



The Corporation of the Municipality of Brockton

Council Meeting Minutes

Tuesday, October 13, 2020, 7:00 p.m.
Electronic Meeting

Council Present: Chris Peabody, Mayor
Dan Gieruszak, Deputy Mayor
Steve Adams, Councillor
Tim Elphick, Councillor
Kym Hutcheon, Councillor
James Lang, Councillor
Dean Leifso, Councillor (not present after item 15)

Staff Present: Sonya Watson, Chief Administrative Officer
Fiona Hamilton, Clerk
Trish Serratore, Chief Financial Officer
Sharon Bross, Brockton Child Care Centre Supervisor
Gregory Furtney, Director of Operations
Paulette Peirol, Community Development Coordinator

1. Acceptance of Council Agenda

Resolution 20-23-01

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton accept the Agenda for the regular Council Meeting on October 13, 2020 as presented.

Carried

2. Declaration of Pecuniary Interest and General Nature Thereof

None disclosed at this time.

3. Public Meetings Required Under the Planning Act

3.1 Planning Report - Zoning By-Law Amendment - Milos Z-2020-053

Julie Steeper, Bruce County Planner, provided an overview of her planning report and reminded participants that they could continue to receive notices about the application by providing their names and contact information to Fiona Hamilton, Clerk or the Bruce County Planning Staff.

Ms. Steeper noted that the application was to rezone a proposed severed lot to be rejoined to an existing lot which would allow the lot lines to be redrawn and correct a historical driveway challenge. Both the giving and receiving properties are within agricultural areas and the site specific zoning would allow for minimum lot frontage.

Agency comments suggested that the application should consider utilities and ensuring that the Ministry of Transportation provided an entrance permit for the lot that would no longer have a driveway.

Ron Davidson, the planner hired by the applicant, responded to questions from Council and noted the applicant is hoping to adjust the lot lines so that the existing driveway would be located on the lot with the residence. Mr. Davidson agreed a legal entrance with a permit from the Ministry of Transportation would need to be upgraded to a residential entrance in order to build a residence on that lot. The applicant was proposing to sell the lot with the entrance as only a field entrance.

Ms. Steeper noted that the current application was allowing for the lot lines to be redrawn, but the legal access would be required as a condition for the consent application.

Council clarified the scope of the zoning application as opposed to matters that were relevant to the consent application. Ms. Steeper noted that the decision for the consent was running concurrently with the zoning application and would be made soon after the zoning decision.

Resolution 20-23-02

Moved By: Kym Hutcheon

Seconded By: Dan Gieruszek

That the Council of the Corporation of the Municipality of Brockton has considered and hereby accepts the Planning Report prepared by Julie Steeper, Bruce County Planner, dated October 13, 2020, and entitled Municipality of Brockton Planning Report, and further that Council approves the proposed Zoning By-Law Amendment submitted by The Estate of Frank Milos (c/o Laureen Milos), File Z-2020-053 and authorizes a Site Specific By-Law coming forward.

Carried

3.2 Planning Report - Zoning By-Law Amendment - 165 Kincardine Highway Z-2020-054

Coreena Smith provided an overview of the application to use the existing building on the property as a cannabis production facility. The surrounding uses involved residential, industrial and highway commercial properties.

Ms. Smith noted that the proposal was in conformity with the applicable Official Plans and the goal was to provide employment opportunities in an environmentally responsible way.

Ms. Smith noted that her report suggested there would be ten (10) employees in the initial stages but her subsequent conversations indicated it would actually be closer to fifty (50) people. It was noted that noise was unlikely to be concern for this use and municipal services were available for the property. There were also two existing wells on the property which would also be used in the operations in the building.

Council requested that the Site Specific By-law be amended to address potential odour issues. Fiona Hamilton, Clerk, provided an opportunity for members of the public to speak, although no individuals in attendance indicated an interest in speaking to the application.

Mayor Peabody thanked Ms. Seiber-Schelgel for her assistance with the application and for bringing economic development to Brockton.

Ms. Renate Sieber-Schlegel presented as an agent for the applicant and described the double carbon filtration system that would be used to reduce odour. It was noted that the facility would not be a greenhouse facility similar to that outside of Tiverton which would further reduce any odour. The facility was highly secure with fencing surrounding the property.

The initial employment projections were for 50 people, although there may be additional jobs created as the operation expanded.

Council noted the decision to opt-in to allow for cannabis retail sales and noted the economic benefits that could result from the proposal. Ms. Seiber-Schlegel responded to questions from Council about whether the carbon system has been used in other locations. Council also asked whether there was any back-up plan to ensure no odours would be released. Ms. Seiber-Schlegel noted that the smell resulted from when the flower bloomed and noted that the proposed carbon system would limit the smell, but would also be limited to the growing stage of the plants as well. Each growing room would have its own filter as well.

Ms. Seiber-Schlegel responded to additional questions from Council about particles escaping from the facility and noted that the system would prevent any escape and that the roof has been replaced to prevent any leakage. Ms. Seiber-Schlegel noted that the wells would be used for the growing system and the municipal services would be used only to support the washrooms at the facility. The property also has its own substation such that there would likely not be a large draw on the municipal electrical services.

Ms. Smith noted that the Site Plan Control process would introduce measures through the federal licensing process to ensure maintenance has occurred through the odour abatement and adherence to time scheduling for maintenance. Council discussed the benefit of proceeding through the Site Plan Approval Process.

Resolution 20-23-03

Moved By: James Lang

Seconded By: Dean Leifso

That the Council of the Corporation of the Municipality of Brockton has considered and hereby accepts the Planning Report prepared by Coreena Smith, Bruce County Planner, dated October 13, 2020, and entitled Municipality of Brockton Planning Report, and further that Council approves the proposed Zoning By-Law Amendment submitted by 165 Kincardine Highway Development Inc, File Z-2020-054 and authorizes a Site Specific By-Law coming forward.

Carried

3.3 Planning Report - Zoning By-Law Amendment - Bedi Z-2020-051

Ms. Smith reminded the public again that they could contact Fiona Hamilton, Clerk or Bruce County Planning staff to receive notices about the application.

Ms. Smith summarized the planning report and outlined the way in which the application conformed with both the Walkerton Official Plan and the Bruce County Official Plan. Ms. Smith noted that the lands were currently vacant and a building would be constructed as part of the proposal. The purpose of the park was to provide economically sustainable growth and that this application would assist in achieving that goal.

The federal licensing process would regulate odour, security and other areas of operation for the facility. It was not expected that there would be significant odour

or noise given the extensive HVAC system to be used and that all operations were occurring indoors.

The site also had full municipal services available for the facility. Ms. Smith again confirmed that the facility would need to arrange for electrical service directly with Westario Power Inc. and would be subject to Site Plan Control. Council noted that need to make expectations about odour clear now given the proximity to the Best Western Hotel facility. Council discussed whether the zoning should be amended for the larger parcel to be consistent among all facilities.

Action: Staff to bring forward an amendment to the by-law forthcoming later this evening to ensure the Site Plan Control process to consider odour emanation.

Council further suggested that the provision addressing Site Plan Control odour emanation be considered for the similarly zoned property in East Ridge Business Park.

Resolution 20-23-04

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Corporation of the Municipality of Brockton has considered and hereby accepts the Planning Report prepared by Coreena Smith, Bruce County Planner, dated October 13, 2020, and entitled Municipality of Brockton Planning Report, and further that Council approves the proposed Zoning By-Law Amendment submitted by Saurub Bedi, File Z-2020-051 and authorizes a Site Specific By-Law coming forward.

Carried

4. Delegations

5. Minutes

Resolution 20-23-05

Moved By: Kym Hutcheon

Seconded By: Dan Gieruszek

That the Council of the Municipality of Brockton adopt the minutes of the September 22, 2020 Council Meeting and October 2, 2020 Special Council Meeting as presented.

Carried

5.1 Council Minutes - September 22, 2020

5.2 Special Council Minutes - October 2, 2020

6. Business Arising From the Minutes

Councillor Elphick spoke to item 4.1 on the September 22, 2020 Council Minutes publicly thanking Shannon Wood for her efforts in promoting the Historic Cargill and Greenock Swamp Tours. Councillor Elphick requested clarification on item 7.8 on the September 22, 2020 Council Minutes that Council discussed low tenders instead of quotations. Council agreed to amend the minutes to reflect this change.

7. Reports

7.1 Brockton Child Care Centre Addition Update

Sonya Watson, Chief Administrative Officer advised that the Brockton Child Care Centre was almost ready to open the two new classrooms, and hiring has commenced as a result of the expansion. The Child Care Centre Supervisor has also ordered equipment and supplies for the new rooms. Ms. Watson further reported that an opening event will be planned. Mayor Peabody advised that the Bruce Grey Catholic District School Board will partner with the Municipality for the event.

Resolution 20-23-06

Moved By: James Lang

Seconded By: Dean Leifso

That the Council of the Municipality of Brockton hereby receives Report Number BCCC2020-07 – Brockton Child Care Centre Addition Update, prepared by Sharon Bross, Brockton Child Care Centre Supervisor for information purposes.

Carried

7.2 Walkerton Clean Water Legacy Scholarship Fund Update

Sonya Watson, Chief Administrative Officer, and Paulette Peirol, Community Development Coordinator, responded to questions from Council. Deputy Mayor Gieruszak indicated his own personal commitment to the fund and noted he would encourage the Rotary Club of Walkerton to also contribute to the legacy fund.

Ms. Peirol clarified the parameters of the fund and the Walkerton Clean Water Centre's commitment to promoting local job opportunities.

Council directed that Councillor Elphick sit on the Committee to award the grant each year.

Resolution 20-23-07

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton hereby accepts Report Number ED2020-09 - Walkerton Clean Water Legacy Scholarship Fund Update, prepared by Sonya Watson, Chief Administrative Officer and Paulette Peirol, Community Development Coordinator, and authorizes a further contribution of \$2,500 to the Walkerton Legacy Fund to help ensure there is an annual grant of \$1,000 per recipient, every year in perpetuity; and further Council appoints the Community Development Coordinator and Councillor Tim Elphick to the grant review team.

Carried

7.3 Heritage Murals

Paulette Peirol, Community Development Coordinator, responded to questions from Council about the photographs that were selected. Councillor Leifso clarified that the sub-committee of the Heritage Committee had approved the photographs that Ms. Peirol was bringing to Council.

Fiona Hamilton, Clerk, clarified that these were initial murals, but that the Brockton Heritage Committee was intending to update other murals and to extend the mural initiative to other hamlet communities as well.

Resolution 20-23-08

Moved By: Dean Leifso

Seconded By: James Lang

That the Council of the Municipality of Brockton hereby accepts Report Number ED2020-10 - Heritage Murals, prepared by Paulette Peirol, Community Development Coordinator, and in doing so approves the new heritage mural designs for downtown Walkerton.

Carried

7.4 September 2020 Water and Wastewater Maintenance Report

Gregory Furtney, Director of Operations, responded to questions from Council about the state of the pumping station in the Fischer Dairy Road subdivision. It was noted that the infrastructure had not yet been assumed by the Municipality of Brockton and that securities were being held that could be applied to improve the pump if needed.

Resolution 20-23-09

Moved By: Kym Hutcheon

Seconded By: Dan Gieruszek

That the Council of the Municipality of Brockton hereby receives Report Number UT2020-16 - September 2020 Water and Wastewater Maintenance Report, prepared by Gregg Furtney, Director of Operations, for information purposes.

Carried

7.5 Greenock Bridge Structure No. 0006 Closure

Council discussed the heritage characteristics of the bridge and its historical importance. Council also discussed the need for clear and comprehensive communication with surrounding residents and the need to inform all emergency service providers. Council discussed whether there may be an opportunity to create a tour of historic bridges in Bruce County as a possible economic development project.

Resolution 20-23-10

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton hereby receives Report Number PW2020-30 - Greenock Bridge Structure No. 0006 Closure, prepared by Gregg Furtney, Director of Operations and in doing so:

1. Approves the closure of Greenock Bridge Structure 0006 as of November 16, 2020 at 8:00 a.m.
2. Further approves that money be set aside in the 2021 Capital Budget to move forward with a Municipal Class Environmental Assessment and initiation of a project plan.

Carried

7.6 Riversdale Bridge Update

Council suggested that additional communication be circulated to residents to ensure they are updated on the developments related to the bridge. Gregory Furtney, Director of Operations noted that there will be a virtual public information event scheduled for November 9, 2020 that would be published in the newspaper, website, social media etc. and that all stakeholder groups would be invited to that event.

Resolution 20-23-11

Moved By: Kym Hutcheon

Seconded By: Dan Gieruszak

That the Council of the Municipality of Brockton hereby receives Report Number PW2020-29 - Riversdale Bridge Update, prepared by Gregg Furtney, Director of Operations, for information purposes.

Carried

7.7 Lake Rosalind Well No. 3 Repairs

Resolution 20-23-12

Moved By: James Lang

Seconded By: Dean Leifso

That the Council of the Municipality of Brockton hereby receives Report Number UT2020-15 - Lake Rosalind Well No. 3 Repairs, prepared by Gregg Furtney, Director of Operations and in doing so approves the repair work to be completed by Lotowater Technical Services in the amount of \$41,750 plus HST.

Carried

8. Public Notification

8.1 McGivern Street Reconstruction

8.2 Leaf Collection - October 19 and 26, 2020

8.3 Province of Ontario News Release - Ontario Proposes to Further Reduce Landfill Food Waste

9. Accounts

9.1 Accounts - \$452,871.64

Resolution 20-23-13

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton approve payment of the accounts in the amount of \$452,871.64.

Carried

10. Correspondence Requiring Action

10.1 Walkerton Lawn Bowling Club Request for Letter of Support

Resolution 20-23-14

Moved By: Kym Hutcheon

Seconded By: Dean Leifso

That the Council of the Municipality of Brockton hereby recommend approval for the Walkerton Lawn Bowling Club's letter of support for their New Horizons Seniors Grant application to build a new storage shed and purchase additional equipment.

Carried

11. Information

Council discussed item 11.10 and expressed support for the programs that were formerly run by the Saugeen Valley Conservation Authority. It was noted that the Municipality of Brockton could possibly assume those programs under Brockton's

tourism strategy. Mayor Peabody encouraged a Notice of Motion coming forward or that the matter be raised in the budget meeting.

Council discussed item 11.2, acknowledging the tremendous efforts of Sarah Johnson, Jr. Deputy Clerk in obtaining a Diploma in Municipal Administration with Honours and directed Fiona Hamilton, Clerk to draft a congratulatory letter on Council's behalf.

Resolution 20-23-15

Moved By: Dan Gieruszak

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton hereby receives all items provided in Section 11. Information.

Carried

- 11.1 Elmwood Fire Department Joint Board of Management - Motion Recommending Appointing Interim Fire Chief
- 11.2 Association of Municipal Clerks and Treasurers of Ontario - Graduate of AMCTO Diploma in Municipal Administration with Honours
- 11.3 Ministry of Municipal Affairs and Housing - Parkland Dedication, Development Charges and the Community Benefits Charges Authority
- 11.4 Ontario Energy Board Notice to Customers of Enbridge Gas Inc. - Application to Dispose Account Balances and Approve Earning Amounts
- 11.5 Drinking Water Source Protection - September 2020 Newsletter
- 11.6 South Bruce OPP Detachment Commander Report January 2020
- 11.7 South Bruce OPP Detachment Commander Report February 2020
- 11.8 South Bruce OPP Detachment Commander Report March-May 2020
- 11.9 South Bruce OPP Detachment Commander Report June-August 2020
- 11.10 Saugeen Valley Conservation Authority - Press Release Saugeen Conservation Refocuses Efforts
- 11.11 Saugeen Valley Conservation Authority Minutes - August 6, 2020
- 11.12 Saugeen Municipal Airport Commission Special Meeting Minutes - July 13, 2020
- 11.13 Saugeen Municipal Airport Commission Minutes - July 15, 2020
- 11.14 Town of Amherstburg Resolution - Request for Amendments to Bill 108 re The Ontario Heritage Act
- 11.15 City of St. Catharines Resolution - Development Approval Requirements for Landfills Bill 197

12. By-Laws

Resolution 20-23-16

Moved By: James Lang

Seconded By: Dean Leifso

That the Council of the Municipality of Brockton authorize that the following by-laws be read, enacted, signed, sealed, and numbered as follows, with By-law 2020-114 and 115 be amended to specify the applications be placed under Site Plan Control to address odour emanation:

- By-Law 2020-113 - Zoning Amendment By-Law - Milos Z-2020-053
- By-Law 2020-114 - Zoning Amendment By-Law - 165 Kincardine Highway Z-2020-054 as amended
- By-Law 2020-115 - Zoning Amendment By-Law - Bedi Z-2020-051 as amended
- By-Law 2020-116 - Appoint Wayne McLeod as Interim Elmwood Fire Chief By-Law
- By-Law 2020-117 - Bombshell Encroachment Agreement By-Law
- By-Law 2020-118 - 303 Jane Street Encroachment Agreement By-Law

Carried

13. Committee Minutes

Resolution 20-23-17

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton receive the minutes of the following committees and or boards as presented:

- Cargill and District Community Fund Minutes - September 15, 2020
- Hanover/Walkerton Waste Management Committee Minutes - August 6, 2020
- Walkerton 150 Homecoming Committee Minutes - September 9, 2020
- Economic Development Committee Minutes - February 10, 2020
- Economic Development Committee Minutes - June 15, 2020
- Brockton Heritage Committee Minutes - September 14, 2020
- Environmental Advisory Committee Minutes - March 3, 2020
- Environmental Advisory Committee Minutes - September 21, 2020

Carried

14. New Business Brought Forward

1. Chepstow Road

Councillor Lang requested information from Gregory Furtney, Director of Operations, about painting lines for the recently resurfaced blacktop on Chepstow Road leading to Bruce Road 20. Gregory Furtney, Director of Operations, noted that most rural roads do not have lines, but that a costing could be explored for the 2021 Municipal Budget. Gregory Furtney, Director of Operations, responded to further questions from Council about reflectivity options for that stretch of road that may assist in resolving safety concerns in the near future.

2. Notice of Motion - Ministry of Education changes to Child Care Act

Councillor Elphick provided notice of a Motion he would bring that Council of the Municipality of Brockton condemn the proposed changes to the regulations in the *Child Care and Early Years Act, 2014* amending the ratios of children to staff.

3. Zoom Poll Feature

Councillor Elphick inquired if Council should consider using the poll feature through Zoom Video Conferencing to transparency record votes. Fiona Hamilton, Clerk suggested a report come forward seeking direction for the future Council Meetings. Mayor Peabody advised that Bruce County Council will resume in-person meetings on November 3, 2020.

Action: Fiona Hamilton, Clerk to bring forward a report about Council meetings for the next year and explore the use of the poll function in Zoom to improve transparency of voting.

4. Loitering - Fischer Dairy Road and Hinks Street

Council inquired if the Municipality had a loitering by-law to assist with loitering complaints at Fischer Dairy Road and Hinks Street in Walkerton. Fiona Hamilton, Clerk, confirmed that there was currently no loitering by-law in place but one could be prepared if directed to do so by Council.

15. Closed Session

Resolution 20-23-18

Moved By: Kym Hutcheon

Seconded By: Dan Gieruszak

That the Council of the Municipality of Brockton enter into Closed Session at 8:52 p.m. in order to address a matter pertaining to:

- Security of the property of the municipality or local board -**Security Proposal**
- Personal matters about an identifiable individual, including municipal or local board employees -**Staffing Update**
- A proposed or pending acquisition or disposition of land by the municipality or local board -**East Ridge Business Park**
- Labour relations or employee negotiations
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board - **Small Claims Court Matter**
- Advice that is subject to solicitor/client privilege, including communications necessary for that purpose
- A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act. 2001, c.25, s.239 (2)
- Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them
- A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed could reasonably be expected to prejudice significantly the competitive position or interfere significantly with contractual or other negotiations of a person, group of persons, or organization
- A trade secret or scientific, technical, commercial, financial information that belongs to the municipality or local board and has monetary value or potential monetary value
- A position, plan, procedure, criteria or instruction to be applied to any negotiation carried on or to be carried on by or on behalf of the municipality or local board - **Local Board Matter, Small Claims Court Matter**

- The meeting is held for the purpose of educating or training the members and at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

Carried

Resolution 20-23-19

Moved By: James Lang

Seconded By: Dean Leifso

That the Council of the Municipality of Brockton hereby approves the direction provided to staff in Closed Session and in doing so accepts the resignation of GIS Technician, Jessica Rodgers with regret effective October 16, 2020;

And further acknowledges the hiring of Michelle Wallace - Parks and Recreation Maintainer, Bella Baglole - Arena Cruiser/Cleaner, Kody Brown - Arena Cruiser/Cleaner, Doug Gwilt – Cargill Inside/Outside Maintainer, Jay Walt – Landfill Attendant, Larry Lippert – Casual Heavy Equipment Operator, Rob Borth – Casual Heavy Equipment Operator Wayne O'Rourke - Seasonal Sidewalk Maintainer Chepstow.

Carried

Resolution 20-23-20

Moved By: James Lang

Seconded By: Tim Elphick

That the motion dealing with the Walkerton Business Improvement Area Potential Office Relocation and identified as item 7.16 under the "Reports" section of the September 22, 2020 Council Agenda be taken from the table for the purpose of a vote.

Carried

Resolution 20-23-21

Moved By: Tim Elphick

Seconded By: James Lang

That the Council of the Municipality of Brockton hereby approves Report Number CLK2020-33 - Walkerton Business Improvement Area Potential Office Relocation, prepared by Fiona Hamilton, Clerk and Mark Coleman, Director of Community Services for information purposes and approves in principle relocation the Walkerton Business Improvement Office to the lower level of the Walkerton Public Library Property pending further approval from the Walkerton Business Improvement Area Board of Directors and ensuring the Brockton Art Show continues without interruption.

Defeated

16. Confirmation of Proceedings

Resolution 20-23-22

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton authorize that the following by-law be read, enacted, signed, sealed, and numbered as follows:

- By-Law 2020-119 - October 13, 2020 Confirmatory By-Law

Carried

17. Adjournment

Resolution 20-23-23

Moved By: Kym Hutcheon

Seconded By: Dan Gieruszak

That the Council of the Municipality of Brockton does now adjourn at 10:08 p.m.
to meet again on October 27, 2020.

Carried

Mayor - Chris Peabody

Clerk – Fiona Hamilton