

THE CORPORATION OF THE TOWNSHIP OF HILTON

MINUTES
Regular Meeting
July 13, 2022
7:00 p.m.

Present:

Reeve : Rodney Wood
Councillors: Mike Garside
Pat Garside
Dianne Holt
Dave Leask
Road Superintendent: Lyn Garside
Clerk Treasurer: Valerie Obarymskyj

There were no disclosures of pecuniary interest.

Resolution 2022-81

Moved by Dave Leask

Seconded by Mike Garside

Resolved that we do accept the Agenda as presented. * Carried *

It was noted that Councillor Holt's name was missing from the June 1, 2022 Minutes when she had been present. The corresponding Minutes were amended and approved.

Resolution 2022-82

Moved by Mike Garside

Seconded by Pat Garside

Resolved that we do approve the Minutes of the Regular Meeting of June 1, 2022, as amended and the Minutes of the Budget/Special Meeting of June 29, 2022, as presented * Carried *

Resolution 2022-83

Moved by Pat Garside

Seconded by Dianne Holt

Resolved that we do approve the Minutes of the Closed Meeting of June 1, 2022, as presented. * Carried *

Lyn Garside, Road Superintendent provided an update on road issues in the Township. The Road Super and Labourer have concentrated on the four road projects this year, ensuring they will be ready for surface treating by the required date of July 15, 2022. Even though our roads will be ready, we are now dependent on the availability of both calcium and the surface treaters' schedule and it appears there may be delays with both. Despite advertising a request for drivers to slow down on the newly gravelled roads, as well as signs being posted on each of the affected road sites, some drivers continue to speed on these sections. This has not only resulted in other vehicles getting hit with flying stone but also a loss of gravel product from the road. Drivers are once again urged to slow down in these locations until the work is completed. The Road Super confirmed that only certain sections of Whybourne Road had been completely dug up to remove the boulders and stumps from the original 1980s construction that were making their way up to the surface. It was evident that other sections were okay and did not warrant that additional significant expense.

As a result of discussions at a previous Closed Meeting, the following resolution was passed.

Resolution 2022-84

Moved by Mike Garside

Seconded by Dave Leask

Resolved that we do recommend that David Scagel move to Level 6 within the Equipment Operator Wage Grid and that this change be retroactive to January 1, 2022.

The Road Super noted that prior to gravel being deposited on the recently reconstructed roads, periods of wet weather had been persistent. Since the application of gravel, the weather had been hot and dry and no calcium available. In an effort to reduce the dust the Road Super recommended we use the Fire Tanker to water the newly gravelled sections and pay the Hilton Union Fire Department the \$100 per load fee. Council recommended the suggestion first be agreed to by the Village of Hilton Beach.

At 7:30 p.m. Reeve Wood announced the advertised Public Meeting to be open under the Planning Act. This meeting had been scheduled to address any objections or concerns regarding a zoning amendment to permit a storage building on a vacant lot. The Clerk advised some inquiries had been received from agencies and neighbouring owners but no objections had been submitted. Council closed this meeting and returned to Open Meeting under the Municipal Act.

Resolution 2022-85

Moved by Dave Leask

Seconded by Pat Garside

Resolved that we do give first, second and third and final reading and pass By-Law No. 1335-22 being a by-law to permit a storage building to be erected prior to the existence of a primary use structure on Part Lot 9, Concession 14, RP 1R 11686, Part 2, W Line, Township of Hilton. * Carried *

The Clerk advised the St. Joseph Island Planning Board may be having a discussion on adopting an Island-wide approach to establishing waterfront setbacks for septics. Currently, only two of four Island municipalities enforce the 30 metre (100') setback. At a recent meeting, it was suggested by an Algoma Public Health representative that new subdivisions could include such a requirement as part of the conditions of development rather than imposing the higher standard on existing lots in older established subdivisions.

Council reviewed a letter of concern from three owners of Richmond Bay lots that have recently been marketed to the public. Their concern centres on issues linked to obtaining a building permit that they had not been advised of at time of purchase. This subdivision was originally established in 1988 with a condition included in the Subdivision Agreement that no winter maintenance would be provided. The Subdivision Agreement is registered on title of each lot. Roads that are not maintained year-round, or roads that receive no municipal maintenance at all, are classed as LSR (Limited Service Residential) in the municipality's Zoning By-law. Both the current Official Plan and Zoning By-law state that prior to development being permitted on lots on such roads, the owners must enter into a Site Plan Agreement with the Township confirming the limitations of any municipal road maintenance and in addition, the lack of emergency services such as fire and ambulance either year-round or during specific periods of the year. The foregoing means a building permit will not be issued until a SPA (Site Plan Agreement) has been signed. The cost of registering the SPA on title is the owners' responsibility and the current quote by the Township's solicitor is estimated at \$800. Council has noted previously that if owners can arrange to have the SPA registered on title at a reduced cost by their own solicitors, that would also be acceptable. The issues raised by the new owners centre on the fact the lack of winter road maintenance is already registered on title and the SPA appears redundant; this requirement was not made clear at time of purchase; the cost of protecting the Township from liability should not be borne by the owners; the SPA requirement has been inconsistently applied to LSR roads within the municipality.

The Clerk confirmed there has been development on LSR roads since the Zoning By-law was adopted in 2012 with no SPA required. The main reason for that inconsistency has been LSR roads for which the Township has been providing winter maintenance under a contracted arrangement. This includes Ellwood Boulevard and Red Maple Drive to which year-round maintenance has in effect been provided. There would be no possibility of entering into such an agreement for Richmond Bay Road due to the extreme grade of the hill. New development that took place in the Gravel Point Subdivision area was not subject to SPAs as it was understood this lack of municipal services was already registered on title of each lot and that would suffice. The bulk of all other older LSR subdivision lots were already developed prior to the current Zoning By-law adoption in 2012. The Clerk also confirmed it was not until March 2022 that the issue of withholding building permits on LSR roads until a SPA was registered on title became clear in a discussion with the Planning Board. Several of the Richmond Bay lots had already been sold by that time.

Council empathized with the residents over the cost associated with this requirement and agreed it appeared to be excessive. The Clerk was asked to obtain an opinion from our solicitor as to whether the Township's liability in such cases could still be protected with a Site Plan Agreement being signed by the owner requesting the building permit and adopting that SPA with a by-law approach. The Clerk advised while the Zoning By-law clearly addresses this requirement applies to both Public and Private Streets, the current Official Plan only addresses Private Streets. Even the new Draft Official Plan does not address this requirement on Public Streets and now is the time to address that. The Clerk recommended any future Subdivision Agreements should detail the lack of municipal services such as emergency vehicles, school bus, etc so that such SPA requirements are not necessary although it is more likely any new subdivisions will only be permitted if they are on a year-round public maintained road. Council asked that this issue be added to the agenda of the next Planning Board meeting as it appeared this requirement may not be enforced on a consistent Island-wide basis.

Council was advised that Public Open Houses for the new Draft Official Plan have been scheduled for August 23, 2022. Each municipality will hold its own Open House with the Township of Hilton's being held at the Hilton Beach Community Hall. (Please see Notice on last page of these Minutes for more details,)

As the result of the Budget Meeting held on June 29, 2022, the following by-law was adopted to establish tax rates for 2022.

Resolution 2022-86

Moved by Dianne Holt

Seconded by Dave Leask

Resolved that we do give first, second and third and final reading to By-law No. 1336-22, being a by-law to provide for the adoption of the current estimates and tax rates and to further provide for penalty and interest in default of payment thereof for 2022. *Carried*

Resolution 2022-87

Moved by Pat Garside

Seconded by Dianne Holt

Resolved that we do give first, second and third and final reading and pass By-law No. 1337-22 being a by-law to adopt optional tools for the purpose of administering limits for Commercial and Industrial property classes for the Year 2022. * Carried *

Resolution 2022-88

Moved by Dave Leask

Seconded by Dianne Holt

Resolved that we do authorize the payment of Township bills for the month of June 2022 in the amount of \$167,085.73 as per Voucher 06/22: Administration - \$5,957.83; Algoma District School Board - \$33,220.38; Algoma District Services Admin - \$24,801.67; Building - \$1,785.85; Ditigization of Records Project - \$69,997.85; Fire - \$350.00; Misc (Employee/ Employer Payroll Deductions/ Benefits) - \$8,529.30; Planning Board - \$3,074.00; Policing - \$7,135.00; Roads – \$12,233.85. *Carried*

Resolution 2022-89

Moved by Pat Garside

Seconded by Mike Garside

Resolved that we do pass By-Law No. 1338-22 being a by-law to confirm the proceedings of this meeting.*Carried

Resolution 2022-90

Moved by Pat Garside

Seconded by Dave Leask

Resolved that we do adjourn at 9:17 p.m., Council to meet again at the Hilton Township Municipal Office at 7:00 p.m. on Wednesday, August 3, 2022 for the next regular meeting of Council or at the call of the Reeve.

Reeve, Rodney Wood

Valerie Obarymskyj, Clerk Treasurer

Question to Local Residents re Monthly Minutes:

For years, paper copies of the monthly Minutes have been mailed to those residents with a local mailing address or post office box. In addition, the Minutes are posted to our Township's website so that our seasonal residents can stay up to date on Township issues. We are currently re-evaluating the value of the monthly mailout of Minutes and would like to hear from our residents as to whether you wish to continue receiving the paper copies.

Currently we mail out 150 copies which results in costs from paper, postage and administration time. Please let us know if you still have any interest in receiving these paper copies or if reading on our website (www.hiltontownship.ca) would be an acceptable alternative.

Feel free to let us know by email: admin@hiltontownship.ca or by phone: 705-246-2472 or by dropping a note through our front door slot.

OPEN HOUSE

OFFICIAL PLAN

August 23rd, 2022 from 4:00 to 5:30 p.m.

**HILTON BEACH COMMUNITY HALL
3050 Hilton Road, Hilton Beach, ON.**

St. Joseph Island Planning Board and Fotenn Planning + Design have prepared a new Official Plan for St. Joseph Island.

The next step, as required under the Planning Act, is for Hilton Township to hold an Open House to allow residents to review and ask questions on the draft Official Plan.

An Official Plan describes how land in your community should be used. It is being prepared with input from residents and will help to ensure that future planning and development will meet the specific needs of your community.

All landowners and residents of Hilton Township are invited to attend this Open House to make comment on the draft Official Plan before it is adopted by Council.

To view the Official Plan document and Land Use Schedules prior to the Open House, please visit the Hilton Township Municipal Office or the Township website: www.hiltontownship.ca

Hilton Township
2983 Base Line, Hilton Beach, ON.
(705) 246-2472 or email at admin@hiltontownship.ca

For more information about this matter, including information about appeal rights, contact Michael Jagger, Secretary-Treasurer of the St. Joseph Planning Board.

Michael Jagger, Secretary-Treasurer
St. Joseph Planning Board
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