

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MINUTES OF SPECIAL COUNCIL MEETING – JULY 4, 2023 AT 2:00 P.M.
MUNICIPAL OFFICE COUNCIL CHAMBERS, KENILWORTH
HYBRID MEETING - IN PERSON AND VIA WEB CONFERENCING
<https://www.youtube.com/watch?v=au8Sot6K9EQ>**

Members Present:

Mayor: Andrew Lennox
Councillors: Sherry Burke (via Zoom)
Lisa Hern (via Zoom)
Steve McCabe
Penny Renken

Staff Present:

Director of Legislative Services/Clerk: Karren Wallace
Deputy Clerk: Catherine Conrad
Chief Building Official: Darren Jones
Senior Project Manager: Tammy Stevenson

CALLING TO ORDER

Mayor Lennox called the meeting to order.

ADOPTION OF THE AGENDA

RESOLUTION: 2023-236

Moved: Councillor McCabe

Seconded: Councillor Burke

THAT the Agenda for the July 4, 2023 Special Meeting of Council be accepted and passed.

CARRIED

DISCLOSURE OF PECUNIARY INTEREST

No pecuniary interest was disclosed.

DEPUTATIONS

Crombie Property Holdings Limited (Sobeys)

- Todd Polley, Senior Project Manager
- Michael Glynn, Project Manager Design and Construction

Mr. Glynn provided and updated budget for the signalized intersection at Main St. N. and Mount Forest Drive. The fall 2022 estimated cost provided by Crombie Property Holdings Limited was \$928,000. Crombie has awarded the project to Alfred Fach at a cost of \$1,334,769.44 and is proposing that Council increase the Townships contribution by \$203,384.72 based on the same formula. \$123,000.00 to be collected from Canadian Tire, \$605,884.72 of Township Funds and \$605,884.72 of Crombie Property Holdings Limited funds. They would like to lift the holding provision based on this agreement. Once there is an understanding of cost sharing, they can move forward with their building plans and obtain the required building permits.

Mayor Lennox requested clarification that the budget has gone up by about \$400,000 and what is the expectation from Crombie Property Holdings Limited. Mr. Glynn responded that they would like to enter into a cost sharing agreement with the Township based on the new figure of \$1,334,769.44 as outlined how it breaks down with the

parties involved. Mr. Polley stated that the difference would be an additional amount of \$203,384.72 for a total of \$605,884.72.

Mr. Polley commented that he was not involved in prior discussions. This is for a lit four-way intersection entering the site and considers the egress from the site opposite theirs as well as onto the street.

Mayor Lennox questioned if their team had discussions with Township staff regarding the changed estimate. Mr. Polley commented that Robert Blacklock, Director of Development, had submitted it to Township staff and it has gone through the engineering process and received Township comments. This is the final version and pricing.

Mayor Lennox asked Darren Jones, CBO, to walk Council through the process and how they got to this point. Mr. Jones explained that Crombie has applied for site plan approval to make some renovations to the existing TSC Store in anticipation of construction. Site plan approval was issued for the site, and they have a conditional building permit for a foundation on the property. They got site plan approval for the site, and they have a conditional building permit for a foundation on the property. The zoning and the holding provision is based on a public meeting for the zoning amendment. Council made a condition that a cost sharing agreement and road entrance design acceptable to the Township be provided. They worked through with the Township engineer, the developers engineer, and MTO to come up with a design of the intersection that is acceptable to all parties. The numbers that Crombie provided being the \$928,000 were from late fall last year. Staff and Crombie worked out a number of about \$600,000, with some of that being collected from Canadian Tire and paid back to Crombie through their construction.

Councillor McCabe questioned if Crombie selected the contractor. Mr. Polley stated that they had through their general contractor. Councillor McCabe asked where we are with what we need from Crombie Property Holdings and what they need. Mr. Jones stated that the Township and Crombie need to enter into a cost sharing agreement to be able to issue the final building permit. Once that is done a by-law needs to be passed to remove the holding provision. The remainder of the holding provisions have been satisfied through the site plan approval.

Councillor Burke asked if the signal light is the only outstanding item for site plan approval. Mr. Jones commented that the agreement before them in the agenda is essentially the only item left outstanding that Council and the developer need to agree on. Then removing the holding provision is another step that needs to happen by by-law of Council. Councillor Burke stated that based on these numbers she cannot support going over on the budget.

Councillor Renken inquired what Crombie's reaction would be if the Council did not support their proposal. Mr. Polley commented that it would have to go back to their Director of Development, Robert Blacklock. There was a conceptual design when the first estimate was put forth. The design was revised two or three times and added Township comments. That's what increased the price. It wasn't an increase in price; it was added scope that changed the price.

Councillor Burke asked if this was sent out to multiple tenders to get competitive pricing, or did they use preferred contractors for quotes. Mr. Polley stated it went out to a number of contractors. The last price go around they only received two back. The others said they no longer had the ability to price it. There was pricing from three sets of drawings as they evolved.

Councillor Renken questioned what the lowest cost estimate for the project was. Mr. Polley stated that this was the lowest number received for the Township approved design. The \$928,000 came from a limited scope that went out last fall. Through drawing reviews and different details added this is the lowest number they received.

Mayor Lennox requested details of the changes in scope. Ms. Stevenson, Senior Project Manager, provided that during the 2022 cost estimate it was a preliminary design for the signalization work. At that time, it went to MTO for review and to provide comments. Part of their comments was that Mount Forest Drive had to be in line to provide left turn lanes so it aligns with the new entrance to Sobey's. That was included in the final design. There is also urbanization on Mount Forest Drive for about 150 metres and then storm collection for regrading to allow proper drainage to get away from the intersection.

Councillor McCabe questioned if it was MTO revisions, not Township revisions, that caused the increase. Ms. Stevenson commented that the MTO revisions were to have the left turn lane, which we had to shift Mount Forest Drive to include a straight through or a right turn lane. Councillor McCabe asked Crombie if they are asking our taxpayers to pay for this. Mr. Glynn stated they are asking for 50% of the increase to be paid by the Township.

Mayor Lennox asked as we were entering into the arrangement with Crombie, Township staff delegated the responsibility of getting quotes and looking after the cost of the intersection to them and then we would enter into a cost sharing arrangement. CBO Jones confirmed that was the process they went through. Mr. Polley and Mr. Glynn stated they believed that was the understanding.

Councillor McCabe questioned how familiar Mr. Glynn and Mr. Polley were with the project. Mr. Glynn stated that he was involved from day one but hadn't been involved with specific conversations between Mr. Jones and Robert Blacklock and what their understanding was. They have been working towards the agreement through their SPA process, contacting RGC and putting this out to market for competitive pricing for the cost sharing agreement. Mr. Polley commented that he has been involved since December.

Councillor Burke requested clarification that through the cost sharing agreement was it discussed that it would be a 50/50 sharing or just a cost sharing agreement. Mr. Polley stated that it was his understanding that it was a 50/50 sharing after the Canadian Tire portion. Mr. Glynn understood it was a 50/50 agreement as well but didn't have the clarity on the Canadian Tire part. Mr. Jones stated that the number of the Township contribution of \$402, 500 that we budgeted for came from the \$928,000 number, less the Canadian Tire contribution and divided it in half. That amount was put forward in the budget.

Councillor Renken asked if Canadian Tire had been contacted regarding a request for an increased share of the project. Mr. Jones stated that Canadian Tire has not been contacted with a request for more money. When we entered into a site plan agreement for Canadian Tire we entered into a separate agreement where Canadian Tire agreed to pay a fee up to \$123,000.

ITEMS FOR CONSIDERATION

1. BUILDING

- a. Report CBO 2023-09 – Development Agreement – Crombie Property Holdings Limited

RESOLUTION: 2023-237

Moved: Councillor Burke

Seconded: Councillor McCabe

THAT the Council of the Corporation of the Township of Wellington North receive Report CBO 2023-09 being a report on a development agreement for Crombie Property Holdings Limited;

AND FURTHER THAT the Council authorize the Mayor and Clerk to sign the by-law to enter into the agreement in the form, or substantially the same form as the draft agreement.

CARRIED

BY-LAWS

- a. By-law Number 052-2023 being a by-law to authorize the execution of a Development Agreement with Crombie Property Holdings Limited

RESOLUTION: 2023-238

Moved: Councillor Renken

Seconded: Councillor Hern

THAT By-law Number 052-2023 be read a First, Second and Third time and enacted.

CARRIED

CONFIRMING BY-LAW

RESOLUTION: 2023-239

Moved: Councillor Renken

Seconded: Councillor McCabe

THAT By-law Number 053-2023 being a By-law to Confirm the Proceedings of the Council of the Corporation of the Township of Wellington North at its Special Meeting held on July 4, 2023 be read a First, Second and Third time and enacted.

CARRIED

ADJOURNMENT

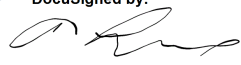
RESOLUTION: 2023-240

Moved: Councillor McCabe

Seconded: Councillor Burke

THAT the Special Council meeting of July 4, 2023 be adjourned at 2:34 p.m.

CARRIED

DocuSigned by:

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MAYOR

DocuSigned by:
Karren Wallace
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CLERK