

**Minutes of the Meeting of the Council of the Municipality of Highlands East held on
February 13, 2017 9:00 a.m. in the Council Chambers, Wilberforce, Ontario.**

Members Present:

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
Fire Chief, Bill Wingrove
Chief Building Official, Laurie Devolin
Property and Parks Supervisor, Jim Alden
Environmental Supervisor, Glen Covert

Regrets: Reeve Dave Burton

Attendance:

Angelica Ingram Haliburton Echo
Mark Arike The Highlander

Delegations

Shannon Deterling

Disclosure of Pecuniary Interest and general nature thereof:

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

Disclosure of Pecuniary Interest and general nature thereof:

Joan Barton declared a perceived conflict of interest regarding the delegation by Mr. Deterling and the South Wilberforce Road – zoning.

Adopt Agenda

2017-37

Moved by: Cec Ryall

Seconded by: Cam McKenzie

BE IT RESOLVED THAT the agenda for the Council meeting be adopted as circulated.

Carried.

Approval of Minutes

2017-38

Moved by: Cam McKenzie

Seconded by: Cec Ryall

BE IT RESOLVED THAT the Council for the Municipality of Highlands East approves the minutes of the regular meeting on January 9, 2017 and January 23, 2017.

Carried.

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Departmental Reports

Building Department – Monthly Operations Report 2017-39

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.

By-law Department – Monthly Operations Report 2017-40

Moved by: Joan Barton

Seconded by: Cam McKenzie

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

Carried.

Fire Department – Monthly Operations Report 2017-41

Moved by: Joan Barton

Seconded by: Cam McKenzie

BE IT RESOLVED THAT Council receives the monthly operations report as information only, as submitted by the Fire Chief.

Carried.

Fire Department – Fire Service Report 2017-42

Moved by: Cec Ryall

Seconded by: Cam McKenzie

BE IT RESOLVED THAT Council acknowledges receipt of this Fire Service Report regarding Fire Dispatch as submitted by the Fire Chief.

AND FURTHER THAT Council concurs with the recommendation made in the report and directs that a by-law be brought forth to execute the Fire Dispatch Agreement.

Carried.

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Volunteer Fire Fighter

2017-43

Moved by: Cam McKenzie

Seconded by: Joan Barton

BE IT RESOLVED THAT Council appoints the following to the Volunteer Fire Fighter:

- Joe Burroughs to station 2

Carried.

Environment Department – Monthly Operations Report

2017-44

Moved by: Cec Ryall

Seconded by: Cam McKenzie

BE IT RESOLVED THAT Council receives the monthly operations report from the Environment Department.

Carried.

Waste Disposal & Septage Trench Site Monitoring 2017

2017-45

Moved by: Cam McKenzie

Seconded by: Cec Ryall

BE IT RESOLVED THAT Council for the Municipality of Highlands East accepts the 2017 Waste Disposal & Septage Trench Site Monitoring Program from Cambium Environmental in the amount of \$68,195.00 plus applicable taxes. Cambium has not included the suggested 15% contingency to cover unexpected occurrences in the total.

Carried.

Annual Compliance Reports

2017-46

Moved by: Cec Ryall

Seconded by: Cam McKenzie

BE IT RESOLVED THAT Council receives this Report as information only as submitted by the Environmental Supervisor authorizing the CAO to sign the Annual Reports and forward to the MOE.

Carried.

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Annual Compliance Report – Bicroft/Cardiff DWS

2017-47

Moved by: Joan Barton

Seconded by: Cam McKenzie

BE IT RESOLVED THAT council for the Municipality of Highlands East receives the Summary/Compliance Report for the year 2016 on the Bicroft/Cardiff Drinking Water System #220001682 and further that council authorizes the CAO/Treasurer to sign the Summary/Compliance Report on behalf of the municipality.

Carried.

Annual Compliance Report – Dyno Estates DWS

2017-48

Moved by: Cam McKenzie

Seconded by: Joan Barton

BE IT RESOLVED THAT council for the Municipality of Highlands East receives the Summary/Compliance Report for the year 2016 on the Dyno Estates Drinking Water System #220013581 and further that council authorizes the CAO/Treasurer to sign the Summary/Compliance Report on behalf of the municipality.

Carried.

Annual Compliance Report – Cardiff Sewage Lagoon

2017-49

Moved by: Cam McKenzie

Seconded by: Cec Ryall

BE IT RESOLVED THAT council for the Municipality of Highlands East receives the Compliance Report for the year 2016 on the Cardiff Sewage Lagoon Certificate of Approval No. 1604-5RPQY4, and further that council authorizes the CAO/Treasurer to sign the Annual Compliance Report on behalf of the Municipality.

Carried.

Annual Compliance Report – Septage Trench Site

2017-50

Moved by: Joan Barton

Seconded by: Cam McKenzie

BE IT RESOLVED THAT council for the Municipality of Highlands East accepts the 2016 Performance Report Supplement for the Septage Trench Site, to be included as an Appendix of the 2016 Annual Report on the Septage Trench Site, prepared by Cambium Environmental. AND FURTHER THAT council authorizes the CAO/Treasurer to sign the 2016 Performance Report Supplement on behalf of the Municipality.

Carried.

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**Property Department – Monthly Operations Report
2017-51**

Moved by: Joan Barton

Seconded by: Cam McKenzie

BE IT RESOLVED THAT Council receives the monthly operations report for February 13, 2017 as submitted by the Property Supervisor.

Carried.

Administration Department

**Approval of Accounts
2017-52**

Moved by: Joan Barton

Seconded by: Cec Ryall

BE IT RESOLVED THAT General Accounts in the amount of \$765,876.72 be approved.

Carried.

The CAO/Treasurer reviewed the 2017 budget. Notice of the passing of the budget was advertised in the local newspapers, posted on the municipal website, and municipal offices.

**Approval of Tax Department – 2017 Tax Rates
2017-53**

Moved by: Cam McKenzie

Seconded by: Cec Ryall

BE IT RESOLVED THAT Council receives and adopts the estimates for 2017 and passed a by-law to levy a separate tax rate on the assessment in each property class as per Section 312 of the Municipal Act, 2001, S.O., c.25

Carried.

**Canada 150 Grant – Intake #2 Curling Club
2017-54**

Moved by: Joan Barton

Seconded by: Cec Ryall

BE IT RESOLVED THAT Council receives this report, Canada 150 Grant- Intake #2- Curling Club, as submitted by the Deputy CAO/Treasurer

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AND FURTHER THAT Council authorizes a contribution agreement for funding under the Canada 150 Community Infrastructure Program for Project Title: Improvement of Wilberforce Curling Club in the amount of \$23,888.

Carried.

**Municipal Audit Planning Letter
2017-55**

Moved by: Joan Barton

Seconded by: Cam McKenzie

BE IT RESOLVED THAT Council receives this report, Municipal Audit Planning Letter as submitted by the Deputy CAO/Treasurer for information purposes,

AND FURTHER THAT two members of Council sign the audit planning letter from Collins Barrow Kawarthas LLP on the Municipality's behalf.

Carried.

**Municipal – Lottery Revenue
2017-56**

Moved by: Joan Barton

Seconded by: Cam McKenzie

BE IT RESOLVED THAT Council for the Corporation of the Municipality of Highlands East support the resolution of the Town of Bancroft requesting the Province of Ontario to strongly consider allowing municipalities in Ontario to hold municipal lotteries for the purpose of generating funds for local infrastructure needs.

Carried.

**Municipal Act, Section 259 (1) Vacant Seat
2017-57**

Moved by: Cec Ryall

Seconded by: Cam McKenzie

BE IT RESOLVED THAT Staff Report - Municipal Act – Section 259 (1) Vacant Seat be received for information purposes.

AND FURTHER THAT Council authorizes the Reeve Dave Burton to be absent from council meeting for three successive months and greater with anticipated return of June, 2017.

Carried.

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Report – By-law to stop up, close and convey (Tonna)

2017-58

Moved by: Cam McKenzie

Seconded by: Cec Ryall

BE IT RESOLVED THAT Council receives this report, Shore Road Allowance – By-laws to stop up, close and convey, as submitted by the Clerk for information and;

FURTHER THAT Council accepts the recommendations in this report and that by-laws to stop up, close and convey the original shore road allowances be enacted at this meeting.

Carried.

Surplus Lands – shoreline road allowance

2017-59

Moved by: Cec Ryall

Seconded by: Cam McKenzie

BE IT RESOLVED THAT the following application for the Closure and Conveyance of Shoreline Road Allowances be declared surplus lands by Council and that the application be approved in principle and be forwarded to Bishop and Rogers for processing:

- **Speller, P;** Conc. 16, Pt. Lot 31, geographic Township of Monmouth (Cockerel Lake)
Roll No. 4601 602 000 32400 0000
- **Legge, J;** Conc. 7, Lot 23, Plan 19R1238 Part 3, geographic Township of Cardiff
(Paudash Lake) Roll No. 4601 101 000 75600 0000

Carried.

By-laws

2017-60

Moved by: Cam McKenzie

Seconded by: Joan Barton

BE IT RESOLVED THAT By-laws Nos:

- | | |
|---------|--|
| 2017-16 | Being a by-law to provide for the adoption of tax rates for 2017 and to adopt the estimates of all sums required during the year |
| 2017-17 | Being a By-law to authorize and execute an Agreement between the Municipality of Highlands East and Fowler Construction |
| 2017-18 | Being a By-law to appoint a Deputy Chief Building Official and Building Inspector |
| 2017-19 | Being a By-law to authorize an agreement between the Corporation of the Municipality of Highlands East and Her Majesty The Queen |

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In Right of Ontario, as represented by the Minister responsible for Federal Economic Development Agency for Southern Ontario

- 2017-20 Being a By-law to provide for the disposition of Part of Lot 13, Concession 10, Geographic Township of Monmouth, designated as Part 2, Plan 19R5679, EXCEPT FORFEITED MINING RIGHTS, IF ANY, IN THE MUNICIPALITY OF HIGHLANDS EAST, IN THE COUNTY OF HALIBURTON, ROLL NO. 4601 601 000 37920 (THE "LANDS")
- 2017-21 Being a by-law to establish a grant program to assist with improvement costs of private roads
- 2017-22 Being a By-law for Shoreline Road Allowance for lands in front of Lot 26, Conc. 6, geographic Township of Glamorgan (Gooderham Lake)
Applicant: TONNA, Paul and Victoria

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

Carried.

Advisory Committees of Council

- **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 February 13, 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 February 13, 2017 at 10:30 a.m. in the Council Chambers, Wilberforce in the Municipality of Highlands East.

Members Present:

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

Regrets: Reeve Dave Burton

Attendance:

Chris Jones Municipal Planning Services
Rod Thurston
Pete Lawless

**Open Public Meeting
2017-61**

Moved by: Joan Barton
Seconded by: Cam McKenzie

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:

Applicant: Nadeau, Maureen & Gilles

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 13 (Glamorgan) located at 1147 Sapphire Drive. The purpose of the application is to rezone the subject lands to permit a single-storey addition to an existing cottage which is located within the minimum 20-metre shoreline setback. The cottage addition is proposed to have a ground floor area of 59.5 sq. m (640 sq. ft) and would result in the cottage having a total floor area of 146.3 square metre (1,575 sq. ft) and will maintain the existing shoreline setback of 17 metres.

The proposed zoning by-law amendment would rezone the subject lands to a Limited Service Residential Exception (LSR-68) Zone.

File No. RZ-11-2016 Roll No. 4601 902 000 78500 0000

Applicant: MacCorkindale, Douglas and Gloria

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 Lot 8, Concession 14, (Cardiff) in the Municipality of Highland East. The subject lands were recently the subject of a severance application which resulted in the creation of two new shoreline lots. The proposed amendment will therefore rezone the subject lands to establish site-specific regulations, such as a minimum 30-metre shoreline setback. The proposed amendment will

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also place the subject lands in a Limited Service Residential (LSR) Zone to reflect that the lands do not abut or have direct access to a public road.

File No. RZ-01-2017 Roll No. 4601 102 000 53200 0000

Carried.

File No. RZ-11-2016 Roll No. 4601 902 000 78500 0000
Applicant: Nadeau, Maureen & Gilles

Attendance:
Rod Thurston, Agent

Mr. Rod Thurston, Agent 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: January 18, 2017 - first class prepaid mail to all persons & bodies as per Planning Act, notice posted January 18, 2017 on site. As of 4:30 p.m. February 10, 2017 there were a total of zero (0) written submissions.

Mr. Thurston addressed Council regarding the application. He stated that the property owners are looking to construct a 640 sq. ft addition that is within the 20 metre setback (greater than the 25% increase in existing footprint). He stated that there is a hydro line at the back of property which prevents the addition to be constructed to the rear.

File No. RZ-01-2017 Roll No. 4601 102 000 53200 0000
Applicant: MacCorkindale Douglas & Gloria

Attendance:
Peter Lawless, Agent

Mr. Lawless, Agent 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: January 18, 2017 - first class prepaid mail to all persons & bodies as per Planning Act, notice posted January 18, 2017 on site. As of 4:30 p.m. February 10, 2017 there were a total of one (1) written submission:

Letter from Crowe Valley Conservation dated February 9, 2017 stating that they have no concerns with the zoning amendment but any future development on the subject lands within 30 m of the shoreline will require a permit from their agency.

Mr. Lawless addressed Council regarding the application for rezoning. The property owners received consent approval for creation of two lots on waterfront (Colborne Lake) and one of the conditions of consent was to rezone to recognize access is on private road.

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Adjourned Public Meeting

2017-62

Moved by: Joan Barton

Second by: Cec Ryall

BE IT RESOLVED THAT this Public meeting be adjourned and Council meeting be reconvened.

Carried.

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

Reeve

Clerk

Unapproved minutes of council meeting

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February 13, 2017 9:00 a.m. in the Council Chambers, Wilberforce, Ontario.
Joan Barton left Council Chambers.**

DELEGATIONS:

Shannon Deterling made a presentation to Council regarding the use of his property located on South Wilberforce Road. The family purchased the property in 1945 as a farm and raised various breeds of cattle. In June 2015 he was advised that the property appeared to be considered shoreline and the By-law Enforcement Officer instructed him to remove the livestock. There has been some confusion as to what the property is zoned and the permitted uses. Mr. Deterling said he has been told it was zoned shoreline, then seasonal residential and then in 1983 it was zoned as M3. Mr. Deterling stated that he met with the Reeve and CAO to discuss this situation. They have always used the property for farming and the land has been used as a farm as far back as 1947. Mr. Deterling stated that pieces of property have been sold off. The property is one acre in size. 80% of their food source is grown/raised on this property and he was told that they have to prove that it was farm before. Mr. Deterling provided Council with pictures of the property, list of stock, original deed of property in 1945 and various letters. Mr. Deterling stated that he feels that the rural use is legal non-conforming and asked how these zoning changes took place.

Council indicated that they would consult and receive advice from their solicitor on this matter.

Closed Session

2017-63

Moved by: Cec Ryall

Seconded by: Cam McKenzie

BE IT RESOLVED THAT THIS COUNCIL moves into Closed Session in order to discuss a matter pertaining to:

- 239 (2) f) the receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose;
- 239 (2) c) a proposed or pending acquisition of land for municipal or local board purposes
- 239 (2) b) personal matters about an identifiable individual, including municipal local board employees; Environmental Department

Carried.

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Arise from Closed Session

2017-64

Moved by: Cam McKenzie

Seconded by: Cec Ryall

BE IT RESOLVED THAT Council arise from the closed session to report.

Carried.

ARISE AND REPORT FROM CLOSED SESSION

NO REPORT

Confirm Proceeding of Meeting

2017-65

Moved by: Joan Barton

Seconded by: Cam McKenzie

BE IT RESOLVED THAT By-law No. 2017-23 being a by-law to confirm the proceedings of council at its regular meeting of February 13, 2017, be read a first, second and third time, passed, signed and sealed with the Corporate Seal.

Carried.

Adjournment

2017-66

Moved by: Cam McKenzie

Seconded by: Joan Barton

BE IT RESOLVED THAT this Council meeting be adjourned.

Carried.

The meeting adjourned at **12:14 p.m.**

Reeve

Clerk