

Municipality of French River



AGENDA REGULAR MEETING OF COUNCIL held in the Council Chambers Wednesday, March 23, 2016 at 6pm

1. **Call to order, roll call and adoption of the agenda**
2. **Moment of reflection**
3. **Disclosure of Pecuniary Interest and General Nature Thereof**
4. **Delegations**
5. **Management, Committee and Board Reports**
 - 5.1 **Mayor**
 - 5.2 **Chief Administrative Officer**
 - 5.2.1 Resolution to set the Budget Approval Timeline
 - 5.3 **Clerk**
 - 5.3.1 Action Report - Resolution to adopt By-law 2016-11 to enter into a Land Lease Extension Agreement with Allan & Annie Hébert (Maple Syrup Operation at Scollard Park property) p. 5
 - 5.4 **Finance Department**
 - 5.4.1 Monthly Disbursements Report (February 2016)
 - 5.5 **Fire Department**
 - 5.5.1 Resolution to adopt By-law 2016-12 to enter into a Fire Protection Agreement with the Municipality of Killarney p. 8
- 6.0 **Consent Agenda**
 - 6.1 **Adoption of Minutes by Resolution**
 - 6.1.1 Regular Council Meeting held March 9, 2016 p. 9
 - 6.2 **Minutes Received by Resolution**
 - 6.2.1 Sudbury East Planning Board held February 11, 2016 p. 16
 - 6.3 **Award of Tenders, Request for Proposals and Funding Matters by Resolution**
 - 6.4 **Correspondence for Council's Information Received by Resolution**
 - 6.5 **Adoption of By-laws by Resolution**
 - 6.5.1 2016-10 Appointment of a Municipal Weed Inspector for 2016 p. 27
 - 6.5.2 2016-13 Confirmation By-law

7.0 Correspondence/Items for Council's Consideration

7.1 Sudbury & District Health Unit (Delegation March 9, 2016)
Resolution to support the development of the Sudbury East Drug Strategy

7.2 French River Multi-Use Trail Association (Delegation March 9, 2016)
Resolution to direct staff to enter into a Memorandum of Understanding for the use of the Municipal Complex property for the 'Joe Chartrand Trail'

8.0 Addendums

9.0 Notices of Motion

10.0 Announcement and Inquiries Members of Council may make brief verbal reports (meeting/conference/ announcements). Inquiries shall deal with items pertaining to the current Agenda for the purpose of clarification only, and shall not be used to table new items that require Council's/Committee's consideration. Members of the Public may direct comments and questions to Council only.

11.0 Closed Session

- to give an update on a personal matter that would identify municipal employees relating
- to give an update on litigation or potential litigation relating to a municipal road

12.0 Adjournment



**ORDRE DU JOUR
RÉUNION RÉGULIÈRE DU CONSEIL**

qui aura lieu dans la salle du conseil

Mercredi le 23 mars 2016 à 18h00

- 1.0 Appel à l'ordre, présence et l'adoption de l'ordre du jour**
- 2.0 Moment de réflexion**
- 3.0 Révélations d'intérêt pécuniaire**
- 4.0 Délégations**
- 5.0 Rapports de la direction, comités et conseils**
 - 5.1 Maire**
 - 5.2 Directeur administratif**
 - 5.2.1** Résolution pour confirmer le temps ou le Budget sera adopté
 - 5.3 Département de la greffière**
 - 5.3.1** Rapport d'action – Résolution pour adopter règlement 2016-11, entente de location avec Allan & Annie Hébert (sucrierie)
 - 5.4 Département des finances**
 - 5.4.1** Rapport mensuel des déboursements (février 2016)
 - 5.5 Département des services d'incendie**
 - 5.5.1** Résolution pour adopter règlement 2016-12, entente pour protection contre les incendies avec la Municipalité de Killarney
- 6.0 Ordre du jour regroupé**
 - 6.1 Procès-verbaux adoptés par résolution**
 - 6.1.1** assemblée régulière du Conseil le 9 mars 2016
 - 6.2 Procès-verbaux reçus par résolution**
 - 6.2.1** Conseil de planification de Sudbury Est le 11 février 2016
 - 6.3 Soumissions et demandes de propositions et affaires financiers adoptées par résolution**
 - 6.4 Correspondance à titre de renseignement seulement reçus par résolution**
 - 6.5 Règlements adoptées par résolution**
 - 6.5.1** 2016-10 Désignation d'un inspecteur d'herbe sauvage
 - 6.5.2** 2016-13 Règlement de confirmation

7.0 Correspondance pour la considération du Conseil

7.1 Service de santé publique de Sudbury et du district (Délégation du 9 mars)
Résolution pour appuyer la Stratégie communautaire de lutte contre les drogues

7.2 French River Multi-Use Trail Association (Délégation du 9 mars)
Résolution pour diriger le personnel d'établir une entente pour l'utilisation du terrain du Complexe municipal pour la 'Piste Joe Chartrand'

8.0 Addendum

9.0 Avis de motion

10.0 Annonce et questions Pour permettre aux Membres du Conseil de faire un court rapport (réunion/conférence/annonce). Des enquêtes doivent être concernant l'ordre du jour actuel dans le but de clarification seulement et ne doivent pas être utilisés pour apporter un nouveau sujet qui nécessite une décision du Conseil. Des membres du public peuvent diriger leur questions ou commentaire au Conseil seulement.

11.0 Session à huis clos

- mise à jour concernant des renseignements privés d'un employé(e)s de la municipalité qui peut être identifiée
- mise à jour d'un litige actuel ou éventuel au sujet d'un chemin municipal

12.0 Ajournement



Municipality of French River

Report CL-04-2016
of the Clerk's Department
For Consideration by Council

RE: Land Lease Extension Agreement

OBJECTIVE: To inform Council on the background of the Land Lease Agreement and to authorize the renewal of the agreement.

RECOMMENDATIONS:

1. THAT Council adopts a By-law to enter into a Land Lease Extension Agreement with Allan and Annie Hébert for a Maple Syrup Operation.

Respectfully submitted:

Approved:

Mélanie Bouffard

Bob Martin

John Regan
Ec.D.(F), CEcD.
CAO/ EDM

Clerk
Date: March 23, 2016

Parks, Recreation and Facilities Manager

BACKGROUND:

The land known as 'Scollard Discovery Park-Parc de la découverte Scollard' was acquired by donation by Mr. Robert Hewson in 2007; a Memorandum of Understanding (MOU) was reached between both parties to outline a plan and the use of the property.

The property is to be used solely for parkland and recreational purposes including but not limited to hiking, conservation and organic studies, non-motorized sports, community and authorized camping events (tents), other non-invasive and environmental activities.

The MOU also included tenant privileges, Mr. Allan & Annie Hébert were granted permission to continue the use and operation of a maple sugar bush operation for a period of five (5) years from the signing of the MOU, with permission to extend if both parties agreed. It was understood that the tenants could not cut firewood other than for the maple sugar operation and that they were responsible for their own liability and accident insurance coverage.

An agreement was adopted by Council in October 2010.

ANALYSIS:

The agreement has expired and was reviewed for a renewal opportunity and for *suitability*. The renewal options allow for two (2) further terms of five (5) years upon mutual agreement.

The Hébert family has been producing maple syrup for their own use on that property for 30 years. They have been maintaining the woodlot- maple bush by removing fallen trees and using it for the maple syrup operation. The previous owner had granted them permission to build a structure with the understanding that they could move it and their equipment off if ever the operations ended.

BUDGET/LEGAL IMPLICATIONS:

There are no budget implications and the tenant holds their own liability and accident insurance coverage.

INTERDEPARTMENTAL IMPACTS:

Not applicable.

LINKS TO STRATEGIC PLANS:

Not applicable.

CONCLUSION:

ATTACHMENTS:

Not applicable.

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2016-11

BEING A BY-LAW TO ENTER INTO A LAND LEASE EXTENSION AGREEMENT
WITH ALLAN AND ANNIE HEBERT
(Maple Syrup Operation)

WHEREAS Part II of the Municipal Act, 2001, S.O. 2001, c.25 as amended to October 22, 2008, empowers municipalities to enter into agreements to enable them to govern their affairs as they consider appropriate;

AND WHEREAS Council deems it desirable to enter into a Land Lease Extension Agreement with Allan and Annie Hébert for a Maple Syrup Operation;

NOW THEREFORE, THE COUNCIL FOR THE MUNICIPALITY OF FRENCH RIVER ENACTS AS FOLLOWS:

- 1) That the Mayor and Clerk are hereby authorized to enter into a Land Lease Extension Agreement for leased lands permitted by this lease: Maple Syrup Operation
 - That part of land from Part of Lot 20, Concession 5, Parcel 3919, Township of Scollard, Municipality of French River, which consists of the forested back half of the property from the south pasture fence to the southern boundary of the property.
- 2) That the terms and conditions of the Lease Extension Agreement shall be as set out in Schedule 'A', attached hereto and forming part of this By-law;
- 3) That this By-law shall come into force and take effect on the day it is passed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 23rd DAY OF MARCH, 2016.**

MAYOR

CLERK

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2016-12

BEING A BY-LAW TO ENTER INTO AN AGREEMENT WITH OTHER MUNICIPAL
AUTHORITIES FOR THE PROVISION OF FIRE PROTECTION

WHEREAS Section 2 (6) of the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4, allows municipalities to enter into an automatic aid agreement with other municipalities to provide and/or receive fire protection services;

AND WHEREAS it is expedient for public fire authorities to make such arrangements for efficient and effective service;

AND WHEREAS Section 20 of the Municipal Act, 2001, S.O. 2001, c 25, as amended to October 22, 2008, allows municipalities to enter into joint agreements with other municipalities.

NOW THEREFORE THE COUNCIL OF THE CORPORATION THE MUNICIPALITY OF FRENCH RIVER ENACTS AS FOLLOWS:

1. That the Mayor and Clerk are authorized to execute an agreement on behalf of the Corporation of the Municipality of French River with the Municipality of Killarney under the terms and conditions set out in the agreement as Schedule 'A', attached hereto and forming part of this By-law.
2. That any By-law inconsistent with this By-law is repealed.
3. That this by-law shall come into force and take effect immediately upon the final passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 23rd DAY OF MARCH, 2016.**

MAYOR

CLERK



Municipality of French River

MINUTES OF THE REGULAR MEETING OF COUNCIL

held in the Council Chambers
French River Municipal Complex
Wednesday, March 9, 2016 at 6pm

Members Present:

Mayor Claude Bouffard(Chair), Councillors Michel Bigras, Ronald Garbutt, Malcolm Lamothe, Gisèle Pageau, Denny Sharp, Dean Wenborne

Members Excused:

Officials Present:

Mélanie Bouffard, Clerk
Arthur Smith, Treasurer/Tax Collector
Robert Martin, Parks, Recreation & Facilities Manager
Michael Campbell, Chief Building Official
Carlie Zwiers, Executive Assistant

Guests:

18 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 Michel Bigras and Seconded By Gisèle Pageau

Resol. 2016- 66

BE IT RESOLVED THAT the agenda be approved as distributed and amended:

To add a Closed session pursuant to section 239 (b, d & e)

Carried

2. Moment of reflection

Council paused for a moment of reflection.

3. Disclosure of Pecuniary Interest

None declared.

4. Resolution to resolve into Committee

Moved By Ron Garbutt and Seconded By Malcolm Lamothe

Resol. 2016- 67

BE IT RESOLVED THAT Council now go into Council in Committee to consider delegations, reports and correspondence for consideration.

Carried

COUNCIL IN COMMITTEE

Councillor Michel Bigras chaired the Council in Committee meeting.

5. Delegations

5.1 Bernie & Linda Chartrand, Requesting amendments to Noise By-law #2003-08

Mr. & Mrs. Chartrand presented their concerns relating to the Noise By-law and how it does not address their dilemma concerning construction by a neighbour. The noise is affecting their quality of life and their ability to enjoy their property. Suggestions were made on how to amend the by-law such as clear wording, restrictions to the hours and days when noise is permitted, the type of noise permitted and regulations in permit application process.

A report by staff will be presented to Council to consider a review of the Noise By-law.

5.2 Sudbury & District Health Unit, Sudbury East Drug Strategy

Gisele Henderson, Public Health Nurse made a presentation and informed that concerns were raised about drug use in our communities and outlined the need for a drug strategy with the surrounding municipalities. A request was made for Council's support in the development of the Sudbury East Drug Strategy.

A resolution will be considered at the Regular Council Meeting of March 23rd.

5.3 French River Stewardship Council

Joe Dippong informed and provided an update on the completed and ongoing projects related to water quality, fisheries, education/communication and the environment. Projects, research and activities such as water sampling, monitoring of Noëlville Sewage Lagoon, monitoring blue green algae, spawning bed rehabilitations, tree planting, shoreline rehabilitation and private waterfront septic systems.

5.4 French River Multi-Use Trail Association (FRMUTA) & Village ami des aînés (VAA)

Mike Higgins provided an update on the established Bigwood Trail in Alban and the new walking trail from the Municipal Complex to Joe Chartrand Park to be called 'Joe Chartrand Trail'.

A resolution to enter into a Memorandum of Understanding with FRMUTA will be considered at the Regular Council Meeting of March 23rd.

6. Management, Committee and Board Reports

6.1 Mayor

6.1.1 FONOM Conference

Council's Representation Budget was reduced during the budget deliberations to allow only one conference/training per year per Councillor and unlimited for the Mayor.

Moved By Dean Wenborne and Seconded By Claude Bouffard

Resol. 2016- 68

BE IT RESOLVED THAT Council approves the following attendees at the FONOM Conference in Timmins on May 11-13, 2016 at an approximate cost of \$1,200 each:

Denny Sharp
Claude Bouffard

Carried

6.1.2 AFMO Conference

A motion was not moved therefore not considered by Council; the item will not be pursued at this time.

6.1.3 Budget Process

The Clerk reported on past budget practices and procedures.

Moved By Ron Garbutt and Seconded By Denny Sharp

Resol. 2016- 69

BE IT RESOLVED THAT Council approves to release the 2016 Summary Operating and Capital Draft Budget document to the public and that the Budget Policy be revised in time for the 2017 budget process.

Carried

6.2 Chief Administrative Officer

6.3 Clerk

6.3.1 Report under Section 76 of the Drainage Act

The Clerk presented the report included in the agenda package.

Moved By Ron Garbutt and Seconded By Dean Wenborne

Resol. 2016- 70

BE IT RESOLVED THAT Council authorizes the Engineer (K. Smart Associates) to proceed with a new Assessment Schedule Report under Section 76 of the Drainage Act for Hwy 607 Drain.

Carried

6.4 Finance Department

6.4.1 Monthly Disbursements Report

The Treasurer reported that the total disbursements for the month of January 2016 were in the amount of \$709,098.21.

6.5 Sudbury East Planning Board

6.5.1 2016 Municipal Apportionment

Moved By Malcolm Lamothe and Seconded By Dean Wenborne Resol. 2016- 71

BE IT RESOLVED THAT Council adopts the Sudbury East Planning Board's 2016 Municipal Apportionment in the amount of \$48,602.00.

Carried

6.6 Ontario Provincial Police / Community Policing Advisory Committee

6.6.1 Monthly Municipal Policing Report

The Policing Report for the months of November & December 2015 was distributed and any questions are to be forwarded to the Mayor to bring forward at the Community Policing Advisory Committee meeting.

7. Correspondence for Council's Consideration

7.1 Request for Support - Gas Price Variance in Northern Ontario

Moved By Denny Sharp and Seconded By Gisèle Pageau Resol. 2016- 72

BE IT RESOLVED THAT Council supports and agrees with the concerns brought forward by Charlie Angus, MP Timmins-James Bay to the Commissioner of Competition relating to the increasing gas prices and variances in Northern Ontario and that a letter be sent expressing those concerns.

Carried

8. Verbal Motion to return into the Regular Meeting

Moved by: Gisèle Pageau Resol. 2016- 73

THAT the Committee rise and report.

REGULAR MEETING

Mayor Claude Bouffard resumed the position of Chair for the remainder of the meeting.

9. Resolution adopting proceedings from Council in Committee

Moved By Michel Bigras and Seconded By Gisèle Pageau

Resol. 2016- 74

BE IT RESOLVED THAT the actions taken in Council in Committee in considering delegations, reports and correspondence be confirmed by this Council.

Carried

10. CONSENT AGENDA

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

Moved By Michel Bigras and Seconded By Malcolm Lamothe

Resol. 2016- 75

BE IT RESOLVED THAT Council approves the Items of the Consent Agenda under Sections 10.1, 10.4 and receives the Items under Sections 10.2, 10.3.

Carried

Items 10.1 were taken out of the Consent Agenda to allow debate.

10.1 Item was separated from the Consent Agenda to allow debate.

10.2 Minutes Received

Moved By Michel Bigras and Seconded By Malcolm Lamothe

Resol. 2016- 76

BE IT RESOLVED THAT Council receives the following minutes as presented:

Sudbury East Planning Board held December 10, 2015

Carried

10.3 Correspondence for Council's Information

10.4 By-laws

The following By-laws were read and adopted:

10.4.1 Confirmation By-law

Moved By Michel Bigras and Seconded By Malcolm Lamothe

Resol. 2016- 77

BE IT RESOLVED THAT By-law 2016-09, 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 March 9, 2016 be read a first, second and third time and finally passed.

Carried

10.1 Adoption of Minutes

Moved By Malcolm Lamothe and Seconded By Michel Bigras

Resol. 2016- 78

BE IT RESOLVED THAT Council adopts the following minutes as presented:

Regular Council Meeting held February 10, 2016
Special Meeting of Council held February 17, 2016

Carried

11. ADDENDUM (if required and by resolution)

12. NOTICES OF MOTION

13. ANNOUNCEMENTS AND INQUIRIES

Councillor Dean Wenborne is the representative of the Municipality who attends the conference calls and meetings of Sturgeon/Nipissing/French River Advisory Committee who monitor flow and water levels; a verbal report was given on the face to face meeting held in Callander on March 8th.

14. Closed Session

Moved By Gisèle Pageau and Seconded By Ron Garbutt

Resol. 2016- 79

BE IT RESOLVED THAT the meeting be closed pursuant to section 239 (b), (d) and (e) of the *Municipal Act*, for the purpose of receiving an update on a personal matters that would identify municipal employees, labour relations or employee negotiations and litigation or potential litigation.

Carried

Moved By Malcolm Lamothe and Seconded By Michel Bigras

Resol. 2016- 80

BE IT RESOLVED THAT the open session reconvenes at 8:16p.m.

Carried

15. ADJOURNMENT

Moved By Dean Wenborne and Seconded By Michel Bigras

Resol. 2016- 81

BE IT RESOLVED THAT the meeting be adjourned at 8:19 p.m.

Carried

MAYOR

CLERK

**SUDBURY EAST PLANNING BOARD
MINUTES
Thursday, February 11, 2016 at 5:30 p.m.
Sudbury East Planning Board Office
5 Dyke Street, Warren, Ontario**

MEMBERS PRESENT: Michel Bigras, Greg Hunt, Carol Lemmon, Heide Ralph, Ginny Rook, Jim Rook (Killarney Alternate), Paul Schoppmann, Denny Sharp, Jim Stankovich

MEMBERS ABSENT: Ned Whynott

OFFICIALS PRESENT: Melissa Riou, Director of Planning/Secretary-Treasurer

Karen Beaudette, Administrative Assistant

PUBLIC PRESENT: Paul Goodridge, Abbey Lee, Joey Monticelli

1. MEETING CALLED TO ORDER

Chairperson called the meeting to order at 5:30 p.m.

2. ADOPTION OF THE AGENDA

Resolution: 16-001

BE IT RESOLVED THAT the agenda for the Sudbury East Planning Board regular meeting of February 11th, 2016 be adopted as amended.

MOVED BY: Paul Schoppmann

SECONDED BY: Ginny Rook

Carried.

3. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

No disclosure of pecuniary interest

4. ELECTIONS

Resolution: 16-002

BE IT RESOLVED THAT election term for Chair and Vice-Chair be extended to the full term of Council.

MOVED BY: Jim Stankovich

SECONDED BY: Denny Sharp

Carried

Resolution: 16-003

BE IT RESOLVED THAT the Sudbury East Planning Board confer signing authority to Mike Bigras, Chairperson or Paul Schoppmann, Vice-Chairperson and Melissa Riou, Secretary-Treasurer, in regards to all banking matters pertaining to the Planning Board's General account.

MOVED BY: Jim Rook

SECONDED BY: Heide Ralph

Carried

5. ADOPTION OF THE MINUTES

a) Sudbury East Planning Board - Regular meeting of December 10th, 2015.

Resolution: 16-004

BE IT RESOLVED THAT the minutes of the Sudbury East Planning Board's regular meeting of December 12th, 2015 be adopted as distributed.

MOVED BY: Heide Ralph

SECONDED BY: Carol Lemmon

Carried.

6. PRESENTATIONS/DELEGATIONS

a) KPMG – Audit

Joey Monticelli from KPMG handed out finalized Financial Statements for the Sudbury East Planning Board's year ending December 31, 2015. Mr. Monticelli went through the Statements and explained each page to the Board members. Member Schoppmann asked if there was a lease for the building that houses the Planning Board office. The Director of Planning stated that there was no current lease although the building's owner, Mr. Chris Piper, has been asked for a current document.

Resolution: 16-005

BE IT RESOLVED THAT the 2015 Audited Financial Statements submitted by the accounting firm of KPMG be accepted.

MOVED BY: Heide Ralph

SECONDED BY: Ginny Rook

Carried

7. CONSENT APPLICATIONS

The Chair advised that a Consent Application be analyzed and discussed before the Planning Board decides whether or not to grant Provisional Consent. Also that the analysis and discussion of a Consent Application serves two purposes: first, to present to the Planning Board and the public the details and background to a proposed Consent; and second, to receive comments from the public and agencies before a Planning Board decision is made.

The Director of Planning advised that Notice of Application was posted in the municipal office and was sent by First Class Mail to the assessed owners within 60 metres of the properties subject to the proposed Consent Applications and to those persons and agencies likely to have an interest in the application. The Notices were sent on January 25th, 2016 (B/38/15/SC – Brenda Tunney and Russell Van Exan), (B/43/15/SCR – Giuseppina Cotesta) and January 27, 2016 (B/01/16/FR – The PPSC 3 Co. Inc.) being over fourteen (14) days prior to this evening's meeting. Included with each Notice was an explanation of the purpose and effect of the proposed Consent and a key map showing the location of the property. The circulations were provided in accordance with the provisions of The Planning Act, R.S.O. 1990, Chapter P.13. Notices were also sent on January 21st, 2016 (B/39-42/15/KL – 939668 Ontario Limited and William Pitfield), being over twenty (20) days prior to this evening's meeting. Included with each Notice was an explanation of the purpose and effect of the proposed Consent and a key map showing the location of the property. The circulations were provided in accordance with the provisions of The Planning Act, R.S.O. 1990, Chapter P.13.

a) B/38/15/SC – Brenda Tunney and Russell Van Exan

Paul Goodridge, agent, was present for questions or comments from the Board.

The Director of Planning summarized the application. The subject property is located at 77A Dumart Road, on the West Arm of Lake Nipissing in the Municipality of St.-Charles. The application is for a lot addition of approximately 37 square metres, which is to be severed from this property and added to the property to the immediate south (75 Dumart Road). The lot addition is to correct an encroachment of the existing cottage located at 75 Dumart Road.

The lot addition will ensure that the dwelling is located entirely on the appropriate lot, however given the small size of the lots it was not desirable to add so much land that the interior side yard setback would also be met. The applicants have requested a minor variance to allow a setback between the dwelling and the new property line of 1.5 metres, instead of the required 3.0 metres. That minor variance will be considered by the Committee of Adjustment for the Municipality of St.-Charles at its meeting of February 17, 2016.

With respect to agency circulation, no comments were received.

No comments were received through public consultation.

Member Schoppmann asked if there were separate driveways for each of the lots. Mr. Goodridge said that there were separate driveways.

Resolution: 16-006

BE IT RESOLVED THAT Consent application B/38/15/SC submitted by Brenda Tunney and Russell Van Exan be recommended for approval as per the report prepared by the Board's Director of Planning.

MOVED BY: Jim Rook
SECONDED BY: Denny Sharp
Carried

The Chair advised that there is a 20 day appeal period during which time any person or public body may, not later than 20 days after the giving of notice under Section 53(17) of the Planning Act, R.S.O. 1990, Chapter P.13 is completed, appeal the decision or any condition imposed by the Planning Board or appeal both the decision and any condition to the Ontario Municipal Board by filing with the Secretary-Treasurer a notice of appeal setting out the reasons for the appeal, accompanied by the fee prescribed under the Ontario Municipal Board Act. During this appeal period, no building permit may be issued or other work commenced.

b) B/39-42/15/KL – 939668 Ontario Limited and William Pitfield

No member of the public was present for questions or comments from the Board.

The Director of Planning summarized the application. The subject lands are located on the north side of Noble Street in the Community of Killarney. The proposal is for 4 consent applications that will result in the creation of two new residential building lots and the enlargement of a third existing lot.

Application B/39/15/KL is a lot addition to an existing lot of record on the westerly side as shown on the FRI Imagery. The lot addition will provide sufficient additional land to the parcel that it can then be divided in half through application B/42/15/KL, thereby creating another building lot. Application B/40/15/KL is for a lot addition to the adjacent residential property (32 Noble Street). Application B/41/15/KL will create another vacant residential lot to the east of 32 Noble Street.

There is a concurrent application for a Zoning By-law Amendment, (ZBA 15-14KL), to ensure that the enlarged and newly created lots through the associated consent applications are under a single zone classification, avoiding split zoning. At present, portions of the subject lands that are part of the Killarney Bay Inn property are zoned Commercial Community (CC). It is proposed that those lands be rezoned from Commercial Community (CC) to Residential One (R1). The Zoning By-law Amendment was approved and passed by Council for the Municipality of Killarney at the February 10th, 2016 Council Meeting.

With respect to Official Plan policies, the property can be interpreted as being fully within the Community Residential designation which is the primary focus for residential development and can be considered infilling in this area. The amount of land being taken from the Killarney Bay Inn property is minimal and does not affect the functioning of the lands for commercial use.

No comments or concerns were raised through agency circulation. With respect to public consultation, staff did receive one phone call from a prospective purchaser. His questions pertained to finalization and advised that those questions should be directed to the current property owner.

Resolution: 16-007

BE IT RESOLVED THAT Consent application B/39-42/15/KL submitted by 939668 Ontario Limited and William Pitfield be recommended for approval as per the report prepared by the Board's Director of Planning.

MOVED BY: Jim Rook

SECONDED BY: Carole Lemmon
Carried.

The Chair advised that there is a 20 day appeal period during which time any person or public body may, not later than 20 days after the giving of notice under Section 53(17) of the Planning Act, R.S.O. 1990, Chapter P.13 is completed, appeal the decision or any condition imposed by the Planning Board or appeal both the decision and any condition to the Ontario Municipal Board by filing with the Secretary-Treasurer a notice of appeal setting out the reasons for the appeal, accompanied by the fee prescribed under the Ontario Municipal Board Act. During this appeal period, no building permit may be issued or other work commenced.

c) B/43/15/SCR – Giuseppina Cotesta

No members of the public were present for questions or comments from the Board.

The Director of Planning summarized the application. The subject property is located on the north side of Horseshoe Lake Road in the Unincorporated Township of Secord. The application proposes to sever one (1) lot from the subject lands with an area approximately 2.0 hectares and a lot frontage of 220 metres. The proposed retained lands are to have an area of 3.0 hectares and a lot frontage of 110.7 metres.

The proposed lot is in an area characterized by rural residential development. With respect to the evaluation criteria in the official plan, pre-consultation was required with the local roads board regarding adequate access that will not create a traffic hazard. No issues with respect to MDS were identified and confirmation of adequate private water and sewer services were provided. No other constraints were identified in the Plan as affecting the property.

With respect to zoning, rezoning will be required to recognize the size of the lots and intended use as Residential Rural (RR) lots. At present, the lots are zoned Rural (RU). The agent has indicated that his client wishes to wait to apply for the associated zoning until a decision has been made on the consent. The owner does also own the abutting lands to the north of the property.

With respect to agency comments, Bell Canada requests an easement to protect the existing aerial cable. All costs of this transaction will be the responsibility of the property owner.

The local roads board advised that the location of the driveway should not impede site lines, the culvert will be the responsibility of the owner and be a minimum diameter of 18", and that

appropriate ditching should be carried out by the property owner.

With respect to public consultation, one call in opposition of the application was received. The person was advised that either a letter could be submitted or he could attend the meeting to oppose.

No other calls or correspondence were received. The agent, Matthew Dumont, Tulloch Engineering, advised that he could not attend the meeting.

Member Ralph asked if the ditching was required for the whole frontage of the lot. The Director of Planning stated that the ditching would only be in proximity of the driveway.

There were no other comments or questions from the Board.

Resolution: 16-008

BE IT RESOLVED THAT Consent application B/43/15/SCR submitted by the Giuseppina Cotesta be recommended for approval as per the report prepared by the Board's Director of Planning.

MOVED BY: Ginny Rook

SECONDED BY: Carol Lemmon

Carried.

The Chair advised that there is a 20 day appeal period during which time any person or public body may, not later than 20 days after the giving of notice under Section 53(17) of the Planning Act, R.S.O. 1990, Chapter P.13 is completed, appeal the decision or any condition imposed by the Planning Board or appeal both the decision and any condition to the Ontario Municipal Board by filing with the Secretary-Treasurer a notice of appeal setting out the reasons for the appeal, accompanied by the fee prescribed under the Ontario Municipal Board Act. During this appeal period, no building permit may be issued or other work commenced.

d) B/01/16/FR – The PPSC 3 Company Incorporated

No member of the public was present for questions or comments from the Board.

The Director of Planning summarized the application. The subject property is located at 291 Mayer Road and also has frontage extending to Highway 64, in the Municipality of French River. The lands consist of five (5) previously separate land holdings which have merged on title at various times in the past due to the pattern of ownership. Most recently four (4) of the lots have merged on title (2 fronting on Mayer Road and 2 fronting on Highway 64). The application proposes to sever a lot of approximately 87.0 hectares, with a lot frontage of 517 metres, which contains a dwelling and agricultural accessory structures, and to retain a lot of approximately 129.5 hectares with a lot frontage of 830.0 metres, which is a mix of cropped and forested lands.

The application is consistent with Official Plan policies related to consents, and each of the

proposed lots will continue to meet the requirements of the Rural (RU) Zone.

With respect to agency review, the Ministry of Transportation indicated they have no objection, but that no new access from Highway 64 will be permitted. Any new buildings or structures within the Highway 64 Right-of-Way will require permits.

Staff of the Municipality of French River indicated that reapportionment of municipal drains would not be required, as each was previously reapportioned and the property's continue to be assessed separately for any drains.

No comments were received through public consultation.

Member Schoppmann asked if there was anything the Planning Board could do to prevent this from happening to landowners in the future. The Director of Planning stated that the Municipalities have discussed this with the Ministry of Municipal Affairs and Housing but there have been no policy changes to rectify these situations. Landowners will have to trust that the lawyers are aware of the possibility of properties merging on title and take the necessary measures to ensure that it does not happen. Properties created by a consent application after March 31, 1979 or a lot created through a Plan of Subdivision do not merge on title. Member Hunt asked if the merging on title could be flagged at the Land Registry Office. The Director of Planning stated that the merging on title is instantaneous upon registering abutting parcels that are under the same names. Member Schoppmann said that many merged parcels have separate roll numbers and separate municipal tax bills. Merging on title creates a lot of difficulties with Rural (RU) parcels. Member Ralph stated that this is a Provincial issue and not one that the Board can repair.

There were no other comments or questions from the Board.

Resolution: 16-009

BE IT RESOLVED THAT Consent application B/01/16/FR submitted by The PPSC 3 Company Incorporated be recommended for approval as per the report prepared by the Board's Director of Planning.

MOVED BY: Jim Stankovich

SECONDED BY: Greg Hunt

Carried.

The Chair advised that there is a 20 day appeal period during which time any person or public body may, not later than 20 days after the giving of notice under Section 53(17) of the Planning Act, R.S.O. 1990, Chapter P.13 is completed, appeal the decision or any condition imposed by the Planning Board or appeal both the decision and any condition to the Ontario Municipal Board by filing with the Secretary-Treasurer a notice of appeal setting out the reasons for the appeal, accompanied by the fee prescribed under the Ontario Municipal Board Act. During this appeal period, no building permit may be issued or other work commenced.

8. NEW BUSINESS

a) Budget – 2016

The Director of Planning discussed the Draft Budget provided to the Board members in the meeting files. Although there are slight increases for some of the Municipalities, this is due to the increase in Household Counts only. There has been no increase in the apportionment fees billed to the Municipalities. There are no anticipated large purchases for 2016.

There were no further questions or comments from the Board.

Resolution: 16-010

MOVED BY: Paul Schoppmann

SECONDED BY: Ginny Rook

Carried

b) Official Plan Review – Correspondence received from Municipality of Markstay-Warren

The Director of Planning presented the Planning Board with a report concerning the 5 year review of the Official Plan (copy attached). There is no resolution required as the report is for informational purposes only.

Member Sharp asked if the Official Plan could be revised to address the increase in Solar Farm development in the area. The Director of Planning stated that the development of solar projects is administered by the Green Energy and Green Economy Act and that Planning Boards can comment on the development but have no role in the process. Member Sharp stated the solar farms cover a lot of prime farm land and the Planning Board should look into preserving this land. The Director of Planning said that there is very little prime farm land in the Sudbury East Planning Board area and soil mapping in French River is limited.

Member Jim Rook asked why the First Nations would have to be consulted on any changes to the Official Plan. He asked why we have to comply with the Official Plan while a neighbouring native reserve would not have to comply. Killarney is comprised of a village and parkland surrounded by a native reserve. Member Ralph stated that there is no way to control how the neighbouring reserve manages its planning departments as the governing body is Federal. Member Rook asked what was the point of having an Official Plan if the natives do not have to comply with the Planning Act. The Director of Planning stated that the Planning Act is a Provincial Policy and that some First Nations are moving towards developing planning procedures with more stringent regulations. The Crown is encouraged, when developing properties, to be consistent with the Planning Area. This is communicated to the Crown through the review process which gives the Planning Board opportunity to submit their responses.

Member Sharp suggested that the opportunity to address this issue would be when the

Municipalities meet with the Minister at the annual conferences attended by Council members. Member Schoppmann said that would be a Provincial Minister and not a Federal Minister.

The Director of Planning directed the Planning Board's attention to the Resolution from Markstay-Warren (copy attached) requesting that a Comprehensive Review of the Official Plan be undertaken by the Planning Board. Member Hunt asked if a Municipal Economic Development Committee could have any zoning changes completed in-house. The Director of Planning stated that when a Municipality is expanding their boundaries, the procedure is not easy. The Ministry of Municipal Affairs and Housing would have to give their approval following a Comprehensive Review Process involving many studies. Included in these studies would be a Population Projection and a Vacant Land Study. Currently, the Census is predicting a downturn in population figures. The Director of Planning stated that she is working on a number of background reports and will have a more detailed report for next month's Planning Board meeting.

Member Rook asked if money has to be set aside by the Planning Board Municipalities to fund the Official Plan Review. The Director of Planning clarified that the cost of the Official Plan Review is split equally five ways between the four Municipalities and the Unincorporated Townships. An Official Plan Review is a multi-year process depending on the scope required. If only a bare bones review is required, the time-line would be shortened. Every Municipality was informed when the Zoning By-law Review was initiated that there would be an Official Plan Review forthcoming and to budget accordingly.

Member Ralph asked that if there was no change in the municipal household counts and there was a surplus of vacant land capable of development why Markstay-Warren would need to increase the village boundaries. Member Hunt said that the Markstay boundary would have to be extended to ensure future growth in that community.

c) OMB Appeal Process

The Director of Planning provided a report regarding OMB user fees (copy attached). The report included four proposals for the Planning Board to consider. The Director of Planning recommended Option 3 as the best option. Member Rook asked if each case had to be assessed on an individual basis. The Director of Planning stated that in the case of third party appeals, Option 3 would be the most optimum. There would be a minimum of \$1,000.00 required on deposit from the third party and any other costs incurred by the Planning Board would be reimbursed. Member Schoppmann asked typically how long a hearing would last. The Director of Planning said that normally a hearing is one day but could extend to three days. Member Sharp stated that if Option 3, evaluation each case is assessed on an individual basis that leaves the Planning Board open to accusations of nepotism and favouritism. Member Ralph said that case by case assessment makes a lot of sense as some are so straight forward but others are just outrageous as shown by recent appeals in a certain municipality.

Member Schoppmann indicated that the Planning Board does not want to be out of pocket for wages incurred because staff members are attending hearings although it is wise to have the Planning Board staff attend OMB hearings. The Director of Planning stated that third party

appeals are less common.

Resolution 16-011

MOVED BY: Jim Stankovich

SECONDED BY: Greg Hunt

Carried

d) Parkland Dedication

The Director of Planning provided a report to the Planning Board (copy attached). Member Jim Rook asked if there were any possibilities of instances of the one hectare for every 500 dwelling units in the Planning Area. The Director of Planning said that there were very few instances of this type of development in the Planning Area. Member Jim Rook stated that the Municipalities would be more astute to take the cash-in-lieu. Member Hunt asked if property development such as the renovation and expansion of the Killarney Lodge could be considered appropriate for the Parkland Dedication by-law. The Director of Planning said that if the by-law provided for that condition, it would be part of the development charges.

Member Bigras indicated that the Planning Board give the Director of Planning a verbal direction only to work with the Municipalities in developing the Parkland Dedication By-laws.

e) 2016 Planning Authorities Technical Workshop

The decision of which Planning Board members will be attending will be postponed until the official agenda for the workshop.

9. BUSINESS ARISING FROM PREVIOUS MINUTES

10. NOTICES OF MOTION RECEIVED BY THE SECRETARY-TREASURER PRIOR TO THE CLOSING OF THE MEETING

There were no notices of motion received by the Secretary-Treasurer prior to the closing of the meeting.

11. PAYMENT OF VOUCHERS

a) December 2015 and January 2016

Resolution: 16-012

BE IT RESOLVED THAT the statement of disbursements for the month of December, 2015 in the amount of \$16,763.86 and January 2016 in the amount of \$23,604.36 to be distributed and is hereby approved for payment.

MOVED BY: Ginny Rook

SECONDED BY: Denny Sharp

Carried.

12. ADJOURNMENT

Resolution: 16-013

BE IT RESOLVED THAT the Meeting be adjourned at 7:06 P.M.

AND THAT the next regular meeting be held on March 10th, 2016 at 5:30 P.M. at the Sudbury East Planning Board Office in Warren.

MOVED BY: Carol Lemmon

SECONDED BY: Heide Ralph

Carried.



CHAIR



SECRETARY-TREASURER

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RECEIVED
FEB 23 2016

Agriculture Development Branch

Date: February 19, 2016
To: Clerks of County, District, Regions and other Municipalities
From: Mike Cowbrough
Chief Weed Inspector

Subject: Weed Control Act R.S.O. 1990 and appointment of Weed Inspectors

The following requirements of municipalities exist under the *Weed Control Act, R.S.O. 1990, Chapter W.5*:

- Section 6 (1) the council of every upper-tier and single-tier municipality shall by by-law appoint one or more persons as area weed inspectors to enforce this Act in the area within the council's jurisdiction and fix their remuneration or other compensation.
- Section 7 (1) the clerks of each upper-tier and single-tier municipality shall report the names of all area weed inspectors before April 1, 2016.
- Section 8 (1) municipalities may by by-law appoint one or more persons as municipal weed inspectors.
- Section 9 (1) the clerks of municipalities who have appointed municipal weed inspectors shall report the names of all municipal weed inspectors before April 1, 2016.

If since last year (2015) there has been no change in personnel appointed as weed inspector in your municipality, then there is no need to fill out the attached form.

If there has been a new person appointed as a weed inspector, please fill out the attached form and return it to the attention of Vaughan Allan at the address below before April 1, 2016.

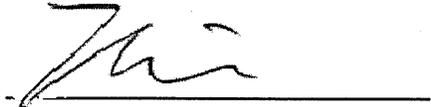
Vaughan Allan
Ministry of Agriculture, Food and Rural Affairs
1 Stone Road West, 3rd Floor SW
Guelph, Ontario N1G 4Y2

.../2



Please forward on the following information to your appointed weed inspector:

The annual Weed Inspectors' Conference and Training Day will be held on **April 14, 2016 in Guelph at the Victoria Park East Golf Club**. To review the program agenda go to: www.fieldcropnews.com/?p=6164 . You can register for the conference by phone at 1-877-424-1300 or fill out and mail in the attached registration form. Space is limited so we ask that you register by **April 8, 2016**.



Mike Cowbrough
Chief Weed Inspector

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2016-10

BEING A BY-LAW TO APPOINT A MUNICIPAL
WEED INSPECTOR FOR 2016

WHEREAS under Section 8(1) of the *Weed Control Act, R.S.O. 1990, Chapter W.5*, municipalities may by by-law appoint one or more persons as municipal weed inspectors.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER ENACTS AS FOLLOWS:

- 1) That Michael Campbell, Chief Building Official/Municipal Law Enforcement Officer be appointed as the Municipal Weed Inspector for 2016 for the Corporation of the Municipality of French River.
- 2) This By-law shall come into force and take effect upon third and final reading.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 23rd DAY OF MARCH, 2016**

MAYOR

CLERK

**Municipality of French River
Committee Advising on Recycling Ecologically (CARE)
Terms of Reference**

Purpose

The purpose of the ad hoc committee is to set a framework for a waste diversion educational and marketing plan for the proper use of our current waste management system.

Education is the key to an efficient and effective system. The goal of the committee is to establish a well-planned education and marketing program that will engage the population and encourage them to shoulder their responsibilities. Given time and the proper encouragement, the residents will become responsible partners as we 'Sort, Stream and Save' on Waste Diversion.

Committee Structure

- The Committee will be comprised of 5 Members of the Public and 2 Members of Council (one being the Chair) and shall be appointed by Council
- The Chair shall:
 - recruit the committee members from Service Clubs, Community Groups, Associations, Schools, etc.
 - speak on behalf of the committee
 - present recommendations and report to Council
- The CAO shall designate a staff member as resource personnel.
- Members are expected to respect the rules of Council's Procedural By-law including the Code of Conduct, Conflict of Interest and confidentiality guidelines.
- Meetings shall be held at the Municipal Complex.
- The term of the committee shall be until the end of October 2016.
- The Committee shall be allocated an amount of \$15,000 for the development of educational resources.

Responsibilities

Committee

- Collect data on current and on-going usage of waste diversion and collection
- Collect feedback from public, stakeholders etc., on needs and expectations, making them part of the solution to establish buy-in
- Collect feedback from residents and data before and after new truck in use
- Re-evaluate all aspects of waste diversion throughout the process
- Recommend to Council operational modifications if needed that would help with the efficiency of the program (painting bins, etc)
- Recommend to Council an educational and marketing program (such as the design of the signs, the messaging, the content of any pamphlets or other resources for public consumption and education)
- On-going review of success or issues with system and recommend to Council modifications to the educational program

Public Works (resource personnel to committee)

- Collates operational and usage data on system use (#trips, vol., recycling data, schedules, issues, possible solutions) throughout the duration of the project to evaluate education program
- Gathers information on similar systems from other Municipalities
- Identifies for the committee, “What goes where?”

Possible Activities

- Town Hall meeting to gather public input
- Summer students educating users at various bin sites
- Students to be present at events incurring heavy use of bin sites
- Video on YouTube
- Mascot
- Competition between bin sites with recognition for good usage
- Feedback to users at bin sites

DRAFT