

TOWNSHIP OF AMARANTH

October 15, 2008

The Township of Amaranth Council met in the Council Chambers of the municipal office on October 15, 2008, commencing at 5:00 p.m.

PRESENT: Mayor D. MacIver  
Deputy-Mayor W. Kolodziechuk  
Councillor J. Aultman  
Councillor P. Way  
Councillor B. Cowie  
CAO/Clerk-Treasurer S. Stone  
Planner C. Gervais  
Deputy-Clerk C. Doherty

ABSENT: Director of Public Works D. Price (vacation)

1. **Opening of Meeting**

Mayor MacIver opened the meeting.

2. **Closed Meeting**

2.1 **Jeff Wilker - Township Solicitor**

Hamount Litigation  
Grand Valley Wind Farms - OMB  
By-law Enforcement / Litigation

**Resolution # 1** (approximately 5:30 p.m)

Moved by B. Cowie - Seconded by P. Way

**Resolved** that Council move into a closed meeting pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason(s):

Litigation or potential litigation  
Advice that is subject to Solicitor-Client privilege

**Carried.**

**Resolution # 2** (approximately 8:10 p.m.)

Moved by J. Aultman - Seconded by W. Kolodziechuk

**Resolved** that Council do now rise and report from closed meeting and resume regular business. **Carried.**

8:10 p.m. **Regular Meeting**

3. **Late Submissions** (to be in the office prior to the meeting)

3.1 **Resolution # 3**

Moved by P. Way - Seconded by W. Kolodziechuk

**Resolved** that the following items be hereby added to / deleted from the agenda.

Added:

1. County of Dufferin  
Council In Brief  
Resolution - County Road Fire Calls
2. Township of East Garafraxa  
Resolution - County Road Fire Calls

**Carried.**

4. **Approval of Agenda**

4.1 **Resolution # 4**

Moved by J. Aultman - Seconded by W. Kolodziechuk

**Resolved** that Council approve the agenda as amended. **Carried.**

5. **Disclosure of Pecuniary Interest**

Can be declared at any time during the meeting. None declared at this time.

6. **Approval of Minutes**

Regular Council Meeting - October 1, 2008

6.1 **Resolution # 5**

Moved by W. Kolodziechuk - Seconded by J. Aultman

**Resolved** that Council do hereby approve the minutes of the regular meeting of Council held October 1, 2008 as printed and circulated. **Carried.**

7. **Public Question Period**

Nothing at this time.

9:00 p.m.

8. **Delegations** (Dealt with after Item #9 - Public Meeting)

8.1 **Cheryl Russell - Recreation Coordinator - Township of Amaranth  
Recreation Dept.**

Year-End Reports & Updates

Ms. Russell was not in attendance. Matter deferred.

9. **Public Meeting****Resolution # 6**Moved by W. Kolodziechuk - Seconded by J. Aultman**Resolved** that Council do now hold a public meeting regarding the following:

1. Consent Application B9-08 (Owner: Joshua Ince / Applicant: Stephen Gallagher) 35 Station St / 37 Station St  
Lot addition of 0.09 ha. (Part 10, RP7R-4739) to the abutting residential property (37 Station St)
2. Consent Application B10-08 (Owner: Joshua Ince/ Applicant: Florindo Di Marco) 35 Station St / 39 Station St  
Lot addition of 0.3 ha. (Part 11 - RP7R-4739) to the abutting residential property (39 Station St)
3. Consent Application Z9-08 (Owner / Applicant: All Systems Communications c/o Ken Rosin - President) Con. 3, East Part Lot 18  
Condition of the approved Consent Application B12-07, to allow the continuation of agricultural uses on an 18.6 ha. lot  
Also requesting building envelope and barn be protected for their reconstruction at the same location which are subject to MDS
4. Rezoning Application Z10-08 - Con. 2, Part Lot 16  
(Owner: Jamie & Alan Lundy)  
Condition of the Ontario Municipal Board decision of June 27/08 concerning Consent Application B15-07  
To prohibit the construction of new residential dwellings, structures or uses on the retained parcel and to allow agricultural uses on a parcel with less than 32 ha. (re: By-law 46-88)

**Carried.**

- 9.1 **Consent Application B9-08 - 35 Station Street / 37 Station Street**  
**(Owner: Joshua Ince / Applicant: Stephen Gallaher)**  
Lot addition of 0.09 ha. (Part 10, RP7R-4739) to the abutting residential property (37 Station Street)

Owner and Applicant were in attendance.

Township Planner Christine Gervais reviewed application, which is a lot enlargement of 0.09 ha. (Part 10, RP7R-4739) from 35 Station Street, Waldemar to abutting residential property, being 37 Station Street.

Discussion included the size of property and zoning issues under Zoning By-law 69-2004.

Correspondence:

Grand River Conservation Authority - no objection

There were no members of the public in attendance to support or oppose the application.

Planner will review further and make recommendation to Council at the next meeting.

- 9.2 **Consent Application B10-08 - 35 Station Street / 39 Station Street**  
**(Owner: Joshua Ince / Applicant: Florindo Di Marco)**  
Lot addition of 0.3 ha. (Part 11 - RP7R-4739) to the abutting residential property (39 Station Street)

Owner and Applicant were in attendance.

Township Planner Christine Gervais reviewed application, which is a lot enlargement of 0.3 ha. (Part 11, RP-7R4739) from 35 Station Street, Waldemar to abutting residential property (39 Station Street).

Correspondence:

Grand River Conservation Authority - no objection

There were no members of the public in attendance to support or oppose the application.

As with Application B9-08 the Township Planner will review further and make recommendation to Council at the next meeting.

9.3

**Rezoning Application Z9-08 - Con. 2, East Part Lot 18)**

**(Owner/Applicant: All Systems Communications Inc. c/o Ken Rosin - President)**

Condition of the approved Consent Application B12-07, to allow the continuation of agricultural uses on an 18.6 ha. lot.

Also requesting building envelope and barn be protected for their reconstruction at the same location which is subject to MDS.

Applicant, Mr. Rosin, was in attendance.

Township Planner Christine Gervais reviewed application.

The purpose of the application is to a rezone the property to allow for the continuation of agricultural uses on an undersized lot under Bylaw 46-88, and protection of the existing building envelope and barn, notwithstanding MDS.

This application is also a condition of Consent Application B12-07.

Mr. Rosin addressed Council stating he is looking to maintain the building envelope for the house only, as the existing home is in poor condition, and the barn is no longer there.

Correspondence:

Grand River Conservation Authority - no objection.

Public member Laverne Trimble commented he does not object to the application, however does have concerns with MDS implications for his own property, if he wished to expand his farm operation. However, it was noted that Mr. Trimble's property is already impacted, due to the number of houses in the immediate vicinity.

There were no other members of the public in attendance to support or oppose the application.

Township Planner to investigate further and make recommendations at the next meeting of Council.

9.4

**Rezoning Application Z10-08 - Con. 2, Part Lot 16**

Condition of the Ontario Municipal Board decision of June 27/08 concerning Consent Application B15-07)

To prohibit the construction of new residential dwellings, structures or uses on the retained parcel and to allow agricultural uses on a parcel with less than 32 ha. (re: By-law 46-88)

Applicants were not in attendance.

Township Planner Christine Gervais reviewed application to prohibit the construction of new residential dwellings, structures or uses on the retained parcel and to allow agricultural uses on a parcel with less than 32 ha. re: Zoning By-law 46-88.

It is also a condition of Ontario Municipal Board decision of June 27/08 regarding Consent Application B15-07.

Correspondence:

Grand River Conservation Authority - no objection

Public member Mark Champagne asked for clarification regarding building a barn in the future and if the restriction is only on residential use.

There were no other members of the public in attendance to support or oppose the application.

Staff instructed to obtain further clarification regarding the Ontario Municipal Board decision and intention of the Provincial Policy Statement and Township Official Plan provisions with respect to surplus dwelling severances.

**Resolution # 7**

Moved by J. Aultman - Seconded by W. Kolodziechuk

**Resolved** that Council do now adjourn public meeting and resume regular business. **Carried.**

10. **Unfinished Business**

The following matters were received and/or dealt with.

10.1 **Water System for the Township of Amaranth Municipal Building**  
10.1.1 Dufferin Water Co. Ltd. - Quotation

Staff instructed to proceed with drinking water system for recreation hall.

10.2 **Emergency Management Mandatory Exercise - October 21/08**10.3 **Waste Management Program**  
10.3.1 Update

Waste Management program was discussed. Staff instructed to respond to concerns raised by Township resident with respect to the budget.

10.4 **Other**

Timing of letters and rebates going out to Grand River Estates residents on the communal water system in Waldemar questioned.

11. **Road Business**

The following matters were received and/or dealt with.

11.1 **Director of Public Works Report**  
11.1.1 Report

Director of Public Works away. CAO/Clerk-Treasurer updated Council with respect to roads department matters, and Bridge 9 completion date has been extended to the latter part of November 2008 due to delays.

11.2 **Ministry of Transportation Ontario - Hwy. 89/10 By-Pass**  
11.2.1 Advisory Committee - Meeting No. 1 - Minutes of September 24/08

Councillor Way requested that correction to the minutes of the Advisory Committee meeting of September 24/08 with respect to the Township's Director of Public Works be forwarded to the Committee.

11.3 **Other**

Nothing at this time.

12. **Planning**

The following matters were received and/or dealt with:

12.1 **Holmes Agro**  
12.1.1 Purchase & Sale Agreement

**Resolution # 8**

Moved by B. Cowie - Seconded by P. Way

**Resolved** that leave be given to introduce a by-law to enter into an agreement of Purchase and Sale with respect to Part Lot 2, Concession 3 (PIN 34038-0026) (LT), between the Township of Amaranth and 1727560 Ontario Inc., and that it be given the necessary readings and be passed and Numbered 78-2008. **Carried.**

12.2 **OMB**

12.2.1 Hamount Investment Ltd./Valleygrove Investments - Oral Decision (Sept. 10/08)

12.3 **Township of Amaranth**

12.3.1 Notice of Public Meeting Official Plan and Zoning By-law - November 5, 2008

12.4 **Other**

Nothing at this time.

13. **By-Law Enforcement**

Nothing at this time.

14. **Committee Reports**

All matters read, received and dealt with.

14.1 **County of Dufferin**

14.1.1 Council Minutes - September 11/08

14.1.2 Council Agenda - October 9/08

14.1.3 Early Years Centre

14.2 **Source Water Protection**14.2.1 Lake Erie Source Protection Region - Water Services Technical Group Meeting  
October 15/08 - 12:30 p.m. to 4:00 p.m. - Cambridge, Ontario14.2.2 Township of Southgate - Consultation on the Lake Erie Region Source Protection  
Committee Terms of Reference14.2.3 Grand River Conservation Authority - Reminder that the Source Water Protection  
Committee rescheduled October 2/08 meeting to Thursday, October 16/08

“Clustering” of private wells discussed, also several concerns with respect to  
Source Water Protection proposed Terms of Reference.

Council agreed they object to the current Terms of Reference, and it was  
suggested that the Ministry of the Environment be invited to attend a future  
Council meeting to explain the Source Water Protection regulations, criteria and  
processes.

14.3 **Police Service Boards & Ontario Provincial Police (Dufferin Detachment)**

14.3.1 Amaranth PSB Minutes - June 5/08

14.3.2 Mulmur PSB Minutes - September 10/08

14.3.3 Dufferin OPP - 2008 Business Plan

14.4 **Grand Valley Public Library Board**

14.4.1 Minutes of September 10/08

14.5 **Grand Valley & District Community Centre**

14.5.1 Renovations

Deputy-Mayor Kolodziechuk reported on the Early Years project at the community centre, also, capital items that are required in place of repairs to the roof, which is no longer leaking.

Further discussion led to the following resolution.

**Resolution # 9**

Moved by J. Aultman - Seconded by W. Kolodziechuk

**Resolved** that Council of the Township of Amaranth authorize that the capital funds for 2008 originally budgeted for roof repairs/replacement, and now not needed, be used for other capital works per request dated October 8, 2008 by the Grand Valley and District Community Centre Board. **Carried.**

14.6 **Centre Dufferin Recreation Complex**  
14.6.1 Petition to the Shelburne Arena Board

A petition to the Shelburne Arena Board with respect to upkeep and cleanliness of the arena was discussed.

Councillor Cowie, member of the Board, will report back to Council on the situation, along with any corrective measures that can be taken.

- 14.7 **Nottawasaga Valley Conservation Authority**  
17.7.1 NVCA Planning, Roles and Responsibility Workshop - November 13/08 - 8:30 a.m. to noon, Tiffin Centre, Utopia  
14.7.2 New Director of Planning effective November 1/08  
14.7.3 Water Response Team Summary Conditions - September 30/08  
14.7.4 Ad Latorell Conservation Symposium - November 19, 20,21, 2008 - Nottawasaga Inn, Alliston, Ont.

- 14.8 **Credit Valley Conservation**  
14.8.1 Memorandum - Replace Schedule "B" of Board of Directors meeting (Sept. 12/08)  
14.8.2 Revised schedules for Plan Review, Permit and Solicitor Property Inquiry Fees

- 14.9 **Grand River Conservation Authority**  
14.9.1 2008 Grand River Watershed Awards & Grand River Conservation Foundation Grants - October 30/08 @ 7:00 p.m. - 400 Clyde Rd. Cambridge, Ontario

14.10 **Other**

Nothing at this time.

15. **General Business & Correspondence**

All matters read, received and dealt with.

- 15.1 **Ontario Coalition for Better Child Care**  
15.1.1 Proclaim Child Care Worker and Early Childhood Educator Appreciation Day on Wednesday, October 22/08

- 15.2 **Hydro One**  
15.2.1 Presentation to Laurelwoods Elementary School on October 20/08 at 10:30 a.m.  
Re: PowerPlay Program grant benefiting children's outdoor and active play facilities

Councillor Aultman to attend presentation.

- 15.3            **RCO (Recycling Council of Ontario)**
- 15.3.1        Special Municipal Bulletin - Waste Reduction Week - October 19<sup>th</sup> to 25<sup>th</sup>, 2008
  
- 15.4            **Trans Canada Energy Ltd.**
- 15.4.1        Notice of Commencement of the Belwood Wind Power Project
  
- 15.5            **Family Transition Plan**
- 15.5.1        Journey of Hope Newsletter - Special Edition
  
- 15.6            **Township of East Luther Grand Valley**
- 15.6.1        Resolution - 10-5-5 Tax Phase In Program
  
- 15.7            **Township of Amaranth**
- 15.7.1        Recreation Update
  
- 15.8            **Town of Shelburne**
- 15.8.1        Resolution - 10-5-5 Tax Phase In Program
- 15.8.2        Press Release - CAO Resigns
  
- 15.9            **Towns of Hanover**
- 15.9.1        Resolution - Fairness for Ontario and Investment in Communities
  
- 15.10          **City of Woodstock**
- 15.10.1       Resolution - Provincial Sales Tax Exemption for police
  
- 15.11          **MPAC**
- 15.11.1       Property Assessment Notice based on Jan.1/08 valuation date, effective for 2009 - 2012 tax years
  
- 15.12          **Town of Orangeville**
- 15.12.1       Notification of outreach and new assessment notice
  
- 15.13          **AMCTO**
- 15.13.1       Local Government Week & You - October 19 to 25/08
  
- 15.14          **A.M.O.**
- 15.14.1       2007 Annual Report
- 15.14.2       National Do Not Call List - Implication for Municipal Candidates in Ontario
  
- 15.15          **Ministry of Agriculture, Food & Rural Affairs**
- 15.15.1       2008/09 Agricultural Drainage Infrastructure Program
  
- 15.16          **Other**
- Remembrance Day Services were discussed. Staff to find out details.
  
- 16.            **Closed Meeting**
  
- 16.1           **Grand Valley Medical - Dental Centre**
  
- 16.2           **By-law Enforcement - Update**
  
- 16.3           **Other**
- Closed meeting dealt with later in the meeting.
  
- 17.            **By-laws** (if any)

- 18. **Late Submissions**
- 18.1 **County of Dufferin**
- 18.1.1 County Council In Brief
- 18.1.2 Resolution - County Road Fire Calls

Discussion led to the following resolution.

**Resolution # 10**

Moved by J. Aultman - Seconded by P. Way

**Resolved** that Whereas the County of Dufferin is responsible for County roads and properties;  
And Whereas the County of Dufferin passed a motion October 9, 2008 to discontinue payments to area municipalities and fire boards for rescue calls;  
And Whereas fire call on County roads are a service to the County and emergency vehicles are required to respond to fire calls and false alarm calls on County roads and County facilities;  
And Whereas the Municipal Act 2001, Section 390(1) authorizes the municipalities and boards to impose fees or charges for services and activities provided or done on behalf of the corporation;  
Therefore the Township of Amaranth hereby notifies the County that they intend to pursue this matter in the strongest possible manner, and request that the County of Dufferin hereby rescind the motion of October 9, 2008;  
And Further that Council of the Township of Amaranth request that any matter dealt with at County Council and directly affects local municipalities be forwarded to the local councils for consultation and input, before the decision.  
**Carried.**

**Resolution # 11**

Moved by B. Cowie - Seconded by P. Way

**Resolved** that Council continue past 11:00 p.m. **Carried.**

- 18.2 **Township of East Garafraxa**
- 18.2.1 Resolution - County Road Fire Calls

19. **General Accounts and Road Accounts**

19.1 **Road Department**

**Resolution # 12**

Moved by P. Way - Seconded by B. Cowie

**Resolved** that Road Department bills and accounts in the amount of \$614,108.25 for the period of September 18, 2008 to October 14<sup>th</sup>, 2008 be approved for payment. **Carried.**

9.2 **Resolution # 13**

Moved by J. Aultman - Seconded by W. Kolodziechuk

**Resolved** that General bills and accounts in the amount of \$144,138.31, for the period of September 18<sup>th</sup>, 2008 to October 14<sup>th</sup>, 2008 be approved for payment. **Carried.**

20. **New Business**20.1 **MPAC**

20.1.1 County of Dufferin Profiles

20.1.2 Township of Amaranth Profiles

CAO addressed the MPAC 2009 Phased-In Assessment Report for the County of Dufferin and Township of Amaranth, and implications with respect to taxes for Township residents.

20.2 **Budget Summary**

CAO reviewed budget summary.

20.3 **Other**

Livestock Valuator process discussed.

**Closed Meeting - Item # 16****Grand Valley Medical - Dental Centre****By-law Enforcement - Update****Other**

**Resolution # 14** (approximately 11:10 p.m.)

Moved by J. Aultman - Seconded by W. Kolodziechuk

**Resolved** that Council move into a closed meeting pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reasons(s):

A proposed or pending acquisition or disposition of land

Litigation or potential litigation

**Carried.**

**Resolution # 15** (approximately 11:45 p.m.)

Moved by B.Cowie - Seconded by P. Way

**Resolved** that Council do now rise and report from closed meeting and resume regular business. **Carried.**

20. **Confirming By-law**20.1 **Resolution # 16**

Moved by P. Way - Seconded by B.Cowie

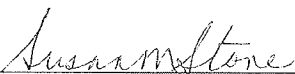
**Resolved** that leave be given to introduce a by-law to confirm the proceedings of the regular meeting of Council of the Township of Amaranth for October 15, 2008, and that it be given the necessary readings and be passed and Numbered 79-2008. **Carried.**

21. **Adjournment** (approximately 11:50 p.m.)

21.1 **Resolution # 17**

Moved by B. Cowie - Seconded by P. Way

**Resolved** that Council do now adjourn to meet again on November 5, 2008 at 10:00 a.m. or at the call of the Mayor. **Carried.**

  
\_\_\_\_\_  
CLERK

  
\_\_\_\_\_  
HEAD OF COUNCIL