

**THE CORPORATION OF THE TOWNSHIP OF ADELAIDE METCALFE
COUNCIL MINUTES – January 28, 2020**

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

Absent: Deputy Mayor Mary Ann Hendrikx

Also Present: CAO/Treasurer Cathy Case, Clerk Jennifer Turk, Public Works Manager Coulter Cahill, Planner Erin Besch (for part of meeting)

Call to Order

After the Closed Session, 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.

None.

Closed Session – 4:30 PM

In attendance for the Closed Session was Mayor Kurtis Smith, Deputy Mayor Mary Ann Hendrikx, Councillor Mike Brodie, Councillor Sue Clarke, Councillor Betty Ann MacKinnon, CAO/Treasurer Cathy Case, and Clerk Jennifer Turk. Township Solicitor Analee Baroudi in attendance for part of the Closed Session.

MOVED by Councillor Clarke

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:

(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; (d) labour relations or employee negotiations; and (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose at 4:36 PM, and that Council, CAO/Treasurer, Clerk, and Solicitor (for part of the meeting) be present. CARRIED.

MOVED by Councillor MacKinnon
SECONDED by Councillor Clarke
Resolved that the closed session end at 6:41 PM and Council convene in Open Session at 7:00 PM. CARRIED.
Rise and Report

MOVED by Councillor MacKinnon
SECONDED by Councillor Brodie
Resolved that Council direct staff to proceed as discussed in Closed Session. CARRIED.

Minutes

MOVED by Councillor Brodie
SECONDED by Councillor MacKinnon
Resolved that the minutes of the December 16, 2019 Regular Meeting Minutes be approved as circulated. CARRIED.

Staff Reports

Clerk Jennifer Turk presented her first report to Council.

- 3) C-1 Sydenham Ridge Estates – Liquor Sales License
C-1 Sydenham Ridge Estates – Liquor Sales License Attachments

MOVED by Councillor Clarke
SECONDED by Councillor MacKinnon
Resolved that Council receive the Liquor Sales License – Sydenham Ridge Estates – 1425 Melwood Drive Staff Report as presented by the Clerk. CARRIED.

Delegations & Timed Events

7:05 PM **Marge Rutten, Sydenham Ridge Estates**
Re: Obtaining Liquor Sales License for 1425 Melwood Drive

Marge Rutten was in attendance, however requested Peter Budd, property owner of 1425 Melwood Drive, and Paul Hendrikx, Solicitor to speak on her behalf.

Peter Budd and Paul Hendrikx spoke to Council regarding feedback that Marge Rutten had received from Alcohol Gaming Commission of Ontario (AGCO) as a result from a letter sent to AGCO regarding non-compliance with the Township's Zoning By-law from the Clerk in June 2019. They requested another letter be sent to AGCO to state an update, that an Official Plan Amendment application and a Zoning By-law Amendment application had been submitted to the Township in December 2019 and that both applications would be heard at a public meeting scheduled for February 18, 2020.

Planner Erin Besch advised Council of the process for the Official Plan Amendment application, that if Township Council approve the application, County of Middlesex is required to provide approval as the County is the delegated authority. If Township Council approves the application(s), the Official Plan Amendment would go to County Council in March 2020 for approval.

Councillor MacKinnon expressed concerns that if the Township approved the application, there would be an appeal period, and if an appeal were upheld at the Local Planning Appeal Tribunal (LPAT), the subject property would not be in conformity. Mayor Smith reiterated Councillor MacKinnon's concerns.

Mayor Smith thanked the delegation.

7:20 PM Committee of Adjustment

MOVED by Councillor MacKinnon

SECONDED by Councillor Clarke

Resolved that Council convene as the Committee of Adjustment for the purpose of hearing Minor Variance Application A01-2020 (Cornerland Farms Ltd., 1461 Egremont Drive), at 7:31 PM. CARRIED.

Minor Variance A01-2020

Cornerland Farms Ltd, 1461 Egremont Drive

Authorized Agent: Tiny van Pinxteren

Authorized Agent Tiny van Pinxteren was in attendance for the application.

Planner Erin Besch reviewed Minor Variance Application A01-2020 to seek relief from the Township of Adelaide Metcalfe Comprehensive Zoning By-law No. 34-2007 in order to permit the construction of a 1,756 m² (18,901 ft²) barn addition to expand an existing hog operation located on an agricultural parcel of land. Section 5.17 of the By-law states that no livestock facility shall be erected or expanded unless it complies with the Minimum Distance Separation II (MDS II) calculation. Relief from MDS II has been requested between the proposed hog barn and a Type A Land Use (residential dwelling), as well as setback distance to the nearest lot line. The proposal is as follows:

MDS II Requirement	Required Setback	Requested Setback
Setback to a Type A Land Use (nearest neighbouring dwelling)	575 m (1,886.5 ft)	275 m (902.2 ft)
Setback to Lot Line (side)	30 m (98.4 ft)	15 m (49.2 ft)

Through Planner Erin Besch's report, it has been recommended that Minor Variance Application A01-2020 be granted 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.

Tiny van Pinxteren had no comments.

There were no comments from the gallery.

There were no comments from the Committee of Adjustment.

**MOVED by Councillor MacKinnon
SECONDED by Councillor Clarke
Resolved that the Application for Minor Variance A01-2020 by Cornerland Farms Ltd, which seeks relief to Minimum Distance II (MDS II) to allow for the construction of an expansion to an existing hog operation be granted as proposed. CARRIED.**

**MOVED by Councillor Clarke
SECONDED by Councillor MacKinnon
Resolved that the Committee of Adjustment be closed at 7:35 PM and Council reconvene in regular session. CARRIED.**

7:35 PM Public Meeting

**MOVED by Councillor MacKinnon
SECONDED by Councillor Brodie
Resolved that the public meeting to hear Zoning By-law Amendment Z01-2020 (1536850 Ontario Inc., 28636 Centre Road), be opened at 7:37 PM. CARRIED.**

Zoning By-law Amendment Application Z01-2020
1536850 Ontario Inc., c/o Avtar Sandhu
28636 Centre Road

There was no representation in attendance for the application.

Planner Erin Besch reviewed Zoning By-law Amendment Application Z01-2020 to temporarily amend the zoning of the subject lands from Corridor Commercial (CC) Zone to include a Temporary Use Provision (T-10) Symbol in order to allow for residential use of the existing building. The temporary zoning would be in effect for three years, at which time the lands would return to the underlying Corridor Commercial (CC) Zone.

Through Planner Erin Besch's report, it has been recommended that Zoning By-law Amendment Z01-2020 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 gallery.

MOVED by Councillor Clarke

SECONDED by Councillor Brodie

Resolved that the public meeting to hear Zoning By-law Amendment Z01-2020 (1536850 Ontario Inc, 28636 Centre Road), be closed at 7:41 PM. CARRIED.

Councillor Brodie inquired what would happen to the tenants after the three (3) year temporary use and the property goes back to Commercial Corridor (CC) Zone.

Councillor Clarke inquired if the landlord was local. Planner Erin Besch advised Council that the landlord is not local.

Councillor Clarke advised Council of the Commercial Corridor being for commercial business and not residential.

Mayor Smith advised Council that the property owner would be required to submit a Zoning By-law Amendment application every three (3) years to keep the temporary residential zoning on the subject property, if Council approves the proposal now.

MOVED by Councillor Clarke

SECONDED by Councillor Brodie

Resolved that Council deny the application for Zoning By-law Amendment Z01-2020 for 28636 Centre Road to include a Temporary Use Provision (T-10) Symbol in order to allow for residential use of the existing building. CARRIED.

Correspondence

Upcoming Conferences/Seminars/Meetings

- 1) Special Policy Area Review – Wednesday, January 29, 2020 – Kerwood Firehall, 7:00 PM
- 2) North Meadows Secondary Plan Meeting – January 30, 2020 – Gemini Sportsplex, Westcast Room, 667 Adair Blvd, Strathroy
<https://www.strathroy-caradoc.ca/northmeadows>
- 3) Regular Council Meeting - Monday, February 3, 2020
- 4) Regular Council Meeting - Tuesday, February 18, 2020
- 5) OGRA Conference – Sunday, February 23 – Wednesday, February 26, 2020, Toronto, ON
- 6) Regular Council Meeting - Monday, March 2, 2020
- 7) CC-1 Middlesex Centre Archives - 2020 Heritage Week February 22, 2020
- 8) CC-2 Stratford - Civic Night Invitation - June 16, 2020

Recommended Reading

- 1) CC-3 Enbridge - Ontario Energy Board Notice
- 2) CC-4 Bluewater Recycling Assoc. - January 2020 Notes
- 3) CC-5 OGRA Board of Directors-Notice of Poll

- 4) CC-6 Ministry of Children, Community and Social Services - Ontario's Poverty Reduction Strategy
- 5) CC-7 OPP News Bulletin January 2020
- 6) CC-8 Ministry of Transportation - Draft Transportation Plan for Southwestern Ontario
- 7) CC-9 Strathroy-Caradoc - Notice of Public Meeting - Creekside Meadows (Rcv'd Dec 18 2019)
- 8) CC-10 Notice of Decision OPA01 Z06 2019 Dortmans
- 9) CC-11 Middlesex London Health Unit Oct-Nov-2019
CC-11 Middlesex London Health Unit Dec-2019

Action Required

- 1) CC-12 Ausable Bayfield Conservation Authority - News Release - Conservationist of the Year Award
- 2) CC-13 St. Clair Region Conservation Authority - 2020 Large Stock Program
- 3) CC-14 Town of Tecumseh - Resolution - 911 Misdials

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Council support the resolution from the Town of Tecumseh regarding 911 misdials. CARRIED.

MOVED by Councillor Clarke

SECONDED by Councillor MacKinnon

Resolved that Council receive and file Correspondence Items CC-1 to CC-13. CARRIED.

Committee Minutes

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Council receive the Joint Health & Safety Committee minutes of October 3, 2019. CARRIED.

Staff Reports

Fire Chief Arend Noordhof presented his report to Council.

- 1) FC-1 Annual Fire Department Activity Report 2019

MOVED by Councillor Clarke

SECONDED by Councillor Brodie

Resolved that Council receive the Annual Fire Department Activity Report for 2019 as presented by the Fire Chief. CARRIED.

Mayor Smith inquired about the staff hours as outlined on the report. Fire Chief Noordhof advised Council that the staff hours are calculated as a total not per firefighter.

Mayor Smith inquired how many firefighters were trained and able to use the newly donated grain bin rescue equipment. Fire Chief Noordhof advised Council that there are a total of 12-15 firefighters that are trained.

Public Works Manager Coulter Cahill presented his report to Council.

2) PWM-1 Activity Update

MOVED by Councillor MacKinnon

SECONDED by Councillor Clarke

Resolved that Council receive the Public Works Information Report as prepared by the Public Works Manager. CARRIED.

Councillor Brodie inquired how the closure of the Kellam Road Landfill was going to be addressed to the public. CAO/Treasurer Cathy Case advised Council that a staff report would be at the next Council meeting for Council to review.

Councillor Clarke inquired about the life span of School Road Landfill. Public Works Manager Coulter Cahill advised Council that there would be approximately 25 years left of use at this landfill.

Clerk Jennifer Turk presented her reports to Council. Note Staff Report C-1 was presented earlier in the meeting.

3) C-1 Sydenham Ridge Estates - Liquor Sales License
C-1 Sydenham Ridge Estates - Liquor Sales License Attachments

4) C-2 Regular Council Meeting Schedule

MOVED by Councillor Brodie

SECONDED by Councillor Clarke

Resolved that Council receive the Regular Council Meeting Schedule Staff Report as presented by the Clerk. CARRIED.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Council approve the regular council meeting schedule for April, May and June 2020, with a start time of 7:00 PM, as presented by the Clerk. CARRIED.

CAO/Treasurer Cathy Case presented her reports to Council.

5) CAOTR-1 Invoice Payment Approval

CAOTR-1 Invoice Payment Listing December 12 to 31 2019
CAOTR-1 Invoice Payment Listing January 1 to 22 2020

MOVED by Councillor MacKinnon
SECONDED by Councillor Brodie
Resolved that Council receive the Invoice Payment Approval – December 12, 2019 to January 22, 2020 Staff Report as presented by the CAO/Treasurer. CARRIED.

MOVED by Councillor Clarke
SECONDED by Councillor MacKinnon
Resolved that Council approve the accounts listing for the period December 12, 2019 to January 22, 2020 in the amount of \$1,219,703.62 as presented by the CAO/Treasurer. CARRIED.

6) CAOTR-2 Procurement Policy
CAOTR-2 Procurement Policy-DRAFT

MOVED by Councillor MacKinnon
SECONDED by Councillor Brodie
Resolved that Council receive the Procurement Policy Staff Report as presented by the CAO/Treasurer. CARRIED.

MOVED by Councillor Clarke
SECONDED by Councillor Brodie
Resolved that Council approve the Procurement Policy as amended, and that the applicable by-law be prepared by the Clerk. CARRIED.

7) CAOTR-3 2020 Municipal Insurance Program
CAOTR-3 2020 Municipal Insurance-Attach 1 Letter
CAOTR-3 2020 Municipal Insurance-Attach 2-Coverage Extract
CAOTR-3 2020 Municipal Insurance-Attach 3-Escalating Cost of Municipal Claims
CAOTR-3 2020 Municipal Insurance-Attach 4-Insurance Program

MOVED by Councillor MacKinnon
SECONDED by Councillor Brodie
Resolved that Council receive the 2020 Municipal Insurance Program Staff Report as prepared by the CAO/Treasurer. CARRIED.

MOVED by Councillor Brodie
SECONDED by Councillor Clarke
Resolved that Council approve the 2020 Municipal Insurance Program as presented by the CAO/Treasurer. CARRIED.

- 8) CAOTR-4 Employee Recognition Policy
CAOTR-4 Employee Recognition Policy-DRAFT

MOVED by Councillor MacKinnon
SECONDED by Councillor Brodie
Resolved that Council receive the Employee Recognition Policy Staff Report as presented by the CAO/Treasurer. CARRIED.

Councillor Brodie inquired about firefighters being recognized as employees for the Township within the policy. CAO/Treasurer Cathy Case advised Council that firefighters have their own recognition award program. Councillor Clarke inquired about firefighters being recognized as part-time and the Fire Chief being recognized as full-time.

MOVED by Councillor MacKinnon
SECONDED by Councillor Clarke
Resolved that Council approve the Employee Recognition Policy to include all employees, including firefighters (recognized as part-time) as amended. CARRIED.

- 9) CAOTR-5 2020 Budget Process

MOVED by Councillor MacKinnon
SECONDED by Councillor Clarke
Resolved that Council receive the 2020 Township Budget Process Staff Report as presented by the CAO/Treasurer. CARRIED.

MOVED by Councillor Clarke
SECONDED by Councillor Brodie
Resolved that Council of the Township of Adelaide Metcalfe meet on Thursday, February 20, 2020 at 1:00 PM to review the 2020 Draft Township Budget. CARRIED.

- 10) CAOTR-6 Stopping Train Whistle at Pike Road Crossing

MOVED by Councillor Brodie
SECONDED by Councillor Clarke
Resolved that Council receive the Stopping Train Whistle at Pike Road Crossing Update Staff Report as presented by the CAO/Treasurer. CARRIED.

CAO/Treasurer Cathy Case advised Council that a staff report with a response from CN regarding stopping the train whistle at Pike Road would be brought forth for Council to review at the next Council meeting.

11) CAOTR-7 Financial Report

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

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

Other Business

Sidewalk Engineering

Councillor Clarke inquired about the results of the sidewalk engineering through the Township. CAO/Treasurer Cathy Case advised Council that she had not received the results from the contractor. She had advised that engineering firm has been notified of timeframe required under the request for proposal.

Office Renovations/Kerwood Park

Councillor Brodie inquired if an update to the costs of the proposed renovations to the municipal office and Kerwood Park would be included on the Budget for 2020. CAO/Treasurer Cathy Case advised Council that both costs would be included on the 2020 Budget for Council's review.

Drainage Petitions

Councillor MacKinnon inquired is the Township has received any information back from the drainage engineer regarding Carruthers-MacFarlane Drain. CAO/Treasurer Cathy Case advised Council that the Drainage Engineer has six (6) months to submit engineer reports to the Township. Clerk Jennifer Turk advised Council that a letter was received from the Drainage Engineer that they have acknowledged the Township's appointment to this drain.

Kerwood Firefighters Award's Night

Mayor Smith advised Council that he attended the awards night at the firehall on January 3, 2020.

Declaration of Pecuniary Interest

Clerk Jennifer Turk advised Council that a signed Pecuniary Interest form was submitted from Deputy Mayor Hendrikx in regards to the first delegation at 7:05 PM – Sydenham Ridge Estates.

By-laws

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that the third and final reading be given to:

By-law No. 67 of 2019 – Zoning By-law Amendment Z06-2019, Dortmans

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

MOVED by Councillor Clarke

SECONDED by Councillor Brodie

Resolved that all three readings be given to:

By-law No. 1 of 2020 – Tidy Yard By-law – Amended Fee Schedule

By-law No. 2 of 2020 – Interim Tax Levy

By-law No. 3 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 MacKinnon

SECONDED by Councillor Brodie

Resolved that the meeting be adjourned at 8:47 pm. CARRIED.



Kurtis Smith, Mayor



Jennifer Turk, Clerk

