



## **MUNICIPALITY OF ARRAN-ELDERSLIE**

### **Council Meeting**

### **MINUTES**

**Monday, September 25, 2023, 9:00 a.m.**

**Council Chambers**

**1925 Bruce Road 10, Chesley, ON**

Council Present: Mayor Steve Hammell  
Deputy Mayor Jennifer Shaw - electronically (left meeting at 12:00 p.m.)  
Councillor Ryan Nickason  
Councillor Brian Dudgeon - left meeting at 12:31 p.m.  
Councillor Moiken Penner  
Councillor Peter Steinacker

Council Absent: Councillor Darryl Hampton

Staff Present: Sylvia Kirkwood - CAO  
Christine Fraser-McDonald - Clerk  
Julie Hamilton - Deputy Clerk  
Scott McLeod - Public Works Manager  
Tracey Neifer - Treasurer  
Carly Steinhoff - Recreation Manager  
Pat Johnston - Chief Building Official - Present Electronically  
Steve Tiernan - Fire Chief  
Jessica Pridham - Economic Development & Communication Coordinator

#### **1. Call to Order**

Mayor Hammell called the meeting to order at 9:00 am. A quorum was present.

#### **2. Mayor's Announcements (If Required)**

- Council will be going into Closed Session today at 11:00 a.m.
- I want to congratulate Len Philippi on his win at the Association of Ontario Road Supervisors Truck Rodeo competition. Len is the winner of the John Gloor Memorial Trophy and Top Driver of the Year. I would also like to congratulate Casey Hillier who placed second in the competition.
- I would like to introduce and congratulate some of our Arran-Elderslie youth who participated in the Saugeen Student Startup Program (SSUP)

with Saugeen Connects this past summer. The program provides youth in grades 6-12 with the opportunity to start their own summer businesses. This year the program received 75 applicants. From this, 58 new businesses were created and operated by youth in the region. First, I would like to introduce Ella Legge. Ella's company is called "Blue's Bites" and they are homemade horse treats. Blue's Bites are for equestrians in Grey & Bruce as well as they ship throughout Canada. You can learn more about her business by visiting the Blue's Bites Facebook page. Next, I would like to introduce Serena Foxcroft and Charlie Van Sickle. They created "S & C's Babysitting Service" where they demonstrated how to operate a successful childcare service. Congratulations to these motivated and creative young entrepreneurs on their hard work and success this summer.

- **Saved by the Beep!!** September 28<sup>th</sup> is Ontario's first "Test Your Smoke Alarm Day". Last year there were 133 fire fatalities in Ontario. As part of "Test Your Smoke Alarm Day", everyone is encouraged to learn more about smoke alarms, fire safety and home fire escape planning which can save the lives of you and your family. Most importantly, we want you to test your smoke alarms. If you require assistance, the Arran-Elderslie Fire and Emergency Services will come to your home, by appointment, and test your smoke and carbon monoxide alarms to ensure they are working properly.
- September 30<sup>th</sup> is the National Day for Truth and Reconciliation and Orange Shirt Day. This day honours the children who never returned home and survivors of residential schools, as well as their families and communities. Public commemoration of the tragic and painful history and ongoing impacts of residential schools is a vital component of the reconciliation process.
- Just a note that Thanksgiving is on October 9<sup>th</sup>. The administration office will be closed that day and Council will be held on October 10<sup>th</sup> @ 9:00 a.m.
- The Chesley Hospital Foundation will be holding a Gala on September 30, 2023.

### 3. Adoption of Agenda

Council passed the following resolution:

**256-18-2023**

**Moved by:** Councillor Dudgeon - left meeting at 12:31 p.m.

**Seconded by:** Councillor Nickason

Be It Resolved that the agenda for the Council Meeting of Monday, September 25, 2023 be received and adopted, as distributed by the Clerk.

**Carried**

**4. Disclosures of Pecuniary Interest and General Nature Thereof**

None at this time.

**5. Unfinished Business**

Councillor Steinacker that he will be withdrawing his Notice of Motion and staff will be bringing forward a report to the October 10, 2023 Council meeting.

**6. Minutes of Previous Meetings**

Subsequent to further discussion, Council passed the following resolution:

**257-18-2023**

**Moved by:** Councillor Penner

**Seconded by:** Councillor Steinacker

Be It Resolved that the Council of the Municipality of Arran-Elderslie adopt the minutes of the Regular Council Session held September 11, 2023.

**Carried**

**7. Business Arising from the Minutes**

None.

**8. Minutes of Sub-Committee Meetings**

**8.1 JHSC - June 15, 2023 Approved Minutes**

Council passed the following resolution:

**258-18-2023**

**Moved by:** Councillor Dudgeon - left meeting at 12:31 p.m.

**Seconded by:** Councillor Nickason

Be It Resolved that Council receives the Health and Safety Committee Minutes of June 15, 2023 for information purposes.

**Carried**

**9. Public Meeting(s)**

**9.1 Zoning By-law Amendment Z-2023-052 - Don Grant**

Mayor Steve Hammell called the public meeting to order at 9:16 a.m. He stated that the purpose of the public meeting was to consider a proposed Zoning By-law Amendment Z-2023-052 for Don Grant at 771 B Line. The related Consent File is B-2023-050.

CAO Sylvia Kirkwood excused herself for the Public Meeting as she is an owner of the subject property.

Rebecca Elphick, Planner for the County of Bruce, attended the meeting electronically and presented her report.

She noted that the application proposes to sever +/- 1.2 ha, with a frontage of +/- 12 m along B Line. The retained parcel will have an area of +/- 40.5 ha, with a frontage of +/- 1,032 m on B Line. The severed parcel is a surplus farm residence that will continue to be used as such. No new buildings or uses are proposed. The retained parcel will continue to be used as farmland (crops) with no structures. A Zoning By-law Amendment is required to prohibit future residential uses on the proposed retained parcel.

Comments were received from the following agencies:

- Saugeen Valley Conservation Authority (SVCA): In correspondence dated September 5, 2023, SVCA staff note that they find the application to be acceptable and request notification of any decisions made by the Municipality or County with regard to the application. SVCA further request a copy of the decisions and notice of any appeals filed.
- Public Works (Municipality of Arran Elderslie): In correspondence dated August 22, 2023, Public Works staff noted no comments related to the subject applications.
- Building Department (Municipality of Arran Elderslie): In correspondence dated August 22, 2023, Building Department staff noted no concerns related to the subject applications.
- Historic Saugeen Metis (HSM) Lands, Resources and Consultation Department: In correspondence dated August 21, 2023, HSM staff noted no objection or opposition to the proposed Consent and Zoning By-law Amendment as presented.
- Hydro One: In correspondence dated August 24, 2023, Hydro One staff noted no comments or concerns related to the subject applications.

The Mayor asked Members of Council if they had any questions.

The Mayor asked if the applicant or agent were present and wished to make a submission.

The Mayor asked if any members of the public wished to make a submission either in favour or opposed to the proposed application.

No submission were made.

The Mayor asked the Clerk if any written submissions had been received.

The Clerk confirmed that none had been received.

Members of Council and the public were provided a final opportunity for questions prior to the closing of the public meeting.

The Mayor declared the public meeting closed at 9:22 a.m.

Council passed the following motion:

**259-18-2023**

**Moved by:** Councillor Dudgeon - left meeting at 12:31 p.m.

**Seconded by:** Councillor Nickason

Subject to a review of submissions arising from the public meeting, that Council approve Zoning By-law Amendment Z-2023-052 (Grant) as attached and the necessary by-law be forwarded to Council for adoption.

**Carried**

**9.2 Zoning By-law Amendment - Z-2023-067 - Bill Kuntz and Christine Patchell**

Mayor Steve Hammell called the public meeting to order at 9:12 a.m. He stated that the purpose of the public meeting was to consider a proposed Zoning By-law Amendment Z-2023-067 for Bill Kuntz and Christine Patchell at 816 Concession 10 East.

Rebecca Elphick, Planner for the County of Bruce, attended the meeting electronically and presented her report.

She noted that the application proposes to sever a +/- 20.25 ha parcel with a frontage of +/- 201 m on Concession 10 East Arran. The retained parcel will have an area of +/- 30.16 ha with a frontage of +/- 353 m on Concession 10 East Arran. The severed parcel will be used for agricultural purposes. The retained parcel will continue to be used for agricultural and residential purposes. A Zoning By-Law Amendment is proposed to recognize a reduced minimum lot area of +/- 20.25 ha for an agriculture lot in the A1 Zone, where 39 hectares is required by Section 6.3 of the Zoning By-law for the Municipality of Arran-Elderslie. The related Consent File is B-2023-063.

Comments were received from the following agencies:

- Historic Saugeen Metis (HSM) Lands, Resources and Consultation Department: In correspondence dated August 21, 2023, HSM staff noted no objection or opposition to the proposed Consent and Zoning By-law Amendment as presented.
- Hydro One: In correspondence dated August 23, 2023, Hydro One staff noted no comments or concerns related to the subject applications.
- Grey Sauble Conservation Authority (GSCA): In correspondence dated September 12, 2023, GSCA staff note that portions of the subject property are located within the 120-metre area of interference from the Arran Lake Provincially Significant Wetland, as well as within the allowance from a drainage feature to the east of the property along Concession 10. GSCA staff advise that these areas are regulated under O. Reg 151/06 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses), but that no permits would be required to facilitate the subject applications, as no new development is proposed. Staff note that GSCA generally has no objections to the proposed severance and zoning amendment.

The Mayor asked Members of Council if they had any questions.

The Mayor asked if the applicant or agent were present and wished to make a submission.

The Mayor asked if any members of the public wished to make a submission either in favour or opposed to the proposed application.

No submission were made.

The Mayor asked the Clerk if any written submissions had been received.

The Clerk confirmed that none had been received.

Members of Council and the public were provided a final opportunity for questions prior to the closing of the public meeting.

The Mayor declared the public meeting closed at 9:40 a.m.

Council passed the following motion:

**260-18-2023**

**Moved by:** Councillor Dudgeon - left meeting at 12:31 p.m.

**Seconded by:** Councillor Nickason

Subject to a review of submissions arising from the public meeting, that Council approve Zoning By-law Amendment Z-2023-067 (Kuntz/Patchell) and the necessary by-law be forwarded to Council for adoption.

- 10. Delegations
- 11. Presentations
- 12. Correspondence

- 12.1 Requiring Action

- 12.2 For Information

Subsequent to further discussion, Council passed the following resolution:

**261-18-2023**

**Moved by:** Councillor Steinacker

**Seconded by:** Councillor Nickason

Be It Resolved that the Council of the Municipality of Arran-Elderslie receives, notes, and files correspondence on the Council Agenda for information purposes.

**Carried**

12.2.1 Bruce Area Solid Recycling Board of Management - Minutes June 15, 2023

12.2.2 Media Release - Rick Byers, MPP

12.2.3 Follow Up Letter Re: Tile Drainage Loan Program Review and Chatsworth Support Resolution

- 13. Staff Reports

- 13.1 CAO/Clerks

- 13.1.1 SRCLK.2023.06 – Review of the Electoral System

Clerk, Christine Fraser-McDonald responded to questions from Members of Council.

Subsequent to further discussion, Council passed the following resolution:

**262-18-2023**

**Moved by:** Councillor Steinacker

**Seconded by:** Deputy Mayor Shaw - electronically (left meeting at 12:00 p.m.)

Be It Resolved that Council hereby,

1. Directs staff to proceed with seeking input from the community on their support for electing Councillors in a ward-based system or electing Councillors through an at-large system;
2. That a public survey be created seeking community input; and
3. That staff to bring a recommendation report and if applicable implementing bylaw to Council in Q2 outlining community feedback received in 2024.

**Tabled**

#### 13.1.2 SRCLK.2023.09 – Appointment of Fence Viewers

Clerk, Christine Fraser-McDonald responded to questions from Members of Council.

Subsequent to further discussion, Council passed the following resolution:

**263-18-2023**

**Moved by:** Councillor Steinacker

**Seconded by:** Councillor Nickason

Be It Resolved that Council hereby,

1. Directs staff to prepare a by-law to appoint the following as Fence Viewers for the Municipality of Arran-Elderslie; Jacob Sloan, Karen Clark, Harvey Tuttle and Jim Herron for 2023 to 2026.

**Carried**

## 13.2 Finance

#### 13.2.1 SRFIN.23.22 Consulting Services for Stormwater Rate Study

Treasurer, Tracey Neifer, responded to questions from Members of Council.

Subsequent to further discussion, Council passed the following resolution:

**264-18-2023**

**Moved by:** Councillor Dudgeon - left meeting at 12:31 p.m.

**Seconded by:** Councillor Penner

Be It Resolved that Council hereby,

1. Directs staff to engage the services of Hemson Consulting Ltd. for the preparation of a Stormwater Rate Study at a cost of \$43,234 inclusive of HST;
2. That the award of the consulting services be exempt from Article 9 of the Procurement Policy;
3. The 2023 project costs estimated to be \$13,187 shall be funded by 01-3018-4601; and
4. Council gives 2024 pre-budget approval of \$30,047 for completion of the project.

**Carried**

#### 13.2.2 SRFIN.23.21 Financial Report – August 31, 2023

Treasurer, Tracey Neifer, responded to questions from Members of Council regarding her information report.

### 13.3 Public Works

#### 13.3.1 SRW.23.23 Assume Lands into Municipal Road System - Sideroad 15, Elderslie

Works Manager, Scott McLeod responded to questions from Members of Council.

Subsequent to further discussion, Council passed the following resolution:

#### **267-18-2023**

**Moved by:** Councillor Dudgeon - left meeting at 12:31 p.m.

**Seconded by:** Councillor Nickason

Be It Resolved that Council hereby,

1. Declares that the lands, according to Plan 3R-10501, legally described as PART 1 AND 2 OF LOT 15, CONCESSION 9 AND 10, in the geographic Township of Elderslie, in the Municipality of Arran-Elderslie, are hereby established as a public highway and assumed into the Municipal Road

System of the Corporation of the Municipality of Arran-Elderslie;

2. That the lands described above shall be known as Sideroad 15 South, Elderslie;
3. The lands, according to Plan 3R-10501, legally described as the ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 15 AND 16, CONCESSION 10, in the geographic Township of Elderslie, are hereby declared as permanently closed and removed from the Municipal Road System;
4. Approve the bylaw to assume the above-described lands into the Municipal Road System; and
5. Approve the bylaw to permanently close the above-mentioned lands and remove the lands from the Municipal Road System.

**Carried**

**13.4 Building/Bylaw**

**13.5 Facilities, Parks and Recreation**

**13.6 Emergency Services**

**13.6.1 Request to Purchase Portable Pump for Tanker 94 - Chesley District Fire Department**

Fire Chief, Steve Tiernan, discussed the need for a new portable pump for Tanker 94 with Members of Council.

Subsequent to further discussion, Council passed the following resolution:

**268-18-2023**

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Penner

Be it Resolved that Council approves the emergency purchase of a VDG-2D 23 h.p. 2 1/2" portable pump from A.J. Stone in the amount of \$7,300 plus HST for Tanker 94 at the Chesley and District Fire Hall. Three thousand (\$3,000) dollars of this purchase will be funded from the Chesley Fire Fighter's Association, while the remaining portion will be funded through Minor Capital - 01-2012-9020.

And further that the purchase of this pump be exempted from Article 4 of the Procurement Policy.

**13.7 Economic Development and Planning**

13.7.1 SRECDEV.2023.01 Economic Development and Communications Update

Economic Development and Communications Coordinator, Jessica Pridham, responded to questions from Members of Council.

Council will send a formal letter to Bruce County thanking them for their help.

**14. Notice of Motion**

**15. Members Updates**

Shaw:

Deputy Mayor Shaw was absent when she left the meeting at 12:00 p.m.

Hampton:

Councillor Hampton was absent.

Dudgeon:

Councillor Dudgeon was absent when he left the meeting at 12:31 p.m.

Steinacker:

Councillor Steinacker attended the Tara Fall Fair, walked part of the Paisley Trail with the Facilities Manager, the Tara restaurant is open again, and the Bruce County Safe Community Committee has disbanded. He thanked Mayor Hammell for helping to keep the hospital open.

Penner:

Councillor Penner attending the Bridge Master Plan meeting and a Saugeen Valley Conservation Authority meeting.

Nickason:

Councillor Nickason will be attending a BASWR meeting and a Wind Turbine meeting.

Hammell:

Mayor Hammell attended the Tara Fall Fair, and he will be sending a letter to the Tara School Teachers to continue with the half day holiday in Tara. He also attended the Bridge meeting. He thanked staff for their contribution to the media release regarding the Chesley Hospital.

**16. New Business**

**17. By-laws**

**17.1 By-Law No. 44-2023 - Appointment of Fence Viewers**

Subsequent to further discussion, Council passed the following resolution:

**269-18-2023**

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Penner

Be It Resolved that By-law No.44-2023 be introduced and read a first, second and third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book.

By-law 44-2023 being a By-law to authorize the appointment of Fence Viewers for the Municipality of Arran-Elderslie.

**Carried**

**17.2 By-Law No. 45-2023 - Municipal Cost Apportionment Agreement for GSCA Category 3 Programs and Services**

Subsequent to further discussion, Council passed the following resolution:

**270-18-2023**

**Moved by:** Councillor Steinacker

**Seconded by:** Councillor Nickason

Be It Resolved that By-law No. 45-2023 be introduced and read a first, second and third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book.

By-law 45-2023 being a By-law to Being A By-Law to Authorize an Apportionment Agreement For Category 3 Services Between The Municipality Of Arran-Elderslie and The Grey Sauble Conservation Authority.

**Carried**

**17.3 By-Law No. 46-2023 Assume lands into Municipal Road System**

Deputy Clerk, Julie Hamilton, responded to questions from Members of Council.

Subsequent to further discussion, Council passed the following resolution:

**271-18-2023**

**Moved by:** Councillor Penner

**Seconded by:** Councillor Nickason

Be It Resolved that By-law No. 46-2023 be introduced and read a first, second and third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book.

By-law 46-2023 being a By-law to assume lands described Part 1 and 2 on Plan 3R-10501, Lot 15, Concession 9 and 10, in the Geographic Township of Elderslie, in the Municipality of Arran-Elderslie, into the Municipal Road System.

**Carried**

#### **17.4 By-law 47-2023 - Shantz Z-2023-035**

Subsequent to further discussion, Council passed the following resolution:

##### **272-18-2023**

**Moved by:** Councillor Steinacker

**Seconded by:** Councillor Nickason

Be It Resolved that By-law No. 47-2023 be introduced and read a first, second and third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book.

By-law 47-2023 being a By-law to rezone the lands located at 388 Bruce Road 11 from 'General Agriculture A1' Zone and 'Environmental Protection (EP)' Zone to 'General Agriculture Special (A1-47-2023)' Zone, General Agriculture Special Holding Zone (A1-47-2023-H1) and 'Environmental Protection (EP)' Zone to allow for a home industry.

**Carried**

#### **17.5 By-law 48-2023 - Close a Portion of a Highway**

Subsequent to further discussion, Council passed the following resolution:

##### **272-18-2023**

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Steinacker

Be It Resolved that By-law No. 48-2023 be introduced and read a first, second and third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book.

By-law 48-2023 being a By-law to permanently close a highway being the original road allowance between Lots 15 and 16, Concession 10, geographic Township of Elderslie, PIN 33178-0071.

**Carried**

**18. Closed Session (if required)**

Subsequent to further discussion, Council passed the following resolution:

**265-18-2023**

**Moved by:** Councillor Dudgeon - left meeting at 12:31 p.m.

**Seconded by:** Councillor Penner

*Be It Resolved*, That the Council of the Municipality of Arran-Elderslie does now go into closed session to discuss an item(s) which relates to:

- ( ) the security of the property of the municipality or local board;
- ( ) personal matters about an identifiable individual, including municipal or local board employees;
- ( ) a proposed or pending acquisition or disposition of land by the municipality or local board;
- ( ) labour relations or employee negotiations;
- ( ) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (X) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- ( ) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
- ( ) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- ( ) 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;
- ( ) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or

( ) 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.

Staff Authorized to Remain: CAO Sylvia Kirkwood, Clerk Christine Fraser-McDonald, CBO Patrick Johnston, Municipal Solicitor Kevin Thompson, SV Law

**Carried**

**19. Resolution to Reconvene in Open Session**

Mayor Hammell confirmed that Council discussed only those matters identified in the above motion.

Council passed the following resolution:

**266-18-2023**

**Moved by:** Councillor Dudgeon - left meeting at 12:31 p.m.

**Seconded by:** Councillor Nickason

Be It Resolved That Council of the Municipality of Arran-Elderslie does now return to the Open Session at 11:55 a.m.

**Carried**

**20. Adoption of Recommendations Arising from Closed Session (If Any)**

Direction was given to staff in Closed Session for Item 1.

**21. Adoption of Closed Session Minutes**

**22. Confirming By-law**

**22.1 By-law 49-2023 - Confirming By-law**

Subsequent to further discussion, Council passed the following resolution:

**273-18-2023**

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Penner

Be It Resolved that By-law No. 49-2023 be introduced and read a first, second and third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book.

By-law 49-2023 being a By-law to confirm the proceedings of the Regular Council meeting of the Municipality of Arran-Elderslie held Monday, September 25, 2023.

**Carried**

**23. Adjournment**

Subsequent to further discussion, Council passed the following resolution:

**274-18-2023**

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Penner

Be It Resolved that the meeting be adjourned to the call of the Mayor at 12:52 p.m.

**Carried**

**24. List of Upcoming Council meetings**

- October 10, 2023
- October 23, 2023
- November 13, 2023
- November 27, 2023
- December 11, 2023

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Steve Hammell, Mayor

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Christine Fraser-McDonald, Clerk