



**AGENDA / ORDRE DU JOUR**  
**REGULAR COUNCIL MEETING / RÉUNION RÉGULIÈRE DU CONSEIL**

Wednesday, February 21, 2018 at 6pm / mercredi le 21 février 2018 à 18h  
Council Chambers / Salle du conseil

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- 1. Call to Order and Roll Call / Ouverture de la réunion et présence**
- 2. Adoption of Agenda / Adoption de l'ordre du jour (*and Additions if applicable*)**
- 3. Disclosure of Pecuniary Interest / Déclarations d'intérêts pécuniaires**
- 4. Delegations / Délégations (NIL)**
- 5. Reports and Items for Consideration / Rapports et sujets pour considération**
  - 5.1 General Government / Gouvernement général (NIL)**
  - 5.2 Finance / Finances (NIL)**
  - 5.3 Public Works & Environment Services / Travaux public et services de l'environnement**
    - 5.3.1 Resolution to pass By-law 2018-12 to appoint Council Members to the Court of Revision pursuant to the Drainage Act, S. 97** p.3
  - 5.4 Community Services / Services communautaires (NIL)**
  - 5.5 Emergency Services and Public Safety / Services d'urgence et sécurité publique**
    - 5.5.1 Manitoulin-Sudbury District Services Board Report by Councillor Wenborne** p.4
    - 5.5.2 Resolution to adopt By-law 2018-10 to amend By-law 2017-35 Fees and Related Charges to add the Fire Response Fees - Indemnification Technology®** p.6
    - 5.5.3 Resolution to adopt By-law 2018-11 to enter into an Agency Agreement with Fire Marquee Inc. to establish a Indemnification Technology ® Program** p.7
  - 5.6 Development & Planning / Développement et planification (NIL)**
  - 5.7 Correspondence / Correspondance (NIL)**
- 6. Consent Agenda / Ordre du jour regroupé**
  - 6.1 Adoption of Minutes / Procès-verbaux adoptés**
    - 6.1.1 Special Council Meeting of held January 30, 2018** p.8
    - 6.1.2 Combined Council Meeting held February 7, 2018** p.13
  - 6.2 Receipt of Minutes / Procès-verbaux reçus**
    - 6.2.1 Sudbury East Planning Board meeting held December 7, 2017** p.19
  - 6.3 Items for Consideration or Information / Items pour consideration ou information (NIL)**
  - 6.4 By-laws / Règlements (NIL)**
- 7. Notices of Motion / Avis de motion**

**8. Announcement and Inquiries / Annonce et questions**

**9. Closed Session / Session à huis clos**

- under section 239 (2) (b) "personal matters about an identifiable individual, including municipal or local board employees" and (d) "labour relations or employee negotiations" with respect to the CAO's employment contract

**10. Adjournment / Ajournement**

Resolution to adopt Confirmation By-law

Resolution to adjourn

**THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER**

**BY-LAW 2018-12**

**A BY-LAW TO APPOINT THE COURT OF REVISION**

**WHEREAS** the *Drainage Act*, R.S.O. 1990, Chapter D.17, Section 97., provides for the appointment of a Court of Revision to consider appeals on assessments pursuant to the *Drainage Act*;

**NOW THEREFORE** the Council of the Corporation of the Municipality of French River pursuant to the *Drainage Act* enacts as follows:

1. That the following Members of Council are hereby appointed as Members of the Court of Revision for the duration of the 2014-2018 Term of Council:
  - a) Claude Bouffard
  - b) Dean Wenborne
  - c) Michel Bigras
2. This By-law comes into force on the day it is passed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 21<sup>st</sup> DAY OF FEBRUARY, 2018.**

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**MAYOR**

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**CLERK**

# MUNICIPALITY OF FRENCH RIVER

## REPORT TO MAYOR AND COUNCIL

### MSDSSB BOARD MEETING JANUARY 25, 2018

During this last year of municipal representation on the DSSAB board Markstay-Warren is sitting out. Sudbury east is represented by myself, Jim Rook and Paul Schoppmann.

The annual election of officers now has Les Gamble returned as Chair and David Leonard as Vice Chair. Mr. Leonard is one of the three board members representing the townships without municipal organization.

During the creation of board committees I volunteered on the following four. Property, Program Planning and Finance. An Ad Hoc. committee was created to review the old Board Strategic Plan. I will participate on this committee also.

The extensive rehabilitation of the DSSAB'S Second Ave. office building was contractually finished on Dec. 5, 2017. Some additional work was required as a result of findings during the main project. That work was finished on Jan, 12. Total costs came in at \$162,314.00 which was under the allocated costs of \$165,000 and change. The funds are coming from the DSSAB'S working fund reserve.

The staff working in the building are much more comfortable and content. They also have a much healthier work environment.

The board's strategic plan was discussed and as it is quite out of date a decision was made to strike an Ad Hoc committee to review the existing plan and possibly recommend a new plan or no plan at all. As the plan very seldom sees the light of day the need in my view is questionable.

The program Planning Committee is to review several by-laws- Procedural, Travel, Honorarium and evaluation tools for all they apply to. This is all to prepare for the handover to the next board.

The Board resolved to follow up on the existing accessibility plan where ever the need is apparent. This is an ongoing obligation that is taken seriously by the board in all of it's operations.

The MSDSB by resolution is agreeing with the Sudbury and district Health Unit in it's ongoing monitoring of the cost of a nutritious food basket and the cost for same in our area. This information is forwarded to all supporting municipalities and is intended to help ensure that social assistance levels will support housing and food in an adequate manner. Of course, the pressure needs to be kept on the Province to use the information when deciding on those levels of assistance!

There was a short discussion on the information that came back from the DSSAB review committee. It has been mostly on the subject of municipal apportionment. No surprise there. So far there is no indication of any possible changes to the DSSAB Act by the Province as a result of the review. Too soon I am sure!

At the recent ROMA conference the board delegates met with the Minister of Housing with the objective of trying to obtain more capital funding for social housing. They also met with the Minister of Labour and asked for funding increases commensurate with the increases in costs to mandated programs as a result of Bill 68.

We can only hope for good luck there

Next meeting on February, 22, 2018.

Councillor Dean Wenborne

**THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER**

**BY-LAW 2018-10**

**BEING A BY-LAW AMEND BY-LAW 2017-35 TO SET FEES AND RELATED  
CHARGES SET OUT BY THE MUNICIPAL COUNCIL OF FRENCH RIVER**

**WHEREAS** Section 391(1) of the Municipal Act, 2001 S.O. 2001, c. 45, as amended to October 22, 2008, gives Council the authority to pass by-law imposing fees or charges on any class of persons;

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and
- (c) for the use of its property including property under its control.

**AND WHEREAS** By-law 2017-35 was passed on July 19, 2017 setting fees and charges on behalf of the Municipality of French River;

**AND WHEREAS** the Council of the Corporation of the Municipality of French River deems it desirable to amend Schedule 'A' - Fire and Emergency Services to add a fee;

**THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of French River hereby enacts as follows:

- 1) That the following be added to Schedule "A" in Fire and Emergency Services which shall form part of By-law 2017-35.

Fire Response Fees - Indemnification Technology®	Current MTO rates, plus personnel costs, plus any additional costs to the Municipality of French River
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- 2) That this By-law comes into force and takes effect upon the date of its final passing.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 21<sup>st</sup> DAY OF FEBRUARY, 2018.**

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CLERK**

**THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER**

**BY-LAW 2018-11**

BEING A BY-LAW TO AUTHORIZE THE AGREEMENT WITH FIRE MARQUE INC. FOR  
THE PURPOSE OF AN INDEMNIFICATION TECHNOLOGY PROGRAM

**WHEREAS** Council for the Corporation of the Municipality of French River deems it expedient to enter into an agreement with Fire Marque Inc. for the purpose of an Indemnification Technology Program.

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

- 1) That the Mayor and Clerk are authorized to execute the agreement attached hereto and forming part of this By-law as Schedule 'A' with Fire Marque Inc. for the establishment of an Indemnification Technology Program.
- 2) That 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 21<sup>st</sup> DAY OF FEBRUARY, 2018.**

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**MAYOR**

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**CLERK**



## Municipality of French River

### MINUTES OF THE SPECIAL MEETING OF COUNCIL held in the Council Chambers Wednesday, January 30, 2018 at 7:00pm

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#### **Members Present:**

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

#### **Members Excused:**

Councillors Ronald Garbutt, Malcolm Lamothe

#### **Officials Present:**

Marc Gagnon, Chief Administrative Officer  
Mélanie Bouffard, Clerk

#### **Guests:**

Neal Morris, P. Eng., K. Smart Associates Ltd.  
50 Guests (approximately)

#### **1. Call to order and roll call**

The Chair called the meeting to order at 7:00 p.m.

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#### **2. Adoption of Agenda (*and Additions if applicable*)**

Moved By Mike Bigras and Seconded By Gisele Pageau

Resol. 2018- 29

**BE IT RESOLVED THAT** the agenda be approved as distributed.

Carried

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#### **3. Disclosure of Pecuniary Interest**

None declared.

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#### **4.0 Public Hearing to consider Engineer's Report relating to Hwy 607 Drain, Dupuis Drain and Timony Drain**

The Mayor welcomed everyone and advised that the purpose of the meeting was to hold a public meeting under the *Drainage Act* to consider the Engineer's Report for updates to the Schedules of Assessments for the Dupuis Drain, Highway 607 Drain and Timony Drain in the Municipality of French River.

The Mayor then advised that the meeting would proceed as follows:

1. Neal Morris from K. Smart Associates Limited will present the report to Council and to the public.
2. The public will be invited to make comments or ask questions to Council or to the Engineer.
3. Once the public comments have been completed, the public meeting portion will be closed.

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4. At Item 5.1, Members of Council will be provided an opportunity to ask questions or provide comments to the Engineer. Once Council comments and questions are completed, and that Council is satisfied with the Report, it will be considered for provisional approval (meaning 1<sup>st</sup> and 2<sup>nd</sup> Reading) of the By-law which adopts the Engineer's Report.

5. The Members of Council will then be appointed to the Court of Revision, which is the body which hears appeals on assessments pursuant to the Drainage Act, example for appeals relating to land or road has been assessed too high or too low, land or road that should have been assessed, or due to considerations that have not been given to the land's use.

6. Then Council will be asked to set the date and time of the Court of Revision.

#### **4.1 Presentation of the Engineer's Report**

Neal Morris of K. Smart Associates Limited presented the Engineer's Report.

#### **4.2 Public Comments and Questions**

Council, Staff and Mr. Morris answered questions and received comments from members of the public as follows:

Mr. Winterton of 463 White Tail Road (Timony Drain) addressed Council and advised that they were not notified of the existence of the drain when they purchased the property three years ago. He commented that as the drain already exists and was petitioned by property owners that are no longer there that the current owners might not want it anymore. He further questioned whether there were any consideration to any environment aspects, to the increase in flow of water and to hold back the water for the marshes, water systems, fish and wildlife resources. As there are no more agricultural needs, questioned if the existing landowners even want the drain.

- The Engineer's Report prepared at the time of a Drain's creation considers aspects for the purpose of the drain at that time; to incorporate wetlands or other environmental aspects in this drain is a possibility, however, it would need to be done pursuant to Section 78 of the Act (which means a new Engineer's Report)
- If  $\frac{3}{4}$  of the owners of land assessed for benefit, request to abandon a drain (portion or its entirety), it is done under Section 84 of the Act, it could be a long and expensive process.

Chris Jones of 351 White Tail Rd (Timony Drain) addressed Council and advised that he too, was not notified of the existence of the drain when they purchased the property three years ago. He commented that the properties in question have boundless environmental resources and wildlife and questioned why those resources would be destroyed at the property owners' cost. He further commented that he wants the drain removed and inquired on the process and what would be the consequences of leaving the drain alone without maintenance.

- Municipalities are obliged to maintain Drains as per the Act and its Engineer's Report.
- A Drain could be abandoned under Section 84 of the Act, where  $\frac{3}{4}$  of the owners must agree.

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Paul Dube of 226 Bouchard Rd (Dupuis Drain) addressed Council and advised that he too, was not notified of the existence of the drain at time of purchase about 5-6 years ago, his property is the last downstream. He questioned who would be responsible if his neighbour would obstruct the drain and that it floods and if he can develop in the area of the Drain.

- The property owner is responsible to remove or ensure that the drain is not obstructed and is responsible financially if the Municipality is required to remove an obstruction caused or allowed by the property owner.
- The only space that is restricted is along every drain, there is an unregistered working space that the municipality has the right to use to maintain and repair the drain which needs to stay accessible.

Isaac Timony of 293 White Tail Rd (Timony Drain) addressed Council and advised that the drain was built mainly to drain the properties to allow access to the back of the properties, the natural watercourse was continuously flooded which created access issues of the full land and for agricultural purposes; when flooding occurs they only have access to 80 acres when the property is 160 acres. At this time and when the drain flows properly it allows for full access of the land and for forestry purposes.

- Drains are created specifically to the properties within the watershed, mandated by the Drainage Act, municipal drains are not only for agricultural purposes, but for access and draining of surface water to avoid flooding.

Chris Jones of 351 White Tail Rd (Timony Drain) readdressed Council and questioned why our drains are not being re-greened like in the south.

- Making amendments to the aspects/purpose of an existing drain requires changes to the Engineer's Report under Section 78 of the Act.

Lorraine Courchesne of 799 Hwy 64 (Hwy 607 Drain) addressed Council and commented that prior to the drain being created that their property never had problems with flooding and that now it does (her property is the last downstream) as they are getting the water from the whole drain, that they do not benefit and should be compensated instead of billed.

Rachel Quesnel, owner of property at corner of Golf Course Rd and Hwy 607 (Hwy 607 Drain) addressed Council and advised that she too, was not notified of the drain existence at time of purchase and commented that the drains should be a municipal infrastructure and not billed to landowners and questioned which Act stipulates that the landowners pay for costs.

- The drains are a municipal infrastructure that are regulated under the Drainage Act, which stipulates that the community of landowners assessed as per the Schedule of Assessment of the Engineer's Report are billed for their share of the cost of maintenance and repair.
- There is a gap where property owners are informed of the existence of a drain on the property they are purchasing. Currently, a property owner will be informed if their real estate legal counsel requests a property search which identifies information about the property or if the seller provides the information to their real estate agent. There are initiatives being undertaken so that drains be registered on title of the property but there are no development of this to this day.

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Mr. Winterton of 463 White Tail Road (Timony Drain) readdressed Council and questioned the process of opting out of drain.

- A Drain could be abandoned under Section 84 of the Act, where  $\frac{3}{4}$  of the owners must agree.

Chris Jones of 351 White Tail Rd (Timony Drain) readdressed Council and commented on environmental issues, doesn't understand how one agency works to protect the environment and the other can destroy and drain it.

Jim Lovely of 128 Hwy 607 (Hwy 607 Drain) addressed Council and questioned the accuracy of the plans and the location of the drain on the properties.

- The drain is not physically located on his property but the property is within the watershed.

Rolly Gagnon of 2331 Hwy 64 (Dupuis Drain) addressed Council and commented that the actual flow of the water does not match the flow identified on the plan and the culvert doesn't drain properly.

Isaac Timony of 293 White Tail Rd (Timony Drain) readdressed Council and questioned the maintenance schedule of the drain.

- There is no fixed maintenance schedule, maintenance typically occurs by request or when the need is identified by the road authority or a property owner.

Paul Mayer, son in law of the Courchesnes of 799 Hwy 64 (Hwy 607 Drain) addressed Council and commented that they do not benefit at all and that blasting was supposed to occur and that the drain was supposed to go further downstream.

- The Drainage Superintendent will be informed and will look into the issues for potential repair and will further report to Council.

Michel Raymond of 1032 Hwy 535 (Timony Drain) addressed Council and commented that he thinks that the drain works very well since the ponds and surface water in his area are getting smaller.

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## **5. Consideration of the By-law (Provisional Approval)**

### **5.1 By-law 2018-08 to adopt the Engineer's Report to provide for updated Schedules of Assessment for future maintenance and repair of the drainage works for the Hwy 607 Drain, Dupuis Drain and Timony Drain (provisional approval, 1st and 2nd Reading)**

Moved By Gisele Pageau and Seconded By Dean Wenborne

Resol. 2018- 30

**BE IT RESOLVED THAT** By-law 2018-08, being a by-law to provide for Drainage Works and updates to the Schedules of Assessments for the Dupuis Drain, Highway 607 Drain and Timony Drain in the Municipality of French River be read a first and second time.

Carried

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## **6. Appointment of Court of Revision**

*(The Court of Revision is a body which hears appeals on assessments pursuant to the Drainage Act)*

### **6.1 By-law 2018-09 to appoint the Council Members as Members of the Court of Revision pursuant to the Drainage Act, S. 97**

Moved By Dean Wenborne and Seconded By Denny Sharp

Resol. 2018- 31

**BE IT RESOLVED THAT** By-law 2018-09, being a by-law to appoint the Court of Revision pursuant to *Drainage Act* in the Municipality of French River be read a first, second and third time and finally passed.

Moved By Gisele Pageau and Denny Sharp

Motion to defer to March 21, 2018 to allow time to recruit members of the public for the Court of Revision.

Deferral Carried

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## **6.2 Resolution to set the time and date of the Court of Revision**

The time and date of the Court of Revision will be set by the Clerk at a later time.

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## **7.0 Adjournment**

Moved By Denny Sharp and Seconded By Mike Bigras

Resol. 2018- 32

**BE IT RESOLVED THAT** the special meeting be adjourned at 8:52 p.m.

Carried

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**MAYOR**

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**CLERK**



## Municipality of French River

### MINUTES OF THE COMBINED COUNCIL MEETING

held in the Council Chambers  
Wednesday, February 7, 2018 at 6pm

#### **Members Present:**

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

#### **Members Excused:**

Councillors Ronald Garbutt, Malcolm Lamothe

#### **Officials Present:**

Marc Gagnon, Chief Administrative Officer  
Mélanie Bouffard, Clerk  
Tom Ng, Treasurer/Tax Collector  
Roch Bigras, Interim Fire Chief  
Robert Martin, Parks, Recreation & Facilities Manager  
Carlie Zwiers, Executive Assistant

#### **Guests:**

25 Members of public (approximately)

#### **1. Call to order and roll call**

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

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#### **2. Adoption of Agenda (*and Additions if applicable*)**

Moved By Denny Sharp and Seconded By Gisele Pageau

Resol. 2018- 33

**BE IT RESOLVED THAT** the agenda be approved as distributed.

Carried

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#### **3. Disclosure of Pecuniary Interest**

Councillor Michel Bigras declared a pecuniary interest at Item 6.1.2 (portions relating to Fire Department) and 6.5.1; his son is the Interim Fire Chief.

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#### **4. Delegations**

The delegation was delayed to later during the meeting.

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#### **5. Resolution to resolve into Committee**

Moved By Gisele Pageau and Seconded By Mike Bigras

Resol. 2018- 34

**BE IT RESOLVED THAT** Council now go into Committee of the Whole to consider delegations, reports and correspondence for consideration.

Carried

## COMMITTEE OF THE WHOLE

Councillor Gisèle Pageau chaired the Committee of the Whole meeting.

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### 6. Reports and Items for Consideration

#### 6.1 General Government

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##### 6.1.1 Bill 68: Modernizing Ontario's Municipal Legislation Workshop

###### Report by Councillor Bigras

Councillor Bigras presented a verbal report of the Bill 68: Modernizing Ontario's Municipal Legislation Workshop attended at the ROMA Conference.

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### 4. Delegations

#### 4.1 Jill Pessot, Pet Save

##### Information session for responsible pet ownership

Pet Save's mission is to rescue abandoned, abused and neglected dogs and cats throughout Northern Ontario and ensure that every pet receives "A New Leash on Life". The association is committed to helping the homeless animals and educating people on proper animal care so they may reshape the next generation of pet owners.

Jill Pessot presented the association and informed Council that our area currently has a problem with stray and an overpopulation of cats as they have been called in for a large number of rescues.

Pet Save is ready to work with the Municipality to identify the need and discussing potential initiatives/program for a humane animal control of cats in our area. Such a program could take 6 months to a year to establish and would entail bringing cats into the Municipal Animal Control By-law, a mandatory spray/neuter, licencing and education about animal care and how funds would be used to be sustainable.

The Municipality will be in contact with Pet Save for further information; any development will be brought to Council for consideration.

### **6.1.2 Update - 2018 Draft Budget**

\* Councillor Michel Bigras declared a pecuniary interest and refrained from discussion and debate relating to the Fire Department Budget.

The CAO provided an update of the 2018 Draft Budget documents.

The amount of the OPP Levy will be determined once the Final Tax Levy is considered by Council.

The Public Meeting to present the 2018 Draft Budget was scheduled for February 22 at 6:30pm at the Alban Community Centre.

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## **6.2 Finance**

### **6.2.1 Report - Operational Review Opportunities Status - Business Process Mapping (Accounting Software Upgrades)**

The Treasurer presented the report included in the agenda package.

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## **6.3 Public Works & Environment Services (NIL)**

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## **6.4 Community Services (NIL)**

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## **6.5 Emergency Services and Public Safety**

### **6.5.1 Discussion - Fire Marquee's Indemnification Technology Program**

\* Councillor Michel Bigras declared a pecuniary interest and refrained from discussion and debate relating to the Fire Department Budget.

Following discussion, Council generally agreed to direct Staff to proceed with the Fire Marquee's Indemnification Technology Program. The required actions will be considered at the January 21<sup>st</sup> Regular Council Meeting.

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## **6.6 Development & Planning (NIL)**

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## **6.7 Correspondence**

### **6.7.1 French River Nurse Practitioner-Led Request for a letter or support relating to an Application to Ontario Community Transportation Grant Program**

A letter will be prepared to support the Sudbury East Community and Health Services Transportation Initiative - Application to Ontario Community Transportation Grant Program.

Council questioned if the service would only benefit their patients or all the residents of the Municipality.

## REGULAR MEETING

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

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### 7. Verbal Motion to return into the Regular Meeting

Moved by: Denny Sharp

Resol. 2018- 35

**THAT** the Committee rise and report.

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### 8. Consideration of the adoption of recommendations from Committee of the Whole

Resol. 2018- 36

Moved By Denny Sharp and Seconded By Mike Bigras

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

Carried

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### 9. Consent Agenda

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

Moved By Gisele Pageau and Seconded By Dean Wenborne

Resol. 2018- 37

**BE IT RESOLVED THAT** Council approves the Items of the Consent Agenda under Sections 9.1, 9.3, 9.4 and receives the Items under Sections 9.2.

Carried

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#### 9.1 Adoption of Minutes

Moved By Gisele Pageau and Seconded By Dean Wenborne

Resol. 2018- 38

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

Special Council Meeting of held January 13, 2018  
Special Council Meeting of held January 17, 2018  
Regular Council Meeting held January 17, 2018

Carried

## 9.2 Minutes Received (NIL)

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## 9.3 Items for Consideration or Information

### 9.3.1 Resolution to authorize the Canteen Lease Agreement Renewal for a period of one year

Moved By Gisele Pageau and Seconded By Dean Wenborne

Resol. 2018- 39

**BE IT RESOLVED THAT** Council authorizes the Canteen Lease Extension Agreement commencing March 1, 2018 for an additional year.

Carried

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## 9.4 By-laws (NIL)

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## 10. Notices of Motion (NIL)

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## 11. Announcement and Inquiries

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## 12. Closed Session

Moved By Denny Sharp and Seconded By Gisele Pageau

Resol. 2018- 40

**BE IT RESOLVED THAT** the meeting be closed as authorized in the Municipal Act pursuant to Section 239 (b) "personal matters about an identifiable individual, including municipal or local board employees" and (d) "labour relations or employee negotiations" with respect to the CAO's employment contract.

Carried

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Moved By Gisele Pageau and Seconded By Mike Bigras

Resol. 2018- 42

**BE IT RESOLVED THAT** the open session reconvenes at 7:45 p.m.

Carried

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## 13. Adjournment

Moved By Denny Sharp and Seconded By Dean Wenborne

Resol. 2018- 43

**BE IT RESOLVED THAT** By-law 2018-09, 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 February 7, 2018 be read a first, second and third time and finally passed.

Carried

Moved By Gisele Pageau and Seconded By Mike Bigras

Resol. 2018- 44

**BE IT RESOLVED THAT** the meeting be adjourned at 7:46 p.m.

Carried

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**MAYOR**

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**CLERK**

**SUDBURY EAST PLANNING BOARD  
MINUTES  
Thursday, December 7, 2017 at 5:30 p.m.  
Sudbury East Planning Board Office  
39 Lafontaine Street, Warren, Ontario**

**MEMBERS PRESENT:** Michel Bigras, Paul Schoppmann, Phil Belanger, Denny Sharp, Jim Rook, Ginny Rook, Heide Ralph, Carol Lemmon

**MEMBERS ABSENT:** Greg Hunt, Ned Whynott

**OFFICIALS PRESENT:** Matthew Dumont, Director of Planning/Secretary-Treasurer  
Nancy Roy, Administrative Assistant

**PUBLIC PRESENT:** Kenneth Flinn, Paul Sharp, Claudette Ethier

**1. MEETING CALLED TO ORDER**

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

**2. ADOPTION OF THE AGENDA**

**Resolution: 17-076**

**BE IT RESOLVED THAT** the agenda for the Sudbury East Planning Board regular meeting of December 7, 2017 be adopted as distributed.

**MOVED BY:** Ginny Rook

**SECONDED BY:** Phil Belanger

**Carried.**

**3. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

No disclosures of Pecuniary Interest.

**4. ADOPTION OF MINUTES**

a) Sudbury East Planning Board – Regular meeting of October 12, 2017 be adopted as distributed.

**Resolution: 17-077**

**BE IT RESOLVED THAT** the minutes of the Sudbury East Planning Board's regular meeting of October 12, 2017 be adopted as distributed.

**MOVED BY:** Heide Ralph

**SECONDED BY:** Carol Lemmon

**Carried**

**5. Presentation/Delegation**  
No Presentations or Delegations

**6. ZONING BY-LAW AMENDMENT**

The chair advised that a Public Hearing will be held before the Planning Board makes a decision on a zoning by-law amendment. Also that the analysis and discussion serves two purposes: first, to present to the Planning Board and the public the details and background to a proposed Zoning By-law Amendment; 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 the Public Hearing was posted in the Planning Board office and sent by First Class Mail to assessed owners within 120 metres of the property subject to the Zoning By-law Amendment Application and to those persons and agencies likely to have an interest in the application. The Notice was sent on October 18, 2017, being over twenty (20) days prior to this evenings meeting (ZBA 17-13SCR- Kenneth Flinn). Included with the Notice was an explanation of the purpose and effect of the proposed Consent and a key map showing the location of the property. The circulation was provided in accordance with the provisions of the Planning Act, R.S.O., Chapter P.13.

**a) ZBA 17-13SCR – Kenneth Flinn**

Kenneth Flinn was present for questions or comments from the Board. The Director of Planning summarized the application.

The subject property is located on an Island, east side of Rintala Road and west of Secord Road. The subject lands are surrounded by rural land uses and abut the Wahnapeitei River on their north, east, south, and west side.

Presently the subject property is vacant and undersized, but is a lot of record meaning that the parcel of land was legally created prior to the date of passing of this By-law. The lot is approximately 0.12 hectares in lot area with a lot frontage of approximately 168.0 metres. Due to the undersized parcel of land, the proposal to construct both a seasonal dwelling and a sewage disposal system is attainable, however requires reducing the setback to the Optimal Summer Water Level. Sudbury East Planning Board received a Consent Application to establish a right-of-way over the proposed severed lot and retained lot (Applications B/17-18/09/SCR) to provide access to the adjacent island as well as shared/private hydro services. Both applications were approved by the Planning Board in 2014 (Applications B/49-51/14/SCR). Therefore, access will continued to be provided to the subject lands.

The Official Plan Section 2.2.11.1 (4) states that limited residential development in the form of single detached dwellings may be permitted in areas designated "Rural" without requiring an amendment to this Plan, but may be subject to a rezoning.

With respect to zoning, the By-law will establish regulations from the Optimal Summer Water Level to permit the construction of a seasonal dwelling and a sewage disposal system to protect significant and sensitive natural features and functions of Wahnapeitei River.

With respect to comments, the Board received one letter from a resident who was concerned about the proposed location of the septic system, flooding, and the CP/CN line.

No other comments were received through agency circulation.

It is recommended that the by-law be passed to recognize the intended use of the subject lands.

Mr. Flinn discussed that flooding was not an issue. Denny Sharp reassured the board that the Sudbury District Health Unit would give the approval before septic disposal system would be installed. Member Schoppmann questioned the remaining portion of the island which Mr. Flinn made him aware it was crown land.

**Resolution: 17-078**

**BE IT RESOLVED THAT** By-law Number 17-06 being a By-law for the purpose of amending Zoning By-law No. 14-01 of the Sudbury East Planning Board, in respect of application ZBA 17-13SCR, submitted by Kenneth Flinn be read a first and second time this 7<sup>th</sup> day of December, 2017.

**MOVED BY:** Paul Schoppmann

**SECONDED BY:** Phil Belanger

**Carried**

**Resolution: 17-079**

**BE IT RESOLVED THAT** By-law Number 17-06 being a By-law for the purpose of amending Zoning By-law No. 14-01 of the Sudbury East Planning Board, in respect of application ZBA 17-13SCR, submitted by Kenneth Flinn be read a third and final time this 7<sup>th</sup> day of December, 2017.

**MOVED BY:** Jim Rook

**SECONDED BY:** Ginny Rook

**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.

## 7. CONSENT APPLICATIONS

The chair advised that a Public Hearing will be held before the Planning Board makes a decision on a Consent Application. Also that the analysis and discussion serves two purposes: first, to present to the Planning Board and the public the details and background to a proposed Consent Application; 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 the Public Hearing was posted in the Planning Board office and sent by First Class Mail to assessed owners within 60 metres of the property subject to the Consent Applications and to those persons and agencies likely to have an interest in the applications. The Notice was sent on November 21, 2017, being over fourteen (14) days prior to this evenings meeting (B/24/17/MW-Janet Pickett), (B/25/17/FR- Benjamin and Susan Hart)(B/26/17/FR- Carl and Melanie Lewis). Included with the Notice was an explanation of the purpose and effect of the proposed Consent and a key map showing the location of the property. The circulation was provided in accordance with the provisions of the Planning Act, R.S.O., Chapter P.13.

### a) B/24/17/MW- Janet Pickett

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 on Main Street North, in the Township of Hagar in the Municipality of Markstay-Warren. The purpose is to sever one (1) residential one (R1) lot which comprises of 0.14 hectares in lot area from the subject property and add such lands to the adjacent lot to the north (roll # 5208-000-004-387-10). The severed lands are presently vacant; however, a sewage disposal system was installed in 2016 which was partially located on the vacant residential lot. The lot addition will resolve the encroachment issue. The proposed enlarged lot (once the severed lot has been added) will have an approximate lot area of 0.28 hectares with a lot frontage of approximately 60.0 metres and presently contains a single-detached dwelling with an attached garage.

With respect to the Official Plan policies, the application complies with consent a policy which permits lot boundary adjustments.

With respect to zoning, the retained lot will no longer exist because the entire residential lot (0.14 hectares in lot area) will merge with the existing lot to the north which will continue to meet the minimum requirements of the Residential One (R1) Zone.

With respect to agency circulation, staff of the Municipality of Markstay-Warren had no comments or concerns.

No other comments were received through agency circulation or from the public.

The application can be supported from a planning perspective.

Member Paul Schoppmann brought forward his concerns with the sewage disposal system being partially installed on the adjacent lot in 2016 and reasoning behind it. Mr. Dumont stated that the single family home was constructed larger than anticipated which was a result of the sewage disposal system encroaching onto the adjacent property.

**Resolution: 17-080**

**BE IT RESOLVED THAT** Consent Application B/24/17/MW submitted by Janet Pickett be recommended for approval as per the report prepared by the Director of Planning.

**MOVED BY:** Phil Belanger

**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 appeal the decision or any condition imposed by the Planning Board by filing an appeal with the Secretary-Treasurer as prescribed by the Ontario Municipal Board Act.

The applicants have one year to fulfill the conditions of this provisional consent or the approval will lapse.

**b) B/25/17/FR – Benjamin and Susan Hart**

The Director of Planning summarized the application. The subject property is located on a private road which has on title a registered right-of-way from Highway 64 in the Municipality of French River.

The application proposes a lot addition with an area of approximately 0.02 hectares from the subject lands to be added to the adjacent lands to the immediate west. The property line runs close to the adjacent property to the west and into part of the front yard which is currently used for parking. The revised lot line will ensure sufficient lot area is available between the dwelling and property line, and to address parking and landscaping issues. Presently, the retained lands contain a singled-detached dwelling and accessory structure including a sleep cabin and shed. The severed lands are presently vacant.

With respect to zoning – the proposed lot addition will not require a minor variance to recognize the further reduced lot area which is below the minimum requirement of the zoning by-law because of extenuating circumstances such as the re-alignment of the lot boundary to resolve the parking constraint between both neighboring properties.

Comments were received from the Municipality of French River stating that “municipal drains, parkland dedication or road transfers are not applicable for the consent. The municipality had no issues or concerns.

No other comments were received through agency circulation or from the public.

The application can be supported from a planning perspective.

No comments or concerns were received from the public.

**Resolution: 17-081**

**BE IT RESOLVED THAT** Consent Application B/25/17/FR submitted by Benjamin and Susan Hart be recommended for approval as per the report prepared by the Director of Planning.

**MOVED BY:** Carol Lemmon

**SECONDED BY:** Jim Rook

**Carried**

The Chair advised that there is a 20 day appeal period during which time any person or public body may appeal the decision or any condition imposed by the Planning Board by filing an appeal with the Secretary-Treasurer as prescribed by the Ontario Municipal Board Act.

The applicants have one year to fulfill the conditions of this provisional consent or the approval will lapse.

**c) B/26/17/FR – Carl and Melanie Lewis**

No one was present for questions or comments from the Board.

The Director of Planning summarized the application. The subject property is located on a private road which has on title a registered right-of-way from Highway 64 in the Municipality of French River.

The purpose of the Application for Consent is to effect a lot addition. The application will sever approximately 0.013 hectares (known municipally as 7953 A Highway 64) and add such lands to the adjacent property to the east (known municipally as 7953 B Highway 64).

With respect to the official plan, Section 4.5.1 outlines instances where consent is permitted, including lot boundary adjustment.

With respect to zoning, once the severance has been completed, it is proposed to have a lot area of 0.43 hectares and a lot frontage of 40 metres. A minor variance will not be required to recognize the further reduced lot area which is below the minimum requirement of the zoning by-law because of extenuating circumstances such as the re-alignment of the lot boundary to provide additional amenity space for the adjacent property.

Comments were received from the Municipality of French River stating that “municipal drains, parkland dedication or road transfers are not applicable for the consent. The municipality had no issues or concerns.

No other comments were received through agency circulation or from the public. The application can be supported from a planning perspective.

No comments or concerns were received from the public.

**Resolution: 17-082**

**BE IT RESOLVED THAT** Consent Application B/26/17/FR submitted by Carl and Melanie Lewis be recommended for approval as per the report prepared by the Director of Planning. Page 24 of 27

**MOVED BY:** Heidi Ralph

**SECONDED BY:** Phil Belanger

**Carried**

The Chair advised that there is a 20 day appeal period during which time any person or public body may appeal the decision or any condition imposed by the Planning Board by filing an appeal with the Secretary-Treasurer as prescribed by the Ontario Municipal Board Act.

The applicants have one year to fulfill the conditions of this provisional consent or the approval will lapse.

## **8. NEW BUSINESS**

### **a) MMAH FUNDING 2018**

#### **RESOLUTION 17-083**

**BE IT RESOLVED THAT** Whereas the Sudbury East Planning Board is conducting its 10-Year update for its New Official Plan as required under section 26(1) of the Planning Act of Ontario; and whereas the Ministry of Municipal Affairs and Housing provides funding through special grants for the Townships of the Province for special business cases;

**Now therefore** be it resolved that the Sudbury East Planning Board hereby approves the funding application to the Ministry of Municipal Affairs and Housing for the costs associated with the 10-year update of the Sudbury East Planning Area Official Plan as it pertains to the Unincorporated Townships of the Sudbury East Planning Area.

**MOVED BY:** Heide Ralph

**SECONDED BY:** Ginny Rook

**Carried**

### **b) MMAH FUNDING 2017 (Data Management Project- Final Report)**

The Director of Planning presented the Board with a report outlining the project that was implemented by staff utilizing the remaining funds (\$4,924.72) from the COOP2016 funding. The first project was to set up the private road database with key contact information. This would be valuable for Local Roads Boards, emergency services and for the Planning Board staff. The second project involved setting up a database for all of the zoning conformity permits that have been issued by the Planning Board.

**Resolution: 17-084**

**BE IT RESOLVED THAT** whereas the Sudbury East Planning Board participated in the COOP2016 Participant Agreement with the Ontario Ministry of Natural Resources and Forestry; and WHEREAS the Ministry of Municipal Affairs and Housing provides funding through special grants for the Unincorporated Townships of the Province for Special Business Cases; and

WHEREAS THE Planning Board receive \$8,605.72 under the 2016-2017 funding, but had a remaining balance attributed to the Unincorporated Townships of \$4,924.72. Now therefore

**BE IT RESOLVED** that the Sudbury East Planning Board hereby approves the allocation of the surplus funding received by the Ministry of Municipal Affairs and Housing for the Data Management Project as it pertains to the Unincorporated Townships of the Sudbury East Planning Area in the amount of \$4,924.72 as per the report prepared by the Director of Planning.

**MOVED BY:** Phil Belanger

**SECONDED BY:** Denny Sharp

**Carried**

**c) CGIS SLUSH FUND PROPOSAL**

The Director of Planning presented the board with a Workflow proposal from CGIS to utilize the remaining 'Slush Fund'(\$6,260.00).

**Resolution 17-085**

**BE IT RESOLVED THAT** the Sudbury East Planning Board hereby authorizes the Chair and the Secretary-Treasurer to execute the Workflow Proposed Agreement with CGIS of \$6,260.00 to the Sudbury East Planning Board being the remaining balance of cost associated with the preparation of the Zoning By-law mapping update within the Board's Planning Area.

**MOVED BY:** Phil Belanger

**SECONDED BY:** Jim Rook

**Carried**

**9. BUSINESS ARISING FROM PREVIOUS MINUTES**

No new business

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

No Notices of Motion were received

**11. PAYMENT OF VOUCHERS**

a) October and November 2017

**Resolution 17-086**

**BE IT RESOLVED THAT** the statement of disbursements for the month of October 2017 in the amount of \$11,830.05 and the month of November 2017 in the amount of \$9,399.77 to be distributed and is hereby approved for payment.

**MOVED BY:** Paul Schoppmann

**SECONDED BY:** Ginny Rook

**Carried**

**12. ADJOURNMENT**

**Resolution: 17-087**

**BE IT RESOLVED THAT** the Meeting be adjourned at 6:44 P.M.

**AND THAT** the next regular meeting be held on February 8<sup>th</sup>, at 5:30 P.M. at the Sudbury East Planning Board Office in Warren.

**MOVED BY:** Carol Lemmon

**SECONDED BY:** Ginny Rook

**Carried.**

A handwritten signature in dark ink, appearing to read "Michel Egies", written over a horizontal line.

CHAIR

A handwritten signature in dark ink, appearing to read "Matthew Dumont", written over a horizontal line.

SECRETARY-TREASURER