

THE CORPORATION OF THE TOWN OF HEARST

Minutes of the regular meeting of Council held on July 25, 2017 at 6:00 p.m. in the Municipal Council Chambers at the Town Hall, 925 Alexandra Street, Hearst, Ontario.

Present:	Mayor	Roger Sigouin
	Councillor	André Rhéaume
	Councillor	Daniel Lemaire
	Councillor	Claude Gagnon
	Councillor	Raymond Vermette
	Councillor	Gérard Proulx
	Councillor	Conrad Morin

Staff :	Clerk	Janine Lecours
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1. OPENING OF MEETING

Resolution No. 213-17

Proposed by : Councillor Daniel Lemaire
Seconded by : Councillor Raymond Vermette

BE IT RESOLVED that this regular meeting of Council be hereby opened at 6 p.m.

CARRIED

2. OPENING PRAYER

The Mayor recites the opening prayer.

3. ADOPTION OF THE ORDER OF BUSINESS

Resolution No. 214-17

Proposed by : Councillor Conrad Morin
Seconded by : Councillor André Rhéaume

BE IT RESOLVED that Council hereby waives the rules of procedures to add to the agenda the following subjects:

- a) Request from Conseil des Arts for municipal assistance for *Barbecue* artistic show (Parks and Recreation);
- b) Draft Species at Risk Guide (Policy).

CARRIED

4. PECUNIARY INTERESTS

Councillor Claude Gagnon declares a pecuniary interest in item 4) of the Planning Working Group being the brother in law of the applicant.

Councillor Daniel Lemaire declares a pecuniary interest in item 5) of the Planning Working Group being employed by the applicant.

5. ADOPTION OF MINUTES OF PREVIOUS MEETINGS OF COUNCIL

Resolution No. 215-17

Proposed by : Councillor Gérard Proulx
Seconded by : Councillor Claude Gagnon

BE IT RESOLVED that By-law No. 48-17, being a by-law to approve the minutes of the regular meeting of Council held on June 20, 2017 and of the special meeting held on July 11, 2017, be hereby adopted.

CARRIED

6. DELEGATIONS AND PRESENTATIONS

Nil

7. CORRESPONDENCE AND COMMUNICATIONS

Resolution No. 216-17

Proposed by : Councillor Daniel Lemaire
Seconded by : Councillor Gérard Proulx

BE IT RESOLVED that the list of correspondence presented at the July 25, 2017 regular meeting of Council be hereby filed.

CARRIED

8. REPORTS AND MINUTES FROM COMMITTEES AND BOARDS

Resolution No. 217-17

Proposed by : Councillor Raymond Vermette
Seconded by : Councillor André Rhéaume

BE IT RESOLVED that Council takes note of the reports and minutes of meetings of :

- the Child Care Committee dated June 14, 2017;
- the Cochrane District Social Services Administration Board dated May 18, 2017;
- the Public Library Board dated May 29, 2017;
- the Porcupine Health Unit dated May 26, 2017.

CARRIED

9. HEARING AND PUBLIC MEETING

Nil

10. REPORT OF THE CHIEF ADMINISTRATIVE OFFICER

Members of Council take note of the Chief Administrative Officer's report. The report is appended hereto.

11. FUNCTIONS OF COUNCIL

a) Report from the Operations Working Group

Nil

b) Report from the Planning Working Group

i) Consent application for urban residential lot addition on West Street

Resolution No. 218-17

Proposed by : Councillor Daniel Lemaire
Seconded by : Councillor Claude Gagnon

BE IT RESOLVED that this Council has no objections to the Hearst Planning Board giving consent to an urban residential lot addition as requested by Benoit Lecours on behalf of Benoit and Alice Lecours in application no. C02/17, to merge Lots 4 and 5 on Subdivision Plan 6M-471, in the Township of Kendall located on West Street in the Town of Hearst.

CARRIED

ii) Consent application for rural lot on Riverside Drive

Resolution No. 219-17

Proposed by : Councillor Daniel Lemaire
Seconded by : Councillor Claude Gagnon

BE IT RESOLVED that this Council has no objections to the Hearst Planning Board giving consent to a proposed rural lot on the unsubdivided part of Lot 22 in Concession 10, in the Township of Kendall, located on Riverside Drive, in the Town of Hearst, as requested by Roxanne Bolduc on behalf of Francois Lemieux and Denise Doyon in application no. C03/17, subject to:

- a) The proponent entering into an agreement with the Town of Hearst with respect to the extension and installation of municipal services to the intended building site at the proponent's sole cost;
- b) The payment of 5% cash-in-lieu of parkland dedication to the Town of Hearst.

CARRIED

iii) Consent application for urban residential lot addition on Fontaine Drive

Resolution No. 220-17

Proposed by : Councillor Daniel Lemaire
Seconded by : Councillor Claude Gagnon

BE IT RESOLVED that this Council has no objections to the Hearst Planning Board giving consent to an urban residential lot addition from Lot 10 on Plan M-58A, for that existing urban property known as 12 Fontaine Drive, in the Township of Kendall in the Town of Hearst, as requested by David Butler and Fernande Payeur in application no. C07/17.

CARRIED

iv) Zoning amendment application for personal service shop in residential zone - 640 Allen Street

Councillor Claude Gagnon reiterates his pecuniary interest, leaves Council Chambers and does not participate in the discussion and vote of this subject.

Resolution No. 221-17

Proposed by : Councillor Daniel Lemaire
Seconded by : Councillor Conrad Morin

WHEREAS a personal service shop (hair salon) was located and operated in the residence located at 640 Allen Street for a period of 40 years in a Third Density Residential (R3) Zone as a "non-conforming use", and
WHEREAS said personal service shop in the Allen Street location lawfully commenced operation prior to the adoption of the first Zoning By-law in 1980, being By-law No. 1386, and was operated on a continuous basis until it ceased operations upon the death of the proprietor and owner in 2010, and
WHEREAS subsection 34(9) of the Planning Act, R.S.O. 1990 and section 4.21 of the current Hearst Zoning By-law, being By-law No. 65-04, both provide that a non-conforming use shall not be prohibited unless such use ceases, following which the use of the land, building or structure shall revert to a use that is permitted under the by-law, and
WHEREAS a personal service shop, such as a hairdressing salon, is not a permitted use within any Residential Zone in the Town of Hearst, as it is not recognized as a permitted "home-based business", and
WHEREAS personal service shops have been purposely excluded from locations in Residential Zones in order to promote and sustain this community's established commercial sectors,

BE IT RESOLVED that this Council hereby refuses to amend the Zoning By-law No. 65-04 as per the application made by Jean Morin to authorize a Personal Service Shop in a RM3 Zone at 640 Allen Street, as such amendment would be contrary to the Town of Hearst Zoning By-law and Official Plan, and
BE IT FURTHER RESOLVED that the Clerk be hereby authorized and directed to forward notice of this decision pursuant to subsections 34 (10.9) and (11) of the Planning Act, R.S.O. 1990.

AGAINST :
Councillor André Rhéaume
CARRIED

v) *Designation of portion of Prince Street west of 15th Street as public road*

Councillor Daniel Lemaire reiterates his pecuniary interest, leaves Council Chambers and does not participate in the discussion and vote of this subject.

Resolution No. 222-17

Proposed by : Councillor Claude Gagnon
Seconded by : Councillor Gérard Proulx

WHEREAS Loblaw Properties Limited and the Corporation of the Town of Hearst entered into an Development Agreement on February 27, 2006, to provide for the construction and installation to municipal standards of certain road and drainage works and facilities, for the purpose of creating a secondary entrance to the commercial lot, and

WHEREAS said developers have constructed and installed such work and services to the satisfaction of the Corporation and further, have successfully completed all terms and conditions of said Agreement, and

WHEREAS Article 9 of said Agreement provides that the Corporation of the Town of Hearst will assume said works and services upon recommendation of the Director of Engineering Services as to the satisfactory completion of the terms and conditions of said Agreement,

BE IT RESOLVED that By-law No. 49-17, being a by-law to designate the portion of Prince Street west of 15th Street as a public road, be hereby adopted.

CARRIED

vi) *Appointment of Kory Hautcoeur as Property Standards Officer*

Resolution No. 223-17

Proposed by : Councillor Daniel Lemaire
Seconded by : Councillor Claude Gagnon

BE IT RESOLVED that By-law No. 50-17, being a by-law to appoint Kory Hautcoeur Property Standards Officer, be hereby adopted.

CARRIED

vii) *Adoption of the Planning Working Group report*

Resolution No. 224-17

Proposed by : Councillor Raymond Vermette
Seconded by : Councillor Daniel Lemaire

BE IT RESOLVED that the report from the Planning Working Group dated July 18, 2017 be hereby adopted.

CARRIED

c) Report from the Parks and Recreation Working Group

i) Municipal staff to assist the Conseil des Arts for the «Barbecue» artistic show

Resolution No. 225-17

Proposed by : Councillor Conrad Morin
Seconded by : Councillor Raymond Vermette

BE IT RESOLVED that the Parks and Recreation and Public Works Department staff be authorized to assist the Conseil des Arts de Hearst in the installation and dismantling of the tent for the artistic show *Barbecue* to be presented by Vague de cirque at the Place des arts property in September 2017 conditional upon no incremental cost is incurred, and

BE IT FURTHER RESOLVED that the Town provides portable toilets and water supply for said event.

CARRIED

d) Report from the Finance Working Group

i) Endorsement of the Community Curling Club line of credit

Resolution No. 226-17

Proposed by : Councillor André Rhéaume
Seconded by : Councillor Gérard Proulx

BE IT RESOLVED that By-law No. 51-17, being a by-law authorizing the Mayor and Treasurer to execute the required documents to endorse the Hearst Community Curling Club line of credit at the Caisse populaire de Hearst Ltée in the amount of \$15,000, be hereby adopted, conditional upon said line of credit being repaid in full by March 31, 2018 and the signature of a Letter of Understanding.

CARRIED

e) Report from the Policy Working Group

i) Exception to Hearst Wi-Fibe Corporation Shareholder Declaration for purchase of fibre optic

Resolution No. 227-17

Proposed by : Councillor Conrad Morin
Seconded by : Councillor Raymond Vermette

BE IT RESOLVED that Council hereby makes an exception to Article 9.1 k) of the Shareholder Declaration for the Hearst Wi-Fibe Corporation and authorizes said Corporation to undergo expenditures exceeding \$250,000 for the sole purpose of acquiring fibre optic, and

BE IT FURTHER RESOLVED that this exception be effective for a period of three years, ending in 2020.

CARRIED

ii) Contribution to Comité des partenaires de la communauté entrepreneuriale for the 13 Ways to Kill Your Community conference

Resolution No. 228-17

Proposed by : Councillor Conrad Morin
Seconded by : Councillor Raymond Vermette

BE IT RESOLVED that Council hereby authorizes a contribution of \$2,500 to the *Comité des partenaires de la communauté entrepreneuriale* for the '13 Ways to Kill your Community' conference to be held in Hearst in October 2017.

AGAINST :
Councillor Vermette
CARRIED

iii) Support to Far North Electoral Boundaries Commission's preliminary report

Resolution No. 229-17

Proposed by : Councillor Conrad Morin
Seconded by : Councillor Raymond Vermette

WHEREAS further to public meetings held in communities of the Far North pertaining to electoral boundaries, the Far North Electoral Boundaries Commission (FNEBC) proposes the creation of four new provincial electoral districts (PEDs): Kenora-Rainy River, Kiiwetinong, Mishkegowuk and Timmins, and WHEREAS the recommendation places the Town of Hearst in the District of Mishkegowuk, with the First Nations communities of the North and the communities along the Highway 11 Corridor, up to Smooth Rock Falls, and WHEREAS Council considers that the proposed District of Mishkegowuk would better represent the interests of our community,

BE IT RESOLVED that Council hereby supports the Far North Electoral Boundaries Commission's preliminary report recommending four new PEDs encompassing the following areas:

- a) Kenora-Rainy River;
- b) Kiiwetinong;
- c) Mushkegowuk; and
- d) Timmins, and

BE IT FURTHER RESOLVED that Council hereby requests that the Town of Cochrane be included in the Mushkegowuk District, along with all the other communities of the Highway 11 Corridor.

CARRIED

iv) Adoption of the Policy Working Group report

Resolution No. 230-17

Proposed by : Councillor Conrad Morin
Seconded by : Councillor Raymond Vermette

BE IT RESOLVED that the report from the Policy Working Group dated July 19, 2017 be hereby adopted.

CARRIED

v) Request Province to delay posting of the Species at Risk Guide

Resolution No. 231-17

Proposed by : Councillor Conrad Morin

Seconded by : Councillor Raymond Vermette

WHEREAS the Ministry of Natural Resources and Forestry (MNRF) is planning to post a draft Species at Risk (SAR) Guide to the Environmental Registry for 28 species; and

WHEREAS the MNRF has failed to consult and work with affected stakeholders and forestry dependent communities on the development of the draft SAR guide; and

WHEREAS municipal leaders have consistently requested the MNRF complete and share with municipalities socio-economic impact analysis on all policy impacting forestry; and

WHEREAS MNRF has conducted analysis for one prescription, caribou, and the analysis clearly demonstrates that mills will close; and

WHEREAS there has been no analysis of the cumulative socio-economic impact of all SAR rules contained within the guide (prescriptions) of multiple species; and

WHEREAS Ontario has world-class legislation, the Crown Forest Sustainability Act (CFSA), which provides balanced and sustainable forest management; and

WHEREAS the Endangered Species Act's (ESA) mandate of the protection and recovery of individual species at risk conflicts with the multi-species and multi-value approach of the CFSA, threatening forest sustainability; and

WHEREAS in 2007, the government committed to realizing CFSA equivalency to the ESA, acknowledging that under the CFSA, the forest sector must implement SAR rules (prescriptions); and

WHEREAS even under a Section 55 Rules in Regulation "exemption", the forest sector must implement SAR rules (prescription); and

WHEREAS if the government continues to implement flawed ESA policy, mills will close, jobs will be lost, and forestry dependent communities will be decimated; and

WHEREAS the Town of Hearst in support of its hardworking citizens and the renewable forest sector, is prepared to work with government to avoid the unintended consequences of this ESA policy.

BE IT RESOLVED that the Town of Hearst calls upon the Government of Ontario to permanently delay the posting of the made-in-Ontario Species at Risk (SAR) Guide which contains prescriptions (rules) for 28 species by 2 years; and

BE IT FURTHER RESOLVED that with respect to caribou, the Government of Ontario immediately modify Ontario's proposed caribou prescription by moving the caribou range north to reflect animal collaring data, moving away from the national 35% disturbance threshold, and acknowledging that other factors are threatening caribou recruitment and survival; and

BE IT FURTHER RESOLVED that the Government of Ontario support its forest sector and the 175,000 hardworking men and women, directly and indirectly, who live in communities in every region of the province by asking the Government of Canada to postpone the October 5, 2017 deadline for completing plans and acknowledging recovery could require timeframes in excess of 50 to 100 years, and

BE IT FURTHER RESOLVED that the Government of Ontario leave no worker, region or family behind by ensuring provincial policy supports at a minimum, current forestry operations and does not reduce the forest sector and its employment to a seasonal activity, and

BE IT FURTHER RESOLVED that the Government of Ontario extend the current Section 55 Regulation (exemption), which currently expires on June 30, 2018, for another 5 years recognizing that the CFSA ensure that all forest management in Ontario provide for all 3 pillars of sustainable development – economic, social and environment.

CARRIED

12. NOTICE OF MOTION

Nil

13. UNFINISHED BUSINESS / DEFERRED RESOLUTIONS

Nil

14. CLOSED MEETING

Resolution No. 232-17

Proposed by : Councillor Conrad Morin

Seconded by : Councillor Raymond Vermette

BE IT RESOLVED that Council go in closed meeting to discuss the following items:

- a) Sale of municipal land (Section 239 2) c) of the Municipal Act);
- b) Chief Administrative Officer's performance evaluation (Section 239 2) b) of the Municipal Act).

CARRIED

Resolution No. 233-17

Proposed by : Councillor Raymond Vermette

Seconded by : Councillor Conrad Morin

BE IT RESOLVED that the regular meeting of Council resume and that the confidential report of proceedings of the closed meeting be hereby acknowledged for Council's information.

CARRIED

a) Removal of Notice of Agreement registered on title of 1317 Edward Street property – former Foyer des pionniers

Resolution No. 234-17

Proposed by : Councillor Daniel Lemaire

Seconded by : Councillor Claude Gagnon

WHEREAS that vacant land located at 1317 Edward Street, being the 71,289 square feet more or less of the western part of the land described as PIN 65039-0331 (LT), being Part of Block Z on Plan M-30C in the Town of Hearst, Part of location RY-13, being that portion of Part 2 on reference plan 6R-8438, as shown on the appended plan annexed hereto and forming part of this resolution, is subject to a Notice of Agreement registered against the title which restricts the use of said land as municipal and institutional use, defined as green space and parkland, health and social services and non-profit housing, and

WHEREAS this Council has determined that the use of said land would be more appropriate for a broader range of uses to the benefit of the community,
BE IT RESOLVED that this Council hereby approves the removal of the Notice of Agreement registered on title against the aforementioned land, and
BE IT FURTHER RESOLVED that this Council hereby requests that the Municipality of Mattice-Val Côté, Hearst-Mattice Soins de Santé and the Notre-Dame Hospital to concur with this Council's decision to remove the restriction on the use of said land, and
BE IT FINALLY RESOLVED that the Mayor and Clerk be hereby authorized to execute all documents necessary for the removal of such Notice of Agreement, in the event all involved parties consent to said removal.

AGAINST :
Councillor Conrad Morin
CARRIED

b) Creation of Chief Administrative Officer Evaluation of Professional Development Committee

Resolution No. 235-17

Proposed by : Councillor Raymond Vermette
Seconded by : Councillor Gérard Proulx

BE IT RESOLVED that Council creates an ad hoc committee to be named: Chief Administrative Officer's Evaluation of Professional Development Committee, whose mandate will be to work with an external consultant to perform an assessment of the Chief Administrative Officer, and
BE IT FURTHER RESOLVED to nominate Mayor Sigouin and Councillor Morin, members of said committee.

CARRIED

15. ADJOURNMENT

Resolution No. 236-17

Proposed by : Councillor André Rhéaume
Seconded by : Councillor Claude Gagnon

BE IT RESOLVED that this regular meeting of Council held on July 25, 2017 be adjourned at 20:03 p.m.

CARRIED

Mayor

Clerk