

THE CORPORATION OF THE TOWNSHIP OF HORTON

Regular Council Meeting

SEPTEMBER 20, 2016

There was a Regular Meeting of Council held in the Municipal Council Chambers on Tuesday September 20th, 2016. Present was Mayor Robert Kingsbury, Deputy Mayor Robert A. Johnston, Councillor Dave Bennett, Councillor Glen Campbell and Councillor Jamey Larone. Staff present was Suzanne Klatt, CAO/Clerk, Janet Collins, Public Works Manager, Jennifer Barr, Treasurer, Mackie McLaren, Advisor and Hope Dillabough, Admin/Planning Assistant.

1. CALL TO ORDER

Mayor Kingsbury called the Meeting to Order at 4:00 pm.

2. Mayor Kingsbury asked the Members, Staff and public to turn off all cell phones and electronic devices.

3. DECLARATION OF PECUNIARY INTEREST

There was no declaration of pecuniary interest.

4. MINUTES FROM PREVIOUS MEETINGS

Moved by Councillor Bennett

Resolution No. 2016- 293

Seconded by Councillor Larone

THAT Council approves the following Meeting Minutes:

- July 19th, 2016 Regular Council Meeting Minutes

Carried

5. BUSINESS ARISING FROM MINUTES - None

6. GENERAL GOVERNMENT COMMITTEE

Susan Humphries, Public Advisory Member was present.

Councillor Larone, Chair of the General Government Committee presented the following items for consideration and recommendation.

6.1 Business Arising - None

6.2 Finance & Administration

6.2.1 Statement of Revenues and Expenditures as of September 13th, 2016

Treasurer Barr reviewed the Statement of Revenues and Expenditures and highlighted a few items. She indicated to Council that the remaining budget was around 29%. The Capital Purchases listed are the upgraded municipal "Welcome to Horton" signs which have been upgraded with new material for a longer life expectancy. Councillor Bennett questioned the signs that Laurentian Valley have along the highway that appear to be Ministry provided. Mayor Kingsbury gave direction to CAO/Clerk Klatt to contact Laurentian Valley for information. Public Advisory Member Susan Humphries questioned the \$3000.00 under Accessibility, which Treasurer Barr explained that it is there in case a special circumstance comes up regarding accessibility needs.

6.2.2 Consolidated Statement of Financial Position

Report was reviewed by Council.

6.2.3 Reserves and Reserve Funds Policy – J-07 and Debt Policy J-08

Treasurer Barr reviewed her report and indicated to Council it is only for their consideration and information at this stage. Mayor Kingsbury felt there was a lot of intensive information in these documents therefore he'd like to defer it to the Ad-Hoc Budget Committee to have a more thorough discussion.

6.2.4 Financial Indicator Review – prepared by MMAH

Treasurer Barr reviewed the report. She stated to Council there is no big change from where the municipality was last year. The Township continues to sit in a low level of change.

6.2.5 Asset Management Plan – Update

Treasurer Barr reviewed her report and explained to Council that this is an opportunity to implement some changes from the original plan. She indicated that it's in the municipality's best interest to single source this project due to the data and detailed information Jp2g Consultants Inc. already have for Horton.

6.2.6 Farrell's Landing

CAO/Clerk Klatt reviewed her report. She mentioned that at the last Council meeting, staff was to bring back a report which offered solutions to this issue. After conferring with Advisor Mackie McLaren and Public Works Manager Janet Collins, it was determined that firstly Council needs to decide on an intended use for the area, whether it will be a linear park or simply just a right-of-way. She reviewed that Options 1 and 2 are the most beneficial to the municipality. Mayor Kingsbury mentioned he was ready to make a decision so Council can put this issue behind them to move forward. Deputy Mayor Johnston and Councillor Bennett both felt that, as per the survey, it was determined to be Township property and there should be no compromise on use. CAO/Clerk Klatt reiterated to Council that they need to decide on an intended use first, prior to making any subsequent decisions. It was agreed that Council intends to retain the property but would like to come to an amicable agreement with the adjacent landowner who had previously been using it. Mayor Kingsbury requested Council's permission to go and meet with the ratepayer in question, with CAO/Clerk Klatt, and see if they can reach a compromise.

6.3 Health and Safety - None

6.4 Human Resources - None

6.5 New Business - None

6.6 Outstanding Business - None

6.7 Questions on Reports and Recommendations – Mayor Kingsbury

There were no additional questions on the reports.

Moved by Councillor Campbell

Resolution No. 2016- 294

Seconded by Deputy Mayor Johnston

THAT Council receive the Statement of Revenue and Expenditures dated September 13th, 2016.

Carried

Moved by Councillor Larone

Resolution No. 2016-295

Seconded by Councillor Bennett

THAT Council engages the services of Jp2g Consultants Inc. to submit a quotation for updating the Asset Management Plan which includes a road condition study;

AND THAT staff bring back a recommendation from this quotation for Council's consideration;

AND FURTHER THAT the cost for updating the Asset Management Plan be funded from the Asset Management Reserve and be included in the 2017 budget.

Carried

SUPPER BREAK – 5:30 P.M.

RECONVENED AT 6:00 P.M.

7. REPORTS FROM COMMUNITY COMMITTEES AND COUNTY COUNCIL

7.1 Renfrew & Area Seniors Home Support

Councillor Bennett briefly reviewed.

7.2 Community Policing Advisory Committee

Mayor Kingsbury mentioned there was a meeting scheduled for September 19th, however it had been cancelled.

7.3 Health Services Village

Mayor Kingsbury advised there was nothing to report.

7.4 Chamber of Commerce

Deputy Mayor Johnston advised there was nothing to report.

7.5 County Council

Mayor Kingsbury reviewed his County Council report.

Moved by Councillor Campbell

Resolution No. 2016- 296

Seconded by Deputy Mayor Johnston

THAT Council receive the Reports from Community Committees and County Council.
Carried

8. CONFERENCE REPORTS

There were no conference reports to receive.

9. AD-HOC COMMITTEE REPORTS/MINUTES/BUSINESS

9.1 Economic Development Ad-Hoc Committee

9.1.1 Date for next Committee Meeting

Councillor Bennett, Chair of the Economic Development Ad-Hoc Committee, mentioned he would like to sit down with CAO/Clerk Klatt prior to scheduling a new meeting.

9.2 Recreation Association Ad-Hoc Committee

9.2.1 Minutes of July 27th, 2016

Deputy Mayor Johnston, Chair of the Recreation Association Ad-Hoc Committee briefly reviewed the Minutes. It was stated there is a meeting scheduled September 22nd, 2016 at 6 p.m.

9.3 Developer Upgrade on Municipal Infrastructure Committee

9.3.1 Date for Next Committee Meeting

Information will be discussed during an in-camera session.

9.4 Transportation and Environmental Services Ad Hoc Committee

9.4.1 Date for Next Committee Meeting – September 27th, 2016 at 4:00 p.m.

9.5 Official Plan Review Ad Hoc Committee

9.5.1 Minutes of July 27th, 2016

9.5.2 Minutes of August 19th, 2016

9.5.3 Date for Next Committee Meeting: October 3rd, 2016 at 1:00 p.m.

Councillor Larone, Chair of the Official Plan Review Ad Hoc Committee commented that this meeting will be with the County of Renfrew and OMAFRA.

9.6 Recommendations from Ad-Hoc Committees – Mayor Kingsbury

Moved by Councillor Larone

Resolution No. 2016- 297

Seconded by Deputy Mayor Johnston

THAT Council receive the Minutes from the following Ad-Hoc Committees:

- Recreation Association – July 27th, 2016
- Official Plan – July 27th and August 19th, 2016

Carried

10. CORRESPONDENCE SUMMARY

10.1 Information Correspondence Summary

Council reviewed the following Information Correspondence Summary:

10.1.1 CAO/Clerk Information Memo

CAO/Clerk Klatt reviewed her memo/report to Council regarding her intention to streamline the information correspondence so as to shorten the agenda. She would like to review the advantages of implementing a Consent Agenda.

10.1.2 County of Renfrew Memo – 2016 Tax Rate Summary Info

10.1.3 Bill 132 Update – Sexual Violence and Harassment Legislation

10.1.4 Proposed Amendments to the Residential Tenancies Act, 2006

Moved by Deputy Mayor Johnston

Resolution No.: 2016-255

Seconded by Councillor Larone

THAT Council receive the Information Correspondence Summary.

Carried

10.2 Action Correspondence Summary

10.2.1 Franchise Agreement Renewal – Enbridge Gas

Moved by Deputy Mayor Johnston

Resolution No. 2016- 299

Seconded by Councillor Bennett

BE IT RESOLVED:

THAT Council approves the form of draft By-Law (including the franchise agreement forming part thereof) attached hereto and authorizes the submission thereof to the

Ontario Energy Board for approval pursuant to the provisions of Section 9 of the Municipal Franchises Act.

THAT this Council requests the Ontario Energy Board to make an order dispensing with the assent of the municipal electors of the attached draft By-Law (including the franchise agreement forming part thereof) pursuant to the provisions of Section 9(4) of the Municipal Franchises Act.

Carried

10.2.2 Renfrew County Youth Network – Request for Support

Councillor Larone asked Treasurer Barr to remind Council of Horton's Donation Policy: Any request for donation or support ultimately goes through the Treasurer first. Treasurer Barr is to contact Ms. Tomasini and explain Horton's criteria for donations and perhaps next year Renfrew County Youth Network will be eligible.

10.2.3 Resolution Support – Improving Ontario's Intensive Therapy funding/services for Children with Autism

Moved by Councillor Bennett

Resolution No. 2016- 300

Seconded by Councillor Larone

THAT Council of the Township of Horton support the Town of Shelburne's resolution regarding the improvement of Ontario's Intensive Therapy funding/services for children with Autism.

AND THAT a copy of this resolution will be forwarded to the Town of Shelburne.

Carried

10.2.4 RMFEO – Resolution Support - OMB

Moved by Councillor Larone

Resolution No. 2016- 301

Seconded by Councillor Campbell

THAT Council of the Township of Horton is a member of the Rural Mayor's Forum of Eastern Ontario (RMFEO) along with 13 other small municipalities;

WHEREAS the member municipalities of RMFEO spend an incredible amount of resources and taxpayer money developing Official Plans; and

WHEREAS all our Official Plans are ultimately approved by the Province; and

WHEREAS it is within legislative purview of each Municipal Council to approve Official Plan Amendments or Zoning By-Law changes that better the community or fit a town's vision as set out in its Official Plan; and

WHEREAS it is also within legislative purview of each Municipal Council to deny Official Plan Amendments or Zoning By-Law changes that do not better the community or do not fit a town's vision as set out in its Official Plan; and

WHEREAS planning decisions may be appealed to the Ontario Municipal Board (OMB), an elected, appointed body that is not accountable to our residents; and

WHEREAS appeals of OMB decisions are limited to questions of law, not the findings of facts in a case; and

WHEREAS all decisions – save planning decisions – made by each Municipal Council are similarly only subject to appeal by judicial review and such appeals are limited to questions of law;

NOW THEREFORE BE IT HEREBY RESOLVED THAT the Council of the Township of Horton support RMFEO's request to the Government of Ontario to limit the jurisdiction of the OMB to questions of law and process as well as require the OMB to uphold any planning decisions by Municipal Councils unless they are contrary to the processes and rules set out in legislation.

BE IT FURTHER RESOLVED THAT a copy of this resolution be sent to the RMFEO in support.

Carried

10.2.5 Michael Welsh – RE: His previous ROW Request RE: Beach

Mayor Kingsbury reviewed the letter received from Mr. Welsh. Advisor Mackie McLaren reviewed the history and background of this issue and the fact that Mr. Welsh requires the right-of-way access through municipal property. Mayor Kingsbury indicated that no access has been restricted on said property. Councillor Larone questioned if there was room for discussion and perhaps have a fruitful conversation with Mr. Welsh. CAO/Clerk Klatt provided Council with a copy of a letter from Peter Ballantyne outlining reasons for Council's reconsideration pertaining to their previous offer of purchase. Mayor Kingsbury requested CAO/Clerk Klatt to acknowledge receipt of the letter and perhaps offer them to submit their name as a delegation to come speak with council.

11. DELEGATIONS and/or PUBLIC MEETINGS

11.1 Public Meeting: Ray Cobus – Zoning By-Law Amendment

A Public Meeting was held at 6:00 p.m.

**11.2 Delegation: Jamie Lennox & Robin Rulli Lennox
Zoning By-Law Amendment Application – Information**

Jamie Lennox and Robin Rulli Lennox were present to review their application for a Zoning Amendment to allow for two dwellings on their property. Ultimately, access to their property would be through an unopened road allowance which was previously agreed upon with the township and previous owner of the property. Councillor Bennett stated it was not normal municipal practice to allow two homes to be built on one property with an 'LSR' designation. Deputy Mayor Johnston agreed with Councillor Bennett. Mayor Kingsbury asked Mr. and Mrs. Lennox to come and meet with CAO/Clerk Klatt and Advisor McLaren to discuss alternative options.

11.3 Delegation: Enne & Hannah Bakker – Agri-Tourism Proposal

Enne and Hannah Bakker were present to explain their proposal to Council. Essentially, they want to work on the existing dwellings that are there to live in and the third house be designated for a guest house for tourists who are interested in seeing how farms operate (i.e. agri-tourism). Councillor Bennett clarified the third home would simply be a summer only guest house. Mayor Kingsbury thanked the Bakkers for coming and offered his support and exclaimed that agri-tourism is very important in the County.

12. PLANNING & DEVELOPMENT COMMITTEE

Present were Public Members David Brown, Mae Craig, Bob Lockwood and John Wilson.

Councillor Campbell, Chair of the Planning Committee presented the following items for consideration and recommendation.

12.1 Staff Reports - None

12.2 New Business

12.2.1 Brent and Diane Greer – B70/16 – Request for Comments

Chair Campbell reviewed the information.

12.2.2 Rand and Claudette Elliot – Zoning Amendment Application

Chair Campbell reviewed the information and stated to Council that this application is a condition of severance.

12.3 Outstanding Business

12.3.1 Meeting with OMAFRA

This is the same information as per the Official Plan Ad-Hoc meeting. The meeting will be held October 3rd, 2016 at 1 p.m.

12.4 Correspondence - None

12.5 Building Report

The members reviewed the July and August 2016 Building Permit Report.

12.6 Questions on Reports and Recommendations – Mayor Kingsbury

There were no additional questions on any of the items.

Moved by Councillor Campbell

Resolution No. 2016-302

Seconded by Councillor Larone

THAT Planning Committee and Council approve Consent B70/16 upon the following conditions being met:

- Favourable Minimum Distance Separation (MDS I) calculations;
- Consent Agreement entered into with the municipality.

Carried

Moved by Deputy Mayor Johnston

Resolution No. 2016-303

Seconded by Councillor Bennett

THAT Council receive the Zoning Amendment application from Rand and Claudette Elliot to rezone their property on Concession 1 Pt lot 15 to Commercial as a condition of Consent Application B39/16.

FURTHER THAT the County Planning Staff are authorized to prepare the draft notices and by-law.

Carried

Moved by Deputy Mayor Johnston

Resolution No. 2016-304

Seconded by Councillor Campbell

THAT the Planning Committee receive a delegation from Enne and Hannah Bakker regarding their Agricultural Tourism proposal which includes the construction of a third residence on the farm property located at 161 Tinswood Road. A Zoning Amendment for the Agri-Tourism business and for the third house on the farm property would be required once they have purchased the farm properties.

Carried

Moved by Councillor Campbell

Resolution No. 2016-305

Seconded by Councillor Larone

THAT Council receive the July and August 2016 Building Reports.

Carried

13. OUTSTANDING COMMITTEE ISSUES

None

14. BY-LAWS

14.1 2016-59 Ray Cobus Zoning By-Law Amendment

Moved by Councillor Campbell
Seconded by Deputy Mayor Johnston

Resolution No. 2016-306

THAT Council enact the following By-Laws:

- 2016-59 Zoning By-Law Amendment – Ray Cobus

Carried

15. NOTICE TO FILE MOTION FOR NEXT COUNCIL MEETING

There were no notices filed.

16. COUNCIL MEMBERS CONCERNS

None

17. MOTION FOR RECONSIDERATION

There was no motion for reconsideration.

18. IN CAMERA (CLOSED) SESSION

Moved by Councillor Larone
Seconded by Deputy Mayor Johnston

Resolution No. 2016-307

THAT Council proceed into a Closed Session Meeting at 7:58 p.m. pursuant to Section 239(2)(e) of the Municipal Act:

- Litigation or potential litigation

Carried

Council came out of the Closed Session at 8:28 p.m.

19. NEXT MEETING

The Next Council Meeting is Tuesday October 4th, 2016 at 4:00 p.m.

20. CONFIRMING BY-LAW

Moved by Councillor Campbell
Seconded by Councillor Larone

Resolution No. 2016-308

THAT Council enact By-law 2016-60– Confirming By-law

Carried

21. ADJOURNMENT

Mayor Kingsbury declared the Meeting to be adjourned at 8:30 pm.

MAYOR

CAO/Clerk