



The Corporation of the Municipality of Brockton

Council Meeting Minutes

Tuesday, April 11, 2023, 7:00 p.m.

Bruce County Council Chambers - 30 Park Street, Walkerton, ON

Council Present: Chris Peabody, Mayor
James Lang, Deputy Mayor
Mitch Clark, Councillor
Kym Hutcheon, Councillor
B. Carl Kuhnke, Councillor
Gregory J. McLean, Councillor

Council Absent: Tim Elphick, Councillor

Staff Present: Sonya Watson, Chief Administrative Officer
Fiona Hamilton, Director of Legislative and Legal Services (Clerk)
Sarah Johnson, Deputy Clerk
Dieter Weltz, Building and Planning Manager/CBO
Nicholas Schnurr, Director of Operations

- 1. Indigenous Land Acknowledgement Statement**
- 2. Acceptance of Council Agenda**

Resolution 23-09-01

Moved By: James Lang

Seconded By: B. Carl Kuhnke

That the Council of the Municipality of Brockton accept the Agenda for the regular Council Meeting on April 11, 2023 as presented.

Carried

- 3. Declaration of Pecuniary Interest and General Nature Thereof**
- 4. Public Meetings Required Under the Planning Act**
- 4.1 Planning Report - Zoning By-Law Amendment Z-2022-113**

Julie Steeper, Bruce County Planner outlined the ways in which members of the public could receive updates regarding the application.

It was noted the purpose of the application was to sever lands and add them to the adjacent property as a minor lot line boundary adjustment. The property was located in the Town of Walkerton and surrounded by residential and agricultural uses. The lands to be severed were designated as environmental protection and the applicable planning documents allowed for lot line adjustments. Adjacent properties would not be significantly impacted and the adjustment would sever the lands along the natural watercourse. The lot line adjustment was not being proposed to facilitate development and a holding was being proposed until such time as an archeological assessment was obtained for the lands.

Comments were received from the Saugeen Valley Conservation Authority noting the proposal was acceptable to that organization.

Ms. Steeper responded to questions from Council and clarified that no development was being proposed as part of the application.

The owner of the property next door, Mario Garcia, spoke in support of the application.

Ms. Steeper clarified that having a part of the property zoned environmental protection prevented development which may be due to flooding or other natural hazards, but did not mean that additional measures were being taken to protect the environment on those lands.

Resolution 23-09-02

Moved By: B. Carl Kuhnke

Seconded By: James Lang

That the Council of the Corporation of the Municipality of Brockton has considered and hereby accepts the Planning Report prepared by Julie Steeper, Bruce County Planner, dated April 11, 2023, and entitled Municipality of Brockton Planning Report and further that Council approves the proposed Zoning By-Law Amendment submitted by Allen Potts, File Z-2022-113 and authorizes a Site Specific By-Law coming forward.

Carried

4.2 Planning Report - Zoning By-Law Amendment Z-2023-006

Benito Russo, Bruce County Planner, described the methods by which individuals could receive updates about the application.

Mr. Russo provided an overview of the application to facilitate a severance of a property that had inadvertently been merged, as the property had two residences and a barn. There was no new development proposed for the application and the residences had been lawfully constructed. The remaining agricultural property would be rezoned to recognize its smaller size for agricultural uses and an archeological assessment would be required prior to any development on areas of the lands with high archaeological potential.

Mr. Russo recommended approval of the application as it conformed with the official plan and other applicable policies.

The applicants were in attendance but did not make comments about the application. There were no other individuals in attendance who indicated they wanted to participate in the public meeting.

Resolution 23-09-03

Moved By: James Lang

Seconded By: B. Carl Kuhnke

That the Council of the Corporation of the Municipality of Brockton has considered and hereby accepts the Planning Report prepared by Benito Russo, Bruce County Planner, dated April 11, 2023, and entitled Municipality of Brockton Planning Report and further that Council approves the proposed Zoning By-Law Amendment submitted by Joyce Bullen and Janet Bridgen, File Z-2023-006 and authorizes a Site Specific By-Law coming forward.

Carried

4.3 Planning Report - Zoning By-Law Amendment Z-2023-004

Mr. Russo summarized the ways that an individual could receive updates on the application. Mr. Russo summarized the application for a surplus farm dwelling severance along Highway 9. The remaining parcels would be rezoned to ensure any existing structures or building would need to comply with the provisions of the by-law.

The environmental protection areas of the property would remain unchanged. The application met the relevant policies relating to surplus farm dwellings such that Mr. Russo was recommended the application be approved.

The applicant did not comment on the application and there were no members of the public in attendance who indicated they wanted to participate in the public meeting.

Resolution 23-09-04

Moved By: James Lang

Seconded By: B. Carl Kuhnke

That the Council of the Corporation of the Municipality of Brockton has considered and hereby accepts the Planning Report prepared by Benito Russo, Bruce County Planner, dated April 11, 2023, and entitled Municipality of Brockton Planning Report and further that Council approves the proposed Zoning By-Law Amendment submitted by Tony Lang Farms Ltd., File Z-2023-004 and authorizes a Site Specific By-Law coming forward.

Carried

5. Delegations

5.1 Monteith Brown Planning Consultants - Bruce County Official Plan Review

Jay McGuffin and Eric Steele were in attendance to answer any questions from Council about the planning analysis for the Walkerton proposed settlement area expansion.

Jay McGuffin responded to questions from Council about the history of the settlement area as being part of the original farm parcel. It was noted that there were proposed changes to the Provincial Policy Statements that may assist Brockton in expanding the Walkerton settlement area, as the proposed statements did not require a comprehensive review be undertaken to justify a boundary expansion. Mr. McGuffin noted, however, that the proposed changes were only within the commenting period such that the final legislation may be very different in the future.

It was noted that there were very little commercial lands available such that some additional expansion would be required for economic development.

6. Minutes

6.1 Council Minutes - March 28, 2023

Resolution 23-09-05

Moved By: Gregory J. McLean

Seconded By: Mitch Clark

That the Council of the Municipality of Brockton adopt the minutes of the March 28, 2023 Council Meeting as presented.

Carried

7. Business Arising From the Minutes

7.1 Motion - Robinson/South Street, Walkerton Pedestrian Crossover

Councillor McLean described his reasons for bringing the motion forward to obtain information about what may be involved in improving visibility for pedestrians in that area.

Resolution 23-09-06

Moved By: Gregory J. McLean

Seconded By: Mitch Clark

Whereas Sacred Heart High School is located on Robinson Street in the Town of Walkerton in a Community Safety Zone of 40 km/hr;

And Whereas Robinson Street is a one-way street;

And Whereas the Municipality of Brockton's Consolidated Traffic and Parking By-Law restricts parking on the North side of South Street from Robinson Street to the Eastern Terminus;

And Whereas the Municipality of Brockton's Consolidated Traffic and Parking By-Law restricts stopping 30 meters East of Robinson Street from 8:30 a.m. to 4:30 p.m.;

And Whereas Robinson and South Streets are widely accessed by young adults in Brockton's community and neighbouring communities attending Sacred Heart High School;

And Whereas Section 140 of the *Highway Traffic Act, R.S.O. 1990, c. H.8* defines a Pedestrian Crossover as "any portion of a roadway distinctly indicated for pedestrian crossing by signs on the highway and lines or other markings on the surface of the roadway as prescribed by the regulations";

And Whereas the Council of the Municipality of Brockton advocates for community safety and wishes to pursue the installation of a Pedestrian Crossover to ensure individual's safety when crossing the road at Sacred Heart High School;

Now Therefore Be It Resolved That the Council of the Municipality of Brockton directs staff to bring forward a report at a future Council Meeting considering the installation of a Pedestrian Crossover located on South Street connecting the sidewalk on Robinson Street to South Street in order to allow individuals to safely cross over to South Street.

Carried

7.2 Motion - School Bus Stop Arm Cameras

Resolution 23-09-07

Moved By: Kym Hutcheon

Seconded By: Gregory J. McLean

Whereas the Municipality of North Perth passed a resolution on March 6, 2023 regarding school bus stop arm cameras, noting that the administrative and financial costs to establish the required Municipal Administrative Penalty program under the Highway Traffic Act, and its regulations, are substantial and maybe out of reach for small or rural municipalities that have insufficient amounts of traffic to generate the required funds to offset the annual operational costs of a municipal Administrative Penalty program;

Now Therefore Be It Resolved That the Council of the Corporation of the Municipality of Brockton hereby supports the resolution made by the Municipality of North Perth urging the Provincial Government to:

- a. Require all school buses to have stop arm cameras installed and paid for by the Province for the start of the 2023-2024 school year; and
- b. Underwrite the costs for the implementation and on-going annual costs for Administrative Monetary Penalties in small and rural municipalities.

And Further that a copy of this resolution be forwarded to the Municipality of North Perth, Premier Doug Ford, Attorney General Doug Downey, Minister of Education Stephen Lecce, MPP Lisa Thompson, and AMO.

Carried

7.3 Motion - Barriers for Women in Politics

Resolution 23-09-08

Moved By: Gregory J. McLean

Seconded By: Mitch Clark

Whereas the Town of Grimsby passed a resolution expressing support for women in politics and their right to participate in a political environment that is free from misogyny and harassment, and where everyone feels equal;

And Whereas the Town of Grimsby committed to taking steps to ensure that our political environment is inclusive and welcoming to all individuals, regardless of gender, race, ethnicity, religion, sexual orientation, or other identity factors;

And Whereas the Town of Grimsby encouraged other municipalities in Ontario and across Canada to join us in supporting women in politics and promoting gender equality in all areas of society;

And Whereas only two (2) female members have served on the Council of the Municipality of Brockton within the past 20 years;

Now Therefore Be It Resolved That the Council of the Corporation of the Municipality of Brockton hereby supports the resolution from the Town of Grimsby and further that a copy of this resolution be forwarded to the Town of Grimsby, the Premier of Ontario, the Ministry of Municipal Affairs and Housing, MPP's Lisa Thompson and Ben Lobb, and AMO.

Carried

8. Reports

8.1 Plan the Bruce Official Plan MBPC Planning Analysis re Walkerton Settlement Area Expansion

It was noted that the County of Bruce proposed three (3) distinct Regional Market Areas for the Official Plan review and the approach was rejected by the Ministry of Municipal Affairs and Housing.

Council questioned the timing by which lands could be rezoned and potentially serviced, noting the concurrent planning for a potential recreational facility in the area.

Resolution 23-09-09

Moved By: Kym Hutcheon

Seconded By: Mitch Clark

That the Council of the Municipality of Brockton hereby receives Report Number PLN2023-01 – Plan the Bruce MBPC Planning Analysis re Walkerton Settlement Area Expansion, prepared by Dieter Weltz, Building and Planning Manager/CBO and in doing so recommends that staff submit the Planning Analysis prepared by Monteith Brown Planning Consultants to the Bruce County Planning Department as part of the ongoing Plan the Bruce Official Plan review to support boundary expansion in Walkerton.

Carried

8.2 March 2023 Water and Wastewater Operations Maintenance

Nicholas Schnurr, Director of Operations, responded to questions from Council about the number of maintenance and repairs required for particular pumps.

Resolution 23-09-10

Moved By: Kym Hutcheon

Seconded By: Mitch Clark

That the Council of the Municipality of Brockton hereby receives Report Number UT2023-04 – March 2023 Water and Wastewater Operations and Maintenance, prepared by Nicholas Schnurr, Director of Operations, for information purposes.

Carried

8.3 Chief Building Official's Activity Report for March 2023

Resolution 23-09-11

Moved By: Mitch Clark

Seconded By: Gregory J. McLean

That the Council of the Municipality of Brockton hereby receives Report Number BLDG2023-05 – Chief Building Official's Activity Report for March 2023, prepared by Dieter Weltz, Building and Planning Manager/Chief Building Official for information purposes.

Carried

8.4 Encroachment Agreement – Beautiful Ambitions & Co.

Resolution 23-09-12

Moved By: Mitch Clark

Seconded By: Gregory J. McLean

That the Council of the Municipality of Brockton hereby receives Report Number BLDG2023-04 – Encroachment Agreement – Beautiful Ambitions & Co., prepared by Sarah Johnson, Deputy Clerk, and Dominic Paquette, Building Inspector/Property Standards Officer, and in doing so approves a By-Law coming forward entering into an Encroachment Agreement for 236 Durham Street East, Walkerton.

Carried

8.5 Spruce the Bruce Funding – Market Garden Project

Resolution 23-09-13

Moved By: Mitch Clark

Seconded By: Gregory J. McLean

That the Council of the Municipality of Brockton hereby accepts Report Number ED2023-02 - Spruce the Bruce Funding – Market Garden Project, prepared by Paulette Peirol, Community Development Coordinator, and in doing so approves a By-Law coming forward entering into an agreement with Bruce County to fund

\$15,000 of the Market Garden project, covering a portion of the cost of the interpretive plaques, entrance/donor sign, water feature and stage.

Carried

8.6 Amendments to 2023 Fees and Charges By-Law

Resolution 23-09-14

Moved By: Kym Hutcheon

Seconded By: Mitch Clark

That the Council of the Municipality of Brockton hereby receives Report Number FIN2023-10 – Amendments to 2023 Fees and Charges By-Law, prepared by Sarah Johnson, Deputy Clerk and Fiona Hamilton, Director of Legislative and Legal Services (Clerk) and in doing so approves a By-Law coming forward to adopt the amendments to Schedule A - Administration, Schedule B – Planning and Development, Schedule G – Recreation, Schedule H – Facility, and Schedule J – Fire rates within the 2023 Fees and Charges By-Law.

Carried

8.7 2022 Municipal and School Board Election Financial Reporting Compliance

Resolution 23-09-15

Moved By: B. Carl Kuhnke

Seconded By: James Lang

That the Council of the Municipality of Brockton hereby approves Report Number CLK2023-05 - 2022 Municipal and School Board Election Financial Reporting Compliance, prepared by Dalton Stone, Municipal Services Coordinator, and Fiona Hamilton, Director of Legislative and Legal Services (Clerk) for information purposes.

Carried

8.8 Bruce County Library Improved Accessibility Request

Fiona Hamilton, Director of Legislative and Legal Services (Clerk), provided a summary of the options provided in the report. Council expressed support for proceeding with option 3 to install push-button doors at both library facilities in 2023 to be funded from the Accessibility Reserve Fund. Ms. Hamilton noted that while Brockton was in compliance with the legislation, it was important to remove as many barriers as possible for residents accessing important services.

Resolution 23-09-16

Moved By: James Lang

Seconded By: B. Carl Kuhnke

That the Council of the Municipality of Brockton hereby receives Report Number CLK2023-06 – Bruce County Library Improved Accessibility Request, prepared by Fiona Hamilton, Director of Legislative and Legal Services (Clerk), and in doing so approves proceeding with Option 3.

Carried

8.9 Nuclear Waste Management Organization (NWMO) Finland Tour

Sonya Watson, Chief Administrative Officer, responded to questions from Council about the balance in the fund that would be required to be spent by the end of the year. Council noted that the proposal would reduce funding for other opportunities within the community.

It was noted that a proposal could be made that Mayor Peabody attend as representative for the County of Bruce such that two additional individuals may be able to attend for the Municipality of Brockton.

Resolution 23-09-17

Moved By: Kym Hutcheon

Seconded By: Gregory J. McLean

That the Council of the Municipality of Brockton hereby receives Report Number CAO2023-07 - Nuclear Waste Management Organization (NWMO) Finland Tour, prepared by Sonya Watson, Chief Administrative Officer and in doing so confirms that Mayor Peabody shall be authorized to attend, with Sonya Watson, CAO and, if possible, an additional authorized attendee if room permits; with a further report coming forward to propose alternate funding options for the additional attendee at the Tour.

Carried

8.10 Maple Hill and Traynor Bridge Rehabilitation Tender

Resolution 23-09-18

Moved By: James Lang

Seconded By: B. Carl Kuhnke

That the Council of the Municipality of Brockton hereby receives Report Number PW2023-09 - Maple Hill and Traynor Bridge Rehabilitation Tender, prepared by Nicholas Schnurr, Director of Operations and in doing so awards the contract to 2585284 ONTARIO INC. o/a BETON in the amount of \$693,106.97, including HST.

Carried

8.11 Municipal Servicing Master Plan

Resolution 23-09-19

Moved By: B. Carl Kuhnke

Seconded By: James Lang

That the Council of the Municipality of Brockton hereby receives Report Number UT2023-05 - Municipal Servicing Master Plan, prepared by Nicholas Schnurr, Director of Operations and in doing so, accepts the proposal from GM Blue Plan for the completion of the Brockton Municipal Master Servicing Plan.

Carried

9. Public Notification

9.1 National Volunteer Week - April 16-22, 2023

The National Volunteer Week theme for 2023 is Volunteering Weaves Us Together. This reveals the importance of volunteering to the strength and vibrancy of our communities through the interconnected actions we take to support one another. These diverse forms of sharing our time, talent and energy strengthen the fabric of our community. The Municipality of Brockton appreciates the dedication and efforts all of our volunteers provide our caring and welcoming community!

10. Accounts

10.1 Accounts - \$534,676.12

Resolution 23-09-20

Moved By: Gregory J. McLean

Seconded By: Mitch Clark

That the Council of the Municipality of Brockton approve payment of the accounts in the amount of \$534,676.12.

Carried

11. Correspondence Requiring Action

11.1 Grey Bruce Labour Council - Day of Mourning Flag Raising Request

Resolution 23-09-21

Moved By: Gregory J. McLean

Seconded By: Mitch Clark

That the Council of the Municipality of Brockton hereby approves raising the Day of Mourning flag on the community flag pole for a period of one week beginning April 24th to 30th, 2023 in recognition of the Day of Mourning on April 28, 2023.

Carried

11.2 Fondation Émergence Request to Proclaim International Day Against Homophobia and Transphobia

Resolution 23-09-22

Moved By: James Lang

Seconded By: B. Carl Kuhnke

Whereas the Quebec Charter of Human Rights and Freedoms recognizes that no one can be discriminated against on the basis of sexual orientation or gender identity or expression;

And Whereas Quebec is a society open to everyone, including lesbian, gay, bisexual and trans people (LGBTQ+) and to all other people who identify with sexual diversity and the multiplicity of gender identities and expressions;

And Whereas, despite recent efforts towards greater inclusion of LGBTQ+ people, homophobia and transphobia are still present in society.

And Whereas May 17th is the International Day Against Homophobia and Transphobia, is celebrated as such in many countries and is the result of a Quebec-based initiative promoted by Fondation Émergence starting in 2003.

And Whereas there is reason to support the efforts of Fondation Émergence in holding this day;

Now Therefore Be It Resolved that the Council of the Municipality of Brockton hereby proclaim May 17th as International Day Against Homophobia and Transphobia;

And further that a copy of this resolution be forwarded to Fondation Émergence.

Carried

11.3 Period Purse Proclamation Request for Menstrual Health Day

Resolution 23-09-23

Moved By: Gregory J. McLean

Seconded By: Mitch Clark

That the Council of the Municipality of Brockton hereby proclaims May 28th as Menstrual Health Day (MH Day) in the Municipality of Brockton and in doing so

approves flying the flag for MH Day on the community flag pole for a period of one week beginning May 23rd to 29th, 2023.

Carried

12. Information

- 12.1 Brockton Heritage Committee Resolutions - Applications to Heritage Trust Fund Program and Request to Review By-Law
- 12.2 Ministry of Municipal Affairs and Housing - Helping Homebuyers, Protecting Tenants Act
- 12.3 Office of the Prime Minister - Reply to Resolution on Bail Reform
- 12.4 Notice of Public Meeting - Zoning By-Law Amendment Z-2023-007
- 12.5 Hawks' Nest Dragon's Den Event - May 17, 2023
- 12.6 Saugeen Valley Conservation Authority 2022 Financial Report
- 12.7 Saugeen Mobility and Regional Transit Board Minutes - February 24, 2023
- 12.8 Town of Cobourg Resolution - Support Grimsby on Barriers for Women in Politics
- 12.9 Town of Fort Frances Resolution - Support Petrolia on School Board Elections
- 12.10 Town of Plympton-Wyoming Resolution - Support Carleton-Place on Declaring Intimate Partner Violence and Violence Against Women an Epidemic
- 12.11 Town of Plympton-Wyoming Resolution - Support Chatham-Kent on Bill 5 Stopping Harassment and Abuse by Local Leaders Act
- 12.12 Town of Plympton-Wyoming Resolution - Support Chatham-Kent on Reducing Municipal Insurance Costs
- 12.13 Town of Plympton-Wyoming Resolution - Support Essex on Municipalities Retaining Surplus Proceeds from Tax Sales
- 12.14 Municipality of Wawa Resolution - Support Chatham-Kent on Reducing Municipal Insurance Costs

Resolution 23-09-24

Moved By: James Lang

Seconded By: B. Carl Kuhnke

That the Council of the Municipality of Brockton hereby receives all items provided in Section 12. Information.

Carried

13. By-Laws

Resolution 23-09-25

Moved By: B. Carl Kuhnke

Seconded By: James Lang

That the Council of the Municipality of Brockton authorize that the following by-laws be read, enacted, signed, sealed, and numbered as follows:

- By-Law 2023-038 - Zoning Amendment By-Law - Potts Z-2022-113
- By-Law 2023-039 - Zoning Amendment By-Law - Bullen Z-2023-006
- By-Law 2023-040 - Zoning Amendment By-Law - Lang Z-2023-004
- By-Law 2023-041 - 236 Durham Street Encroachment Agreement By-Law

- By-Law 2023-042 - Amend 2023 Fees and Charges By-Law
- By-Law 2023-043 - Fire Marque Inc. Agreement By-Law
- By-Law 2023-044 - Market Garden Spruce the Bruce Agreement By-Law

Carried

14. Committee Minutes

Resolution 23-09-26

Moved By: Mitch Clark

Seconded By: Gregory J. McLean

That the Council of the Municipality of Brockton receive the minutes of the following committees and or boards as presented:

- Brockton Child Care Centre Committee Minutes - September 19, 2022
- Brockton Child Care Committee Minutes - January 16, 2023
- Brockton Heritage Committee Minutes - February 6, 2023
- Physician Recruitment and Retention Committee Minutes - October 12, 2022
- Physician Recruitment and Retention Committee Minutes - November 23, 2022
- Physician Recruitment and Retention Committee Minutes - December 7, 2022
- Physician Recruitment and Retention Committee Minutes - January 11, 2023
- Physician Recruitment and Retention Committee Minutes - February 22, 2023

Carried

15. New Business Brought Forward

1. Chesley Hospital Rally

Deputy Mayor Lang attended a rally in support of the Chesley Hospital emergency room on April 1, 2023 and noted it was very well attended.

2. Quebec Investors

Mayor Peabody informed Council that two potential investors would be viewing the East Ridge Business Park properties later in the week.

3. Roadside Mulching

Mayor Peabody noted that there are improvements to be made with the mulching process that occurred and some areas that may require additional attention from staff.

16. Closed Session

Resolution 23-09-27

Moved By: Kym Hutcheon

Seconded By: Mitch Clark

That the Council of the Municipality of Brockton enter into Closed Session at 8:20 p.m. in order to address a matter pertaining to:

- Personal matters about an identifiable individual, including municipal or local board employees - **Committee Appointments, BAO Decision**
- A proposed or pending acquisition or disposition of land by the municipality or local board - **East Ridge Business Park Offers**

- Advice that is subject to solicitor/client privilege, including communications necessary for that purpose - **Heritage Property Enforcement**

Carried

Resolution 23-09-28

Moved By: Kym Hutcheon

Seconded By: Mitch Clark

That the Council of the Municipality of Brockton hereby approves the direction provided to staff in Closed Session.

Carried

17. Confirmation of Proceedings

Resolution 23-09-29

Moved By: Kym Hutcheon

Seconded By: Mitch Clark

That the Council of the Municipality of Brockton authorize that the following by-law be read, enacted, signed, sealed, and numbered as follows:

- By-Law 2023-045 - April 11, 2023 Confirmatory By-Law

Carried

18. Adjournment

Resolution 23-09-30

Moved By: Kym Hutcheon

Seconded By: Mitch Clark

That the Council of the Municipality of Brockton does now adjourn at 8:45 p.m. to meet again on April 25, 2023.

Carried

Mayor - Chris Peabody

Director of Legislative and Legal Services (Clerk) – Fiona Hamilton