



MINUTES
For the Regular Meeting of the
Council of the Municipality of West Grey
Held on Monday, November 20, 2017 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 Rebecca Hergert, Councillor Doug Hutchinson, Councillor Carol Lawrence, Councillor Rob Thompson

Staff Mark Turner, Clerk
Brent Glasier, Director of Infrastructure and Public Works
Kerri Mighton, Director of Finance Treasurer - during reports.

Moment of Reflection

Declarations of Pecuniary Interest and General Nature Thereof
- None

Closed Session

Cutting-Thompson, 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 6:02 p.m., to discuss items which relate to personal matters about an identifiable individual, including municipal or local board employees; a proposed or pending acquisition or disposition of lands for municipal or local board purposes; and labour relations or employee negotiations.

... #387-17

Carried.

Hergert-Hutchinson, Be it resolved that, the Council of the Municipality of West Grey hereby returns to Open Session of Council at 7:00 p.m. ... #388-17

Carried.

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

Matters Arising from the Closed Session – n/a

(2) November 20, 2017

Public Meetings – None

Part I - Consent Agenda

Cutting-Hutchinson, Be it resolved that, Items A1 to C1 inclusive, contained in Part 1 – Consent Agenda, be adopted, as amended;

And further that, authorization be given for the action to be taken as may be necessary to give effect to the recommendations contained therein. ... #389-17 **Carried.**

Adoption of Minutes

Council:

- A1 Minutes of Regular Council Meeting – November 6, 2017 (draft)
- Minutes of Special Council Meeting – November 3, 2017 (draft)
- Minutes of Special Committee of the Whole Meeting (2018 Preliminary Budget) – November 2, 2017 (draft)
- Minutes of Committee of the Whole (Planning) Meeting – November 13, 2017 (draft)

Committees:

- A2 West Grey Parks & Recreation Committee – October 11, 2017
- West Grey Committee of Adjustment – November 13, 2017 (draft)

Other

- A3 Multi-Municipal Wind Turbine Working Group – September 14, 2017
- West Grey Public Library Board – September 20, 2017 – resolution #390-17

Hergert-Cutting, Be it resolved that, the Minutes of the Regular Council Meeting held on November 6, 2017, be adopted as amended; and the Minutes of the Special Council Meeting held on November 3, 2017; the Minutes of the Special Committee of the Whole Meeting (2018 Preliminary Budget), held on November 2, 2017; and the Minutes of the Committee of the Whole Meeting held on November 13, 2017; be adopted, as printed;

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. ... #390-17 **Carried.**

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Award of Tenders

B1 None

Routine Department Reports

Clerk – Report #CC 11/20/17 – resolution #391-17

Hergert-Cutting, Be it resolved that, the Council of the Municipality of West Grey hereby approves changing the January 8, 2018 Committee of the Whole meeting date to January 15, 2018, commencing at 9:00 a.m.

... #391-17

Carried.

Miscellaneous Correspondence (For Information Only - Not Circulated but Available for Viewing at Meeting)

D1 None

Future Committee Meetings

E1 West Grey Committee of the Whole Meeting – November 27, 2017, 9:00 a.m., West Grey Municipal Office

Part II - Regular Agenda

Communications from the Mayor and Council

Mayor Eccles and Councillors Cutting, Hergert, Lawrence, and Hutchinson, reported on past activities and events since the last regular meeting of Council, and on upcoming events and activities.

Delegations

Don Scott, Cuesta Planning Consultants & John Spaleta

Don Scott, of Cuesta Planning Consultants, and John Spaleta, owner of lands described as Part Lot 29, Concession 2 WGR, came to Council to discuss proposed Bylaw Number 9-2017.

Mr. Scott noted his firm was retained by Mr. Spaleta to build a dwelling on his 3 acre property at McCormick Lake, located on a seasonal road. Mr. Spaleta is requesting permission to build on his existing lot of record. The proposed By-law Number 9-2017 would permit the establishment of a cottage dwelling on Mr. Spaleta's lot, subject to entering into a municipal servicing agreement.

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Mr. Scott indicated two previous identical applications have been approved in the area, with both individuals signing a limited servicing agreement absolving the municipality of providing services to the lots in question. Mr. Scott is suggesting to use a similar approach for the Spaleta property.

Mr. Scott indicated he assumes West Grey obtained a legal opinion from their solicitor regarding the proposed zoning by-law amendment application, however, they have not been provided such legal opinion. Mr. Scott indicated they have a legal opinion on this matter from their solicitor that indicates the proposed zoning by-law amendment and municipal servicing agreement is suitable to permit the development.

Mr. Scott noted Grey & Bruce Counties permit development on seasonal roads, using limited services agreements. Mr. Scott opined the problem primarily relates to turning a fire truck around in the area, not necessarily one of getting to the property. his client is willing to reconstruct his entrance/driveway to facilitate access by emergency vehicles. Mr. Scott also opined that the definitions of "cottage dwelling" and "seasonal road" are enforceable. Mr. Scott indicated some possible provisions to include in a limited service agreement.

Mr. Scott also recalled that the municipality was obtaining an opinion from their municipal insurer regarding the proposal, however, he was not provided a copy of any correspondence from the municipal insurer.

Mr. Scott concluded by stating he and his client feel the proposed by-law provides the municipality with assurances that there would be no servicing impact by approved the draft by-law and requiring a limited service agreement.

Council asked when the two previous municipal servicing agreements were approved. Mr. Scott noted they were approved by the previous Bentinck Township Council.

Council asked if the owner of the property is willing to upgrade the seasonal road to a minimum maintenance standard for a year round, maintained road. Mr. Scott indicated the cost estimate obtained from the Director of Infrastructure and Public Works to do so would be cost prohibitive, and his client cannot afford the cost.

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Mr. Spaleta indicated he spoke to other property owners in the area, and some thought it would be a benefit to the owners, whereas others thought it would be a detriment to them. Mr. Spaleta indicated he might be willing to share the cost to upgrade the road if all owners were willing to do so, however, they are not willing to do so.

Council asked if the Fire Chief was asked if emergency vehicles could access the road and/or property. Mr. Scott noted it was a concern of the fire chief that he might get stuck at the Spaleta property and be unable to turn around. Mr. Scott noted his client is prepared to remedy these issues. Council noted there was also a concern about the road being a corduroy road. Mr. Scott indicated winter maintenance of the road would not be required.

Mr. Scott stated he is hoping to avoid an Ontario Municipal Board Hearing.

Council asked the Director of Infrastructure and Public Works if it is a corduroy road. The DIPW affirmed it is a corduroy road. Council noted concerns with potential liability.

Mr. Spaleta indicated there are legal non-conforming uses, such as cottages at the property, so there are already potential issues with these properties. Mr. Spaleta opined by allowing him to improve the area around his driveway, it would improve the situation. Mr. Scott indicated Mr. Spaleta is prepared to gravel the road near his entrance that has pot holes at present, so all vehicles can pass safely. Council asked for clarification that Mr. Spaleta is only going to place gravel on the road near his own property. Mr. Scott responded affirmatively.

Elisa Vander Hout (cancelled delegation)

Carol Leibold

Carol Leibold, Vice-Chair of the Normanby Recreation Advisory Committee, came before Council to request the waiving or reduction of recreation facility rental fees when recreation committees are hosting 100% fundraising events, as per a resolution from their Committee.

Ms. Leibold indicated the resulting extra funds will allow more projects to be completed for ratepayers.

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Council asked how many time per year the Committee rents the recreation facilities. Ms. Leibold indicated in a typical year the Committee would lease the recreational facilities at least 5-6 times per year. The Committee already receives two free rentals per year.

Council asked what the committee has to pay for leasing the recreational facilities after the two free rentals per year. Ms. Leibold indicated they pay the standard rate.

Council will consider the impact on the municipal budget if the request is granted prior to making a decision.

Council questioned if the recreation committees get a subsidized rate, and will confirm this with the Director of Finance/Treasurer.

Business Arising from the Previous Meeting - None

Staff Reports

Director of Finance/Treasurer – Report #FTR 11/20/17

Approval of Accounts, Voucher #21-2017 – resolution #392-17

Economic Development Committee Recommendations – resolution #393-17

Bell-Hutchinson, Be it resolved that, the Director of Finance/Treasurer be authorized to pay the accounts presented as Voucher #21-2017 of the Municipality of West Grey, in the amount of \$621,613.94. ... #392-17 Carried.

Hergert-Lawrence, Be it resolved that, the Council of the Municipality of West Grey hereby approves payment in the amount of \$5,000.00 for a one year membership with Saugeen Connect at a cost of \$5,000.00, utilizing \$2,500 from the County of Grey Municipal Partnership Funds award and the remaining \$2,500.00 from the West Grey Economic Development budget;

Further that, the West Grey Economic Development Committee approves the request from the Durham Art Gallery for the 2017 annual grant of \$5,000.00 to be paid out of the West Grey Economic Development budget. ... #393-17 Carried.

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Director of Infrastructure and Public Works - #FTR 11/20/17
County of Grey and Municipality of West Grey Winter Maintenance Agreement (see By-law Number 8-2017)
Contracted Winter Maintenance in Ayton – resolution #394-17

**Thompson-Bell, Be it resolved that, the Council of the Municipality of West Grey hereby approves hiring a seasonal worker for winter maintenance work in Ayton, at an estimated cost of \$10,000 for 16 weeks;
And further that, Council approves the purchase of a used blower at an approximate cost between \$3,000 to \$5,000.
... #394-17** Carried.

Clerk – Report #CR 11/20/17
Cuesta Planning Consultants Inc. – resolution #395-17
Association of Municipalities of Ontario (AMO) – resolution #396-17
Town of Lakeshore (received for information)
Bill 148, Fair Workplaces, Better Jobs Act, 2017 – resolution #397-17

**Bell-Hutchinson, Be it resolved that, the Council of the Municipality of West Grey hereby supports a one year extension of draft plan approval for the Phil Jemmett Draft Plan of Subdivision 42-T-97005;
And further that, Council strongly encourages the property owner to seriously consider available options that will serve to expedite development of the subdivision.
... #395-17** Carried.

**Lawrence-Cutting, Be it resolved that, the Council of the Municipality of West Grey hereby supports the Association of Municipalities of Ontario demand for the Province to amend Bill 160, Strengthening Quality and Accountability for Patients Act, to prevent arbitrators the scope of authority to impose a fire-medical service delivery on an unwilling municipal government;
And further that, a supporting letter be forwarded to the Premier of Ontario, Minister of Health and Long Term Care, Minister of Community and Correctional Services, Minister of Labour, Minister of Municipal Affairs, Association of Municipalities of Ontario, and local MPPs.
... #396-17** Carried.

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**Bell-Thompson, Be it resolved that the Council of the Municipality of West Grey hereby requests the Province to amend Bill 148, Fair Workplaces, Better Jobs Act, 2017, to address the concerns of municipalities and other stakeholders;
And further that, a letter be forwarded to the Premier of Ontario, Minister of Labour, Association of Municipalities of Ontario, and local MPPs. ... #397-17** **Carried.**

By-Laws – First, Second & Third Readings

- 9-2017 A By-law to rezone lands described as Part Lot 29, Concession 2 WGR, former Township of Bentinck, Municipality of West Grey (Spaleta) – resolution #398-17
- 106-2017 A By-law to repeal By-law Number 18-2011, being a By-law that appointed Harold McKnight as the Drainage Superintendent for the Municipality of West Grey – resolution #399-17
- 107-2017 A By-law to appoint members to the Municipality of West Grey Committee of Adjustment – resolution #400-17
- 108-2017 A By-law to enter into a Winter Maintenance Agreement between the Municipality of West Grey and the County of Grey – resolution #401-17
- 109-2017 A By-law to rezone lands described as Part Lots 103 & 104, Concession 2 SWTSR, former Township of Glenelg (Martha Bosch – ZA-10/17 / B09/2017) – resolution #402-17
- 110-2017 A Site Plan Control Area By-law for lands described as Plan 500, Part Lots 4-6, Queen W/S (226 & 240 Queen Street South), former Town of Durham (Bruce Gilkinson) – resolution #403-17
- 111-2017 A By-law to confirm the proceedings of the November 20, 2017 Council meeting – resolution #404-17

Thompson-Hutchinson, Be it resolved that, By-law Number 9-2017, being a By-law to rezone Part Lot 29, Concession 2 WGR, former Township of Bentinck, from the "A2" (Rural Zone) and "NE" (Natural Environment Zone) to the "A2-361-h" (Rural Exception-Holding Zone) and "NE" (Natural Environment Zone), to permit a "Cottage Dwelling" on a seasonal road (Spaleta), is hereby refused.

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Recorded Vote

FOR: Councillor Hutchinson, Councillor Thompson
AGAINST: Deputy Mayor Bell, Councillor Cutting, Mayor Eccles,
Councillor Hergert, Councillor Lawrence
... #398-17 **DEFEATED.**

Hergert-Lawrence, Be it resolved that, By-law Number 106-2017, being a By-law to repeal By-law Number 18-2011, being a By-law that appointed Harold McKnight as the Drainage Superintendent for the Municipality of West Grey, be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. ... #399-17 **Carried.**

Thompson-Bell, Be it resolved that, By-law Number 107-2017, being a By-law to appoint members to the Municipality of West Grey Committee of Adjustment, be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. ... #400-17 **Carried.**

Hergert-Cutting, Be it resolved that, By-law Number 108-2017, being a By-law to enter into a Winter Maintenance Agreement between the Municipality of West Grey and the County of Grey, be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. ... #401-17 **Carried.**

Hutchinson-Thompson, Be it resolved that, By-law Number 109-2017, being a By-law to rezone lands described as Part Lots 103 & 104, Concession 2 SWTSR, former Township of Glenelg (Martha Bosch – ZA-10/17 / B09/2017), be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. ... #402-17 **Carried.**

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Lawrence-Cutting, Be it resolved that, By-law Number 110-2017, being a Site Plan Control Area By-law for lands described as Plan 500, Part Lots 4-6, Queen W/S (226 & 240 Queen Street South), former Town of Durham (Bruce Gilkinson), be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. ... #403-17 Carried.

Thompson-Hutchinson, Be it resolved that, By-law Number 111-2017, being a bylaw to confirm the proceedings of the November 20, 2017 Council meeting, be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. ... #404-17 Carried.

New Business

February 12, 2018 West Grey Committee of Adjustment Meeting & Committee of the Whole (Planning) Meeting (see "Direct Motions: - resolution #405-17)

Addendum - None

Notice of Motion/Direct Motions

February 12, 2018 West Grey Committee of Adjustment Meeting & Committee of the Whole (Planning) Meeting – resolution #405-17

Thompson-Hutchinson, Be it resolved that, the Council of the Municipality of West Grey hereby approves changing the February 12, 2018 West Grey Committee of Adjustment Meeting to February 20, 2018, commencing at 1:00 p.m.; And further that, Council approves changing the February 12, 2018 Committee of the Whole (Planning) Meeting to February 20, 2018, commencing after the conclusion of the West Grey Committee of Adjustment Meeting. ... #405-17 Carried.

Closed Session – Incomplete Items Only – n/a

Matters Arising from Closed Session – Incomplete Items Only – n/a

Question Period - None

Municipal Act – Notices - None

(11) November 20, 2017

Adjournment

Hergert, Resolved that, we do now adjourn at 8:37 p.m., to meet again on December 4, 2017, 10:00 a.m., or at the call of the Mayor. Carried.

(Signed)
Kevin Eccles, Mayor

(Signed)
Mark Turner, Clerk