



**THE CORPORATION OF THE TOWNSHIP OF WAINFLEET
REGULAR MEETING OF COUNCIL MINUTES**

C15/2017
August 1, 2017
6:30 p.m.
COUNCIL CHAMBERS

PRESENT: A. Jeffs, T. Gilmore, T. Hessels, B. Konc

ABSENT: R. Dykstra

STAFF PRESENT: A. Cross, M. Ciuffetelli, A. Dashwood, L. Gudgeon, K. Foster, S. Ivins,
M. Tardif, D. Riley (SGL Planning)

- 1. Call to Order**
Mayor Jeffs called the meeting to order at 6:30 p.m.
- 2. National Anthem**
- 3. Disclosure of Pecuniary Interest and the General Nature Thereof**
There were no disclosures noted by members of Council.
- 4. Closed Meeting**

Resolution No. C-220-2017

Moved By Terry Gilmore
Seconded By Ted Hessels

“THAT Council now now move into closed session to discuss:

- a) Item Under Section 239 (2) (f) of the Municipal Act, 2001; advice subject to solicitor-client privilege – Planning Advice (1 item)
- b) Item under Section 239 (2) (b) (f) of the *Municipal Act, 2001*, personal matters about an identifiable individual; advice subject to solicitor-client privilege – Personnel matter (1 item)
- c) Item under Section 239 (2) (b) of the Municipal Act, 2001, personal matters about an identifiable individual – Update on AGCO Investigation (1 item)
- d) Minutes of the closed meeting of Council held July 5, 2017”

Carried

Time: 6:35 p.m.

5. Rise & Report

Council rose from closed session with report at 7:30 p.m.

Mayor Jeffs advised that Council met in closed session to receive legal advice regarding a Planning matter and Human Resources matter.

Council received an update regarding an investigation involving the Alcohol and Gaming Commission of Ontario.

6. Delegations

- a. Frank Memme: Re: Lot size/Hydrogeological study requirements

Resolution No. C-221-2017

Moved By Ted Hessels
Seconded By Terry Gilmore

"**THAT** Council receive the delegation presented by Frank Memme."

Carried

7. Mayor's Announcements & Remarks

A copy of the Mayor's announcements can be found in the August 1, 2017 Council meeting folder at the Township Office.

8. Adoption of the Minutes

- a. Minutes of the regular meeting of Council held July 18, 2017

Resolution No. C-222-2017

Moved By Terry Gilmore
Seconded By Ted Hessels

"**THAT** the minutes of the Regular Meeting of Council held on July 18, 2017 be adopted as circulated."

Carried

9. **Staff Reports and Recommendations**

c. Bylaw Enforcement Staff Reports

1. BESR-006-2017 Re: Screening & Hearing Officer for the Township of Wainfleet

RECOMMENDATION(S):

THAT this report be received;

AND THAT Council direct staff to bring the draft bylaw attached to this report as Appendix "A" to the August 22, 2017 Council meeting for consideration to appoint a Screening Officer for the Township of Wainfleet

Resolution No. C-223-2017

Moved By Terry Gilmore

Seconded By Betty Konc

"**THAT** Bylaw Enforcement Staff Report BESR-006-2017 Re: Screening & Hearing Officer for the Township of Wainfleet and the recommendations contained therein be adopted as circulated."

Carried

2. BESR-007-2017 Re: Noise Bylaw

RECOMMENDATION(S):

THAT this report be received;

AND THAT Council direct staff to draft and present a bylaw to control excessive noise that reflects municipal best practices.

Resolution No. C-224-2017

Moved By Terry Gilmore

Seconded By Betty Konc

"**THAT** Bylaw Enforcement Staff report BESR-007-2017 Re: Noise Bylaw and the recommendations contained therein be adopted as circulated."

Carried

g. Public Works Staff Reports

1. PWSR-013-2017 Re: Amendment to Cemetery Bylaw

RECOMMENDATION(S):

THAT this report be received;

AND THAT Council direct staff to bring the attached draft bylaw for consideration at the August 22, 2017 regular meeting of Council.

Resolution No. C-225-2017

Moved By Ted Hessels
Seconded By Terry Gilmore

"**THAT** Public Works Staff Report 013-2017 Re: Amendment to Cemetery Bylaw and the recommendations contained therein be adopted as circulated."

Carried

10. Review of Correspondence

There were no items of correspondence lifted from the package for Council consideration.

11. Bylaws

a. Bylaw No. 038-2017

Resolution No. C-226-2017

Moved By Terry Gilmore
Seconded By Ted Hessels

"**THAT** Bylaw No. 038-2017 being a bylaw to authorize the Corporation of the Township of Wainfleet to execute a Mutual Full and Final Release related to a confidential personnel matter involving the Corporation of the Township of Wainfleet be **DEFERRED** for consideration to August 22, 2017."

Carried

b. Bylaw No. 036-2017

Resolution No. C-227-2017

Moved By Ted Hessels
Seconded By Terry Gilmore

"**THAT** the following bylaw be now read a third time and finally passed this 1st day of August, 2017:

a) Bylaw No. 036-2017 being a bylaw pursuant to the provisions of Section 34 and 36 of the Planning Act, R.S.O 1990 to amend Bylaw No. 034-2014 of the Corporation of the Township of Wainfleet, as amended, entitled a

bylaw to regulate the use of land and character, location and use of buildings and structures thereon, with respect to lands known municipally as 11705 Lakeshore Road"

Recorded vote requested by Alderman Konc

| Recorded | For | Against |
|-----------------|------------|----------------|
| April Jeffs | X | |
| Betty Konc | | X |
| Richard Dykstra | | |
| Terry Gilmore | X | |
| Ted Hessels | X | |
| Results | 3 | 1 |

Carried

12. Notices of Motion

- a. Official Plan Amendment - Alderman Konc

Resolution No. C-228-2017

Moved By Betty Konc

Seconded By Ted Hessels

THAT the Township of Wainfleets Official Plan, Section 3.3.3.12 Residential Areas ii) be amended to read:

Site-specific Exception:

3.3.3.12 Notwithstanding any other policies to the contrary, on lands located in part of lots 16 and 17, Concession 1, a residential development on approximately 10.3 hectares of land shall be:

- a) Permitted to a maximum of 35 units and
- b) Permitted through a plan of condominium on sustainable private services subject to the following servicing requirements:
 - i. The Condominium Corporation shall be responsible for the operation, maintenance and costs associated with the sustainable private services with adequate provision for replacement of these systems in the future;
 - ii. In the event that the Ministry of the Environment requires the Region to be included in an assumption agreement with the Condominium Corporation for these systems, the conditions of the assumption agreement shall be to the satisfaction of the Region. ~~and the Township of Wainfleet shall be responsible for full cost recovery for communal~~

~~water and sewer services. The Township of Wainfleet shall not be responsible for providing for, or the installation, upgrading or maintenance of any communal water and sewer services.~~

Amendment:

Resolution No. C-229-2017

Moved By Betty Konc

Seconded By Ted Hessels

"**THAT** Section 3.3.3.12 a) be amended to read:

a) Permitted to a maximum of ~~35~~ 41 units"

Carried

Main Motion As Amended

"**THAT** the Township of Wainfleets Official Plan, Section 3.3.3.12 Residential Areas ii) be amended to read:

Site-specific Exception:

3.3.3.12 Notwithstanding any other policies to the contrary, on lands located in part of lots 16 and 17, Concession 1, a residential development on approximately 10.3 hectares of land shall be:

- c) Permitted to a maximum of 41 units and
- d) Permitted through a plan of condominium on sustainable private services subject to the following servicing requirements:
 - iii. The Condominium Corporation shall be responsible for the operation, maintenance and costs associated with the sustainable private services with adequate provision for replacement of these systems in the future;
 - iv. In the event that the Ministry of the Environment requires the Region to be included in an assumption agreement with the Condominium Corporation for these systems, the conditions of the assumption agreement shall be to the satisfaction of the Region. ~~and the Township of Wainfleet shall be responsible for full cost recovery for communal water and sewer services. The Township of Wainfleet shall not be responsible for providing for, or the installation, upgrading or maintenance of any communal water and sewer services.~~

Defeated

13. Proclamations

None.

14. Other Business

Alderman Konc stated that she was approached by a resident who was concerned about a potential marihuana grow op starting up near their residence and asked for information on licensing. S. Ivins explained that a marihuana facility would be subject to specific zoning as well as meet specific site plan requirements to receive a license. S. Ivins noted that licensing is done through the Federal Government.

Alderman Konc requested further information regarding the Density Policy, which is in the Township's Official Plan. S. Ivins stated that she would look into this.

Alderman Konc inquired as to why table 2 was deferred in our Official Plan. D. Riley (SGL) explained that the Niagara Region is responsible for allocating population and employment to the lower tier municipalities. The reason for deferring is unknown at this time. Alderman Konc questioned if this Official Plan item has been deferred in other municipalities. D. Riley stated that the Planning Department would look into it and report back.

Alderman Gilmore asked A. Cross if he had a chance to look into getting Council additional information regarding out Building Permit Fees. A. Cross advised that R. Deguire will be submitting a report to Council August 22, 2017 on the topic.

15. Bylaw to Confirm the Proceeding of Council

Resolution No. C-230-2017

Moved By Ted Hessels

Seconded By Betty Konc

"**THAT** Bylaw No. 039-2017 being a bylaw to adopt, ratify and confirm the actions of the Council at its regular meeting held on the 1st day of August 2017 be read a first second and third time and finally passed this 1st day of August, 2017."

Carried

16. Adjournment of Meeting

Resolution No. C-231-2017

Moved By Betty Konc

Seconded By Terry Gilmore

"**THAT** Council for the Township of Wainfleet do now adjourn."

Carried

Time - 8:13 p.m.

A. Jeffs, MAYOR

M. Ciuffetelli, DEPUTY CLERK

Approved by Council August 22, 2017