

**THE CORPORATION OF THE TOWNSHIP OF ADELAIDE METCALFE
COUNCIL MINUTES – February 20, 2018**

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

Also Present: CAO/Treasurer Cathy Case, Clerk Jennifer Turk, Public Works Manager Jeff Little, Fire Chief Noordhof, Chief Building Official/Property Standards Officer Jeff Denomy, and Drainage Superintendent Jim Reeve (for part of the meeting)

Durk Vanderwerff, Director of Planning, County of Middlesex, and Erin Besch, Planner, County of Middlesex (for part of the meeting)

Call to Order

At 6:00 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.

Deputy Mayor Stokman declared a conflict of interest on the proposed draft Zoning By-law amendment regarding property labelled 'CC (H-14)' on Map 7 of the proposed changes to the Zoning By-law due to being an abutting property owner to the said lands.

Councillor Hendrikx declared a conflict of interest regarding CAOTR-4 Staff Report regarding noise monitoring update for the Suncor Adelaide Wind Project as she is a property owner in the area of the said project. Councillor Hendrikx also declared a conflict of interest regarding CAOTR-7 Staff Report regarding the approval of a tender for Robotham Drain 2017 as she is a property owner that would be assessed on the said drain.

Councillor MacKinnon declared a conflict of interest regarding Minor Variance Application A01-2018 for Grogast Farms Ltd. She is employed by Solicitor George Sinker who represents Grogast Farms Ltd.

Mayor Smith declared a conflict of interest regarding PW-1 Staff Report regarding well failure at Napier Garage as he has a family member that is a property owner abutting to the location of the current water well.

Minutes

MOVED by Councillor Sanders

SECONDED by Councillor MacKinnon

Resolved that the Minutes of the February 5, 2018 regular meeting be approved as printed and circulated. CARRIED.

Correspondence

- 1) CC-1 Ministry of Environment and Climate Change – Draft Watershed Planning Report
- 2) CC-2 Ausable Bayfield Conservation Authority – Agenda and Minutes
- 3) CC-3 Thames Valley District School Board – Invitation to Community Stakeholders Meeting
- 4) CC-4 Chamber of Commerce – Events
- 5) CC-5 Drinking Water Source Protection – New Supervisors
- 6) CC-6 Middlesex County – Cruise the Coast 2018 Map
- 7) CC-7 Norwich – Ontario Building Code Amendments Resolution

MOVED by Councillor Hendrikx

SECONDED by Deputy Mayor Stokman

Resolved that Council support the resolution from the Corporation of the Township of Norwich regarding Ontario Building Code Amendments; that the Province ensure that the intent of the legislation and regulations relative to the Ontario Building Code continues to be principally for the protection of the Public, and occupant health and safety in relation to the built environment, and examine other avenues for implementation of other initiatives. CARRIED

- 8) CC-8 Kerwood Adelaide Metcalfe Optimist – Request to Waive Fees

MOVED by Councillor Sanders

SECONDED by Deputy Mayor Stokman

Resolved that Council support the request from Kerwood Adelaide Metcalfe Optimist Club to waive the fee for the park rental in Kerwood for the Club to hold their summer soccer program for 2018. CARRIED.

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Stokman

Resolved that Council receive and file Correspondence items CC-1 to CC-6. CARRIED.

Committee Minutes

- 1) CM-1 Health & Safety Minutes December 2017

MOVED by Councillor MacKinnon

SECONDED by Councillor Hendrikx

Resolved that Council receive and file Committee Minutes item CM-1. CARRIED.

Delegations & Timed Events

6:17 PM Durk Vanderwerff, Director of Planning, County of Middlesex
Erin Besch, Planner, County of Middlesex

Erin Besch, Planner reviewed the final amendments being recommended for Council approval.

Durk Vanderwerff reviewed the timeline of events leading to this meeting regarding the final report of the proposed amendments to the Official Plan and Zoning By-law as recommended by staff and Council pertaining to the Interim Control By-law. The proposed amendments relate specifically to the area serviced by Strathroy-Caradoc under the servicing agreement.

At the appropriate time, Deputy Mayor Stokman reiterated his conflict of interest as declared, stepped back from Council table and did not participate in discussions.

MOVED by Councillor Sanders

SECONDED by Councillor MacKinnon

Resolved that the Amendment to the Township of Adelaide Metcalfe Official Plan, as attached to the final report, be adopted and that staff be directed to forward this amendment to the County of Middlesex for consideration and approval; and

**Resolved that the amendment to the Township of Adelaide Metcalfe Zoning By-law, as attached to the final report be approved, which comes into full force and effect upon the approval of the implementing Official Plan Amendment.
CARRIED.**

Staff Reports

Chief Building Official/Property Standards Officer Jeff Denomy presented his reports to Council.

- 1) CBO-1 Permit Comparison 2016 to 2017
- 2) CBO-2 Kerwood Sanitary Sewer 2017 Report

MOVED by Deputy Mayor Stokman
SECONDED by Councillor MacKinnon
Resolved that Council accept the Kerwood Sanitary Sewer 2017 Report as amended by the Chief Building Official. CARRIED.

MOVED by Councillor Sanders
SECONDED by Councillor Hendrikx
Resolved that Council accept the reports from the Chief Building Official as presented. CARRIED.

Public Works Manager Jeff Little presented his reports to Council.

3) PW-1 Well Failure at Napier Garage

Mayor Smith reiterated his conflict of interest as declared, and left Council Chambers. Deputy Mayor Stokman assumed Chair for this portion of the Council meeting.

MOVED by Councillor Sanders
SECONDED by Councillor Hendrikx
Resolved that Council include in the 2018 budget under facility maintenance, a well replacement for the Napier Garage to include the cost for plugging and sealing of the well to be abandoned as recommended by the Public Works Manager. CARRIED.

Mayor Smith returned to Council Chambers and resumed as Chair.

4) PW-2 Agreement with Middlesex County for Sand and Salt

MOVED by Deputy Mayor Stokman
SECONDED by Councillor Hendrikx
Resolved that Council accept the 60/40 ratio of sand to salt as requested by the County of Middlesex and recommended by the Public Works Manager. CARRIED.

MOVED by Councillor Sanders
SECONDED by Deputy Mayor Stokman
Resolved that Council direct staff to prepare a report on the Township's use and storage of sand and salt, including an analysis of costs and benefits between having municipally owned storage versus using the County's facility. CARRIED.

MOVED by Councillor MacKinnon
SECONDED by Councillor Hendrikx
Resolved that Council accept the reports of the Public Works Manager as presented. CARRIED.

Clerk Jennifer Turk presented her reports to Council.

5) C-1 Emergency Response Plan

MOVED by Councillor MacKinnon

SECONDED by Councillor Hendrikx

Resolved that Council accept the amendments to the Emergency Response Plan as recommended by the Clerk/Alternate Community Emergency Management Coordinator; that staff be directed to bring a by-law back to the next Council meeting to adopt the amended plan; and that staff be directed to circulate the amended plan to all Council and staff, CEMC and alternates and any outside agencies. CARRIED.

6) C-2 Procedural By-law Update

MOVED by Deputy Mayor Stokman

SECONDED by Councillor MacKinnon

Resolved that Council accept the amendments to the Procedural By-law as recommended by staff; and that staff be directed to bring the by-law back to Council at the next Council meeting for adoption. CARRIED.

7) C-3 Highway 402 Resolution from Mayor Smith

Council discussed the amount of digital signs to be requested from the Provincial government to install along Highway 402 from City of Sarnia limits to City of London limits. The Clerk recommended to Council to proceed with the number as set out in the resolution, send to neighbouring municipalities for support/feedback, and change the requested number of digital signs if needed.

MOVED by Councillor Sanders

SECONDED by Councillor MacKinnon

Resolved that Council approve the Highway 402 resolution as presented by Mayor Smith, and staff be directed to send the resolution to the Honourable Kathryn McGarry, Minister of Transportation, Premier Kathleen Wynne, MPP for Lambton-Kent-Middlesex Monte McNaughton, as well as Ontario Municipalities whose lands abut highways 402, Association of Municipalities in Ontario, and Ontario Good Roads Association. CARRIED.

MOVED by Councillor Hendrikx

SECONDED by Councillor MacKinnon

Resolved that Council accept the reports of the Clerk as presented. CARRIED

CAO/Treasurer Cathy Case presented her reports to Council.

8) CAOTR-1 Accounts Payable February 2 – 15, 2018

**MOVED by Deputy Mayor Stokman
SECONDED by Councillor Hendrikx
Resolved that Council approve the attendance to the C. S. Anderson Road School
by Public Works Manager Jeff Little and Equipment Operator Coulter Cahill.
CARRIED.**

**MOVED by Councillor MacKinnon
SECONDED by Councillor Sanders
Resolved that the accounts listing for the period February 2 to February 15, 2018
in the amount of \$207,310.70 be approved. CARRIED.**

- 9) CAOTR-2 2018 Municipal Insurance Program
- 10) CAOTR-3 Main Street Revitalization Initiative
- 11) CAOTR-4 Suncor Adelaide Wind Project – Noise Monitoring Update
- 12) CAOTR-5 Logo Design
- 13) CAOTR-6 Winter Weather Event January 4, 2018

**MOVED by Councillor Sanders
SECONDED by Councillor Hendrikx
Resolved that Council approve a donation of \$1,000 to the Municipality of
Strathroy-Caradoc towards the costs of opening a warming centre during the
winter weather event that took place January 4, 2018. CARRIED.**

Delegations & Timed Events

7:13PM 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 A01-2018 (Grogast Farms Ltd., Second
Street) and Consent Application B01-2018 (Gysbers Brothers Inc., 2894
Napperton Drive) at 7:13 PM. CARRIED.**

Minor Variance A01-2018
Grogast Farms Ltd., Second Street

Councillor MacKinnon reiterated her conflict of interest as declared, regarding Minor Variance Application A01-2018 (Grogast Farms Ltd.), and exited Council Chambers.

George Sinker was in attendance for the meeting on behalf of Grogast Farms Ltd.

Planner Erin Besch reviewed the application for Minor Variance A01-2018 to reduce the required 30 m lot frontage on three (3) lots in an approved Plan of Subdivision as required by the Township Zoning By-law.

Through Planner Erin Besch's report, it has been recommended that Minor Variance A01-2018 be approved.

George Sinker indicated that the width of the other lots are more than what is required in the Zoning By-law. There was no comment from members of the public in attendance. The Committee of Adjustment had no comments or questions.

MOVED by Councillor Hendrikx

SECONDED by Councillor Sanders

Resolved that Application for Minor Variance A01-2018 filed by Kirkness Consulting Inc. for Grogast Farms Ltd., for relief from section 11.2 of the Zoning By-law to allow for the reduced lot widths of 28 m for lot 1, 27 m for Lot 2, and 26 m for Lot 4 of Plan Number 33M-736, be GRANTED. CARRIED

Councillor MacKinnon returned to Council Chambers and resumed her seat.

Consent B01-2018

Gysbers Brothers Inc., 2894 Napperton Drive

John Gysbers was in attendance for the meeting.

Planner Erin Besch reviewed application for Consent B01-2018 to establish an access easement over a portion of the subject property, which was severed through a previous consent application (B13-2017), in favour of the retained portion of the land.

Through Planner Erin Besch's report, it has been recommended that Consent B01-2018 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 the requirements of the Township of Adelaide Metcalfe Zoning By-law would be satisfied.

John Gysbers had no comment. There was no comment from members of the public in attendance.

Deputy Mayor Stokman raised concerns with changing condition 11 of Consent Application B13-2017, as it may be setting a precedent.

John Gysbers explained to the Committee of Adjustment the costs associated with moving the hydro lines to the retained portion of the property. The committee had no further issues as long as the property owner was aware of the easement being created through this application.

MOVED by Councillor MacKinnon

SECONDED by Councillor Hendrikx

Resolved that Application for Consent B01-2018, submitted under Section 53 of the Planning Act, to establish an access easement over a portion of property at 2894 Napperton Drive 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 two copies of the reference plan, as prepared by a Registered Ontario Land Surveyor (OLS) defining the easement, are submitted to the satisfaction of the Township.**
- 3. That an Acknowledgement and Direction be prepared by the Applicant's Solicitor for electronic transfer of documents.**

And be it further resolved that Application for Consent B13-2017, Condition 11, be amended to:

- 11. "That the electrical servicing providing connection to the existing single solar panel located on the lands to be retained be wholly contained within the boundaries of the lands to be retained or that an easement be obtained across the severed lands in favour of the retained lands to provide access to the electrical servicing, to the satisfaction of the Township."**

And be it further resolved that the Severance and Shared Use Agreement be endorsed by the Township and registered on title of the severed lands.

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 are satisfied. CARRIED.

MOVED by Councillor Sanders

SECONDED by Councillor MacKinnon

Resolved that the Committee of Adjustment be closed at 7:42 pm and Council reconvene in regular session. CARRIED.

MOVED by Councillor Sanders

SECONDED by Deputy Mayor Stokman

Resolved that Council take a 5 minute recess. CARRIED.

MOVED by Councillor MacKinnon
SECONDED by Deputy Mayor Stokman
Resolved that Council reconvene in regular session at 7:47 pm. CARRIED.

Drain Considerations

At this time Drainage Superintendent Jim Reeve and Mike DeVos, P. Eng., from Spriet Associates were in attendance.

Phillips Drain 2017

MOVED by Councillor MacKinnon
SECONDED by Deputy Mayor Stokman
Resolved that the Engineer's report dated July 14, 2017 for the repair of the Phillips Drain 2017 be considered. CARRIED.

Mike DeVos from Spriet Associates reviewed the Engineer's Report pertaining to the Phillips Drain. Rate payers in attendance Charlie Towers, Andrew Campbell, Ian Bryant, Ervin Bryant, Allan Douglas, and Wayne Campbell. Andrew Campbell requested that subsurface drainage be checked coming to the drain.

MOVED by Deputy Mayor Stokman
SECONDED by Councillor MacKinnon
Resolved that the Engineer's Report on the Phillips Drain 2017 dated July 14, 2017 be adopted as presented. CARRIED.

MOVED by Councillor Sanders
SECONDED by Councillor Hendrikx
Resolved that the Court of Revision for the Phillips Drain 2017 be set for March 19, 2018 at a time to be determined. CARRIED.

McKeen Drain 2017

MOVED by Councillor MacKinnon
SECONDED by Deputy Mayor Stokman
Resolved that the Engineer's report dated December 20, 2017 for the repair of the McKeen Drain 2017 be considered. CARRIED.

Mike DeVos from Spriet Associates reviewed the Engineer's Report pertaining to the McKeen Drain. Ratepayers Natalie Geerts and Junior Van Geffen were in attendance. There were no concerns from ratepayers.

MOVED by Councillor McKinnon
SECONDED by Councillor Hendrikx
Resolved that the Engineer's Report on the McKeen Drain 2017 dated December 20, 2017 be adopted as presented. CARRIED.

MOVED by Councillor MacKinnon
SECONDED by Councillor Hendrikx
Resolved that the Court of Revision for the McKeen Drain 2017 be set for March 19, 2018 at a time to be determined. CARRIED.
Staff Report Continued

At this time, Drainage Superintendent Jim Reeve presented his report to Council.

15) DS-1 2017 Drainage Activity Report

MOVED by Councillor Sanders
SECONDED by Deputy Mayor Stokman
Resolved that Council accept the report of the Drainage Superintendent as presented. CARRIED.

CAO/Treasurer Cathy Case presented Council with tender results regarding four (4) municipal drains and the photocopier in the municipal.

14)CAOTR-7 Tenders & RFP Results

MOVED by Councillor MacKinnon
SECONDED by Councillor Sanders
Resolved that Council accept the tender for Stevenson Drain 2017 from Robinson Farm Drainage Limited in the amount of \$76,825.00 plus HST subject to review and concurrence by Spriet Associates. CARRIED.

MOVED by Councillor MacKinnon
SECONDED by Deputy Mayor Stokman
Resolved that Council accept the tender for Morgan Drain-Branch "C" 2017 from Robinson Farm Drainage Limited in the amount of \$88,750.00 plus HST which includes the boring of the Mullifarry Drive crossing subject to review and concurrence by Spriet Associates. CARRIED.

Councillor Hendrikx reiterated her conflict of interest as declared, and exited from Council Chambers.

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Stokman

Resolved that Council accept the tender for Robotham Drain 2017 from Robinson Farm Drainage Limited in the amount of \$65,479.00 plus HST which includes the boring of the Cuddy Drive crossing subject to review and concurrence by Spriet Associates. CARRIED

Councillor Hendrixx returned to Council Chambers.

CAO/Treasurer advised that only one (1) tender was received for the Ward Drain Extension 2017.

Council discussed with Mike DeVos, Spriet Associates the option of opening the one (1) tender received for the said drain, or going through the tender process again in order to capture more bids. Council directed staff to open the one (1) tender.

MOVED by Councillor Sanders

SECONDED by Councillor MacKinnon

Resolved that Council accept the tender from All Season's Excavating in the amount of \$51,450 plus HST subject to review and concurrence by Spriet Associates. CARRIED.

MOVED by Councillor MacKinnon

SECONDED by Councillor Hendrixx

Resolved that Council approve the proposal from OE Canada Inc. for the supply of a Toshiba e-studio 4505AC photocopier as recommended by the CAO/Treasurer. CARRIED.

MOVED by Councillor Sanders

SECONDED by Deputy Mayor Stokman

Resolved that Council accept the reports of the CAO/Treasurer as presented. CARRIED.

Other Business

Councillor Hendrixx reported on her attendance at the ROMA Conference.

Mayor Smith advised Council of the recent Grand Opening he attended for MacEwen Petroleum Inc. on Centre Road in the Township on February 15, 2018.

Mayor Smith advised Council of the upcoming Mayor, MP, and MPP Luncheon scheduled for Friday, February 23 from 11:30am to 1:30pm at Caradoc Sands Golf Club.

By-Laws

MOVED by Deputy Mayor Stokman

SECONDED by Councillor Hendrikx

Resolved that first and second readings be given to:

By-law No. 5 of 2018 – Phillips Drain 2017

By-law No. 6 of 2018 – McKeen Drain 2017

And that the by-laws be signed by the Mayor and Clerk. CARRIED.

MOVED by Councillor Sanders

SECONDED by Deputy Mayor Stokman

Resolved that all three readings be given to:

By-law No. 7 of 2018, Confirm Council Proceedings

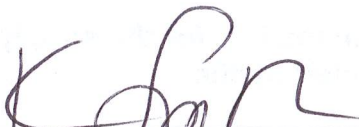
And that the by-law be signed by the Mayor and Clerk and the corporate seal be attached. CARRIED.

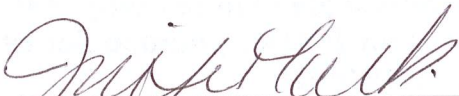
Adjournment

MOVED by Deputy Mayor Stokman

SECONDED by Councillor MacKinnon

Resolved that the meeting be adjourned at 8:34 PM. CARRIED.



Kurtis Smith, Mayor

Jennifer Turk, Clerk