

TOWNSHIP OF O'CONNOR – MINUTES
SPECIAL MEETING – APRIL 9, 2018

Minutes of the meeting held on April 9, 2018 at 7 p.m. in the O'Connor Community Centre.

Present: Mayor Vezina
Councillors: Foekens, Loan, Racicot
Clerk-Treasurer Buob

Visitors: Jaime Posen - Fotenn
Linda Racicot – Deputy Clerk-Treasurer
Erin Laforest – Administrative Assistant
Tammy Cook – Lakehead Region Conservation Authority (LRCA)
Rod Allan, Gary Allan, Sharon Loghrin, Ronda Martin, Wendy Handy,

Absent: Councillor Alkins

Mayor Vezina called the special meeting to order at 6 p.m.

Mayor Vezina welcomed those in attendance and introductions were made. Mayor Vezina turned the meeting over to Mr. Posen, the Township's hired consultant from Fotenn, who has been working on the Township's Official Plan and Zoning By-law. Mr. Posen explained to those present the reason for this meeting. Section 26 of the Planning Act states that municipalities are required to review their Official Plan every five years. The Township of O'Connor's last plan was approved in 2001. The Township of O'Connor's review process began back in 2015 with logic and reason for the delay. The Province was changing the planning system and Council wanted to wait until the Provincial issues were settled before starting into a project of unknown. The Township put out a call for a consultant in 2016 and Fotenn was hired. They are from the Ottawa area but have worked with municipalities in Northern Ontario and are familiar with the Provincial and Northern issues. Mr. Posen was in the Township two years ago when he came up to meet Council and staff and do a tour of the Township prior to updating the plan. The Ministry of Municipal Affairs does have the final say and approval of the Official Plan and then within three years Council must update the Zoning By-law to meet the new Plan. Fotenn have been working on both the Official Plan and the Zoning By-law at the same time, however the Zoning By-law does not have to be approved by the Ministry and cannot be approved by Council until the Official Plan has been approved. Mr. Posen also noted that the mapping for both documents is being done by the Lakehead Region Conservation Authority.

Mr. Posen explained the process to date including the initial visit, first draft and open house, second draft and Council review, third draft and Ministry One window comments, fourth draft and Council review, special meeting and public consultation, which is what we are doing today and the final step is the submission to the Ministry for approval.

The Official Plan must have consistency with the Planning Act, the Provincial Policy (PPS) Statement and the Growth Plan for Northern Ontario.

It was noted that some of the changes in this plan are the addition of secondary suites and drinking water requirements for a consent application are no longer required for lots larger than four hectares. The Wildland Fire risks have also been added using current Ministry of Natural Resources and Forestry information. It is noted in the plan that the Township is currently working on a proper study and once complete it will be incorporated into the plan. Mr. Posen explained the addition of Plans of Subdivision and explained that this does not refer to tract housing. It would be used in a rural context and is worded strictly to preserve the rural setting. It is a tool in the toolbox for specific circumstances where there are lots with restrictions, such as by the way of lot fabric already set, possibly without enough road allowance. With good development a severance could still happen, possibly with a new road that could be contemplated to provide the required road allowance. It is anticipated that the majority of applications will still be done by the Consent process as it is simpler and more appropriate for the creation of single lots. By contrast, the Plan of Subdivision application process is a stronger and more robust method to use where warranted in more complex land division situations, and there does not appear to be a strong market demand for extensive lot creation at this time.

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Mr. Posen presented the Official Plan maps, Schedule "A" being the Land Use map and Schedule "B" being the Development Constraints map. He noted that the entire Township has now been designated "RURAL". He noted that Fish Habitat is a protected resource and within the Township of O'Connor the only properties affected are along the Whitefish River and this has been identified on the map. The draft Zoning By-law map was also a part of the presentation. A copy of Schedule "A" and Schedule "B" and the draft Wild Fire Protection map were posted on the wall.

Mr. Posen also pointed out that there are some additional tools that are available in the plan for Council to use but they do not have to be used. They include Cultural Heritage, Interim Control By-law and Site Plan Control. It was noted that Cultural Heritage not only refers to buildings but it can protect views.

Consultation and participation in the plan now allow notification to be provided via the Township's newsletter, the Cornerstone, rather than the local newspaper.

Mr. Posen explained that the Zoning By-law takes the Official Plan policies which are vague and includes specific rules, it explains what the allowed uses are and what you cannot do. In the current draft of the Zoning By-law he noted that some changes have been made to definitions and the minimum floor area restrictions have been removed.

There have been no comments in writing submitted to the Clerk-Treasurer at this time for either document. Ms. Cook from the Lakehead Region Conservation Authority (LRCA) does have some minor changes to wording with regard to the regulated areas which she will forward to Mr. Posen. Mr. Posen then explained the next steps and opened the floor to questions.

Questions with regard to the appeal process were asked. Mr. Posen noted that the previous appeal body, the Ontario Municipal Board (OMB) was officially replaced with the Local Planning Appeal Tribunal (LPAT) last week, as of April 1, 2018. Under the new system, a new Official Plan cannot be appealed after receiving Ministerial approval. However, if Council makes a decision under the plan, such as a Zoning By-law Amendment, there is a new process in place for interested parties to appeal. The cost to appeal is \$300.00.

The question of whether or not it is legal to ask for the road allowance to be deeded to the Township was asked. A conversation pursued with regard to road allowances and utilities. The wording of center of the road rather than road right of way was discussed. Mr. Posen also pointed out that there is wording in the draft Official Plan to account for alternative arrangements for road widenings where warranted.

It was noted that in the draft Official Plan the option for three Consents for lots which have become one due to joint ownership has been excluded. It was noted that this was not the intention and it will be looked into further.

Mayor Vezina summarized the process, thanked the residents for attending and thanked Mr. Posen for his presentation. The special meeting of Council was adjourned and it was

1. Moved by K. Foekens
Seconded by B. J. Loan

THAT THE SPECIAL MEETING OF COUNCIL TO CONSIDER A NEW OFFICIAL PLAN AND ZONING BY-LAW BE HEREBY CLOSED.

TIME BEING: 7:20 P.M.

Carried

An intermission was held to allow those present to view maps posted on the wall or to speak with Mr. Posen or Council.

Mayor Vezina reconvened the regular meeting of Council and called the meeting to order at 7:39 p.m.

Disclosure of pecuniary interest and general nature thereof – none

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1. Moved by Bishop Racicot
Seconded by K. Foekens

THAT THE MINUTES FROM THE COUNCIL MEETING HELD ON MONDAY, MARCH 26, 2018 BE ACCEPTED AS PRINTED.

Carried

Visitors still in attendance at the regular meeting of Council were Wendy Handy, Erin Laforest and Linda Racicot. They were asked if they wished to address Council and they each replied no.

Bills to be paid were passed around the table and it was

2. Moved by Bishop Racicot
Seconded by K. Foekens

THAT THE ADMINISTRATION AND ROADS VOUCHER FOR MARCH 2018 TOTTALLING \$162,802.45 BE APPROVED AND PAID.

Carried

3. Moved by K. Foekens
Seconded by B. J. Loan

THAT THE FOLLOWING BILL FOR APRIL 2018 BE PAID. THIS BILL WILL BE INCLUDED ON THE APRIL 2018 ADMINISTRATION AND ROAD VOUCHER.

CK#14928	THUNDER BAY DSSAB	\$6,477.00
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Carried

The Statement of Revenue and Expenditures to March 31, 2018 were reviewed.

By-law and Policies were discussed as follows:

- a) A By-law to enter into an agreement for communication services was reviewed and it was

4. Moved by K. Foekens
Seconded by Bishop Racicot

THAT BY-LAW NUMBER 2018-08 BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH THE MINISTER OF HEALTH AND LONG TERM CARE TO PROVIDE COMMUNICATION SERVICES BE PASSED AND ENTERED IN THE BY-LAW BOOK.

Carried

A Township of O'Connor Planning Report prepared by Mr. Jaime Posen, MCIP RPP from Fotenn with regard to the draft Official Plan and Zoning By-law update was read. The document included recommendations, background information, community, agency and indigenous engagement, ministerial comments, supporting documentation, key changes, process for implementation and planning recommendation.

A draft by-law to adopt the Official Plan was deferred until further review and changes are made as per the comments and concerns brought forward at the special meeting held earlier this evening.

A resolution for endorsement from the Township of Madawaska Valley regarding financial resources to ensure compliance and implementation for asset management planning in small, rural municipalities was filed.

A copy of the Thunder Bay District Social Services Administration Board (TBDSSAB) 2018 Operating and Capital Budget was made available at the meeting.

The March 28, 2018 issue of the Update from the Board publication from the TBDSSAB was read.

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Correspondence were read as follows:

- a) Association of Municipalities of Ontario (AMO) – i) AMO Communications – regarding One-Third Tax Free Exemption for Municipal Officials
ii) AMO Communications – regarding the 2018 Provincial Budget
- b) Ministry of Tourism, Culture and Sport – 2018 Ontario Budget: A Plan for Care and Opportunity committing funding to strengthen public libraries
- c) Municipal Property Assessment Corporation (MPAC) – regarding Additional Disclosure and Undertaking of Non-Disclosure
- d) Premier Kathleen Wynne – reply to Council's endorsed resolution from the Township of Gillies.
- e) Department of Finance – reply to Council's endorsed resolution to the Prime Minister.
- f) Ministry of the Environment and Climate Change – regarding Clean Water Act & Safe Drinking Water Act Regulatory Decisions.

The balance of the correspondence was passed around the table.

Under Old Business, Council discussed

- a) Partners in Protection – FireSmart Canada Wildfire Community Preparedness Day – The Township will be receiving \$500 and a resource kit for the May 5th event. Mayor Vezina and Councillor Loan have agreed to help with the BBQing.
- b) The date of Administrative/Full Budget meeting originally scheduled for May 10, 2018 was discussed. Due to a scheduling conflict Mayor Vezina has asked that this meeting be changed and it was

5. Moved by B. J. Loan
Seconded by K. Foekens

**THAT THE BUDGET MEETING SCHEDULED FOR THURSDAY, MAY 10, 2018
AT 7 P.M. BE RESCHEDULED TO TUESDAY, MAY 15, 2018 AT 7 P.M.**

Carried

Under New Business, Council discussed

- a) A request from the Township of Gillies for grass cutting services in their Township was discussed. Council would like more information on how much it would cost to cover the Township's expenses. We would also have to consider the wear and tear on the equipment and whether or not we would have time. The Clerk-Treasurer will discuss this further with Mr. Johnson and bring it back to the May 14th meeting.
- b) Superior Country invitation to attend a Superior Training Event on May 11th and 12th. No one will attend.
- c) C.I.V.I.X – regarding Student Vote, a hands on learning program that provides students under the voting age with the opportunity to experience the voting process and practice the habits of active and engaged citizenship. Councillors are in favour of encouraging young people to participate but need to know more information on how the process works. The Clerk-Treasurer will look further into this.

No new items were brought forward or received after the agenda was mailed.

No building permits have been submitted to date.

The visitors left the meeting and it was

6. Moved by B. J. Loan
Seconded by Bishop Racicot

**BE IT RESOLVED THAT THE NEXT PORTION OF THE MEETING BE
CLOSED TO THE PUBLIC IN ORDER TO DISCUSS A PERSONAL MATTER
ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL
BOARD EMPLOYEES PURSUANT TO SUBSECTION 239(2)(E) OF THE
MUNICIPAL ACT, 2001 AND A PROPOSED OR PENDING ACQUISITION OR
DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD;
PURSUANT TO SUBSECTION 239(2)(C) OF THE MUNICIPAL ACT, 2001.**

TIME BEING: 8:17 P.M.

Carried

TOWNSHIP OF O'CONNOR – MINUTES SPECIAL MEETING – APRIL 9, 2018 (con't)

Council received and discussed Councillor Alkins resignation letter. The Clerk-Treasurer provided Council with information from the Municipal Act with regard to filling the vacant seat. Council also discussed a proposed land matter.

7. Moved by B. J. Loan
Seconded by K. Foekens

TIME BEING: 8:50 P.M.

THAT WE NOW MOVE TO OPEN MEETING.

Carried

Council agreed to accept Councillor Alkins resignation and it was

8. Moved by K. Foekens
Seconded by B. J. Loan

THAT THE SEAT OF COUNCILLOR CHANTAL ALKINS BE DECLARED VACANT DUE TO HER RESIGNATION.

Carried

Council discussed how they will replace Councillor Alkins. As this is an election year no by-election can take place after March 31st. Council were concerned that as it is budget time and there is a possibility that Councillor Racicot will be absent for a couple of upcoming meetings that this position be filled as soon as possible. It was agreed that the Clerk-Treasurer approach the runner up from the original applications for the vacant seat in 2016 to see if this person is still interested and if not continue with the list of original applicants.

9. Moved by B. J. Loan
Seconded by Bishop Racicot

THAT THE VACANT SEAT OF COUNCIL BE FILLED BY APPOINTMENT AS PER SECTION 263(1) AND (5) OF THE MUNICIPAL ACT, 2001.

Carried

10. Moved by B. J. Loan
Seconded by K. Foekens

THAT THE MEETING ADJOURN TO THE BUDGET MEETING TO BE HELD ON MONDAY, APRIL 16, 2018 AT 7:00 P.M. IN THE O'CONNOR COUNCIL CHAMBERS.

TIME BEING: 8:57 P.M.

Carried

Mayor

Clerk-Treasurer