

**Committee of the Whole (Planning)  
Municipality of West Grey  
Minutes of May 8<sup>th</sup>, 2017, at 1:45 p.m.**

The Committee of the Whole (Planning) met at the Council Chambers with the following members in attendance.

Council Mayor Kevin Eccles, Deputy Mayor John A. Bell, Councillor Bev Cutting, Councillor Doug Hutchinson, Councillor Rebecca Hergert, Councillor Carol Lawrence, Councillor Rob Thompson

Staff: Mark Turner, Clerk; Brent Glasier, Director of Infrastructure and Public Works

Also Present: Ron Davidson, Municipal Planner

**1) Disclosure of Pecuniary Interest**

Councillor Lawrence declared a pecuniary interest relating to the proposed subdivision agreement for DJ Land Developments Ltd., as her husband, in his capacity as a real estate agent, sold the property to DJ Land Developments Ltd. Councillor Lawrence did not participate in any discussion regarding this matter.

**2) Public Meetings - None**

**3) Other**

- 1) Proposed Subdivision Agreement – Part of Park Lots 2 & 3, North of George Street, Registered Plan 500, Geographic Town of Durham, Municipality of West Grey (DJ Land Developments Ltd. – Don Tremble)

The Committee of the Whole (Planning) reviewed the proposed subdivision agreement between the Municipality of West Grey and DJ Land Developments Ltd., as amended by municipal solicitor, Ian C. Johnson, of Johnson & Schwass Professional Corporation. Don Tremble attended the meeting as an owner of the property, and participated in discussions relating to the proposed subdivision agreement.

The two main points of discussion related to a mortgage on the property that was identified during the review by the municipal solicitor, and the type of security being requested by the municipality.

The municipal solicitor indicated in his review that the individual with the mortgage would have to be a party to the proposed subdivision agreement, however, Mr. Tremble indicated the individual did not wish to be a party to the agreement. Mr. Tremble indicated his solicitor is working on removing this encumbrance. The Clerk noted that if Council, subject to a recommendation for approval by the Committee of the Whole (Planning), is to consider approving the subdivision agreement during the May 15, 2017 Council meeting, that either the individual holding the mortgage would have to be named as a party to the subdivision agreement, or the mortgage would have to be discharged prior to approving the subdivision agreement, as applicable. Mr. Tremble indicated he will speak to his solicitor again, and if necessary, considering paying off the mortgage.

The Committee of the Whole (Planning) held significant discussions relating to the type of security requested by the municipality in section 1 iv) of the proposed subdivision agreement, being the equivalent of 110% of the proposed works in the form of an irrevocable letter of credit.

The Committee of the Whole (Planning) subsequently requested the Clerk to further discuss with the municipal solicitor and Mr. Tremble, possible options relating to financial securities to be provided by the proponent, including the inclusion of the developers' \$1 million line of credit for security, possible provision of only 50% of the estimated cost of work via an irrevocable letter of credit, temporary ownership by West Grey of a number of the proposed lots as collateral, and possible securities provided by the proponents' insurance company. The amended subdivision agreement that reflects the requested changes by the municipal solicitor, and addresses the mortgage and security provisions, is to be placed on the May 15, 2017 Council meeting as a result of resolution #COW 10-17.

**Hergert-Cutting, Be it resolved that, the Committee of the Whole (Planning) hereby tables the proposed subdivision agreement until policies are set in place respecting the type of financial security to be required by the Municipality of West Grey. #COW 9-17 Defeated.**

**Bell-Hutchinson, Resolved that, the Committee of the Whole (Planning) hereby recommends Council approve a proposed subdivision of agreement, as amended, between the Municipality of West Grey and DJ Land Developments Ltd., subject to clarification of the mortgagee issue identified by the municipal solicitor, and the issue of required securities being addressed as a result of discussions between the developer, municipal solicitor, and municipal staff;**

**And further that, the amended subdivision agreement be considered for approval during the May 15, 2017 Council meeting.**

**... #COW 10-17**

**Carried.**

2) Proposed Re-scheduling of August 17, 2017 West Grey Committee of the Whole (Planning) Meeting

The Clerk informed Committee members that he will be on vacation the week of August 14-18, 2017, and therefore requested the meeting be re-scheduled to August 9, 2017, to be held immediately after the conclusion of the West Grey Committee of Adjustment.

**Thompson-Lawrence, Resolved that, the August 17, 2017 West Grey Committee of Adjustment meeting be re-scheduled to August 9, 2017, at 1:00 p.m.... #COW 11-17**

**Carried.**

3) Intensive Livestock Operations

The Committee of the Whole (Planning) discussed the issue of intensive livestock operations and potential cumulative effects of industrial wind turbines near intensive livestock operations, as a result of concerns recently noted by Adele Goldsmith.

The Municipal Planner indicated the Green Energy Act does not provide local municipalities with any planning controls respecting industrial wind turbines.

The Municipal Planner also noted that policies and guidelines respecting intensive livestock operations, more particularly, Minimum Distance Separation (MDS) requirements and farm management plans, are put in place by the province through the Ministry of Agriculture, Food and Rural Affairs. The Municipal Planner stated that the province would not likely look kindly on West Grey passing an interim control by-law, as the MDS policies addresses intensive livestock operations, such as hog barns. The farm management plans will indicate the required MDS. The Clerk also questioned what would be accomplished by passing an interim control by-law as what would a report or study subsequently required to be commissioned by a municipality passing an interim control by-law accomplish.

The Committee of the Whole (Planning) requested staff or Committee members to inform the Committee if they hear of any other possible options to address intensive livestock operations.

The Committee of the Whole (Planning) requested the Clerk send an email to Ms. Goldsmith to note the substance of the Committee's deliberations.

**4) Next Meeting** – June 5, 2017 (approximately 1:30 p.m.)

**5) Adjournment**

On motion of Rebecca Hergert, the Committee adjourned at 2:57 p.m.

(Signed)  
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Kevin Eccles, Mayor

(Signed)  
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Mark Turner, Clerk