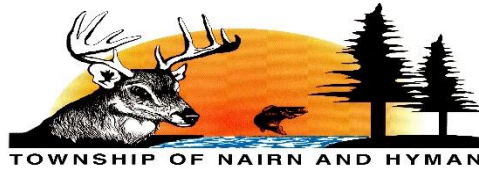


MINUTES

THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN



Monday, October 16, 2023

There was a Regular Council Meeting held at the Nairn Community Centre on Monday, October 16, 2023, at 7:00 p.m. (The meeting was open to the public, unfortunately the meeting was not recorded due to technical issues with the internet.)

Present:	Amy Mazey	Mayor
	Trevor McVey	Deputy Mayor
	Wayne Austin	Councillor
	Guy Despatie	Councillor
	Rod MacDonald	Councillor
	Belinda Ketchabaw	CAO, Clerk Treasurer
	Sarah Vereault	Municipal Planner (J.L. Richards Ltd)

DECLARATION OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Councillor Austin declared a pecuniary interest with Agenda Item 3 c) due to a family member being involved.

Councillor Austin declared a pecuniary interest with Agenda Item 7 c) due the applicants being close personal friends.

DELEGATIONS

1. Joseph Burke, Clerk for the Town of Espanola, attended to provide a report and presentation regarding the LaCloche Regional Transportation System for Seniors. Council was given the update that the capital grant funding submitted jointly on behalf of the four LaCloche municipalities has been approved to assist with the purchase of the vehicle. The report provided an initial overview of how the purchase of the vehicle would work, the share of each municipality and the projected operating costs, which will be shared based on the population percentage of each municipality. Nairn & Hyman's estimated share of the Capital Cost is \$2,828.00 (one-time investment) and Annual Operating Costs are \$4,495.47. Council will consider the information and plan to make a decision at the November Council Meeting. (see Agenda Item: Minutes & Reports 7 a).
2. Ivon Chaumont, President of the Agnew Lake Property Group, attended and gave Council an update of the progress made on the Plan of Subdivision Agreement. He briefly outlined the requirements that the ALPG has had to meet since 2016. He requested that if the Subdivision Agreement is ready to be presented to Council before the November Council Meeting, that Council would consider having a Special Council Meeting to enact the Agreement. Council agreed that they would consider it.
3. Richard Austin, Resident of the Township of Nairn and Hyman, attended to discuss his wishes to purchase a vacant piece of property on Minto Street that was recently offered for sale. He stated that he had pursued the purchase of this property since 2008. He requested that the Township withdraw any interest to purchase this property.

REPORT RE: LACLOCHE REGIONAL TRANSPORTATION SYSTEM FOR SENIORS

RESOLUTION # 2023-11-200

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

BE IT RESOLVED THAT Council notes the Report prepared by Joseph Burke, Clerk of the Town of Espanola regarding the LaCloche Regional Transportation System for Seniors: and **FURTHER** Council defers the decision to the November meeting.

CARRIED

SPECIAL COUNCIL MEETING

RESOLUTION # 2023-11-201

MOVED BY: Trevor McVey

SECONDED BY: Wayne Austin

RESOLVED THAT: Council will agree to schedule a Special Meeting in October to review and accept the Agnew Lake Property Group Plan of Subdivision Agreement

CARRIED

TEMPORARY ADJOURNMENT

RESOLUTION # 2023-11-202

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

BE IT RESOLVED THAT the council meeting be temporarily adjourned at 7:42 p.m. for the purpose of a public meeting.

CARRIED

PUBLIC MEETING CONCERNING OFFICIAL PLAN AMENDMENT, PART LOT CONTROL AND ZONING BY-LAW AMENDMENTS

RESOLUTION # 2023-11-203

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

BE IT RESOLVED THAT pursuant to Section 53 of the Planning Act R.S.O. 1990, Chapter P.13, the public meeting is now officially opened for the purpose of hearing comments regarding the following applications:

- Application for Official Plan and Zoning By-law Amendment – Jiggy Lake Property – Mat Burns
- Application for Part Lot Control and Zoning By-law Amendment – 18 Hall Street and 22 Hall Street- Gerald Levesque and Lynn Bousquet

CARRIED

PLANNING MEMORANDUM RE OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT

RESOLUTION # 2023-11-204

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

BE IT RESOLVED THAT Council notes the Planning Memorandum prepared by J.L. Richards & Associates Ltd. regarding the Official Plan and Zoning By-law Amendment – Jiggy Lake Property.

CARRIED

PLANNING MEMORANDUM RE PART LOT CONTROL AND ZONING BY-LAW AMENDMENT

RESOLUTION # 2023-11-205

MOVED BY: Trevor McVey

SECONDED BY: Rod MacDonald

BE IT RESOLVED THAT Council notes the Planning Memorandum prepared by J.L. Richards & Associates Ltd. regarding the application for Part Lot Control and Zoning By-law Amendment – 18 Hall Street and 22 Hall Street

CARRIED

1. Application for Official Plan and Zoning By-law Amendment – Jiggy Lake Property to redesignate lands from Natural Resource area to Rural to permit for residential uses. (see Minutes & Reports 7 b)

Members of the public had the opportunity to have their comments noted by Council during the meeting by submitting their comments in writing to the clerk before the meeting began, or by attending the meeting and verbally addressing Council.

There were six (6) members of the public present. The Municipal Planner, Sarah Vereault, was present and provided a summary of the applications and recommendations.

The following comments were received regarding the Jiggy Lake applications:

- Councillor Austin asked a question regarding the upkeep of the bridge located on the resource road used to access the Jiggy Lake property and several other seasonal cottages on Agnew Lake. Mat Burns (the applicant) said that they had been in contact with the other cottage owners, who identify themselves as the group “A Bridge Over Troubled Waters”, and they have agreed to assist in the upkeep of the bridge.
- Gerry Bernard, Mill Manager – Interfor Nairn Mill, asked how the proposed rezoning would affect the permitted uses of Interfor’s property located to the south of Jiggy Lake. Sarah Vereault outlined that this had been considered and that is why the proposed rezoning is only being recommended in the North-west corner of the property, and this would not affect Interfor’s property. He then requested that Interfor receives any further notices regarding the rezoning amendment.

2. Application for Part Lot Control and Zoning By-law Amendment – 18 and 22 Hall Street to re-align lot fabric and Zoning By-law Amendment to recognize the re-aligned lot fabric and provide for reduced setbacks. (see Minutes & Reports 7 c)

There were six (6) members of the public present. The Municipal Planner, Sarah Vereault, was present and provided a summary of the applications and recommendations.

There were no comments received regarding these applications.

RETURN TO COUNCIL MEETING

RESOLUTION # 2023-11-206

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

BE IT RESOLVED THAT that the public meeting is now officially closed at 8:07 p.m. and the regular council meeting is now reconvened.

CARRIED

NO FURTHER NOTICE TO BE GIVEN – OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT

RESOLUTION # 2023-11-207

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

BE IT RESOLVED THAT WHEREAS Council has received applications for an Official Plan Amendment and related Zoning By-law Amendment, File No. 2023-1 for the property legally described as PCL 627 SEC SWS; PT LT 4 CON 6 NAIRN AS IN A482; NAIRN AND HYMAN.

AND WHEREAS the Planning Report dated October 10, 2023, prepared by the Township's Planner J.L. Richards & Associates Limited, indicates that the proposed amendment is consistent with the Provincial Policy Statement, and otherwise conforms to the Township's Official Plan and complies with the Township's Zoning By-law;

AND WHEREAS a Public Meeting was held by the Council of the Township of Nairn & Hyman regarding the applications on October 16, 2023;

AND WHEREAS Council has considered the public input received;

THEREFORE IT BE RESOLVED THAT Council approves the Official Plan Amendment No. 6 which will redesignate the northwest portion of the subject land from Natural Resource Area to Rural to allow residential development and allow access to the property via crown lands subject into entering into an agreement with the Township;

AND THAT Council enacts a By-law to rezone the northwest portion of the subject lands from Rural (Rural Residential Special Exception Four (R3-X4) to permit a seasonal dwelling; and

AND THAT the Mayor and Clerk be authorized to sign the Zoning By-law Amendment and the Official Plan Amendment No. 6.

CARRIED

NO FURTHER NOTICE TO BE GIVEN – PART LOT CONTROL AND ZONING BY-LAW AMENDMENT

RESOLUTION # 2023-11-208

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

BE IT RESOLVED THAT BE IT RESOLVED THAT WHEREAS Council has received applications for Part Lot Control and related Zoning By-law Amendment, File No. 2023-2 for the property legally described as Lots 3 & 4, Block E, Plan M8 and Lots 5,8,9 and Part of Lots 6,7 and Lane, Block E, Plan M33, Nairn, Township of Nairn and Hyman, municipally known as 18 & 22 Hall Street;

AND WHEREAS the Planning Report dated October 10, 2023, prepared by the Township's Planner J.L. Richards & Associates Limited, indicates that the applications for Part Lot Control and a Zoning By-law amendment are consistent with the Provincial Policy Statement, and conform to the Township's Official Plan and otherwise comply with the Township's Zoning By-law;

AND WHEREAS a Public Meeting was held by the Council of the Township of Nairn & Hyman regarding the applications on October 16, 2023;

AND WHEREAS Council has considered the public input received;

THEREFORE IT BE RESOLVED THAT Council enacts a By-law to remove the subject lands from part lot control within a registered plan of subdivision, allowing for the realignment of the lot fabric;

AND FURTHER THAT Council enacts a By-law to R1 Special Exception Two (R1-X2) and R2 Special Exception One (R2-X1) to recognize the re-aligned lot fabric and provide for a reduced front yard and side yard setbacks for the existing house and side yard setback for the existing garage; and

AND THAT the Mayor and Clerk be authorized to sign the Part Lot Control By-law and the Zoning By-law Amendment.

CARRIED

ADOPTED COUNCIL MINUTES

RESOLUTION # 2023-11-209

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

BE IT RESOLVED that the following council minutes be accepted as presented:

- a) Regular Council Meeting Minutes – September 18, 2023

CARRIED

CLOSED SESSION MINUTES

RESOLUTION # 2023-11-210

MOVED BY: Trevor McVey

SECONDED BY: Guy Despatie

RESOLVED THAT the Closed Session Minutes from the Sept. 18, 2023 meeting will be accepted during the Closed Session period.

CARRIED

RECEIVED MINUTES AND REPORTS

RESOLUTION # 2023-11-211

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

RESOLVED THAT the Minutes and Reports Items 7 d) - k) are noted as received.

CARRIED

CAO REPORT RE: UPDATE ON RECYCLING DEPOT

RESOLUTION # 2023-11-212

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

WHEREAS Council has received the CAO's Report #2023-28 entitled "Update on Recycling Depot"; and

THEREFORE BE IT RESOLVED THAT Council requests that the RPRA, the Blue Box Transition Staff working on behalf of the Waste Diversion Transition Act (WDTA), and the Staff working on behalf of the Continuous Improvement Fund review and approve the new Recycling Depot for the residents of the Township of Nairn and Hyman that do not receive curb-side pickup of recycling products to be established at the Municipal Landfill Site located on Sand Bay Road, that is currently operated by Municipal Staff; and

FURTHER THAT Council directs Staff to report back regarding the approval at the next meeting, and

FURTHER THAT Council directs staff to begin implementing the new depot.

CARRIED

REQUEST TO MTO FOR REDUCTION OF SPEED LIMIT ON HWY 17

RESOLUTION # 2023-11-213

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

WHEREAS the Ministry of Transportation is responsible for ensuring the safety of travellers on Ontario's Highways;

AND WHEREAS Highway 17 that intersects through the Settlement Area of Nairn Centre is a Provincial Highway that sees a significantly high volume of traffic;

AND WHEREAS residents have expressed safety concerns regarding the posted speed limit in this area and the traffic moving at high rates of speed;

AND WHEREAS many accidents have occurred in this area;

AND WHEREAS this area is a known as a migratory route for wild animals such as deer and moose;

AND WHEREAS the OPP has been present on many occasions to deal with disposing of injured wild animals in this area;

AND WHEREAS Council for the Township of Nairn and Hyman, at its meeting of October 16, 2023, discussed the matter and made the following recommendations;

BE IT RESOLVED THAT the Council for the Township of Nairn and Hyman respectfully requests the Ministry of Transportation to review the posted speed limit on Highway 17 in the settlement area of Nairn Centre of 70 km/hr and reduce it to 60 km/hr;

AND FURTHER THAT the speed limit be reduced on Highway 17 west of the Nairn Centre settlement area to the Old Nairn Road intersection from 90 km/hr to 70 km/hr to promote improved community safety;

AND FURTHER THAT a second streetlight and a overhead flashing light be installed at the North side of the intersection of Highway 17 and Old Nairn Road to allow for better visibility and safety;

AND THAT a copy of this resolution be sent to the Honourable Prabmeet Sarkaria, the Minister of Transportation, to Michael Mantha, MPP for Algoma-Manitoulin, and the Ministry of Transportation's Operational Traffic Engineering office.

CARRIED

**CAO REPORT RE: UPDATED - AMENDMENTS TO COMMUNITY CENTRE FEE BY-LAW
RESOLUTION # 2023-11-214**

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

WHEREAS Council has received the CAO's Report #2023-30 titled Update - Amendments to the Community Centre Fee By-law, and

RESOLVED THAT Council agrees to adopt the proposed fee structure and the draft proposed Hall Rental Agreement By-law: and

FURTHER THAT Council directs that this By-law be enacted at the next meeting.

CARRIED

CAO REPORT RE: OTF RESILIENT COMMUNITIES FUND

RESOLUTION # 2023-11-215

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

WHEREAS Council has received the CAO's Report #2023-31; and

RESOLVED THAT Council directs staff to apply for the OTF Resilient Communities Fund; and

FURTHER THAT Council directs that staff apply for funding for the following project: to update our digital record management systems.

CARRIED

ACCEPTED MINUTES

RESOLUTION # 2023-11-216

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

WHEREAS Council accepts the following Meeting Minutes as presented:

- LaCloche Foothills Municipal Association, Meeting Report of March 27, 2023
- Township of Nairn and Hyman – Community Parks and Recreation Committee Unapproved Minutes, September 14, 2023

CARRIED

RECEIPT OF BIDS – REHABILITATION OF A PORTION OF SAND BAY ROAD

RESOLUTION # 2023-11-217

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

RESOLVED THAT Council acknowledge receipt of the following bids

(Bid No. 2023SANDBAY-1) in the amounts of:

- 1) Z'gamok Construction LP \$229,275.31 inclusive of HST
- 2) Pioneer Construction Inc. \$411,038.44 inclusive of HST

CARRIED

REHABILITATION OF A PORTION OF SAND BAY ROAD

RESOLUTION # 2023-11-218

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

BE IT RESOLVED THAT Council directs that none of the bids received for the Rehabilitation of a portion of Sand Bay Road be accepted, and

FURTHER that the budget amount for the Sand Bay Road repairs for \$80,000.00 be placed in the following reserve: Roads, to do this project at a future time.

CARRIED

FIRE CHIEF REPORT

RESOLUTION # 2023-11-219

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

BE IT RESOLVED THAT the following Report 7 k) Fire Chief's Report to Council dated October 11, 2023 is accepted as presented; and

FURTHER THAT the Fire Chief prepare a formal letter in support of Council's recommendation of lowering of the posted speed limits on Highway 17 through Nairn Centre and submit it the CAO.

CARRIED

RECEIVED CORRESPONDENCE

RESOLUTION # 2023-11-220

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

RESOLVED THAT the Correspondence Items 8 a) - c) are noted as received.

CARRIED

NOTICE OF CONTRACT TERMINATION – SAND BAY RECYCLING DEPOT

RESOLUTION # 2023-11-221

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

BE IT RESOLVED THAT Council accepts the correspondence received from Warner Woodley operating as Sand Bay Camps regarding the Notice of Contract Termination of the Recycling Depot on December 31, 2023.

CARRIED

ADVERTISEMENT – MILITARY SERVICE RECOGNITION BOOK

RESOLUTION # 2023-11-222

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

WHEREAS Council has received the correspondence from the Royal Canadian Legion Ontario Command requesting support from the Township through the purchase of an advertisement in the 11th annual edition of their Military Service Recognition Book; and

THEREFORE BE IT RESOLVED THAT Council directs staff to purchase an ad size for the amount of \$0.

CARRIED

CEMC SERVICES

RESOLUTION # 2023-11-223

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

WHEREAS Council has received the quote for Emergency Management Services including acting as the Township's Community Emergency Management Coordinator (C.E.M.C) from Phoenix Emergency Management and

THEREFORE BE IT RESOLVED THAT Council accepts the proposal for CEMC Services for the time period of 3 years, in the amount of \$37,000.00 for the total time period.

CARRIED

SUPPORT RESOLUTION RE: PROVINCIAL LEGISLATION FOR THIRD-PARTY SHORT-TERM RENTAL COMPANIES

RESOLUTION # 2023-11-224

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

BE IT RESOLVED THAT the Council of the Corporation of the Township of Nairn and Hyman supports the resolution of the City of Burlington requesting that the Provincial Government legislate all third-party short-term rental (STR) brokerage companies requiring them to:

- ensure that they appropriately manage their listing to compel compliance; and
- establish a registry system, making it mandatory for each rental listing to register and pay an appropriate annual fee to be paid to the municipality in which the STR properties are located, allowing the municipality to be aware all STR properties and have access to funds to assist with the response and enforcement of issues surrounding STR properties; and
- de-list/remove a property from the companies listing when a municipality has identified and verified health/nuisance infractions to ensure a property cannot be rented; and

AND THAT a copy of this resolution sent to the Minister of Municipal Affairs and Housing and the City of Burlington.

CARRIED

BY-LAW TO ADOPT OFFICIAL PLAN AMENDMENT NO. 6

RESOLUTION # 2023-11-225

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

BE IT RESOLVED THAT “A By-law to Adopt Official Plan Amendment No. 6 for the Township of Nairn and Hyman” be read a first, second and third time, and finally passed in open council and its number shall be 2023-28.

CARRIED

BY-LAW TO AMEND BY-LAW NO. 2013-5

RESOLUTION # 2023-11-226

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

BE IT RESOLVED THAT “A By-law to Amend By-law No. 2013-5” be read a first, second and third time, and finally passed in open council and its number shall be 2023-29.

CARRIED

BY-LAW TO REMOVE LANDS FROM PART LOT CONTROL

RESOLUTION # 2023-11-227

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

BE IT RESOLVED THAT “Being A By-law to Remove Lands from Part-Lot Control Within: Lots 3 & 4, Block E, Plan M8 and Lots 5,8,9 and Part of Lots 6,7 and Lane, Block E, Plan M33, Nairn, Township of Nairn and Hyman” be read a first, second and third time, and finally passed in open council and its number shall be 2023-30.

CARRIED

BY-LAW TO AMEND BY-LAW NO. 2013-5

RESOLUTION # 2023-11-228

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

BE IT RESOLVED THAT “A By-law to Amend By-law No. 2013-5” be read a first, second and third time, and finally passed in open council and its number shall be 2023-31.

CARRIED

FOR INFORMATION ONLY ITEMS

RESOLUTION # 2023-11-229

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

BE IT RESOLVED THAT Council notes the For Information Only Items 11 a) – d).

CARRIED

RENTAL OF RINK SHACK

RESOLUTION # 2023-11-230

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

WHEREAS Council has reviewed the Other Business Item shared by Mayor Mazey requesting that Council consider renting out the Rink Shack; and

BE IT RESOLVED THAT Council directs staff to prepare an agreement at the next Council meeting.

CARRIED

SECOND FLAGPOLE AT THE MUNICIPAL OFFICE

RESOLUTION # 2023-11-231

MOVED BY: Wayne Austin

SECONDED BY: Trevor McVey

WHEREAS Council has reviewed the Other Business Item shared by Councillor Austin at the September Council Meeting requesting that a second flagpole be installed at the Municipal Office; and

BE IT RESOLVED THAT Council directs staff to install a flagpole with the total budget amount of \$500.00 which will be funded in part by donated funds of \$300.00 from Councillor Austin.

CARRIED

FLYING THE FLAG POLICY

RESOLUTION # 2023-11-232

MOVED BY: Trevor McVey

SECONDED BY: Wayne Austin

WHEREAS Council has reviewed the Other Business Item shared by Councillor Austin at the September Council Meeting regarding a “Flying the Flag Policy; and

BE IT RESOLVED THAT Council directs staff to prepare a By-Law to accept the “Flying the Flag” policy and that a schedule be attached for a request form.

CARRIED

MOVE TO CLOSED SESSION

RESOLUTION # 2023-11-233

MOVED BY: Trevor McVey

SECONDED BY: Rod MacDonald

BE IT RESOLVED that Council move into closed session at 9:37 p.m. for the purpose stated in section 239.2 of the Municipal Act:

- Personal Matters regarding an identifiable individual, including a municipal employee
- Acquisition or disposition of land

CARRIED

Resolution Numbers 2023-11-234 and 2023-11-235 were dealt with in closed session and is in a sealed envelope and filed in the office of the CAO/Clerk.

RETURN TO OPEN SESSION

RESOLUTION # 2023-11-236

MOVED BY: Wayne Austin

SECONDED BY: Trevor McVey

BE IT RESOLVED that council return to the open meeting at 9:57 p.m. and report on the general discussions held in closed session:

- Personal Matters regarding an identifiable individual
- Acquisition or disposition of land

CARRIED

Mayor Mazey explained that council discussed matters related to personal matters regarding an identifiable individual, and a potential acquisition of land.

QUESTION PERIOD

There were no questions presented to Council.

BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL

RESOLUTION # 2023-11-237

MOVED BY: Trevor McVey

SECONDED BY: Rod MacDonald

RESOLVED THAT “Being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Nairn and Hyman” be read a first, second and third time, and finally passed in open council and its number shall be 2023-32.

CARRIED

ADJOURNMENT

RESOLUTION # 2023-11-238

MOVED BY: Wayne Austin

SECONDED BY: Trevor McVey

RESOLVED: that the meeting of October 16th, 2023, do now adjourn at 9:58 p.m. to meet again on the 13th day of November, 2023, or at the call of the Mayor.

CARRIED

Mayor

Clerk

These minutes shall not be considered as official minutes until they have been approved by council at their next meeting.