

## **THE CORPORATION OF THE TOWN OF LASALLE**

**February 14, 2012**

Minutes of regular meeting of the Town of LaSalle Council held this date at 7:00 p.m. in the Council Chambers, located in the Municipal Building, 5950 Malden Road, LaSalle, Ontario.

Members of Council present: Mayor Ken Antaya, Deputy Mayor Mark Carrick, Councillors Marc Bondy, Terry Burns, Sue Desjarlais and Crystal Meloche.

Absent: Ray Renaud

Administration present: K. Miller, Chief Administrative Officer, B. Andreatta, Director of Council Services/Clerk, J. Milicia, Director of Finance/Treasurer, R. Hayes, Director of Environmental Services/Town Engineer, L. Silani, Director of Planning and Development Services, T. Fink, Director of Culture and Recreation, P. Marra, Manager of Water & Wastewater, D. Langlois, Manager of Finance/Deputy Treasurer, and P. Funaro, Supervisor of Programming.

### **DISCLOSURE OF PECUNIARY INTEREST**

Councillor Bondy discloses an interest and abstains from voting on Account Payable No. 049211 as the payee is a family member.

Mayor Antaya discloses an interest and abstains from voting on item 5 regarding an application by 823821 Ontario Incorporated to rezone 4.7 hectares of land north of Normandy, east of Ellis Street as he resides in the vicinity.

Deputy Mayor Carrick discloses an interest and abstains from voting on item #11 regarding portable signs as a family business utilizes portable signs.

### **ADOPTION OF MINUTES**

47/2012 Desjarlais/Meloche

That the minutes of the closed and regular meetings of Council held January 24, 2011, BE ADOPTED as presented.

Carried.

### **APPROVAL OF ACCOUNTS**

48/2012 Burns/Carrick

That accounts attached hereto as Schedule "A" and forming part of these minutes and numbered 49195 to 49534 BE APPROVED for payment.

Carried. Councillor Bondy having disclosed an interest, abstains from voting on cheque No. 049211.

### **MAYOR'S COMMENTS**

Mayor Antaya offers the attached comments.

### **DELEGATIONS ON PUBLIC AGENDA**

#### **1. Presentation Essex Region Conservation Authority**

This item has been withdrawn at the request of the Stan Taylor, ERCA, and will be re-scheduled for a later date.

#### **2. Fluoridation Facts**

Kim DeYong, Fluoride Free Windsor appears before Council to request that the town discontinue artificial fluoridation of water citing negative health effects and toxicity concerns.

Heather Gingrich, Director, Canadian Chapter, International Medical Geology Association, appears before Council in opposition to the addition of fluoride to municipal water and to request that the Town ask Windsor Utilities Commission to apply for an amendment to its licence to cease water fluoridation.

Doug Hayes, Chair, Windsor Essex Chapter, Council of Canadians appears before Council in opposition to the addition of fluoride to municipal water as it is known to contain contaminants including arsenic, lead, and possibly radionuclides.

Dr. G. Allen Heimann Medical Officer of Health, Windsor Essex County Health Unit, appears before Council advising that there is no harmful health risk from the current fluoride levels and that adding fluoride to water is the best way to provide fluoride protection to a large number of people at a low cost.

Dr. Charles Frank, appears before Council on behalf of the Ontario Dental Association to advise that the right amount of fluoride is both safe and effective and that no peer review exists to prove otherwise.

Kathryn Oppio, resident, appears before Council to request that the six feeder lines for water intake from the City of Windsor be shut down and that the Town receive its water supply from Amherstburg, where fluoride is not added to the water. She advises that family members were recently diagnosed with a very rare form of arthritis that may be attributed to fluoride as a toxin.

Alice Daglian, town resident for 34 years, appears before Council in opposition to fluoridation stating it should be the choice of an individual on whether fluoride is added to the water system.

Ayesha Drouillard appears before Council advising that fluoridation should be an individual choice as it is not naturally occurring in water.

49/2012 Desjarlais/Burns

That the submissions from interested parties in favour of, and opposed to, the fluoridation of water BE REFERRED to the Chief Medical Officer of Health for the Province of Ontario with a request that the officer provide an opinion on continued fluoridation of water and further that this resolution BE FORWARDED to all municipalities in Ontario.

Carried.

### **PUBLIC MEETINGS AND/OR HEARINGS**

#### **3. Public Meeting to consider passing a by-law for the closure and sale of part of an alley**

50/2012 Burns/Bondy

That part of Wyoming (formerly Woodward Avenue), lying to the north of lots 23, 24, 25 and 26, Registered plan 971, lying adjacent to the property municipally know as 5800 Oxley Avenue BE APPROVED for closure and conveyance and the passing of the required by-law with regards to this closing BE CONSIDERED during the by-law stage on the agenda.

Carried.

#### **4. Public Meeting to consider passing a by-law for the closure and sale of part of an alley**

51/2012 Bondy/Desjarlais

That part of the alley lying east of lots 299, 300 and 301, Registered Plan 677 lying to the north of Lyons Avenue behind 6990 Matchette Road, and portions of Lyons Avenue lying south of lot 301 and north of lot 589, Registered Plan 677 and the 10 foot portion of Lyons Avenue adjacent to lot 301 lying to the south of 6990 Matchette Road and the 10 foot portion of Lyons Avenue adjacent to Lot 589 to the north of 7000 Matchette Road BE APPROVED for closure and conveyance and the passing of the required by-law with regard to this closing BE CONSIDERED during the by-law stage on the agenda.

Carried.

Mayor Antaya having disclosed an interest leaves the meeting at 8:00 p.m.

#### **5. Rezoning Application – Applicant: 823821 Ontario Inc. (John Evola)**

Melanie Muir, Dillon Consulting and John Evola, 823821 Ontario Incorporated, applicant, appear before Council in support of the application to rezone approximately 4.7 hectares of land north of Normandy, east of Ellis Street for draft plan of subdivision.

52/2012 Bondy/Burns

That the report of the Director of Planning and Development Services dated February 7, 2012 (PL-06-2012) recommending that correspondence be forwarded to Bill King, Manager of Planning Services, the County of Essex, confirming that the contents of the Town's October 27, 2011 letter continues to represent the comments and recommendations with respect to the subject draft plan of subdivision application of John Evola, 823821 Ontario Incorporated for 4.7 hectares of land north of Normandy, east of Ellis street BE APPROVED.

Carried. Mayor Antaya, having disclosed an interest, abstains from voting.

Mayor Antaya returns to the meeting at 8:04 p.m.

#### **6. Rezoning Application – Applicant Head/D'Amore – Alliance and Gabriou Street**

Melanie Muir, Dillon Consulting, Jim Branoff, Solicitor, and Scott D'Amore, Head D'Amore, applicant appear before Council, available for questions further to the application to rezone approximately 2.2 hectares of land on the west side of Alliance Street, north of Gabriou Street to permit 4 single detached dwellings, 34 semi-detached and 12 townhouse units.

53/2012 Burns/Carrick

That the report of the Director of Planning & Development Services and the Manager of Water and Waste Water dated February 8, 2012 (PL-08/12) recommending approval in principal to rezone approximately 2.2 hectares of land located on Alliance Street and on Gabriou Street from a Residential Three Holding Zone – "R3 (h)" and A Residential Four Holding Zone – "R4-2(h)" to a new site specific Residential Four Zone and a site specific Residential Three Category to permit the construction of 4 Single Detached Dwellings, 34 Semi-Detached Dwellings and 12 Townhouse Dwelling Units on the subject lands BE APPROVED and a draft by-law to rezone these lands and the corresponding development agreement BE PREPARED and brought back to

Council for adoption once the necessary agreement has been executed by the applicant to the satisfaction of the Town Engineer and the Director of Planning and Development Services.  
Carried.

7. Rezoning Application – Applicant Head/D'Amore – West of Gabriou Street

Melanie Muir, Dillon Consulting, Jim Branoff, Solicitor and Scott D'Amore, Head D'Amore, applicant appear before Council available for questions further to the application to rezone approximately 2.2 hectares of land on the west side of Alliance Street, north of Gabriou Street to permit 4 single detached dwellings, 34 semi-detached and 12 townhouse units.

54/2012 Bondy/Desjarlais

That the report of the Director of Planning and Development Services and the Manager of Water and Waste Water dated February 8, 2012 (PL-09/12) recommending that the application of Head/D'Amore respecting 1.7 hectares of land located on the west of Gabriou Street be rezoned from a Residential Three Holding Zone – "R3 (h)" to a new site specific Residential Four Holding Zone category which will permit the construction of 54 Semi-Detached dwellings and Townhouse dwelling Units on the subject lands. BE APPROVED.  
Carried.

**REPORTS / CORRESPONDENCE FOR COUNCIL ACTION**

8. 2011 Year End Report – Planning and Development Services Department

55/2012 Carrick/Desjarlais

That the report of the Director of Planning and Development Services dated February 6, 2012 (PL-05-12) regarding the 2011 Year-End Report on building activity BE RECEIVED.  
Carried.

9. Temporary location for Town Hall, Library and Environmental Services during Construction

56/2012 Burns/Bondy

That the following recommendations of the Chief Administrative Officer and Director of Finance & Treasurer dated February 9, 2012 (FIN-02-12) regarding the temporary location for Town Hall, Library and Environmental Services during the construction of new facilities BE APPROVED:

- a) That Council authorize Administration to enter into an agreement with Bentall Kennedy for the rental of various units at the Windsor Crossings site for the temporary location of the Town Hall and LaSalle Library
- b) That Council authorize Administration to proceed with the various renovations to the units at Windsor Crossings location to accommodate the Town Hall and Library operations
- c) That Council authorize Administration to enter into an agreement with ReMax/Capital for the rental of 6155 Morton Industrial Parkway for the temporary location of the Environmental Services department
- d) That Council authorize Administration to enter into an agreement to lease/rent additional warehouse space should weather and/or scheduling conflicts arise (should this be necessary a further report will be submitted to Council)
- e) That Council authorize Administration to proceed with the minor renovations and site alteration to the Environmental Services temporary location

Carried.

10. Council remuneration

57/2012 Burns/Carrick

That the report of the Director of Council Services/Clerk dated February 6, 2012 (CL-07-12) regarding Council remuneration BE DEFERRED to the next available meeting of Council when all members are present.  
Carried.

Deputy Mayor Carrick leaves the meeting at 8:18 p.m.

11. Portable Signs

58/2012 Burns/Meloche

That the report of the Director of Council Services/Clerk dated February 7, 2012 (CL-8-12) regarding portable signs BE APPROVED and consideration BE GIVEN to the new by-law during the by-law stage on the agenda.

Carried. Deputy Mayor Carrick having disclosed an interest, abstains from voting.

Deputy Mayor Carrick returns at 8:20 p.m.

12. Request to Grant Approval for four (4) model home permits for Phase 1 of the Forest Trail Estates Subdivision, located in the Bouffard Planning District, in Part of Lot1, Concession 3.

Cindy Prince, Amicone Properties Incorporated appears before Council in support of the application for four model home permits for Phase 1 of the Forest Trail Estates Subdivision.

59/2012 Burns/Desjarlais

That the report of the Director of Planning & Development Services dated February 9, 2012 (PL-08-12) recommending four (4) model home permits for Lots 1,3,4 and 5 on Phase 1 of the Forest Trail Estates Subdivision BE APPROVED and that such permits not BE ISSUED until Amico Properties Inc. (the developer) has completed the underground servicing (including the watermain) and the gravel road base for the Phase 1 lands to the satisfaction of the Town Engineer.

Carried.

13. Request to Extend Draft Plan Approval for the Forest Trail Estates Subdivision, located in the Bouffard Planning District in Part of Lot 1, Concession 3 (File No. 37-T-02007).

Cindy Prince, representing Amico Properties Incorporated appears before Council in support of the request for extension of draft plan approval for the Forest Trail Estates subdivision located in the Bouffard Planning District in Part of Lot1, Concession 3.

60/2012 Bondy/Desjarlais

That the report of the Director of Planning & Development Services dated February 8, 2012 (PL-07-2012) recommending the extension of a 3 year period for Draft Plan Approval for the Forest Trail Estates Subdivision, located in Part of Lot 1, Concession 3, ending April 4, 2015 BE APPROVED and a copy of this resolution BE SENT to Bill King, Manager of Planning Services for the County of Essex.

Carried.

14. Changes to Aquatic Fitness Instruction at the Vollmer

61/2012 Bondy/Carrick

That the report of the Director of Culture and Recreation dated February 8, 2012 (C&R 02-12) regarding the changes to aquatic fitness instruction at the Vollmer Culture and Recreation Complex BE RECEIVED.

Carried.

15. Schedule from the Chief Administrative Officer

62/2012 Meloche/Bondy

That the schedule of the Chief Administrative Officer regarding submission of reports to Council BE RECEIVED and reports scheduled for the February 28<sup>th</sup> meeting be RESCHEDULED to a later date as the Mayor and Deputy Mayor will be absent from that meeting.

Carried.

**INFORMATION ITEMS TO BE RECEIVED**

16. Parks and Recreation Advisory Committee

63/2012 Desjarlais/Meloche

That the minutes of the Parks and Recreation Advisory Committee meeting held February 9<sup>th</sup>, 2012 BE RECEIVED.

Carried.

17. Correspondence from the Town of Essex – donations to Haiti

64/2012 Burns/Desjarlais

That the correspondence received from the Town of Essex and James D. Scott, President of Ground Effects Ltd. regarding the poverty in Haiti and asking for support in obtaining donations BE RECEIVED and a donation bin for the collection of shoes, clothing, household goods and personal items for the needy people of Haiti BE LOCATED at Town Hall.

Carried.

18. Correspondence received from the Ministry of Citizenship and Immigration

65/2012 Burns/Desjarlais

That the correspondence received from the Ministry of Citizenship and Immigration asking for nominations for the Lincoln M. Alexander Award which honours young Ontarians who have demonstrated exemplary leadership in contributing to the elimination of racial discrimination BE RECEIVED.

Carried.

19. Correspondence received from Ontario Clean Sweep

66/2012 Burns/Meloche

That correspondence received from Ontario Clean Sweep and Pitch In Ontario regarding a community clean up, education and beautification program BE RECEIVED and forwarded to the Friends of River Canard (Caroline Biribauer, ERCA).  
Carried.

20. Correspondence received from Whiskers & Paws c/o Liz Maskery

67/2012 Burns/Bondy

That correspondence received from Liz Maskery dated February 3, 2012 regarding the relocation of ten remaining cats living on Normandy BE RECEIVED.  
Carried.

21. Correspondence received from the Town of Halton Hills, Ontario

68/2012 Burns/Meloche

That the resolution of the Town of Halton Hills, Ontario regarding a Private Members Bill to Pave Highway Shoulders BE RECEIVED.  
Carried.

22. Correspondence received from 9-1-1 Advisory Board

69/2012 Burns/Desjarlais

That correspondence received from the 9-1-1 Advisory Board seeking financial assistance of \$100.00 from municipalities in order to continue as the technical and information authority respecting the implementation and operation of 9-1-1 Emergency Number systems in Ontario BE RECEIVED.  
Carried.

23. Correspondence received from Canada Post

70/2012 Burns/Desjarlais

That correspondence received from Canada Post regarding Town of LaSalle support for the issuance of a stamp in honour of Chief Tecumseh BE RECEIVED.  
Carried.

**BY-LAWS**

71/2012 Burns/Bondy

That the following By-laws BE GIVEN first reading:

**By-law 7370**, A By-law to authorize the execution of an Agreement with COMRIF (Ontario Municipal Infrastructure Program) for funding and asset management.

**By-law 7371**, A By-law to stop up and close Terry Avenue (formerly Tenth Street) and portion of alleys lying on Registered Plan 728.

**By-law 7372**, A By-law to authorize execution of an Agreement with JP Thomson Architects Ltd. for architectural services for the Town of LaSalle New Facilities at Normandy and Vollmer Sites.

**By-law 7373**, A By-law to stop up and close a portion of Wyoming Avenue, (formerly Woodward Avenue), Registered Plan 971 lying to north of 5800 Oxley Avenue. *(See item #3 on the agenda)*

**By-law 7374**, A By-law to stop up and close an alley lying to the east of Lots 299, 300 and 301, Registered Plan 677 and to close portions of Lyons Avenue, Registered Plan 677 adjacent to 6990 and 7000 Matchette Road. *(See item #4 on the agenda)*

**By-law 7375**, A By-law to prohibit and/or regulate portable outdoor signs within the Town of LaSalle.

**By-law 7376**, A By-law to amend Zoning by-law No. 5050, the Town's Comprehensive Zoning By-law, as amended.

That by-law numbers 7370, 7371, 7372, 7373, 7374, 7375, and 7376 BE GIVEN second reading.  
Carried.

That by-law numbers 7370, 7371, 7372, 7373, 7374, 7375, and 7376 BE GIVEN third reading and finally passed.  
Carried.

**OLD BUSINESS**

None.

**NEW BUSINESS****Notice of Motion**

**Moved by Councillor Terry Burns, Seconded by Councillor Crystal Meloche.**

Whereas the Highway Traffic Act was amended in 2003 to require motorists to move into another lane when approaching an emergency vehicle such as a police car, fire truck or ambulance at the side of the road, when it is safe to do so and;

Whereas the change came following the deaths of Chatham-Kent OPP Officers James McFadden and Marg Eve in a six month period in 1999 and 2000 and;

Whereas Paul Rocheleau, a LaSalle resident, was tragically killed on January 17, 2012 while changing a flat tire in the median of Highway 3 and;

Whereas individuals working in roadside assistance vehicles should be afforded the same opportunity for safety on the roadway as emergency vehicles and;

Whereas Garfield Dunlop, MPP Simcoe North introduced a Private Member's Bill on March 2, 2011 to include roadside assistance vehicles in the "Slow Down and Move Over" legislation, currently at First Reading in the Provincial legislature;

THEREFORE BE IT RESOLVED, that the Highway Traffic Act be amended to include the requirement for drivers to slow down and move over when encountering roadside assistance vehicles on public highways and the Minister of Transportation and Taras Natyshak, MPP Essex BE NOTIFIED of Council's resolution and requested to support same.

Carried.

**COMMITTEES**

None.

**BY-LAW**

72/2012 Burns/Bondy

That confirmatory by-law #7377 BE GIVEN first reading.

Carried.

73/2012 Meloche/Desjarlais

That confirmatory by-law #7377 BE GIVEN second reading.

Carried.

74/2012 Carrick/Bondy

That confirmatory by-law #7377 BE GIVEN third reading and finally passed.

Carried.

Meeting adjourned at the call of the Chair at 8:48 p.m.

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Mayor – K. Antaya

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Clerk – B. Andreatta

## Mayor's comments

February 14<sup>th</sup>, 2012-02-10

-Jan.25.. Attended the announcement of the adoption of the Phase 2 Detroit River Clean up at the Art Gallery.

Jan.27..Met with M.P. Jeff Watson regarding the availability of funding for the municipal facility project.

Jan.28..Deputy Mayor Carrick, along with Councillors Desjarlais, Meloche and myself attended the trophy case dedication to Rick and Brian Edwards.

Jan.28..Deputy Mayor Carrick and myself met with residents of Chelsea Road on site, with Mr. Steve Salmons of Dwight Duncan's office, to discuss the resident concerns regarding the DRIC construction.

Feb.1..Attended the open house held by our Member of Provincial Parliament, Mr. Taras Natyshak, at the Vollmer Complex.

Feb.8..Attended Open House, at the Macedonia Centre, regarding the construction of the DRIC.

Census figures were confirmed last week, and LaSalle experienced a 3.6% increase in population over the past 5 years. That is second in the County, and we were one of only three municipalities to experience an increase. This shows that we are and have been doing things right. LaSalle continues to be a desirable place to locate. I would like to thank the past and current Councils and Administrations for never losing our focus on what is important. We may not introduce annual 0% increases to our taxes, although we could, but, I feel we govern for today and the next generation. We are responsible with our reserves and debt, and attempt to never over extend our financial commitments. I would suggest that not only are we near the top in growth, but also in amount of reserves, and near the bottom in per capita debt. To Administration.....keep doing what you're doing. We may not always agree amongst ourselves on the financial issues, but, we always stand united when we introduce the initiatives that shape the future of our community.

Finally....we want to congratulate Dave Sutton, for being appointed Fire Chief. Council went through a detailed hiring process, with our administration providing appropriate guidance. Consequently as a result of this procedure, it became evident that Dave, who had loyally served his community, was our preferred candidate.

It is fitting that a person who picked up the slack so admirably during Chief Day's illness and passing, should rise to the top, and become his successor. He brings the same honorable qualities to the position that Chief Day possessed.

Again Dave...congratulations