



Corporation of the Town of Shelburne
Committee of Adjustment - Minutes

August 23, 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

Committee of Adjustment called to order at 6:42 pm.

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>

Mayor Mills - Tonight, we have a public meeting being held under Section 53 of the Planning Act to consider a consent application.

Consent application B21/03 is for property located at 485387 30th Sideroad in the Town of Shelburne.

The purpose and effect of the application is to create an easement to allow a water pipeline to run through the subject land to the abutting property to the west.

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 posted onsite at 485387 - 30th Sideroad, notice is posted on the Town of Shelburne website and property owners with a 60-metre radius have received notification.

Mayor Mills - 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 P2021-34 from the Town Planner regarding application for consent B21/03 Loft Planning for Gott Enterprises.

The Town Planner reviewed his report with Council.

A discussion ensued regarding the proposed route for the easement.

Moved By Councillor Buffett

Seconded By Councillor Benotto

After considering the application the Committee is satisfied with allowing this consent for the purpose of creating an easement in favour of 108 Prentice Drive with an area of approximately 1,964.93 square metres, a width of 6 metres and a total length of 330.36 metres, as shown on the attached site plan. The Committee, having regard to those matters under subsection

51(24) of the Planning Act R.S.O. 1990, c.P.13., as amended, resolves to grant provisional consent subject to the following conditions being fulfilled:

1. That the Secretary-Treasurer's Certificate under subsection 53(42) of the Planning Act R.S.O. 1990, c.P.13, as amended, shall be issued and the Secretary-Treasurer's fee be paid;
2. That approval of the easement documents and the draft reference plan shall be obtained at the Committee of Adjustment office (Town of Shelburne) and the required number of prints (3) of the resultant deposited reference plan shall be received; and,
3. That the conditions are to be fulfilled and the consent is to be finalized on or before one year from the date of the issuance of the Committee's notice of decision.

CARRIED

2. Motion to Adjourn

Moved By Councillor Hall

Seconded By Councillor Fegan

THAT the Committee of Adjustment now adjourns.

CARRIED

Committee of Adjustment adjourned at 6:54 pm.

Mayor

Clerk



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Council Minutes

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Jim Moss, Director of Development and Operations
Steve Wever, Town Planner

1. Call to Order

Council meeting called to order at 6:54 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 Benotto advised of a conflict of interest with item #5 under 6.0 Motions and By-laws for Decision. He will leave the room at the appropriate time.

3. Adoption of Minutes

1. Minutes from the July 26, 2021, Council meeting

Motion # 1

Moved By Deputy Mayor Anderson

Seconded By Councillor Hall

BE IT RESOLVED THAT the minutes from the Regular Council meeting held July 26, 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 August 23, 2021.

No questions.

2. Presentations

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

1. Presentation of the Community Excellence Award to Kadeisha Buchanan.

Mayor Mills acknowledged Miss Buchanan's international recognition as a soccer star and member of the Canadian Olympic Team which recently brought home a gold medal from the Tokyo Olympic games. Mayor Mills on behalf of Council presented Miss Buchanan with a key to the Town and a Community Excellence Award, August 24, 2021, has been proclaimed Kadeisha Buchanan Day, an Olympic flag will be raised to mark the occasion. Mayor Mills also presented Miss Buchanan with an award from the Dufferin County Canadian Black Association recognizing her athletic achievements.

2. Update from Headwaters Health Care Centre - Kim Delahunt, President & CEO.

Ms. Delahunt reviewed her presentation with Council.

A discussion ensued regarding the spiritual team onsite, being inclusive and diverse, internet access and availability for patients, expansion and growth onsite, expansion of the emergency department, funding support, staffing concerns and burnout, mandatory vaccinations for staff, Headwaters is required to follow Provincial directives and legislation.

Motion # 2

Moved By Councillor Benotto

Seconded By Councillor Hall

THAT Council receives the update and information as presented.

CARRIED, W. Mills

3. Deputations on Agenda Items

No Deputations.

5. Council Inquiries

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

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 P2021-35 from the Town Planner regarding application for site plan approval SPA 21/05 - Gott Enterprises Inc.

The Town Planner reviewed his report with Council.

Motion # 3

Moved By Councillor Fegan

Seconded By Councillor Hall

BE IT RESOLVED THAT Council receives report P2021-35 for information;

AND THAT site plan application SPA 21/05 be approved, subject to the following conditions:

1. That the Owner enter into a Site Plan (Amending) Agreement with the Town of Shelburne; and
2. That the Owner shall submit final site plan drawings and information addressing agency and department circulation comments and engineering review comments to the satisfaction of the Town Engineer and the Town Planner.

AND THAT leave be given for the reading and enacting of By-law #51-2021, being a by-law to enter into a Site Plan Amending Agreement with Gott Enterprises Inc., substantially in the form attached to the by-law, for the proposed installation of a private watermain on the

industrial property located at 485387 30 Sideroad, in the Town of Shelburne.

CARRIED, W. Mills

2. Report P2021-36 from the Town Planner regarding part lot control exemption application PLC 21/01 - Hyland Village Subdivision.

The Town Planner reviewed his report with Council.

Motion # 4

Moved By Deputy Mayor Anderson

Seconded By Councillor Hall

BE IT RESOLVED THAT Council receives report P2021-36 for information;

AND THAT leave be given for the reading and enacting of By-law #50-2021 to apply part lot control exemption for Lots 99-110 and Blocks 138-140 on Registered Plan 7M-74.

CARRIED, W. Mills

3. Report P2021-37 from the Town Planner regarding application for site plan approval SPA 21/01 - 121 Adeline Street, Shelburne.

The Town Planner reviewed his report with Council.

Motion # 5

Moved By Councillor Wegener

Seconded By Councillor Buffett

BE IT RESOLVED THAT Council receives report P2021-37 for information;

AND THAT site plan application SPA 21/01 be approved, subject to the following conditions:

1. That the Owner enter into a Site Plan Agreement with the Town of Shelburne; and
2. That the Owner shall obtain confirmation of sufficient reserve servicing capacity by the Town Engineer for the Stage 1 area and allocation of servicing for the proposed mixed-use building including one commercial unit with approximately 50 square metres of gross floor area and three residential units prior to Municipal Approval of a building permit.

AND THAT leave be given for the reading and enacting of By-law #35-2021, being a by-law to enter into a site plan agreement with 12123711 Canada Inc. substantially in the form attached to the by-law, for the mixed-use commercial/residential development of the property at 121 Adeline Street, in the Town of Shelburne.

CARRIED, W. Mills

4. Report DO 2021-07 from the Director of Development and Operations regarding asphalt resurfacing 2021 RFP results.

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

A discussion ensued regarding timelines associated with the project, deferring some items to 2022 and notice provisions to affected residents.

Motion # 6

Moved By Councillor Benotto

Seconded By Councillor Buffett

BE IT RESOLVED THAT Council receives report DO 2021-07 asphalt resurfacing 2021 RFP results from the Director of Development and Operations dated August 23, 2021, as presented and circulated;

AND THAT Aecon Construction and Materials Limited be awarded the 2021 contract for hot mix asphalt resurfacing

of municipal roads with an upset limit of \$275,842 HST inclusive to match the \$260,842 OCIF grant plus the 2021 budgeted amount of \$15,000 for laneway resurfacing.

CARRIED, W. Mills

Councillor Benotto left the meeting.

5. Report LS 2021-11 from the Director of Legislative Services/Clerk regarding request for fee waiver - Team Apex Real Estate.

The Clerk reviewed her report with Council.

A discussion ensued regarding the waiving of fees for offering an event free of charge to residents, the requester is not receiving revenue, they are requesting donations for the Shelburne Foodbank and giving back to the community. The requester is required to follow normal rental procedures for town facilities.

Motion # 7

Moved By Councillor Fegan

Seconded By Councillor Hall

BE IT RESOLVED THAT Council receives report LS 2021-11 regarding request for fee waiver from Team Apex Real Estate be received for information;

AND THAT Council authorizes the waiving of rental fees for the dates specified in the report and in the amount of \$78.60 plus HST.

CARRIED, W. Mills

Councillor Benotto returned to the meeting.

6. By-law #52-2021 is ready for Council's consideration being a by-law to enter into an agreement with Her Majesty the Queen to receive Community, Culture and Recreation Grant Funding.

The Treasurer provided clarification for receiving the grant funding to assist with costs to repair the roof at the Centre Dufferin Recreation Complex.

Motion # 8

Moved By Councillor Benotto

Seconded By Councillor Fegan

BE IT RESOLVED THAT leave be given for the reading and enacting of By-law #52-2021 being a by-law to enter into an agreement with Her Majesty the Queen to receive Community, Culture and Recreation Grant Funding.

CARRIED, W. Mills

7. By-law #53-2021 is ready for Council's consideration being a by-law to execute and agreement with Integrated Maintenance and Operations Services Inc. (IMOS) for winter maintenance of the connecting link.

Motion # 9

Moved By Councillor Hall

Seconded By Councillor Fegan

BE IT RESOLVED THAT leave be given for the reading and enacting of By-law #53-2021 being a by-law to execute an agreement with Integrated Maintenance and Operations Services Inc. (IMOS) for winter maintenance of the connecting link.

CARRIED, W. Mills

7. Councillor Motions (Notice of Motion)

1. Deputy Mayor Anderson - Notice of Motion

Deputy Mayor Anderson requested to amend the notice of motion previously circulated within the agenda and requested unanimous consent to consider voting on the motion this evening.

Original notice of motion:

BE IT RESOLVED THAT Council considers naming the Summerhill Park in the Van Dyk Subdivision after Kadeisha Buchanan, Shelburne resident and Olympic Gold Medalist with the Women's Canadian Olympic Team.

Amended notice of motion:

BE IT RESOLVED THAT Council considers naming the Greenwood Park Soccer Field - Thunder Field - after Kadeisha Buchanan, Shelburne resident and Olympic Gold Medalist with the Women's Canadian Olympic Team.

Unanimous consent was not obtained, the motion will be brought forward to the September 13, 2021, Council meeting.

Deputy Mayor Anderson introduced a second notice of motion as follows:

BE IT RESOLVED THAT Council direct staffs to look into the feasibility of a mandatory vaccination policy for all current municipal staff (inclusive of elected officials) and new hires and report back to Council in January 2022.

8. Communications

1. Public Message from Headwaters Health Care Centre regarding COVID-19 Assessment Centre and Call Centre move to the new phase.
2. News Update - Your Community Hospital Headwaters Health Care Centre.
3. Thank You Card from the Children's Breakfast Program.

4. Township of Mulmur resolution regarding OPP Detachment Boards.
5. Letter from Jasper Fayer Property Management regarding Water Billing - 250 Robert Street.
6. NVCA Media Release - New Canadian families experience the great Canadian outdoors at the Tiffin Centre for Conservation.
7. Memorandum from Deputy Minister Kate Manson-Smith (Ministry of Municipal Affairs and Housing) - Main Street Recovery Act.
8. Letter from the Town of Plympton Wyoming regarding the Rising Cost of Building Materials.

Councillor Wegener requested that Council support the resolution.

Motion # 10

Moved By Councillor Wegener

Seconded By Councillor Hall

THAT the Council of the Town of Shelburne supports the City of Kitchener's motion requesting that the Federal and Provincial Governments to review actions that could be taken to help mitigate or offset the impacts related to the rising cost of building materials.

CARRIED, W. Mills

9. Letter to the Premier from the City of Stratford - Phase Out Ontario's Gas Plants.
10. Northumberland County Resolution regarding POA Advocacy.
11. Resolution from Huron-Kinloss regarding the Government of Canada terminate its appeal of the 2019 Human Rights Tribunal Ruling.

Councillor Wegener requested that Council support the resolution.

Motion # 11

Moved By Councillor Wegener

Seconded By Councillor Hall

THAT the Council of the Town of Shelburne supports the City of Mississauga in their call upon the Government of Canada to terminate its appeal of the 2019 Human Rights Tribunal Ruling.

CARRIED, W. Mills

12. Ontario Energy Board Notice to Customers of Enbridge Gas Inc.
13. 2020 AMO Annual Report.

Motion # 12

Moved By Councillor Fegan

Seconded By Councillor Buffett

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 #54-2021 - August 23, 2021

Motion # 13

Moved By Councillor Benotto

Seconded By Councillor Buffett

BE IT RESOLVED THAT leave be given for the reading and enacting of By-law #54-2021 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 August 23, 2021.

CARRIED, W. Mills

11. Adjourn

Motion # 14

Moved By Councillor Hall

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 8:24 pm.

Mayor

Clerk