

Council Meeting Minutes – October 7th, 2008

**The Corporation of the Township of Lake of Bays
MINUTES**

There was a regularly scheduled meeting of Council held at 1:00 p.m., on October 7th, 2008, in the Council Chambers of the Township of Lake of Bays Municipal Offices, Dwight, Ontario.

Attendance

Mayor
Councillors

Janet Peake
Ben Boivin
Margaret Casey (*left at 2:50 p.m.*)

Nancy Tapley
Philip Cote
Ruth McEachern Ross

CAO/Treasurer
Director of Public Works
Chief Building Official
Clerk
Deputy Clerk

Don Chevalier
Tom Brown
Steve Watson
Michelle Percival (*left at 2:47 p.m.*)
Yvonne Aubichon

Regrets

Councillor Virginia (Ginny) Burgess

1. MEETING CALLED TO ORDER

The meeting was called to order at 1:23 p.m., on October 7th, 2008, by Mayor Janet Peake

2. APPROVAL OF AGENDA

Resolution # 2(a)/10/07/08

Councillor Boivin and Councillor Cote

Be it resolved that the Council Meeting Agenda dated October 7th, 2008, be adopted as amended.

Agenda to be amended as follows:

Council Meeting Minutes – October 7th, 2008

Additions

8. REPORTS AND BY- LAWS (cond't)

(f) Deputy Clerk

(iii) Other

- (c) By-law #08-120(A), being a by-law to require the removal of a dock erected in front of Lot 13, Concession 1, Franklin Ward, abutting Property Roll no. 030-015-05801, being Part 8 on Plan BR-94 and to recover the costs thereof (Removal of Dock) (Howard & Medland) (Muskoka Road #117) (Franklin)

9. CORRESPONDENCE

- (b) Tom Halinski, Aird & Berlis LLP, re: Application for Licence of Occupation – Thomas Withers; **for Council's information**
- (c) Bob Francis, re: Withers Licence of Occupation with attached correspondence from Ann MacKenzie, Resident of 1060-1 Seabreeze Road; **for Council's information**

Deferrals

6. ADOPTION OF MINUTES

(a) To Be Adopted

- (iii) Special Council Meeting Minutes – August 28th, 2008
Re: Dickson House

**Deferred to the November 4th, 2008 Council meeting,
pending further review of the minutes**

Carried.

3. DISCLOSURE OF PECUNIARY INTEREST

Nil

4. TENDERS

Nil

5. DEPUTATION/DELEGATIONS

- (a) 1:15 p.m. Staff Sergeant Mike Frew
Ontario Provincial Police, Huntsville Detachment
Re: Police Matters

Deferred until the December 2nd, 2008 meeting

- (b) 1:30 p.m. Larry Ross, Customer Operations, Manager
John Stewart, Local Supervisor
Re: Hydro One Power Play Grant Cheque Presentation

Mr. Ross introduced himself to Council and provided a background on Hydro One's involvement with the Grant Funding. Mr. Ross presented a cheque on behalf of Hydro One Power Play Grant of \$10,000 for the Lake of Bays Curling Club Compressor Connection Project.

Mayor Peake accepted the cheque from Mr. Ross; thanking him for the generous contribution to this project and the enhancements that it will provide. Council expressed their sincerest thanks to Hydro One for their dedication and hard work that they commit to in the field.

- (c) 1:45 p.m. Gord Durnan, Chair, Muskoka Community Foundation
Re: Introducing Muskoka Community Foundation

Mr. Durnan presented a power point presentation to Council introducing the Muskoka Community Foundation. Mr. Durnan defined the Foundation as a philanthropic organization focused on building permanent endowments in order to tackle long-term community challenges as well as meeting immediate needs. Anyone requiring additional information on the Muskoka Community Foundation can contact Muskoka Futures at 705-646-9511 or 1-800-414-6570.

Upon completion of Mr. Durnan's presentation, Mayor Peake opened the floor for Councillor's questions or comments. Mayor Peake congratulated Mr. Durnan on this project and thanked him for taking the time to inform Council of this new initiative.

- (d) 2:00 p.m. Echo Valley Properties Ltd. Mark Galligan, Lanny
Dennis and Robin Tapley
Re: Parkland Dedication

Mr. Mark Galligan, Owner of Echo Valley Properties Ltd. and Mr. Robin Tapley, Senior Naturalist and Adventure Enthusiast appeared before Council with a parkland dedication proposal. Mr. Galligan proposed that Echo Valley Properties Ltd. create a parkland in lieu of the

footage fees to be collected under original road allowance applications 08-05, 08-06 and 08-07 and the dedication of 5% of land for recreational purposes required under Section 51 (25)(a) of the Planning Act.

Mr. Galligan then introduced Mr. Tapley as an expert who is recognized provincially and nationally with this type of venue. Mr. Tapley addressed the merits of having a parkland for hiking and mountain biking that is ideally located directly off Highway 60. Mr. Tapley noted this is a chance for Lake of Bays to position itself as a unique destination for adventure enthusiasts, as the Township embraces sport related activities; such as, triathlons it poses an excellent opportunity to attract other recreational enthusiasts to the area. In closing, Mr. Tapley shared some fundamental ideas for this park.

Mr. Dennis did not attend delegation as indicated above.

Mayor Peake opened the floor for Councillor's questions or comments and Council requested that once available a detailed map and plans be presented. In addition, Council requested an opportunity to have a guided tour of the site; indicating they would contact Mr. Galligan on a individual basis to establish an appropriate time to conduct a visit.

Following the discussion Council passed the following resolution:

Resolution #5(d)/10/07/08

Councillor Boivin and Councillor Cote

WHEREAS the funds collected through the closure of portions of the Road Allowance associated with application C2006-1 be directed to build and construct a public park to the satisfaction of Council as detailed within the condominium agreement, C2006-01, with the Corporation of the Township of Lake of Bays.

BE IT RESOLVED THAT the Township of Lake of Bays hereby agrees in principle that the developer is responsible to build a park in lieu of payment of road allowance footage fees.

Carried

6. ADOPTION OF MINUTES

(a) To Be Adopted

- (i) Council Meeting Minutes – September 9th, 2008.

Resolution # 6(a)(i)/10/07/08

Councillor Cote and Councillor Boivin

Be it resolved that the Council Meeting Minutes for the meeting dated September 9th, 2008 be adopted as circulated.

Carried

- (ii) Finance and Corporate Services Committee Meeting Minutes – August 12th, 2008

Resolution # 6(a)(ii)/10/07/08

Councillor Boivin and Councillor Cote

Be it resolved that the Finance and Corporate Services Committee Meeting Minutes for the meeting dated August 12th, 2008 be adopted as circulated.

Carried

- (iii) Special Council Meeting Minutes – August 28th, 2008
Re: Dickson House

Deferred to the November 4th, 2008 Council meeting, pending further review of the minutes.

Carried

(b) To Be Received

- (i) Community Emergency Management Program Committee Meeting Minutes – June 16th, 2008

Resolution # 6(b)(i)/10/07/08

Councillor Tapley and Councillor Ross

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays receive the Community Emergency Management Program Committee Meeting Minutes for the meeting dated June 16th, 2008.

Carried

Council Meeting Minutes – October 7th, 2008

- (ii) Heritage Advisory Committee Meeting Minutes – July 22nd, 2008

Resolution # 6(b)(ii)/10/07/08

Councillor Tapley and Councillor Ross

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays receive the Heritage Advisory Committee Meeting Minutes for the meeting dated July 22nd, 2008.

Carried

- (iii) Parks, Recreation and Trails Advisory Committee Meeting Minutes – August 25th, 2008

Resolution # 6(b)(iii)/10/07/08

Councillor Tapley and Councillor Ross

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays receive the Parks, Recreation and Trails Advisory Committee Meeting Minutes for the meeting dated August 25th, 2008.

Carried

7. COMMITTEE RESOLUTIONS FOR CONSIDERATION

(a) Finance and Corporate Services Committee

- (i) Resolution #7(a)(i)/10/07/08**

Councillor Ross and Councillor Casey

BE IT RESOLVED THAT the Finance & Corporate Services Committee of the Corporation of the Township of Lake of Bays recommends to Council that the municipal office be closed from 4:00 p.m. on Wednesday, December 24th, 2008 to re-open on Monday, January 5th, 2009 at 8:30 a.m. (Christmas Schedule)

Carried

(b) Heritage Committee

(i) Resolution #7(b)(i)/10/07/08

Councillor Casey and Councillor Ross

BE IT RESOLVED THAT the Heritage Advisory Committee recommend that the Council of the Corporation of the Township of Lake of Bays adopt the revised Township of Lake of Bays Heritage Committee Terms of Reference (Revised Terms of Reference)

Carried

(c) Parks Recreation and Trails Committee

(i) Resolution #7(c)(i)/10/07/08

Councillor Ross and Councillor Casey

BE IT RESOLVED THAT the Parks, Recreation & Trails Advisory Committee recommend that the Council of the Corporation of the Township of Lake of Bays adopt the Recreation Liability Policy (Recreation Liability Policy)

Carried

(ii) Resolution #7(c)(ii)/10/07/08

Councillor Casey and Councillor Ross

BE IT RESOLVED THAT the Parks, Recreation & Trails Advisory Committee recommend that the Council of the Corporation of the Township of Lake of Bays adopt the Youth Programs Policy Manual, as part of the Township of Lake of Bays Policy Manual.

And further, ensure that these policies adhere to all youth programming in the Township of Lake of Bays, regardless of origin (Youth Programs Policy Manual)

Carried

(iii) Resolution #7(c)(iii)/10/07/08

Councillor Ross and Councillor Casey

BE IT RESOLVED THAT the Parks, Recreation and Trails Advisory Committee recommend that the Council of the Corporation of the Township of Lake of Bays support the Risk Management Seminar to be held on November 12th, 2008 (Risk Management Seminar)

Carried

(iv) **Resolution #7(c)(iv)/10/07/08**

Councillor Ross and Councillor Casey

BE IT RESOLVED THAT the Parks, Recreation & Trails Committee regrettably accepts and recommends to the Council of the Corporation of the Township of Lake of Bays the resignation of Committee Member, Sarah Soberg.

And further, that Committee proceed with the necessary steps in finding a replacement for this Parks, Recreation and Trails Advisory Committee member (Resignation) (Sarah Soberg)

Carried

(d) **Community Emergency Management Committee**(i) **Resolution #7(d)(i)/10/07/08**

Councillor Casey and Councillor Tapley

BE IT RESOLVED THAT the Community Emergency Management Program Committee recommend to the Council of the Corporation of the Township of Lake of Bays to support the J.E.P.P. application in 2009 for:

- b) The purchase of wiring and generators for the Lake of Bays Community Centre, Baysville and Baysville Seniors and Fire Hall buildings and other Seniors Buildings
- c) The permanent installation of the portable generator at the Dwight Community Centre.
- d) Kitchen up-grads at Baysville and Dwight Community Centre's (2009 J.E.P.P Application)

Carried

8. **REPORTS AND BY- LAWS**(a) **Planning**

Nil

(b) **Director of Public Works**

- (i) Report re: Seasonal Road Maintenance Grant System Policy

Resolution #8(b)(i)/10/07/08

Councillor Casey and Councillor Boivin

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays approve the Grants for Winter Maintenance of Seasonally Maintained Road Policy No. PW-2.20, based on Municipal performance measurement program in regards to establishing a rate per km per year that would be granted to Lake/Road Associations, if requested (Grants for Winter Maintenance of Seasonally Maintained Road Policy No. PW-2.20)

Deferred to 2009 budget discussions

- (ii) By-law 08-119, being a by-law to acquire Part of Lot 15, Concession 8, Geographic Township of McLean, Township of Lake of Bays, District Municipality of Muskoka, designated as Part 1 on Plan 35R-22142, to widen Doran Road from Renee Rosenberg and Terry Verk, and to establish same as part of the municipal highway system

By-law #08-119 was read a first, second and third time and finally passed.

10. MUNICIPAL COUNCILLORS' REPORTS

(b) Councillor Boivin

Asked Mayor Peake's indulgence to bring forth part of his Councillors' Report in the presence of the Director of Public Works:

Councillor Boivin reported as follows:

Installation of Culvert on Old Muskoka #117

- Received a call providing accolades to the Public Works department with respect to this installation. The Ministry of Natural Resources was present and was pleased, as the culvert was installed to everyone's satisfaction.

8. REPORTS AND BY- LAWS (cond't)

(c) Chief Building Official

- (i) Report re: Building Report for the Month of August 2008; **for Council's information**

(d) Fire Chief

Nil

(e) Clerk

Nil

(f) Deputy Clerk**(i) Reports and By-laws re: Original Shore Road Allowance and Original Road Allowance**

Nil

(ii) By-laws & Reports re: Licence of Occupation

(a) Report re: Summary Report for August & September 2008;
for Council's information

(b) By-law #08-108, being a by-law to authorize a Licence of Occupation Agreement between Thomas and Sandra Withers and the Corporation of the Township of Lake of Bays (Withers) (1060-3 Seabreeze Road) (Franklin)

By-law #08-108 was read a first, second and third time and finally passed.

(iii) Other

(a) Report re: Water Test Results for August and September 2008; **for Council's information**

(b) Resolution re: Changes to December Meeting Schedule

Resolution #8(f)(iii)(b)/10/07/08**Councillor Casey and Councillor Tapley**

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays approve the following changes to the December Meeting Schedule as discussed at the Finance and Corporate Services Committee Meeting on September 9th, 2008:

- **Parks, Recreation & Trails Advisory Committee from Monday, December 1st, 2008 to Monday, December 8th, 2008;**
- **Council (for Planning Purposes) from Tuesday, December 23rd to Tuesday, December 16th, 2008; and**
- **Heritage Advisory Committee scheduled for Tuesday, December 23rd to be cancelled.**

(December Meeting Schedule Changes)

Carried

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- (c) Report re: Howard/Medland Non-compliant Dock Muskoka Road #117- Vacant Land (Howard/Medland) (Lot 12, Concession 1) (Ridout)

By-law #08-120(A), being a by-law to require the removal of a dock erected in front of Lot 13, Concession 1, Franklin Ward, abutting Property Roll no. 030-015-05801, being Part 8 on Plan BR-94 and to recover the costs thereof (Removal of Dock) (Howard & Medland) (Muskoka Road #117) (Franklin)

By-law #08-120(A) was read a first, second and third time and finally passed

(g) **By-law Enforcement**

Nil

(h) **C.A.O./Treasurer**

Nil

9. CORRESPONDENCE

- (a) Karyn Kennedy, Executive Director and Siew Lee Brett, Coordinator of Fundraising & Special Events, BOOST, Child Abuse Prevention & Intervention, re: Go Purple for Prevention! Campaign; **for Council's information**
- (b) Tom Halinski, Aird & Berlis LLP, re: Application for Licence of Occupation – Thomas Withers; **for Council's information**
- (c) Bob Francis, re: Withers Licence of Occupation with attached correspondence from Ann MacKenzie, Resident of 1060-1 Seabreeze Road; **for Council's information**

10. MUNICIPAL COUNCILLORS' REPORTS (cont'd)

(a) **Margaret Casey**

Councillor Casey reported on the following:

Child Care Worker & Early Childhood Educator Appreciation Day

Resolution #10(a)/10/07/08**Councillor Cote and Councillor Boivin**

WHEREAS thirty-five (35) years of research confirms the benefit of high quality child care for young children’s intellectual, emotional, social and physical development and later life outcomes; and

WHEREAS child care promotes the well-being of children and responds to the needs of parents, child care workers and the broader community by supporting quality of life so that citizens can fully participate in and contribute to the economic and social life of citizens of their community; and

WHEREAS recent studies clearly show trained and knowledgeable Early Childhood Educators and child care workers are the most important element in quality child care, and further that good wages and working conditions are associated with higher job satisfaction and morale, lower staff turnover all of which predict higher quality care.

THEREFORE BE IT RESOLVED THAT October 22nd, 2008 be designated the 8th annual “Child Care Worker & Early Childhood Educator Appreciation Day” in recognition of the influence, dedication and commitment of child care workers to children, their families and quality of life of the community (Child Care Worker & Early Childhood Educator Appreciation Day)

Carried

- Councillor Casey thanked Council for passing this resolution and noted that she will be present at the after School Program on the appropriate date at which a small presentation will be made to staff at that time.

Weaving Tapestries Program

- Attended program on September 26th, 2008
- Movie documentary on native communities and suicide
- Cultural planning discussions were also very illuminating

District Municipality of Muskoka

- Development Charges are before District Council on Tuesday, October 14th, 2008, which is a integral part of the Debt reduction Initiative

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(c) Councillor Ross

Councillor Ross reported on the following:

Dorset Heritage Museum Meeting

- They are creating a Friends of the Museum Committee to assist with fundraising
- The Museum group have also expressed an interest in the safe from Bigwin Island, possibly as a loaned item between the Dorset and Huntsville Museums, as they do not wish to see any heritage items leave the area
- Murals are now completed at the museum

(d) Councillor Tapley

Councillor Tapley reported on the following:

Weaving Tapestry Program

- Also attended program
- Interesting session on cultural mapping and planning if you do not pay attention to cultural mapping you create the geography of nowhere and everything looks the same.

Run for the Cure

- Held on Sunday, October 4th, 2008
- There were one hundred and fifty (150) participants and \$35,400 was raised

(b) Councillor Boivin (cont'd)

Councillor Boivin reported on the following:

High Speed Internet Tower

- Is being erected at the Limberlost Road Fire Station

Rabbit's Bay Site Visit

- Individual reports are being prepared by the various representatives who attended the site and will be submitted to the Parks, Recreation and Trails Committee by Councillor Boivin and then to Council

Relocation Bella and Rebecca Water Access

- Councillor Burgess and Boivin have had potential success with respect to this matter and will report further once they have held a meeting with the Director of Public Works

2009 Budget Discussions

- Proposed to commence in the near future

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Nil

(f) Councillor Burgess

Nil

11. MAYOR'S REPORT

Mayor Peake reported on the following:

Advised of her attendance at various events that she attended over the last month;

Advised of meetings and events occurring over the next three (3) weeks that Councillor Tapley should attend, as Acting Mayor.

12. UNFINISHED BUSINESS

Nil

13. CLOSED SESSION

Nil

14. BUSINESS ARISING FROM CLOSED SESSION

Nil

15. CONFIRMING BY-LAW

- (a) By-law #08-120 being a by-law to confirm the proceedings of the meetings of Council held on October 7th, 2008.

By-law #08-120 was read a first, second and third time and finally passed.

16. ADJOURNMENT**Resolution #16(a)/10/07/08****Councillor Boivin and Councillor Cote**

Be it resolved that the Council of the Corporation of the Township of Lake of Bays adjourn at 3:30 p.m. to meet again on October 21st, 2008, at 9:00 a.m. in the Council Chambers of the Municipal Office, Dwight, Ontario.

Carried

Mayor

Clerk