

CORPORATION OF THE MUNICIPALITY OF CALVIN
MINUTES OF THE REGULAR MEETING TUESDAY SEPTEMBER 10, 2019

The regular meeting of Council was held this date at the Calvin Community Centre. Present were Mayor Pennell, Deputy Mayor Cross, Coun Dan Maxwell, Coun Olmstead, Coun Grant, Chris Whalley, Jacob Grove, Dean Maxwell and Cindy Pigeau.

Regrets: 0 Guests: 2

The meeting was called to order at 7:00 p.m. by Mayor Pennell

PECUNIARY/CONFLICT OF INTEREST: Councillor Dean Grant RE: Agenda #7(A) Belanger
Brownway Bus Lines

PRESENTATIONS/DELEGATIONS: None

2019-163 MINUTES OF COUNCIL MEETING

Moved by Coun Maxwell and seconded by Coun Olmstead that the Minutes of the regular meeting of Council held on Tuesday August 27, 2019 be hereby adopted and signed as circulated.

Carried

2019-164 PARTICIPATION IN VOYAGEUR MULTI-USE TRAIL SYSTEM (VMUTS)

Moved by Coun Olmstead and seconded by Coun Maxwell that Council would like to _____ (continue to participate OR discontinue our participation) in the Voyageur Multi-Use Trail System (VMUTS) and; Further hereby appoints _____ as Calvin's representative to the Board for the remainder of the Term of Council.

Deferred to September 24, 2019 meeting

2019-165 CONSENT APPLICATION #2019-18 – TO CREATE THREE NEW RESIDENTIAL WATERFRONT LOTS WITH A RIGHT-OF-WAY

Moved by Coun Maxwell and seconded by Coun Olmstead that whereas an application for consent (2019-18 – The Pigeon's Nest/Rick Miller, Agent) has been filed with the East Nipissing Planning Board on lands known as Concession 9 Lot 28, Municipality of Calvin, to create three (3) new residential waterfront lots of approximately 3.65 acres, 3.08 acres and 4.24 acres accessed by private right-of-way, and; whereas a site plan has been submitted and reviewed by the North Bay Mattawa Conservation Authority (NBMCA) clarifying that the lots as proposed, provide an ample building envelope on each of the three lots to allow compliance with all required set-backs as set out in the municipal Zoning By-law (ZBL), and that the construction of the proposed right-of-way shall require the appropriate permitting through the NBMCA and the Ministry of Transportation; Now therefore the Council of the Municipality of Calvin resolves that: It is recommended that the East Nipissing Planning Board give provisional consent to this application, subject to the following conditions:

1. A Zoning amendment shall be undertaken to change the zoning for the newly created lots from Commercial/Recreational (CR) to Rural (R).
2. Road right-of-way on title – The retained lot and the newly created lots shall have access to Highway 17 by way of right-of-way registered on title.
3. Registering of private road agreement on title – A private road agreement must be registered on title to ensure that property owners are aware that the lots, that have right-of-way, by way of a private road, may not receive municipal services.
4. Confirmation that the Infrastructure currently on the property have been removed except for the dwelling and the garage on severed lot #1.
5. Although Pimisi Lake is not included in this list of lakes in the East Nipissing Official Plan, Section 3.5.4 for New Waterfront Development, the Ministry of Environment, Conservation and Parks

(MECP) has recently indicated that Turtle Lake, Lake Talon and Kaibuskong Bay have been determined to be “at capacity” for new lot creation. These lakes form part of the Mattawa River system and are just upstream of Pimisi Lake. To address this potential issue, it is recommended that a simple calculation be undertaken, based on phosphorus loading/usage, that would show that the final use (four residential dwellings) would be less intensive than the current use (53 trailers +). This information can be found on page 28 & 29 of the provincial Lake Capacity Assessment Handbook found here: <https://www.ontario.ca/document/lakeshore-capacity-assessment-handbook-protecting-water-quality-inland-lakes>.

6. According to the GIS mapping the shore road allowance (approximately 20m) in front of the potential properties is owned by the Crown and part of the Mattawa River Provincial Park. Approval for work in the shore road allowance area may be required from Ontario Parks. It was noted that some structures (cabins) were presently located in the shore road allowance. If they were to remain in place, it is recommended that you receive approval from Ontario Parks.
7. According to Schedule “A” of the Municipal Zoning By-Law a portion of the retained property falls within a “Deer Yard”. Section 4.19.1, Deer Yards, states that “In cases where a winter deer habitat (deer yard) is indicated on the Zone Schedule as being on or adjacent to a property that is the subject of a development application, the following standards will apply: (a) In narrow conifer fringe habitats that occur along lake shorelines, larger frontages are required due to the restricted nature of this critical habitat feature. Shorelines tend to be the most highly disturbed area during development. A minimum of 120 m [400 ft.] frontage for lots is required; and (b) In areas where critical conifer habitat is distributed in larger patches throughout the landscape and not restricted only to shorelines, a minimum lot width and depth of 90 m [300 ft.] is required.
8. Schedule “A” also indicates 2 mine hazards in the vicinity of your property. Section 4.17 Mine Hazards, states that “No lands identified as having a mine hazard shall be used unless the mine hazard has been rehabilitated or measures taken to mitigate known or suspected hazards. Any required rehabilitation or mitigation measures shall be undertaken using acceptable engineering practices.” Consultation with the Ministry of Northern Development and Mines regarding these two potential hazards is recommended.
9. A copy of the completed survey for the new residential lots shall be provided to the municipality, in both digital format and hard copy, and;
10. The 5% Cash in lieu shall apply to the newly created lots and is payable in full to the municipality as a requirement of the consent.

Carried

2019-166 SURPLUS OIL FURNACE AND ASSOCIATED OIL STORAGE TANKS

Moved by Coun Olmstead and seconded by Coun Maxwell that the following bids have been submitted for the Call for Bids/Surplus Furnace & Oil Tanks; A) Dean Maxwell; And that the highest bidder Dean Maxwell be accepted at \$50.00 and that the Clerk-Treasurer be hereby authorized to notify the successful bidder of this decision.

Carried

7:45pm - Councillor Dean Grant left the table.

7:55pm – Councillor Dean Grant returned to the table.

2019-167 DISBURSEMENTS

Moved by Coun Grant and seconded by Coun Cross that the disbursements dated September 5, 2019 in the amount of \$30,287.22 and September 10, 2019 in the amount of \$33,556.49 be hereby authorized and passed for payment.

Carried

At 8:45pm Council moved to Closed Portion.

At 9:46pm Council returned to the Open Meeting.

2019-168 CLOSED PORTION

Moved by Coun Cross and seconded by Coun Grant that this portion of the meeting be now closed as Per Section 239(2)(d) of Municipal Act for the purpose of labour relations or employee negotiations.

Carried

2019-169 ADOPTION OF COUNCIL REPORTS FROM CLOSED PORTION

Moved by Coun Cross and seconded by Coun Grant that Council Reports:

C2019-28 Adopt Minutes of Last Closed Portion Held on Tuesday, August 27/19, and

C2019-29 Roads Equipment Operator

C2019-30 Adjourn Closed Portion

Be hereby approved and adopted as presented.

Carried

2019-170 ADJOURNMENT

Moved by Coun Cross and seconded by Coun Grant that this regular meeting of Council now be adjourned at 9:54 p.m.

Carried