



**Corporation of the Town of Shelburne**  
**Committee of Adjustment - Minutes**

May 31, 2021

6:30 pm

Electronic Participation  
203 Main St. E, Shelburne

Members in attendance: Mayor Wade Mills  
Deputy Mayor Steve Anderson  
Councillor Walter Benotto  
Councillor Lynda Buffett  
Councillor Kyle Fegan  
Councillor Shane Hall  
Councillor Lindsay Wegener

Staff attending: Denyse Morrissey, CAO  
Carey Holmes, Director of Financial  
Services/Treasurer  
Jennifer Willoughby, Director of Legislative  
Services/Clerk  
Jim Moss, Director of Development and Operations  
Steve Wever, Town Planner

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**1. Call to Order**

Committee of Adjustment called to order at 6:33 pm by Mayor Mills.

This meeting will be held electronically in accordance with Section 238(3.1) of the Municipal Act which provides that a member of Council, of a local board or of a committee of either of them, can participate electronically.

In-person attendance at this meeting will not be permitted.

Members of the public may observe the proceedings by accessing the live webcast on the Town of Shelburne YouTube page:

<https://www.youtube.com/channel/UCsar-MwF8CXrgPbe2EVxh-w>

Tonight, we have a public meeting being held under Sections 45(5) of the Planning Act to consider 2 minor variance applications.

1. Minor variance application A21/03 is for property located at 741 Halbert Drive. The purpose and effect of the application is to request relief from Section 5.68 of Zoning By-law 38-2007, in order to construct a converted dwelling with a second dwelling unit in the cellar of the existing single detached dwelling
2. Minor variance application A21/04 is for property located at 900 Main Street East. The purpose and effect of the application is to request relief from the definition of Front Lot Line within Zoning By-law 38-2007 to establish the lot boundary adjoining Main Street East (Highway 10/89) as the Front Lot Line.

I will ask the Clerk for the method of notice for tonight's public meeting.

The Clerk indicated that notice of tonight's public meeting was advertised in local media sources as of May 13, 2021, notice is posted on the Town's website and property owners with a 60 metre radius have received notification.

We will have a presentation by the Town Planner with a summary of written comments received, following which there will be an opportunity for Committee members and members of the public to ask questions or provide comments.

- a. Report P2021-14 from the Town Planner regarding application for minor variance A21/03 - Erica Osborne, 741 Halbert Drive, Shelburne.

The Town Planner reviewed his report with the Committee and public comments that have been received.

A discussion ensued regarding the number of vehicles parked at the residence on a daily basis, an above grade side entrance, deferring the decision until Council has had a chance to review the allocation report.

**Moved By** Councillor Wegener  
**Seconded By** Councillor Fegan

After considering the application the Committee requires additional information to determine whether the request is minor in nature, in keeping with the intent of the Official Plan and Zoning By-law, and desirable for the appropriate development of the land.

Accordingly, the Committee resolves to defer the application.

Application deferred until June 14, 2021.

**CARRIED, W. Mills**

- b. Report P2021-15 from the Town Planner regarding application for minor variance A21/04 Shelburne Commercial Developments - Block 216 of Draft Plan of Subdivision (DPS 18/02) - 900 Main Street East.

The Town Planner reviewed his report with the Committee.

**Moved By** Councillor Wegener  
**Seconded By** Councillor Buffett

After considering the application the Committee is satisfied that the request is desirable for the appropriate and continued use of the subject property, maintains the general intent and purpose of the Zoning By-law and Official Plan, and is minor in nature.

Accordingly, the Committee resolves to grant the request. The minor variance is granted in accordance with the Minor Variance Sketch provided to the Committee and an approved Site Plan and subject to the condition that all driveways shall be in accordance with MTO requirements where applicable.

Application approved.

**CARRIED, W. Mills**

**2. Motion to Adjourn**

**Moved By** Councillor Buffett

**Seconded By** Councillor Hall

THAT the Committee of Adjustment now adjourns.

**CARRIED, W. Mills**

Committee of Adjustment adjourned at 7:14 pm.

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Mayor

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Clerk



**Corporation of the Town of Shelburne**  
**Council Minutes**

May 31, 2021  
6:30 pm  
Council Chambers  
203 Main St. E, Shelburne

Members in attendance: Mayor Wade Mills  
Deputy Mayor Steve Anderson  
Councillor Walter Benotto  
Councillor Lynda Buffett  
Councillor Kyle Fegan  
Councillor Shane Hall  
Councillor Lindsay Wegener

Staff attending: Denyse Morrissey, CAO  
Carey Holmes, Director of Financial  
Services/Treasurer  
Jennifer Willoughby, Director of Legislative  
Services/Clerk  
Jim Moss, Director of Development and Operations  
Steve Wever, Town Planner

Others Present: Stephen Burnett, Town Engineer

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**1. Call to Order**

Council meeting called to order at 7:14 pm by Mayor Mills.

This meeting will be held electronically in accordance with Section 238(3.1) of the Municipal Act which provides that a member of Council, of a local board or of a committee of either of them, can participate electronically.

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Canadian National Anthem

Land Acknowledgement:

We would like to acknowledge the traditional territory of the Anishinaabe including the Ojibway, Potawatomi and Chippewa and the People of the Three Fires Confederacy.

Mayor Mills:

The recent discovery of the bodies of 215 children in an unmarked grave on the site of the Kamloops Residential School has horrified Canadians from coast to coast to coast – and rightfully so. This discovery has been a stark and stinging reminder of the shameful legacy of residential schools in our country.

To be sure, this is a legacy which leaves deeply marring scars on our character as a nation. It is also a legacy that some may find tempting to try to ignore or hide from. We cannot let that happen. We have to acknowledge fully what happened to these children, to the families from which they were torn, and to the many others who survived residential schools but who were left deeply traumatized and injured by their experiences. It is only through that full acknowledgement - by owning up to this as a real, yet tragic and shameful part of our nation's past - that we can ever hope to move forward. As we move forward however, we cannot only be focused on healing the wounds of the past, but we must also address the real and immediate issues that continue to plague our indigenous communities across the country today.

To honour the lives and spirits of those 215 children, and others who we may not know about, we have lowered our flags at Town Hall to half- mast. On behalf of Council and the residents of the Town of Shelburne, I want to extend our deepest collective condolences to all of those who are directly or indirectly affected by this. I also want to make it clear to members of our indigenous community both locally and nationally, that the Town of Shelburne grieves with you, and we stand with you.

I would ask that we all observe a moment of quiet reflection.

**2. Disclosure of Pecuniary Interest and General Nature Thereof**

No Disclosures.

**3. Adoption of Minutes**

1. Minutes from the May 10, 2021, Council meeting.

**Motion # 1**

**Moved By** Councillor Fegan

**Seconded By** Councillor Hall

BE IT RESOLVED THAT the minutes from the Regular Council meeting held May 10, 2021, be approved as presented and circulated.

**CARRIED, W. Mills**

**4. Public Participation**

1. Public Question Period

Questions relating to agenda business can be submitted to the Clerk at [jwilloughby@shelburne.ca](mailto:jwilloughby@shelburne.ca) or 519-925-2600 Ext. 223 by 12:00 pm Monday May 31, 2021.

No Questions.

2. Presentations

To register as a presenter please contact the Clerk directly at [jwilloughby@shelburne.ca](mailto:jwilloughby@shelburne.ca) or 519-925-2600 Ext. 223.

1. Proclamation – June 2021 Pride Month.

Whereas, every year, cities all around the world celebrate the diversity that strengthens our Town to commemorate and support sexual and gender minorities' liberation; and

Whereas, Pride Month is a positive stance against discrimination and violence toward lesbian, gay, bisexual, transgender, and queer (LGBTQ) people to promote their self-affirmation, dignity, equality rights, increase their

visibility as a social group, build community, and celebrate sexual diversity and gender variance; and

Whereas, the rainbow flag is the most-recognized LGBTQ symbol, designed in 1978; and

Whereas, Pride Month in Shelburne is an opportunity to prevent discrimination and promote awareness and acceptance of every human person and to promote the development of harmonious relationships amongst all members of the community; and

Whereas, we support an inclusive and respectful community where all citizens can live, work, and play in a safe and secure environment;

Now Therefore, I, Mayor Wade Mills, do hereby proclaim June 2021 as "Pride Month" in the Town of Shelburne.

2. Proclamation - ALS Awareness Month

WHEREAS ALS (Amyotrophic Lateral Sclerosis) is a rapidly fatal motor neuron disease for which there is no known cause of or cure for;

WHEREAS over 2,500 Canadians at any given time are living with ALS;

WHEREAS ALS is also known as Lou Gehrig's Disease. It can strike anyone, regardless of age, gender, or circumstances;

WHEREAS recent advances in ALS research have produced promising leads and we must continue this crucial work, and

WHEREAS the ALS Society of Canada is dedicated to providing direct support to ALS patients, along with their families and caregivers, to ensure the best quality of life possible while living with ALS.

NOW THEREFORE I, Wade Mills, Mayor of the Corporation of the Town of Shelburne, do hereby proclaim June 2021 as ALS Awareness Month in the Town of Shelburne.



3. BDO - 2020 Audited Financial Statement Presentation  
Representatives from BDO reviewed the financial statements with Council.

**Motion # 2**

**Moved By** Councillor Hall

**Seconded By** Councillor Fegan

BE IT RESOLVED THAT Council receives and approves the 2020 Financial Statements from BDO as presented.

**CARRIED, W. Mills**

3. Deputations on Agenda Items

**5. Planning Public Meeting**

1. Report P2021-16 from the Town Planner regarding Zoning Amendment Application Z21/02 - 242 Main St E - Jason Higgins.

Tonight's public meeting under section 34 of the Planning Act is to consider an application for zoning by-law amendment, for lands municipally known as 242 Main Street East.

The purpose and effect of the Amendment is to rezone the property from Mixed Use Commercial (C2) Zone to a new site-specific Mixed Use Commercial Exception (C2-#) Zone

I will ask the Clerk for the method of notice for the public meeting.

The Clerk indicated that notice of tonight's public meeting was advertised in local media sources as of May 13, 2021. Notice has been posted on the Town's website and notice was provided to property owners within a 120-metre radius of the subject property.

We will have a presentation by the Town Planner, following which there will be an opportunity for members of the public and Council to ask questions or provide comments. The Clerk will also accept written submissions. All submissions, written and oral, will be given consideration by the Council prior to any decision being made.

The Town Planner reviewed his report with Council and public comments received.

A discussion ensued regarding deferring the decision until Council has a had a chance to review the allocation report, timing of the project as it is time sensitive.

**Motion # 3**

**Moved By** Councillor Fegan

**Seconded By** Deputy Mayor Anderson

BE IT RESOLVED THAT Council receives report P2021-16 for information;

AND THAT consideration of the by-law be deferred to the June 14, 2021, Council meeting.

**CARRIED, W. Mills**

**6. Council Inquiries**

Members of Council addressed inquiries to Town staff and received responses.

**7. Motions and By-law for Decision**

1. Consideration of Items – all reports and By-laws in this section will be voted on separately

1. Report DO 2021-03 from the Director of Development and Operations regarding the Sewage Allocation Policy.

The Director of Development and Operations reviewed his report with Council in conjunction with the Town Planner and the Town Engineer.

A discussion ensued regarding the numbers provided within the tables, the purpose of the report in order to try and accommodate development, strategic recommendations to reserve allocation, timing of development, current applications in the review stage, development that has already received allocation, developments that cannot be accommodated within the current servicing plan and timing thereof, development

servicing agreements acknowledging the new policy, granting servicing in conjunction with development approvals, prioritizing of development and applying conditions to development approvals.

**Motion # 4**

**Moved By** Councillor Hall

**Seconded By** Councillor Buffett

BE IT RESOLVED THAT Council receives report DO2021-03 Sewage Capacity Allocation dated May 31, 2021, for information purposes;

AND THAT Council renew the allocation of servicing capacity to previously allocated draft plans of subdivision/condominium including Shelburne 89 Developments Inc. (Fieldgate) (File No. DPS 18/01, 257 units), Centreville (Shelburne) Inc. (File Nos. DPS 17/01, DPC 17/01, 58 units), and Scone Developments – Stone Ridge Phase 1 (File Nos. DPS 17/02 and DPC 17/02, 33 units),

AND THAT such allocation of the service shall run with the draft plan approval until the plan is registered and all dwelling units are constructed and occupied or until expiry of the applicable draft plan(s), whichever occurs first;

AND THAT Council establish servicing reserves of 51 m<sup>3</sup>/day for ICI development in the Stage 2 area and 10 m<sup>3</sup>/day for residential and mixed-use infill and intensification in the Stage 1 and Stage 2 area;

AND THAT Council directs that applications in process for development that exceeds the remaining unallocated servicing capacity may continue to be processed on the basis of the ongoing environmental assessments and related design work for future infrastructure capacity upgrades and subject to holding provisions, conditions of approval, development agreements and/or other planning and legal instruments, as may be recommended by staff

for Council consideration at the time of development approval, as appropriate;

AND THAT Council considers the Draft Servicing Allocation Policy to be further reviewed and finalized by Staff and brought back to Council for final approval.

2. Report P2021-17 from the Town Planner regarding DPS 18/01 – Shelburne 89 Developments Limited (Fieldgate - Emerald Crossing) – Subdivision Agreement – 900 Main St. E.

The Town Planner reviewed his report with Council.

**Motion # 5**

**Moved By** Councillor Buffett

**Seconded By** Councillor Hall

BE IT RESOLVED THAT Council receives report P2021-17 regarding the Subdivision Agreement for Shelburne 89 Developments Limited (Fieldgate – Emerald Crossing) subdivision;

AND THAT leave be given for the reading and enacting of By-law #29-2021 to enter into a Subdivision Agreement with Shelburne 89 Developments Limited for the Fieldgate – Emerald Crossing subdivision development (File No. DPS 18/01) and to authorize the Mayor or his designate and the Clerk to execute the agreement substantially in the form attached to the by-law.

**CARRIED, W. Mills**

3. Report P2021-18 from the Town Planner regarding Zoning By-law Amendment Z17/02 – 600 Main Street East Centreville (Shelburne) Inc.

The Town Planner reviewed his report with Council.

A discussion ensued regarding costs associated to create a trail and connect residents to Greenwood Park, which is a

requirement of the developer, as well as construction of a pedestrian bridge to cross the Besley Drain.

**Motion # 6**

**Moved By** Councillor Fegan

**Seconded By** Councillor Buffett

BE IT RESOLVED THAT Council receives report P2021-18 for information;

AND THAT leave be given for the reading and enacting of By-law #30-2021, being a by-law to amend Zoning By-law 38-2007, as amended, by rezoning the lands known municipally as 600 Main Street East in the Town of Shelburne, from "Residential Type Five (R5)", "Residential Type Five – Floodplain (R5-F)", "Employment (M1)", "Employment – Floodplain (M1-F)"; and "Natural Environmental (NE)" to "Residential Type Five (R5)", "Residential Type Five Exception Nine (R5-9)", "Residential Type Five Exception Ten (R5-10)", "Open Space Recreation – Exception (OSR-2)", "Open Space Recreational Exception Three (OSR-3)" and "Natural Environment (NE) a shown on Schedule "A1" to the By-law.

**CARRIED, W. Mills**

**Verbal Motion**

**Moved By Mayor Mills**

**Seconded By Councillor Fegan**

**THAT we sit past 9:30 pm.**

**CARRIED, W. Mills**

4. Report P2021-19 from the Town Planner regarding Consent Agreement for Application B20/05 for a Residential Lot Severance at Main Street East.

**Motion # 7**

**Moved By** Councillor Buffett

**Seconded By** Deputy Mayor Anderson

BE IT RESOLVED THAT Council receives report P2021-19 for information;

AND THAT leave be given for the reading and enacting of By-law #31-2021, being a by-law to enter into a Consent Agreement with Montgomery Village Homes Inc. for land having no municipal address and located on the south side of Main Street East, being Part of Lot 32, Concession 2, Part 11 of 7R-360 and Part 1 of 7R-1552 in the Town of Shelburne, substantially in the form attached to the by-law.

**CARRIED, W. Mills**

5. Report P2021-20 from the Town Planner regarding Consent Agreement for Application B20/06 for a Residential Lot Severance at 302 First Avenue East.

**Motion # 8**

**Moved By** Councillor Hall

**Seconded By** Councillor Wegener

BE IT RESOLVED THAT Council receives report P2021-20 for information;

AND THAT leave be given for the reading and enacting of By-law #32-2021, being a by-law to enter into a Consent Agreement with David and Kelly Montgomery for land located at 302 First Avenue East, substantially in the form attached to the by-law.

**CARRIED, W. Mills**

6. Report P2021-21 from the Town Planner regarding Consent Agreement for Applications B20/03 for a Residential Lot Severance and B21/01 for a Servicing Easement at 331 Victoria Street.

**Motion # 9**

**Moved By** Councillor Hall

**Seconded By** Councillor Fegan

BE IT RESOLVED THAT Council receives report P2021-21 for information;

AND THAT leave be given for the reading and enacting of By-law #33-2021, being a by-law to enter into a Consent Agreement with Frank Denis Brown for land located at 331 Victoria Street, substantially in the form attached to the by-law.

**CARRIED, W. Mills**

7. Report from the County of Dufferin regarding the Community Safety and Well Being Plan.

The Clerk reviewed the County's report with Council.

**Motion # 10**

**Moved By** Councillor Buffett

**Seconded By** Councillor Wegener

BE IT RESOLVED THAT Council of the Town of Shelburne receives the report from the County of Dufferin dated April 22, 2021, titled Community Safety and Well-Being Plan be received;

AND THAT Council approves the Community Safety and Well-Being Plan.

**CARRIED, W. Mills**

8. Letter from the Shelburne Police Services Board regarding the new OPP detachment board composition.

A discussion ensued regarding maintaining autonomy for a few years while going through the transition to OPP, urban versus rural and the difference between both, rural municipalities have been policed by OPP previously, while Shelburne and Orangeville are within a transition period, the Province needing to recognize the unique situation.

**Motion # 11**

**Moved By** Councillor Buffett

**Seconded By** Councillor Hall

BE IT RESOLVED THAT Council receives the letter from the Shelburne Police Services Board for information.

**CARRIED, W. Mills**

9. By-law #27-2021 is ready for Council's consideration being a By-law to strike the rates of taxation, and to further provide for penalty and interest in default of payment thereof for the year 2021.

**Motion # 12**

**Moved By** Councillor Benotto

**Seconded By** Councillor Fegan

BE IT RESOLVED THAT leave be given for the reading and enacting of By-law #27-2021 being a by-law to strike the rates of taxation, and to further provide for penalty and interest in default of payment thereof for the year 2021.

**CARRIED, W. Mills**

10. Resolutions from the Accessibility Advisory Committee regarding accessible crosswalks.

A discussion ensued regarding the need to provide accessible crosswalks and budgetary considerations.



**Motion # 13**

**Moved By** Councillor Benotto

**Seconded By** Councillor Wegener

BE IT RESOLVED THAT Council receives the resolutions from the Accessibility Advisory Committee for information.

**CARRIED, W. Mills**

11. Resolution from the Diversity, Equity and Inclusion Committee recommending a public statement be issued.

A discussion ensued regarding a cease fire being called and the need for the statement to be issued, perhaps the committee may wish to revise their recommendation.

**Motion # 14**

**Moved By** Councillor Fegan

**Seconded By** Deputy Mayor Anderson

BE IT RESOLVED THAT Council receives the resolution from the Diversity, Equity, and Inclusion Committee for information.

**CARRIED, W. Mills**

**8. Councillor Motions (Notice of Motion)**

1. Councillor Fegan:

BE IT RESOLVED THAT Council requests the proposed lettering for Jack Downing Park be removed from the project.

Councillor Fegan requested to have the motion considered at tonight's meeting, to which unanimous consent was not obtained.

2. Deputy Mayor Anderson:

THAT the funds to conduct a diversity audit which will review the Town's policies and procedures, be funded by other means and not from the Diversity, Equity, and Inclusion committee budget.

3. Deputy Mayor Anderson:

THAT the land acknowledgement be amended to include the Haudenosaunee group.

**9. Communications**

1. Minutes from the Centre Dufferin Recreation Complex Board of Management meeting held March 24, 2021.
2. Centre Dufferin Recreation Complex 2021 Forecast Update Letter to Municipalities.
3. Minutes from the Shelburne and District Fire Board meeting held April 6, 2021.
4. Minutes from the Shelburne Public Library Board meeting held April 20, 2021.
5. Minutes from the Accessibility Advisory Committee meeting held November 19, 2019.
6. Minutes from the Heritage Committee meeting held March 4, 2020.
7. Annual report from the Town of Shelburne Integrity Commissioner.
8. Headwaters Health Care Centre Public Message - Resumption of Elective Surgeries and Procedures as of May 31, 2021.
9. Media Release from the Town of Mono - Emergency Road Closure 3rd Line EHS.
10. Resolutions from the Townships of Melancthon and Mulmur regarding Police Service Board Composition.
11. Letter from the Town of Grand Valley supporting Paid Sick Days.
12. Letter from the Township of St. Joseph supporting Paid Sick Days.
13. Resolutions from various municipalities regarding support for a 3-digit suicide and crisis prevention hotline.
14. An email from the Premier of Ontario regarding paid sick days.

15. Nottawasaga Valley Conservation Authority Communications.
16. AMO Communications.

**Motion # 15**

**Moved By** Councillor Benotto

**Seconded By** Councillor Wegener

THAT Council receives the items listed under Communications for information.

**CARRIED, W. Mills**

**10. Closed Session – not required**

**11. Confirming By-law**

1. Confirming By-law #34-2021 - May 31, 2021

**Motion # 16**

**Moved By** Councillor Benotto

**Seconded By** Deputy Mayor Anderson

BE IT RESOLVED THAT leave be given for the reading and enacting of By-law #34-2021 being a By-law to confirm certain proceedings of the Council of the Corporation of the Town of Shelburne for its regular council meeting held May 31, 2021.

**CARRIED, W. Mills**

**12. Adjourn**

**Motion # 17**

**Moved By** Councillor Buffett

**Seconded By** Councillor Fegan

BE IT RESOLVED THAT we now adjourn to meet at the call of the Mayor.

**CARRIED, W. Mills**

Council meeting adjourned at 10:16 pm.

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Mayor

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Clerk