

THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE

Council Minutes

Wednesday, November 22, 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 5:16 p.m. Councillor Amanda Steinhoff-Gray Councillor Bill Stewart
Staff Present	Jillene Bellchamber-Glazier, Chief Administrative Officer Jennifer Lawrie, Manager of Legislative Services/Clerk Lorie Fioze, Manager Strategic Initiatives Jayne Jagelewski, Director of Community Services 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 November 22, 2023 in the Council Chambers at the Municipal Administration Centre.

1.1 **Land Acknowledgment Statement**

Councillor Cavanagh opened the meeting with the Land Acknowledgment Statement.

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

Resolution # 11/22/23 - 01

Moved by: Doug Kennedy

Seconded by: Beth Blackwell

That Council approve the following amendment to the agenda:

1. Recreation Survey Extension be added as 7.1 a

Carried.

Resolution # 11/22/23 - 02

Moved by: Bill Stewart

Seconded by: Amanda Steinhoff-Gray

That Council approve the following amendment to the agenda:

1. Birchwood Trail Update be added as 7.1 b

Carried.

3. Disclosure of Pecuniary Interest and the General Nature Thereof

None.

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

Resolution # 11/22/23 - 03

Moved by: Mike Hinchberger

Seconded by: Bill Stewart

That the minutes of the Council meetings held on November 8, 2023 be adopted as printed.

Carried.

5. Unfinished Business

None.

6. Matters for Public Participation

6.1 Delegations and Presentations

- a. Accessibility Advisory Committee

Sharon Woods, Chair of the Accessibility Advisory Committee, provided a presentation on the Accessibility Advisory Committees priorities for the 2024 Budget including the Penetangore Room at the Davidson Centre's accessible kitchen and washroom, request

for \$100,000 in budget for accessible projects, updates to all accessible parking spaces and municipal crosswalks.

b. Kincardine Trails Network

Councillor Prenger joined the meeting at 5:16 p.m.

Dave Lafortune and Brad Kirkconnell provided a presentation on the Kincardine Trails Network - Hazard and Danger Tree Assessment from Grey-Bruce Tree Care and Training Services completed in 2021.

c. Hindu (Sanatan) Dharma

Chandra Shekhar Tripathi provided a presentation on Hindu Heritage Month and their seven calls for action.

d. Tiverton and District Lions Club

James McTeer, Tiverton Lions Club provided a presentation on the proposed Tiverton Splash Pad, including the fundraising efforts, preferred options, donor recognition program and new signage, and request for a tender for the splashpad with a landscape tender to come after.

7. Matters for Discussion and Direction

7.1 Staff Reports

a. Strategic Plan Ad-Hoc Committee, Strategic Initiatives-2023-13

Resolution # 11/22/23 - 04

Moved by: Andrea Clarke

Seconded by: Beth Blackwell

That Council pass a By-law to approve the Terms of Reference for the Strategic Plan Ad-Hoc Committee, as amended; and

Further, that Council appoint the following Council members to the Ad-Hoc Committee Mayor Craig, Deputy Mayor Clarke, Councillor Kennedy, and Councillor Steinhoff Gray.

Carried.

Amendment:

Resolution # 11/22/23 - 05

Moved by: Bill Stewart

Seconded by: Amanda Steinhoff-Gray

That the number of members be increased to four members.

Carried.

- b. Community Improvement Plan, Economic Development-2023-01

Jeff Loney, County of Bruce, was present.

Resolution # 11/22/23 - 06

Moved by: Rory Cavanagh

Seconded by: Bill Stewart

That Council direct staff to submit the draft Municipality of Kincardine Community Improvement Plan (CIP) to the Ontario Ministry of Municipal Affairs and Housing (MMAH) for review; and

Further that a Public Meeting be held in early 2024 prior to the Community Improvement Plan coming forward to Council for adoption.

Carried.

- c. Deeming Bylaw – King Street, Tiverton - Kunkel, Development Services-2023-37

Resolution # 11/22/23 - 07

Moved by: Amanda Steinhoff-Gray

Seconded by: Bill Stewart

That Council pass a Deeming bylaw to deem PLAN 94 LOT 13 KING E/S; PLAN 94 LOT 12 KING; PLAN 94 LOT 11 KING E/S; and PLAN 94 LOT 10 PT LOT 9 KING (Village of Tiverton) not to be lots in a registered plan of subdivision.

Carried.

- d. Holding Removal Bylaw - BEC Business and Innovation Centre Inc - Farrell Drive, Development Services 2023-

Resolution # 11/22/23 - 08

Moved by: Mike Hinchberger
Seconded by: Rory Cavanagh

That the Council of the Municipality of Kincardine pass a by-law for the removal of the Holding “H” provision from the following BEC lands:

22 Farrell Drive - PLAN 3M-113 LOT 12 3R-3861;PART 10,
Kincardine

50 Farrell Drive - PLAN 3M-113 LOT 13 3R-3861;PART 9,
Kincardine

64 Farrell Drive - PLAN 3M-113 LOT 14 3R-3861;PART 7,
Kincardine

131 Farrell Drive - PLAN 3M-113 LOT 2, Kincardine

Carried.

7.2 Addendum Items

- a. Recreation Survey

Resolution # 11/22/23 - 09

Moved by: Doug Kennedy
Seconded by: Mike Hinchberger

That the deadline for the Municipality of Kincardine - Parks and Recreation Strategic Plan - Survey be extended for two weeks past the current deadline of November 27, 2023.

Carried.

- b. Birchwood Trail

The Director of Community Services provided an update regarding the public walkway between 207/209 Birchwood.

8. Matters for Decision

8.1 Notice of Motion - Prior to the Meeting

None.

8.2 Notice of Motion - At the Meeting

None.

8.3 Motions

- a. Acting Clerk Motion

Resolution # 11/22/23 - 10

Moved by: Beth Blackwell

Seconded by: Andrea Clarke

That Chief Administrative Officer Jillene Bellchamber-Glazier be appointed Acting Clerk, when it is necessary for the Clerk to leave the meeting, for the purpose of taking minutes for the November 22, 2023 closed and open meetings.

Carried.

8.4 Consideration of By-laws

- a. Appoint Integrity Commissioner By-law

Resolution # 11/22/23 - 11

Moved by: Bill Stewart

Seconded by: Amanda Steinhoff-Gray

That the “Integrity Commissioner Appointment (Principals Integrity) By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 189.

Carried.

- b. Motion to Pass By-laws

Resolution # 11/22/23 - 12

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 22nd day of November, 2023:

1. Strategic Plan Ad-Hoc Committee Terms of Reference By-law 2023 - 190;

2. Council Committee Appointment (2023) Amendment (2) By-law 2023 - 191;
3. Lots 9, 10, 11, 12 and 13 Plan 94 Deeming By-law 2023 - 192;
and
4. Amendment to Zoning By-law No. 2003-25, Holding Removal (Business and Innovation Centre Inc.) By-law 2023 - 193.

Carried.

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
None.
- b. Statistical and Information Reports
 - a. Development Services October 2023 Monthly Report
 - b. Site Plan Approval – Fairway Estates Ltd., Development Services-2023-27
 - c. Integrated Strategy Progress Update, Strategic Initiatives-2023-12
 - d. Kincardine By-law Service Reports - August and September
- c. Minutes of Committees and Boards
None.
- d. Communications
 - a. Association of Municipalities of Ontario
 - a. Watchfile, November 2, 2023
 - b. Watchfile, November 9, 2023

- b. Ministry of Transportation - Concerns along Highway 21 between Bruce Ave and North Line Extension
- c. Acciona Energia - Notice of Public Community Meeting Acciona's Battery Energy Storage Project in Kincardine
- d. Community Living Kincardine & District - November 2023 Newsletter
- e. Motions other Municipalities
- a. City of Owen Sound - Call for an Amendment to the Legislation Act 2006
- b. Dufferin County - Violence Against Women & Intimate Partner Violence Epidemic
- c. Municipality of Temagami - Support for Bill 21 Fixing Long-Term Care Amendment Act
- d. Municipality of Wawa - Automated Enforcement System
- e. Municipality of Wawa - Call for an Amendment to the Legislation Act 2006 - Digital Publication
- f. Municipality of Wawa - Support of Bill C-310
- g. Municipality of Wawa - Water Treatment Training
- h. Town of Orangeville - Gender Based Violence and Intimate Partner Violence an Epidemic

9.1 Consent Agenda

- e. Acceptance of Consent Agenda

Resolution # 11/22/23 - 13

Moved by: Bill Stewart

Seconded by: Mike Hinchberger

That Council approve the recommendations contained in the consent agenda dated November 22, 2023 and direct staff to proceed with all necessary administrative actions except items listed below that will be brought to a future meeting for consideration:

- 9.1 e. a - City of Owen Sound - Call for an Amendment to the Legislation Act, 2006;

- 9.1 e. d - Municipality of Wawa - Automated Enforcement System;
- 9.1 e. f - Municipality of Wawa - Support of Bill C-310.

Carried.

9.2 Members of Council General Announcements

9.3 Chief Administrative Officer Announcements

10. Closed Session

Resolution # 11/22/23 - 14

Moved by: Rory Cavanagh

Seconded by: Jennifer Prenger

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

- 1) The minutes dated November 8, 2023;
- 2) A proposed or pending acquisition of land by the Municipality or Local Board (acquisition of land in Tiverton);
- 3) Labour relations and employee negotiations (Organizational Review);
- 4) Personal matters about an identifiable individual, including municipal or Local Board employees, or potential appointees to a Local Board, Ad-Hoc Committee, or other municipally controlled organization (Human Resources Matter); and

Further, that Council return to Regular open meeting upon completion.

Carried.

10.1 Matters Arising from Closed Session

Council resumed in open session at 7:29 pm

Mayor Craig reported that Council held a closed session pursuant to Section 239 (2) of the Municipal Act, 2001, and:

- 1) Approved the closed session minutes dated November 8, 2023;
- 2) Considered proposed acquisition of land by the Municipality and directed staff to place a by-law on the open meeting agenda to consider an acquisition of Part of Lot 1, Plan 157, designated as Part 1 on Reference Plan 3R10795 (Tiverton), Municipality of Kincardine being Part

of PIN 33287-0254(LT);

3) Considered Labour relations and employee negotiations regarding the Organizational Review. This matter was for information only;

4) Considered Personal matters about an identifiable individual, including municipal or Local Board employees, or potential appointees to a Local Board, Ad-Hoc Committee, or other municipally controlled organization regarding a Human Resources Matter. This matter was for information only.

a. 874697 Ontario Ltd. Agreement of Purchase and Sale By-law

Resolution # 11/22/23 - 15

Moved by: Jennifer Prenger

Seconded by: Mike Hinchberger

That the “874697 Ontario Ltd. Agreement of Purchase and Sale By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 194.

Carried.

11. Confirmatory By-law

Resolution # 11/22/23 - 16

Moved by: Rory Cavanagh

Seconded by: Bill Stewart

That the By-law to confirm the proceedings of the Council of The Corporation of the Municipality of Kincardine of November 22, 2023 be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 195.

Carried.

12. Adjournment

Resolution # 11/22/23 - 17

Moved by: Rory Cavanagh

Seconded by: Amanda Steinhoff-Gray

That this Council Meeting adjourn at 7:31 p.m.

Carried.

Mayor

Clerk