Rivière des Français French River

Municipality of French River

MINUTES OF THE REGULAR MEETING OF COUNCIL

held in the Council Chambers French River Municipal Complex Wednesday, December 18, 2013 at 6:00 p.m.

Members Present:

Mayor Claude Bouffard (Chair), Councillors Michel Bigras, Larry Bouffard, Mike Bouffard, Ronald Garbutt, Shawnda Martin-Cross, Denny Sharp

Members Excused:

Officials Present:

Sébastien Goyer, Chief Administrative Officer/Clerk Julie Bouthillette. Treasurer/Tax Collector

Mélanie Bouffard, Deputy Clerk, Recording Secretary Brennan Kenny, Economic Development Manager

Jim Sartor, Public Works Superintendent Trista Verbiwski, Tourism Coordinator

Guests:

21 Members of public

1. CALL TO ORDER, ROLL CALL AND ADOPTION OF THE AGENDA

The Chair called the meeting to order at 6:00 p.m.

Moved By: Larry Bouffard Seconded By: Michel Bigras

Resol. 2013- 386

BE IT RESOLVED THAT the agenda be accepted as distributed and amended to add:

- 1. Closed Session pursuant to section 239 (2) (f) "advice that is subject to solicitor-client privilege, including communications necessary for that purpose" with respect to a legal opinion on a personnel/legal matter.
- 2. Addendum Receipt of Copy of letter from the Health and Housing Cooperative of the French River to the Manitoulin Sudbury District Services Board
- 3. Addendum Action Report for road conveyance through a Consent Application (Delamere and Gary's Road)

Carried

2. PRAYER

3. DISCLOSURE OF PECUNIARY INTEREST

None declared.

4. DELEGATIONS

4.1 Presentation on the 2012 Financial Indicator Review

Mr. Bryan Searle, Municipal Advisor for the Ministry of Municipal Affairs and Housing presented the 2012 Financial Indicator Review and answered questions from Council.

Councillor Shawnda Martin-Cross arrived at 6:10pm.

4.2 Ontario Provincial Police - Monthly Municipal Policing Report Not present.

5. MANAGEMENT AND COMMITTEE REPORTS

5.1 Mayor's Report

Mayor gave a verbal report.

5.1.1 Schedule of 2014 Meetings

The Schedule for all Council and Committee Meetings for 2014 was included in the agenda package; the meetings in January will be pushed one week ahead because of the holidays.

5.2 CAO/Clerk's Report

CAO/Clerk's report was submitted under separate cover.

5.3 Treasurer's Report

5.4 Economic Development Committee

Councillor Mike Bouffard, Chair of the committee gave a verbal report.

5.4.1 Committee Recommendation to Council to defer the decision on the current proposed Spectrum internet tower until the Policy for Siting of Telecommunication Facilities is adopted

Moved By: Mike Bouffard Seconded By: Ron Garbutt

Resol. 2013-387

WHEREAS the Economic Development Committee made a recommendation to Council at their December 4th, 2013 meeting;

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby agrees to defer the decision on the current proposed Spectrum internet tower until the Siting of Telecommunication Facilities Policy is adopted.

Defeated

5.4.2 Amendment to Terms of Reference to revise the Agenda format

Moved By: Ron Garbutt Resol. 2013- 388

Seconded By: Michel Bigras

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby approves to amend the Terms of Reference of the Economic Development Committee to revise the Agenda Format as attached.

Carried

5.4.3 Memorandum of Understanding - Partnership with Tourism Northern Ontario and the Ministry of Tourism, Culture & Sport

Moved By: Shawnda Martin-Cross Resol. 2013- 389

Seconded By: Denny Sharp

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby authorizes the Mayor and Clerk to enter into a Memorandum of Understanding to partner with Tourism Northern Ontario and the Ministry of Tourism, Culture & Sport for the development of a targeted multi-media tourism campaign and commits a 50% contribution that will be pulled from the 2013 signage and branding that has been transferred to reserves.

Carried

5.4.4 Investment Readiness Reallocation to Reserves

Moved By: Larry Bouffard Resol. 2013- 390

Seconded By: Michel Bigras

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby approves that the previously budgeted amount of \$5,000 of the Economic Development Budget be reallocated to reserves specifically to complete the market study by February 2014.

Carried

5.5 Environmental Advisory Committee

Councillor Garbutt, Chair of the committee gave a verbal report.

5.6 Finance and Administration Committee

Councillor Bigras, Chair of the committee gave notice that the next Budget deliberation meeting was scheduled for Wednesday, January 8, 2014 at 7pm.

5.6.1 Adoption of Asset Management Plan

Moved By: Larry Bouffard

Seconded By: Shawnda Martin-Cross Resol. 2013- 391

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby adopts the Asset Management Plan as attached and dated December 2013.

Carried

Council recommended that in addition to adopting the asset management plan that it was a working document and would like one of the first revisions in 2014 to include the information gathered on the sanitary sewer system study that will be done in early 2014 more precisely the lagoon.

5.6.2 Reallocation of Funds from the 2013 Parks Capital Budget to Operating Reserves

Moved By: Denny Sharp Seconded By: Mike Bouffard

Resol. 2013- 392

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby approves the reallocation of Funds from the 2013 Parks Capital Budget to Operating Reserves for the special purpose of the Municipal Complex Drainage Project to be done in 2014 in the amount of \$9,000.

Carried

5.6.3 2014 ROMA/OGRA Combined Conference - Delegates

Moved By: Shawnda Martin-Cross

Seconded By: Denny Sharp

Resol. 2013- 393

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby approves that the following members of Council and staff attend the 2014 ROMA/OGRA Combined Conference February 23-26, 2014 held at the Fairmont Royal York Hotel in Toronto:

- 1) Claude Bouffard
- 2) Shawnda Martin-Cross
- 3) Michel Bigras
- 4) Denny Sharp
- 5) Jim Sartor
- 6) Sébastien Goyer

5.6.4 Community Policing Advisory Committee (CPAC)

Moved By: Denny Sharp Resol. 2013- 394

Seconded By: Larry Bouffard

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby approves the creation and the Terms of Reference of the Community Policing Advisory Committee (CPAC);

AND appoints Mayor Claude Bouffard to represent the Municipality of French River;

AND FURTHER delegates Sébastien Goyer, CAO/Clerk to act as Secretary.

Carried

5.6.5 Grants and Subsidy Application

Moved By: Larry Bouffard Resol. 2013- 395

Seconded By: Denny Sharp

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby approves the Grants and Subsidy Application for a rebate of \$200 from the hall rental fee at the Noëlville Community Centre received from the French River Cultural Industries Council Inc. for their Annual Rubber Boots Festival being held on May 3, 2014.

Carried

Disclosure of Pecuniary Interest

Name: Ronald Garbutt

Disclosed his/her (their) interest(s), abstained from discussion and did not participate on this Item.

5.7 Public Works Committee

5.7.1 Snow Ploughing & Sanding Methodology Report

The report was included in the agenda package.

5.8 Manitoulin-Sudbury District Services Board

- **5.8.1** 2013 Third Quarter Activity Report
- **5.8.2** 2013 Third Quarter Financial Report
- **5.8.3** Special Priority Policy for Seniors applying for Housing

6. CONSENT AGENDA

The following motion was presented to adopt the items contained in the Consent Agenda:

Moved By: Shawnda Martin-Cross Resol. 2013- 396

Seconded By: Denny Sharp

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby approves the Items of the Consent Agenda under Sections 6.1, 6.3 and 6.5 and receives the Items under Sections 6.2 and 6.4.

Carried

6.1 Adoption of Minutes by Resolution

Moved By: Shawnda Martin-Cross Resol. 2013- 397

Seconded By: Denny Sharp

BE IT RESOLVED THAT the following minutes be adopted as presented:

Special Meeting of Council held November 20, 2013 Regular Council Meeting held November 20, 2013 Special Meeting of Council held November 28, 2013 Special Meeting of Council held December 11, 2013

Carried

6.2 Minutes Received by Resolution

Moved By: Shawnda Martin-Cross Resol. 2013- 398

Seconded By: Denny Sharp

BE IT RESOLVED THAT the following minutes be received as presented:

Economic Development Committee held December 4, 2013 Environmental Advisory Committee meeting held December 10, 2013 Finance & Administration Committee held December 11, 2013 Committee of Adjustment held November 20, 2013 Sudbury & District Board of Health held November 21, 2013 French River Public Library Board held November 12, 2013 Manitoulin-Sudbury DSB held November 28, 2013

6.3 Award of Tenders and Request for Proposals by Resolution

6.3.1 Award of Wood Waste Chipping Contract at the Noëlville Landfill Site

Moved By: Shawnda Martin-Cross Resol. 2013- 399

Seconded By: Denny Sharp

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby awards the Wood Waste Chipping at the Noëlville Landfill Site Contract No.2013-51 to William Day Construction Ltd. for an amount of \$16,000 plus applicable taxes.

Carried

6.4 Correspondence for Council's Information Received by Resolution

6.5 Adoption of By-laws by Resolution

The following By-laws were read and adopted:

6.5.1 Renewal of Land Lease Agreement with Alban Master Antenna for the operation of a Satellite Master Antenna TV (SMATV) at the Alban Community Centre for an additional three (3) years and 2% rent increase

Moved By: Shawnda Martin-Cross Resol. 2013- 400

Seconded By: Denny Sharp

BE IT RESOLVED THAT By-law 2013-44, being a by-law to authorize the Mayor and Clerk to execute a Land Lease Agreement with Alban Master Antenna be read a first, second and third time and finally passed.

Carried

6.5.2 Renewal of Canteen Lease Agreement with Tracey McAleese at the Noëlville Community Centre for six (6) months and a 2% rent increase

Moved By: Shawnda Martin-Cross Resol. 2013- 401

Seconded By: Denny Sharp

BE IT RESOLVED THAT By-law 2013-45, being a by-law to authorize the Mayor and Clerk to execute a Canteen Lease Agreement with Tracey McAleese be read a first, second and third time and finally passed.

6.5.3 Capacity Funding Contribution Agreement under the Small Rural and Northern Municipal Infrastructure Fund for Asset Management Planning

Moved By: Shawnda Martin-Cross Resol. 2013- 402

Seconded By: Denny Sharp

BE IT RESOLVED THAT By-law 2013-46, being a by-law to authorize the Mayor and Clerk to execute a Capacity Funding Contribution Agreement with the Ministry of Rural Affairs for Asset Management Planning be read a first, second and third time and finally passed.

Carried

6.5.5 Confirmation By-law

Moved By: Shawnda Martin-Cross Resol. 2013- 403

Seconded By: Denny Sharp

BE IT RESOLVED THAT By-law 2013-47, being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of French River at a meeting held on December 18, 2013 be read a first, second and third time and finally passed.

Carried

7. CORRESPONDENCE FOR COUNCIL'S CONSIDERATION

7.1 Statement of Concurrence to Spectrum Group for the proposed telecommunications tower to be constructed on Lot 2, Plan M530 at 1427 Owl's Nest Road

(deferral at November Regular Council Meeting)

Moved By: Larry Bouffard Resol. 2013- 404

Seconded By: Shawnda Martin-Cross

WHEREAS Spectrum Telecom Group Ltd. (Spectrum Group) wishes to erect a 96-foot, self-support, small profile, telecommunications tower at a site located on private lands at 1427 Owl's Nest Road, Lot 2, Plan M-530, in the Township of Hoskin, in the District of Sudbury for the delivery of wireless Internet and other related services to the Trout Lake area; and

WHEREAS Spectrum Group is required by Industry Canada to consult with the local Land-Use Authority being the Municipality of French River to obtain a statement of concurrence from the Municipality; and

WHEREAS Spectrum Group has completed the required public consultation process as mandated by Industry Canada as well as complying

with additional consultation items as requested by the Municipality, with concerns being addressed to the satisfaction of the Municipality;

THEREFORE BE IT RESOLVED that the Council of the Municipality of French River hereby authorizes the CAO/Clerk to issue a statement of concurrence to Spectrum Group for the proposed telecommunications tower to be constructed on Lot 2, Plan M530 at 1427 Owl's Nest Road, for the delivery of broadband wireless and other services to the area.

Carried

7.2 Participation in the Ministry of Natural Resources Bear Management Pilot Program in the North for 2014-2015

Moved By: Ron Garbutt Resol. 2013- 405

Seconded By: Larry Bouffard

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby participates in the Ministry of Natural Resources Bear Management Pilot for 2014-2015.

Carried

8. ADDENDUM (if required and by resolution)

Moved By: Shawnda Martin-Cross Resol. 2013- 406

Seconded By: Ron Garbutt

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby allows Addendums to the Agenda as per the rules of the Procedural By-law 2012-11 under Section 8.8 authorizing Council to deal with an urgent matter that requires the immediate consideration of Council.

Carried

8.1 Copy of letter from the Health and Housing Cooperative of the French River to the Manitoulin Sudbury District Services Board

Moved By: Mike Bouffard Resol. 2013- 407

Seconded By: Denny Sharp

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby acknowledges the correspondence received from the Health and Housing Cooperative of the French River and supports their initiative to return the 'Domaine des pionniers' to a senior's only building.

8.2 Action Report - Conveyance of a portion of land part of Delamere Road and Gary's Road to the Municipality for road purposes

Moved By: Larry Bouffard Resol. 2013- 408

Seconded By: Shawnda Martin-Cross

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby authorizes the Mayor and Clerk to sign the Acknowledgement & Direction for the conveyance of Part 2 and Part 3 on Plan 53R-20162 (Delamere Road and Gary's Road) from Donna Spencer to the Municipality of French River for road purposes.

Carried

9. NOTICES OF MOTION

9.1 Motion submitted by Councillor Mike Bouffard for the Amendment to the Official Plan

Moved By: Mike Bouffard

Seconded By: Shawnda Martin-Cross

Resol. 2013-409

WHEREAS the Approval Authority for Official Plan Amendments in the Sudbury East Planning Area is the Ministry of Municipal Affairs and Housing;

AND WHEREAS in accordance with Provincial Policy and the policies of the Sudbury East Planning Board an Official Plan Amendment would be required to designate a new settlement area;

AND WHEREAS settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted (Section 1.1.3);

AND WHEREAS Settlement Areas are defined as urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlet) that area;

- a) Built up areas where development is concentrated and which have a mix of land uses; and
- b) Lands which have been designated in an official plan for development over the long term planning horizon provided for in policy 1.1.2. In cases where land in designated growth areas is not available, the settlement area may be no larger than the area where development is concentrated.

AND WHEREAS a planning authority may identify a settlement area or allow the expansion of a settlement boundary only at the time of a comprehensive review and only where it can be demonstrated that:

- a) Sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the indentified planning horizon:
- b) The infrastructure and public service facilities which are planned or

available are suitable for the development over the long term and protect public health and safety;

- c) In prime agricultural areas:
 - 1. The lands to not comprise specialty crop areas;
 - 2. There are no reasonable alternatives which avoid prime agricultural areas; and
 - 3. There are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas; and
- d) Impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.

In determining the most appropriate direction for expansions to the boundaries of settlement areas or the identification of a settlement area by a planning authority, a planning authority shall apply the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety;

AND WHEREAS Comprehensive Review means, for the purposes of policies 1.1.3.9 and 1.3.2, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:

- based on a review of population and growth projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth; and determines how best to accommodate growth while protecting provincial interests;
- 2. Utilizes opportunities to accommodate projected growth through intensification and redevelopment;
- 3. Confirms that the land to be developed do not compromise specialty crop areas in accordance with policy 2.3.2;
- 4. Is integrated with planning for infrastructure and public service facilities; and
- 5. Considers cross-jurisdictional issues

AND WHEREAS Section 1.1.4 In rural areas located in municipalities:

- a) Permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses;
- b) Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure;
- c) New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae:
- d) Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted;
- e) Locally important agricultural and resource areas should be designated and protected by directing non-related development to areas where it will not constrain these uses;
- f) Opportunities should be retained to locate new or expanding land uses that require separation from other uses; and
- g) Recreational, tourism and other economic opportunities should be promoted.

AND WHEREAS in accordance with the policies of Section 3.1.2, it is the intent of the Sudbury East Planning Board and its member municipalities to ensure that there is at least a 10-year supply of land designated and available to meet anticipated short and long term housing demands. It is anticipated that the majority of future demand will be for single detached residential units both of a seasonal and permanent nature. It is the policy of this Plan to direct the majority of permanent residential development to Community and Village Policy Areas, where feasible, to take advantage of and optimize existing municipal services and community amenities prior to permitting the extension or expansion of new services and/or amenities;

AND WHEREAS in accordance with Section 2.1.6.1 of the Official Plan, Rural Policy Areas are intended to protect the natural amenities of the Sudbury East Planning Area as well as to provide opportunities for agriculture and resource based uses, such as forestry, mining and aggregate operations, as well as limited residential developments where appropriate;

AND WHEREAS in accordance with Section 2.1.6.2 Infilling and rounding out of existing clusters of development within the Rural Policy Area may be permitted without requiring an amendment to this Plan; however, these areas are not identified to grow significantly over the life of this plan and the majority of development should be directed to the Community Policy Area and, to a lesser extent, the Village Policy Area. Where development that is proposed that would increase the number of dwellings within an existing cluster of development outside of the infilling and minor rounding out of the existing cluster, it shall only be permitted subject to the comprehensive review requirements of the PPS and this Plan, in addition to the requirements of Section 4.18. The proposal shall be accompanied by a report that demonstrates:

- a) The physical suitability of the land for the proposed uses with respect to the suitability of the site for building purposes;
- b) A planning justification report that includes, but is not limited to, how the lands are to be used and evaluates why said lands are more appropriate than other lands in the municipality;
- c) The appropriateness of the site considering access to existing and proposed public roads, including visibility and grade;
- d) That all opportunities for development through intensification, redevelopment, and existing settlement areas have been exhausted or examined and determined not to be appropriate to accommodate the projected needs over the identified planning horizon;
- e) A servicing options report and a servicing feasibility report that demonstrates the ability to provide adequate potable water, sewage management/disposal facilities and other services as deemed appropriate by the Planning Board and/or applicable municipality;
- f) That any archaeological or cultural heritage resources that may be identified on the subject lands are properly protected; and
- g) The environmental impact of the proposed development on significant natural features and functions on site and on land adjacent to the site.

AND WHEREAS MOE Guideline D-5-4, "Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment", "For development where the lot size for each private residence within the development is one hectare or larger, the risk that the boundary limits imposed by these guidelines may be exceeded by individual systems

is considered acceptable in most cases. Developments consisting of lots which average 1 hectare (with no lot being smaller than 0.8 hectares), may not require a detailed hydrogeological assessment, provided it can be demonstrated that the area is not hydrologically sensitive";

AND WHEREAS MOE Guideline D-5-4, "Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment", Where proposed lot sizes are less than one hectares, the proponent and/or consultant is/are responsible for assessing the potential risk to groundwater....When it has been demonstrated that the sewage effluent will not enter supply aquifers, the lot density of the proposed development may be dictated by factors such as the need for sewage system replacement areas (i.e. contingency area), and by the minimum distances between individual on-site beds and wells, as defined by Ontario Regulations 358 and 903;

AND WHEREAS Rural Areas are intended to have a less dense development pattern in keeping with the rural character of the area;

AND WHEREAS Section 7.5 of the Zoning by-law for the Municipality of French River, 2003-23 currently requires a minimum lot area of 0.8 hectares for 'Residential Rural (RR)' lots;

AND WHEREAS Section 7.1 the Zoning by-law for the Municipality of French River 2003-23 currently allows a minimum lot area of 0.4 hectares for 'Residential One (R1)' lots where municipal sewer services are not currently available and such zone is applied in designated settlement areas.

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River directs the Finance and Administration Committee to consider the possibility of including a 0.4 hectare lot size for Residential Rural lots where a settlement area and/or cluster of houses would be deemed appropriate during the next Official Plan Review.

Carried

9.2 Motion submitted by Councillor Michel Bigras for the Inspection of fill beds

Moved By: Michel Bigras Seconded By: Mike Bouffard

Resol. 2013-410

WHEREAS currently the Sudbury and District Health Unit is responsible for the inspection and permitting of field beds;

AND WHEREAS since our Chief Building Officer is trained and certified to inspect field beds;

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River directs the Finance and Administration Committee to consider taking over the responsibility for the inspection and permitting of field beds.

9.3 Motion submitted by Mayor Claude Bouffard for the National Anthem at Council Meetings

Moved By: Claude Bouffard Resol. 2013- 411

Seconded By: Shawnda Martin-Cross

WHEREAS Council has already a prayer item at the agenda;

AND WHEREAS many municipalities are playing the national anthem at the beginning of their meeting;

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River directs the Finance and Administration Committee to consider a change to the procedural by-law to include the playing of the National Anthem of Canada with the prayer.

Carried

10. ANNOUNCEMENTS AND INQUIRIES

11. CLOSED SESSION

Moved By: Ron Garbutt Resol. 2013- 412

Seconded By: Mike Bouffard

BE IT RESOLVED THAT the next portion of the meeting be closed to the public in order to consider directions that should be given to senior staff pursuant to section 239 (2) (b) "personal matters about an identifiable individual, including municipal or local board employees" with respect to the CAO's Probationary Performance Evaluation and to section 239 (2) (f) "advice that is subject to solicitor-client privilege, including communications necessary for that purpose" with respect to a legal opinion on a personnel/legal matter.

Carried

Moved By: Michel Bigras Resol. 2013- 414

Seconded By: Mike Bouffard

BE IT RESOLVED THAT the open session reconvenes at 7:41 p.m.

12. ADJOURNMENT

Moved By: Seconded By:	Ron Garbutt Larry Bouffard		Resol. 2013- 415
BE IT RESO	LVED THAT the	e meeting be adjourned at 7:42 p.m.	
Carried			
MAYOR			
CLERK			