



Stouffville

Town of Whitchurch-Stouffville

Council Minutes

October 16, 2024, 1:00 p.m.

Council Chambers

111 Sandiford Drive

Members Present: Mayor Iain Lovatt
Councillor Hugo Kroon
Councillor Maurice Smith
Councillor Keith Acton
Councillor Rick Upton
Councillor Richard Bartley
Councillor Sue Sherban (Left the Meeting at 3:30 p.m.)

Staff Present: Sunny Bains, Chief Administrative Officer
Dwayne Tapp, Commissioner of Development of Services
Rob Braid, Commissioner of Community Services
Jeremy Harness, Commissioner of Finance/Treasurer
Jack Graziosi, Commissioner of Engineering & Public Works
Claudette Banks, Director, Human Resources
Joshua Silver, Town Solicitor
Glenn Jackson, Corporate Communications Manager
Cassandra Papas, Corporate Communications Supervisor
Monica Beattie, Council/Committee Coordinator
Becky Jamieson, Commissioner of Corporate Services & Town Clerk
Margaret Wallace, CEO, Whitchurch-Stouffville Public Library
Samantha Blakeley, Manager of Legislative Services & Deputy Clerk
William Snowball, Fire Chief

1. **Call to Order**

Mayor Lovatt called the meeting to order at 1:03 p.m.

2. Town Land Acknowledgement

The Town of Whitchurch-Stouffville acknowledges this land is the treaty territory of the Williams Treaty First Nations. It is also the traditional territory of other Anishinaabeg peoples, the Wendat, and the Haudenosaunee. We also recognize the contributions of all Indigenous peoples to this place and commit to a continued dialogue and greater respect for the land we have come to share. Recognition of the contributions and historic importance of Indigenous peoples must also be clearly and overtly connected to our collective commitment to make the promise and the challenge of Truth and Reconciliation real in our community.

3. Declaration of Pecuniary Interest

There were no declarations of pecuniary interest under *The Municipal Conflict of Interest Act*, R.S.O. 1990, c.M.50.

4. Adoption of Minutes

4.1 Regular Council Minutes - September 25, 2024

4.2 Regular Council Minutes - October 2, 2024

Moved by: Councillor Sherban

Seconded by: Councillor Acton

That Council adopt the minutes from the Regular Council Meetings of September 25, 2024 and October 2, 2024, as circulated.

Carried

5. Recognitions

5.1 U11 and U13 Stouffville Sharks - 2024 Ontario Select Softball Tournament - Whitchurch-Stouffville Softball Association

Mayor Lovatt recognized the U11 and U13 Stouffville Select Girls Fastpitch Teams having had their Provincial championship tournaments on August 24 and 25 making Stouffville very proud.

The U11 Tournament was held in Etobicoke with 20 teams from across Ontario. Coaches Jason, Greg, Ryan and Marcus led the team of 13 girls to a Silver Medal. The U13 Tournament was held in North Bay with 24 teams from across the Province. Coaches Ivan, Ian, Marcus and Jason brought their team to a Gold Medal finish.

Both teams pushed through the weekend with 7 games in the blazing heat, but the final results proved both teams rose to the occasion and showed everyone what Stouffville is made of!

6. Presentations

There were no presentations.

7. Deputations

There were no deputations.

8. Consent Agenda

Moved by: Councillor Smith

Seconded by: Councillor Upton

That Council approve Items 8.1, 8.7, 8.8, and 8.9 on the Consent Agenda and adopt the recommendations contained therein.

Carried

**8.1 Report No. CPS-020-24 Village of Stouffville Advisory Committee
Terms of Reference**

Moved by: Councillor Smith

Seconded by: Councillor Upton

1. That Council direct staff to bring forward a by-law to amend Council Appointed Committees Procedural By-law 2024-117-RE to establish a Terms of Reference for the Village of Stouffville Advisory Committee; and
2. That Council direct staff to bring forward a special levy by-law that will be used to support the initiatives of the Village of Stouffville Advisory Committee.

Carried

**8.7 Report No. DS-049-24 Housing Accelerator Fund Application
Resubmission**

Moved by: Councillor Smith

Seconded by: Councillor Upton

1. That Council approve the Town's Housing Action Plan, which forms Attachment #1 to this report; and
2. That Council direct staff to advise CMHC of Council approval of the Housing Action Plan as part of its application resubmission to Round Two of the Housing Accelerator Fund.

Carried

8.8 Report No. DS-050-24 Overview of the New Provincial Planning Statement, 2024

Moved by: Councillor Smith

Seconded by: Councillor Upton

1. That Council receive Report No. DS-050-24 for information.

Carried

8.9 Report No. DS-051-24 LivGreen Community Benefits Charge In-Kind Contribution

Moved by: Councillor Smith

Seconded by: Councillor Upton

1. That Council attribute a value of \$1,604,380 to the Privately Owned Public Spaces as identified by LivGreen, for the purposes of in-kind contribution for the CBC; and
2. That Council direct Staff to accept the in-kind contribution of the identified Privately Owned Public Spaces from LivGreen as in-kind contributions in full satisfaction of the Community Benefits Charge requirements for their development at 5945 Main Street.

Carried

9. Action Items Requiring Separate Discussion

8.2 Report No. CPS-021-24 Revised Delegation of Authority By-law

MAIN MOTION

Moved by: Councillor Kroon

Seconded by: Councillor Upton

1. That staff bring forward a by-law to provide certain delegations of authority from Town Council to senior Town staff for the administration of the Town as laid out in this report and to repeal By-law 2021-065-RE.

MOTION TO AMEND

Moved by: Councillor Upton

Seconded by: Councillor Kroon

That the main motion be amended to include the following points:

1. That the by-law not include delegated authority for the following items as currently included in Attachment No. 1:

- Draft Approval for Plans of Subdivisions/Condominium applications; and
 - Establishment of Fire Department.
2. Further for the following items currently included in Attachment No. 1, that staff add to Terms, Conditions, and Limitations, the following “Council to be advised electronically prior to the execution of the documents and/or by-law by the Mayor and Clerk”:
- Subdivision/Condominium Agreements;
 - Subdivision/Condominium conditions of draft approval;
 - Minor Zoning By-laws; and
 - Heritage Permits.

Carried

AMENDED MOTION

Moved by: Councillor Kroon

Seconded by: Councillor Upton

1. That staff bring forward a by-law to provide certain delegations of authority from Town Council to senior Town staff for the administration of the Town as laid out in this report and to repeal By-law 2021-065-RE;
 2. That the by-law not include delegated authority for the following items as currently included in Attachment No. 1:
 - Draft Approval for Plans of Subdivisions/Condominium applications; and
 - Establishment of Fire Department.
 3. Further for the following items currently included in Attachment No. 1, that staff add to Terms, Conditions, and Limitations, the following “Council to be advised electronically prior to the execution of the documents and/or by-law by the Mayor and Clerk”:
- Subdivision/Condominium Agreements;
 - Subdivision/Condominium conditions of draft approval;
 - Minor Zoning By-laws; and
 - Heritage Permits.

Carried as Amended

8.3 Report No. CPS-022-24 Fireworks By-law Update

MAIN MOTION

Moved by: Councillor Bartley

Seconded by: Councillor Acton

1. That staff bring forward an amendment to the Parks By-law to reduce park hours to a closing time of 11 p.m.; and
2. That staff bring forward amendments to the Fireworks By-law to license the sale of fireworks, increase the age limits for sale and possession to ages 19 or older, and bring the sale of fireworks under AMPS; and
3. That these by-law amendments be brought forward in Q1 of 2025.

MOTION TO AMEND

Moved by: Councillor Acton

Seconded by: Councillor Kroon

1. That the motion be amended to remove point 1 "That staff bring forward an amendment to the Parks By-law to reduce park hours to a closing time of 11 p.m.;" and
2. That point two be amended to read as follows: That staff bring forward amendments to the Fireworks By-law to **ban** the sale of fireworks, **use of family fireworks**, and bring the fireworks bylaw under AMPS.

Carried

AMENDED MOTION

Moved by: Councillor Bartley

Seconded by: Councillor Acton

1. That staff bring forward amendments to the Fireworks By-law to **ban** the sale of fireworks, **use of family fireworks**, and bring the fireworks bylaw under AMPS; and
2. That these by-law amendments be brought forward in Q1 of 2025.

Carried as Amended

8.4 Report No. CPS-023-24 Contract Award - Telephone System and Services

Moved by: Councillor Acton

Seconded by: Councillor Upton

1. That Council approve the contract award for Telephone Services to Bell Canada Inc. for a five (5) year term at an annual amount of \$60,120, exclusive of HST; and
2. That Council authorize the Mayor and Clerk to sign all necessary documents.

Carried

8.5 Report No. CPS-024-24 Automated Speed Enforcement Program

MAIN MOTION

Moved by: Councillor Kroon

Seconded by: Councillor Smith

1. That Council approve the installation of automated speed cameras in the Town of Whitchurch-Stouffville; and
2. Further, that Council delegate authority to staff to determine the appropriate locations for the cameras using a data-driven approach in determining the locations for the ASE cameras; and
3. Further that staff communicate the locations to Mayor and Council and the public, via a memorandum as soon as the site locations have been selected; and
4. Further, that Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

MOTION TO AMEND

Moved by: Councillor Sherban

Seconded by: Councillor Upton

That point 2 be amended to add the following wording after appropriate locations to read "in consultation with the Ward Councillor for proposed locations."

Defeated

8.6 Report No. DS-048-24 Residential Parking Review

Moved by: Councillor Bartley

Seconded by: Councillor Upton

1. That Council direct Staff to hold a Statutory Public Meeting for Town initiated Zoning By-law Amendments to introduce necessary amendments to the zoning by-law requirements for parking in residential zones; and
2. That Council direct staff to report back to Council on a review of the existing Parking By-law (2008-114-PR) and bring forward any necessary recommendation and amendments.

Carried

8.10 Report No. EPW-018-24 WS-SS-24-084 - Sidewalk Winter Maintenance & Windrow Contract Award

Moved by: Councillor Kroon

Seconded by: Councillor Bartley

1. That Council approve the single source award of contract WS-SS-24-084 - Sidewalk Winter Maintenance & Windrow Clearing to Todd Brothers Contracting Limited for three (3) additional winter seasons, namely 2024/25, 2025/26, and 2026/27 at an estimated annual cost of \$502,600.00 excluding taxes; and
2. That Council authorize the Mayor and Clerk to sign the necessary documents.

Carried

10. Member Motion

10.1 Member Motion, re: Strawberry Festival

Moved by: Councillor Sherban

Seconded by: Councillor Upton

WHEREAS the Whitchurch-Stouffville Strawberry Festival has taken place the last weekend of June for the past 40 years; and

WHEREAS the Festival is run for the benefit of our community and our residents look forward to attending every year; and

WHEREAS the Festival attracts thousands of tourists into our community, thereby boosting our local economy; and

WHEREAS the Festival is run by a dedicated group of volunteers; and

WHEREAS the scale of the Festival has grown exponentially since its inception;

NOW THEREFORE BE IT RESOLVED THAT Council direct staff to examine how the Town can increase supports to the Festival; and

THAT staff bring a report to Council by the end of 2024 with a recommendation on how to proceed.

Carried

10.2 Member Motion, re: Council-Appointed Committee's Remuneration

Moved by: Councillor Kroon

Seconded by: Councillor Upton

WHEREAS Council Appointed Committee's (CAC) are Committee's established by Council By-law whose mandate and duties are prescribed by provincial law or municipal By-law, which includes Council Advisory Committee and Quasi-Judicial Committee; and

WHEREAS these Committees have both members of the public and Council who serve on them; and

WHEREAS Quasi-Judicial committee public members receive remuneration per meeting; and

WHEREAS Council Advisory Committees serve without remuneration;

NOW THEREFORE BE IT RESOLVED THAT Council direct staff to survey area municipalities on the remuneration for all CACs and report back to Council with a recommendation with regards to the Town's Committees at the first meeting in November.

Carried

10.3 Member Motion, re: Illegal Land Use

Moved by: Councillor Kroon

Seconded by: Councillor Bartley

WHEREAS illegal land uses constitute a nuisance to the public; and

WHEREAS it is in the public interest that properties are used in the manner in which they are zoned; and

WHEREAS municipalities have limited recourse to curtail illegal land uses, short of court proceedings; and

WHEREAS court proceedings can be costly and time consuming, do not represent the best use of municipal resources, and illegal land uses may continue to occur during such proceedings; and

WHEREAS municipalities should be empowered to act quickly to preserve the public interest by ending illegal land uses;

NOW THEREFORE BE IT RESOLVED THAT the Province of Ontario make amendments to the Municipal Act and/or Planning Act to allow municipalities to declare illegal land uses, and to issue penalty notices against such illegal land users under the Administrative Monetary Penalty System; and

THAT municipalities be granted additional enforcement powers as the Province may see fit to end illegal land uses; and

THAT this resolution be circulated to the Hon. Doug Ford, Premier of Ontario, the Hon. Paul Calandra, Minister of Municipal Affairs & Housing and Member of Provincial Parliament for Markham-Stouffville, the Association of Municipalities of Ontario, and the Federation of Canadian Municipalities.

Carried

11. By-laws

Moved by: Councillor Smith

Seconded by: Councillor Sherban

That Council read the by-laws as contained in Items 11.1 to 11.3 (inclusive) a first, second, and third time and passed.

Carried

- 11.1 2024-114-OP BEING A BY-LAW to adopt Official Plan Amendment No. 167 to the Official Plan for the Town of Whitchurch-Stouffville Planning Area (5262, 5270, 5286 and 5318 Main Street and 12371 Highway 48) (DS-047-24).**
- 11.2 2024-120-RE BEING A BY-LAW to amend CAC Procedural By-law 2024-117-RE and establish the Terms of Reference for the Village of Stouffville Advisory Committee (CPS-020-24).**
- 11.3 2024-121-RD BEING A BY-LAW to provide for the naming of the street in the White Owl Industrial Plan of Subdivision, being Draft Plan 19T-90.001 (12131 Woodbine Avenue) (Bugden Industrial Avenue).**

12. New/Other Business

There was no new/other business.

13. Closed Session

Council moved into Closed Session at 2:47 p.m.

Moved by: Councillor Bartley

Seconded by: Councillor Sherban

That Council recess into Closed Session to consider Items 13.1 to 13.3 (inclusive) with the following exceptions:

- Personal matters, identifiable individual – Municipal Act, s. 239(2)(b)
- Labour relations or employee negotiations – Municipal Act, s. 239(2)(d)

Carried

13.1 Report No. CM-018-24 WSPFFA Collective Bargaining Ratification

13.2 Report No. CM-019-24 CUPE 905.07 Collective Bargaining Ratification

13.3 Personnel Matters - Verbal Update

14. Reconvene in Public Session

Council reconvened in Public Session at 3:39 p.m. except for Councillor Sherban who left the Closed Session at 3:30 p.m.

13.1 Report No. CM-018-24 WSPFFA Collective Bargaining Ratification

Moved by: Councillor Kroon

Seconded by: Councillor Smith

1. That Council accept the terms and conditions of the renewal collective agreement reached with the Whitchurch-Stouffville Professional Fire Fighters Association (WSPFFA) for the period of January 1, 2023 to December 31, 2025; and
2. That the CAO be authorized to proceed with the review of the subject agreement with the Whitchurch-Stouffville Professional Fire Fighters Association (WSPFFA) and implement any minor revisions required by the Director of Human Resources; and
3. That the Mayor and Clerk be authorized to execute the revised collective agreement, upon the recommendation of the CAO.

Carried

13.2 Report No. CM-019-24 CUPE 905.07 Collective Bargaining Ratification

Moved by: Councillor Bartley

Seconded by: Councillor Acton

1. That Council accept the terms and conditions of the renewal collective agreement reached with Canadian Union of Public Employees Local 905.07, for the period April 1, 2024 to March 31, 2027; and
2. That the CAO be authorized to proceed with execution of the subject agreement with Canadian Union of Public Employees (CUPE) Local 905.07 and any minor revisions as required by the Director of Human Resources; and
3. That the Mayor and Clerk be authorized to execute the revised collective agreement, upon the recommendation of the CAO.

Carried

13.3 Personnel Matters - Verbal Update

There was no action arising from this item.

15. Confirmatory By-law

Moved by: Councillor Upton

Seconded by: Councillor Kroon

That Council read Confirmatory By-law 2024-122-MS a first, second and third time and passed.

Carried

16. Adjournment

Moved by: Councillor Bartley

Seconded by: Councillor Smith

There being no further business, the meeting adjourned at 3:43 p.m.

Carried

Iain Lovatt, Mayor

Becky Jamieson, Clerk