

**CORPORATION OF THE TOWNSHIP OF RYERSON  
MINUTES**

**September 16, 2014**

The regular meeting of Council of the Corporation of the Township of Ryerson was held at the Municipal Office Tuesday evening September 16, 2014 at 7:00 p.m. Council members present: Reeve Glenn Miller, Councillors Rosalind Hall, Barbara Marlow, George Sterling and Doug Weddel.

Staff, Delegations & Guests in attendance: Andrew Farnsworth; Bob Edmunds; Barney and Ruby Woodward; Brad Laking; Michael Gerrits; Kim and Jeff Lum; Mike Derry; Alan Barlow; Lisa McNiven; Karol and Charlie Gratrix.

Notice of this meeting was posted on the front door of the office and on the web site and recorded on the telephone voice message.

**ADOPTION OF MINUTES**

The minutes from the regular meeting September 2, 2014, were approved as circulated on a motion moved by Councillor Weddel and seconded by Councillor Marlow. (Carried)

**DECLARATION OF PECUNIARY INTEREST:** None declared.

**PRESENTATION**

Brad Laking and Michael Gerrits from Tulloch Engineering were in attendance to present the design report and to discuss design alternatives for the Midlothian Road bridge replacement project.

**PUBLIC WORKS DEPARTMENT STAFF REPORT**

Barney and Ruby Woodward, Kim and Jeff Lum, Lisa McNiven and Karol and Charlie Gratrix, property owners from Harrison Lake Road were present to discuss winter maintenance of the road. Council considered the staff report from the Public Works Supervisor Bob Edmunds outlining concern about the cost of providing winter maintenance and the work required on the road. Council proposed to not provide winter maintenance for the 2014/2015 winter season and then make some road improvements next summer, and then resume winter maintenance. Questions and comments from the property owners included: has the equipment/plows changed; how was the push arm damaged; concern about the accuracy of the Township's tracking system for statistics of use of the road last winter; owners need to get to their properties in the winter to maintain buildings; it is an existing level of service.

Council will consider this matter further and look into the costs of hiring a contractor with a smaller truck to plow the road.

Report from Bob Edmunds: Excavator insurance claim is in process; estimate of cost for rock removal on Starratt Road North; grader is repaired; fall maintenance underway and traffic control by-law is ready for adoption. Council discussed the options for bridge replacement on Midlothian Road and passed a resolution as noted below. Council reviewed the road budget up-date.

**DEPUTY CLERK REPORT:**

Andrew Farnsworth up-dated Council on the agreement for the recycled asphalt product and advised that no further information has been received from Northland Power regarding Solar West. Mr. Farnsworth also reviewed the funding application, due September 19, 2014, for road improvements using the recycled asphalt product.

**CLERK'S REPORT**

Judy Kosowan's report included: a written staff report outlining information on Section 275 of the Municipal Act (restricted acts) and other election processes; Township budget up-date.

Council would like the following added to the agenda for the tri-council meeting October 29, 2014: the business plan for the Historical Society; CEMC; economic development future of department.

### **COUNCIL COMMITTEE/BOARD REPORTS**

Reports were received on: the Historical Society Business Plan meeting; the final fire committee meeting and the Community/Economic Development meeting.

### **NEW BUSINESS/LIST OF RESOLUTIONS/CORRESPONDENCE REGISTER**

Council considered the problem of seagulls on the Rockwynn Dock and will look into deterrent measures.

Correspondence:

- Information from Al Bottomly, Trustee Near North District School Board being request to participate in a survey regarding a new Director of Education
- FONOM being highlights from the AMO Conference

Bob van der Wijst, Municipal Solicitor was present to attend the closed meeting portion of the meeting. Mr. van der Wijst discussed the up-coming Public Meeting for the municipal Zoning By-law and reminded Council that they are not in “lame duck” at this point in time and that “lame duck” does not affect this Public Meeting anyway. He stated that Rick Hunter will be providing the information at the meeting and that it does not have anything to do with By-law 31-13 as stated in Section 1.6 in the draft Zoning By-law.

Council moved to a closed meeting with Mr. van der Wijst to discuss By-law 31-13 and the Ontario Municipal Board hearing.

When the open meeting reconvened Council discussed wording of a resolution and adopted a resolution as noted below.

### **BY-LAWS**

By-law 52-14, being a by-law to authorize regulatory signs in the Township.

By-law # 53 - 14, being a by-law to confirm the meetings of Council.

### **RESOLUTIONS**

- Moved by Councillor Hall, seconded by Councillor Sterling be it resolved that Ryerson Township Council choose the concrete box culvert option for the Midlothian Road Bridge replacement. (Carried)
- Moved by Councillor Marlow, seconded by Councillor Weddel be it resolved that Ryerson Township Council authorize: Judy Kosowan and Andrew Farnsworth to attend the AMCTO Zone 7 Workshop in Sudbury October 1 to 3, 2014. (Carried)
- Moved by Councillor Weddel, second by Councillor Marlow be it resolved that leave be given to introduce a Bill # 52-14, being a By-law to authorize traffic control signs at various locations in the Township of Ryerson and further; That By-Law # 52 – 14 be read a First, Second, and Third time, Signed and the Seal of the Corporation affixed thereto and Finally passed in Council this 16<sup>th</sup> day of September, 2014. (Carried)
- Moved by Councillor Sterling, seconded by Councillor Hall be it resolved that leave be given to introduce a Bill # 53-14, being a By-law to confirm the proceedings of Council and further; That By-Law # 53–14 be read a First, Second, and Third time, Signed and the Seal of the Corporation affixed thereto and Finally passed in Council this 16<sup>th</sup> day of September, 2014. (Carried)

- Moved by Councillor Marlow, seconded by Councillor Weddel that we move to a closed session at 9:35 p.m., pursuant to the Municipal Act 2001, c. 25, Section 239 (2) (e) as the subject matter being considered is regarding potential litigation, including matters before administrative tribunals affecting the municipality or local board; and Section 239 (2) (f) as the subject matter being considered is regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose. The general nature of the closed meeting is to discuss with the Municipal Solicitor Robert van der Wijst; The Ontario Municipal Board Hearing scheduled for February 18, 2015 regarding By-law 31-13. (Carried)

- Moved by Councillor Weddel, seconded by Councillor Hall WHEREAS the Appellant Glen Thompson in the matter of By-law 31—13 now before the Ontario Municipal Board (Peggs Mountain Quarry Rezoning) is deceased: and he transferred the property to a new owner; AND WHEREAS Council is advised that Mr. Thompson’s appeal to remove restrictions on the proposed quarry set out in the by-law is likely not transferable to the new owner of the property, a numbered corporation said to hold several other licenses under the Aggregate Resources Act; AND WHEREAS the township solicitor and counsel for other Parties to the OMB hearing have been unable to get an answer from Mr. Thompson’s lawyers as to whether they intend to continue with the appeal by his Estate even though it does not own the property; AND WHEREAS Council is advised that a simple repeal of By-law 31—13 would itself be a “zoning by-law” subject to the same lengthy procedure and right of appeal to the OMB by the current owner of the property and others; NOW THEREFORE BE IT RESOLVED by the Council of the Corporation of the Township of Ryerson that:

1. The Township Solicitor should, by motion or otherwise, bring the matter before the OMB asking that the Thompson appeal of by-law 31—13 be dismissed to clarify the issues remaining before the Board.
2. Assuming that the only Appellant seeking to remove or reduce restrictions imposed in Bylaw 31—13 is no longer part of the hearing; the township will attempt to negotiate with remaining Parties to the OMB hearing to reach agreement on a resolution by consent order.
3. A majority of Council continues to be of the view that a by-law such as 31—13, which places important restrictions on the development of the property, possibly strengthened by further amendment at the OMB and approved by the OMB, provides the best protection for the township’s residents, the Peggs Mountain natural feature and the environment. The provincial government (which did the resource mapping in our Official Plan) has designated Peggs Mountain as an area for aggregate resource development. The site is bounded on two sides by other licensed pits and quarries. Given current provincial policies, is unlikely that Ryerson would be permitted to “just say no” to any future proposal for aggregate resource development concerning this property. Recorded vote requested by Rosalind Hall: Yeas: Rosalind Hall; Barbara Marlow; Doug Weddel; Glenn Miller. Nays: George Sterling. (Carried)

- Moved by Councillor Sterling, seconded by Councillor Weddel that we do now adjourn at 10:10 p.m. The Public Meeting for the Zoning By-law will be Saturday September 27, 2014. The next regular meeting is scheduled for October 7, 2014 at 7:00 p.m. (Carried)

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REEVE

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CLERK