

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held a meeting on the 6th day of July, 2017 at 5:00 p.m. in the Council Chambers. Mayor D. White, Deputy Mayor J. Elliott, Councillor D. Besley, Councillor W. Hannon and Councillor J. Webster were present. Denise Holmes, CAO/Clerk and Wendy Atkinson, Treasurer/Deputy Clerk were also present. Mayor White presided and called the meeting to order.

Announcements

None.

Additions

- North Dufferin Community Centre - request for meeting regarding draft Board of Management Agreement
- CEMC Update - the Clerk advised that she was attending a meeting on July 13th and would provide an update for the next Council meeting.

Deletions

None.

Approval of Agenda

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

Disclosure of Pecuniary Interest and the General Nature Thereof

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

Minutes

Moved by Elliott, Seconded by Webster that the minutes of the June 15, 2017 Council meeting be adopted as circulated. Carried.

Business Arising from Minutes

Deputy Mayor Elliott asked for an update on the CDRC Gravel and Grading and Craig Micks responded that he had provided the information to the Arena Manager and had not heard back from them.

It was advised by the CAO that the asking price for the Corbetton Hall Property is \$225,000.00. Further discussion under Item 14.3.3 of the Agenda.

Point of Privilege or Personal Privilege

None.

Public Question Period

A question was asked if the County was going to be replacing the box culvert at the 4th Line NE when County Road 21 was resurfaced as there is a lot of tile drainage being done and the culvert should also be deepened. The CAO to contact the County about this question.

Road Business

Craig Micks was in attendance for this portion of Council.

Accounts

Craig presented the accounts in the amount of \$339,693.12. Moved by Hannon, Seconded by Besley that the road accounts be approved as presented by the Road Superintendent. Carried. Council asked that going forward, the accounts be put in their Agenda package for review prior to the meeting.

Bridge Inspections on Structure in Corbetton

Mayor White reported that through discussion with Scott Burns, Public Works Director at the County of Dufferin, the structure in Corbetton had been inspected by RJ Burnside and Associates in 2014. In every report that has been completed on that bridge, they are all different. Staff advised that the quote for K. Smart and Associates to go in, inspect that bridge and provide a report would be \$1,700.00 plus HST. Further discussion ensued on how accurate any of the data is and it was decided that we would not obtain another inspection from K. Smart and Associates. Staff were asked to contact the consulting firm who prepared our Development Charges Study to see if they would be able to enter the data into our Asset Management Program from the bridge inspections if it the bridge inspections were awarded to another company, other than the company doing our asset management plan.

Other Road Business

None.

Unfinished Business

1. Bridge Study 2017

Deferred to the next meeting.

Delegations

5:20 p.m. - A Public Meeting had been called for a Zoning By-law Amendment on the West Part of Lot 9, Concession 2 OS for Troy and Laura Allen (who were not in attendance for the public meeting). Chris Jones, Planning Consultant was in attendance and spoke to the zoning by-law amendment which is to zone lands for rural residential purposes in order to fulfill a condition of severance approval. The Clerk advised that comments were received from the NVCA that they had no objection to the rezoning as the proposed lot conforms to an area as pre-consulted with the NVCA. Council had no concerns or comments. Moved by Besley, Seconded by Hannon that leave be given to introduce a By-law to amend By-law No. 12-79, as amended, the Zoning By-law for the Township of Melancthon for lands legally described as Part 1 Plan 7R-6475, located in Part of the West Part of Lot 9, Concession 2 OS and it be hereby read a first and second time. Carried. By-law read a first and second time and numbered 32-2017.

5:30 p.m. - Gord Grant, Bill McCutcheon and Leo Blydorpe, Representatives from the Dufferin Federation of Agriculture attended Council to discuss the impact of agriculture on economic development. They provided Council and Staff with a booklet titled "Fast Ag Facts for Dufferin and Beyond" and presented a slide show of the information. There was discussion regarding this year's weather and crop damage. The Representatives were advised that Melancthon is working on a Strategic Plan and our general focus is agriculture and how do we maintain it and marry it with residential. Council would like to keep the lines of communication at the forefront during this process. Mayor White thanked the Representatives for coming.

5:45 p.m. - John Telfer, CAO and Vanessa Albanese, Municipal Law Enforcement Officer from Town of Shelburne attended Council to make a presentation on By-law Enforcement Services. A draft Agreement was circulated and reviewed. The complaints, which will be for property standards matters only, must be signed written complaints. The annual retainer

proposed is \$2,000.00 and will be billed on an hourly basis at \$50.00 per hour, plus \$0.52 per km. The No Heavy Trucks and Half Loads By-law will not be enforced by Shelburne as the Enforcement Officer has no way to pull over a truck. Discussion about creating new by-law for no parking, and it was strongly suggested that there be significant consultation with the Courts before the by-law is passed. Staff were directed to bring a By-law back to the next meeting so that the Agreement could be signed.

6:10 p.m. - Council took a five minute break and then reconvened.

Planning Matters

1. Applications to Permit

Mayor White signed the following applications to permit which had been reviewed by the Planner for compliance with the zoning by-law:

- William Sherratt - detached garage - West Part of Lot 21, Concession 4 OS
- Ken Boyle Homes - dwelling with attached garage - Part of Lot 12, Concession 8 SW

An application for Darren White - Lot 90, Plan 23A for a garage was submitted and will be signed by Staff when approved by the Planner.

2. Unfinished Business

2.1 Amended Zoning By-Law to Define and Regulate Home Based Business

Chris Jones, Planning Consultant spoke to the By-law and advised that at the June 1st Council Meeting, at the direction of Council, he was to make two modifications to the Draft Zoning Home Based By-law and bring it back to the next meeting to be passed. The first modification increased the maximum floor area of the building from 1,500 square feet to 2,000 square feet which Mr. Jones said he could support and the second modification was to add hours of operation. At the meeting on June 15th which he was unable to attend, the By-law did not pass and there was further discussion and another increase to the floor area. He advised that in his professional opinion, the amendment he prepared (based on discussions from the June 1st Council meeting) is the one that Council should consider.

Mayor White brought forward the motions that were tabled from the June 15th meeting – Moved by Besley, Seconded by Elliott that the home based business by-law be amended to make the size of the shop in section 2 (e ii) to 2,560 sq. ft. Mayor White called for discussion on the motion. Deputy Mayor Elliott advised that she had seconded the motion to put it on the floor for discussion and there has been a lot of discussion back and forth and she feels that 2,650 square feet is out of her comfort range. Councillor Besley advised that he moved the motion and he strongly supports it. He has heard strongly the support for large shops from a viability standpoint. He said we are here to promote agriculture and business in the municipality. He spoke in support of the passing of this amendment because there are young families purchasing properties and they cannot make a living in agriculture alone and 47% have employment off the farms and sees this as an opportunity to promote agricultural. Deputy Mayor Elliott spoke again and said that with reference to agriculture – there is no tie to agriculture under the Home Industry section of the By-law. As there was no further discussion, Mayor White called for the vote and Councillor Besley requested a recorded vote:

Councillor Besley - Yea
Councillor Hannon - Nay
Councillor Webster - Nay
Deputy Mayor Elliott - Nay
Mayor White - Nay

The motion was Lost.

The second tabled motion was put on the floor. Moved by Elliott, Seconded by Webster that leave be given to introduce a By-law to amend By-law No. 12-79 as amended to define

and regulate home based business and it now be read a first and second time. Mayor White called for discussion on the motion. There was none. He called for the vote and the motion was carried. By-law read a first and second time and numbered 33-2017.

2.2 Communication from Harvey Lyon regarding HBB ZBA

No action.

Closed Session

6:30 p.m. - Moved by Besley, Seconded by Hannon that Council move into a Closed Session Meeting pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason(s): a proposed or pending acquisition or disposition of land by the municipality or local board - Properties in Horning's Mills. Carried.

6:55 p.m. - Adjourned from Closed Session with report and reconvened Council. Report - Staff to proceed as per the direction in Closed Session.

Police Services Board Matters

Councillor Besley spoke on the Detachment Commander process, 2017-2019 Action Plan and the PSB new legislation. During this time, Deputy Mayor Elliott raised a concern regarding a situation at the Horning's Mills Fireworks on June 24th regarding the presence of the OPP at the event and the involvement of the Chair of the PSB in this matter. Councillor Besley to raise this at the next PSB meeting. The Mayor advised of his concerns with the lack of safety blitzes on the long weekend in the County.

Committee Reports

The following verbal reports were given:

Deputy Mayor Elliott - Shelburne Fire Board - July 4, 2017

Councillor Besley - Shelburne Library Board Meeting - June 20, 2017

Correspondence

* Items for Information Purposes

1. Letter from Dufferin County, dated June 9, 2017, Re. A Decision to Modify and Approve Amendments 34 & 36 to the Town of Shelburne Official Plan
2. Dufferin County E-Newsletter - June 8, 2017
3. WDG Board of Health Highlights - dated June 2017
4. Letter from John Telfer, Clerk, Town of Shelburne, dated June 12, 2017, Re. Notice of Public Meeting
5. GRCA Current - June 2017 - Volume 22 Number 6
6. Resolution from New Tecumseth, dated May 30, 2017, Re. Ontario Carbon Tax
7. Email from Nicole Abouhalka, dated Monday, June 19, 2017, Re. Letter to GRCA Committee re. HCCA
8. Email from Michele Harris, Executive Director Headwaters, dated Saturday, June 24, 2017, Re. Headwaters Tourism Update - to June 19, 2017
9. Email from Eowyn Spencer, GRCA, dated Monday, June 26, 2017, Re. GRCA General Membership Attendance
10. NVCA Board Meeting Highlights, June 23, 2017
11. Letter from Town of Mono, Mayor Laura Ryan, dated June 22, 2017, to Prime Minister of Canada, Re. The removal of the 1/3 tax exempt portion of remuneration paid to local Councillors
12. Letter from Minister of Agriculture, Food and Rural Affairs, dated June 26, 2017, Re. The Ontario Community Infrastructure Fund (OCIF)
13. Media Release from Town of Shelburne, dated June 27, 2017, Re. The retirement of CAO/Clerk, John Telfer
14. Resolution from Township of Edwardsburgh Cardinal, dated June 26, 2017, Re. Bill

7 - Property Standards Downloading

15. Letter from Town of Mono, Mayor Laura Ryan, dated June 29, 2017, to Minister of Municipal Affairs and Housing, Re. Normal Farm Practices Protection Board

Moved by Webster, Seconded by Elliott that Correspondence Items 1-15 for information purposes be received as information. Carried.

11 - the CAO was directed to send a letter to Prime Minister Trudeau advising that Council strongly supports the letter of Her Worship Mayor Laura Ryan.

12 - this item of correspondence was referred to the Roads Sub-Committee for the meeting on July 11, 2017

*** Items for Council Action**

1. Notification for the Maintenance and Repair of the Broster Drain, signed by Terry Rose - Part Lot 251, Concession 1 SW
2. Notification for the Maintenance and Repair of the Coutts Drain, signed by Levi Bowman - Part Lots 278 and 280, Concession 2 SW
3. Letter from R. J. Burnside & Associates, dated June 16, 2017, Re. Keating Drainage Works Maintenance and Repair, 2017
4. Letter from R. J. Burnside & Associates, dated June 20, 2017, Re. Atkinson Drainage Works Maintenance and Repair, 2017
5. Letter from R. J. Burnside & Associates, dated June 20, 2017, Re. Hicks Drainage Works Maintenance and Repair, 2017
6. Letter from R. J. Burnside & Associates, dated June 16, 2017, Re. Broster Drainage Works "B" Drain Maintenance and Repair, 2017
7. Letter from G. W. Jordan Planning Consultants Limited, dated Monday, June 26, 2017, Re. Rogers Tower Proposal, West Part Lot 16, Concession 2 OS

1 - Moved by Besley, Seconded by Hannon that we accept the notification for the maintenance and repair of the Broster Drain under Section 79 of the Drainage Act, 1990, signed by Terry Rose, owner of Part of Lot 251, Concession 1 SW. We direct Tom Pridham, P.Eng., Drainage Superintendent to investigate and report back to Council on his findings and recommendations. Carried.

2 - Mr. Levi Bowman is not listed as the owner of this property and therefore this item is deferred pending change of ownership.

3, 4, 5, 6 - Council advised that they were fine with Hanna and Hamilton going in on these drains.

7 - Moved by Webster, Seconded by Elliott that Council concur with the application to Industry Canada by Rogers Communications Inc. for a 90 metre high telecommunications tower at a site in Part of the West Half of Lot 16, Concession 2 OS, provided the tower is developed in conformity with the documentation submitted to the Township by the applicant company. And further that Staff provide written notice of Council's decision to Industry Canada, Rogers Communications Inc., and those members of the public who provided the four written submissions during the public consultation process. And further that Staff request Industry Canada to provide the Township with a copy of their decision. Carried.

General Business

1. Accounts

The Treasurer presented the accounts in the amount of \$907,037.66. Moved by Elliott, Seconded by Webster that the general accounts be approved as presented by the Treasurer. Carried. The accounts to be provided in advance of the meeting in the Agenda Package.

2. Notice of Intent to Pass By-Law

2.1 Being a By-Law to adopt the estimates of all sums required during the year....and to repeal and replace By-Law 18-2017

Moved by Hannon, Seconded by Besley that leave be given to introduce a By-law to adopt the estimates of all sums required during the year and to strike the rates of taxation, and to further provide for penalty and interest in default of payment thereof for the year 2017 and to repeal By-law 18-2017 and it be hereby read a first and second time. Carried. By-law read a first and second time and numbered 34-2017.

2.2 By-law to Appoint an Enumerator for the Licensing of Dogs

Moved by Elliott, Seconded by Webster that leave be given to introduce a By-law to appoint an enumerator for the licensing of dogs in the Township of Melancthon and it be hereby read a first and second time. Carried. By-law read a first and second time and numbered 35-2017.

3. New/Other Business/Additions

1. General discussion about Parks and Trails - Councillor Hannon

Councillor Hannon wanted to have a general discussion about trails in the Township as he has had some people asking him about them in and around Horning's Mills. He wondered about structuring a Recreation Board for Horning's Mills, possibly leasing a piece of land and asked if there were opportunities for parkland and how should we proceed with this. There is a proposed subdivision going in right beside the Park and we will make sure that we have something in the Agreement for parks and trails. It was suggested that Councillor Hannon approach the Park Board about this and have the Park Board provide a recommendation for Council to consider.

2. Draft Fall/Winter Newsletter

Staff were asked to add rental information to the Horning's Mills Community Hall section.

3. Corbetton Hall Property - Transfer Deeds - Information Update and motion required to complete transaction

Moved by Elliott, Seconded by Webster that Whereas the Corbetton Church Property - Lot 5, Plan 2 was originally transferred to the Township in error where in fact a different parcel of land was intended to be transferred to the Township; And Whereas the registered ownership of the Corbetton Church property will revert back to the Church's name, as it was never the intent of the Township to be the registered owner; And now therefore be it resolved that, Council directs that the CAO/Clerk sign any documentation required to amend the registered ownership of the Corbetton Church property back to the Corbetton Community Church (Association) - Dufferin County. Carried.

Discussion ensued on the possible purchase of this property and Mayor White to speak to the Church Representative about this.

4. Bretton Estates - Mayor White

Discussion ensued regarding the development. There are concerns from residents in the development regarding street sweeping, erosion, ongoing issues of garbage, drainage issues, exposed gas main. etc. A property owner in the development, Mr. Raymond Pidzamecky, was in attendance and asked if he could speak during this time about his concerns and Council agreed. Mr. Pidzamecky advised Council that

the Township's engineer was by and had a look at his grading on his lot and it doesn't meet the Township's standards of 3:1 slope and if this is the case, the septic will have to be moved. From looking at the approved site plan, it appears that the septic was installed in the wrong location. Mayor White advised that he would take a look at this and contact Mike Giles to find out who monitors the locations for the installation of septic and report back at the next meeting. Discussion then ensued on placing another moratorium on building permits until all these concerns in the development are addressed. Staff advised that there is someone interested in purchasing the remaining lots and it was advised that he or she be made aware of this. Staff were also asked to contact Enbridge regarding the exposed gas main as it has been advised that gabion rock was used as back fill over it.

4. Unfinished Business

1. Motion to accept the Asset Management Plan

This item deferred.

Addition

North Dufferin Community Centre Board of Management Draft Agreement

It was advised that Bert Tupling would like to have a meeting next Monday, July 10, 2017 at 7:00 p.m. and was requesting a representative from Melancthon attend. Mayor White and Councilor Besley to attend this meeting. It was advised that Staff were not required to be at this meeting. Mulmur Township has revamped the Agreement to make it stronger and this will be discussed. Councillor Besley had obtained a copy of the Agreement and it was that it be circulated to the rest of Council.

Closed Session

8:23 p.m. - Moved by Webster, Seconded by Elliott that Council move into a Closed Session Meeting pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason(s): personal matters about an identifiable individual, including municipal or local board employees - Complaint about various properties in Horning's Mills. Carried.

8:40 p.m. - Council adjourned out of Closed Session with report and reconvened Council. Report - Staff to proceed as per the direction in Closed Session.

Third Reading of By-laws

Moved by Hannon, Seconded by Besley that By-laws 32-2017, 33-2017, 34-2017 and 35-2017 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 Hannon, Seconded by Besley 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 July 6, 2017 and it be given the required number of readings. Carried. By-law numbered 36-2017.

Adjournment and Date of Next Meeting

8:42 p.m. - Moved by Besley, Seconded by Hannon that we adjourn Council to meet again Thursday, July 20th, 2017 at 5:00 p.m. or at the call of the Mayor. Carried.

MAYOR

CLERK