



CORPORATION OF THE TOWNSHIP OF MCKELLAR

Council Meeting Minutes

January 10, 2023

Mayor Moore called the meeting to order at 5:31 p.m.

ROLL CALL

Mayor Moore took Roll Call.

Present: Mayor David Moore
Councillors Morley Haskim, Mike Kekkonen, Nick Ryeland, Debbie Zulak
Staff: Deputy Clerk/Planning Assistant, Karlee Britton
Clerk, Ina Watkinson

DECLARATIONS OF PECUNIARY AND/OR PERSONAL INTEREST AND GENERAL NATURE THEREOF

There were no conflicts of interest declared.

Moved by: Councillor Zulak
Seconded by: Councillor Kekkonen

23-10 **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby approve the Agenda for this Regular Meeting of Council as amended to include an addition to Item 14.1 being the Minutes of the January 3, 2023 Special Meeting of Council.

Carried

Moved by: Councillor Zulak
Seconded by: Councillor Kekkonen

23-11 **Be It Resolved** That the Council of the Corporation of the Township of McKellar, pursuant to the Municipal Act, S.O. 2001, as amended, move into closed session at 5:33 p.m. to discuss the following items;

- 5.1 Minutes of the Closed Sessions of Council
- 5.2 Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; pursuant to Ontario Municipal Act, Section 239(2)(e) – matters subject to solicitor/client privileges.
- 5.3 Personal matters about an identifiable individual, including Municipal or local board employees, pursuant to Ontario Municipal Act, Section 239(2)(b) – Staffing

Carried

Moved by: Councillor Zulak
Seconded by: Councillor Kekkonen

23-12 **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby reconvene into open session of Council at 6:32 p.m.

Carried

Mayor Moore called the meeting to order at 6:32 p.m.

ROLL CALL

Mayor Moore took Roll Call.

Present: Mayor David Moore
Councillors Morley Haskim, Mike Kekkonen, Nick Ryeland, Debbie Zulak
Staff: Deputy Clerk/Planning Assistant, Karlee Britton
Clerk, Ina Watkinson
Treasurer, Roshan Kantiya (*was present for his respective items on the agenda*)



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RESPECT AND ACKNOWLEDGEMENT DECLARATION

We would like to begin by acknowledging that the land on which we gather is traditional unceded territory of the Anishnaabe and the Mississauga People.

DECLARATIONS OF PECUNIARY AND/OR PERSONAL INTEREST AND GENERAL NATURE THEREOF

There were no conflicts of interest declared.

Moved by: Councillor Zulak

Seconded by: Councillor Kekkonen

- 23-13** **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby accept the reports, recommendations and directions arising from the closed session held January 10, 2023.

Carried

Moved by: Councillor Kekkonen

Seconded by: Councillor Zulak

- 23-14** **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby receive the deputation from Carol Buckingham of the McKellar Sunshine Seniors and on behalf of the McKellar Seniors Club, respectively.

Carried

Moved by: Councillor Kekkonen

Seconded by: Councillor Zulak

- 23-15** **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby move into Committee of the Whole at 6:50 p.m. to discuss proposed amendments to By-law 2022-24, the Roads Policy.

Carried

COMMITTEE OF THE WHOLE

Reg Moore (6 Fox Farm Road) spoke of the Roads By-law and O. Reg. 586/06. He spoke on the Bailey's and Craigmere subdivisions and McKellar Lake Road. Reg spoke in favour of the Township charging labour costs to road upgrade projects.

Phil Jeffkins (8 Phillip Ave) spoke in favour of the Fees and Charges By-law Method. He clarified past processes for Council. He confirmed invoices have been sent for upgrades. Phil is in favour of road assumption.

Scott Buckingham (Fire Route 152) spoke in favour of the Fees and Charges method. He spoke of challenges with the Local Improvements Act method. Scott made comments on next steps towards completing the road upgrades.

Ron Voll (15 Fire Route 300) spoke in favor of future road assumption of Fire Route 300 and the Fees and Charges Method.

Dan Peters (Fire Route 300) spoke in favour of Fire Route 300 to be Municipally owned and assumed in the future. Dan discussed cost estimates and correspondence with the Clerk and Solicitor.

Lynne Aylsworth (Deerfield Road) questioned the cost of property searches related to a previous comment in the meeting.

Robert Gillie (Deerfield Road) spoke against the Township charging labour costs for road upgrades. He commented on research he conducted in regards to how properties are assessed by MPAC depending on road assumption.



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Moved by: Councillor Kekkonen

Seconded by: Councillor Zulak

- 23-16** **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby rise and report from Committee of the Whole at 7:49 p.m. and reconvene into open session.

Carried

Moved by: Councillor Kekkonen

Seconded by: Councillor Zulak

- 23-17** **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby approve the Minutes of the December 6, 2022 Regular Meeting of Council; the Minutes of the December 15, 2022 Special Meeting of Council; the Minutes of the December 20, 2022 Regular Meeting of Council and the Minutes of the January 3, 2023, Special Meeting of Council; as circulated.

Carried

Moved by: Councillor Zulak

Seconded by: Councillor Kekkonen

- 23-18** **Be it Resolved** That the Corporation of the Township of McKellar does hereby receive the Minutes from the December 8, 2022 meeting of the Township of McKellar Recreation Committee.

Carried

Moved by: Councillor Zulak

Seconded by: Councillor Kekkonen

- 23-19** **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby receive the draft Minutes from the November 2, 2022 meeting of the McKellar Historical Committee.

Carried

Moved by: Councillor Zulak

Seconded by: Councillor Kekkonen

- 23-20** **Be It Resolved** That the Council of the Corporation of the Township of McKellar does hereby accept the resignation of Brian Szepaniak as a member of the McKellar Historical Committee and thank him for his time and dedication to the committee.

Carried

Moved by: Councillor Zulak

Seconded by: Councillor Kekkonen

- 23-21** **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby receive Report FD-2022-06 Month End Status Updates – November 2022 from Fire Chief Robert Morrison for information purposes.

Carried

Moved by: Councillor Kekkonen

Seconded by: Councillor Zulak

- 23-22** **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby receive the McKellar Market Yearend Report from Market Manager, Jan Gibson, for information purposes.

Carried



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Moved by: Councillor Zulak

Seconded by: Councillor Kekkonen

- 23-23** **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby receive the letter dated December 8, 2022 addressed to the Parry Sound Area Planning Board notifying the Board's Secretary/Treasurer that all of the conditions have been met for Consent Application B35/2022 (St. Julien); and Further that Council approve the letter be signed by the Clerk/Administrator and sent to the Parry Sound Area Planning Board.

Carried

Moved by: Councillor Zulak

Seconded by: Councillor Kekkonen

- 23-24** **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby receive FD-2022-07 Post Fire Report – Maplewood Road for information purposes.

Carried

Moved by: Councillor Zulak

Seconded by: Councillor Kekkonen

- 23-25** **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby receive the letter dated December 22, 2022 addressed to the Parry Sound Area Planning Board notifying the Board's Secretary/Treasurer that all of the conditions have been met for Consent Application B19/2022 (Colbourne); and Further that Council approve the letter be signed by the Clerk/Administrator and sent to the Parry Sound Area Planning Board.

Carried

Moved by: Councillor Zulak

Seconded by: Councillor Kekkonen

- 23-26** **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby receive the December 2022 Accounts Payable Preliminary Cheque Run Report for information.

Carried

Moved by: Councillor Kekkonen

Seconded by: Councillor Zulak

- 23-27** **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby receive the Town of Parry Sound Resolutions 2022-157 and 2022-161, Appointments to Boards, Commissions and Committees for information purposes.

Carried

Moved by: Councillor Kekkonen

Seconded by: Councillor Zulak

- 23-28** **Whereas** the Corporation of the Township of McKellar does hereby receive the email dated December 13, 2022 from Ohad Slama regarding the Russell Christie LLP Invoice Dispute; and

Whereas in order for the Township's Solicitor to determine whether the agreement was registerable on title, the Solicitor was required to conduct a review of the agreement; and

Whereas Mr. Slama signed on July 21, 2022 the Zoning Amendment Application stating he "agreed to pay for and bear the entire cost and expense for any engineering, legal, landscape architectural and/or external planning consulting expenses incurred



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by the Township of McKellar during the processing of this application, in addition to any application fee set by the Township of McKellar”;

Now Therefore be it Resolved that Mr. Slama be responsible for the payment of \$875.07 payable to the Township of McKellar to bear 50% of the cost of the legal expense incurred.

Carried

Moved by: Councillor Kekkonen

Seconded by: Councillor Zulak

23-29 **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby receive the letter from the Vice President of OMERS regarding Changes to Eligibility Requirements for Pension Enrollment for information purposes.

Carried

Moved by: Councillor Zulak

Seconded by: Councillor Kekkonen

23-30 That the Council of the Corporation of the Township of McKellar does hereby receive the letter dated December 15, 2022, donation application and Financial Statements from the West Parry Sound District Museum; and Whereas the Township of McKellar funds its own Museum being the Evelyn Watkins Moore Heritage Room; **Now Therefore Be It Resolved** That the Council of the Township of McKellar respectfully decline the request for a donation to the West Parry Sound District Museum and have no representation from Council on the Board.

Carried

Moved by: Councillor Kekkonen

Seconded by: Councillor Zulak

23-31 **Whereas** the Corporation of the Township of McKellar does hereby support Township of the Archipelago Resolution No. 22-195 to support protecting source water, planning for climate change impacts and shoreline resilience, ensuring safe and affordable water services for all our residents, and building up a sustainable blue economy in the Great Lakes and St. Lawrence River Basin; and

Whereas ensuring healthy communities and a strong economy for Canadians depend on securing Canada's source water, which includes addressing water quality issues, contaminants and pollution, supporting biodiversity and reversing wetland and fish and wildlife habitat loss and improving community knowledge to empower citizens to safeguard this essential resource; and

Whereas nearly half of Canada's population lives in the Great Lakes and St. Lawrence River Basin, a region that will continue to see accelerated growth, resulting in greater land and resource use pressures that will further contribute to water availability and quality issues; and

Whereas a Freshwater Action Plan and the Great Lakes Protection Initiative it supported were first announced in the 2017 Canadian federal budget with a \$44.84 million investment over five years; and

Whereas the federal government only committed \$19.6 million in funding in the 2022 Budget for the Freshwater Action Plan, falling short of the aforementioned commitment; and

Whereas the recommendations outlined in Action Plan 2020-2030 should serve as the basis of programming for strengthened federal action in the Great Lakes and St.



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Lawrence River Basin through its strengthened Freshwater Action Plan; and

Whereas Freshwater Action Plan funding should largely be directed to community groups, local governments and First Nations to ensure that investments made will have the biggest local impact and empower action at the local level, rather than being held back for federal administration and operations; and

Whereas it is critical to implement a strengthened Freshwater Action Plan, including accelerating a \$1 billion over five years, and to creating a Canada Water Agency to consolidate and coordinate federal water efforts and support provinces and territories in addressing systemic issues impacting the viability of the Great Lakes and St. Lawrence River Basin and the communities dependent upon the region's source water;

Now Therefore Be It Resolved that the Township of McKellar calls on the federal government to commit \$1 billion in funding over five years for a strengthened Freshwater Action Plan in Budget 2023; and

Be It Finally Resolved that the Council of the Township of McKellar directs its staff to submit this resolution to the federal Deputy Prime-Minister and Minister of Finance; the Minister of Environment and Climate Change; the Parliamentary Secretary to the Minister of Environment and Climate Change (responsible for the Canada Water Agency), and local Member of Parliament, and the Great Lakes and St. Lawrence Cities Initiative.

Carried

Moved by: Councillor Kekkonen

Seconded by: Councillor Zulak

23-32 **Be It Resolved** That the Council of the Corporation of the Township of McKellar does hereby receive the Update for Owner Municipalities from the Belvedere Heights Board of Management dated January 3, 2023 for information purposes;

And further be it Resolved that the Board be requested to arrange for the AGM on January 23, 2023, to be open to the public via Zoom link for discussion purposes; and further the Zoom link be advertised publicly.

Carried

Moved by: Councillor Kekkonen

Seconded by: Councillor Zulak

23-33 **Be It Resolved** That the Council of the Corporation of the Township of McKellar does hereby receive the letter dated December 29, 2022 from Jennifer Harris, Administrative Officer of the Parry Sound District Social Services Administration Board.

Carried

Moved by: Councillor Zulak

Seconded by: Councillor Kekkonen

23-34 **Be It Resolved** That the Council of the Corporation of the Township of McKellar does hereby receive the Whitestone McKellar Lions Club 2022 Yearly Report for information purposes.

Carried

Moved by: Councillor Zulak

Seconded by: Councillor Kekkonen

23-35 **Whereas** in accordance with By-law No. 2011-24 being a By-law to establish procedures governing the sale of real property owned by the Municipality, Council may deem the Original Part Road Allowance between Plan 275, Block A and CON 6 LOT



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29, District of Parry Sound (known as Hardie Crescent) surplus to the needs of the Municipality; and

Whereas, for clarification purposes, the Original Part Road Allowance between Plan 275, Block B and CON 6 LOT 29, District of Parry Sound is not deemed surplus lands;

Now Therefore Be It Resolved that Council direct the Clerk/Administrator to notify the prospective purchaser, 2792311 Ontario Inc., that they must retain the Township's Solicitor being Russell Christie LLP to complete the procedures as outlined in By-law No. 2011-24; and

Further be it Resolved that 2792311 Ontario Inc. bear the entire cost of the Original Road Allowance Closure and Sale, legal fees being payable to Russell Christie LLP. In the circumstance the Original Road Allowance is not sold to 2792311 Ontario Inc., the Township will reimburse the legal fees billed by Russell Christie LLP to 2792311 Ontario Inc. and those costs incurred will be added to full market value of the subject lands for the buyer to incur. Any other costs incurred will not be reimbursed by the Township.

Carried

Moved by: Councillor Haskim

Seconded by: Councillor Ryeland

23-36 Be it Resolved That the Council of the Corporation of the Township of McKellar does hereby appoint Suzanne Poff to the McKellar Township Public Library Board.

Carried

Moved by: Councillor Ryeland

Seconded by: Councillor Haskim

23-37 Be it Resolved That the Council of the Corporation of the Township of McKellar does hereby rename Island View Lane, formerly known as Fire Route 102, to Madigan Lane.

Carried

Moved by: Councillor Ryeland

Seconded by: Councillor Haskim

23-38 Whereas in Resolution No. 22-536, the Clerk/Administrator was authorized by Council to immediately consult with the Township's Solicitor to determine the extent of financial commitments and responsibilities outlined in the West Parry Sound Recreation and Cultural Centre Joint Municipal Service Board Agreement; and

Whereas the Township's Solicitor responded to the Township declaring a conflict of interest with the file and offered suggestions of firms that may take on the file; and

Whereas Council desires a legal interpretation of said document, including any financial commitments, for budgetary purposes, and other responsibilities moving forward;

Now Therefore Be It Resolved that the Council of the Corporation of the Township of McKellar hereby authorize the Clerk/Administrator and/or Council Designate to contact Aird & Berlis LLP and Loopstra Nixon LLP, as suggested by the Township's Solicitor, or any other solicitor experienced in the municipal field, to determine the extent of said obligations and to provide a quotation and timeline for the review prior to the review being undertaken.

Carried



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Moved by: Councillor Haskim

Seconded by: Councillor Ryeland

23-39 **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby authorize the Treasurer to transfer surplus funds as of December 31, 2022, remaining in the following committees' operating budgets to their respective reserve account:

2022 Recreation Committee operating budget to the Recreation Committee reserve account; and

2022 Historical Committee operating budget to the St. Stephens/Hemlock Church capital reserve account; and

2022 McKellar 150th Sesquicentennial Committee operating budget to the McKellar 150th Sesquicentennial Committee reserve account.

Carried

Moved by: Councillor Haskim

Seconded by: Councillor Ryeland

23-40 **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby authorize the Treasurer to transfer remaining funds as of December 31, 2022, in the various 2022 Fire Department budget line items to the Fire Department Reserve Account.

Carried

Moved by: Councillor Haskim

Seconded by: Councillor Ryeland

23-41 **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby direct the Director of Operations to begin the process of obtaining an Entrance Permit from the Ministry of Transportation for a proposed additional entrance at the Municipal Complex located at 701 Highway 124; and Further this additional entrance will be located directly South of 697 Highway 124 to provide an entrance for future use of the parcel of land located behind the ice rink pavilion.

Carried

Moved by: Councillor Ryeland

Seconded by: Councillor Haskim

23-42 **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby appoint Deanna McEwen as a Probationary Volunteer Firefighter with the Township of McKellar Volunteer Fire Department.

Carried

Moved by: Councillor Haskim

Seconded by: Councillor Ryeland

23-43 **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby promote Volunteer Firefighter Chris Somers to Captain with the Township of McKellar Volunteer Fire Department effective immediately, as recommended by Fire Chief Robert Morrison.

Carried

Moved by: Councillor Ryeland

Seconded by: Councillor Haskim

23-44 **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby direct the Treasurer, in co-operation with the Director of Operations and the Clerk/Administrator, to prepare a Fees & Charges By-law for the proposed upgrades to Deerfield Road, Bay Drive, Fire Route (FR) 152, FR 152A and FR 152B; and Further that the By-law be reviewed by the Township's Solicitor to provide comment.

Carried



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Moved by: Councillor Haskim

Seconded by: Councillor Ryeland

- 23-45** **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby direct the Township's Information Technology (IT) Coordinator to prepare a Report to Council outlining all possible internet service providers that can effectively provide internet service to the Municipal Building Complex located at 701 Hwy 124; and Further that this Report detail which providers will be able to fully service the needs of the complex with the current infrastructure in place and that this Report be completed and presented to Council as soon as possible.

Carried

Moved by: Councillor Kekkonen

Seconded by: Councillor Zulak

- 23-46** **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby extend the meeting curfew by thirty minutes to 10:30 p.m.

Carried

Moved by: Councillor Ryeland

Seconded by: Councillor Haskim

- 23-47** **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby authorize the Treasurer to finance the cost of Bunker Gear and Associated Personal Protective Equipment (approved by Resolution No. 23-02 at the January 3, 2023 Special Meeting of Council) in the amount of eighteen thousand dollars (\$18,000.00) by transferring funds from Fire Department Reserve Account; and Further direct the Treasurer to pay balance owing from 2023 Fire Department budget line item Safety Equipment/Protective Clothing.

Carried

Moved by: Councillor Haskim

Seconded by: Councillor Ryeland

- 23-48** **Be it Resolved** That the Council of the Corporation of the Township of McKellar, under Schedule 'A' to By-law No. 2019-43, being a By-law to adopt a Policy for the Display of Flags at Municipal Facilities, subsection entitled 'Half-Mast Protocol', #2, hereby authorize the Fire Chief, as a designate to the Clerk Administrator, or his designate, to lower the two flags (Canada and Province), displayed at the Community Centre, to half-mast from sunrise to sunset on Saturday, January 14, 2023, as a demonstration of respect and gratitude in recognition of the passing of the former Volunteer Fire Fighter, Wendy DeBrue.

Carried

Moved by: Councillor Ryeland

Seconded by: Councillor Haskim

- 23-49** **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby give By-law No. 2023-05, being a By-law to amend By-law No. 95-12 (the Zoning By-law), as amended, with respect to lands legally described as PT LT 33 CON 6 Township of McKellar (Hardie), as a required condition of consent B42/2022 (Hardie) of the Parry Sound Area Planning Board, a First and Second reading; and Further Read a Third time and Passed in Open Council this 10th day of January, 2023.

Carried

Moved by: Councillor Ryeland

Seconded by: Councillor Haskim

- 23-50** **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby give By-law No. 2023-06, Being a By-law to Set Tax Ratios for Municipal Purposes for the Year 2023, a First and Second reading in Open Council this 10th day



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of January 2023; And further Read a Third time and Passed in Open Council this 10th day of January, 2023.

Carried

Moved by: Councillor Haskim

Seconded by: Councillor Ryeland

23-51 **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby give By-law No. 2023-07, Being a By-law to authorize the Borrowing of Money to Meet Current Expenditures of the Council of the Township of McKellar, a First and Second reading in Open Council this 10th day of January 2023; And further Read a Third time and Passed in Open Council this 10th day of January, 2023.

Carried

Moved by: Councillor Ryeland

Seconded by: Councillor Haskim

23-52 **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby give By-law No. 2023-08, the Procedural By-law, a First and Second reading in Open Council this 10th day of January 2023; And further to be Read a Third time and considered in Open Council at the next Regular Meeting of Council.

Carried

Moved by: Councillor Ryeland

Seconded by: Councillor Haskim

23-53 **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby extend the meeting curfew by a further fifteen minutes to 10:45 p.m.

Carried

Moved by: Councillor Haskim

Seconded by: Councillor Ryeland

23-54 **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby receive the consent agenda for correspondence.

Carried

QUESTION/COMMENT PERIOD (RELATED TO ITEMS ON THE AGENDA)

There were no questions.

Moved by: Councillor Ryeland

Seconded by: Councillor Haskim

23-55 **Be it Resolved** That the Council of the Corporation of the Township of McKellar does hereby give By-law No. 2023-09, being a by-law to confirm the proceedings of Council, a First and Second reading; And further Read a Third time and Passed in Open Council this 10th day of January, 2023.

Carried

Moved by: Councillor Haskim

Seconded by: Councillor Ryeland

23-56 **Be it Resolved** That the Council of the Corporation of the Township of McKellar adjourn this meeting at 10:33 p.m. to meet again on January 17, 2023, for a Public Meeting under the Planning Act, or at the call of the Mayor.

Carried

David Moore, Mayor

Karlee Britton, Deputy Clerk