roree Payment
- Committee Coordinator, Cayla Reimer
- Community Planner, Rossalyn Workman
- Community Planner, Nick Ainley
- General Manager, Roads, Todd Patton

1. **Closed Session**

Resolution:

Moved by Councillor Broderick, Seconded by Councillor Dineen, 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:

f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose (Road Improvement Agreement). Motion Carried.

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

- a) Approval of Closed Minutes
- b) Item for Closed Session:
 - Road Improvement Agreement
- c) Identification of items to arise in open session
- d) Resolution to reconvene into open session

2. **Approval of Agenda**

Resolution:

Moved by Councillor Dineen, Seconded by Councillor Leishman, Be It Resolved, that Council of the Township of Clearview hereby approve the agenda dated March 8, 2021 be amended as follows:

9.1 Mayors closed session report be moved forward on the agenda. Motion Carried.

10th Concession Construction Contract (rescind motion - February 17th, 2021 Council Meeting)

Resolution:

Moved by Councillor Broderick, Seconded by Councillor Dineen, Be It Resolved, That Council of the Township of Clearview rescind the wording "Direct staff to seek legal opinion and to secure a letter of understanding between Clearview and Walker Industry to the satisfaction of the Director of Public Works, Clerk and Mayor of Clearview Township" as part of the motion approved by Council February 17th, 2021 for Report PW-003-2021 – 10th Concession Construction Contract. Motion Carried.

Mayor Measures – Statement of Facts (re: proposed improvements to 26/27 SR)

Members of Council discussed Mayor Measures “Statement of Facts” and requested that Council be allowed time to review the document.

3. Disclosure of Pecuniary Interest and General Nature Thereof

None declared.

4. Public Participation

4.1 Dave Huskinson (proposal to move Council meeting outside the municipality)

Mayor Measures addressed all correspondence received under public participation.

5. Deputations & Presentations**5.1 Jennifer Georgas, P. Eng. & Jeff Langlois, P. Eng., Burnside & Associates – South East Stayner Sanitary Servicing**

Jennifer Georgas and Jeff Langlois presented the South East Stayner Sanitary Servicing outlining the purpose, environmental assessment, study area, EA project timeline, preferred alternative, EA comments, implementation of preferred alternative, Manortown Homes, Sunnidale Street Servicing, Project funding and Cost Sharing and next steps.

Members of Council discussed a number of issues related to the South East Stayner Sanitary Servicing project.

PW-006-2021 (Stayner South East Sanitary Servicing)Resolution:

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

- 1) Receive the Stayner South East Sanitary Servicing report for information, and
- 2) Direct Staff to work with developers, engineers, and financial consultants to investigate financing options to proceed towards implementation of sanitary servicing in the South east corner of Stayner, and
- 3) Direct Staff to provide financing options for Council’s consideration at a future meeting. Motion Carried.

Mayor Measures turned the next portion of the meeting over to Deputy Mayor Burton to Chair the Public Meeting.

6. Public Meeting (6:30 pm)

Deputy Mayor Burton initiated the procedures for the public meeting.

6.1 Official Plan and Zoning By-law Amendment – 10581 County Road 10 (2020-062-OP and 2020-062-ZB)

- i) Proper notice was given under the requirements of the Act.
- ii) A presentation was given by Community Planner, Rossalyn Workman outlining the proposal, subject lands, existing policy framework, existing official plan map, existing zoning by-law map, the proposal, official plan amendment, subject property, other farm lands, official plan amendment process, zoning by-law amendment, notice and circulation, proposed lot, notice and circulation, circulation map and review process and the planners contact information.
- iii) Public comments received by the Planning Dept:

Bert de Boer (owner of property in Clearview)

- property line is only going to be 1.5 meters away from the severed house
- would like to see a solid visual boundary ie. a fence placed there by the individual requesting the severance so that whomever the owners may be in the future, all will know where the boundary is and no disputes will occur

Wayne Goodfellow (Mulmur)

- supports Patton application
- currently Clearview only allows “surplus dwellings” to be severed off a farming property if the farm business owner owns the adjacent farming property (not the case in neighbouring municipalities)
- Clearview’s current official plan in regards to “surplus dwellings” is discriminatory to farm businesses based upon the geography of their other property holdings

Ed Stephens (owner of properties in Clearview)

- in favour of this amendment

Ed Kneeshaw (owner of property in Clearview)

- support project 2020-062
- current bylaw provides an unfair advantage to adjacent property owners when a farm property comes up for sale

Douglas & Lorene Patton

- support project 2020-062
- will bring permanent residence(s) to the township, will use many services the township has to offer
- neighbouring township did not allow excess dwelling to be severed from the farm land, no choice but to tear down/remove single family home and out buildings, township would have so much to lose, future growth impacted.

Mike Stephens (landowner Clearview Township)

- agree with project 2020-062

Jack & Janice Stephens (6709 3/4 SR)

- approve of this amendment

Andrew & John Beattie (Beattie Brothers Farms Ltd)

- support changing the severance rules for agricultural property
- farmers should be able to sever houses from properties whether own adjoining land or not
- greater tax revenue
- improved rural landscapes
- renters destroy don't pay rent or utilities
- value on home
- change will support farmers

Jeremy Cober and Laura Hope

- not allow the severance at this time, it is in direct conflict with the official plan
- would support when changes to allow this type of severance has occurred
- allowing severance would open floodgates for other properties in township and necessitate a review of the plan

- severely limits type of agriculture allowed within the township to large sale cash crops owned by a few large operator
- will restrict availability of land for any future small scale farming

Stephens and Company (farming business in Clearview)

- strongly support the zoning by-law amendment

Brian Dunlop

- support severance of houses by farmers and the farmer retains the lands
- have demolished 3 houses in Clearview since 2008 – have not been able to sever, these houses all could have been severed, all could have had improvements, all would have generated tax dollars to the township

iv) **Jamie Robinson, MHBC Planning (Consultant Presentation)**

Jamie Robinson provided a presentation related to the Official Plan amendment and Zoning By-law Amendment for 10581 County Road 10 outlining location and site description, aerial of subject property, application summary, proposed consent application, proposed zoning by-law amendment, planning policy summary, zoning by-law and summary.

v) **Martha & Jim Patton (owner)**

Available for any further questions.

Deputy Mayor Burton opened the floor to members of the Council

Councillor Broderick

- possible encroachment on property to the north and if fence would provide a delineation

Councillor Lamers

- afraid of opening this up – taking out of hands of small farmers, raise the price of farms and hurt small farmers
- every application has to be looked at separately

Mayor Measures

- encouraging to have received many comments in this format
- concerns regarding property line – curve rather than straight line

Councillor Dineen

- drilled or dug well on property – setbacks from property line

Councillor Leishman

- quonset hut – not included in severance
- well on property with quonset hut

Staff addressed all questions and concerns. A further report will be brought to a future Council Meeting.

As there were no further discussion regarding 10581 County Road, Deputy Mayor Burton introduced the next item.

6.2 Zoning By-law Amendment – 7082 36/37 Sideroad (2021-009-ZB)

- i) Proper notice was given under the requirements of the Act.
- ii) 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, proposal location map, notice and circulation, circulation map review process and the planners contact information.
- iii) **Robert McShane on behalf of the applicants**
No further comments
- iv) No public comments received
- v) Deputy Mayor Burton opened the floor to members of Council
No comments

As there were no further discussions regarding Zoning By-law Amendment - 7082 36/37 Sideroad, Deputy Mayor Burton concluded the Public Meetings and returned the Chair to Mayor Measures.

7. Approval of Minutes of Council MeetingsResolution:

Moved by Councillor Walker, Seconded by Councillor Broderick, Be It Resolved, that Council of the Township of Clearview hereby approve the minutes of the February 8th, February 17th and February 25th, 2021 meetings as amended. Motion Carried.

8. Business arising from Minutes

There were none.

9. Communications from the Mayor

- 9.1 Closed Session Report (moved forward on agenda)
- 9.2 NVCA Monthly Newsletter
- 9.3 Silvershoe Historical Society (Community Assistance Grant)
- 9.4 Integrity Commissioners Periodic Report
- 9.5 Township of Archipelago (request for amendments to the Municipal Elections Act)

Councillor Leishman left the meeting at this time

Resolution:

Moved by Councillor McKechnie, Seconded by Councillor Lamers, Be It Resolved that a letter be sent to the Minister of Municipal Affairs and Housing, Steve Clark in support of the Township of Archipelago's request for amendments to the Municipal Elections Act with respect to non resident electors. Motion Carried.

- 9.6 South Simcoe 4-H (Community Assistance Grant)

Items to be pulled for further discussion:

Councillor Paterson: Item 9.2

Deputy Mayor Burton: Item 9.5

Resolution:

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

- 1) Receive Communications from the Mayor for information. Motion Carried.

10. County Reports & Information

- 10.1 County of Simcoe Release (Paramedic Services on the frontlines of emergency response)

Resolution:

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

- 1) Receive County Reports for information. Motion Carried.

11. Council Reports & Community Announcements

11.1 Ward Reports

Councillor Walker

- talking with businesses glad to go into “red zone”

Councillor McKechnie

- CAO recruitment
- Small Hall Brainstorming (2 sessions)
- petition and request for reduction of speed on County Rd. 91 at County Council Committee of Whole agenda Tuesday

Councillor Paterson

- March 8th “International Woman’s Day”
- reminder to eat and shop locally
- upcoming Economic Development Committee

Councillor Lamers

- CAO Recruitment
- Small Halls meetings
- Avening Hall Board meeting
- Minor Ball registration

Councillor Broderick

- March 8 “International Woman’s Day
- CAO recruitment
- Small Halls brainstorming
- Accessible Advisory meeting tomorrow

Councillor Dineen

- thanked Council for “International Woman’s Day recognition

Deputy Mayor Burton

- Small Halls brainstorming meetings
- CAO recruitment meeting
- Committee of Adjustment – appeal from the County

Simcoe Muskoka Health Unit – appreciate frustration business are feeling, health unit doing the very best

Mayor Measures

- appreciate work Simcoe Muskoka District Health Unit is doing on Covid
- receive email – minister Steve Clarke, Ministry of Municipal Affairs – Clearview receiving grant 2021 recovery fund
- Minister of Transportation, Carolyn Mulroney – providing support to municipal transit systems – financial impacts of COVID-19 pandemic
- Economic Develop Committee will be meeting on Tuesday
- BIA hosting annual general meeting tomorrow

12. Department Reports

COMMUNITY SERVICES

CS-008-2021 (Proposed Revisions to Planning and Development Fees (Schedule “H” to By-law 17-110))

Resolution:

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

- 1) Receive report CS-008-2021) for information; and
- 2) Pass a by-law to amend Schedule “H” of By-law 17-110 “Planning and Development” of the Fees and Charges By-law. Motion Carried.

CS-009-2021 (Committee of Adjustment – February 10th, 2021)

Resolution:

Moved by Councillor Broderick, Seconded by Councillor Lamers, Be It Resolved, that Council of the Township of Clearview hereby receive CS-009-2021 (Committee of Adjustment – February 10, 2021) report for information. Motion Carried.

CS-010-2021 (Zoning By-law Amendment for Vending and Shipping Containers and Amendment to the Licensing By-law 14-42 (Vending By-law))

Resolution:

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

- 1) Receive report CS-010-2021 from the Director of Community Services regarding an amendment to By-law 14-42 (Vending By-law) and a Zoning By-law Amendment related to vending and shipping containers (2021-014-ZBA);
- 2) Direct staff to hold a public meeting on a proposed amendment to By-law 14-42 being the Vending By-law and a proposed amendment the Zoning By-law as it relates to clarifying the intent that temporary vending is not permitted in shipping containers, street and rail cars. Motion Carried.

CS-011-2021 (Rural Net Telecommunication Towers located at 24 Turkeyroost Lane, 3554 Concession 6 S Nottawasaga and 793973 Grey Road 124)

Resolution: (as amended)

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

- 1) Receive CS-011-2021 for information;
- 2) Rural Net's Tower Protocol fee will be \$5,000 fee for all 3 towers.

Motion Carried (as amended).

Resolution:

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

- 1) Direct staff to prepare a report to review our telecom protocol and fee structure. Motion Carried.

CS-012-2021 (Street Naming Report – Ashton Meadows Phase 1A & 1B)

Resolution: (as amended)

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

- 1) Receive report CS-012-2021 (Street Naming, Ashton Meadows Phase 1A & 1B) for information, and;
- 2) Request staff to proceed with the required notice for the naming of five (5) public streets for the Ashton Meadows Phase 1A & 1B Plan of Subdivision (File No. 2018-012-SD) prior to the preparation of the by-law in accordance with the Municipal Act.

Amendment #1

Resolution:

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

- 1) Amend the street name McArthur to Wilcox. Motion Carried.

Original motion carried.

CS-013-2021 (Street Names – Manortown Homes Inc.)

Resolution:

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

- 1) Receive report CS-013-2021 for Street Names, Manortown Homes Inc. for information, and;
- 2) Approves the following Street Names for the Manortown Homes Inc. Subdivision (File No. 2017-063-SD) on lands described as Lots 6-10 Inclusive Lots 20 & 21 Blocks 22,23,25,26,27 Part of Lot 5 and Part of Sidell Drive Plan 51M-541 and Part of Park Lot 10, Plan 71 formerly in Stayner, now in Clearview: Manor Drive and Ferguson Way. Motion Carried.

PUBLIC WORKS

PW-007-2021 (Boundary Road Agreement – Town of Collingwood and the Township of Clearview)

Resolution:

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

- 1) Receive PW-007-2021 (Boundary Road Agreement – Town of Collingwood and the Township of Clearview) report for information and;
- 2) Pass a by-law to enter into a Boundary Road Agreement with the Town of Collingwood. Motion Carried.

PW-008-2021 (Clearview Public Works Wheeled Gradall purchase)

Resolution:

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

- 1) Receive PW-008-2021 (Clearview Public Works Wheeled Gradall purchase) report for information; and

- 2) Approve the purchase of a 1993 Gradall 660E to the maximum amount of \$20,000.
Motion Carried.

Resolution

Moved by Councillor McKechnie, Seconded by Councillor Dineen, Be It Resolved that the Council meeting continue past 9:30. Motion Carried.

LEGISLATIVE SERVICES/CLERK

LS-002-2021 (Extension of Integrity Commissioner Contract)

Resolution:

Moved by Councillor Walker, Seconded by Deputy Mayor Burton, Be It Resolved, that Council of the Township of Clearview hereby approve extending the current contract with Principles Integrity, the Township's appointed Integrity Commissioner until December 31, 2023. Motion Carried.

BY-LAWS

21-21 (Amendment to Fees & Charges By-law 17-110)

Resolution:

Moved by Councillor Broderick, Seconded by Deputy Mayor Burton, Be It Resolved, that By-law 21-21, being a by-law to amend By-law 17-110 (Fees & Charges), be presented and read a first, second and third time and finally passed this 8th day of March, 2021. Motion Carried.

21-24 (To amend Appointment By-law 19-06)

Resolution:

Moved by Councillor Broderick, Seconded by Councillor Lamers, Be It Resolved, that By-law 21-24, being a by-law to amend Appointment By-law 19-06, be presented and read a first, second and third time and finally passed this 8th day of March, 2021. Motion Carried.

21-27 (Appoint Acting Clerk)

Resolution:

Moved by Deputy Mayor Burton, Seconded by Councillor Walker, Be It Resolved, that By-law 21-27, being a by-law to appoint and Acting Clerk, be presented and read a first, second and third time and finally passed this 8th day of March, 2021. Motion Carried.

21-28 (Boundary Road Agreement – Town of Collingwood)Resolution:

Moved by Councillor Lamers, Seconded by Councillor McKechnie, Be It Resolved, that By-law 21-28, being a by-law to enter into a boundary road agreement with the Town of Collingwood, be presented and read a first, second and third time and finally passed this 8th day of March, 2021. Motion Carried.

1. Notice of Motion/New Business**1.1 Notice of Motion (Councillor Dineen – To provide an opportunity for retail establishments to remain open on Statutory Holidays)**

(for discussion - March 22, 2020 Council Meeting)

Whereas, there has been a request from a local business to allow retail establishments to remain open on Statutory Holidays; and

Whereas, Council is dedicated to providing strong economic development support to businesses; and

Whereas, under the provisions of the *Retail Business Holiday Act, R.S.O. 1990, c.R.30*, the municipality may pass a by-law to allow retail stores to remain open on statutory holidays if it can be designated a tourism area; and

Whereas, a public meeting must be held prior to Council passing this by-law;

Now therefore, be it resolved, that Council of the Township of Clearview hereby:

1. Direct staff to add a public meeting to a forthcoming agenda for the purposes of passing a by-law under the *Retail Business Holiday Act*;
2. Direct staff to prepare a by-law to declare the Township of Clearview a tourism area with the purpose of providing the opportunity for retail businesses to remain open on Statutory holidays.

13.2 Notice of Motion – Councillor McKechnie (Duntroon Hall Cost Overruns)

(for discussion - March 22, 2021 Council Meeting)

WHEREAS this Council previously approved funding of 1/2 the cost of a new furnace for the Duntroon Hall up to a maximum of \$10,000 (Township commitment); and

WHEREAS the Duntroon Hall Committee has sourced a less expensive furnace (approximately \$9000) that will still meet it's requirements;

THEREFORE BE IT RESOLVED THAT:

- (a) the Township of Clearview make the remainder of the \$10,000 (approximately \$5,500) available to the Duntroon Hall Committee for cost overruns on other renovations; or
- (b) the Township of Clearview make the remainder of the \$10,000 (approximately \$5,500) available to the Duntroon Hall Committee as a loan to be used for cost overruns on other renovations.

14. By-Law to Confirm Proceedings of Council Meeting

Resolution:

Moved by Deputy Mayor Burton, Seconded by Councillor Dineen, Be It Resolved, that By-Law 21-29, being a by-law to confirm the proceedings of the March 8th, 2021 Council Meeting, be presented and read a first, second and third time and finally passed this 8th day of March, 2021. Motion Carried.

15. Motion to Adjourn

Resolution:

Moved by Councillor Dineen, Seconded Councillor McKechnie, Be It Resolved, that the Council Meeting be adjourned at 9:39 p.m. Motion Carried.

Original signed by:
Mayor
Clerk

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