Township of Carling

MINUTES
COMMITTEE OF THE WHOLE
Online
2 West Carling Bay Rd., Nobel, ON
9:00 a.m.
Tuesday, February 22, 2022

Attendance

Council Members Present
Mayor Konoval
Councillor Murphy
Councillor Crookshank
Councillor Gilbert
Councillor Crocker

Staff Present
Kevin McLlwain, CAO/Clerk
Mackenzie Taylor, Records Clerk / Deputy Clerk
Gord Harrison, Fire Chief
Chris Waefler, Public Works Manager

This meeting was held ELECTRONICALLY in accordance with section 23 of the Township's Procedure By-law. Those who submitted a request prior to the meeting were able to observe the meeting live.

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1. CALL TO ORDER

The Mayor called the meeting to order at 9:00 a.m.

(1) ADOPTION OF AGENDA

The Clerk added Item 8. Woods Road Tender to the agenda. He also added a closed meeting topic to update Council on an identifiable individual matter, regarding a legal concern on moccasin trail.

2. DECLARATIONS OF PECUNIARY INTEREST

None

3. PUBLIC MEETING – ZONING BY-LAW AMENDMENT Z/2021/10 (Kroeker)

The Planner gave an overview of Zoning Amendment Application Z/2021/10 (Kroeker). One letter of support for this application was received and one letter stating concerns. There were no members of the public who chose to speak at the public meeting regarding this matter. Council members asked questions regarding the colour and location of the building.

Resolution **Moved by Councillor Murphy**
Seconded by Councillor Gilbert

WHEREAS Notice of a Public Meeting was sent out with respect to Zoning By-law Amendment Application Z/2021/10 Kroeker as set out under section 34(12)(a)(ii) of the Planning Act, R.S.O, 1990, cP.13;

AND WHEREAS the Notice of Public Meeting stated that the effect of the proposed amendment to the Zoning by-law was to permit the construction of a detached garage measuring 194.16 square metres (2089.9 square feet), rather than the correct 194.17 square metres (2090 square feet)'

AND WHEREAS the Notice of Public Meeting states that the application for an amendment to the Zoning By-law for the proposed garage will result in the proposed garage exceeding the allowable floor area by 83.16 square metres (895.1 square feet) rather than the correct 83.17 square metres (895.2 square feet);

THEREFORE BE IT RESOLVED that Committee of the Whole on behalf of Council determine that no further public notice will be required to clarify this error in the original notice as permitted under section 34(17) of the Planning Act, R.S.O, 1990, cP.13

Carried

4. DEPUTATION

None

5. MONTHLY REPORTS

The Mayor recognized the Fire Department for their work on a difficult call that they attended at the end of January. Council discussed the 2021 census data that was included as part of the CAO's report. The Mayor is going to discuss concerns regarding the census collection with our Member of Parliament.

6. DISSOLVE THE ONTARIO LAND TRIBUNAL (OLT)

Resolution **Moved by Councillor Crookshank**
Seconded by Councillor Crocker

WHEREAS Municipalities across the province collectively spend millions of dollars of taxpayer money and municipal resources developing Official Plans that meet the current Provincial Planning Policy;

AND WHEREAS an Official Plan is developed through months of public consultation to ensure "that future planning and development will meeting the specific needs of (our) community";

AND WHEREAS our Official Plan includes zoning provisions that encourage development of the "missing middle" or "gentle density" to meet the need for attainable housing in our community;

AND WHEREAS out Official Plan is ultimately approved by the province;

AND WHEREAS it is within the legislative purview of Municipal Council to approve Official Plan amendments or Zoning By-law changes that better community or fit within the vision of the Township of Carling's Official Plan;

AND WHEREAS it is also within the legislative purview of Municipal Council to deny Official Plan amendments of Zoning By-law changes that do not better the community or do not fit within the vision of the Township of Carling's Official Plan;

AND WHEREAS the OLT has the authority to make a final decision on planning matters based on a "best planning outcome" and not whether the proposed development is in compliance with Municipal Official Plans and Provincial Planning Policy;

AND WHEREAS all decisions-save planning decision – made by Municipal Council are only subject to appeal by judicial review and such appeals are limited to questions of law and or process;

AND WHEREAS Ontario is the only province in Canada that empowers a separate adjudicative tribunal for review and overrule local decisions applying provincially approved plans

AND WHEREAS towns and cities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the Province in expensive, time consuming and ultimately futile OLT hearings;

AND WHEREAS lengthy, costly OLT hearings act as a barrier to the development of attainable housing;

NOW THEREFORE BE IT RESOLVED that the Township of Carling requests the Government of Ontario to dissolve the OLT immediately, thereby eliminating one of the most significant sources of red tape delaying the development of most attainable housing in Ontario;

AND BE IT FURTHER RESOLVED that a copy of the motion be sent to the Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and Housing, the Leader of the Opposition, the Leaders of the Liberal and Green Party, all MPPs in the Province of Ontario; the Large Urban Mayors Caucus of Ontario, the Small Urban GTHA Mayors and Regional Charis of Ontario;

AND BE IT FURTHER RESOLVED that a copy of this motion be sent the Association of Municipalities of Ontario (AMO) and all Ontario Municipalities for their consideration.

Carried

Break 10:10 -10:20

7. FIREFIGHTER CERTIFICATION

The Fire Chief gave council an overview of the new firefighter certification which is being implemented July 2026 by the Fire Marshal.

8. WOODS ROAD TENDER

Council gave the CAO and Public Works Managers the direction to tender for the paving of Woods Road. The Tender would be conditional on budget approval and receiving a grant.

9. CLOSED SESSION

Resolution **Moved by Councillor Crookshank**
Seconded by Councillor Crocker

NOW THEREFORE BE IT RESOLVED that Council move into a CLOSED SESSION at 10:53 a.m., pursuant to Section 239(2)(b) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, for matters pertaining to an identifiable individual, a Human Resource related matter and a legal matter regarding a property on Moccasin Trail.

Carried

Resolution **Moved by Councillor Murphy**
Seconded by Councillor Gilbert

NOW THEREFORE BE IT RESOLVED that Council move out of a CLOSED SESSION at 11:16 a.m.

Carried

Council discussed matters regarding identifiable individuals for an employment related matter and a legal matter regarding a property on Moccasin Trail.

10. ADJOURNMENT

The meeting was adjourned at 11:17 a.m.

Mike Konoval, Mayor

Kevin McLlwain, CAO/Clerk