

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held a meeting on the 2nd day of June, 2016 at 5:00 p.m. in the Council Chambers. Deputy Mayor J. Elliott, Councillor D. Besley, Councillor W. Hannon and Councillor J. Webster were present. . Mayor D. White was absent with prior notice given. Denise Holmes, CAO/Clerk and Wendy Atkinson, Treasurer/Deputy Clerk were also present. It was advised that Chris Jones, Township Planner would not be in attendance for this meeting as he had an unfortunate accident earlier in the day. Deputy Mayor Elliott presided and called the meeting to order.

Announcements

It was announced that "Fireworks in the Park" is going to take place on June 25th at 7:00 p.m. at the Horning's Mills Park. There will be sausages, hot dogs, popcorn, popsicles and water as well as a donation pail at the gate. Bring your lawn chairs and blankets.

Additions

- Opening of paving tenders - added by CAO Denise Holmes

Deletions

None.

Approval of Agenda

Moved by Hannon, Seconded by Besley that the agenda be approved as amended.
Carried.

Disclosure of Pecuniary Interest and the General Nature Thereof

Deputy Mayor Elliott advised that disclosure of pecuniary interest can be declared at this time or anytime throughout the meeting.

Minutes

Moved by Besley, Seconded by Hannon that the minutes of the Council meeting be approved as circulated. Carried.

Business Arising from Minutes

None.

Point of Privilege or Personal Privilege

Nothing for this meeting.

Public Question Period

No questions asked.

Road Business

Craig Micks, Road Superintendent was in attendance.

Accounts - The accounts were presented in the amount of \$62,966.26. Moved by Webster, Seconded by Hannon that the road accounts be approved as presented by the

Road Superintendent. Carried.

Other - Craig advised that he had received a request from a resident of the 3rd Line OS to reduce the speed limit between Highway 10 and County Road 17 to 60 km/hr zone and to have signs posted on that section. Craig was directed to place the road counters on this section of road.

Craig advised that the bridge on the 3rd Line OS between 15 and 20 Sideroad has started. He also advised that the new truck has been ordered and it will be 6-8 weeks before it is here. He asked what Council wanted to do with the silver truck and they said to trade it in. It was asked if the road department could deliver two load of screenings to the Horning's Mills Ball Park.

Addition - the Paving tenders for Tender 02-2016 were opened. Three were received:

Aecon - \$172,180.25 + HST

Graham Bros. Construction Limited - \$199,840.50 + HST

The Murray Group - \$176,012.10 + HST

Craig left the Council Chambers to review the tenders.

Delegations

5:20 p.m. - A public meeting had been called to consider a proposed zoning by-law amendment on lands located in Part of Lot 278, Concession 2 NE. The purpose of the proposed by-law is to amend these lands that were recently the subject of a severance approval (Consent B6/15). The severance created a new rural residential lot so the purpose of the zoning by-law amendment is to zone the new lot from the General Agricultural A1 zone to a Rural Residential Exception (RR-161) Zone. Derek Martin and Nathan Martin (Mr. Martin's Solicitor) were in attendance. The CAO/Clerk advised that comments were received from the GRCA stating that they had no objection to the proposed zoning by-law amendment as a condition of severance B6/15. As there were no further questions or concerns, the following motion was introduced and passed: Moved by Besley, Seconded by Hannon that leave be given to introduce a By-law to amend Zoning By-law 12-1979 as amended, for lands described as Part 1 on RP 7R-6418, located in Part of Lot 278, Concession 2 NE and it be hereby read a first and second time. (D. Martin ZBA). Carried. By-law numbered 30-2016 and read a first and second time.

5:30 p.m. - A public meeting had been called to consider a proposed zoning by-law amendment on lands located in Part of Lot 25, Concession 9 NE. The purpose of the proposed amendment is to permit additional lot coverage to accommodate a minor expansion to an on-farm business that was originally approved by a zoning by-law amendment in 2001. The original zoning in 2001 permitted the establishment of a machine shop subject to a maximum lot coverage of 5%. The owner of the machine shop wishes to construct a new power room having a floor area of 36 square metres for the machine shop and therefore requests an increase in lot coverage from 5% to 6.2%. The applicant has also requested a two-year temporary use by-law, the purpose of which is to utilize 70 square metres of another farm building for a temporary placement of a machine used in conjunction with the on-farm use. The CAO/Clerk advised that this originally came in as a minor variance application but the Township's Planning Consultant recommended that it proceed as a zoning by-law amendment so that it is clear going forward that the A1-73 zone allows for the 6.2% coverage area. Discussion ensued on the application and there were various questions and concerns raised and due to the fact that neither Mr. Martin or the Township's Planner Chris Jones were in attendance, this matter was deferred to the June 16th Council meeting. The CAO/Clerk was asked to follow up with Mr. Jones on a concern raised regarding the notice of public meeting as it did not indicate that the A1 zone included the agricultural buildings in the notice of public meeting and it should have as per the zoning in 2001.

5:40 p.m. - A public meeting had been called to consider a proposed Zoning By-law Amendment on lands located in Part of Lot 28, Concession 9 NE - 318401 8th Line NE (R. Bowman). The purpose of the proposed zoning by-law amendment is to permit the construction of a two-unit dwelling. The applicant currently lives in an existing dwelling on the subject lands and the applicant wishes to remove the existing dwelling and replace it with a two-unit dwelling. If the proposed zoning amendment is approved, it would allow the construction of a two-unit dwelling through an exception to the General Agricultural (A1) Zone. The CAO advised that the Township approved a building permit for Mr. Bowman on April 7, 2016 as it met the setbacks of the zoning by-law. She received a call from the building department on this application, making us aware of the number of rooms in the house. An email was sent to Mr. Bowman and it was discovered that two families would be living in this house as his parents are retiring and would be moving up to live with him. This matter was then referred to the Township's Planning Consultant who recommended a zoning by-law amendment. The Clerk advised of the Provincial Policy relating to Secondary Units and that our new Official Plan recognizes Second Dwelling Units. Reuben Bowman and Eli Sherk were in attendance for the public meeting. The CAO/Clerk advised that approval has been received from the Nottawasaga Valley Conservation Authority. As Mr. Jones was not in attendance and this was the first zoning by-law amendment that the Township has had to deal with pertaining to a two-unit dwelling, the matter was deferred until June 16th when Chris Jones would be in attendance to answer the questions and concerns that have arisen with this application.

Road's - Continued

At this time, Craig Micks returned with his recommendation on the paving tender: Moved by Besley, Seconded by Hannon that The Council of the Township of Melancthon accepts the tender from Aecon in the amount of \$ 172,180.25, plus applicable taxes for surface treatment for the supply and application of padding and 50 mm HL3 for the following roads: Location 1: 4th Line Old survey north of Highway 10; Location 2: 2nd Line SW south of County Road 17. We further direct Staff to return the tender cheques to the unsuccessful bidders and thank them for their submission. This tender complies with the Township's Procurement By-law. Carried.

Planning Matters

Report to Mayor White and Council from Denise Holmes, CAO/Clerk dated May 26, 2016, Re - Recommendation From Committee Of The Whole Meeting Held On May 19, 2016

Moved by Webster, Seconded by Besley that Council accepts the recommendation from the Committee of the Whole meeting held on May 19, 2016 and direct Staff and the Township's Planning Consultant, Chris Jones, to prepare the required Zoning By-law Amendment to amend the Township's Zoning By-law 12-1979, as amended, to incorporate definitions pertaining to Home Occupation and Home Industry in the Zoning By-law. Carried.

County Council Update - Council In Brief for Thursday May 12, 2016 - was briefly reviewed.

Committee Reports

The following verbal reports were given:

Councillor Webster - May 10th - Horning's Mills Hall

Councillor Hannon - May 12th - Southgate Recreation Advisory Committee

Councillor Besley - May 17th - Shelburne Library Board

Deputy Mayor Elliott - May 11th and May 30th - Horning's Mills Park Board & May 2nd, May 16th, and May 30th - special meetings of the Centre Dufferin Recreation Board and regular meeting of the CDRC on May 25th

Correspondence

***Board & Committee Minutes**

1. Centre Dufferin Recreation Complex - Meeting March 30, 2016
2. North Dufferin Community Centre Advisory Board - Meeting March 22, 2016
3. North Dufferin Community Centre Advisory Board - Meeting April 5, 2016

Moved by Hannon, Seconded by Webster that the Board and Committee Minutes Correspondence Items 1-3 be received as information. Carried.

*** Items for Information Purposes**

1. Dufferin County - Press Release - For Immediate Release - May 16, 2016, New Tools Make Garbage Day Hard To Miss
2. Copy of a resolution passed by the Town of Mono dated May 10, 2016, Re - Resolution regarding Independent Electrical System Operator Review of Request for Proposal Process for the Award of Renewable Energy Contracts
3. Email from Tracey Atkinson, Planner - Township of Mulmur dated May 16, 2016, Re - NEC Expansion
4. Letter from Ted McMeekin, MMAH and Bill Mauro, MNRF dated May 10, 2016, Re - Co-ordinated Land Use Planning Review
5. Letter from the Nottawasaga Valley Conservation Authority dated April 22, 2016, Re - Nottawasaga Valley Conservation Authority's 2015 Annual Report
6. Email from Michelle Dunn, Deputy Clerk - County of Dufferin dated May 18, 2016, Re - Federal Budget 2016-2017 Review
7. ROMA - Rural Ontario Municipal Association dated May 13, 2016, Re - The Rural and Northern Lens
8. Email from Diane Ploss, MAH dated May 18, 2016, Re - Ontario Passes Landmark Climate Change Legislation
9. Invitation to the 41st Annual Review - 164 Royal Canadian Air Cadet Squadron being held Saturday June 4, 2016 at Shelburne Fairgrounds and Agricultural Centre
10. Email from Diane Ploss, MAH dated May 18, 2016, Re - Ontario Introduces Legislation to Encourage More Affordable Housing
11. OGRA - Ontario Good Roads Association dated May 19, 2016, Re - OGRA Calls Upon Province to Review Funding Allocation Formula
12. Letter from Enbridge dated May 19, 2016, Re - Ontario Energy Board Application #EB-2016-0004 - Review of Mechanisms to Recover the Costs of Natural Gas Expansion in Ontario
13. Copy of a resolution passed by the Township of Russell dated May 16, 2016, Re - Support Rural Economic Development Program
14. Letter from Triton Engineering Services Limited dated May 19, 2016, Re - Township of Southgate - Dundalk Wastewater Treatment Capacity
15. AMO Communication - Policy Update - Bill 181, The Municipal Elections Modernization Act 3rd Reading
16. Government of Canada - News Release - FedDev Ontario Launches Intake Two of The Canada 150 Community Infrastructure Program in Southern Ontario
17. Letter from R. J. Burnside & Associates Limited dated May 24, 2016, Re - Petition for Drainage Works Pt Lot 32, Concession 7 NE - Bradley Drainage Works A and C Drains - Site Meeting to be held June 9, 2016 at 10:00 am.
18. Copy of a resolution passed by the Town of Caledon dated May 24, 2016, Re - Autism Spectrum Disorder
19. Copy of a letter to Minister McMeekin, from Mayor Laura Ryan, Town of Mono dated May 19, 2016, Re - Compensation for having to defend Provincial Policy at a Normal Farm Practices Protection Board Hearing
20. Copy of a resolution passed by the Township of Augusta dated May 24, 2016, Re - Lyme Disease resolution passed by the Niagara Region
21. Copy of a resolution passed by the Township of Gillies dated May 17, 2016, Re - Resolution for Private Supportive Living Accommodations

22. Copy of a resolution passed by the Township of Gillies dated May 17, 2016, Re - Bill 180, Workers Day of Mourning Act, 2016
23. Copy of a resolution passed by the Township of Gillies dated May 17, 2016, Re - Suspension of the Rural Economic Development (RED) Program

Moved by Besley, Seconded by Hannon that Correspondence Items 1-23 for information purposes be received as information. Carried.

*** Items for Council Action**

1. Letter from Sean Stewart, Niagara Escarpment Commission Request for Comments dated May 12, 2016, Re -Part Lot 8, Concession Plan 132 - 4 Fieldway Court
2. Notification for Maintenance and Repairs - Bradley - French Drain - Lot 26, Concession 4 NE
3. Drainage Engineer's Tender Report from Tom Pridham to Mayor White and Members of Council dated May 24, 2016, Re - Tender Results: Martin Drainage Works
4. Letter from Kelly McDowell to Mayor White and Council dated May 16, 2016, Re - Township of Melancthon's Accessibility Plan and acquiring recreational services
5. Letter to Council from Evan Bearss submitted May 18, 2016, Re - McCue Drainage Works By-law
6. Application for Special Event Permit - Dunadel Golf Course - Festival on 10 - July 30, 2016

1 - no comments to make on the application

2 - Moved by Hannon, Seconded by Besley that we accept the notification for the maintenance and repair of the Bradley-French Drainage Works under Section 79 of the Drainage Act, 1990, signed by Tibor Ribic, owner of Part of Lot 26, Concession 4 NE. We direct Tom Pridham, P. Eng., Drainage Superintendent to investigate and report back to Council on his findings and recommendations. Carried

3 - Moved by Hannon, Seconded by Webster that the tender for the construction of the Martin Drainage Works submitted by Hanna and Hamilton Construction Co. Ltd. in the amount of \$51,252.56 including H.S.T. be accepted. Carried.

4 - Discussion ensued about Ms. McDowell's letter. Deputy Mayor Elliott advised that she had spoken with the Arena Manager, Kim Fraser, and she indicated that there was no problem if Ms. McDowell's child required a support person with her in the pool but that Ms. McDowell would have to provide the support person as the arena would not. The CAO/Clerk advised that she had contacted the Dundalk Pool to gain information on swimming lessons (as Melancthon also supports recreation services in Southgate) and they will provide private lessons at \$63.00 for 10 lessons. The CAO/Clerk was directed to send a letter to Ms. McDowell advising her of this and to let her know that the County of Dufferin is going to be working on a new multi-year accessibility plan that the Township will be participating in and when completed, the Plan would be adopted as our own.

5 - Discussion ensued on this matter. Consensus of Council was that the previous owner should have disclosed the information pertaining to the maintenance and repair of the McCue Drainage Works and therefore Council directed the CAO to send Mr. Bearss a letter and advise him of this and that he should contact his lawyer who represented him in the real estate transaction about this matter.

6 - The application was reviewed. The CAO/Clerk advised that Mr. Cameron would also like to have overnight camping for this event on his property and he included a revised sketch showing the area of the camping. A question was raised about the time on his application as it stated it would end at 2:00 p.m. on the Saturday. Staff were

directed to confirm the time with him and clarify that there would only be one fire pit. Otherwise Council did not have any concerns with his application. Approval deferred pending the requested information.

General Business

Accounts - the Treasurer presented the accounts in the amount of \$132,603.08. Moved by Webster, Seconded by Besley that the general accounts be approved as presented by the Treasurer. Carried.

New/Other Business/Additions

Fluney Drainage Works - Update by Mayor White - In Mayor White's absence, Deputy Mayor Elliott advised that she was speaking with Mayor White and the work commenced last fall on this drain and then was stopped due to weather. There was topsoil levelled off of approximately 20 acres leaving a lot of stones on the property and the Fluney's were not made aware that this much property would be levelled off and have concerns about future crops. Mayor White thought the drain was going to be moving forward, but has been advised that the equipment will not be there until a further site meeting has been held to resolve some issues. Mayor White is in the process of trying to get a date set up for this. The CAO can advise when a date has been set.

Motion to release 2015 Paving Tender Security Deposit to AECON - Moved by Hannon, Seconded by Besley that we direct Staff to return the 2015 Paving Tender Security Deposit to AECON Construction and materials Limited in the amount of \$65,000.00. Carried.

Update regarding Mulmur Melancthon Recreation Advisory Board - Correspondence Item # 13 from May 19, 2016 Council meeting - Councillor Besley - Councillor Besley was speaking with Mayor Mills and apparently this happened at the meeting that Councillor Besley was absent from. The idea was indicated by Bert Tupling who floated the idea if Mulmur would be interest in having Melancthon purchase half of the arena. He went back to Mulmur Council with this and that is why it was on the Agenda. He said Mulmur Council is not promoting it or demoting it. This item was received as information by Council.

Bretton Estates Subdivision - Release of Building Permits (pending approval from the Township's Engineers) - the CAO/Clerk advised that a letter was received from Wayne Biles Engineer asking for preliminary acceptance of the works but the Township's Engineer is advising that Preliminary Acceptance is premature as the outstanding deficiencies have not been completed. The Township will not be releasing any further permits until the deficiencies are completed as he has known since 2012 that he has to complete them. The CAO was directed to contact Mr. Biles to inquire as to the progress being made to complete these deficiencies and bring back the information to the next Council meeting for further discussion.

Unfinished Business

Rogers Communication Tower - Update - the CAO/Clerk advised that Ms. Vivar apologized for the wording used in her previous emails as she was not implying that she was trying to have the deposit waived under the Road Agreement. She advised that she was having her finance group provide her with the cheque, at which point she would be bringing it to the office.

Closed Session (if required) - not required.

Third Reading of By-laws

Moved by Webster, Seconded by Besley that By-law 30-2016 now be read a third time, signed by the Mayor and Clerk, sealed and engrossed in the By-law Book. Carried.

Notice of Motion

None for this meeting.

Confirmation By-law

Moved by Besley, Seconded by Hannon that leave be given to introduce a By-law to confirm the proceedings of the Council of the Corporation of the Township of Melancthon at its meeting held on June 2, 2016 and it be given the required number of readings. Carried.

Adjournment and Date of Next Meeting - Thursday, June 16, 2016 - 5:00 p.m.

Moved by Webster, Seconded by Besley that we adjourn Council to meet again on Thursday, June 16, 2016 at 5:00 p.m. or at the call of the Mayor. Carried.

MAYOR

CLERK