



## **MUNICIPALITY OF ARRAN-ELDERSLIE**

### **Council Meeting**

### **MINUTES**

**Monday, February 12, 2024, 9:00 a.m.**

**Council Chambers**

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

Council Present: Mayor Steve Hammell  
Deputy Mayor Jennifer Shaw  
Councillor Ryan Nickason  
Councillor Brian Dudgeon  
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  
Carly Steinhoff - Recreation Manager  
Pat Johnston - Chief Building Official - Present Electronically  
Steve Tiernan - Fire Chief  
Jessica Pridham, Economic Development & Communications 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)**

- Tara United Church Pancake Supper, Tuesday Feb. 13 from 5:00-7:00 PM. \$10/person, \$5/child or \$30/family. Take out available for pickup starting at 4:00PM, Must be preordered by Feb 10 with Anita 519-934-3047
- Chesley Nursery School 45th Anniversary Pancake Supper and Silent Auction on Tuesday Feb. 13, 5-7PM at the Chesley Community Centre. Tickets are \$12 for adults and \$5 for kids under 10.
- On February 17<sup>th</sup>, Arran-Elderslie will be hosting the Paisley 150<sup>th</sup> Anniversary Kick-off Event. Details will be announced on social media.

There will be more community-led events in honour of Paisley's 150<sup>th</sup> throughout the year.

- Please note that the Administration Office will be closed on February 19<sup>th</sup> for Family Day.
- The Community Guide is out in the mail. Look for yours in your mailbox.
- The Tara Curling Club will be hosting a trivia night on March 2, 2024 at the Arran-Tara Community Centre at 8:00 p.m.
- The Arran-Elderslie First Responders will be playing a hockey game against the U18 Ice Dogs on February 18<sup>th</sup>.

### **3. Adoption of Agenda**

Council passed the following resolution:

**41-04-2024**

**Moved by:** Councillor Dudgeon

**Seconded by:** Deputy Mayor Shaw

Be It Resolved that the agenda for the Council Meeting of Monday, February 12, 2024 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**

### **6. Minutes of Previous Meetings**

#### **6.1 January 29, 2024 - Council Minutes**

Subsequent to further discussion, Council passed the following resolution:

**42-04-2024**

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Penner

Be It Resolved that the Council of the Municipality of Arran-Elderslie adopt the minutes of the Regular Council Session held January 29, 2024.

**Carried**

#### **6.2 February 6, 2024 - Special Council Minutes**

Subsequent to further discussion, Council passed the following resolution:

**43-04-2024**

**Moved by:** Councillor Steinacker

**Seconded by:** Councillor Dudgeon

Be It Resolved that the Council of the Municipality of Arran-Elderslie adopt the minutes of the Special Council Session held February 6, 2024, as amended.

**Carried**

- 7. Business Arising from the Minutes**
- 8. Minutes of Sub-Committee Meetings**
- 9. Public Meeting(s)**

**9.1 Public Meeting - Zoning By-law Amendment Z-2023-099 - Thomson**

Mayor Steve Hammell called the public meeting to order at 9:00 a.m. He stated that the purpose of the public meeting was to consider a proposed Zoning By-law Amendment for Gerald Thomson and John Thomson. The property is located at Part Lot 28, Concession 12, (Elderslie), in Dobbinton, Roll Number 4103-380-004-11600.

Megan Stansfield, Planner for the County of Bruce, attended the meeting and presented her report. She clarified the address of the subject property and noted that future reports will provide a clear address and location information.

She noted that the application proposes to rezone the property to reduce the Environmental Protection zone as per Grey Sauble Conservation Authority recommended hazard area and reduce the side yard setbacks to three (3) metres to make the lot viable for building. A holding is required for an archaeological assessment.

The applicant owns this lot and due to the current zoning and zoning provisions, the lot is constrained and development is difficult. Development, in large part, is constrained at this time because of the significant coverage of the Environmental Protection Zone, on the property.

The lot is within an area of high archaeological potential, and the Saugeen Ojibway Nation Environment Office have advised that an archaeological assessment will be required prior to development. This condition is being addressed through the addition of a Holding on the property, which can be removed at the completion of an assessment.

Comments were received from the following agencies:

- Bruce County Transportation and Environment Services: No Comments
- Arran-Elderslie Public Works: No Comments
- Arran-Elderslie Building Department: No Comments
- Grey Sauble Conservation Authority: No objections. Noted that a permit would need to include Engineered grading and drainage plan, Construction plans, Septic plan, and a soils analysis address historic infill.

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

Councillor Nickason asked if there would be sufficient room for a well and a septic system on this lot. The well must be at least 50 feet from the neighbouring septic system.

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

The applicant noted that the Chief Building Official told him that a septic system would fit at the front of the lot and that the well could be drilled in the Environmental Protection area. He feels the lot is viable for a building lot. He noted that the lot to the east has a septic in the river and is a much smaller lot. It will be a 2 story commercial building with a residential portion on the second floor.

Mike Shpak who is a neighbour, is concerned as his dug well is close to the lot line and was told that a septic must be 100 feet back from a dug well.

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

The Mayor asked the Clerk if any written submissions had been received. The Clerk noted 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 9:20 a.m.

Council passed the following motion:

**44-04-2024**

**Moved by:** Councillor Penner

**Seconded by:** Deputy Mayor Shaw

That Council approve Zoning By-law Amendment Z-2023-099 for Thomson located at Part Lot 38, Concession 12, Dobbinton (Elderslie),

Roll Number 4103-380-004-11600, and the necessary by-law be forwarded to the next available Council meeting for adoption.

**Carried**

## **10. Delegations**

### **10.1 Tara Horticultural Society Presentation**

Sandra Herron and Anna Gowan made a presentation to Council regarding the request of the Tara Horticultural Society.

They noted that the work done by the THS is accomplished with some municipal funding, however this amount does not cover incurred expenses so the success in meeting this mission depends on the dedication of volunteers to do this work and fundraise to meet objectives.

The Tara Horticultural Society (THS) is celebrating 100 years of continuous service in the community. To celebrate this achievement they would like to plant 100 trees in the community. They have chosen two unopened road allowances in Tara as well as several other areas surrounding and in Tara.

Council thanked the group for their presentation. This will be taken into account during budget negotiations and will be discussed on February 26th.

### **10.2 Tara Curling Club - Ice Plant Replacement Project**

The Tara Curling Club members Martin Taylor and Marilyn made a presentation to Council regarding their ice plant.

The Tara Curling Club (TCC) currently uses an ammonia-based refrigeration plant which was purchased second-hand from the Chesley Curling Club. Although the plant has been serviced annually, and well maintained, the equipment is aged (some components 50+ years).

They have had multiple reliability challenges over the past few years impacting our ability to reliably provide quality curling ice, particularly early and late in the season when the outdoor temperature is higher. They are in consultation with two companies currently regarding the scope and cost of various replacement options. We have researched and applied for grants, and have started fundraising activities, the proceeds of which will be set aside specifically for the Plant Replacement Project.

They would like to explore options beyond the original interest-free loan request, that may be available for a financial partnership with the Municipality to progress their plans to replace the TCC ice plant.

Council noted that there will be a staff report in the future regarding this topic.

Council thanked the group for their presentation. This will be discussed at the February 26th budget deliberations.

### **10.3 Paisley Community Enhancement Committee**

The Paisley Community Enhancement Committee gave a presentation to Council regarding the Paisley 150th anniversary.

The Committee was formed to see amenities grow and be enhanced. Their vision is to raise funds to enhance the amenities in Paisley and see the town have better parks, trails etc. and to celebrate 150 years of Paisley.

They are collaborating with other community groups to fundraise for initiatives that benefit the community.

They are also planning on a parade starting at Ross Street and moving south.

They have amended their original grant request from \$15,000 plus an additional \$10,000 that would be non-repayable.

Insurance has been quoted at \$1,380.24 for the event plus directors and officers insurance at \$1,124.28.

Council thanked the group for their presentation and will discuss this at the February 26th budget discussions.

## **11. Presentations**

## **12. Correspondence**

### **12.1 Requiring Action**

#### **12.1.1 Enbridge Gas Inc.**

Council directed staff to contact Enbridge to come as a delegation to Council to discuss this issue.

#### **12.1.2 Karen Kerker - Tara Horticultural Society 100th Anniversary**

The Tara Horticultural Society is requesting to close the Municipal Parking Lot in Tara on May 25th for its 100th Anniversary Celebrations.

Subsequent to further discussion, Council passed the following resolution:

**46-04-2024**

**Moved by:** Councillor Steinacker

**Seconded by:** Deputy Mayor Shaw

Be it resolved that Council hereby authorizes the closure of the Municipal Parking Lot in Tara on May 25th until 1:00 PM for the Tara Horticultural Society 100th Anniversary.

**Carried**

#### 12.1.3 Request from Huron Shores ATV Club

The Huron Shores ATV Club is looking to create a road connection between their trails and the South Bruce Peninsula ATV club. They believe this route would be the safest and most used. The Club is looking for permission to use, to sign the route with way-finders, & to add to our map. This will connect the two clubs together and create a multi day adventure for ATV's and Side by Sides. The tourism impact will benefit the local community.

Works Manager Scott McLeod noted that he is in favour of this project.

Council directed staff to contact legal services and the municipality's insurer in this regard prior to entering into an agreement with the Club.

#### 12.1.4 Correspondence from Residents of Arran Lake

Council directed staff to reply back to the group regarding their concerns.

### 12.2 For Information

## 13. Staff Reports

### 13.1 CAO/Clerks

#### 13.1.1 SRDPCLK.24.02 – Fireworks and Noise By-Laws

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

Solicitor Eric Davis was also present to answer Council's questions.

Deputy Mayor Shaw noted that she feels 9:00 and 7:00 is too early and will result in extra work for staff. It will impact the Legion and/or Curling Club as they will also require exemptions for any events. Neighbouring municipalities allow this type of noise until 11:00 p.m. and puts Arran-Elderslie at a disadvantage.

Councillor Penner asked if the by-law enforcement officer can enter a residence. Solicitor Eric Davis noted that under Section 436 of the *Municipal Act*, that a municipality has the power to pass by-laws providing that the Municipality may enter **on land** at any reasonable

time for the purpose of carrying out an inspection. They cannot enter into a residence without a warrant.

Council directed that under Item 15 of the Set Fines Table, that the times be changed from 7:00 p.m. to 9:00 p.m. Monday to Thursday and change Friday, Saturday, Sunday and Statutory Holidays to 10:00 p.m.

Staff will make these changes and bring them back to the next available Council meeting for the passing of the By-law.

Subsequent to further discussion, Council passed the following resolution:

**45-04-2024**

**Moved by:** Councillor Dudgeon

**Seconded by:** Councillor Steinacker

Be It Resolved that Council hereby,

- 1.Approves the proposed Draft By-Law to Regulate the Possession, Use, Setting Off, Ignition, and/or Discharge of Fireworks Within the Municipality of Arran-Elderslie,;
- 2.Approves the proposed Draft By-Law to Prohibit and Regulate Noise within the Municipality of Arran-Elderslie as amended; and
- 3.Directs Staff to prepare the necessary aby-law to give affect to the provisions in the proposed Draft by-laws listed above.

**Carried**

#### 13.1.2 SRDPCLK.24.04 South Bruce O.P.P. Detachment Board Update

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

Subsequent to further discussion, Council passed the following resolution:

**47-04-2024**

**Moved by:** Deputy Mayor Shaw

**Seconded by:** Councillor Dudgeon

Be It Resolved that Council hereby,

1. Receives the correspondence from the Municipality of Brockton proposing to convene a South Bruce OPP Detachment Board Transition Committee; and



2. That Council supports the continuation of the Clerks/Deputy Clerks Working Group to prepare the necessary draft documents for the South Bruce OPP Detachment Board in anticipation of the Community Safety and Policing Act, 2019 coming into force April 1, 2024;

**Carried**

**13.2 Finance**

**13.3 Public Works**

**13.4 Building/Bylaw**

**13.5 Facilities, Parks and Recreation**

**13.6 Emergency Services**

The Fire Chief noted that they held their first live fire training session on February 9th here at the municipal office.

**13.7 Economic Development and Planning**

**14. Notice of Motion**

**15. Members Updates**

Shaw:

Deputy Mayor Shaw had nothing to report.

Hampton:

Councillor Hampton was absent.

Dudgeon:

Councillor Dudgeon nothing to report.

Steinacker:

Councillor Steinacker nothing to report.

Penner:

Councillor Penner attended a 150th celebration meeting.

Nickason:

Councillor Nickason nothing to report.

Hammell:

Mayor Hammell noted that he attended a mutual aid meeting in Chesley on February 5th.

## **16. New Business**

### **16.1 Commercial (C1) Central Business District/Accessory Apartment Dwellings Zoning**

Council requested that this item be tabled until February 26th so that Chesley Ward Councillor Hampton would be in attendance.

Subsequent to further discussion, Council passed the following resolution:

**48-04-2024**

**Moved by:** Councillor Steinacker

**Seconded by:** Councillor Dudgeon

Further to the Public Information Session held on February 6, 2024, be it resolved:

That Council supports staff's recommended Option 1 as presented, to maintain commercial land uses in the downtown cores of Paisley, Tara and Chesley as outlined in the Local Official Plan and through the enforcement of the provisions of the Comprehensive Zoning By-law 36-09 as they relate to the Central Business District (C1) zone.

**Tabled**

## **17. By-laws**

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

Subsequent to further discussion, Council passed the following resolution:

**49-04-2024**

**Moved by:** Councillor Nickason

**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;

(X) personal matters about an identifiable individual, including municipal or local board employees (staffing matters)

(X) a proposed or pending acquisition or disposition of land by the municipality or local board (surplus lands)

( ) labour relations or employee negotiations;

( ) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

- ( ) 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:

Item 1 - CAO Sylvia Kirkwood, Clerk Christine Fraser-McDonald and Works Manager Scott McLeod

Item 2- CAO Sylvia Kirkwood

**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:

**50-04-2024**

**Moved by:** Councillor Steinacker

**Seconded by:** Councillor Dudgeon

Be It Resolved That Council of the Municipality of Arran-Elderslie does now return to the Open Session at 1:02 p.m.

**Carried**

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

**51-04-2024**

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Dudgeon

Be It Resolved that Council hereby directs the Clerk to proceed with the surveys for the surplus lands as identified in Closed Session Report SRCLK.2024.01.

**Carried**

**21. Confirming By-law**

**21.1 By-law 07-2024 - Confirming By-law**

Subsequent to further discussion, Council passed the following resolution:

**52-04-2024**

**Moved by:** Councillor Penner

**Seconded by:** Councillor Steinacker

Be It Resolved that By-law No. 07-2024 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 07-2024 being a By-law to confirm the proceedings of the Regular Council meeting of the Municipality of Arran-Elderslie held Monday, February 12, 2024.

**Carried**

**22. Adjournment**

Subsequent to further discussion, Council passed the following resolution:

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Dudgeon

Be It Resolved that the meeting be adjourned to the call of the Mayor at 1:08 p.m.

**Carried**

**23. List of Upcoming Council meetings**

- February 26, 2024
- March 11, 2024
- March 26, 2024

- April 8, 2024

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Steve Hammell, Mayor

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Christine Fraser-McDonald, Clerk