

AGENDA REGULAR MEETING OF COUNCIL held in the Council Chambers Wednesday, January 27, 2016 at 6pm

1.0 Call to order, roll call and adoption of the agenda

- 2.0 <u>Moment of reflection</u>
- 3.0 Disclosure of Pecuniary Interest and General Nature Thereof
- 4.0 **Delegations**

5.0 Management, Committee and Board Reports

5.1 Mayor

5.1.1 Resolution to approve the attendees at the AMO Conference, August 14-17 in Windsor

5.2 Chief Administrative Officer

5.2.1 Resolution to create an Ad Hoc Committee to set the framework for a waste diversion educational and marketing plan (item from Jan 13 meeting)

5.3 Clerk

5.3.1 Action Report and Resolution - Trailer Site User Fee Study

5.4 Finance Department

- **5.4.1** 2016 Budget Deliberation
- 5.5 Building Controls / Municipal Law Enforcement Department5.5.1 Fourth Quarter Report

5.6 Parks, Recreation & Facilities Department

- **5.6.1** Fourth Quarter Report
- **5.6.2** Resolution to approve a Grants and Subsidy Application from French River Curling Club for a hall rental fee rebate for their Spring Banquet on March 6

5.7 Public Works & Environmental Department

- **5.7.1** Fourth Quarter Report
- **5.7.2** Action Report and Resolution Investigation of the design, construction and operation of a Waste Water Treatment Plant

5.8 Sudbury East Planning Board

- **5.8.1** OMB User Fees Report
 - Resolution to direct staff to establish a policy with respect to Planning Act application appealed by third parties to the Ontario Municipal Board
 - Resolution to agree to not seek party status before the Ontario Municipal Board for the hearing regarding Minor Variance Application A/09/15/FR (Beaulieu)

* indicates that the item is presented under separate cover / item est sous pli séparé)

6.0 Consent Agenda

6.1 Adoption of Minutes by Resolution

6.1.1 Regular Council Meeting held April 16, 2016

- 6.2 Minutes Received by Resolution6.2.1 Committee of Adjustment held October 14, 2015
- 6.3 Award of Tenders, Request for Proposals and Funding Matters by Resolution

6.4 Correspondence for Council's Information Received by Resolution

6.5 Adoption of By-laws by Resolution

- **6.5.1** 2016-03 Provide for an Interim Tax Levy
- 6.5.2 2016-04 Zoning By-law Amendment (Greg & Christine Lebert)
- **6.5.3** 2016-05 By-law to repeal By-laws 2013-11 and 2015-30
- 6.5.4 2016-06 Confirmation By-law

7.0 Correspondence for Council's Consideration

- **7.1** Resolution to declare the Noëlville Family Hockey Tournament (NFHT) being held February 12-14 as a Community Event
- 8.0 <u>Addendums</u>

9.0 <u>Notices of Motion</u>

10.0 <u>Announcement and Inquiries</u> Members of Council may make brief verbal reports (meeting/conference/ announcements). Inquiries shall deal with items pertaining to the current Agenda for the purpose of clarification only, and shall not be used to table new items that require Council's/Committee's consideration. Members of the Public may direct comments and questions to Council only.

11.0 Closed Session

• labour relations or employee negotiations - with respect to compensation for non-union employees

12.0 Adjournment

2016 AMO AGM and Annual Conference

Caesars Windsor | August 14 - 17, 2016 Registration Package



Things to Know:

- Rates listed do not include HST. Please ensure to include HST when submitting your payment. Please note On-Site registration fees are valid from August 11, 2016. For full onsite rate details please visit amo.on.ca
- Confirmation will be sent after each registration, modifications or cancellation. Review your confirmation carefully for accuracy.
- Elected officials of member municipalities must select a Caucus for voting purposes, any changes to your caucus selection must be done prior to July 15, 2016. No changes can be made after this date.
- All cancellations must be submitted in writing to the Association of Municipalities of Ontario via e-mail at events@amo.on.ca. Cancellations received prior to 4:30 pm ET, July 15, 2016 will be eligible for a refund less \$95.00 (plus HST) administration fee. Cancellations made after 4:30 pm are non-refundable. An alternate attendee name may be substituted at any time.

New in 2016:

- 1. Add on a Study Tour
 - Seven study tours are available in 2016, each presenting a unique learning opportunity in and around the Windsor-Essex area. All tours include a dinner component and companions are eligible to attend with a registered delegate. Learn more about the study tours on page 2.
- 2. Tuesday Evening Social
 - As dusk settles on the river, we invite you all to join us for an evening at the riverfront. The night will be marked with good food, opportunites to network and as always a few surprises.

What's Included	Conference Plus Social	Conference Only	One Day		1/2 Day	
			Monday	Tuesday	Wednesday	
Access to all Conference Sessions	Х	Х				
Access to Conference Sessions on a specific day	Х	Х	Х	Х	Х	
Access to the Trade Show	Х	Х	Х			
Admission to the following Networking Events:						
- Official AMO Trade Show Opening Reception	Х	Х				
- Windsor-Essex Welcome Reception	Х	Х				
- Power Down Exhibit Hall Reception	Х	Х	Х			
- Open Invite Sponsors Receptions	Х	Х	Х	Х	Х	
Tuesday Evening on the Riverfront*	Х					
Refreshment Breaks	Х	Х	Х	Х	Х	
Tuesday Insight Breakfasts	Х	Х		Х		
Wednesday Insight Breakfasts	Х	Х			Х	
All Conference Materials	Х	Х	Х	Х	Х	
Access to AMOmobile	Х	Х	Х	Х	Х	

Conference Registration Includes:

* Additional tickets can be purchased for this event for guests of delegates.

2016 AMO AGM and Annual Conference

Caesars Windsor | August 14 - 17, 2016 Study Tours



Study Tours will run on Monday, August 15, 2016 departing Caesars Windsor at 3:00 p.m. Each tour is an exciting opportunity to explore and learn about parts of the Windsor-Essex area. All tours will last approximately three hours, and include dinner at a cost of \$45 plus HST per person, tours are open to guests of delegates.

Tour #1: Ontario's Gateway to Nature Dinner: Exclusive food truck experience.

Located in Windsor, Ojibway Prairie Complex is a collection of five closely situated natural areas within a 10 minute drive from downtown. This provincial park supports a plant community like no other in the province. Wetlands, forest, savanna and prairie provide habitat for a great number of rare plants, insects, reptiles, birds and mammals - more rare plants per hectare are found here than at any other park in Ontario. Learn how the municipality and the community worked together to ensure that damage to the environment was minimized in the construction of the Rt. Hon. Herb Gray Parkway project - the most significant highway investment made in Ontario's history!

Tour #2 For Medicinal Use Only

Dinner: Dine around experience in Kingsville

Situated at Canada's most Southern point, in Leamington, the Aphria operation provides quality natural products that thrive from the many benefits of natural light. The Leamington greenhouse facility provides Aphria the opportunity to be a scalable lowcost producer of medical marijuana. The Company is focused on producing and selling medical marijuana through a two-pronged growth strategy, including both retail sales and wholesale channels. Retail sales are primarily sold through Aphria's online store as well as telephone orders. Wholesale shipments are sold to other licensed producers under Marijuana for Medical Purposes Regulations (MMPR). In August, Aphria received authorization from Health Canada to begin the production of oil extracts from cannabis. In response to these changes, Aphria has commenced the building of a research & development laboratory and related advanced equipment at this facility.

Tour #3: Chrysler: Imported From Windsor Dinner: Armando's in Tecumseh

Opened in May, 1996 with a \$30 million (CDN) investment. It was the first partnership of its kind in Canada. With a total investment now exceeding \$600 million, the Automotive Research and Development Centre (ARDC) benefits all partners. It is equipped with six road-test simulators and a range of research and development support facilities, including the Automotive Coatings Research Facility and the Automotive Lighting Research Facility.

Tour #4 : A Spirited Tour

Dinner: Dine around in Windsor

Explore the manufacturing world of spirits in the Hiram Walker distillery in historic Walkerville, and the home of Wiser's, Hiram Walker and Canadian Club Whisky. The tour will take you step by step from the moment the grains arrive on ship from the Detroit River right to the bottling line. The tour will explore the colourful history of Hiram Walker: from family ties, to prohibition times. The tour finishes with a formal whisky tasting where you have the opportunity to sample products from the Canadian Club portfolio. Minors are welcome to attend. Please note the facility is not wheelchair accessible.

Tour #5: Five Blooming Reasons Dinner: Your choice - The Dalhousie Bistro, The Cellar Restaurant or the Artisan Grill.

Join the Mayor of the Town of Amherstburg and your local historical guide to learn about their latest municipal achievements: Communities in Bloom, 5 Blooms Award; Safest Community in Canada for 4 out of 5 years; Festival and Events Municipality of the Year and Downtown Amherstburg Neighbourhood's People's Choice Award for Great Places in Canada. Ride over the bridge of the first gunshots from the War of 1812 and hear about how Amherstburg's history shaped our Nation. Experience a Heritage Tea Service inside the Commissariat Museum and be entertained by an authentic Provincial Marine re-enactment and cannon firing! Amherstburg's Park Manager Annette will take you on a guided walking tour and share some interesting insights on the legendary King's Navy Yard Park as you stroll to the Museum's Heritage Garden, enjoy wine tasting from one of the Region's Award Winning Wineries and sample seasonal local foods. Please note part of this tour will be on foot, comfortable shoes are a must!

Tour #6: Healthy Mind & Body Walking Tour Dinner: Dine around in Windsor

Cutting edge technology make both the Windsor International Aquatics Centre/Adventure Bay and Chimcuzk Museum unique must-visit facilities in Windsor. Both were developed with input from their respective community groups and this has lead to spaces that meet many diverse needs. Learn how city administration capitalized on the projects to provide destinations that will assist with the redevelopment of the downtown core.

The City of Windsor has invested heavily in both of these unique facilities with the intent to provide both learning and entertainment resources for the community and tourists coming to explore the region. The two facilities have created a unique Recreation and Culture hub that supports the mandate and mission of each facility without duplicating services. Please note this is a walking tour, comfortable shoes are a must!

Tour #7: Pedaling to Foodies Dinner: Viewpointe Estate Winery

Windsor-Essex has much to offer in terms of wineries, waterfront and agritourism. With over 18 wineries - there is something for everyone. Travel through Essex County to the south coast for your first stop at The Fruit Wagon and Farm Dog Cycles. This working farm and orchard boasts a wonderful selection of local seasonal fruits, vegetables and flowers. For those looking for an adventure, hop on a bike and take a quick ride to Serenity Lavender Farm. For those who wish to cruise in comfort take the bus to Canada's most southern lavender farm, located in Colchester, offering you a scentsational experience! Taste the flavours, see the colours, and smell the aromas that are offered by the fields of lavender. A quick trip will lead you to Viewpointe Estate Winery where the views of Lake Erie will take your breath away. Enjoy a tour of their facility and taste some of Essex County's award-winning wines. Finish your day with an impressive locally sourced Essex County meal prepared by Chef Jodie Brown, and paired perfectly with Viewpointe wines. Please note part of this tour is done on a bicycle, please ensure to wear comfortable shoes and clothing. Page 4 of 51

2016 AMO AGM and Annual Conference

Caesars Windsor | August 14 - 17, 2016 Registration Form



Name:	
Title:	
Organization:	
Address:	
Phone:	E-mail:
Registration Fees	Additional Purchases

Please check registration type below.		7 Bird ch 4, 2016)
Member Non Mem		Non Member
Full with Tuesday Social	\$ 710	\$ 920
Conference Only	\$ 645	\$ 775
One Day - Monday	\$ 410	\$ 475
One Day - Tuesday	\$ 410	\$ 475
Half Day - Wednesday	\$ 235	\$ 275

Study Tour: \$45

#1 Ontario's Gateway to Nature
#2 For Medicinal Use Only
#3 Chrysler: Imported from Windsor
#4 A Spririted Tour
#5 Five Blooming Reasons
#6 Healthy Mind & Body Walking Tour
#7: Pedalling to Foodies
I will bike I prefer to take the bus
I will be bringing a guest.
Name of Guest(s)

Payment:

Registration Fee	\$
Study Tour	\$
Extra Tuesday Social Tickets	\$
HST (13%)	\$
TOTAL TO BE REMITTED	\$

Extra Tuesday Evening on the Riverfront Tickets: \$100

Please indicate how many tickets you wish to purchase:

Invoice Me (option or	ies)	Additional Needs	
Cheque enclosed	MasterCard Vis	а	Dietary, please list:
Cheques can be mailed to A			
200 University Avenue, Suite 801, Toronto, ON, M5H 3C6	Expiry Date		
Completed forms can be faxe to 416.971.9372 or scanned			
events@amo.on.ca	Name on Card		Accessibility, please list:
HST 1067329444RT0001			Accessionity, please list.
	a Member municipality and will be par		
	submitted in writing by July 15, 2016.	hat you feel reflects your municipality. No changes permitted after this date.	Other, please specify
County	Large Urban	Northern	
Rural	Regional & Single Tier	Small Urban	This is my first time att ፀณค ቃ የ f ø©onference.

Disclaimer: Submission of this registration form provides AMO with consent to send information on all activities related to current and future AMO Conferences. If you wish to no longer receive information from AMO on this please contact optout@amo.on.ca to unsubscribe.

Submit Form



Municipality of French River

Report CL-01-2016 of the Clerk's Department For Consideration by Council

RE: Annual User Fee per Seasonal Trailer Site

OBJECTIVE: To present the report and results of the study requested by Council to establish an annual user fee per seasonal trailer sites.

RECOMMENDATIONS:

1. THAT Council receives the report and further directs staff on how to proceed.

Respectfully submitted:

Approved:

Mélanie Bouffard Clerk Date: January 22, 2016 John Regan Ec.D.(F), CEcD. Chief Administrative Officer (CAO) Economic Development Manager (EDM)

BACKGROUND:

An Annual Recreational Trailer User Fee was presented to Council May 27, 2015 as a Notice of Motion. (See Attachment 'A') The Notice of Motion presented to Council outlined that adequate assessment value is not currently collected through taxation by properties assessed as campgrounds.

At the November 10th, 2015 Council Meeting, a resolution was passed to proceed with a study for a recreational trailer site user fee to receive appropriate compensation for the share of delivery of municipal services that are not currently reflected in the assessment value of those properties. Council directed that the properties be identified, an appropriate fee be established and that a letter be sent advising and justifying the fee.

ANALYSIS:

In French River, there are 15 campground properties and there were 585 trailer sites identified in total. This information was collected from available internal municipal data and by physically counting trailer sites that were visible.

In order to determine whether an annual user fee per trailer site would realistically offset the cost of municipal services, the cost of providing municipal services to residents and the taxation revenue collected from permanent, seasonal and specifically from campground properties was studied and analyzed at great lengths.

On June 30th, 2015 Councillor Wenborne and the Treasurer met with MPAC to obtain additional details about campground properties. In the report to Council dated July 8, 2015 it was explained that the Provincial Government sets the legislative framework for assessment and taxation in Ontario. Property taxation across the province is based on assessment values and it assumes that current market value of a property reflects the constituent's ability to pay.

The relevance and applicability was questioned during the study. Throughout the research it was found that municipal authority to impose such a user fee was not permissible.

As per the Municipal Act, user fees must relate to the provision of a specific service; meaning that the fee must represent the actual cost of the service being provided to the payer. The user fee cannot be used to replace, or supplement what had traditionally been provided as a service to the residence of a municipality that had been funded through general municipal revenues or for the purpose of achieving greater tax-paying parity between campground properties and seasonal/residential properties.

The Supreme Court has held that a link must exist between the quantum of the user fee/charge and the cost of the service provided and that user fees used to defray the costs of a general government program are considered as a tax. It has also been held in the Supreme Court that imposing a flat user charge for municipal services *"is simply a tax measure imposed on trailer park operators, to be passed on to the trailer site users for the political and financial purposes of council. It is an indirect tax and therefore ultra vires as beyond the powers of the municipality to impose."* Ontario Private Campground Assn. v. Harvey (Township), 1997 12143 (ON SC) See link for full Case Law: http://caselaw.canada.globe24h.com/0/0/ontario/superior-court-of-justice/1997/04/30/ontario-private-campground-assn-v-harvey-township-1997-12143-on-sc.shtml

BUDGET/LEGAL IMPLICATIONS:

The proposed trailer site user fee would be considered as a type of indirect tax on land users which ultra vires the province; meaning that it is beyond the municipality's legal power and authority.

INTERDEPARTMENTAL IMPACTS:

Not applicable.

LINKS TO STRATEGIC PLANS:

Not applicable.

CONCLUSION:

It is the responsibility of Municipalities to ensure that user fees are established for specific services or activities as outlined in the Municipal Act.

The level and degree of research found in this study did result in opportunities for establishing user fees for the delivery of environmental services to all residents. However at this time, it would be difficult to control and establish with the waste management system currently in place. Strategies and costs to improve efficiencies, waste diversion and revenues (user fees) were presented to Council in September 2015 and will continue to be reviewed for Council's consideration.



Municipality of French River

Report CBO-01-2016 of the Building Controls and MLEO Department For Consideration by Council

RE: Building Controls and MLEO Department 2015 4th Quarter Activity Report

OBJECTIVE: To update Council on the initiatives and activities of the Building Controls and Municipal Law Enforcement Officer (MLEO) Department for the fourth quarter of 2015.

RECOMMENDATIONS:

1. THAT Report CBO-01-2016 Re: Building Controls and MLEO Department 2015 Fourth Quarter Activity be received.

Respectfully submitted:

Approved:

Michael Campbell Chief Building Official/MLEO Building Controls and MLE Department January 27, 2016 John Regan Chief Administrative Officer

BACKGROUND:

In September 2015, a quarterly 'activity' report was developed to provide interim updates on activities as an ongoing effort to be able to communicate the activities, initiatives and impact of the Building Controls and By-Law Department to Council and ratepayers.

Attached please find the "Activity Report" from the 1st, 2nd, 3rd and 4th quarters of 2015 as well as the comparison to previous years (Statistics are not complete as not all data sets were tracked prior to the creation of the report).

ANALYSIS:

Key Highlights for the fourth quarter:

- Attended the OBOA Annual Meeting and Training Sessions in Toronto from October 5-8, 2015.
- Attended the OBOA House 2012 Training Course in Woodbridge from December 7-11, 2015.
- Attended the Northern Lights Chapter Meeting in Blind River on November 25, 2015.
- All of the By-Law complaints for this quarter were for animal control (9 complaints for Animals)
- Began rectifying various Property Standards concerns that were brought forward to the By-Law department. Property owners were sent compliance letters advising of the infraction along with a compliance date.
- The building permit numbers were lower than the previous year; however, the 2015 fourth quarter numbers are higher than the 2014 fourth quarter. 20 building permits were issued for the fourth quarter, for a total of 108 for 2015. In 2014, 16 building permits were issued for the fourth quarter, for a total of 111.

BUDGET/LEGAL IMPLICATIONS:

Not applicable.

INTERDEPARTMENTAL IMPACTS:

Not applicable.

LINKS TO STRATEGIC PLANS:

Ensure Community Safety - French River is a community where residents feel safe and secure, and where a full range of services is available to them, including police, fire, ambulance, by-law enforcement and emergency management.

Ensure timely knowledge of policies, By-Laws, and Building Controls - French River is a community where development and enforcement (zoning, building control, by-law) is encouraged through the use of modern technology, persistent training and consistent communication with the public.

Provide personalized and efficient customer service - French River is a community where its residents are provided with exceptional and friendly customer service in both official languages.

CONCLUSION: Report CBO-01-2016 has been prepared to update Council on the initiatives, activities and statistics that have taken place for the period of October to December 2015 as it relates to Building Controls and By-Law Enforcement.

ATTACHMENTS:

Fourth Quarter Report

BUILDING CONTROLS and BY-LAW ENFORCEMENT DEPARTMENT

CORPORATE PURPOSE:

- To deliver statutory building permitting and inspection services for construction activity.
- To achieve compliance with municipal by-laws.

2015 BUILDING CONTROLS QUARTERLY REPORT – 4th QUARTER

Item	Q1	Q2	Q3	Q4	2015 Total	2014 Total
Applications	13	31	50	19	113	111
Permits Issued	13	33	42	20	108	111
Median Working days to issue House - Building Permit (Days/# of Permits)	8/12	6/29	4/38	6/19	4/108	N/A ²
Median Working days to issue Small Building - Building Permit	0/0	7/3	6/3	6/1	7/7	N/A ²
Median Working days to issue Large Building - Building Permit	7/1	1/1	8/1	0/0	4/3	N/A ²
Median Working days to issue Complex Building - Building Permit	0/0	0/0	0/0	0/0	0/0	N/A ²
Building Inquiries	N/A	N/A	335 ¹	375	710	N/A ²
Inspections ³	N/A	N/A	53 ¹	64	117	N/A ²

NOTE:

¹ 3rd Quarter only tracked statistics from the Month of September only.

² Statistics are not complete or showing N/A: statistics not tracked or TBA: To be added.

³ Inspections include, but not limited to, preconstruction site inspection, footings, foundation, drainage/weeping tile, concrete slab, plumbing rough-in, framing, insulation, vapour/air barrier, heating, occupancy, fire protection, final inspection.

2015 Permits - 1st, 2nd, 3rd and 4th Quarters			2014 - 1st, 2n	id, 3rd & 4th Quarters
Residential	Permits	Construction Value	Permits	Construction Value
New Building Construction	13	\$2,788,000	26	\$3,859,200
New Accessory Structure	28	\$588,000	30	\$735,022
Install/Erect/Replace	7	\$166,000	3	\$104,500
Renovation/Alter/Repair	22	\$445,000	19	\$339,100
Demolish	12	\$121,000	12	\$45,000
Addition	16	\$644,000	11	\$565,000
Total Residential	98	\$4,752,000	101	\$5,647,822
Commercial	5	\$202,000	6	\$216,500
Industrial	3	\$231,000	2	\$206,000
Government/Institutional	2	\$278,000	2	\$16,000
Totals	108	\$5,463,000	111	\$6,086,322
Building Permit Fees	\$46,338		\$52,321	

2015 P	2014 - 1st Quarter			
Residential	Permits	Construction Value	Permits	Construction Value
New Building Construction	1	\$273,000	1	\$50,000
New Accessory Structure	1	\$40,000	1	\$34,000
Install/Erect/Replace	1	\$7,000	1	\$100,000
Renovation/Alter/Repair	2	\$122,000	0	\$0
Demolish	4	\$41,000	1	\$4,000
Addition	3	\$95,000	0	\$0
Total Residential	12	\$578,000	4	\$188,000
Commercial	0	\$0	1	\$12,000
Industrial	1	\$72,000	0	\$0
Government/Institutional	0	\$0	0	\$0
Totals	13	\$650,000	5	\$200,000
Building Permit Fees	\$5,671		\$1,864	

2015 P	2014 - 2nd Quarter			
Residential	Permits	Construction Value	Permits	Construction Value
New Building Construction	5	\$1,176,000	8	\$1,859,400
New Accessory Structure	9	\$226,000	13	\$292,022
Install/Erect/Replace	2	\$23,000	0	\$0
Renovation/Alter/Repair	7	\$71,000	9	\$136,100
Demolish	1	\$10,000	6	\$19,000
Addition	5	\$260,000	5	\$346,000
Total Residential	29	\$1,766,000	41	\$2,652,522
Commercial	2	\$44,000	3	\$40,500
Industrial	1	\$124,000	0	\$0
Government/Institutional	1	\$180,000	2	\$16,000
Totals	33	\$2,114,000	46	\$2,709,022
Building Permit Fees	\$17,529		\$23,127	

2015 P	2014	- 3rd Quarter		
Residential	Permits	Construction Value	Permits	Construction Value
New Building Construction	5	\$884,000	13	\$1,522,400
New Accessory Structure	14	\$210,000	11	\$304,000
Install/Erect/Replace	4	\$136,000	0	\$0
Renovation/Alter/Repair	8	\$217,000	6	\$158,000
Demolish	5	\$50,000	5	\$22,000
Addition	2	\$66,000	5	\$198,000
Total Residential	38	\$1,563,000	40	\$2,204,400
Commercial	2	\$90,000	2	\$164,000
Industrial	1	\$35,000	2	\$206,000
Government/Institutional	1	\$98,000	0	\$0
Totals	42	\$1,786,000	44	\$2,574,400
Building Permit Fees	\$14,976		\$21,819	

2015 Permits - 4th Quarter			2014	- 4th Quarter
Residential	Permits	Construction Value	Permits	Construction Value
New Building Construction	2	\$455,000	4	\$427,400
New Accessory Structure	4	\$112,000	5	\$105,000
Install/Erect/Replace	0	\$0	2	\$4,500
Renovation/Alter/Repair	5	\$35,000	4	\$45,000
Demolish	2	\$20,000	0	\$0
Addition	6	\$223,000	1	\$21,000
Total Residential	19	\$845,000	16	\$602,900
Commercial	1	\$68,000	0	\$0
Industrial	0	\$0	0	\$0
Government/Institutional	0	\$0	0	\$0
Totals	20	\$913,000	16	\$602,900
Building Permit Fees	\$8,162		\$5,511	

<u>2015 MLEO QUARTERLY REPORT – 4th QUARTER</u>

Item	Q1	Q2	Q3	Q4	2015 Total	2014 Total
Parking Tickets Issued	1	0	29	0	30	24
Parking Tickets Paid	1	0	26	0	27	24
By-law Inquiries	N/A ⁴	N/A ⁴	21 ¹	47	68	N/A ⁴
By-law Complaints	6	30	31	9	76	29
Charges Laid	0	0	0	1	1	3
Dog Tags Issued	32	13	23	21 ³	68	N/A ²

NOTE:

¹ 3rd Quarter only tracked statistics from the Month of September only.

² Errors in the CGIS program. Issue has since been rectified.
 ³ Dog tags sold for the 2016 year (Within the 4th quarter).

⁴ Statistics are not complete or showing N/A: statistics not tracked or TBA: To be added.









NOTE:

Standards - Includes Property Standards, Clean Yard and Noise By-Laws

<u>Building Controls</u> – Includes Zoning By-Law and Building Code

Other – Includes Waste Management, Signage and Miscellaneous By-Laws



Municipality of French River

Report PRF 01-2016 Parks, Recreation and Facilities Department For Consideration by Council in Committee

RE: 4th Quarter Activity Report

OBJECTIVE: To update Council on the initiatives and activities of the Parks, Recreation and Facilities Department for the fourth quarter of 2015 including annual performance measures.

RECOMMENDATIONS:

1. THAT Report PRF-01-2016 Re: Parks, Recreation and Facilities Department 2015 4th Quarter Activity be received.

Respectfully submitted:

/Kc

Robert Martin Manager Parks, Recreation & Facilities Department January 27, 2016

Approved:

John Regan Chief Administrative Officer

BACKGROUND:

In September 2015, a quarterly 'activity' report was developed to provide interim updates on activities as an ongoing effort to be able to communicate the activities, initiatives and impact of the Parks, Recreation & Facilities Department to Council and ratepayers.

ANALYSIS:

Key Highlights for the fourth Quarter:

- Received new Ice resurfacer in early October
- Arena ice rental increased in 4th quarter
- Received final Energy reporting report from Greenview Engineering
- Conducted an air quality assessment of the municipal complex, final report due in early January 2016

BUDGET/LEGAL IMPLICATIONS:

Air quality report will impact budget, Energy report will be implemented within operating budgets.

INTERDEPARTMENTAL IMPACTS:

Not applicable.

LINKS TO STRATEGIC PLANS:

- Ensure community safety
- Provide beautiful places for the community to gather
- Provide personalized and efficient customer service

CONCLUSION:

Report PRF-01-2016 has been prepared to update Council on the initiatives, activities and statistics that have taken place for the 4th quarter of 2015 as it relates to Parks, Recreation & Facilities Department

ATTACHMENTS:

Parks, Recreation and Facilities Department - 2015 fourth Quarter Activity Report

PARKS, RECREATION AND FACILITIES DEPARTMENT

CORPORATE PURPOSE:

- Works closely with sports and recreation organizers to maximize use of Municipal facilities.
- Plan, design, staff, implement and supervise all programs offered by the Department.
- Works within prevailing legislation, including all municipal policies and procedures.

2015 PARKS, RECREATION QUARTERLY REPORT - 4th QUARTER

Item	Q1	Q2	Q3	_Q4	2015 To	2014
	hours	hours	hours	hours	Date hours	Total hours
	244	N/A	23	170.5	507.5	408
ICE TIMES	314	N/A	23	170.5	507.5	400
FRENCHRIVER	N/A	N/A	27	83.5	110.5	0
RAPID'S ICE TIME						
FREE ICE TIMES	76	N/A	7	92.5	175.5	140
HALL-RENTAL						
HOURS,PAID	22	0	24	0	46	77
NOELVILLE						
HALL-RENTAL						
HOURS, FREE	6	3	0	11	20	132
NOELVILLE						
HALL-RENTAL	8	15	2	7	32	91
HOURS, PAID ACC						
HALL-RENTAL	121	80	38	57	196	310
HOURS, FREE ACC						

> NOTE: Statistics are not complete or showing N/A: statistics not tracked or TBA: To be added.



OBJECTIVE: To update Council on the initiatives and activities of the Public works and Environmental Department for the third and fourth quarter of 2015 including annual performance measures.

RECOMMENDATIONS:

1. THAT Report PW/ENV-01-2016 Re: PW and ENV Department 2015 Third and Fourth Quarter Activity and Annual Report dated January 18, 2016 be received.

Respectfully submitted:

Approved:

Greg Darby Director of Operations Public Works/Environmental Services Date: January 18, 2016 John Regan Chief Administrative Officer

Background:

As part of ongoing efforts to be able to communicate the activities, initiatives and impact of the Department's programs and initiatives to Council and ratepayers, in late 2015 annual performance measures were developed and in July 2015, a quarterly 'activity' report was developed to provide interim updates.

Attached please find the "Activity Report" from July to December 2015 as well as the 2015 Performance Measures.

<u>Analysis</u>

Analysis will include; Key Highlights for Third Quarter Public Works and Environmental Services, key Highlights for Fourth Quarter Public Works and Environmental Services and Highlighted Annual Performance Metrics for 2015

Interdepartmental impacts:

n/a

Links to strategic plan:

- 1. Provide safe travel for all road users.
- 2. Ensure environmental compliance and efficient waste collection.
- 3. Provide beautiful places for the community to gather.

Conclusion:

Report PW/ENV-01-2016 has been prepared to update Council on the 2015 initiatives, activities and statistics that have taken place thus far for the Public Works and Environmental Department for the period of July 1 to December 31, 2015.

Attachments:

- 1. Public Works and Environmental Department 2015 Third/Fourth Quarter Activity and Annual Report.
- 2. Departmental efforts as a whole in 2015 including Annual performance metrics related to service delivery, efficiency and customer service.
- 3. Application Reviews

Report: PW-ENV-01-2016, Attachment 1

Public Works and Environmental Department

2015 Third/Fourth Quarter Activity Report and Annual Summary (July 1 - December 31)



PUBLIC WORKS and ENVIRONMENTAL SERVICES

Corporate Purpose:

The Public Works department oversees the rehabilitation and development of the network of road infrastructures at the best possible cost throughout the municipality, and provides for the efficient and safe movement of people and merchandise. Furthermore, the department oversees maintenance of the road network (over 180 kilometers). It provides for general standards in snow removal, street cleaning, road signage and lighting, as well as transportation and traffic policies. The department is also responsible for the collection of solid waste (garbage) and recyclable materials, and oversees the smooth operations at the landfill site.

Quarterly statistics Public Works

Description	Annual Total 2015	Number Q3/4
Litigation/Risk Mitigation : legal (lawsuits, compliance, health and safety infractions)	**	**
Work orders for operational priorities	**	**
Work orders for minimum maintenance standards	**	**
Number of times we met or exceeded MMS On.	**	**
Environmental events wind, rain, snow, road closures	**	**
Complaints/Inquiries	**	**
Contracted services used for operations (outside of contracts)	**	**
Stand by hours (Departmental Emergency hours used)		

*tracking documents for key performance indicators will need to be implemented in daily activities for accuracy, as of December 31 2015 this documentation had been not logged.

<u>Analysis</u>

Key Highlights for Third Quarter PW:

Notable for the quarter are:

- Completed Road improvement projects on Turenne Road and Jean Street.
- Proposed to council for the purchase and acquisition of a new garbage truck, which was granted.
- Ordered a new culvert steamer.
- Crews continued culvert improvement/replacements.
- Contracted services for the removal of the berm and installation of a new parking area at the municipal complex.
- Continued the war against beavers.

Key Highlights for Fourth Quarter PW:

Notable for the quarter are:

- Took ownership of a new Tandem Freightliner Winged Plow.
- Agreed to a retrofit streetlight contract.
- Hired two new staff in Public Works.
- A new Director of Operations was appointed and started work.
- Prepped for winter operations.
- Crews continued culvert improvement/replacements.
- Continued the war against beavers.

Highlighted Annual Performance Metrics for 2015:

- The purchase of new equipment to maintain and or increase the level of service the Municipality provides its ratepayers.
- The additional staff hired in the last quarter of 2015, which will allow the Department to continue level of service the Municipality provides it ratepayers.

Quarterly statistics Environmental Services

Description	Annual Total 2015	Number Q3/4
Litigation/Risk Mitigation : legal (lawsuits, compliance, health and safety infractions)	**	**
Number of environmental infractions (residents)	**	**
Tickets for infractions (residents)	**	**
Work orders for operational priorities (equipment break downs)	**	**
Work orders for maintenance standards	**	**
Contracted services used for operations (outside of contracts)	**	**
Stand by hours (Departmental Emergency hours used)	**	**

*tracking documents for key performance indicators will need to be implemented in daily activities for accuracy, as of December 31 2015 this documentation had been not logged.

<u>Analysis</u>

Key Highlights for Third Quarter ENV:

Notable or the quarter are:

- Municipal garbage truck was tagged unsafe to continue utilizing for operations.
- Increase in budget amount for waste management pick up of bins at all bin site locations.
- Purchase of used Garbage truck to allow for operations until new truck arrives.
- Students and staff organized data collection on waste and recycling (at bin sites over a six-week period) to provide information to council. (Educational component for residents).
- Hazardous waste day, increase in deliverable wastes from last year.
- Increase in revenue as Terra North had brought in contaminated soils from Hwy 69 project.

Key Highlights for Fourth Quarter ENV:

- Contracted services for wood waste removal
- Approval from council for purchase of new garbage truck for operations
- Continued strategic planning for waste education for residents
- Appointed lead for environmental services
- Appointed lead as by-law for environmental services

Highlighted Annual Performance Metrics for 2015:

- The purchase of new equipment (Garbage truck) to maintain and or increase the level of service the Municipality provides its ratepayers.
- Increase in deliverable hazardous waste materials during hazardous waste day
- Budget overage for emergency waste collection services
- Increase in operational services by utilizing environmental services lead as a by-law enforcer.

Report: PW-ENV-01-2016, Attachment 2

ANNUAL PERFORMANCE MEASURES

Project Management:

Description	2016	2017	2018
 Grants for projects 			
Grant \$			
Construction Value			
 Projects (no grant links) 			

Operations:

Description	2016	2017	2018
Culvert Replacements			
Street lighting			
Signage(Roadways)			
Emergency road repairs			

Service delivery/efficiencies:

Description	2016	2017	2018
Litigation/Risk Mitigation : legal			
(lawsuits, compliance, health and			
safety infractures			
Complaints/Inquiries			
Work orders for operational			
priorities(equipment breakdowns)			
downtime-			
Work orders for minimum			
maintenance standards			
Contracted services used for			
operations (outside of contracts)			
Stand by hours (Departmental			
Emergency hours used)			
Environmental events wind, rain,			
snow, road closures			
# of times we met or exceeded			
MMS Ont.			

Annual Total 2015	Q3/4 (July to Dec)
xxx total (xxxx hours spent on research, discussions, responses)	xx total (xx hours spent on research, discussions, responses)
Types of Inquiries:	Types of Inquiries:

Report: PW-ENV-QR-01-13-2015, Attachment 3

Applications Reviewed:

1. **Planning Applications including**: Request for tender, Request for Quotes, Grant applications including express of interests

Annual Total 2015	Q3/4 (July 1 to December 31)
**	**

2. **Engineering Reviews** – completed detailed reviews including grading plans, Road Improvement designs, site plans and functional servicing reports.

Annual Total 2015	Q3/4 (July 1 to December 31)		
**	**		

Applications Approved (Significant projects approved October 1 to December 31):

Major Projects:

ANNUAL PERFORMANCE MEASURES

	2015	2016	2017
 Activity Measures Number of Planning applications reviewed Number of Engineering documents reviewed Number of development inquiries Number of meetings attended 	**		
Efficiency MeasuresCompliance % to adopted plan review timelines	**		
 Compliance % to adopted engineering review timelines 	**		



OBJECTIVE:	To initiate discussion with Council to commence the process of
	determining the need, design and construction a sewage treatment
	plant in Noelville.

RECOMMENDATIONS:

1. THAT Report PW 2016 - 02 Re: Investigation of the Design, Construction and Operation of a Waste Water Treatment Plant dated January 20, 2016 be received and direction be given by council.

Respectfully submitted:

Approved:

Greg Darby Director of Operations Public Works/Environmental Services Date: January 18, 2016 John Regan Chief Administrative Officer

BACKGROUND:

The current wastewater disposal system consists of an underground gravity network that feeds into a lift station then a pump station which drains into two lagoons which are 10.25 and 12.5 acres with an average depth of 1.5 meters. The lagoons and collection system were implemented and constructed in 1975. The eleven-year average daily flow of the exiting sanitary network is between 275 m³ in the dry season and 332 m³ during the rainy season. The total maximum capacity of the lagoons is 145,929 m³ and under normal operating conditions performing two discharges per year we utilize on average 92.7% of the designed capacity.

Ontario Clean Water Agency (OCWA) is the current contracted operating authority which operates, monitors and reports to the Ministry of Environment.

PURPOSE:

In an effort to attract sustainable development and economic growth for the community it is the intent of this report to illustrate the benefits of improving the wastewater treatment in The Municipality of French River, through the construction of a treatment facility. The Municipality will be able to ensure effluent qualities and the protection of our natural surroundings to a much higher level.

Economically speaking providing sewage treatment will further the communities attractiveness to development.

ANALYSIS:

Treatment Types

Staff toured some treatment facilities on January 7th, discussions with the engineer imposed that the most suitable treatment facility would require a Single Train Integrated Surge Axion Mix Single Batch Reactor, (ISAM SBR) treatment system would be the best value as it's an effective economic solution that will be very expandable in the future.

These plants can also be designed in such a way as to blend into the surrounding environments. An example of an ISAM SBR plant:



With this design of plant there is very little to no odor and with an enclosed design as the one pictured above many people do not realize that these plants are not homes or community centers.

Site Requirements:

There is a 100-meter buffer strip required around a sewage plant to the nearest home or business structure. Of the three sites visited by staff the property sizes ranged from two to four acres.

Process to Asses and Engineer:

There are many different approaches to engineering a waste water plant. Most commonly Engineers start with a needs study then move to a Master Plan Then perform a Class "C" Environmental Assessment (EA) and finally design and construction.

In some case it is preferred to move straight to the EA stage as this can expedite the process and save money.

There is also the option of tendering for a design build project once the EA is complete where the engineers design and contractor completing the construction are hired together as a package deal once again speeding up the final delivery.

Through discussions with engineers with knowledge of waste water design and setting up systems in rural communities it is felt that moving directly to the EA stage would be the best starting point.

Timeframe:

The realistic timeframe for a project of this nature is three (3) to five (5) years including EA, design and construction.

Economic Development:

To be provided.

Risk Management:

Through the construction of a treatment plant we will be able to meet point source requirements which will reduce phosphorus and nitrate loading on our natural environment. The effective treatment of waste generated from our community is essential to ensuring the vibrancy of the French River area.

BUDGET/LEGAL IMPLICATIONS:

This project would have a \$3-5 million total cost with the consideration of grants at one third shares from federal, province and the municipality. Increased operational and maintenance cost from OCWA.

INTERDEPARTMENTAL IMPACTS:

Not applicable.

LINKS TO STRATEGIC PLANS:

Constructing a sewage treatment plant will reinforce the communities mission statement and core values.

CONCLUSION:

Based on the findings of this report it is recommended that council give direction to staff in order to initiate discussions, budgeting and a Request for Information/Request for Proposal process. The construction of a sewage treatment plant would effectively boost the community's economic growth potential, ensure the vibrancy and safety of the natural and social environments as well as bring a sense of security to the residents of the municipality.

ATTACHMENTS:

No Attachments.



Subject:OMB User FeesReport To:COUNCIL FOR THE MUNICIPALITY OF FRENCH RIVERMeeting Date:January 27, 2016

1. <u>RECOMMENDATION:</u>

That the Sudbury East Planning Board and the Municipality of French River establish a policy with respect to Planning Act application appealed by third parties to the Ontario Municipal Board and provide guidance on a specific appeal as follows:

Firstly, regarding OMB appeals in general

- That upon receipt of an appeal, whether filed by the owner/applicant or a third party, staff prepare a report to the Planning Board and/or applicable municipality to seek Planning Board/Municipal Council's recommendation on whether to seek party status and what position the Board/Council wishes to have represented at the OMB;
- 2) That the Municipality of French River shall only attend at Ontario Municipal Board hearings on third party appeals where the applicant reimburses the Municipality's expenses for attendance at the hearing;
- 3) That the payment of a deposit of \$1,000.00 shall be made or guaranteed to the satisfaction of the Municipality's solicitor prior to the Municipality's attendance at the Ontario Municipal Board hearing. Should the costs exceed \$1,000.00 the applicant shall reimburse the Board/Municipality for all such costs related to the Planning Board/Municipal solicitor and expert witnesses called to testify;
- 4) That notwithstanding the above, Staff may seek instructions from Council on waiving items 2) and 3) above, where Council is satisfied that a broader community or public interest warrants the Municipality's attendance at the Ontario Municipal Board hearing;
- 5) That staff modify all applicable Planning Act application forms to include a statement with respect to the policy, fee, and an acknowledgement of the policy to be signed by applicants;

Secondly, regarding appeal of A/09/15/FR

1) That the Municipality of French River not seek party status before the Ontario Municipal Board for the hearing regarding Minor Variance Application A/09/15/FR (Beaulieu).

2. <u>BACKGROUND:</u>

The Planning Act has given the Sudbury East Planning Board approval powers for Subdivisions, Condominiums, and Consents to sever in the Planning Area, as well as Zoning By-law Amendments and Minor Variances for the Unincorporated Townships. Additionally, the Act, has given the area municipality's approval authority for Zoning By-law Amendments and Minor Variances within each applicable municipality. The current practice of the Planning Board and area municipalities has generally been to defend all appeals at the Ontario Municipal Board (OMB) in defense of the Council, Committee of Adjustment or Planning Board decision.

Appeals to the OMB typically occur in the following situations:

- a) Where Council/Board denies an application and the applicant appeals the denial to the Board;
- b) Where Council/Board approves an application subject to conditions and the applicant appeal one or more conditions to the Board; and
- c) Where Council/Board approves that application and a third party (person or corporation other than the applicant such as a neighbour, agency, etc.) appeals the decision.

Although less often, appeals can also result from the applicant where the City/Board has failed to make a decision on the application within the prescribed time periods under the Planning Act and from the applicant where they do not agree with a condition that has been imposed on the approval. The Planning Board and area Councils for the entire planning area average less than one (1) appeal per year.

3. <u>PURPOSE:</u>

Firstly, regarding appeals in general, the focus of this report is on those appeals that result from a third party where the Board/Council has approved the application. In these appeals, as in the others described above, Municipal or Planning Board counsel and expert witnesses (usually Planning Board staff) appear before the OMB to defend the position of the Planning Board/Council which would be similar to the applicant's interests in seeking the dismissal of the appeal and having the application approved. In those cases where the applicant has not retained their own legal counsel or expert witnesses, the costs of defending the appeal fall almost entirely on the Planning Board/Council, notwithstanding that the applicant has the most direct benefit from the application being approved.

Secondly, regarding the appeal to application for minor variance A/09/15/FR (Beaulieu), the purpose is to obtain Council direction on whether to pursue party status for the Municipality of French River at the Ontario Municipal Board (OMB) hearing regarding an appeal filed by a third party (neighbour) against a decision of the Committee of Adjustment for the Municipality of French River.

4. DISCUSSION:

General Discussion Regarding Appeals

The defense of appeals at the OMB involves a considerable amount of Planning Board and Municipal resources. Most OMB hearings are only one day in length. Notwithstanding the one day time period for the hearing, there is considerable time involved by staff and legal counsel in preparing evidence, exhibits and documents for the hearing. More significant hearing involve several parties and issues involving several witnesses can result in hearings that can go on for several days. It is estimated that a one day hearing costs the Planning Board/Municipality approximately \$6,000.00 which includes preparation time and attendance.

The authority granted to the Planning Board/Municipality does not come with a requirement for the Planning Board/Municipality to defend its decisions before the OMB. While there may be a broader public interest in supporting the decision of the Planning Board, Council, and the Committee of Adjustment, the defense of the appeal could also be considered the responsibility of the applicant.

It is noted that notwithstanding whether the Planning Board/Municipality is a party at an OMB hearing, staff can be summoned to appear by other parties to provide evidence at the Board.

As municipalities continue to face significant financial constraints and challenges it remains necessary to shift the onus for costs associated with planning applications to the applicant. To this end, four policy proposals have been developed for consideration.

At present, there is no fee in either the Planning Board or area municipality's Fees By-law associated with Planning Board/Municipal attendance at an OMB hearing. The current application forms contain a planning services agreement which provides for the applicant to reimburse fees to the Planning Board for third party appeals, however this agreement speaks only to the Planning Board, not area municipalities, nor has it been applied consistently in the past.

In recent years, municipalities have been moving toward reducing costs associated with attendance at Ontario Municipal Board hearing. Some charge fees for preparation and attendance, while others provide a notice on the application forms stating that the applicant must assume the costs and responsibilities for the hearing.

Following the principal that those who make planning and development applications, not the general taxpayer, should pay a greater portion of the costs associated with planning and development applications, a review of the Planning Board/area municipality's practices with respect to OMB fees is warranted.

The following policy proposals have been developed for the Board/Council to consider:

- 1) Maintain the status quo and generally continue to bear the full cost of defending applications appealed by third parties to the OMB and any subsequent appeals to Divisional Court whether or not the applicant is represented by legal counsel or planning professional.
- 2) Adopt a policy not to attend third party appeals to the OMB.
- 3) Adopt a policy that provide for staff to seek instructions from the Planning Board/Council on applications appealed by third parties to the OMB to establish the Planning Board's/Municipality's position on the application before the Board.
- 4) Adopt a policy with respect to applications appealed by third parties to the OMB establishing a fee to reimburse the Planning Board's/Municipality's expenses for the defense of the application.

Appeal of Committee of Adjustment Decision

The subject property is located on Dry Pine Bay Road, south of the Village of Alban on the French River. The application for minor variance sought relief from the maximum height for an accessory structure (5.75m instead of 5.0m) required by the Municipality's Zoning By-law, as well as variances for increased length (12.1m instead of 10.0m) and width (7.3m instead of 6.0m) for a land based boathouse.

The proposal was considered and approved (subject to conditions) by the Committee of Adjustment on November 25, 2015. An appeal of the decision of the Committee of Adjustment for the Municipality of French River was received on December 11, 2015 from Barbara Booth. Staff recommended denial of the application, the decision of

OMB User Fees Page 4

the Committee of Adjustment was to approve the minor variances. It is anticipated that Planning staff will be subpoenaed by the appellant to provide evidence against the application.

An OMB hearing regarding this matter has been scheduled for March 15, 2016.

5. <u>SUMMARY:</u>

Respecting Appeals in General

The **first proposal**, maintaining the status quo, may not result in any sharing of the cost of defending planning applications, and the Municipality/Planning Board may participate fully whether or not the applicant is represented by legal counsel or planning professional. The approach would generally result in the full cost of the defense of planning applications resting with the Planning Board/Municipality.

The **second proposal**, not attending third party appeals to the OMB, makes third party appeals a matter between private parties. The Planning Board/Municipality would not prepare, attend or participate in the hearing not would the Planning Board/Municipality incur any costs.

The **third proposal**, where staff seeks direction from the Planning Board/Council, on the Planning Board's/Municipality's involvement and position at the hearing, allows for the Planning Board/Municipality's interest in the matter to be evaluated on a case by case basis for each of these types of appeals. This approach affords the Board/Council to evaluate the merits of each case and consider appropriate action but results in an additional commitment of Board/Council and staff time and resources. It is recognized that there may be applications of broader significance to the community at large which experience third party appeals.

The **fourth proposal**, the Board/Municipality would not provide legal services in the case of third party appeals to the OMB unless the applicant provides a deposit to the Board/Municipality to cover the estimated costs of the hearing. In consideration of the costs associated with OMB hearings, it is recommended that a deposit of \$1,000.00 be required and that the applicant pay any additional legal fees or fees associated with retaining of expert witnesses as well as disbursement fees upon completion of the hearing.

The application forms would need to be amended to provide notice of the selected practice. It is recommended that all applicable planning applications forms be modified to include a statement with respect to the policy and an acknowledgement of the policy to be signed by the applicants.

Respecting Appeal of A/09/15/FR

It is the opinion of staff of the Sudbury East Planning Board that the Municipality of French River not seek party status at the OMB regarding this matter. Whether or not Council chooses to be represented at the hearing, it is probable that staff will be summoned by the appellant to present evidence.

Respectfully submitted,

Melissa Riou, MCIP, RPP Director of Planning


Municipality of French River

MINUTES Closed Session - 5pm Regular Council Meeting - 6pm

Wednesday, January 13, 2016 held in the Council Chambers

Members Present:	
	Mayor Claude Bouffard(Chair), Councillors Michel Bigras, Ronald
	Garbutt, Malcolm Lamothe, Gisèle Pageau, Dean Wenborne
Members Excused:	
	Councillor Denny Sharp
Officials Present:	
	John Regan, Chief Administrative Officer
	Mélanie Bouffard, Clerk
	Arthur Smith, Treasurer/Tax Collector
	Robert Martin, Parks, Recreation & Facilities Manager
	Greg Darby, Director of Operations
Guests:	
	Bryan Searle, Municipal Advisor, Ministry of Municipal Affairs and Housing
	15 Members of public

1. Call to order, roll call and adoption of the agenda

The Chair called the meeting to order at 6:00 p.m.

Moved By Ron Garbutt and Seconded By Gisèle Pageau

Resol. 2016-01

BE IT RESOLVED THAT the agenda be approved as distributed and amended:

To add two Closed Session items relating to advice that is subject to solicitor-client privilege and potential litigation

To add an item at 7.1.2 Sudbury East Connectivity Project, request from Sustainable Building and Energy Consultants for funds to support the project

To add an item 7.1.3 Governance Model and Procedural By-law review

Carried

2. Moment of reflection

Council paused for a moment of reflection.

<u>3. Disclosure of Pecuniary Interest</u>

None declared.

4. Closed Session

Moved By Michel Bigras and Seconded By Dean Wenborne

BE IT RESOLVED THAT Council move into a closed meeting pursuant to section 239 (2) (b), (e) and (f) of the Municipal Act, 2001 as amended for the purpose of personal matters that would identify municipal employees relating to budget deliberations, litigation or potential litigation relating to a legal agreement and advice that is subject to solicitor-client privilege relating to a planning matter and that the meeting is to be closed pursuant to the said subsection.

Carried

Moved By Ron Garbutt and Seconded By Gisèle Pageau

BE IT RESOLVED THAT the open session reconvenes at 6:05 p.m.

Carried

Regular portion of the meeting to resumed at 6 pm

5. Resolution to resolve into Committee

Moved By Dean Wenborne and Seconded By Ron Garbutt

BE IT RESOLVED THAT Council now go into Council in Committee to consider delegations, reports and correspondence for consideration.

Carried

COUNCIL IN COMMITTEE

Councillor Michel Bigras chaired the Council in Committee meeting.

6. Delegations

6.1 French River Curling Club

Don Finucane and Jim Ireland gave an overview of their club's activities and presented a plaque of appreciation to the Parks & Recreation Employees to recognize their constant efforts, their over and above assistance and for working with the French River Curling Club in making their experience more enjoyable.

Resol. 2016-4

Resol. 2016-3

Resol. 2016-2

6.2 Ministry of Municipal Affairs and Housing

Bryan Searle, Municipal Advisor, presented the Financial Indicator Review and Municipal Financial Profile reports; French River is doing well compared to peer group.

The Municipality could strategize further on methods to mitigate the impact of higher assessment of waterfront properties by establishing area rating and to have people pay for the services they use such as establishing user fees for waste services. Such approaches would shift the existing taxation burden to make up the shortcomings.

The CAO informed Council that Mr. Searle had presented the reports and had provided Finance 101 training to employees which would also be beneficial for Council.	
Moved By Claude Bouffard and Seconded By Malcolm Lamothe	Resol. 2016- 5
BE IT RESOLVED THAT Council invites the Municipal Advisor of the Ministry of Municipal Affairs and Housing to provide finance training to Council.	
Carried	
7. Management, Committee and Board Reports	
7.1 Mayor	
7.1 Mayor The Mayor gave a verbal report of activities and shared the successful results from the CP Holiday Train event and congratulated the organizing group for a job well done.	
The Mayor gave a verbal report of activities and shared the successful results from the CP Holiday Train event and congratulated the organizing group for a job well done. 7.1.1 Letter addressed to Canadian Radio-television and	
The Mayor gave a verbal report of activities and shared the successful results from the CP Holiday Train event and congratulated the organizing group for a job well done.	

BE IT RESOLVED THAT Council approves to send a letter to the Canadian Radio-television and Telecommunications (CRTC) relating to internet speed.

Carried

7.1.2 Sudbury East Connectivity Project

The Mayor and the CAO were approached by the Sustainable Building and Energy Consultants who are requesting funds to support a project to perform a study to determine the current community connectivity, the expectations, the available funding, what is feasible in our community and to recommend a proposal for each participant in the project.

Moved By Claude Bouffard and Seconded By Malcolm Lamothe Resol. 2016-7

BE IT RESOLVED THAT Council supports the Sudbury East Connectivity Project as proposed by Sustainable Building & Energy Consultants Inc. and commits \$2,500, with half being paid to initiate the work and the other half to be paid once the report is complete and satisfactory to the participating partners.

Carried

7.1.3 Governance Model and Procedural By-law review Council had approved a change in meeting schedule on a trial basis and has yet to be reviewed,

Moved by Claude Bouffard and Seconded by Dean Wenborne Resol. 2016- 8

BE IT RESOLVED THAT Council agrees to further extend the trial period of the current meeting structure until the review of the Procedure By-law and governance model at Regular Council Meeting schedule on February 24, 2016.

Carried

7.2 Chief Administrative Officer

The CAO gave a verbal report on ongoing projects and activities and reminded Council of his teaching opportunity in Ukraine and that the Clerk will be Acting CAO during his absence during the week of January 18-22.

7.2.1 Ad Hoc Committee to set the framework for a waste diversion educational and marketing plan

The purpose of the Ad hoc committee was to set a framework for a waste diversion educational and marketing plan for our current waste management system. It was suggested that Councillor Malcolm Lamothe be appointed as Chair, Greg Darby, Director of Operations as resource personnel and that the members be recruited by the Chair. The education plan would need to be implemented before the summer to be able to evaluate its effectiveness and potential waste diversion achievements.

Councillor Malcolm Lamothe will evaluate the project and will present a plan to Council for consideration at the January 27th Regular Council Meeting.

7.3 Finance Department 7.3.1 Monthly Disbursements Report

The Treasurer reported the following total disbursements:

- September 2015 were in the amount of \$666,499.21
- October 2015 were in the amount of \$1,009,891.99
- November 2015 were in the amount of \$1,170,407.07

Council took a break from 7:35 to 7:45pm.

7.3.2 2016 Budget Deliberation

The Director of Operations referenced the Information Report submitted regarding the inspection of the Noëlville lagoon and the recommendations made by MOE; the study will be budgeted for 2017.

Council discussed the level of detailed reports required in order for them to understand the expenditures and proposed increases in the budget. It was suggested that Members of Council set meetings with the Treasurer for an opportunity to review the specific accounts in question which would avoid a potential misuse of resources.

Council discussed the level of increase that would be acceptable. Council gave a mandate to staff to set the levels of service and to limit the increase from last year's budget to 9.9%. The next budget deliberation will take place at the January 27th Regular Council Meeting.

7.4 Parks, Recreation & Facilities Department 7.4.1 Grants and Subsidy Application

Moved By Malcolm Lamothe	and Seconded By Gisèle Pageau	Resol. 2016- 9

BE IT RESOLVED THAT Council approves the Grant & Subsidy Application for a rebate of \$200 from the hall rental fee at the Alban Community Centre received from the Chevalier de Colomb, Conseil 10585 (Alban) for their Annual Fishing Derby being held on March 5, 2016.

Carried

7.5 Community Development and Tourism Department7.5.1 Action Report - Resolution to approve a funding application to the Ontario Sport and Recreation Communities Fund

Moved By Gisèle Pageau and Seconded By Claude Bouffard	Resol. 2016- 10
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BE IT RESOLVED THAT Council approves the Funding Application to the Ontario Sport and Recreation Communities Fund for an amount of \$45,000;

AND FURTHER that the sum of \$4,500 which represents 10% of the Fund be committed to this project by the Municipality as identified in the 2016 Budget.

Carried

7.6 Ontario Provincial Police / Community Policing Advisory Committee

7.6.1 Monthly Municipal Policing Report

The Policing Report for the month of October 2015 was distributed and any questions are to be forwarded to the Mayor to bring forward at the Community Policing Advisory Committee meeting.

8. Correspondence for Council's Consideration

8.1 Resolution for Support - Stabilizing Hydro Rates

Moved By Ron Garbutt and Seconded By Malcolm Lamothe

Resol. 2016-11

BE IT RESOLVED THAT Council supports the Municipality of West Nipissing's resolution calling upon the provincial government to recognize the plight of northern and rural Ontario residents who are directly impacted by the hydro rate increases and economic ramifications on rural communities as residents are forced to leave their homes and close their businesses due to unsustainable hydro rate increases;

AND THAT a copy of the resolution be forwarded to the Municipality of West Nipissing.

Carried

8.2 Resolution for Support - Expansion of Natural Gas Services in Northern Ontario

Moved By Gisèle Pageau and Seconded By Ron Garbutt

Resol. 2016-12

BE IT RESOLVED THAT Council supports the Municipality of West Nipissing's resolution urging the Minister of Energy to consider expanding the accessibility to natural gas services in Northern Ontario communities in order to provide a similar financial saving opportunity to all northern residents and businesses;

AND THAT a copy of the resolution be forwarded to the Municipality of West Nipissing.

Carried

8.3 Resolution for Support - Re-classification of Winter Highway Classes

Moved By Ron Garbutt and Seconded By Gisèle Pageau

BE IT RESOLVED THAT Council supports the Municipality of West Nipissing's resolution urging the Ministry of Transportation to expedite its re-classification of all winter highway classes in Northern Ontario to ensure that each one receives the appropriate level of maintenance required during the winter months thus ensuring the safety and security of all northern travelers;

AND THAT a copy of the resolution be forwarded to the Municipality of West Nipissing.

Carried

9. Verbal Motion to return into the Regular Meeting Moved by: Ron Garbutt **THAT** the Committee rise and report.

REGULAR MEETING

Mayor Claude Bouffard resumed the position of Chair for the remainder of the meeting.

10. Resolution adopting proceedings from Council in Committee

Moved By Michel Bigras and Seconded By Ron Garbutt

BE IT RESOLVED THAT the actions taken in Council in Committee in considering delegations, reports and correspondence be confirmed by this Council.

Carried

11. Consent Agenda

The following motion was presented to adopt the items contained in the Consent Agenda:

Moved By Gisèle Pageau and Seconded By Dean Wenborne

BE IT RESOLVED THAT Council approves the Items of the Consent Agenda under Sections 11.1, 11.4 and receives the Items under Sections 11.2, 11.3.

Carried

Resol. 2016-14

Resol. 2016-15

Resol. 2016-16

11.1 Adoption of Minutes

Moved By Gisèle Pageau and Seconded By Dean Wenborne	Resol. 2016- 17
BE IT RESOLVED THAT Council adopts the following minutes as presented: Special Meeting of Council held December 9, 2015 Regular Council Meeting held December 9, 2015	
Carried	
11.2 Minutes Received	
Moved By Gisèle Pageau and Seconded By Dean Wenborne	Resol. 2016-18
BE IT RESOLVED THAT Council receives the following minutes as presented: Sudbury East Planning Board held November 12, 2015 Sudbury & District Board of Health held November 19, 2015	
Carried	
11.3 Correspondence for Council's Information	
11.4 By-laws The following By-laws were read and adopted:	
The following By-laws were read and adopted:	Resol. 2016- 19
The following By-laws were read and adopted: 11.4.1 Borrowing By-law	Resol. 2016- 19
The following By-laws were read and adopted:11.4.1 Borrowing By-lawMoved By Gisèle Pageau and Seconded By Dean WenborneBE IT RESOLVED THAT By-law 2016-01, being a by-law to authorize the borrowing of money to meet current expenditures be read a first,	Resol. 2016- 19
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<u>13. Notices of Motion</u>

<u>14. Announcement and Inquiries</u> Frank Mueck of Noëlville suggested that the speaker system should be looked at and shared three "attaboys"; for pursuing the meeting processes, for requesting additional details of expenditures to further understand the budget and for providing the information requested at the last meeting.	
Ron Robert of Alban, suggested that the work performed by the consultants for the connectivity project be researched for references, informed that there is a resident that could offer their expertise and knowledge of telecommunications/connectivity and recommended that the Letter to CRTC also be forwarded to the MP and MPP.	
15. Closed Session	
Moved By Michel Bigras and Seconded By Dean Wenborne	Resol. 2016- 21
BE IT RESOLVED THAT Council move into a closed meeting pursuant to section 239 (2) (b) of the Municipal Act, 2001 as amended for the purpose of personal matters that would identify municipal employees relating to budget deliberations and that the meeting is to be closed pursuant to the said subsection.	
Carried	
Moved By Malcolm Lamothe and Seconded By Gisèle Pageau	Resol. 2016- 22
BE IT RESOLVED THAT the open session reconvenes at 9:14 p.m.	
Carried	
15. Adjournment	
Moved By Dean Wenborne and Seconded By Gisèle Pageau	Resol. 2016-23
BE IT RESOLVED THAT the meeting be adjourned at 9:15 p.m.	
Comital	

Carried

MAYOR

CLERK



Municipality of French River

MINUTES OF THE COMMITTEE OF ADJUSTMENT AS DEFINED UNDER THE PLANNING ACT held in the Council Chambers French River Municipal Complex Wednesday, October 14, 2015 at 5:30 p.m.

Members Present:

	Garbutt(Chair), Gisèle Pageau, Denny Sharp, Dean Wenborne
Members Excused:	
Officials Present:	
	Melissa Riou, Director of Planning
	Mélanie Bouffard, Clerk/Secretary-Treasurer
	John Regan, CAO
	Trista Verbiwski, Manager of Economic Development and Tourism
Guests:	
	1 guest

Mayor Claude Bouffard, Councillors Michel Bigras, Ronald

1.0 Call to order, roll call and adoption of the agenda

The Chair called the meeting to order at 5:30pm.

Moved By: Michel Bigras Seconded By: Gisèle Pageau Resol. 2015-16

Resol. 2015-17

BE IT RESOLVED THAT the agenda be accepted as distributed.

Carried

2.0 Disclosure of Pecuniary Interest

None declared.

3.0 Adoption of the Minutes

Moved By: **Denny Sharp** Seconded By: Dean Wenborne

BE IT RESOLVED THAT the minutes of the September 9, 2015 Committee of Adjustment meeting be accepted as presented.

Carried

The Director of Planning informed the committee that the Notice of the Public Hearing was sent on October 1, 2015 to the assessed owners within 60 metres of the property subject to the Minor Variance Application, and to those persons and agencies likely to have an interest in the application and that included with each Notice was an explanation of the purpose and effect of the minor variance application and a key map showing the location of the property.

4.0 Application A/10/15/FR - Rod and Lynn Smith

The Chair then declared the Public Hearing to deal with Application A/10/15/FR - Rod and Lynn Smith.

The following variance to the regulations of the Waterfront Residential (WR) Zone has been requested in order to facilitate the conversion of an existing attached deck to a four season sunroom, as shown on the attached sketch dated August 2015, as follows :

- Relief from Section 7.7.2(b)(i) any dwelling unit – to permit a setback from the Optimal Summer Water Level of 10.0 metres instead of the required 20.0 metres.

No comments or concerns were received relating to the application.

The applicant did not have any additional comments.

No one spoke in objection or in support of the application.

In response to questions from the Committee, Mr. Smith advised that he is 20 feet above the water line.

Moved By: Michel Bigras Seconded By: Claude Bouffard Resol. 2015-18

BE IT RESOLVED THAT Application No. A/10/15/FR - Rod and Lynn Smith be approved and that the necessary Notice of Decision be prepared.

Carried

The Chair advised of the 20 day appeal period and that during that time that no building permit may be issued or other work commenced.

The Chair then declared the Public Hearing to be concluded.

5. Others

None.

6. Adjournment

Moved By:Michel BigrasSeconded By:Gisèle Pageau

BE IT RESOLVED THAT the meeting for the Committee of Adjustment be adjourned at 5:45 p.m.

Carried

CHAIR

SECRETARY

Resol. 2015-19

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2016-03

BEING A BY-LAW TO PROVIDE FOR AN INTERIM TAX LEVY

WHEREAS Section 317(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that a local municipality, before the adoption of the estimates for the year, may pass a by-law levying amounts on the assessment of property in the local municipality rateable for local municipality purposes.

AND WHEREAS Section 317(3) of the Municipal Act, 2001, provides that the amounts levied are subject to the following rules:

- 1. The amount levied on a property shall not exceed the prescribed percentage or 50 percent if no percentage is prescribed, of the total amount of taxes for municipal and school purposes levied on the property for the previous year.
- 2. The percentage under paragraph 1 may be different for different property classes but shall be the same for all properties in a property class; and
- 3. For the purposes of calculating the total amount of taxes for the previous year under paragraph 1, if any taxes for municipal and school purposes were levied on a property for only part of the previous year because assessment was added to the tax roll during the year, an amount shall be added equal to the additional taxes that would have been levied on the property if the taxes for municipal and school purposes had been levied for the entire year.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER ENACTS AS FOLLOWS:

- 1. Pursuant to Section 317 of the Municipal Act, 2001, an interim levy is imposed on the assessment of all property in the Municipality of French River;
- 2. The amount levied shall be 50 percent, for all property classes, of the total amount of taxes for municipal and school purposes and the total amount of local improvement charges levied on the property for the previous year as determined under subsection 317 (3) of the Municipal Act, 2001.
- 3. The said interim taxes shall be paid in two (2) installments as follows:
 - 3.1. One half of the interim taxes rounded upwards to the next whole dollar shall become due and payable on the 23th day of March 2016.
 - 3.2. The balance of the interim taxes shall become due and payable on the 27th day of April 2016.

- 3.3. Non payment of the amount on the dates stated in accordance with this section shall constitute a default.
- 3.4. In default of such payment or any part of the installments by the day named for the payment of such amounts, the subsequent installment or installments shall forthwith become due and payable.
- 4. The Tax Collector shall, no later than twenty-one days prior to the due date of the first installment, mail or cause to be mailed to the address of residence or place of business of such person indicated on the last revised assessment roll, a written or printed notice specifying the amount of taxes payable.
- 5. Immediately after the due dates stated in section 3 of this By-law, the Tax Collector shall immediately collect at once, by distress or otherwise under the provisions of the statutes, all such installments or parts thereof that have not been paid on or before the respective dates provided, together with the said percentage penalty charges as they are incurred.
- 6. The Tax Collector is hereby authorized to accept part payment from time to time on any taxes due, and to give receipt for such part payment provided that the acceptance of any such part payment shall not affect the collection of any percentage penalty charge imposed and collectable under this By-law with respect to non payment of taxes or any installment thereof.
- 7. Taxes shall be payable to the Corporation of the Municipality of French River and are payable:
 - at the Municipal Office, 44 St. Christophe Street, Suite 1, Noëlville, Ontario
 - by First Class Mail to P.O. Box 156, Noëlville, Ontario P0M 2N0
 - at participating Caisse Populaire Locations
 - by Pre-Authorized Payment by registration only
 - Online by using the services of AccèsD at https://accesd.desjardins.com
 - Online Banking with all major financial institutions
- 8. Penalties and interest apply as follows:
 - 8.1. On all taxes of the interim levy, which are in default on the 23th day of March 2015 and the 27th day of April 2016, a penalty of 1.25% shall be added and thereafter a penalty of 1.25% per month will be added on the first day of each and every month the default continues, until December 31, 2016.
 - 8.2. On all taxes of the interim levy in default on January 1st, 2016, interest will be added at the rate of 1.25% per month for each month or fraction thereof of default;
 - 8.3. On all other taxes in default on January 1st, 2016, interest shall be added at the rate of 1.25% per month or fraction thereof, and all by-laws and parts of by-laws inconsistent with this provision are hereby rescinded.

- 8.4. Penalties and interest on all taxes of the interim levy in default shall become due and payable and shall be collected forthwith as if the same had originally been imposed and formed part of such unpaid interim tax levy.
- 9. This By-law shall take force and effect on the day of its final passing.
- 10. All By-laws and parts of By-laws inconsistent with this By-law are hereby rescinded.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 27TH DAY OF JANUARY 2016.

MAYOR

CLERK

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2016-04

BEING A BY-LAW TO AMEND ZONING BY-LAW 2014-23, AS AMENDED (Greg and Christine Lebert)

WHEREAS By-law 2014-23 of the Municipality of French River has been passed, being a Zoning By-law to regulate the use of land and the character, location, and use of buildings and structures, in the Municipality of French River, under the authority of Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS the Council for the Municipality of French River may amend such By-law in accordance with the provisions of Section 39 of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS the Council for the Municipality of French River has received an application to amend such By-law;

NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER ENACTS AS FOLLOWS:

- 1. Section 8 of By-law 2014-23 of the Municipality of French River is hereby amended by amending of the following Special Provision:
 - S27. Notwithstanding any provisions to the contrary of Section(s) 7.22.1 of By-law 2014-23, within the lands zoned Rural (RU), described as Part of Lot 11, Concession 1, in the Township of Martland, now in the Municipality of French River, Territorial District of Sudbury, Parcel 11683 Sudbury East Section, the following special provisions shall apply:
 - (i) Permitted Uses:
 -a garden suite for a period not to exceed three (3) years from January 27, 2016.

All other provisions of By-law 2014-23 as applicable to the Rural Zone (RU) shall apply.

2. This By-law shall take effect on the date of passage and come into force in accordance with Section 39 of the Planning Act, R.S.O. 1990, Chapter P.13.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this 27th day of January, 2016.

MAYOR

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2016-05

BEING A BY-LAW TO REPEAL BY-LAWS 2013-11 AND 2015-30

WHEREAS the Council of the Municipality of French River passed By-law No. 2013-11, being a by-law to amend Zoning By-law 2003-23, and passed By-law No. 2015-30 being a by-law to amend Zoning By-law 2014-23;

AND WHEREAS the Ontario Municipal Board, having held a hearing has issued an Order to repeal said by-laws;

NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER ENACTS AS FOLLOWS:

 That By-law 2013-11 and By-law 2015-30 are hereby repealed pursuant to the decision of the Ontario Municipal Boar Order issued December 21, 2015, OMB Case No. PL130391 to appeal By-law No. 2013-11 and By-law No. 2015-30 and further orders that the appeals pursuant to subsection 51(39) of the *Planning Act* are allowed and the draft plan of subdivision is not approved.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this 27th day of January, 2016.

MAYOR

CLERK

NFHT 40

Mayor Bouffard & Members of Council Municipality of French River 44 rue St. Christophe St Noëlville Ontario P0M 2N0

Dear Mayor Bouffard and Members of Council,

It is my pleasure to inform Council that the 40th Family Hockey Tournament will be held on February 12, 13 and 14, 2016. We anticipate another successful tournament with up to 32 teams competing in sport and friendship.

We have booked the Noëlville Community Centre for that entire weekend which includes the ice surface, hall, mezzanine and kitchen facilities. As always we will be working closely with facility staff to facilitate operations. Many groups and organizations in the community assist with the tournament in various ways thereby providing additional benefit for their organizations. We attempt to involve the whole community in this annual tradition.

Due to the nature of this event we would appreciate council to proclaim this event as a community celebration. This proclamation would facilitate our ability to secure licensing and to acquire adequate insurance for the operation of this event.

We hope that Council can join us at our 40th Anniversary of the Noëlville Family Hockey Tournament.

With respect,

NFHT Committee