



## TOWNSHIP OF DRUMMOND/NORTH ELMSLEY

#16 Council Meeting, Tuesday, September 23, 2014

# Agenda

### Council – Call to Order 7:00 p.m.

*Please Note: Meetings of Council and the Committee of the Whole are open to the public however they are not a public forum. Members of the public are welcome to attend and your interest is appreciated, however due to time constraints, we request that individuals or groups wishing to appear before Council or the Committee at a regular meeting shall advise the Clerk not later than 4:30 p.m. on the Thursday prior to the meeting as per By-law No. 2007-14*

**Members wishing to disclose a pecuniary interest do so now.**

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11.1 Applications under Ontario Community Infrastructure Fund and Small Communities Fund	
<b>12.0 Confirmation of Council Proceedings</b>	
<b>13.0 Adjournment</b>	



**Township of Drummond/North Elmsley**  
**#15 Council Meeting of September 9, 2014**  
**Township Council Chambers**

**Minutes**

**Call to Order:** Deputy Reeve Code called the meeting to order at 7:00 p.m.

**Present:**

Deputy Reeve	Gail Code
Councillor	Ray Scissons
Councillor	Peter Wagland
Clerk-Administrator	Cindy Halcrow

**Absent:**

Reeve	Aubrey Churchill
Councillor	Ken Fournier

**Members Wishing To Disclose A Pecuniary Interest Do So Now.** No members disclosed a pecuniary interest at this time.

**1.0 MINUTES**

**1.1 Regular Minutes of August 26, 2014**

**Moved By:** Ray Scissons  
**Seconded By:** Peter Wagland

**BE IT RESOLVED THAT** the Council of the Corporation of the Township of Drummond/North Elmsley does hereby approve the minutes of the Regular Meeting of August 26, 2014, as circulated.

**Carried**  
**14-122**

**2.0 ADDITIONS & APPROVAL OF AGENDA**

**2.1 Approval of Agenda**

**Moved By:** Ray Scissons  
**Seconded By:** Peter Wagland

**BE IT RESOLVED THAT** the Council of the Corporation of the Township of Drummond/North Elmsley does hereby adopt the agenda for the meeting of September 9, 2014 as circulated.

**Carried**  
**14-123**

**3.0 DELEGATIONS - None**

**4.0 COMMITTEE & BOARD REPORTS - None**

**5.0 BY-LAWS - None**

**6.0 RESOLUTIONS/NOTICE OF MOTIONS**

**6.1 Water Street - Declared Surplus**

**Moved By: Peter Wagland**

**Seconded By: Ray Scissons**

**BE IT RESOLVED THAT** the Council of the Corporation of the Township of Drummond/North Elmsley approves that an additional 1,000 square foot section of the historic road allowance known as Water Street in the Village of Ferguson's Falls, and identified as part of Part 2 on Plan 27R-10343 be declared surplus to the Township's needs.

**Carried  
14-124**

**7.0 CLOSED SESSION - None**

**8.0 BUDGET CONSIDERATIONS - None**

**9.0 COMMUNICATIONS/CORRESPONDENCE - None**

**10.0 NEW BUSINESS – None**

**10.1 Approval of Expressions of Interest**

The Clerk Administrator explained that the process has changed and the Expressions of Interest no longer require a Council Resolution however the asset management plan will need to be updated to reflect the changing priorities.

**Moved By: Peter Wagland**

**Seconded By: Ray Scissons**

**BE IT RESOLVED THAT** the Council of the Corporation of the Township of Drummond/ North Elmsley approves that 2013 Asset Management Plan be amended in accordance with Amendment 2014-01.

**Carried  
14-125**

**11.0 CONFIRMATION OF COUNCIL PROCEEDINGS**

**Moved By: Peter Wagland**

**Seconded By: Ray Scissons**

**BE IT RESOLVED THAT** By-law #2014-048 being a By-law to confirm the proceedings of Council at its meeting of September 9, 2014, be read a first, second and third time and finally passed in open Council.

**Carried  
14-126**

**12.0 ADJOURNMENT**

**Moved By: Ray Scissons  
Seconded By: Peter Wagland**

**BE IT RESOLVED THAT** the Council of the Corporation of the Township of Drummond/North Elmsley adjourn their regular meeting of Council.

Adjourned at 7:07 p.m.

**Carried  
14-127**

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**Deputy Reeve**

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**Clerk Administrator**



## REPORT OF THE COMMITTEE OF THE WHOLE REPORT #10 CoW-September 16, 2014

To the Members of Council

We, the Members of your Committee of the Whole beg leave to report Section “A” as information and Section “B” as follows:

- “A” 1 Riverside Drive/Canal Bank Road
- “B” 1 **THAT the Council of the Corporation of the Township of Drummond/North Elmsley rescinds Council Resolution #14-125, Asset Management Plan #1-2014.**
- “A” 2. 2014 Plow Truck Tender 2014-06
- “B” 2. **THAT the Council of the Corporation of the Township of Drummond/North Elmsley accepts the tendered price from Oakes Truck Sales of \$220,412.31 (including applicable taxes) for the 2014 Plow Truck Tender 2014-06.**
- “A” 3. 200<sup>th</sup> Anniversary Committee Application to the Canadian Heritage Department for Funding
- “B” 3. **THAT the Council of the Corporation of the Township of Drummond/North Elmsley authorizes the 200<sup>th</sup> Anniversary Joint Committee to proceed with the development of a joint application to Canadian Heritage Department to assist with the funding of celebration activities, to a maximum of \$200,000 and with the knowledge that in-kind contributions are required from the municipality and/or community; the final application will be sent to each Council for consideration**
- “A” 4. **Grassmere Consent Approval**
- “B” 4. **THAT the Council of the Corporation of the Township of Drummond/North Elmsley supports the revision to the Grassmere Consent Approval subject to the following conditions:**
- Balance of any outstanding taxes paid in full to the Township;
  - Paper copy of survey provided to the Township;
  - Zoning amendment to incorporate frontage and lot size changes;
  - 2005 development agreement remains in effect.
- “A” 5. Perth & District Union Library – Credit Card
- “B” 5. **THAT the Council of the Corporation of the Township of Drummond/North Elmsley authorizes the Township to be a “signatory” for the issuance of a Master Card for the Perth & District Union Library with a credit limit of \$3,000**

All of which is respectfully submitted by:

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Deputy Reeve

**Direction by the Head of council:  
Council may remove items in Section “B” to be voted on separately prior to  
introducing a motion to accept the report in its entirety.**

Resolution #: 14-\_\_\_\_\_

Moved and Seconded by:

\_\_\_\_\_  
Moved By

\_\_\_\_\_  
Seconded By

**BE IT RESOLVED THAT**, Report #10 COW-September 16, 2014 is hereby adopted this twenty-third day of September, 2014.

\_\_\_\_\_  
**AUBREY CHURCHILL, REEVE**

**CORPORATION OF THE TOWNSHIP  
OF DRUMMOND/NORTH ELMSLEY**

**BY-LAW NO. 2014-049**

**TAY RIVER REFLECTIONS SITE PLAN AMENDMENT**

**BEING A BY-LAW TO AMEND BY-LAW 2014-032  
(TAY RIVER REFLECTIONS SITE PLAN AGREEMENT)**

**WHEREAS** pursuant to Section 41(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, a municipality may enter into a Site Plan Control Agreement with a property owner for the works described therein;

**AND WHEREAS** the Council of the Township of Drummond/North Elmsley entered into a Site Plan Control Agreement with Tay River Reflections Inc., more specifically implemented by By-law 2014-032, to control the orderly development of the Owner's lands;

**AND WHEREAS** the Council of the Township of Drummond/North Elmsley wishes to amend said Site Plan Control Agreement to regulate a proposed accessory licensed establishment on the premises;

**NOW THEREFORE** the Council of the Corporation of the Township of Drummond/North Elmsley enacts as follows:

1. THAT Schedule "A" of By-law 2014-032 be amended as per Schedule "A".
2. THAT the Reeve and the Clerk of the Township are hereby authorized and directed on behalf of the Township of Drummond/North Elmsley to execute all documents and take whatever steps as may be required to give effect to this by-law.
3. THAT Schedule "A" attached hereto forms part of this by-law.

Read a first, second and third time and passed this 23<sup>rd</sup> day of September, 2014

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Aubrey Churchill, Reeve

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Cindy Halcrow, Clerk Administrator

Schedule "A" to By-law No. 2014-049

SITE PLAN CONTROL AGREEMENT AMENDMENT

THIS AGREEMENT made this 23<sup>rd</sup> day of September, 2014

BETWEEN

TAY RIVER REFLECTIONS INC.  
c/o Manuela Joannou  
275 Canal Bank Road, P.O. Box 20107  
Perth, ON K7H 3M6

Hereinafter called the Owner

OF THE FIRST PART

-and-

THE CORPORATION OF THE TOWNSHIP OF DRUMMOND/NORTH ELMSLEY

Hereinafter called the Corporation

OF THE SECOND PART

**WHEREAS** the Owner represents and warrants that she is the Owner of the lands described in Schedule A attached hereto (hereinafter called "the said lands") which are the lands affected by this Agreement.

**AND WHEREAS** the Owner represents and warrants that there is no encumbrance on or against the said lands except a Notice of Assignment of Rents in favour of Royal Bank of Canada registered as instrument number LC72555 and a Charge in favour of the Toronto-Dominion Bank of Canada registered as instrument number LC139903.

**AND WHEREAS** the Owner and the Corporation had entered into a Site Plan Agreement, a Notice of which was registered as instrument number LC145458 (the "Agreement") with respect to the said lands;

**AND WHEREAS** the Owner wishes amend this agreement to establish and regulate an accessory licensed beverage facility;

**AND WHEREAS** the Corporation required the Owner to amend the existing Agreement in order to control the orderly development of the said lands and regulate the proposed use;

**NOW THEREFORE** this Agreement witnesseth that in consideration of other valuable consideration and the sum of two (\$2.00) Dollars (the receipt whereof by the Owner is hereby acknowledged), Schedule "A" of By-law 2014-032 is hereby amended by inserting the following provisions:



1. A licensed tiki bar shall be permitted as a use accessory to the principal uses identified in Paragraph 5, provided that the serving of alcoholic beverages shall be limited to the gazebo, patio and loft area identified in Schedule "B" and that all licensed areas shall be physically separated from public access areas and access to such areas be limited exclusively to customers of the spa and health facility."
2. The Owner shall be responsible for complying with any conditions and undertaking any improvements to the subject lands that may be required in satisfaction of their liquor licence application provided that no such works are inconsistent with any portion of this Agreement."
3. All other provisions of the Agreement remain in full force and effect.

**IN WITNESS WHEREOF** the parties hereto have executed this Agreement.

**TAY RIVER REFLECTIONS INC.**

Per:

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Manuela Joannou, President

I have the authority to bind the Corporation)

**THE CORPORATION OF THE TOWNSHIP  
OF DRUMMOND/NORTH ELMSLEY**

Per:

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Aubrey Churchill, Reeve

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Cindy Halcrow, Clerk Administrator

We have authority to bind the Corporation

**THE CORPORATION OF THE  
TOWNSHIP OF DRUMMOND/NORTH ELMSLEY**

**BY-LAW NO. 2014-050**

**ZONING PARTICIPATION POLICY**

**BEING A BY-LAW TO ADOPT A POLICY REGARDING PUBLIC INFORMATION  
SESSIONS FOR MAJOR ZONING AMENDMENTS**

**WHEREAS**, Section 5 (3) of the Municipal Act 2001 S.O. Chapter 25 states that the powers of a municipality shall be exercised by by-law;

**AND WHEREAS**, Section 34 (14.3) of the *Planning Act* allows municipalities to consider alternative methods of informing and securing the views of the public in respect of proposed zoning by-laws;

**AND WHEREAS**, Section 6.14.3 of the Corporation's Official Plan allows Council to facilitate public participation by employing appropriate and various methods throughout the decision-making process, including holding open houses;

**AND WHEREAS**, the Council of the Corporation of the Township of Drummond/North Elmsley is committed to a planning process that invites meaningful consultation and information sharing between stakeholders at all stages of the process;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of the Township of Drummond/North Elmsley enacts as follows;

1. **THAT** the Zoning Public Participation Policy, attached hereto as Schedule "A" of this By-law is hereby adopted as an official document of the Township of Drummond/North Elmsley.
2. **THAT** Schedule "A" attached hereto shall be read with and form part of this By-law.
3. **THAT** should any sections of this By-law, including any section or part of the schedule attached hereto be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

**BY-LAW** read a first, second and third time and finally passed on the 23<sup>rd</sup> day of September, 2014

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Aubrey Churchill, Reeve

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Cindy Halcrow, Clerk Administrator

## Schedule "A" to By-law 2014-050

### Zoning Public Participation Policy

#### **INTRODUCTION:**

The Township of Drummond/North Elmsley supports good planning practices that invite meaningful participation from all parties who may be impacted by a development application. To that end, the Township is establishing a framework of early information sharing and consultation to ensure that the planning process is open, inclusive and fair.

#### **PREAMBLE:**

Section 34(14.3) of the *Planning Act* and Section 6.14.3 of the Township's Official Plan provide for alternative public participation models to enhance community involvement in planning. The hosting of a public information session regarding a large scale zoning amendment application that may have a significant impact on the surrounding community is beneficial for all parties in that it allows for the identification of issues and sharing of ideas in a less formal setting. When the public is informed and consulted prior to decisions that impact them, it increases the credibility of the decision making process and increases the public acceptance, if not necessarily agreement, of the decision.

#### **PURPOSE:**

This policy establishes the requirement for a public information session for certain zoning applications, there will be a certain degree of flexibility in the implementing procedures so that the process is adapted to individual situations. This session will not replace the requirements for a public meeting or any rights of appeal pursuant to the *Planning Act* and the outcomes of the session will not be legally binding. The session instead is a tool for information exchange that advises stakeholders and ultimately assists in the preparation of a final proposal to Council.

#### **SCOPE:**

This policy applies to all lands within the Township that are subject to an application under Section 34 of the *Planning Act*.

#### **DEFINITIONS:**

*Major Zoning Amendment:* Shall mean a zoning amendment application where one or more of the following apply:

- Within a Settlement Area, any development proposal resulting in the creation of five or more dwelling units on a lot, a mobile home park or the development of any commercial, institutional or industrial land use requiring more than 0.5 hectares (1.24 acres) of land intended for the use or a cumulative total gross floor area of 557 square metres (6,000 square feet) for all buildings on the lot;
- Within any other designation, a new mobile home park or the development of any commercial, institutional or industrial land use requiring more than 2 hectares (4.94 acres) of land intended for the use or a cumulative total gross floor area of 1,076 square metres (10,000 square feet) for all buildings on the lot;

- An application, where in the opinion of the Township, a substantial change to the character of the local community is reasonably anticipated.

*Minor Zoning Amendment:* Shall mean all other zoning amendment applications.

*Public Information Session* shall mean an informal open house whereby a proposal is presented to the public for information and discussion but there is no staff recommendation and no Council decision.

## **POLICY**

### **1. PUBLIC INFORMATION SESSION REQUIRED**

- a) The Township shall hold a public information session a minimum of twenty (20) days prior to the statutory public meeting for all major zoning amendment applications.
- b) When an information session for a proposed project is required pursuant to any other provincial or federal legislation, such information session will be deemed to satisfy the requirements of this policy.

### **2. PROCEDURES**

- a) All registered property owners within 120 m of the subject property or properties shall be notified by mail of the public information meeting a minimum of twenty (20) calendar days prior to the meeting in accordance with the Township's Public Notice By-law.
- b) Notwithstanding any perceived limitations expressed in the foregoing part, the Township will also advertise public information meetings on the Township' website, in its block ad in local newspapers and on any social media platforms the Township may eventually establish.
- c) Further to paragraph (a) the Township may at its own discretion also notify any other property owners or agencies that, in the opinion of Staff or Council, may be impacted by the proposed application.
- d) In addition to pertinent information describing the nature, time and purpose of the information meeting, the notice will also advise recipients of the manner in which interested parties who are unable to attend the session can equitably engage in the process.
- e) All persons so requesting shall be notified of the formal public meeting, in addition to all other property owners and agencies prescribed by the Planning Act.

### **3. FORMAT OF SESSION**

- a) All public information sessions will be organized by the Township, in consultation with applicants and will include the following mandatory components:
  - Presentation of the proposed project, including a description of all uses proposed, all buildings proposed, significant site alteration and changes of use envisioned and must include a conceptual site plan;
  - Summary of all supporting documentation and studies that have been provided or will be provided in support of the application;
  - Open session for questions and answers;

- o Statement by the Township Planner outlining the purpose and effect of this session and describing the next stages of the process pursuant to the Planning Act;
  - o Sign-in sheet for all participants and guests who request further information and notification.
- b) In addition to the requirements of paragraph (a) of this Section, the Township may allow the use of audiovisual equipment, posters or any other medium of communication if requested by the applicant and the Township has the capability of providing it.
  - c) Generally the information session will be hosted and chaired by Township Staff and the applicant or their representative. The format of such session will be determined in consultation between the applicant and the Township, provided the mandatory components described in Section 3(a) are included.
4. LOCATION
- a) While the required public information sessions will generally be held at the Township Municipal Office, located at 310 Port Elmsley Road, the required public information sessions for major zoning amendments within Drummond Ward may be held at the Drummond Centre Hall, located at 1920 Drummond Concession 7.
5. PLANNING ACT
- a) Nothing in this Policy shall relieve any person or corporation of any of their rights or obligations under the *Planning Act*.
6. IMPLEMENTATION
- a) Upon taking effect, the Township's Tariff of Fees By-law shall be amended to establish a separate classification for "minor" and "major" zoning amendments;
  - b) This policy takes effect following Council's adoption of By-law 2014-050.
7. REVIEW
- a) This policy shall be subject to a review at least once per term of Council.

## **TOWN OF PERTH RESOLUTION RE: RIVERSIDE DRIVE**

**WHEREAS** Riverside Drive is located in the Town of Perth and provides vehicular access to Drummond/North Elmsley residents and businesses located on Canal Bank Road;

**AND WHEREAS** the Township of Drummond/North Elmsley and the Town of Perth have entered into an agreement with respect to the maintenance of Riverside Drive and Canal Bank Road;

**AND WHEREAS** there was a vehicle accident on Riverside Drive on August 15, 2014 which has renewed safety and maintenance concerns along Riverside Drive to the forefront;

**THEREFORE NOW BE IT RESOLVED THAT** the Council of the Township of Drummond/North Elmsley respectfully petitions the Town of Perth to take steps now that would improve safety along Riverside Drive.

**CORPORATION OF THE TOWNSHIP  
OF DRUMMOND/NORTH ELMSLEY**

**BY-LAW NO. 2014-051**

**BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF DRUMMOND/NORTH ELMSLEY AT ITS MEETING HELD ON THE 23rd DAY OF SEPTEMBER 2014.**

**WHEREAS** pursuant to Section 5 of the Municipal Act 2001 S.O. 2001 c.25, the powers of a municipal corporation are to be exercised by its Council through the passage of a by-law;

**AND WHEREAS** Subsection 2 of Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25, the powers of every Council are to be exercised by By-law;

**AND WHEREAS** it is deemed expedient that the proceedings of the Council of the Corporation of the Township of Drummond/North Elmsley at this meeting be confirmed and adopted by By-law;

**NOW THEREFORE** the Council of the Corporation of the Township of Drummond/North Elmsley enacts as follows:

1. The action of the Council of the Corporation of the Township of Drummond/North Elmsley at its meeting held on September 23, 2014 in respect of each recommendation contained in each motion and resolution passed and other action taken by the Council of the Corporation of the Township of Drummond/North Elmsley at its meeting is hereby adopted and confirmed as if all such proceedings were expressly embodied in this By-law.
2. The Reeve and proper officials of the Corporation of the Township of Drummond/North Elmsley are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Corporation of the Township of Drummond/North Elmsley referred to in the preceding section hereof.
3. The Reeve and the Clerk are authorized and directed to execute all documents necessary to that behalf and to affix thereto the seal of the Corporation of the Township of Drummond/North Elmsley.

By-law read a first, second and third time and finally passed this 23rd day of September 2014.

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Reeve