



TOWNSHIP OF DRUMMOND/NORTH ELMSLEY

#2 Council Meeting, January 26, 2016

AGENDA

COUNCIL – CALL TO ORDER 5:00 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. 2015-011*

MEMBERS WISHING TO DISCLOSE A PECUNIARY INTEREST DO SO NOW.

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11.0 ADJOURNMENT



Township of Drummond/North Elmsley
#1 Council Meeting of January 12, 2016.
Township Council Chambers

Minutes

Call To Order: Reeve Churchill called the meeting to order at 5:00 p.m.

Present:

Council:	Reeve	Aubrey Churchill
	Deputy Reeve	Gail Code
	Councillor	Steve Fournier
	Councillor	George Sachs
	Councillor	Ray Scissons

Staff:	Clerk-Administrator	Cindy Halcrow
	Finance Clerk	Jill McNaughton

Members Wishing To Disclose A Pecuniary Interest Do So Now. No member of Council disclosed a pecuniary interest.

1.0 Minutes

1.1 Regular Minutes of December 15, 2015

Moved By: Gail Code
Seconded By: George Sachs

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 December 15, 2015, as circulated.

Carried
16-001

1.2 Special Minutes of December 15, 2015

Moved By: George Sachs
Seconded By: Gail Code

BE IT RESOLVED THAT the Council of the Corporation of the Township of Drummond/North Elmsley does hereby approve the minutes of the Special Meeting of December 15, 2015, as circulated.

Carried
16-002

2.0 Approval Of Agenda

2.1 Approval of Agenda

Moved By: Gail Code
Seconded By: Steve Fournier

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 January 12, 2016 as circulated.

**Carried
16-003**

- 3.0 DELEGATIONS** None
- 4.0 COMMITTEE & BOARD REPORTS** - None
- 5.0 BY-LAWS-** None
- 6.0 RESOLUTIONS/NOTICE OF MOTIONS** - None
- 7.0 CLOSED SESSION** - None
- 8.0 COMMUNICATIONS/CORRESPONDENCE-** None
- 9.0 UNFINISHED BUSINESS-** None
- 10.0 CONFIRMATION OF COUNCIL PROCEEDINGS**

Moved By: Steve Fournier
Seconded By: Gail Code

BE IT RESOLVED THAT By-law #2016-001 being a By-law to confirm the proceedings of Council at its meeting of January 12, 2016, be read a first, second and third time and finally passed in open Council.

**Carried
16-004**

11.0 Adjournment

Moved By: Gail Code
Seconded By: Ray Scissons

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

Adjourned at 5:03 p.m.

**Carried
16-005**

Reeve

Clerk Administrator



**REPORT OF THE COMMITTEE OF THE WHOLE
REPORT #1 CoW-January 12, 2015**

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 Zoning Amendment ZA-13-06-Militky (Marked Paint Ball)

"B" 1 THAT the Council of the Corporation of the Township of Drummond/North Elmsley approves the application for a holding zone without further public meetings with the following conditions:

- That the revised ecological site assessment be completed to the satisfaction of the Township;
- A provision be added to site plan provision that any mitigation or recommendation from environmental study be implemented to satisfaction of Township;
- Modification to accommodate concerns from Gradient Noise Assessment regarding adjacent lot.

"A" 2. 2016 ¾ Ton Truck Tender Results

"B" 2. THAT the Council of the Corporation of the Township of Drummond/North Elmsley accepts the tendered price from Mike Fair Ltd. of \$34,109.00 (including applicable taxes for the 2016 ¾ Ton Truck 2016-01.

All of which is respectfully submitted by:

Councillor George Sachs

**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 #: 16-_____

Moved and Seconded by:

Moved By

Seconded By

BE IT RESOLVED THAT, Report #1 CoW-January 12, 2016 is hereby adopted this 26th day of January, 2016.

AUBREY CHURCHILL, REEVE

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

BY-LAW NO. 2016-002

**BEING A BY-LAW TO AUTHORIZE BORROWING FROM TIME TO TIME FOR
CURRENT AND CAPITAL EXPENDITURES.**

WHEREAS the Council of the Corporation of the Township of Drummond/North Elmsley deems it necessary to borrow the sum of Two Million dollars (\$2,000,000.) to meet, until the taxes are collected, the current and capital expenditures of the Corporation for the year;

AND WHEREAS the total of amounts previously borrowed under Section 407(1) of the Municipal Act 2001 S.O. 2001 c.25, as amended from time to time, (the "Act"), that have not been repaid are Nil dollars.

AND WHEREAS the amount of the estimated revenues (as defined and interpreted in the Act) of the Corporation as set out in the estimates adopted for the current year and not yet collected (or, if the same have not yet been adopted, the amount of the estimated revenues of the Corporation as set forth in the estimates adopted for the next preceding year) 2016 is Five million dollars (\$5,000,000);

AND WHEREAS the amount to be borrowed under this By-law and the amounts of borrowings that have not been repaid does not in the aggregate exceed from January 1st to September 30th of the year, 50% of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the Corporation as set out above;

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

1. The Reeve and the Treasurer are hereby authorized on behalf of the Corporation to borrow from time to time, by way of promissory note, bankers' acceptance or overdraft, from Bank of Montreal, a sum or sums not exceeding in the aggregate Two Million dollars (\$2,000,000) to meet, until the taxes are collected, the current and capital expenditures of the Corporation for the year, including the amounts required for the purposes mentioned in subsection (1) of the said Section 407(1), as amended from time to time, and to give, on behalf of the Corporation, to the Bank a promissory note or notes, sealed with corporate seal and signed by them for the moneys so borrowed, and such other documentation as may be requested by the Bank therefor, with interest at a rate not exceeding prime per centum per annum, which may be paid in advance or otherwise.
2. All sums borrowed from the said Bank, for any or all of the purposes mentioned in the said Section 407(1), as amended from time to time, shall, with interest thereon, be a charge upon the whole of the revenues of the Corporation for the current year and for all preceding years, as and when such revenues are received.
3. The Treasurer is hereby authorized and directed to apply in payment of all sums

borrowed pursuant to the authority of this By-law, as well as all the other sums borrowed in this year and any previous years, from the said Bank for any or all of the purposes mentioned in the said Section 407(1), as amended from time to time, together with interest thereon, all of the moneys hereafter collected or received on account or realized in respect of the taxes levied for the current year and preceding years and all of the moneys collected or received from any other source, which may lawfully be applied for such purpose.

4. By-law 2015-004 is hereby rescinded.

BY-LAW READ a first, second and third time and finally passed this 28th day of January 2016.

Aubrey Churchill, Reeve

Cindy Halcrow, Clerk Administrator

**CORPORATION OF THE
TOWNSHIP OF DRUMMOND/NORTH ELMSLEY
BY-LAW 2016-003**

**A BY-LAW TO IMPOSE AN INTERIM TAX LEVY FOR THE YEAR 2016 ON
PROPERTIES WITHIN ALL TAX CLASSES**

WHEREAS pursuant to Section 317 (1) of the Municipal Act, S.O. 2001, the council of a local municipality, before the adoption of the estimates for the year may pass a by-law levying amount on the assessment of property in the local municipality rateable for local municipal purposes;

AND WHEREAS pursuant to section 317 (3) of the said Act, the amount levied on a property shall not exceed a prescribed percentage, or 50 percent if no percentage is prescribed, of the total amount of taxes for municipal, county and school purposes levied on the property for the previous year.

WHEREAS it is deemed advisable to impose an interim tax levy on all properties within the limits of the Township of Drummond/North Elmsley, thereby allowing for a revenue stream to cover expenditures;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF DRUMMOND/NORTH ELMSLEY ENACTS AS FOLLOWS:

1. For the purpose of this by-law, the word “property” shall mean the whole rateable property according to the last revised Assessment Roll of the Township of Drummond/North Elmsley.
2. A Collector’s Roll shall be prepared in accordance with the provisions of the Municipal Act, the provisions of which sections are hereby adopted and the following taxes, rates and charges shall be levied and collected on the whole rateable properties in the Township of Drummond/North Elmsley, all purpose and in the manner hereinafter set forth:

That there shall hereby be rated and imposed upon the assessable land and building within the Corporation of the Township of Drummond/North Elmsley for all properties taxable, an interim levy equal to that which would be produced by applying a rate equal to fifty percent of the adopted tax rates of the previous year for all purposes to the whole of the assessment according to the last revised assessment roll.

3. The interim tax levy shall become due and payable in two (2) installments as follows: 50% of the interim levy shall become due and payable on the 29th day of February, 2016 and the balance of the interim levy shall become due and payable on the 29th day of April, 2016. Any unpaid balance outstanding on the dates stated in this section shall constitute default.
4. A charge of 1.25% shall be imposed as a penalty for non-payment of taxes on the first day of the month following default, and on the first day of each calendar month thereafter in which default continues, until the taxes are paid.

5. The Treasurer shall accept part payment from time to time on account of any taxes due, in accordance with the Municipal Act.
6. All monies payable to the municipality for taxes, rates or charges which are received in the office of the Treasurer shall be deposited to the credit of the Corporation of the Township of Drummond/North Elmsley in the Bank of Montreal, 30 Gore Street East, Perth, ON K7H 3E2.

By-law read a first, second and third time and finally passed this 26th day of January, 2016.

Reeve

Clerk Administrator

Schedule "A" to By-law 2016-003

Property Class		CVA	Municipal		County		Education		Total Tax Rate	Total Levy
			Tax Rate	Levy	Tax Rate	Levy	Tax Rate	Levy		
Residential	RT/PIL	971,325,844	0.00140850	\$ 1,368,113.26	0.00189890	\$ 1,844,451.10	0.00097500	\$ 947,051.81	0.00428240	\$ 4,159,616.17
Payment-in-lieu - General	RGN	1,447,000	0.00140850	\$ 2,038.11	0.00189890	\$ 2,747.71	0.00000000	\$ -	0.00330740	\$ 4,785.82
Payment-in-lieu - Full	RF	2,408,900	0.00140850	\$ 3,392.94	0.00189890	\$ 4,574.25	0.00097500	\$ 2,348.72	0.00428240	\$ 10,315.91
Police			0.00045559	\$ 444,283.41					0.00045559	\$ 444,283.41
Residential Taxable: Edu Only	RT	288,000	0.00000000		0.00000000		0.00097500	\$ 280.80	0.00097500	\$ 280.80
Multi-Residential	MTEP	952,700	0.00328550	\$ 3,130.10	0.00442940	\$ 4,219.89	0.00097500	\$ 928.88	0.00868990	\$ 8,278.87
Police			0.00106271	\$ 1,012.44					0.00106271	\$ 1,012.44
Commercial:										
Payment-in-lieu - Full	CFN	528,050	0.00236930	\$ 1,251.10	0.00319420	\$ 1,686.70	0.00659850	\$ 3,484.34	0.01216200	\$ 6,422.14
Payment-in-lieu - General	CGN	150,500	0.00236930	\$ 356.58	0.00319420	\$ 480.73	0.00000000	\$ -	0.00556350	\$ 837.31
Occupied	CTN	20,552,375	0.00236930	\$ 48,694.77	0.00319420	\$ 65,648.40	0.00659850	\$ 135,614.84	0.01216200	\$ 249,958.01
Police			0.00076636	\$16,270.50					0.00076636	\$ 16,270.50
New Construction	XTN	2,927,440	0.00236930	\$ 6,935.98	0.00319420	\$ 9,350.82	0.00595000	\$ 17,418.28	0.01151350	\$ 33,705.08
Police			0.00076636	\$ 2,243.48					0.00076636	\$ 2,243.48
New Construction Excess	XUN	9,400	0.00165848	\$ 15.59	0.00223590	\$ 21.02	0.00416500	\$ 39.15	0.00805938	\$ 75.76
Police			0.00053645	\$ 5.04					0.00053645	\$ 5.04
Commercial Excess/Vacant	CUX/CXN	1,191,500	0.00165848	\$ 1,976.10	0.00223590	\$ 2,664.08	0.00461900	\$ 5,503.56	0.00851338	\$ 10,143.74
Police			0.00053645	\$ 639.18					0.00053645	\$ 639.18
Industrial:										
Industrial Occupied	ITN	1,497,300	0.00361530	\$ 5,413.20	0.00487410	\$ 7,298.00	0.00765000	\$ 11,454.39	0.01613940	\$ 24,165.59
Police			0.00116940	\$ 1,750.94					0.00116940	\$ 1,750.94
Industrial Hydro-Pay in Lieu	IHN	117,000	0.00361530	\$ 422.99	0.00487410	\$ 570.27	0.00765000	\$ 895.05	0.01613940	\$ 1,888.31
New Construction Industrial	JTN	2,011,977	0.00361530	\$ 7,273.90	0.00487410	\$ 9,806.57	0.00595000	\$ 11,971.26	0.01443940	\$ 29,051.73
Police			0.00116940	\$ 2,489.61					0.00116940	\$ 2,489.61
Industrial Vacant	IUN	24,000	0.00234990	\$ 56.40	0.00316820	\$ 76.04	0.00497250	\$ 119.34	0.01049060	\$ 251.77
Police			0.00076011	\$ 18.24					0.00076011	\$ 18.24
Pipeline	PTN	2,385,000	0.00282620	\$ 6,740.49	0.00381030	\$ 9,087.57	0.00765000	\$ 18,245.25	0.01428650	\$ 34,073.30
Police			0.00091417	\$ 2,180.30					0.00091417	\$ 2,180.30
Farmlands	FT	38,500,173	0.00035210	\$ 13,555.86	0.00047470	\$ 18,277.51	0.00024380	\$ 9,386.35	0.00107060	\$ 41,219.72
Police			0.00011390	\$ 4,385.22					0.00011390	\$ 4,385.22
Managed Forests	MT	838,500	0.00035210	\$ 295.25	0.00047470	\$ 398.04	0.00024380	\$ 204.43	0.00107060	\$ 897.72
Police			0.00011390	\$ 95.52					0.00011390	\$ 95.52
Total Taxation with RDU		1,047,155,659		\$ 1,469,662.61		\$ 1,981,358.68		\$ 1,164,946.45		\$ 5,091,341.62
Total Police less RDU		1,046,867,659		\$ 475,373.88						
Total (Taxation + Police)				\$ 1,945,036.49						

ITX0083

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

BY-LAW NO. 2016-004

WILSON DEVELOPMENT AGREEMENT

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF A DEVELOPMENT
AGREEMENT**

BETWEEN: RICHARD ALEXANDER WILSON AND DEBRA ANN WILSON

Hereinafter called the "Owners"

OF THE FIRST PART

-and-

THE CORPORATION OF THE TOWNSHIP OF DRUMMOND/NORTH ELMSLEY

Hereinafter called the "Corporation"

OF THE SECOND PART

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 the Council has deemed it expedient to enter into a Development Agreement with the Owners with respect to a condition of consent imposed by the County of Lanark Land Division Committee, File Nos. B15/023 and B15/024, to control the orderly development of the Owner's lands;

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

1. That the Council of the Corporation of the Township of Drummond/North Elmsley agrees to enter into a Development Agreement with the Owner on the Severed Lands in substantially the same form as per the attached 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 26th day of January, 2016.

Aubrey Churchill, Reeve

Cindy Halcrow, Clerk Administrator

Schedule "A" to By-law 2016-004

DEVELOPMENT AGREEMENT

AGREEMENT made this 26th day of January, 2016

BETWEEN:

**Richard Alexander Wilson and Debra Ann Wilson
1111 Prestonvale Road
Lanark, ON K0G 1K0**

Hereinafter called the "Owner"
OF THE FIRST PART

- and -

THE CORPORATION OF THE TOWNSHIP OF DRUMMOND/NORTH ELMSLEY
310 Port Elmsley Road, R.R. #5
Perth, ON K7H 3C7

Hereinafter called the "Corporation"
OF THE SECOND PART

WHEREAS the Owners are the registered owners in fee simple of certain lands located in the Township of Drummond/North Elmsley;

AND WHEREAS the Owner has applied for two severance on the said lands which shall have the effect of creating three parcels of land.

AND WHEREAS the Land Division Committee of the County of Lanark (the "Committee") granted the Owners' application File Nos. B15/023 and B15/024 to sever the two lots;

AND WHEREAS it was a condition of the Committee's approval of the above referenced severance applications that the Owners enter into an agreement with the Corporation incorporating the terms set out herein;

AND WHEREAS the Corporation is authorized to enter into this agreement and register it against the title to the lands more particularly described in Schedule "A" (the "Severed Lands") pursuant to subsections 51(26) and 53(12) of the *Planning Act*;

AND WHEREAS the Land Division Committee of the County of Lanark has approved the severance (application as above) subject to certain conditions specified in the

Notice of Decision, dated November 17, 2015;

AND WHEREAS the Approval Authority has agreed to the severances provided in the said agreement is entered into between the Owners and the Corporation;

AND WHEREAS the Corporation has, under By-Law No. 2016-004 authorized the Reeve and Clerk Administrator to execute this agreement on behalf of the Corporation.

NOW THEREFORE WITNESSETH that in consideration of one dollar (\$1.00) and the mutual covenants and agreements contained herein, the parties agree each with the other as follows:

1. The Owners covenant that they are the owners in fee simple of the lands more particularly described in Schedule "A" (the "Severed Lands")
2. The Owners acknowledge and agree to implement all of the servicing recommendations contained in the Revised Hydrogeological Assessment ("the Assessment") prepared by BlueMetric Environmental dated September 21, 2015 and attached and attached hereto this Agreement as Schedule "B".
3. The Owners further acknowledge and agree that:
 - a. The Assessment is only valid in respect to groundwater supply wells that are constructed to similar specifications referenced in the Assessment and that the suitability of groundwater from water supply wells constructed otherwise has not been determined;
 - b. Tertiary level on-site wastewater treatment systems with nitrate reduction technology are recommended for the subject lands and that these may require on-going maintenance contracts to be upheld in perpetuity;
 - c. Standard regular water testing should also include nitrogen species;
 - d. Within one year of the execution of this Agreement, the Owner of the retained lands (described as Parts 2, 3 and 4 of Plan 27R-10713) shall either abandon the existing un-used water well as per O.Reg. 903 or alternatively provide satisfactory evidence to the Mississippi Valley Conservation Authority that the well has been rehabilitated in accordance with provincial requirements, and to the same construction and water quality standards as the test wells used in the *Revised Hydrogeological Assessment* ("the Assessment") prepared by BlueMetric Environmental dated September 21, 2015.
4. The Owners agree that all Offers of Purchase and Sale Agreements and Deeds shall note that the Assessment referenced in Paragraph 2 shall be made available to lot purchasers and future owners as a guide to development.
5. The Owners hereby release for themselves their heirs, executors, administrators, successors and insurers and agree to hold harmless, indemnify and forever discharge the Corporation, its administrators, successors, assigns, insurers, officers

and employees from any and all actions, causes of action, claims, subrogated claims of all types and demands for any reason of any damage, loss or injury to person and property including economic loss which may be sustained in consequence of allowing the land severance.

- 6. All costs necessary to fulfill any condition of this Agreement, and all costs incurred by the Corporation in connection with the preparation, execution and registration of this Agreement shall be paid by the Owners.
- 7. If the Owners fail or refuse for any reason to comply with any requirement of this Agreement, the Owners shall be in default and the Corporation may on seven (7) days notice require the Owners to remedy the default, failing which the Corporation may, without further notice and without prejudice to any other rights and remedies available to it, do such thing and perform such work as is necessary to rectify the default and recover the expense incurred in doing it by action or in like manner as municipal taxes as required in accordance with the provisions of Section 446 of the Municipal Act, S.O. 2001 c. 25 as amended.
- 8. The Owners hereby authorize the Corporation to register this Agreement against the title of the subject lands.
- 9. This Agreement shall be registered against the title of the subject lands and shall be binding upon and enure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns and the Corporation shall be entitled to enforce the provisions against the Owners and any or all subsequent owner(s) of the subject lands.
- 10. This Agreement shall be read with any change of gender or number required by the context.

IN WITNESS WHEREOF the parties have executed this Agreement on the 26th day of January, 2016 A.D.

SIGNED, SEALED AND DELIVERED)
 in the presence of)
)
 _____)
 Witness)

 _____)
 Witness)

THE OWNERS:

 Richard Alexander Wilson

 Debra Ann Wilson

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

Per:

Aubrey Churchill, Reeve

Per:

Cindy Halcrow, Clerk
Administrator

SCHEDULE "A"

DESCRIPTION OF LAND TO WHICH THE AGREEMENT APPLIES

Severed and Retained Lands

Part of Lot 11, Concession 9, Geographic Township of Drummond, now Township of Drummond/North Elmsley, County of Lanark, designated as Parts 1 through 7 on Plan 27R-10713.

SCHEDULE "B"

**BLUOMETRIC ENVIRONMENTAL
HYDROGEOLOGICAL ASSESSMENT- REVISED SEPTEMBER 21, 2015**

The original can be viewed at the Township of Drummond/North Elmsley municipal office at 310 Port Elmsley Road, R. R. #5, Perth, Ontario K7H 3C7.

**BY-LAW No. 2016-005
THE CORPORATION OF THE TOWNSHIP OF DRUMMOND/NORTH ELMSLEY**

Being a By-law
to amend Comprehensive
Zoning By-law No. 2012-060
of the Township of Drummond/
North Elmsley

HIGHWAY COMMERCIAL SPECIAL EXCEPTION HOLDING (CH-13-h3) ZONE

Däg and Allie Militky (Marked Paintball)

Part of Lot 24, Concession 12
13259 Highway 7
(Geographic Township of Drummond)

TOWNSHIP OF DRUMMOND/NORTH ELMSLEY

BY-LAW No. 2016-005

MARKED PAINTBALL ZONING BY-LAW AMENDMENT

Being a By-law to amend Zoning By-law No. 2012-060 for prohibiting the use of land for or except for such purposes as may be set out in this By-law and for prohibiting the erection, location or use of buildings or structures for or except for such purposes as may be set out in this By-law within the said lands; and for regulating the character of buildings or structures to be erected or located on the said lands.

Now therefore the Council of the Corporation of the Township of Drummond/North Elmsley enacts as follows:

Section 1: The lands shown shaded on Schedule "A" attached to and forming part of this By-law, are the lands affected by this By-law.

Section 2: Schedule "A1" of By-law No. 2012-060 is hereby amended by changing the zoning on the affected lands from Rural to Highway Commercial Special Exception Holding (CH-13-h3) Zone.

Section 3: Section 4.14 of By-Law No. 2012-060 is hereby amended by adding the following sub-section following Section 4.14.3.2:

4.14.3.3 *CH-13-h3: Part of Lot 24, Concession 12, Drummond Ward (2016-005)*

On the lands zoned CH-13-h3 in Lot 24, Concession 12, Drummond Ward, the following provisions apply with respect to the lifting of the holding zone:

1. *The holding zone does not apply to any permitted uses in the CH Zone save and except for 'place of recreation' and is limited to a paintball facility and accessory uses.*
2. *The holding zone shall be lifted for the 'place of recreation' use only after:*
 - a. *The preparation of a revised Ecological Site Assessment to address, to the satisfaction of the Township, the following:*
 - i. *Summarize the potential for Blanding's turtle habitat on and adjacent to the playing fields;*
 - ii. *Summarize the potential for whip-poor-will nesting habitat on and adjacent to the playing fields;*
 - iii. *Summarize the potential for little brown bat habitat on and adjacent to the playing fields;*
 - iv. *Summarize the results of the grassland breeding bird surveys; and,*
 - v. *Summarize the results of the surveys for barn swallow nesting.*
 - b. *The registration on Title of a Site Plan Agreement. The Site Plan Agreement will provide for the following:*

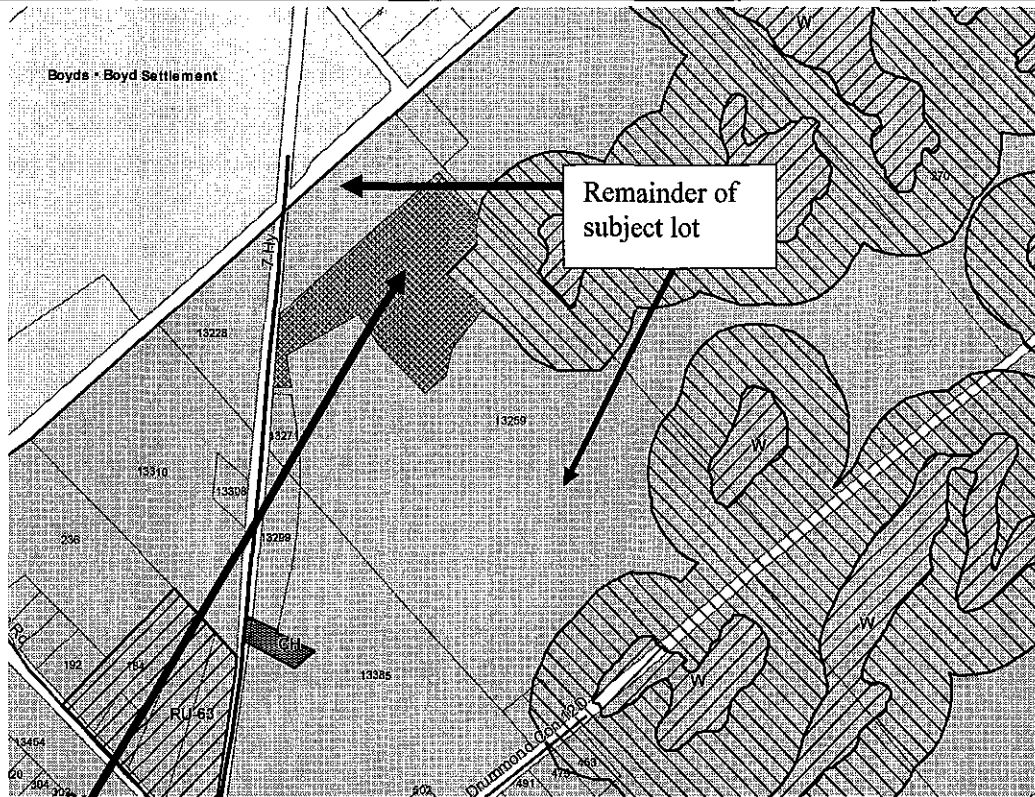
- i. *The area for outdoor playing fields will be clearly delineated and identifiable;*
- ii. *The surface of the parking areas shall be of stable surface (eg. Gravel); no asphalt parking surfaces will be installed;*
- iii. *Access to the site shall be subject to the requirements of the Ministry of Transportation;*
- iv. *New lighting, if installed, shall be designed to avoid light spillage or glare;*
- v. *Buffering shall be installed or retained along adjacent residential property lines;*
- vi. *Implementation (if required) of any mitigation recommendations resulting from a revised environmental report;*
- vii. *Implementation of the recommendation contained in the revised Gradient Wind Energy Report dated May 16, 2014.*

Section 4: This By-law shall come into effect on the date of passing, subject to the provisions of Sections 34 and 34(10) of *The Planning Act*, R.S.O. 1990 as amended.

Read a first, second and third time and finally passed this 26th day of January 2016

Reeve

Clerk Administrator



Land to be rezoned to Highway Commercial Special Exception Holding (CH-13-h3) Zone

This is **SCHEDULE A** to By-law No.2016-005 passed the 26th day of January, 2016.

Reeve

Clerk Administrator
Township of Drummond/North Elmsley

RESOLUTION OF COUNCIL

TOWNSHIP OF DRUMMOND\NORTH ELMSLEY

January 26, 2016

Number: 15-_____

Moved By: _____

Seconded By: _____

WHEREAS Council of the Corporation of the Township of Drummond/North Elmsley held a public meeting on January 28th 2014 to consider a proposed zoning by-law and May 13th 2014 to consider a re-submitted zoning application regarding the same property, both pursuant to Section 34 of the Planning Act, RSO 1990, as amended;

AND WHEREAS Council deems it advisable to change the proposed zoning by-law, prior to its final passing, to place the requested land use in a holding zone pending the completion of environmental work to the Township’s satisfaction and a site plan agreement to implement certain development conditions;

NOW THEREFORE BE IT RESOLVED that no further notice is to be given in respect of the proposed zoning by-law, pursuant to Section 34 (17) of the Planning Act, RSO, 1990, as amended.

CARRIED

RESOLUTION OF COUNCIL

TOWNSHIP OF DRUMMOND\NORTH ELMSLEY

January 26, 2016

Number: 15-_____

Moved By: _____

Seconded By: _____

BE IT RESOLVED THAT the Council of the Corporation of the Township of Drummond/North Elmsley does hereby rescind Resolution #14-70 B1, dated May 27, 2014, regarding deferring a decision on the Marked Paintball zoning amendment application pending additional clarification on noise impacts and habitat of threatened and endangered species.

CARRIED

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

BY-LAW NO. 2016-006

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL.

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 January 26, 2016 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 26th day of January 2016.

Aubrey Churchill, Reeve

Cindy Halcrow, Clerk Administrator