

**THE CORPORATION OF THE TOWNSHIP OF ADELAIDE METCALFE
COUNCIL MINUTES – December 16, 2019**

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

Absent: Councillor Sue Clarke

Also Present: CAO/Treasurer Cathy Case, Clerk Jennifer Turk, Public Works Manager Coulter Cahill, Planner Erin Besch (for part of meeting) and Planner Policy Advisor Abbey Heddle (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.

Mayor Smith declared a pecuniary interest relating to Zoning By-law Amendment Application Z13-2019, Patrick and Stephanie Sanders, 5333 Calvert Drive, as the applicant is his sister.

Minutes

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that the minutes of the December 2, 2019 Regular Meeting Minutes be approved as circulated. CARRIED.

Delegations & Timed Events

7:05 PM **Jim Moyer, Representative for 27987 Kerwood Road**
Re: Extension to Tidy Yard Complaint

Jim Moyer requested an extension to a Tidy Yard complaint that was submitted to the Township in October 2019. Clerk Turk advised Council that third and final notice was served to the property owner.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Council approve the request of extension from Jim Moyer, representative for property owner at 27987 Kerwood Road, with a compliance date of February 29, 2020 in order to comply with By-law No. 40 of 2019, being Tidy Yard By-law, and that Council approve staff discretionary judgement on the extension of the date, for weather conditions only, if necessary. CARRIED.

7:10 PM

Public Meeting

MOVED by Councillor Brodie

SECONDED by Deputy Mayor Hendrikx

Resolved that the public meeting to hear Zoning By-law Amendment Z12-2019 (Janssen, 4223 Egremont Drive), and Z13-2019 (Sanders, 5333 Calvert Drive) be opened at 7:12 PM. CARRIED.

Zoning By-law Amendment Application Z12-2019

Angela Janssen
4223 Egremont Drive

Applicant Angela Janssen was in attendance for the application

Planner Erin Besch reviewed Zoning By-law Amendment Application Z12-2019 to temporarily amend the zoning of the subject lands from General Agriculture (A) Zone to include a Temporary Use Provision (T-9) Symbol in order to facilitate the construction of a second dwelling unit within an existing detached accessory structure. The temporary zoning will be in effect for three years, at which time the lands will return to the underlying General Agriculture (A) Zone.

Through Planner Erin Besch's report, it has been recommended that Zoning By-law Amendment Z12-2019 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.

Angela Janssen had no further comments.

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

Zoning By-law Amendment Application Z13-2019
Patrick & Stephanie Sanders, 5333 Calvert Drive

Mayor Smith reiterated his conflict of interest and left Council chambers. Deputy Mayor Hendrikx chaired this portion of the meeting.

There was no representation for the application.

Planner Erin Besch reviewed Zoning By-law Amendment Application Z13-2019 to amend the zoning of the lot to be severed from the General Agriculture (A) Zone to a site-specific Surplus Dwelling (SD-3) Zone in order to recognize the residential use of the lands. The application also proposes to amend the zoning of the lot to be retained from the General Agricultural (A) Zone to the 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 Z13-2019 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.

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

Councillor Brodie inquired if the site-specific Surplus Dwelling (SD-3) Zone was a result of the drive shed being bigger than normal. Planner Erin Besch advised Council that the site-specific Surplus Dwelling Zone purposed is because of the bigger than normal drive shed that is located on the property.

Mayor Smith returned to his seat at the Council table.

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that the public meeting to hear Zoning By-law Amendment Z12-2019 (Janssen, 4223 Egremont Drive), and Z13-2019 (Sanders, 5333 Calvert Drive), be closed at 7:20 PM. CARRIED.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Council approve the application for Zoning By-law Amendment Z12-2019 for 4223 Egremont Drive to temporarily amend the zoning of the subject lands from General Agriculture (A) Zone to include a Temporary Use Provision (T-9) Symbol in order to facilitate the construction of a second dwelling unit within an existing detached accessory structure; that the temporary zoning will be in effect for three years, at which time the lands will return to the underlying General Agriculture (A) Zone and that Council proceed with the first, second, and third readings of the implementing by-law. CARRIED.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Council approve the application for Zoning By-law Amendment Z13-2019 for 5333 Calvert Drive to amend the zoning of a portion of the severed parcel created through Consent B06-2019 from General Agriculture (A) Zone to site-specific Surplus Dwelling (SD-3) 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 B06-2019 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.

P-1 Special Policy Area Review

Erin presented her Recommendation Overview Report to Council. Clerk Turk advised Council that they would need to schedule the next open meeting for Council to discuss and provide input on the report submitted by Planner Besch.

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that Council receive the Special Policy Area Review Recommendations Overview Planning Report for information proposes to be discussed in further detail at a subsequent meeting, as submitted by Planner Erin Besch. CARRIED.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Council schedule a Special Meeting to be held on Wednesday, January 29, 2020 at 7:00 PM, located at the Kerwood Fire Hall in order to discuss the Special Policy Area Review Recommendations Overview Planning Report as presented by Planner Erin Besch. CARRIED.

7:40 PM

Fred Cahill & Pam McLean

Re: 25700 Kerwood Road

Pam McLean made a verbal presentation to Council regarding Special Policy Area #4A. Fred Cahill advised Council that a package for Council to review was presented with additional information for Council's knowledge.

Fred Cahill inquired about the next step in the Special Policy Area Review process. CAO/Treasurer Cathy Case advised Fred that the next meeting on January 29, 2020 will be for Council's discussion and input regarding the recommendations overview report. Another public meeting will be scheduled by Council to review the proposed draft Official Plan Amendment and the draft Zoning By-law Amendment, if directed by Council to proceed. Council will make a decision on the amendments, and will be circulated to the County of Middlesex for final approval.

Mayor Smith thanked the delegation for their time.

Correspondence

- A. Upcoming Conferences/Seminars/Meetings
- 1) Regular Council Meeting - Tuesday, January 28, 2020
 - 2) Regular Council Meeting - Monday, February 3, 2020
 - 3) Regular Council Meeting - Tuesday, February 18, 2020
 - 4) ROMA Conference January 19 – 21, 2020, Sheraton, Toronto
 - 5) OGRA Conference February 23 – 26, 2020 Fairmont, Toronto
- B. Recommended Reading
- 1) CC-1 AMO - November 29 2019 Board Highlights
 - 2) CC-2 BRA - November 2019 Highlights
 - 3) CC-3 BRA - Christmas Holiday Schedule
 - 4) CC-4 FCHS Fall 2019 Newsletter compressed
 - 5) CC-5 OPP - Municipal Policing Bureau News Release December 2019
 - 6) CC-6 OMAFRA - Notification of NASM Plan Approval
 - 7) CC-7 SCRCA 2019 November Meeting Highlights
 - 8) CC-8 ABCA December 19, 2019 Agenda-Board of Directors (1)
CC-8 ABCA Board of Director's Minutes November 14 2019
CC-8 ABCA General Manager's Report
- C. Action Required
None

MOVED by Deputy Mayor Hendrikx
SECONDED by Councillor MacKinnon
Resolved that Council receive and file Correspondence Items CC-1 to CC-8.
Carried.

Staff Reports

Public Works Manager Coulter Cahill presented his report to Council.

- 1) PWM-1 MMS and Closure of Sidewalks
PWM-1 FAQ 2018 MMS amendment
PWM-1 Bylaw No 3 of 2019 Adopt MMS

Councillor MacKinnon inquired what “ADT” meant in the FAQ that was provided for by Frank Cowan Insurance. Public Works Manager Coulter Cahill advised Council that he would investigate.

MOVED by Councillor MacKinnon
SECONDED by Councillor Brodie
Resolved that Council approve the Season Closure of Sidewalks – Minimum Maintenance Standards Report as presented by the Public Works Manager.
CARRIED.

MOVED by Councillor MacKinnon
SECONDED by Deputy Mayor Hendrikx
Resolved that Council approve the draft by-law relating to the seasonal closure of sidewalks in Adelaide Metcalfe as drafted by the Clerk, in collaboration with the Public Works Manager. CARRIED.

Clerk Jennifer Turk presented her report to Council.

- 2) C-1 By-law Enforcement November 2019 Monthly Report
C-1 By-law No 40 of 2019 - Tidy Yard

Councillor MacKinnon inquired if there was an amendment to the fee schedule if the by-law would be sent for approval through the Provincial Offenses Act. Clerk Turk advised Council that the by-law would be sent to the Ministry of Attorney General for approval so the additional fine could be included in the Tidy Yard By-law.

Mayor Smith inquired if the added fine would be in effect to the complaints filed to the Municipal Office to date. Clerk Turk advised Council that the added fine would not be applicable to the complaints received or future complaints received until the fine schedule was approved by the Ministry of Attorney General that would include the added fine as approved by Council.

MOVED by Councillor MacKinnon
SECONDED by Deputy Mayor Hendrikx
Resolved that Council receive the By-law Enforcement Report for the period ending November 30, 2019 as presented by the Clerk. CARRIED.

MOVED by Councillor MacKinnon
SECONDED by Deputy Mayor Hendrikx
Resolved that Council approve the amendment to impose a fine of \$300.00 to be added to Schedule 'D' (fine schedule) to By-law 40 of 2019, pertaining to section 4.11 – Yards – Motor Vehicles of the By-law. CARRIED.

CAO/Treasurer Cathy Case presented her reports to Council.

- 3) CAOTR-1 Invoice Payment Approval
CAOTR-1 Invoice Payment Listing-Nov 28 to Dec 11 2019

MOVED by Deputy Mayor Hendrikx
SECONDED by Councillor Brodie
Resolved that Council receive the Invoice Payment Approval – November 28 to December 11, 2019 Report as presented by the CAO/Treasurer. CARRIED.

**MOVED by Councillor MacKinnon
SECONDED by Councillor Brodie**

Resolved that Council approve the accounts listing for the period November 28, 2019 to December 11, 2019 in the amount of \$122,107.55 as presented. CARRIED.

- 4) CAOTR-2 Year End Payment Approval

**MOVED by Councillor MacKinnon
SECONDED by Deputy Mayor Hendrikx**

Resolved that Council receive the Invoice Payment Approval – Year End Staff Report as presented by the CAO/Treasurer. CARRIED.

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

Resolved that Council authorize the continuation of the payment of accounts and invoices that were approved in the 2019 budget or are time sensitive prior to the next regular Council meeting. CARRIED.

- 5) CAOTR-3 Procurement Policy
CAOTR-3 Procurement Policy-DRAFT

MOVED by Deputy Mayor Hendrikx

SECONDED by Councillor Brodie

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

MOVED by Councillor Brodie

SECONDED by Deputy Mayor Hendrikx

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

- 6) CAOTR-4 Strategic Plan 2019 Update
CAOTR-4 Draft Strategic Plan 2019

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Council receive the Strategic Plan 2019 Update Report as presented by the CAO/Treasurer. CARRIED.

MOVED by Deputy Mayor Hendrikx

SECONDED by Councillor Brodie

Resolved that Council approve the Strategic Plan 2019 as presented. CARRIED.

- 7) CAOTR-5 Strategic Asset Management Plan
CAOTR-5 Strategic Asset Management Policy-DRAFT

MOVED by Councillor Brodie
SECONDED by Deputy Mayor Hendrikx
Resolved that Council receive the Strategic Asset Management Plan Report as presented by the CAO/Treasurer. CARRIED.

MOVED by Deputy Mayor Hendrikx
SECONDED by Councillor Brodie
Resolved that Council approve the Strategic Asset Management Plan Policy as presented. CARRIED.

8) CAOTR-6 Financial Report

MOVED by Councillor Brodie
SECONDED by Deputy Mayor Hendrikx
Resolved that Council receive the Financial Report including November 2019 Payroll as presented by the CAO/Treasurer. CARRIED.

Other Business

Sydenham Ridge Estates – Liquor Sales License Inquiry

Councillor Brodie advised Council that he received an email on the weekend from Sydenham Ridge Estates regarding the business obtaining a liquor sales license. Councillor MacKinnon advised Council that she had also received the same email and forwarded it onto Clerk Jennifer Turk. Clerk Jennifer Turk advised Council that staff received an official plan amendment application and a zoning by-law amendment application December 16, 2019. Clerk Jennifer Turk also advised Council that the email was not sent to Deputy Mayor Hendrikx, or Mayor Smith. Clerk Turk advised Council that a staff report will be coming forth to Council at the January 28, 2020 Council meeting outlining a summary of events that has taken place since the initial meeting on May 6, 2019 with the property owner.

Regulating Zoning Areas – Agricultural vs Industrial

Deputy Mayor Hendrikx inquired if Council can regulate agricultural and industrial zoning in the Township. Councillor MacKinnon advised Council that the Planner will set out definitions in the Zoning By-law which is a tool to the Official Plan.

County of Middlesex – Warden 2019/2020

Mayor Smith advised Council that the Warden for 2019/2020 is Cathy Burghardt-Jesson, Mayor for Lucan Biddulph. She was acclaimed to the position at the December 4, 2019 Inaugural Meeting.

Sale of the Middlesex County Properties

Mayor Smith advised Council that on November 26, 2019 Middlesex County Council authorized the Warden to enter into a conditional agreement for the sale of the Middlesex County properties (50 King Street and 399 Ridout Street North) to York Developments for \$30 million dollars. The County of Middlesex has a lease agreement

option to continue the use of the 399 Ridout Street property at no cost until December of 2024 with an option to extend past this date.

Closed Session

In attendance for the Closed Session was Mayor Kurtis Smith, Deputy Mayor Mary Ann Hendrikx, Councillor Mike Brodie, and Councillor Betty Ann MacKinnon, CAO/Treasurer Cathy Case, Clerk Jennifer Turk. Absent was Councillor Sue Clarke.

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

Resolved that Council hold a Closed Session meeting as provided for as per Section 239 (2) of the Municipal Act, 2001, as amended:

(b) personal matters about an identifiable individual, including municipal or local board employees; and

(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose at 8:29 PM. CARRIED.

MOVED by Councillor Brodie

SECONDED by Deputy Mayor Hendrikx

Resolved that the Closed Session end at 9:26 PM and Council re-convene in open session. CARRIED.

Rise and Report

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Council direct staff to proceed as discussed in Closed Session. CARRIED.

By-laws

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that first and second readings be given to:

By-law No. 79 of 2019 – Zoning By-law Amendment Z13-2019, Sanders

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

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that all three readings be given to:

By-law No. 77 of 2019 – Sidewalk Closure - Kerwood

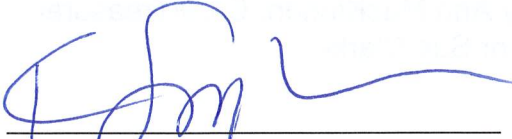
By-law No. 78 of 2019 – Zoning By-law Amendment Z12-2019, Janssen

By-law No. 80 of 2019 – Confirm Council Proceedings

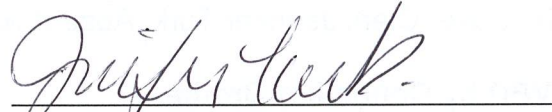
And that the by-laws be signed by the Mayor and Clerk and have the corporate seal attached. CARRIED.

Adjournment

MOVED by Councillor Brodie
SECONDED by Councillor MacKinnon
Resolved that the meeting be adjourned at 9:30 pm. CARRIED.



Kurtis Smith, Mayor



Jennifer Turk, Clerk