

**THE CORPORATION OF THE TOWNSHIP OF ADELAIDE METCALFE
COUNCIL MINUTES – July 22, 2019**

Present: Mayor Kurtis Smith, Deputy Mayor Mary Ann Hendrikx, Councillor Mike Brodie, Councillor Sue Clarke, and Councillor Betty Ann MacKinnon

Also Present: CAO/Treasurer Cathy Case, Clerk Jennifer Turk, Public Works Manager Jeff Little, Planner Erin Besch (for part of the meeting), and Planner Abby Heddle (for part of the meeting)

Call to Order

At 7:00 pm, Mayor Kurtis Smith called the meeting to order. A moment of silent reflection was observed.

Declaration of Pecuniary Interest and General Nature Thereof

The Municipal Conflict of Interest Act requires any member of Council to declare a pecuniary interest and the general nature thereof; and where the interest of a member of Council has not been disclosed by reason of the member's absence from a meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the Act.

Councillor Brodie declared pecuniary interest regarding Zoning By-law Amendment Application Z07-2019, 1584 Melwood Drive, Rob and Lori Langford as the applicant is related to Councillor Brodie.

Mayor Smith declared pecuniary interest regarding Minor Variance Application A07-2019, 1068 Winter Drive, Patrick and Stephanie Sanders as the applicant is related to Mayor Smith.

Mayor Smith declared pecuniary interest regarding 7:40 PM Delegation Item, Bridget Smith, Napier Women's Institute, as the delegate is his wife who is also the Secretary-Treasurer for the Napier Women's Institute.

Minutes

**MOVED by Councillor Clarke
SECONDED by Councillor MacKinnon
Resolved that the Minutes of the July 8, 2019 regular meeting minutes be approved as circulated. CARRIED.**

Correspondence

- A. Upcoming Conferences/Seminars/Meetings
- 1) Regular Council Meeting - Monday, August 12, 2019
 - 2) Regular Council Meeting - Tuesday, September 3, 2019
 - 3) Regular Council Meeting - Monday, September 16, 2019
 - 4) Regular Council Meeting – Monday, September 30, 2019 (Tentative)
 - 5) Optimist Club – Sports Day & BBQ – Saturday, July 27, 2019
 - 6) 2019 AMO Conference – August 18-21, 2019, Ottawa, ON
 - 7) Kerwood Firemen’s Fish Fry – Saturday, August 24, 2019
- B. Recommended Reading
- 1) CC-1 CN - Kerwood Road Railroad Tracks Crossing - Timeline

Councillor MacKinnon inquired if staff could send a letter to CN to investigate having the tracks repaired sooner due to harvest season in the fall.

- 2) CC-2 Ombudsman - 2018-2019 Fiscal Year Annual Report
- 3) CC-3 MPAC - Examining 2018 Enumeration Process
- 4) CC-4 Attorney General - Joint and Several Liability Consultation
- 5) CC-5 Andrea Horwath - 2019 AMO Conference
- 6) CC-6 ABCA-Agenda-Board of Directors
CC-6 ABCA-General Manager's Report
CC-6 ABCA-June 20-Board Minutes

MOVED by Councillor Brodie

SECONDED by Deputy Mayor Hendrikx

Resolved that Council receive and file Correspondence items CC-1 to CC-6.

CARRIED.

Delegations & Timed Events

7:05 PM Committee of Adjustment

MOVED by Councillor Clarke

SECONDED by Councillor MacKinnon

Resolved that Council convene as the Committee of Adjustment for the purpose of hearing Minor Variance Application A07-2019 (Patrick & Stephanie Sanders, 1068 Winter Drive), and Consent Application B11-2019 (Joel & Stephanie Wilcocks, 3492 Egremont Drive) at 7:05 pm. CARRIED.

Minor Variance Application A07-2019

Patrick & Stephanie Sanders, 1068 Winter Drive

Mayor Smith reiterated his pecuniary interest and left Council chambers.

Deputy Mayor Hendrikx chaired this portion of the meeting.

Patrick & Stephanie Sanders were both in attendance for the application.

Planner Erin Besch reviewed the application for Minor Variance A07-2019, to permit the construction of an addition onto the existing dwelling with a front yard setback of 2.74 m (9 ft), whereas the Zoning By-law requires a minimum of 15 m (49.2 ft).

Through Planner Erin Besch's report, it has been recommended that Minor Variance A07-2019 be approved as the application is consistent with the Provincial Policy Statement; conforms to the Official Plans of both the Township of Adelaide Metcalfe and the County of Middlesex; and, the requirements of the Township of Adelaide Metcalfe Zoning By-law would be satisfied.

Patrick & Stephanie Sanders had no comments.

There were no comments from the members of the public in attendance.

Councillor Clarke inquired as to why construction had started when this application had not been approved by the Committee of Adjustment. Stephanie Sanders advised the committee that there was miscommunication between staff and the builder/contractor and are aware of potential ramifications of proceeding with construction without approval for the requested relief.

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that Application for Minor Variance A07-2019 filed by Patrick & Stephanie Sanders, which seeks permission for the construction of an addition onto the existing dwelling with a front yard setback of 2.74 m (9 ft), whereas the Zoning By-law requires a minimum of 15 m (49.2 ft), be GRANTED. CARRIED.

Mayor Smith returned to chair the remainder of the meeting.

Consent Application B11-2019

Joel & Stephanie Wilcocks, 3492 Egremont Drive

Joel Wilcocks was in attendance for the application.

Planner Erin Besch reviewed the application for Consent B11-2019, to permit the severance of a residence from a farm parcel, facilitating the creation of a new lot to dispose of a residence surplus to a farming operation as a result of consolidation. The applicant has reduced the size of the severed lot from the original application.

Through Planner Erin Besch's report, it has been recommended that Consent B11-2019 be approved subject to conditions as the application is consistent with the Provincial Policy Statement; conforms to the Official Plans of both the Township of Adelaide

Metcalfe and the County of Middlesex; and, subject to Condition 7, the requirements of the Township of Adelaide Metcalfe Zoning By-law would be satisfied.

Joel Wilcocks advised Council that he had no issues with the conditions, and will inquire with the Chief Building Official regarding Change of Use Permit, however, he will be using the laneway north of the house to get to the agricultural portion of the property. Planner Erin Besch advised that the laneway between the house and the barn is what would need to be put back to original state, not the laneway north of the house. Councillor Clarke inquired the same concern, which laneway in the Planning Report.

There were no comments from members of the public in attendance. There were no further comments from the Committee of Adjustment.

MOVED by Councillor Clarke

SECONDED by Councillor Brodie

Resolved that Application for Consent B11-2019, submitted under Section 53 of the Planning Act, to permit the severance of a residence from a farm parcel, facilitating the creation of a new lot to dispose of a residence surplus to a farming operation as a result of consolidation, at 3492 Egremont Drive be granted subject to the following conditions:

- 1. That the Certificate of Consent under Section 53(42) of the Planning Act shall be given within one year of the date of the notice of the decision. The request for the Certificate of Consent shall be accompanied by a written submission that details how each of the conditions of consent has been fulfilled.**
- 2. That the applicant's solicitor submits an undertaking in a form satisfactory to the Secretary-Treasurer of the Committee of Adjustment to register an electronic transfer of title exactly consistent with the Acknowledgement and Direction executed by the applicants and the decision of the Committee of Adjustment.**
- 3. That any outstanding property taxes for the severed and retained lots of Consent B11-2019 be paid in full.**
- 4. That, if required, the owner provide road widening dedications to the County of Middlesex of up to 15 metres from the centerline of Egremont Drive (County Road 22) and 18 metres from the centerline of Centre Road (County Road 81) to the satisfaction of the County Engineer.**
- 5. That a preliminary survey showing the lands being severed, any required land dedication, and the location of all buildings and structures including their setbacks from the property lines and the location of the private water well and septic system be submitted to the satisfaction of the Township prior to being deposited at the Land Registry Office.**
- 6. That two paper copies and one digital copy of the reference plan be submitted to the satisfaction of the Township.**
- 7. That a Zoning By-law Amendment that recognizes the residential use of the severed lot of Consent B11-2019 and prohibits new dwellings on the retained lot of Consent B11-2019 be in full force and effect.**

8. That the shed on the retained lands be demolished and the debris removed from the property to the satisfaction of the Township.
9. That the barn and silo on the retained lands be demolished and the debris removed from the property to the satisfaction of the Township, or a Change of Use permit be issued to prevent the keeping of livestock.
10. That the existing water supply servicing the barn be decommissioned to the satisfaction of the Township.
11. That unless replaced, the existing septic system is to be inspected by a qualified septic installer and the inspection report be provided to the Township for determination as to any replacement or remedial works that may be required. The qualified septic installer shall also confirm the location of the existing septic system and confirm that the clearance distance from the septic system to the well is adequate.
12. That the habitability of the single detached dwelling be confirmed to the satisfaction of the Township.
13. That an adequate and potable water supply be demonstrated to exist to the satisfaction of the Township.
14. That drain assessment schedules be revised in accordance with the Drainage Act, as amended, to be commissioned and paid for by the owners, to the satisfaction of the Township.
15. That independent accesses to the lands to be severed and the lands to be retained are provided, to the satisfaction of the Township.
16. That the owner enter into a severance agreement with the Township in order to advise future owners of the severed lot of Consent B11-2019 of normal farm practices occurring in the area as outlined in the Farming and Food Production Protection Act, 1998, as amended.

as the application is consistent with the Provincial Policy Statement; conforms to the Official Plans of both the Township of Adelaide Metcalfe and the County of Middlesex; and subject to Condition 7, the requirements of the Township of Adelaide Metcalfe Zoning By-law are satisfied. CARRIED.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that the Committee of Adjustment be closed at 7:24 p.m. and Council reconvene in regular session. CARRIED.

7:20 PM

Public Meeting

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

Resolved that the public meeting to hear Official Plan Amendment OPA01-2019, Zoning By-law Amendment Z06-2019 (John & Rita Dortmans, 2234 Egremont Drive) and Zoning By-law Amendment Application Z07-2019 (Creekside Ag Co, 1584 Melwood Drive), be opened at 7:24 p.m. CARRIED.

Zoning By-law Amendment Z07-2019

Creekside Ag. Co. Ltd., 1584 Melwood Drive

Councillor Brodie reiterated his pecuniary interest and left Council chambers.

Rob Langford was in attendance for the meeting.

Planner Erin Besch reviewed Zoning By-law Amendment Application Z07-2019 to rezone a portion of the subject lands from the 'General Agriculture (A) Zone' to the 'Rural Industrial (RM) Zone', which lists 'Grain Handling/Drying Facility' as a permitted use. The effect of the proposal is to recognize the expansion of an existing facility, as it is proposing to expand outside of what would be normally be considered a permitted use under the 'General Agricultural (A) Zone'. The application proposes to rezone approximately 6 ha (14.8 ac) of the subject lands.

Through Planner Erin Besch's report, it has been recommended that Zoning By-law Amendment Z07-2019 be approved as the application is consistent with the Provincial Policy Statement; conforms to the Official Plans of both the Township of Adelaide Metcalfe and the County of Middlesex; and the requirements of the Township of Adelaide Metcalfe Zoning By-law would be satisfied.

There were no comments from the applicant. There were no comments from members of the public in attendance. There were no comments from Council.

Councillor Brodie returned to his chair for the remainder of the meeting.

Zoning By-law Amendment Z06-2019, OPA01-2019

John & Rita Dortmans, 29025 Centre Road

Authorized Agent: Jay McGuffin, Monteith Brown Planning Consultants

Jay McGuffin was in attendance for the meeting.

Planner Erin Besch reviewed Zoning By-law Amendment Application Z06-2019 to rezone the subject lands from the 'General Agriculture (A) Zone' to a site-specific 'Rural Commercial (RC-#) Zone' to permit a Farm Equipment Sales and Service Establishment with accessory offices. The site-specific provision will recognize the existing agricultural uses and preclude the development of new single-detached dwellings on the property.

Planner Erin Besch reviewed Official Plan Amendment Application OPA01-2019 to amend the land use schedule by adding a "Special Agricultural Policy Area" to the subject lands to permit a Farm Equipment Sales and Service Establishment, and to continue to permit the existing single-detached dwelling and agricultural uses on the property.

Through Planner Erin Besch's report, it has been recommended that Zoning By-law Amendment Z06-2019 and Official Plan Amendment OPA01-2019 be deferred to allow

staff to prepare a subsequent report evaluating the said applications with a recommendation for Council's consideration at a future meeting due to the County of Middlesex requesting engineer drawings from the applicants to review the potential location of the driveway location onto Egremont Drive.

Authorized Agent Jay McGuffin and Hannah Shirtliff from Monteith Brown Planning Consultants presented Council with a presentation on behalf of the applicants.

There were no comments from members of the public in attendance.

Councillor Clarke inquired about the acreage of the property to be re-zoned. Planner Erin Besch advised Council that the whole parcel would be re-zoned.

Councillor MacKinnon inquired about issues with possible site vision impairment with an entrance onto Egremont Drive. Jay McGuffin advised Council that there would no site vision impairment with an entrance onto Egremont as advised by the applicant's engineer, Frank Berry & Associates.

Councillor Clarke inquired what would happen with the existing operation at the current location. The applicants advised there are no plans at this time.

Councillor Brodie inquired about the Consent Application that was previously approved by the Committee of Adjustment in January 2019. Planner Erin Besch advised Council that the applicants are leaving their options open and the approved Consent Application is on hold until Council had made a decision with these two (2) applications.

Mayor Smith advised Council that there will be a dedicated turn lane in the Commercial Corridor on Centre Road.

MOVED by Councillor Clarke

SECONDED by Councillor Brodie

Resolved that the public meeting to hear Official Plan Amendment OPA01-2019, Zoning By-law Amendment Z06-2019 (John & Rita Dortmans, 2234 Egremont Drive) and Zoning By-law Amendment Application Z07-2019 (Creekside Ag Co, 1584 Melwood Drive), be closed at 8:01 pm and Council reconvene in regular session. CARRIED.

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that Council approve the application for Zoning By-law Amendment Z07-2019 for 1584 Melwood Drive to rezone a portion of the subject lands from the 'General Agriculture (A) Zone' to the 'Rural Industrial (RM) Zone', which lists 'Grain Handling/Drying Facility' as a permitted use. CARRIED.

MOVED by Councillor Clarke
SECONDED by Councillor MacKinnon
Resolved that Council receive OPA01-2019 and Z06-2019 Planning Information Report as presented by Planner Erin Besch. CARRIED.

MOVED by Deputy Mayor Hendrikx
SECONDED by Councillor Brodie
Resolved that Council direct staff to prepare a subsequent report evaluating OPA01-2019 and Z06-2019 applications with a recommendation for Council's consideration at a future meeting. CARRIED.

P-1 Special Policy Areas Planning Report

Planner Erin Besch introduced Abby Heddle, who is also a Planner with the County of Middlesex. Planner Erin Besch presented her report to Council.

Mayor Smith inquired about the setup of the public consultation expected to occur in October 2019. Planner Erin Besch advised a “drop-in”, open house style works best for public consultation, just as was planned for the Interim Control By-law for the Commercial Corridor along Centre Road.

MOVED by Councillor MacKinnon
SECONDED by Councillor Brodie
Resolved that Council accept the Special Policy Areas Land Use Planning Study Timeline Report as presented by the Planner. CARRIED.

7:40 PM Bridget Smith
 Napier Women's Institute

Mayor Smith reiterated his pecuniary interest and left Council chambers.

Deputy Mayor Hendrikx chaired this portion of the meeting.

Bridget Smith presented her information package to Council members and staff. Stephanie Sanders joined the table with Bridget Smith.

Councillor Clarke inquired if Napier Women's Institute has contacted the Federated Women's Institute for documentation to prove their claim of owning the land on which the school house building sits on. Bridget advised Council that they have tried to reach out to the Federated Women's Institute as well as the Metcalfe School Board for information, however, no response to date.

Councillor Clarke inquired who owns the building (Napier School House). Stephanie Sanders advised Council that the Napier Women's Institute owns the building not the Federated Women's Institute.

Councillor Brodie inquired how many members belong to the Napier Women's Institute. Stephanie advised Council that there are currently five (5) members.

Councillor Brodie inquired when the last event was held at the school house. Stephanie advised Council that the last event was the Beef BBQ that was held within the last ten (10) years. Stephanie also advised that the members do meet monthly, however due to one of the members having mobility issues, they meet at this member's place of residence.

Councillor Clarke inquired if there is hydro in the building. Stephanie advised Council that the hydro is not hooked up but can be as there is hydro there.

Councillor Brodie inquired about building maintenance. Bridget advised Council that the windows are due to be replaced sometime this week.

Councillor MacKinnon inquired if the Napier Women's Institute could move their building if requested, and where. Stephanie advised Council that they could investigate moving the building to the property they also own at 1320 Mary Street which is adjacent to where the building stands today.

Councillor Clarke inquired if there is a septic system and water available in the building. Bridget advised that there is water available but does not know about a septic system.

Deputy Mayor Hendrikx thanked the delegation.

MOVED by Councillor Clarke

SECONDED by Councillor Brodie

Resolved that Council direct staff to provide a report to Council as a result of the 7:40 PM delegation, to be presented in Closed Session, at the September 3, 2019 Council meeting, under the Municipal Act Section 239 (a) the security of the property of the municipality or local board; (b) personal matters about an identifiable individual, including municipal or local board employees; (c) a proposed or pending acquisition or disposition of land by the municipality or local board; and/or (e) advice that is subject to solicitor-client privilege, including communications necessary for that purpose. CARRIED.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Council authorize staff to obtain professional advice regarding Napier School House as required to complete a report on the property. CARRIED.

Mayor Smith returned to chair the remaining portion of the meeting.

Staff Reports

1) PWM-1 Kerwood Park 2019 Work

MOVED by Councillor Brodie

SECONDED by Deputy Hendrikx

Resolved that Council receive the Kerwood Park 2019 Work Report as presented by the Public Works Manager. CARRIED.

MOVED by Councillor Clarke

SECONDED by Councillor Brodie

Resolved that Council direct staff to proceed with items #1 to #5 as outlined in the Kerwood Park 2019 Work Report, as planned for, with the addition of chip and dust for both ball diamonds. CARRIED.

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

Resolved that Council direct staff to proceed with item #6 as outlined in the Kerwood Park 2019 Work Report – Expand parking area for more parking as discussed. CARRIED.

MOVED by Councillor Brodie

SECONDED by Deputy Mayor Hendrikx

Resolved that Council direct staff to remove the first base dugout, leaving the cement pad and bench for use. CARRIED.

MOVED by Councillor Clarke

SECONDED by Councillor Brodie

Resolved that Council defer the removal of the cedar trees and fencing along Kerwood Road at Kerwood Park until the plan is completed for Kerwood Park. CARRIED.

2) PWM-2 County Road and Bridge Assumption Report

Deputy Mayor Hendrikx inquired about the advantages to having the County of Middlesex assume these sections of roadways. Public Works Manager Jeff Little advised Council these sections of roadway require a higher level of service due to their class. These sections are the only roadways in the Township that are Class 3. Jeff Little also advised Council that the cost to reconstruct these roadways in the future would be higher due to their class as well.

MOVED by Councillor Brodie

SECONDED by Councillor Clarke

Resolved that Council receive the County Road Assumption Report as presented by the Public Works Manager. CARRIED.

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

Resolved that Council direct the Public Works Manager to submit Pike Road and Mullifarry Drive road sections as presented in the County Road Assumption Report to the County of Middlesex for inclusion in the 2020 Road and Bridge Assumption Study. CARRIED.

- 3) CAOTR-1 Invoice Payment Approval
CAOTR-1 Invoice Payment Listing-Jul 5 to Jul 19 2019

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Council approve the accounts listing for the period July 5, 2019 to July 22, 2019 in the amount of \$100,559.41 as presented. CARRIED.

- 4) CAOTR-2 Municipal Drain Assessment Billing, Payment and Debenture Policy
CAOTR-2 Drain Assessment Billing, Payment & Debenture Policy-DRAFT

MOVED by Deputy Mayor Hendrikx

SECONDED by Councillor MacKinnon

Resolved that Council receive the Municipal Drain Assessment Billing, Payment and Debenture Policy Report as presented by the CAO/Treasurer. CARRIED.

MOVED by Deputy Mayor Hendrikx

SECONDED by Councillor Clarke

Resolved that Council approve the Municipal Drain Assessment Billing, Payment and Debenture Policy as drafted. CARRIED.

- 5) CAOTR-3 MLPS Surplus Vehicle Disposal
CAOTR-3 MLPS-Roberts-Middlesex County Council Report

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that Council receive the Middlesex-London Paramedic Service Surplus Vehicle Disposal Report as presented by the CAO/Treasurer. CARRIED.

- 6) CAOTR-4 Quotes-Removal of Building Under Property Standards By-law

MOVED by Councillor Brodie

SECONDED by Councillor Clarke

Resolved that Council receive the Quotes-Removal of Building under Property Standards By-law Report as presented by the CAO/Treasurer. CARRIED.

MOVED by Councillor Brodie

SECONDED by Councillor Clarke

Resolved that Council accept the lowest quote from Maes Excavating Ltd. in the amount of \$6,500 plus HST for the demolition and clean-up of property located at 27735 Kerwood Road. CARRIED.

7) CAOTR-5 Disposal of Surplus Equipment-Mower

MOVED by Councillor Brodie

SECONDED by Councillor Clarke

Resolved that Council receive the Disposal of Surplus Equipment-Mower Report as presented by the CAO/Treasurer. CARRIED.

8) CAOTR-6 Proposed Townhall Meeting

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that Council receive the Proposed Townhall Meeting Report as presented by the CAO/Treasurer. CARRIED.

MOVED by Deputy Mayor Hendrikx

SECONDED by Councillor MacKinnon

Resolved that Council schedule a public meeting for Tuesday, September 24, 2019 at 6:30pm in the lower level of the Administration Building for the purposes of discussing the creation of a hub and recreation facilities. CARRIED.

9) CAOTR-7 Financial Report

MOVED by Deputy Mayor Hendrikx

SECONDED by Councillor Clarke

Resolved that Council accept the Financial Report including June 2019 Payroll as presented by the CAO/Treasurer. CARRIED.

Other Business

Councillor Clarke inquired about a report to come to Council regarding the sidewalk project in Kerwood that was approved in the 2019 budget. CAO/Treasurer Cathy Case advised Council that the tenders are prepared and a report will be coming back to Council September 3, 2019. Public Works Manager Jeff Little also advised Council that a report would be coming back to Council for prioritizing which sections to repair/replace first in August 2019.

By-laws

MOVED by Councillor Clarke

SECONDED by Deputy Mayor Hendrikx

Resolved that all three readings be given to:

By-law No. 55 of 2019 – Zoning By-law Amendment Z07-2019 Creekside Ag Co.

By-law No. 56 of 2019 – Confirm Council Proceedings

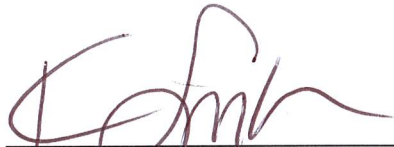
And that the by-laws be signed by the Mayor and Clerk and have the corporate seal attached. CARRIED.

Adjournment

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

Resolved that the meeting be adjourned at 9:23 pm. CARRIED.



Kurtis Smith, Mayor



Jennifer Turk, Clerk

