



Corporation of the Town of Shelburne
Committee of Adjustment - Minutes

December 14, 2020
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 & Operations
Steve Wever, Town Planner

1. Call to Order

Committee of Adjustment called to order at 6:31 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>

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

Consent application B20/04 is for property located at 221 Owen Sound Street.

The purpose and effect of the application is to sever a portion of the property to have a land area of 300 square metres to create a new residential lot on the subject land. Provisional Consent (File No. B19/02) was previously granted for this property for the same proposed lot severance on May 27, 2019; however, the conditions were not fulfilled prior to the lapsing date. The current application will reestablish the previously granted provisional Consent.

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

Clerk - notice of tonight's public meeting was advertised in local media sources as of November 26, 2020, notice is posted on the Town's website and property owners with a 60 metre radius have received notification.

Mayor Mills - 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.

Members of the public wishing to receive notice of Council's decision or further actions on the matter, please contact the Clerk directly - jwilloughby@shelburne.ca.

1. Report P2020-19 from the Town Planner regarding Application for Consent B20/04 221 Owen Sound Street.

The Town Planner reviewed his report with Council.

Motion # 1

Moved By Councillor Buffett

Seconded By Councillor Fegan

BE IT RESOLVED THAT, subject to the consideration of any input received at the public meeting, it is recommended that the Committee of Adjustment grant conditional approval of Consent Application B20/04 subject to the following:

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. The payment of cash-in-lieu of parkland at the rate of 5% of the value of the newly created lot;
3. Approval of the draft reference plan, as applicable, 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,
4. The conditions are to be fulfilled and the consent is to be finalized on or before one year form the date of the issuance of the Committee’s notice of decision.

CARRIED, W. Mills

2. Motion to Adjourn

Motion # 2

Moved By Councillor Benotto

Seconded By Councillor Hall

BE IT RESOLVED THAT the Committee of Adjustment now adjourns.

CARRIED, W. Mills

Committee of Adjustment meeting adjourned at 6:42 pm.

Mayor

Clerk



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Services/Clerk
Jim Moss, Director of Development & Operations
Steve Wever, Town Planner

1. Call to Order

Council meeting called to order at 6:42 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.

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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 Wegener declared a pecuniary interest with the closed session item.

3. Adoption of Minutes

1. Minutes from the November 23, 2020 Council meeting.

Motion # 1

Moved By Councillor Hall

Seconded By Councillor Benotto

BE IT RESOLVED THAT the minutes from the Regular Council meeting held November 23, 2020 be approved as presented and circulated.

CARRIED, W. Mills

Councillor Wegener left the meeting.

4. Closed Session

Motion # 2

Moved By Councillor Fegan

Seconded By Councillor Hall

As per section 239(2)(e) we enter closed session to discuss litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

CARRIED, W. Mills

Entered closed session at 6:46 pm.

Motion # 3

Moved By Councillor Fegan

Seconded By Councillor Buffett

THAT we rise from closed session to resume regular business.

CARRIED, W. Mills

Rose from closed session at 7:10 pm.

Councillor Wegener returned to the meeting.

Motion # 4

Moved By Councillor Benotto

Seconded By Councillor Buffett

That Council receives the correspondence from Thomson Rogers as presented.

CARRIED, W. Mills

5. Public Participation

1. Public Question Period

No Questions

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 December 14, 2020.

2. Presentations

1. Optimus SBR - Review of Dufferin County Service Delivery Review.

The consultants reviewed their presentation with Council.

A discussion ensued regarding the review of Board governance as it relates to recreation and fire services, the regional transportation master plan, service delivery of recreation and fire services should those Boards dissolve.

Motion # 5

Moved By Councillor Benotto

Seconded By Councillor Hall

THAT the presentation be received.

CARRIED, W. Mills

6. Council Inquiries

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

7. Motions and By-law for Decision

1. Consent Agenda – all items in this list shall be the subject of one motion
2. Consideration of Items – all reports and By-laws in this section will be voted on separately
 1. Report P2020-21 from the Town Planner regarding Sign Variance - 301 Col. Phillips Drive.

The Town Planner reviewed his report with Council.

A discussion ensued regarding the size of the sign, illumination of the sign and the need to update the Town's sign by-law.

Motion # 6

Moved By Councillor Benotto

Seconded By Councillor Buffett

BE IT RESOLVED THAT Council approves the request for a variance from Sign By-law #30-1999 to grant relief from paragraph (2)(a) of section 4.04 to permit one (1) ground sign no larger than 15 square metres in a single sign face and 30 square metres for all faces combined, for the commercial plaza development located at 301 Col. Phillips Drive, subject to the following:

1. That a maximum of one (1) ground sign shall be permitted for the subject property and the proposed

ground sign shall comply with all other requirements of the Sign By-law and a sign permit shall be obtained from the Town of Shelburne;

2. That the owner shall obtain a Ministry of Transportation (MTO) sign permit for the proposed sign and provide a copy of the MTO permit to the Town prior to issuance of the Town's sign permit;
3. That the owner shall obtain a building permit and satisfy the requirements of the County of Dufferin for the proposed sign.

CARRIED, W. Mills

2. Report DO 2020-05 from the Director of Development & Operations regarding the Shelburne Water and Sewer By-law.

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

Motion # 7

Moved By Councillor Fegan

Seconded By Councillor Buffett

BE IT RESOLVED THAT Council receives report DO 2020-05 with respect to the Shelburne Water and Sewer By-Law;

AND FURTHER THAT leave be given for the reading and enacting of By-Law #60-2020 being a By-Law to adopt the Water & Sewer By-law as presented.

CARRIED, W. Mills

3. Report DO 2020-06 from the Director of Development & Operations regarding the Backflow Prevention and Cross Connection By-law and Program.

Motion # 8

Moved By Councillor Benotto

Seconded By Councillor Fegan

BE IT RESOLVED THAT Council receives report DO 2020-06 with respect to the Backflow Prevention and Cross Connection By-Law and Program;

AND FURTHER THAT leave be given for the reading and enacting of By-Law #61-2020 being a By-Law to regulate Drinking Water Protection: Backflow Prevention and Cross Connection Control

CARRIED, W. Mills

4. Report DO 2020-07 from the Director of Development & Operations regarding the Municipal Water Metre Policy.

Motion # 9

Moved By Councillor Hall

Seconded By Councillor Buffett

BE IT RESOLVED THAT Council receives report DO 2020-07 with respect to the Municipal Water Meter Policy;

AND FURTHER THAT leave be given for the reading and enacting of By-Law #62-2020 being a By-Law to adopt the Municipal Water Meter Policy as presented.

CARRIED, W. Mills

5. Report LS 2020-04 from the Director of Legislative Services regarding 2021 First Quarter Electronic Participation Council Meetings.

The Clerk reviewed her report with Council.

A discussion ensued regarding virtual public engagement versus in-person public engagement, the need to keep a hybrid approach and to offer live streaming on a continuous basis, the need to archive the YouTube videos for future reference.

Motion # 10

Moved By Councillor Wegener

Seconded By Councillor Fegan

BE IT RESOLVED THAT Council receives report #LS2020-04 from the Clerk for information;

AND THAT Council meetings will continue to be held electronically to the end of June 2021 or until the ability to accommodate in-person Council meetings can be provided in a safe manner.

CARRIED, W. Mills

6. Report FS 2020-14 from the Director of Financial Services regarding the Investing in Canada Infrastructure Program (ICIP) COVID 19 Resilience Infrastructure Stream Grant Application.

The Treasurer reviewed her report with Council.

Motion # 11

Moved By Councillor Hall

Seconded By Councillor Buffett

BE IT RESOLVED THAT Council receives staff report FS 2020-14 with respect to Investing in Canada Infrastructure Program (ICIP) COVID 19 Resilience Infrastructure Stream Grant Application;

AND THAT Council authorizes the submission of a grant application to the ICIP COVID 19 Resilience Infrastructure Stream for funding in support of capital retrofits, repairs, and upgrades, to the Heating, Ventilation and Air

Conditioning (HVAC) system and possible window replacements in the town hall municipal building;

AND THAT if the application is successful, the Town of Shelburne will proceed with the timelines specified in the application.

CARRIED, W. Mills

7. By-law #63-2020 is ready for Council's consideration - being a By-law to provide for the Levy and Collection of Rates or Taxes Required for The Town of Shelburne for the Interim Levy 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 #63-2020 being a By-law to provide for the levy and collection of rates or taxes required for the Town of Shelburne for the Interim Levy for the year 2021 and to provide for the mailing of notices demanding payment of taxes for the Interim Levy for the year 2021 on all classes of property.

CARRIED, W. Mills

8. Minutes from the BIA Special meeting held December 3, 2020.

A discussion ensued regarding parking concerns in the William Street parking lot, the BIA is seeking possible alternative solutions, whether or not to issue permits for 2021, the need for staff to review and report back to Council, review of parking fees is required, permits will be issued for the month of January pending the staff report to come back to Council for review and discussion.

9. Motion - Deputy Mayor Anderson

Motion # 13

Moved By Deputy Mayor Anderson

Seconded By Councillor Benotto

In the spirit of the Anti-Racism Task Force recommendations,

BE IT RESOLVED THAT Council considers naming the designated park area within the Fieldgate development after William and Mary Ghant.

CARRIED, W. Mills

Motion # 14

Moved By Deputy Mayor Anderson

Seconded By Councillor Fegan

In the spirit of the Anti-Racism Task Force recommendations and as the Town of Shelburne having a long-standing history of recognizing and honouring military service,

BE IT RESOLVED THAT Council approves the naming of the relaxation garden, designated for the community garden at Fiddle Park, after the No. 2 Construction Battalion Members who were the first Black Military Unit in Canadian History;

AND THAT a standing plaque be installed onsite to highlight their contributions.

CARRIED, W. Mills

8. Councillor Motions (Notice of Motion)

Deputy Mayor Anderson:

BE IT RESOLVED THAT, In the spirit of the recommendations made by the Shelburne Anti -racism Task Force, that Council approve the creation of a Diversity and Inclusion Committee and that staff report back to Council with the terms of reference and mandate (inclusive of 8-10 members from the community and 2-3 members of Council) at the next scheduled meeting for approval.

9. Communications

1. Media Release from Shelburne Police Services regarding entering the COVID "Red" zone – Enforcing Restrictions.
2. Shelburne & District Fire Department adopted 2021 budget.
3. Shelburne Public Library 2021 adopted budget and minutes from their meeting held October 20, 2020.
4. Public Notice from Headwaters Health Care Centre regarding Outbreak Declared on Medical Unit.
5. Media release from Wellington Dufferin Guelph Public Health regarding Rising Case Counts means recommendation to move to "Red".
6. Communications received from the Nottawasaga Valley Conservation Authority and several Ontario Municipalities regarding the Conservation Authorities Act and Bill 229.
7. Communications received from North Dufferin Agricultural and Community Taskforce (NDACT) regarding Bill 229 and Municipal Zoning Order's (MZO).
8. Letter from the Ministry of Municipal Affairs and Housing regarding the Ontario Rebuilding and Recovery Act: Accelerating Infrastructure Initiatives Municipal Engagement.
9. Letter from the Ministry of Infrastructure regarding the Ontario Community Infrastructure Fund (OCIF) for 2021 - funding amount.

10. Media release from the Hills of Headwater regarding the Collaborative Ontario Health Team Celebrates First Year Anniversary.
11. Nottawasaga Valley Conservation Authority Communications.
12. AMO Communications.

Motion # 15

Moved By Councillor Hall

Seconded By Councillor Benotto

THAT Council receives the items listed under Communications for information.

CARRIED, W. Mills

10. Confirming By-law

1. Confirming By-law #64-2020 - December 14, 2020.

Motion # 16

Moved By Councillor Buffett

Seconded By Councillor Fegan

BE IT RESOLVED THAT leave be given for the reading and enacting of By-law #64-2020 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 December 14, 2020.

CARRIED, W. Mills

11. Adjourn

Motion # 17

Moved By Councillor Benotto

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 8:54 pm.

Mayor

Clerk