

**Minutes of the Meeting of the Council of the Municipality of Highlands East held on
April 5, 2017 9:00 a.m. in the Council Chambers, Wilberforce, Ontario.**

Members Present:

Reeve, Dave Burton
Deputy Reeve Suzanne Partridge
Councillor Cam McKenzie Ward 1
Councillor Cecil Ryall Ward 3
Councillor Joan Barton Ward 4

Staff Present:

CAO/Treasurer, Shannon Hunter
Clerk, Irene Cook
Roads Superintendent, Earl Covert
Acting Fire Chief, Chris Baughman
Chief Building Official, Laurie Devolin
Property and Parks Supervisor, Jim Alden
Environmental Supervisor, Stewart Hurd

Attendance:

Sue Tiffin Haliburton Echo
Mark Arike The Highlander
Robert MacLea
Chris Jones, Municipal Planning Services
Josh Bramham, Deputy CBO/Building Inspector

Disclosure of Pecuniary Interest and general nature thereof:

- The Reeve called the meeting to order.
- The meeting commenced at 9:00 a.m.
- A quorum was present.
- He reminded Council of the Disclosure of Pecuniary Interest as noted on the agenda.

Disclosure of Pecuniary Interest and general nature thereof:

None declared.

Adopt Agenda

2017-93

Moved by: Cam McKenzie

Seconded by: Joan Barton

WHEREAS Council recognizes that adding or changing the agenda by amending the agenda reduces transparency;

AND WHEREAS Council recognizes that the item that is added or removed is of an urgent nature;

BE IT RESOLVED THAT the following items be added to the agenda:

ADD:

Report: Septic Re-inspection Program

Carried.

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Approval of Minutes

2017-94

Moved by: Joan Barton

Seconded by: Cam McKenzie

BE IT RESOLVED THAT the Council for the Municipality of Highlands East approves the minutes of the regular meeting on March 15, 2017.

Carried.

Departmental Reports

Building Department – Monthly Operations Report

2017-95

Moved by: Cam McKenzie

Seconded by: Cec Ryall

BE IT RESOLVED THAT Council receives the Building Department Monthly Operations Report as information only, as submitted by the Chief Building Official.

Carried.

Septic Re-inspection Report

2017-96

Moved by: Suzanne Partridge

Seconded by: Cam McKenzie

BE IT RESOVLED THAT Council receives the Septic Re-inspection Report and begins implementation of the re-inspection program in the spring of 2017.

Carried.

By-law Department – Monthly Operations Report

2017-97

Moved by: Cec Ryall

Seconded by: Suzanne Partridge

BE IT RESOLVED THAT Council receives the monthly operations report as information from the By-Law Department.

Carried.

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Roads Department – Monthly Operations Report

2017-98

Moved by: Cec Ryall

Seconded by: Cam McKenzie

BE IT RESOLVED THAT Council receives the monthly operations report for April 5, 2017, as submitted by the Road Superintendent.

Carried.

Roads Department – Half Ton Truck Tender Results

2017-99

Moved by: Suzanne Partridge

Seconded by: Cec Ryall

BE IT RESOLVED THAT Council receives this report, half ton truck - Tender Results, from the Roads Superintendent for information purposes,

AND FURTHER THAT Council for the Municipality of Highlands East accepts the tender for the 2017 Ford half ton truck from Paul Price Ford in Bancroft in the amount of \$37,064.00 including taxes.

Carried.

Administration Department

Approval of Accounts

2017-100

Moved by: Joan Barton

Seconded by: Cec Ryall

BE IT RESOLVED THAT General Accounts in the amount of \$1,668,041.47 be approved.

Carried.

Ontario Hydro – delivery charges

2017-101

Moved by: Joan Barton

Seconded by: Cam McKenzie

BE IT RESOLVED THAT Council supports the resolution of the Town of Northeastern Manitoulin and the Islands and their request that the Province of Ontario treat all of Ontario Hydro's customers equally and eliminate the delivery fees for residents, and;

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AND FURTHER THAT, in the interest of transparency, Ontario Hydro explain to the municipalities which costing measures or alternative revenue sources will be put in place to replace the revenue losses it experiences from the elimination of the delivery charge to its customers.

Carried.

**2016 Council Remuneration
2017-102**

Moved by: Suzanne Partridge

Seconded by: Cam McKenzie

BE IT RESOLVED THAT Council adopts the 2016 Council remuneration.

Carried.

**Municipal park/land – camping
2017-103**

Moved by: Cec Ryall

Seconded by: Joan Barton

BE IT RESOLVED THAT Council directs the CAO/Treasurer to research use of municipal park/land for camping criteria and report back to Council with recommendations.

Carried.

**MTO lands acquisition
2017-104**

Moved by: Joan Barton

Seconded by: Cec Ryall

BE IT RESOLVED THAT Council receives this report, Ministry of Transportation – acquisition of land for road and related purposes, as submitted by the Clerk for information and;

THAT Council for the Municipality of Highlands East authorizes a by-law approving the acceptance of the transfer of surplus lands from the Ministry of Transportation to the Municipality of Highlands East for road and related purposes, for the following property on King's Highway #118:

1. Property described as K-07199 Geographic Township of Monmouth is an irregular shaped parcel of land on the west side of Hwy. 118, about 1 km. north of the junction of Hwy. 121 and Hwy.503. The property is defined as Parts 5, 6, 7, and 8 on Plan 19R-8747 (P-2970-46)

Carried.

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**Marcus Acquisition of Land/Parkland Dedication
2017-105**

Moved by: Joan Barton
Seconded by: Cec Ryall

BE IT RESOLVED THAT Council receives this report, Acquisition of Land/Parkland Dedication, as submitted by the Clerk for information and;

FURTHER THAT Council to pass appropriate By-laws at this meeting.

Carried.

**Gallant – Request for Encroachment Agreement
2017-106**

Moved by: Cec Ryall
Seconded by: Joan Barton

BE IT RESOLVED THAT HAT Council receives this report, Gallant – request for encroachment agreement, as submitted by the Clerk for information and;

FURTHER THAT Council authorizes the preparation of an encroachment agreement for Brenda and Rod Gallant subject to the following conditions:

1. That subject to recommendations from our solicitor, Council may consider a building envelope for the dwelling unit only;
2. That applicant is responsible for all costs associated with the preparation and registration of encroachment agreement and if recommended by solicitor a building envelope, including but not limited to legal fees, survey fees, etc.

Carried.

**Loganathan Amend Resolution No. 2017-77
2017-107**

Moved by: Joan Barton
Seconded by: Cec Ryall

BE IT RESOLVED THAT Council receives correspondence dated March 16, 2017 from Woodcock & Tomlinson re: Loganathan and request for reconsideration as submitted, for information and;

FURTHER THAT Council directs staff to obtain legal advice and report back to Council.

Carried.

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By-laws

2017-108

Moved by: Joan Barton

Seconded by: Cam McKenzie

BE IT RESOLVED THAT By-laws Nos:

- 2017-32 A by-law to enter into an Agreement between David Marcus and the Corporation of the Municipality of Highlands East for Parkland Dedication - "Herilhey Park" in perpetuity for lands described as Part of Lot 34, Concession 16, geographic Township of Monmouth, in the Municipality of Highlands East, County of Haliburton.
- 2017-33 A By-law to authorize the purchase from the Ministry of Transportation of Part of Lot 18, Concession 12, geographic Township of Monmouth, Municipality of Highlands East, County of Haliburton being Parts 5,6,7,8, 19R-8747, being part of PIN 39237-0196(LT)
- 2017-34 Being a By-law to authorize a Lease Agreement between Gooderham Century Gun Club and the Corporation of the Municipality of Highlands East (Part of Lot 30, Concession V, geographic Township of Glamorgan and commonly referred to and called the Township of Glamorgan Gravel Pit)
- 2017-35 Being a by-law to provide for the acquisition of Part of Lot 34, Concession 16, geographic Township of Monmouth, in the Municipality of Highlands East, County of Haliburton
- 2017-36 Being a By-law to appoint a District Chief for Station 1 Highlands East Fire Department for the Corporation of the Municipality of Highlands East.
- 2017-37 Being a By-law to appoint a District Chief for Station 2 Highlands East Fire Department for the Corporation of the Municipality of Highlands East.
- 2017-38 Being a By-law to appoint a District Chief for Station 3 Highlands East Fire Department for the Corporation of the Municipality of Highlands East.

be read a first, second and third time, passed and signed and the Corporate Seal attached.

Carried.

- **Department Reports were submitted, reviewed and filed for future reference.**
- **Advisory Committee Reports were submitted, reviewed and filed for future reference.**

Minutes of the Meeting of the Council of the Municipality of Highlands East held on April 5, 2017 9:00 a.m. in the Council Chambers, Wilberforce, Ontario.

Minutes of Public Meeting (under Section 34 of the Planning Act, R.S.O. 1990, cp. 13 as amended) held on April 5, 2017 at 10:30 a.m. in the Council Chambers, Wilberforce in the Municipality of Highlands East.

Reeve Dave Burton

Deputy Reeve Suzanne Partridge

CAO/Treasurer, Shannon Hunter

Councillor Cam McKenzie Ward 1

Clerk, Irene Cook

Councillor Cecil Ryall Ward 3

Councillor Joan Barton Ward 4

Attendance:

Chris Jones Municipal Planning Services

Open Public Meeting

2017-109

Moved by: Cam McKenzie

Seconded by: Suzanne Partridge

BE IT RESOLVED THAT this scheduled Public meeting be declared open to discuss the following applications made under Section 34 of the Planning Act, R.S.O. 1990, cp.13 as amended, as follows:

1. Applicant: Brewer, Kaitlyn

Purpose: The purpose of the proposed by-law is to amend the Restricted Area (Zoning) By-Law No. 2005-29 as amended to lands located in Part of Lot 1, Concession 4 (Cardiff) located at 1106 Wilderness Island Trail. The purpose of the application is to rezone the subject lands to permit the expansion of an existing wrap-around deck, which is proposed to be expanded from 6 feet to 12 feet in width on the waterfront side and from 6 feet to 10 feet on the two other sides. In order to accommodate the new deck the applicant requires relief from the shoreline setback and interior side yard requirements as well as the lateral width and lot coverage requirements of the Municipality's Zoning By-law.

The proposed zoning by-law amendment would rezone the subject lands to a Limited Service Residential Exception (LSR-71) Zone.

File No. RZ-02-2017 Roll No. 4601 101 000 12400 0000

2. Applicant: Leppala, Timo and Wendy

Purpose: The purpose of the proposed by-law is to amend the Restricted Area (Zoning) By-Law No. 2005-29, as amended, to lands located in Part of Lot 16, Concession 17 (Monmouth) located at 1095 Norwalk Road. The purpose of the application is to rezone the subject lands to permit a horizontally attached building addition. The proposed addition is a garage that would be connected to the main dwelling by mudroom and open, roofed arch-way. The proposed addition is compliant with all other regulations of the Municipality's Zoning By-law.

The proposed zoning by-law amendment would rezone the subject lands to a Shoreline Residential Exception (SR1-15) Zone.

File No. RZ-03-3017 Roll No. 4601 602 000 57018 0000

Carried.

**Minutes of the Meeting of the Council of the Municipality of Highlands East held on
April 5, 2017 9:00 a.m. in the Council Chambers, Wilberforce, Ontario.**

File No. RZ-02-2017 Roll No. 4601 101 000 12400 0000

Applicant: Kaitlyn Brewer

Attendance:

Wayne Quibell, Agent
Tristen

Mr. Quibell, agent and one of the property owners (Tristen) was in attendance at the public meeting. There was no one else in attendance to either support or oppose the application. Public notice for the meeting was given as follows: March 16, 2017 - first class prepaid mail to all persons & bodies as per Planning Act, notice posted March 16, 2017 on site. As of 4:30 p.m. April 4th, 2017 there were a total of zero (0) written submissions

Mr. Quibell addressed Council regarding his client's application for rezoning. He explained that there is an existing 6' three sided deck and the owners would like to replace with slightly larger deck.

Chris Jones addressed Council and he indicated that he made a site visit to the property. The proposal has a slight increase to the % increase in shoreline that is permitted, the deck will increase from 6' to 12' on lake side, slight encroachment to side yard setback, slight increase to lot coverage and lateral expansion. This is an open deck.

Tristen addressed Council and said that he did speak with the neighbours on either side and they were quite pleased with their building plans.

The Clerk provided Mr. Quibell with draft zoning by-law amendment for review and approval.

File No. RZ-03-2017 Roll No. 4601 302 000 57018 0000

Applicant: Timo and Wendy Leppala

Attendance:

Timo Leppala
Wendy Leppala

Timo and Wendy Leppala were in attendance at the public meeting. There was no one else in attendance to either support or oppose the application. Public notice for the meeting was given as follows: March 16, 2017 - first class prepaid mail to all persons & bodies as per Planning Act, notice posted March 16, 2017 on site. As of 4:30 p.m. April 4th, 2017 there were a total of zero (0) written submissions

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The property owners addressed Council regarding their application for rezoning. They explained that they would like to construct a garage that would be attached to the existing house by a breezeway (horizontally attached dwelling unit).

Chris Jones addressed Council and explained that in the 2008 amendments to the comprehensive zoning by-law Council added a definition for a different type of dwelling unit (horizontally attached). The garage exceeds the maximum allowable size (detached) but by attaching the garage to the house directly it is considered just part of the dwelling. There are no other zoning issues with their proposal and the only issue is the dwelling type and how it is attached.

Phil Whitfield addressed Council and reviewed the building plans for the garage.

The Clerk provided the property owners with draft zoning by-law amendment for review and approval.

**Adjourned Public Meeting
2017-110**

Moved by: Suzanne Partridge

Second by: Cec Ryall

BE IT RESOLVED THAT this Public meeting be adjourned.

Carried.

*The Public Meeting was adjourned at **10:40 a.m.***

Reeve, Dave Burton

Clerk, Irene S. Cook

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**Confirm Proceeding of Meeting
2017-111**

Moved by: Joan Barton
Seconded by: Cec Ryall

BE IT RESOLVED THAT By-law No. 2017-39 being a by-law to confirm the proceedings of council at its regular meeting of April 5, 2017, be read a first, second and third time, passed, signed and sealed with the Corporate Seal.

Carried.

**Adjournment
2017-112**

Moved by: Cec Ryall
Seconded by: Cam McKenzie

BE IT RESOLVED THAT this Council meeting be adjourned.

Carried.

The meeting adjourned at **10:42 a.m.**

Reeve, Dave Burton

Clerk, Irene S. Cook