



Corporation of the Town of Shelburne
Council Minutes

January 23, 2023
6:30 pm
Council Chambers
203 Main St. E, Shelburne

Members in attendance: Mayor Wade Mills
Councillor Walter Benotto
Councillor Kyle Fegan
Councillor Len Guchardi
Deputy Mayor Shane Hall
Councillor Dan Sample
Councillor Lindsay Wegener

Staff attending: Denyse Morrissey, CAO
Carey Holmes, Director of Financial
Services/Treasurer
Jennifer Willoughby, Director of Legislative
Services/Clerk
Alice Byl, Deputy Clerk/Committee Coordinator
Jim Moss, Director of Development and Operations
Steve Wever, Town Planner
Stephen Burnett, Town Engineer

Meeting was held via Electronic Participation

1. Call to Order

Meeting called to order at 6:49 pm by Mayor Mills.

Canadian National Anthem

Land Acknowledgement:

We would like to begin by respectfully acknowledging that the Town of Shelburne resides within the traditional territory and ancestral lands of the Anishinaabe, including the Ojibway, Potawatomi, Chippewa and the People of the Three Fires Confederacy.

These traditional territories upon which we live, work, play and learn are steeped in rich Indigenous history and traditions. It is with this statement that we declare to honour and respect the past and present connection of Indigenous peoples with this land, its waterways and resources.

We encourage residents to review the call-to-action information by visiting the following website to further research and educate oneself:

<https://www.dccrc.ca/educational-links/>

2. Disclosure of Pecuniary Interest and General Nature Thereof

Members of Council are required to state any pecuniary interest in accordance with the Municipal Conflict of Interest Act.

No disclosures.

3. Adoption of Minutes

1. Minutes from the January 9, 2023, Regular Council meeting

Motion # 1

Moved By Councillor Fegan

Seconded By Deputy Mayor Hall

BE IT RESOLVED THAT the minutes from the Regular Council meeting held January 9, 2023 be approved as presented and circulated.

CARRIED, W. Mills

4. Public Participation

1. Public Question Period

In reference to CAO Report #2023-04 Bill 23 - More Homes Built Faster Act, 2022 and Potential Impacts resident Lynda Buffett asked about applications that have come before Council for

future development and requested a date change to March instead of June for the response from the Province.

2. Presentations

To register as a presenter please contact the Legislative Services Department directly at clerk@shelburne.ca or 519-925-2600.

1. Black History Month Proclamation and Flag Raising

WHEREAS, Black History Month is an opportunity to acknowledge and honour the historical and present contributions of Black Canadians, and recognizes their significant contributions made to Canada; and

WHEREAS, during Black History Month, we celebrate the many achievements and contributions made by Black Canadians to our collective economic, cultural, spiritual, social and political development; and

WHEREAS, the Town of Shelburne recognizes and values the significant contributions and advances that Black Canadians have made, and continue to make to Canadian society, and recognize the quest of Black Canadians for equal opportunity and freedom from discrimination in Canada; and

WHEREAS the Town of Shelburne's establishment of a Diversity, Equity and Inclusion Committee will identify ways to eliminate barriers and ensure systemic changes are made to promote equity and inclusion in our community;

NOW, THEREFORE, I, Mayor Wade Mills, do hereby proclaim February 2023 as Black History Month in the Town of Shelburne and encourage all residents to celebrate our diverse heritage and culture and continue our efforts to make Shelburne an inclusive community for all.

Motion # 2

Moved By Councillor Benotto

Seconded By Councillor Guchardi

BE IT RESOLVED THAT Council of the Town of Shelburne authorizes the flag raising of the Pan African Flag on Wednesday, February 1, 2023 at 10:00 am.

CARRIED, W. Mills

3. Deputations on Agenda Items

5. Council Inquiries

Council directed inquiries to and received responses from Staff.

6. Closed Session

1) Presentation of Information regarding personal matters about an identifiable individual.

Motion # 3

Moved By Deputy Mayor Hall

Seconded By Councillor Fegan

THAT according to Section 239 (2) (b) of the Municipal Act, Council enters closed session for personal matters about an identifiable individual, including municipal or local board employees.

CARRIED, W. Mills

Entered closed session at 7:05 pm

Rose from closed session at 7:13 pm

Motion # 4

Moved By Deputy Mayor Hall

Seconded By Councillor Fegan

That Council receive the information as presented.

CARRIED, W. Mills

Councillor Dan Sample joined the meeting at 7:23 pm.

7. Motions and By-law for Decision

1. Consideration of Items – all reports and By-laws in this section will be voted on separately

1. Report CAO 2023-04 from the Chief Administrative Officer regarding - Bill 23 - More Homes Built Faster Act, 2022 and Potential Impacts

The Chief Administrative Officer and the Town Planner, presented the report to Council and answered questions of Council.

Motion # 5

Moved By Councillor Benotto

Seconded By Councillor Wegener

BE IT RESOLVED THAT Report CAO2023-04 summarizing Bill 23, the More Homes Built Faster Act, 2022, and Potential Impacts to the Town, be received;

AND THAT the tendering and construction of the WPCP capital project be delayed until a financial strategy is developed;

AND WHEREAS Bill 23, the More Homes Built Faster Act, 2022, was introduced by the Province on October 25, 2022, and received Royal Assent on November 28, 2022, amending several Acts including the Planning Act and the Development Charges Act;

AND WHEREAS the Town of Shelburne has and continues to plan for and accommodate housing needs including significant residential growth nearly doubling the Town's population over the past 15 years, including approximately 40% population growth between 2011 and 2016 making Shelburne the fastest growing small Town in Ontario during that period;

AND WHEREAS the Town of Shelburne is planning to accommodate additional residential growth to the year 2051 including over 2,000 new homes providing housing for approximately 5,500 people, bringing the Town's 2051 population to over 15,000 as per the County Municipal Comprehensive Review (MCR) to contribute to meeting the

growth targets for the County in accordance with the Growth Plan for the Greater Golden Horseshoe;

AND WHEREAS the Town of Shelburne supports the Province's initiative to address the housing crisis by increasing the supply of available housing;

AND WHEREAS the required housing to meet these needs locally in Shelburne is already the subject of active development applications and plans in process, including plans for new seniors rental housing, a new retirement home project that has been awarded grant funding by the Province, several other subdivision and intensification projects, and development of the Shelburne West Secondary Plan area via urban expansion as proposed in the County MCR;

AND WHEREAS the timing of these housing projects in Shelburne is impacted by the lack of available servicing capacity and is dependent on sufficient available funding for critical infrastructure including required capacity upgrades to the Town's Wastewater Pollution Control Plant (WPCP);

AND WHEREAS the Town of Shelburne has completed an Environmental Assessment and is in the process of completing detailed design work for the planned WPCP upgrades which are expected to cost \$2 million in order to service the planned growth to 2051, on the basis that the eligible growth-related capital projects will be funded by Development Charges;

AND WHEREAS, to service this growth, the Town of Shelburne has also recently constructed a new water tower at a cost of \$7.2 million, on the basis that the eligible growth-related capital cost will be recovered through Development Charges;

AND WHEREAS the timing of implementation of the WPCP upgrades, originally planned for 2024-25 to enable currently proposed housing projects to proceed in a timely

manner, is entirely dependent on available funding from Development Charges including front-ending by the development community and will be deferred in the absence of sufficient available funding;

AND WHEREAS any shortfall in Development Charges revenues will be required to be made up in the form of in-kind contributions by the development community and/or funding assistance from senior levels of government, or the planned housing projects will be delayed by the lack of available servicing capacity;

AND WHEREAS the Town of Shelburne's ability to fund the WPCP upgrades and other critical infrastructure projects that are required to accommodate the planned housing projects is directly impacted by the legislative changes introduced by Bill 23;

AND WHEREAS the Town of Shelburne has adopted the principal that "growth pays for growth" and is not supportive of shifting the burden of the capital costs for growth-related infrastructure projects to the property tax base;

NOW THEREFORE BE IT RESOLVED THAT the Town of Shelburne requests the Province to identify no later than March 1 how the DC shortfall will be addressed through new provincial funding programs for required infrastructure;

AND THAT Council directs staff to contact provincial representatives in an effort to work towards a collaborative approach and investigate potential opportunities to advance the WPCP project in partnership with the Province including a financial strategy and proposed timeline, so that planned housing projects can proceed contributing to achieving the Province's goal of 1.5 million new homes by 2031, and report back to Council in August 2023;

AND THAT Council directs staff to circulate a copy of this Report CAO2023-04 to the Premier Ford, Deputy Premier

and MPP Sylvia Jones, Minister of Municipal Affairs and Housing, Steve Clark, Minister of Finance, Peter Bethlenfalvy, Dufferin County and lower tier municipalities within Dufferin County.

A recorded vote was requested.

For (7): Mayor Mills, Councillor Benotto, Councillor Fegan, Councillor Guchardi, Deputy Mayor Hall, Councillor Sample, and Councillor Wegener

CARRIED, W. Mills (7 to 0)

2. Report SBA 2023-01 from the Municipal Engineer regarding Water & Sewage Projects Update

The Town Engineer presented the report to Council and answered questions of Council.

Motion # 6

Moved By Councillor Guchardi

Seconded By Councillor Sample

BE IT RESOLVED THAT Council receives report SBA 2023-01 regarding Water and Sewer Projects Update as information.

CARRIED, W. Mills

3. Report P2023-02 from the Town Planner regarding Sign By-law Variance Request 800 Ojibway Road Fieldgate Commercial (McDonald's)

The Town Planner presented his report to Council.

Motion # 7

Moved By Councillor Benotto

Seconded By Councillor Fegan

BE IT RESOLVED THAT Council receives Report P2023-02 for information;

AND FURTHER THAT, subject to comments and questions at the Council meeting, Council approves the request for a variance from the Sign By-law 30-1999 to grant relief from paragraph (3)(d) of section 4.04 to permit one additional building fascia sign on the new McDonald's at 800 Ojibway Road subject to all of the following requirements:

1. That, notwithstanding the requirements of the Sign By-law restricting the number of fascia signs per business frontage, a secondary fascia sign shall be permitted on the north façade of the McDonald's at 800 Ojibway Road, in addition to the existing fascia signs on the south and east building facades, for a maximum total of three (3) fascia signs on the building, provided that the total fascia sign area on north building facade shall not exceed the lesser of 5% of the area of the architectural elevation of the building or 10 square metres of total secondary fascia sign area;
2. That the owner shall obtain a MTO Sign Permit, if required, and a building permit from the County of Dufferin for the proposed sign(s); and,
3. That the proposed signs shall comply with all other requirements of the Sign By-law and a sign permit shall be obtained from the Town of Shelburne.

CARRIED, W. Mills

4. Report FS 2023-01 from the Director of Financial Services/Treasurer regarding the 2023 Budget Framework
The Director of Financial Services/Treasurer presented her report to Council and answered questions of Council.

Motion # 8

Moved By Deputy Mayor Hall

Seconded By Councillor Benotto

BE IT RESOLVED THAT Council of the Town of Shelburne receives report FS 2023-1 with respect to the 2023 Budget framework for information;

AND FURTHER THAT Council directs staff to:

1. Prepare a Draft 2023 Operating Budget to include an overall tax levy increase not to exceed 5.3% or the equivalent of a 1% increase in the tax rate and that;
2. The Draft 2023 Operating Budget include three (3) new labourer positions, starting Quarter 2, for Operations as identified in the Operations Review presented to Council on January 9, 2023, and that;
3. The Draft 2023 Operating budget include the 2022 compensation report recommendations and the salary adjustments as presented to Council on January 9, 2023 to be effective starting quarter 3 and that;
4. The Draft 2023 Budget utilize \$200,000 from the tax stabilization reserve and that;
5. Place \$400,000 of the 2022 estimated surplus into a reserve in order to assist with funding the 2023/2024 capital equipment purchases as identified in the 5-year capital plan, and that;
6. Any savings recognized through the budget process in the coming weeks be placed into the capital reserve and or tax stabilization reserve in order to hold the tax rate a 1% increase and replenish reserves.

CARRIED, W. Mills

5. Memo from the Municipal Grant Funding Committee
Deputy Mayor Hall provided an update on the Committee's recommendation.

Motion # 9

Moved By Councillor Benotto

Seconded By Councillor Guchardi

BE IT RESOLVED THAT the memo from the Municipal Grant Funding Committee be received as information;

AND FURTHER THAT the recommendations from the Committee be included in the Draft 2023 budget discussions.

CARRIED, W. Mills

6. 2022-2026 Council Committee Applications

Motion # 10

Moved By Councillor Sample

Seconded By Councillor Wegener

BE IT RESOLVED THAT Council strikes an Application Review Committee to review the public member applications for 2022-2026 Council Committees;

AND FURTHER appoints Deputy Mayor Hall, Councillor Fegan and Councillor Benotto to the committee;

AND THAT the Committee will bring forward public member appointment recommendations for Council's consideration in February 2023.

CARRIED, W. Mills

7. By-law #01-2023 is ready for Council's consideration being a by-law to maintain, manage, regulate and control the Shelburne Cemetery

Motion # 11

Moved By Deputy Mayor Hall

Seconded By Councillor Fegan

BE IT RESOLVED THAT leave be given for the reading and enacting of By-law #01-2023 being a By-law to maintain, manage, regulate and control the Shelburne Cemetery

CARRIED, W. Mills

8. Councillor Motions (Notice of Motion)

Notice of Motion - Deputy Mayor Hall

Unanimous consent was received in order to call the vote at tonight's meeting.

Motion # 12

Moved By Deputy Mayor Hall

Seconded By Councillor Benotto

BE IT RESOLVED THAT Council appoints Mayor Mills to replace Councillor Benotto as a Fire Board member for an indefinite period of time; and further,

THAT Staff be directed to bring forward an amendment to By-law 03-2023 being a by-law to appoint municipal committee and board members for the 2022-2026 term of Council.

CARRIED, W. Mills

9. Communications

1. 2023 Council Meeting Dates
2. Minutes from the Shelburne District Fire Board
3. Correspondence from Minister Steve Clark
4. Association of Municipalities Ontario - Policy Updates

Motion # 13

Moved By Councillor Sample

Seconded By Councillor Benotto

BE IT RESOLVED THAT Council receives the items listed under communications for information.

CARRIED, W. Mills

10. Confirming By-law

1. Confirming By-law #05-2023 - January 23, 2023

Motion # 14

Moved By Deputy Mayor Hall
Seconded By Councillor Fegan

BE IT RESOLVED THAT leave be given for the reading and enacting of By-law #05-2023 being a By-law to confirm certain proceedings of the Council of the Corporation of the Town of Shelburne for its regular council meeting held January 23, 2023.

CARRIED, W. Mills

11. Adjourn

Motion # 15

Moved By Councillor Wegener
Seconded By Councillor Benotto

BE IT RESOLVED THAT we now adjourn to meet at the call of the Mayor.

CARRIED, W. Mills

Council meeting adjourned at 9:07 pm

Mayor

Clerk