

**THE CORPORATION OF THE MUNICIPALITY  
OF KILLARNEY**

**Regular Meeting of Council  
French River Visitor Centre**

**September 9, 2015**

**7:00 P.M.**

**PRESENT: MAYOR:** Virginia Rook

**COUNCILLORS:** Eileen Lewis Pierre Paquette  
Jim Rook Nancy Wirtz

**ABSENT: COUNCILLOR:** Debbie Burant

**DISCLOSURE:** Nil

**STAFF:** Clerk-Treasurer - Candy Beauvais  
Deputy Clerk-Treasurer - Gilles Legault  
Chief Building Official – Alain McCann

**MEMBERS OF PUBLIC:** Nil

**DELEGATIONS:** Nil

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Mayor Rook called meeting to order at 7:02 P.M.

**15-333 BY PIERRE PAQUETTE – JIM ROOK**

**BE IT RESOLVED THAT** the minutes of the Committee of Adjustment Meeting held August 12<sup>th</sup>, 2015 at 6:30 PM, the Regular Meeting of Council held August 12<sup>th</sup>, 2015 at 7:00 PM and the Special Meeting of Council held August 18<sup>th</sup>, 2015 at 7:00 PM, be adopted as circulated.

**CARRIED**

**15-334 BY PIERRE PAQUETTE – JIM ROOK**

**BE IT RESOLVED THAT** Disbursement Sheet #2015-08 covering the expenditures for the period ending August 31<sup>st</sup>, 2015 in the following amounts:

General Expenses - \$ 177,250.48  
Payroll Expenses - \$ 37,444.22

are hereby approved for payment.

**CARRIED**

**15-335 BY PIERRE PAQUETTE – JIM ROOK**

**BE IT RESOLVED THAT** the Internal Quality & Environmental Management System Audit Report prepared by OCWA dated May 14, 2015 for the Killarney Water Treatment Plant be accepted and filed.

**CARRIED**

**15-336 BY PIERRE PAQUETTE – JIM ROOK**

**BE IT RESOLVED THAT THAT** the 2015 Management Review Report (*as required annually by the Ministry of Environment – Drinking Water Quality Management System standards*) prepared by OCWA dated July 26, 2015 for the Killarney Water Treatment Plant be accepted and filed.

**CARRIED**

**15-337 BY PIERRE PAQUETTE – JIM ROOK**

**WHEREAS BELL MOBILITY INC.** proposes to erect a wireless telecommunication tower and accessory structure on certain lands more particularly described as, PCL 8276 SEC NS; SUMMER RESORT LT 13 PL M235 ON KEY HARBOUR OF GEORGIAN BAY, ADJACENT TO HENVEY INLET INDIAN RESERVE # 2, W OF TWP OF MOWAT; KILLARNEY.

**AND WHEREAS** proponents of telecommunication towers are regulated by Industry Canada on behalf of the Government of Canada and as part of their approval, Industry Canada requires proponents to consult with land use authorities as provided for in CPC-2-0-03;

**AND WHEREAS BELL MOBILITY INC.** has consulted with the Municipality of Killarney and they have no objection to the proposed telecommunications tower;

**AND WHEREAS BELL MOBILITY INC.** has consulted with the public by notifying all property owners and occupants within three (3) times the tower height and has provided Thirty (30) days for written public comment;

**AND WHEREAS** there are no significant land use issues identified by the consultation;

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Clerk be instructed to advise BELL MOBILITY INC. that:
  - a. BELL MOBILITY INC. has satisfactorily completed its consultation with the Municipality of Killarney;
  - b. The Municipality of Killarney is satisfied with BELL MOBILITY INC.'s public consultation process and does not require any further consultation with the public; and
  - c. The Municipality of Killarney concurs with BELL MOBILITY INC.'s proposal to construct a wireless telecommunications facility provided it is constructed substantially in accordance with the plans submitted to it and described as 76 metre lattice tri-pole telecommunication tower.

**CARRIED**

**15-338 BY PIERRE PAQUETTE – JIM ROOK**

**BE IT RESOLVED THAT** the Municipality of Killarney grants Cheryl Simon an exemption to the noise by-law until 1:00 AM on Saturday, September 12<sup>th</sup>, 2015;

**FURTHER THAT** it is understood that this exemption may be rescinded if complaints are received from the community or if the 1:00 AM curfew is not adhered to.

**CARRIED**

**15-339 BY PIERRE PAQUETTE – JIM ROOK**

**BE IT RESOLVED THAT** the Tax/Utility Clerk attend the Vadim Conference in Timmins on September 29<sup>th</sup> and 30<sup>th</sup>, 2015 and that expenses be reimbursed according to By-Law 2015-06 Schedule “B”.

**CARRIED**

**15-340 BY PIERRE PAQUETTE – JIM ROOK**

**BE IT RESOLVED THAT** the Municipality of Killarney has no objection in designating lands within Property Roll No. 5136 000 002 02900 0000 under a site plan control and further will execute a Site Plan Agreement which sets out the development requirements for the said property.

**CARRIED**

**15-341 BY PIERRE PAQUETTE – JIM ROOK**

**BE IT RESOLVED THAT** Councillor Rook attend the Conservation Authorities Act Review session in Sudbury on October 2<sup>nd</sup>, 2015 and that expenses be reimbursed according to By-Law 2015-06 Schedule “B”.

**CARRIED**

**15-342 BY PIERRE PAQUETTE – JIM ROOK**

**BE IT RESOLVED THAT** Council acknowledge the email from Dan Seguin dated September 1<sup>st</sup>, 2015 regarding the Wiikwemkoong Land Claim and the Wolf Creek public boat launch;

**FURTHER THAT** the Province has indicated the launch is not in the claim and it will remain for public use;

**FURTHER THAT** the Municipality hereby encourages those who have concerns with any items in the claim that they address them directly to the senior negotiator for the Province prior to the October 2<sup>nd</sup>, 2015 deadline.

**CARRIED**

**15-343 BY PIERRE PAQUETTE – JIM ROOK**

**BE IT RESOLVED THAT** Council hereby acknowledges receipt of a letter from Weaver-Simmons dated August 31<sup>st</sup>, 2015 regarding Herbert Fisheries proposed parking spaces at the municipal wharf property.

**FURTHER THAT** Council directs the Clerk to reply to Herbert’s solicitor advising that two Councillors, the Chief Building Official and Planner will meet with Mr. Herbert to discuss.

**CARRIED**

**15-344 BY PIERRE PAQUETTE – JIM ROOK**

**BE IT RESOLVED THAT** Council hereby acknowledges receipt of a letter from Weaver-Simmons dated August 31<sup>st</sup>, 2015 regarding various issues regarding Herbert Fisheries.

**FURTHER THAT** Council directs the Clerk to reply to Herbert's solicitor advising that a reply will be forthcoming.

**CARRIED**

**15-345 BY PIERRE PAQUETTE – JIM ROOK**

**WHEREAS** Council has received information from Killarney Mountain Lodge (KML) on the proposed expansion of the lodge. This information includes water and sewage connections together with the calculated volumes of water demand and sewage discharge;

**AND WHEREAS** the Municipality must approve any connection to its water and sewage distribution and collection systems;

**AND WHEREAS** it is necessary to determine the impact of the water and sewage connections on the water and sewage distribution/collection and treatment works to determine if there will be an adverse impact. This will require a review of the KML information on the water demand and sewage discharges on the water treatment plant, including the remaining volume of water available from the drinking water intake, as outlined in the Ministry of the Environment and Climate Change (MOECC) issued Permit To Take Water, (PTTW), the MOECC approved treatment capacity of the water treatment plant, the impact of the water connection on the distribution system flow capacity and pressures, and the capacity of the sewers and the treatment lagoons;

**THEREFORE** Council is deferring the consideration of approval for the connections to the water and sewage distribution and collection systems respectively pending the opportunity to assess the impact on the infrastructure.

**CARRIED**

**15-346 BY PIERRE PAQUETTE – JIM ROOK**

**BE IT RESOLVED THAT** Council hereby acknowledges receipt of a letter from the Sudbury East Planning Board dated September 2<sup>nd</sup>, 2015 regarding minor variance application No. A/06/15/KL;

**FURTHER THAT** Council directs the Clerk to obtain detailed parking calculations for all uses on the property from Chief Building Official McCann as well as a plan showing the required ingress/egress for Badgeley Island Aggregates Inc. to the concrete wharf if necessary.

**CARRIED**

**15-347 BY PIERRE PAQUETTE – JIM ROOK**

**BE IT RESOLVED THAT** Council hereby acknowledges receipt of a copy of a letter from Bill Riat which was sent to the Ministry of Aboriginal Affairs regarding the Wiikwemkoong Land Claim.

**CARRIED**

**15-348 BY EILEEN LEWIS – NANCY WIRTZ**

**BE IT RESOLVED THAT** the report from the Public Works Department for the month of August 2015 be accepted and filed.

**CARRIED**

**15-349 BY EILEEN LEWIS – NANCY WIRTZ**

**BE IT RESOLVED THAT** the report from the Building Department for the months of July & August 2015 be accepted and filed.

**CARRIED**

**15-350 BY EILEEN LEWIS – NANCY WIRTZ**

**BE IT RESOLVED THAT** the report from the Financial Department for the month of August 2015 be accepted and filed

**CARRIED**

**15-351 BY EILEEN LEWIS – NANCY WIRTZ**

**BE IT RESOLVED THAT** the minutes of the Airport Committee Meeting held August 15<sup>th</sup>, 2015 be accepted and filed.

**CARRIED**

**15-352 BY EILEEN LEWIS – NANCY WIRTZ**

**BE IT RESOLVED THAT** Council authorize the determination of the sludge depth in the lagoons;

**FURTHER THAT** if the sludge depth is sufficiently high and will impact on the operation of the lagoons and their capacity, they authorize securing an estimate of the cost of dredging or mechanical removal.

**FURTHER THAT** Council authorizes the application of an expression of interest to the Small Communities Fund (SCF) for the cost of sludge removal and disposal if deemed necessary by our consultant and operating authority.

**CARRIED**

**15-353 BY EILEEN LEWIS – NANCY WIRTZ**

**BE IT RESOLVED THAT** the following resolutions regarding the proposed patio at the wharf be rescinded and/or amended:

- Resolution #14-369 passed on August 27<sup>th</sup>, 2014 and Resolution #14-390 passed on September 10<sup>th</sup>, 2014 are hereby rescinded; and
- Resolution #14-363 be amended by deleting “plus a patio on the south side of the building”.

15-353

<b>RECORDED VOTE</b>		
	<i>FOR</i>	<i>AGAINST</i>
D. BURANT E.	absent	
LEWIS	<u>  X  </u>	_____
P. PAQUETTE	<u>  X  </u>	_____
J. ROOK	_____	<u>  X  </u>
V. ROOK	_____	<u>  X  </u>
N. WIRTZ	<u>  X  </u>	_____

**CARRIED**

**15-354 BY EILEEN LEWIS – NANCY WIRTZ**

**BE IT RESOLVED THAT** Resolution No. 2014-500 passed by Council on December 3<sup>rd</sup>, 2014 be amended to include Councillor Wirtz as having signing authority for the Corporation of the Municipality of Killarney.

**CARRIED**

**15-355 BY EILEEN LEWIS – NANCY WIRTZ**

**BE IT RESOLVED THAT** Mayor Rook and Councillor Wirtz arrange to meet with Wiikwemkoong regarding the Island Land Claim following the public meeting of September 16<sup>th</sup>.

**FURTHER THAT** Project Manager Loosemore attend the meeting to act as the staff recording secretary.

**CARRIED**

**15-356 BY EILEEN LEWIS – NANCY WIRTZ**

**BE IT RESOLVED THAT** By-Law #2015-24 being a by-law to designate site control plans be read a first and second time.

**CARRIED**

**15-357 BY EILEEN LEWIS – NANCY WIRTZ**

**BE IT RESOLVED THAT** By-Law #2015-24 being a by-law to designate site control plans within the Municipality of Killarney be read a third time and passed in Open Council this 9<sup>th</sup> day of September, 2015.

**CARRIED**

**15-358 BY EILEEN LEWIS – NANCY WIRTZ**

**BE IT RESOLVED THAT** the Municipality of Killarney enter into a Site Plan Agreement with the owner of property roll no. 5136 000 002 02900 (portion to be severed) this 9<sup>th</sup> day of September, 2015.

**CARRIED**

**15-359 BY EILEEN LEWIS – NANCY WIRTZ**

**BE IT RESOLVED THAT** Council proceed to discuss the following item(s) listed below as an Addendum to the September 9<sup>th</sup>, 2015 Regular Meeting Agenda:

1. MPAC – Application 357 Re: Property Roll No. 5136 000 001 13901

**CARRIED**

**15-360 BY EILEEN LEWIS – NANCY WIRTZ**

**BE IT RESOLVED THAT** the Municipality of Killarney process the following 357 for the following property:

**Section 357 Adjustment**

Roll #5136 000 001 13901 0000 residential assessment w/o (RT) in the amount of \$ (16,407)  
For the Period: April 16 to December 31, 2015  
Reason: *Structure Demolished*

**CARRIED**

**15-361 BY EILEEN LEWIS – NANCY WIRTZ**

**BE IT RESOLVED THAT** Council go into Closed Session at 8:40 P.M. to adopt the minutes of the closed meetings held on August 12<sup>th</sup> and 18<sup>th</sup>, 2015 as well as to discuss two legal matters.

**CARRIED**

**CLOSED SESSION:**

*Adoption of Minutes:*

- The first matter of business was the adoption of the closed minutes from the August 12<sup>th</sup> and August 18<sup>th</sup>, 2015 council meetings.

*Legal Matters:*

- The legal matters related to a planning board issue and municipal wharf issues.

**15-362 BY EILEEN LEWIS – NANCY WIRTZ**

**BE IT RESOLVED THAT** Council rise and report at 8:54 P.M.

**CARRIED**

**15-363 BY EILEEN LEWIS – NANCY WIRTZ**

**BE IT RESOLVED THAT** By-Law #2015-25 being a by-law to confirm the proceedings of Council be read a first and second time.

**CARRIED**

**15-364 BY EILEEN LEWIS – NANCY WIRTZ**

**BE IT RESOLVED THAT** By-Law #2015-25 being a by-law to confirm the proceedings of Council be read a third time and passed in Open Council this 9<sup>th</sup> day of September, 2015.

**CARRIED**

**15-365 BY EILEEN LEWIS – NANCY WIRTZ**

**BE IT RESOLVED THAT** we adjourn the Regular Meeting of Council held September 9<sup>th</sup>, 2015 at 8:55 P.M. to meet again on October 14<sup>th</sup>, 2015 or as otherwise specified.

**CARRIED**

*ORIGINAL DOCUMENT SIGNED*

.....  
*Virginia Rook, Mayor*

*ORIGINAL DOCUMENT SIGNED*

.....  
*Candy K. Beauvais, Clerk Treasurer*