

**THE CORPORATION OF THE TOWNSHIP OF ADELAIDE METCALFE
COUNCIL MINUTES – July 23, 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, 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.

Deputy Mayor Stokman declared a conflict of interest on the proposed Zoning By-law Amendment application ZBA07-2018, 2173 Mullifarry Drive, due to having a historical family connection to the property.

Minutes

**MOVED by Councillor MacKinnon
SECONDED by Councillor Hendrikx
Resolved that the Minutes of the July 9, 2018 regular meeting be approved and amended as circulated. CARRIED.**

Correspondence

- A. Upcoming Conferences/Seminars/Meetings
- 1) Regular Council Meeting - Monday, August 13, 2018
 - 2) Regular Council Meeting - Tuesday, September 4, 2018
 - 3) Regular Council Meeting - Monday, September 17, 2018
 - 4) AMO Conference – August 19 – 22, 2018, Ottawa, ON
 - 5) CC-1 ABCA - Invitation to Public Information Open House

B. Recommended Reading

- 1) CC-2 ABCA - Board of Directors Meeting & Minutes
- 2) CC-3 SCRCA - 2018 June Meeting Highlights
- 3) CC-4 AMO - Ontario Government's Speech from the Throne
- 4) CC-5 Middlesex-London Health Unit - Changes to SFOA 2017 Delayed
- 5) CC-6 Union Gas - 2017 Disposition of Deferral Account Balances
- 6) CC-7 JLT - Post Summit Book
- 7) CC-8 BM Ross - Class EA for Bear Creek Bridge - County of Lambton Project Update
- 8) CC-9 Ombudsman - 2017-2018 Annual Report

C. Action Required

- 1) CC-10 - TVDSB - Invitation to Join Strathroy Imagine Group's Planning Committee

Mayor Smith asked the Clerk to email the date of the next meeting to Council.

- 2) CC-11 Fire Underwriters Survey - Canadian Fire Chief of the Year Award

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Stokman

Resolved that Council nominate Arend Noordhof, Fire Chief for the Township of Adelaide Metcalfe Fire Department for the Canadian Fire Chief of the Year Award and that staff be directed to send nomination papers to Canadian Association of Fire Chiefs by the submission deadline. CARRIED.

- 3) CC-12 College of Physicians and Surgeons of Ontario - 2019 Council Award

MOVED by Councillor Sanders

SECONDED by Deputy Mayor Stokman

Resolved that Council receive and file correspondence items CC-1 to CC-10, and CC-12. CARRIED.

Delegations & Timed Events

7:07 PM PUBLIC MEETING

MOVED by Councillor Sanders
SECONDED by Councillor MacKinnon
Resolved that the public meeting to hear Zoning By-law Amendment Application ZBA07-2018 (Jeff Van Gorp, 2173 Mullifarry Drive) be opened at 7:10 p.m.
CARRIED.

At the appropriate time, Deputy Mayor Stokman reiterated his conflict of interest as declared, left Council chambers.

Zoning By-law Amendment ZBA07-2018
Jeff Van Gorp, 2173 Mullifarry Drive

Paul Hendrikx, authorized agent, was in attendance for the meeting.

Planner Erin Besch reviewed Zoning By-law Amendment Application ZBA07-2018 to rezone the severed parcel created through Consent B17-2017 from General Agriculture (A) Zone to Surplus Dwelling (SD) Zone in order to recognize the residential use of the lands and to rezone the retained parcel created through Consent B17-2017 from General Agriculture (A) Zone to Agriculture Only (AO) Zone to prohibit new residential dwellings on the lands.

Through Planner Erin Besch's report, it has been recommended that Zoning By-law Amendment ZBA07-2018 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.

Paul Hendrikx had nothing further to add to the application. There were no comments from the public in attendance. Council had no questions or concerns.

MOVED by Councillor Sanders
SECONDED by Councillor Hendrikx
Resolved that the public meeting to hear Zoning By-law Amendment Application ZBA07-2018 (Jeff Van Gorp, 2173 Mullifarry Drive) be closed at 7:10 p.m.
CARRIED.

MOVED by Councillor MacKinnon
SECONDED by Councillor Sanders
Resolved that Council approve the application for Zoning By-law Amendment ZBA07-2018 for 2173 Mullifarry Drive to amend the zoning of a portion of the severed parcel created through Consent B17-2017 from General Agriculture (A) Zone to Surplus Dwelling (SD) Zone in order to recognize the residential use of the lands and to amend the zoning of a portion of the retained parcel created through Consent B17-2017 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.

Deputy Mayor Stokman returned to his seat.

7:16 PM COMMITTEE OF ADJUSTMENT

**MOVED by Councillor Sanders
SECONDED by Councillor MacKinnon
Resolved that Council convene as the Committee of Adjustment for the purpose of hearing Consent Application B07-2018 (John & Jean Milligan, 4121 Crathie Drive), at 7:16 p.m. CARRIED.**

Consent B07-2018
John & Jean Milligan, 4121 Crathie Drive

Ken Milligan, authorized agent, was in attendance for the meeting.

Planner Erin Besch reviewed application for Consent B07-2018 which is a re-submission of Consent Application B10-2017, that was conditionally approved by the Committee of Adjustment on July 17, 2017. As the conditions of consent were not satisfied within the required timeline under Section 53 of the Planning Act, the application was deemed to be refused. The purpose of the application for Consent B10-2017 was 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 B07-2018 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 subject to Condition 4, the Township of Adelaide Metcalfe Zoning By-law would be satisfied.

Ken Milligan commented on condition #3 as he would like to keep the original lot size presented with the application due to an environmental farm plan that protects his well.

The Committee of Adjustment had no concerns with keeping the original lot measurements presented with the application.

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

**MOVED by Councillor MacKinnon
SECONDED by Councillor Sanders
Resolved that Application for Consent B07-2018, submitted under Section 53 of the Planning Act, to permit the severance of a surplus farm dwelling, at 4121 Crathie 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.
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 the area of the lot to be severed be no greater than 0.73 ha (1.8 ac) with a frontage of approximately 100.2 m (328.7 ft) along Crathie Drive.
4. That the lands to be severed be re-zoned to 'Surplus Dwelling (SD) Zone' and that the portion of the lands to be retained which are currently zoned 'General Agriculture (A) Zone' be re-zoned to 'Agriculture Only (AO) Zone'
5. 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's Chief Building Official.
6. That a qualified septic installer provide a report to confirm the location and condition of the Norweco Singulair Bio-Kinetic Waste Water Treatment System installed on October 5, 1993, and provide a report indicating that the septic system is working satisfactorily or is to be replaced, to the satisfaction of the Township's Chief Building Official.
7. That the dwelling unit be deemed to be habitable by the Township's Chief Building Official.
8. That independent accesses to the lands to be severed and the lands to be retained are provided, to the satisfaction of the Township.
9. That revised drain assessment schedules in accordance with the Drainage Act, as amended, be commissioned and paid for by the owners, to the satisfaction of the Township.
10. That the owner enter into a severance agreement with the Township in order to advise future owners of the severed lot of Consent B07-2018 of normal farm practices occurring in the area as outlined in the Farming and Food Production Protection Act, 1998, as amended.
11. That any outstanding property taxes for the severed and retained lots of Consent B07-2018 be paid in full.
12. That a preliminary survey showing the lands being severed and the location of all buildings and structures including their setbacks from the property lines and the location of the private water well and the septic system and tile field be submitted to the satisfaction of the Township.
13. That two paper copies and one digital copy of the reference plan be submitted to the satisfaction of the Township.

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 4, the requirements of the Township of Adelaide Metcalfe Zoning By-law are satisfied. CARRIED.

MOVED by Councillor Hendrikx
SECONDED by Councillor MacKinnon
Resolved that the Committee of Adjustment be closed at 7:30 p.m. and Council reconvene in regular session. CARRIED.

Deputy Mayor Stokman asked Planner Erin Besch why the inset map did not follow the same alignment as the layer map on the meeting notices. Erin Besch explained the difference is behind the scenes as a technical issue. Planner Erin Besch was going to investigate.

Drain Consideration

Armin Kruspel, P. Eng and George Vereyken, P. Eng. from Spriet Associates were in attendance.

7:45 PM Carrothors Drain 2018

MOVED by Deputy Mayor Stokman
SECONDED by Councillor Hendrikx
Resolved that the Engineer's report dated July 6, 2018 for the repair of the Carrothors Drain 2018 be considered. CARRIED.

George Vereyken from Spriet Associates reviewed the Engineer's Report pertaining to the Carrothors Drain. Rate payers in attendance Melinda Rombouts, Chuck Feddema, and Jacob Vander Maden. Melinda Rombouts advised that no trees will be removed to accommodate the relocation of the drain.

MOVED by Councillor Sanders
SECONDED by Deputy Mayor Stokman
Resolved that the Engineer's Report on the Carrothors Drain 2018 dated July 6, 2018 be adopted as revised. CARRIED.

MOVED by Councillor MacKinnon
SECONDED by Councillor Sanders
Resolved that the Court of Revision for the Carrothors Drain 2018 be set for August 13, 2018 at a time to be determined. CARRIED.

MOVED by Councillor Sanders
SECONDED by Deputy Mayor Stokman
Resolved that Council grant the approval to the property owner to proceed with the relocation of the Carrothors Drain 2018 pending further revisions that may be required to the report as a result of the final geo-technical report, and that the property owner proceed at their own expense should the report be revised. CARRIED.

Staff Reports

1) DS-1 Municipal Drain Activity Update

In the absence of Drainage Superintendent Jim Reeve, CAO/Treasurer Cathy Case, reviewed the report as submitted.

**MOVED by Councillor MacKinnon
SECONDED by Councillor Hendrikx
Resolved that Council accept the Municipal Drain Activity Update Report as submitted. CARRIED.**

Councillor Sanders inquired about drain work being tendered. CAO/Treasurer advised Council that the Drainage Superintendent does get quotes for drain projects.

Deputy Mayor Stokman inquired when the repair work to Ward Drain would take place. CAO/Treasurer advised Council that a ratepayer requested that the work be postponed until after an event being held at the ratepayer's property took place. The contractor was ready to start beginning of June.

Clerk Jennifer Turk presented her reports to Council.

2) C-1 Establishing & Regulating By-law for Adelaide Metcalfe Fire Department (Kerwood)

**MOVED by Councillor Hendrikx
SECONDED by Councillor MacKinnon
Resolved that Council accept the Establishing & Regulating By-law for Adelaide Metcalfe Fire Department (Kerwood) Report as presented by the Clerk and any questions, comments, or concerns pertaining to the by-law be directed to the Fire Chief at the August 13, 2018 Council Meeting. CARRIED.**

3) C-2 Providing for Public Notice Report – Revision to By-law 68 of 2002

**MOVED by Deputy Mayor Stokman
SECONDED by Councillor MacKinnon
Resolved that Council accept the Providing for Public Notice Report as presented by the Clerk and that any questions, comments, or concerns pertaining to the by-law be directed to the Clerk at the August 13, 2018 Council Meeting. CARRIED.**

4) C-3 DataFix Agreement for 2018 Municipal and School Board Elections

**MOVED by Councillor MacKinnon
SECONDED by Councillor Hendrikx
Resolved that Council approve the Voter List Management Services Agreement with Comprint Systems Incorporation (doing business as "DataFix") and that the**

Mayor and Clerk be authorized to sign the Voter List Management Services Agreement. CARRIED.

5) C-4 Change of Start Time August 13, 2018

MOVED by Deputy Mayor Stokman

SECONDED by Councillor Hendrikx

Resolved that Council accept the Change of Start Time – August 13, 2018 Council Meeting Report as presented by the Clerk. CARRIED.

MOVED by Deputy Mayor Stokman

SECONDED by Councillor Sanders

Resolved that Council change the start time of the Monday, August 13, 2018 Council Meeting from 7:00 pm to 6:00 pm in order to conduct the scheduled agenda items for this meeting. CARRIED.

6) CAOTR-1 Accounts Payable July 6 – 19, 2018

MOVED by Councillor Hendrikx

SECONDED by Councillor Sanders

Resolved that council approve the accounts listing for the period July 6 to July 19, 2018 in the amount of \$478,949.91 as presented. CARRIED.

7) CAOTR-2 Vacancy unit Rebate Program - Update

MOVED by Councillor MacKinnon

SECONDED by Councillor Hendrikx

Resolved that Council accept the Vacancy Unit Rebate Program Update Report as prepared by the CAO/Treasurer. CARRIED.

8) CAOTR-3 Municipal Funding Agreement – Main Street Revitalization Initiative

MOVED by Councillor Hendrikx

SECONDED by Council MacKinnon

Resolved that Council accept the Municipal Funding Agreement – Main Street Revitalization Initiative Report as presented by the CAO/Treasurer. CARRIED.

9) CAOTR-4 Strathroy-Caradoc – Adelaide Metcalfe Servicing Agreement

MOVED by Councillor Hendrikx

SECONDED by Councillor MacKinnon

Resolved that Council approve the Strathroy-Caradoc – Adelaide Metcalfe Servicing Agreement Report as presented by the CAO/Treasurer and that Adelaide Metcalfe Council request Strathroy-Caradoc Council consider a six (6) month extension to the Highway 81 Servicing Agreement for review purposes and that the renewal date be targeted for April 2019. CARRIED.

10) CAOTR-5 Tender 18-2018 Tree Removal and Stump Removal

CAO/Treasurer Cathy Case advised Council that no tenders were received for Tender 18-2018.

MOVED by Councillor Sanders

SECONDED by Councillor Hendrikx

Resolved that Council direct staff to re-issue the tender for tree removal and stump removal. CARRIED.

11) CAOTR-6 Financial Report Including June Payroll

MOVED by Councillor Sanders

SECONDED by Deputy Mayor Stokman

Resolved that Council accept the Financial Report including June 2018 Payroll as presented by the CAO/Treasurer. CARRIED.

Other Business

Councillor MacKinnon inquired about having a Parks & Recreation Committee meeting to discuss fencing at Kerwood Park. CAO/Treasurer Cathy Case advised Council that the work should be held off until a master plan for the Park has been completed. Mayor Smith suggested that possibly the trees along Kerwood Road and in the area of the swings could be trimmed in the meantime.

Mayor Smith suggested to Council to plant the tree for Canada 150 as Council approved in 2017. Discussions took place regarding what kind of tree to plant in fall of 2018.

Mayor Smith gave Council an update regarding County Council at the July 17 meeting. The following was discussed:

- SCOR – Update on activities including FoodHub
- SWIFT - Presentation to County Council on the Project Overview, Project Update, Broadband Development Fund and Membership
- Appeal of Lucan Biddulph Consent Application No. B-1/2018
- Vacancy Rebate Program Final Report
- Application for Council Exemption for Cutting of Woodlands

Councillor Sanders complimented Public Works Department Labourer Coulter Cahill on the ditching work that took place along Sexton Road.

By-laws

MOVED by Councillor MacKinnon

SECONDED by Councillor Hendrikx

Resolved that the first and second readings be given to:

By-law No. 40 of 2018 – Carrothers Drain 2018

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

MOVED by Councillor MacKinnon

SECONDED by Councillor Sanders

Resolved that all three readings be given to:

By-law No. 36 of 2018 – Employee Code of Conduct

By-law No. 37 of 2018 – Voter List Management Services Agreement - DataFix

By-law No. 38 of 2018 – Municipal Funding Agreement – AMO Main Street Revitalization Initiative

By-law No. 39 of 2018 – Zoning By-law Amendment – Jeff Van Gorp

By-law No. 41 of 2018 – 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 Hendrikx

SECONDED by Deputy Mayor Stokman

Resolved that the meeting be adjourned at 8:20 pm. CARRIED.



Kurtis Smith, Mayor



Jennifer Turk, Clerk