

**THE CORPORATION OF THE TOWNSHIP OF ADELAIDE METCALFE
COUNCIL MINUTES – April 15, 2019**

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

Absent: Councillor Sue Clarke

Also Present: CAO/Treasurer Cathy Case, Clerk Jennifer Turk, Fire Chief Arend Noordhof, 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

Deputy Mayor Hendrikx declared pecuniary interest at the Council meeting that took place on March 18, 2019, regarding Consent Application B05-2019, as the applicant is her son and daughter-in-law.

Minutes

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that the minutes of the March 27, 2019 special meeting and the minutes of the April 1, 2019 regular meeting be approved and circulated. CARRIED.

Correspondence

- A. Upcoming Conferences/Seminars/Meetings
 - 1) CC-1 County of Middlesex - Municipal Banquet, April 25, 2019
 - 2) CC-2 Emergency Preparedness Day, May 1, 2019
 - 3) Regular Council Meeting - Monday, May 6, 2019
 - 4) Regular Council Meeting - Tuesday, May 21, 2019
 - 5) CC-3 MHA-Mayor's Breakfast Invite
 - 6) Regular Council Meeting - Monday, June 3, 2019

- B. Recommended Reading
 - 1) CC-4 BRA-For Immediate Release_April 8
 - 2) CC-5 BRA-March 2019 Notes
 - 3) CC-6 BRA-April 18 2019 Board of Directors
CC-6 BRA-GM'sReport-April 18 2019
CC-6 BRA-March21 2019-BoardMtgMinutes

- 4) CC-7 SCRCA 2018 Annual Report
- 5) CC-8 TVDSB - Notice of Facility Collaboration and Co-Build Opportunities
- 6) CC-9 Enbridge Supplementary Notice of Hearing
- 7) CC-10 Ministry of Infrastructure and Communities - Grants

C. Action Required

- 1) CC-11 CPSO Council Award
- 2) CC-12 Letters RE 25700 Kerwood Road

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

**Resolved that Council receive and file Correspondence items CC1-CC11.
CARRIED.**

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

**Resolved that Council receive Correspondence Letters #CC-12 regarding 25700
Kerwood Road, from Fred and Gail Cahill, and Pam McLean. CARRIED.**

Delegations & Timed Events

7:05 PM

Committee of Adjustment

MOVED by Deputy Mayor Hendrikx

SECONDED by Councillor Brodie

**Resolved that Council convene as the Committee of Adjustment for the purpose
of hearing Minor Variance Application A04-2019 (2531749 Ontario Inc., 9 Second
Street), A05-2019 (Michael & Hailey Stephenson, 5686 Walkers Drive), B07-2019
(James Allan Douglas, 24049 Thames Road), B08-2019 (William Leitch, 23920
Taits Road), at 7:06 pm. CARRIED.**

Minor Variance Application A04-2019

2531749 Ontario Inc., 9 Second Street

Authorized Agent: Rick Dykstra, Dillon Consulting

Rick Dykstra was in attendance for the application.

Planner Erin Besch reviewed application for Minor Variance A04-2019 to seek relief from a provision of Section 12.2 of the Township of Adelaide Metcalfe Comprehensive Zoning By-law No. 34-2007 as it relates to parking location requirements in the 'Corridor Commercial (CC) Zone'. Applicant is seeking permission for 65% of the total parking area to be located in the front and exterior side yard of the property, whereas the Zoning By-law allows for 15% in the 'Corridor Commercial (CC) Zone'.

Through the Planner's report, it has been recommended that Minor Variance A04-2019 be approved as the application is considered minor in nature; provides an appropriate

use of the land; maintains the general intent and purpose of the Township of Adelaide Metcalfe Official Plan; and maintains the general intent and purpose of the Township of Adelaide Metcalfe Zoning By-law.

Rick Dykstra had nothing further to add to the application.

There were no comment from members of the public in attendance. Council had no questions or concerns.

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that Application for Minor Variance A04-2019 filed by 2531749 Ontario Inc., for relief from a provision of Section 12.2 of the Township of Adelaide Metcalfe Comprehensive Zoning By-law No. 34-2007 to permit for 65% of the total parking area to be located in the front and exterior side yard of the property, whereas the Zoning By-law allows for 15% in the 'Corridor Commercial (CC) Zone' be granted. CARRIED.

Minor Variance Application A05-2019

Michael and Hailey Stephenson, 5686 Walkers Drive

Michael Stephenson was in attendance for the application.

Planner Erin Besch reviewed application for Minor Variance A05-2019 to seek relief from the Township of Adelaide Metcalfe Comprehensive Zoning By-law No. 34-2007 as it relates to internal side yard setback requirements. Applicant is seeking permission to construct an addition and attached garage to an existing dwelling with a side yard setback of 2.4 m (8 ft), whereas the Zoning By-law requires a minimum of 15 m (49.2 ft).

Through the Planner's report, it has been recommended that Minor Variance A05-2019 be approved as the application is considered minor in nature; provides an appropriate use of the land; maintains the general intent and purpose of the Township of Adelaide Metcalfe Official Plan; and maintains the general intent and purpose of the Township of Adelaide Metcalfe Zoning By-law.

There were no comments from members of the public in attendance. Mayor Smith inquired to the applicant why the process wasn't followed, that being approval for the minor variance, then obtaining a building permit. The applicant advised the Committee of Adjustment that he saw no objection from the neighbour and the timelines were tight for the contractor. Michael apologized for not following the process.

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that Application for Minor Variance A05-2019 filed by Michael and Hailey Stephenson, for relief from the Township of Adelaide Metcalfe Comprehensive Zoning By-law No. 34-2007 to permit for the construction of an

addition and attached garage to an existing dwelling with a side yard setback of 2.4 m (8 ft), whereas the Zoning By-law requires a minimum of 15 m (49.2 ft) be granted. CARRIED.

Consent Application B07-2019

James Allan Douglas, Agent: Jeffrey Douglas, 24049 Thames Road

James Douglas and Jeffrey Douglas were both in attendance for the application.

Planner Erin Besch reviewed application for Consent B07-2019 to permit the severance of a residence from a farm parcel, facilitating the creation of a new lot to dispose of a residence surplus to a farming operation as a result of consolidation.

Through Planner Erin Besch's report, it has been recommended that Consent B07-2019 be approved subject to conditions as the application is consistent with the Provincial Policy Statement; conforms to the Official Plans of both the Township of Adelaide Metcalfe and the County of Middlesex; and, subject to Condition 5, the requirements of the Township of Adelaide Metcalfe Zoning By-law would be satisfied.

Jeffrey Douglas noted that in the report that the lands proposed to be retained, being the remnant farm parcel, are largely in agricultural production and access to Scotchmere Drive, not Centre Road.

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

MOVED by Councillor Brodie

SECONDED by Deputy Mayor Hendrikx

Resolved that Application for Consent B07-2019, submitted under Section 53 of the Planning Act, to permit the severance of a residence from a farm parcel, facilitating the creation of a new lot to dispose of a residence surplus to a farming operation as a result of consolidation, at 24049 Thames Road 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 B07-2019 be paid in full.**

4. That the applicant establish a permanent easement over the lands to be retained in favour of the lands to be severed to facilitate access to the existing private water well.
5. That a preliminary survey showing the lands being severed, any required land dedication, and the location of all buildings and structures including their setbacks from the property lines and the location of the private water well and septic system be submitted to the satisfaction of the Township prior to being deposited at the Land Registry Office.
6. That two paper copies and one digital copy of the reference plan be submitted to the satisfaction of the Township.
7. That, if required, the owner provide road widening dedications for the lot to be retained and the lot to be severed to the County of Middlesex of up to 15 metres from the centerline of Thames Road (County Road 8) to the satisfaction of the County Engineer.
8. That a Zoning By-law Amendment that recognizes the residential use of the severed lot of Consent B07-2019 be in full force and effect.
9. That unless replaced, the existing septic system is to be inspected by a qualified septic installer and the inspection report be provided to the Township for determination as to any replacement or remedial works that may be required. The qualified septic installer shall also confirm the location of the existing septic system and confirm that the clearance distance from the septic system to the well is adequate.
10. That the habitability of the single detached dwelling be confirmed to the satisfaction of the Township.
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.
13. That independent accesses to the lands to be severed and the lands to be retained are provided, to the satisfaction of the County of Middlesex.
14. That the owner enter into a severance agreement with the Township in order to advise future owners of the severed lot of Consent B07-2019 of normal farm practices occurring in the area as outlined in the Farming and Food Production Protection Act, 1998, as amended.

as the application is consistent with the Provincial Policy Statement; conforms to the Official Plans of both the Township of Adelaide Metcalfe and the County of Middlesex; and subject to Condition 8, the requirements of the Township of Adelaide Metcalfe Zoning By-law are satisfied. **CARRIED.**

Consent Application B08-2019
William Leitch, 23920 Taits Road

Williams and Norma Leitch were both in attendance for the application.

William Leitch requested that his application be deferred until he further reviewed the application regarding the disposal of the barn and sizing of the severed parcel.

MOVED by Deputy Mayor Hendrikx
SECONDED by Councillor MacKinnon
Resolved that Application for Consent B08-2019, submitted under Section 53 of the Planning Act, be deferred to allow the applicant more time to review the application. CARRIED.

MOVED by Deputy Mayor Hendrikx
SECONDED by Councillor MacKinnon
Resolved that the Committee of Adjustment be closed at 7:29 p.m. and Council reconvene in regular session. CARRIED.

7:30 PM Middlesex Hospital Alliance
Neil MacLean, MHA Board Chair
Todd Stepanuik, President/CEO

Neil MacLean and Todd Stepanuik presented Council with an update to the Middlesex Hospital Alliance that is comprised of Strathroy Middlesex General Hospital and Four Counties Health Services.

7:45 PM Middlesex Federation of Agriculture
Patrick Verkley, MFA Director
Jack Brown, MFA Director

Patrick Verkley presented Council with an update regarding the Middlesex Federation of Agriculture. Patrick also presented Council with a package of information pertaining to events/activities that MFA has participated in 2017, 2018, and 2019.

MOVED by Deputy Mayor Hendrikx
SECONDED by Councillor MacKinnon
Resolved that Council recess until 8:00 PM. CARRIED.

MOVED by Councillor Brodie
SECONDED by Councillor MacKinnon
Resolved that Council reconvene in regular session. CARRIED.

8:00 PM Fred Cahill and Pam McLean
RE: 25700 Kerwood Road

Fred Cahill and Pam McLean presented Council with their concerns pertaining to the potential development of a bio-solid storage facility at the subject address and requested that a by-law be drafted to ban the storage and use of bio-solid products in the Township.

8:15 PM Eric Davis, Miller Thomson LLP
Partner, Certified Specialist (Municipal Law)
RE: 25700 Kerwood Road

Eric Davis represented the property owner of 25700 Kerwood Road and presented Council with correspondence regarding potential adoption of an Interim Control By-law.

8:30 PM Erin Besch, Planner, County of Middlesex
RE: Special Policy Areas – Land Use Planning Study

Planner Erin Besch presented her report to Council regarding the seven (7) special policy areas located within the Township.

MOVED by Councillor MacKinnon
SECONDED by Councillor Brodie
Resolved that Council direct staff to undertake a land use planning study of the Official Plan and Zoning By-law for those lands identified as “Special Policy Areas” within the Adelaide Metcalfe Official Plan, excluding those lands that are within the Centre Road Corridor.

Mayor Smith requested for a recorded vote. Clerk Jennifer Turk asked for Council's vote, in alphabetical order.

COUNCIL	YAE	NAY
BRODIE	X	
CLARKE (ABSENT)		
HENDRIKX	X	
MACKINNON	X	
SMITH	X	

MOTION CARRIED.

Mayor Smith advised the gallery that notice of public meeting would be sent out to the property owners in the special policy areas and will be posted on the Township website.

MOVED by Deputy Mayor Hendrikx
SECONDED by Councillor Brodie
Resolved that Council receive Correspondence as submitted by Eric Davis, Partner and Certified Specialist (Municipal Law) with Miller Thomson LLP regarding Potential Adoption of Interim Control By-law. CARRIED.

MOVED by Deputy Mayor Hendrikx
SECONDED by Councillor MacKinnon
Resolved that Council recess for five (5) minutes to give time for the gallery to exit council chambers. CARRIED.

MOVED by Councillor MacKinnon
SECONDED by Councillor Brodie
Resolved that Council reconvene in regular session. CARRIED.

Committee Minutes

MOVED by Councillor MacKinnon
SECONDED by Deputy Mayor Hendrikx
Resolved that Council receive Committee Minutes #CM-1 (JHSC – March 21, 2019)
and #CM-2 (Emergency Management – April 10, 2019). CARRIED.

Staff Reports

Fire Chief Arend Noordhof presented his report to Council.

- 1) FC-1 Naloxone Report
FC-1 Naloxone Report Attachments

CAO/Treasurer Cathy Case advised Council that she received the Fire Chief's report Thursday morning. Cathy requested time for further investigation as she did receive comment from the municipal insurance company. Cathy advised Council that a report would be submitted to Council for their consideration.

MOVED by Councillor Brodie
Seconded by Councillor MacKinnon
Resolved that Council approve the Fire Chief and staff complete the required forms and that Council approves the Fire Department to carry and use Naloxone for their own use and for the public. DEFEATED.

Deputy Mayor Hendrikx inquired if the CAO/Treasurer's report could be submitted to Council at the next meeting.

MOVED by Deputy Mayor Hendrikx
SECONDED by Mayor Smith
Resolved that Council defer the program for further investigation relating to policy/guideline development, lawyer consultation and risk assessment review. DEFEATED.

MOVED by Councillor Brodie
Seconded by Councillor MacKinnon
Resolved that Council approve the Fire Chief and staff complete the required forms and that Council approves the Fire Department to carry and use Naloxone for their own use and for the public. CARRIED.

CAO/Treasurer Cathy Case presented her reports to Council.

- 2) CAOTR-1 Invoice Payment Approval
CAOTR-1 Invoice Payment Listing Mar 29 to Apr 11 2019

Councillor MacKinnon inquired about Training – Little for \$1,695.00. CAO/Treasurer Cathy Case advised Council that this is training that Jeff Little is attending for landfills.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Council approve the accounts listing for the period March 29, 2019 to April 11, 2019 in the amount of \$139,896.91 as presented. CARRIED.

- 3) CAOTR-2 Road and Facility Tour

MOVED by Councillor Brodie

SECONDED by Deputy Mayor Hendrikx

Resolved that Council direct staff to arrange for a road and facility tour on Tuesday, April 24, 2019 at 9:00 AM. CARRIED.

- 4) CAOTR-3 Fire Inspection Services
CAOTR-3 Attach 1-Fire Inspection Letter AM - Warden Smith
CAOTR-3 Attach 2-Middlesex County Fire Inspection Services
CAOTR-3 Attach 3-Fire Inspection and Investigation Policy (March 29 2019)
CAOTR-3 Attach 4-Transfer Liability Slides (March 28 2019)

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

Resolved that Council accept the Fire Inspection Services Report as presented by the CAO/Treasurer. CARRIED.

MOVED by Councillor Brodie

SECONDED by Deputy Mayor Hendrikx

Resolved that Council approve the draft resolution included as attachment 4 to the Fire Inspection Services Report as presented by the CAO/Treasurer. CARRIED.

- 5) CAOTR-4 Strathroy-Caradoc & Adelaide Metcalfe Servicing Agreement Update

MOVED by Deputy Mayor Hendrikx

SECONDED by Councillor Brodie

Resolved that Council accept the Strathroy-Caradoc & Adelaide Metcalfe Servicing Agreement Update Report as presented by the CAO/Treasurer. CARRIED.

- 6) CAOTR-5 Tender Results
CAOTR-5 Tender 02-2019 Disc Mower

MOVED by Deputy Mayor Hendrikx

SECONDED by Councillor Brodie

Resolved that Council accept the tender from Kucera Group Alvinston for the supply of 2019 Case IH MD83 disc mower in the amount of \$15,411.63 plus HST as recommended by the Public Works Manager. CARRIED.

CAOTR-5 Tender 03-2019 Maintenance Gravel

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that Council accept the tender from Clarence Carter and Sons Ltd. for the supply of 14,000 tonnes of Granular M gravel in the amount of \$13.86 per tonne plus HST subject to the submission of proof of insurance, hold harmless agreement and WSIB certificate, as recommended by the Public Works Manager. CARRIED.

- 7) CAOTR-6 Financial Report including Payroll

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

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

Other Business

Councillor MacKinnon inquired about a letter of opinion regarding the sale value of the municipal office and two (2) public works garages. CAO/Treasurer Cathy Case advised Council that this information has not been obtained as it is not a priority for the 2019 budget.

Mayor Smith advised Council of the Teeny Tiny Summit that he and Councillor Clarke attended April 10, 2019 in Thorndale. Discussed at the summit was the following:

- Introductions and Illustrations, Andrew Campbell, Fresh Air Media
- The “Key” to Community Development, Peter Kenyon, Bank of Ideas
- Big Problem...Tiny Solution, Terrilee Kelford, Cornerstone Landing
- “Market”ing in a New Light, Tracy Ranick, Sarnia-Lambton Business Development Corporation

By-laws

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that all three readings be given to:

By-law No. 34 of 2019 – Grass Cutting Agreement with Mollards Groundskeeping

By-law No. 35 of 2019 – Confirm Council Proceedings

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

Adjournment

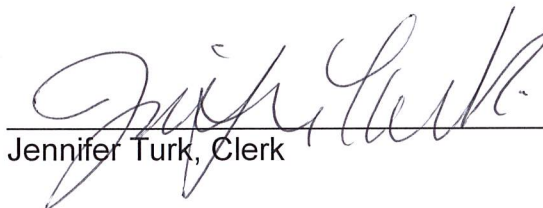
MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

Resolved that the meeting be adjourned at 9:09 pm. CARRIED.



Kurtis Smith, Mayor



Jennifer Turk, Clerk

