



Site Alteration Committee

MINUTES

Minutes of the Site Alteration Committee held on Tuesday, March 26, 2019, at 3:00 p.m., in the Esqueusing Boardroom, Town Hall, Halton Hills.

MEMBERS PRESENT: Councillor Ted Brown (Chair)
Councillor Bryan Lewis
Councillor Clark Somerville
Andrew Stabins
Ralph Padillo
David McKeown
Bill Allison

REGRETS: N/A

STAFF PRESENT: Bill Andrews, Director of Engineering
Maureen Van Ravens, Manager of Transportation
Steve Grace, Program Manager, Water Resources
Jeff Jelsma, Manager of Development Engineering
Steve Burt, Development Engineering Coordinator
Andrew Mason, Development Inspector
Ethan Rutherford, Co-op Student
Renee Brown, Deputy Clerk – Legislation & Elections
Nova Bonaldo (Recording Secretary)

OTHERS PRESENT: Simon Fung, O'Connor MacLeod Hanna LLP
Konstantine Stavrakos, O'Connor MacLeod Hanna LLP

- 1. Introduction to Committee Members and distribution of Committee contact sheet**
All Committee Members and staff introduced themselves.

- 2. New Legislative Requirements**

Renee Brown discussed the new legislative requirements, amended through Bill 68, for the Code of Conduct for Members of Council, Code of Conduct for Local Boards (and Committees), and the Members of Council/Staff Relations Policy.

Ms Brown also introduced the new Declaration of Interest form, required under the Municipal Conflict of Interest Act, indicating a Committee Member must complete the form if they have a conflict or pecuniary interest. The form is to be submitted to the Clerk

Department for record keeping and the conflict or pecuniary interest will be recorded in the minutes of the meeting.

***Action Item:** Committee Members to review the Code of Conduct and the Accessibility of Ontarians with Disabilities Act pamphlet.

3. Terms of Reference – for information

The Site Alteration Committee Members and staff reviewed the Terms of Reference.

***Action Item:** Staff to seek guidance from the Clerk Department if the Terms of Reference should include or reference the new legislative requirements.

***Action Item:** Staff to ensure the wording regarding site visits clearly indicates Committee Members do not visit the site on their own and await a meeting to be scheduled with the property owner by staff.

4. Election of Vice Chair

Andrew Stabins was nominated by Councillor Bryan Lewis and Ralph Padillo and was elected by the Committee as Vice-Chair of the Site Alteration Committee. Andrew Stabins accepted the position.

5. Presentation regarding Enforcement and Prosecution – Mr. Simon Fung of O’Conner, MacLeod, Hanna LLP (Agenda item was moved forward)

Mr Simon Fung and Mr Konstantine Stavrakos, lawyers from O’Conner, MacLeod, Hanna LLP, presented Site Alteration By-law 2017-0040 enforcement process and prosecution information to the Committee and staff. Key Provisions including prohibitions, orders, inspector powers, penalty, limitation period, and definitions were discussed.

The enforcement process was described, and Part 3 of the Provincial Offences Act, enlistment of the Town’s Municipal Law Enforcement Officers, and the importance of acquiring evidence, were also discussed.

6. 2019 SAC Meeting Calendar - confirm dates and time

Committee agreed to schedule Site Alteration Committee meetings at 3:00p.m. every third Thursday of the month with the exception that the August meeting be scheduled on Thursday, August 22, 2019.

7. Site Visits – discussions

Steve Grace informed the Committee that site visits are not covered under the Site Alteration By-law 2017-0040. If the Committee wishes to conduct a site visit and staff believe it will be helpful and beneficial to the application being brought forward to the Committee, staff will contact the delegation to obtain consent for entering the property. Quorum is not required at a site visit as the meeting is for information only and no decisions will be made. The Committee supports site visits as it provides more detail and appreciation of the application.

8. Site Alteration By-law 2017-0040 – review for reference

Steve Grace co-authored the Site Alteration By-law 2017-0040 with the Town's solicitors. Steve Grace indicated the Ministry of Environment will be changing its legislation regarding the amount of fill that can be placed or removed. Once issued, the Town will review and align the Site Alteration By-law 2017-0040 and Schedules with the new legislation.

Councillor Bryan Lewis commended Steve Grace for his work in co-authoring the by-law. Steve is acknowledged as a leader in the province regarding site alterations and has been contacted by other municipalities for his knowledge and experience.

9. Site Alteration Permit Application form – for information

Steve Grace presented the Site Alteration Permit application and explained that applications of 5000m³ or less in urban areas are dealt with by staff and applications of 5000m³ or more, and rural applications, are brought before the Site Alteration Committee.

10. Delegation Information Sheet; discuss procedure

Jeff Jelsma presented the Delegation Information Sheet and indicated the information and checklist will be located on the Town's website and will also be provided to delegations prior to a meeting.

Steve Grace noted an Inspector Report regarding an application will be provided to the Committee Members prior to a meeting.

11. Discussion of previous Committee's issues and recommendations for improvement

Committee Members and staff agreed that there are no major concerns and that the Committee should continue to demonstrate its ability to evolve and change over time as needed to deal with challenges and issues in a timely manner.

The importance of evidence collection in the event of a contravention was reiterated and Steve Grace stressed the importance of providing reasoning for decisions made by the Committee, as per Part VII, Section 11(9) of the Site Alteration By-law 2017-0040. Reasons for decisions are reflected in the Committee meeting minutes.

12. Fill Operation Updates

Staff provided verbal updates regarding on-going fill operations and responded to Site Alteration Committee questions and concerns.

13. Site Alteration By-law 2017-0040 Inspectors

Jeff Jelsma confirmed to the Committee that Bill Andrews, the Director of Engineering, has appointed Steve Burt, Andrew Mason, Steve Grace, Reece D'Souza, and himself as Inspectors in accordance with the By-law.

14. Next Meeting

Thursday, April 18, 2019.

15. Adjournment

The meeting adjourned at 4:35p.m.