

TOWN OF COLLINGWOOD

COUNCIL AGENDA

July 16, 2012

"Inspire confidence, wonder and a sense of possibility – deliver today's services and realize tomorrow's promise."

A meeting of Council will be held Monday July 16, 2012 in the Council Chambers, Town Hall, Collingwood commencing at **5:00pm**.

ORDER OF BUSINESS

1. **CALL OF COUNCIL TO ORDER**
2. **ADOPTION OF AGENDA**
 - **THAT** the content of the Council Agenda for July 16th, 2012 be adopted as presented.
3. **DECLARATIONS OF PECUNIARY INTEREST AND/OR RECEIPT OF GIFT (over \$200)**
4. a) **ADOPTION OF MINUTES**, for the regular meeting of Council held June 11th, 2012 (p.5) and the regular meeting of Council held June 25th, 2012 (p.7). (errors & omissions)
 - b) **BUSINESS ARISING FROM THE PREVIOUS MINUTES**
5. **COMMUNITY ANNOUNCEMENTS**
6. **DEPUTATION**
 - **Central Park Community Recreation Centre, Brian Saunderson, Clair Tucker-Reid, and Penny Skelton, Chair of Parks, Recreation and Culture Advisory Committee**
7. **CONSENT AGENDA**

General Consent Items		
A.1	Jon Linton, Director of TCI Management Consultants re: Municipal Governments and Changes to the Ontario Gaming Industry (p.13)	Receive for Information
A.2	Illustrious Property Management Corp. re: Notice of Petition for Traffic Signal at Gun Club Road and Highway 26 (p.16)	Receive for Information
A.3	Will Skol and Michelle Zylsk re: Letter Against Proposed Casino (p.17)	Receive for Information
A.4	Ontario Heritage Trust re: Nominations for Heritage Community Recognition, Young Heritage Leaders and Community Leadership Programs (p.18)	Receive for Information
A.5	Ameresco Canada Inc. re: Town of Collingwood Multi Use Recreation Facility (p.19)	Receive for Information
A.6	Thurst-T's Cycle re: Use of Hydro and Parking lot at Pine and Second Streets for "Rider's with a Message" (p.22)	Receive for Information
A.7	F.W. Fisher Foundation re: Civil War Re-enactment at Bygone Days Heritage Village Request for Approval to Discharge Antique Firearms with Town Limits (p.23)	Direction Required
A.8	County of Simcoe re: Draft Proposed Modified County of Simcoe Official Plan (p.26)	Receive for Information
A.9	Town of Tillsonburg re: Business Tax Capping Reform (p.27)	Receive for Information
A.10	Ministry of Transportation re: Ontario Regulation Amendments for New Alignment, Hwy 26, Wasaga Beach and Collingwood (p.36)	Receive for Information
A.11	Rob Armstrong, CEO, YMCA of Simcoe/Muskoka Letter re: Position on the Proposed Central Park Developments (p.42)	Receive for Information

8. MOVE INTO COMMITTEE OF THE WHOLE (Staff Reports/By-laws if deemed expedient)

9. REPORTS/MINUTES OF COMMITTEES/BOARDS

- **THAT** the Collingwood Airport Service Board minutes of June 8th, 2012 (p.46) and the Airport Service Board minutes of June 20th, 2012 (p.48) be hereby received.
- **THAT** the Parks, Recreation and Culture Advisory Committee minutes of June 20th, 2012 be hereby received and the recommendations contained herein be approved. (p.51)

Recommending:

- i) **THAT** the Parks, Recreation & Culture Advisory Committee recommends Council approve the future site of the labyrinth as the area west of the Arboretum at Harbourview Park, as selected by the Trails Committee.
 - **THAT** the Collingwood Heritage Committee minutes of June 21st, 2012 be hereby received and the recommendations contained herein be approved. (p.55)
- Recommending:**
- i) **THAT** the identified Heritage Permits be forwarded to Council for approval:

Permit #	Location	Type
199-2012	77-79 Simcoe St.	Chimney Repair – 2012 Grant Recipient
202-2012	65 Simcoe St.	Cornice & Trim around door
203-2012	173 Ste. Marie St.	New roof & Painting
220-2012	325 Hurontario St.	Painting Trim
234-2012	100 Ontario St.	Repair to Masonry Chimney – 2012 Grant Recipient
237-2012	197 Pine St.	Paint – 2012 Grant Recipient
239-2012	220 Hurontario St.	Paint
240-2012	291 Third St.	Repair Porch & Paint – 2012 Grant Recipient
245-2012	200 Oak St.	Verandah Repair – 2012 Grant Recipient

10. STAFF REPORTS

FFP2012-01 Compact Utility Vehicle (p.59)

RECOMMENDING THAT Council award the tender for the supply of one (1) new 2012 Jeep Compass to 6910009 Canada Inc. (Vaughan Chrysler) for the purchase price of \$21,518.00 plus applicable taxes.

CPU2012-01 Local Improvement Long Point Road, Lindsay Lane and Madeline Drive (p.63)

THAT Council award the lowest compliant tender to undertake the installation of local improvements, including the provision of watermain and water services, on Town owned lands on:

<u>Location</u>	<u>From</u>	<u>To</u>
Long Point Road	Brophy's Lane	End
Madeline Drive	Long Point Road	End
Lindsay Lane	Long Point Road	Madeline Drive

in the amount of \$836,883.60 (excluding HST) as submitted by E.C. King Contracting, with Construction not commencing until a Water Purchase Agreement has been executed between the Town of Collingwood / Collingwood Public Utilities and the Town of The Blue Mountains.

THAT Council authorize staff and the Mayor to sign all necessary documents to execute the contract.

P2012-16 Deeming By-law No. 2012-090, File No. D1207212, Owner: Town of Collingwood, Municipal Address: 43 & 45 Braeside Street, Town of Collingwood, County of Simcoe (p.66)

RECOMMENDING THAT Council enact and pass Deeming By-law No. 2012-090, to deem the lots owned by the Leone Rawte at 43 & 45 Braeside Street, a single parcel.

- **THAT By-law 2012-090**, being a by-law to designate a Plan of Subdivision, or part thereof, not to be a Registered Plan of Subdivision for the purposes of Subsection 50(3) of the Planning Act be enacted and passed this 16th day of July, 2012. (p.70)

P2012-27 Site Plan Control Agreement, Owner/Applicant: 1540135 Ontario Inc., Project Name: Dwell at Creekside, Block 218, 51M-889, Civic Address: 1 Chamberlain Crescent, Town File No. D11312 (p.73)

THAT Council enact and pass an Authorization By-law which allows for the execution of a Site Plan Control Agreement, as generally set out in Appendix C, for the 35 unit condominium apartment development known as Dwell at Creekside.

- **THAT By-law 2012-088**, being a by-law to authorize the execution of a Site Plan Control Agreement for the condominium apartment development commonly known as Dwell at Creekside located at 1 Chamberlain Crescent, Collingwood between Harbour Lands Development Inc., The Corporation of the Town of Collingwood, COLLUS Power Corp. and Collingwood Public Utilities Service Board, be enacted and passed this 16th day of July, 2012. (p.104)

P2012-28 Part Lot Control Exemption By-law No. 2012-087, Pretty River Estates (Liberty) Subdivision, Applicant: Delpark Homes (Collingwood) Limited, Address: 37 Hughes Street, Part 1, Plan 51R-37436, (Part of Block 167, Registered Plan No. 51M-945), Town of Collingwood, County of Simcoe, Town File No. D1206212 (p.105)

THAT Council enact and pass Part Lot Control Exemption By-law No. 2012-087 in order to create one single detached residential lot in the Pretty River Estates subdivision, presently occupied by a model home.

- **THAT By-law 2012-087**, being a by-law to exempt a portion of land from the part lot control provisions of the *Planning Act* be enacted and passed this 16th day of July, 2012. (45 Hughes St) (p.114)

P2012-29 Zoning By-law Amendment and Plan of Subdivision, Plan of Condominium Common Element), Collingwood Heights Incorporated., Town File Nos. D14212, D1201112 and D07212, Project Name: Heights of Collingwood (Regency Heights), Legal Description – Lots 41 and 42 East of Balsam Street, Lots 41 and 42 West of Elm Street, Part of Elm Street and Part of Fourth Street, Plan 51R-36307, Town of Collingwood, County of Simcoe, Civic Address: 121 High Street (p.117)

THAT Council enact and pass amending Zoning By-law No. 2012-089 to permit the Heights of Collingwood 32 unit condominium townhome development to proceed as 32 freehold townhomes on a common element condominium road;

THAT Council authorize draft approval of the proposed one block Plan of Subdivision for the Heights of Collingwood development subject to the conditions set out in Appendix "D", and that the draft approval lapse after two (2) years, being July 16, 2014, in the event that the subdivision is not registered within that period; and,

THAT Council authorize draft approval of the proposed Common Element Condominium for the Heights of Collingwood development subject to the conditions set out in Appendix "E", and that draft approval lapse after two (2) years, being July 16, 2014, in the event that the condominium is not registered within that period.

THAT Council authorize a reduction of the flat fee associated with the application for a draft plan of subdivision, from \$15,495.00 to \$2,355.00, and direct that the applicant be provided with a refund of any excess monies paid.

- **THAT By-law 2012-089**, being a by-law under the provisions of Sections 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, for prohibiting the use of land for or except for such purposes as may be set out in the by-law, be enacted and passed this 16th day of July, 2012. (*121 High Street*) (p.132)

11. MOTIONS

- **THAT** the Accounts Payable Revenue Vouchers for the month of June, 2012 in the amount of \$10,070,895.60 be approved as presented.
- **THAT** this Council proceeds in Camera in order to address a matter pertaining to:
 - the security of the property of the municipality or local board
 - a proposed or pending acquisition or disposition of land by the municipality or local board
 - a) Terminal Buildings, 1 Heritage Drive (*Review Tender Submissions*)
 - b) Old Lakeshore Road Allowance Update
 - c) 5 Huron Street

12. BY-LAWS

13. NOTICE OF MOTION

14. COUNTY REPORT

15. OLD or DEFERRED BUSINESS

- **Central Park Redevelopment Discussion/Direction** (p.135)

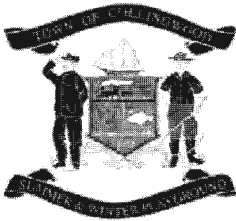
16. OTHER BUSINESS

- **Pending List** (p.145)

17. CONFIRMATORY BY-LAW

- **THAT By-law No. 2012-091**, being a by-law to confirm the proceedings of the regular meeting of Council held July 16th, 2012 be enacted and passed this 16th day of July, 2012. (p.146)

18. ADJOURNMENT



TOWN OF COLLINGWOOD

COUNCIL MINUTES

June 11, 2012

"Inspire confidence, wonder and a sense of possibility – deliver today's services and realize tomorrow's promise."

A meeting of Council was held Monday June 11, 2012 in Committee Rooms B and C of the Collingwood Public Library, located at 55 Ste. Marie Street, Collingwood, commencing at 5:00pm.

MAYOR COOPER CALLED COUNCIL TO ORDER

Members of Council Present:

Mayor Cooper
Deputy Mayor Lloyd
Councillor Edwards
Councillor Lloyd
Councillor Chadwick
Councillor Hull
Councillor West
Councillor Cunningham
Councillor Gardhouse

Staff Present:

Ed Houghton, Acting Chief Administrative Officer
Sara Almas, Clerk
Larry Irwin, Director of Information Technology
Marta Proctor, Director of Leisure Services
Marjory Leonard, Treasurer
Nancy Farrer, Director of Planning Services
Trent Elyea, Fire Chief

ADOPTION OF AGENDA

No. 268 *Moved by Deputy Mayor Lloyd*
Seconded by Councillor Edwards

THAT the content of the Council Agenda for June 11th, 2012 be adopted as presented.

CARRIED

DECLARATIONS OF PECUNIARY INTEREST AND/OR RECEIPT OF GIFT (over \$200) - Nil

ADOPTION OF MINUTES

No. 269 *Moved by Councillor Edwards*
Seconded by Deputy Mayor Lloyd

THAT the minutes for the regular meeting of Council held June 4th, 2012, be hereby approved.

CARRIED

BUSINESS ARISING FROM THE PREVIOUS MINUTES - Nil

CENTRAL PARK STRATEGIC PLANNING SESSION

Acting CAO Ed Houghton clarified the goals of the session. Director of Parks, Recreation and Culture provided an overview of the project completed to date, and what matters are outstanding.

Treasurer Marjory Leonard reviewed the internal funding options that are available for whatever direction that Council provides.

Each member of Council provided comments on their vision for this redevelopment. Comments included:

- Proceed with/without market sounding
- Should the recommended scenario be “phased-in”
- Priorities are ice pad and aquatic infrastructure
- Should the Eddie Bush be refurbished
- Should we look at a Performing Arts Centre
- Concept design has too much parking, need more civic space
- \$35M is too much / \$35M is needed to provided needed service
- Not considering use of COLLUS \$\$\$ at this point.
- Keep ball diamonds at park or determine where they are going
- Concern with limiting the location to Central Park/should another location be investigated
- Real or perceive economic impact of the downtown
- Convert Eddie Bush – need (or seasonal use?)
- Need to be responsible with finances
- Is there partnership opportunities with another municipality
- The concept is supported
- Cost of displaced infrastructure
- Cover the outdoor ice surface
- Should funds be given to the YMCA

Acting CAO Ed Houghton provided a brief summary and discussion on next steps. Staff will prepare options based on the discussion for consideration at a future Council meeting.

MOTIONS

No. 270 **Moved by Deputy Mayor Lloyd**
Seconded by Councillor Chadwick

THAT in accordance with the Shareholder Direction between the Town of Collingwood and Collingwood Utilities Services Corp., Council approves the borrowing of funds, in the name and on behalf of the Corporation, from Ontario Infrastructure Projects Corporation, up to a maximum of \$7,000,000.

CARRIED

NOTICE OF MOTION - Nil

CONFIRMATORY BY-LAW

No. 271 **Moved by Councillor Chadwick**
Seconded by Councillor West

THAT By-law No. 2012-076, being a by-law to confirm the proceedings of the regular meeting of Council held June 11th, 2012 be enacted and passed this 11th day of June, 2012.

CARRIED

ADJOURNMENT

Moved by Councillor Cunningham

THAT the meeting of Council be hereby adjourned at 7:13pm.

CARRIED

MAYOR

CLERK
6 of 146



TOWN OF COLLINGWOOD

COUNCIL MINUTES

June 25, 2012

"Inspire confidence, wonder and a sense of possibility – deliver today's services and realize tomorrow's promise."

A meeting of Council was held Monday June 25, 2012 in the Council Chambers, Town Hall, Collingwood commencing at 5:00pm.

MAYOR COOPER CALLED COUNCIL TO ORDER

Members of Council Present:

Mayor Cooper
Deputy Mayor Lloyd
Councillor Edwards
Councillor Lloyd - *Regrets*
Councillor Chadwick
Councillor Hull
Councillor West
Councillor Cunningham
Councillor Gardhouse

Staff Present:

Ed Houghton, Acting Chief Administrative Officer
Sara Almas, Clerk
Larry Irwin, Director of Information Technology
Marta Proctor, Director of Leisure Services - *Regrets*
Marjory Leonard, Treasurer
Nancy Farrer, Director of Planning Services
Trent Elyea, Fire Chief

ADOPTION OF AGENDA

No. 293 *Moved by Deputy Mayor Lloyd*
 Seconded by Councillor Edwards

THAT the content of the Council Agenda for June 25th, 2012 be adopted as amended.

CARRIED

DECLARATIONS OF PECUNIARY INTEREST AND/OR RECEIPT OF GIFT (over \$200) - Nil

ADOPTION OF MINUTES

No. 294 *Moved by Councillor Edwards*
 Seconded by Councillor West

THAT the minutes of the Special Meeting of Council held June 18th, 2012 and the Planning and Development Meeting of Council held June 18th, 2012 be hereby approved.

CARRIED

BUSINESS ARISING FROM THE PREVIOUS MINUTES - Nil

COMMUNITY ANNOUNCEMENTS

- **Katano/Collingwood Sister City Committee re: Upcoming Trip to Japan**
Robert Schmuck, Chair, Katano/Collingwood Sister City Committee addressed Council and introduced two children that will be participating in the exchange, reviewed the program anticipated for this exchange and explained the sister city relation and work of the current committee. Council wished the group a safe journey.
- Council reported on various community events they had attended and announced upcoming events.

DEPUTATION - NIL**CONSENT AGENDA**

No. 295 **Moved by Councillor Hull**
Seconded by Councillor West

THAT the General Consent Agenda, having been given due consideration by Council, be received.

General Consent Items		
A.1	Town of Minto re: Source Water Protection Program	<i>Receive for Information</i>
A.2	Muscular Dystrophy Canada re: Fundraising by Members of the Collingwood Fire Department	<i>Receive for Information</i>
A.3	Town of Tillsonburg re: MTO Connecting Link Funding	<i>Receive for Information</i>

CARRIED

STAFF REPORTS

FS2012-04 *New Fire Hall*

No. 296 **Moved by Councillor Cunningham**
Seconded by Councillor Chadwick

THAT Staff Report FS2012-04, recommending Council accept the lowest tender for the construction of the new fire hall and emergency control centre in the amount of \$4,902,500.00 (excluding HST) as submitted by Cambria Design Build and that the Corporation of the Town of Collingwood enters into a contract for construction of the facility at 45 High Street, be approved.

CARRIED (Recorded Vote)

<u>COUNCIL</u>	<u>Yea</u>	<u>Nay</u>
<i>Cooper</i>	✓	
<i>R. Lloyd</i>	✓	
<i>Edwards</i>	✓	
<i>K. Lloyd - Absent</i>		
<i>Chadwick</i>	✓	
<i>Hull</i>	✓	
<i>West</i>	✓	
<i>Cunningham</i>	✓	
<i>Gardhouse</i>	✓	
TOTAL	8	0

P2012-17 *Amending Zoning By-law No. 2012-083, Town Files: D14312, Legal Description: Part Lot 10 Cardigan Street, Plan 175, Reference Plan 51R-30684, Part 3, Municipal Address: 30 Mountain Road, Owner: Town of Collingwood, Applicant: The Church of God of Prophecy of Canada*

No. 297 **Moved by Councillor West**
Seconded by Councillor Chadwick

THAT Staff Report P2012-17, recommending Council enact and pass amending Zoning By-law No. 2012-083, a by-law to amend the provisions of the Regional Commercial Exception Five (C2-5) zone on lands know as 30 Mountain Road, be received.

CARRIED

No. 298 **Moved by Councillor West**
Seconded by Councillor Gardhouse

THAT By-law 2012-083, being a by-law under the provision of Section 34 of the *Planning Act*, R.S.O. 1990, C. P.13, as amended, to amend the provisions of the Regional Commercial Exception Five (C2-5) zone on lands know as 30 Mountain Road, be enacted and passed this 25th day of June, 2012.

CARRIED

P2012-21 *Tree Preservation and Replanting Program*

No. 299 **Moved by Councillor Edwards**
Seconded by Councillor Chadwick

THAT Staff Report P2012-21, recommending Council enact and pass amending Tree Preservation By-law No. 2012-84 for parcels of land 0.5 hectares in size and greater, be received;

AND FURTHER THAT Council authorize proceeding with an updated Tree Canopy Calculation to compare 2008 data to the current 2012 canopy;

AND FURTHER THAT Council direct staff to include funding in the proposed 2013 budget to reinstate a Boulevard Tree Planting Program.

CARRIED

No. 300 **Moved by Councillor Edwards**
Seconded by Councillor Chadwick

THAT By-law 2012-084, being a by-law to prohibit and regulate the destruction or injury of trees in the Town of Collingwood be enacted and passed this 25th day of June, 2012.

CARRIED

P2012-026 *Part Lot Control Exemption By-law No. 2012-082, Town File Nos. D1206112, Project Name: Tanglewood (Block 10B), Location: Block 1 of 51M-984, Town of Collingwood, County of Simcoe, Cranberry Trail East*

No. 301 **Moved by Councillor Cunningham**
Seconded by Councillor Chadwick

THAT Staff Report P2012-026, recommending Council enact and pass Part Lot Control Exemption By-law No. 2012-082 to allow 26 freehold townhome lots to be created on a proposed common element condominium road, all within Block 1 of Registered Plan 51M-984, be received.

CARRIED

No. 302 *Moved by Councillor Cunningham*
Seconded by Councillor Hull

THAT By-law No. 2012-082, being a by-law to exempt a portion of land from the part lot control provisions of the *Planning Act*, R.S.O. c.P. 13, as amended to allow twenty-six (26) freehold townhome lots to be created as parcels of tied land to the common element condominium being created on Block 1, Registered Plan No. 51M-984, be enacted and passed this 25th day of June, 2012.

CARRIED

MOTIONS

No. 303 *Moved by Councillor Chadwick*
Seconded by Councillor Hull

THAT Council direct staff to proceed with the painting of sharrows on Pine Street and that other streets be considered once the Active Transportation Plan is presented to Council.

CARRIED

No. 304 *Moved by Councillor Gardhouse*
Seconded by Councillor West

THAT Council declare 87 St. Lawrence Street, Collingwood as surplus to the needs of the municipality;

AND FURTHER THAT Council direct staff to commence the process necessary to undertake the sale of the land in accordance with the Town's Land Disposal By-law.

CARRIED

No. 305 *Moved by Councillor Edwards*
Seconded by Councillor Chadwick

THAT Council declare an eight (8) acre portion of the Collingwood Regional Airport, approximately identified as attached, as surplus to the needs of the municipality;

AND FURTHER THAT Council direct staff to commence the process to sell the land in accordance with the Town's Land Disposal By-law by way of an RFP/Tender process.

CARRIED

No. 306 *Moved by Councillor Gardhouse*
Seconded by Councillor West

THAT Council proceed with the Notice of Intent to Designate under Section 29 of the Ontario Heritage Act the property located at 324 Pine Street, Collingwood.

CARRIED

**No. 307 *Moved by Councillor Hull*
*Seconded by Councillor Cunningham***

THAT Council hereby appoint the members of the Committee of Adjustment to act as Fence-Viewers under the authority of the *Line Fences Act* for the Corporation of the Town of Collingwood.

CARRIED

**No. 308 *Moved by Deputy Mayor Lloyd*
*Seconded by Councillor Cunningham***

THAT this Council proceeds in Camera in order to address a matter pertaining to:

- the security of the property of the municipality or local board
- a proposed or pending acquisition or disposition of land by the municipality or local board
- advice that is subject to solicitor-client privilege, including communications necessary for that purpose

Items for discussion:

- a) Old Lakeshore Road Allowance
- b) Potential Property Acquisition
- c) Agreement Review

CARRIED

NOTICE OF MOTION - Nil

OLD or DEFERRED BUSINESS

- Councillor Chadwick informed Council and Staff of the Riders with a Message event taking place in the Pine Street Parking Lot on August 5th, 2012 requesting the need for use of hydro and parking spaces.

OTHER BUSINESS

- **OLG – Potential Region for a Future Casino, Update**
 Mayor Cooper provided an update to the status of the potential location for a Casino noting a recent meeting was held with the respective municipalities. Mayor Cooper informed Council and Staff of a request for information that is needed in response of the initial call and noted that we should be looking at a collaborative approach.

Mr. Ed Houghton, Acting Chief Administrative Officer advised Council of the recent draft preparation of a Memorandum of Understanding.

***Moved by Councillor Cunningham*
*Seconded by Deputy Mayor Lloyd***

THAT Council support the execution of a Memorandum of Understanding with the three neighbouring municipalities to work on a collaborative review of the consideration of a casino (*for slot gaming machines*) within the C7 Region as identified by OLG, subject to Council's satisfactory independent review of the final draft agreement.

CARRIED

Council proceeded to in-camera session as previously resolved.

**Moved by Councillor Gardhouse
Seconded by Councillor West**

THAT Council rise from in-camera and return to public session. (7:38pm)

CARRIED

BY-LAWS

**No. 309 Moved by Councillor Gardhouse
 Seconded by Councillor West**

THAT By-law 2012-085, being a by-law to stop-up and close a highway within the Town of Collingwood known as Old Lakeshore Road, be enacted and passed this 25th day of June, 2012.

CARRIED

CONFIRMATORY BY-LAW

**No. 310 Moved by Councillor Hull
 Seconded by Councillor Gardhouse**

THAT By-law No. 2012-086, being a by-law to confirm the proceedings of the Special Meeting of Council held June 18th, 2012, the Planning and Development meeting of Council held June 18th, 2012 and the regular meeting of Council held June 25th, 2012 be enacted and passed this 25th day of June, 2012.

CARRIED

ADJOURNMENT

Moved by Councillor Chadwick

THAT the meeting of Council be hereby adjourned at 7:39pm.

CARRIED

MAYOR

CLERK

From: Jon Linton
Sent: Wednesday, June 20, 2012 07:53 AM
To: Sandra Cooper
Cc: Economic Development
Subject: Municipal Governments & Changes to the Ontario Gaming Industry

Dear Mayor Cooper:

The Ontario Government and the Ontario Lottery Corporation (OLG) have stirred the waters in many Ontario communities commencing transformational changes to Ontario's gaming or gambling industry. The subject provokes strong views and can have significant implications on municipalities.

This is a fluid and dynamic situation with information gaps and uncertainty as to the final outcomes. The OLG Chair last week speaking at a Gaming Summit described the identified gaming zones announced four weeks ago as "not making sense".

Ahead is a decade-long process for major changes in the sector. It is probable that some operations will be closed and new larger regional gaming locations will emerge featuring new products and operators.

It's a confusing situation for municipalities and it will be hard figuring out what is best for you. Each municipal situation will be different. Regional cooperation could be an option for some; others may want to protect existing operations; while others may want to support new facilities in their municipality and some may elect to opt out.

It is essential in the period ahead that municipal leaders and senior managers have context and access to objective informative information to assisting with their decisions.

We ask you to take two minutes seconds to read the attached PDF file that describes how we might assist your community. Please call us. We can help you.

Keep this attachment. This is a changing situation. You may want to have a conversation later as the issue advances.

We have also copied the Manager of Economic Development.

Sincerely,

Jon Linton, CMC

Director
TCI Management Consultants
99 Crown's Lane, First Floor
Toronto, ON
M5R 3P4

GAMING IS CHANGING IN ONTARIO

Assistance for Ontario Municipal Governments to Respond to the Changed State

Introduction

The Ontario Lottery and Gaming Corporation (OLG) has announced modernization and expansion plans for the province's lottery and gaming industry. The objective is to increase revenues to the Ontario Government and to generate additional employment.

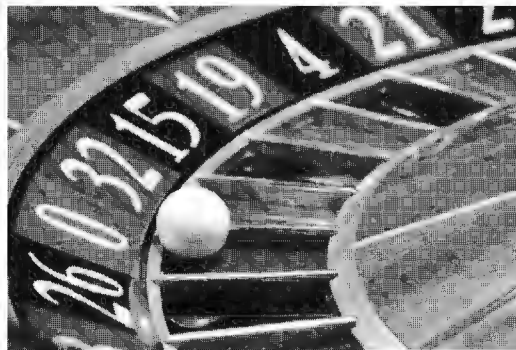
This plan has implications for municipal governments, major stakeholders and for existing and new operators including:

- Potentially increasing the number of slot machines by 70 percent to 32,000
- Expansion of table games to a yet to be determined number
- Ending the slot revenue sharing arrangement with race tracks
- Expanding gaming into five new Ontario zones
- OLG operations to be changed to private sector operations with OLG oversight
- An "open" multi-phase competitive process to select gaming operators for 25 of 29 Gaming Zones. At least three existing facilities will continue current private operating structure.

Implications For Municipal Governments

For municipal governments these proposed changes will provide challenges as well as possible new revenue streams. Issues that municipal governments might face include:

- Community support and/or opposition for an expansion of gaming
- Impact on existing businesses
- Economic development, employment and social impacts
- Revenue implications and a new revenue sharing formula
- Impact on present gaming operations and the Ontario horse racing industry
- The expansion or closure of current operations and the emergence of new gaming operators
- Competition between communities within a gaming zone for the one approved location
- Planning, land use and site locations.



What Municipalities Should Be Doing

Municipalities at this time may wish to consider:

- Develop awareness of the OLG process and timing
- Possible public consultations
- Considering municipal revenue implications
- The potential impact on local businesses – the "black hole" syndrome often surrounding gaming destinations
- Undertaking community economic and social impact studies.

TCl Management Consultants and Reich+Petch Can Help Municipalities

We can provide elected officials and municipal managers with knowledge and tools to assist your business and political decision-making process regarding gaming in your community.

We are TCl Management Consultants who have a long and successful history of working with many municipalities in Southern and Northern Ontario on their economic development, strategic and other plans. Reich + Petch Architects have in-depth gaming expertise and have working experience at 21 of the 24 present Ontario gaming sites. Both firms have a long-standing 15+ year working relationship. Jon Linton of TCl is well known in the municipal community as a regular monthly contributor to the publication "*Municipal World*".

Together we can provide municipal governments with a range of services during the period ahead covering:

GAMING IS CHANGING IN ONTARIO

Assistance for Ontario Municipal Governments to Respond to the Changed State

- Advice and counsel
- Revenue sharing models options
- Development of regional responses
- Public surveys
- Community consultation processes and facilitation services
- Specific studies regarding economic or social impact etc.
- Potential consequences upon downtown areas and business activity
- Guidance regarding design and construction costs considerations
- Site selection and analysis.



Regarding Conflicts of Interest

We can assure you of our objectivity and independence. We will only work with one client within each of 29 OLG identified gaming zones at a time. Neither firm has ever lobbied or advocated on behalf of a client. We restrict our involvement to the delivery of professional services and products to our clients.

OLG Municipal & Horse Industry Revenue Payments 2010

- From OLG casinos to municipalities \$12.1 million
- From Slot Facilities to municipalities \$59.6 million
- Horse Industry \$333.4 million

OLG Annual Report 2009-2010

Next Steps

Call us for a “no obligations” conversation. Please feel free to keep our contact information and to forward it to others who may become involved with this matter. The subject promises to be on the agenda of many municipalities for several years in the future.

For Further Information Contact

Jon Linton, Director

TCI Management Consultants

416- (416) 515-0815

jlinton@consulttci.com

99 Crown's Lane - Toronto - ON - M5R 3P4

www.consulttci.com

Descriptions of the Firms

TCI Management Consultants – TCI is an Ontario -based management consulting firm formed in 1992. The principals were all senior partners and practitioners from a larger management-consulting firm (Ernst and Young). The firm specializes in strategic planning, public policy development and evaluation, business plans, feasibility assessments, marketing and planning in the economic, historical, heritage, cultural and tourism sectors and has a long record of working with municipal governments across Ontario.

Reich+Petch Architects – R+P was founded in 1987. The firm has offices in Toronto and Washington DC and has extensive gaming experience both in Ontario and Internationally. Reich + Petch were architects of the \$150 Million Casino Niagara and \$30 Million Woodbine Slots facility which generates the highest revenues in the province. Reich + Petch were the authors of the original *Slots at the Racetracks Design Guidelines* and have had continue experience with the OLG and gaming sites since 1997. The firm also specializes in the design of exhibition galleries, museums, art galleries, visitor's centers, science centers and entertainment facilities.

ILLUSTRIOUS PROPERTY MANAGEMENT CORP.

10 Sandford Fleming, Suite 3
Collingwood, Ont. L9Y 4V7
Phone (705) 446-1199
Fax (705) 812-3511

email: ipmc@illustriousmanagement.com

May 14, 2012

Petition for Traffic Light

Following the recent construction across the road, traffic has increased and will continue to do so. There is great need for a traffic signal at Gun Club Road and Highway 26. The intersection serves as an entrance to Ruperts Landing, a residential condominium development.

With recent population growth in our area and the increase in traffic has made it increasingly unsafe to turn or cross at the intersection. There have been numerous accidents at this intersection which is a huge safety concern for our community. After a recent collision it was stated that it would take a fatality for the county to consider installing a traffic light, a fact we hope is not so and request your immediate consideration.

We are circulating a petition to follow from residents in and around Rupert's Landing, which we will forward in the near future. I trust you will review this further. Please call me directly with any questions you may have. Thank you for your time and consideration.

Respectfully,

Ms. Lindsay Watson, RCM
Property Manager for Ruperts Landing Development

c.c. SCC 50 Shared Facilities Representative - Paul Giller
SCC 52 Shared Facilities Representative - David Keith, Treasurer
SCC 53 Shared Facilities Representative- Wendy Rawson
SCC 56 Shared Facilities Representative- Arthur Diamond
SCC 59 Shared Facilities Representative- Brigitta Miller, Secretary
SCC 63 Shared Facilities Representative- Allen Giller, Chairperson
SCC 64 Shared Facilities Representative- Mike Rigato
SCC 78 Shared Facilities Representative- Bruce Lyons, Vice Chairperson

RECEIVED
JUN 18 2012



An agency of the Government of Ontario

10 Adelaide Street East
Toronto, Ontario M5C 1J3

Telephone : 416-325-5000
Fax : 416-325-5071
www.heritagetrust.on.ca

June 1, 2012

Mayor Sandra Cooper
97 Hurontario Street
PO Box 157
Collingwood, ON L9Y 3Z5

Dear Mayor Cooper:

The Ontario Heritage Trust is pleased to be accepting nominations for our 2012 Recognition Programs. We invite you to participate by nominating outstanding volunteers through the Heritage Community Recognition, Young Heritage Leaders and Community Leadership Programs. With these Recognition Programs, municipal councils, regional councils, First Nation Band Councils and Métis Community Councils can recognize community efforts to preserve Ontario's heritage.

As Chairman of the Trust, I appreciate the efforts of individuals, groups and communities who help preserve Ontario's unique and irreplaceable heritage treasures. As a member of council, you can see the impact of the culture and heritage sector is immense. Each year almost 19 million people visit Ontario's museums and heritage attractions, 10 million visitors trek through our parks and conservation areas, and over \$4 billion is spent by tourists experiencing Ontario's many cultural activities. Many of the people who work in this sector are volunteers, and their work has a tremendous impact on our communities.

I encourage you to work with your local Municipal Heritage Committee, Conservation Authority, historical societies, museums, land trusts and other local groups to identify individuals, groups and youth that are deserving of recognition. Staff and volunteers in your community may help identify citizens who are making or who have made exceptional contributions to heritage conservation.

Enclosed are brochures for our 2012 Recognition Programs. **The annual nomination deadline for all programs is June 30.** Further program information and nomination forms can be found on the Trust's website at www.heritagetrust.on.ca.

If you have any questions, do not hesitate to contact Dawson Bridger, Community Programs Officer at 416-314-0448 or dawson.bridger@heritagetrust.on.ca.

I encourage your council to participate in these programs and celebrate the work being done to preserve and promote heritage in your community.

Yours sincerely,

Thomas H.B. Symons

Thomas H.B. Symons, C.C., O.Ont., FRSC, LL.D., D.U., D.Litt., D.Cn.L., FRGS.
Chairman





Ameresco Canada Inc.
 90 Sheppard Avenue East, 7th Floor
 Toronto, Ontario
 M2N 6X3
 Telephone: 647-788-6012
 Facsimile: 416-218-2288

June 19, 2012

The Town of Collingwood
 P.O. Box 157, 97 Hurontario Street
 Collingwood, Ontario
 L9Y 3Z5

Attention: Her Worship Sandra Cooper Mayor, The Town of Collingwood

Madam Mayor,

Re: THE TOWN OF COLLINGWOOD MULTI USE RECREATIONAL FACILITY

As part of our continued interest in the proposed Multi-Use Recreational Facility for The Town of Collingwood we would like to participate in the planned future Council Meeting on June 25, 2012. To that end, we respectfully request that this letter and attachment be included on the Consent Agenda for the meeting. In addition, if deemed appropriate, we request that our team be given the opportunity to make a deputation that same evening or as soon as possible thereafter.

On April 17, 2012, we met with Your Worship, Deputy-Mayor Lloyd, Councillor Keith Hull, Councillor Dale West, Acting CAO Ed Houghton and Director Marta Proctor to introduce our team. At that time we presented our understanding of the project and communicated our views on the elements that have created roadblocks to the project proceeding in the past. These elements fell into the categories of SCOPE, PROJECT DELIVERY METHOD and FINANCING. We also took the opportunity to present our Central Park concept that we felt addressed the requirements as identified to-date and outlined the other net public benefits that the proposed solution provided The Town of Collingwood.

As we expressed in our presentation, The Town of Collingwood would best be served by a team that could provide a comprehensive scope of services while operating as a 'partner' to guide the project through the numerous decisions and processes. The integration of this partner into the Town's team will allow the Town to continue to shape the project even while the implementation phase has started. This type of relationship will mitigate the impact of any project changes and will strive to provide the best value for Collingwood.

On June 11, 2012, a special meeting of Council was held to discuss the MURF project and to gauge comments and opinions from all members of Council. Our local team members attended. Based on the Council discussions regarding the Eddie Bush Memorial Arena, we would like to make you aware of the fact that our team has specific experience in assisting owners on how best to make use of their portfolio of properties. To that end, we could add significant input into the evaluation of the existing facility and the eventual implementation of the agreed upon strategy in order for the Eddie Bush Memorial Arena to be properly incorporated into the Town's overall recreation plan.

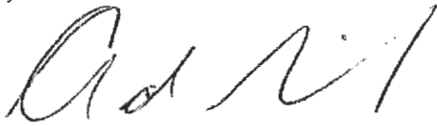


*Her Worship Sandra Cooper Mayor, Town of Collingwood
June 18, 2012
Page 2*

As you await staff recommendations and Councillor resolutions at the upcoming Council meeting on June 25th, we want you to be aware of the fact that the presentation we made on April 17th is still valid. In fact, we identified the Eddie Bush Memorial Arena as an item that was uncertain when it came to defining the scope of this project. If necessary, we can add to the presentation to show how the work on the existing arena can also be incorporated into an open and transparent public-private-partnership process with our team.

I look forward to hearing from you that this letter and attachment will be included on the Consent Agenda for the Council meeting on June 25, 2012. As highlighted above, we are also available to make a deputation to Town Council that same evening or as soon as deemed appropriate.

Sincerely,



Anthony DaSilva
Vice President and Chief Operating Officer

Copy: Deputy Mayor Rick Lloyd, Councillors Ian Chadwick, Sandy Cunningham, Mike Edwards, Joe Gardhouse, Keith Hull, Kevin Lloyd, Dale West

Attachment

CONSENT AGENDA

copy Ed



Ameresco Canada Inc.
Sheppard Avenue East, 7th Floor
Toronto, Ontario
M2N 6X3
Telephone: 647-788-6012
Facsimile: 416-218-2288

February 21, 2012

The Town of Collingwood
P.O. Box 157, 97 Hurontario Street
Collingwood, Ontario
L9Y 3Z5

Attention: Her Worship Sandra Cooper Mayor, The Town of Collingwood

Madam Mayor,

Re: THE TOWN OF COLLINGWOOD MULTI USE RECREATIONAL FACILITY

Our firm, and assembled partner firms, would like to request the opportunity to meet with you and your Council regarding a proposal we have prepared for the realization of the multi-use recreational facility Town of Collingwood has been discussing for several years.

Our team is keenly aware of the obstacles that have repeatedly been placed in the path of completing this much needed complex. Unresolved issues such as scope of work, project delivery method and project financing appear to constantly be rearing themselves as insurmountable. These issues have successfully derailed the numerous past attempts to advance the project.

We have been discussing preliminary versions of our proposal with various local individuals and officials who have an interest in ensuring this project advances beyond the planning stages. We feel we have assembled the right professionals and the proper solution to take on the project obstacles and enable The Town of Collingwood to instill some much needed momentum into the project. We consider our solution to have a viable finished product with both financial and sustainable features incorporated. More importantly, we believe our delivery method will offer a much needed partnership and transparency that will assure all parties ingenuity, value and fairness are maximized.

If you feel this request to present our ideas is worth the time, we ask that we conduct our presentation in an official manner that will also safeguard our confidential and proprietary solutions. We have invested a significant amount of time and resources in formulating our solution and would appreciate the effort to keep it guarded as long as possible.

We appreciate your time in considering our request and we look forward to hearing from you.

Sincerely,

Anthony DaSilva
Vice President and Chief Operating Officer

COPY

Copy: Deputy Mayor Rick Lloyd, Councillors Ian Chadwick, Sandy Cunningham, Mike Edwards, Joe Gardhouse, Keith Hull, Kevin Lloyd, Dale West





THURST-T'S CYCLE

June 18th, 2021

BIA


Attention: Sue Nicholson

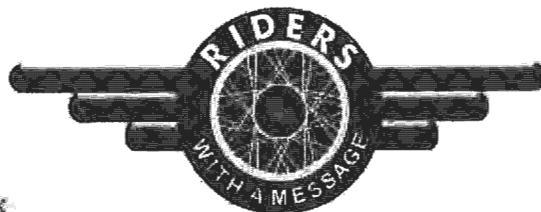
Dear Sue,

We are having our 5th Annual **Riders with a Message** on Sunday August 5th, 2012. We are asking for use of the hydro on this date at the Pine & Second Street parking lot. We also will need the parking lot from 7:00am to 7:00pm for set-up & tear down/clean up. Also if we can have cars cleared for this time period. Our Event is in support of the Wounded Warriors Fund which in turn supports our Canadian Troops & their families.

Thank you for your continued support & cooperation with our event.

Thank you,


Paul Thurston
Thurst-T's Cycle
100 Mountain Road,
Unit 201,
Collingwood, Ontario
L9Y3Z8



cc:  Chadwick

Consent -

A.7



879 - R.R.#1 - Sixth Street,
Collingwood, Ontario L9Y 3Y9

June 27, 2012

Memorandum

To: The Town of Collingwood, Collingwood Town Council

From: the Board Members of F.W. Fisher Foundation

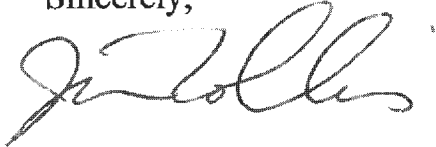
Regarding: July 28, 29, 2012 Civil War Re-enactment at Bygone Days Heritage Village 6th St and 10th Line, Town of Collingwood and pending approval to discharge antique firearms within Town limits under Bylaw 94-17 section (b)

Bygone Days Heritage Village has been working with the 21st Mississippi Civil War Re-enactor Group to host a 2 day Civil War Skirmish event on July 28th and 29th 2012. Activities would include infantry drills, a small scale skirmish, interpretive events and demonstrations by re-enactors on the use of military weaponry related to the conflict.

Since Bygone Days Heritage Village is within the Town of Collingwood limits we are requesting a temporary exemption from By-Law No. 94-17 to allow us to discharge antique firearms during this event. It should be noted that no projectiles will be fired during this event and only powder charges are used during re-enactments for safety reasons. All re-enactors are covered by their own special event insurance and members of the public in attendance as spectators are covered by insurance through the Bygone Days Heritage Village liability policy through Cooperators insurance (Wasaga Beach).

We ask that council grant us approval under subsection (b) of the 94-17 By-law which states “ a special organized firearm activity for which approval has been granted by resolution of council”

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Collis". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Jim Collis
for Don Hounsome (Chairman F W Fisher Foundation)

BY-LAW NO. 94-17
of the
CORPORATION OF THE TOWN OF COLLINGWOOD



Being a by-law for the purpose of regulatng discharge
of firearms within the Corporation of the Town of
Collingwood.

WHEREAS the Municipal Act of Ontario R.S.O. 1990, Chapter 302, Section 210(29) as amended; provides that by-laws may be enacted regulating the discharge of firearms within a municipality;

NOW THEREFORE be it enacted as follows:

1. No person shall discharge any gun or other firearm including air guns or spring guns of any class thereof within the Corporation of the Town of Collingwood, save and except:
 - a) on land occupied by any authorized firearm club after permission to the said club has been granted by resolution of Council;
 - b) a special organized firearm activity for which approval has been granted by resolution of Council;
 - c) by owners or tenants of property that are designated and zoned for agricultural purposes providing that the primary use of those properties are for agricultural activities and that the discharge of a firearm on those lands so designated by the owner or tenant is for the sole purpose of destruction of rodents or other animals that harm or hinder the production of agricultural crops.
 - d) by individuals licensed to trap fur bearing animals within the County of Simcoe under authority of the Game and Fish Act of Ontario, R.S.O. 1990 with permission of the owner or tenant of property or at the request of the Police Service for the sole purpose of the destruction of an animal posing a nuisance or threat to inhabitants or to humanely destroy an animal in distress.
 - e) that By-law No. 3020 be and is hereby repealed.
 - f) that contravention of any section of this By-law shall be considered an offence subject to conviction under the Provincial Offences Act.

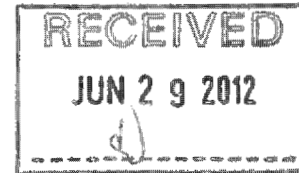
ENACTED AND PASSED this 28th day of March, 1994.

Lay Barber
MAYOR

[Signature]
CLERK

:GS
March 16, 1994

Sara Almas
Consent
A.8



THE CORPORATION OF THE COUNTY OF SIMCOE

NOTICE

RE: Draft Proposed Modified County of Simcoe Official Plan

This notice is being circulated to you because you have requested notice and information as it pertains to the County of Simcoe Official Plan.

The County's Official Plan was adopted by County of Simcoe Council on November 25, 2008, and has been awaiting approval of the Province since that time. Recently, the document has been modified by the County to incorporate provisions put forth in Provincial legislation, including the Growth Plan Amendment and the Lake Simcoe Protection Plan.

At its regular meeting of June 26, 2012, County Council authorized the release of the Draft Proposed Modified County Official Plan. This document is available for viewing at the County of Simcoe Administration Centre, 1110 Highway 26, Midhurst, during regular business hours, and is also available on the County's website at <http://simcoe.ca/dpt/pln/index.htm>.

Comments on the Draft Proposed Modified County Official Plan may be submitted in writing on or before August 22, 2012, to:

Brenda Clark,
County Clerk,
County of Simcoe,
1110 Highway 26,
Midhurst, ON L0L 1X0

DATED AT the County of Simcoe this 26th day of June, 2012.



The Corporation of the Town of Tillsonburg

June 28, 2012

Honourable Dalton McGuinty
Premier of Ontario
Room 281, Main Legislative Building,
Toronto, ON M7A 1Z8

RE: COUNCIL Resolution – Business Tax Capping Reform

At the Tillsonburg Town Council Meeting of June 25, 2012, Council passed the following resolution:

Whereas the Province of Ontario first introduced mandatory "business tax capping" for the commercial, industrial and multi-residential property classes as a temporary reform mitigation program for the 1998, 1999 and 2000 taxation years;

And whereas this "temporary" and "transitional" measure was succeeded by a permanent business tax capping program for the 2001 and subsequent taxation years;

And whereas the 2012 taxation year will represent the fifteenth taxation cycle for which mandatory business tax capping has applied;

And whereas the overall business tax capping scheme was introduced as a means of assisting taxpayers manage tax shifts related to Provincial Assessment and Property Tax reforms introduced for the 1998 taxation year;

And whereas it has become evident over time that the protection provided under this program has been less related to the original impacts of reform and more so due to the ongoing impacts of subsequent assessment base updates;

And whereas this program must now be seen as a redundant measure in light of the Province's successful four-year assessment phase-in program, which more effectively and equitably addresses assessment increases for all properties;

And whereas this program now has only a marginal impact on a very limited number of taxpayers due to the County's careful and deliberate application of optional parameter and exclusion tools, and yet it remains a significant burden on the financial and administrative resources of both the County and local municipalities;

Therefore be it resolved that the Town of Tillsonburg calls on the Government of the Province of Ontario to Amend Part IX of the Municipal Act, 2001 and supporting regulatory provisions so as to make the entirety of that Part (Business Tax Capping) optional at the discretion of each upper and single tier jurisdiction; and

CORPORATE OFFICE

200 Broadway, 2nd Floor, Tillsonburg, Ontario, N4G 5A7, Telephone (519) 688-3009, Fax (519) 842-9431
www.tillsonburg.ca

That the Town of Tillsonburg calls on the Government of the Province of Ontario to make these changes and amendments effective for the 2013 taxation year to coincide with the pending reassessment and related four-year assessment cycle; and

That the discussion paper "Allowing Municipalities to Opt Out of Business Tax Capping" prepared by Municipal Tax Equity (MTE) Consulting Inc., which speaks directly to this subject matter, and which addresses many of this Council's concerns, interests and preferences, shall be attached to, and shall form a part of this motion; and

That copies of this motion, along with the above mentioned attachment, are to be sent to:
Premier Dalton McGuinty;
The Honourable Dwight Duncan, Minister of Finance;
Honourable Kathleen O'Wynne, Minister of Municipal Affairs and Housing;
Ernie Hardeman, MPP Oxford;
Gary McNamara, President, Association of Municipalities of Ontario (AMO);
Allan Doheny, Assistant Deputy Minister - Provincial Local Finance Division (Acting);
Janet Mason, Assistant Deputy Minister - Local Government and Planning Policy Division,
Minister of Municipal Affairs and Housing,
The County of Oxford,
Western and Eastern Warden groups,
and all Municipalities in the province of Ontario.

If you have any questions, please do not hesitate to contact me at 688-3009 Ext. 3224

Regards,



Donna Wilson
Clerk
Development & Communication Services
Town of Tillsonburg
200 Broadway, 2nd Floor, Suite 204
Tillsonburg, ON N4G 5A7
Phone: 519-688-3009 Ext. 3224

CORPORATE OFFICE

200 Broadway, 2nd Floor, Tillsonburg, Ontario, N4G 5A7, Telephone (519) 688-3009, Fax (519) 842-9431
www.tillsonburg.ca

Discussion Paper

Allowing Municipalities to Opt Out of Business Tax Capping

Prepared by:

Municipal Tax Equity (MTE) Consultants Inc.
12005 Steeles Avenue, RR #3
Georgetown, Ontario
L7G 4S6

June 1, 2012

Disclaimer and Caution

The information, views, data and discussions in this document and related material are provided for general reference purposes only.

Regulatory and statutory references are, in many instances, not directly quoted excerpts and the reader should refer to the relevant provisions of the legislation and regulations for complete information.

The discussion and commentary contained in this report do not constitute legal advice or the provision of legal services as defined by the *Law Society Act*, any other Act, or Regulation. If legal advice is required or if legal rights are, or may be an issue, the reader must obtain an independent legal opinion.

Decisions should not be made in the sole consideration of or reliance on the information and discussions contained in this report. It is the responsibility of each individual in either of a decision-making or advisory capacity to acquire all relevant and pertinent information required to make an informed and appropriate decision with regards to any matter under consideration concerning municipal finance issues.

MTE is not responsible to the municipality, nor to any other party for damages arising based on incorrect data or due to the misuse of the information contained in this study, including without limitation, any related, indirect, special or consequential damages.

Introduction and Purpose

Leading into 1998, sweeping reforms to the property assessment and taxation system were introduced by the Harris Government under the auspices of a number of key goals. Primary among these was ensuring that the assessment of real property and taxation practices across Ontario would be more fair, consistent, and understandable for taxpayers. Despite this original conviction, when faced with widespread criticism of their initial efforts the Government of the day quickly introduced a mandatory tax capping program for business class properties for the 1998 through 2000 tax cycles, which became known as the 10-5-5, in a laudable attempt to ease the transition to the new property tax regime.

Since these early days of reform, a variety of modified tax capping protection regimes have been implemented, replacing earlier successors with more permanent forms of relief. This tradition has created a long legacy of inequity within the multi-residential, commercial and industrial tax classes, which has effectively undermined the original goals of a stable, fair, transparent, and easily administered assessment and property tax system in the Province of Ontario.

Since the initial implementation of business tax capping in Ontario, Municipal Tax Equity (MTE) Consultants Inc. has worked intently with property tax professionals and municipalities across the Province to meet the policy and administrative challenges of these demanding and complicated tax protection programs. MTE's involvement with capping has ranged from the development of critical educational materials and seminars, to the provision of ad-hoc expert assistance, to the development and management of our full service stand-alone capping program.

To ensure that MTE's clients and the municipal community at large have had access to the most current and highest quality information and support, MTE has invested the time and resources required at every stage to ensure that our capping expertise evolved in-step with the program itself. This evolution has been deliberate in terms of capping program and calculation mechanics, the options available to municipalities, and the changing patterns of capping outcomes.

From MTE's unique vantage point over the capping landscape, it has been possible to observe the history of capping unfold and have experienced its evolution at every stage. What has become particularly evident since the advent of CVA exclusion options in 2009 is that currently in many jurisdictions the actual impact of capping on the taxpayers' final liabilities has become marginal or non-existent. The capping program has diminished dramatically in importance, and is proving to have a material impact on fewer properties each year. The concern remains, however, that despite the limited number and magnitude of capping adjustments now being applied, the program as a whole continues to require significant time and resources to administer and manage.

In light of the fact that so many municipal councils have adopted policy schemes aimed at minimizing the impact of capping to the greatest degree possible, it seems obvious that the next change to Ontario's capping policy, as currently set out under Part IX of the *Municipal Act, 2001*, is for the Province to give municipalities the ability to *Opt Out* of the program in its entirety. Further, it may also be argued that 2013 is the most appropriate and opportune time for this change to be made.

The following discussion has been prepared to explore this issue in a systematic fashion. Ideally, it will ultimately serve to crystallize, summarize and articulate the municipal perspective. To this end, tax practitioners, decision makers and taxpayers are asked to carefully consider the comments and general themes set out below. Other insights to ensure that this policy option can be comprehensively analyzed and evaluated are both welcome and invited; this will ensure that the vast array of stakeholder interests in the property tax process are carefully considered and captured before any new policy scheme is developed and implemented.

Overview of Business Tax Capping

Legislation creating the mandatory “10-5-5” tax capping program was originally presented as a transitional measure to provide temporary tax protection for the 1998 through 2000 tax cycles. In 2001, however, the Province introduced additional property tax reforms that served to reinforce the prescriptive nature of the property tax policy environment in Ontario. At this time, tax capping became a permanent feature of the property tax landscape as the original, temporary 10-5-5 program was replaced on a Province-wide basis with a modified model known as the “5% limit on increases”.

In response to concerns about the mechanics and prescriptive nature of the business tax capping program, the McGuinty Government announced a series of reforms for 2005 and subsequent taxation years. These reforms introduced a number of capping options to be used at the discretion of single and upper-tier municipalities. The initial range of optional tools included: 1) the ability to increase the annual cap from 5% of the previous year’s final capped taxes up to 10%; 2) setting a second limit for annual increases of up to 5% of the previous year’s annualized CVA taxes; and/or 3) the establishment of dollar thresholds of up to \$250 whereby properties with nominal capping adjustments could be moved directly to their CVA tax liability in any given year. The 2005 reform package attempted to balance the interests of those in favour of maintaining property tax capping against the call to give municipalities the flexibility to accelerate movement towards full CVA taxation for all classes of property where this was the local preference.

The 2009 taxation year represented another in a long series of reform and reassessment cycles. In addition to a number of fundamental changes to the assessment system, which included the introduction of a four-year reassessment cycle coupled with a program to phase-in assessment increases, the Province gave municipalities the option to begin permanently excluding individual properties from capping by utilizing “stay at CVA tax” and “cross-over CVA tax” tools.

Challenges at the Municipal Level

Municipalities throughout the Province have devoted significant resources to ensure compliant and appropriate implementation of the mandatory tax capping program since its inception. The capping program has proven to be an administrative and budgetary burden because of the increased complexity it has added to the annual tax billing exercise and the management of any in-year tax adjustments required in response to assessment appeals, tax rebates or other events that demand that taxes be recalculated.

Despite the burdens posed by the business tax capping regime, Ontario's municipalities have accepted the associated challenges and have demonstrated a high degree of local responsibility with respect to the shape and outcomes of this program as it applies to taxpayers. Since the original introduction of optional capping tools in 2005, municipal staff and decision makers have in the vast majority of cases shown a keen interest and willingness to capitalize on the various options provided by the Province in order to optimize local capping regimes and accelerate the greatest number of properties to their full CVA tax liability.

In addition to the application of the core capping calculation options, municipalities have widely utilized the "new construction" constraint options, which ensures new or significantly improved capped class properties are subject to CVA tax.

Based on our observations, the majority of municipalities across the Province have strategically and deliberately employed the mix of optional capping tools in each taxation year that proved to be the most effective in meeting their local capping objectives. For most, this has meant a marked decrease in the annual cost of capping protection being provided and a striking increase in the number of properties being taxed at their full CVA tax level (i.e. CVA multiplied by Applicable Tax Rates). This not only means that more tax bills are being issued without capping adjustments, it also means that when in-year adjustments are required, the end tax adjustment is most likely to be made in direct proportion to any change in assessed value. This is not the case for properties subject to either a cap or claw-back adjustment.

Case for Capping "Opt-Out" Policy

The increasing range of capping options provided by the Province since 2005 has been a welcome change from the more prescriptive environment, which characterized 2004 and previous years. Notwithstanding the current flexibility offered to municipalities to tailor their local capping programs, we believe that there is a significant consensus within the municipal community that it is time for municipalities to be given the ability to opt out of business tax capping entirely.

The McGuinty Government has proven it values policies that place the responsibility for local property tax decisions with the level of government most directly responsible for levying the tax itself. The Government's policy changes surrounding capping options, tax ratio movement, and levy restriction rules (hard-capping), have all provided municipalities with greater autonomy to craft local tax regimes that truly reflect local priorities and objectives within a common set of Province-wide standards and criteria. The Government must now show its commitment to this trajectory, thereby making decisions with respect to the future of capping in our communities local responsibilities.

It should also be noted that the case for giving municipalities the ability to opt out of business tax capping is based on factors that go far beyond the argument for local autonomy; it is also strongly rooted in the fact that this specific program is outdated, redundant, inherently inequitable, administratively cumbersome and confusing to the taxpayer. The most relevant and critical of the concerns and issues raised by this program are explored below. In sum, it is MTE's view that they create an overwhelming argument for the Government to make the continuation of capping a local choice.

Capping has been made Redundant by the Four-Year Phase-In Program

In its original incarnation, the tax capping program was introduced as a means to provide business tax payers with temporary relief as they became acclimated to the Province's new property tax and assessment system. In subsequent years, however, the protection provided to taxpayers has been less related to the original impacts of reform and more so due to the ongoing impacts of subsequent assessment base updates. While prior arguments could suggest that its continuation was necessary so as not to remove or deny protection, this program must now be seen as a redundant measure in light of the Province's successful four-year assessment phase-in program, which more effectively and equitably addresses assessment increases for all properties.

Capping Creates Inequitable Tax Treatment

One of the central tenets of Ontario's property assessment and taxation system is that all properties are subject to a uniform valuation date, and that similar properties are to be assessed in a similar manner across the entire Province. While tax rates do fluctuate by jurisdiction and property class, the overall structure of the system is intended to ensure that properties that are similar in nature, value and use carry a similar portion of the overall tax burden. The marked exception from this goal is the mandatory tax capping program for business class properties.

Under this system, two properties in the same municipality, assessed at the same value, can be subject to very different tax liabilities. While one may enjoy a large capping credit, the other could be forced to fund the cap with a tax liability in excess of what its CVA and prevailing tax rates would otherwise suggest. In another instance, one property may be eligible for capping protection going into the 2013 reassessment, while another, with the same 2012 and 2013 assessment might be excluded. There are endless combinations and examples that could be provided, but the critical point is that the capping program creates inequities by distorting the tax liability of each property subject to an adjustment, which results in similar properties paying disparate taxes. Ultimately, this undermines the intention of the property tax system to treat similar properties in a similar manner by breaking the link between one's assessment, the tax rates and the final taxes owing.

Capping also creates more subjective and global inequities in our property tax system. For example, in many jurisdictions, we see that the capping protection that is still being provided is concentrated to the benefit of a very few taxpayers. Those still captured by the capping rules are generally the very small minority, and it can be easily argued that it is unfair and inappropriate for a large number of business owners to be funding special treatment for a small sub-set of taxpayers. It should also be noted that in jurisdictions where the application of the claw-back option is not possible, or is insufficient to cover the costs of capping, the costs of protection for these small groups of business taxpayers must be funded by all other taxpayers. This concern is further amplified by the fact that the current system is designed to ensure that those receiving the greatest protection will continue to benefit with no specific end in sight.

Capping is Administratively Cumbersome and Complex

There are also a number of practical considerations beyond the program's utility that remain relevant regardless of how many or how few capping adjustments, if any, are required in any

given jurisdiction. The capping program has proven to be very time-consuming, cumbersome and costly to administer. Simply undertaking the calculations, applying adjustments to specific properties and managing affected tax accounts requires an abundance of internal resources. Municipalities continue to devote considerable human and budgetary resources each year to ensure that tax bills and adjustments are accurate, compliant and timely. These resources could be more effectively and strategically deployed to other more productive ends, such as improving the delivery of other services, if not for the demands of capping.

Once adjusted bills are issued, the complicated and intricate nature of the capping calculations themselves make them very difficult for the lay person, business owner, and even many tax professionals to understand. This coupled with the often counter-intuitive outcomes revealed on tax bills and tax adjustments, result in an ongoing demand for explanations from taxpayers and their agents.

This confusion and the awkwardness of the calculations has also had an impact beyond just the taxpayer. The Municipal Property Assessment Corporation (MPAC), the Assessment Review Board (ARB), and even Provincial courts have struggled with the capping implications of decisions and adjustments since the inception of the original program. Again, this confusion is often confounded by the potential for counter-intuitive results. For example, it is not uncommon for a property owner to spend time and money seeking a reduction in their assessment only to find out later that the reduction does not result in any change to their final "capped" tax liability.

For municipalities, this all means that intensive resources must be dedicated to the on-going management and maintenance of the capping program; for the taxpayer it often appears that their tax liability is arbitrary and incomprehensible.

Next Steps and Weighing In

2012 represents the fifteenth taxation cycle that has been impacted by mandatory tax capping in Ontario. It is MTE's view that in light of the more effective, equitable and predictable protection provided by the ongoing assessment phase-in program, it is timely for an exit strategy option to be put in place. MTE is also of the opinion that it would be ideal to make this option available in conjunction with the next general reassessment. This would allow municipalities to carefully consider and evaluate the tax impacts and shifts associated with the 2013 reassessment campaign both with and without capping in place. Such insight would allow interested municipalities to make informed decisions about whether or not to continue with this form of tax protection into the future.

To provide municipalities with the flexibility needed to address their current priorities and circumstances with respect to mandatory tax capping protection, it is strongly recommended that the Minister of Finance and the Province of Ontario be requested to amend the contents of the *Municipal Act, 2001* to allow upper and single-tier municipalities to opt out of the business tax capping program set out in Part IX of that Act for the 2013 taxation year and future tax cycles.

**Ministry of
Transportation**
Traffic Office, Central Region
6th Floor, Bldg. D
1201 Wilson Avenue
Downsview, ON M3M 1J8
Tel (416) 235-5587
Fax (416) 235-4097

**Ministère des
Transports**
Zone 1
Bureau de la circulation routière
Région du Centre
6e étage, édifice D
1201 avenue Wilson
Downsview ON M3M1J8
Tél: 416 235-5587
Télééc: 416 235-4097



June 22nd, 2012

Mayor Sandra Cooper
97 Hurontario St.
P.O. Box 157
Collingwood, ON
L9Y 3Z5

Re: Ontario Regulation Amendments for New Alignment, Hwy 26, between Wasaga Beach and Collingwood

Dear Mayor Cooper:

This letter is to inform you that the Ministry of Transportation is amending a number of Ontario Regulations under the Highway Traffic Act related to the new alignment of Hwy 26 under construction between Wasaga Beach and Collingwood.

The realignment of Highway 26 consists of approximately 8km of new highway located south of, and generally parallel to the existing Highway 26, between the Town of Collingwood and Town of Wasaga Beach.

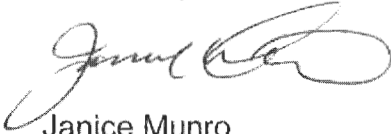
The following amendments are identified as potential interest to the Town:

- Regulation 619- Speed Limits, for Hwy 26 (new alignment). The speed limit along the controlled access portion of Highway 26 will be 90 km/h. There will be transitional areas where the speed limit is reduced to 50 km/h upon entering the roundabouts. The new speed zoning along Hwy 26 approaching and through the new alignment is shown in Attachment 1.
- The following 4 regulations are related to the controlled access portion of Highway 26 and will extend between the two roundabouts at Nottawasaga 33/34 Side Road and Poplar Sideroad. The limits for the controlled access portion are shown in Attachment 2:
 - Regulation 627-Use of Controlled -Access Highways by Pedestrians.
 - Regulation 630 –Vehicles on Controlled-Access Highways.
 - Regulation 609- Restricted Use of the King's Highway.
 - Regulation 604-Parking.

- Regulation 619, Speed Limits, for the existing alignment of Highway 26 between Wasaga Beach and Collingwood. This stretch of Highway 26 is now renumbered to Highway 7148, and has also been assigned a local road name in consultation with the Towns of Collingwood and Wasaga Beach. We have maintained the existing speed limit zones within the Town's limits. (Attachment 3).

If you have any questions regarding this matter, please feel free to contact me at (416) 235-5587. The Ministry is proceeding with the necessary legislative changes. We would welcome any comments you have on the proposed regulations. If our office does not receive correspondence on this regulation by July 20, 2012 we will assume that you support the proposed regulatory changes.

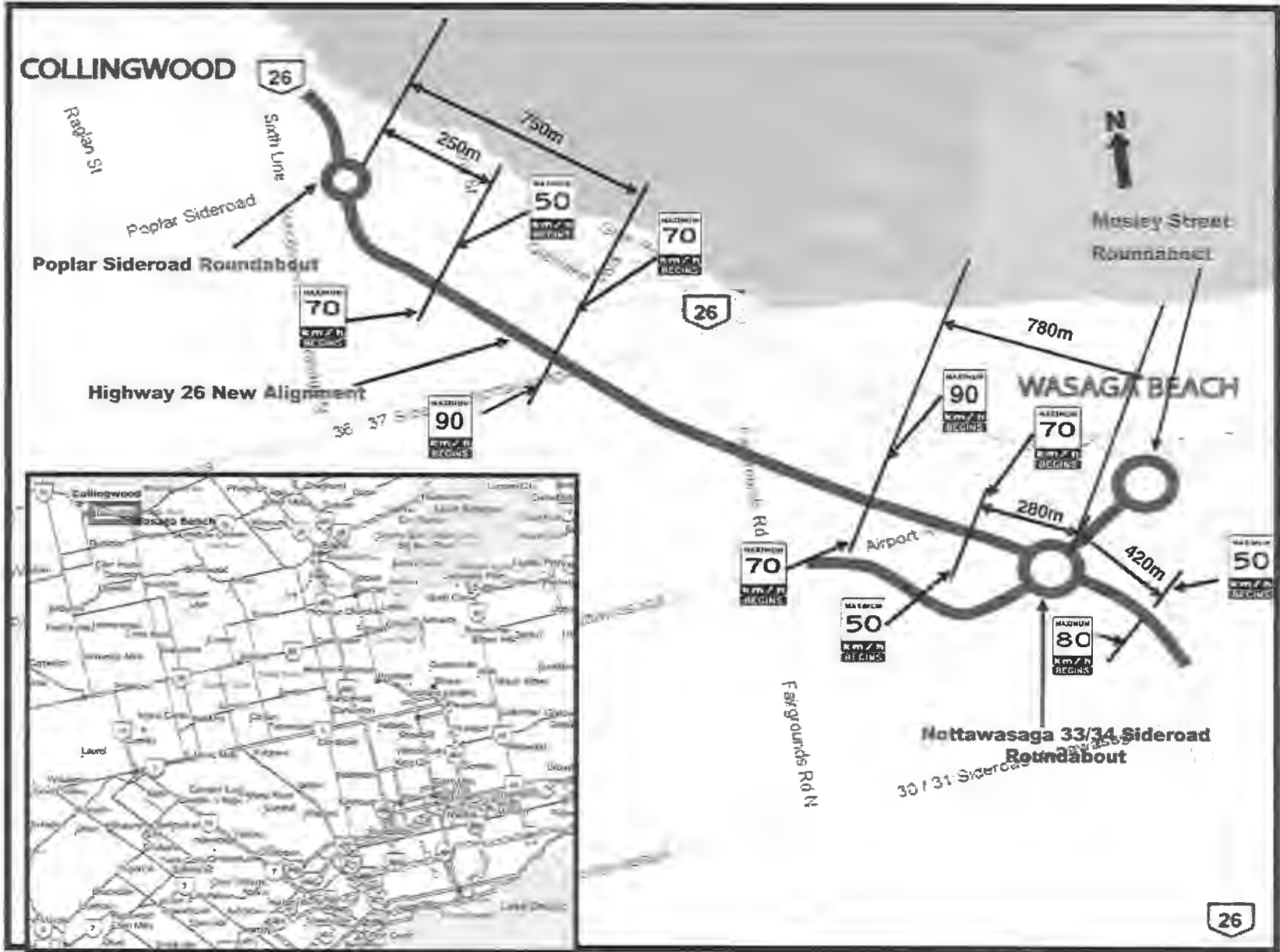
Yours truly



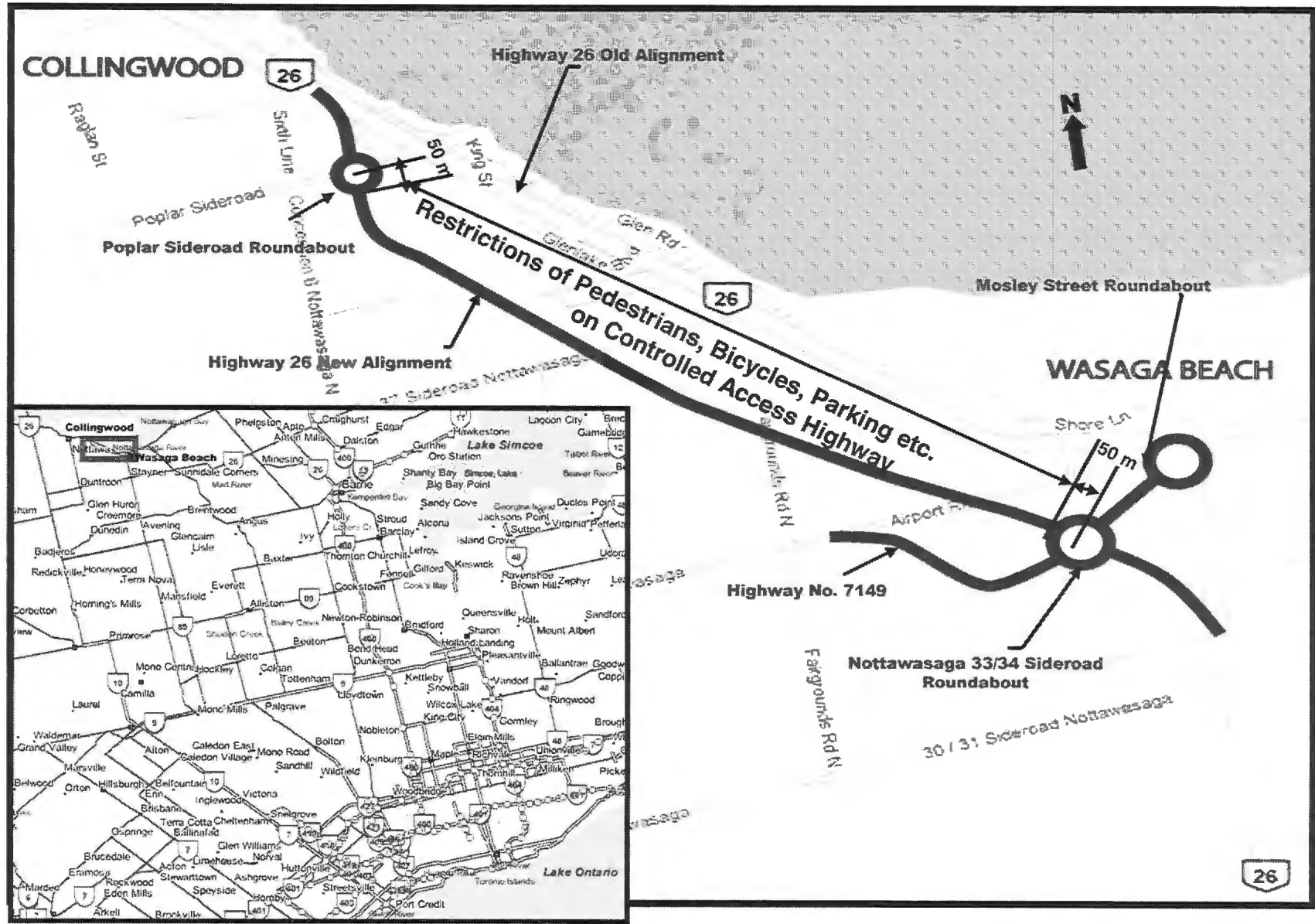
Janice Munro
Area Traffic Manager, Traffic Office
Central Region

Attachments

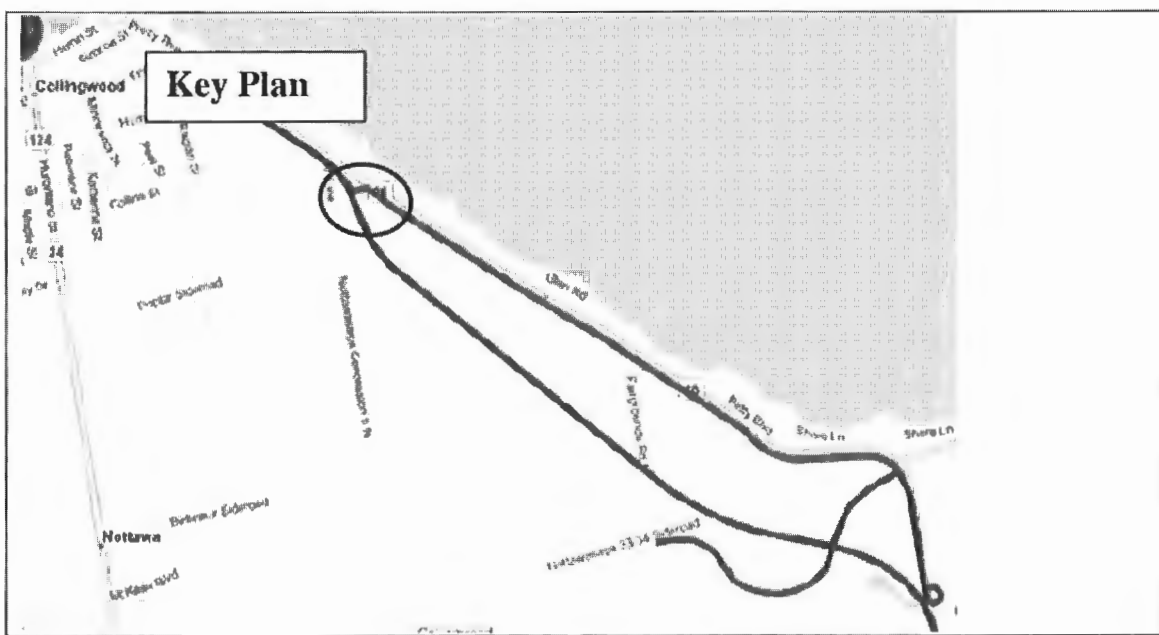
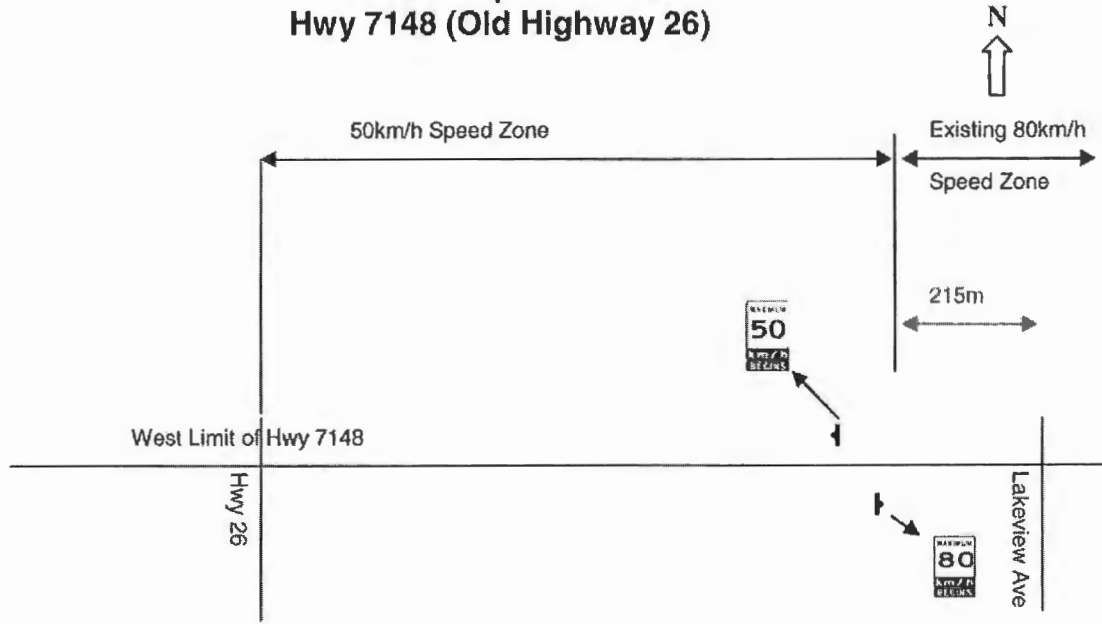
Attachment 1 - Speed Limits HIGHWAY 26



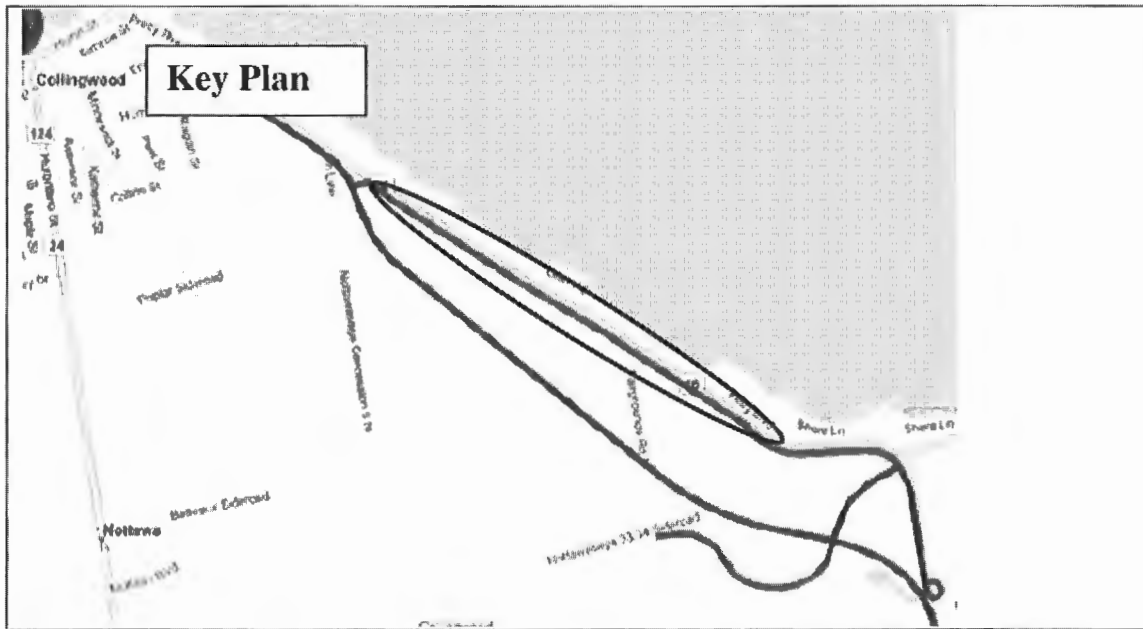
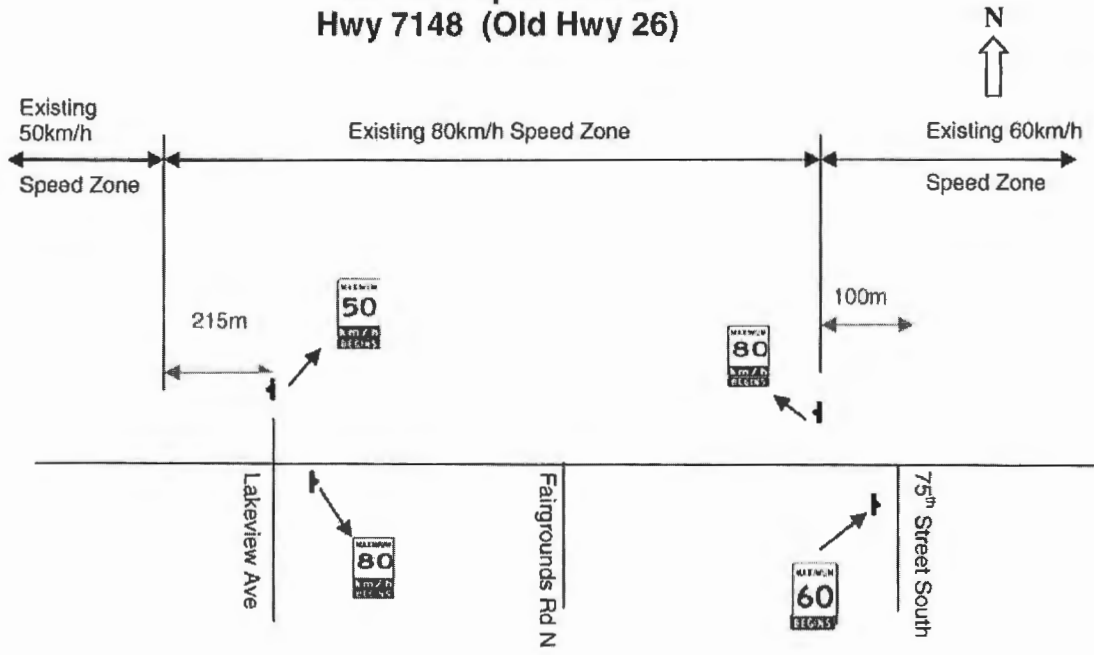
Attachment 2 - Limits for O. Regs 627, 630, 609 and 604
 HIGHWAY 26 – Towns of Wasaga Beach & Collingwood



Attachment 3a - Limits of 50 km/h Speed Zone Hwy 7148 (Old Highway 26)



Attachment 3b - Limits of 80 km/h Speed Zone Hwy 7148 (Old Hwy 26)





**Office of the CAO
Town of Collingwood
P.O. Box 157, 97 Hurontario Street
Collingwood, Ontario
L9Y 3Z5**

Dear Ed,

As the CEO of the YMCA of Simcoe/Muskoka I have been asked to clarify the YMCA's position regarding the proposed project at Central Park in Collingwood. Please see below my attempt to do so with some history, current situation and a move forward position.

The YMCA in Collingwood

The YMCA of Simcoe/Muskoka has been serving the citizens of Collingwood from its current location since 1985. We are a registered charity that works in a variety of ways to enhance the health and wellbeing of children, youth, adults and families. Currently the YMCA engages 4,000 citizens of Collingwood and surrounding area in their programs and services at no cost to the town.

Original Plan

In 2004, as part of our strategy to continue to serve the citizens of Collingwood, a three phase plan was created as part of our 2005-2012 Connecting 1-5 Strategic Plan. The original plan involved expansion and renewal with the addition of a 6 lane pool onto the existing tank.

Phase 1	Completed in 2009, expanded facility including additional meeting rooms and state of the art conditioning centre.	1.8 million actual
Phase 2	Was to start in the spring of 2010 to renew and expand the locker room areas	1.2 million estimate
Phase 3	Pursuant to funding, a 6 lane 25 metre pool added to the existing tank	5.5 million estimate

*Building healthy
communities*



Phase 3 was to be funded from a variety of sources.

- 1.5 million from the Town of Collingwood
- 3 million from an Ontario Accessibility Grant
- 2 million capital campaign

Current Situation

In the spring of 2011, the Town of Collingwood and the YMCA entered into partnership discussions to create a larger vision for the redevelopment of Central Park as a multi-use recreation centre. The Central Park Volunteer Redevelopment Steering Committee was commissioned by the Town of Collingwood to determine the public recreation needs in Collingwood, and the best options for this redevelopment of Central Park, to be presented to Council in early September 2011. This plan includes the addition of twin pad arenas, an expanded 25 metre pool and additional parking all encompassed by a Main. St. corridor connecting the rinks, YMCA and the existing curling club under one roof

Over the summer and early fall of 2011, the mandate of the committee was expanded and the completion date was pushed to March 2012.

In the fall of 2011 the Board of Directors passed a motion to move forward with the completion of Phase 2 of the original project. It was agreed that this work would need to be done regardless of any expansion to the existing pool. Construction on Phase 2 started in the spring of 2012 at a tendered price of 1.75 million. This project is to be finished in the fall of 2012.

As of June 2012, the YMCA has spent **3.55 million** dollars on rejuvenating its facilities in Collingwood. Approximately \$700,000 of this has come from donations and 2.85 million has come from cash reserves and loans.

YMCA's Position Moving Forward

In the spring of 2012 the YMCA of Simcoe/Muskoka received word that its application for 3 million dollars of funding from Accessibility Ontario was denied. Effectively this money, combined with the Town's commitment of 1.5 million was the funding formulae for an expanded pool for the community.

Without this accessibility funding, we have made it very clear to the planning committee that the YMCA cannot proceed with an additional pool tank attached to our current facility. Should the town wish to provide an expanded 25 metre pool with larger deck space then the YMCA would be able to assist in two ways.

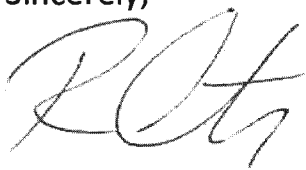
1. Assist the town in the operation of a Capital Campaign to offset costs for the project
2. Operate the facility to offset losses that would occur if the town were to operate a pool of this size on their own. Operated by the town, historical data would suggest operating losses of between \$250,000 and \$350,000 per year. With an expanded pool, estimated operating losses incurred by the YMCA would be in the area of \$60,000 - \$100,000 annually.

At a cost of \$60,000 per year the savings to the town would still be between \$190 and \$290K per year. This is not unusual with a variety of models being used across the country between YMCA's and Municipalities. (See Appendix A)

It is my hope that this letter clarifies the position of the YMCA moving forwards with the Town of Collingwood. We are supportive of a new pool in Collingwood but do not have the fiscal capability to fund it alone or operate it at break even given the suggested size and scope.

Should you have additional questions please do not hesitate to ask.

Sincerely,



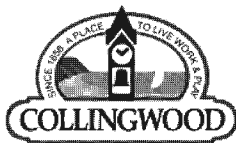
Rob Armstrong,
Chief Executive Officer
YMCA Of Simcoe/Muskoka

Appendix A

Municipal Partnerships with YMCA

YMCA of Simcoe/Muskoka

Wasaga Beach,	<p>Municipal built with 4 lane pool and leisure pool. Municipality owns the facility which is operated by the YMCA with no cost to the municipality. YMCA contributed \$686K for equipment and furnishings</p> <p>Membership 3500</p>
Gravenhurst	<p>Municipal built with 4 lane pool and leisure pool. Municipality owns the facility which is operated by the YMCA . YMCA contributed \$562K in furnishings and equipment</p> <p>Due to size of community, Gravenhurst picks up any deficit after overhead. Current estimate of about \$140K in year 2 of operation</p> <p>Membership 2000</p>
Innisfil	<p>Municipal built with 6 lane pool and leisure pool. Contribution from the YMCA for equipment of \$700K in furnishings and equipment</p> <p>Municipality owns the facility which is operated by the YMCA with no cost to the municipality.</p> <p>Membership 6500</p>



Town of Collingwood

June 8, 2012 Airport Services Board Minutes

BOARD:

Charles Tatham, Chair-member at large
 Councillor George Watson, - Wasaga Beach - Regrets
 Deputy Mayor Rick Lloyd, Town of Collingwood
 Councillor Mike Edwards, Town of Collingwood
 Councillor Doug Measures, Township of Clearview

RESOURCE:

Brian MacDonald – Manager of Engineering Services
 Pierre Lajoie – Manager, Collingwood Regional Airport
 Monica Gal, Recording Secretary

A Special Meeting of the Airport Services Board was held on Friday, June 8 2012 at 8:46 a.m. in the Airport Manager's Office of the Collingwood Regional Airport Terminal. The Chair established that a quorum was present, welcomed all in attendance and then called the meeting to order at 8:06 a.m.

APPROVAL OF THE AGENDA

*Moved by Councillor Measures
 Seconded by Councillor Edwards*

THAT the June 8, 2012 Airport Services Board Agenda be approved as presented.

CARRIED

DECLARATION OF CONFLICT OR PECUNIARY INTEREST – there were none.

CONFIRMATION OF THE ADOPTION OF THE MINUTES

THE May 2, 2012 Airport Services Board Minutes were adopted electronically in accordance with Procedural By-law 2006-120.

Mr. Geordie Dalglish, representing Winterland Developments Ltd. – the Board reviewed interest from Mr. Dalglish to purchase lands at the airport to develop a commercial enterprise.

*Moved by Deputy Mayor Lloyd
 Seconded by Doug Measures*

THAT the Airport Services Board recommend that Council of the Town of Collingwood consider selling lands at the airport for potential commercial investment, subject to the Town's land disposal policy.

CARRIED

Mr. MacDonald will speak with the Clerk and request the opportunity to have the Chair present the Draft Letter of Intent to Council at their earliest convenience.

The Board believes that subject to Council endorsing the Board's recommendation, the Town's legal counsel, in consultation with the Chair, will define the purchase agreement to protect the Collingwood Regional Airport's interests including the Airport's exclusivity to sell aviation fuel.

The Board realizes that if and when the agreement is struck, the Airport's Operating Budget will have to be adjusted for maintenance expenses attributed to the increase of maintained area; however such expenses would be offset by expected increase in fuel sales.

WPD Correspondence – the Board discussed reviewed Ms. Khlare Parré's May 28th letter to the Chair. The Chair noted that at his request, the Airport Manager forwarded Ms. Parré's letter to Mr. Chaz Cormier, as a result of which Mr. Cormier replied by email on June 5th and offered to draft a letter of response outlining the 'clear and simple list of the detrimental effects to aviation that the proposed turbines would cause'. Mr. Cormier pointed out that none of wpd Canada's consultants are qualified in approach design or have experience with TP312, as one admitted at the 2011 Public Meeting. The budget to draft a response for the Chair and to attend at a press conference is 3,000 dollars.

Mr. Cormier suggested that he and his associates provide electronic rendering of the Airport's approaches, Outer Surface and standard circuit pattern which highlight the proposed turbines for a cost of approximately \$3,000. Mr. Cormier further pointed out that the placement of the turbines seems to be purely discretionary and questions how wpd Canada could believe them to be safe and prudent so close to the Airport.

Mr. Cormier offered to attend the next Open House. The Board agreed to consider his proposal and discuss it in more detail at its next meeting.

NEW BUSINESS – none noted.

NEXT MEETING

The next meeting of the Collingwood Regional Airport Services Board will take place on Wednesday, June 20, 2012 at 8:00 a.m. at the Collingwood Regional Airport.

ADJOURNMENT

Moved by Deputy Mayor Lloyd

THAT the Airport Services Board meeting adjourns at 9:12 a.m.

CARRIED

Charles Tatham, Chair

CT: mg



Town of Collingwood

June 20, 2012 Airport Services Board Minutes

BOARD:

Charles Tatham, Chair-member at large
 Councillor George Watson, - Wasaga Beach – left the meeting at 9:13 a.m.
 Deputy Mayor Rick Lloyd, Town of Collingwood
 Councillor Mike Edwards, Town of Collingwood
 Councillor Doug Measures, Township of Clearview

RESOURCE:

Brian MacDonald – Manager of Engineering Services - Regrets
 Pierre Lajoie – Manager, Collingwood Regional Airport
 Monica Gal, Recording Secretary

GUESTS:

Mr. Kevin Elwood – joined the meeting at 8:38 a.m. – left at 9:13 a.m.
 Marjory Leonard - Treasurer
 Sue Bragg, B.B.A., CA, Partner, Gaviller & Company LLP

A meeting of the Airport Services Board was held on Wednesday, June 20, 2012 at 8:00 a.m. in the Airport Manager's Office of the Collingwood Regional Airport Terminal. The Chair established that a quorum was present, welcomed all in attendance and then called the meeting to order at 8:06 a.m.

APPROVAL OF THE AGENDA

*Moved by Councillor Edwards
 Seconded by Councillor Watson*

THAT the June 20, 2012 Airport Services Board Agenda be approved as presented.

CARRIED

DECLARATION OF CONFLICT OR PECUNIARY INTEREST – there were none.

ADOPTION OF THE MINUTES

*Moved by Councillor Measures
 Seconded by Councillor Edwards*

THAT the June 8, 2012 Airport Services Board Minutes be approved as presented.

CARRIED

BUSINESS ARISING FROM THE JUNE 8TH, 2012 MINUTES

Chair's presentation to Council – the Chair confirmed that his presentation to Council was well received. Subject to Council endorsing the disposition of Airport lands, a Request for Proposals would be issued by the Town of Collingwood. As part of the submission for the Offer to Purchase, the Town of Collingwood will be requesting that all offers be accompanied

by a development proposal and that the subsequent evaluation process will take into consideration proposals that adhere to and support the mandate of the Collingwood Regional Airport.

Deputy Mayor Lloyd proposed that in order to expedite the process, that a legal survey of the lands to be offered for sale be carried out.

***Moved by Deputy Mayor Lloyd
Seconded by Councillor Watson***

THAT the Airport Services Board recommends that the Town of Collingwood commissions a legal survey of the airport lands which are proposed to be severed.

CARRIED

The Board realizes that all expenses such as obtaining the legal survey and other attributed expenses will be recouped from the proceeds of the sale. The Chair noted that Treasurer Leonard explained that the proceeds of any sale of municipal property would need to be placed into the Town's Land and Property Acquisition Reserves.

The Board wishes to ensure that in view of the fact that Council's decision to eliminate capital funding from the Airport's 2012 Budget, that the 2013 budget request will include those items which address cost recovery for drainage, grading and paving and the orderly expansion of the electrical system.

Manager's Monthly Reports - the Airport Manager reviewed the monthly statistical reports and confirmed that:

- Fuel sales for May 2012 were up 23% over same period last year.
- Collingwood Regional Airport hosted the successful 99's Poker Run terminus on Saturday June 16th, more than 40 aircraft participated.
- Four hangars will be built this year at no cost to the airport for taxiways or hydro.
- Main parking apron has been re-paved. Despite the closure of the ramp for two week paving process, the Airport still managed to sell fuel.
- Participated at the June 13th and 13th Airport Wildlife Management Seminar in Stratford on June 13th and 14th, this was well attended.

AWOS Commissioning – the Airport Manager advised that he expects that the commissioning of the AWOS system will be complete by the end of the month.

WPD Correspondence / Collingwood Regional Airport's response – the Chair explained that he invited Mr. Elwood to join the meeting to discuss the forthcoming Public Open House being organized by wpd Canada which is scheduled to take place on August 2nd and strategies for the Airport's response will be circulated to Board for comments.

Mr. Elwood suggested that the Board should maintain its position, namely that it is wpd Canada's role to ensure that the proposed turbines are not to be erected dangerously close to the Airport. He understands that other turbine operators in other parts of Ontario have negotiated with airports and relocated their turbines away from the affected area. Mr. Elwood shared with the Board what the concerned citizens group of Clearview is undertaking with respect to opposing the location of the turbines in proximity of the Airport.

The Board thanked Mr. Elwood for meeting with them and excused him from the meeting at 9:13 a.m.

DEPUTATION

2011 Audit Presentation - the Chair introduced Treasurer Marjory Leonard and Ms. Sue Bragg, the Town's Auditor, who advised that they had requested to meet with the Board, was to present the 2011 Audited Financial Statements. Treasurer Leonard said that in 2010 the Town started phasing in the annual audit of the individual boards such as the Downtown BIA and as of 2012 all service boards will be audited on an annual basis. Ms. Bragg noted that the individual boards were always audited as part of the Town's annual audit process. Ms. Bragg provided a detailed overview of the audit and noted that as it is a first audit, it is not a so called "qualified" audit. Treasurer Leonard added that the capital assets maintained for the Airport are at a different dollar level than those capitalized for the Town and provided as an example the purchase of the accessible door openers which are capitalized for the airport budget but not for the town's budget purposes.

The Chair noted that subject to Council endorsing the disposition of an 8 acre parcel of land, there will be a significant event which is to be recorded in the 2011 Audited Statements. Ms. Bragg concurred and made the notation.

The Board having reviewed the 2011 Audited Statements accepted them by way of the following Motion:

***Moved by Member Charles Tatham
Seconded by Councillor Measures***

THAT the Airport Services Board accepts the 2011 Financial Audited Statements as amended and finalized at the meeting.

CARRIED

The Board directed staff to circulate copies of the signed Audited Financial Statement to the Treasurers of the participating municipalities once the Minutes are received by Council.

NEW BUSINESS – none noted.

NEXT MEETING

The next meeting of the Collingwood Regional Airport Services Board will take place at the Call of the Chair.

ADJOURNMENT

Moved by Deputy Mayor Lloyd

THAT the Airport Services Board meeting adjourns at 10:23 a.m.

CARRIED

Charles Tatham, Chair

CT: mg



Town of Collingwood

June 20, 2012 Parks, Recreation and Culture

Advisory Committee Minutes

COMMITTEE:

Penny Skelton - Chair
 Catherine A. Campbell – Vice-Chair,
 Arts & Culture Rep. - Regrets
 Norah MacLean
 Karen Ciotti
 Joanne Pearson - Regrets
 George Christie -Trails Rep.
 Peter de Vries – Museum Rep. -
 Regrets
 Joe Macdonald – Regrets
 Paul Cadieux
 George Dickson

COUNCIL:

Councillor Keith Hull
 Councillor Dale West

RESOURCE:

Marta Proctor, Director – Regrets
 Karen Cubitt, Manager, Events & Culture
 Mandy Keast, Administrative Assistant
 Pieter Huyssen, Constable, Collingwood Detachment
 of the OPP
 Monica Gal, Recording Secretary

CALL TO ORDER

A meeting of the Parks, Recreation and Culture Advisory Committee was held on Wednesday, June 20, 2012 at the hour of 6:30 p.m. in Community Room B of the Collingwood Public Library.

CHAIRS REPORT

The Chair established that a quorum was present, welcomed all in attendance and called the meeting to order at 6:36 p.m.

ADOPTION OF THE AGENDA

***Moved by Committee Member MacLean
 Seconded by Committee Member Ciotti***

THAT the May 20, 2012 Parks, Recreation and Culture Committee Agenda be adopted as circulated.

CARRIED

CONFIRMATION OF THE ADOPTION OF THE MINUTES

THE May 16, 2012 Minutes were adopted electronically in accordance with Procedure By-law 2006-120.

DECLARATIONS OF CONFLICT OR PECUNIARY INTEREST

There were no declarations of conflict or pecuniary interest.

DEPUTATION – there were no deputations.

BUSINESS ARISING BETWEEN MEETINGS

Master Plan Review – the Chair advised that Ms. Cait Wilson, the Brock University Intern is continuing to review the 2008 Master Plan, compiling information provided by the subcommittee and will be presenting her preliminary findings at the July meeting.

Central Park Update – the Chair advised that Council held a Workshop as part of their June 16th meeting during which all Councillors were given the opportunity to comment. All Councillors are concerned about the estimated costs of the project. Council has directed staff to provide recommendations for discussion at their July 16th meeting.

Tennis Courts update - the Chair confirmed that the Director would be responding to the circulated letter from a Princeton Shores resident. Administrative Assistant Keast confirmed that since the May meeting, a green coloured portable toilet was relocated to a discreet area.

The Collingwood Community Tennis Club has been very successful, registrations have exceeded expectations. Some Princeton Shores residents have booked and paid for the use of the courts.

Ms. Keast noted that the Greenspace Manager Martin has met with the residents who live near the Kinsmen Park courts, and they have expressed their desire to rebuild them and to also have them lined for basketball purposes. The Greenspace Manager will work with the contractor to determine if the budget would allow for multiuse surface or alternatively the requested basketball courts could be located on the pad near the Jean Vanier School.

Pine Street Market Square Project – the Committee was advised that Council deferred decision, as some of the abutting business and property owners have expressed concern with the impact of the loss of parking spaces as a result of the project.

BUSINESS ARISING FROM THE MINUTES

CHAIRS REPORT

Questions from Chair's letter (circulated) – the Chair explained that as indicated in her letter, she wished to have a conversation with respect to the Committee's mandate and role. The Committee confirms that its role is to reflect the voice of the community and should continue with its mandate to advise Council of recommendations which reflect community needs and, in particular the voice of those who can benefit the most from our services and may not have the awareness or ability to advocate for themselves.

DIRECTORS UPDATE – Manager of Events Karen Cubitt represented the Director and advised that:

Museum / GTTA – working towards having the GTTA move into the building by the end of June. The space within the building is sufficient to provide good access for visitors and all staff. Directional signage is being installed.

SUB-COMMITTEE REPORTS

Trails Committee Report – Member Christie provided highlights of the Report:

- **Labyrinth** - the concept and proposed location was discussed with the Accessibility Committee, which is favourable of the idea and location. The Trails Committee requested that the Parks, Recreation and Culture Advisory Committee endorse their recommendation that Council should set aside the area adjacent to the Arboretum for the future labyrinth.

Moved by Member Christie
Seconded by Member MacLean

THAT the Parks, Recreation & Culture Advisory Committee recommends to Council the location selected by the Trails Committee for the future site of the labyrinth.

CARRIED

- **Nature League Opportunity** - a response from the Nature Board indicated they will fund 4 interpretive story boards.
- **Trail Capital of Ontario** - the Trail Committees, acting on its own accord, agreed to use the map donation money to pursue the on-line version of the "Trail Capital of Ontario".
- **Trails website** - the Town has negotiated the purchase of the website. www.collingwoodtrails.ca.
- **Cranberry Marsh Trail** – a small portion of the boardwalk has been built.

Museum Committee Report - Peter de Vries sent regrets. Councillor West provided highlights of the Report:

- **George Brown bust** - has been returned to the Globe and Mail Newspaper which will undertake its restoration.
- **Social Media** – the Museum Committee is keen on exploring the use of social media such as Facebook. The Manager of Culture and Events together with the Collingwood Public Library are in the process of developing a corporate social media policy.
- **Junior Friends of the Collingwood Museum Summer Camp 2012** – Karen Cubitt advised that due to lower than anticipated registrations, the Camp's format was altered to half day programs at lower rates.

Arts & Culture Committee Report highlights - Catherine Campbell sent regrets. The Manager of Culture and Events provided highlights of the Report:

- **Collingwood Art on the Street** - 80 submissions received, 9 of which were students. The jury selected 40 images (photography, sculpture, tile, glass work, jewelry, painting, fabric). The art banners will be in June along the same route as last year. 12 Muskoka chairs are being painted and placed outside in the downtown. A printed brochure with a map of the locations of the banners and chairs is planned. The BIA and the Downtown Revitalization Project will host a reception for members and the artists in June.
- **Council Chambers** - the Public Art Committee has recommended scheduling 4 shows per year. Each show will feature the work of at least 2 artists. Each exhibit

will be shown on the Town's website and artists will be given the option of hosting a reception in Council Chambers.

- **Fire Hall Public Art Project** - the Public Art Committee is meeting with senior staff and the architect to discuss the project. A report will be submitted to Council in June regarding the recommended construction tender and overall project budget.
- **Municipal Cultural Programming Investment Plan** – a subcommittee will meet with the consultant to discuss his draft.
- **Re-location of Side Launch Mural** – *discussions continue regarding relocating the mural to a suitable location. The Coordinator has been charged to speak with the Manager of Loblaw and to also seek more information whether it was feasible to recreate the mural digitally on fabric or banner material for greater flexibility in size and therefore location.*

Waterfront Harbourlands Committee - meeting has been scheduled for Thursday June 28th at 4:00 p.m.

NEW BUSINESS – none noted.

JULY 18TH AGENDA:

- **Bus Tour**
- **Elections for the positions of Chair and Vice-Chair.**

NEXT MEETING

The next meeting of the Parks, Recreation and Culture Advisory Committee will take place on **Wednesday, July 18, 2012 to meet at Sunset Point at 6:00 p.m..**

ADJOURNMENT

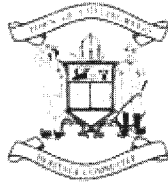
Moved by Committee Member Christie

THAT the Parks, Recreation and Culture Advisory Committee meeting adjourns at 7:57 p.m.

CARRIED

Penny Skelton, Chair

PS: mg



Town of Collingwood

June 21, 2012 Heritage Committee Minutes

COMMITTEE:

Lindsay Cook - Chair
 Darrell Reeder
 Peter Koenig
 John Harrison
 Ed Christie
 William T. Smith
 Greg Dorbeck - Regrets

COUNCIL:

Councillor Joe Gardhouse

RESOURCE:

Ron Martin, Deputy Chief Building Official
 Cathy deRuiter, Admin. Assistant, Building Services
 Monica Gal, Recording Secretary

A meeting of the Heritage Committee was held on Thursday, June 21, 2012 at 8:30 a.m. in the Building / Planning Department Conference Room of the Collingwood Public Library Building & Municipal Offices, 55 Saint Marie Street.

CALL TO ORDER

The Chair established that a quorum was present, welcomed all in attendance and called the meeting to order at 8:35 a.m.

ADOPTION OF THE AGENDA

*Moved by Committee Member Christie
 Seconded by Committee Member Koenig*

THAT the June 21, 2012 Heritage Committee Agenda be adopted as amended.

Add under:

CORRESPONDENCE from Mrs. Marion House.

CARRIED

CONFIRMATION OF THE ADOPTION OF THE MINUTES

THE May 17, 2012 Heritage Committee Minutes were adopted electronically in accordance with Procedural By-law 2006-120.

DECLARATIONS OF CONFLICT OR PECUNIARY INTEREST – none declared.

DEPUTATIONS

Patsy Boyce, regarding windows at 60 Hurontario Street – Mrs. Boyce addressed the Committee and explained that she was in the process of renovating the 2nd floor of 60 Hurontario Street. During an extended discussion, Mrs. Boyce apologized for misunderstanding the requirements of the Heritage Permit and confirmed that the windows had been installed. Deputy Chief Building Official Martin confirmed that the Committee cannot fund the Grant Funding for the windows as their replacements need “to be replicas of the original in both style and material”. The Committee explained that due to the fact that the windows were not replicated as per the requirements of the Heritage Grant Guidelines, they could not support its funding. The Committee recommended that in order to mitigate the visual aspects of the façade, that the awning portion of the windows be made inoperable and that the supplier installs applied mullions to simulate the original design. Mrs. Boyce agreed.

Mrs. Boyce requested that the Grant funds be re-allocated towards masonry repairs. Staff noted that the original application did not include a funding request for masonry repairs. Mrs. Boyce thanked the Committee for their consideration and left the meeting at 8:50 a.m.

The Committee discussed Mrs. Boyce’s request and determined that the window supplier is to contact the Deputy Chief Building Official who is to approve the design and size of the required applied mullions for the windows.

The Committee discussed Mrs. Boyce request to allow her to use the allocated funds towards masonry repairs as she had applied for a Building Permit. The Committee wishes to ensure that the repairs are carried out to heritage masonry standards.

***Moved by Member Christie
Seconded by Member Harrison***

THAT the Heritage Committee agrees to amend the Heritage Permit Application to include masonry repairs at 60 Hurontario Street.

CARRIED

Richard Lex, signage for the Tremont – Deputy Chief Building Official Martin explained that Mr. Lex had requested the opportunity to make a Deputation to Heritage Committee to present his sign proposal for the Tremont Studios for comments, discussion, and any recommendations.

Mr. Lex presented a photo shopped rendition of a ghosted (semi transparent) 24” painted sign on the brickwork which would be located in the same position, font and size to match the previous sign, as shown in historical photographs.

Deputy Chief Building Official Martin explained that because a Sign By-law Variance Committee is no longer in place, the applicant’s only avenue is to apply directly to Council for amendment to the existing Sign By-law.

The Heritage Committee confirmed that their only role is to comment on the colour of the proposed sign.

Mr. Lex thanked the Committee for their understanding and support and left the meeting at 9:15 a.m.

The Committee realizes that as the Tremont is a very significant heritage building and it

deserves careful consideration. After an extended review, during which they discussed the proposal at considerable length and subject to Council's approval, the Committee offers the following suggestions:

- That the sign be similar in size and font to the original Tremont Hotel sign
- That the color of the letters be in accordance with the approved district color template
- That the lettering be applied to appear like a ghost of the original sign
- That this does not set a precedent for others and if approved be based on the fact that it is a restoration of an original heritage sign with documented photographic proof.
- That at some time other ghost signs in the District be documented and if possible restored as part of the commercial history of the downtown.

Councilor Gardhouse offered to introduce the matter to Council for their consideration.

CORRESPONDENCE

CHO News, June issue – distributed at the meeting.

Heritage Matters, May issue – copy circulated at the meeting.

Steve Redmond, e-mail regarding Duke of Connaught development – the Chair agreed to draft a response on the Committee's behalf advising that his concerns will be included in discussions when an HIA is commissioned on the subject property.

Letter from Marion House, owner of 197 Pine Street – thanking the Committee for providing the Heritage Grant to have her house painted.

BUSINESS ARISING FROM THE MINUTES

University of Waterloo, Heritage District Survey – the Chair advised that some of the Committee members have agreed to assist.

Heritage Tree Presentation by Edith George - will take place on Thursday, June 21 at 7:00 p.m., Community Rooms B & C, 3rd floor, 55 Ste. Marie Street – in partnership with ACO, Collingwood Historical Society, Collingwood Horticultural Society.

NEW BUSINESS – none noted.

OTHER BUSINESS

- **Community Outreach** - no discussion.

HERITAGE PERMITS

Permit #	Location	Type
199-2012	77-79 Simcoe St.	Chimney Repair – 2012 Grant Recipient
202-2012	65 Simcoe St.	Cornice & Trim around door
203-2012	173 Ste. Marie St.	New roof & Painting
220-2012	325 Hurontario St.	Painting Trim
234-2012	100 Ontario St.	Repair to Masonry Chimney – 2012 Grant Recipient
237-2012	197 Pine St.	Paint – 2012 Grant Recipient
239-2012	220 Hurontario St.	Paint
240-2012	291 Third St.	Repair Porch & Paint – 2012 Grant Recipient
245-2012	200 Oak St.	Verandah Repair – 2012 Grant Recipient

***Moved by Member Christie
Seconded by Member Koenig***

THAT the above identified Heritage Permits be forwarded to Council for approval.

CARRIED

NEXT MEETING

The next meeting of the Heritage Advisory Committee will take place on ***Thursday, July 19 21, 2012 at 8:30 a.m. in the Building & Planning Conference Room (Third Floor), 55 Ste. Marie Street.***

ADJOURNMENT

Moved by Member Christie

THAT the Heritage Committee meeting adjourns at 9:43 a.m.

CARRIED

Lindsay Cook, *Chair*

LC: mg



STAFF REPORT

REPORT #:	FFP2012-01
DATE:	July 16, 2012
SUBMITTED TO:	Mayor and Members of Council
SUBMITTED BY:	Dave McNalty, Manager of Fleet, Facilities and Purchasing
SUBJECT:	Compact Utility Vehicle

1. RECOMMENDATION:

- That Council award the tender for the supply of one (1) new 2012 Jeep Compass to 6910009 Canada Inc. (Vaughan Chrysler) for the purchase price of \$21,518.00 plus applicable taxes.

2. SUMMARY AND BACKGROUND:

The Public Works department called for tenders for the supply of a new four wheel drive Compact Utility Vehicle for use by the Water Pollution Control Plant (WPCP). This is a scheduled replacement for the 2002 Jeep Liberty currently used by the WPCP.

Each of the local new car dealerships were invited to tender on the supply of the vehicle and the opportunity was posted on the Town's website. There were five bids submitted in response to Tender No. PW2012-03.

The bids were reviewed for completeness and the results of the tender are as follows:

Vendor	Purchase Price (before Taxes)	Life Cycle Cost	Life Cycle GHG Emissions (Tonnes)
6910009 Canada Inc. (Vaughan Chrysler)	\$21,518.00	\$32,328.80	20.0
Vendor B	\$23,493.00	\$34,303.80	20.0
Vendor C	\$23,937.00	\$35,075.40	20.6
Vendor D	\$24,494.20	\$35,414.20	20.2
Vendor E	\$27,898.95	\$37,945.35	18.5

The 2012 Jeep Compass proposed by 6910009 Canada Inc. (Vaughan Chrysler) provides the lowest Purchase Price and Life Cycle Cost. The Life Cycle Cost and GHG emissions were calculated for each vehicle based on the NRCan fuel consumption ratings, 84,000 life cycle kilometres and a fuel cost of \$1.30 per litre. None of the submissions for this tender offered a Hybrid vehicle.

3. DISCUSSION:

Reliability is an important factor for the WPCP vehicles as they may travel out of town on a daily basis to Creemore and/or Stayner, routinely in inclement weather. The existing vehicle to be displaced will be re-commissioned to another in-town service or be sold by public auction.

Vaughan Chrysler is able to provide lower pricing on these vehicles as a result of the high volume of fleet vehicles that they deliver. Any service or warranty work will be sourced locally.

4. DEPARTMENT HEAD REVIEW:

This report was reviewed by Department Heads at the regular meeting on June 5, 2012 and no concerns were identified.

5. EFFECT ON TOWN FINANCES:

The purchase of a new vehicle for use by the WPCP was included in the 2012 Capital Budget.

6. DISPOSITION:

When approved by Council, the WPCP Staff and the Fleet, Facilities and Purchasing Manager will secure the vehicle and ensure appropriate displacement of the existing vehicle.

7. APPENDICES:

- None
- Attached

Respectfully submitted,

**Dave McNalty,
Manager, Fleet, Facilities and Purchasing
Town of Collingwood**

**Town of Collingwood
Life Cycle Costing and GHG Calculation Sheet**

Department: PW2012-03 Compact Utility Vehicle
Date: 14-May-12

Make	Model	Year	Purchase Price	Fuel Type	NRC Fuel Economy (lit/100km)	Life cycle KMs	Total Litres	Cost/Litre	Total Life Fuel Cost	Life Cycle Cost*	Hybrid Adjustment**	C02 Emissions/Litre (kg/l)	Lifecycle Emission Tonnage
Jeep	Compass	2012	\$ 21,518.00	Regular	9.9	84000	8316	\$ 1.30	\$ 10,810.80	\$ 32,328.80		2.4	19.96
Jeep	Compass	2012	\$ 23,493.00	Regular	9.9	84000	8316	\$ 1.30	\$ 10,810.80	\$ 34,303.80		2.4	19.96
Ford	Escape	2012	\$ 23,937.00	Regular	10.2	84000	8568	\$ 1.30	\$ 11,138.40	\$ 35,075.40		2.4	20.56
Hyundia	Tuscon	2012	\$ 24,494.20	Regular	10	84000	8400	\$ 1.30	\$ 10,920.00	\$ 35,414.20		2.4	20.16
Honda	CRV	2012	\$ 27,898.95	Regular	9.2	84000	7728	\$ 1.30	\$ 10,046.40	\$ 37,945.35		2.4	18.55

	NRC Fuel Economy Adjustments	C02 Emissions/Litre (kg/l)
Regular Gasoline Emissions	0 %	2.4
Ethanol Blended Gasoline E85	+ 27 %	1.4
Compressed Natural Gas	+ 2 %	1.85
ULSDiesel Emissions	0 %	2.7
Bio-Diesel B5	+ 2 %	2.5
Bio-Diesel B20	+ 5 %	2.27



COLLINGWOOD PUBLIC UTILITIES STAFF REPORT

REPORT #:	CPU2012-01
DATE:	July 9, 2012
SUBMITTED TO:	Mayor & Members of Council
SUBMITTED BY:	Marcus Firman, - Manager, Water Services, Collingwood Public Utilities
SUBJECT:	Local Improvement Long Point Road, Lindsay Lane and Madeline Drive

1. RECOMMENDATION:

THAT Council award the lowest compliant tender to undertake the installation of local improvements, including the provision of watermain and water services, on Town owned lands on:

<u>Location</u>	<u>From</u>	<u>To</u>
Long Point Road	Brophy's Lane	End
Madeline Drive	Long Point Road	End
Lindsay Lane	Long Point Road	Madeline Drive

in the amount of \$836,883.60 (excluding HST) as submitted by E.C. King Contracting, with Construction not commencing until a Water Purchase Agreement has been executed between the Town of Collingwood / Collingwood Public Utilities and the Town of The Blue Mountains.

THAT Council authorize staff and the Mayor to sign all necessary documents to execute the contract.

2. SUMMARY AND BACKGROUND:

A petition signed by property owners to provide water servicing to Long Point Road, Lindsay Lane and Madeline Drive was presented to council on December 19, 2011. Council carried a motion to receive the petition at an estimated cost of \$30,000 per lot and include the local improvement project for Long Point Road, Madeline Drive and Lindsay Lane in the 2012 budget at the project budgetary estimate of \$1,000,000.00.

Subsequently, the project has been designed and tendered. Tenders were received on Wednesday, June 20, 2012 at 1:00pm and publicly opened at 1:15pm. Six formal tenders were received. The tenders were then reviewed by staff and the consultants. Following their review, the apparent low bidder was deemed non-compliant because it did not provide an Agreement to Bond as part of its bid submission as outlined in the Contract Documents. A legal opinion was obtained which confirmed the submission to be non-compliant and recommended disqualification of the submission. The low bid was notified and its tender deposit cheque was returned.

All other tenders were in order and the consultants recommended acceptance of the low compliant tender amount as submitted by E.C. King Contracting.

Status of Approvals

A PTTW has been received from the Ministry of the Environment for any dewatering that may be required. A Construction Permit is forthcoming from the Grey Sauble Conservation Authority and is anticipated to be received shortly.

Status of Agreement with Town of The Blue Mountains

It is proposed to service the area by connecting to an existing Town of The Blue Mountains watermain at the corner of Long Point Road and Brophys Lane. The Town of The Blue Mountains has agreed in principle to allow the connection of the watermain to its system. It is proposed to install a meter to determine the volume of water being supplied to the area, and that volume would be subtracted from the water sold to the Town of The Blue Mountains. A DRAFT Agreement has been provided to the Town of The Blue Mountains, but it must still be finalized. Construction shall not start before the agreement is finalized.

Revised Estimated Cost per Connection

Based on the low compliant tender of \$836,883.60 by E.C. King and estimated Engineering costs, the total estimated cost of the project is on track and is estimated to be approximately \$30,000.00 per connection.

The Town of the Blue Mountains has also requested that we consider including servicing three properties on Long Point Road. If these properties are included the cost per connection will be decreased accordingly.

Public Information Centre

A Public Information Centre was held on Saturday, July 7, 2012, from 10:00am to 12:00pm, in the Community Rooms of the 3rd Floor of the Collingwood Library and Municipal Building to inform property owners of the tender results and revised estimated cost per property. It was presented that the project is on track with the initial preliminary cost estimate of \$30,000 per connection. It was also presented that the final cost would be calculated once the project is completed and all costs are finalized (which will be at the end of the maintenance period, approximately Fall 2013).

Seven people signed in and no comment sheets were submitted. Verbal comments at the meeting were generally in favour of the project proceeding. One individual expressed concern that his property is registered as two lots and therefore he would have to pay approximately \$60,000. Other comments included: that the Town should consider charging by metre of frontage instead of by connection, however they accepted the explanation of the per lot fee; they were not initially aware that it would be the individual's responsibility to make the connection on private property. Overall, property owners who were in attendance were in favour of the project proceeding.

3. DEPARTMENT HEAD REVIEW:

The Report was reviewed at Department Heads meeting held on July 10, 2012.

4. EFFECT ON TOWN FINANCES:

The estimated construction cost is as follows:

Construction Cost (including contingencies)	\$836,883.60
Professional Fees (maximum fees)	\$146,315.05
Total (excluding HST)	\$983,198.65

As most of these lots are developed, the likelihood of recouping the capital through local improvement taxes can be considered high.

5. APPENDICES:

Nil.

Respectfully submitted,

Marcus Firman, CET
Manager Water Services



STAFF REPORT

REPORT #:	P2012-16
DATE:	July 16, 2012
SUBMITTED TO:	Mayor & Members of Council
SUBMITTED BY:	Nancy Farrer, Director of Planning Services
SUBJECT:	Deeming By-law No. 2012-090 File No. D1207212 Owner: Town of Collingwood Municipal Address: 43 & 45 Braeside Street, Town of Collingwood, County of Simcoe

1. RECOMMENDATION:

THAT Council enact and pass Deeming By-law No. 2012-090, to deem the lots owned by Leone Rawte at 43 & 45 Braeside Street, a single parcel.

2. SUMMARY AND BACKGROUND:

The subject property is located north of Braeside Street and is legally described as Plan 938, Lots 39 & 40, Town of Collingwood in the County of Simcoe.

The purpose of this By-law is to ensure that the lot municipally addressed as 43 and 45 Braeside Street are merged into one (1) parcel of land; thus preventing these lots from being separately conveyed, without an approved Consent (severance) or a Plan of Subdivision.

Town of Collingwood Official Plan, as amended

Schedule "A" titled Land Use Plan of the Town of Collingwood Official Plan designates the subject property as Residential.

Schedule "C" titled Land Use Density Plan of the Town of Collingwood Official Plan designates the subject property as Special Residential Density Area "H".

Town of Collingwood Zoning By-law No. 2010-040, as amended

Schedule "A" – Map 33 of the Town of Collingwood Zoning By-law No. 2010-040, as amended, zones the subject lands Residential First Density (R1).

Deeming By-law No. 2012-090

It is unknown when Registered Plan No. 938 was registered at the Land Registry Division of Simcoe County. In accordance to subsection 50(4) of the *Planning Act*, a plan, or part of a plan, may be deemed not to be a plan of subdivision provided that it has been registered for eight (8) years or more. Since Registered Plan No. 938 was in the former Township of Nottawasaga and amalgamated with the Town of Collingwood in 1994, Planning Services has determined that this Plan of Subdivision has been registered for more than eight (8) years.

The purpose of this By-law is to ensure that the lot municipally addressed as 43 and 45 Braeside Street is merged into one (1) parcel of land; thus preventing these lots from being separately conveyed, without an approved Consent (severance) or a Plan of Subdivision.

This Deeming By-law (once enacted and passed by Council) will be forwarded to the Town's Solicitor to be registered on title. Once registered on title, Deeming By-law No. 2012-090 (see Appendix "B") will effectively: 1) prevent the separate conveyance of the individual parcels, and 2) permit the development of a single detached dwelling.

Conclusion

Planning Services recommends that Council enact and pass Deeming By-law No. 2012-090.

3. DEPARTMENT HEAD REVIEW:

- Staff Report P2012-16 was reviewed at the July 10th Department Heads meeting. The Director of Planning Services recommended that the Staff Report and By-law No. 2012-090 proceed forward to Council on July 16th, 2012 for consideration.

4. EFFECT ON TOWN FINANCES:

- The costs incurred for processing the application and registration of the document on title is borne by the Town.

5. APPENDICES:

- None
- Attached

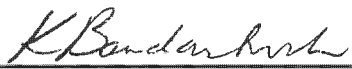
- Appendix "A" - Aerial photograph
- Appendix "B" - Deeming By-law No. 2012-090

Respectfully Submitted,



Nancy Farrer, MCIP, RPP
Director of Planning Services

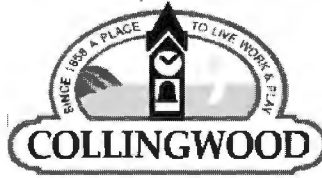
Prepared By:



Kandas Bondarchuk, BA, CPT
Planner - Technician

Appendix "A" – Aerial Photograph





**EXPLANATORY NOTE
THE CORPORATION OF THE TOWN OF COLLINGWOOD
BY-LAW No. 2012-090**

By-law No. 2012-090 is a by-law under subsection 50(4) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to deem a part of a plan of subdivision not to be a registered plan of subdivision for the purposes of subsection 50(3).

43 and 45 Braeside Street is legally described as the following:

PIN: 58303-0212

Lots 39 & 40, Plan 938; Town of Collingwood, County of Simcoe

This Deeming By-law will ensure that the lands cannot be separately conveyed without an approved consent (severance) and will facilitate the development of a single detached dwelling. (Town File Nos. D1207212).



**BY-LAW No. 2012-090
OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD**



BEING A BY-LAW TO DESIGNATE A PLAN OF SUBDIVISION, OR PART THEREOF, NOT TO BE A REGISTERED PLAN OF SUBDIVISION FOR THE PURPOSES OF SUBSECTION 50(3) OF THE PLANNING ACT

WHEREAS the Council of The Corporation of the Town of Collingwood has authority pursuant to subsection 50(4) the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to designate a Plan of Subdivision, or part thereof, to be deemed not to be lots in a registered Plan of Subdivision for the purpose of subsection 50(3) of *Planning Act*;

AND WHEREAS the lands described below are currently lots within a registered plan of subdivision;

AND WHEREAS Registered Plan No. 938 has been registered in the Registry Office for the Registry Division of the County of Simcoe for eight (8) years or more;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD HEREBY ENACTS AS FOLLOWS:

1. **THAT** the lands described below and shown more particularly on Schedule "A" as affixed hereto are hereby deemed not to be separate lots within a registered Plan of Subdivision of the purposes of Subsection 50(3) of the *Planning Act*:

PIN: 58303-0212 – 43 and 45 Braeside Street
Lots 39 & 40, Plan 938; Town of Collingwood, County of Simcoe

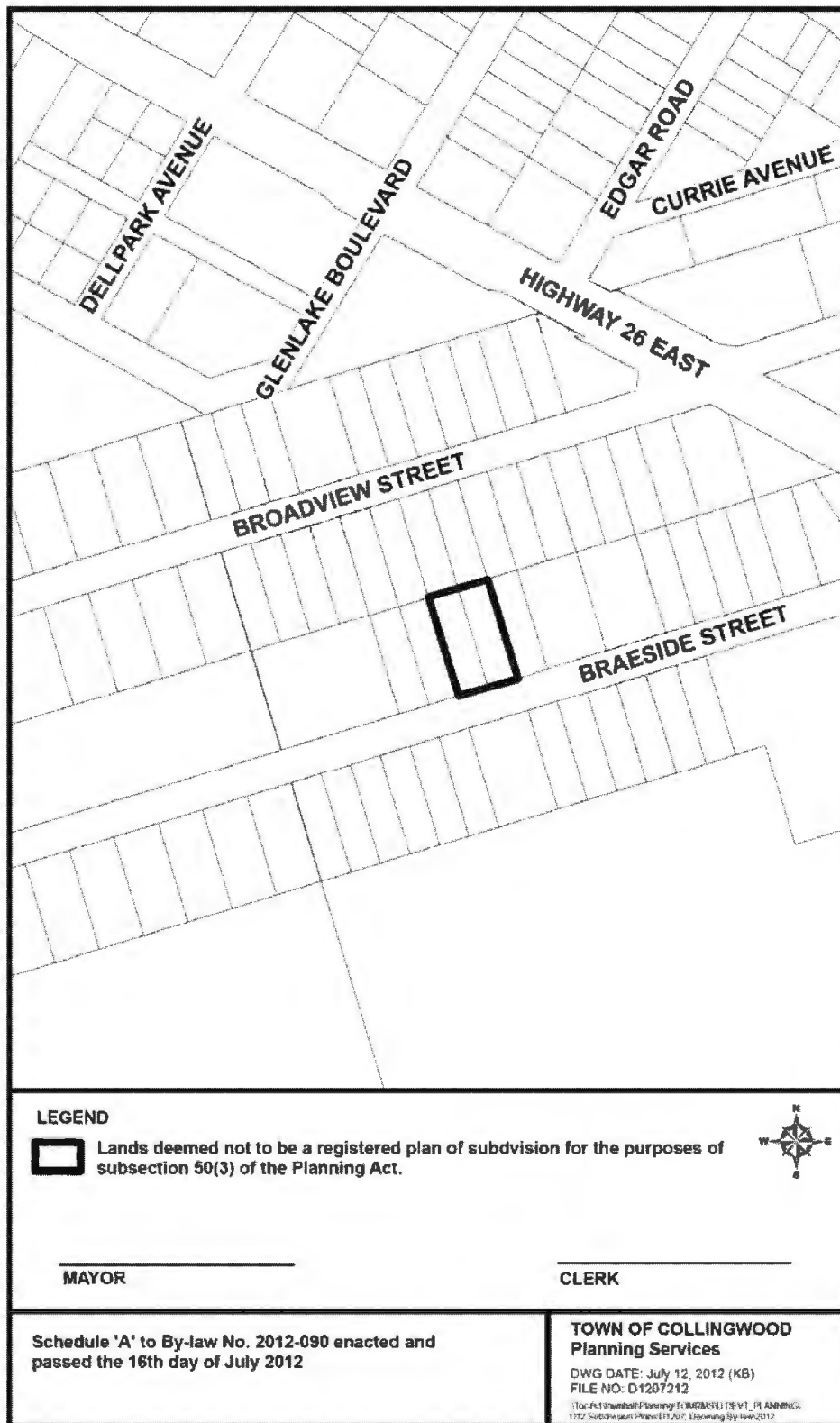
2. **THAT** this By-law shall come into full force and take effect on the date it is passed by the Council of The Corporation of the Town of Collingwood, subject to the provisions of subsection 50(27) of the *Planning Act*.
3. **THAT** this By-law be registered in the Registry Office for the Registry Division (51) of the County of Simcoe.

ENACTED AND PASSED this 16th day of July, 2012.

MAYOR

CLERK

Deeming By-law 2012-090 – Schedule 'A'





STAFF REPORT

REPORT #:	P2012-27
DATE:	July 16, 2012
SUBMITTED TO:	Council
SUBMITTED BY:	Nancy Farrer, Director, Planning Services
SUBJECT:	Site Plan Control Agreement Owner/Applicant: 1540135 Ontario Inc. Project Name: Dwell at Creekside Block 218, 51M-889 Civic Address: 1 Chamberlain Crescent Town File No. D11312

1. RECOMMENDATION:

THAT Council enacts and passes an Authorization By-law which allows for the execution of a Site Plan Control Agreement for the 35 unit condominium apartment development known as Dwell at Creekside, as generally set out in Appendix C, once the Town has received all required securities and monies.

2. SUMMARY AND BACKGROUND:

Proposal

The applicant, 1540135 Ontario Sierra Homes, is proposing to construct a 35 unit condominium apartment on a 0.55 hectare block of land within the Black Ash Meadows/Creekside registered plan of subdivision 51M-889. The subject lands are located on the west side of High Street with access proposed off of Chamberlain Crescent which is adjacent to the southern frontage of the property.

Town of Collingwood Official Plan (2004)

Schedule 'A' entitled *Land Use Plan* designates the subject lands as Residential and as Medium Residential Density on Schedule 'C' entitled Residential Density. Section 4.3.4.5.7 of the Official plan contains policies for High Density Uses within Medium Density Residential Areas, and permits the proposed apartment units and density of 63.6 units oper hectare.

Town of Collingwood Zoning By-law No. 2010-040, as amended

Map 13, Schedule "A" of the Zoning By-law presently zones the property as Residential Third Density Exception (R3). The R3 Zone permits apartments.

3. BASIC DATA PERTAINING TO THE MATTER:

Date of Submission of Site Plan Application: March 5, 2012

Date of Development Committee Meeting: April 5, 2012

Other Related Files: DC-2006-39 Black Ash Meadows
(Subdivision)

Official Plan Designation: Residential – Medium Density Residential

Present Zoning: Residential Third Density (R3) Zone

Town Solicitor: John Mascarin, Aird & Berlis LLP

4. PARTIES TO THE AGREEMENT:

- Harbour Lands Inc.
- The Corporation of the Town of Collingwood
- Collus Power Corporation
- Collingwood Public Utilities

5. FINANCIAL CONDITIONS, SECURITY AND INSURANCE CONSIDERATIONS:

- A.) Administration (Legal) Fee
- The sum of \$5,000.00 to be applied to the Town's legal fees as a deposit is in the process of being submitted.
- B.) Securities
- The Town will receive a Letter of Credit in the amount of approximately \$150,000.00 as security for site and landscape works associated with the development.
- C.) Cash-in-Lieu of Parkland Dedication
- The Town and Owner acknowledge that the Owner has satisfied the parkland dedication requirements of sections 42 and 51.1 of the *Planning Act*, through Registered plan of Subdivision 51M-889 which was registered on title on November 30, 2006 through instrument SC502503.
- D.) Insurance
- A general comprehensive liability insurance certificate in the amount of \$5,000,000.00 has already been received. The Town is listed as co-insured.

6. SITE PLAN AGREEMENT:

- A.) Executed Site Plan Control Agreement: Appendix "A" to this report.
- B.) Deviations from the Standard Agreement: Minor
- C.) Additional Special Terms and Conditions: No

Special Terms and Conditions

There are no special provisions included with this Site Plan Agreement.

Conclusion

The proposed Site Plan Control Agreement for this block within Registered Plan of Subdivision 51M-889 constitutes good planning. The Site Plan Control Agreement will assist in ensuring the proposal proceeds in accordance with the Town and other agency development standards.

3. DISCUSSION:

- The approval now before Council deals with a Site Plan Agreement to allow for thirty-five (35) condominium apartment units.
- The proposed Site Plan Control Agreement has proceeded under the requirements of the *Planning Act* and in conformity with the Town of Collingwood Official Plan.
- Review by Town Departments and External Agencies has been undertaken and concerns have been identified and addressed.
- Securities will be in place, through the Site Plan Control Agreement, to ensure the works are undertaken as required.

4. DEPARTMENT HEAD REVIEW:

This report was forwarded to Department Heads on July 10, 2012 for comment. Senior Staff did not identify any concerns and was recommended that the Report be forwarded to Council for consideration

5. EFFECT ON TOWN FINANCES:

- **Current Year**
building permit fees, development charges, – costs associated with the development are borne by the developer.
- **Future Years**
municipal taxation

6. DISPOSITION:

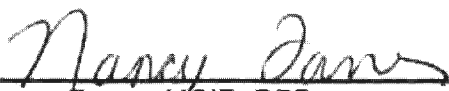
The proposed Site Plan Control Agreement for this project will assist in the implementation of the policies of the Town of Collingwood Official Plan. Monitoring of this site will be completed under the auspices of Planning Services through the implementation of the Site Plan Control Agreement.

7. APPENDICES:


- None
- Attached

- A) Location Map and Aerial Photograph
- B) Site Plan
- C) Site Plan Agreement

Respectfully Submitted,



Nancy Farrer, MCIP, RPP
Director of Planning Services

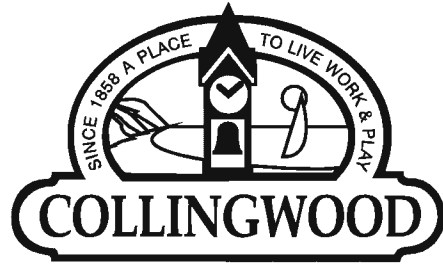


Prepared by: Mark Bryan, MCIP, RPP
Community Planner

Appendix A Location Map and 2008 Aerial Photograph



Appendix C: Site Plan Agreement



PLANNING SERVICES

SITE PLAN CONTROL AGREEMENT

THE CORPORATION OF THE TOWN OF COLLINGWOOD

- and -

HARBOUR LANDS DEVELOPMENT INC.

FOR THE

**DWELL @ CREEKSIDE
1 CHAMBERLAIN CRESCENT**

**Prepared on
June 13, 2012**

THIS SITE PLAN CONTROL AGREEMENT executed this 16th day of July, 2012.

B E T W E E N:

HARBOUR LANDS DEVELOPMENT INC.

(hereinafter called the "Owner")

OF THE FIRST PART

-and-

**THE CORPORATION OF THE TOWN OF
 COLLINGWOOD**

(hereinafter called the "Town")

OF THE SECOND PART

-and-

COLLUS POWER CORP

(hereinafter called "COLLUS")

OF THE THIRD PART

-and-

COLLINGWOOD PUBLIC UTILITIES SERVICE BOARD

(hereinafter called "CPU")

OF THE FOURTH PART

WHEREAS the Owner has represented to the Town that it is the registered owner of the land described in Schedule "A" (:the "Land")

AND WHEREAS 1540135 Ontario Inc. has entered into a Subdivision Agreement, registered on October 30, 2007 as Instrument SC597188, which created the lands described in Schedule "A";

AND WHEREAS the Owner has applied to the Town for site plan approval (File No. D11312) in respect of its development of the land described in Schedule "A" as a three storey building containing a thirty-five (35) unit residential condominium along with an associated driveway and parking area, amenity areas and a stormwater conveyance feature (collectively, the "Development");

AND WHEREAS the Town approved of the Owner's application by Resolution No: _____ subject to the Owner entering into an agreement as permitted by subsection 41(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

AND WHEREAS subsection 41(10) of the *Planning Act* permits the registration of this Agreement against the lands to which it applies in order to secure the provision of facilities and the construction of the development in accordance with the approved plans and drawings;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the

mutual covenants hereinafter expressed and other good and valuable consideration, the Parties hereto agree one with the other as follows:

PART I **GENERAL**

Subject Lands

The lands affected by this Agreement are more particularly described in Schedule "A" attached hereto, hereinafter referred to as (the "Lands").

Schedules

The following schedules are attached hereto and form part of this Agreement for circulation and shall be complied with:

Schedule "A" being a description of the Lands affected by this Agreement;

Schedule "B" being a list of Approved Plans and Drawings;

Schedule "C" being a Description of the Cost of Works for which securities are required by the Town;

Schedule "D" being a listing of lands to be conveyed, dedicated or transferred to the Town;

Schedule "E" being a schedule of the Town's Specifications concerning the Works; and

Schedule "F" being a form of letter of credit.

PART II **APPROVED PLANS & DRAWINGS**

Approved Plans and Drawings

The Owner Agrees:

- (a) That the Town has approved the site plan, landscaping and other drawings (collectively, the "Site Plans") which are described in Schedule "B" and which are referentially incorporated into and form part of this Agreement and that original copies have been filed with the Director of Planning Services of the Town and may be inspected by any person at the Town's Offices at 55 Saint Marie Street, Collingwood, during regular business hours; and

to construct and locate all buildings, structures, works, services and facilities required under the Agreement (the "Works") and the landscaping works (the "Landscape Works") in accordance with the Site Plans.

Approved Development

The Owner acknowledges that the Town's review and approval of the Site Plans is on the basis of a proposal for a three storey building containing a thirty-five (35) unit residential condominium development and such other uses as are permitted by the Town's applicable Zoning By-law. The Owner represents and warrants to the Town that no deviations or changes shall be made to the Site Plans and no construction shall take place contrary to

the Site Plans without the prior written approval of the Town except such changes as may be required by the Town in order that the Site Plans shall comply with all relevant provisions of the Building or Zoning or other By-laws of the Town and all regulations or laws of any other governmental body.

Conformity with Agreement

The Owner covenants and agrees that no work shall be undertaken or performed on the Lands except in strict accordance with the terms of this Agreement (including the schedules attached herewith), the Site Plans and any other plans and specifications submitted to and accepted by the Town.

PART III **TERMS & CONDITIONS**

Compliance with Building Code

The Owner acknowledges that the Development shall be constructed in complete compliance with the Ontario Building Code (O. Reg. 350/06, as amended).

No Unauthorized Severance

The Owner agrees not to convey a part or to further divide the Lands, except in pursuance of the *Planning Act* or any other similar legislation.

Building Permits

The Owner covenants and agrees:

that neither it nor any person under its authority is entitled to the issuance of one or more building permits to construct or occupy any building or structures contemplated under this Agreement until this Agreement has been fully executed, an authorization by-law has been enacted and passed by Council and all payments required under this Agreement have been paid to the Town;

that it has submitted a soils engineer report to the Town (which the Town acknowledges receiving) and to have said report approved by the Town, prior to installation of footings, and

that no building permits shall be issued until such time as:

- (i) fire hydrants are operational and have been tested and approved, and,
- (ii) free and clear maintained access that shall support the weight of emergency vehicles has been constructed.

Archaeological Study and Clearances

The Owner agrees that the Lands shall be cleared of any significant heritage or cultural artifacts, to the satisfaction of the Town and/or the Ministry of Culture, prior to any works being undertaken.

Occupancy

The Owner agrees:

not to permit occupancy of any building or structure or part thereof for which building permits have been issued until all Works required under this Agreement are completed in accordance with the requirements of the Ontario Building Code, the applicable zoning by-law and any other municipal by-laws and specifications,

that the internal water distribution and sanitary sewer collection systems have been tested and approved and are operating in accordance with the conditions established by the Town;

that the Town may draw upon any financial security the Owner has provided to the Town up to the amount of \$5,000.00 if, in the opinion of the Chief Building Official (whose decision is final), a building or structure or part thereof is occupied contrary to Section 10(a); and

that, in the event that a building or structure or part thereof is occupied contrary to Section 10(a), the Town is entitled to obtain an order from a court of competent jurisdiction prohibiting the occupancy of any building or unit until such time as the terms of this Agreement have been fully complied with, and the Owner shall be estopped from opposing such application on the part of the Town.

Professional Engineer

The Owner agrees:

to retain a Professional Engineer (hereinafter referred to as the "Engineer") who holds a Certificate of Authorization for municipal engineering applications from the Association of Professional Engineers of Ontario to prepare the design of grading, site and external servicing plans, municipal service connection designs, and storm water management reports that are to be submitted to the Town for its approval;

that the Engineer will be required to inspect and certify to the Town that all internal and external services, grading, and storm water management requirements have been constructed in accordance with the approved engineering drawings and reports, prior to the reduction of the Letter of Credit posted for the Works. The certificate, or certificates, shall be in a format acceptable to the Town. The Town may, upon pre-qualification of such, accept the use of other qualified professionals for certain components of the design, inspection and certification process; and

to retain a landscape architect for landscape construction site inspection and project control to ensure compliance with the Agreement and the approved Planting Plan.

Entry by Town

The Town may, by its officers, employees or agents, enter on the Lands or any part thereof as well as any building or structure erected thereon to ensure that any Works or Landscape Works required to be provided, constructed or installed by the Owner comply with this Agreement.

Maintenance of Works

The Owner agrees that:

when the Works required to be provided, constructed or installed by it that are internal to the Lands in terms of this agreement have been completed to the satisfaction of the Town and in accordance with all municipal specifications and in a good and workmanlike manner, it shall maintain the Works in the approved condition until this Agreement is amended or otherwise released from title; and

in the event that any of the Works and Landscape Works that are internal to the Lands are not being maintained to the satisfaction of the Town, or if the Owner is otherwise in default of this Agreement, the Town may, on written notice to the Owner, require the Owner to comply with the terms of this Agreement by any means available to it at law.

General Conditions

The Owner agrees:

Reserves/Road Widening

to convey, in fee simple and free from all encumbrances, any land which may be required by the Town, for the purpose of establishing a 0.3 metre (one foot) reserve across that portion of the frontage of the Lands;

Access Facilities

not to foul the highways leading to the Lands and to provide on all construction accesses leading to the Lands, an interim granular surface to prevent mud or dust from fouling the road;

not to permit any approach ramps and driveways across the un-traveled portion of any road allowance owned by the Town unless such approach ramps are paved to the Town's specifications;

to install curbing to the Town's specifications along the approach ramps between the property line and the street, and at all locations shown on the Site Plans;

to provide fire access route signs, to locate such number of fire hydrants and size of watermains as approved by the Town's Fire Chief or his designate and to satisfy any other requirements of the Fire Department;

Parking, Loading Facilities, Pavement Markings and Directional Signage

to pave with asphalt, concrete or any other surface material all parking, loading and walkway areas on the Lands to the Town's specifications and to maintain same and not to permit parking or loading on any part of the Lands unless all areas for which parking and loading are permitted are paved;

to mark and maintain all surface and paved parking, loading and walkway areas on the Lands to the Town's specifications, including the indication of all pedestrian crossings, and to post and maintain such directional signage within the interior of the Lands to the satisfaction of the Town;

to identify all disabled parking spaces signed in accordance with Town By-Law No. 92-43 and with the Highway Traffic Act, Ontario, Regulation 581, Section 11(a) and (b) and to the satisfaction of the Town;

to obtain all permits for erection of signs, to comply with the by-laws of the Town, including Anti-Idling By-law No. 2005-59 relating to signage, to post all fire route zones (if required) in accordance with the Site Plans to remove any existing signs which do not comply with existing sign by-law standards prior to any construction;

Lighting Facilities

to design and install lighting standards, to ensure the highest rate of crime prevention. All fixtures and illumination devices shall adequately illuminate the Lands but shall

also be directed downward and internal to the Lands to prevent the spread of light onto other properties or onto public highways. All lighting shall be constructed, erected or installed so that no part of any lighting fixture is more than 9.0 metres above the adjoining finished grade;

Easements for Services

to hereby convey to the Town a blanket easement to permit the maintenance of all water mains extending to the curb stops and unit isolation valves on or before acceptance of the water mains by the Town;

Electricity Supply

that COLLUS will approve an electrically engineered design for the electrical servicing for the Development prior to construction on the Land and that the Owner can apply for approval of an electrically engineered design for the servicing of the Lands or COLLUS can coordinate the procurement of the required electrically engineered design at the Owner's expense;

that requirements for hydro and water meters, for the dwelling units in the proposed condominium, and the common element, shall be determined to the satisfaction of COLLUS, and that the meters will be located in a visible non-locked area to the satisfaction of COLLUS, and that all servicing must comply with the most recent and approved version of COLLUS' Conditions of Service and Electrical Safety Authority (ESA) regulations;

to provide an access agreement for the operation and maintenance of the electrical distribution infrastructure to the satisfaction of COLLUS;

that COLLUS will assume full ownership and responsibility for the electrical distribution system once the facilities are energized and that all such works, facilities and improvements shall be transferred and vest in COLLUS without any compensation or consideration payable by COLLUS to the Owner;

Water Supply

to provide water supply services to the Lands and all buildings in accordance with CPU standards, that the water system shall be designed by the Engineer to CPU standards. That the Engineer shall supply two (2) sets of drawings for CPU's approval prior to commencement of any work, that a contractor approved by CPU and whose work is inspected by the Engineer shall complete installation of water services, and that the Engineer shall supply "As Built" drawings to CPU and certify completion of the water supply services in accordance with CPU requirements;

that the water supply services are public works and shall be transferred and vest with the Town upon assumption of said works and that the Town shall not be precluded in any way from using the water supply services for public use prior to assumption.

Utilities - Other

to obtain written confirmation from the appropriate entities that all public utility requirements for the Lands, including but not limited to water, electricity, telephone, telecommunications, cable television, gas and postal services, have been satisfactorily arranged, that servicing for same will be provided underground without any expense, cost or obligation on the part of the Town and that all requisite easements have been or will be provided to such entities;

to grant to any telecommunications provider any easements that may be required for telecommunication services.

Grading and Water Disposal

- (t) not to permit the Lands to drain otherwise than into a properly installed drainage system with proper catch basins connected to a Town storm sewer or other approved outlet and the grades and drainage facilities shall be so established as to provide roof water onto the internal system, to implement and maintain an on-site storm water management system to limit storm run-off from the site to a pre-development rate of flow and to indemnify and save harmless the Town from any liability for excess run-off as a result of construction or development on the Lands;
- (u) to implement and maintain an on-site storm water management system designed according to the policies and criteria of the Town and to indemnify and save harmless the Town from actions, claims and/or suits whatsoever, which may arise out of the implementation and/or lack of maintenance of the storm water management system;
- (v) to implement and monitor on-site sediment and erosion control measures, during construction of this development, to the satisfaction of the Town and NVCA and to allow the Town and its agents, in perpetuity, access to the Lands to inspect roof drains, inlet control devices and storm water management facilities;
- (x) to undertake all site grading in accordance with the Site Plans;

Snow Management

- (y) to store snow in accordance with the Site Plans if indicated, or to remove surplus snow from the Lands and to ensure that the access lanes, parking spaces and landscaping areas are not used for the stockpiling of snow;

Construction Staging

- (z) to erect a 1.8 metre high security fence before commencing construction around the construction storage and staging areas and upon completion of construction, to remove, make good and rehabilitate the Lands to a standard of landscaping compatible with the remainder of the Lands;

Blasting

- (aa) to advise all contractors that the development will involve blasting and other construction activity that may affect off-site building, structures and utilities;
- (bb) to be responsible for ensuring that all contractors and subcontractors take all necessary precautions to protect all persons, buildings, structures, works, facilities and utilities from damage occurring due to blasting conducted on the Lands;
- (cc) to be responsible for any damage or harm arising to any person, building, structure, work, facility and utility;
- (dd) to provide all occupants of buildings within 300 metres of the Lands with at least two (2) days prior written notice of the blasting schedule and to provide to them a copy of the pre-blast surveys as provided to the Town;

- (ee) to ensure that any blasting activity shall only occur between the hours of 8:00 a.m. and 5:00 p.m. on weekdays that are not statutory or civic holidays and only at times when atmospheric conditions provide clear observation for a distance of at least 1,000 metres from the blasting site;
- (ff) that the Town shall be entitled, on reasonable grounds, to retain the services of an independent qualified blasting and vibration control engineer to review all documentation submitted to the Town and to conduct necessary inspections and supervision of blasting operations on the Lands with all costs payable by Owner;

Miscellaneous

to file with the Town, following completion of construction of any Works, a complete set of "as constructed drawings" for the services, including one complete set of "as constructed drawings" on mylar drawing paper and digital Auto-CAD format;

that no trailer or other vehicle bearing advertising information or identification related to a business use on the Lands, shall be located, kept or maintained in any yard adjacent to a street;

to provide, during all hours of construction, competent on-site supervision of all Works required to be done on all public and private lands and building construction to be undertaken on the Lands;

- (jj) to comply with all provisions of the Town's noise and idling control by-laws;

to verify the location of existing and all proposed utilities within municipal rights-of-way and to make all necessary arrangements and to be solely responsible for the costs of removing and relocating any existing municipal or public services requiring relocation in the course of, or in connection with, the construction, installation or provision of the Works required under this Agreement;

to obtain the approval of the Town for the numbering of any buildings or structures and to notify CPU and that if any subsequent changes to residential numbering occurs, to provide compensation to CPU for changes to billing and records; and

to implement 911 numbering to the satisfaction of the Town prior to approval of electrical service drawings.

To comply with all provisions of the Town's building numbering by-law, including affixing numbers assigned by the Town, maintaining the visibility thereof and the utilization of appropriate digital format;

Use of Building Materials re Demolished Buildings

prior to undertaking the demolition of any existing buildings or structures on the Land, to offer any used building materials for recycling to a community organization desirous of reclaiming such used building materials, and shall notify the Town

PART IV

SPECIAL TERMS AND CONDITIONS

17. External Services

The Owner agrees:

- (a) to provide financial security in the amount of 100% of the estimated costs of all external municipal services ("External Services") as set out in Schedule "C";
- (b) to provide, construct and install the External Services to the standards and specifications required by the Town under the direction and supervision of the

Engineer who will certify completion of the External Services to the satisfaction of the Town;

- (c) to guarantee the workmanship and materials for the construction and installation of the External Services and to maintain same free of defects for a period of two (2) years from the date of certification of substantial completion and to promptly and properly repair all defects in the External Services to the complete satisfaction of the Town;
- (d) that any action taken by the Town or by its employees, agents or contractors relating to the removal of snow and ice, or sanding, or cleaning of any roads, or permitting the connection of additional services to any of the External Services required to be constructed or installed during the two-year period set out in Subsection 15(c) is being done without prejudice to the Town's right to enforce the guarantee and maintenance provisions of this Agreement.

Parkland Dedication

The Town acknowledges that 1540135 Ontario Inc. has satisfied the parkland dedication requirements of sections 42 and 51.1 of the Planning Act through the conveyance of land for park purposes pursuant to the registration of Plan of Subdivision 51M-889 on October 30, 2007 as Instrument SC597188.

Nottawasaga Valley Conservation Authority (“NVCA”)

On the basis that Block 218 is part of Registered Plan of Subdivision 51M-889, which addressed stormwater management issues to their, and the Town's, satisfaction the NVCA has deferred to the Town of Collingwood with respect to review of stormwater management for the site. The NVCA has no objection to the site plan approval of the proposed development subject to the following conditions. Therefore, the Owner covenants and agrees:

- (i) to carry out or cause to be carried out the recommendations and measures contained within the plans approved by the Town and the plans and reports associated with Registered Plan of Subdivision 51M-889 (Instrument SC 597188) to the satisfaction of the Town and the NVCA;
- (ii) to ensure that any stormwater management facilities and sediment and erosion control measures will be in place prior to any site alteration, to the satisfaction of the NVCA and the Town;
- (iii) to engage a qualified professional to certify in writing that the works have been constructed in accordance with the plans, reports and specifications, as approved by the Town and NVCA;
- (iv) to obtain written approval, if necessary, from the NVCA for the development of this site under the NVCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 172/06) prior to undertaking the proposed works; and,
- (v) to maintain any on-site controls in accordance with the plans and reports approved by the NVCA and the Town.

Noise Warning Clauses

The Owner covenants and agrees to register onto the title of the Lands the following noise warning clauses and also to include same on any Offer to Purchase and Sale to notify future purchasers of the Lands of potential noise issues:

- (a) “Purchasers are advised that this dwelling unit has been fitted with a forced air heating system and the ducting, etc, was sized to accommodate alternate ventilation. (Note: Air cooled condenser unit should be located in a manner

so as to minimize the noise impacts in sensitive locations on the subject property and in the immediate vicinity of the subject property.)”

- (a) “Purchasers are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic, may occasionally interfere with some activities of the dwelling occupants as the sound level may exceed the noise guidelines of the Town and the Ministry of the Environment.”

Transfers of Land

The Owner agrees:

to gratuitously transfer and convey the lands and easements identified in Schedule “D” to the Town and CPU free and clear of all encumbrances;

to provide an environmental clearance to the Town for all lands to be conveyed or dedicated to the Town prior to the conveyance of the lands and easements and that the Town shall not be obligated to accept any lands until it is satisfied that the lands are environmentally suitable for its proposed use and are certified as such by a professional engineering consultant or equivalent, in accordance with the guidelines of the Ministry of Environment and Energy or such other guidelines as may be appropriate;

that all transfers of land and easements required by this Agreement are to be messaged to the Town’s Solicitor for registration prior to registration of this Agreement and that all documents shall be signed and in a form suitable for registration and any conveyances shall be registered at the expense of the Owner.

PART V

FINANCIAL CONDITIONS, SECURITY AND INSURANCE

Financial Payments

The Owner agrees to pay or deliver to the Town, upon execution of this Agreement, the following payments:

the amount of \$5,000.00 as a deposit for legal costs and expenses incurred by the Town for the preparation, registration, administration and enforcement of this Agreement. Actual costs incurred will be applied and if legal costs exceed the amount of the deposit, the Owner agrees to remit such additional monies as may be required forthwith upon demand by the Town;

the amount of \$XX,XXX.XX for costs incurred by CPU for the review or design of the Works and for inspections related to the construction, installation and provision of the Works, such amount being 5% of the costs of the Works as outlined in Schedule “C”; and

any outstanding taxes and local improvement charges

Development Charges and Education Development Charges

Prior to obtaining a building permit, the Owner shall pay to the Town:

- (a) the applicable Town Development Charges;
- (b) the education development charges applicable ;
- (c) the applicable County of Simcoe development charges; and,
- (d) all applicable Black Ash Creek development charges.

Letter of Credit

The Owner agrees:

- to file with the Town prior to registration of this Agreement by the Town, a letter of credit in the amount of \$XXX,XXX.XX as set out in Schedule "C" in order to guarantee completion of the Works, the Landscape Works, [*and any other Works*] and compliance with all conditions in this Agreement;
- to file a letter of credit in the form set out in Schedule "F" and to keep the said letter of credit in full force and effect and pay all premiums as the said letter(s) of credit becomes due or until such time as the Town reduces or returns the letter of credit in accordance with Section 24;
- that should there be a deficiency in or failure to carry out any work or matter required by any clause of this Agreement, which the Owner fails to comply, within thirty (30) days written notice, with a direction to carry out such work or matter, the Town may draw on the letter(s) of credit to the extent necessary and enter onto the Lands and complete all outstanding works or matters, and pay all costs and expenses incurred thereby from the proceeds so drawn;
- that the Town reserves the right to draw on and use the proceeds from the letter of credit to complete any work or matter required to be done by the Owner pursuant to this Agreement or for a failure of the Owner to comply with any requirement of this Agreement. The Owner further acknowledges and agrees that notwithstanding Section 24 of this Agreement, in the event that the Town determines that any reduction in the letter of credit will create a shortfall with respect to securing the completion of any work or matter remaining to be carried out by the Owner pursuant to this Agreement, the Town will not be obligated to reduce the letter of credit until such time as such work is satisfactorily completed or the Town has sufficient security to ensure that such work will be completed;
- that wherever in this Agreement a letter of credit is required to be filed with the Town, the Owner may deposit with the Treasurer cash or certified cheque in an amount equal to the letter of credit and such deposit shall be held by the Town as security in accordance with this Agreement, provided that no interest shall be payable by the Town on any such deposit; and
- that upon the transfer of ownership of the Lands, the Town will not return any letter of credit required under this Agreement until the new owner files with the Town a substitute letter of credit or such other security as may be permitted in the required amounts.

Release/Return of Financial Security

The Owner agrees:

- prior to the reduction or release of any financial security held by the Town for the Works, Landscape Works and [*any other works*] set out in this Agreement, the Owner must supply the Town with the following documentation:
 - (i) letter of application for reduction/release;
 - (ii) consultant's certificate confirming that services completed;
 - (iii) As-constructed drawings;
 - (iv) satisfactory evidence of no construction liens filed;
 - (v) workplace safety certificate
 - (vi) statutory declaration as to accounts
- (b) upon the substantial completion of the Works or External Services as certified by the Engineer and as accepted by the Town, and the receipt by the Town of all the documents identified above, the Town shall be entitled to reduce the financial

security required for Works and [*any other works*] to Ten Percent (10%) of the original amount plus 100% of the uncompleted Works and that The Maintenance Period for the Works is two (2) years.

- (c) upon the substantial completion of the Landscape Works as certified by the Engineer and accepted by the Town, and the receipt by the Town of all the documents identified above, the Town shall be entitled to reduce the financial security required for Landscape Works to Ten Percent (10%) and that the Maintenance Period for Landscape Works is one (1) year.
- (d) upon the satisfactory completion of the applicable Maintenance Periods as noted in the Agreement and the receipt by the Town of all the documents identified above, and that if there are no other deficiencies with respect to any of the other obligations of the Owner under this Agreement, the Town shall be entitled to reduce the Security for the specified Works, Landscape Works or [*any other works*] to zero (0) and therewith release or return the security to the Owner or to the issuing financial institution.
- (e) that no reduction or release of any financial security held by the Town shall occur until the one foot reserve has been conveyed to the Town in accordance with Section 12(a); and
- (f) that weather conditions and changes in the season may delay inspections by the Town and the release of any security under the Letter of Credit.

Insurance

The Owner shall provide to the Town, on or prior to the execution of this Agreement, a general comprehensive liability insurance policy in the amount of **\$5,000,000.00** in a form satisfactory to the Town, indemnifying the Town from any loss arising from claims or damages, injury or otherwise in connection with the work done by or on behalf of the Owner. The policy shall contain a cross-liability clause naming the Town as a co-insured. The policy shall be maintained in full force and effect until the public Works have been assumed by the Town. In the event that any renewal premium is not paid, the Town, in order to prevent the lapse of such liability insurance policy, may pay the renewal premium or premiums and the Owner agrees to pay the cost of such renewal or renewals within fourteen (14) days of the account therefore being rendered by the Town. The issuance of such policy of insurance shall not be construed as relieving the Owner from any liability or responsibility for any claims in excess of the aforementioned policy limits.

Construction Liens

The Owner agrees that it will hold back in its payments to any contractor who may construct services, facilities or works, such amounts as may be required under the provisions of the *Construction Liens Act*, R.S.O. 1990, c. C.30. The Owner agrees to indemnify and save completely harmless the Town, its officials, officers, employees, agents and contractors from and against all claims, demands, actions, causes of action and costs resulting from any construction being performed by the Owner, its agents and assigns pursuant to the provisions of this Agreement and, on demand by the Town, the Owner will take such steps as may be necessary to immediately discharge all liens registered upon the Lands or any appurtenant Town lands or highways. The Owner agrees that the Town shall not be obligated to reduce or release any financial security until all liens have been discharged, removed or released from the Lands or any appurtenant Town lands of highways.

PART VI **ADMINISTRATION**

Notice

The Parties agree that:

- (a) if any notice is required to be given to the Owner with respect to this Agreement, such notice shall be mailed, delivered or sent by facsimile transmission to:

Attention: ANDREW KIDD
Harbour Lands Development Inc.
675 Riddell Road, P.O. Box 70
Orangeville, Ontario L9W 2Z5
Tel: (519) 942-3311
Fax: (519) 942-9892

- (b) if any notice is required to be given to the Town with respect to this Agreement, such notice shall be mailed, delivered or sent by facsimile transmission to:

NANCY FARRER
Director of Planning Services
The Corporation of the Town of Collingwood
55 Ste. Marie Street, Suite 302
Collingwood, Ontario L9Y 0W6
Tel: (705) 445-1290
Fax: (705) 445-1463
E-Mail: nfarrer@collingwood.ca

- (c) or such other addresses of which the parties have notified the other parties, in writing, and any such notice mailed, delivered or sent by facsimile transmission shall be deemed good and sufficient notice under the terms of this Agreement.

Registration of Agreement

The Owner hereby agrees that this Agreement, together with any schedules thereto, will be registered upon title to the Lands. The covenants, agreements, conditions and undertakings herein contained on the part of the Owner shall run with the Lands and shall be binding upon it, its successors and assigns as Owners and occupiers from time to time and this covenant shall be to the benefit of the Town and its lands and highways appurtenant and adjacent to the Lands. The Owner further covenants and agrees to pay to the Town the cost of registration of this Agreement, as well as any further costs incurred by the Town as a result of the registration of any other documents pertaining to this Agreement.

Postponement and Subordination

The Owner agrees to obtain and to register such discharges and/or postponements as may be acceptable to the Town of any charges, mortgages or encumbrances on the Lands prior to the registration of this Agreement. The Owner acknowledges that the Town will not be required to finalize or register this Agreement until it has been satisfied that no other outstanding charges or encumbrances are registered upon or affect the Lands.

Enforcement

The Owner acknowledges that the Town, in addition to any other remedy it may have at law, shall also be entitled to enforce this Agreement in accordance with section 427 of the *Municipal Act, 2001*, S.O. 2001, c. 25, and any amendments thereto.

Other Applicable Laws

Nothing in this Agreement shall relieve the Owner from compliance with all applicable municipal by-laws, laws, regulations, notices or other policies or laws and/or regulations established by any other governmental body that may have jurisdiction over the Lands.

Termination of Agreement

If the Development governed by this Agreement is not commenced within one (1) year from the date of the execution of this Agreement by the Town and is not completed within two (2) years, the Town may, at its sole option and on sixty (60) days notice to the Owner, declare this Agreement null and void and of no further force and effect. The refund of any fees, levies or other charges paid by the Owner pursuant to this Agreement shall be in the sole discretion of the Town, but under no circumstances will interest be paid on any refund.

Minor Adjustments to Agreement

All of the Parties hereby expressly consent to minor revisions and adjustments to the Agreement being incorporated at the sole and absolute discretion of the Town, who's decisions in this regard shall be final. Such revisions shall be limited to minor administrative matters to facilitate completion of the Agreement. Other minor adjustments and variances to the provisions of this Agreement may only be granted upon application by the Owner to the Town's Development Committee.

Interpretation of Agreement

The Parties agree that:

the part numbers and headings, subheadings and section, subsection, clause and paragraph numbers are inserted for convenience of reference only and shall not affect the construction or interpretation of this Agreement;

this Agreement shall be construed with all changes in number and gender as may be required by the context;

every provision of this Agreement by which the Owner is obligated in any way shall be deemed to include the words "at the expense of the Owner" unless the context otherwise requires, including the payment of any applicable taxes (including GST and/or HST);

references herein to any statute or any provision thereof include such statute or provision thereof as amended, revised, re-enacted and/or consolidated from time to time and any successor statute thereto;

all obligations herein contained, although not expressed to be covenants, shall be deemed to be covenants;

whenever a statement or provision in this Agreement is followed by words denoting inclusion or example and then a list of or reference to specific items, such list or reference shall not be read so as to limit the generality of that statement or provision, even if words such as "without limiting the generality of the foregoing" do not precede such list or reference; and

that all covenants and conditions contained in this Agreement shall be severable, and that should any covenant or condition in this Agreement be declared invalid or unenforceable by a court of competent jurisdiction, the remaining covenants and conditions and the remainder of the Agreement shall remain valid and not terminate thereby.

Waiver

SCHEDULE “A”

LEGAL DESCRIPTION OF THE LANDS

Block 218 Registered Plan 51M - 889
Town of Collingwood, County of Simcoe

PIN: 58261 0600

SCHEDULE “B”**LIST OF APPROVED PLANS AND DRAWINGS****DEVELOPMENT: Dwell @ Creekside – 1 Chamberlain Crescent**

Drawing No.	Description	Revision /Date	Prepared by:
SP-1	Site Plan	Date: December 2011 Revision No. 2, dated May 14, 2012	C.C. Tatham and Associates Ltd. Consulting Engineers
A-110 NN	1 st and 2 nd Floor Plans	Date: February 2, 2012 (Revision No. 1)	BJC Architects Inc.
A-111 NN	3 rd Floor and Basement Plans	Date: February 2, 2012 (Revision No. 1)	BJC Architects Inc.
A-112 NN	Roof Plan	Date: February 2, 2012 (Revision No. 1)	BJC Architects Inc.
A-201 NN	Exterior Elevations	Date: February 2, 2012 (Revision No. 1)	BJC Architects Inc.
A-201 NN	Exterior Elevations (Coloured)	Date: February 2, 2012 (Revision No. 1)	BJC Architects Inc.
SS-1	Site Servicing and Grading Plan 1	Date: December 2011 Revision No. 2, dated May 14, 2012	C.C. Tatham and Associates Ltd. Consulting Engineers
DE-1	Details and Notes	Date: December , 2011 Revision No. 2, dated December 2006	
L-C	Coloured Landscape Plan	Date: May 16, 2012	
L-1.0	Landscaping Plan	Date: February 2, 2012, Revised to May 9, 2012 (Revision No. 3)	Greenland
L-1.0	Landscaping Plan	Date: February 2, 2012, Revised to May 9, 2012 (Revision No. 3)	Greenland
L-2.0	Landscaping Specs. & Details	Date: February 2, 2012, Revised to May 9, 2012 (Revision No. 3)	Greenland
L-2.1	Landscaping Specs. & Details	Date: February 2, 2012, Revised to May 9, 2012 (Revision No. 3)	Greenland
L-2.2	Landscaping Specs. & Details	Date: February 2, 2012, Revised to May 9, 2012 (Revision No. 3)	Greenland
L-2.3	Landscaping Specs. & Details	Date: February 2, 2012, Revised to May 9, 2012 (Revision No. 3)	Greenland

SCHEDULE “C”

SUBDIVISION: Black Ash Meadows Subdivision - Block 218
 ‘Dwell @Creekside’ Condominium Development
 DEVELOPER: 1540135 Ontario Inc.
 BUILDER: Devonleigh Homes Inc.
 CONSULTING ENGINEER: C.C. Tatham & Associates Ltd.

SUMMARY**A. Town Works**

Internal	Total
Roads To Base Asphalt	\$33,000.00
Concrete Walkway	\$8,000.00
Concrete Curb	\$9,750.00
Top Asphalt	\$12,000.00
Landscaping	\$72,595.00
Subtotal	\$135,345.00
External	
Roads To Base Asphalt	\$990.00
Concrete Walkway	\$450.00
Concrete Curb	\$800.00
Top Asphalt	\$360.00
Subtotal	\$2,600.00
<i>Internal & External Subtotal</i>	\$137,945.00
Contingencies allowance (5%)	\$6,897.25
<i>Subtotal</i>	\$144,842.25
Engineering (5%)	\$7,242.11
Total	\$152,084.36

B. Town of Collingwood Administration Fees

Town Engineering Review/Supervision Fee at 4% (\$10,000 min)	\$10,000.00
--	-------------

C. Notes:

1. In the event the Town performs clean up related to mud tracking or indiscriminate dumping and/or implements measures for dust control or performs any other emergency work for the following rates are to apply:
 - (a) Where the Town forces are used – cost times two
 - (b) Where the Town retains independent contractors – cost plus forty percent
 - (c) Minimum charge is one-half day; over-time premiums apply to non-standard working hours.

SCHEDULE “D”**LANDS AND EASEMENTS TO BE CONVEYED TO THE TOWN AND CPU****Transfers**

Part ___, 51R-_____ for the purposes of a 0.3 metre (one foot) reserve.

Easements

Blanket Easement over Parts ___, Plan 51R-_____ in favour of the Town of Collingwood and CPU for water services.

Easement over Part ___, 51R-_____ in favour of the Town of Collingwood for grading and drainage.

SCHEDULE "E"**SPECIFICATIONS REGARDING PUBLIC WORKS SERVICES****STREET SIGNS**

The Owner shall erect such street signs as may be required in the proposed Condominium. Without restricting the generality of the foregoing, the Owner shall erect the following signs sufficient to clearly designate:

- (a) no parking areas on the ingress and egress routes;
- (b) no parking on any internal private condominium roads;
- (c) fire routes.

PARKING LOT

All visitor parking spaces shall be clearly indicated.

GARBAGE

The Owner shall provide for garbage collection at the proposed condominium at least once a week. Such garbage collection cost shall be borne by the Owner until registration of the Condominium Plan and, subsequent thereto, the County will provide a service similar to other residential areas in the Town (curbside pick-up). No garbage shall be placed on municipal streets.

SNOW REMOVAL AND SNOW PLOWING

All snow plowing and snow removal is to be at the expense of the Owner until the registration of the condominium and, subsequent thereto, the Condominium Corporation. Such snow when removed shall not be deposited on Town property.

SERVICES**5.1 Water and Hydro**

The Owner shall provide water meters and curb stops for each housing unit and hydro services in accordance with accepted engineering standards and practices, and installation shall be to the satisfaction of the Manager of Water Services. Fire hydrants, both number and location, shall be installed to the satisfaction of the Town's Fire Chief.

- All water mains are to be swabbed.
- All water mains are to be pressure tested, with a copy of the pressure test report sent to CPU.
- Fire hydrants are to be Century Number 1 as CPU standard.
- No water valves will be turned on without CPU approval.
- CPU is to receive at least 24 hours notice of testing, flushing, chlorination etc. of the water mains.
- The water and any labour used in testing of the water mains and sewers will be recorded and billed to the contractor or owner.
- The water mains will be bacteriological tested. If the contractor does not have a level 1 operator on staff to collect the bacteriological tests, CPU will collect them. The owner or contractor will be charged for this service
- Each unit is to be individually metered. Meters are to be installed with the wire connected to the meter and the remote read out located beside the hydro meter. Once the meter is installed they are to call CPU 705-445-1800 and our customer service rep will come out and inspect the meter. If it passes inspection, the water

shall be turned on at that time by the customer service rep. No water service shall be turned on before the meter is installed and inspected.

- CPU will require “As-Constructed” drawings. These should include swing ties and GPS coordinates to all water main valves and hydrants.

5.2 Sanitary Sewer Services

The Owner shall provide sanitary sewer services in accordance with accepted engineering standards and practices, and installation shall be to the satisfaction of the Town Engineer. Weeping tiles shall not be connected to sanitary sewers.

5.3 Storm Water Management

The Owner shall provide storm water management works, including all necessary culverts, ditches, etc., in accordance with accepted engineering standards and practices, and such installation shall be to the satisfaction of the Town Engineer.

5.4 Fire Hydrant Inspection

The Owner shall pay or cause each future Condominium Corporation to pay to CPU such fees and charges as may be from time to imposed by the Town for such service, annually at the end of each calendar year for each fire hydrant within each condominium as payment for an annual utility inspection.

5.5 Emergency Repairs

CPU will make emergency repairs at the cost of the Owner or the Condominium Corporation to the condominium fire hydrants and watermains where constructed to CPU specifications and to electrical works.

PRIVATE ROADS AND PARKING LOTS

6.1 Pavement

The Owner must design the pavements to suit normal traffic volume for condominium roads. The specifications shall provide for the following:

- 90 mm asphalt (in two lifts)
- 150 mm granular “A” and 300 mm granular “B”

or the equivalent of the aforementioned in quality and performance of other materials. The pavement shall have a minimum surface width of six (6) metres. The Owner shall repair any damage caused to existing Town roads. All condominium roads shall have granular base, asphalt, curb and gutter and storm sewers proposed to the Town’s Subdivision Standards.

6.2 Grading

All lands shall be graded in such a manner as to permit the surface run-off to reach the ditches, culverts or natural watercourses. The Owner shall provide an overall grading plan.

6.3 Grass

All boulevards shall be seeded or sodded from street line to the traveled portion of road, and all ditches shall be sodded or seeded to protect adequately from erosion.

6.4 Driveways and Parking Lots

Driveways and parking lots shall be designed to suit normal traffic volume for condominium use.

6.5 Parking Restrictions

Parking restrictions shall be imposed and enforced by the Owner or Condominium Corporation.

SCHEDULE “G”

FORM OF LETTER OF CREDIT

Sample - Letter of Credit to be provided as security to the Town of Collingwood for the completion of all Works as approved in the Development Site Plan Agreement dated January 10, 2007 between Mountain Trails Development Corporation, the Town of Collingwood, Collus Power Corp and Collingwood Public Utilities.

**NAME OF BANK
BRANCH OR DEPARTMENT
ADDRESS**

DATE

LETTER OF CREDIT NO. _____

TO: The Corporation of the Town of Collingwood

We hereby authorize you to draw on Bank Name and Address, for the account of our customer, up to an aggregate amount of _____ 00/100 Dollars () available on demand as follows:

Pursuant to the request of our Customer, we Bank Name hereby establish and give to you an irrevocable Standby Letter of Credit (the “credit”) in your favour in the total amount of _____ 00/100 Dollars () which may be drawn on by you at any time and from time to time upon written demand for payment made upon us by you, which demand we shall honour without inquiring whether you have a right as between yourself and our Customer to make such demand and without recognizing any claim of our customer.

Provided, however, that you are to deliver to us at such time as written demand for payment is made upon us a certificate purported to be signed by an authorized officer of the Town of Collingwood, agreeing and/or confirming that monies drawn pursuant to this Credit No. _____ will be retained and used by you to meet any obligations in connection with the Agreement.

The amount of this Credit shall be reduced from time to time as advised by notice in writing given to this branch from time to time by you.

This credit will continue to the _____ day of _____, _____ and will expire at the Branch address at the close of banking business on that date.

It is condition of this Credit that it shall be deemed to be automatically extended for one year from the present or any future expiration date hereof, unless 30 days before any such date we notify you in writing by Registered Mail that we elect not to consider this Credit renewed for any such additional period. Upon receipt by you of such notice, you may draw by means of your demand accompanied by your written certification, that the amount will be retained and used by you to meet obligations incurred or to be incurred in connection with the Agreement.

Partial drawings are permitted.

Bank

SIGNED

SIGNED

[This wording cannot be altered and must be printed on official bank letterhead with original signatures.]

**BY-LAW No. 2012-088
OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD**



BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF A SITE PLAN
CONTROL AGREEMENT BETWEEN HARBOUR LANDS DEVELOPMENT
INC., THE CORPORATION OF THE TOWN OF COLLINGWOOD,
COLLUS POWER CORP. AND COLLINGWOOD PUBLIC UTILITIES
SERVICE BOARD

WHEREAS section 41 of the *Planning Act*, R.S.O. 1990, c. P.13, delegates authority to local municipal councils for matters within their jurisdiction for Site Plan Control Approval and to enter into agreements thereunder;

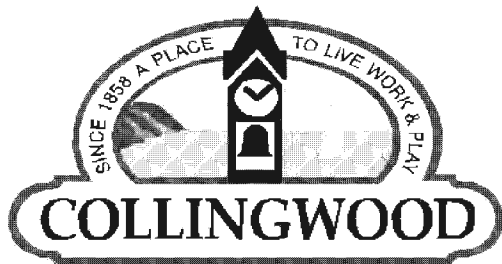
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD HEREBY ENACTS AS FOLLOWS:

1. **THAT** the Mayor and Clerk be hereby authorized to execute a Site Plan Control Agreement for the condominium apartment development commonly known as Dwell at Creekside located at 1 Chamberlain Crescent, Collingwood between Harbour Lands Development Inc., The Corporation of the Town of Collingwood, COLLUS Power Corp. and Collingwood Public Utilities Service Board, affixed hereto as Schedule "A";
2. **THAT** this by-law shall come into full force and effect on the date of final passage hereof at which time all by-laws that are inconsistent with the provisions of this by-law and the same are hereby amended insofar as it is necessary to give effect to the provisions of this by-law.

ENACTED AND PASSED this 16th day of July, 2012.

MAYOR

CLERK



STAFF REPORT

REPORT #:	P2012-28
DATE:	July 16 th , 2012
SUBMITTED TO:	Mayor & Members of Council
SUBMITTED BY:	Nancy Farrer – Director of Planning Services
SUBJECT:	Part Lot Control Exemption By-law No. 2012-087 Pretty River Estates (Liberty) Subdivision Applicant: Delpark Homes (Collingwood) Limited Address: 37 Hughes Street Part 1, Plan 51R-37436 (Part of Block 167, Registered Plan No. 51M-945), Town of Collingwood, County of Simcoe Town File No. D1206212

1. RECOMMENDATION:

THAT Council enact and pass Part Lot Control Exemption By-law No. 2012-087 in order to create one single detached residential lot in the Pretty River Estates subdivision, presently occupied by a model home.

2. SUMMARY AND BACKGROUND:

Synopsis of Proposal

The purpose of the by-law is to exempt the subject lands from the Part Lot Control provisions of the *Planning Act*. The Part Lot Control provisions of the *Planning Act* state that lots or blocks within a plan of subdivision cannot be further subdivided unless, among other things, a consent is approved or a portion of the lands are being acquired or disposed of to/by a government body (Section 50(5)).

However, Section 50(7) of the *Planning Act* permits the municipality to exempt for a period of time, where appropriate, lands within a registered plan of subdivision from the Part Lot Control provisions of the *Planning Act*.

The effect of this by-law will be to create a new property line within Block 167, Registered Plan No. 51M-945, in order to permit a portion of the subject property to be divided into a separately

conveyable lot for a single detached house (previously used as a model home). Once the By-law is registered on title, the applicant could separately convey the individual parcel of land to purchasers.

Property Description

Block 167 is located on the northeast side of Hughes Street within the Pretty River Estates Plan of Subdivision. The proposed lot to be created from Block 167 will be known municipally as 37 Hughes Street. A Location Map has been attached to this Staff Report (see Appendix A).

Matters of Provincial Interest

Section 2 of the *Planning Act*, R.S.O. 1990, c .P. 13, as amended, provides that the Council of a municipality, in carrying out their responsibilities under the *Planning Act*, shall have regard to matters of provincial interest.

Upon reviewing the criteria itemized in Section 2 of the *Planning Act* it is the opinion of Planning Services staff that Part Lot Control Exemption By-law No. 2012-087, if enacted and passed, shall not offend any matters of provincial interest.

Provincial Policy Statement (PPS - 2005)

Section 3(5) of the *Planning Act*, R.S.O. 1990, c .P. 13, as amended, provides that the Council of a municipality, in exercising any authority that affects a planning matter, shall ensure that those powers are exercised in a manner that is consistent with the policy statements issued by the Province.

Upon having regard to the policies outlined within the Provincial Policy Statement (2005), it is the opinion of Planning Services staff that Part Lot Control Exemption By-law No. 2012-087, if enacted and passed, will be consistent with the PPS (2005).

Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe plans and manages growth to support a strong economy and to build complete communities, while emphasizing intensification.

It is the opinion of Planning Services that Part Lot Control Exemption By-law No. 2012-087, if enacted and passed, is consistent with the policies of the Growth Plan for the Greater Golden Horseshoe.

County of Simcoe Official Plan

Schedule 5.1 entitled Land Use Designations of the County of Simcoe Official Plan, as amended, identifies the Town of Collingwood as a Settlement. The County of Simcoe Official Plan contains policies encouraging development to occur in areas designated as Settlement.

Town Planning staff is satisfied that Part Lot Control Exemption By-law No. 2012-087, if enacted and passed, will conform to the general intent and purpose of the County of Simcoe Official Plan.

Town of Collingwood Official Plan (2004)

Schedule "A" entitled Land Use Plan of the Town of Collingwood Official Plan (2004) identifies the subject property as designated Residential. Schedule "C" entitled Residential Density Plan of the Official Plan (2004) further identifies the subject property as designated Low Density Residential. Single detached dwellings are a permitted use in the Low Density Residential designation.

Based on the above review it is the opinion of Planning Services staff that Part Lot Control Exemption By-law No. 2012-087, if enacted and passed, will conform with the general intent of the Town of Collingwood Official Plan (2004), as amended.

Town of Collingwood Zoning By-law No. 2010-040, as amended

Schedule "E" of the Town of Collingwood Zoning By-law No. 2010-040, as amended, identifies the subject property as being zoned;

- Block 167 is zoned Residential Second Density Exception Nine (R2-9).

Single detached dwellings are permitted uses on those lots zoned R2-9.

Based on submitted Reference Plan 51M-945 and the Surveyor's Real Property Report, which shows the lot to be created as Part 1 of Block 167 (the subject lands) (Appendix B), as provided by the Applicant's surveyor, Zubek, Emo, Patten and Thomsen Limited, the resultant lot created with the enactment and passing of this Part Lot Control By-law will be in compliance with the provisions of the Town's Zoning By-law No. 2010-040, as amended.

Ultimately, it is the responsibility of the Applicant to ensure that the resultant parcels of land created under a Part Lot Control By-law remain in full compliance with the lot provisions of the Town's Zoning By-law No. 2010-040, as amended.

Part Lot Control Exemption By-law No. 2012-087

By-law No. 2012-087 is a Part Lot Control Exemption By-law under the provisions of Section 50(7) of the Planning Act, R.S.O. 1990, c. P.13, as amended. A copy of the proposed Part Lot Control Exemption By-law No. 2012-087 is attached (Appendix C).

The purpose of the by-law is to exempt the subject lands from the part lot control provisions of the *Planning Act*. The purpose of the by-law will be to create a new property line within the block, thus further dividing the lands into a separately conveyable parcel and a remainder block with two model homes. The effect of the by-law is to create a total of one (1) single detached dwelling.

The applicant has requested that Part Lot Control Exemption By-law No. 2012-087 be approved for two (2) years. Planning Services is of the opinion that two (2) years is sufficient time to allow for the creation of a deed for the individual parcel and for the conveyance of the parcel to future purchasers.

3. DISCUSSION:

- The exemption of the lands from the part lot control provisions of the *Planning Act*, R.S.O. 1990, c. P.13, will allow for one of the three model homes on Block 167 of the Pretty River Estates plan of subdivision (51M-945) to be recognized as a single detached dwelling on a separately conveyable lot. The application has proceeded under the requirements of the *Planning Act*, R.S.O. 1990, c. P.13 and in conformity with the Official Plan and Town Zoning By-law.
- Accordingly, Planning Services recommends that Part Lot Control Exemption By-law No. 2012-087 be enacted and passed by the Council of the Town of Collingwood, for a period of two (2) years.

4. DEPARTMENT HEAD REVIEW:

- This Staff Report was forwarded to Department Heads on July 10, 2012 and it was recommended that this report proceed to Council for consideration and direction.

5. EFFECT ON TOWN FINANCES:


- Current Year: None
- Future Years: None

6. APPENDICES:


- None
 Attached

- a) Location Maps
- b) Surveyor's Real Property Report of the Subject Property
- c) Part Lot Control Exemption By-law No. 2012-087

Respectfully Submitted,



 Nancy Farrer, MCIP, RPP
 Director of Planning Services

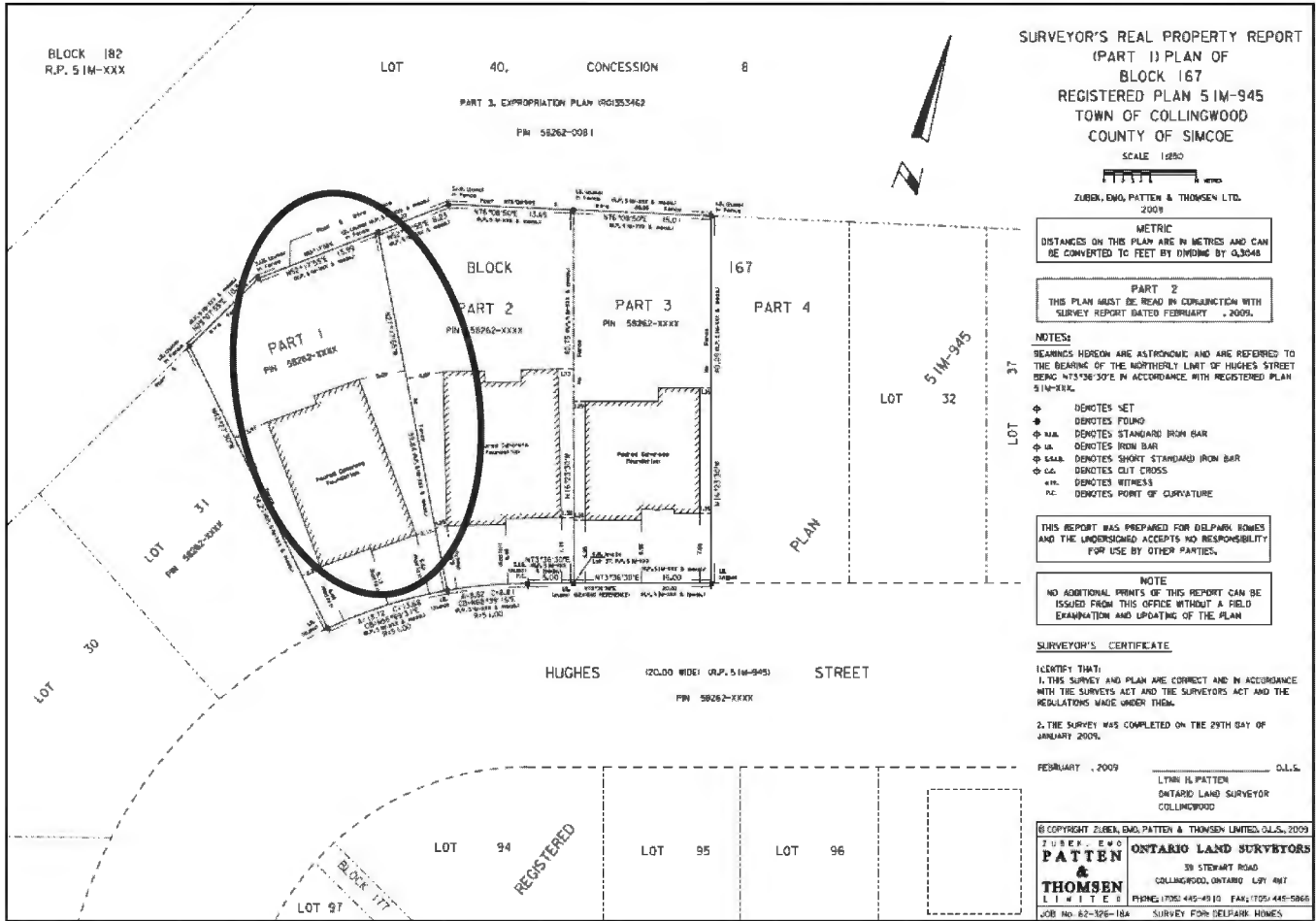


 Prepared by: Mark Bryan, MCIP, RPP
 Community Planner

Appendix A – Location Maps



Appendix B – Surveyor's Real Property Report



Appendix C: Part Lot Control Exemption By-law

BY-LAW No. 2012-087**OF THE****CORPORATION OF THE TOWN OF COLLINGWOOD**

BEING A BY-LAW TO EXEMPT A PORTION OF LAND
FROM THE PART LOT CONTROL PROVISIONS OF THE *PLANNING ACT*.

EXPLANATORY NOTE

By-law No. 2012-087 is a Part Lot Control By-law under the provisions of Section 50(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

By-law No. 2012-087 pertains to one (1) parcel which is legally described as Part 1 of Plan 51R-37436, being the westernmost portion of Block 167 on Registered Plan No. 51M-945, Town of Collingwood in the County of Simcoe. The subject property forms part of the Pretty River Estates (Liberty Developments) Plan of Subdivision.

The purpose of the by-law is to exempt a portion of the subject lands from the part lot control provisions of the *Planning Act*. The effect of the by-law will be to create a new property line within the block to permit the block to be further divided into two (2) separate parcels – one for a single detached dwelling and the remainder of Block 167 for two existing model homes.



BY-LAW No. 2012-087

OF THE

CORPORATION OF THE TOWN OF COLLINGWOOD



BEING A BY-LAW TO EXEMPT A PORTION OF LAND
FROM THE PART LOT CONTROL PROVISIONS OF THE *PLANNING ACT*.

WHEREAS Section 50(7) of the *Planning Act*, R.S.O. c.P. 13, provides that the Council of a local municipality may, by by-law, designate lands not to be subject to part lot control;

AND WHEREAS it is intended that one (1) lot for a single detached dwelling is to be created from the westernmost portion of Block 167 on Registered Plan No. 51M-945;

AND WHEREAS the Council of the Town of Collingwood is satisfied that the creation of the single detached lot may proceed;

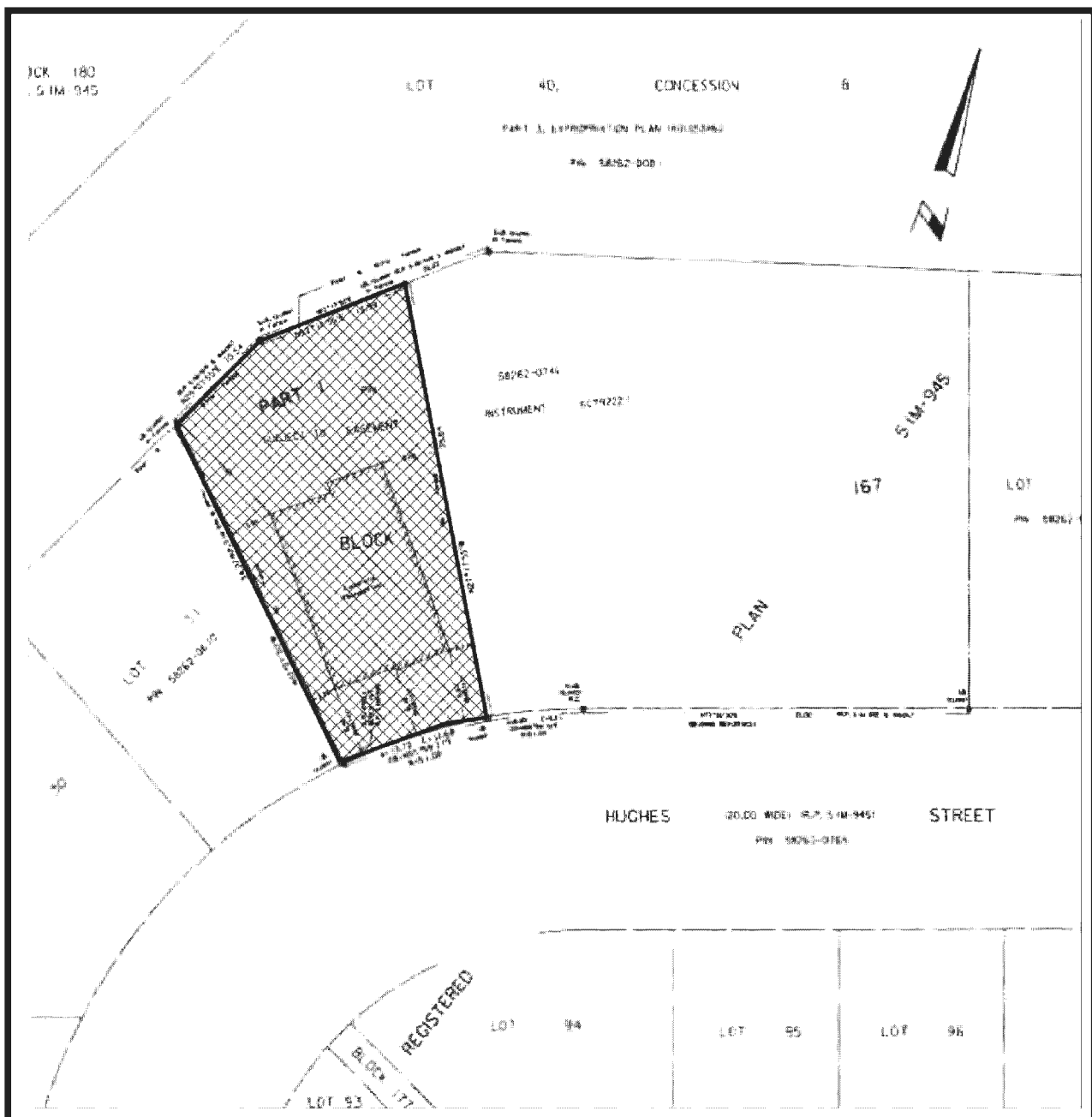
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD ENACTS AS FOLLOWS:

1. **THAT** Subsection 5 of Section 50 of the *Planning Act*, R.S.O. 1990, c.P. 13, shall cease to apply to Part 1, Plan 51R-37436, being the westernmost portion of Block 167 on Registered Plan No. 51M-945, Town of Collingwood, as shown on Schedule "A" affixed hereto.
2. **THAT** this by-law shall remain in force and effect for a period of two (2) years from the date of its passing and shall expire on July 16, 2014.

ENACTED AND PASSED THIS 16th DAY OF JULY, 2012.

MAYOR

CLERK



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT		PLAN 5 IR-37436	
DATE <u>JUNE 14, 2010</u>		RECEIVED AND DEPOSITED	
DATE <u>JUNE 16, 2010</u>		DATE <u>June 16, 2010</u>	
 LYNN W. PATTEN		 S. McMaster DEPUTY LAND REGISTRAR FOR THE LAND TITLES DIVISION OF SIMCOE (NO. 5-1)	
PART	LOT	PLAN	AREA
1	PT BLK 167	5 IR-945	706 M ²

**PLAN OF SURVEY OF
PART OF BLOCK 167
REGISTERED PLAN 5 IR-945
TOWN OF COLLINGWOOD
COUNTY OF SIMCOE**

LEGEND

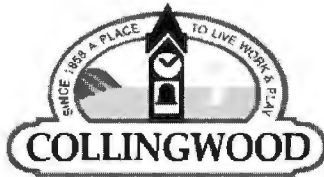
Excerpt from Reference Plan showing lands to be exempt from the part lot control provisions of the Planning Act.

MAYOR

CLERK

This is Schedule 'A' to By-law No. 2012-087 enacted and passed the 16th day of July 2012.

**TOWN OF COLLINGWOOD
Planning Services**
 DWG DATE: July 9th, 2012
 FILE NO: D1206212 (RS)
 \\ccc-fs1\townhall\Planning\A\PLANNING\A\Planning Applications\Partlot Control



**EXPLANATORY NOTE
THE CORPORATION OF THE TOWN OF COLLINGWOOD
BY-LAW No. 2011-087**

By-law No. 2012-087 is a Part Lot Control By-law under the provisions of Section 50(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

By-law No. 2012-087 pertains to one (1) parcel which is legally described as Part 1 of Plan 51R-37436, being the westernmost portion of Block 167 on Registered Plan No. 51M-945, Town of Collingwood in the County of Simcoe. The subject property forms part of the Pretty River Estates (Liberty Developments) Plan of Subdivision.

The purpose of the by-law is to exempt a portion of the subject lands from the part lot control provisions of the *Planning Act*. The effect of the by-law will be to create a new property line within the block to permit the block to be further divided into two (2) separate parcels – one for a single detached dwelling and the remainder of Block 167 for two existing model homes.



**BY-LAW No. 2012-087
OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD**



BEING A BY-LAW TO EXEMPT A PORTION OF LAND
FROM THE PART LOT CONTROL PROVISIONS OF THE *PLANNING ACT*.

WHEREAS Section 50(7) of the *Planning Act*, R.S.O. c.P. 13, provides that the Council of a local municipality may, by by-law, designate lands not to be subject to part lot control;

AND WHEREAS it is intended that one (1) lot for a single detached dwelling is to be created from the westernmost portion of Block 167 on Registered Plan No. 51M-945;

AND WHEREAS the Council of the Town of Collingwood is satisfied that the creation of the single detached lot may proceed;

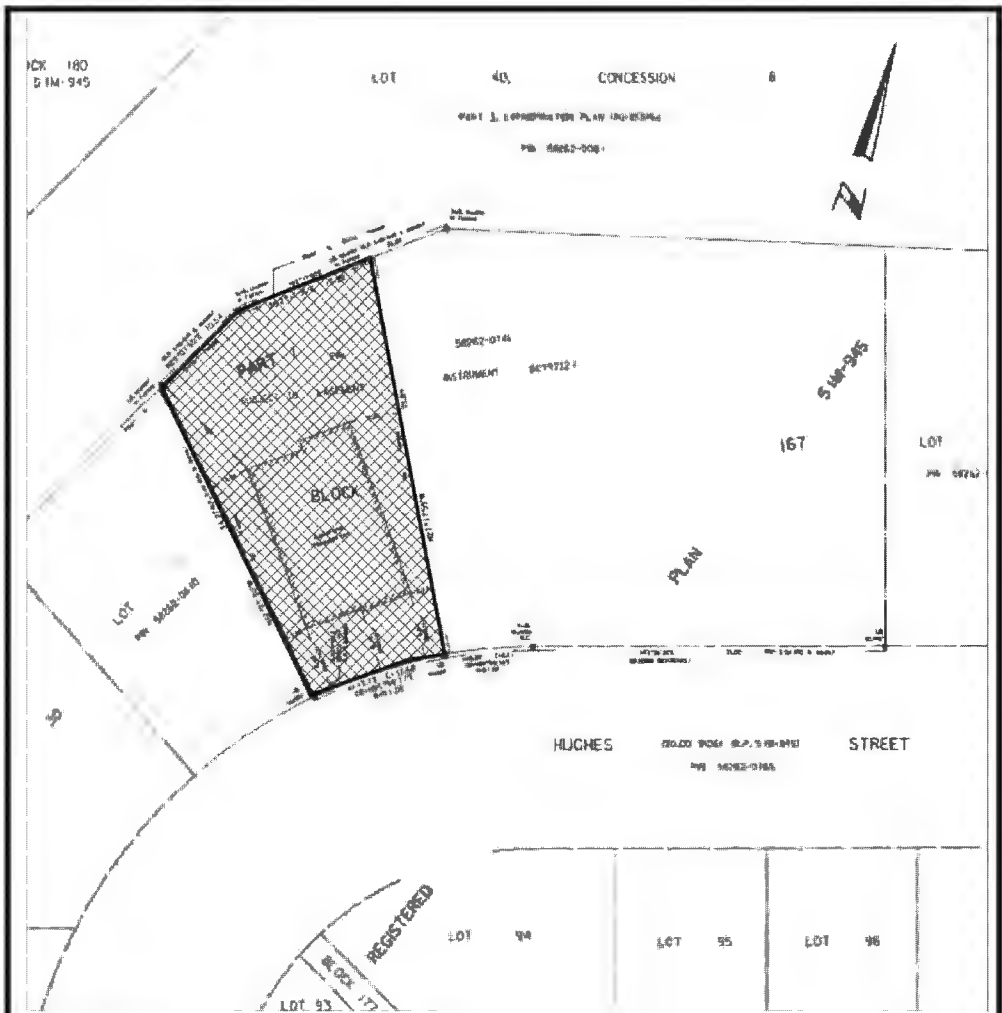
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD ENACTS AS FOLLOWS:

1. **THAT** Subsection 5 of Section 50 of the *Planning Act*, R.S.O. 1990, c.P. 13, shall cease to apply to Part 1, Plan 51R-37436, being the westernmost portion of Block 167 on Registered Plan No. 51M-945, Town of Collingwood, as shown on Schedule "A" affixed hereto.
2. **THAT** this by-law shall remain in force and effect for a period of two (2) years from the date of its passing and shall expire on July 16, 2014.

ENACTED AND PASSED this 16th day of July, 2012.

MAYOR

CLERK



PLAN 5 1M-945


RECEIVED AND DEPOSITED
DATE July 16, 2010

BY [Signature]
S. M. [Signature]

1	PT. BLK 167	5 1M-945	1M 5623-0746	5/16/12
---	-------------	----------	--------------	---------

**PLAN OF SURVEY OF
PART OF BLOCK 167
REGISTERED PLAN 5 1M-945
TOWN OF COLLINGWOOD
COUNTY OF SIMCOE**

LEGEND

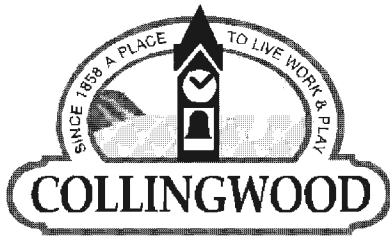
 Excerpt from Reference Plan showing lands to be exempt from the part lot control provisions of the Planning Act.

MAYOR

CLERK

This is Schedule 'A' to By-law No. 2012-087 enacted and passed the 16th day of July 2012.

**TOWN OF COLLINGWOOD
Planning Services**
DWG DATE: July 9th, 2012
FILE NO: D1206212 (RS)
Sgt. E. H. [Signature] Planning Services



STAFF REPORT

REPORT #:	P2012-29
DATE:	July 16, 2012
SUBMITTED TO:	Council
SUBMITTED BY:	Nancy Farrer, Director, Planning Services
SUBJECT:	Zoning By-law Amendment and Plan of Subdivision, Plan of Condominium Common Element) Collingwood Heights Incorporated. Town File Nos. D14212, D1201112 and D07212 Project Name: Heights of Collingwood (Regency Heights) Legal Description – Lots 41 and 42 East of Balsam Street, Lots 41 and 42 West of Elm Street, Part of Elm Street and Part of Fourth Street, Plan 51R-36307, Town of Collingwood, County of Simcoe Civic Address: 121 High Street

1. RECOMMENDATION:

THAT Council enact and pass amending Zoning By-law No. 2012-089 to permit the Heights of Collingwood 32 unit condominium townhome development to proceed as 32 freehold townhomes on a common element condominium road;

THAT Council authorize draft approval of the proposed one block Plan of Subdivision for the Heights of Collingwood development subject to the conditions set out in Appendix "D", and that the draft approval lapse after two (2) years, being July 16, 2014, in the event that the subdivision is not registered within that period; and,

THAT Council authorize draft approval of the proposed Common Element Condominium for the Heights of Collingwood development subject to the conditions set out in Appendix "E", and that draft approval lapse after two (2) years, being July 16, 2014, in the event that the condominium is not registered within that period.

THAT Council authorize a reduction of the flat fee associated with the application for a draft plan of subdivision, from \$15,495.00 to \$2,355.00, and direct that the applicant be provided with a refund of any excess monies paid.

2. SUMMARY AND BACKGROUND:

Synopsis of Proposal

The proposed Zoning By-law Amendment is to rezone the subject land from the R3 zone to a Residential Third Density Exception Forty-Six (R3-46) zone in order to permit the property to be divided into 32 freehold townhome lots accessed by a private condominium road while maintaining compliance with the provisions of the zoning by-law as if the parcels continued to comprise one lot. The Plan of Subdivision is to create one block from which further lot creation can occur – 32 freehold townhome lots and a parcel for the plan of condominium. The Plan of Condominium is for a common elements condominium consisting of the private driveway for access to the 32 freehold townhome lots, adjacent visitor parking areas and landscaped amenity areas. All of these elements are to be held in common by the condominium corporation. All of the owners of the 32 freehold townhome lots will be participants in the common element condominium and hence the lots to be created are known as parcels of tied land (POTLS).

Property Description

The subject lands are located on the east side of High Street, opposite Stewart Road and are legally described as Lots 41 and 42 East of Balsam Street, Lots 41 and 42 West of Elm Street, Part of Elm Street and Part of Fourth Street, Plan 51R-36307, Town of Collingwood, County of Simcoe and is known municipally as 121 High Street. A Site Plan Agreement is registered on the lands for a thirty-two (32) unit condominium townhouse project that is also draft approved for the Plan of Condominium. The lands are designated in the Collingwood Official Plan as Medium Density Residential and are zoned Residential Third Density (R3) in the Collingwood Zoning By-law No. 2010-40, as amended.

The subject lands are owned by Collingwood Heights Incorporated, the applicant for the Zoning By-law Amendment, Plan of Subdivision and Plan of Condominium (Common Element). A Site Plan Agreement was approved by Council on October, 20th, 2008.

Notice

Notice regarding this amending Zoning By-law application and the common element condominium was provided as required under the *Planning Act* on Friday May 25, 2012.

Public Comment

No public comments were received as a result of the Notice or the Public Meeting.

Matters of Provincial Interest

Section 2 of the *Planning Act* requires that regard be given to matters of provincial interest. Upon having regard to the criteria itemized in Section 2 of the *Planning Act* it is the opinion of Planning Services Staff that amending Zoning By-law No. 2012-089, the proposed one block Plan of Subdivision and the proposed Common Element Plan of Condominium, if enacted, approved and passed, would have proper regard for this subsection of the *Planning Act*.

Provincial Policy Statement (2005)

Section 3(5) of the *Planning Act* states that any planning decision rendered must be consistent with the Provincial Policy Statement (PPS). It is the opinion of Planning Services Staff that amending Zoning By-law No. 2012-089 , the proposed one block Plan of Subdivision and the proposed Common Element Plan of Condominium, if enacted, approved and passed, are consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe area plans and manages growth to support a strong economy and to build complete communities, while emphasizing intensification.

Planning Services Staff is satisfied that amending Zoning By-law No. 2012-089 , the proposed one block Plan of Subdivision and the proposed Common Element Plan of Condominium, if enacted, approved and passed, are consistent with the policies of the Growth Plan for the Greater Golden Horseshoe area.

County of Simcoe Official Plan

Schedule 5.1 entitled Land Use Designations of the County of Simcoe Official Plan, as amended, identifies the Town of Collingwood as a Settlement. The County of Simcoe Official Plan contains policies encouraging development to occur in areas designated as Settlement.

Generally, the County of Simcoe does not provide any comments related to site specific Zoning By-law Amendment proposals within registered plans of subdivision within municipal settlement areas. However, Planning Services Staff is of the opinion that amending Zoning By-law No. 2012-089 , the proposed one block Plan of Subdivision and the proposed Common Element Plan of Condominium, if enacted, approved and passed, will maintain the general intent and purpose of the County of Simcoe Official Plan.

Town of Collingwood Official Plan

Schedule "A" entitled Land Use Plan of the Town of Collingwood Official Plan identifies the subject property as being designated Residential and further defined as Medium Density Residential on Schedule 'C' entitled Residential Density Plan in the Town of Collingwood Official Plan, as amended.

Planning Services Staff advise that amending Zoning By-law No. 2012-089 , the proposed one block Plan of Subdivision and the proposed Common Element Plan of Condominium, if enacted, approved and passed, will maintain the general intent and purpose of the Town of Collingwood Official Plan.

Town of Collingwood Zoning By-law No. 2010-040, as amended

Schedule "A", Map 11 of the Town of Collingwood Zoning By-law No. 2010-040, as amended, identifies the subject property as being zoned, Residential Third Density (R3)

which permits the originally proposed condominium townhome development as group or cluster dwellings, but not freehold townhome dwelling units on a private road.

Amending Zoning By-law No. 2012-089 2

The proposed zoning by-law amendment is essentially a means of allowing an approved site development to continue to comply with the Zoning By-law despite a change in tenure for the dwelling units. Thus, instances where the introduction of lot lines would technically create problems with minimum lot area, frontage, setbacks and landscaping provisions would be dealt with by continuing to view the development as if it were still one lot for zoning purposes which fronts onto a public road. This general approach was taken previously in the case of the Admiral Collingwood Place Development, the Raglan Village retirement community to allow for more complex development ownership arrangements.

Plan of Condominium (Common Element)

The proposed Plan of Condominium for the common elements of the development – private road, landscaped buffers and visitor parking permits access to the proposed freehold lots since there would be no publically owned road internal to the site. As noted this would not have been a problem were the entire development treated as a Standard Condominium. Since Planning Services staff do have concerns around adequate and integrated property maintenance for the development a condition of draft condominium approval requires the applicant to submit a copy of the Condominium Declaration (i.e. the rules of the condominium) to ensure that the responsibilities and obligations of the freehold townhome unit owners in this regard are addressed.

Plan of Subdivision

The proposed Plan of Subdivision is a technical requirement to allow for the creation of freehold townhome lots and a parcel for the common element condominium. The creation of the parcels will proceed via a future request for exemption from the Part Lot Control provisions of the *Planning Act*.

Site Plan Control Agreement

As noted previously, a Site Plan Control Agreement was approved for the development on October 20, 2008 which has been registered. At this time the Site Plan Control Agreement appears to be in good standing.

3. DISCUSSION:

- The Amending Zoning By-law No. 2012-089 and proposed Draft Plans of Subdivision and Condominium have proceeded under the requirements of the *Planning Act* and in conformity with the Town of Collingwood Official Plan.
- The Amending Zoning By-law No. 2012-089 and proposed Draft Plans of Subdivision and Condominium will support the applicant's proposed change of

tenure for the 32 townhome dwellings (to be created via an application for exemption from the Part Lot Control provisions of the Planning Act).

- There are no risks anticipated with this Amending Zoning By-law proceeding or the proposed Draft Plans of Subdivision and Condominium.
- The Part Lot Control Exemption By-law will be brought forward at a later date once the Zoning By-law Amendment is in full force and effect.

4. DEPARTMENT HEAD REVIEW:

This Staff Report was reviewed by Senior Staff at the July 10, 2012 Department Head Meeting for comment. No concerns were identified and it was recommended that the Report be forwarded to Council for their consideration.

5. EFFECT ON TOWN FINANCES:

- Current Year: None
- Future Years: None

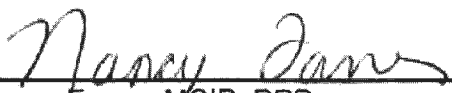
Planning Services staff note that during the review process the applicant requested some relief from the Plan of Subdivision application fees since the application is a minor and technical one for the purposes of creating a one block plan of subdivision. Planning Services staff confirm that the review was not of the scope and scale typically required with residential subdivision development proposals since this development was already subject to a site plan approval process and the lots which now comprise the property were originally part of a plan of subdivision. Accordingly, Planning Services staff recommend that the application flat fee be reduced from \$15,495.00 to \$2,355.00 which is in line with the flat fee associated with an application to sever land.

6. APPENDICES:


- None
 Attached

- A Location Map
- B Approved Site Plan
- C Amending Zoning By-law No. 2012-089
- D Conditions of Draft Subdivision Plan Approval
- E Conditions of Draft Condominium Plan Approval

Respectfully Submitted,

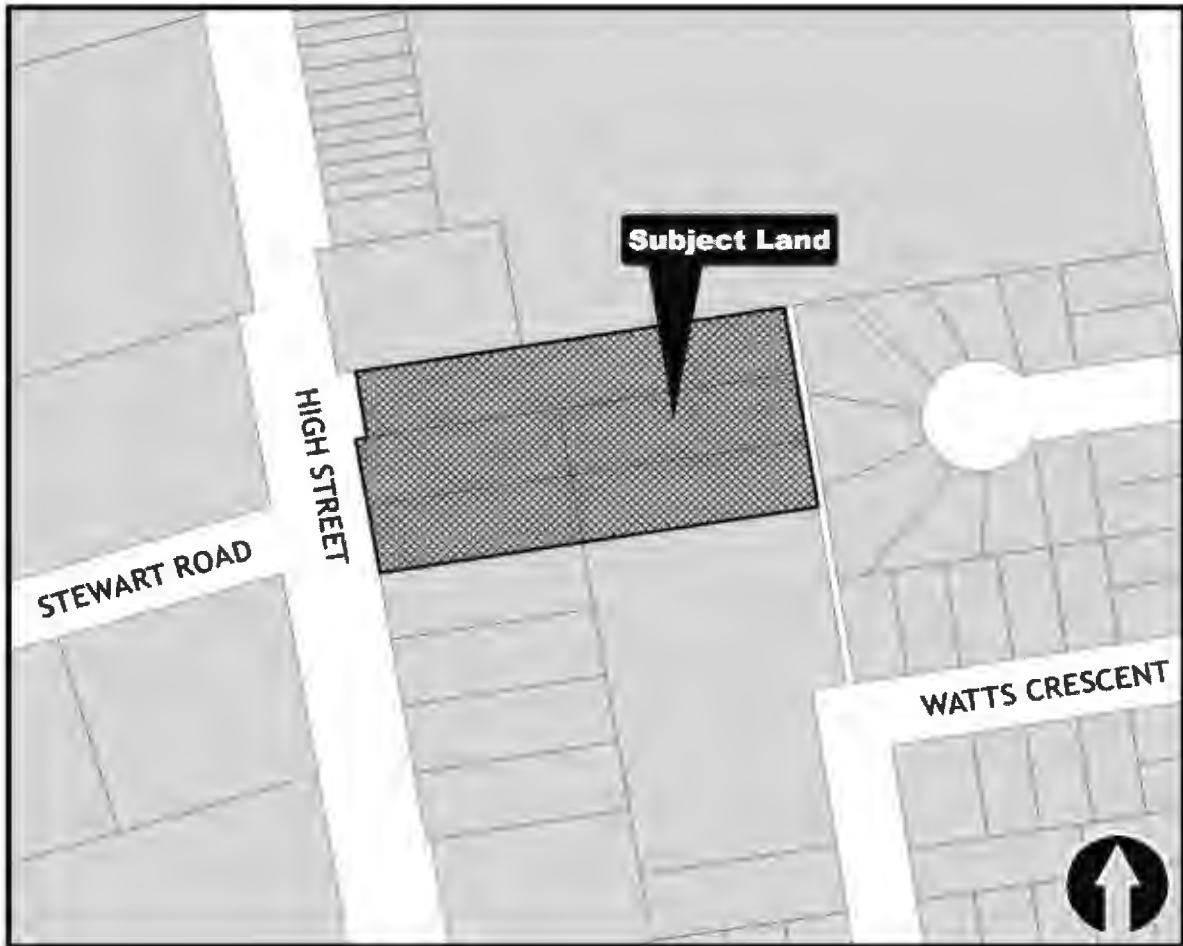


Nancy Farrer, MCIP, RPP
Director of Planning Services

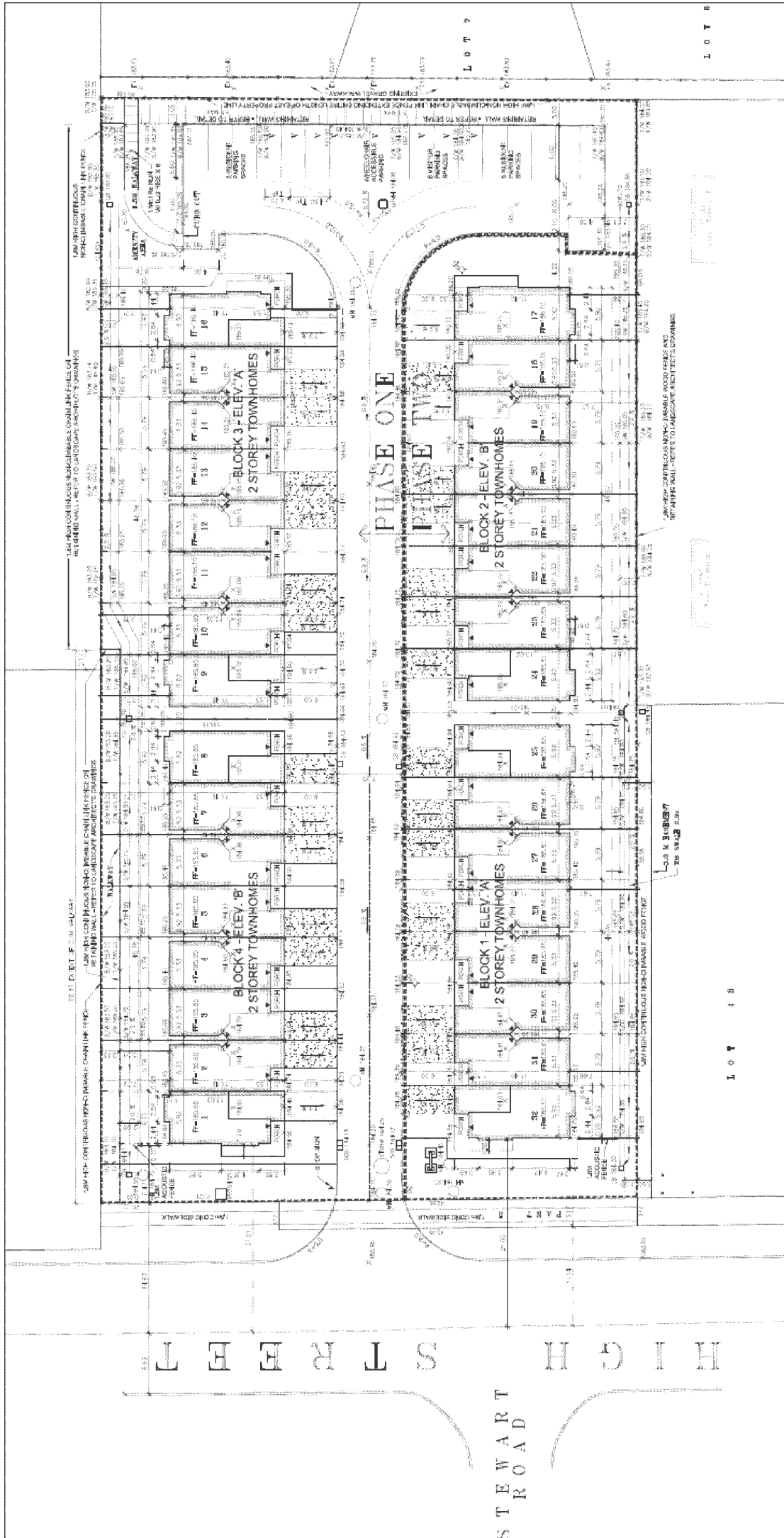


Prepared by: Mark Bryan, MCIP, RPP
Community Planner

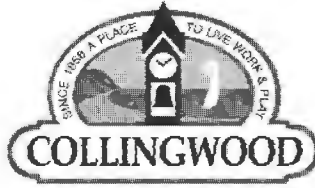
Appendix A: Location Map



Appendix B: Excerpt from Approved Site Plan



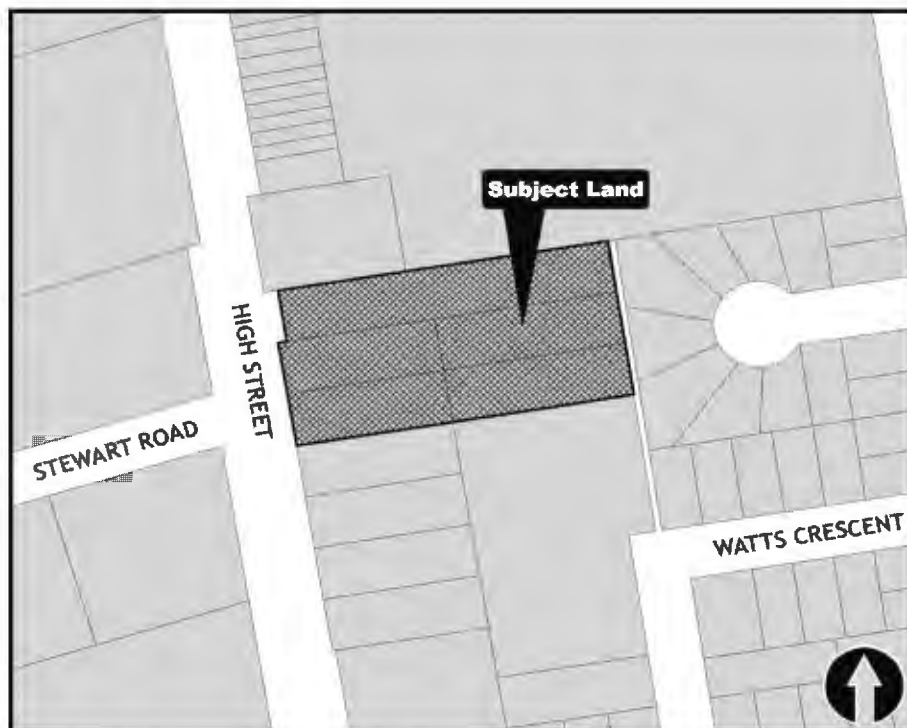
Appendix C: Proposed Zoning By-law Amendment



**EXPLANATORY NOTE
TO THE CORPORATION OF THE TOWN OF COLLINGWOOD
BY-LAW No. 2012-089**

The proposed Zoning By-law Amendment (Town File No. D14112), pertains to land located on the east side of High Street, opposite Stewart Road are legally described as Lots 41 and 42 East of Balsam Street, Lots 41 and 42 West of Elm Street, Part of Elm Street and Part of Fourth Street, Plan 51R-36307, Town of Collingwood, County of Simcoe. The lands are presently designated in the Town of Collingwood Official Plan as Residential – Medium Residential Density A and are presently zoned in the Town of Collingwood Zoning By-law No. 2010-40, as amended, as Residential Third Density (R3).

The purpose and effect of the proposed Zoning By-law Amendment is to rezone the subject land from the R3 zone to the Residential Third Density Exception Forty-Six (R3-46) zone in order to permit the property to be divided into 32 freehold townhome lots accessed by a private condominium road while maintaining compliance with the provisions of the zoning by-law as if the parcels continued to comprise one lot.



BY-LAW NO. 2012-089
OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD



BEING A BY-LAW UNDER THE PROVISIONS OF SECTION 34 OF THE *PLANNING ACT*, R.S.O. 1990, c. P.13, AS AMENDED, FOR PROHIBITING THE USE OF LAND FOR OR EXCEPT FOR SUCH PURPOSES AS MAY BE SET OUT IN THE BY-LAW.

WHEREAS the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, Section 34 permits the Council of local municipalities to pass Zoning By-laws for prohibiting the use of land or the erection of buildings or structures except for such purposes as may be set out in the By-law;

AND WHEREAS Zoning By-law No. 2010-040 is the governing By-law of the Corporation of the Town of Collingwood and such was finally passed by the Council of the Town of Collingwood on April 12th, 2010;

AND WHEREAS the Council of the Corporation of the Town of Collingwood has deemed it advisable to amend Zoning By-law No. 2010-040, and thus implement the Official Plan of the Town of Collingwood;

AND WHEREAS Council deems that adequate public notice of the public meeting was provided and adequate information regarding this Amendment was presented at the public meeting held June 18, 2012, and that a further meeting is not considered necessary in order to proceed with this Amendment;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD ENACTS AS FOLLOWS:

1. **THAT** Schedule "A", Map 13, of Zoning By-law No. 2010-040 is hereby amended, as it pertains to those lands shown more particularly on Schedule "A" affixed hereto, by changing the RESIDENTIAL THIRD DENSITY (R3) ZONE to the RESIDENTIAL THIRD DENSITY EXCEPTION FORTY-SIX (R3-46) ZONE.
2. **THAT** Zoning By-law No. 2010-040, is hereby amended to give effect to the foregoing, but that Zoning By-law No. 2010-040, as amended, shall in all other respects remain in full force and effect.
3. **THAT** this By-law shall come into force and effect on the date it is passed by the Council of the Corporation of the Town of Collingwood, subject to the notice hereof being circulated in accordance with the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, and Ontario Regulation 545/06, and if required as a result of such circulation the obtaining of the approval of the Ontario Municipal Board.

ENACTED AND PASSED this 16TH of July, 2012.

MAYOR

CLERK



LEGEND

 Lands to be rezoned from the Residential Third Density (R3) Zone to the Residential Third Density Exception Forty- Six (R3-46) Zone.

MAYOR

CLERK

This is Schedule 'A' to By-law No. 2012-089 enacted and passed the 16th day of July 2012.

**TOWN OF COLLINGWOOD
Planning Services**
DWG DATE: July 11, 2012
FILE NO: D14212 (RS)

Appendix D Conditions of Draft Plan Approval (Subdivision)

Applicant: Collingwood Heights Incorporated File: D1201112

No. Conditions

1. That this approval applies to the Draft Plan of Subdivision located on Lots 41 and 42 East of Balsam Street, Lots 41 and 42 West of Elm Street, Part of Elm Street and Part of Fourth Street, Plan 51R-36307, Town of Collingwood, County of Simcoe prepared by Rady-Pentak and Edwards Surveying Limited, dated March 23, 2012 and showing one block:
2. That the Owner shall agree in writing, or an agreement, to satisfy all the requirements, financial and otherwise of the Town of Collingwood prior to final approval.
3. That prior to final approval and registration of the subdivision, the Owner shall, if necessary, demonstrate compliance with the Site Plan Agreement for the development which was approved by Council of the Town of Collingwood on October 20, 2008
4. That prior to final approval of the subdivision, a copy of the proposed final plan, and any associated documents, as deemed necessary by the Town, are to be forwarded to the Town as the approval authority for review and approval.
5. That prior to final approval the Owner shall confirm to the satisfaction of the Town, in writing, that the aforementioned conditions 2-4 have been satisfied.
6. That draft plan approval is for a period of two (2) years from the date of approval of this draft approval. The Owner shall apply for any extension at least sixty (60) days prior to the lapsing date.

Notes to Draft Approval

1. It is the Owner's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters are forwarded to the Town as approval authority, quoting file number D1201112..
2. The Town of Collingwood requires all engineering drawings to be submitted in AutoCAD 14 format as well as hardcopy.
3. All measurements in subdivision final plans must be presented in metric units.
4. All deeds to be conveyed must be free and clear of encumbrances.
5. If applicable, the Owner shall agree, prior to final approval, to pay all development fees to the Nottawasaga Valley Conservation Authority as required in accordance with the Nottawasaga Valley Conservation Authority's fees policy established under the Conservation Authorities Act.
6. Clearance is only required from the Town. Agency concerns were addressed through the Site Plan Agreement which was approved by Council on October 20, 2008.
7. The approval of this draft plan will lapse on July 16, 2014. This approval may be extended pursuant to subsection 51(33) of the Planning Act, but no extension can be granted once the approval has lapsed.

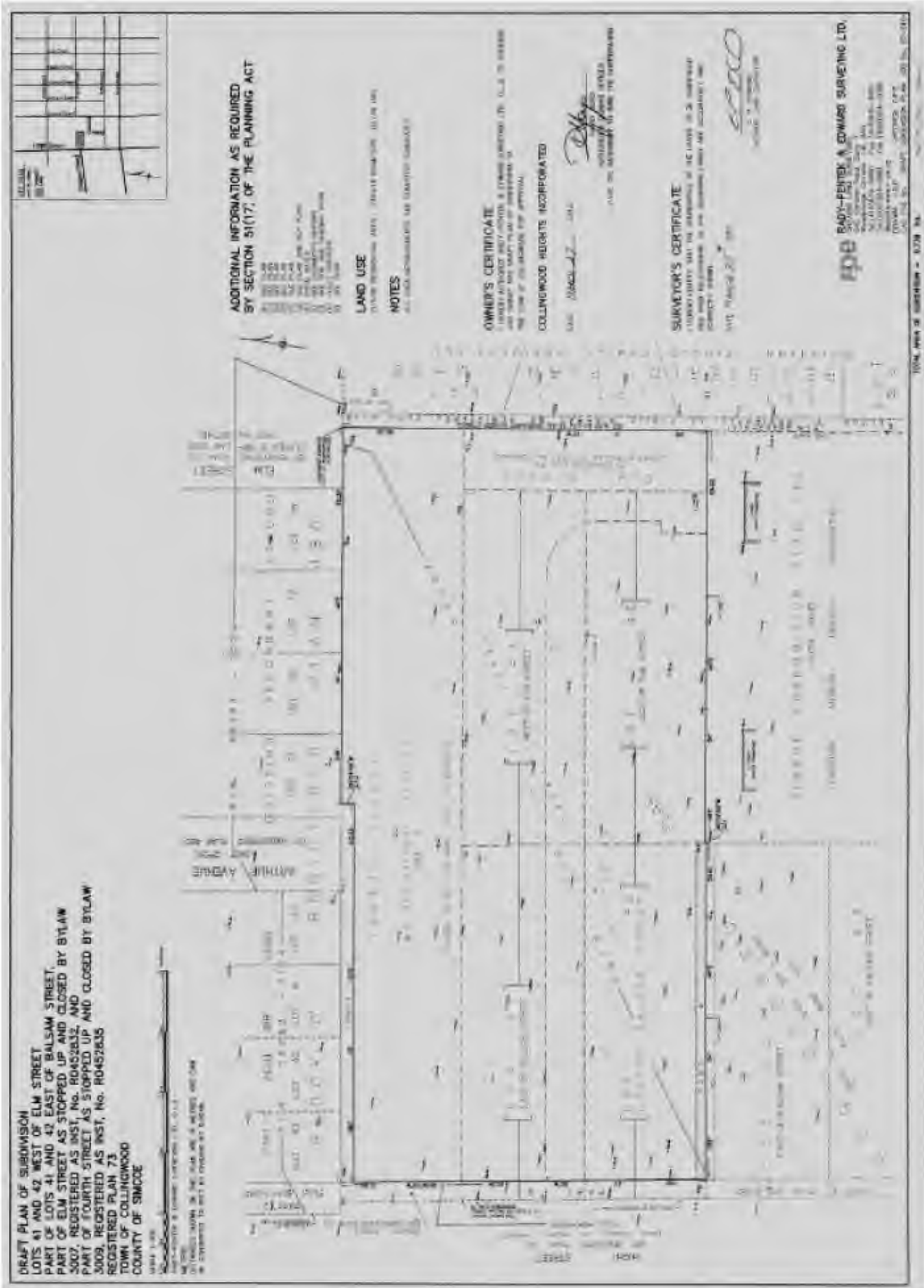
If final approval is not given to this plan within two (2) years of the draft approval date, and no extensions have been granted, draft approval will lapse under subsection 51(32) of the Planning Act. If the Owner wishes to request an extension to draft approval, a written explanation, together with a resolution from Town Council, must be received by the Approval Authority sixty (60) days prior to the lapsing date.

8. The final plan of subdivision approved by the approval authority must be registered within 30 days or the Town may withdraw its approval under subsection 51(32) of the Planning Act.

Subject to the conditions set forth above, this Draft Plan is approved under section 51 of the Planning Act.

This 16th day of July, 2012

Town of Collingwood



Appendix E Conditions of Draft Plan Approval (Condominium)

Applicant: Tanglewood (Sierra Homes) Inc. File: D07112

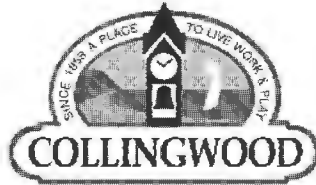
No. Conditions

1. That this approval applies to the Draft Plan of Condominium located on Lots 41 and 42 East of Balsam Street, Lots 41 and 42 West of Elm Street, Part of Elm Street and Part of Fourth Street, Plan 51R-36307, Town of Collingwood, County of Simcoe prepared by Rady-Pentak and Edwards Surveying Limited, dated March 23, 2012 and showing one block for a shared private driveway, visitor parking and amenity area
2. That the Owner shall agree in writing, or an agreement, to satisfy all the requirements, financial and otherwise of the Town of Collingwood prior to final approval.
3. That prior to final approval and registration of the condominium, the Owner shall, if necessary, demonstrate compliance with the Site Plan Agreement for the development which was approved by Council of the Town of Collingwood on October 20, 2008
4. That prior to final approval of the condominium, a copy of the proposed final plan, and any associated easement and condominium declaration documents, as deemed necessary by the Town, are to be forwarded to the Town as the approval authority for review and approval.
5. That prior to final approval the Owner shall confirm to the satisfaction of the Town, in writing, that the aforementioned conditions 2-4 have been satisfied.
6. That draft plan approval is for a period of two (2) years from the date of approval of this draft approval. The Owner shall apply for any extension at least sixty (60) days prior to the lapsing date.

Notes to Draft Approval

1. It is the Owner's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters are forwarded to the Town as approval authority, quoting file number D07112.
2. It is suggested that the Owner should review section 144 of the Land Titles Act and section 78 of the Registry Act. Subsection 144(1) of the Land Titles Act requires that a plan of condominium of land that is located in a land titles division be registered under the Land Titles Act. Exceptions to this provision are set out in subsection 144(2).
3. Subsection 78(11) of the Registry Act indicates that a description as defined in the Condominium Act, 1998 in respect of land that is within an area to which the Land Titles Act applies but not within an area designated under subsection 144(3) of the Land Titles Act shall not be registered under the Registry Act.
4. The Town requires all engineering drawings to be submitted in AutoCAD 14 format as well as hardcopy.
5. All measurements in condominium final plans must be presented in metric units.
6. If applicable, the Owner shall agree, prior to final approval, to pay all development fees to the Nottawasaga Valley Conservation Authority as required in accordance with the Nottawasaga Valley Conservation Authority's fees policy established under the Conservation Authorities Act.
7. Clearance is only required from the Town. Agency concerns were addressed through the Site Plan Agreement which was approved by Council on February 13, 2012.
8. The approval of this draft plan will lapse on July 16, 2014. This approval may be extended pursuant to subsection 51(33) of the Planning Act, but no extension can be granted once the approval has lapsed.

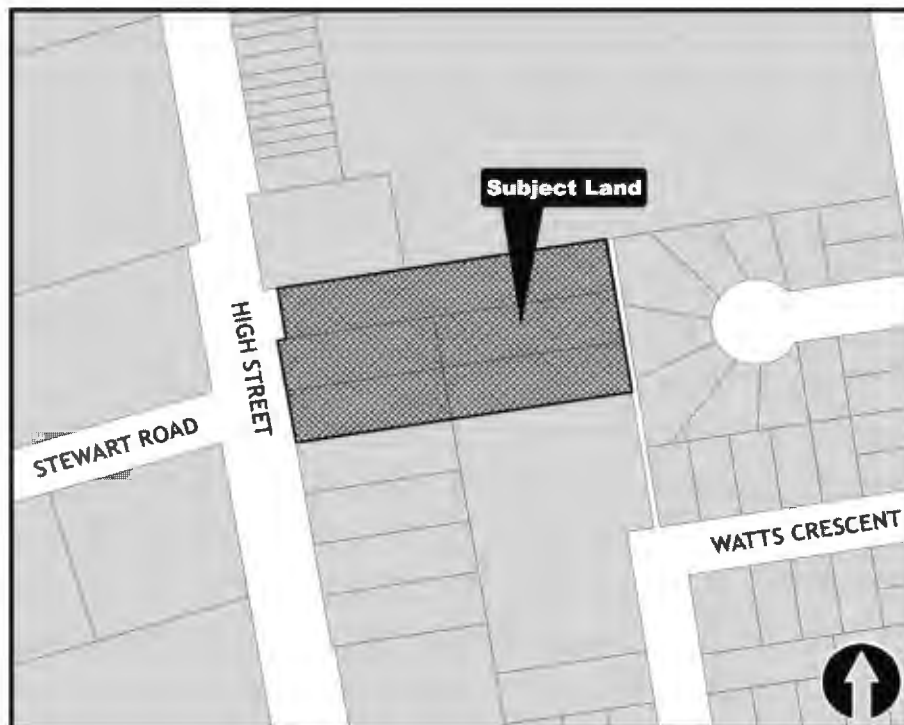
If final approval is not given to this plan within two (2) years of the draft approval date, and no extensions have been granted, draft approval will lapse under subsection 51(32) of the Planning Act. If the Owner wishes to request an extension to draft approval, a written explanation, together with a resolution from Town Council, must be received by the Approval Authority sixty (60) days prior to the lapsing date.



**EXPLANATORY NOTE
TO THE CORPORATION OF THE TOWN OF COLLINGWOOD
BY-LAW No. 2012-089**

The proposed Zoning By-law Amendment (Town File No. D14112), pertains to land located on the east side of High Street, opposite Stewart Road are legally described as Lots 41 and 42 East of Balsam Street, Lots 41 and 42 West of Elm Street, Part of Elm Street and Part of Fourth Street, Plan 51R-36307, Town of Collingwood, County of Simcoe. The lands are presently designated in the Town of Collingwood Official Plan as Residential – Medium Residential Density A and are presently zoned in the Town of Collingwood Zoning By-law No. 2010-40, as amended, as Residential Third Density (R3).

The purpose and effect of the proposed Zoning By-law Amendment is to rezone the subject land from the R3 zone to the Residential Third Density Exception Forty-Six (R3-46) zone in order to permit the property to be divided into 32 freehold townhome lots accessed by a private condominium road while maintaining compliance with the provisions of the zoning by-law as if the parcels continued to comprise one lot.



**BY-LAW No. 2012-089
OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD**



BEING A BY-LAW UNDER THE PROVISIONS OF SECTION 34 OF THE
PLANNING ACT, R.S.O. 1990, c. P.13, AS AMENDED, FOR PROHIBITING THE
USE OF LAND FOR OR EXCEPT FOR SUCH PURPOSES AS MAY
BE SET OUT IN THE BY-LAW.

WHEREAS the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, Section 34 permits the Council of local municipalities to pass Zoning By-laws for prohibiting the use of land or the erection of buildings or structures except for such purposes as may be set out in the By-law;

AND WHEREAS Zoning By-law No. 2010-040 is the governing By-law of the Corporation of the Town of Collingwood and such was finally passed by the Council of the Town of Collingwood on April 12th, 2010;

AND WHEREAS the Council of the Corporation of the Town of Collingwood has deemed it advisable to amend Zoning By-law No. 2010-040, and thus implement the Official Plan of the Town of Collingwood;

AND WHEREAS Council deems that adequate public notice of the public meeting was provided and adequate information regarding this Amendment was presented at the public meeting held June 18, 2012, and that a further meeting is not considered necessary in order to proceed with this Amendment;

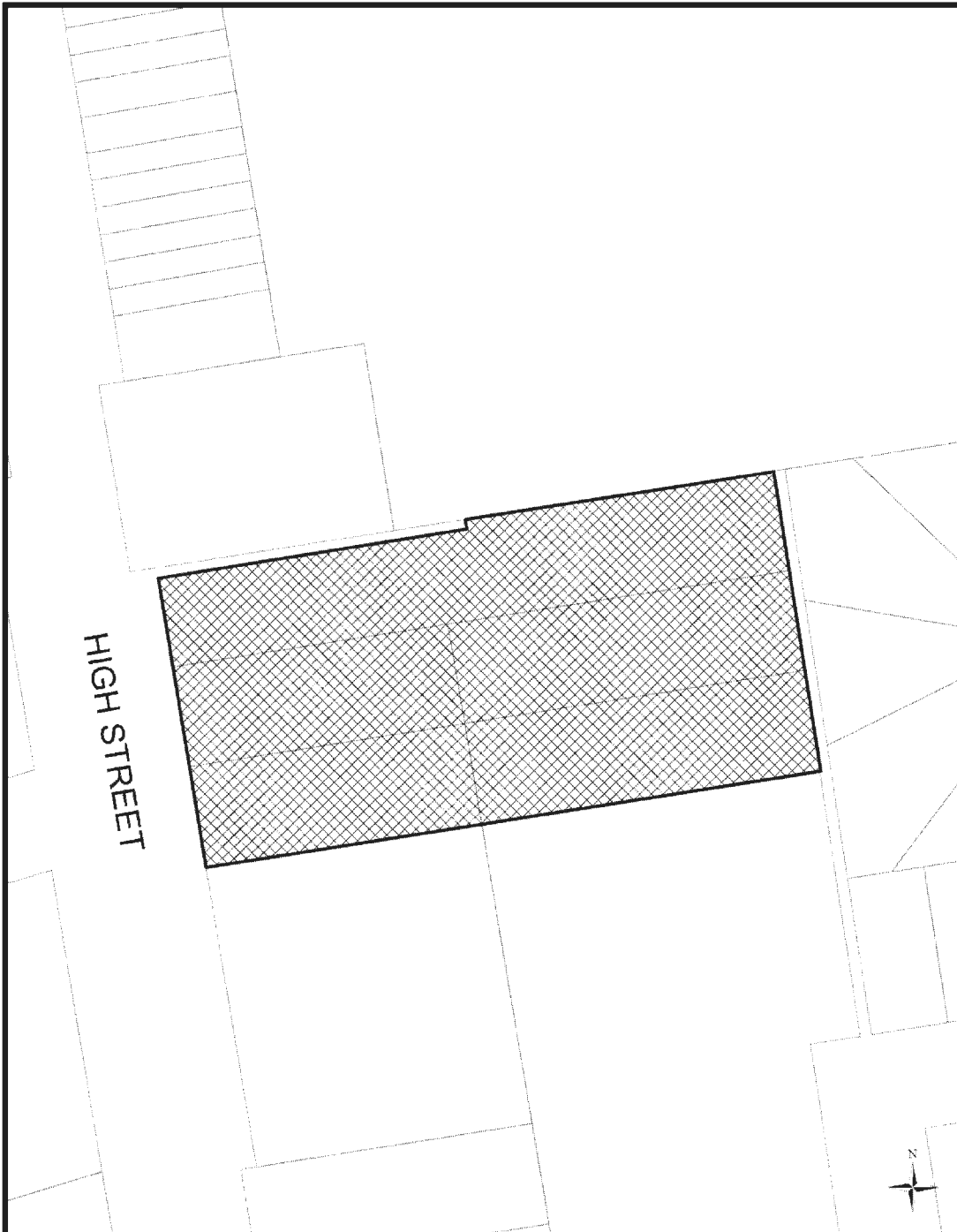
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD ENACTS AS FOLLOWS:

1. **THAT** Schedule "A", Map 13, of Zoning By-law No. 2010-040 is hereby amended, as it pertains to those lands shown more particularly on Schedule "A" affixed hereto, by changing the RESIDENTIAL THIRD DENSITY (R3) ZONE to the RESIDENTIAL THIRD DENSITY EXCEPTION FORTY-SIX (R3-46) ZONE.
2. **THAT** Zoning By-law No. 2010-040, is hereby amended to give effect to the foregoing, but that Zoning By-law No. 2010-040, as amended, shall in all other respects remain in full force and effect.
3. **THAT** this By-law shall come into force and effect on the date it is passed by the Council of the Corporation of the Town of Collingwood, subject to the notice hereof being circulated in accordance with the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, and Ontario Regulation 545/06, and if required as a result of such circulation the obtaining of the approval of the Ontario Municipal Board.

ENACTED AND PASSED this 16TH of July, 2012.

MAYOR

CLERK
133 of 146



LEGEND

 Lands to be rezoned from the Residential Third Density (R3) Zone to the Residential Third Density Exception Forty- Six (R3-46) Zone.

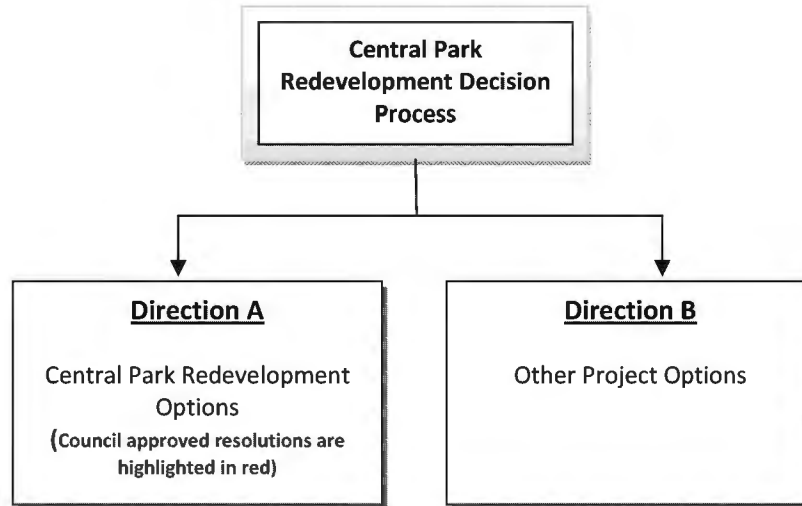
MAYOR

CLERK

This is Schedule 'A' to By-law No. 2012-089 enacted and passed the 16th day of July 2012.

TOWN OF COLLINGWOOD
Planning Services
 DWG DATE: July 11, 2012
 FILE NO: D14212 (RS)

**CENTRAL PARK REDEVELOPMENT – COUNCIL WORKSHOP
MONDAY JUNE 11, 2012
SUMMARY OF RESOLUTIONS**



This document includes a summary of the resolutions, background and options for consideration.

DIRECTION "A" RECOMMENDATIONS

1. REDEVELOPMENT DESIGN / SCENARIO

Continue with the following resolution:

THAT Council endorse in principle, the recommended scenario for the redevelopment of Central Park

IN ADDITION, Council should consider the following:

AND FURTHER THAT Council direct staff to obtain architectural/engineering and site plan drawings that would include phasing options for consideration, with priority given to developing an additional ice surface.

ALTERNATIVELY,

THAT Council herein rescinds all previous resolutions with respect to the redevelopment of Central Park since 2011. *(requires 2/3rd's support)* If approved – go to Direction "B" Options on page 6.

BACKGROUND

The proposed design recommends a newly integrated facility that would combine existing infrastructure into a multi-use community recreation centre in partnership with the YMCA. The plan suggests that the Town would assume ownership of the new amenities and that the YMCA would contribute toward the project by leading a capital/fundraising campaign and by providing expanded municipal-like aquatic service options for the community on behalf of the municipality, in a cost effective way.

At the recent Council Workshop several questions were raised regarding the YMCA's commitment toward this project. A formal response has been provided by the CEO of the Simcoe/Muskoka YMCA and has been forwarded to Council. It is staff's opinion that this partnership with the YMCA, as proposed, is an efficient way of providing the community with a multi use facility and the community responses from stakeholders and citizens received through this process have been in support of the proposed partnership model, as long as there are opportunities to use the centre without the need for a Y membership.

OPTIONS

As capital funding sources for the full project have not been identified, exploring phasing could be a consideration. To accurately determine the most viable options and associated costs, building construction and site design drawings would need to be completed. These drawings will benefit the success of this project in the following manner:

- Provide clear options to mobilize components of the project immediately, while still maintaining commitment to the overall plan and vision;
- Provide an opportunity to build an associated funding strategy that can include: fundraising, partnerships contributions from other levels of government/grants and allocating internal funding to schedule and complete the entire project;
- This level of design is needed to become "shovel ready" which is a typical requirement of all major capital infrastructure programs.

The overall detailed design development has been conservatively budgeted at 10% of the project cost. Developing the recommended designs and drawings for a "shovel ready" project with phasing options as described above would cost approximately \$550,000, with costs split relatively evenly between Engineering and Architecture expenses. The completed work would include further refinement of concept design, elevations site plan, renderings, room designs, et cetera.

The design costs to develop a project design that could be phased are not expected to be much above those already attributed to this work in the recommended scenario. However, by phasing the construction of the Project it is industry standard to expect significant remobilization/construction cost increases, which have not been accounted for to-date.

2. FUNDING STRATEGY / MARKET SOUNDING

Continue with the following resolution with new time line commencing August 1, 2012.

THAT Council approve the development of a Funding Strategy with recommendations to be presented within 6 months

ALTERNATIVELY,

THAT Council not proceed with the detailed market sounding at this time and direct staff to continue to explore potential funding opportunities to be deliberated in the 2013 budget process.

BACKGROUND

Given the significant cost associated with this redevelopment, exploring viable funding options was identified as a critical priority to moving forward. As such, staff recommended that appropriate staff and funding resources be approved for the necessary due diligence to determine realistic allocations through the following potential sources:

- Public Private Partnership (P3) – to identify one or more municipal facilities that the private sector could invest in and bring new revenue to the municipality that could then be allocated toward this project;
- Capital Fund Campaign - local fundraising initiatives and naming opportunities;
- Internal Funding Resources – identify reserve amounts, debenture limits and tax increase limits;
- Federal and Provincial Grants.

OPTIONS

Since we have not confirmed the strategic plan to move forward with the Project, the 6 month timeline for reporting on the funding strategy will need to be reconsidered.

The funding strategy may also be adjusted to eliminate any component(s) which Council would prefer not to proceed with. There have been concerns expressed over P3 projects, and therefore, eliminating this component is another option. The benefit of exploring P3 opportunities is to identify any potential new revenue streams which could be applied to offset the financing costs of the Central Park project or to provide capital funding to the recreation facility project directly. However, as previously discussed, P3 project exploration may not identify viable solutions. To eliminate this or any other portion of the funding strategy a new resolution would need to be passed.

3. CREATION OF A PHASE 2 STEERING COMMITTEE

Continue with the following resolution:

THAT Council authorize the establishment of a Phase 2 Central Park Community Recreation Centre Steering Committee.

ALTERNATIVELY,

THAT Council herein authorize proceeding with a Phase 2 Steering Committee comprised of 2 Council representatives, and other appropriate staff led by a designated Project Manager and the Director of Parks, Recreation and Culture (PRC), with involvement of others as the Steering Committee deem appropriate.

Or **THAT** Council rescind the previous decision and not establish a Phase 2 Steering Committee at this time.

BACKGROUND

As funding is a prime consideration with this project, a Phase 2 Steering Committee was recommended to champion the development of the Funding Strategy. A call was issued to solicit applications from interested citizens with proficient skills and experience in the following areas:

- Economic Development
- Government Relations
- Public Private Partnerships
- Financial Analysis
- Fund Development.

For continuity purposes and integration with other PRC planning initiatives, it was also recommended and approved that the following representatives be included on the Phase 2 Steering Committee:

- Co-Chairs of the original Central Park Re-Development Steering Committee
- Chair of the Parks Recreation and Culture Advisory Committee.

OPTIONS

To date, there has been no action taken to confirm the Phase 2 Steering Committee membership although a call has gone out and applications received. Further consideration of this committee and its function in the context of the status of this project may be reviewed. The benefits of involving a skilled volunteer steering committee include transparency and accountability. The committee is also an appropriate mechanism to support effective communications amongst Council and the community. The key areas which the Committee could provide guidance on include:

- Capital Campaign – fundraising
- Government Relations – Federal and Provincial
- Future Direction for use of Eddie Bush Arena.

Should Council prefer to review the need and/or role for the Phase 2 Steering Committee an amended resolution is required.

4. ESTABLISHING TIMELINES/ACTION FOR OTHER RECOMMENDATIONS

Continue with the following resolution:

THAT Council authorize staff to develop actions and timelines for all other recommendations as outlined in the Steering Committee report to be presented within 6 months.

ALTERNATIVELY,

THAT Council defer this resolution until all other aspects of this project have been defined.

BACKGROUND

Continuing work on the proposed actions and timelines for all other recommendations outlined in the Steering Committee report would be contingent on the direction of all the above resolutions and the future of this project. As such, this resolution may also need to be adjusted or rescinded.

DIRECTION "B" OPTIONS

BACKGROUND

Through the recent Central Park Steering Committee work analysis was undertaken that took into consideration previous studies, needs assessment and feasibility, the development of a 5 year business plan and community feedback in a current context. This analysis continues to be extremely valuable for informing Council on future options. As a result of the recent Council Workshop, numerous other considerations have been raised. These options include, but are not limited to the following:

1. Construct a Single Pad Arena and Retain Eddie Bush Arena:	
Benefits: <ul style="list-style-type: none"> ▪ Two ice pads ▪ Less construction cost ▪ Can be developed in a relatively short time ▪ Can be constructed at Central Park 	Challenges: <ul style="list-style-type: none"> ▪ Need to invest significant money in the Eddie Bush Arena to extend the facility's lifespan beyond the near-term. ▪ No efficiencies in separate ice pads ▪ Additional staffing / overhead ▪ Does not address the aquatic needs ▪ If located at Central Park, other infrastructure may be impacted i.e. lawn bowling and ball diamond(s) would likely need to be relocated. ▪ Leaves the municipality without a Multi-Use Community Recreation Centre
2. Construct a Double Pad Arena that could be Phased:	
Benefits: <ul style="list-style-type: none"> ▪ Two ice pads ▪ Less construction cost than entire project ▪ Can be developed in a relatively short time ▪ Can be constructed at Central Park ▪ Phased approach could provide future efficiencies ▪ Eddie Bush Arena could remain in use until a suitable use is determined 	Challenges: <ul style="list-style-type: none"> ▪ Need to invest money in Eddie Bush Arena to extend the facility lifespan for the short term ▪ No efficiencies in separate ice pads (initially) ▪ Additional staffing / overhead (initially) ▪ Does not address the aquatic needs ▪ If located at Central Park, other infrastructure may be impacted i.e. lawn bowling and ball diamond(s) would likely need to be relocated. ▪ Leaves the municipality without a Multi-Use Community Recreation Centre

3. Construct a 25 metre 6 lane pool at the Central Park YMCA	
Benefits: <ul style="list-style-type: none"> ▪ Addresses expressed demand ▪ Less construction cost than entire project ▪ Can be developed in a relatively short time ▪ YMCA partnership provides best operating option 	Challenges: <ul style="list-style-type: none"> ▪ YMCA will not construct without capital contribution from Town or external funding sources ▪ Leaves the municipality without a Multi-Use Community Recreation Centre ▪ Does not address ice rink needs
4. Construct a New Therapeutic Leisure Pool at the Central Park YMCA:	
Benefits: <ul style="list-style-type: none"> ▪ Less construction cost than entire project ▪ Can be developed in a relatively short time ▪ YMCA partnership provides best operating option 	Challenges: <ul style="list-style-type: none"> ▪ YMCA will not construct without capital contribution from Town or external funding sources ▪ Leaves the municipality without a Multi-Use Community Recreation Centre ▪ Does not address ice rink needs
5. Addition of a Theatre/Performing Arts Centre to the Proposed Multi-Use Centre:	
Benefits: <ul style="list-style-type: none"> ▪ Will require current assessment 	Challenges: <ul style="list-style-type: none"> ▪ Requires further direction and analysis ▪ Significantly increases the scope of the Project ▪ May not fit in Central Park site ▪ Does not address ice rink or aquatic needs
6. Enclose the Outdoor Rink with a Fabric Building:	
Benefits: <ul style="list-style-type: none"> ▪ Two ice pads ▪ Less construction cost ▪ Can be developed relatively short term 	Challenges: <ul style="list-style-type: none"> ▪ Requires further investigation to determine feasibility ▪ Need to invest significant money in Eddie Bush Arena ▪ No efficiencies in separate ice pads ▪ Additional staffing / overhead ▪ Does not address the aquatic needs ▪ Other infrastructure may be impacted i.e. lawn bowling and ball diamond(s) would likely need to be relocated. ▪ Leaves the municipality without a Multi-Use Community Recreation Centre

7. Cover the Outdoor Rink with a Roof Structure:	
Benefits: <ul style="list-style-type: none"> ▪ Two ice pads ▪ Less construction cost 	Challenges: <ul style="list-style-type: none"> ▪ Requires further investigation to determine feasibility ▪ Need to invest significant money in Eddie Bush Arena ▪ No efficiencies in separate ice pads ▪ Additional staffing / overhead ▪ Does not address the aquatic needs ▪ Other infrastructure may be impacted i.e. lawn bowling and ball diamond(s) would likely need to be relocated. ▪ Leaves the municipality without a Multi-Use Community Recreation Centre
8. Cover the Outdoor Pool with a Fabric Building:	
Benefits: <ul style="list-style-type: none"> ▪ Creates additional year round access to a 25 metre swimming pool ▪ Expanded programming opportunities for the community 	Challenges: <ul style="list-style-type: none"> ▪ Requires further investigation to determine feasibility ▪ Current facility is old and requires upgrading to meet contemporary standards ▪ Additional staffing / overhead ▪ No operating efficiencies from partnering with the YMCA ▪ Does not address the additional ice needs ▪ Leaves the municipality without a Multi-Use Community Recreation Centre
9. Examine a New Site for a Phased Purpose-Built Multi-Use Facility:	
Benefits:	Challenges: <ul style="list-style-type: none"> ▪ Requires further direction and analysis ▪ Significantly increases the scope of the Project
10. No New Recreation Facilities:	
Benefits: <ul style="list-style-type: none"> ▪ No new significant financial implications 	Challenges: <ul style="list-style-type: none"> ▪ No new or expanded recreation opportunities ▪ Aging infrastructure requires upgrading and investment

Adding new or different components would require additional architectural/engineering work at the various sites to determine what is possible to construct, where, and the implications to existing infrastructure. Council will need to provide staff with clear direction, and resources, on the priority options to be explored. Much of the research and analysis work completed by the Central Park Steering Committee could be applied to the proposed options, to consider and validate the appropriateness of Council's recommended infrastructure investment.

Further direction will also be required relating to Council's expectations of the Eddie Bush Arena should it remain as an arena. This direction would need to consider:

- Anticipated life expectancy (5, 25 or 50 years) and associated mandatory facility upgrade requirements
- Scale of potential amenity upgrades/improvements
- Type of use (year round vs. winter season only)
- Other potential uses (concerts, festivals, markets, trade shows and events) and associated facility improvements

Should any of these new recommendations be approved additional public/stakeholder engagement may be required as well as the development and costing of conceptual drawings and a 5 year business plan.

RESOLUTIONS:

1. **THAT** Council direct staff to pursue the following recommended options, and develop a project timeline and detailed estimates:

- 1. Construct a Single Pad Arena
- 2. Construct a Double Pad Arena that could be Phased
- 3. Construct a 25 metre 6 Lane Pool at the Central Park YMCA
- 4. Construct a New Therapeutic Leisure Pool at the Central Park YMCA
- 5. Addition of a Theatre/Performing Arts Centre to the Proposed Multi-Use Centre
- 6. Enclose the Outdoor Rink with a Fabric Building
- 7. Cover the Outdoor Rink with a Roof Structure
- 8. Enclose the Outdoor Pool with a Fabric Building
- 9. Examine a New Site for a Phased Purpose-Built Multi-Use Facility
- 10. No New Recreation Facilities

2. **THAT** Council direct staff to include the capital funds needed to upgrade the Eddie Bush Arena in the 2013 budget review.

OR

3. **THAT** Council direct staff to explore other opportunities for the future use of the Eddie Bush Arena.

PENDING LIST OF COUNCIL MATTERS FOR STAFF FOLLOW-UP				
RESOLUTION #	DATE	RESOLUTION	STATUS	CONTACT
Verbal	24-Mar-11	THAT Council herein direct that any future requests of the donation of bus passes be handled by an overall consistent policy for donation requests that is currently being developed by staff.	2012	Treasury
311	27-Jun-11	THAT Council request staff to prepare a report outlining recommendations and propose sidewalk by-law amendments to reflect appropriate sidewalk use, taking into consideration active transportation initiatives and public safety.	2012	Planning / PRC / Clerk / Public Works
312	27-Jun-11	THAT Council request staff to prepare a report undertaking an overall review of Sunset Point with respect to the long-term use, functionality and compatibility of the park for the various user groups with emphasis on health and safety.	2012	PRC
417	26-Sep-11	T2011-12 - THAT Council approve the continuation with the Council Grant Program and direct staff to report back on the application process and assessment criteria.	2012	Treasury / PRC
426	03-Oct-11	PRC Minutes - Request the Director of PRC to formalize a guideline in advance of the 2012 Bursary Program.	2012	PRC
105	12-Mar-12	THAT Council directs staff to review the request from Mountain Goat Film Company and provide Council with an update with respect to future filming and stunt requests.	Pending	Clerk/PRC
Verbal	23-Apr-12	THAT Council directs staff to provide regular financial quarterly reports for Council's information.	Ongoing	Treasury
Verbal	30-Apr-12	THAT Council direct a staff report be prepared to identify the most appropriate Department to manage the payroll function to be prepared by the Treasurer with input from the Human Resource Manager.	Pending	Treasury / HR
Verbal	30-Apr-12	THAT Council direct staff to prepare a report to consider the implementation of a Human Resources Committee including a "terms of reference."	Pending	Clerk's / HR
Verbal	07-May-12	Request for a discussion on interest charged by the Town	Pending	Treasury
299	25-Jun-12	THAT Council proceed with an updated Tree Canopy Calculation to compare 2008 data to the current 2012 canopy.	Pending	Planning
299	25-Jun-12	THAT Council direct staff to include funding in the proposed 2013 budget to reinstate a Boulevard Tree Planting Program.	2013 Budget Discussions	Finance / PRC
303	25-Jun-12	THAT Council direct Staff to proceed with the painting of sharrows on Pine St and that other street be considered once the Active Transportation Plan is presented to Council.	Pending	PW / Planning
Verbal	25-Jun-12	THAT Council support the execution of a Memorandum of Understanding with the three neighbouring municipalities to work on a collaborative review of the consideration of a casino (for slot gaming machines) within the C7 Region as identified by OLG, subject to Council's satisfactory independent review of the final draft agreement.	Pending	CAO

PARKING LOT ITEMS				
Verbal	07-Feb-11	THAT Council request a staff report to address the steps and framework needed to proceed with a potential tiered parking structure in the downtown as identified in the 2009 parking study, to include consideration for public/private partnerships, including potential commercial / retail / residential / LEEDS standards components.	2012	Clerk / Planning /PW
Verbal	23-Feb-11	THAT Council direct the \$1.5 Million request from the YMCA be maintained in the reserve and the decision be made after a recommendation comes back in 2012.	Pending	Treasury
Verbal	08-Aug-11	THAT Council direct staff to prepare a report on a potential Communications Officer for October 24 th , 2011.	Deferred Fall 2012	CAO
Discussion	18-Jun-12	Pine Street Market Square - to review and determine viability of project	Prior to 2013 budget discussions	Planning / CAO

COMPLETED ITEMS				
Discussion	21-Mar-11	Servicing of Nottawa - Clearview Staff and Collingwood Staff to continue discussions and resolve outstanding matters and report back to their respective Council's. <i>Clearview is not prepared to move forward at this time (as per Ed Houghton June 4, 2012)</i>	Complete - June 4, 2012	Planning / Public Works
338	18-Jul-11	THAT Council receive Staff Report P2011-10; and direct staff to undertake a public consultation process including but not limited to facilitating a public meeting, stakeholder sessions, public notice, and survey to gather input for the preparation of a revised Tree Preservation By-law	Completed June 25, 2012	Planning
Verbal	09-Jan-12	THAT Council direct Staff to prepare a report researching the possibility of providing video surveillance on the main streets and determine if there is a possibility for partnership with the BIA and OPP. <i>Not to implement</i>	Completed June 4, 2012	Clerk
Verbal	14-May-12	Request for a Staff Report on the temporary dog park at Heritage Park which includes the origin of the funds for the park and other related potential projects.	Complete	PRC
299	25-Jun-12	THAT Staff Report P2012-21, recommending Council enact and pass amending Tree Preservation By-law No. 2012-84 for parcels of land 0.5 hectares in size and greater, be received. <i>By-law 2012-84 APPROVED</i>	Completed June 25, 2012	Planning

**BY-LAW No. 2012-091
OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD**



BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD

WHEREAS the *Municipal Act 2001*, S.O. 2001, c 25, Section 5(1), provides that the powers of a municipality shall be exercised by its council;

AND WHEREAS the *Municipal Act 2001*, S.O. 2001, c 25, Section 5(3), provides a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed expedient that the actions of all meetings of Council of The Corporation of the Town of Collingwood be confirmed and adopted by by-law;

NOW THEREFORE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD ENACTS AS FOLLOWS:

1. **THAT** the actions of the Council of The Corporation of the Town of Collingwood in respect of:
 - a) each recommendation in the reports of the Committees;
 - b) each motion, resolution or other action passed, taken or adopted at the meetings listed below are hereby adopted, ratified, and confirmed as if same were expressly included in this by-law, provided that such adoption and confirmation shall not be deemed to include the final passing of a by-law that requires the prior approval of a Minister, a Ministry, to the Ontario Municipal Board or any other governmental body:
 - *Regular Meeting of Council held July 16th, 2012*
2. **THAT** the Mayor and the proper officials of The Corporation of the Town of Collingwood are hereby authorized and directed to do all things necessary to give effect to the action of the Council referred to in Section 1.
3. **THAT** the Mayor, or in the absence of the Mayor, the Deputy Mayor, and the Clerk, or in the absence of the Clerk, the Chief Administrative Officer;
 - a) are authorized and directed to execute all documents to the action taken by Council as described in Section 1;
 - b) are authorized and directed to affix the seal of The Corporation of the Town of Collingwood to all such documents referred to in Section 1.
4. **THAT** this by-law shall come into effect upon the passing thereof.

ENACTED AND PASSED this 16th day of July, 2012.

MAYOR

CLERK