

THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE

Council Minutes

Wednesday, October 9, 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

Staff Present

Jillene Bellchamber-Glazier, Chief Administrative Officer
Jennifer Lawrie, Manager of Legislative Services/Clerk
Roxana Baumann, Director of Corporate Services
Jayne Jagelewski, Director of Community Services
Cherie Leslie, Community Economic Development Officer
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 9, 2024 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**

None.

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

None disclosed.

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

Resolution # 10/09/24 - 01

Moved by: Beth Blackwell

Seconded by: Andrea Clarke

That the minutes of the Council meetings held on September 23, 2024 and September 25, 2024 be adopted as printed.

Carried.

5. **Matters for Public Participation**

5.1 **Committee of Adjustment**

Resolution # 10/09/24 - 02

Moved by: Jennifer Prenger

Seconded by: Mike Hinchberger

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

Carried.

5.2 **Public Meeting**

a. Applicant: Brucelea Poultry Farm Ltd. - 728 North Line

Planning Report:

The Bruce County Planner, Jake Bousfield-Bastedo, 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.

Questions from Committee: Committee inquired about the process for severance.

Applicant or agent present: Blair Scott was in attendance.

Submission from applicant or agent: No.

Public in support of the application: No.

Public with questions, concerns or objections to the application: No.

Any written submission not included in the planning report:
No.

Discussions from Committee Members: No

Resolution # 10/09/24 - 03

Moved by: Mike Hinchberger

Seconded by: Andrea Clarke

That Council approve Zoning By-law Amendment Application Z-2024-051 for Brucelea Poultry Farm Ltd. c/o Blair Scott at 728 North Line and the necessary by-law be forwarded to Council for adoption.

Carried.

5.3 Delegations and Presentations

a. Bruce County Planning

Monica Walker-Bolton, Land Use Planning Manager and Jack Van Dorp, Director of Planning & Development provided an update on the new Bruce County Official Plan.

6. Matters for Discussion and Direction

6.1 Staff Reports

a. Impact Assessment Agency of Canada Presentation to Municipality of Kincardine, CAO General-2024-28

Isabell Turcotte, Impact Assessment Agency of Canada and Doug Wylie, Canadian Nuclear Safety Commission provided a presentation on their organizations role in the Bruce C Project.

Resolution # 10/09/24 - 04

Moved by: Rory Cavanagh

Seconded by: Mike Hinchberger

That Council receive the presentation regarding the Canadian Nuclear Safety Commission and the Impact Assessment Agency of Canada for information with respect to the Bruce C Project.

Carried.

- b. 2025 Budget Plan Report, Financial Services-2024-18

Resolution # 10/09/24 - 05

Moved by: Andrea Clarke

Seconded by: Mike Hinchberger

That Council receive the 2025 Budget Plan Report for information; and

Further that Council approve the 2025 wage increase using the 12-month July CPI of 2.5% as per HR.03 - Compensation & Benefits Policy and the 2025 budget be drafted to incorporate this economic increase accordingly; and

Further that Council provide direction on the maximum 2025 property tax rate increase, inclusive of the annual Asset Management funding requirement of 3%; and

Further that Council direct staff on any proposed service level reductions or expansions for 2025.

Carried.

- c. 2025 Consolidated Rates & Fees, Financial Services 2024-20

Resolution # 10/09/24 - 06

Moved by: Mike Hinchberger

Seconded by: Rory Cavanagh

That Council approve the proposed 2025 Consolidated Rates and Fees Schedule as outlined in Staff Report Financial Services-2024-20, effective January 1, 2025.

Carried.

- d. Debenture for Kincardine Business Park Lands at Highway 9/21, Financial Services-2024-21

Resolution # 10/09/24 - 07

Moved by: Mike Hinchberger

Seconded by: Rory Cavanagh

That Council direct staff to finalize the debenture documentation in the amount of \$2,626,000 over a 5-year term for the servicing costs for the Highway 9/21 Business Park to convert the floating rate capital loan through OILC (FA1436) to a debenture.

Carried.

- e. Revisions to Policy P.D 1.2 – Plans of Subdivision/Development, Development Services-2024-25

Resolution # 10/09/24 - 08

Moved by: Mike Hinchberger

Seconded by: Andrea Clarke

That Council adopt the Policy No. DEV.02 complete with Appendix 'A' being the Subdivision Agreement and Appendix 'B' Municipal Development and Servicing Guidelines.

Carried.

- f. Sludge Removal, Environmental Services-2024-27

Resolution # 10/09/24 - 09

Moved by: Rory Cavanagh

Seconded by: Amanda Steinhoff-Gray

That Council approve a 2024 budget amendment to accelerate a project for sludge removal from both the Kincardine and Tiverton Lagoon sites at a cost of \$680,000 funded from the Sewer Reserve Fund 67.

Carried.

6.2 Addendum Items

7. Matters for Decision

7.1 Notice of Motion - Prior to the Meeting

Mayor Craig left the Chair to participate in the debate and Deputy Mayor Clarke assumed the Chair.

- a. 2025 Budget Approval - Council Composition Review

Resolution # 10/09/24 - 10

Moved by: Kenneth Craig

Seconded by: Rory Cavanagh

Whereas Section 217 (1) of the Municipal Act, 2001 authorizes a local municipality to change the composition of its council; and

Whereas a consultant could provide unbiased options for changes to Council composition; and

Whereas a consultant could provide options that ensure legal principles are being followed; and

Whereas a consultant could host community conversations, including public open houses and workshops; and now therefore be it resolved

That Council include in the 2025 budget deliberations \$ 12,000 for hiring a consultant to review and provide recommendations specifically on the number of members which would comprise the Council of the Corporation of the Municipality of Kincardine following the 2026 election.

Defeated.

Resolution # 10/09/24 - 11

Moved by: Rory Cavanagh

Seconded by: Beth Blackwell

That the hour of automatic adjournment be extended to end of tonight's business.

Carried.

Mayor Craig assumed the Chair.

- b. Whitney Crawford Community Centre

Resolution # 10/09/24 - 12

Moved by: Amanda Steinhoff-Gray

Seconded by: Mike Hinchberger

Whereas the Council of the Municipality of Kincardine undertook a community process for the development of a Parks and Recreation Plan in 2023; and

Whereas the plan identified a net increase of 1,431 new residents by 2031 which is an estimated growth of 11.7%, with increasing population in younger citizens; and

Whereas the community has expressed interest in a re-design and redevelopment of the Whitney Crawford Community Centre and Council support was demonstrated through the procurement of engineered drawings and building plans in the previous term of Council; and

Whereas this is a shovel ready project that would replace two facilities within the community of Tiverton, including the existing community centre and library; and

Whereas the existing community centre and library facilities in the community of Tiverton have several components which have reached the end of their useful life based on the Municipality of Kincardine's Asset Management Plan; and

Whereas the cost of a redevelopment of a new community centre in Tiverton was estimated at \$7 Million in 2022 and is understood that project estimates will exceed this amount for 2025-2027; and

Whereas the availability of senior government funding was a consideration for pursuit of a new facility; and

Whereas a provincial grant for community sport and recreation infrastructure fund is currently available and requires demonstratable support for an eligible project with all expenses being incurred no later than March 31, 2027; now

Therefore be it resolved that Council direct staff to submit the most current plans designed by NA Engineering for the redevelopment of a community centre in Tiverton and develop a business case for the project, which includes a new library and a new community hall, to Ontario's Stream 2 of the Community Sport and Recreation Infrastructure Fund prior to the deadline of October 29, 2024; and

That Council confirm that if successful in receiving provincial funding to support the redevelopment of a new community centre in Tiverton that the project will take priority over other facilities and recreation capital projects in order to support project completion by March 2027; and

That the Municipal portion of the costs be funded through debt with financing through the Community Benefit Fund or as per a financing recommendation from staff; and

That once the project is completed, the Municipality will divest itself of other similar municipal assets.

Carried.

c. Accessibility Coordinator - Bruce County

Resolution # 10/09/24 - 13

Moved by: Beth Blackwell

Seconded by: Andrea Clarke

Whereas in 2022, Statistics Canada reported that 28% of Ontarians identify as having a disability; and

Whereas residents and visitors with disabilities continue to regularly face physical, attitudinal, environmental and technological barriers that prevent them from working, shopping, travelling, volunteering or accessing community spaces which negatively impacts our communities, economic opportunities and personal sense of belonging; and

Whereas both the County of Bruce and all 8 of the Lower Tier Municipalities are obligated to and have committed to removing barriers and workings towards ensuring their facilities, services and amenities are compliant with both the Ontarians with Disabilities Act, 2001 (ODA) and the Accessibility for Ontarians with Disabilities Act, 2005 (AODA); and

Whereas improving accessibility and implementing best practice requires significant technical knowledge and expertise in order to ensure capital and operational projects, programs, services, site plans, bylaws and more are compliant or exceed ODA, AODA and other related legislation; and

Whereas Lower Tier Municipalities, including those with highly engaged Accessibility Advisory Committees, would benefit from a collaborative approach that increases their ability to access this type of knowledge, expertise and experience; and

Whereas the neighbouring Counties of Huron and Grey as well as others such as Elgin and Middlesex, employ Accessibility Coordinators that act as a single point of contact for the County itself and the Lower Tier municipalities, and

Whereas these Accessibility Coordinators consult on accessibility related projects, assist with implementation of accessibility standards, providing training, communicate best practice, identify grant opportunities and share resources with staff, committees and the public;

Whereas the County of Bruce has already taken positively aligned actions by setting a goal of becoming a barrier-free community (Multi-Year Accessibility Plan), achieving a Dementia-friendly designation for Bruce County Public Libraries, introducing an Age-Friendly Strategy and adopting a Transportation Master Plan that highlights the importance of accessibility;

Now therefore be it resolved that the Municipality of Kincardine requests that the County of Bruce introduce an Accessibility Coordinator position to acts as a collaborative, capacity-building resource for County and Lower Tier staff, Accessibility Advisory Committees and the public so that Bruce County can become a leader in building accessible, welcoming communities for residents and visitors of all abilities.

Carried.

7.2 Notice of Motion - At the Meeting

None.

7.3 Consideration of By-laws

- a. Motion to Pass By-laws

Resolution # 10/09/24 - 14

Moved by: Mike Hinchberger

Seconded by: Rory Cavanagh

That the following By-laws are hereby read a first, second and third time, and finally passed this 9th day of October, 2024:

1. Amendment to Zoning By-law 2003-25 for 728 North Line (Brucelea) By-law 2024 - 136
 2. 2025 Rates and Fees By-law 2024 - 137
 3. Plans of Subdivision / Development Policy By-law 2024 - 138
- 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. Administrative Motions

a. Request for Noise By-law Exemption - Shiverton

That Council authorize the request of Shelley Roberts c/o Shiverton, for an exemption from the provisions on the Noise Control By-law No. 2008-076, for the hours of 11:00pm to 12:00am on Friday, October 18, 2024 and 11:00pm to 12:00am Saturday October 19, 2024, for an annual fundraising event being held in Tiverton.

b. Statistical and Information Reports

a. Infrastructure & Development 3rd Quarter Report, Infrastructure Development Quarterly Report-2024-05

b. Environmental Services Compliance Report September 2024, Environmental Services-2024-28

c. Minutes of Committees and Boards

a. Saugeen Valley Conservation Authority - July 18, 2024 Meeting Minutes

d. Communications

- a. Association of Municipalities of Ontario
- a. Watchfile September 19, 2024
- b. Watchfile September 26, 2024
- c. Policy Update
- b. Ministry of Agriculture Food and Rural Affairs - Letter from the Honourable Robert J Flack
- c. Randy Ogilvie - Secord monument decision to decommission
- d. Clean Energy Frontier Conference registration
- e. Chandra Shekhar Tripathi - Gratitude for the Volunteer Appreciation Evening
- f. Motions other Municipalities
 - a. Region of Waterloo - Solve the Crisis
 - b. Municipality of East Ferris - Combined ROMA and AMO Conference
 - c. City of Kitchener - Renovictions and Safe and Adequate Housing
 - d. Town of South Bruce Peninsula - County Official Plan Review

8.1 Consent Agenda

- e. Acceptance of Consent Agenda

Resolution # 10/09/24 - 15

Moved by: Rory Cavanagh

Seconded by: Andrea Clarke

That Council approve the recommendations contained in the consent agenda dated October 9th, 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 (If Required)

Resolution # 10/09/24 - 16

Moved by: Beth Blackwell

Seconded by: Mike Hinchberger

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 September 25, 2024;
- 2) A trade secret or scientific, technical, commercial, financial, or labour relations information, supplied in confidence to the Municipality or Local Board, which if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization (Bruce Power's Municipal Socio-Economic Existing Conditions Report);
- 3) Personal matters about an identifiable individual, including municipal or local board employees (Candidates for vacancy on Accessibility Advisory Committee); and

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

Carried.

9.1 Matters Arising from Closed Session

Mayor Craig reported that pursuant to Section 239 (2) of the Municipal Act, Council discussed the following items in Closed Session:

- 1) The Closed Session minutes dated September 25, 2024 were approved;
- 2) Council received the Bruce Power's Municipal Socio-Economic Existing Conditions Report for Information.
- 3) Council provided direction in Closed Session to place a By-law in the Open Meeting to appoint Randy Norris to the Accessibility Advisory Committee.

Resolution # 10/09/24 - 17

Moved by: Rory Cavanagh

Seconded by: Andrea Clarke

That the “Committee Appointment Amendment (8) By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2024 - 139.

Carried.

10. Confirmatory By-law

Resolution # 10/09/24 - 18

Moved by: Bill Stewart

Seconded by: Andrea Clarke

That the By-law to confirm the proceedings of the Council of The Corporation of the Municipality of Kincardine of October 9th, 2024 be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2024 - 140.

Carried.

11. Adjournment

Resolution # 10/09/24 - 19

Moved by: Mike Hinchberger

Seconded by: Beth Blackwell

That this Council Meeting adjourn at 9:13 p.m.

Carried.

Mayor

Clerk