THE CORPORATION OF THE TOWNSHIP OF ADELAIDE METCALFE COUNCIL MINUTES – June 17, 2019

Present: Mayor Kurtis Smith, Deputy Mayor Mary Ann Hendrikx, Councillor

Mike Brodie (7:03 pm), Councillor Sue Clarke, and Councillor Betty

Ann MacKinnon

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

Noordhof, Public Works Manager Jeff Little, and Planner Erin

Besch (for part of the meeting)

Call to Order

At 7:00 pm, Mayor Kurtis Smith called the meeting to order. A moment of silent reflection was observed.

Declaration of Pecuniary Interest and General Nature Thereof

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

None declared.

<u>Minutes</u>

MOVED by Councillor MacKinnon SECONDED by Deputy Mayor Hendrikx Resolved that the Minutes of the June 3, 2019 regular meeting minutes be approved as circulated. CARRIED.

Correspondence

- A. Upcoming Conferences/Seminars/Meetings
- 1) Regular Council Meeting Monday, July 8, 2019
- 2) Regular Council Meeting Monday, July 22, 2019
- 3) Regular Council Meeting Monday, August 12, 2019
- 4) CC-1 SCRCA-2019 Bus Tour Invitation June 27, 2019
- 5) CC-2 Invitation to Golf Tournament-2019
 - CC-2 Brochure Warden's Golf Tournament 2019
- 6) CC-3 AMO 2019 Conference Aug 18-21 Ottawa
- 7) CC-4 St. Mary's Anglican Church

- B. Recommended Reading
- 1) CC-5 SCRCA Conservation Update June 2019
- 2) CC-6 DeGroot Letter of Concern Proposed Bio-Solid Storage Facility
- C. Action Required
- 1) CC-7 Municipal Significance Request Community Chicken BBQ
- 2) CC-8 Municipal Significance Request Kerwood Firemen Association Fishfry

MOVED by Councillor MacKinnon SECONDED by Councillor Clarke

Resolved that Council defer CC-7, and CC-8 to later in the meeting, after Closed Session. CARRIED.

Delegations & Timed Events

7:05 PM

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 Consent Application B08-2019 (William Leitch, 23920 Taits Road), and Consent Application B09-B10, 2019 (Adelaide Village Farms Inc, Park Lots 1-3, Plan 310, Adelaide Village) at 7:05 pm.

Consent Application B08-2019
William Leitch, 23920 Taits Road

William Leitch was in attendance for the application.

Planner Erin Besch reviewed the application for Consent B08-2019, that was deferred from April 15, 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. The applicant has reduced the size of the severed lot from the original application.

Through Planner Erin Besch's report, it has been recommended that Consent B08-2019 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 6, the requirements of the Township of Adelaide Metcalfe Zoning By-law would be satisfied.

William Leitch had no comments.

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

MOVED by Councillor Clarke SECONDED by Councillor Brodie

Resolved that Application for Consent B08-2019, 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 23920 Taits 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 B08-2019 be paid in full.
- 4. 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.
- 5. That two paper copies and one digital copy of the reference plan be submitted to the satisfaction of the Township.
- 6. That a Zoning By-law Amendment that recognizes the residential use of the retained lot of Consent B08-2019 and prohibits new dwelling on the severed lot of Consent B08-2019 be in full force and effect.
- 7. That the existing accessory buildings 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 the barn on the retained lands be demolished and the debris removed from the property to the satisfaction of the Township, or a Change of Use permit be obtained to prohibit livestock within the structure.
- 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 Township.
- 14. That the owner enter into a severance agreement with the Township in order to advise future owners of the severed lot of Consent B08-2019 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 6, the requirements of the Township of Adelaide Metcalfe Zoning By-law are satisfied. CARRIED.

Consent Application B09-2019, B10-2019

Adelaide Village Farms Inc. c/o Mike Peters, Park Lot 103, Plan 310, Adelaide Village

Mike Peters was in attendance for the applications.

Planner Erin Besch reviewed applications for Consent B09-2019, and B10-2019, to sever two lots from a 19.39 ha (47.92 ac) property within the Village of Adelaide. The applications would facilitate the creation of two residential building lots.

Through Planner Erin Besch's report, it has been recommended that Consent B09-2019 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.

Through Planner Erin Besch's Report, it has been recommended that Consent B10-2019 be deferred until staff and the applicant have had time to address the concerns raised about access to the lot to be severed and lot to be retained.

Mike Peters advised Council that he was not against the newly created Lot 1, to be all one lot instead of 2 lots as proposed.

From the gallery, Mike Carreiro, 29146 Kent Street, advised the Committee of Adjustment his concerns with drainage and the effects on the surrounding properties. Planner Erin Besch advised Mike Carreiro that drainage will be addressed as a condition if the proposed consent applications are granted. Mike Carreiro also advised Council he paid for 300 m extension to Kent Street.

MOVED by Councillor Clarke

SECONDED by Councillor MacKinnon

Resolved that Council defer both consent applications, B09-2019, and B10-2019, until staff and the applicant review and address future road development, and drainage concerns. CARRIED.

MOVED by Councillor Clarke SECONDED by Deputy Mayor Hendrikx

Resolved that the Committee of Adjustment be closed at 7:33 pm and Council reconvene in regular session. CARRIED.

7:20 PM

Public Meeting

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

Resolved that the public meeting to hear Zoning By-law Amendment Application Z05-2019 (Fred and Anne Evans, 1472 Cuddy Drive), be opened at 7:33 pm. CARRIED.

Zoning By-law Amendment Z05-2019 Fred and Anne Evans, 1472 Cuddy Drive

Fred Evans and Lorne Benedict were both in attendance for the meeting.

Planner Erin Besch reviewed Zoning By-law Amendment Application Z05-2019 to rezone the severed parcel created through Consent B04-2019 from General Agriculture (A) Zone to site specific Surplus Dwelling (SD-2) Zone in order to recognize the residential use of the lands and to rezone the retained parcel created through Consent B04-2018 from General Agriculture (A) Zone to Agriculture Only (AO) Zone to prohibit new residential uses on the lands.

Through Planner Erin Besch's report, it has been recommended that Zoning By-law Amendment Z05-2019 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.

Fred Evans inquired if the by-law would receive all three (3) readings since a reference plan was submitted. CAO/Treasurer Cathy Case advised that the by-law would receive all three (3) readings, and that two (2) hard copies and one (1) electronic copy of the reference plan was required.

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

MOVED by Councillor Brodie

SECONDED by Deputy Mayor Hendrikx

Resolved that the public meeting to hear Zoning By-law Amendment Application Z05-2019 (Fred and Anne Evans, 1472 Cuddy Drive), be closed at 7:39 pm. CARRIED.

MOVED by Councillor MacKinnon SECONDED by Councillor Clarke

Resolved that Council approve the application for Zoning By-law Amendment Z05-2019 for 1472 Cuddy Drive to amend the zoning of a portion of the severed parcel created through Consent B04-2019 from General Agriculture (A) Zone to site specific Surplus Dwelling (SD-2) Zone in order to recognize the residential use of the lands and to the amend the zoning of a portion of the retained parcel created through Consent B04-2019 from General Agriculture (A) Zone to Agriculture Only (AO) Zone to prohibit new residential uses on the lands and that Council proceed with the first and second reading of the implementing by-law with third and final reading to be provided once a deposited reference plan has been received to the satisfaction of the Township. CARRIED.

Planning Report - Special Policy Areas Review

Planner Erin Besch presented her report to Council.

MOVED by Deputy Mayor Hendrikx SECONDED by Councillor Brodie

Resolved that Council receive the Memo to Council – Status Update Special Policy Areas Timeline Report as presented by the Planner. CARRIED.

Staff Reports

Public Works Manager Jeff Little presented his reports to Council.

1) PWM-1 Public Works Information Report

MOVED by Councillor MacKinnon SECONDED by Councillor Brodie Resolved that Council accept Public Works Information report 19-01 as prepared by the Public Works Manager. CARRIED.

2) PWM-2 Truck Roadeo 2019

MOVED by Councillor Brodie SECONDED by Councillor MacKinnon

Resolved that Council approve sending Coulter Cahill and Richard Elliott to the Provincial Driver Roadeo on September 11, 2019 in Renfrew. CARRIED.

3) PWM-3 Summer Student 2019

Mayor Smith inquired about the Summer Jobs Grant. CAO/Treasurer Cathy Case advised Council that a grant had been submitted but no response has been received. Cathy also advised Council that the MPs office had also received a call from the Township inquiring about the grant.

MOVED by Deputy Mayor Hendrikx SECONDED by Councillor Brodie Resolved that Council accept the Summer Student Position Report as presented by the Public Works Manager. CARRIED.

4) PWM-4 Disposal of surplus mower

MOVED by Councillor Clarke SECONDED by Councillor Brodie Resolved that Council approve the Disposal of Surplus Equipment Report as presented by the Public Works Manager. CARRIED.

Mayor Smith advised staff to take the highest bid when opening tenders for the disposal of surplus equipment.

MOVED by Councillor MacKinnon SECONDED by Councillor Brodie

Resolved that Council deem the 2013 road side mower to be surplus to the needs of the Township and that staff be directed to proceed with disposal of the surplus equipment as recommended, with the highest bid accepted. CARRIED.

5) PWM-5 Kerwood Sidewalk

MOVED by Councillor Clarke SECONDED by Councillor Brodie Resolved that Council approve the Kerwood Sidewalk Report as presented by the Public Works Manager. CARRIED.

Councillor Clarke inquired about removing the sidewalks south of Grace Street to the CN tracks and replace with topsoil and grass seed.

Mayor Smith inquired about receiving a quote for all sidewalks on the west side of Kerwood Road. Councillor Brodie inquired about receiving a quote for all sidewalks in Kerwood and advised staff of the new house being built on Kerwood Road. Public Works Manager advised Council that he is aware of the house being built and will avoid that area as well as all driveways until later.

MOVED by Deputy Mayor Hendrikx SECONDED by Councillor Brodie

Resolved that Council approve the decommissioning of the sidewalks along Kerwood Road, south of Grace Street to the CN railroad tracks. CARRIED.

MOVED by Deputy Mayor Hendrikx SECONDED by Councillor MacKinnon

Resolved that Council direct the Public Works Manager to prepare a follow-up report on replacement costs for all sidewalks along Kerwood Road, both east and west sides from Adele Street to Grace Street. CARRIED.

6) PWM-6 AORS meeting

MOVED by Councillor Brodie SECONDED by Councillor MacKinnon

Resolved that Council approve the Public Works Manager attendance at the Association of Ontario Road Superintendents meeting June 21, 2019 in Barrie, Ontario and that the Public Works Manager use the Township truck for transportation. CARRIED.

Clerk, Jennifer Turk presented her report to Council.

7) C-1 Emergency Management Program Committee Appointment - Update C-1 Letter to OFMEM

MOVED by Councillor MacKinnon SECONDED by Councillor Clarke

Resolved that Council receive the Emergency Management Program Committee Appointment – Update Staff Report as presented by the Clerk. CARRIED.

MOVED by Councillor MacKinnon SECONDED by Councillor Brodie

Resolved that Council appoint Jennifer Turk, Clerk for the Township of Adelaide Metcalfe as the Emergency Information Officer for the Emergency Control Group. CARRIED.

MOVED by Councillor Clarke SECONDED by Councillor MacKinnon

Resolved that Council appoint the following positions to the Township of Adelaide Metcalfe Emergency Control Group:

- Mayor
- Deputy Mayor
- CAO/Treasurer
- Clerk
- EIO
- Fire Chief
- Public Works Manager
- CEMC

CARRIED.

Deputy Mayor Hendrikx inquired what the ramifications are if the Township is not compliant with Office of the Fire Marshal and Emergency Management regarding annual compliance. Clerk, Jennifer Turk advised Council that there are no ramifications other than correspondence indicating such, that there use to be funding, however, the funding has since been eliminated from the program.

8) CAOTR-1 Invoice Payment Approval CAOTR-1 Invoice Payment Listing May 31 to June 13 2019

Councillor MacKinnon inquired about holding the payment to Canadian National (CN) in regards to maintenance to railroad crossings. CAO/Treasurer advised Council that the invoice from CN is the Township's portion for our roads. Kerwood Road is a County road. Cathy also advised Council that staff has contacted CN in regards to the train whistle concerns brought forth by a resident. When CN comes to a Council meeting the state of the railroad crossings will be dealt with then. Public Works Manager Jeff Little advised Council that contact has been unsuccessful to date.

MOVED by Councillor Clarke

SECONDED by Councillor MacKinnon

Resolved that Council direct staff to contact County representatives and request that Middlesex County Barristers and Solicitors send a letter to CN on behalf of both County and Township regarding the condition of the railway crossing on Kerwood Road. CARRIED.

MOVED by Councillor Brodie SECONDED by Deputy Mayor Hendrikx

Resolved that Council approve the accounts listing for the period May 31, 2019 to June 13, 2019 in the amount of \$421,360.17 as presented. CARRIED.

9) CAOTR-2 Tax Collection and Billing Policy CAOTR-2 Tax Collection and Billing Policy-DRAFT

MOVED by Councillor Clarke SECONDED by Councillor MacKinnon

Resolved that Council receive the Tax Collection Policy Report as presented by the CAO/Treasurer. CARRIED.

MOVED by Councillor Clarke SECONDED by Councillor Brodie

Resolved that Council accept the draft Tax Collection Policy for review to be discussed at the next regular Council meeting for approval. CARRIED.

10) CAOTR-3 Tender ResultsCAOTR-3 Tender 05-2019 Cold in Place Recycled Results

MOVED by Councillor MacKinnon SECONDED by Councillor Brodie

Resolved that Council accept the tender from Norjohn Contracting and Paving Limited for the supply of 54,000 m2 of Cold Recycled Emulsion Mix Leveling Course in the amount \$4.99 per m2 plus HST as recommended by the Public Works Manager. CARRIED.

CAOTR-3 Tender 06-2019 Single Surface Treatment Results

Moved by Councillor MacKinnon SECONDED by Councillor Clarke

Resolved that Council accept the tender from Norjohn Contracting and Paving Limited for the supply of 191,260 m2 of Single Surface Treatment in the amount \$0.39 per m2 plus HST (Apply) and \$2.32 per m2 plus HST (Supply & Apply) as recommended by the Public Works Manager. CARRIED.

CAOTR-3 Tender 07-2019 6mm Chip Results

MOVED by Councilor Brodie

SECONDED by Deputy Mayor Hendrikx

Resolved that Council accept the tender from Clarence Carter and Sons Ltd. for the supply of 5,000 tonnes of 6mm Stone Chip Aggregate in the amount \$17.50 per tonne plus HST as recommended by the Public Works Manager. CARRIED.

CAOTR-3 Tender 08-2019 Construction A Gravel Results

MOVED by Councillor MacKinnon SECONDED by Councillor Brodie

Resolved that Council accept the tender from Clarence Carter and Sons Ltd. for the supply of 7,500 tonnes of "A" Gravel in the amount \$16.20 per tonne plus HST as recommended by the Public Works Manager. CARRIED.

11) CAOTR-4 Township Credit Cards Report

MOVED by Councillor MacKinnon SECONDED by Councillor Brodie

Resolved that Council receive the Township Credit Cards Report as presented by the CAO/Treasurer. CARRIED.

Councillor Clarke inquired about associated fees attached to the credit cards. CAO/Treasurer Cathy Case advised Council that there are three (3) options and staff will be reviewing which option is best for the Township.

Councillor Clarke inquired about points obtained with the credit cards. CAO/Treasurer Cathy Case advised Council that any points obtained by using the credit card will be the property of the Township.

Councillor MacKinnon inquired about the limit for the CAO/Treasurer being too high. CAO/Treasurer advised Council that the limit is set as it is for emergency purchases, as well as booking conference attendance for Council and staff.

MOVED by Councillor Brodie

SECONDED by Deputy Mayor Hendrikx

Resolved that Council approve the recommendation for an aggregate credit limit of \$22,500.00 for the Township Collabria Business Visa account with the senior staff card limits as specified in the report by the CAO/Treasurer:

CAO/Treasurer \$10,000 limit
Clerk \$ 2,500 limit
Public Works Manager \$ 5,000 limit
Chief Building Official \$ 2,500 limit
Fire Chief \$ 2,500 limit

CARRIED.

12) CAOTR-5 Main Street Revitalization Initiative

MOVED by Councillor MacKinnon SECONDED by Councillor Brodie

Resolved that Council receive the Main Street Revitalization Report as presented by the CAO/Treasurer. CARRIED.

MOVED by Councillor Clarke SECONDED by Councillor Brodie

Resolved that Council identify replacing sidewalks in Kerwood to be AODA compliant as a priority for the Main Street Revitalization Imitative Funds. CARRIED.

13) CAOTR-6 Revoke Fire Department Appointments

MOVED by Councillor Brodie SECONDED by Councillor Clarke

Resolved that Council accept the Revoke Metcalfe Fire Department Appointments as presented by the CAO/Treasurer. CARRIED.

Councillor Clarke inquired who the Township has now to do investigations. CAO/Treasurer Cathy Case advised Council that Office of the Fire Marshal and Emergency Management is available to perform investigations upon request.

MOVED by Councillor MacKinnon SECONDED by Councillor Brodie

Resolved that Council hereby revoke the appointment of John Elston, Stephen Guay, and Murray Hathaway as Officers of the Adelaide Metcalfe Fire Department effective June 17, 2019. CARRIED.

14) CAOTR-7 Financial Report

MOVED by Councillor MacKinnon SECONDED by Councillor Brodie

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

Other Business

Councillor Clarke inquired about a property in Kerwood that needed the weeds and grass cut. CAO/Treasurer advised Council that this property plus two (2) other properties were addressed and the work was conducted by the Township grass cutting contractor.

Deputy Mayor Hendrikx advised Council she attended an open house at the Community Employment Choices.

Closed Session

Councillor Brodie declared his pecuniary interest regarding Section 239 (b) personal matters about an identifiable individual, including municipal or local board employees in regards to a relative.

MOVED by Councillor MacKinnon SECONDED by Councillor Brodie

Resolved that Council, the CAO/Treasurer, and the Clerk, move to closed session pursuant to Section 239(2) (b) personal matters about an identifiable individual, including municipal or local board employees; and (d) labour relations or employee negotiations; at 8:51 pm. CARRIED.

MOVED by Councillor Brodie SECONDED by Councillor MacKinnon

Resolved that the closed session end at 9:40 pm and Council convene in open session. CARRIED.

Rise and Report

MOVED by Councillor Clarke

SECONDED by Deputy Mayor Hendrikx

Resolved that Council authorize the Mayor and CAO/Treasurer to sign the Conditional Building Permit Agreement with The Creekside Ag Company Inc., Anna Sanders and Gerardus Sanders when prepared and that the appropriate bylaw be circulated for approval. CARRIED.

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

Correspondence Continued

MOVED by Councillor MacKinnon SECONDED by Councillor Brodie

Resolved that Council deems the Community Chicken BBQ organized by the Optimist Club of Kerwood Adelaide Metcalfe Saturday, July 27, 2019, to be an event of municipal and/or community significance and to advise the Alcohol and Gaming Commission of Ontario that it has no objection to this event. CARRIED.

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

Resolved that Council deems the Kerwood Firemen's Association Fishfry, where a Special Occasions Permit is being obtained by the Optimist Club of Kerwood Adelaide Metcalfe on Saturday, August 24, 2019, to be an event of municipal and/or community significance and to advise the Alcohol and Gaming Commission of Ontario that it has no objection to this event. CARRIED.

MOVED by Councillor MacKinnon SECONDED by Councillor Brodie Resolved that Council receive and file Correspondence items CC-1 to CC-6. CARRIED.

By-laws

MOVED by Councillor MacKinnon
SECONDED by Councillor Brodie
Resolved that all three readings be given to:
By-law No. 46 of 2019 – Zoning By-law Amendment – Z05-2019
By-law No. 47 of 2019 – Tax Rates for 2019 Taxation
By-law No. 48 of 2019 - Confirm Council Proceedings
And that the by-laws be signed by the Mayor and Clerk and have the corporate seal attached. CARRIED.

<u>Adjournment</u>

MOVED by Councillor Clarke SECONDED by Deputy Mayor Hendrikx Resolved that the meeting be adjourned at 9:45 pm. CARRIED.

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Kurtis Smith, Mayor

Jennifer Turk, Clerk