

# THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE

## Council Minutes

Wednesday, October 11, 2023

Council Present      Mayor Kenneth Craig  
                                Deputy Mayor Andrea Clarke  
                                Councillor Beth Blackwell  
                                Councillor Rory Cavanagh  
                                Councillor Mike Hinchberger  
                                Councillor Doug Kennedy  
                                Councillor Jennifer Prenger arrived at 5:08 p.m.  
                                Councillor Amanda Steinhoff-Gray  
                                Councillor Bill Stewart

Staff Present              Jillene Bellchamber-Glazier, Chief Administrative Officer  
                                    Jennifer Lawrie, Manager of Legislative Services/Clerk  
                                    Roxana Baumann, Director of Corporate Services  
                                    Karen Kieffer, Manager of Recreation  
                                    Brad Lemaich, Fire Chief  
                                    Dwayne McNab, Manager of Development Services  
                                    Mark O'Leary, Manager of Environmental Services  
                                    Adam Weishar, Director of Infrastructure and Development  
                                    Nicole Bauman, Legislative Services Administrative Assistant

### 1. Call to Order/Roll Call

Mayor Craig called to order the Regular Meeting of the Council of The Corporation of the Municipality of Kincardine at 5:00 p.m. on October 11, 2023 in the Council Chambers at the Municipal Administration Centre.

#### 1.1 **Land Acknowledgment Statement**

Councillor Steinhoff-Gray opened the meeting with the Land Acknowledgment Statement.

### 2. Amendments, Additions or Deletions To/From the Agenda

**Resolution # 10/11/23 - 01**

**Moved by:** Bill Stewart

**Seconded by:** Mike Hinchberger

That the following be added to the agenda:

1. 8.3 a - Motion re: Water Testing Program at Drainage Pipe on Pine Street.

Carried.

**3. Disclosure of Pecuniary Interest and the General Nature Thereof**

Name: Amanda Steinhoff-Gray

Item of Business: 7.1 a & 8.4 c Bruce Power Water Supply Agreement

General Nature of Interest: Employee of Bruce Power

Name: Elizabeth Blackwell

Item of Business: 7.1 a & 8.4 c Bruce Power Water Supply Agreement =

General Nature of Interest: husband's position as an employee of Bruce Power

Name: Jennifer Prenger

Item of Business: 7.1 a & 8.4 c Bruce Power Water Supply Agreement

General Nature of Interest: Provide contracted services to Bruce Power as primary employment

Councillor Steinhoff-Gray, Councillor Blackwell and Councillor Prenger left the Council table and did not comment on the business items while matter was considered.

**4. Adoption of Minutes from Regular and Special Meetings of Council**

**Resolution # 10/11/23 - 02**

**Moved by:** Doug Kennedy

**Seconded by:** Mike Hinchberger

That the minutes of the Council meetings held on September 27, 2023 and October 5, 2023 be adopted as printed.

Carried.

**5. Unfinished Business**

**6. Matters for Public Participation**

**6.1 Delegations and Presentations**

Councillor Prenger arrived at 5:08 p.m.

**a. Mark Emmanuel - EPCOR Utilities Inc.**

Mark Emmanuel, General Manager, Natural Gas for EPCOR Utilities Inc. provided a presentation to the Council as part of Council's external partner orientation.

b. **Denise Heckbert and Sumesh Gupta - Enbridge Inc.**

Denise Heckbert and Sumesh Gupta from Enbridge provided a presentation on their proposal to build a battery energy storage project on the land beside the substation for their Underwood Wind project. They requested a resolution of Municipal Support for the project. The presentation included information on Enbridge's Renewable Power Activities, independent electricity system operator's goals and process, Enbridge's proposed battery project in Kincardine and the next steps in the consultation process.

Council inquired about the emergency response procedures, the public meeting that was held, type of batteries (lithium ion), and other mitigation items.

**Resolution # 10/11/23 - 03**

**Moved by:** Rory Cavanagh

**Seconded by:** Beth Blackwell

That Council extend the five (5) minute time limit for this delegation to ten (10) minutes.

Carried.

c. **Michele Gade - Garlic Mustard Plant**

Resident Michele Gade provided a presentation on the invasive Garlic Mustard plant including what garlic mustard is, where it is in the Municipality, what have they done so far, and what she would like to see done regarding this.

**Resolution # 10/11/23 - 04**

**Moved by:** Mike Hinchberger

**Seconded by:** Amanda Steinhoff-Gray

That the Garlic Mustard delegation by Michele Gade be referred to Staff.

Carried.

7. **Matters for Discussion and Direction**

7.1 **Staff Reports**

Councillor Steinhoff-Gray, Councillor Blackwell and Councillor Prenger left the Council table.

a. **Bruce Power Water Supply Agreement, Environmental Services-2023-37**

**Resolution # 10/11/23 - 05**

**Moved by:** Bill Stewart

**Seconded by:** Andrea Clarke

That Council direct the Mayor and Clerk to execute the Water Supply Agreement with Bruce Power for the provision of Drinking Water to the Bruce Site.

Carried.

Councillor Steinhoff-Gray, Councillor Blackwell and Councillor Prenger returned to the Council table.

b. **The Lindston Group Inc. - subdivision, Development Services-2023-33**

**Resolution # 10/11/23 - 06**

**Moved by:** Doug Kennedy

**Seconded by:** Andrea Clarke

That Council direct staff to execute the indemnification agreement with the Lindston Group Inc.

Carried.

c. **Subdivision Agreement – 2068140 Ontario Ltd. and Meat Consultants International Inc. (Brown), Development Services-2023-32**

**Resolution # 10/11/23 - 07**

**Moved by:** Mike Hinchberger

**Seconded by:** Bill Stewart

That the Council of the Municipality of Kincardine pass a by-law to enter into a Subdivision Agreement with 2068140 Ontario Ltd. and Meat Consultants International Inc.;

And Further That the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this agreement.

Carried.

- d. **Award Fire Pumper RFP, Emergency Services-2023-06**  
**Resolution # 10/11/23 - 08**  
**Moved by:** Rory Cavanagh  
**Seconded by:** Amanda Steinhoff-Gray
- That Council award the contract for the fire pumper truck to Dependable Emergency Vehicles in the amount of \$709,363 including the non-refundable portion of HST; and further
- That Council authorize the purchase of additional equipment/add-ons up to the maximum budget amount of \$140,637; for a total capital project cost of \$850,000.
- Carried.
- e. **Ontario Closed Circuit Television (CCTV) Grant Program Pre-Budget Approval, Legislative Services-2023-23**  
**Resolution # 10/11/23 - 09**  
**Moved by:** Rory Cavanagh  
**Seconded by:** Mike Hinchberger
- That Council grant pre-budget approval for up to \$26,500 as the Municipality's 50% share of the Ontario Closed Circuit Television (CCTV) Grant Program; and
- That the municipal share be funded from the Lifecycle Reserve Fund 82.
- Carried.
- f. **Municipal Tree Canopy and Natural Vegetation Ad Hoc Committee Update, CAO General-2023-23**  
**Resolution # 10/11/23 - 10**  
**Moved by:** Mike Hinchberger  
**Seconded by:** Jennifer Prenger
- That Council extends the timeline for receiving recommendations from the Municipal Tree Canopy and Natural Vegetation Ad Hoc Committee from September to November 2023.
- Carried.
- g. **Municipal Lands – Considerations, CAO-2023-29**  
**Resolution # 10/11/23 - 11**

**Moved by:** Andrea Clarke

**Seconded by:** Beth Blackwell

That Council direct staff to provide a draft by-law to amend the comprehensive zoning by-law to remove minimum floor area requirements; and

Staff be directed to bring the report of potential surplus properties back to Council; and

That Council direct that staff arrange for Council discussion at a future Special Council meeting regarding other options identified in the staff report.

Carried.

**Amendment:**

**Resolution # 10/11/23 - 12**

**Moved by:** Bill Stewart

**Seconded by:** Amanda Steinhoff-Gray

That the motion be amended to remove the second paragraph and that "Staff be directed to bring the report of potential surplus properties back to Council" be inserted in its place.

Carried.

**Amendment:**

**Resolution # 10/11/23 - 13**

**Moved by:** Beth Blackwell

**Seconded by:** Rory Cavanagh

That the third paragraph of the motion be amended to change "Council Workshop" to "Special Council meeting".

Carried.

- h. **Ministry of Municipal Affairs and Ministry of Housing Request Priorities of the Affordable Housing Task Force Recommendations, -2023-28**

**Resolution # 10/11/23 - 14**

**Moved by:** Mike Hinchberger

**Seconded by:** Beth Blackwell

That Council direct staff to prepare a response to the Minister of Municipal Affairs that shares the top 5 recommendations identified by Staff through consultation with Bruce County.

Carried.

i. **Kincardine - Saugeen Shores Health Care Partnership**

The CAO provided a verbal update to Council on meetings with Saugeen Shores for a unified approach on advocating for local community health care needs in our area. A jurisdictional scan and gap analysis were completed. Recommendation to continue to work together on advocacy efforts.

**Resolution # 10/11/23 -15**

**Moved by:** Beth Blackwell

**Seconded by:** Andrea Clarke

That Council directs the Mayor and CAO to work with Saugeen Shores to advocate for local community health care needs.

Yes (8): Kenneth Craig, Andrea Clarke, Beth Blackwell, Rory Cavanagh, Mike Hinchberger, Doug Kennedy, Jennifer Prenger, and Amanda Steinhoff-Gray

No (1): Bill Stewart

Carried.

**7.2 Addendum Items**

None

**8. Matters for Decision**

**8.1 Notice of Motion - Prior to the Meeting**

a. **Interim Ladders at the Kincardine Pier**

**Resolution # 10/11/23 - 16**

**Moved by:** Amanda Steinhoff-Gray

**Seconded by:** Jennifer Prenger

Whereas there has been, and continues to be, water safety concerns at Station Beach; and

Whereas a revised Aquatic Safety Audit Report, dated 2JUN2016, was prepared by the Life Saving Society of Canada, with

recommendations to improve water safety along the beachfront and the piers at Station Beach; and

Whereas Staff had recommended, and previous Councils had chosen, to implement several of the recommendations in the report;

Now Therefore be it Resolved That Council direct Staff to ensure the following recommendations agreed to by previous Councils have been implemented per the specific suggestions contained in the report, and are in good working order, by 15Nov2023, with particular emphasis on:

1. The No Swimming Zone
  1. Primary Recommendation #2: A “No Swimming” zone should be designated at least 100m south of the South Pier and 100m north of the North Pier.
  2. Secondary Recommendation #1 iv): Pier Signage – No Swimming and Warning – Strong Currents signage should be installed on the floor of the pier or on vertical signposts along the lake and harbor sides of both piers.
2. The Safe Swimming Area
  1. Primary Recommendation #3: The swimming area intended for use by patrons should be clearly designated through signs, beach flags, and buoy markers.
3. The Rip Current Safety Signage
  1. Secondary Recommendation #1 ii): Existing Rip Current Safety Signage. Simplified Rip Current signage should be provided at each access point and in other locations along the boardwalk. Sufficient signage should be located such that the warning information is visible for patrons approaching the signage from either the waterfront or the parking lot areas.

And further that Council direct Staff to complete an assessment, and report back to Council by 31DEC2023, of any actions necessary to implement the following:

1. Upgrade the current exit points from the piers (i.e. the ladders) including use of ladder extensions, with such assessment to include the required work and costs to make necessary repairs, purchase additional ladder extensions, etc.



2. Improve the signage associated with the Lifesaving Stations on both piers, to include a listing of the equipment staged at these stations in addition to what to do when equipment is missing, and instruction on where to locate the AED equipment,
3. Repair the existing spalling damage to the concrete decks of both piers,
4. Paint a 100 mm wide yellow strip ) along the perimeter edge of both piers for enhanced visibility.

And further that Council direct Staff to review, revise if required, and present to Council by 01MAR2024, the inspection program that ensures that any deficiencies in the above will be identified and addressed;

And further that Council direct Staff to report out on the status of Aquatic Safety Measures at Station Beach, annually, before 1MAY of each year.

Carried.

**Amendment:**

**Resolution # 10/11/23 - 17**

**Moved by:** Mike Hinchberger

**Seconded by:** Bill Stewart

That the motion be amended to change the date in the fourth paragraph from "31Oct2023" to "15Nov2023".

Carried.

b. **207/209 Birchwood Walkway**

**Resolution # 10/11/23 - 18**

**Moved by:** Mike Hinchberger

**Seconded by:** Beth Blackwell

That Council intends to re-establish the 207/209 Birchwood walkway, connecting to the Birchwood Trail, as a nature trail, and that it be exempted from accessibility considerations and standards and

That all other direction provided by Council in its prior resolution remain the same.

Carried.

## 8.2 Notice of Motion - At the Meeting

None noted.

## 8.3 Motions

### a. Water Testing Program - Drainage Pipe along Pine Street

#### Resolution # 10/11/23 - 19

**Moved by:** Bill Stewart

**Seconded by:** Jennifer Prenger

That Council approve a water testing program, on a quarterly basis at the end of the drainage pipe that runs along Pine Street into Lake Huron at Inverhuron.

Referred to Staff.

**Amendment:**

#### Resolution # 10/11/23 - 20

**Moved by:** Doug Kennedy

**Seconded by:** Andrea Clarke

That the time be changed to every 6 months as opposed to quarterly.

Defeated.

**Amendment:**

#### Resolution # 10/11/23 - 21

**Moved by:** Beth Blackwell

**Seconded by:** Andrea Clarke

That this motion be referred to staff for additional information.

Carried.

## 8.4 Consideration of By-laws

### a. 2023 Budget Amendment (2) By-law

#### Resolution # 10/11/23 - 22

**Moved by:** Rory Cavanagh

**Seconded by:** Andrea Clarke

That the "2023 Budget Amendment (2) By-law" be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 167.

Carried.

b. **Motion to Pass By-laws**

**Resolution # 10/11/23 - 23**

**Moved by:** Bill Stewart

**Seconded by:** Mike Hinchberger

That the following By-laws are hereby read a first, second and third time and finally passed this 11th day of October, 2023:

1. The Lindston Group Inc. Indemnification Agreement By-law No. 2023-169

2. 2068140 Ontario Ltd. and Meat Consultants International Inc. (Brown) Subdivision Agreement By-law No. 2023-170

3. Award Tender #KFES 2023-01 Stock Build Custom Cab Triple Combination Pumper (to Dependable Emergency Vehicles) By-law No. 2023-171

Carried.

Councillor Steinhoff-Gray, Councillor Blackwell and Councillor Prenger left the Council table

c. **Bruce Power Water Agreement**

**Resolution # 10/11/23 - 24**

**Moved by:** Doug Kennedy

**Seconded by:** Andrea Clarke

That the "Bruce Power Water Agreement By-law" be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 168

Carried.

Councillor Steinhoff-Gray, Councillor Blackwell and Councillor Prenger returned to the Council table.

9. **Matters for Information**

9.1 **Consent Agenda**

Items listed under the Consent Agenda are considered routine and are enacted in one motion as a Matter Arising. The exception to this rule is that a Council member or the Chief Administrative Officer may request one or more items to be removed from the consent agenda for separate discussion and action.

- a. Administrative Motions
- b. Statistical and Information Reports
  - a. Corporate Services Q3 Update Report, Corporate Services Quarterly Report-2023-02
  - b. Infrastructure & Development, Infrastructure Development Quarterly Report-2023-03
  - c. Q3 2023 Quarterly Procurement Report, Financial Services-2023-28
- c. Minutes of Committees and Boards
  - a. Accessibility Advisory Committee Minutes - August 17, 2023
  - b. Multi Municipal Wind Turbine Working Group, May 11, 2023
  - c. SMART, May 26, 2023
  - d. SMART, June 23, 2023
  - e. SVCA, July 20, 2023
  - f. BASWR Board of Management, August 24, 2023
- d. Communications
  - a. Association of Municipalities of Ontario
    - a. AMO Policy Update - Affordable Homes and Good Jobs Act Introduced and Housing Affordability Take Force Recommendations Response
    - b. Watchfile, September 21, 2023
    - c. Watchfile, September 28, 2023
  - b. Rural Ontario Municipal Association - September ROMA Board Meeting Highlights
  - c. Motions other Municipalities
    - a. City of Hamilton - Support for Basic Income
    - b. City of Quinte West - Chronic Pain Treatment
    - c. County of Brant - Guaranteed Livable Income
    - d. Montague Township - Request to Review MFIPPA
    - e. Municipality of West Grey - Support for Establishing a Guaranteed Livable Income

- f. Northumberland County - Highway Traffic Act Amendments
  - g. Town of Aurora - Gender-Based and Intimate Partner Violence Epidemic
  - h. Town of Aurora - Opposition to Strong Mayors Powers
  - i. Town of Greater Napanee - Chronic Pain Treatments
  - j. Town of Greater Napanee - Establishing a Guaranteed Livable Income
  - k. Town of Midland - Catch and Release Justice in Ontario
  - l. Town of Parry Sound - Provincial Regulations regarding Short-term Rental Digital Platforms
  - m. Town of Stouffville - Illegal Land Use Enforcement
  - n. Town of Wasaga Beach - Illegal Car Rally - Provincial Task Force
- d. Acceptance of Consent Agenda

**Resolution # 10/11/23 - 25**

**Moved by:** Rory Cavanagh

**Seconded by:** Doug Kennedy

That Council approve the recommendations contained in the consent agenda dated October 11, 2023 and direct staff to proceed with all necessary administrative actions.

Carried.

**9.2 Members of Council General Announcements**

**9.3 Chief Administrative Officer Announcements**

**10. Closed Session**

**Resolution # 10/11/23 - 26**

**Moved by:** Mike Hinchberger

**Seconded by:** Bill Stewart

That Council move into closed session pursuant to Section 239 (2) of the Municipal Act, 2001, as amended for:

1. Approve Closed Session Minutes dated September 27, 2023 and October 5, 2023; and

2. The purpose of considering a proposed or pending acquisition or disposition of land by the Municipality or Local Board (acquisition of land); and

Further that Council return to regular open meeting upon completion.

Carried.

### **10.1 Matters Arising from Closed Session**

Mayor Craig reported that a closed session has been held and

1. The Closed Session Minutes dated September 27, 2023 and October 5, 2023 were approved; and

2. For the purpose of considering a proposed or pending acquisition or disposition of land by the Municipality or Local Board (acquisition of land) and direction was provided to staff regarding this item.

### **11. Confirmatory By-law**

**Resolution # 10/11/23 - 27**

**Moved by:** Rory Cavanagh

**Seconded by:** Doug Kennedy

That the By-law to confirm the proceedings of the Council of The Corporation of the Municipality of Kincardine of October 11, 2023 be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 172.

Carried.

### **12. Adjournment**

**Resolution # 10/11/23 - 28**

**Moved by:** Mike Hinchberger

**Seconded by:** Jennifer Prenger

That this Council Meeting adjourn at 7:56 p.m.

Carried.

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Mayor

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Clerk