



Corporation of the Town of Shelburne
Committee of Adjustment - Minutes

June 28, 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

1. Call to Order

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>

Committee of Adjustment called to order at 6:32 pm.

Mayor Mills

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

Minor variance application A21/05 is for property located at 301 Colonel Philips Drive.

The purpose and effect of the application is to request relief from Section 3.15.9. of Zoning By-law 38-2007 for parking requirements for a previously approved Site Plan application (SPA 17/02) for a commercial shopping centre / plaza development. The application is seeking relief from the parking regulations to permit a parking standard of 1 space per 19.1 square metres of floor area, whereas the Zoning By-law requires 1 space per 17 square metres of floor area for a shopping centre.

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, 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 P2021-25 from the Town Planner regarding minor variance application A21/05 - 2477838 Ontario Inc. - 301 Col. Phillips Drive.

The Town Planner reviewed his report with the Committee.

Moved By Councillor Benotto

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 site plan provided to the Committee and attached hereto, only to grant relief from Section 3.15.9 Table 4: Parking Space Requirement Table which requires a Minimum Number of Off-Street Parking Spaces at the rate of 1 space per 17 square metres of gross floor area for a shopping centre, to permit a Minimum Number of Off-Street Parking Spaces provided at the rate of 1 space per 19 square metres of gross leasable area for 3 commercial buildings having a total combined gross floor area not exceeding 1,931 square metres, in accordance with an approved Site Plan.

The application is approved.

CARRIED, W. Mills

2. Motion to Adjourn

Motion #

Moved By Councillor Hall

Seconded By Councillor Benotto

THAT the Committee of Adjustment now adjourns.

CARRIED, W. Mills

Committee of Adjustment adjourned at 6:47 pm.

Mayor

Clerk



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Council meeting called to order at 6:47 pm by Mayor Mills.

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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.

2. Disclosure of Pecuniary Interest and General Nature Thereof

Councillor Buffett declared a pecuniary interest with item #6.4 report CAO 2021-07 and will leave the room at the appropriate time.

3. Adoption of Minutes

1. Minutes from the Committee of Adjustment and Regular Council meetings held June 14, 2021.

Motion # 1

Moved By Deputy Mayor Anderson

Seconded By Councillor Fegan

BE IT RESOLVED THAT the minutes from the Committee of Adjustment and Regular Council meetings held June 14, 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 or 519-925-2600 Ext. 223 by 12:00 pm Monday June 28, 2021.

A question was received from Lauren Dunlop:

1. Will you be cancelling Canada Day celebrations? Will you be putting the money you usually spend on fireworks towards something that could support Indigenous folks, or a town

initiative to better follow the TRC or do better in terms of indigenous people.

2. Mayor Wade Mills said that not much action has taken yet towards the Truth and Reconciliation Commissions mini packs recommendations because they do not want to, "rush to implement policy in a knee-jerk or haphazard way." Since the TRC came out 6 years ago I would like to know how much longer will we have to wait to see changes? Reminding council, the indigenous people have been waiting over 150 years for changes. Specifically on the easy ones to implement such as recommendation number 57 where government is called upon to provide education to public servants on indigenous history, the UN Declaration of Indigenous Rights and many more.

Thank you for letting me submit my questions.

Mayor Mills responded:

With respect to Canada Day, the gravity of the situation requires a slightly more nuance question then simply do we cancel Canada Day or not, further discussion will continue under Council inquiries. I do agree that a typical event for Canada Day as in years past, complete with fireworks and celebratory fanfare would be tone deaf but also disrespectful and narrow minded, while we consider that thousands of our Indigenous brothers and sisters are hurting and grieving right now, with that in mind, July 1st this year can provide us with a unique opportunity, we can certainly still acknowledge, in perhaps a quieter, understated way, the good that this country has and still does represent, while also fully and properly acknowledging and reflecting upon the very deep and lasting short comings that we're still wrestling with, we also can consider what each of us can do to be better going forward. Chief Delorme of Cowessess First Nation has called on all Canadians to listen, learn, un-learn and start to heal, if the developments and discoveries over the last few weeks have shown us anything, it is that we do still have a long way to go and a lot to un-learn in this country. Canada Day must be something for all Canadians, any true celebration can

only be achieved, in my mind, when all Canadians are able to fully take part in that. This year, apart from quietly reflecting on what we do have to be thankful for, what we do have to be proud about as Canadians, we should spend the day trying to resolve in our own minds what each of us can do to listen, learn, un-learn, and start to heal.

In terms of the TRC reconciliation, I had the opportunity to share with Lauren the more notable steps this Council has taken, which are important ones, including the simple land acknowledgment, Shelburne was one of the very first municipalities in Dufferin County to do that and I am proud of the fact that Shelburne took the lead on that. We have also named several streets in the new Emerald Crossing development with Indigenous names and in recognition of Indigenous culture and heritage, specifically with respect to the TRC recommendations Lauren is right, these were issued about 6 years ago, during the first year of the last term of Council, 6 years is a long time to pass without any action taken. Lauren and anyone else who is watching tonight who has taken a keen interest will be happy to see there is a notice of motion that has been prepared and will be tabled later on in the agenda, we will wait and discuss that at the appropriate time.

2. Presentations

To register as a presenter please contact the Clerk directly at jwilloughby@shelburne.ca or 519-925-2600 Ext. 223.

3. Deputations on Agenda Items

5. Council Inquiries

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

Mayor Mills lost connection.

Deputy Mayor Anderson assumed the Chair.

Mayor Mills was able to reconnect and assumed the Chair.

6. 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 P2021-26 from the Town Planner regarding Request for Concurrence – Proposed Telecommunications Tower 713 Industrial Road.

The Town Planner reviewed his report with Council.

A discussion ensued regarding the ability to incorporate and fly a flag on the monopole respecting federal flag protocols.

Motion # 2

Moved By Mayor Mills

Seconded By Deputy Mayor Anderson

BE IT RESOLVED THAT Council receives report P2021-26 for information;

AND THAT Council directs Town staff to advise Innovation, Science and Economic Development Canada (formerly Industry Canada) in writing that:

- Land Squared, on behalf of the proponent Shared Tower Inc., has satisfactorily completed its consultation with the Town of Shelburne;
- The Town of Shelburne is satisfied with the public consultation process undertaken by Land Squared on behalf of the proponent and does not require any further consultation with the public; and,
- That the Town of Shelburne concurs with the proposal by Land Squared on behalf of the proponent to construct a shared tower wireless telecommunications antenna on the subject property located at 713 Industrial Road, specifically the following preferred option: OPTION 5: A monopole tower with a 40-metre height;

AND THAT a flag be located below the antenna hardware subject to confirming that such placement will not contravene federal flag protocols.

CARRIED, W. Mills

2. Report P2021-27 from the Town Planner regarding Shelburne 89 Developments Final Approval - 900 Main Street East.

The Town Planner reviewed his report with Council.

A discussion ensued regarding consultation with the NVCA for construction of the hydro utility vaults and expected timing for construction of the commercial block.

Motion # 3

Moved By Councillor Benotto

Seconded By Councillor Wegener

BE IT RESOLVED THAT Council receives report P2021-27 regarding final approval of the Shelburne 89 Developments Limited (Fieldgate - Emerald Crossing) Plan of Subdivision;

AND THAT Council authorizes final approval of the Shelburne 89 Developments Limited (Fieldgate - Emerald Crossing) Plan of Subdivision, File Number DPS 18/01, under Section 51 of the Planning Act and directs the Clerk to sign the municipal approval on the Plan of Subdivision M-Plan prepared by J.D. Barnes Limited, dated June 24, 2021 and certified by the owner and surveyor, entitled "PLAN OF SUBDIVISION OF THE WEST HALF OF LOT 1 CONCESSION 1, (OLD SURVEY) GEOGRAPHIC TOWNSHIP OF MELANCTHON NOW IN THE TOWN OF SHEBLURNE, COUNTY OF DUFFERIN", and to have copies of the approved Plan of Subdivision forwarded to the Land Registry Office for registration, upon execution of the Subdivision Agreement and the Clerk's receipt of the following clearance letters:

- Nottawasaga Valley Conservation Authority;

- Hydro One.

CARRIED, W. Mills

3. Report DO2021-05 from the Director of Development and Operations regarding 604 Owen Sound Street - Encroachment on Municipal Property and Parking Concerns.

The Director of Development and Operations reviewed his report with Council.

A discussion ensued regarding working with the property owner, use of the Town's right of way and liability insurance requirements, compliance with the zoning by-law, parking availability on the south side of Jane Street, having by-laws in place for a reason and having them apply to everyone, having a portion of Jane Street with no parking, which may provide for enforcement difficulties.

Motion # 4

Moved By Councillor Fegan

Seconded By Councillor Buffett

BE IT RESOLVED THAT Council receives report DO2021-05 regarding 604 Owen Sound Street, Encroachment and parking concerns dated June 28, 2021, for information purposes;

AND that the matter is deferred pending further consultation with the property and business owner of 604 Owen Sound Street.

CARRIED, W. Mills

Mayor Mills called a recess at 8:23 pm.

Council reconvened at 8:30 pm.

4. Report CAO 2021-07 from the Chief Administrative Officer regarding Requests for 2021 Fee Waivers – Various Organizations.

Councillor Buffett left the meeting.

The CAO presented her report to Council.

A discussion ensued regarding waiving fees for other user groups located within Shelburne, waiving fees for all user groups, the requirement for the user groups to follow the booking process and provide liability insurance, drawing on the COVID relief funding provided from the Province to assist with costs associated and revenue loss, other municipalities reducing fees by a percentage, using taxpayer dollars for waiving of rental fees.

Motion # 5

Moved By Councillor Wegener

Seconded By Councillor Hall

BE IT RESOLVED THAT Council receives report CAO 2021-07 regarding Requests for 2021 Fee Waivers from Various Organizations be received for information;

AND THAT Council authorizes the waiving of all fees for the remainder of the 2021 season, for all Shelburne based user groups;

AND THAT any budgetary impacts should be directed to the Safe Restart funding;

AND THAT user groups will be required to book the associated fields as well as submit the standard insurance requirements.

CARRIED, W. Mills

Councillor Buffett returned to the meeting.

5. Notice of Motion - Councillor Wegener

A discussion ensued regarding safe travel for motorcycles and bicycles, liability on behalf of the Town, suggestion for change from speed humps to speed pylons to slow drivers,

the Town uses speed pylons in front of Town Hall and to provide road closure for the Farmers Market, the need for a staff report with analysis in order to make an informed decision including consultation with EMS, parking impacts and costs associated, consultation with the Town's insurer to understand liabilities associated, staff recommended an immediate solution of allocating the entire community save and except the connecting link a reduction to 40 km, supplemented with the flashing speed signs, complemented with enforcement, speed hump traffic measures can be looked at as a supplemental approach, the flashing speed signs collect data that is being provided to the OPP for their review, the OPP have dedicated an officer to Shelburne specifically for speed enforcement and the need for further review.

Motion # 6

Moved By Councillor Wegener

Seconded By Councillor Hall

BE IT RESOLVED THAT due to recent speeding concerns within the community, the data collected from the speed signs to be reported to Council, and the knowledge of this street being widely utilized by the community especially the communities' children, and keeping with providing public safety council directs town staff to purchase and install temporary speed humps for an initial location of Greenwood Avenue in both the North and South travelling direction to be accompanied by required signage;

AND FURTHERMORE, a speed sign to be reinstalled on Greenwood after installation of the temporary speed humps to gather information for a comparison of speeds pre and post installation to be reported to Council at a later date for review of any benefits in order to continue with installing speed humps elsewhere in town were identified as required from town staffs traffic/speeding enforcement options report;

AND FURTHERMORE, in order to install immediately funding be taken from the capital reserve.

LOST

Motion # 7

Moved By Councillor Wegener

Seconded By Councillor Benotto

THAT Council directs staff to take immediate steps to implement a 40 km/hour speed limit throughout the Town of Shelburne with the exception of the connecting links.

CARRIED, W. Mills

6. Notice of Motion - Deputy Mayor Anderson

A discussion ensued regarding working with the developer and the County to provide safe walking paths along the corridor.

Motion # 8

Moved By Deputy Mayor Anderson

Seconded By Councillor Benotto

That Staff investigate and report to Council in October 2021 the cost to implement a sidewalk along County Road 124 from the Fieldgate subdivision to the Lakeview subdivision and the potential options to cover the costs.

CARRIED, W. Mills

7. Letter from the Shelburne Public Library - Community Story Time Walk.

Motion # 9

Moved By Councillor Hall

Seconded By Councillor Benotto

BE IT RESOLVED THAT Council authorizes the waiving of rental fees for use of Walters Creek Park for the Shelburne

Public Library to host a Story Walk on July 20 and August 24, 2021;

AND THAT Council requests the Library to obtain locates from Ontario One Call prior to installation of signage at the Park.

CARRIED, W. Mills

7. Councillor Motions (Notice of Motion)

Unanimous consent was provided to vote on the Notice of Motion at tonight's meeting.

Motion # 10

Moved By Councillor Fegan

Seconded By Councillor Benotto

Whereas in December 2015, The Truth and Reconciliation Commission released its final report including 94 calls to action directed to governments at each level to further reconciliation between Canadians and Indigenous peoples;

And Whereas in light of the unmarked graves being discovered on the properties of the Kamloops and Saskatchewan Residential Schools; we must move our Country and our Governments beyond words of condolences and toward actions that advance truth and reconciliation. We must recommit to advancing the Calls for action from the Truth and Reconciliation Commission of Canada, these actions must be far reaching and must work to advance access to housing, clean water, prosperity, and justice for all indigenous people, in partnership with Indigenous communities;

Now therefore be it resolved that Council refers the nine calls to action that were directed at municipal governments to the Diversity, Equity and Inclusion Committee for further consideration and asks that the Committee report back to Council with recommendations for implementation of those calls to action which are locally applicable;

And that The Town of Shelburne, in a unified stance with our indigenous neighbours, do hereby call on the federal and provincial

governments to honour the calls to action directed at those levels of government;

And that this resolution be forwarded to the following:

- Office of the Prime Minister of Canada, Rt Hon. Justin Trudeau
- Office of the Premier of Ontario, Hon. Doug Ford
- Dufferin Caledon MP Kyle Seeback
- Dufferin Caledon MPP Sylvia Jones
- All Dufferin County municipalities

CARRIED, W. Mills

8. Communications

1. Minutes from the Shelburne Public Library Board meeting held May 18, 2021.
2. Town of Shelburne Notice of Complete Application Draft Plan of Subdivision DPS21 01.
3. Letter from MP Kyle Seeback regarding Residential Schools.
4. Letter from the Town of Mono Rescinding Emergency Road Closure.
5. Headwaters Health Care Centre AGM recognizes challenges of past year and celebrates achievements in virtual meeting.
6. News Update - Your Community Hospital Headwaters Health Care Centre.
7. Dufferin County Community Safety and Well Being Plan -2021-2024.
8. Nottawasaga Valley Conservation Authority Media Release - Help NVCA continue to provide services to you.
9. Letter from the Attorney General regarding initiatives and court recovery for Provincial Offences.
10. Letter from the Town of Wasaga Beach regarding the Ministry of Environment, Conservation and Parks.

11. AMO Communications.

Motion # 11

Moved By Councillor Hall

Seconded By Councillor Fegan

THAT Council receives the items listed under Communications for information.

CARRIED, W. Mills

9. Closed Session – not required

10. Confirming By-law

1. Confirming By-law #38-2021 - June 28, 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 #38-2021 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 June 28, 2021.

CARRIED, W. Mills

11. Adjourn

Motion # 13

Moved By Councillor Hall

Seconded By Councillor Benotto

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

CARRIED, W. Mills

Council meeting adjourned at 9:30 pm.

Mayor

Clerk