



Minutes of the Regular Town of Erin Council Meeting

May 12, 2022

3:00 PM

Municipal Council Chamber

Present:	Allan Alls	Mayor
	John Brennan	Councillor
	Rob Smith	Councillor
	Jamie Cheyne	Councillor
	Michael Robins	Councillor
Staff Present:	Nathan Hyde	Chief Administrative Officer
	Lisa Campion	Director of Legislative Services & Clerk
	Jim Sawkins	Director of Fire & Emergency Services/Fire Chief
	Nick Colucci	Director of Infrastructure Services & Engineer
	Oliver Gob	Director of Finance & Treasurer
	Jack Krubnik	Director of Planning & Development

1. Call to Order

Mayor Alls called the meeting to order.

2. Approval of Agenda

Resolution # 22-110

Moved By Councillor Brennan

Seconded By Councillor Smith

Be it resolved that the agenda be approved as circulated.

Carried

3. Declaration Pecuniary Interest

None.

4. Public Meetings

4.1 Zoning By-law (Z22-01) Keith's Trailer Sales Inc, 6113 Trafalgar Road, Part Lot 31, Concession 8, Now Part 1 on Reference Plan 61R-21153; Public Meeting

Mayor Alls read the following:

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Town of Erin and/or to the Ontario Land Tribunal (OLT) but the person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Erin before the by-law is passed, the person or public body is not entitled to appeal the decision. If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Town of Erin before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal (OLT) unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Council requests that anyone wishing to provide comments or concerns to Town Council and/or Staff do so in written form to ensure that the message is provided effectively and accurately and to record their interest in the matter and to request a notice of decision of the matter.

This meeting is to provide information for Council, exchange views, generate input, etc. Council has not taken a position on the matter; Council's decision will come after full consideration of input from the meeting, submissions from the public and comments from the various agencies.

Jack Krubnik – Director of Planning & Development

Provided an overview of the Zoning By-law Amendment Application Z22-01 submitted by Keith's Trailer Sales Inc.

Advised the subject site is municipally known as 6113 Trafalgar Road located on the east of Trafalgar Road. Advised Council that subject site has a total lot area of approximately 7.92 hectares with approximately 315 metres of frontage along Trafalgar Road.

Clarified the lands subject to this application have a lot area of approximately 2.55 hectares and have a lot frontage of approximately 127 metres along Trafalgar Road. Advised Council that this portion of the

lands is permitted to operate for recreational trailer sales and service use until October 27th of 2023. Explained the surrounding land uses are agricultural as well as residential and that St Mary's Cement is located to the south of the subject property.

Advised that the subject site's temporary agricultural site specific zone expires in October of 2023 and the applicant has submitted this application to extend the site's current temporary zoning for an additional 3 years. In addition, the applicant is proposing to add the permission of fuel storage to permit the exchange of empty propane tanks for recreational trailer use. The applicant's lands on the north side of the subject site are also subject to a separate application with the County of Wellington for a lot line adjustment.

Advised that all planning decisions are required to be consistent with applicable policies such as the PPS and the Growth Plan and in the event of a conflict between either of these, the Growth Plan prevails. The PPS identifies rural areas as comprised of rural settlements, rural lands, prime agricultural areas, natural heritage features in the areas, and other resource areas. The subject site is identified as prime agricultural areas, and the PPS and Growth Plan require prime agricultural areas to be productive for the long term use of agriculture.

Advised that through the review of this application, staff are tasked with ensuring the proposal is consistent with provincial policy. Within the County of Wellington Official Plan and the Town of Erin Official Plan, the subject site is designated prime agriculture. The lands are also within the mineral aggregate resource overlay within the County's Official Plan. Section 3.14 of the County's Official Plan and Section 5.19 of the Town's Official Plan establishes that Council may pass by-laws to authorize a temporary use that is otherwise prohibited by the Official Plan for a maximum of 3 years.

Advised that prior to the expiry of a temporary use by-law, Council may, if deemed necessary, grant further periods of not more than 3 years each as long as Council has regard for the following:

- The compatibility of the proposed temporary use with surrounding land uses.
- The availability of appropriate access to the proposed use.
- The proposed design and layout of the proposed temporary use.
- The availability of the proposed use to cease when the by-law expires.
- The adequacy of proposed severances.

- The need for any impact assessment studies.
- And that the use is in general conformity with the intent and policies of the County and Town Official Plans.

Advised that through the review of this application, staff will ensure that the proposal conforms to both the County and Town Official Plans.

Advised the property currently has a temporary zoning on it, A154T, in the Town of Erin's By-law 07-67 as amended. The lands temporarily permit recreational trailer sales and service until October 2023. In addition, the area of this temporary use does not exceed 2.55 hectares of the property.

Advised the applicant is submitting an application to extend the permissions for recreational trailer sales and service use for an additional 3 years, and to permit the exchange of empty propane tanks for recreational trailer use.

Advised that as of today, staff have received comments from the following commenting agencies as well as from source water protection:

- Wellington County
- Erin Building Services
- Erin Infrastructure Services
- Erin Fire Services
- Canada Post
- Credit Valley Conservation Authority

None of which to date have identified a concern with this application. Staff to date have not received comments from the public, those may still be forthcoming. Following the review of the application and any Public and Council comments, staff will provide a recommendation report to Council.

Keith Barrick – Keith's Trailer Sales Inc.

Advised that the business was started a few years ago not knowing it was not zoned correctly. In doing so, the business grew and they got to a point where the applicant's family now lives on the property. Advised they appreciate the opportunity for the temporary zoning and also the potential opportunity to extend it with the hope that a permanent solution can be achieved in the future.

Robert Long – Long Environmental Consultants Inc.

Advised Council that with respect to page 2 of Mr. Krubnik's report, a comprehensive report was not submitted because they relied on the 2020 planning report. Advised that the 2020 report was comprehensive in

nature and covers normal planning issues. Advised that the minimum distance separation and source protection documentation was resubmitted. Advised the 2020 report addressed all County and Town policies and was approved by the Town.

Advised that, as indicated by staff, a 3 year by-law can be passed and a further 3 year by-law can be passed. Advised that the Planning Act and the Official Plans do not limit the number of 3 year periods that can be applied to a site.

Councillor Robins

Indicated that his recollection was the last time the applicant was before Council they submitted a temporary zoning application. Asked whether a permanent solution can be applied without an amendment to the Official Plan.

Jack Krubnik – Director of Planning & Development

Advised Council that this is the second time Keith's Trailer Sales Inc. has appeared before Council seeking a temporary use by-law for this type of use. Advised that if a more permanent solution was sought, it would require amendments to both the County and Town Official Plans.

Councillor Brennan

Indicated the current temporary zoning applies until October 2023. Asked whether the extension comes into effect only after the current temporary use allowance expires.

Jack Krubnik – Director of Planning & Development

Advised Council the extension only comes into effect after October 2023.

Councillor Brennan

Asked whether the subject site was outside of the Credit Valley Conservation Authority's authority.

Jack Krubnik – Director of Planning & Development

Advised Council they were circulated outside of their regulated area.

Councillor Brennan

Asked whether the subject site was outside of Grand River Conservation Authority's authority.

Jack Krubnik – Director of Planning & Development

Advised Council that this area is within the CVC but does not fall under their regulated area. They were circulated to provide comment on the application.

Councillor Cheyne

Asked how the propane use affects the application.

Jack Krubnik – Director of Planning & Development

Advised Council the use is permitted in industrial or commercial properties including gas stations. Advised the Town's by-law currently has a singular definition for bulk fuel storage for those types of areas.

Keith Barrick – Keith's Trailer Sales Inc.

Advised Council they currently have propane tanks on site and that the current method of filling them for customers is to drive with them to Orangeville. Explained each trip allows for 5 tanks and that the exchange system will add a minimal number of tanks to the property. Indicated they are a TSSA contractor for gas handling and storage. Advised Council it is a matter of safety and convenience.

Councillor Robins

Asked whether it is typical for an applicant to re-apply 1.5 years in advance of a temporary use expiration. Asked whether the Town needs to take action through the Town's licensing process to allow for propane use.

Keith Barrick – Keith's Trailer Sales Inc.

Advised Council that the company that provides the exchangeable tanks requires a letter from the Town which is sent to TSSA to receive a licence to exchange on site.

Councillor Robins

Asked whether a letter request is included in this application.

Keith Barrick – Keith's Trailer Sales Inc.

Affirmed they are requesting that letter through this application. Advised Council they are reapplying at this point due to the property's peculiar situation where multiple uses on the property make receiving a mortgage more complicated. Advised this extension will allow the business to receive a commercial loan.

Robert Long – Long Environmental Consultants Inc.

Advised Council that while fuel storage is not permitted, it is also not precluded. Through a review of the zoning and Official Plans of the County and the Town, they note there is extensive fuel storage in agricultural areas that is not specifically permitted.

Advised Council that a permanent solution would require amendments to the County Official Plan, the Town Official Plan, and the Town's Zoning By-law. Indicated their preference is to start a dialogue with staff from the County and the Town to achieve a permanent solution.

Mayor Alls

Thanked all the participants for attending the meeting and advised that Council will consider input prior to making a decision on the matter. Upon a decision by Council, notice will be provided to all persons who requested notice in writing.

Declared the public meeting adjourned.

Resolution # 22-111

Moved By Councillor Smith

Seconded By Councillor Brennan

Be it resolved that Council hereby receive report number PD2022-11 "*Zoning By-law (Z22-01) Keith's Trailer Sales Inc, 6113 Trafalgar Road, Part Lot 31, Concession 8, Now Part 1 on Reference Plan 61R-21153; Public Meeting*" for information.

Carried

5. Community Announcements

- EWFH team continues its series of virtual workshops on a variety of topics. Please consult their website for more information.
- Monday May 16th is the last Erin Entrepreneurial Hub workshop for artists entitled "Grow Your Creative Career", including marketing your art, tax filings, etc. Participation is free of charge. For information, check the Entrepreneurial Hub page on the Town website under "Doing Business Here".
- On Saturday May 14th the Town will hold its Touch-A-Truck event for children of all ages to get a close up look at Roads and Fire vehicles at the Town Hall.

- On Tuesday May 24th there will be a drop-in COVID-19 vaccination event from 10:00AM to 3:00PM at Centre 2000.
- On May 24th and 25th there will be wastewater system public information events at 7:00PM at Hillsburgh Community Centre on the 24th and Erin Community Centre on the 25th.
- On Sunday May 29th the Lions Club Annual Guide Dog Walk takes place at Centre 2000.
- On Sunday June 5th the Environment & Sustainability Advisory Committee will hold a World Environment Day event from 10:00AM to 3:00PM on the Town Hall grounds.
- On Saturday June 11th the Erin Garden Club will hold its annual plant sale from 9:00AM to 1:00PM at McMillan Park.
- Hydro One has a scheduled outage in Hillsburgh and Erin planned for Sunday May 15th from 7:00AM to 11:00AM.
- The Hillsburgh Garden Club will be holding a flower sale on Saturday May 21st.
- The Mobile Household Hazardous Waste Unit will be present at the Erin Roads Garage on Wellington Road 124 Tuesdays, Thursdays and Saturdays from 8:00AM to 4:00PM for the month of May.

Details on these and more at www.erin.ca/whats-on/

6. Adoption of Minutes

Resolution # 22-112

Moved By Councillor Cheyne

Seconded By Councillor Smith

Be it resolved that Council hereby adopts the following meeting minutes as circulated;

April 28 Regular Council

Carried

7. Business Arising from the Minutes

None.

8. Delegations/Petitions/Presentations

None.

9. Reports

9.1 Corporate Services

9.1.1 Finance

9.1.1.1 2022 Tax Levy Report

Resolution # 22-113

Moved By Councillor Brennan
Seconded By Councillor Smith

Be it resolved that Council hereby receive report number F2022-09 "*2022 Tax Levy Report*" for information;

And that Council hereby adopt the Tax Rate By-Law as presented in Appendix D of this report.

Carried

9.1.1.2 2021 Treasurer's Statement of Remuneration Paid to Council and Appointed Members

Resolution # 22-114

Moved By Councillor Cheyne
Seconded By Councillor Brennan

Be it resolved that Council hereby receive report number F2022-10 "*2021 Treasurer's Statement of Remuneration Paid to Council and Appointed Members*" for information.

Carried

9.2 Infrastructure Services

9.2.1 Wastewater

9.2.1.1 RFPQ 2022-01W - General Contractor for Sewage Pumping Station

Resolution # 22-115

Moved By Councillor Smith
Seconded By Councillor Robins

Be it resolved that Council hereby receive report number WW2022-02 "*RFPQ 2022-01W – General Contractor for Sewage Pumping Station*" for information;

And that Council direct staff to proceed with the list of prequalified contractors including ASCO Construction (Toronto) Ltd., Bennett Mechanical Installations (2001) Ltd., Clearway Construction Inc., H.I.R.A. Ltd., Jeviso Construction Corporation, North America Construction (1993) Ltd., Peak Construction Group Ltd. and Torbear Contracting Inc.

Carried

9.2.1.2 RFPQ 2022-02W - Micro-tunneling Contractor for Trunk Sewer

Resolution # 22-116

Moved By Councillor Brennan
Seconded By Councillor Smith

Be it resolved that Council hereby receive report number WW2022-03 "*RFPQ 2022-02W – Micro-tunneling Contractor for Trunk Sewer*" for information;

And that Council direct staff to proceed with the list of prequalified contractors including Earth Boring Co. Ltd., Erritt Construction Ltd., Michels Canada Co., Technicore Underground Inc. and Ward & Burke Microtunnelling.

Carried

9.3 Committees

9.3.1 EEDC - Minutes of March 8, 2022

Resolution # 22-117

Moved By Councillor Cheyne
Seconded By Councillor Smith

Be it resolved that Council hereby receive the Erin Economic Development Committee minutes of March 8th, 2022.

Carried

9.3.2 LGHG - Minutes of March 16, 2022

Resolution # 22-118

Moved By Councillor Robins
Seconded By Councillor Brennan

Be it resolved that Council hereby receive the Let's Get Hillsburgh Growing Committee minutes of March 16th, 2022.

Carried

10. New Business

10.1 Council Meeting Summer Schedule

Resolution # 22-119

Moved By Councillor Cheyne
Seconded By Councillor Brennan

Be it resolved that the summer meeting schedule be established as follows:

- June 30, 2022
- July 7, 2022

Carried

10.2 Notice of Motion - Councillor Robins

Resolution # 22-120

Moved By Councillor Robins
Seconded By Councillor Brennan

Be it resolved that Staff shall report to Council with respect to reimbursement and financials of EV charging stations.

Carried

11. Correspondence

Resolution # 22-121

Moved By Councillor Robins

Seconded By Councillor Cheyne

Be it resolved that Council receives correspondence item 11.1 for information.

Carried

11.1 Fire Marshal Notification 2022-07: O. Reg. 343/22: Firefighter Certification

12. By-Laws

Resolution # 22-122

Moved By Councillor Smith

Seconded By Councillor Brennan

Be it resolved that By-Law number 22-22 is hereby passed.

22-22

Being a By-law to set the rates for 2022 taxation and provide for the collection thereof.

Carried

Resolution # 22-123

Moved By Councillor Cheyne

Seconded By Councillor Robins

Be it resolved that the Council of the Corporation of the Town of Erin having given due consideration to the following By-law 22-23 as reproduced in this days Council agenda be passed and authorize the Mayor and Clerk to sign and seal the same.

22-23

A By-law to adopt ratify and confirm the proceedings for the Council for the Corporation of the Town of Erin at its Regular Meeting held on May 12, 2022.

Carried

13. Notice of Motion

Councillor Smith presented the following Notice of Motion:

Be it resolved that Council take the formal position that property owners in the existing urban areas not be required to connect to the wastewater treatment plant until such time as significant estimated total of indirect costs are secured by higher orders of government.

14. Adjournment

Resolution # 22-124

Moved By Councillor Brennan

Seconded By Councillor Smith

Be it resolved that the meeting be adjourned at the hour of 3:55 PM.

Carried

Mayor Allan Alls

Clerk Lisa Campion