



**THE PUBLIC MEETING OF COUNCIL
OF THE TOWN OF ESPAÑOLA**

**Council Chambers
Municipal Office**

**June 26, 2018
7:30 pm**

His Worship Mayor Piche presided over the meeting.

Present:

Councillors: R. Dufour, K. Duplessis; R. Duplessis, B. Foster,
H. Malott, B. Yocom

Staff: P. Roque, Clerk; C. Townsend, CAO/Treasurer; T.
Denault-Roque, Recording Secretary; J. Yusko, Manager of
Public Works and Leisure Services; D. Parker, Assistant
Manager of Public Works; C. Kennelly, Economic
Development Officer; C. Tessier; Manager of Financial
Services

The Mayor stated that this meeting will be live streamed.

Disclosure of pecuniary interest and the general nature thereof.

Public Hearing

1. The purpose of this public meeting is to consider a proposed Zoning Bylaw Amendment under Section 34 of the *Planning Act* for the property located on Merritt Con 4 PT Broken Lot 4 PCL 17269 SWS, 1124 Kei Will Dr; Town of Espanola.

The effect of the proposed Zoning Bylaw Amendment is to rezone the affected property from the WR (Waterfront Residential) Zone to the WR Special Exception Six (WR-6) Zone in order to permit a dog kennel and a maximum relief of 3 feet from section 3.1 e) of the Bylaw for the height of the roof of the building. The Kennel would be located 186 feet from the high water mark of the lake.

The applicant was present. There were no written comments received; there were two verbal comments received.

The first verbal comment raised concerns regarding the road; the individual wanted to ensure Kei Will Drive will remain as is. The Clerk advised that the Zoning Bylaw Amendment would not affect the road in any way.

The second inquiry was received this evening and it was in respect to noise. The caller was concerned with the noise coming from barking dogs.

The applicant addressed the noise concerns advising that the kennel they are proposing to build will be very well insulated,

with the dogs being inside most of the time, the noise will be very minimal. He further advised that they do not have any direct neighbours and they are isolated out there. He stated they are on the north side of the lake with predominate winds from the south west, therefore did not feel noise would be an issue.

Councillor Yocom asked the applicant how many dogs they were proposing to keep. Mr. Williamson replied they were proposing to have a maximum of 10.

The portion of the public hearing closed at 7:33 pm

1. Notification under the Provisions of Notice Bylaw No. 2068/08, Notice of Public Hearing

Council of the Town of Espanola is considering a request from R.M. Belanger Ltd for an exemption to Municipal Bylaw No. 1189/96, being a Noise Bylaw. This exemption will permit R.M. Belanger Ltd to run a pump used in the dewatering process of the 2018-01 Espanola Infrastructure Renewal Program Phase 2A. It is crucial to the Project that the operation of the pump is sustained for the duration of the work where high ground water is located.

The applicant was not present. Mr. Herb Watkins, local resident asked that before Council approves the request that Belanger Construction be asked to reduce the noise coming from the pump. He stated the noise was unbearable to some residents, and they do have a right to their peace and quiet, especially from midnight to 6:00 am. He stated that he is unable to run the HRV in his home because of the diesel fuel coming from the exhaust comes in to the residence.

Mr. Watkins understands the project must go on, however Belanger has contravened the Bylaw for over two months now with the noise and asked for some peace after midnight; daytime noise was not a concern.

There were no other comments. This portion of the public hearing closed at 7:36 pm.

Delegations/Petitions

Mr. Yves Carriere, local resident addressed Council and provided a brief history on his stand with the Sherwood Park being used as a snow machine trail.

He referred to a Staff Report that Staff prepared on the direction of Council, specifically citing the portion where it refers to the option of approaching the Snowmobile Club to include that location into their trails. Mr. Carriere advised that they probably would not because it was too narrow. The other option Mr. Carriere referred from the Staff report was talking to the surrounding neighbours and if they were okay with having snow machines there then Council could take that into

consideration. Mr. Carriere advised he had never seen a scenario where 100% of neighbours are in agreement. Mr. Carriere then spoke of the liability risk that was identified by the municipality's insurance broker, he further stated that Council is liable for everything, but the question is "are you negligent?" if you are not, then you shouldn't be worried about liability. Mr. Carriere advised that he already gave good reasons why the park should not be opened in the winter; mainly because there are liabilities by not conducting equipment inspections in the winter months. He further advised that he would like Council to allow the snowmobilers to use the trail and asked that they let him know of their decision.

Question Period **None**

CONSENT AGENDA **CA-011-18 R. Dufour – R. Duplessis**
Be It Resolved That: Items A1 to F7 contained in Part 1 Consent Agenda be adopted. **Carried**

Items A1-A2 **18-108 R. Duplessis – R. Dufour**
Council Minutes Be It Resolved That: The following Minutes are hereby accepted; Regular Meeting of Council of June 12, 2018; Special Meeting of Council of June 12, 2018. **Carried**

Board and Committee Reports

Items B1 **18-109 R. Dufour – R. Duplessis**
Be It Resolved That: The following board and committee reports are hereby received: Community Services Committee Meeting Minutes of June 19, 2018. **Carried**

Councillor Foster asked if the Community Services Committee discussed the skidoo trail. Councillor Yocom replied that the consensus was that consideration be taken to the insurance broker's recommendation. He further advised that this item will come back to the Committee, as Staff was directed to approach the snowmachine club and will wait to hear their response.

Matters arising from the "In Camera Session"

None

Business Arising from Board and Committees

None

Bylaws and Resolutions

Item E1 **18-110 R. Duplessis – R. Dufour**
Confirmatory Bylaw Be It Resolved That: Bylaw No 2858/18 be adopted, being a
Bylaw of the Town of Espanola to confirm the proceedings of
Council at its Meeting of June 12, 2018.
Carried

Item E2 **18-111 R. Duplessis – R. Dufour**
Garson Pipe Be It Resolved That: Bylaw No 2859/18 be adopted, being a
Connecting Link Bylaw of the Town of Espanola to execute an Agreement with
Garson Pipe Contractors for the Connecting Link Reconstruction.
Carried

Reports **18- 112 R. Dufour – R. Duplessis**
Items F1-F7 Be It Resolved That: The following reports are hereby received;
Joint Health and Safety Meeting Minutes of May 3, 2018;
Espanola Police Services Board Meeting Minutes of May 17,
2018; Espanola Police Services 2017 Annual Report (previously
circulated); Public Works Department Departmental Report for
May 2018; Leisure Services Department Departmental Report
for May 2013; Fire Department Departmental Report for May
2018; Building Department Departmental Report for May 2018.
Carried

PART II
REGULAR AGENDA
Bylaws and Resolutions

Item G1 **18-113 B. Foster – H. Malott**
Zoning Bylaw No Be It Resolved That: Bylaw 2857/18 be adopted, being a
2857/18 bylaw to rezone the portion of the property located on,
MERRITT CON 4 PT BROKEN LOT 4 PCL 17269 SWS 1124 KEI
WILL DR, TOWN OF ESPANOLA zoned as Waterfront
Residential (WR) to Waterfront Residential Special
Exception Six (WR-6) in order to permit a dog kennel
accessory to the main use a single family dwelling as a home
occupation and relief from height provisions for the roof of the
garage / kennel.
Carried

A discussion ensued.
It was stated that the closest neighbour to the applicant was
over 1 km across the lake. It was the consensus of Council
that noise would not be an issue. The location of the property,
proximity of neighbours and little opposition to the amendment
had influence on Council's decision.

Item G2
Noise Bylaw
Exemption

18-114 K. Duplessis – B. Foster

Be It Resolved That: Bylaw No An exemption to Bylaw 1189/96 Noise Control Regulations be granted to R.M. Belanger Ltd to run a pump used in the dewatering process of the 2018-01 Espanola Infrastructure Renewal Program Phase 2A. R.M. Belanger be requested to take additional measures to attempt to reduce noise levels further.

Carried

Councillor R. Duplessis asked when a contract is signed, is the Noise Bylaw taken into consideration? Mr. Yusko replied he was under the assumption that they were exempt, he further stated that this is the first complaint he has received during his time of managing these types of projects. Councillor Malott asked Mr. Yusko how long will this process take. Mr. Yusko could not provide a timeline and advised it was really dependent on the water table.

A discussion ensued regarding the recorded decibels near the property line of the complainant and suggestions were offered on ways to reduce the noise further.

It was the consensus of Council that the contractor be asked to try to alleviate the noise further.

Item G3
Site Control Plan
Agreement

18-115 K. Duplessis – B. Foster

Be It Resolved That: The Site Plan Control Agreement between the Corporation of the Town of Espanola, the HURON SUPERIOR DISTRICT SCHOOL BOARD (HSCDSB) and CONSEIL SCOLAIRE DE DISTRICT CATHOLIQUE DU NOUVEL-ONTARIO (CSCNO) be accepted as presented a Bylaw be prepared to adopt the agreement.

Carried

Item G4
2018 Winter Sand
Tender

18-116 H. Malott – K. Duplessis

Be It Resolved That: Council Award the 2018 Winter Sand Tender to OCL Custom Crushing & Quarrying Ltd.

Carried

Item G5
Main Street
Revitalization
Initiative

18-117 H. Malott – K. Duplessis

Be It Resolved That: Bylaw 2836/16 be adopted, being a bylaw to enter into an Agreement in order to participate in the Ontario's Main Streets Revitalization Initiative.

Carried

Item G6
Community Safety
Zones

A discussion ensued regarding where a Community Safety Zone is applicable.

Councillor Yocom suggested bringing this item back to the Community Services Committee with a recommendation from Staff advising of where the Community Safety Zones should fall within the community. It was the consensus of Council to do so.

Correspondence For Information Only

None

Information

This information was previously circulated to Council. If required a copy of the information is available at the Municipal Office.

Cheque Register

Conference and Conventions

None

Mayor and Councillors Reports and Announcements

Care Van

Mayor Piche stated that the new care van is a great asset to our community.

July 1st

Celebrations

Proposed Item of Discussion

Councillor Yocom reminded everyone of the July 1st celebrations and encouraged everyone to attend. Councillor R. Duplessis suggested that a list of Espanola residents who have passed away be read out aloud yearly during a Council meeting as a tribute. Staff was directed to put the item on the next Agenda for discussion.

Future Council Meetings

Regular Meeting of Council of July 10, 2018 @ 7:30 pm

Adjournment

H. Malott B. Foster

Be It Resolved That: The Regular Meeting of Council is hereby adjourned. Time: 7:35 pm

Carried



R Piche
Mayor



Paula Roque
Clerk