AGENDA

REGULAR COUNCIL MEETING
Council Chambers
Wednesday, April 27th, 2022 – 1:00 p.m.

NOTE: A Closed Session will commence at the end of the meeting.

1. **Call the Meeting to Order**
2. **Approval of Agenda**
3. **Declaration of Pecuniary Interest and the General Nature Thereof**
4. **Delegations/Presentations**
   - **(a) Delegations**
     - (i) **Tom Vinkovic re**: Safety Concerns experienced during the 2021/2022 Snowmobile Season on Fisher Lake Lane / Woodland Lane
     - (ii) **Councillor Rickward re**: Multi-use trail on Road Allowance at the end of Kalio Road
   - **(b) Presentations** – Nil
5. **Minutes**
   - **(a) Adoption of Minutes**
     - (i) **Regular Meeting,** Draft Minutes – April 6th, 2022
   - **(b) Receive Committee Minutes** - Nil
6. **Committee Resolutions for Consideration** - Nil
7. **Public Meetings (Pursuant to the *Planning Act*)**
   - **(a) Planning Report and Public Comments re**: Zoning By-law Amendment Application (MacEachren)
8. **Public Meetings (Pursuant to the *Municipal Act*)** - Nil
9. **Unfinished Business** - Nil
10. **Reports and By-laws**
    - **(a) <u>Building</u>**
      - (i) **Brian Horsman, CBO re**: Annual Report on the status of the Building Department
    - **(b) <u>Planning</u>**
      - (i) **Resolution re**: Blanket Resolution re Consents
      - **(ii) Report and Resolution re**: B-023-22 & B-024-22 (Fonseca) Consent Application
      - (iii) **Report and Resolution re**: B-027-22, B-028-22 & B-029-22 (Pateman) Consent Application
    - **(c) <u>Operations</u>**
      - (i) **Transfer Station Report:** April 1 to April 24, 2022
      - (ii) **Report re:** Gray Jay Lane
      - (iii) **Discussion and Resolution re:** Town Pick-Up
      - (iv) **Report and Resolution re:** Winter Sand

DRAFT

(d) Administration

(i) **Report and Resolution re**: Use of Town property for Independent Yoga Class

(ii) **Report re**: Copy costs for Town User Groups

(iii) **Report and Resolution re**: Internet access

(iv) **Report and Resolution re**: Existing Fitness Classes

(v) **Resolutions re**: Appointment of volunteers to Town Committees

(vi) **Resolution re**: Regatta Festival Road Closure; suspension of By-laws, etc.

(e) Treasury

(i) **Report and Resolution re**: Payment Register

(f) Fire and Emergency Services

(i) **Report re**: Fire Chief, Fire Department Report for Regular Council Meeting on April 27, 2022

(g) Facilities and Buildings - Nil

(h) Council Presentations

(i) **Carol Ballantyne**, Discussion and Resolution re: Grass Cutters

(ii) **Mike Rickward,** Discussion re:

a) Landfill – Long weekends

b) Regatta – Ad for swim instructors – Resolution; Map designed by Staff for Regatta flyer;

c) LED light at KCC – light pollution

d) Town Trails – maintenance schedule

11. Correspondence

(a) Action Items

(i) **Grey Highlands re:** HSt rebate on new homes in Ontario

(ii) **Lake of Bays re**: Floating Accommodations

(b) Information Items

(i) **KWEF Newsletter** – April 2022

(ii) **Ministry of the Solicitor General re**: Emergency Preparedness Week 2022; O. Reg 343/22 – Firefighter Certification

(iii) **Township of Armour re**: Almaguin Highlands Health Centre Resolutions

12. Other Business – Nil

13. Closed Session

Council will enter into a Closed Session for discussion regarding:

(a) *litigation or potential litigation , including matters before administrative tribunals, affecting the municipality or local board (x2)*

14. Business Arising from Closed Session

15. Confirming By-Law

By-Law 2022-xx being a By-law to confirm the proceedings of Council at its Regular Meeting held on April 27th, 2022.

16. Adjournment

Human Safety Issues due to Recreational Vehicles use of a portion of D Trail - Fisher Lake Rd/Woodland Ln/Patton Rd. (Continued Discussions based on Main Report/2021)

MEETING PURPOSE: Evaluation of Human Safety Risks 2021/2022 Snowmobile Season with Kearney Council.

As discussed and agreed by Kearney Council members, during Council Meetings and phone meetings (including with Mayor Carol B & Councilor Paul Z). Perry Mayor Norm H was also involved (during non-Council meetings)

- Kearney Council members were to provide input - as result of the Additional Alternate Trail run along Kearney Road for the 2021/2022 Season.
- Fisher Lake Delegates to provide input based on Trail continuing to run through the Existing route . ie any changes (increase or decrease) to Human Safety Risks as a result of: a) the 'additional alternate trail' along Kearney Road; b) additional signage by Club; c) extended support from OPP for enforcement/education along the Existing route based on discussions held directly with OPP by Delegates

  Refer to 2) below

1) Understand Status of discussions October - December 2021.

Based on discussions held early 2021 - end October 2021, the understanding and agreement was:
- An additional trial, alternate trail (Kearney Rd) was on schedule for implementing for the 2021/2022 Season

- Discussions with Kearney Council Members and Perry Council Members were completed September 2021. (inc. detailed documentation, reports & attestations from those impacted)
- Follow up discussions with Mayor Norm H and Paul Z September-October 2021 continued to reflect the agreement and understanding stated above. Note: Paul Z was approved as the Council contact, to engage in discussions with the Fisher Lake Delegates, by Mayor Carol B, during a Council Meeting
- When Fisher Lake Delegates received feedback from community members that the Kearney Road sign was not installed (while all other signs were in place), they started to follow up with the 2 key contacts - Mayor Norm H and Councilor Paul Z. Despite multiple attempts requesting a call back or some input, no response was received from Mayor Norm. Councilor Paul Z responded to advise he was no longer the 'contact' for the Fisher Lake Delegates, based on the outcome of the October Kearney Council Meeting and Mayor Carol B's related comments. Instead the Delegates were asked to follow up directly with Mayor Carol B
  - A concern and a surprise for Delegates.
- Fisher Lake Delegates requested a meeting with Mayor Carol B in late November/December 2021.
  At the meeting Mayor Carol B invited Councilor Michael R and Clerk Brenda F to attend. Mayor advised:
  - Kearney Rd would not be implemented for 2021/2022 Season due to unsafe conditions on the 'shoulders';
  - Highland Rovers Mark R advised her he was not willing to groom the road for the 2021/2022 Season due to safety issues.
  - In addition, there were a couple of households along Kearney Rd who would object to the Trail running along/cutting onto the front of their property, indicating –Mayor Norm H should speak with them or should have spoken with them.

  - Councilor Mike R advised he was not in support of Kearney Road as an additional/alternate trail right from the onset of discussions, as Kearney Road presented a higher risk. He was however considerate and understanding of the human safety risks along the existing route (Fisher Lake Rd/Woodland Ln/Patton Rd). His input – he would research and access options/maps for other alternate areas/routes along which the diversion could possibly occur. Once the information was available, if a decision could be made prior to mid January, the Alternate Trial Route could still be implemented for the 2021/2022 Season. Final suggestion was to discuss this meeting outcome with Mayor Norm and ask for his assistance as well. Mayor Carol A was in support of this.

  - All of this a significant concern & surprise for Delegates. None were raised as concerns during Kearney Road Walkthrough Meeting (June/July 2021 where both Mayors and Councilor Paul Z were present with Delegates) or during subsequent meetings with Council up to end Oct 2021
  - Delegates were however hopeful that a solution (based on Councilor Mike R's input) was possible pre 2021/2022 Season. Despite several follow up attempts, no response received from Councilor Mike R.
  - Delegates provided Mayor Norm H with an update on the meeting. He was willing to attend further discussions late December/early January, to assist with a resolution.

Delegates request clarity and an understanding on these discussions.

2) Share input on 2021/2022 Season

- Key highlights of an email sent to our OPP partners is attached below. We can discuss at our meeting.



OPPEmailMarch2022.pdf

- Delegates met with to request OPP for support during the 21/22 Season. Furthermore due to Kearney Rd Alternate Trail being canceled at short notice & the related exposure to Human Safety Risks.

  Despite their many priorities, OPP ensured there was a combination of support through Education and Enforcement, particularly during the Thurs-Sunday period. The result had a positive impact when these partners were present. We have acknowledged and thanked them for standing up to the commitments made during discussions and for trusting in our input regarding the magnitude of escalating risks faced.

3) Understand Process & Policies for Next Steps

- During attempts to follow up with Mayors Carol B & Norm H, Councilors Paul Z & Michael R –so as to better understand and prepare for/safeguard Human Safety Risks along the Existing Route during the 2021/2022 Season, Delegates included Highland Rovers Mark R in a follow up request for clarification. Mark's response was that the decision was not up to either of the Towns, the Club will not make the change..
  - The email reply was a concern. A follow up email to better understand what process needed to be followed (or who the request for change needed to be sent to) was sent, no response was received.
- Members from both Towns (Kearney and Perry) despite being copied on the brief email exchange, did not acknowledge or provide a response to the question raised by Delegates.
  - This raised yet another significant concern, particularly as lengthy & collaborative discussions commenced January - November 2021, including in-depth, detailed documentation from Delegates. Many have expressed concerns/questions of 'being misled' by our trusted Community leaders.
  - As a result, letter expressing Community disappointment & concern was sent to Mayor Carol B & Mayor Norm H. A response is yet to be received.

<u>As tax payers and community citizens, request for clarification at this Council meeting is as follows:</u>
- What is the Process/ Policy for requesting & implementing a change to a small portion of a snowmobile trail, which has and continues to present Significant (and Proven) Human Safety Risks with each passing Season?

We will engage the appropriate resources and follow due process after we obtain your input at this meeting.

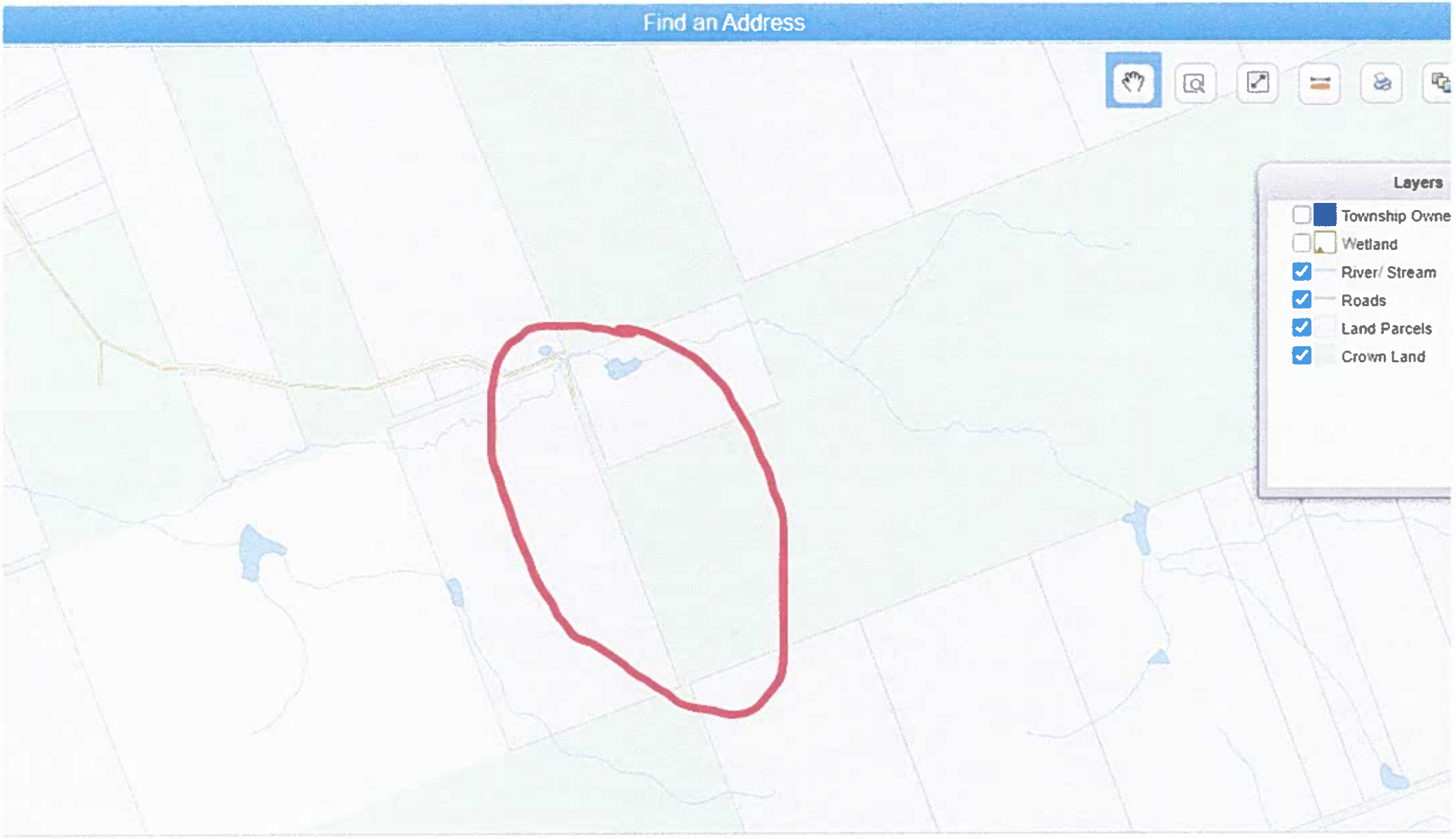
Hello Bryan:
I wanted to inform you that we have recordings of approx 155 incidents of snowmobiles going through the 3-way intersection of Fisherlake Lane and Woodland Lane.
The period of the recordings was from January 25th, 2022 to February 28th, 2022.

Of the approximately 155 videos;
-11 were of sleds coming to a full stop, north/south bound on Fisherlake/Woodland.
-26 were of sleds making a "California style stop". 50% of these that had more than one sled in the group would follow through, unfortunately at full speed with-out any kind of slow down.
-more concerning the balance, 118 were observed to not slow down or stop at all.
Of that group of 118, there were approximately 30 that exhibited excessive speed, and/or careless operation of their snowmobile.
In one video, a car/suv was at a full stop with a group of sleds running through the stop, with-out stopping and giving that vehicle the right of way to turn.
For the most part, the highest risks faced continues during the Thursday midday start -Sunday late afternoon timeframes, with lower risks, from the locals during other days of week.

The association is very appreciative of the support that we have received from the OPP to date, and would like to continue the relationship to make our community safe.

We would like to continue with your support on this matter, and look forward to your input regarding the very concerning behaviour taking place in that intersection.
We look forward to meeting with you in the near future for discussion.
Thank-you
Tom Vinkovic, President FLPOA

Corporation of the Town of Kearney Community Map



The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

MINUTES

REGULAR COUNCIL MEETING
Council Chambers
Wednesday, April 6th, 2022
1:00 p.m.

Council Members Present: Mayor Carol Ballantyne
Councillors: Cheryl Philip (virtual) and Mike Rickward

Regrets: Liz Stermsek and Paul Ziraldo

Staff Present: Brenda J. Fraser, CAO|Clerk|Treasurer
Cindy Filmore, Deputy Clerk
Brian Horsman, Chief Building Official
Scott McKay, Public Works Working Foreperson

1. **Call the Meeting to Order**

Res. No. 1/06/04/2022 Cheryl Philip, Mike Rickward
BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney on April 6th, 2022 be declared open and called to order at 1:00 p.m. **CARRIED**

Moment of Silence to honour the memory of John 'Andrew' Miller Nixon.

2. **Approval of Agenda**

Res. No. 2/06/04/2022 Mike Rickward, Cheryl Philip
BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on April 6th, 2022 be adopted as amended.

ADD 10(g)(i) Resolution re: Kearney Community Centre Project
DEFER 10(d)(i) Report and Resolution re: KCC WiFi **CARRIED**

3. **Declaration of Pecuniary Interest and the General Nature Thereof**

Councillor Mike Rickward declared a pecuniary interest with respect to Cheque # 31549, the reason being: Cheque to our family-owned business.

4. **Delegations/Presentations** – Nil

5. **Minutes**

(a) Adoption of Minutes

Res. No. 5(a)(i)-(ii)/06/04/2022 Cheryl Philip, Mike Rickward
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves the Minutes of the Council Meeting(s) as follows:

(i) Public Meeting, *Draft* Minutes – March 16th, 2022
(ii) Regular Meeting, *Draft* Minutes – March 16th, 2022 **CARRIED**

(b) Receive Committee Minutes

Res. No. 5(b)(i)/06/04/2022 Cheryl Philip, Mike Rickward
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney receive the following Advisory Committee Minutes:

(i) Kearney Community Centre Building Advisory Committee re: Minutes – April 4th, 2022 **CARRIED**

6. **Committee Resolutions for Consideration**

(a) Kearney Community Centre Building Advisory Committee
(i) **Resolution re**: Gym furnace

Res. No. 6(a)(i)/06/04/2022 Mike Rickward, Cheryl Philip
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports the recommendation of the Kearney Community Centre Building Advisory Committee to not repair the gymnasium furnace. **CARRIED**

(ii) **Resolution re:** Kitchen materials/appliances/fixtures

Res. No. 6(a)(ii)/06/04/2022 Cheryl Philip, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports the recommendation of the Kearney Community Centre Building Advisory and authorizes Staff to remove, as soon as possible, as much cabinetry, equipment and fixtures from the KCC kitchen/shower rooms area, in advance of the Tender being let for the KCC kitchen/HVAC renovation. **CARRIED**

(iii) **Resolution re:** Surplus equipment disposal process

Res. No. 6(a)(iii)/06/04/2022 Mike Rickward, Cheryl Philip

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports the recommendation of the Kearney Community Centre Building Advisory Committee to prepare a detailed list (with photos) of items to be disposed of from the KCC kitchen/shower area;

AND FURTHER, prior to being included in the list for disposal, that our User Groups and Service Clubs be contacted to claim previously donated items from the renovation area, that can continue to be used by the group or can be returned to the donor;

AND FURTHER that surplus items shall be offered for sale by means of a silent Auction;

AND FURTHER that any item(s) left remaining shall be sold for scrap, placed in our recycling or donated to Habitat for Humanity;

AND FURTHER that an Open House be scheduled for a Saturday and for an evening, for those interested in acquiring items. **CARRIED**

7. **Public Meetings (Pursuant to the *Planning Act*)** - Nil

8. **Public Meetings (Pursuant to the *Municipal Act*)** – Nil

9. **Unfinished Business** – Nil

10. **Reports and By-laws**

(a) Building - Nil

(b) Planning

(i) **By-law No. 2022-20 re:** To Regulate the Use of Land, Location and Use of Buildings or Structures within the Town of Kearney

Res. No. 10(b)(i)/06/04/2022 Mike Rickward, Cheryl Philip

BY-LAW No. 2022-20 Being a By-law to Regulate the Use of Land, Location and Use of Buildings or Structures within the Town of Kearney, be read a first, second and third time and numbered 2022-20 and that the said By-law be signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and be engrossed in the By-law Book. **Carried**

(ii) **Report and Resolution re:** Purchase of Shore Road Allowance (Dyke)

Res. No. 10(b)(ii)/06/04/2022 Cheryl Philip, Mike Rickward

WHEREAS a request to purchase the Shore Road Allowance in front of their property at 804 Grass Lake Road has been received from the property owner;

AND WHEREAS this request does not appear to impact adjoining land owners nor municipal access points;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby supports in principle, the purchase of the Shore Road Allowance by the adjacent land owner, Clifton and Shirley Dyke. **CARRIED**

(iii) **Report and Resolution re:** Purchase of Shore Road Allowance (Boverhof)

Res. No. 10(b)(iii)/06/04/2022 Mike Rickward, Cheryl Philip

WHEREAS a request to purchase the Shore Road Allowance in front of their property at 983 Clam Lake Road has been received from the property owner;

AND WHEREAS this request does not appear to impact adjoining land owners nor municipal access points;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby supports in principle, the purchase of the Shore Road Allowance by the adjacent land owner, Mr. and Mrs. Boverhof. **CARRIED**

(c) Operations

(a) **Transfer Station Report** – March 16, 2022 to March 29, 2022 – **Report only**.

(d) Administration

(i) **Report and Resolution re:** KCC Wifi - **DEFERRED**

(ii) **By-law No. 2022-xx re**: To authorize the signing of an Agreement with Next Generation 9-1-1 Authority Service

Res. No. 10(d)(ii)/06/04/2022 Mike Rickward, Cheryl Philip

By-law No. 2022-15, Being a By-law to authorize the execution of an Agreement between the Corporation of the Town of Kearney and Bell Canada for the provision of Next Generation 9-1-1 Service, be read a first, second and third time and numbered 2022-15 and that the said By-law be signed by the Mayor and Clerk, sealed with the Seal of the Corporation and be engrossed in the By-law Book. **CARRIED**

(iii) **By-law – Municipal Enforcement Report re**: First Quarter – **Report only.**

(e) Treasury

(i) **Report and Resolution re:** Payment Register

Res. No. 10(e)(i)/06/04/2022 Mike Rickward, Cheryl Philip

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney has received the 'List of Accounts' and has no objections to be noted with regard to Cheques #31545 to #31575 in the total amount of $60,615.54. **CARRIED**

(f) Fire and Emergency Services

(i) **Report re**: Fire Chief, Fire Department Report for Regular Council Meeting on April 6, 2022 – **Report only.**

(g) Facilities and Buildings

(i) **Resolution re**: Kearney Community Centre Project

Res. No. 10(g)(i)/06/04/2022 Cheryl Philip, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves the application to NOHFC for the Kearney Community Centre Rehabilitation Project and confirms their commitment to cover their contribution in the amount of $1,260,097 along with any cost overruns that may result. **CARRIED**

(h) Council Presentations

(i) **Mike Rickward, Discussion re**:

a) multi use trail – Kalio Road to Crown land

Councillor Rickward provided information regarding improvements to this portion of the Trail for emergency access and to support access to the Crown Land for star gazing.

b) Regatta - fireworks; road closure; available funds for 2022; swim instructors

Council supported the proposed organizational plans for the upcoming Regatta, shared by Councillor Rickward.

c) Gray Jay Lane – ownership; insurance

Council requested a Staff report to address the length of this road, ownership of the road, and liability issues regarding winter maintenance.

11. Correspondence

(a) Action Items

(i) **Village of Burk's Falls re:** Contribution towards the Almaguin Highlands Health Centre Deficit

Res. No. 11(a)(i)/06/04/2022 Mike Rickward, Cheryl Philip

WHEREAS Council has received a second Invoice in the amount of $2,646.00 from the Village of Burk's Falls, for a second 2022 contribution towards the 2020 AHHC deficit;

AND WHEREAS in 2020, Council resolved that they would determine on an annual basis, if they would contribute additional funds;

AND WHEREAS in February 2022 Council contributed $3,300 toward the AHHC 2020 deficit, as well as a $500.00 contribution toward the 2023 Telemedicine Services;

AND WHEREAS a $600 contribution toward the rent for physiotherapist to relocate to Burk's Falls was provided in December 2021;

AND WHEREAS, since 2019, the Town of Kearney has contributed $11,951.00 to the Village of Burk's Falls;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney determines that we will defer this until we have our budget discussion. **CARRIED**

(ii) **Keven Beaucage re:** Photocopying Invoice to H. White Memorial Legion Brance 276

Res. No. 11(a)(ii)/06/04/2022 Cheryl Philip, Mike Rickward
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney will bring our Tarriff of Fees to the next meeting and discuss costs for different user groups. **CARRIED**

(iii) **Municipality of South Huron re**: Firefighter Certification

Res. No. 11(a)(iii)/06/04/2022 Mike Rickward, Cheryl Philip
WHEREAS Council has reviewed the correspondence from AMO dated February 25, 2022 and attached hereto, with regard to Firefighter Certification;
NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney support the position of AMO;
AND FURTHER that a copy of this Resolution be sent to AMO and the Association of Fire Chiefs. **CARRIED**

(b) Information Items

(i) **Almaguin Highlands Health Centre re:** Draft Minutes – March 14, 2022; Update from Almaguin Highlands Health Council – **Report only.**

(ii) **District of Parry Sound Social Services Administration Board re**: CAO Report – March 2022 – **Report only.**

(iii) Muskoka Algonquin Healthcare re: Applications Open for MAHC Board of Directors – **Information only.**

12. Other Business – Nil

13. Closed Session

Res. No. 13(a)/06/04/2022 Cheryl Philip, Mike Rickward
BE IT RESOLVED that in accordance with Section 239, (1), (2), (3) and (3.1) of the Municipal Act, c. 25, S.O. 2001, as amended, the Council for the Corporation of the Town of Kearney will convene in Closed Session at 2:03 p.m. for discussion regarding:

(a) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board **CARRIED**

Res. No. 13(b)/06/04/2022 Mike Rickward, Cheryl Philip
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney reconvene in Open Session and report on matters discussed in Closed Session. Closed Session adjourned at 2:16 p.m. **CARRIED**

14. Business Arising from Closed Session
Mayor Ballantyne reported on matters discussed in Closed Session.

15. Confirming By-Law

Res. No. 15/06/04/2022 Cheryl Philip, Mike Rickward
By-law No. 2022-16, Being a By-law to confirm the proceedings of Council at its Public Meeting held on March 16th, 2022, and at its Regular Meeting held on April 6, 2022 be read a first, second and third time and numbered 2022-16 and that the said By-law be signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book. **CARRIED**

16. Adjournment

Res. No. 16/06/04/2022 Mike Rickward, Cheryl Philip
BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 2:18 p.m. to meet again at 1:00 p.m. on Wednesday, April 27, 2022, in the Council Chambers, Kearney, Ontario. **CARRIED**

THE CORPORATION OF THE
TOWN OF KEARNEY

_____
Carol Ballantyne, Mayor

_____
Brenda J. Fraser, Clerk

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Planning Report

To: Mayor and Council, Town of Kearney

From: Kent Randall & Jessica Rae Reid (EcoVue Consulting), Township Planning Consultants

Subject: Zoning By-law Amendment RZ-01-22 (Maceachren)

Property Location: Part of Lot 12, Concession 8, Town of Kearney (Proudfoot)
359 Loon Lake Road

EcoVue File No.: 22-2095-02

Date: April 22, 2022

1.0 Recommendation

It is recommended that Council receive the report dated April 22, 2022 from EcoVue Consulting Services regarding application RZ-01-22 (Maceachren).

It is recommended that Council approve the proposed amendment to Zoning By-law No. 2002-28, which will rezone the property from the Residential Waterfront (RWF) Zone to the Residential Waterfront Exception Sixty (RWF-60) Zone.

2.0 Subject Lands

The lands subject to this application are located in Part of Lot 12, Concession 8, in the Geographic Township of Proudfoot, now in the Town of Kearney (ARN#4918-030-001-51300). The lands are known municipally as 359 Loon Lake Road.

The subject property is approximately 0.19 hectares (0.46 acres) with approximately 24.1 metres of road frontage on Loon Lake Road and 28.1 metres of frontage on Loon Lake. The property contains an existing recreational dwelling which is set back approximately 20.5 metres from the shoreline of Loon Lake.

3.0 Purpose of Application

This application is required in order to rezone the subject lands from the Residential Waterfront (RWF) Zone to the Residential Waterfront Exception Sixty (RWF-60) Zone in order to permit the reconstruction and enlargement of an existing recreational dwelling on the subject property.

The Town of Kearney Zoning By-law provides for a maximum building height of 9.0 metres within the Residential Waterfront (RWF) Zone, as per Section 4.2.2. The proposed reconstructed dwelling will have a height of 12.1 metres, which exceeds the requirement. Therefore, an amendment to the Town of Kearney Zoning By-law is required.

4.0 Analysis

Since the proposed use is not being changed as a result of this application, the planning analysis will focus on the impacts of the reconstructed dwelling unit and proposed height exception.

4.1 Provincial Policy Statement (2020)

Natural Heritage policies are outlined in Section 2.1 of the Provincial Policy Statement (2020) (PPS). Section 2.2.1 states that *"(n)atural features and areas shall be protected for the long term."*

The proposed ZBA will protect the shoreline by restricting development to the footprint of the existing recreational dwelling. No new structures are being proposed by the application. Therefore, it is our opinion that the proposed rezoning is consistent with the policies of the PPS.

4.2 Town of Kearney Official Plan

The subject property is designated as Shoreline on Schedule 'A' – Land Use and Transportation in the Town of Kearney Official Plan (TKOP). The Shoreline designation seeks to ensure that the natural heritage features and areas be preserved and protected long-term. Part 3 (Protecting the Natural Environment) of the TKOP outlines policies to protect and preserve the natural environment.

Section 6.4.4.1 (5) of the TKOP states that "*development and site alternation shall be set back a minimum of 30 metres from a waterbody or watercourse*." The rezoning of the property is required to reconstruct the existing recreational dwelling in the same footprint that currently exists on the subject property. Although the height of the accessory structure will increase, the existing setbacks to lot lines and other

structures will remain the same. No additional clearing of vegetation will be required to accommodate the proposed development.

Therefore, it is our opinion that the proposed rezoning to permit the reconstruction and enlargement of the guest cabin is consistent with the policies of the Town of Kearney Official Plan.

4.3 Zoning By-law No.2002-28 Town of Kearney

According to Schedule 'A' of the Town of Kearney Zoning By-law (TKZBL), the subject property is currently zoned the Residential Waterfront (RWF) Zone. The RWF Zone currently permits a single detached dwelling and a guest cabin, as per Section 4.2.1 (Permitted Uses). Therefore, the recreational dwelling is permitted "as of right".

Section 4.2.2 of the TKZBL addresses all of the lot provisions applicable to the RWF Zone. As per Section 4.2.2 v), the maximum height within the RWF Zone is 9.0 metres. As proposed, the enlarged recreational dwelling has a height of 12.1 metres, exceeding the maximum height by 3.1 metres.

It has been expressed by the applicant that, due to the physicality of the lot (being only 0.46 acres in size), and the existing dwelling being located on top of exposed rock, a basement is not possible. Therefore, an increased height has been proposed to allow for additional recreational space within the dwelling. The dwelling will not encroach into any of the existing setbacks and will not require any additional clearing. Furthermore, it is our opinion that the increased height does not create any additional impacts to the waterfront or to neighbouring properties.

It has been requested that the property be rezoned to the Residential Waterfront Exception Sixty (RWF-60) Zone to account for the increased height.

In addition, the reconstructed dwelling will be 12.2 metres from the shoreline, which does not meet the required 20 metre front/water yard setback. However, the proposed building will be reconstructed entirely within the footprint of the existing, non-complying recreational dwelling. As per Section 3.15.1, a legal non-complying building or structure may be reconstructed/enlarged, provided the reconstruction/enlargement does not further reduce required setbacks or further increase the area of non-compliance.

Given that the proposed use/structure is in conformity with the TKOP, and the building can be adequately serviced, it is our opinion that the proposed amendment is appropriate for the site.

4.3.1 Transition to New CZBL

It should be noted that application RZ-01-22 was received and deemed completed by the Town on March 14th, 2022, prior to the passing of the new Comprehensive Zoning By-law 2022-20 (CZBL). When the appeal period for the new CZBL ends after 4:30 pm on April 27th, 2022, the new CZBL is considered to be in full force and effect, provided no appeals are received. If the proposed amendment for the subject lands is passed at the Regular Council meeting on April 27th, it will have the effect of amending Zoning By-law 2002-28 and not the new CZBL. Should council defer a decision on the amending By-law to a later date, and the CZBL comes into force, a new amending By-law will be required to be drafted and presented to Council for review. That said, this transitional matter has no bearing on the planning merits of the amendment.

5.0 Budget Implications

The Zoning By-law Amendment application was submitted with the application fee of $650.00 + HST.

6.0 Next Steps

Once a decision has been made by Council, the decision will be in an appeal period for 20 days.

7.0 Notice and Communications

Public Notices for the Zoning By-law Amendment applications are issued by the Town. Notice of Complete Application and Public Meeting has been circulated to neighbouring properties within 120 metres of the subject lands, as well as the applicable agencies.

Respectfully Submitted,

ECOVUE CONSULTING SERVICES INC.

J. Kent Randall B.E.S. MCIP RPP
Township Planning Consultant

THE CORPORATION OF THE TOWN OF KEARNEY

BY-LAW NO. 2022-17

Being a By-law under the provisions of Sections 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to amend By-law No. 2002-28, as amended, the Town of Kearney Zoning By-law, with respect to lands described as PT LT 12 CON 8 PROUDFOOT; KEARNEY. Being all of the lands described in ARN 4918-030-001-51300, in the Geographic Township of Proudfoot, now in the Town of Kearney.

WHEREAS By-law No. 2002-28 was passed under the authority of Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, and regulates the use of land and the use and erection of buildings and structures within the Town of Kearney;

AND WHEREAS the Council of the Town of Kearney conducted a public meeting in regard of the subject application as required by Section 34(12) of the *Planning Act*, R.S.O. 1990, as amended;

AND WHEREAS Section 34 of the *Planning Act*, R.S.O. 1990, as amended, permits Council to pass an amending Zoning By-law, and the Council of the Town of Kearney deems it advisable to amend By-law No. 2002-28 with respect to the lands described in this By-law;

AND WHEREAS the matters herein are in conformity with the provisions of the Official Plan of the Town of Kearney;

NOW THEREFORE the Council of the Town of Kearney hereby enacts as follows:

1. THAT By-law No. 2002-28, as amended, is hereby amended as follows:

    a) Map No. 1 of Schedule “A” of By-law No. 2002-28 is hereby amended by changing the zone category of certain lands located in described as; PT LT 12 CON 8 PROUDFOOT; KEARNEY. Being all of the lands described in ARN 4918-030-001-51300, in the Geographic Township of Proudfoot, now in the Town of Kearney from the Residential Waterfront Zone (RWF) to the Residential Waterfront Exception Zone Sixty (RWF-60) as shown on Schedule “A” attached hereto and forming part of this By-law.

    b) Section 4.2.3 of By-law No. 2002-28, as amended, entitled “Exceptions”, is hereby amended by the addition of a new subsection numbered 4.2.3.58, which shall read as follows:

4.2.3.58 Residential Waterfront Exception Sixty (RWF-60) Zone

Notwithstanding Sections 3.2.1 and 3.2.3 of this By-law to the contrary, on lands within the Residential Waterfront Exception Sixty (RWF-60) Zone, the following provisions shall apply:

a) Maximum Height of Dwelling 12.10 m

In all other respects the provisions of the Residential Waterfront (RWF) Zone shall apply.

2. This By-law shall become effective on the date that it is passed by the Council of the Town of Kearney, subject to the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, as amended.

3. The Clerk is hereby authorized and directed to proceed with the giving of notice under Section 34(18) of the *Planning Act*, R.S.O. 1990, as amended.

READ a first and second time this 27th day of April, 2022.

READ a third time and finally passed this 27th day of April, 2022.

_____ _____

Mayor, Carol Ballantyne Clerk, Brenda Fraser

Email: admin@townofkearney.ca
Website: http://townofkearney.ca
Phone: 705 636 7752
Fax: 705 636 0527

P.O. Box 38
8 Main Street
Kearney, Ontario
POA 1M0

TO : MAYOR and COUNCIL

FROM: Brian Horsman CBO

DATE : April 19, 2022

RE: Annual Report on the status of the Building Department

This past 6 months have been volatile, we have terminated a Shared Service Agreement, we have entertained two new shared service agreements without a successful conclusion. We were not successful to attract a new Building Inspector, extreme shortage province wide. The person designated to assist the Building Department has transitioned to another position requiring a higher demand on her available time. Also, Kearney was invited to participate in a pilot program using an e-permitting system called CloudPermit. However, the ongoing difficulties with our internet (or lack of) has me second guessing our decision to move forward. The determination of how we grow or what steps would best serve the municipality in the near future has proven difficult this past six months.

I will identify some issues that require Councils consideration and direction:

1) CloudPermit Program: --- this represents the latest technology in Building Permit and Inspection Services and Administration. This will supplement the recent purchase of our scanner/plotter/printer and, except for additional equipment required to utilize the program, we have determined that a small adjustment to the Fee Schedule of the Building Bylaw will pay for the program use. We have budgeted approximately $11,000.00 for additional equipment and upgrades.

   Approximately 70% of our business operation is done electronically CloudPermit is recognized and supported province wide i.e. MMAH, MPAC, AMO, OHBA and many others. I believe we still have funds available from the Municipal Modernization Fund which this program definitely qualifies for support.

2) Building Inspector: --- to finalize our Succession Planning Strategy we should continue to pursue the hiring of another inspector. There is funding available through the NOHFC Building Inspector Intern Funding for which we already have approval to pursue. This issue will also impact our ability to consider future shared service agreements. Additionally I am considering some form of retirement or a reduced work load. I would appreciate a discussion with Council and CAO/Clerk before I contemplate this decision.

3) Permit Clerk : --- when considering a new shared service agreement we concluded that a central office operation was the best approach and with that we would require a full time permit clerk. Now, we are participating in a pilot program for e-permitting which will also require the assistance of a Permit Clerk. As noted earlier the administrative assistant that we have been pursuing for the past two years, due to unforeseen circumstances, has transitioned to another position. A full time Permit Clerk is required to help implement a two year old Policy Manual, the new e-permitting process and to assist in providing administrative support in the growth of the Building Department.

   When you consider where we are today and with the ever increasing demand on Building Services we can no longer consider part-time or shared assistance.

4) Pending Budget Considerations: --- as we have not yet started budget talks Council should be aware that the 2021 Budget had included the hiring of a new inspector (partly due to demands from the Shared Service Agreement and partly due to our Succession Planning Strategy) Since then we have been notified by NOHFC that we are approved for funding to hire an Intern Building Inspector c/w a maximum NOHFC contribution of $35,000.00. The funding expires October 2022.

   The additional equipment required to implement the CloudPermit Program ($11,000.00) could be supported by the Municipal Modernization Funding. Also, we have been informed that the cost per permit processed through CloudPermit is approximately $100.00. I will be recommending to Council that we revise the administration fee of $100.00 to be increased to $200.00 in the Schedule of Fees for Building Bylaw 2021-18 to cover the cost of the new program going forward. Changes to the Schedule of Fees will follow in my yearly report on Building Permit Fees for Councils consideration.

   RECOMMENDATION: We should proceed to put our house in order by pursuing the hiring of the new Building Inspector (previously approved by Council in 2021 and funding approved by NOHFC) hire a full time Permit Clerk dedicated to the Building Department to implement the Policy and Operational Manual and to support the CloudPermit Program that is currently in development through a Pilot Program. This new position will also assist in the

growth of the Building Department including any future consideration for Shared Service Agreements. We are spending far too much time on non-technical matters and the administrative demands are becoming more extensive and the evolution of Building Codes requires a significant investment of our time. The primary function of our statutory duties (permits and inspections) is being challenged by the continued growth of the Town of Kearney. The time and resources required to respond to changing dynamics, new services, improved accountability etc. requires the Department to have the resources in place to respond efficiently and effectively. This what I mean when I say “put our house in order”.

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Planning Report

To: Mayor and Council, Town of Kearney

From: Kent Randall & Aditya Srinivas (EcoVue Consulting), Township Planning Consultants

Subject: Consent for Severance – 2595 Chetwynd Road (Proudfoot)

Municipal File No.: B-023-22 and B-024-22 (Fonseca)

EcoVue File No.: 22-2095-05

Date: April 22, 2022

1.0 Recommendation

That Council recommend approval of Consent to Sever Applications B-023/22 & B-024/22 to the Southeast Parry Sound District Planning Board, with the following conditions:

1. An application for a Zoning By-law Amendment that rezones the subject lands from the Rural (RU) Zone to the Rural Residential (RR) Zone is required to recognize the reduced lot area and frontage of the proposed severed lots, if Zoning By-law 2022-20 is in full force and effect at the time of conditional approval of the consent.

2. That prior to the finalization of consent, confirmation that the North Bay Mattawa Conservation Authority has no concerns or objections with regard to sewage disposal systems on the subject lands, shall be provided.

3. Confirmation in writing from the Town of Kearney that a 911 Address Numbers to the new lots created have been assigned.

4. A payment-in-lieu of a parkland dedication shall be paid in accordance with Section 51.1 of the *Planning Act* acceptable to the Town of Kearney in cash or certified cheque.

5. That all Municipal taxes to date shall be paid in full.

6. The applicant provides confirmation from the Town of Kearney Roads Foreman with respect to entrance approval.

7. That all Town fees and disbursements (legal, engineering, planning), if any incurred by the Town with respect to this application shall be paid for by the owner.

8. A draft reference plan of survey be provided to the Town of Kearney for review prior to registration.

2.0 Background and Proposal

The following is a review of Consent Applications B-023/22 & B-024/22 in the context of applicable land use planning policies and provisions. The purpose of each Consent application is to create two (2) new rural lots from a property known as 2595 Chetwynd Road, located at Part Lot 1, Concession 8, former Township of Proudfoot, Town of Kearney, District of Perry Sound.

The property is designated Rural Lands in the Town of Kearney Official Plan and zoned the Rural (RU) Zone in the Town of Kearney Zoning By-law No. 2002-28.

The proposed severed and retained lots will be configured as follows:

	Severed 1	Severed 2	Retained
Frontage	70 metres	70 metres	302.44 metres
Depth	286 metres	300 metres	350 metres
Area	2.02 hectares	2.02 hectares	11.36 hectares
Current uses	Vacant	Vacant	Residential (one framed dwelling)
Proposed Uses	Residential	Residential	Residential
Road Access	Chetwynd Road	Chetwynd Road	Chetwynd Road
Adjacent land uses	Wooded area	Wooded area	Wooded area

3.0 Planning Analysis

3.1 Provincial Policy Statement (2020)

The subject lands are not located within a settlement area and are therefore subject to Section 1.1.4 (Rural Areas) and 1.1.5 (Rural Lands) of the PPS. Specifically, Section 1.1.5.2 outlines permitted uses on *rural lands*, which includes "*c) residential development, including lot creation, that is locally appropriate".*

The proposed consent will create two (2) new lots which are similar to other rural lots within the Town of Kearney. Furthermore, the size of the proposed retained and severed lots is in keeping with the character of the area. Both the existing Rural (RU) Zone and the proposed Rural Residential (RR) Zone permit a single detached dwelling, which is consistent with the residential development in the area.

Although the property contains woodlands, given that it is located in Ecoregion-5E, site alterations are permitted as per the PPS. The property does not contain other natural features such as wetlands, watercourses, or significant wildlife habitat. While the subject property may contain natural hazards such as steep slopes, there will be sufficient space on the proposed severed parcels to accommodate the construction of a dwelling and associated ancillary structures. As such, it is our opinion that the proposal conforms to Sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the PPS.

It is therefore our opinion that the proposed severances are locally appropriate and are consistent with the PPS.

3.2 Town of Kearney Official Plan

As noted, the subject property is currently designated Rural Lands, according to Schedule A to the Town of Kearney Official Plan (TKOP). Policies related to the Rural Lands designation are outlined in Section 4.0 of the TKOP.

The proposed severed and retained lots will be used for residential purposes, which is a permitted use within the Rural Lands designation, in accordance with Section 4.2 (2) of the TKOP.

Furthermore, Section 4.2.1 of the Town of Kearney Official Plan outlines policies related to lot creation within the Rural Lands designation. Section 4.2.1.1 states that: "*all lots will be of sufficient size and*

dimension, and possess terrain suitable to accommodate the use proposed". In addition, the following matters should be considered when evaluating severances in the Rural Lands area:

a. *Protection of natural heritage features and areas or development constraints;*

b. *Provision of water supply and sewage disposal;*

c. *Provision of access and a safe road entrances; and*

d. *Provision of a sufficient area of level land to accommodate buildings and structures without substantial alteration of the natural landscapes.*

Further Section 4.2.2.4 states that: "*the minimum requirements for a new rural residential lot and the retained lot will be 1 hectare (2.47 acres) in lot area with 60 metres (197 fee) of road frontage"* and that "*in no event shall a new rural residential lot have a lot area of less than 0.8 hectares (2 acres)".*

The proposed severed lots will each be 2.02 hectares with 70 metres of frontage on Chetwynd Road, while the retained lot will be 11.46 hectares with 302.44 metres of frontage on Chetwynd Road. These lot dimensions will meet the minimum lot standards set out in Section 4.2.2.4. The proposed lots will be large enough to accommodate building structures without significant alterations to the natural landscapes. The existing development on the retained lot is serviced with existing private water and septic systems, and it is anticipated that the proposed severed lot will have sufficient area for private water and sewage on-site.

Concern regarding sightlines related to new entrances from Chetwynd Road were raised during initial consultation with the applicant. However, it is anticipated that there will be sufficient frontage to accommodate suitable entrances for the severed lots. Furthermore, a condition of consent required that the applicant verify appropriate entrance locations with the Town's Road Foreman.

Section 4.2.8 outlines the requirements for road frontage and access. As the proposed severance and retained lots will both front on to Chetwynd Road, which is a year-round, municipally-maintained road, the proposal conforms to Section 4.2.8 of the TKOP.

3.3 Town of Kearney Zoning By-law No. 2022-20

The property is currently zoned Rural (RU) Zone in the Town of Kearney Zoning By-law No. 2022-20. The proposed retained lot will meet all the RU Zone regulations. However, the proposed severed lots will not meet the minimum lot area and the frontage requirements of the RU Zone. As such, the proposed severed lots must be rezoned to Rural Residential (RR) Zone in order to permit the reduced lot size and frontage of the severed lots. The RR Zone also permits future single detached dwellings on the severed lots. Therefore, a Zoning By-law amendment will be required as a condition of consent.

4.0 Summary

Based on the foregoing, it is our opinion that Consent Applications B-023/22 & B-024/22 is consistent with the Provincial Policy Statement (2020) and conforms to the Town of Kearney Official Plan. The applications shall comply with the Town of Kearney Zoning By-law 2022-20 provided a Zoning By-law Amendment rezones the lands from the RU Zone to the RR Zone.

Therefore, we respectfully recommend that Council endorse Consent Applications B-023/22 & B-024/22 and recommend approval to the Southeast Parry Sound District Planning Board, subject to the conditions provided as part of this report.

Respectfully Submitted,

ECOVUE CONSULTING SERVICES INC.

J. Kent Randall B.E.S. MCIP RPP
Township Planning Consultant

J. KENT RANDALL
REGISTERED PROFESSIONAL PLANNER
R.P.P.
ONTARIO PROFESSIONAL PLANNERS INSTITUTE
INSTITUT DES PLANIFICATEURS PROFESSIONNEL DE L'ONTARIO

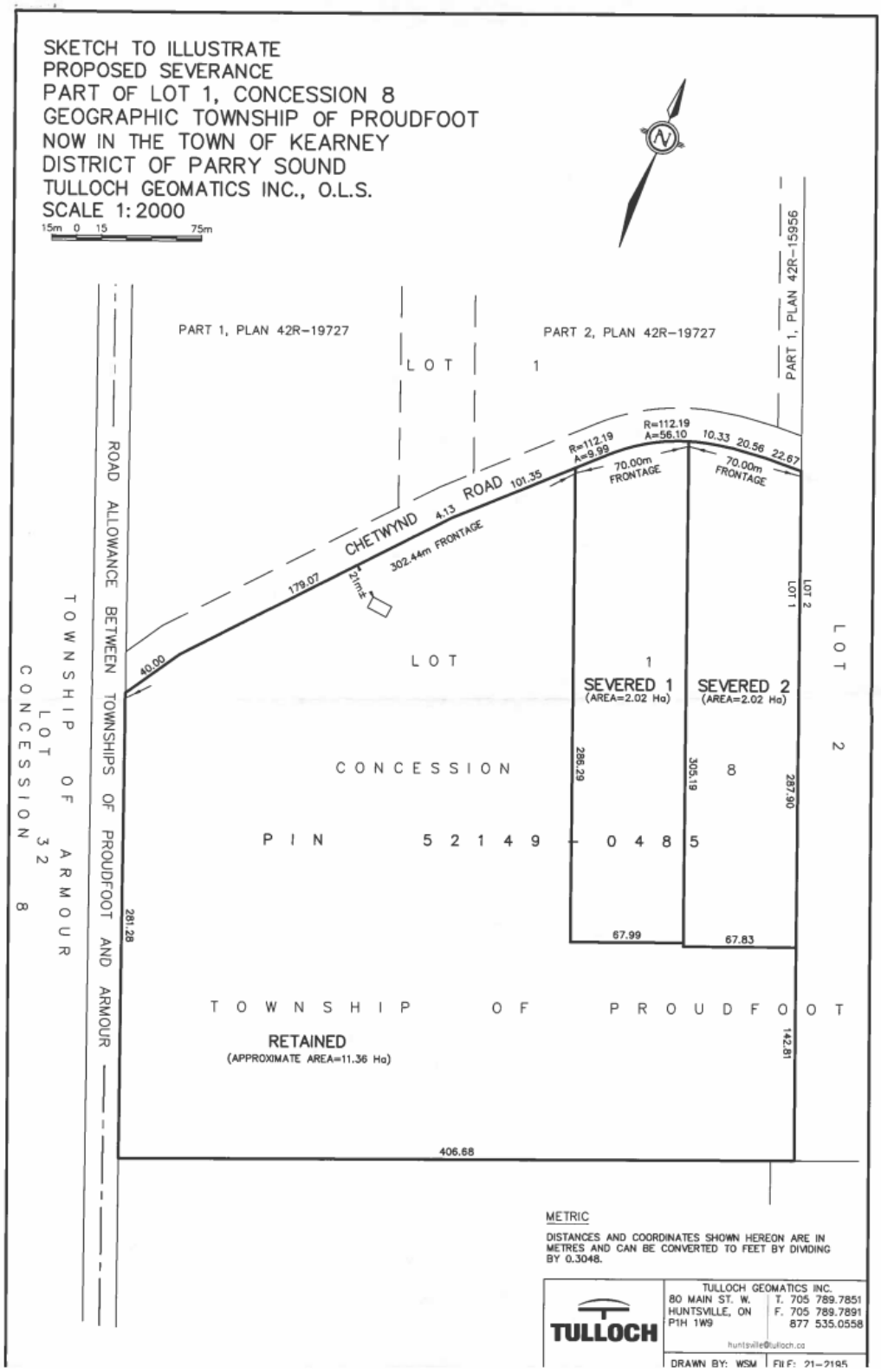


Figure 1: Consent Sketch

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Planning Report

To: Mayor and Council, Town of Kearney

From: Kent Randall & Sarah Bale (EcoVue Consulting), Township Planning Consultants

Subject: Consent for Severance – 11th Concession, Part Lots 33 & 34 Kearney, Ontario

Municipal File No.: B-027/22, B-028/22 & B-029/22 (Pateman)

EcoVue File No.: 22-2095-04

Date: April 22, 2022

1.0 Recommendation

That Council recommend approval of Consent to Sever applications B-027/22, B-028/22 and B-029/22 to the Southeast Parry Sound District Planning Board, with the following conditions for each severance:

1. An application for a Zoning By-law Amendment that rezones the subject lands from the Rural (RU) Zone to the Rural Residential (RR) Zone is required to recognize the reduced lot area and frontage of the proposed severed lots, if Zoning By-law 2022-20 is in full force and effect at the time of conditional approval of the consent.

2. That prior to the finalization of consent, confirmation that the North Bay Mattawa Conservation Authority has no concerns or objections with regard to sewage disposal systems on the subject lands, shall be provided.

3. Confirmation in writing from the Town of Kearney that a 911 Address Number for the new lots created have been assigned.

4. Confirmation in writing from the Town of Kearney that all right-of-ways be named to the Fire Chief's satisfaction.

5. A payment-in-lieu of a parkland dedication shall be paid in accordance with Section 51.1 of

the *Planning Act* acceptable to the Town of Kearney in cash or certified cheque.

6. That all Municipal taxes to date shall be paid in full.

7. The applicant provides confirmation from the Town of Kearney Roads Foreman with respect to entrance approvals.

8. That all Town fees and disbursements (legal, engineering, planning), if any incurred by the Town with respect to this application shall be paid for by the owner.

9. A draft reference plan of survey be provided to the Town of Kearney for review prior to registration.

2.0 Background and Proposal

The following is a review of Consent Application B-04/22 in the context of applicable land use planning policies and provisions. The purpose of the Consent application is to create three new lots from a property on Bevan's Road, located at Part Lot 33 and 34, Concession 11, former Township of Bethune, Town of Kearney, District of Perry Sound.

The property is designated Rural in the Town of Kearney Official Plan and zoned the Rural (RU) Zone and Hazard (HZ) Zone in the Town of Kearney Zoning By-law No. 2020-20.

The proposed severed and retained lots will be configured as follows:

	Severed 1	Severed 2	Severed 3	Retained
Frontage	120 metres	120 metres	120 metres	460 metres
Depth	265 metres	265 metres	265 metres	460 metres
Area	3.2 hectares	3.2 hectares	3.2 hectares	25.7 hectares
Current uses	Vacant	Vacant	Vacant	Vacant
Proposed Uses	Residential	Residential	Residential	Residential
Road Access	Bevan Road	Bevan Road	Bevan Road	Bevan Road
Adjacent land uses	Rural	Rural	Rural	Rural & Residential

3.0 Planning Analysis

3.1 Provincial Policy Statement (2020)

The subject lands are located within a rural settlement area and are therefore subject to Section 1.1.3 (Settlement Areas) and 1.1.4 (Rural Areas in Municipalities) of the PPS. Specifically, Section 1.1.3.1 states that, "*Settlement areas shall be the focus of growth and development".* Additionally, Section 1.1.4.3 states that *"When directing development in rural settlement areas in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels".*

The proposed consent will create three new lots that are similar to other rural lots within the Town of Kearney. Furthermore, the size of the proposed retained and severed lot is in keeping with the character of the area. The Rural (RU) Zone permits only a single detached dwelling, which is consistent with the residential development in the area. The four lots, each in excess of 3 hectares in size, should be able to sustain private water and sewage services, pending approval of the North Bay Mattawa Conservation Authority.

The subject property contains several natural features including:

1. A large wetland and associated watercourse

2. Potential Species at Risk and their habitat

An EIS was conducted by RiverStone Environmental Solutions Inc. which thoroughly examined the natural features present on the site through desktop analysis and over the course of eight (8) field visits to the site over the spring, summer and fall of 2021. RiverStone determined that there is sufficient area on the three (3) proposed severed and one (1) retained lots to provide sufficient vegetative buffers and mitigation to protect the wetlands and watercourse.

RIverStone also determined that Black Ash trees and the habitat of the Eastern Hog-nosed Snake, Little Brown Myotis and Northern Long-eared Myotis (SAR) are present on the subject property. To protect potential SAR and their habitat on the subject lands, RiverStone has recommended several mitigation measures including restrictions on the timing of tree clearing, lighting, and the number of new roads and/or driveways created on the subject lands.

The study also found that Bat Maternal Colonies, Turtle Nesting Areas, Amphibian Breeding Habitat (Woodland), and Amphibian Movement Corridors qualified as Significant Wildlife Habitat on the subject property. RiverStone has provided recommendations regarding mitigation measures to sufficiently protect the Significant Wildlife Habitat found on the subject property including timing restrictions on vegetation clearing, maintaining snag or cavity trees, limiting the removal or spreading of earth piles, and to set back all development a minimum of 15 metres from the edge of any wetland features.

Therefore, provided the mitigation measures outlined in RiverStone's report are complied with, the proposed consent application is consistent with Section 2 (Wise Use and Management of Resources) of the PPS.

The subject property does not contain any known human-made hazards. The areas zoned Hazard Lands (HZ) are associated with the watercourse running in a north-south direction on the east side of the subject property and identified in the EIS by RiverStone. The developable areas on each of the proposed lots are located a significant distance from the areas zoned HZ and no structural development or clearing of vegetation will occur within 15 metres of any wetland or watercourse. As such, it is our opinion that the proposal conforms to Sections 3 (Protecting Public Health and Safety) of the PPS.

It is therefore our opinion that the proposed severance is locally appropriate and is consistent with the PPS.

3.2 Town of Kearney Official Plan

As noted, the subject property is currently designated Rural, and is located within the Townsite, according to Schedule B to the Town of Kearney Official Plan (TKOP). Policies related to the Rural designation are outlined in Section 4.0 of the TKOP.

The proposed severed and retained lots will be used for residential purposes, which is a permitted use within the Rural designation, in accordance with Section 4.2 (2) of the TKOP.

Furthermore, Section 4.2.1 of the Town of Kearney Official Plan outlines policies related to lot creation within the Rural designation. Section 4.2.1.1 states that: "*all lots will be of sufficient size and dimension, and possess terrain suitable to accommodate the use proposed*". In addition, the following matters should be considered when evaluating severances in the Rural area:

a. *Protection of natural heritage features and areas or development constraints;*

b. *Provision of water supply and sewage disposal;*

c. *Provision of access and a safe road entrances; and*

d. *Provision of a sufficient area of level land to accommodate buildings and structures without substantial alteration of the natural landscapes.*

Further Section 4.2.2.4 states that: "*the minimum requirements for a new rural residential lot and the retained lot will be 1 hectare (2.47 acres) in lot area with 60 metres (197 fee) of road frontage"* and that "*in no event shall a new rural residential lot have a lot area of less than 0.8 hectares (2 acres)".*

The proposed severed lots will be 3.2 hectares with 120 metres of frontage each, and the proposed retained lot will be 25.7 hectares with 460 metres of frontage on Bevan Road, which will meet the minimum lot standards set out in Section 4.2.2.4. The proposed lots will be large enough to accommodate building structures without significant alterations to the natural landscapes. It is anticipated that the proposed severed and retained lots will have sufficient area for private water and sewage on-site. It is anticipated that there will be sufficient frontage to accommodate suitable entrances for the severed lots. Furthermore, a condition of consent required that the applicant verify appropriate entrance locations with the Town's Road Foreman. Section 4.2.8 outlines the requirements for road frontage and access. As the proposed severed and retained lots will all front on to Bevan Road, which is a year-round, municipally-maintained road, the proposal conforms to Section 4.2.8 of the TKOP.

3.3 Town of Kearney Zoning By-law No. 2022-20

The property is currently zoned Rural (RU) Zone and Hazard Lands (HZ) Zone in the Town of Kearney Zoning By-law No. 2022-20. The severed lots will not meet the minimum lot size for the RU Zone (10 ha). Therefore, it is recommended that a Zoning By-Law Amendment be required to rezone the three (3) proposed lots as the Rural Residential (RR) Zone, as a condition of consent approval. The retained lot complies with all of the regulations for the RU Zone. Otherwise, the proposed severances comply with the HZ Zone regulations which do not permit any residential development within the area identified HZ adjacent to the watercourse.

4.0 Summary

Based on the foregoing, it is our opinion that Consent Applications B-027/22, B-028/22 and B-029/22 are consistent with the Provincial Policy Statement (2020), conform to the Town of Kearney Official Plan, and conditional upon a Zoning By-Law Amendment, comply with the Town of Kearney Zoning By-law 2022-20.

Therefore, we respectfully recommend that Council endorse Consent Applications B-027/22, B-028/22 and B-029/22 and recommend approval to the Southeast Parry Sound District Planning Board, subject to the conditions provided as part of this report.

Respectfully Submitted,

ECOVUE CONSULTING SERVICES INC.

J. Kent Randall B.E.S. MCIP RPP
Township Planning Consultant

Sarah Bale, M. Sc., M.E.S.
Township Planning Consultant

Date	Bin Pick Up	Kearney	$	Sand Lake	$	Notes
Apr. 1		27	16	13	15	
Apr 2		32	2	17	79	
APR 3		30	X0	16	25	
APR 4		22	25	13	120	
ARR 5		33		16	30	
ARR 8		29	10	18	60	
APR 9		36	40	22	300	
APR 10		30		21		
APR 11		26		16	43	
APR 12		35		12	45	
APR 16		49	4	23	305	
APR 17		20	4	13	10	
APR 19		44	25	32	235	
Totals						

April 7th Garbage & cardboard emptied @ Kalio Rd

April 14th both garbages emptied @ town site

April 14th 1 construction & furniture bin emptied @ Kaliosite

April 21st cardboard & plastic bin emptied townsite

April 21st garbage & recycle bin & both construction bins emptied @ Kalio Rd site

Josh Dresser, Transfer Stn. Attendant

THE CORPORATION OF THE TOWN OF KEARNEY

STAFF REPORT

TO: Mayor and Council

FROM: Cindy Filmore

SUBJECT: Gray Jay Lane

DATE: April 27, 2022

For Council Information

Background

In 1979, when the Town of Kearney and the surrounding townships (Bethune, Proudfoot, Butt, McCraney) amalgamated, the local roads boards of those townships dissolved and the roads in their care were transferred to the Town of Kearney.
Additionally, when the MTO turned over those portions of Hwy 518 E that are "beyond" Cherry Hill Road to the Town, a number of road allowances were to be included in the transfer.
While these changes happened "in right", they did not necessarily seem to follow through in actual registration changes, so often in the event of title searches, the "original" owner shows on title (e.g. "the Crown").
The end result is a number of "roads" and portions of road allowances belonging to the Town and yet not having the Town shown on-title as the owner.

Considerations

The Town of Kearney owns many road allowances. Some roads, some beaches, some "open" and used by the public, some able to be used by the public but not necessarily "in use", and some simply not "open". Some of these are used as snowmobile and/or atv trails, hiking trails, etc. and many are utilized as hunt camp access trails, wherein no actual alteration is done to the road bed beyond creating a driveable pathway.

In other instances, there may be roads within a plan of subdivision which are "owned" by the Town, but have never been constructed or maintained.

An example of roads being adopted and then maintained includes those within Plan M277, where a Local Improvement Plan was instigated, road construction completed, with the costs being born by the benefitting residents.

Gray Jay Lane is not unique, as we have many "Lanes" designated throughout the Town of Kearney. These are often private roads constructed to allow access to lots within a certain area, typically as a result of severances that were performed before the amalgamation of the outlying townships with the Town. Work on these roads was performed by those using the roads, insurance was often ignored or held in common as a "road association". Often, these rights of way and/or easements are noted on the title of each property using the lane for access.

In the case of Gray Jay Lane, the municipality acknowledges ownership of a portion of Plan PSR 669 being parts 8 & 9. This is the portion identified as belonging to the MTO, of which the Town had previously been given formal conveyance. It should be noted that this is a small portion of what is referred to as Gray Jay Lane.

In the instance of Mr. Moore's application for a severance his deed gives access, indicating that he has a Right of Way to his lot. The issue may be to prove the used access is actually the deeded access.
Mr. Renaud has a valid concern that Mr. Moore's consent will increase traffic over the deeded Right of Way but it is not necessarily one that would prevent a severance. However, Mr. Renaud has a valid concern over others using this Right of Way via Gray Jay Lane as they would not have a legal right to do so.
While Gray Jay Lane is owned by the Town (formerly, the Crown), Gray Jay lane has NOT been accepted into the Town's maintenance program, and maintenance is being performed by other users. It may be necessary for other users to provide Mr. Renaud with proof of right of access. A survey to illustrate exactly where the rights of way are located would be of assistance.

Mr. Renaud has suggested that the right of way would be closed, and alternative access points be determined. Staff maintain that legal deeded access is the given access to be used by the landowners. A change to a deeded Right of Way is a civil issue between the owners of the 2 properties giving and receiving access.

Respectfully submitted by: Cindy Filmore

THE CORPORATION OF THE TOWN OF KEARNEY

STAFF REPORT

TO: Mayor and Council

FROM: Scott McKay

SUBJECT: Winter Sand Tender

DATE: April 27, 2022

Recommendation:

WHEREAS *a Request for Tender for Winter Sand was published March 10th to aid in obtaining sand for the 2022/23 season;*
AND WHEREAS two (2) quotations were received:

1. *A. Miron Topsoil Ltd. @ $13.08 per cu. m (HST incl.)*
2. *Jeff Maki @ $21.30 per cu. m (HST incl.)*

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby awards the tender to: _____

Background

In an effort to prepare for the upcoming winter season, the Town posted an RFP for winter sand on our website and on Biddingo.com.
A total of 2 tenders were received, one from A. Miron Topsoil and one from Jeff Maki.

Considerations

There was a substantial difference in pricing of $8.22 per cu. m. When considering we put up 4500 cu m. that is a difference of $36,990.00.

Respectfully submitted by: *Scott McKay*

THE CORPORATION OF THE TOWN OF KEARNEY

STAFF REPORT

TO: Mayor and Council

FROM: Cindy Filmore

SUBJECT: Copy Costs for Town User Groups

DATE: April 27, 2022

Recommendation:

WHEREAS *requests have been received from the Kearney Legion to provide them and other user groups with a decreased cost for printing;*
NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby sets the copy rate for our local Service Clubs & Organizations to: _____

Background

The Kearney Legion has requested a decrease in the amount they are charged for photocopies for their meetings, events and other uses. Currently, they are expected to pay the rate set out in the Fees & Charges by-law which is $0.30 per page for black & white copies or $0.50 per page for colour.

Local churches had previously been exempted from costs.

Considerations

The fees set were based on a number of costs:

1. The cost of the photocopier unit ($8995)
2. Costs of paper ($42.51 per 5000 sheets or $0.009 per sheet)
3. Costs of printing/maintenance ($0.007 per pg. B&W, $0.059 per pg. C)
4. Staff time

Costs for printing services in Huntsville are:

- Colour Crazy:
  - $0.39 per page Colour
  - $0.10 per page B&W
- Staples:
  - $0.49 per page Colour
  - $0.16 per page B&W

Respectfully submitted by: Cindy Filmore

THE CORPORATION OF THE TOWN OF KEARNEY

STAFF REPORT

TO: Mayor and Council

FROM: Cindy Filmore

SUBJECT: Use of Town Property for Independent Yoga Class

DATE: April 27, 2022

Recommendation:

WHEREAS *a request for the use of Town property has been received from an individual wishing to provide Fitness Classes (Yoga/Pilates) for a fee;*

AND WHEREAS *Council supports physical activity and the provision of recreational activities within the Town of Kearney and supports local business initiatives;*

NOW THEREFORE BE IT RESOLVED *that the Council of the Corporation of the Town of Kearney supports the use of _____ for the provision of Yoga/Fitness classes by _____ if a Certificate of Insurance naming the Town as an insured party/not liable is provided*

Background

Staff received a request from Agatha Farmer to use one of our public areas as a site for Yoga classes. Ms. Farmer owns a Muskoka Barefoot Fitness in Huntsville and resides in Kearney. While she does offer classes in Huntsville, and also in Port Sydney, she has had interest in outdoor, evening classes in Kearney and is hoping to be able to provide these classes in a park-like setting. Ms. Farmer has expressed interest in utilizing:

- The Dock off Regent St./ Strand Ave. (although, due to the # of interested students, this may be too small)
- The park or pavilion at Lions Park
- The treed area beside the Ball Diamond (under the pine trees near the bleachers)

Ms. Farmer has had to provide Certificates of Insurance to other sites/towns in the past, and is agreeable to do so in this situation.

Considerations

Ms. Farmer has advertised her desire to provide classes in Kearney via Facebook and has had sufficient interest to feel that this would be a worthwhile endeavour. She is offering a barefoot yoga/pilates class at a cost of $50 for 4 weeks ($12.50 per class) Wednesday evenings @ 5:30 pm. Being able to utilize Town property would aid her in being able to offer these classes.

Respectfully submitted by: *Cindy Filmore*

Brenda Fraser

From: Cindy Filmore
Sent: Thursday, April 14, 2022 4:03 PM
To: Agatha Farmer
Cc: Brenda Fraser
Subject: RE: Yoga classes

Hi Agatha,

I will pass your questions along to Council, as it will be their direction we must follow.
I noticed your post on Facebook. Great to see so much interest!!
I believe the Lions will likely direct you back to us, as we look after the day-to-day use of the pavilion (it was built by the Lions but belongs to the Town), but there support is always a good thing.
Cindy

Cindy Filmore
Deputy Clerk
The Town of Kearney
Ph # (705) 636-7752 ext 21

From: Agatha Farmer <muskokabarefoot@gmail.com>
Sent: Thursday, April 14, 2022 11:47 AM
To: Cindy Filmore <cindy.filmore@townofkearney.ca>
Subject: Yoga classes

Good Afternoon

I'm a yoga/fitness instructor and have a studio in Huntsville. I also run a satellite yoga class in Port Sydney and since I currently reside in Kearney I was wondering if I could run a yoga/Pilates class at the town dock by Regent Street. I contacted the Lions Club to find out regarding renting the skating arena as well. I'm looking for 1 hour on Wednesday at 5:30pm from May to September.

Thank you,
Agatha

--
Agatha Farmer
Muskoka Barefoot
Founder
MuskokaBarefoot.com
muskokabarefoot@gmail.com

“Barefooting is the Perfect Antidote to the Effects of Civilization.” - Sue Kenney

Brenda Fraser

From: Cindy Filmore
Sent: Thursday, April 14, 2022 1:38 PM
To: Brenda Fraser
Subject: FW: Yoga classes

From: Agatha Farmer <muskokabarefoot@gmail.com>
Sent: Thursday, April 14, 2022 11:47 AM
To: Cindy Filmore <cindy.filmore@townofkearney.ca>
Subject: Yoga classes

Good Afternoon

I'm a yoga/fitness instructor and have a studio in Huntsville. I also run a satellite yoga class in Port Sydney and since I currently reside in Kearney I was wondering if I could run a yoga/Pilates class at the town dock by Regent Street. I contacted the Lions Club to find out regarding renting the skating arena as well. I'm looking for 1 hour on Wednesday at 5:30pm from May to September.

Thank you,
Agatha

--
Agatha Farmer
Muskoka Barefoot
Founder
MuskokaBarefoot.com
muskokabarefoot@gmail.com

“Barefooting is the Perfect Antidote to the Effects of Civilization.” - Sue Kenney

THE CORPORATION OF THE TOWN OF KEARNEY

STAFF REPORT

TO: Mayor and Council

FROM: Cindy Filmore

SUBJECT: Internet Access

DATE: April 27, 2022

Recommendation:

WHEREAS *the Council of the Corporation of the Town of Kearney has addressed issues surrounding internet access at the Kearney Community Centre, at the Fire Hall and at the Public Works Office, and is desirous of a solution that is practical, affordable and aids in supporting internet access to the broader community;*
AND WHEREAS Council has also requested a solution to wi-fi access in the downtown core of the community;
AND WHEREAS NetSpectrum has advised that a solution to the current situation is available for a cost of approximately $2150 + monthly connections fees
NOW THEREFORE BE IT RESOLVED THAT Council: _____

Background

Viable internet access in Kearney, for both the public and staff needs, has been an on-going challenge for many years.
Various options have been tried in the past for municipal staff, including changes to internet providers, increased server capacities, upgrades to equipment which have all helped to increase speeds.

Considerations

Staff have continually monitored the speed and availability of various internet providers in the area. We currently use Bell (2 lines) as well as GTI (a reseller of internet access)(2 lines) each offering 10M download, but often find access is unstable or limited despite 4 lines of accessibility. The Fire Hall and the Public Works Department have each had issues with the GTI access.

One option currently available is StarLink Business. This service can provide “satellite” internet access, which is boasted to be faster and more reliable than dsl (landline) accessibility. It has been considered however current availability is 2023, at a cost of $635/month + the installation of $3,170 in equipment for KCC. Each additional site would be additional costs of equipment + monthly.

In 2019, staff had researched the available options, and reached out to NetSpectrum, an internet service provider that provides point-to-point internet access (tower-to-tower). With better speeds than dsl, more reliability, shorter install time than StarLink (this year vs. 2023) and the additional ability to provide wi-fi access to our downtown core, this option may be a viable solution. While no solution ever ends up being “perfect”, this option does “tick all the boxes” by increasing office internet access speeds, increasing dependability and access speeds at both the Fire Hall and Public Works offices, giving Council the ability to provide “free” Wi-Fi in the downtown core AND providing an

alternative to residents and businesses in the downtown core looking for new/better service.

NetSpectrum would require:

- the installation of a receiver on the current tower at the KCC, cost of $250 (receiver);
- an **additional tower** at the Fire Hall (free of charge), which would then provide access to the internet to our Fire Department, cost $250 (receiver);
- Public Works Department, cost $250 (receiver);
- Wi-Fi access to the downtown core, cost $1100 hardware + $300 install.

(i.e. $250@KCC + Fire Hall $250 + PW $250 + Wi-Fi downtown $1400 = $2150)

With the installation of this new tower, NetSpectrum would be able to also sell internet access to those individuals and businesses within range.

Also, this tower would require Council to grant a letter of concurrence (an exemption) due to the height (96 ft), and to provide electrical hook-up to NetSpectrum to "run" (estimated at $45/mo).

After installation, costs per month would run: Town Office/Library - $250 per month, the Fire Department and Public Works Office -$149.95 per month each ($299.90 together), and $100 per month for the downtown Wi-Fi. Total monthly costs = $649.90.

Our currently monthly internet costs are: $375.58 – GTI (for 2 lines at KCC, 1 at Fire Hall and 1 at Public Works) + $199.62 (2 lines at KCC) = $575.20

Total costs to provide this upgrade appears to be $2150 for initial installation and $649.90 per month vs the current $575.20 per month (difference of $74.70) plus additional hydro costs ($45/mo).

Respectfully submitted by: *Cindy Filmore*

THE CORPORATION OF THE TOWN OF KEARNEY

STAFF REPORT

TO: Mayor and Council

FROM: Cindy Filmore

SUBJECT: Existing Fitness Classes

DATE: April 27, 2022

Recommendation:

WHEREAS *Council feels the provision of Fitness Classes to interested participants is a benefit to our Town;*
AND WHEREAS *the cost to deliver these classes has been considered;*
NOW THEREFORE BE IT RESOLVED *that the Council of the Corporation of the Town of Kearney hereby sets class fees at $_____*

Background

Staff have received queries from Fitness Class participants for a decrease in class costs. Some of these concerned participants have stated that "other people" wish to attend but cannot afford or do not wish to pay the $10 per class cost, and wish it was more in line with past costs ($5/class). Our fitness instructor has also advised that, in her private practice, she charges a flat fee of $80 per month, and participants can take an unlimited amount of classes per month (up to 11 classes offered = $7.27 per class).
Past free classes have relied on grant funding, which is currently not available.

Considerations

Costs to provide fitness classes include:

- Instructor fees ($95/class) (each class) (5 classes per week = $475) ($1425 for the past 3 weeks)
- Building costs (maintenance, lighting, heat, etc.)
- Staff costs (aside from instruction)
- SOCAN
- Liability Insurance (apart from that provided by instructor)

Class participation for the past 3 weeks has been a total of 54 participants ($540 in revenue vs. $1425 in instructors fees). To cover instructor costs alone would require 9 – 10 participants per class.

The current fee of $10 per class was determined based on past participation, and in comparison to other, nearby classes offered (yoga proposed in Kearney = $12.50/class, yoga available in Sundridge = $10/class, Huntsville Rec. programs = $11/class) and in consideration that Council wishes to provide this service, overlooking additional costs.

Respectfully submitted by: Cindy Filmore

Date Printed
2022-04-21 9:21 AM

Town of Kearney
List of Accounts for Approval
Batch: 2022-00018 to 2022-00020

Bank Code: AP - GENERAL AP

COMPUTER CHEQUE

Payment #	Date	Vendor Name		Payment Amount
31576	2022-03-31	Abell Pest Control	Jan - Mar KCCE P/W Pest Control	567.60
31577	2022-03-31	Active Lock & Safe	Garage New lock Installation	366.69
31578	2022-03-31	Bell Mobility Inc.	P/W March Cell Phones	85.22
31579	2022-03-31	Bell Canada	March Telephone F/D & Trans Sta	167.35
31580	2022-03-31	Bowman Fuels Ltd.	P/W Diesel Fuel	3,978.71
31581	2022-03-31	Burk's Falls Building Ctr Ltd	P/W & KCC Maintenance Supplies	98.36
31582	2022-03-31	CRA - Receiver General	March Payroll Remittance	26,292.34
31583	2022-03-31	Conseil Scolaire Catholique	1st Qtr levy Payment	1,960.30
31584	2022-03-31	Conseil Scolaire Public	1st Qtr levy Payment	783.38
31585	2022-03-31	Cupe Local 1813	March Remittance	576.88
31586	2022-03-31	Currie Truck Centre	P/W Shop Supplies	68.59
31587	2022-03-31	DJ's Bar & Grill	Seniors Gift Certificates	200.00
31588	2022-03-31	Ferrier's Maplebee Farm	Seniors Honey Products	450.00
31589	2022-03-31	Fetterley's Gas & Convenience	Seniors Gift Cards	625.00
31590	2022-03-31	GIN-COR	2019 Freightliner Repair	1,098.24
31591	2022-03-31	Cathy Hare	Seniors - Reimburse Expenses	2,879.68
31592	2022-03-31	Hubbert's Maple Products	Seniors Maple Syrup	1,100.00
31593	2022-03-31	Kidd's Home Hardware Bldg. Centre	KCC Building Maintenance	107.34
31594	2022-03-31	MFOA-Municipal Finance Officer	Annual Membership Fees	282.50
31595	2022-03-31	Min Of Fin-Ontario	February HSR OPP	25,689.48
31596	2022-03-31	Moore Propane Ltd.	Propane Delivery March 22	569.49
31597	2022-03-31	Muskoka Springs Inc	KCC Drinking Water	80.00
31598	2022-03-31	Near North Dist. School Board	1st Qtr levy Payment	137,653.98
31599	2022-03-31	Near North Business Machines	Library Photocopier	39.55
31600	2022-03-31	Nipissing-Parry Sound Catholic	1st Qtr levy Payment	9,029.54
31601	2022-03-31	Northern Nerds	Seniors Computer Rebuild	442.96
31602	2022-03-31	Novexco Inc	F/D & Admin Office Supplies	124.18
31603	2022-03-31	OMERS	March Remittance	11,602.22
31604	2022-03-31	Purolator Inc.	Return Product to Cedar Signs	21.23
31605	2022-03-31	Russell Christie LLP	Re: White's Farm	539.72
31606	2022-03-31	Ryman Titles Inc.	Re: Moore Consent	89.21
31607	2022-03-31	Schaefer Paul	Reimburse Lunch Re: Recruit Training	108.37
31608	2022-03-31	Signcraft	F/D Numbers for New Air Packs	214.70
31609	2022-03-31	Telizon Inc	All departments Long Distance	15.19
31610	2022-03-31	Three Mile Truck	Chev 1500 Repairs	367.25
31611	2022-03-31	Workplace Safety & Ins.Board	1st Qtr Payment	6,914.48
31612	2022-04-12	Aird & Berlis LLP	Cannabis Prod & Silversands Zoning	3,285.48
31613	2022-04-12	Almaguin Highlands	Community Guide Ad	248.60
31614	2022-04-12	Bowman Fuels Ltd.	P/W Diesel Fuel	2,772.91
31615	2022-04-12	Mike Brown	Mileage	6.71
31616	2022-04-12	ClayMar Electric	P/W Building Maintenance Parts	537.61
31617	2022-04-12	Caitlin Deevey	Mileage	193.43
31618	2022-04-12	Ecovue Consulting Services Inc	Various Zoning/consents/Cannabis	6,987.68
31619	2022-04-12	Fetterley's Gas & Convenience	Vehicle Fuel Various Depts	1,653.00
31620	2022-04-12	Genco Mechanical	KCC Furnace Repair Quote	186.45
31621	2022-04-12	Cathy Hare	Reimburse for Seniors Expenses	84.75
31622	2022-04-12	Hicks Morley	Re: General Matters	639.02
31623	2022-04-12	Brian Horsman	Meal Reimbursement Mar 9 & 30	141.50
31624	2022-04-12	Kennedy Ins Brokers Inc	Insurance Policy Renewal 2022	133,260.04
31625	2022-04-12	LAS-Local Authority Services	Bldg. Dept Office Supplies	124.52
31626	2022-04-12	LEA-Larocque Elder Architects	Kitchen Renovations	84,463.91

Town of Kearney
List of Accounts for Approval
Batch: 2022-00018 to 2022-00020

COMPUTER CHEQUE

Payment #	Date	Vendor Name		Payment Amount
31627	2022-04-12	Leggett Propane & Natural Gas	P/W Propane	115.00
31628	2022-04-12	Moore Propane Ltd.	KCC & P/W Propane	450.10
31629	2022-04-12	MPAC-Municipal Property Assmt	2nd Qtr Billing	14,097.32
31630	2022-04-12	Muskoka Clean Water	UV Filter Bulbs	610.18
31631	2022-04-12	Muskoka Springs Inc	F/D Drinking Water	108.67
31632	2022-04-12	Muskoka Auto Parts	P/W Socket Screw Set	18.78
31633	2022-04-12	OBOA	M Clouthier/B Horsman-Annual Dues	70.00
31634	2022-04-12	Cam Pawley	Mileage & Clothing Allowance	390.26
31635	2022-04-12	Russell Christie LLP	Boschir Holding Land Exchange	300.86
31636	2022-04-12	Spectrum Telecom Group Ltd.	Internet & Monthly Tower Rental	320.86
31637	2022-04-12	Telequip Systems Limited	Monthly Radio Usage	169.50
31638	2022-04-12	Toromont Ind. Ltd.	P/W Monthly Cat Maintenance	426.50
31639	2022-04-12	Waste Connections of Canada	Blue Box Recycling	6,810.26
			Total Computer Cheque:	493,663.63

Total AP: 493,663.63

Moved by: Seconded by:

Be it resolved that Council has received and have no objections to be noted for Cheque #31576 to Cheque #31639 in the amount of $493,663.63

Mayor Clerk/CAO/Treasurer Administrator

CHIEFS REPORT TO COUNCIL

April 25th,2022.

Training

Our training for this report period has been, ladders, recruits have been doing search and rescue PPE, search and rescue PPE/SCBA, ropes and knots, ropes and knots hoisting and fire extinguishers.

Fire Prevention

Ongoing safety messages on our Facebook page. Sign at Community center. Availability of a limited supply of free smoke alarms at the firehall for residents.

Equipment

Equipment is working well. The pumper has had two repairs, the master drain was rebuilt and an emission valve replaced. Regular truck and equipment checks are performed.

We have had three medical calls. Three fire calls.

OFMEM has cancelled our live fire training scheduled for Mothers Day weekend, they have suggested the unit may be available Civic long weekend but not confirmed.

I have registered myself and two Captains for the annual Chiefs show in Toronto. We plan to attend for one day, drive down and back. This has been cancelled the last two years.

I have also attended our regular Chief's meeting.

Reviewing and verifying our SIR report.

Organizing our SCBA delivery, fit testing is complete, identification numbers are in stock and fill station upgrade When SCBA's are in the hall.

Daily ongoing hall duties, gear checks and paperwork and fire permit issuance.

I can be reached on my cell at 705 571 3761 or at the firehall or email.

Stay safe

Sincerely;

Paul Schaefer

Fire Chief

Town of Kearney

Paul Schaefer
Fire Chief - Town of Kearney
paul.schaefer@townofkearney.ca

705-636-7402
705-571-3761 (Cell)
705-636-9743 (Fax)

Kearney Fire & Emergency Services
Postal Box 38
Kearney, ON P0A 1M0

TO: Mayor and council

FROM: Paul Schaefer Fire Chief

RE: Dry hydrant location

DATE: April 25th,2022

For consideration:

I have been researching future dry hydrant locations within the town and specifically the north end. I looked at the public beach, and the large culvert past the beach as well as across from the Liquor Store.

I noticed this year the area across from the liquor store was being maintained all winter. This location would be the preferred location. If needed we would be able to relay pump a large area of the main street. As well we could still maintain a detour around King William if hydrant is in use, a detour at the other locations would not be practical.

I have discussed this location with working Foreperson Scott McKay, as well he also confirms we have four pieces of pipe at public works. I still have a stock of other parts at the hall. We both feel this is a viable project to try and schedule this year.

I believe costs should not exceed $500.00 dollars and be an asset for the Main Street.

Recommendation: That council receive this report from the Fire Chief for consideration.

Municipality of Grey Highlands | *The place for all seasons*

April 06, 2022

Sent via email

Office of the Prime Minister
80 Wellington Street
Ottawa, ON
K1A 0A2

Dear Mr. Trudeau:

Re: Resolution # 2022-241 – HST rebate on new homes in Ontario

Please be advised that the following resolution was passed at the April 06, 2022 meeting of the Council of the Municipality of Grey Highlands.

2022-241
Paul Allen, Dane Nielsen
Whereas attainable housing has been a concern of hopeful homeowners for many years; and
Whereas attainable housing is a priority of all levels of government; and
Whereas the Government of Ontario will rebate a portion of the provincial part of HST paid for a house to a maximum of $24,000 if HST was paid on the land, or $16,080 if HST was not paid on the land regardless of the fair market value of the house; and
Whereas the Government of Canada will rebate a portion of the federal part of HST paid for a house only if the fair market value is under $450,000; and
Whereas the average fair market value of a new home in Ontario is well above the $450,000 threshold; now
Therefore be it resolved that the Municipality of Grey Highlands requests that the Federal government remove or increase the $450,000 fair market value threshold to reflect today's housing costs; and
That council direct staff to circulate this resolution to Prime Minister Justin Trudeau, Premier Doug Ford, MP Alex Ruff, MPP Bill Walker, Provincial and Federal Finance Ministers, The Ministry of Municipal Affairs and Housing, AMO, Grey Bruce Home Builders and Trades Association, Ontario Home Builders Association and all Municipalities in Ontario.
CARRIED.

The Municipality of Grey Highlands
206 Toronto Street South, Unit One - P.O. Box 409 Markdale, Ontario N0C 1H0
519-986-2811 Toll-Free 1-888-342-4059 Fax 519-986-3643
www.greyhighlands.ca info@greyhighlands.ca

If you require anything further, please contact this office.

Sincerely,

Amanda Fines-VanAlstine

Amanda Fines-VanAlstine
Council & Committee Coordinator
Municipality of Grey Highlands

cc. Premier, Doug Ford
MP, Alex Ruff
MPP, Bill Walker
Federal Minister of Finance, Chrystia Freeland
Provincial Minister of Finance, Peter Bethlenfalvy
Ministry of Municipal Affairs and Housing
Association of Municipalities Ontario
Grey Bruce Home Builders' Association
Ontario Home Builders' Association
All Municipalities in Ontario

LAKE OF BAYS
• MUSKOKA •

T 705-635-2272
TF 1-877-566-0005
F 705-635-2132

TOWNSHIP OF LAKE OF BAYS
1012 Dwight Beach Rd
Dwight, ON P0A 1H0

April 12, 2022

Via email: TC.MinisterofTransport-MinistredesTransports.TC@tc.gc.ca

Minister of Transport Canada
5th Floor
777 Bay St.
Toronto, ON
M7A 1Z8

Dear Hon. Omar Alghabra,

RE: Notice of Motion – Floating Accommodations

On behalf of the Council of the Corporation of the Township of Lake of Bays, please be advised that the above-noted motion was presented at the last regularly scheduled Council meeting on April 12, 2022 and the following resolution was passed.

"Resolution #8(a)/04/12/22

WHEREAS floating accommodations have become a growing concern in that they will affect the environment, character, tranquillity and the overall enjoyment of Lake of Bays and regulating these floating accommodations is a top priority for the Township of Lake of Bays;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays hereby requests that Transport Canada amend the Canada Shipping Act 2001 by adding the following to the Act:

- **All vessel greywater be discharged into a holding tank and disposed of as per Provincial regulations for new vessels; and**
- **All floating accommodations are required to conform to all Provincial and municipal regulations and by-laws.**

...2

LAKE OF BAYS
• MUSKOKA •

T 705·635·2272
TF 1·877·566·0005
F 705·635·2132

TOWNSHIP OF LAKE OF BAYS
1012 Dwight Beach Rd
Dwight, ON P0A 1H0

AND FURTHER THAT the Council of the Corporation of the Township of Lake of Bays hereby requests that Northern Development, Mines, Natural Resources and Forestry (NDMNRF) amend Ontario Regulation 161/17 to include the following:

- **Post signs to restrict floating accommodation/camping on the water in southern Ontario (Muskoka south) and that a permit from the NDMNRF is required and a permit will not be granted without the consent of the local municipality;**
- **Camping is reduced from 21 days to 7 days;**
- **Not permit any camping on the water within 300m of a developed lot or within a narrow water body of 150m; and**
- **Should a municipality have more restrictive by-laws related to camping, these by-laws would apply.**

AND FURTHER, THAT Council hereby directs the Clerk to forward this resolution to the Minister of Transport Canada, the Premier of Ontario, Scott Aitchison, MP, Norm Miller, MPP, Minister of Northern Development, Mines, Natural Resources and Forestry (NDMNRF), Association of Municipalities of Ontario and all municipalities in Ontario.

Carried."

In accordance with Council's direction, I am forwarding you a copy of the resolution for your reference.

Please do not hesitate to contact me should you have any questions or require clarification in this regard.

Sincerely,

Carrie Sykes, *Dipl. M.A., CMO, AOMC,*
Director of Corporate Services/Clerk

CS/lv

Copy to: Premier of Ontario
Member of Parliament,
Local member of Provincial Parliament
Minister of Northern Development, Mines, Natural Resources & Forestry
Association of Municipalities
Municipalities in Ontario

Brenda Fraser

From: KWEF Newsletter <newsletter.kwef@gmail.com>
Sent: Wednesday, April 20, 2022 4:29 PM
To: Stan Walker
Subject: KWEF April 2022 Newsletter
Attachments: Apr2022_NL_V2pdf.pdf

Hello Everyone!
We are delighted to be sending out our April 2022 Newsletter - please see attached
Included in this issue:

- Spring is just around the corner
- Lake Partner water sampling kits have started arriving
- Annual spring cleanup

Please share our newsletter and encourage others to subscribe - its free !. *Thank you for your support.*

The Kearney Watershed Environmental Foundation's mission is to help preserve the quality of air, water, and terrestrial ecosystems of the Almaguin area of the Magnetawan Watershed, and help protect this unique natural heritage for generations to come.
The Kearney Watershed Environmental Foundation website www.kwef.ca is being upgraded - We hope to have it up shortly

How can you help?

Volunteer for KWEF - we have many current & future projects for which we need help.
Please contact Stan Walker at stan.kwef@gmail.com to volunteer or for more details.

If you do not wish to receive any emails from us, please reply to this email with the word *"Unsubscribe"* in the subject line.

KWEF
Kearney Watershed Environmental Foundation

Welcome to our April 2022 Newsletter

- **Spring is just around the corner**
- **Lake Partner (LPP) water sample kits have started arriving**
- **Annual spring cleanup in Kearney**



Spring is just around the corner

This will be a short newsletter. Everyone at KWEF decided to take a break this winter which is why our newsletter went quiet for a few months. We will be back to working on all our projects shortly. As usual winter has been reluctant to leave with temperatures see-sawing back & forth. Today the 19th of April is one of those days. Fresh snow overnight plus on and off flurries all day. You can see stubborn patches of skim ice remain on our lake in the photo above. There is hope - the high this coming weekend is supposed to be 20 C (68 F). More of our migrating birds are back. I saw my first batch of butterflies bouncing around the yard and a recently awakened Wooly Bear caterpillar

out for a stroll in the garden a few days ago. I guess it is time to take down our winter bird feeders.

Lake Partner (LPP) water sample kits have started arriving

For those of you enrolled in the LPP - if you don't get your sample kits shortly contact the co-ordinator in Dorset. You may have accidently been taken off their list. I you have problems contacting them email me at (stan.kwef@gmail.com) and I will try to help

Annual spring cleanup in Kearney

KWEF and the Kearney Lions work together on this project. We target the first two weeks in May for litter cleanup throughout our municipality. On Saturday May 7th the Lions encourage eveyone to come out for a group effort at what we call "Ditch Cleaning" since that is where most of the litter seems to accumulate. We will meet in the parking lot of the community center between 8:30 and 9:00 am Saturday when we will assign areas to clean up. For those who can't come Saturday but would like to help with the cleanup during the first two weeks of May - please give me a call after May 1st at (705-636-9530) or email (stan.kwef@gmail.com). We will have clear garbage bags available (supplied by the Town) and have a few "picker/grabbers" that we can loan out if you don't have one. The Town has also arranged for the Transfer Stations to accept roadside garbage at no charge during the first two weeks in May. They ask that you put recyclable items in a separate bag. Beer and liqour containers can be dropped off at Fetterleys Gas & Convenience in Kearney. Most of us find that five gallon plastic pails perform better than a plastic bag when you are working among bushes or brambles. The bag can become caught and torn on the bushes and also quickly becomes too heavy to lug around. If you can manage two pails - use one for garbage and the other for recyclables & beer cans/bottles. Just transfer your collection to the bags periodically. If working near roads always be conscious of traffic, wear high visibility clothing or safety vests. Please be careful - we don't want anyone getting hurt.

We can all make the committment to not litter. Set an example for your children, friends and neighbours. Start by placing a small garbage container or bag in your car so that litter doesn't get tossed out the window. It can be a first small step in helping make our planet / environment a better place.

Thanks for your support

KWEF

Ministry of the Solicitor General

Office of the
Fire Marshal and
Emergency Management

25 Morton Shulman Avenue
Toronto ON M3M 0B1
Tel: 647-329-1100
Fax: 647-329-1143

Ministère du Solliciteur général

Bureau du
commissaire des incendies et
de la gestion des situations d'urgence

25, avenue Morton Shulman
Toronto ON M3M 0B1
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Téléc. : 647-329-1143

Ontario

MEMORANDUM TO: Emergency Management Professionals

DATE: April 14, 2022

FROM: Teepu Khawja
Assistant Deputy Minister/Chief, Emergency Management Ontario

SUBJECT: **Emergency Preparedness Week 2022**

Dear emergency management professionals,

This year, the national Emergency Preparedness (EP) Week takes place from May 1 to 7, 2022. The national theme for this year's EP Week, as announced by Public Safety Canada, is "*Emergency Preparedness: Be Ready for Anything*".

With Ontario's 2022 general election taking place by June 2, 2022 there are strict rules as to how ministries can communicate during the impending pre-election writ period. During this time, the government assumes a 'caretaker' role, with only regular government operations continuing while stakeholder and public engagements are limited to only essential and urgent activities.

That is why this year, ahead of the writ period, we plan to support our emergency preparedness partners by sharing digital guidance materials for conducting EP Week activities. We also encourage you to use our online public education resources, as well as the new federal EP Week resources to help promote a culture of preparedness across Ontario this coming EP Week and throughout the year.

I would also like to take this opportunity to reiterate that nothing is more important than protecting the health and wellbeing of Ontarians. To that effect, the province recently introduced A Plan to Stay Open, and the Pandemic and Emergency Preparedness Bill.

Additionally, we have turned our attention to preparing for spring flooding season. We are actively working with federal and municipal governments, First Nations and Indigenous partners as well as non-governmental organizations, to be prepared to support those who may be affected by flooding. Now is a good time to review Protecting People and Property: Ontario's Flooding Strategy, which identifies a series of cross-government actions to help people, organizations and governments to be better prepared and equipped to respond to the devastating effects of flooding.

Sincerely,

Teepu Khawja
Assistant Deputy Minister and Chief, Emergency Management Ontario

Ministry of the Solicitor General
Office of the Fire Marshal

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Bureau du commissaire des incendies

25, avenue Morton Shulman
Toronto ON M3M 0B1
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Téléc.: 647-329-1143

MEMORANDUM TO: Heads of Council / Chief Administrative Officers

FROM: Tim Beckett
Acting Ontario Fire Marshal

DATE: April 14, 2022

SUBJECT: O. Reg. 343/22: Firefighter Certification

Dear Heads of Council and Chief Administrative Officers,

I am writing to provide an update on the work that we have been doing on firefighter certification under the *Fire Protection and Prevention Act, 1997.*

I am pleased to let you know that O. Reg. 343/22: Firefighter Certification has been filed under the Act. It is available on e-Laws here.

Throughout the consultation period, we received tremendous feedback and support from municipalities, fire chiefs, and partner associations including the Ontario Association of Fire Chiefs, Ontario Professional Fire Fighters Association and the Fire Fighters Association of Ontario. The Office of the Fire Marshal (OFM) has been working collaboratively with all partners to understand the regulation and how the OFM can best support departments at the local level throughout the implementation period.

The final regulation reflects changes related to exceptions, transition, and certification standards in response to feedback received during the Regulatory Registry posting period and during the municipal technical briefings. This feedback assisted in finalizing the firefighter certification regulation, which provides flexibility for local municipalities, while supporting firefighter and public safety.

With this regulation, we are not asking that firefighters train to higher levels than they already are. Certification is a process of verification, ensuring that a firefighter is trained to the standard they are required to perform, as set out in the level of service determined by a municipal council or territory without municipal organization.

Mandatory certification in Ontario will validate the training that firefighters receive and, in turn, will create safer communities.

Many of the comments received with respect to implementation have also been or will be addressed in the coming months. For instance, to address capacity pressures within the OFM, we are already increasing the staff complement for both the Ontario Fire College (OFC) and our Academic Standards and Evaluation Unit. This will ensure that we can respond to the current and ongoing demand for training and certification across Ontario.

We also continue to refine and enhance both our Adjunct Instructor and Regional Training Centre models to meet provincial demand. Learning Contract accessibility has been expanded allowing fire departments that already train together to continue to do so in order to achieve certification. The OFC will also be working with fire departments to increase their own internal training capacity and will be exploring opportunities to provide additional training for senior officers through upcoming seminars, conferences and webinars.

At the same time, we heard from many departments that purchasing textbooks and other training essentials is challenging. We have therefore explored options with the Fire Marshal's Public Fire Safety Council (FMPFSC) to look at supports that they can provide on the procurement of textbooks and other materials. The FMPFSC is supportive of the certification file and will be finalizing options that will be communicated to fire departments shortly.

I am pleased that we have been able to work so collaboratively with municipalities, fire departments, and other partners to have this regulation finalized. With a long implementation window, we are confident that certification is achievable and look forward to working with firefighters across Ontario as this regulation is operationalized.

Sincerely,

Tim Beckett
Acting Fire Marshal

c: Mario Di Tommaso, O.O.M.
Deputy Solicitor General, Community Safety

CORPORATION OF THE TOWNSHIP OF ARMOUR

RESOLUTION

Date: **April 12, 2022** **Motion #** 18.

WHEREAS the Village of Burk's Falls wishes to obtain yearly financial help from the Township of Armour to fund the operating deficit of the Almaguin Highlands Health Centre;

AND WHEREAS, based on the letter we received the Village of Burk's Falls is looking at some major capital expenditures for this facility over the next 10 years;

AND WHEREAS it is expected that the Village of Burk's Falls will be requesting financial help for these capital expenditures;

NOW THEREFORE the Council of the Township of Armour supports, in principle, funding the Almaguin Highlands Health Centre under the condition that the facility is converted into a shared service with an agreement on how it is to be funded.

Moved by:		**Seconded by:**	
	Blakelock, Rod ☑		Blakelock, Rod ☐
	Brandt, Jerry ☐		Brandt, Jerry ☐
	MacPhail, Bob ☐		MacPhail, Bob ☐
	Ward, Rod ☐		Ward, Rod ☐
	Whitwell, Wendy ☐		Whitwell, Wendy ☑

Carried / **Defeated**

Declaration of Pecuniary Interest by: _____

Recorded vote requested by: _____

Recorded Vote:	For	Opposed
Blakelock, Rod	☐	☐
Brandt, Jerry	☐	☐
MacPhail, Bob	☐	☐
Ward, Rod	☐	☐
Whitwell, Wendy	☐	☐

CORPORATION OF THE TOWNSHIP OF ARMOUR

RESOLUTION

Date: **April 12, 2022** **Motion #** 17.

That the Council of the Township of Armour approve a donation, in the amount of $2,646, to the Village of Burk's Falls, to help ~~with the deficit of~~ the 2021 deficit of the Almaguin Highlands Health Centre. fund.

Moved by:			**Seconded by:**		
	Blakelock, Rod	☐		Blakelock, Rod	☑
	Brandt, Jerry	☐		Brandt, Jerry	☐
	MacPhail, Bob	☐		MacPhail, Bob	☐
	Ward, Rod	☐		Ward, Rod	☐
	Whitwell, Wendy	☑		Whitwell, Wendy	☐

Carried / **Defeated**

Declaration of Pecuniary Interest by: _____

Recorded vote requested by: _____

Recorded Vote:	For	Opposed
Blakelock, Rod	☐	☐
Brandt, Jerry	☐	☐
MacPhail, Bob	☐	☐
Ward, Rod	☐	☐
Whitwell, Wendy	☐	☐