

**THE CORPORATION OF THE TOWNSHIP OF ADELAIDE METCALFE
COUNCIL MINUTES – JUNE 19, 2017**

Present: Mayor Kurtis Smith, Deputy Mayor Nick Stokman, Councillor Betty Ann MacKinnon, Councillor Mary Ann Hendrikx and Councillor Gerald Sanders.

Also Present: Treasurer/Acting Administrator-Clerk Cathy Case, Road Supervisor Eldon Bryant, Acting Deputy Clerk Donna Elliott and Chief Building Official Jeff Denomy. Planner Christie Kent was present 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. Mayor Smith requested that cell phones and other devices be set to mute or turned off.

Declaration of Pecuniary Interest and General Nature Thereof

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

Deputy Mayor Stokman declared a pecuniary interest in Item #3 of the Road Supervisor's Report, Mullifarry Drive Retaining Walls Project, as he is an adjacent property owner.

MOVED by Councillor Hendrikx

SECONDED by Councillor Sanders

Resolved that the request for Municipal approval for the development at 28508 Centre Road be added to the Treasurer/Acting Administrator-Clerk report as item TR-7. CARRIED.

Minutes

MOVED by Councillor MacKinnon

SECONDED by Councillor Hendrikx

Resolved that the Minutes of the June 5, 2017 Regular Meeting be approved as printed and circulated. CARRIED.

Correspondence

- 1) AMO – Emergency Services Changes
- 2) AMO – Watchfile June 1, 2017
- 3) AMO – Watchfile June 8, 2017
- 4) AMO – MEPCO Update
- 5) County of Middlesex – TVDSB Collaboration Meeting
- 6) Middlesex County Cycling Strategy
- 7) SCRCA Conservation Update June 2017
- 8) ABCA – Board of Directors Meeting June 15, 2017
- 9) Rural Talks June 23, 2017
- 10) Business Help Centre Annual General Meeting
- 11) SCOR EDC Newsletter
- 12) CN – 2017 CN in Your Community
- 13) College of Physicians & Surgeons – Award Nomination
- 14) North Huron – Blyth Festival Municipal Night
- 15) FCHS Foundation – Golf Tournament

MOVED by Councillor Sanders

SECONDED by Councillor MacKinnon

**Resolved that Council receive and file Correspondence items CC1 to CC15.
CARRIED.**

- 16) United Counties of Leeds and Grenville – Resolution

MOVED by Councillor Sanders

SECONDED by Councillor Hendrixx

**Resolved that Council support Correspondence item CC-16 from the United Counties of Leeds and Grenville asking that the Ontario Ministry of Transportation look at measures to reduce speed and enforce these speed reductions on 400 series highways when severe storm conditions exist.
CARRIED.**

- 17) Municipality of Brockton – Resolution

MOVED by Councillor Hendrixx

SECONDED by Councillor MacKinnon

Resolved that Council file Correspondence item CC-17 from the Municipality of Brockton regarding changes to the Conservation Authority Act. CARRIED.

Delegations & Timed Events

7:15 PM Committee of Adjustment

MOVED by Councillor MacKinnon

SECONDED by Councillor Hendrikx

Resolved that Council convene as the Committee of Adjustment for the purpose of hearing Minor Variance Application A02-2017 (Marilyn Bailey, 28273 Centre Road)), Consent Application B08-2017 (Gordon and Marguerite Walker, 4071 Walkers Drive) and Consent Application B09-2017 (Ralph Bos Meats, 3742 Egremont Drive) at 7:15 PM. CARRIED.

Minor Variance Application A02-2017

Marilyn Bailey, 28273 Centre Road

Marilyn Bailey, Robert and Mary Elizabeth Bordignon and Robert Dack were in attendance.

Planner Christie Basalle reviewed Minor Variance Application A02-2017 to seek relief from the Township of Adelaide Metcalfe Comprehensive Zoning By-law No 34-2007 as it relates to provisions for conducting a Home Business within a single-detached dwelling. Section 5.14(a) of the Zoning By-law directs that with the exception of one additional employee, the home business is only to be carried out by a person who resides in the dwelling unit.

The authorized agents have requested that this provision be varied to permit the home business to be carried out by a person who resides in the dwelling unit OR the registered owner of the dwelling unit. This would allow the registered owner to utilize a limited area within the dwelling unit for a home business (personal services) while permitting the remaining portion of the dwelling unit to be used for residential occupancy by a tenant.

Through Planner Christie Basalle's report, it has been recommended that Minor Variance Application A02-2017 be approved subject to conditions as the application: is considered minor in nature; is desirable for the appropriate use of the land; maintains the general intent and purpose of the Official Plan; and maintains the general intent and purpose of the Zoning By-law.

Mr. Dack spoke on behalf of the authorized agents who fully support the conditions. There were no comments from the public in attendance. The Secretary/Treasurer advised that no written comments were received.

**MOVED by Councillor Hendrikx
SECONDED by Councillor MacKinnon**

Resolved that the Committee of Adjustment grant relief from Section 5.14(a) of Zoning By-law 34-2007 to 28273 Centre Road to permit a home business to be carried out by a person who resides in the dwelling, or by a registered owner of the dwelling subject to the following conditions:

- i) That the existing septic tank and weeping bed system is to be inspected by a licensed septage hauler and the inspection report be provided to the Township's Chief Building Official for determination as to any replacement or remedial works that may be required to be completed, to the satisfaction of the Township's Chief Building Official.**
- ii) That the owners provide interconnected carbon monoxide and smoke alarms with a visual signalling component, to the satisfaction of the Chief Building Official.**
- iii) That a sketch illustrating the location of the three (3) required parking spaces be provided, to the satisfaction of the Township.**
- iv) That the portion of the dwelling intended for use for residential purposes be maintained and occupied by a registered owner of the dwelling or a residential tenant**

as the variance is considered minor in nature, is desirable for the appropriate use of the land; and that the general intent and purpose of the Township Official Plan and Zoning By-law are maintained. CARRIED.

Consent Application B08-2017

Gordon and Marguerite Walker, 4071 Walkers Drive

Gordon and Marguerite Walker, owners of 4071 Walkers Drive, were in attendance for the meeting.

Planner Christie Basalle reviewed Consent Application B08-2017 to sever a surplus farm dwelling on a lot with a frontage of 61.5 m (201.8 ft) along Walkers Drive and an area of approximately 0.52 ha (1.28 ac) from a farm holding with a lot area of approximately 60.7 ha (150 ac).

Through Planner Christie Basalle's report, it has been recommended that Consent Application B08-2017 be approved subject to conditions as the application: satisfies the requirements of the Planning Act; 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, represents sound land use planning.

There were no comments from the public in attendance. The Secretary/Treasurer advised that no written comments had been received.

MOVED by Councillor Sanders
SECONDED by Councillor MacKinnon

Resolved that the Committee of Adjustment conditionally approve Consent Application B08-2017 to permit the severance of a surplus farm dwelling at 4071 Walkers Drive 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 notice of decision.**
- 2. That the Applicants' 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 the lands to be severed be re-zoned to 'Surplus Dwelling (SD) Zone'.**
- 4. That an adequate and potable on-site water supply be demonstrated to exist on the land to be severed, to the satisfaction of the Township.**
- 5. That the existing sanitary waste disposal system serving the dwelling be upgraded to current standards, if necessary, and wholly contained on the severed lands, in accordance with the Ontario Building Code, to the satisfaction of the Township.**
- 6. That independent accesses to the lands to be severed and the lands to be retained are provided, to the satisfaction of the Township.**
- 7. That, if necessary, a revised assessment schedule in accordance with the *Drainage Act*, as amended, be commissioned and paid for by the Owners, to the satisfaction of the Township.**
- 8. That the Owners enter into a severance agreement with the Township in order to advise future owners of the severed lot of Consent B08-2017 of normal farm practices occurring in the area as outlined in the *Farming and Food Production Protection Act, 1998*, as amended.**
- 9. That a preliminary survey showing the lands to be severed and the location of all buildings and structures, including their setbacks from the property lines and location of the private water well and the septic tank and tile field be submitted to the satisfaction of the Township prior to being deposited at the Land Registry Office.**
- 10. That two copies of the reference plan be submitted to the satisfaction of the Township**

as the application satisfies the requirements of the Planning Act; 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 represents sound land use planning. CARRIED.

Consent Application B09-2017

Ralph Bos Meats Limited, 3742 Egremont Drive

Peter Bos, owner of Ralph Bos Meats Limited, attended the meeting.

Planner Christie Basalle reviewed Consent Application B09-2017 to sever a 6,544 m² (1.62 ac) rural industrial lot with 48.8 m (160.1 ft) of frontage along Egremont Drive to accommodate an existing agriculture-related industrial use. The lot proposed to be severed contains an existing abattoir and an accessory retail meat store.

The lands proposed to be retained would have a lot area of approximately 2.86 ha (7.08 ac). The lot proposed to be retained contains an existing single-detached dwelling and an accessory agricultural building (horse barn).

Through Planner Christie Basalle's report, it has been recommended that Consent Application B09-2017 be approved subject to conditions as the application: satisfies the requirements of the Planning Act; 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, represents sound land use planning.

The Secretary-Treasurer advised that no written comments had been received. There were no comments from the public in attendance. The Committee of Adjustment discussed the application with the owner and Planner.

MOVED by Councillor Hendrikx

SECONDED by Deputy Mayor Stokman

Resolved that the Committee of Adjustment conditionally approve Consent Application B09-2017 to permit the severance of a rural industrial lot to accommodate an existing agriculture-related industrial use at 3742 Egremont Drive 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.**
- 2. That the Applicants' 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 the lands proposed to be retained be re-zoned from 'General Agriculture (A) Zone and Special Rural Industrial (RM-4) Zone to Special Limited Agriculture (LA-#) Zone to recognize a maximum lot area of 2.86 ha (7.06 ac) and to increase the permitted maximum floor area for an existing livestock building.**

4. That the lands proposed to be severed be re-zoned from Rural Industrial (RM-4) Zone to Special Rural Industrial (RM-#) Zone to permit only an abattoir and retail meat store.
 5. That the owner install a visual screen extending along the proposed lot boundary approximately 40 m (131 ft) to the satisfaction of the Township.
 6. That the owner provide road widening dedication to the County of Middlesex of up to 18 metres from the centerline of Egremont Drive (County Road 22) along the entire frontage of the lands to be severed, to the satisfaction of the County Engineer.
 7. That an adequate and potable on-site water supply be demonstrated to exist on the land to be severed and the lands to be retained, to the satisfaction of the Township.
 8. That the owner provide an Engineered Site Servicing and Grading Plan which illustrates that water is contained on-site and does not impact adjacent properties, to the satisfaction of the Township's Chief Building Official.
 9. That the existing plumbing fixtures be directed to a sewage disposal system that is sized accordingly and meets all clearance distances from the existing well, to the satisfaction of the Township's Chief Building Official.
 10. That, if necessary, a revised assessment schedule in accordance with the *Drainage Act*, as amended, be commissioned and paid for by the Owners, to the satisfaction of the Township.
 11. That a preliminary survey showing the lands to be severed, required road widening and the location of all buildings and structures, including their setbacks from the property lines, be submitted to the satisfaction of the Township.
 12. That two copies of the reference plan be submitted to the satisfaction of the Township
- as the application satisfies the requirements of the Planning Act; 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 represents sound land use planning. CARRIED.

MOVED by Councillor Sanders

SECONDED by Councillor MacKinnon

Resolved that the Committee of Adjustment be closed at 7:38 PM and Council reconvene in regular session. CARRIED.

Staff Reports

Chief Building Official Jeff Denomy presented his report to Council.

MOVED by Councillor MacKinnon

SECONDED by Councillor Hendrikx

Resolved that Council accept the report of the Chief Building Official as presented. CARRIED.

Road Supervisor Eldon Bryant presented his report to Council.

Deputy Mayor Stokman reiterated a declared pecuniary interest then vacated his seat and exited the Council Chambers for the portion of the meeting related Mullifarry Drive Retaining Walls.

Road Supervisor Bryant circulated the results of the tendering for the Mullifarry Drive Retaining Walls. The tendered amounts do not include the cost of the wall system; this will be purchased directly by the Township. The tenders came in over the budgeted amount for the project.

MOVED by Councillor MacKinnon

SECONDED by Councillor Sanders

Resolved that Council accept the tender from All Seasons Excavating for the Mullifarry Drive Retaining Walls in the amount of \$140,690.00 plus HST, as recommended by the Road Supervisor. CARRIED.

Deputy Mayor Stokman returned to Council Chambers and resumed his seat.

MOVED by Councillor MacKinnon

SECONDED by Councillor Hendrikx

Resolved that Council accept the report of the Road Supervisor as presented. CARRIED.

Treasurer/Acting Administrator-Clerk Cathy Case presented her report to Council.

MOVED by Deputy Mayor Stokman

SECONDED by Councillor Hendrikx

Resolved that the accounts payable for period June 2, 2017 to June 14, 2017 in the amount of \$161,332.77 be approved. CARRIED.

**MOVED by Councillor Sanders
SECONDED by Councillor MacKinnon**

Resolved that the Council of the Township of Adelaide Metcalfe require a minimum deposit of \$1,000.00 to be remitted and applied to any costs incurred by the Township for disposition of road allowances where the disposition has not been initiated by the Township. CARRIED.

**MOVED by Councillor MacKinnon
SECONDED by Councillor Hendriks**

Resolved that the Council of the Township of Adelaide Metcalfe receive the report from the Treasurer/Acting Administrator-Clerk as required by the Disposition of Land By-law 22-2010 for property identified by PIN 09616-0167 at the Land Registry Office. CARRIED.

**MOVED by Councillor MacKinnon
SECONDED by Councillor Sanders**

Resolved that the Council of the Township of Adelaide Metcalfe adopt the recommendation contained in the Treasurer-Acting Administrator-Clerk report that the Property identified by PIN 09616-0167 be declared as surplus to the needs of the Township. CARRIED.

**MOVED by Councillor Hendriks
SECONDED by Deputy Mayor Stokman**

Resolved that the Council of the Township of Adelaide Metcalfe authorize the Treasurer/Acting Administrator-Clerk to proceed with the disposition of the property identified by PIN 09616-0167 subject to clearance by the Township Solicitor of the ability to dispose of the subject property and the receipt of the refundable deposit of \$1,000.00 as recommended by the Treasurer/Acting Administrator-Clerk. CARRIED.

**MOVED by Councillor MacKinnon
SECONDED by Councillor Hendriks**

Resolved that the Council of the Township of Adelaide Metcalfe approve the return of the road security deposit of \$75,000.00 to Kerwood Wind LP prior to July 31, 2017. CARRIED.

The Treasurer/Acting Administrator-Clerk advised that the results of the Name and Logo Change/Branding Survey and the Waste and Recycling Survey are being compiled. A full report will be prepared for discussion at the next meeting.

MOVED by Councillor Sanders

SECONDED by Deputy Mayor Stokman

Resolved that Council hold a special meeting on July 10, 2017 at 1:00 PM to review tenders and quotes, to review results of residents' surveys on waste and recycling and name and logo change and to conduct other business that may be necessary. CARRIED.

MOVED by Councillor MacKinnon

SECONDED by Councillor Hendrikx

Resolved that the Council of the Township of Adelaide Metcalfe has no objection to the construction of the MacEwen Petroleum proposed for 28508 Centre Road and that the Treasurer/Acting Administrator-Clerk be authorized to sign the Ministry of Environment application as requested by LRL Engineering on behalf of the Township. CARRIED.

MOVED by Councillor MacKinnon

SECONDED by Councillor Hendrikx

Resolved that Council receive the payroll report for the month of May 2017. CARRIED.

MOVED by Deputy Mayor Stokman

SECONDED by Councillor Hendrikx

Resolved that Council accept the report of the Treasurer/Acting Administrator-Clerk as presented. CARRIED.

Closed Session

MOVED by Councillor Hendrikx

SECONDED by Councillor MacKinnon

Resolved that Council and the Treasurer/Acting Administrator-Clerk move to closed session pursuant to Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees and Section 239(2)(d) labour relations or employee negotiations at 8:00 PM. CARRIED.

MOVED by Councillor Sanders

SECONDED by Councillor MacKinnon

Resolved that the closed session end at 8:17 PM and that Council reconvene in regular session. CARRIED.

**MOVED by Councillor Hendrikx
SECONDED by Deputy Mayor Stokman
Resolved that Council authorize action to be taken as directed in closed session. CARRIED.**

Other Business

Mayor Smith advised that County Council is investigating direct election for County Council seats. Middlesex County CAO, Bill Rayburn is preparing a report.

Mayor Smith stated that County Council will be taking a tour of the new Middlesex-London EMS headquarters.

By-Laws

**MOVED by Deputy Mayor Stokman
SECONDED by Councillor Hendrikx
Resolved that three readings be given to
By-law No. 22-2017, Adopt Tax Rates
By-law No. 23-2017, Confirm Council Proceedings
and that the by-laws be signed by the Mayor and Treasurer/Acting
Administrator-Clerk and the corporate seal be attached. CARRIED.**

Adjournment

**MOVED by Councillor Sanders
SECONDED by Councillor MacKinnon
Resolved that the meeting be adjourned at 8:21 PM. CARRIED.**

Kurtis Smith, Mayor

Cathy Case, Treasurer/Acting
Administrator-Clerk