MUNICIPALITY OF NORTHERN BRUCE PENINSULA
COUNCIL MEETING NO. 16-17
MINUTES
June 27, 2016 – 1:00 p.m.

MEMBERS PRESENT: Mayor Milton McIlver
Deputy Mayor Patricia Greig
Councillor Tom Boyle
Councillor Griffin Salen
Councillor Rob Rouse

STAFF PRESENT: Chief Administrative Officer, Bill Jones
Clerk, Mary Lynn Standen
Treasurer, Teresa Shearer
Public Works Manager, William Rydall
Fire Chief, Wilf Barnes
Chief Building Official, Wendy Elliott
Deputy Clerk, Cathy Addison
Assistant Public Works Manager, Troy Cameron
Administrative Student, Paige Mackie
Municipal Law Enforcement Officer, Carol Hopkins

OTHERS PRESENT: Brian McHattie

DISCLOSURE OF PECUNIARY INTEREST

Mayor McIlver called the meeting to order at 1:00 p.m. and Council members were reminded to disclose any pecuniary interest that may arise during the course of the meeting.

APPROVAL OF THE AGENDA

Moved by T. Boyle Resolution # 17-01-2016
Seconded by P. Greig

THAT the content of the agenda be approved as presented.

Carried

ADOPTION OF THE MINUTES

Re: Council Meeting No. 16-16, June 13, 2016

Moved by R. Rouse Resolution # 17-02-2016
Seconded by P. Greig

THAT the minutes of Council Meeting No. 16-16, June 13, 2016, be approved as printed and circulated.

Carried

PUBLIC MEETING

Bruce County Planning and Development Department
Re: Zoning By-law Amendment (Section 34, Planning Act, 1990) Z-22-16.68 Owner:
Rod and Valerie Anderson Concession 1 WBR Part Lot 48 (St. Edmunds) 7167 Hwy 6, Tobermory Roll No: 410968000305000

Bruce County Planner, Brian McHattie, appeared before Council with respect to a Zoning By-law Amendment proposing to rezone a portion of the lands known as Part
Lot 48, Concession 1, WBR, (St. Edmunds), from Highway, Commercial and Industrial – HCM to Travel Trailer Park and Commercial Campground Special – C4 Special and Environmental Hazard - EH. The site specific rezoning will acknowledge a reduction in the required buffer area setback from 49 feet to 15 feet as it relates to the north lot line only. This amendment is required as a result of a consent application, submitted by the agent, Joerg Klein, on behalf of the applicant, Tobermory Village Campground, for the owners, Rod and Valerie Anderson. The consent intends to sever 4.5 acres from 7167 Highway 6 and to merge, as a lot addition, with the abutting 49.7 acre campground property legally described as the South Part of Lot 48, Concession 1, WBR, (St. Edmunds) and known locally as 7159 Highway 6. He confirmed that the merged parcel will consist of 54.2 acres and no further campsites will be added to the 200 existing at this time. Mr. McHattie advised that the existing dwelling unit/office/store will be replaced with a new structure housing the same uses. It was noted that there is a small wetland in the northwest area of the property which must be recognized as an Environmental Hazard (EH) zone on future zoning maps as addressed in the Grey Sauble Conservation Authority comments.

There was no correspondence from the public in respect of the application. The following agencies have no objection to the rezoning matter: Bruce County Highways, Historic Saugeen Metis and Hydro One.

In closing, Mr. McHattie stated that the Bruce County Planning Department is recommending approval of the Zoning By-law Amendment.

Moved by T. Boyle Resolution # 17-02-2016
Seconded by P. Greig

THAT the Zoning By-Law Amendment application Z-22-16.68 for the properties described as Concession 1 WBR Part Lot 48 (St Edmunds) BE APPROVED and the necessary by-law be forwarded to Council for adoption.

Carried

DELEGATION

No 'Delegation' for Council Meeting No. 16-17, June 27, 2016

CONSIDERATION OF AGENDA ITEMS

1. Public Works Department Report No. PW 16-25
   Re: Isthmus Bay Road Project Request for Proposal PW 2016-01

   Discussion ensued relating to a public meeting being added to the work plan by the successful consultant for this project. Council indicated this approach would allow for public feedback during the early phases of the project. Council noted that there are some differences in the Requests for Proposals with some showing archaeological and natural environment studies and others not. The associated cost for holding an additional public meeting was discussed and Councillor Salen commented that he anticipated that this cost would be approved by Council; however, the Chief Administrative Officer advised that the costing will not be referred to Council for approval as staff will ensure that it is reasonable.

   Councillor Boyle noted the Isthmus Bay Property Owners' Association's Annual General Meeting is to be held on July 23, 2016 and the project could be discussed at that gathering.

   Moved by G. Salen Resolution # 17-04-2016
   Seconded by P. Greig

   THAT Council authorizes GSS Engineering Consultants Limited to proceed with engineering services for the Isthmus Bay Road Improvement Project, RFP PW 2016-01, for Phases One (1) and Two (2) of the Class Environmental Assessment Planning process at a cost of $11,473.00, excluding HST, with the inclusion of an additional public meeting;
AND THAT, if required, Council authorizes GSS Engineering Consultants Limited to proceed with Phases Three (3) and Four (4) of the Class Environmental Assessment Planning process at a cost of $19,900.00, excluding HST.

Carried

Public Works Manager, William Rydall and Assistant Public Works Manager, Troy Cameron, left the meeting at 1:18 p.m.

2. Municipal Law Enforcement Officer Report No. MLEO 16-05
Re: Animal Control By-law Dog Tags

The Deputy Mayor requested that the proposed recommendation be amended by removing the words, “and supports” and replacing with the words, “as information”.

The By-law Enforcement Officer explained that the database for dog licences had dwindled since door to door canvassing ended and she thought that undertaking this initiative would rebuild the data. She gave an overview of the persons to whom the letters were sent noting that not all 5,000 households in the municipality were recipients. She further confirmed that the list was bolstered by her officers sighting dogs throughout the municipality as well as from public input. She advised that the Municipal Act gives authority for municipalities to license dogs, but, not cats or any other animal. She indicated that she would like to recommend a door to door canvas in a couple of years. She further stated that this initiative was also intended to locate kennels and/or premises that house 6 or 7 dogs.

A lengthy discussion ensued with regard to the value and merit of the dog tag fee collection and staff productivity associated with this annual process. Council noted that there are more challenging and pressing by-law matters that need to be dealt with.

Further clarification, to be included in a Staff Report, was requested with respect to a lifetime dog tag option, cost of microchip readers and public education, via the media and possibly local veterinarian clinics, to promote dog tags.

Moved by G. Salen
Seconded by R. Rouse

THAT Council receives MLEO 16-05 Report as information, as it relates to the By-law to Licence and Regulate the Care and Control of Dogs within the Municipality of Northern Bruce Peninsula more particularly Dog Licencing.

Carried

3. Building Department Report No. BD 16-10
Re: Trailer Agreement
Frank Harpe Inc., Frank Harpe, Owner
Lot 7, Plan 3M -128, subject to easement, (Eastnor),
25 Hawes Road
Assessment Roll No. 620 001 20600

Moved by P. Greig
Seconded by T. Boyle

THAT Council recommends approval of the Trailer Agreement requested by the property owner, Frank Harpe Inc., Frank Harpe, Owner, Lot 7, Plan 3M-128, subject to easement, 25 Hawes Road, (Assessment Roll No. 620 001 20600), Municipality of Northern Bruce Peninsula.

AND THAT the owners acknowledge that the building being constructed will be
4. Deputy Clerk Report No. 16-09
Re: Changes to Accessible Customer Service Standard and Integrated Accessibility Standards Regulation - July 1, 2016

Moved by P. Greig
Seconded by R. Rouse

Resolution # 17-07-2016

THAT Council receives Deputy Clerk Report DC 16-09 as information as it relates to changes to the Accessible Customer Service Standard and Integrated Accessibility Standards Regulation July 1, 2016;

AND THAT Council, pending discussions and comments from today's review, recommends that By-law No. 2016-45, as presented, be approved at the July 11, 2016 Council meeting.

Carried

5. Deputy Clerk Report No. DC 16-10
Re: Canadian Red Cross Response Trailer

Councillor Rouse asked if the cots are still the original cots, blankets and hygiene kits previously received. The Deputy Clerk noted they had been replaced earlier this spring by Red Cross representatives.

Moved by R. Rouse
Seconded by T. Boyle

Resolution # 17-08-2016

THAT Council receives Deputy Clerk Report DC 16-10 as information as it relates to a Canadian Red Cross Response Trailer.

Carried

Re: Deferred from June 13, 2017 Council Meeting Municipally-owned lands

#1 Assessment Roll No. 4109 680 004 01424 Lot 24, Plan 3M-161 Corey Crescent (back lot)

#2 Assessment Roll No. 4109 680 004 02836 Part Lot 59, Concession 5, WBR, (St. Edmunds) Part 37, Plan 3R-201 741 Cape Hurd Road

#3 Assessment Roll No. 4109 680 002 25208 Lot 136, Plan 571 Dorcas Bay Road

The Clerk, Mary Lynn Standen, presented an overview of Council's actions to date relating to the following Municipally-owned properties. She advised that, in order to rescind Resolution #29-15-2015, relating to Lot 24, Plan 3M-161 - Corey Crescent, approved at the regular Council meeting on December 21, 2015, a Notice of Motion must be presented so that the matter can be considered at the next regular Council meeting on July 11, 2016.
THAT a Notice of Motion is hereby presented to address the matter of rescinding Resolution #29-15-2015 approved by Council on December 21, 2015 as it relates to Municipally-owned lands deemed as surplus and legally described as Lot 24, Plan 3M-161 and located on Corey Crescent.

Moved by R. Rouse
Seconded by G. Salen

THAT Council does not support deeming Part Lot 59, Concession 5, WBR, Part 37, Plan 3R-201, Assessment Roll No. 4109 680 004 02836 located at 741 Cape Hurd Road, as surplus to Municipal needs.

Moved by R. Rouse
Seconded by G. Salen

THAT Council support amending the zoning of Lot 136, Plan 571, Assessment Roll No. 4109 680 002 25208 located locally on Dorcas Bay Road from Resort Residential Zone 2 (R2) to Environmental Hazard (EH) when the current Zoning By-law is updated.

Moved by T. Boyle
Seconded by R. Rouse

THAT Council approves the negotiation and registration of a No Demand for Services Site Plan Control Agreement requested by Mary Lynn Elizabeth Bernard, owner of the property legally described as Lot 71, Plan 777, S/T Interest in R352733 Assessment Roll No. 4109 620 002 07300 PIN 33129-0131 (LT)

Moved by P. Greig
Seconded by G. Salen

THAT Council supports the removal of the Holding zone for the property legally described as Part Farm Lot 5, W/S/Bury Road, Plan Bury, Parts 1 and 8, Plan 3R-2485, except Part 1, Plan 3R-8806 Assessment Roll No. 680-4-110 Request to lift Holding (H) Zone

Moved by T. Boyle
Seconded by P. Greig
AND THAT Council will consider entertaining the passage of By-law No. 2016-46, being a by-law to lift the Holding (H) Zone symbol, at its regular Council meeting on Monday, July 11, 2016.

Carried

Councillors Rouse and Salen resumed participation in the meeting.

9. Chief Administrative Officer Report No. CAO 16-18
Re: Draft letter to St. Edmunds Property Owners (SEPO) relating to SEPO Meeting May 28, 2016

Council reviewed the draft letter and the following changes were recommended:

Q11 – review on annual basis rather than regular  
A4 - clarify “current paving” status  
Q5 – UNESCO designation and refer to NEC website for updates  
A10 – Councillor Rouse disagreed with the response and considerable discussion ensued

Moved by G. Salen  
Seconded by P. Greig

THAT Council receives the Chief Administrative Officer's Report No. CAO 16-18, as amended, relating to draft letter to the St. Edmunds Property Owners, answering questions from SEPO Meeting May 28, 2016;

Carried

10. Economic Development Committee
Re: Meeting No. 16-06 June 13, 2016

Moved by P. Greig  
Seconded by G. Salen

THAT Council does hereby adopt the Economic Development Committee Report dated June 13, 2016, as circulated, and approves all actions contained therein.

Carried

11. Resolution - Township of Minden Hills
Re: Support Bill 158 Saving the Girl Next Door

Moved by R. Rouse  
Seconded by G. Salen

THAT Council receives the attached resolution, as information.

Carried

12. Resolution - Township of Dorion
Re: Support for Bill 158

Moved by G. Salen  
Seconded by R. Rouse

THAT Council receives the attached resolution, as information.

Carried
13. Resolution - Town of Gananoque
Re: Resolution on Widening Highway 3

Moved by P. Greig
Seconded by G. Salen

THAT Council receives the attached resolution, as information.

14. Resolution – Town of Gananoque
Re: Regulating Fuel Prices

Moved by R. Rouse
Seconded by G. Salen

THAT Council receives the attached resolution, as information.

15. Resolution - Town of Gananoque
Re: Lyme Disease Research, Testing and Treatment

Moved by G. Salen
Seconded by P. Greig

THAT Council receives the attached resolution, as information.

OTHER BUSINESS

- Councillor Rouse noted that he had been notified that correspondence relating to a Boundary Act notification was not presented to Council. The Clerk noted the correspondence was not addressed to Council. She further advised that it has not been the Municipality’s practice to include Notices of Application under the Boundaries Act in the Council agenda. The matter of Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) must also be considered. In addition, the Clerk will prepare a report relating to circulation radius pertaining to the Notice of Application under the Boundary Act notifications.

Moved by R. Rouse
Seconded by G. Salen

THAT Council receives and reviews all Notices of Application under the Boundaries Act only provided that same are not subject to Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) exemption.

- Councillor Rouse received information from one (1) person representing others who are requesting that the Municipality open and maintain access to Gillies Lake. Councillor Rouse advised that he will provide the original email to Staff for review prior to submitting a Staff Report to Council for consideration.

- Councillor Rouse advised that he has received a request for the Municipality to install armor stone or similar to act as a deck/dock once a boat has been launched and for ease of boat loading purposes. Staff will provide a report to Council on this request.

- Councillor Rouse received complaints that four (4) baseball team members, who participated at the tournament on Chi-Cheemaun Weekend, received parking tickets while parked adjacent to the treed picnic area at the Tobermory Community Centre.
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(across from the Fire Hall) where "No Parking" signs are posted. Councillor Rouse noted that the placement of the "No Parking" signs was not approved by Council. He requested that the "No Parking" signs be removed and the parking infractions rescinded. By-law Enforcement Officer, Carol Hopkins, is currently checking to see if the "No Parking" signs are legal. Councillor Rouse noted that this "No Parking" area is not listed in the Parking By-law schedules. Councillor Rouse then presented a slideshow demonstrating other parking options in and around that area that could be considered for use by volunteer fire fighters who park in the designated area on the west side of the Tobermory Fire Hall. Fire Chief Wilf Barnes outlined the limitations relating to moving the volunteer firefighters' designated parking area to the east side between the Fire Hall and the Ambulance Base. He was of the opinion that this area is neither feasible nor safe. CAO Bill Jones will review these issues with the By-law Enforcement Officer and Fire Chief.

- Councillors Rouse and Salen have both received complaints from marine/servicing companies regarding the issuance of five (5) parking tickets while said companies were launching and/or repairing boats in the Little Tub Harbour area. By-law Enforcement Officer, Carol Hopkins, noted that time leniency has been given by the Tobermory Parking Attendant; however, the CAO, Bill Jones, will evaluate these concerns.

- Deputy Mayor Patricia Greig noted the Peninsula Action Committee for Education (PACE) survey regarding local schools and community well-being will go live this week. On June 28th, 2016, the survey will be posted online and a full page advertisement will be published in the Bruce Peninsula Press. Completed surveys can be mailed to the Municipal Office or dropped in drop boxes at Foodland in Tobermory or Lion's Head and the Municipal Office.

- Fire Chief Wilf Barnes recommended that, given the current burning ban, the annual large firework displays for Tobermory and Pike Bay to celebrate Canada Day, be authorized by Council as an exemption to the by-law as approved on a case by case basis. It was noted that these two (2) large firework displays take place near the water and it was suggested that volunteer firefighters be in attendance with a fire truck. Council was reminded that, with the burning ban in effect, all fire permits are suspended

CORRESPONDENCE

Correspondence was noted on the following:

1. WSP George Prentice - EA Study Completion on Concession 4 Bridge, Sideroad 10 & Ira Lake Road Bridge – noted & filed
2. OPP Detachment Commander, Wayne Thompson - Request for paid duty officer could be made for long-weekend traffic control – noted & filed
3. Ellen Hill - B&B's and the Comprehensive Zoning By-law – Council agreed to review in the new Zoning By-law update
4. Craig Dawson - Septic re-inspections in the Municipality of Northern Bruce Peninsula– noted & filed
5. St. Edmunds Settlement School Reunion - Saturday, July 9th at 11-4 p.m. – noted & filed
6. Trail Changes -Trail Routes and New Trails since February 2016 – noted & filed
7. Mike Palecek, cupw.sttp - Public Postal Services Review – noted & filed
8. Rob Quail, Hydro One - Letter requesting survey participation – noted & filed
9. AMO Communications - AMO Policy Update, common advocacy for greater autonomy – noted & filed
10. AMO Communications - Provincial Cabinet Shuffled Halfway through Mandate– noted & filed
11. Planning Consultation - Proclamation of the Smart Growth for Our Communities Act, 2015 Changes to the Planning Act, and related regulations– noted & filed
12. Glen Murray , Ministry of the Environment and Climate Change - Thank you for water conservation support– noted & filed
13. Drinking Water Source Protection, Nancy Guest - Information for drinking water protection zone road signs– noted & filed
14. Municipality of Neebing - Concerns about erosion on Municipal assessment base caused by conservation land exemptions—Council agreed to join this group
15. Marc Desjardins, City of Ottawa - That Ontario grant municipalities role in siting wind power projects—noted & filed
16. Lisa Chamberlain - Letter on Ontario Autism Changes—noted & filed
17. Bill Walker, MPP - Letter of concerns for OSCVI closure—noted & filed
18. Lynn Szymezko - Shropshire Wind Turbine lowered over safety fears—noted & filed
19. Teresa Gowan - Minutes for May 12, 2016 Meeting—noted & filed
20. Town of Pelham - Ban on door to door sales for electricity and natural gas contracts—noted & filed

Moved by G. Salen
Seconded by T. Boyle

THAT the correspondence be received for information as circulated.

Carried

READING OF BY-LAWS

Moved by R. Rouse
Seconded by P. Greig

THAT the following listed by-laws be given 1st, 2nd and 3rd reading and enacted:

2016-41 BEING A BY-LAW TO REVISE AND SET THE DUE DATES FOR THE FINAL INSTALLMENTS OF 2016 MULTI-RESIDENTIAL, COMMERCIAL AND INDUSTRIAL TAXES


Carried

CLOSED SESSION

No ‘Closed Session’ for Council Meeting No. 16-17, June 27, 2016.

RECONVENE FROM "CLOSED SESSION" TO RESUME COUNCIL MEETING

No ‘Closed Session’ for Council Meeting No. 16-17, June 27, 2016.

ADJOURNMENT

Moved by T. Boyle
Seconded by G. Salen

THAT the meeting adjourns at 3:33 p.m.

Carried