

**THE CORPORATION OF THE TOWNSHIP OF ADELAIDE METCALFE  
COUNCIL MINUTES – October 7, 2019**

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

**Also Present:** CAO/Treasurer Cathy Case, Clerk Jennifer Turk, and Planner Erin Besch (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.

Mayor Smith declared pecuniary interest regarding Closed Session Item #2, Napier School House, under the Municipal Act, Section 239 (2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, as his wife is the Secretary-Treasurer for the Napier Women's Institute.

**Minutes**

**MOVED by Councillor MacKinnon**

**SECONDED by Councillor Brodie**

**Resolved that the Minutes of the September 16, 2019 Regular Meeting, September 24, 2019 Public Meeting, and September 30, 2019 Special Meeting be approved as circulated. CARRIED.**

**Correspondence**

- A. Upcoming Conferences/Seminars/Meetings
- 1) Special Policy Area Open House & Public Meeting – Thursday, October 17, 2019, Kerwood Fire Hall
  - 2) Regular Council Meeting - Tuesday, October 22, 2019
  - 3) Regular Council Meeting - Monday, November 4, 2019
  - 4) 2019 Warden's Banquet, November 9, 2019, County of Middlesex, London, ON
  - 5) Remembrance Day Service – Sunday, November 10, 2019 @ 11:00 AM, Adelaide Metcalfe Fire Hall, Kerwood, ON

- 6) Regular Council Meeting - Monday, November 18, 2019
- 7) CC-1 AORS Joint Meeting, October 25, 2019, Mount Brydges, ON
- 8) CC-2 Aggregate Ontario - Aggregate Summit, November 5, 2019, Zorra, ON

B. Recommended Reading

- 1) CC-3 Ontario SPCA - Letter - Animal Welfare
- 2) CC-4 MMAH - Building Code Services Transformation
- 3) CC-5 MNRF - Proposed Changes to the Aggregate Resources Act
- 4) CC-6 BRA - September 2019 Notes
- 5) CC-7 SCRCA Conservation Update - September 2019
- 6) CC-8 Hydro One - Wood Pole Replacement
- 7) CC-9 N Stokman - 2019 Submission to Adelaide Metcalfe Township Council re Hub and Park

**MOVED by Councillor MacKinnon**

**SEDCONDED by Deputy Mayor Hendrikx**

**Resolved that Council acknowledge receipt of CC-9 as submitted by N Stokman, email regarding the potential creation of a community hub and improvements to Kerwood Park. CARRIED.**

- 8) CC-10 M Fischtner - Letter - Storage Facility for Sewage Sludge Biosolids Biofertilizers
- CC-10 R Fischtner - Letter - Storage Facility for Sewage Sludge biodolids Biofertilizers
- CC-10 R Fischtner - Letter - Storage Facility for Sewage Sludge Biosolids BioFertilizers
- CC-10 R Loveland - Email - Biosolid Fertilizer Storage

**MOVED by Deputy Mayor Hendrikx**

**SECONDED by Councillor Clarke**

**Resolved that Council acknowledge receipt of CC-10 as submitted by R Fischtner, M Fischtner, R Fischtner, and R Loveland, letters/email opposed to a biosolid storage facility being erected in the Township. CARRIED.**

- 9) CC-11 Cahill and McLean - Cover Letter - Biosolid Storage Facility
- CC-11 Additional Letters - Biosolid Storage Facility Batch 1
- CC-11 Additional Letters - Biosolid Storage Facility Batch 2
- CC-11 Additional Letters - Biosolid Storage Facility Batch 3
- CC-11 Additional Letters - Biosolid Storage Facility Batch 4
- CC-11 Additional Letters - Biosolid Storage Facility Batch 5
- CC-11 Additional Letters - Biosolid Storage Facility Batch 6
- CC-11 Additional Letters - Biosolid Storage Facility Batch 7
- CC-11 Additional Letters - Biosolid Storage Facility Batch 8

**MOVED by Councillor MacKinnon**

**SECONDED by Councillor Clarke**

**Resolved that Council acknowledge receipt of CC-11 as submitted by Fred and Gail Cahill and Pam and Doug McLean, letters opposed to a biosolid storage facility being erected in the Township. CARRIED.**

C. Action Required

- 1) CC-12 Township of North Glengarry - Resolution - Pupil Accommodation Review Guideline

**MOVED by Deputy Mayor Hendriks**

**SECONDED by Councillor MacKinnon**

**Resolved that Council support the resolution from Township of North Glengarry regarding the Pupil Accommodation Review process. CARRIED.**

- 2) CC-13 Municipality of South Huron - Resolution - Correspondence to Minister Yurek RE Conservation Authorities

**MOVED by Councillor MacKinnon**

**SECONDED by Councillor Clarke**

**Resolved that Council support the resolution from the Municipality of South Huron regarding Conservation Authorities not increase their fees or levies prior to the legislation and regulations being published. CARRIED.**

- 3) CC-14 SCRCA - Staff Report in Response to Request for Comment

Deputy Mayor Hendriks inquired what this correspondence was about. Councillor MacKinnon advised Council that this was regarding the changes to the Federal Fisheries Act where loss of funding through cuts from the government will occur.

**MOVED by Councillor MacKinnon**

**SECONDED by Councillor Clarke**

**Resolved that Council support the motion set forth by the St. Clair Region Conservation Authority:**

**“MacKinnon-Miller**

**That the Board of Directores acknowledges the report, dated September 10, 2019 regarding the City of Sarnia’s referral of the May 21, 2019 resolution of the Township of Bonnechere Valley requesting removal of changes to Section 2(2) of the Federal Fisheries Act and further that this report be forwarded to all Municipalities in the watershed for information.” CARRIED.**

- 4) CC-15 Bryan Boyle Associates - Public Meeting Report September 24 2019 Hub Kerwood Park

**MOVED by Councillor Clarke**  
**SECONDED by Councillor MacKinnon**  
**Resolved that Council receives the Public Input Workshop Report from Bryan Boyle and Associates, regarding the September 24, 2019 Public Meeting for the potential creation of a community hub and improvements to Kerwood Park.**  
**CARRIED.**

**MOVED by Deputy Mayor Hendrikx**  
**SECONDED by Councillor MacKinnon**  
**Resolved that Council receive and file Correspondence items CC-1 to CC-8.**  
**CARRIED.**

**Delegations and Timed Events**

7:05 PM                      Public Meeting

**MOVED by Councillor MacKinnon**  
**SECONDED by Councillor Brodie**  
**Resolved that the public meeting to hear Official Plan Amendment OPA01-2019, and Zoning By-law Amendment Z06-2019 (Dortmans, 29025 Centre Road), be opened at 7:07 pm. CARRIED.**

Official Plan Amendment OPA01-2019 and Zoning By-law Amendment Z06-2019  
John & Rita Dortmans, 29025 Centre Road  
Authorized Agent: Jay McGuffin, Monteith Brown Planning Consultants  
Hannah Shirliff, Monteith Brown Planning Consultants

Jay McGuffin and Hannah Shirliff were in attendance to speak to the applications. Also in attendance were John and Rita Dortmans, owners of the affected property.

Planner Erin Besch reminded Council that an information report was heard at the July 22, 2019 Council meeting regarding the subject applications. At that time, the County Engineer had advised that an engineering design demonstrating the ability for a left turn lane off Egremont Drive to be provided and reviewed prior to the approval of the OPA/ZBA.

Planner Erin Besch reviewed Official Plan Amendment OPA12-2019 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.

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-5) Zone’ to permit a Farm Equipment Sales and Service Establishment with accessory offices. The site-specific provision would recognize the existing

agricultural uses and preclude the development of new single-detached dwellings on the property.

Through Planner Erin Besch's report, it was recommended that Amendment No. 12 to the Township of Adelaide Metcalfe Official Plan be adopted subject to a reduction in area to 2.5 ha (6.2 ac). The Planner also recommended that Zoning By-law Amendment Z06-2019 be approved, subject to a holding provision and a reduction in area to 2.5 ha (6.2 ac).

Hannah Shirliff, Monteith Brown Planning Consultants presented her letter of concern to Council regarding the recommendation of reduction in area to 2.5 ha (6.2 ac).

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

Councillor Clarke inquired into the status of the surplus farm dwelling severance. Planner Erin Besch advised Council that an earlier application that was presented to Council, B02-2019, at the January 21, 2019 Council meeting was submitted by the applicants, and approved by the Committee of Adjustment, subject to conditions that have not been filled to date. The applicants then changed their approach, and submitted the Official Plan Amendment and Zoning By-law Amendment applications.

Erin Besch advised Council that the proposed applications as submitted by the applicants, would be better suited in the Commercial Corridor where services were present. Councillor Brodie advised Council that the reduction in area would result in a small farm parcel. Councillor Brodie advised that he was not opposed to the original proposal from the applicants, to keep the area to the size as requested. Councillor Clarke concurred.

Councillor Brodie inquired if the applicants will be severing the house as proposed in January 2019. John Dortmans advised Council that if the Official Plan Amendment, and Zoning By-law Amendment are approved by Council, he will not be seeking to sever the house from the parcel.

Mayor Smith inquired if a condition could be placed that the house could never be severed if the Official Plan Amendment and Zoning By-law Amendment were approved. Planner Erin Besch advised Council that the Zoning By-law Amendment has a re-zoning as a condition to prevent additional residential buildings.

**MOVED by Councillor Brodie**

**SECONDED by Councillor Clarke**

**Resolved that the public meeting to hear Official Plan Amendment OPA01-2019 and Zoning By-law Amendment Application Z06-2019 (Dortmans, 29025 Centre Road), be closed at 7:36 pm and Council reconvene in regular session.**

**CARRIED.**

Planner Erin Besch advised that the Official Plan Amendment and Zoning By-law Amendment would come to the next Council meeting for review as drafted. The Official

Plan Amendment then goes to County of Middlesex Council for approval. The Zoning By-law would not receive third reading until OPA12-2019 was approved by County of Middlesex.

Deputy Mayor Hendriks expressed concerns with the Official Plan Amendment going to County Council. Councillor Brodie inquired if the application could be held up at the County level. CAO/Treasurer Cathy Case advised Council that all Official Plan Amendments have to go to County Council as the County is the approval authority for official plan amendments.

**MOVED by Councillor Brodie**

**SECONDED by Deputy Mayor Hendriks**

**Resolved that Council approve Official Plan Amendment OPA01-2019, and Zoning By-law Amendment Z06-2019 for 29025 Centre Road as proposed by the applicant, whereas the whole property be re-designated to Agricultural Special Policy Area and re-zoned from 'General Agriculture (A) Zone' to a site-specific 'Rural Commercial (RC-5) Zone' to permit a Farm Equipment Sales and Service Establishment. CARRIED.**

#### **Staff Reports**

**MOVED by Councillor Brodie**

**SECONDED by Councillor MacKinnon**

**Resolved that Council approve the addition of CAOTR-6 Conditional Building Permit Agreement – 28610 Centre Road Staff Report as submitted by the CAO/Treasurer. CARRIED.**

Clerk Jennifer Turk presented her report to Council.

- 1) C-1 Petition of Drainage Works - Peters Drain  
Petition for Drainage Works by Owners Form 1

Councillor MacKinnon inquired if the Township has to use Spriets Associates. CAO/Treasurer advised Council that at the time of amalgamation, the Council approved a motion to appoint Spriet Associates as the Drainage Engineers for the Township.

**MOVED by Councillor Clarke**

**SECONDED by Deputy Mayor Hendriks**

**Resolved that Council receive the Petition for Drainage Works – Peters Drain Staff Report as presented by the Clerk. CARRIED.**

**MOVED by Deputy Mayor Hendrikx**

**SECONDED by Councillor Brodie**

**Resolved that Council accept the Petition for Drainage Works by Owners for Lots 4, 5, and 6, Concession 1 SER, and that Spriet Associates be appointed to determine the validity of the petition, subject to the notification of the appropriate Conservation Authorities. CARRIED.**

- 2) C-2 Petition of Drainage Works - McKeen Drain Oct 2019  
Petition for Drainage Works by Owners  
Petition for Drainage Works by Owners – Sketch

**MOVED by Deputy Mayor Hendrikx**

**SECONDED by Councillor Brodie**

**Resolved that Council receive the Petition for Drainage Works – McKeen Drain Staff Report as presented by the Clerk. CARRIED.**

**MOVED by Deputy Mayor Hendrikx**

**SECONDED by Councillor Clarke**

**Resolved that Council accept the Petition for Drainage Works by Owners for Lot 22, Concession 3 NER and that Spriet Associates be appointed to determine the validity of the petition, subject to the notification of the appropriate Conservation Authorities. CARRIED.**

- 3) C-3 Ausable Bayfield Maitland Valley Drinking Water Source Protection Committee Oct 2019  
C-3 Ausable Bayfield Maitland Valley Municipal Grouping Reduction  
C-3 News Release Notice of call for applications to fill vacancies on Source Protection Committee  
C-3 Notice of Call for Applications SPC

**MOVED by Councillor Brodie**

**SECONDED by Deputy Mayor Hendrikx**

**Resolved that Council receive the Ausable Bayfield Maitland Valley Drinking Water Source Protection Committee Reduction, and Call for Nominations Report as presented by the Clerk. CARRIED.**

**MOVED by Councillor Clarke**

**SECONDED by Councillor MacKinnon**

**Resolved that Council appoint Dave Frayne to be the Township representative for the newly formed South West Region with Ausable Bayfield Maitland Valley Drinking Water Source Protection Committee (SPC). CARRIED.**

- 4) C-4 By-law Enforcement September 2019 Monthly Report

**MOVED by Councillor MacKinnon**  
**SECONDED by Councillor Clarke**  
**Resolved that Council receive the By-law Enforcement Report for the period ending September 30, 2019 as presented by the Clerk. CARRIED.**

5) C-5 Social Media Progress Report 3 Oct 2019

**MOVED by Councillor Brodie**  
**SECONDED by Deputy Mayor Hendrikx**  
**Resolved that Council receive the Social Media-Progress Report #3 as presented by the Clerk. CARRIED.**

CAO/Treasurer Cathy Case presented her reports to Council.

6) CAOTR-1 Invoice Payment Approval  
CAOTR-1 Invoice Payment Listing-Sep 12 to Oct 4 2019

**MOVED by Councillor Clarke**  
**SECONDED by Councillor Brodie**  
**Resolved that Council approve the accounts listing for the period September 13 to October 4, 2019 in the amount of \$1,324,471.43 as presented. CARRIED.**

7) CAOTR-2 Site Plan Agreement-28610 Centre Road

**MOVED by Councillor MacKinnon**  
**SECONDED by Councillor Brodie**  
**Resolved that Council receive the Site Plan Agreement – 28610 Centre Road Report as presented by the CAO/Treasurer. CARRIED.**

**MOVED by Councillor Brodie**  
**SECONDED by Deputy Mayor Hendrikx**  
**Resolved that Council approve the Site Plan and Development Agreement for 28610 Centre Road and authorize the Mayor and Clerk to sign the Site Plan Agreement with 2414959 Ontario Inc., the Township of Adelaide Metcalfe and the County of Middlesex. CARRIED.**

8) CAOTR-3 Kerwood Park Improvements

Councillor MacKinnon inquired if staff had anyone in mind of who to get for a plan and cost estimates. CAO/Treasurer Cathy Case advised Council that there was not anyone in mind that there is a grant application available with a deadline of November 12, 2019, so it would depend who is available to meet that timeline.

Councillor MacKinnon inquired about using a neighbouring municipality who has offered their services for improvements to Kerwood Park. CAO/Treasurer Cathy Case advised Council that they could be contacted for the playing field and beautification of the park



but not for the initial plan and cost estimates, as engineer drawings are required to meet the building code.

**MOVED by Councillor Brodie**

**SECONDED by Deputy Mayor Hendrikx**

**Resolved that Council receive the Kerwood Park Report as presented by the CAO/Treasurer. CARRIED.**

**MOVED by Deputy Mayor Hendrikx**

**SECONDED by Councillor Clarke**

**Resolved that Council authorize staff to engage a consultant to prepare a plan and cost estimates for a washroom/pavilion/storage building for Kerwood Park. CARRIED.**

**MOVED by Councillor Brodie**

**SECONDED by Councillor Clarke**

**Resolved that Council direct staff to prepare a report and cost estimate on proposed playing field improvements, dugout replacement, playground equipment, paving parking area, park fencing and general beautification with consideration of improving accessibility and safety in and around the Park. CARRIED.**

9) CAOTR-4 Administration Office Renovation Proposal

Councillor MacKinnon inquired if an Architectural Designer would be better suited for the renovations at the municipal office. CAO/Treasurer Cathy Case advised that Spriet Associates has one on staff.

**MOVED by Deputy Mayor Hendrikx**

**SECONDED by Councillor Brodie**

**Resolved that Council receive the Administration Office Renovations Proposal Report as presented by the CAO/Treasurer. CARRIED.**

**MOVED by Deputy Mayor Hendrikx**

**SECONDED by Councillor Brodie**

**Resolved that Council approve the proposal from Spriet Associates for creation of renovation concept plans for the Township Administration Office. CARRIED.**

10) CAOTR-5 SCRCA-Municipal Contribution for Floodplain Mapping Phase 2  
CAOTR-5 SCRCA-Municipal Contribution-Attachment

**MOVED by Councillor MacKinnon**

**SECONDED by Councillor Clarke**

**Resolved that Council receive the Municipality Contribution for Floodplain Mapping Phase 2 – St. Clair Region Conservation Authority Report as presented by the CAO/Treasurer. CARRIED.**

**MOVED by Councillor MacKinnon**

**SECONDED by Councillor Clarke**

**Resolved that Council defer payment invoice of \$4,949.05 being the Adelaide Metcalfe portion of the Floodplain Mapping Phase 2 project of the St. Clair Region Conservation Authority until 2020 and that this amount be incorporated into the 2020 Township Budget. CARRIED.**

11) CAOTR-6 Conditional Building Permit Agreement – 28610 Centre Road

**MOVED by Councillor Clarke**

**SECONDED by Councillor Brodie**

**Resolved that Council receive the Conditional Building Permit Agreement – 28610 Centre Road Report as presented by the CAO/Treasurer. CARRIED.**

**MOVED by Councillor Brodie**

**SECONDED by Councillor MacKinnon**

**Resolved that Council approve the Conditional Building Permit Agreement for 28610 Centre Road and authorize the Mayor and Clerk to sign the Conditional Building Permit Agreement with 2414959 Ontario Inc. and the Township of Adelaide Metcalfe. CARRIED.**

### **Other Business**

Mayor Smith Advised Council of the email he had sent to Council regarding a resident that is upset regarding the removal of trees that are not in a woodlot area. Mayor Smith advised Council that he has asked staff to contact Mark Brown, Woodlands Conservation Officer/Weed Inspector with the County of Middlesex. The only policy the Township has is through the County of Middlesex but only pertains to woodlots. Mayor Smith advised Council that the Township may look at implementing a policy.

### **Recess**

**MOVED by Councillor Brodie**

**SECONDED by Councillor MacKinnon**

**Resolved that Council recess for five (5) minutes. CARRIED**

**MOVED by Councillor MacKinnon**

**SECONDED by Councillor Brodie**

**Resolved that Council re-convene back in open session. CARRIED.**

### **Closed Session**

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, and Clerk Jennifer Turk

**MOVED by Deputy Mayor Hendrikx  
SECONDED by Councillor MacKinnon**

**Resolved that Council hold a Closed Session meeting as provided for as per Section 239 (2) (b) personal matters about an identifiable individual, including municipal or local board employees; and (c) a proposed or pending acquisition or disposition of land by the municipality or local board at 8:34 pm. CARRIED.**

**MOVED by Councillor Clarke  
SECONDED by Councillor MacKinnon**

**Resolved that the Closed Session end at 9:25 pm and Council convene in open session. CARRIED.**

**Rise and Report**

**MOVED by Councillor Hendrikx  
SECONDED by Councillor Brodie**

**Resolved that Council direct staff to proceed as discussed in Closed Session. CARRIED.**

**By-laws**

**MOVED by Councillor MacKinnon  
SECONDED by Deputy Mayor Hendrikx**

**Resolved that all three readings be given to:**

**By-law No. 63 of 2019 – Site Plan Agreement – 28610 Centre Road**

**By-law No. 64 of 2019 – Salary & Wage Pay Grid**

**By-law No. 65 of 2019 – Confirm Council Proceedings**

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

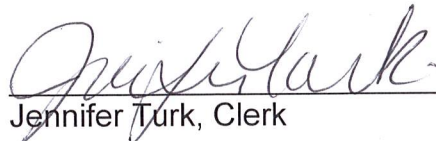
**Adjournment**

**MOVED by Councillor Clarke  
SECONDED by Councillor MacKinnon**

**Resolved that the meeting be adjourned at 9:26 pm. CARRIED.**



Kurtis Smith, Mayor



Jennifer Turk, Clerk

