MINUTES
For the Regular Meeting of the Council of the Municipality of West Grey
Held on Monday, April 15, 2013, at 6:00 p.m.
At the Council Chambers – West Grey Municipal Office

Council
Mayor Kevin Eccles, Deputy Mayor John A. Bell, Councillor Bev Cutting, Councillor John Eccles, Councillor Carol Lawrence, Councillor Don B. Marshall, Councillor David Mollison, Councillor Mark Rapke, Councillor Rob Thompson

Staff
Mark Turner, Clerk.
Kerri Mighton, Director of Finance/Treasurer; Ken Gould, Director of Infrastructure and Public Works – during reports.
Brian Marcell, Director of Building Services/CBO (during “Ringrose” delegation, and during “Bylaw Number 32-2013” discussion); Les MacKinnon, Environmental Health Officer (during “Ringrose” delegation)

Lord’s Prayer/Moment of Reflection
Declarations of Pecuniary Interest & General Nature Thereof – None

CLOSED SESSION
MOLLISON-CUTTING, WHEREAS, the Municipal Act, S.O. 2001, Section 239 (2), authorizes Councils of municipalities to close to the public a meeting or part of a meeting for dealing with certain subject matters,
NOW THEREFORE BE IT RESOLVED, that the Council of the Municipality of West Grey, does now go into a closed session of Council at 6:05 p.m., with the Clerk, and Director of Infrastructure and Public Works, to discuss an item which relates to a proposed or pending acquisition or disposition of land for municipal or local board purposes; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose. … #95-13 CARRIED.

RAPKE-MARSHALL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby returns to Open Session of Council at 7:05 p.m.
… #96-13 CARRIED.

(Mayor Eccles confirmed that only closed session items identified were discussed in closed session).

Matters Arising from the Closed Session
Mayor Eccles reported on the purchase of the former RONA Building in Durham, taking possession effective April 12, 2013. The Municipality is considering relocating the West Grey Police Services Department to the former RONA Building. There are accessory
structures on the property that will be utilized for other purposes, including for storage purposes by the West Grey Public Works Department.

Public Meetings - None

Part I - Consent Agenda

Adoption of Minutes
Council:
A1 Minutes of Regular Council Meeting – April 1, 2013

Committees:
A2 Durham Recreation Advisory Committee – February 21, 2013
West Grey Committee of Adjustment – March 11, 2013 (two sets of minutes)
West Grey Planning Advisory Committee – March 11, 2013
Neustadt Recreation Advisory Committee – March 19, 2013
West Grey Committee of Adjustment – April 8, 2013 (draft)
West Grey Planning Advisory Committee – April 8, 2013 (draft)
Neustadt Recreation Advisory Committee – April 9, 2013 (draft)

Other
A3 West Grey Public Library Board – February 18, 2013
West Grey Public Library Board – March 18, 2013 (draft) – resolution #97-13

JOHN ECCLES-MARSHALL, BE IT RESOLVED THAT, the minutes of the Regular Meeting of the Council of the Municipality of West Grey, held on April 1, 2013, be approved, as printed;
AND FURTHER THAT, the Minutes of the West Grey Committees – A2, be received, as circulated;
AND FURTHER THAT, the Minutes of the Other Committees – A3, be received, as circulated. … #97-13 CARRIED.

Award of Tenders
B1 None

Routine Department Reports
C1 Director of Building Services/C.B.O. – Report #CBOC 04/15/13 (received for information)

Miscellaneous Correspondence (For Information Only - Not Circulated but Available for Viewing at Meeting)
D1 County of Grey – re: Grey County Transportation Master Plan public consultation meetings
D2 Association of Ontario Road Supervisors – notice of congratulations to West Grey employee, Tim Cook, for recent Certified Road Supervisor certification
Future Committee Meetings
E1 West Grey Committee of the Whole – April 29, 2013, 9:00 a.m., West Grey Municipal Office

Part II – Regular Agenda

Communications from the Mayor and Council
Mayor Eccles and Councillor Lawrence reported on past activities and events since the last regular meeting of Council, and on upcoming events and activities.

Delegations

Luke Sheepers
Luke Sheepers and other interested ratepayers came before Council to request a reduction in the speed limit on an approximate 0.8 kilometre portion of the Artemesia-Glenelg Townline Road at Irish Lake, and to post a sign indicating this section of road allowance as a “40 KPH – Community Safety Zone – Fines Increased”.

Council asked Mr. Sheepers if the visibility issues were due to brush and trees. Mr. Sheepers responded that the visibility issues are mainly due to the topography and curves in the road, as there is only approximately 30 feet of vision on these curves that doesn’t provide sufficient vehicular stoppage times.
Rene Berger, West Grey Police Service Chief, noted he will bring a report to Council on this issue, however, his report may not be able to be completed until late May 2013. Council requested Chief Berger to commence his report and to attempt to complete the report prior to late May 2013, if possible.

The West Grey Director of Infrastructure and Public Works reminded Council that the Municipality of Grey Highlands will also have to approve any changes to the speed limit on this road, and any proposed signage.

Louis Riel asked if West Grey can provide additional police patrols in the interim. Chief Berger affirmed that the West Grey Police Service will provide additional monitoring on this section of road until a decision is made.

**Dave Ringrose**

Dave Ringrose came before Council to note his objection to the West Grey invoice for environmental services for his septic system, as in his opinion, the $300.00 charge was excessive for the time spent on site by the West Grey Environmental Health officer, and was excessive in terms of fees charged for similar services provided by surrounding municipalities.

Council requested the West Grey Director of Building Services/C.B.O. to provide a report on this issue at the April 29, 2013 Committee of the Whole meeting.

**Scott Patterson, Senior Planner, Principal – Labreche Patterson & Associates Inc.**

Scott Patterson, Senior Planner, Principal – Labreche Patterson & Associates Inc., representing Jim Magwood and Orland Magwood and their families, came before Council to discuss the proposed Hanover/West Grey Secondary Plan. Jim Magwood and Orland Magwood also attended as part of the delegation.

Mr. Patterson stated the Magwoods do not wish their lands to be redesignated as proposed in the Hanover/West Grey Secondary Plan, as they wish to continue their existing farm operations. The Magwoods are concerned that the proposed Secondary Plan may impact on their existing and future farming operations. Mr. Patterson stated that the objective of the proposed Secondary Plan is to develop these lands as employment lands, however, this will not be achieved, as approximately 46% of the subject lands are owned by the Magwoods. The inclusion of proposed future road allowances through the Magwood lands is an additional concern. Mr. Patterson noted he understands there will be a public meeting process in the future that they will be actively involved in.

Mr. Patterson wants some assurances that the farming operations of the Magwoods will not be impacted by the proposed secondary plan, and reiterated their concerns with roads and servicing being proposed through the Magwood property.
April 15, 2013

Mayor Eccles noted in discussions leading up to this process that whatever designation is on the Magwood property, it is his understanding that this will not impact on the future farming operations of the Magwoods, as it will be their decision whether or not they wish to continue farming their properties.

**Business Arising from the Previous Meeting - None**

**Staff Reports**

Director of Finance/Treasurer - Report #FTR 04/15/13

Approval of Accounts, Voucher #7-2013 – resolution #99-13

Energy Conservation Management Plans (Council authorized staff to pursue the Energy Consulting Services and Energy Planning Tool offered by LAS to satisfy the requirements of Ontario Regulation 397/11)

Re:Sound Tariffs on Municipalities - Re: Sound is a Canadian not-for-profit music licensing company certified by the Copyright Board of Canada. Similar to SOCAN fees paid by municipalities to composers and authors, these fees are to compensate the artists and record companies. This new tariff was certified on May 26, 2012 for the period of 2008 to 2012 and onwards. (received for information)

2nd Quarter 2013 Mileage Reimbursement Rate – April 1/13 to June 30/13, $0.48/km for gasoline (received for information)

**MOLLISON-RAPKE, BE IT RESOLVED THAT, the Director of Finance/Treasurer be authorized to pay the accounts presented as Voucher #7-2013 of the Municipality of West Grey, in the amount of $816,491.35. … #99-13 CARRIED.**

Director of Infrastructure and Public Works – Report #IPWR 04/15/13

Bridge Replacement Update - West Grey staff have cleaned the bridge deck off and excavated each end of the approaches where the new abutments are going to be placed. Guardian Bridge are expected to be on site the last week of April to remove the barriers on each side of the old bridge and install the new abutments. The new deck is expected to be set on the first week of May. AMO, who manage the gas tax funding for Ontario, are expected to be on site when the deck is being set on, taking photos. (received for information)

Grass Cutting Quotes – resolution #100-13, #101-13

Landfill Monitoring Tender – resolution #102-13, #103-13

Neustadt Ball Diamond (The Director of Infrastructure and Public Works reported on damages to the section of the Neustadt Ball Diamond screen due to wind during the ice storm last week. Modern Fencing has since fixed the screen.)
LAWRENCE-MOLLISON, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby defers a decision regarding Grass Cutting Quotes as contained in Report #IPW 04-15-13 until the April 29, 2013 Committee of the Whole meeting. … #100-13 DEFEATED.

THOMPSON-MARSHALL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby accepts the Quotes from S & E Lawncare for grass cutting on sections “A” @ $205.00 per cut, “C” @ $23.00 per cut, “D” @ $50.00 per cut, “E” @ $245.50 per cut and “F” @ $256.00 per cut and accept the quote from C. Harris Lawncare for Section “B” @ a cost of $170.00 per cut.

RECORDED VOTE
FOR: Deputy Mayor Bell, Councillor Eccles, Mayor Eccles, Councillor Marshall, Councillor Rapke
AGAINST: Councillor Lawrence, Councillor Mollison, Councillor Thompson… #101-13 CARRIED.
(Councillor Cutting was absent during the vote)

LAWRENCE-MOLLISON, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby rescinds resolution no. 12-13. … #102-13 CARRIED.

JOHN ECCLES-THOMPSON, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby accepts the tender from Gamsby and Mannerow Ltd; for annual landfill monitoring at a cost of $24,800.00 plus applicable taxes. … #103-13 CARRIED.

Clerk – Report #CR 04/15/13

Ron Davidson, of Ron Davidson Land Use Planning Consultants Inc.: Mr. Davidson attended the meeting to present the draft Planning Report for the proposed Hanover/West Grey Secondary Plan. Mr. Davidson noted he came before Council approximately 6-7 weeks ago to summarize activities to date regarding this process, and provided a draft Report with revisions to the IBI Group Report completed by Hanover. At that time, the Ministry of Municipal Affairs & Housing requested revisions so projections were only to the year 2026, instead of the year 2031, to reflect the 20 year planning time frame from 2006 to 2026. As a result, the potential number of hectares of employment lands for inclusion in the proposed secondary plan was substantially reduced from the original IBI Group projections. Mr. Davidson noted there are more details in the secondary plan with specific policies, including the proposed implementing zoning bylaw amendment and Official Plan Amendment application. Mr. Davidson stated he will file the Official Plan application to the County of Grey upon being directed to do so by West Grey and Hanover.
April 15, 2013

Council asked Mr. Davidson if it is possible to submit the Hanover/West Grey Secondary Plan/Planning Report without referring to the proposed roadway. Ron Davidson stated the problem is that the policies in the Grey County Official Plan #80 and the West Grey/Hanover Minutes of Settlement state that the long term servicing and transportation networks have to be addressed, so if these references/maps are removed, the Secondary Plan/Planning Report will not be addressing these policy requirements. Mr. Davidson stated that at some point in the future some arterial roads will be required in the secondary plan area.

Council asked Mr. Davidson to define “leapfrogging”. Mr. Davidson stated when expanding an urban area, the expansion is to occur in a logical manner with regard to efficient and effective use of services and minimization of associated costs, as stated in Grey County Official Plan policies and in the Provincial Policy Statement, so both the County of Grey and Ministry of Municipal Affairs have indicated lands cannot be bypassed for development further away that may be more receptive for development. Mr. Davidson stated this leapfrogging effect may still occur if the Magwood lands are not developed, however, they cannot be excluded from the proposed Secondary Plan without leapfrogging. Mr. Davidson stated the good news is servicing is available for the lands more amenable to being developed on Lot 11. Mr. Davidson cited lands owned by the Magwoods that are already in the Town of Hanover along the main street that are zoned for commercial purposes, however, these lands continue to be farmed.

Jim Magwood indicated the only lands proposed to be included in the Secondary Plan not owned by the Magwoods is Lot 11, and questioned the development potential of those lands. Mr. Magwood stated that Council should realize that the Magwood position has remain unchanged for the last 34 years and that their position is not proposed to be changed in the future.

The Mayor, Deputy Mayor, Councillor Eccles and Lawrence, noted they would not support expropriation of the Magwood lands, and that the Magwoods can continue their farming operations. Jim Magwood indicated the Magwood family will hold these Council members to their statement.

Mayor Eccles indicated a municipal application for expropriation would have to come from West Grey, as the lands are in West Grey.

Mr. Davidson indicated he is waiting for a response from either Town of Hanover staff or Council regarding their stance on the proposed Secondary Plan. - Resolution #98-13

Sheila Stockton – re: opposition to proposed zoning bylaw amendment for the Varney Speedway - resolution #104-13
Proposed Durham Furniture Lease Agreement (Council reviewed the proposed Durham Furniture Lease Agreement and indicated Council will not require the inclusion of a one year opt out clause. Council also requested that only the north ½ of the subject property be included in the proposed Durham Furniture Lease Agreement. The Clerk will notify Durham Furniture of Council’s direction and bring back a proposed bylaw to approve the Agreement if supported by Durham Furniture)

JOHN ECCLES-RAPKE, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby approves the draft Planning Report by Ron Davidson, Land Use Planning Consultants Inc., and authorizes staff to submit the corresponding Official Plan Amendment to the County of Grey and process the implementing West Grey Zoning Bylaw Amendment, as recommended by the West Grey Planning Advisory Committee. … #98-13 CARRIED.

JOHN ECCLES-BELL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby authorizes staff to submit a letter of support for the proposed zoning bylaw amendment by the Township of Southgate concerning the Varney Speedway property. … #104-13 CARRIED.

By-Laws – First, Second & Third Readings
27-2013 A By-law to rezone lands described as Part Lots 43-45, Concession 1 SDR, former Township of Glenelg (Cedarwell Excavating Ltd. – owner; D.C. Slade Consultants Inc. – agent) – resolution #105-13

28-2013 A By-law to authorize the Mayor and CAO to enter into a lease/option agreement between the Municipality of West Grey and Mary A. McKay – resolution #106-13

29-2013 A Housekeeping By-law to correct certain errors and omissions in the West Grey Comprehensive Zoning Bylaw Number 37-2006, as amended – resolution #107-13

30-2013 A By-law to further amend Zoning Bylaw Number 37-2006, to permit an accessory apartment dwelling unit within certain detached dwellings in Durham and Neustadt, pursuant to per Bill 140 – resolution #108-13, #109-13

31-2013 A By-law to further amend Zoning Bylaw Number 37-2006, to permit an accessory apartment dwelling unit within certain detached dwellings in West Grey, excluding Durham and Neustadt, pursuant to Bill 140 – resolution #110-13, #111-13

32-2013 A By-law to further amend Zoning Bylaw Number 37-2006, to incorporate provisions for recreational trailers pursuant to the Trailer License Bylaw – resolution #112-13
April 15, 2013

BELL-JOHN ECCLES, BE IT RESOLVED THAT, By-law Number 27-2013, being a By-law to rezone lands described as PartLots 43-45, Concession 1 SDR, former Township of Glenelg (Cedarwell Excavating Ltd. – owner; D.C. Slade Consultants Inc. – agent), be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and CAO, sealed with the seal of the Corporation and be engrossed in the by-law book. … #105-13 CARRIED.

MOLLISON-RAPKE, BE IT RESOLVED THAT, By-law Number 28-2013, being a By-law to authorize the Mayor and CAO to enter into a lease/option agreement between the Municipality of West Grey and Mary A. McKay, be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and CAO, sealed with the seal of the Corporation and be engrossed in the by-law book. … #106-13 CARRIED.

MARSHALL-BELL, BE IT RESOLVED THAT, By-law Number 29-2013, being a By-law to correct certain errors and omissions in the West Grey Comprehensive Zoning Bylaw Number 37-2006, as amended, be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and CAO, sealed with the seal of the Corporation and be engrossed in the by-law book. … #107-13 CARRIED.

CUTTING-RAPKE, BE IT RESOLVED THAT, By-law Number 30-2013, being a By-law to further amend Zoning Bylaw Number 37-2006, to permit an accessory apartment dwelling unit within certain detached dwellings in Durham and Neustadt, pursuant to per Bill 140, be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and CAO, sealed with the seal of the Corporation and be engrossed in the by-law book. … #108-13 TABLED.

CUTTING-JOHN ECCLES, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby tables resolution #108-13. … #109-13 CARRIED.

THOMPSON-BELL, BE IT RESOLVED THAT, By-law Number 31-2013, being a By-law to further amend Zoning Bylaw Number 37-2006, to permit an accessory apartment dwelling unit within certain detached dwellings in West Grey, excluding Durham and Neustadt, pursuant to Bill 140, be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and CAO, sealed with the seal of the Corporation and be engrossed in the by-law book. … #110-13 TABLED.
CUTTING-BELL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby tables resolution #110-13. … #111-13 CARRIED.

CUTTING-LAWRENCE, BE IT RESOLVED THAT, By-law Number 32-2013, being a By-law to further amend Zoning Bylaw Number 37-2006, to incorporate provisions for recreational trailers pursuant to the Trailer License Bylaw, be now read a first, second and third time, passed as amended, and numbered and that the said by-law be signed by the Mayor and CAO, sealed with the seal of the Corporation and be engrossed in the by-law book. … #112-13 CARRIED.

New Business
Trailer Licensing Bylaw (Council noted a slight amendment required to section 2 re: “temporary use”. Council discussed the merits of the $1,000.00 trailer licensing fee of $1,000.00. The West Grey Director of Building Services/C.B.O. provided his rationale for the fee, including the comparative cost of trailer park fees, associated enforcement costs; and cost to the municipality to provide services to ratepayers with trailers on properties.

Addendum - None
Notice of Motion/Direct Motions - None
Closed Session – Incomplete Items Only – n/a
Matters Arising from Closed Session – Incomplete Items Only – n/a
Question Period - None
Municipal Act – Notices - None

Adjournment
MOLLISON, RESOLVED THAT, we do now adjourn at 10:02 p.m., to meet again on Monday, May 6, 2013, 10:00 a.m., or at the call of the Mayor. CARRIED.

(SIGNED)________________________________________ (SIGNED)________________________________________
Kevin Eccles, Mayor Christine Robinson, CAO