

TOWNSHIP OF AMARANTH

April 2, 2008

The Township of Amaranth Council met in the Council Chambers of the municipal office on the above mentioned date commencing at 10:00 a.m.

PRESENT:	Mayor	D. MacIver
	Deputy-Mayor	W. Kolodziechuk
	Councillor	J. Aultman
	Councillor	B. Cowie
	Councillor	P. Way
	CAO/Clerk-Treasurer	S. Stone
	Planner	T. Atkinson
	Director of Public Works	D. Price

1. **Opening of Meeting**

Mayor Don MacIver opened meeting.

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

2.1 **Resolution # 1**

Moved by P. Way - Seconded by B. Cowie

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

Added:

1. Ministry of Transport  
2008 Municipal Road & Bridge Infrastructure Investment
2. Everus Communications  
Building permit for tower on Line 4 & Sideroad 25

**Carried.**

3. **Approval of Agenda**

3.1 **Resolution # 2**

Moved by J. Aultman - Seconded by W. Kolodziechuk

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

4. **Disclosure of Pecuniary Interest**

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

5. **Approval of Minutes**

Council Meeting - March 19 , 2008

5.1 **Resolution # 3**

Moved by W. Kolodziechuk - Seconded by J. Aultman

**Resolved** that Council do hereby approve the minutes of the regular meeting of Council held March 19, 2008 as printed and circulated. **Carried.**

10: 00 a.m. to 10:15 a.m.

6. **Public Question Period**

Remo Odorico received a letter from the Ministry regarding the issue of peat extraction, which advises that municipalities have authority over this issue. Council thanked Mr. Odorico for attending.

10:15 a.m.

7. **Delegations**

10:15 a.m. **Krista Mitchnick** (Con. 1, W. Pt. Lot 20)  
International Dance Competition - DVD

Krista Mitchnick thanked Council for their sponsorship towards her competing in the International Dance Championships in Germany, and presented a DVD of her competitions and spoke of her experiences. Council had their photo taken with Ms. Mitchnick, and thanked her for attending.

10:30 a.m.

**Mike Williams of Ducks Unlimited**  
Headwaters Healthy Wetlands - Update

Mr. Williams updated Council on the Headwaters Healthy Wetlands project, funding initiatives and financial assistance for residents for stewardship programmes as stream fencing, buffering, etc. Council thanked Mr. Williams for attending.

11:30 a.m.

**Trevor Hoard - K. Smart**  
Bridge 009 Tender Opening

Mr. Hoard was in attendance. Tenders opened and reviewed by Trevor Hoard and Doug Price. The following resolution was set forth.

**Resolution # 4**

Moved by B. Cowie - Seconded by P. Way

**Resolved** that Council do hereby accept tender from W.G. Kelly Construction in the amount of \$948,987.38, including GST, for replacement of Bridge 009. including removal of the existing structure, supply & placement of approximately 417M3 of reinforced concrete and 37T of structural steel, subject to necessary approvals being received and Township engineers review. **Carried.**

1:00 p.m.

**Allen Taylor - Chair of East Garafraxa Police Service Board**  
Police Service Boards

Allen Taylor - Chair of the East Garafraxa Police Service Board addressed Council, to discuss the possibility of a joint police service board for the Townships of Amaranth, East Garafraxa and East Luther Grand Valley, stating that he would be approaching East Luther Grand Valley council on April 8<sup>th</sup>. Discussion ensued regarding number of meetings, benefits of having a joint board vs individual boards, representation, and opportunity for the joint board to be expanded to include other area municipalities. It was agreed that further discussion and consideration is needed, and Council to get back to Mr. Taylor in due course.

11:00 a.m.

8. Public Meeting

- 8.1 **Rezoning Application Z3-08 - Dave & Tracy Oldford (Con. 5, Pt. Lot 12, Pt. 2)**  
To permit a dwelling and accessory structures to be developed on existing lot of record.

**Resolution # 5**Moved by W. Kolodziechuk - Seconded by J. Aultman**Resolved** that Council do now hold a public meeting regarding the following:

1. Rezoning Application Z3-08 - Dave & Tracy Oldford (Con.5, Pt. Lot 12, Pt. 2)  
To permit a dwelling and accessory structures to be developed on existing lot of record. **Carried.**

Mr. Oldford was in attendance. Township Planner provided planning report.

The purpose of the application is to permit the construction of a dwelling on lands within 30 metres to a wetland, to address potential MDS issues and to rezone under By-law 69-2004 from Agricultural to Agricultural Exception

Under Zoning By-law 69-2004, the lands are zoned Agricultural. Lands directly south are zoned Environmental Protection, recognizing a small wetland feature, and including a provision for a 30 metre setback for all buildings and structures from a wetland.

Official Plan designation is Agricultural and application conforms with the OP.

Under By-law 46-88, property is zoned General Agricultural (A1) and does not require any additional setbacks to wetlands; however, does not permit dwellings within 150 m. of a barn. There is a building envelope beyond 150 metres of all existing barns, but the Provincial Policy Statement requires Minimum Distance Separation be applied, and a setback of 234 m. and 224 m. are required from the two barns affecting this lot.

Under By-law 69-2004, property is zoned Agricultural (A). Lands directly south are zoned Environmental Protection, recognizing a small wetland feature, and requires a 30 metre setback for all buildings and structures from a wetland.

The lot is an existing undersized lot. Site specific relief is required to permit a dwelling or accessory structure within 30 metres of the wetland area.

Minimum Distance Separation - the lands are located in proximity to two large Agricultural parcels with barns, one designated Rural and the other designated Agricultural, and 234 m. and 224 m required from the two barns affecting this lot. OMB decision with respect to Hendry appeal establishes that the Township Official Plan is silent on council having discretion with respect to applying MDS; variance to MDS distance cannot be granted. However, there appears to be a possible building envelope outside the MDS arcs, at the rear of the property, provided that zoning bylaw amendment allows reduced rear and side yards.

Correspondence:

GRCA - no objections

Township Roads Dept. - entrance approved.

Mr. Oldford addressed Council and questioned the MDS requirements, and voiced concerns that the restrictions being placed on his building envelope would not provide adequate room for his proposed dwelling. Mr. Oldford was questioned why he had not been advised about the MDS issue when he purchased the land. CAO indicated that there were no enquiries from applicant's lawyer in the file at the time of purchase regarding zoning requirements, and Township Planner indicated that during discussions with the applicant, she advised that there were no guarantees with respect to planning applications and suggested a conditional offer, also noted that when the planning application was filed, the applicant indicated that there were no barns to consider, which she addressed with him, noting that she was not aware of the Hendry OMB decision at the time. The applicant agreed that Ms. Atkinson had discussed the barns and smell issues with him when he filed application. Council noted that until an application for building is received, full review cannot occur, and recommended that Mr. Oldford work with the Township Planner prior to the next meeting to determine building plans that could be accommodated with suitable side and rear yard amendments. There were no other members of the public in attendance to support or object to the application.

**Resolution # 6**

Moved by P. Way - Seconded by B. Cowie

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

9. **Unfinished Business**9.1 **Site Alteration By-law**

Discussion included clarification of fines and penalties, definition of "grade", agricultural exemptions, etc. Matter to be brought back to next meeting of Council.

2:00 p.m.

9.2 **2008 Draft Budget/Discussions**

Draft budget was reviewed and discussed. Amendments required with respect to actual tender price for Bridge 009, also, analysis of impact of boards and committees, and outside agencies ie conservation authorities, and summary of expenses vs revenues on department basis.

Matter to be brought back to Council at a special budget meeting April 14, 2008 at 8:30 a.m.

9.3 **Other**

Nothing at this time.

10. **Road Business**

The following matters were received and/or dealt with.

10.1 **Director of Public Works Report**10.1.1 **Report**

Director of Public Works updated Council with respect to road matters, including numerous wash outs experienced during wet weather earlier in week, and rough road conditions.

10.2 **Tender for Replacement of Bridge 009**

Dealt with under Item # 7 - Delegations.

10.3 **Other**

Council discussed complaints regarding the Town of Shelburne using the Fiddle Park lands for snow removal/storage, which contains salt and could impact area wells. Matter to be forwarded to the Town of Shelburne.

11. **Planning**

The following matters were received and/or dealt with:

11.1 **Township of East Luther Grand Valley**11.1.1 **By-law #2008-10 - to authorize special rural zoning to permit a commercial wind farm operation (Ashton Ridge Wind Farm)**

Township Planner reported on the passing of By-law 2008-10 with respect to special zoning for Ashton Ridge Wind Farm, which has a holding provision that requires sign off by neighbouring property owners. Ms. Atkinson noted that the Minutes of Settlement for Amaranth/Canadian Hydro were reviewed and many of the setbacks in the Amaranth settlement were achieved in the East Luther Grand Valley bylaw; also, noted that the file has been appealed to the OMB by the proponents.

- 11.2 **Ontario Municipal Board**
- 11.2.1 Appointment for Hearing - Lundy (Con. 2, Pt. Lot 16) May 15/08 @ 11:00 a.m.
- 11.3 **Wind Prospects**
- 11.3.1 Z36-06 - Request for temporary meteorological mast (Decision)
- Discussion resulted in the following resolution
- Resolution # 7**
- Moved by B.Cowie - Seconded by P.Way
- Resolved** that Council receive letter dated March 19/08 from Wind Prospect Inc. and refer letter to staff and Township. **Carried.**
- 11.4 **Township of East Luther Grand Valley - ECO Energy Park (Con. 14, N. Pt. Lot 32)**
- CAO reported that Amaranth's comments had been forwarded to a previous public meeting in East Luther Grand Valley; however, a further Public Meeting now scheduled for April 8, 2008. Township Planner advised that comments from March 25<sup>th</sup> meeting were forwarded to the County for consideration. Matter discussed further, including entrance to Hwy.89, relocation of proposed lot, very wet conditions in this particular area and moving lot to the north or south would be more feasible, Townline issues, configuration of buildings and site development, odour and noise studies, and site plan application. Ms. Atkinson reported that there is no planning report as yet, nor configurations of buildings etc., no odour assessment and no application for Site Plan Amendment. Staff to forward additional comments to East Luther Grand Valley for April 8<sup>th</sup> Public Meeting, and County and Township Directors of Public Works to meet to discuss issues.
- 11.5 **Other**
- George Pullen - Consent Applications B6, B7, B8-07**
- The Pullen mediation with Ashton Ridge Wind Farm is still ongoing.
- Archie Duiker - Consent Application**
- Revised proposal reviewed. Owner will make application accordingly.
- Canadian Reform School Society of Dufferin - Site Plan Amendment**
- Tracey reviewed site plan and recommended exemption to parking requirements, under the Planning Act.
- Further discussion resulted in the following resolution.
- Resolution # 8**
- Moved by J. Aultman - Seconded by W. Kolodziechuk
- Resolved** that Council do hereby agree that an exemption for parking requirements under Township zoning provisions be granted to the Canadian Reformed School Society of Dufferin Area, Inc. pursuant to Section 40(1) of the Planning Act. **Carried.**
- Late Submissions (Added Item)**
- Everus Communications - Building permit for tower on Line 4 & Sideroad 25**
- Building permit application received for broadband tower and letter explaining proposal. Tower will be 140' high and 150' from Sideroad 25.
- Site plan required, along with fencing, specifics on lighting, and criteria for setbacks to neighbouring residents.
12. **By-Law Enforcement**
- Nothing to report at this time.

13. **Committee Reports**

All matters read, received and dealt with.

13.1 **Source Water Protection**

13.1.1 GRCA -Lake Erie Region Protection Region - Website Information

13.1.2 South Georgian Bay, Lake Simcoe Source Protection Region - Drinking Water Source Protection Issue - Winter 2008

13.2 **Amaranth Police Services Board**

13.2.1 Minutes of February 21/08 meeting

13.2.2 Draft Tow Truck By-law

The white cross program was discussed, along with the draft tow truck by-law.

Mayor MacIver reported that both the Joint Police Services Board and Amaranth Police Services Board are in support of the towing by-law.

It was noted that the draft by-law contained several typos and concerns raised regarding enforcement, appeal process, ability for owners to call own tow truck services, eligibility for membership, etc. Staff instructed to forward concerns/comments to Joint Police Service Board meeting for consideration.

Further discussion with respect to Allen Taylor's request to consider a Joint Police Services Board ensued, resulting in agreement for further consideration, and suggestion that other police service boards in Dufferin may also be interested.

13.3 **Dufferin Municipal Officers Association (DMOA)**

13.3.1 Minutes of February 8/08 meeting

13.4 **Dufferin 4-H Association**

13.4.1 Sponsorship request

13.5 **Grand Valley & District Community Centre Board**

13.5.1 Minutes of March 10/08 meeting

13.6 **Grand Valley Public Library Board**

13.6.1 Minutes of March 12/08 meeting

13.7 **Grand Valley & District Fire Board**

13.7.1 2007 Annual Report

13.8 **Shelburne Public Library Board**

13.8.1 Minutes of February 19/08 meeting

The Township has not received the Shelburne Public Library Board 2007 Budget as yet, therefore Councillor Cowie to follow up.

13.9 **Shelburne and District Economic Development Committee**

13.9.1 2008 EDC Breakfast - April 24/08 from 7:00 a.m. to 8:30 a.m. @ CDRC - Town & Country Room, Shelburne, Ont.

Councillor Cowie to attend.

13.10 **Centre Dufferin Recreation Complex**

13.10.1 Resolution - 2008 Budget

The Township has not received the CDRC 2008 Budget, therefore Councillor Cowie to follow up.

13.11 **Grand River Conservation Authority**

13.11.1 Minutes of March 2008 meeting

- 13.12 **Amaranth Economic Development & Sustainability Committee**  
 13.12.1 Agenda - April 2/08

- 13.13 **Other**

Nothing at this time.

14. **General Business & Correspondence**

All matters read, received and dealt with.

- 14.1 **Ontario Property and Environmental Rights Alliance**  
 14.1.1 Municipal Information Bulletin / Greenbelt Act

- 14.2 **Ontario Heritage Trust**  
 14.2.1 2008 Heritage Community Recognition Program

- 14.3 **Canada Post**  
 14.3.1 2008 Canada Post Community Literacy Awards

- 14.4 **Town of Orangeville**  
 14.4.1 Invitation from Mayor Adams to attend Orangeville Prayer Breakfast - Thurs. April 24/08 from 7:a.m. to 8:30 a.m. - Orangeville Fair Grounds

- 14.5 **Town of Tecumseh**  
 14.5.1 Resolution - MRIF 'top-up funding'

The following resolution was set forth.

**Resolution # 9**

Moved by B. Cowie - Seconded by P. Way

**Resolved** that Council do hereby support the Town of Tecumseh's resolution dated February 27, 2008 with respect to the Ontario Government and Government of Canada entering into an agreement for the purpose of delivering Ontario's share of the \$64 million Municipal Rural Infrastructure Program (MRIF) 'Top -Up' funds and committing the Ontario Government to contribute matching funds of \$64 million to the Canada-Ontario Municipal Rural Infrastructure Fund (COMRIF);

And that allocation of funding be determined in the same manner as COMRIF Intakes One, Two and Three with guidelines and procedures established by the management committee appointed to administer and manage the COMRIF agreement ant to reflect the joint nature of the COMRIF:

And that a joint secretariat be established to support the management committee in the administration of the agreement, including the timely production and sharing of information about applicants, projects, financial cash flows and other information.

**Carried.**

- 14.6 **Town of Kingsville**  
 14.6.1 Resolution - Competing for the title of Kraft Hockeyville 2008

The following resolution was set forth.

**Resolution # 10**

Moved by P. Way - Seconded by B. Cowie

**Resolved** that Council do hereby support the resolution of the Town of Kingsville dated March 10/08, with respect to the Town's endeavours to become Kraft Hockeyville 2008, along with efforts to keep the title of Kraft Hockeyville 2008 within the Province of Ontario;

And also by asking residents to vote for Kingsville during the week of March 29<sup>th</sup> to April 4<sup>th</sup>, 2008 either by phone or on the Kraft Hockeyville website at [www.cbc.ca/hockeyville](http://www.cbc.ca/hockeyville) **Carried.**

- 14.7 **MPAC**
- 14.7.1 Leave to Appeal Court of Appeal Decision on Carsons' Camp
- 14.8 **A.M.O.**
- 14.8.1 Ontario Municipal Partnership Fund Increased for 2008
- 14.8.2 Budget - Additional \$1 Billion for Municipal Infrastructure
- 14.8.3 Municipal Members for Climate Change Task Force
- 14.9 **Ontario Good Road Association (OGRA)**
- 14.9.1 Additional money for municipal infrastructure from Provincial Government
- 14.10 **Legislative Assembly of Ontario**
- 14.10.1 400<sup>th</sup> Anniversary of Quebec City - Ringing of bells - July 3/08 @ 11:00 a.m.
- 14.11 **Province of Ontario - Andrea Horwath - MPP Hamilton Centre**
- 14.11.1 Excerpt from Instant Hansard - Official Record of the Ontario Legislature
- 14.12 **Ministry of Finance/Ministry of Municipal Affairs & Housing**
- 14.12.1 Ontario Municipal Partnership Fund (OMPF) allocations for 2008
- 14.12.2 2008 Allocation Notice
- 14.13 **Ministry Responsible for Seniors**
- 14.13.1 2008 Senior of the Year Awards
- 14.14 **Ministry of Citizenship and Immigration**
- 14.14.1 Lincoln M. Alexander Award 2008
- 14.15 **Other**

Nothing at this time.

- 15. **Closed Meeting**
- 15.1 **Legal Matters**
- 15.2 **Property Matters**
- 15.3 **Personnel Matters**
- 15.4 **Education & Training Matters**

Closed Session held regarding tax arrears report and Grand River Estates.

#### **Resolution # 11**

Moved by B. Cowie - Seconded by P. Way

**Resolved** that Council move in to a closed meeting pursuant to section 239 of the Municipal Act, 2001, as amended for the following reasons(s):  
Personal matters about an identifiable individual, including employees and advise that is subject to solicitor-client privilege. **Carried.**

#### **Resolution # 12**

Moved by W. Kolodziechuk - Seconded by J. Aultman

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

**Resolution # 13**

Moved by B. Cowie - Seconded by J. Aultman

**Resolved** that Council authorize that the walkways between Lots 25 and 26, Plan 329, and Lots 35 and 36, Plan 329 (Waldemar Subdivision) be developed and fenced, to be paid from Grand River Estates settlement monies, as per Minutes of Settlement.

**Carried.**

16. **By-laws** (if any)

Nothing at this time.

17. **Late Submissions**17.1 **Ministry of Transport**

2008 Municipal Road & Bridge Infrastructure Investment

The following resolution was set forth.

**Resolution # 14**

Moved by J. Aultman - Seconded by P. Way

**Resolved** that Council of the Township of Amaranth hereby confirm that the \$395,489.00 funding allocated to the Township of Amaranth by the Province will be used for municipal road and bridge capital investment needs;  
And Further that a final summary report detailing expenditures, use of provincial funding and outcomes achieved shall be submitted to the Ministry and the Ministry may request an independent audit of the project;  
And that funds intended for the project that are not used in accordance with rehabilitation of municipal road and bridge capital investment needs or the terms outlined above will be returned to the ministry. **Carried.**

17.2 **Everus Communications**

Building permit for tower on Line 4 & Sideroad 25

Dealt with under Item # 11 - Planning Matters

18. **General Accounts and Road Business**

Nothing at this time.

19. **New Business**19.1 **Waldemar Park**

Safety concerns from Grandview Road resident

Discussion ensued. Staff instructed to obtain quotes re fencing rear lot line of park, cost to be shared with adjacent owner, and signs to be posted, informing the public that no motorized vehicles are permitted in park.

19.2 **Other**

Nothing at this time.

20. Confirming By-law

**Resolution # 15**

Moved by B. Cowie - Seconded by P. Way


**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 April 2, 2008; and that it be given the necessary readings and be passed and Numbered 21-2008. **Carried.**


20.1 Adjournment

**Resolution # 16**

Moved by J. Aultman - Seconded by W. Kolodziechuk

**Resolved** that Council do now adjourn to meet again on April 16, 2008 at 7:00 p.m. or at the call of the Mayor, and on April 14, 2008 at 8:30 a.m. for budget meeting. **Carried.**

  
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CLERK

  
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HEAD OF COUNCIL