

**THE CORPORATION OF THE TOWNSHIP OF ADELAIDE METCALFE
COUNCIL MINUTES – December 21, 2020
ELECTRONIC MEETING PARTICIPATION – LIVE STREAM TO YOUTUBE**

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

Councillor Sue Clarke attended the meeting virtually at 7:00 pm

Also Present: Township Manager Morgan Calvert, Moderator for the meeting Greg Marles, Clerk/Acting Treasurer Jennifer Turk, Chief Building Official Shannon Black, Fire Chief Arend Noordhof, Public Works Manager Coulter Cahill, Drainage Superintendent Andrew Neely (for part of the meeting), County Engineer Chris Traini (for part of the meeting), Auditor from Graham Scott Enns Jennifer Buchanan (for part of the meeting), Planner Stephanie Poirier (for part of the meeting), and Director of Planning with County of Middlesex Durk Vanderwerff (for part of the meeting)

Call to Order

At 6:00 pm, Mayor Kurtis Smith called the meeting to order.

Mayor Smith thanked staff and Council for their hard work towards the 2020 year.

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.

Deputy Mayor Hendrikx declared pecuniary interest regarding Official Plan Amendment OPA01-2020 and Zoning By-law Amendment Z02-2020 as she is a preferred vendor at the location of the subject planning applications.

Clerk/Acting Treasurer Jennifer Turk advised of a declared pecuniary interest submission that was received from Councillor Clarke regarding A07-2020 as a family member is the property owner of the subject planning application.

Minutes

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that the minutes of the December 7, 2020 Virtual Regular Council meeting be approved and circulated. CARRIED.

Correspondence

A. Upcoming Conferences/Seminars/Meetings

- 1) Regular Council Meeting - Monday, January 11, 2021
- 2) ROMA 2021 Virtual Conference – January 25 – 26, 2021
- 3) Regular Council Meeting - Monday, February 1, 2021
- 4) Regular Council Meeting – Tuesday, February 16, 2021
- 5) OGRA 2021 Virtual Conference – February 22 – 25, 2021

Mayor Smith advised Council of a special closed session meeting on Wednesday, December 23, 2020 at 7:00 pm, regarding the Chief Administrative Officer vacant position.

B. Recommended Reading

- 1) CC-1 ABCA - December 17-Agenda-Board of Directors
CC-1 ABCA GM's Report-Dec 17 2020
CC-1 ABCA November 19 –Board Meeting Minutes

C. Action Required

- 1) CC-2 Carleton Place - Resolution COVID 19 Childcare Funding
- 2) CC-3 Southwest Middlesex - Resolution - CN Drainage

MOVED by Deputy Mayor Hendrikx

SECONDED by Councillor MacKinnon

Resolved that Council support the resolution from Town of Carleton Place regarding the effects of Covid-19 and childcare options and funding. CARRIED.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Council support the resolution from the Municipality of Southwest Middlesex regarding municipal drainage matters and railway infrastructure pertaining to CN Rail. CARRIED.

MOVED by Deputy Mayor Hendrikx

SECONDED by Councillor MacKinnon

Resolved that Council receive and file Correspondence Item CC-1. CARRIED.

Delegations and Timed Events

6:05 PM Chris Traini, County of Middlesex Engineer
RE: Kerwood Park - Upgrades

Chris Traini presented his report to Council regarding the renewal of the Kerwood Park complex including a 1200 sq. ft. new facility (including washrooms) and the rehabilitation of the baseball diamonds and parking lot with related drainage and landscaping improvements. The current total estimated budget for the project is approximately \$737,000 before HST and including engineering fees.

Chris Traini recommended that the project be done over a two-year phase approach between 2021, and 2022.

Chris Traini also advised that a successful Investing in Canada Infrastructure Program funding application would commit Adelaide Metcalfe to an estimated budget of \$314,370 in 2021. An unsuccessful application would add an additional \$100,000 to the project cost. The Township of Adelaide Metcalfe qualifies for \$100,000 of this funding and an application has been submitted.

Deputy Mayor Hendrikx agreed with the two-year phase in approach to the upgrades to Kerwood Park and asked that the Optimist Club be notified if the first phase could not be completed by the time the Optimist holds their annual baseball tournament.

Councillor Brodie agreed with the two-year phase in approach, however did not agree with the design of the building.

Chris Traini advised Council that an extension of a covered area would be included with the final design, and advised that the building would not be functional by June 2021 due to tendering and the pandemic.

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that Council approve the Kerwood Park rehabilitation to be scheduled in two (2) phases over 2021 and 2022; and that the application for \$100,000 funding through the Investing in Canada Infrastructure Program: COVID stream – Local Government Intake for the upgrade of the Kerwood Park facilities be submitted. CARRIED.

Mayor Smith thanked Chris Traini for his report and Chris exited the virtual meeting.

6:20 pm Jennifer Buchanan, Engagement Partner, Graham Scott Enns
RE: 2019 Audit

Jennifer Buchanan presented the draft financial statements to Council answering questions along the way.

Councillor MacKinnon inquired about note 9 on the financial statements for 2019, and asked if this was related to drainage billing not completed. Jennifer Buchanan advised Council that this was monies outstanding, to be billed to landowners, regarding drainage works

Councillor MacKinnon inquired about municipalities being eligible to invest excess cash. Jennifer Buchanan advised Council that other municipalities do, and this will be a recommendation for 2019, as previously stated in the 2018 audit recommendations.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Council hold a Closed Session meeting as provided for as per Section 239 (2) of the Municipal Act, 2001, as amended:

(i)) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

(j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value at 6:20 pm. CARRIED.

In attendance for this Closed Session was Mayor Smith, Deputy Mayor Hendrikx, Councillor Brodie, Councillor MacKinnon, Acting Township Manager Morgan Calvert, Clerk/Acting Treasurer Jennifer Turk, and auditor Jennifer Buchanan.

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that Council adjourn the Closed Session at 6:56 pm and reconvene in Open Session. CARRIED.

Councillor Clarke was in attendance was the remainder of the meeting.

Rise and Report

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

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

Councillor Clarke abstained from voting as she was not present during the discussion.

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

Resolved that Council receive and approve the 2019 Draft Financial Statements as presented by Auditor Jennifer Buchanan from Graham Scott Enns, and that Council direct staff to proceed with signing the management letters as discussed. CARRIED.

Councillor Clarke abstained from voting as she was not present during the discussion.

Committee of Adjustment

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that Council convene as the Committee of Adjustment for the purpose of hearing Minor Variance Application A07-2020 (Alex Clarke, 27748 Kerwood Road), Consent Application B04-2020 (Carrigan and Jennifer MacDougall, 4747 Walkers Drive), Consent Application B05-2020 (Carrigan and Jennifer MacDougall, 4965 Walkers Drive), Consent Application B06-2020 (Hugh and Ina Dodge, 2229 Patterson Drive), at 7:06 pm. CARRIED.

7:00 PM A07-2020, Alex Clarke, 27748 Kerwood Road

Councillor Clarke reiterated her pecuniary interest, however advised the committee that she would be representing the application on behalf of the applicant.

Planner Stephanie Poirier reviewed Minor Variance application A07-2020, to implement a condition of Consent B02/2020, which was conditionally approved by the Committee of Adjustment on September 9th, 2020. More specifically, the application is to seek relief from Section 10.2 of the Township of Adelaide Metcalfe Comprehensive Zoning By-law No. 34-2007 in order to permit the following:

Severed lot of Consent B02-2020

- A lot area of 562 m², whereas the minimum lot area required for the Village Residential (VR) Zone is 1,200m²
- A lot width of 15 m, whereas the minimum lot width required for the Village Residential (VR) Zone is 20 m
- A minimum front yard setback of 5 m, whereas the minimum front yard setback of the Village Residential Zone is 6m
- A minimum rear yard setback of 11 m, whereas the minimum rear yard setback of the Village Residential Zone is 12 m

Retained lot of Consent B02-2020

- A lot area of 562 m², whereas the minimum lot area required for the Village Residential (VR) Zone is 1,200m²
- A lot width of 15 m, whereas the minimum lot width required for the Village Residential (VR) Zone is 20 m

- A minimum front yard setback of 5 m, whereas the minimum front yard setback of the Village Residential Zone is 6m

Through Planner Stephanie Poirier's report, it has been recommended that Minor Variance A07-2020 be granted.

Registered delegation David Braet inquired about adequate water pressure and advised that there had been no follow-up from his initial inquiry during the consent application process. Planner Stephanie Poirier advised the committee that this particular inquiry has been addressed as a condition through the consent application process.

David Braet advised that committee that the minor variance is not minor in nature from his perspective.

Deputy Mayor Hendriks advised the committee that there are similar lot sizes being requested in Kerwood.

Mayor Smith advised the committee that he had no concerns with the water table in Kerwood to be able to accommodate the minor variance as presented.

The Committee of Adjustment took a five (5) minute recess to allow the public to register for comment on the said application at 7:18 pm.

There were no further registrations for comment on the said application.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that the Application for Minor Variance A07-2020 by Alex Clarke, for relief from Section 10.2 of the Township of Adelaide Metcalfe Comprehensive Zoning By-law No. 34-2007 in order to permit the following:

Severed lot of Consent B02-2020

- A lot area of 562 m², whereas the minimum lot area required for the Village Residential (VR) Zone is 1,200m²
- A lot width of 15 m, whereas the minimum lot width required for the Village Residential (VR) Zone is 20 m
- A minimum front yard setback of 5 m, whereas the minimum front yard setback of the Village Residential Zone is 6m
- A minimum rear yard setback of 11 m, whereas the minimum rear yard setback of the Village Residential Zone is 12 m;

Retained lot of Consent B02-2020

- A lot area of 562 m², whereas the minimum lot area required for the Village Residential (VR) Zone is 1,200m²
- A lot width of 15 m, whereas the minimum lot width required for the Village Residential (VR) Zone is 20 m

- **A minimum front yard setback of 5 m, whereas the minimum front yard setback of the Village Residential Zone is 6m**
- **A minimum rear yard setback of 11 m, whereas the minimum rear yard setback of the Village Residential Zone is 12 m be granted. CARRIED.**

Councillor Clarke resumed her chair at the virtual Council table.

B04-2020, 4747 Walkers Drive, Carrigan and Jennifer MacDougall

Laverne Kirkness, authorized agent for the subject application, was in attendance to represent the applicants.

Planner Stephanie Poirier reviewed Consent application B04-2020 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, and to establish an easement for access to the well that is located on the lands to be retained in favour of the lands to be severed.

Through Planner Stephanie Poirier's report, it has been recommended that Consent application B04-2020 be approved subject to conditions.

Laverne Kirkness presented his planning report to the committee.

Deputy Mayor Hendrikx inquired for the Chief Building Official to explain the last request regarding the 1m clearance off the property line or driveway. CBO Shannon Black advised the committee the 1m clearance is off the driveway to accommodate drainage.

The Committee of Adjustment took a five (5) minute recess to allow the public to register for comment on the said application at 7:46 pm.

There were no further registrations for comment on the said application.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that the Application for Consent B04-2020 submitted by Carrigan and Jennifer MacDougall, for 4747 Walkers Drive 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, 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 B04-2020 be paid in full.**
- 4. That a Zoning By-law Amendment that recognizes the residential use of the severed lot of Consent B04-2020 and prohibits new dwellings on the retained lot of Consent B04-2020 be in full force and effect.**
- 5. That the western side lot line be located 1 m (3.3 ft) away from the existing driveway to allow for drainage, to the satisfaction of the Township.**
- 6. That the habitability of the single detached dwelling be confirmed to the satisfaction of the Township.**
- 7. That the three existing accessory buildings and any debris be removed from the severed lands to the satisfaction of the Township.**
- 8. That the barn located on the retained land be issued a Change of Use permit to prohibit livestock and allow for farm equipment storage only, or be removed to the satisfaction of the Township.**
- 9. That the barn on the retained lands be inspected by a qualified professional and the inspection report be provided to the Township for determination of structural adequacy and/or identification of any remedial works that may be required to bring the existing buildings into conformity with the minimum construction standards for an agricultural building, or be removed to the satisfaction of the Township.**
- 10. 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 is wholly contained on the severed lands and confirm that the clearance distance from the septic system to the well is adequate.**
- 11. That an adequate and potable water supply be demonstrated to exist to the satisfaction of the Township.**
- 12. 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, if applicable.**

13. That the owner enter into a severance agreement with the Township in order to advise future owners of the severed lot of Consent B04-2020 of normal farm practices occurring in the area as outlined in the Farming and Food Production Protection Act, 1998, as amended.

14. 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.

15. That two paper copies and one digital copy of the reference plan be submitted to the satisfaction of the Township.

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 4, the requirements of the Township of Adelaide Metcalfe Zoning By-law are satisfied. CARRIED.

B05-2020, 4965 Walkers Drive, Carrigan and Jennifer MacDougall

Laverne Kirkness, authorized agent for the subject application, was in attendance to represent the applicants.

Planner Stephanie Poirier reviewed Consent application B05-2020 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, and to establish an easement for access/maintenance to an existing hydro line that is located on the lands to be retained in favour of the lands to be severed.

Through Planner Stephanie Poirier's report, it has been recommended that Consent application B05-2020 be approved subject to conditions.

Laverne Kirkness presented his planning report to the committee.

Councillor MacKinnon inquired if the condition for the hydro easement would be in Hydro One's name. Authorized Agent Laverne Kirkness advised the committee the easement would not be in Hydro One's name, that it is to make sure there is access to the infrastructure if needed.

Deputy Mayor Hendriks advised the committee that Ausable Bayfield Conservation Authority, as mentioned in the planning report, is not applicable to this property, that the conservation authority is St. Clair Region.

Mayor Smith inquired if the solar panel was part of the hydro grid. Laverne Kirkness advised the committee that the solar panel is attached to the grid.

Councillor Brodie advised the committee that he was in full support of the application as submitted.

The Committee of Adjustment took a five (5) minute recess to allow the public to register for comment on the said application at 8:06 pm.

There were no further registrations for comment on the said application.

MOVED by Councillor Brodie

SECONDED by Councillor Clarke

Resolved that the Application for Consent B05-2020 submitted by Carrigan and Jennifer MacDougall, for 4965 Walkers Drive 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, 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 B05-2020 be paid in full.**
- 4. That a Zoning By-law Amendment that recognizes the residential use of the severed lot, the lot frontage deficiency and the size of the accessory building of Consent B05-2020 and prohibits new dwellings on the retained lot of Consent B05-2020 be in full force and effect.**
- 5. That the habitability of the single detached dwelling be confirmed to the satisfaction of the Township.**
- 6. That the accessory building located on the severed land be issued a Change of Use permit to prohibit livestock, or be removed to the satisfaction of the Township.**
- 7. That the existing accessory building on the severed lands be inspected by a qualified professional and the inspection report be provided to the Township for determination of structural adequacy and/or identification of any remedial works that may be required to bring the existing buildings into conformity with the**

minimum construction standards for a residential accessory building, or be removed to the satisfaction of the Township.

8. 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 is wholly contained on the severed lands and confirm that the clearance distance from the septic system to the well is adequate.

9. That an adequate and potable water supply be demonstrated to exist to the satisfaction of the Township.

10. 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, if applicable.

11. That independent accesses to the lands to be retained are provided, to the satisfaction of Township.

12. That a permanent easement be established over the proposed retained parcel in favour of the proposed severed parcel to provide access for Private Vehicles in the case of a flood emergency OR access/road upgrades be completed to the satisfaction of the St. Clair Region Conservation Authority.

13. That the owner enter into a severance agreement with the Township in order to advise future owners of the severed lot of Consent B05-2020 of normal farm practices occurring in the area as outlined in the Farming and Food Production Protection Act, 1998, as amended.

14. 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.

15. That two paper copies and one digital copy of the reference plan be submitted to the satisfaction of the Township.

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 4, the requirements of the Township of Adelaide Metcalfe Zoning By-law are satisfied. CARRIED.

B06-2020, 2229 Patterson Drive, Hugh and Ina Dodge

Hugh Dodge, was in attendance to represent the subject application.

Planner Stephanie Poirier reviewed Consent application B06-2020 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.

Through Planner Stephanie Poirier's report, it has been recommended that Consent application B04-2020 be approved subject to conditions.

Hugh Dodge inquired to have the well included with the dwelling as applied for. Deputy Mayor Hendrikx inquired if there was a swale amongst the property as it was difficult to tell by the map provided. Hugh Dodge advised the committee that there is no swale but rather a ridge.

Councillor Brodie advised the committee to leave the well with the dwelling as applied for as there is a large ridge and this land cannot be farmed.

Councillor Clarke agreed with Councillor Brodie. Councillor MacKinnon agreed.

Councillor Brodie inquired is the pole barn on the retained property had to be inspected. Planner Stephanie Poirier advised the committee that through the Official Plan Amendment for Farm Dwelling Surplus, this condition is standard for all consent applications of this nature. The reason for this condition is for staff to evaluate and assist with any property standard issues. Chief Building Official Shannon Black advised the committee that the pole barn will be inspected to not create any future concerns.

The Committee of Adjustment took a five (5) minute recess to allow the public to register for comment on the said application at 8:33 pm.

There were no further registrations for comment on the said application.

Councillor Brodie inquired what the process would be to have the pole barn inspected. CBO Shannon Black advised the committee that the property owner would be requested to call the office for an inspection by staff.

MOVED by Deputy Mayor Hendrikx

SECONDED by Councillor Brodie

Resolved that the Application for Consent B06-2020 submitted by Hugh and Ina Dodge for 2229 Patterson Drive 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, 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 B06-2020 be paid in full.
4. That a Zoning By-law Amendment that recognizes the residential use of the severed lot of Consent B06-2020 and prohibits new dwellings on the retained lot of Consent B06-2020 be in full force and effect.
5. That the habitability of the single detached dwelling be confirmed to the satisfaction of the Township.
6. That the accessory building located on the retained land be issued a Change of Use permit to prohibit livestock, or be removed to the satisfaction of the Township.
7. That the existing accessory building on the retained lands be inspected by a qualified professional and the inspection report be provided to the Township for determination of structural adequacy and/or identification of any remedial works that may be required to bring the existing buildings into conformity with the minimum construction standards for an agricultural building, or be removed to the satisfaction of the Township.
8. 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 is wholly contained on the severed lands and confirm that the clearance distance from the septic system to the well is adequate.
9. That an adequate and potable water supply be demonstrated to exist to the satisfaction of the Township.
10. 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, if applicable.

11. That independent accesses to the lands to be severed and the lands to be retained are provided, to the satisfaction of Township, if necessary.

12. That the owner enter into a severance agreement with the Township in order to advise future owners of the severed lot of Consent B06-2020 of normal farm practices occurring in the area as outlined in the Farming and Food Production Protection Act, 1998, as amended.

13. 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.

14. That two paper copies and one digital copy of the reference plan be submitted to the satisfaction of the Township.

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 4, 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 8:43 p.m. and Council reconvene in regular session. CARRIED.

Public Meeting

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that the public meeting to hear Zoning By-law Amendment Z10-2020 (Jacqueline Morin and Jason Bierworth, 27749 Havelock Street), and OPA01-2020/Z02-2020 (1782767 Ontario Inc O/A Sydenham Ridge Estates, 1425 Melwood Drive), be opened at 8:45 pm. CARRIED.

Z10-2020, 27749 Havelock Street, Jacqueline Morin & Jason Bierworth

Jacqueline (Jackie) Morin was in attendance for the subject application.

Planner Stephanie Poirier presented her report to Council.

The purpose and effect of the subject application is to rezone the subject lands from the 'Village Residential (VR) Zone' to a site-specific 'Village Residential (VR-2) Zone' in order to permit two accessory dwelling units within a single detached dwelling, whereas

the Village Residential VR Zone only permits one accessory dwelling unit within a single detached home.

Councillor Clarke advised Council of the complaint that was received at the office in February 2020 regarding a multi-unit dwelling. Councillor Clarke expressed concerns with Kerwood Sanitary Sewer Fees that does not address multi-unit dwellings in Kerwood and asked for this to be addressed. Mayor Smith advised the same. Jackie Morin advised Council that there are three (3) units in total on the subject property.

Councillor Clarke advised if the property had an opportunity to make into four (4) units. Planner Stephanie Poirier advised Council that the fourth unit would not be allowed and a zoning by-law amendment would be required to be submitted by property owner.

A five (5) minute recess commenced at 8:51 pm, to allow further comments to be received by those registering to speak on the applications.

There were no further registrations.

Councillor Clarke inquired if a group home was permitted. Planner Stephanie Poirier advised Council that under the Township Zoning By-law a group home is a permitted use.

Councillor Clarke inquired if additional sewer fees could be added as a condition. Planner Stephanie Poirier advised Council that no conditions can be added to zoning by-law amendment approvals.

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

Resolved that Council approve the application for Zoning By-law Amendment Z10-2020 for 27749 Havelock Street to rezone the subject lands from the 'Village Residential (VR) Zone' to a site-specific 'Village Residential (VR-2) Zone' in order to permit two accessory dwelling units within a single detached dwelling, whereas the Village Residential VR Zone only permits one accessory dwelling unit within a single detached home. CARRIED.

Mayor Smith and Councillor Clarke opposed to approve the subject planning application.

Council Meeting Extension

MOVED by Councillor Brodie

SECONDED by Councillor Clarke

Resolved that Council approve the extension of the December 21, 2020 Council meeting past it's four (4) hour curfew as per Procedural By-law. CARRIED.

OPA01-2020 & Z02-2020, 1425 Melwood Drive, 1782767 Ontario Inc., O/A Sydenham Ridge Estates

Deputy Mayor Hendriks reiterated her pecuniary interest and was moved virtually to the waiting room.

Casey Kulchycki, authorized agent from Zelinka Priamo Ltd, was in attendance to represent the subject planning applications.

Planner Stephanie Poirier presented her Recommendation Report to Council. The purpose of this report is to provide Council and the public with information regarding the relevant policies and regulatory context that relate to a proposed Official Plan Amendment and Zoning By-law Amendment for the property located at 1425 Melwood Drive.

The purpose and effect of the Official Plan Amendment application is to re-designate the subject property from the “Agricultural Area” designation to a “Special Agricultural Policy Area” designation to allow a specially defined “Assembly Hall”, that would also include overnight accommodations within a single detached dwelling and a “Farm Winery” which are otherwise not permitted.

The purpose and effect of the Zoning By-law Amendment is to rezone the subject lands from the “General Agriculture (A) Zone” to a site-specific “General Agriculture (A-16) Zone” and from the “Environmental Protection (EP) Zone” to a site-specific “Environmental Protection (EP-2) Zone” to permit a specially defined “Assembly Hall”, that would also include overnight accommodations within a single detached dwelling and “Farm Winery” on the subject lands. The zone change would be subject to a Holding Provision, to ensure development does not proceed until the obtainment of a license from the Municipal ‘Farm Wedding/Events Licensing By-law’, and the completion of site plan control, including the registration of a site plan agreement on title.

Casey Kulchycki provided additional comments and introduced Rob Stevens, Noise Consultant to address any comments. Property Manager Marge Rutten-Hendriks was also available to answer any questions.

Casey expressed concerns with the proposed implementation of a licensing bylaw as there are events scheduled in 2021, however this is dependent on the on-going Covid-19 pandemic. Casey also advised Council of the noise concerns that have been brought forth and inquired if a Noise By-law could potentially be implemented to address these concerns.

Councillor Brodie inquired what improvements had been completed in order to address noise concerns. Rob Steven reviewed his report to Council. Councillor MacKinnon advised that there are two (2) noise study reports, however both are different. Rob Stevens advised Council that his report contains sounds results based on background sounds and noted that there was a significant decrease in sound from 2018 to 2020 report.

Councillor Brodie inquired how the licensing by-law would work. Acting Township Manager Morgan Calvert advised Council that this would be another tool to enforce noise issues, regulate how many events per year which would lessen the impact on neighbouring properties. Councillor Brodie advised that he did not like restricting businesses with a by-law.

Councillor MacKinnon inquired how many people could attend the property during an event. Chief Building Official Shannon Black advised Council that this would be dependent on how the facility is used through site plan approval application and building permit issuance.

Planner Stephanie Poirier summarized three (3) written submissions that were received outside of when the planning report was circulated.

Mr. Trev Kellar summarized his concerns to Council pertaining to noise.

Mr. Fred Cahill summarized his concerns to Council pertaining to noise.

Councillor MacKinnon inquired about the planning process as she had received an inquiry regarding this particular process. Planner Stephanie Poirier advised Council that the Official Plan Amendment and Zoning By-law Amendment would be adopted at the local level (Township), then submitted to the County of Middlesex Council for adoption as County is the governing body. Notice of Decision is circulated with a 20 day appeal period. Director of Planning Durk Vanderwerff advised Council that the Notice of Decision from the County is not advertised. Any information to be heard in order for Council to make a decision, would be now during the Public Meeting.

Mayor Smith inquired if the site plan approval application with washrooms was permitted in an EP (Environmental Protection) Zone. CBO Shannon Black advised Council that the building code and zoning by-law would be used to determine if permitted. Mayor Smith advised that if St. Clair Region Conservation Authority deems prohibited, then washrooms with septic would not be allowed in the EP Zone. CBO Shannon Black advised Council that the Township would have to service to find a way that would work.

Mayor Smith inquired if additional building permits were permitted in the EP Zone. Planner Stephanie Poirier advised Council that the Conservation Authority will suggest limited uses to current structures and future structures would require a building permit.

Mayor Smith advised Council that he supports the licensing by-law. Councillor Brodie advised Council that he does not want to hold up applications, as events are booked for 2021.

Trev Kellar inquired when the series of questions he recently emailed would be answered. Planner Stephanie Poirier advised Council and Mr. Kellar that Durk Vanderwerff answered the questions earlier today by email.

Fred Cahill inquired if the holding provision ceases the operation of the business. Planner Stephanie Poirier advised Council that it is not uncommon if the owner still operates as long as they are working towards compliance.

Fred Cahill inquired about the licensing by-law and if there would be any public input allowed. Planner Stephanie Poirier advised Council that Council determines the process.

Mayor Smith inquired about a Temporary Use By-law. Planner Stephanie Poirier advised Council that an application is required to be submitted, notice is required to be given as per the Planning Act, and not prepared for tonight's meeting.

A five (5) minute recess commenced at 10:45 pm, to allow further comments to be received by those registering to speak on the applications.

No further registration.

MOVED by Councillor MacKinnon

SECONDED by Councillor Clarke

Resolved that planning applications OPA01-2020 and Z02-2020, 1425 Melwood Drive, 1782767 Ontario Inc., O/A Sydenham Ridge Estates be deferred until a Farm Wedding/Events Licensing By-law be brought forth to Council for review and possible implementation. CARRIED.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that the public meeting to hear Zoning By-law Amendment Z10-2020 (Jacqueline Morin and Jason Bierworth, 27749 Havelock Street), and OPA01-2020/Z02-2020 (1782767 Ontario Inc O/A Sydenham Ridge Estates, 1425 Melwood Drive), be closed at 10:51 pm. CARRIED.

COURT OF REVISION – KNIP-BALL DRAIN

The purpose of the meeting is to hold the Court of Revision for:

- Knip-Ball Drain 2020

This is pursuant to the report prepared by Mike DeVos, Drainage Engineer, Spriets Associates dated May 11, 2020 which was considered and adopted at the Consideration Meeting held on November 2, 2020 and pursuant to By-law No 70 of 2020 which received two (2) readings by Council at its regular meeting on November 16, 2020.

This sitting of this Court of Revision was duly appointed by Council on November 2, 2020.

Section 54(1) of The Drainage Act provides that the decision of the Court of Revision can be appealed to the Drainage Tribunal within twenty-one (21) days from the date of the Court of Revision.

The final day for appeal is Monday, January 11, 2021.

At the first Council meeting after this date the third reading to By-law No 70 of 2020 will be given.

COR – Knip-Ball Drain 2020 Agenda

1. Call to Order

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that the Court of Revision for the Knip-Ball Drain 2020 be opened at 10:52 pm. CARRIED.

2. Declarations of Conflict of Interest

None

3. Adoption of Published Agenda

3.1. Court of Revision Agenda for December 21, 2020

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that the published agenda for the December 21, 2020 Court of Revision be adopted as presented. CARRIED.

4. Appeals from Landowners

The Chair will advise that the purpose of the Court of Revision is to hear appeals regarding the Schedule of Assessment only. The Schedule of Assessment may be altered but the total assessment must remain the same. If one assessment is reduced then another must be increased to balance.

None Received

5. List of Written Appeals of Assessment Received by the Clerk

5.1. Waiver of Appeal Rights

None Received

6. Engineer to Provide Background on the Drain and the Proposed Project (if required)

Knip-Ball Drain 2020-Consideration Notice

COR - Knip Ball Drain 2020

219031 Knip-Ball Drain 2020 report

Knip-Ball Drain 2020 - Dwg

7. Questions from Landowners

No registration received or landowners present.

8. Court of Revision Decision

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that the assessments contained in the report for the Knip-Ball Drain 2020, as prepared by Mike DeVos, Drainage Engineer, Spriets Engineering, dated May 11, 2020, be confirmed as presented. CARRIED.

9. Adjournment

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

Resolved that the Court of Revision for Knip-Ball Drain be adjourned at 10:56 pm. CARRIED.

MOVED by Councillor MacKinnon

SECONDED by Councillor Clarke

Resolved that Official Plan Amendment No. 14 be adopted by Township of Adelaide Metcalfe Council and forwarded to the County of Middlesex for consideration of approval, and further that the Zoning Bylaw Amendment ZBA05-2020 be approved. CARRIED.

Mayor Smith noted that there were three (3) consent applications postponed until December 21, 2020.

Planner Stephanie Poirier advised Council that the wrong date was given on the notices and this would allow any individual to be able to comment on the applications, as per the Planning Act.

Mayor Smith thanked Planner Stephanie Poirier for her attendance and Stephanie left the virtual meeting.

Greg Marles, also exited from the virtual meeting, as this concluded the planning portion of the meeting.

Correspondence

A. Upcoming Conferences/Seminars/Meetings

1. Regular Council Meeting – Monday December 7, 2020
2. Regular Council Meeting - Monday, December 21, 2020
3. Regular Council Meeting – Monday, January 11, 2021
4. CC-1 Invite Letter to Women's Caucus -November 23 2020

B. Recommended Reading

1. CC-2 AGCO - Public Notice - Liquor Sales License

C. Action Required

1. CC-3 Belleville - Resolution - AODA Web-Site Support

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that Council support the Resolution from the City of Belleville regarding AODA – web site support. CARRIED.

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

Resolved that Council receive and file Correspondence items CC-1 and CC-2. CARRIED.

Staff Reports

Drainage Superintendent Andrew Neely was not present to review his staff report. Acting Township Manager Morgan Calvert presented Andrew's report in his absence.

- 1) DS-1 Beaver Procedure with Municipal Drains

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Council receive the Beaver Dams and Municipal Drains Staff Report as presented by the Drainage Superintendent. CARRIED.

Public Works Manager Coulter Cahill was not present to review his staff report. Acting Township Manager Morgan Calvert presented Coulter's report in his absence.

- 2) PWM-1 MOU Report December 2020
PWM-1 MOU Resolution Attachment

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that Council receive the Emergency Winter Maintenance Service Memorandum of Understanding as presented by the Public Works Manager. CARRIED.

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

**Resolved that Council support the following resolution:
WHEREAS:**

A. In and around March 2020 a worldwide pandemic regarding the Novel Coronavirus 19 commenced (“COVID-19”);

B. On March 17, 2020, a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9 (the “EMCPA”) related to COVID-19;

C. On March 17, 2020, a Declaration of Emergency was made by the County of Middlesex, and each of the local municipalities within the geography of the County, being The Corporation of the Township of Adelaide Metcalfe, The Corporation of the Township Of Lucan Biddulph, the Municipality of Middlesex Centre, The Corporation of the Municipality of North Middlesex, The Corporation of the Municipality of Southwest Middlesex, The Corporation of the Municipality of Strathroy Caradoc, The Corporation of the Municipality of Thames Centre, and The Corporation of the Village of Newbury (the “Local Municipalities”), pursuant to section 4(1) of the EMCPA related to COVID-19 (the “Emergency”);

D. The upper-tier municipality, The Corporation of the County of Middlesex (the “County”), and the Local Municipalities, due to the nature of the Emergency, wish to assist each other with winter maintenance upon request should the circumstances of the Emergency require it and the appropriate resources exist;

E. The County and the Local Municipalities acknowledge that jurisdiction over any highway subject to this resolution remains that of the municipality which established the highway by by-law, but that the municipality providing the winter maintenance services is responsible for the services provided; and

F. Where the term Claims is used in this resolution, “Claims” shall mean any claim, action, allegation, cause of action, loss, expense, costs (including legal costs), fine, penalty, liability, damages, interest, and/or judgment (including but not limited to, costs and expenses incidental thereto).

NOW THEREFORE:

1. The above recitals are true and the same are hereby incorporated into this Resolution.

2. Council for Adelaide Metcalfe hereby authorizes the County and each of the other local municipalities within the geography of the County to perform sanding, salting, snowplowing and/or winter patrol operations (“Winter Maintenance Services”) on highways under the jurisdiction of The Township of Adelaide Metcalfe, should the Chief Administrative Officer for The Township of Adelaide Metcalfe (CAO) or his or her designate, request such services at any time during the Emergency.

3. Council for Adelaide Metcalfe does hereby authorize Municipal staff to perform Winter Maintenance Services, at any time during the Emergency, on highways

under the jurisdiction of the County or another local municipality within the geography of the County, where such services are requested by the municipality with jurisdiction over the highway, if in the opinion of the Public Works Manager, has sufficient resources to perform such work.

4. The municipality requesting Winter Maintenance Services will make best efforts to provide the municipality from which the services are being requested with twelve (12) hours written notice (includes e-mail) of the need for the provision of Winter Maintenance Services and shall, for each request specify, in writing, (a) the highways or portions of highways for which assistance is required; and (b) the length of time for which assistance is required.

5. Any Winter Maintenance Services provided by any municipality within the geography of Middlesex County shall be provided for the whole width of the highway and in accordance with all applicable laws, including the "Minimum Maintenance Standards for Municipal Highways" established under Ontario Regulation 239/02 of the Municipal Act 2001, SO 2001, c 25, as amended or replaced, and the Ontario Traffic Manual, as amended or replaced.

6. The municipality requesting assistance shall be responsible for all expenses incurred by the municipality performing the Winter Maintenance Services, save and except for the costs to repair any damage caused to a highway as a result of the Winter Maintenance Services, which shall be borne by the municipality performing the services.

7. The municipality performing the Winter Maintenance Services shall be responsible and liable for Claims attributed to direct damages caused by its provision of Winter Maintenance Services and shall not be responsible, accountable or liable for any indirect, consequential or special damages as a result of performing Winter Maintenance Services.

8. The Township of Adelaide Metcalfe does hereby release and agrees to indemnify, defend and save harmless the County and other Local Municipalities, their respective Councillors, officers, employees, legal counsel, and agents, from and against any Claims attributed to direct damages caused by its provision of the Winter Maintenance Services. The Township shall not be responsible, accountable or liable for any indirect, consequential or special damages as a result of performing Winter Maintenance Services.

9. This resolution comes into effect immediately upon its passing and expires at the earliest of The Township repealing its Declaration of Emergency related to COVID-19 pursuant to section 4(1) of the EMCPA or April 15, 2021.

10. In the event that the County or Local Municipality repeals its Declaration of Emergency related to COVID-19 pursuant to section 4(1) of the EMCPA, no

Emergency Winter Maintenance Services will be provided to the County or that Local Municipality.

11. Council for Adelaide Metcalfe may at any time, by resolution, terminate the authorization contained in this resolution. CARRIED.

Clerk/Acting Treasurer Jennifer Turk presented her reports to Council.

- 3) C-1 Accounts Payable Staff Report Dec 1-16 2020
C-1 Accounts Payable Dec 1 to Dec 16 2020 Listing

MOVED by Deputy Mayor Hendrikx

SECONDED by Councillor Brodie

Resolved that Council receive the Invoice Payment Approval Report as presented by the Clerk/Acting Treasurer and that Council approve the accounts listing for the December 1-16, 2020 in the amount of \$196,588.60. CARRIED.

- 4) C-2 Accounts Payable - Year End Payments

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Council receive the Accounts Payable Approval – Year End Staff Report as presented by the Clerk/Acting Treasurer; and that Council authorize the continuation of the payment of accounts and invoices that were approved in the 2020 Budget or are time sensitive prior to January 11, 2020 regular Council meeting, with a listing provided to Council. CARRIED.

Other Business

None

Closed Session

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that Council hold a Closed Session meeting as provided for as per Section 239 (2) of the Municipal Act, 2001, as amended:

(b) personal matters about an identifiable individual, including municipal or local board employees;

(d) labour relations or employee negotiations; and

(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose at 11:05 PM. CARRIED.

MOVED by Councillor MacKinnon

SECONDED by Councillor Clarke

Resolved that the Closed Session be adjourned at 11:31 PM, and Council reconvene in Open Session. CARRIED.

Rise and Report

MOVED by Deputy Mayor Hendriks

SECONDED by Councillor MacKinnon

Resolved that Council direct Staff to proceed as directed in Closed Session. CARRIED.

By-laws

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendriks

Resolved that Council give all three (3) readings to the following by-laws:

- 1) BL-1 Bylaw No 80 of 2020 Zoning Bylaw Amendment 27749 Havelock Street
BL-1 Bylaw No 80 of 2020 Zoning Bylaw Amendment 27749 Havelock Street
Schedule A
- 2) BL-4 Bylaw No 83 of 2020 Procedural Bylaw
- 3) BL-5 Bylaw No 84 of 2020 Appoint Fire Chief Arend Noordhof
- 4) BL-6 Bylaw No 85 of 2020 Road Use Agreement WPD Mutatis
BL-6 Mutatis Mutandis Amending Agreement 2020 - Final (Unsigned)
- 5) BL-7 Bylaw No 86 of 2020 Confirm Council Proceedings

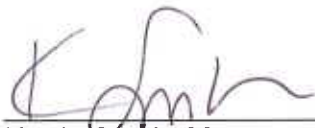
And that the by-laws be signed by the Mayor and Clerk and have the corporate seal attached. CARRIED.

Adjournment

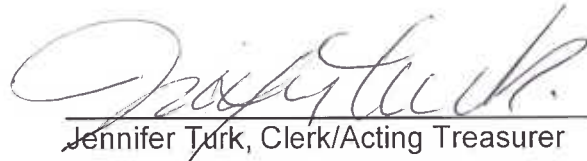
MOVED by Councillor Brodie

SECONDED by Councillor Clarke

Resolved that the meeting be adjourned at 11:34 PM. CARRIED.



Kurtis Smith, Mayor



Jennifer Turk, Clerk/Acting Treasurer

