

THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE

Council Minutes

Wednesday, February 14, 2024

Council Present	Mayor Kenneth Craig Deputy Mayor Andrea Clarke Councillor Beth Blackwell Councillor Rory Cavanagh Councillor Mike Hinchberger Councillor Jennifer Prenger Councillor Amanda Steinhoff-Gray Councillor Bill Stewart
Council Absent	Councillor Doug Kennedy
Staff Present	Jillene Belchamber-Glazier, Chief Administrative Officer Jennifer Lawrie, Manager of Legislative Services/Clerk Roxana Baumann, Director of Corporate Services Lorie Fioze, Manager Strategic Initiatives Dwayne McNab, Manager of Development Services Mark O'Leary, Manager of Environmental Services Corey Voisin, Manager of Operations 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 February 14, 2024 in the Council Chambers at the Municipal Administration Centre.

Note: Some Council Members and Staff attended electronically.

1.1 **Land Acknowledgment Statement**

Councillor Hinchberger opened the meeting with the Land Acknowledgment Statement.

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

Resolution # 02/14/24 - 01

Moved by: Beth Blackwell

Seconded by: Rory Cavanagh

That Council approve the following addition to the agenda:

1. Consideration of By-law re: Assigning Existing Airport Hanger Lease Per Agreement.

Carried.

3. Disclosure of Pecuniary Interest and the General Nature Thereof

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

Resolution # 02/14/24 - 02

Moved by: Mike Hinchberger

Seconded by: Beth Blackwell

That the minutes of the Regular and Special Council meetings held on January 24, 2024 and January 29, 2024 be adopted as printed.

Carried.

5. Matters for Public Participation

5.1 Committee of Adjustment

Resolution # 02/14/24 - 03

Moved by: Rory Cavanagh

Seconded by: Andrea Clarke

That Council move into the Committee of Adjustment Meeting and upon completion return to Council.

Carried.

5.2 Public Meeting

- a. Community Improvement Plan – Public Meeting, Economic Development – 2024-01

Staff explained the report and the Community Improvement Plan. Jeff Loney, Manager of Economic Development for the County of Bruce was in attendance.

Presentations from the Public: James McKeary - Philosopher's Wool Environmental Preserve (PWEF) - spoke to concerns regarding pre-development and development incentives (p.12) and the surplus land program (p. 15) in the draft CIP specifically regarding the development of lands in Inverhuron.

Questions and Clarifications from Council - Clarification that Council will select the focus areas and there will be a prioritization process. Council will decide where to focus grants and a process on how applications can be reviewed. Clarification that a CIP does not change land designations but that applications for such changes would still need to go through the prescribed process.

Resolution # 02/14/24 - 04

Moved by: Rory Cavanagh

Seconded by: Mike Hinchberger

That Council adopt the new Community Improvement Plan (CIP) and areas for the Municipality of Kincardine and the necessary by-laws be forwarded to Council for adoption.

Carried.

- b. Applicant: Don & Dianne MacArthur - 1397 Concession 9 - Kincardine Township

Planning Report:

Bruce County Planner Julie Steeper explained the report and recommendation. Any comments received from Agencies and the Public received by the time of writing the report are in the written report.

Presentations from the Applicant: Don and Dianne MacArthur were in attendance.

Presentations from the Public: None.

Questions and Clarifications from Council: Clarification that this is not a surplus farm application.

Resolution # 02/14/24 - 05

Moved by: Beth Blackwell

Seconded by: Andrea Clarke

That Council approve Zoning By-law Amendment application Z-2023-058 for Donald and Dianne MacArthur for 1397 Concession 9, Municipality of Kincardine.

Carried.

6. Matters for Discussion and Direction

6.1 Staff Reports

- a. Kincardine Airport Operations Review, Operations-2024-04

Resolution # 02/14/24 - 06

Moved by: Mike Hinchberger

Seconded by: Andrea Clarke

That Council receive report Operations-2024-04 for information purposes.

Carried.

- b. Traffic and Parking By-Law Amendment, Operations-2024-05

Resolution # 02/14/24 - 07

Moved by: Mike Hinchberger

Seconded by: Andrea Clarke

That the amendments as set out in Report Operations-2024-05 be approved by Council.

Carried.

- c. BEC Potable Water Supply, Environmental Services-2024-04

Resolution # 02/14/24 - 08

Moved by: Rory Cavanagh
Seconded by: Beth Blackwell

That Council direct staff to correspond with the Bruce Energy Centre Inc. (BEC) that the Municipality is willing to consider an agreement between the parties to expand the planned scope of the Municipal Environmental Assessment work related to water source options to the community of Tiverton to include potable water supply to the BEC, subject to the BEC fully funding the expanded scope of the investigation.

Carried.

- d. Award Kincardine-Kinloss Drain Tender, Environmental Services-2024-06

Resolution # 02/14/24 - 09

Moved by: Beth Blackwell
Seconded by: Rory Cavanagh

That Council award the contract for the Kincardine-Kinloss Municipal Drain Tender to Dozlan Construction Corporation for the bid price of \$161,075.90 including the municipal share of HST.

Carried.

- e. Front End Agreements Summary, Development Services-2024-04

Resolution # 02/14/24 - 10

Moved by: Mike Hinchberger
Seconded by: Jennifer Prenger

That Council receive report Development Services-2024-04 for information purposes.

Carried.

- f. MTO Russell Street and Sidewalk Maintenance Agreements, Development Services-2024-01

Resolution # 02/14/24 - 11

Moved by: Mike Hinchberger

Seconded by: Jennifer Prenger

That Council direct staff to move forward with the execution of the Highway 21 at Russell Street Legal Agreement and the Sidewalk Maintenance Agreement; and further

That the Mayor and Clerk sign any necessary documents related to the agreements; and

That Council direct staff to enter into a front-ending agreement with the beneficiaries for cost recovery from the improvements; and further

That Council direct staff to undertake an update to the ASDC should the property owners not be agreeable to a front-ending agreement inclusive of a budget amendment to undertake the study.

Deferred.

Amendment:

Resolution # 02/14/24 - 12

Moved by: Bill Stewart

Seconded by: Jennifer Prenger

That Council defer this decision until March 13, 2024

Carried.

- g. South Bruce OPP Detachment Board, Legislative Services-2024-02

Resolution # 02/14/24 - 13

Moved by: Andrea Clarke

Seconded by: Jennifer Prenger

That Councillor Cavanagh be appointed as the Council representative for the South Bruce OPP Detachment Board; and

That Council authorize staff to continue working with the Working Group (Clerks/Deputy Clerks from South Bruce, Huron-Kinloss, Brockton and Arran-Elderslie) to prepare the necessary drafts and proposals relating to the South Bruce OPP Detachment Board in

anticipation of the Community Safety and Policing Act, 2019 coming into effect on April 1, 2024; and

That the correspondence and resolution from the Municipality of Brockton, proposing to convene a Transition Committee related to the South Bruce OPP Detachment Board be noted and filed.

Carried.

6.2 Addendum Items

7. Matters for Decision

7.1 Notice of Motion - Prior to the Meeting

- a. Provincial Municipal Fiscal Arrangement Motion

Resolution # 02/14/24 - 14

Moved by: Beth Blackwell

Seconded by: Mike Hinchberger

Whereas current provincial-municipal fiscal arrangements are undermining Ontario's economic prosperity and quality of life; and

Whereas nearly a third of municipal spending in Ontario is for services in areas of provincial responsibility and expenditures are outpacing provincial contributions by nearly \$4 billion a year; and

Whereas municipal revenues, such as property taxes, do not grow with the economy or inflation; and

Whereas unprecedented population and housing growth will require significant investments in municipal infrastructure; and

Whereas municipalities are being asked to take on complex health and social challenges – like homelessness, supporting asylum seekers and addressing the mental health and addictions crises; and

Whereas inflation, rising interest rates, and provincial policy decisions are sharply constraining municipal fiscal capacity; and

Whereas property taxpayers – including people on fixed incomes and small businesses – can't afford to subsidize income re-distribution programs for those most in need; and

Whereas the province can, and should, invest more in the prosperity of communities; and

Whereas municipalities and the provincial government have a strong history of collaboration; now therefore

Be it resolved that the Province of Ontario commit to undertaking with the Association of Municipalities of Ontario a comprehensive social and economic prosperity review to promote the stability and sustainability of municipal finances across Ontario; and

Further that a copy of this motion be sent to the Premier of Ontario; Minister of Municipal Affairs and Housing; the Minister of Finance; MPP Lisa Thompson and to the Association of Municipalities of Ontario.

Carried.

7.2 Notice of Motion - At the Meeting

7.3 Motions

- a. Reschedule February 28, 2024 Regular Meeting Motion

Resolution # 02/14/24 - 15

Moved by: Mike Hinchberger

Seconded by: Beth Blackwell

That Council approve an exemption to Section 11.1 a) of the Municipality of Kincardine Procedural By-law No. 2023 - 138, to permit the Regular Council Meeting on Wednesday February 28, 2024, be rescheduled to Wednesday March 6, 2024, due to a scheduling conflict.

Carried.

7.4 Consideration of By-laws

- a. Kincardine-Kinloss Municipal Drain By-law

Resolution # 02/14/24 - 16

Moved by: Andrea Clarke

Seconded by: Amanda Steinhoff-Gray

That the “Kincardine-Kinloss Municipal Drain Branch A” be deemed to be read a third time and finally passed and numbered as By-law No. 2022 - 182.

Carried.

- b. Municipal Access Agreement with Bruce Telecom (2024) By-law

Resolution # 02/14/24 - 17

Moved by: Mike Hinchberger

Seconded by: Andrea Clarke

That the “Municipal Access Agreement-Bruce Telecom By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2024 - 015.

Carried.

- c. Maintenance and Repair of Municipal Drain By-laws

- a. Holtby Municipal Drain
- b. Kennedy Municipal Drain Extension
- c. Kennedy Municipal Drain - Huron Extension
- d. Kincardine-Kinloss Municipal Drain
- e. Kincardine-Kinloss Municipal Drain - Kinloss
- f. Norman McArthur Municipal Drain

Resolution # 02/14/24 - 18

Moved by: Amanda Steinhoff-Gray

Seconded by: Mike Hinchberger

That the following By-laws are hereby read a first, second and third time, and finally passed this 14 day of February, 2024:

1. Holtby Municipal Drain Maintenance By-law 2024 - 016
2. Kennedy Municipal Drain Extension Maintenance By-law 2024 - 017

3. Kennedy Municipal Drain - Huron Extension Maintenance
By-law 2024 - 018

4. Kincardine-Kinloss Municipal Drain Maintenance By-law
2024 - 019

5. Kincardine-Kinloss Municipal Drain - Kinloss Maintenance
By-law 2024 - 020

6. Norman McArthur Municipal Drain Maintenance By-law
2024 - 021

Carried.

d. Motion to Pass By-laws

Resolution # 02/14/24 - 19

Moved by: Amanda Steinhoff-Gray

Seconded by: Jennifer Prenger

That the following By-laws are hereby read a first, second and third
time, and finally passed this 14 day of February, 2024:

1. Designate CIP Areas By-law 2024 - 022

2. CIP Policy Adoption By-law 2024 - 023

3. Amendment Zoning By-law - 1397 Concession 9 (MacArthur) By-
law 2024 - 024

4. Award Tender No. 9417 Kincardine-Kinloss Drain Improvement
By-law 2024 - 025

5. Traffic and Parking Amendment (8) By-law By-law 2024 - 026

Carried.

e. Assigning Existing Airport Hanger Lease

Resolution # 02/14/24 - 20

Moved by: Beth Blackwell

Seconded by: Bill Stewart

That the “Brown-McCullough Airport Hangar Lease Transfer By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2024 - 027.

Carried.

8. Matters for Information

8.1 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. Statistical and Information Reports
 - a. Mayor's Report on ROMA
 - b. Environmental Services Compliance Report January 2024, Environmental Services-2024-05
 - c. Development Services Report January 2024
 - d. By-law Service Report December 2023
- b. Minutes of Committees and Boards
 - a. Pier Advisory Committee Minutes - January 11, 2024
 - b. Saugeen Valley Conservation Authority, November 30, 2023
 - c. Saugeen Mobility and Regional Transit, November 17, 2023
 - d. Saugeen Mobility and Regional Transit, December 22, 2023
 - e. BIA, January 16, 2024
 - f. Kincardine Police Services Board Minutes, January 11, 2024
- c. Communications
 - a. Community Living Kincardine Newsletter, February 2024
 - b. AORS SDF Application - Municipal Equipment Operating Course
 - c. Town of Mono Road Safety Emergency

- d. Township of Georgian Bluffs - Provincial Cemetery Management Support Request
- e. City of Mississauga - Significant Reforms at the Landlord and Tenants Board
- f. Municipality of Tweed - Licence Plate Renewal Fees
- g. County of Prince Edward - Expand the life space of fire apparatus
- h. Politician Invitation to 2024 Politicians Meeting
- i. 2024 Kincardine Auxiliary
- j. Bruce County Museum and Cultural Centre
- k. Canadian Nuclear Association
- l. Greater Madawaska Resolution of Support - Volunteer Firefighters Tax Credit
- m. United Counties of Prescott and Russell - AMO Policy Update - Social and Economic Prosperity Review
- n. Town of Hanover AMO Resolution Social and Economic Prosperity Review
- o. Community Safety and Policing Act coming into effect April 1, 2024
- p. Municipality of Calvin Cemetery Transfer Resolution
- q. Municipality of Calvin Resolution - Provincial and National Fire Fighting Strategy
- r. City of Brantford - Reliable and Accessible Public Rail Transit - CN Rail Letter
- s. Newmarket Notice Policy and Procedure By-law Update Resolution
- t. Town of South Bruce Peninsula Support for Comprehensive Review of Social and Economic Prosperity
- u. Wahi letter - DEI facilitator and Second monument
- v. Grey Sauble Conservation Risk Management Services - Status Report 2023

- d. Acceptance of Consent Agenda

Resolution # 02/14/24 - 21

Moved by: Mike Hinchberger

Seconded by: Beth Blackwell

That Council approve the recommendations contained in the consent agenda dated February 14, 2024 and direct staff to proceed with all necessary administrative actions.

Carried.

8.2 Members of Council General Announcements

8.3 Chief Administrative Officer Announcements

9. Closed Session

Resolution # 02/14/24 - 22

Moved by: Mike Hinchberger

Seconded by: Amanda Steinhoff-Gray

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 Closed Session minutes dated January 24, 2024;
- 2) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board (Bruce Telecom Update);
- 3) Personal matters about an identifiable individual, including municipal or local board employees (Committee of Council); and

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

Carried.

9.1 Matters Arising from Closed Session

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

- 1) The Closed Session minutes dated January 24, 2024 were approved;
- 2) Received a report regarding the Bruce Telecom Update for information;

3) Received a report regarding a Personal matters about an identifiable individual (Committee of Council)

Resolution # 02/14/24 - 23

Moved by: Mike Hinchberger

Seconded by: Beth Blackwell

That the “Committee Appointment (2024) Amendment (5) By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2024 - 028.

Carried.

10. Confirmatory By-law

Resolution # 02/14/24 - 24

Moved by: Mike Hinchberger

Seconded by: Rory Cavanagh

That the By-law to confirm the proceedings of the Council of The Corporation of the Municipality of Kincardine of February 14, 2024 be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2024 - 029.

Carried.

11. Adjournment

Resolution # 02/14/24 - 25

Moved by: Beth Blackwell

Seconded by: Amanda Steinhoff-Gray

That this Council Meeting adjourn at 7:07 p.m.

Carried.

Mayor

Clerk

