

TOWNSHIP OF AMARANTH

August 20, 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 P. Way
Councillor B. Cowie
CAO/Clerk-Treasurer S. Stone
Planner C. Gervais
Director of Public Works D. Price
Deputy-Clerk C. Doherty

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 B. Cowie - Seconded by P. Way

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

Added:

1. Extension Agreement - Tax Arrears (Closed Session)
2. The Maples Independent Country School - Invitation to attend assembly, tour of school and BBQ to celebrate 10th anniversary on September 11/08 at 3:00 p.m.
3. Greater Dufferin Area Chamber of Commerce - Request for support from municipality in celebrating the Chamber of Commerce 100th anniversary in 2009
4. Supplementary Minutes of Settlement - CHD By-law
5. Update on Shelburne Library Search Committee

Carried.

3. **Approval of Agenda**

3.1 **Resolution # 2**

Moved by P. Way - Seconded by B. Cowie

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

4. **Disclosure of Pecuniary Interest**

Can be declared at any time during the meeting.

Councillor Jane Aultman will be declaring pecuniary interest under Planning Matters Item # 11.3 - Rezoning Application Z8-08 & SPA6-08 (Con. 3, East Part Lot 1) due to business interests.

5. **Approval of Minutes**

Regular Council Meeting - July 16, 2008

5.1 **Resolution # 3**

Moved by J. Aultman - Seconded by W. Kolodziechuk

Resolved that Council do hereby approve the minutes of the regular meeting of Council held July 16, 2008 as printed and circulated. **Carried.**

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

6. **Public Question Period**

Nothing at this time.

10:15 a.m.

7. **Delegations**

7.1 **Nottawasaga Valley Conservation Authority**

Wayne Wilson - CAO/Secretary-Treasurer & Walter Benotto - Vice Chair & Don Goodyear
Climate Change and Source Water Protection

Wayne Wilson of the NVCA addressed Council with respect to source water protection and climate change.

A "low water" response team has been established , however does not have any legislative authority; therefore, the committee can only monitor and make recommendations for appropriate responses to drought situations.

Motion by Township of Amaranth with respect to Level 3 drought in 2007 discussed, which was forwarded to the Province; however the Province did not declare an emergency, resulting in the elimination of any funding opportunities that may have been possible to those residents who were affected by the drought. Several other matters were discussed as social-economic issues, funding and stream flow.

Source Water Protection discussion followed in conjunction with GRCA/CTC delegation.

10:30 a.m.

7.2 **CTC Source Water Protection Committee**

Bob Burnside - Representative on the CTC
Update on Source Water Protection

Discussion followed in conjunction with GRCA delegation.

10:45 a.m.

7.3 **Grand River Conservation Authority**

Beverly Thorpe - Project Manager, Lorrie Minshall - Project Manager,
John Kinkead - Director, Dan Banks - Hydrogeologist, Dale Murray - Municipal Representative
Update on Source Water Protection

Representatives from the various Source Water Protection Committees were in attendance - Bob Burnside, Beverley Thorpe, Lorrie Minshall, John Kinkead, Don Banks and Wayne Wilson and information material was distributed. The Walkerton issue precipitated the focus on province wide water management and source water protection.

A Terms of Reference is being developed, once an assessment of drinking water risks has been done.

Mapping reviewed and suggested corrections noted.

Capture zones, water movement, 100 metre minimum distance separation, terms of reference, delineation of wellhead protection areas, impact on residents, septic systems, costs and funding were all discussed.

Council thanked the representatives from the conservation authorities for attending.

Council adjourned for lunch at approximately 12:15 p.m.

1:00 p.m.

7.4

Township Solicitors (Closed Session)

Al Burton and /or Jeff Wilker

By-law Enforcement Matters, OMB Hearing re: Wind Turbines in East Luther Grand Valley, Small Claims Matter, Grand River Estates, Hamount Valleygrove update

Al Burton and Beth Stacy in attendance. Closed session commenced approximately 1:05 p.m.

Resolution # 4

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):

Personal matters about identifiable individual(s), including employees

A proposed or pending acquisition or disposition of land

Litigation or potential litigation

Advice that is subject to solicitor-client privilege

Carried.

Resolution # 5

Moved by B. Cowie - Seconded by P. Way

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

Closed Session adjourned approximately 3:20 p.m., and staff/solicitors instructed accordingly.

11:00 a.m.

8.

Public Meeting

Nothing at this time.

9.

Unfinished Business

The following matters were received and/or dealt with.

9.1

Township of Amaranth Police Service Board

9.1.1

Resolution - Recommendation to Amaranth Council to adopt towing by-law

Matter **deferred** until next meeting of Council.

- 9.2 **County of Dufferin**
 9.2.1 Addressing Issues, Sylvanwood Subdivision
- 9.3 **Ministry of Agriculture, Food and Rural Affairs**
 9.3.1 Response letter form L. Dombrowsky re: Drinking Water Supply
- 9.4 **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 progress of work projects to date.
- 10.2 **Other**
 Nothing at this time.
11. **Planning**
 The following matters were received and/or dealt with:
- 11.1 **Consent Application B4-08 - Bradley: Robert (Con. 6, Lot 11 & 12)**
 Creation of a new lot (Decision)
 Mr. Bradley was in attendance. Township Planner Christine Gervais presented planning report and recommendation of approval. Discussion resulted in the following resolution.
- 11.1.1 **Resolution # 6**
Moved by B. Cowie - Seconded by P. Way
Resolved that Consent Application B4-08 by Robert Bradley for consent to sever 25.3 ha. (62.5 ac) from Concession 6, East Part Lots 11 & 12 to create a new lot be: **approved**.
 Reasons: Conforms to Official Plan
 Conditions:
 Park dedication in the amount of \$250.
 Taxes paid in full on severed and retained parcel
 Rezoning required on severed parcel
 Conservation Authority approval on both parcels
 Entrance permit required on severed parcel
 Approval for septic system on severed parcel
 Plan of Survey required on both parcels (paper & digital format)
 Consent Agreement to be registered on both parcels and to include requirement for fence along the north, south and west boundary of the severed parcel
 Road widening shall be conveyed to appropriate road authorities on both the severed and retained parcels in accordance with appropriate road authority policies
 That any road widenings, easements, survey cost, legal cost and any other transaction pertaining to this application shall be borne by the applicant.
 Certificate of Title to be supplied, showing no encumbrances on the land for road widening purposes.

That all conditions be fulfilled and Certificate of Clerk issued within one year of the date of Notice of Decision was given, failing to do so will cause the application to be null and void.

Carried.

11.2 **Consent Application B5-08 - Lundy: Jamie (Con. 2, East Part Lot 9)**

To allow for a group home for up to 4 persons with Autism Spectrum Disorder (Decision)

Township Planner Christine Gervais presented planning report and recommendation of denial.

Discussion resulted in the following resolutions.

Resolution # 7

Moved by W. Kolodziechuk - Seconded by J. Aultman

Resolved that Consent Application B5-08 by Jamie Lundy for consent to server 0.65 ha. (1.6 ac) from Concession 2, East Part Lot 9, to server surplus dwelling be **denied**.

Reasons:

Does not conform to the Township of Amaranth's Official Plan or PPS.

Councillor Jane Aultman declared **pecuniary interest** on the following item, being **Rezoning Application Z8-08 & Site Plan SPA6-08** and left the Council Chambers

11.3 **Rezoning Application Z8-08 & Site Plan SPA6-08 - Tim-O-T Trucking (Owners) & 1655319 Ontario Inc. (Applicant) Con. 3, East Part Lot 1)**

To allow the subject land to be used as a contractor's yard, along with the existing residence (Decision)

Applicant Mr. Kottelenberg was in attendance.

Township Planner presented planning report and recommendation of approval to rezone under By-law 46-88 from Highway Commercial to Special Highway Commercial and under By-law 69-2004 from Highway Commercial to Highway Commercial Exception, along with Site Plan Approval.

It was noted that the adjoining property owner, Mrs. Wilson and her son, are satisfied with the proposal.

It was agreed that Mr. Kottelenberg is to provide a revised site plan to depict the outside storage areas, truck parking and any other information regarding the yard. The landscape shall depict the berm, trees to be added on the property, along with trees to be removed on the entire property.

Further discussion led to the following resolution.

Resolution # 8

Moved by B. Cowie - Seconded by P. Way

Resolved that Rezoning Application Z8-08 by 1655319 Ontario Inc. (Applicant) & Tim-O-T Trucking Inc. (Owner), to rezone east part Lot 1, Concession 3, to allow the subject land to be used as a contractor's yard, along with the existing residential house, be approved, subject to site plan agreement. **Carried.**

Resolution # 9

Moved by P. Way - Seconded by B. Cowie

Resolved that leave be given to introduce a by-law to rezone the subject property, Concession 3, East Part Lot 1, from Highway Commercial (C2) to Special

Highway Commercial (C2-6) under Zoning By-law 46-88; and that it be given the necessary readings and be passed and Numbered 66-2008. **Carried.**

Resolution # 10

Moved by W. Kolodziechuk - Seconded by B. Cowie

Resolved that leave be given to introduce a by-law to rezone the subject property, Concession 3, East Part Lot 1, from Highway Commercial (C2) to Highway Commercial Exception Three (C2-3) under Zoning By-law 69-2004; and that it be given the necessary readings and be passed and Numbered 67-2008. **Carried.**

Resolution # 11

Moved by B. Cowie - Seconded by W. Kolodziechuk

Resolved that leave be given to introduce a by-law to authorize the execution of a Site Plan Agreement between the Township of Amaranth and Tim-O-T Trucking (Con. 3, East Part Lot 1); and that it be given the necessary readings and be passed and Numbered 68-2008. **Carried.**

Councillor Jane Aultman returned to Council Chambers and resumed her seat.

- 11.4 **Township of East Luther Grand Valley**
- 11.4.1 Notice of Passing of By-law 2008-25 - Lot 31, Con. 4 (173395 County Road 25) Special Extractive Industrial (M2) to permit accessory sale of wood mulch and other landscaping material
- 11.4.2 Notice of Passing of By-law 2008-29 - Lot 32, Con. 1 (Business Park) General Industrial Exception Two (M1-2) & Open Space Conservation (OS2)
- 11.4.3 Correspondence - Business Park

Township Planner Christine Gervais addressed Council with respect to East Luther Grand Valley By-law 2008-29, noting that the draft by-law provided to us, differed from the by-law passed by the East Luther Grand Valley Council on August 12, 2008, that Amaranth has sent two letters of objection to the draft by-law, and that the by-law passed permits two agricultural related uses and two buildings. Final appeal date is September 2, 2008. No instructions given to appeal.

- 11.5 **Ontario Municipal Board - Grand Valley Wind Farms**
- 11.5.1 Appeal - August 28/08 @ 10:30 a.m. ELGV Council Chambers, Grand Valley, Ont.
- 11.5.2 Notice of Completion of Environmental Screening
- 11.5.3 ELGV response to Amaranth's correspondence

The following resolution passed pursuant to closed session discussion.

Resolution # 12

Moved by B. Cowie - Seconded by P. Way

Resolved that Council authorize the Township staff and Solicitor to attend the OMB hearing on August 28, 2008 with respect to the Grand Valley Wind Farms, and request party status. **Carried.**

- 11.6 **Growth Management Planning Study**
- 11.6.1 Update
- 11.6.2 Minutes - July 18/08
- 11.7 **Grand River Estates (Closed Session)**

Motion to be brought to with respect to settlement monies.

- 11.8 **“Next Step” for Traffic Operations; Highways 10 & 89, Shelburne**
 11.8.1 Advisory Committee Representatives

- 11.9 **Kerry’s Place Autism Services**
 11.9.1 Letter of Thanks

- 11.10 **Canadian Hydro Developers**
 11.10.1 8th Line Amaranth - Rescind By-law 52-2008

Discussion resulted in the following resolution.

Resolution # 13

Moved by P. Way - Seconded by B. Cowie

Resolved that leave be given to introduce a by-law to repeal By-law 52-2008, which authorized an amendment to the road agreement between the Township of Amaranth and Canadian Hydro Developers Inc.; and that it be given the necessary readings and be passed and Numbered 69-2008. **Carried.**

- 11.11 **Centurian Plan of Subdivision**
 11.11.1 Update

Discussion included location of park.

- 11.12 **Other**

Nothing at this time.

12. **By-Law Enforcement**

Nothing to report at this time.

13. **Committee Reports**

All matters read, received and dealt with.

- 13.1 **County of Dufferin**
 13.1.1 Council In Brief - July 10/08

- 13.2 **Shelburne & District Economic Development Committee**
 13.2.1 Annual Golf Classic - Thursday, September 11/08 @ 3:00 p .m.
 Shelburne Golf & Country Club

- 13.3 **Shelburne Physician Recruitment**
 13.3.1 Minutes & Comments
 13.3.2 Melancthon Resolution
 13.3.3 Mulumur Resolution

Resolution # 14

Moved by J. Aultman - Seconded by W. Kolodziechuk

Resolved that the Council of the Township of Amaranth do hereby support the motion of the Town of Shelburne with respect to forming a physician recruitment committee to be know as “Centre Dufferin Physician Recruitment Committee”; And that we approach the County of Dufferin for a formula to fund this new committee from funds currently allocated to the Dufferin Recruitment Committee in a fair and equitable way. **Carried.**

Resolution # 15

Moved by W. Kolodziechuk - Seconded by P. Way

Resolved that the Council of the Township of Amaranth appoint Councillor Jane Aultman as Amaranth's representative on the newly formed "Centre Dufferin Physician Recruitment Committee";
And that Councillor Bill Cowie act as the alternate on the aforesaid committee.
Carried.

13.4 **Shelburne Public Library Board**
13.4.1 Minutes - June 17/08

Councillor Bill Cowie reported on the recruitment process for the position of Shelburne Librarian.

13.5 **Centre Dufferin Recreation Complex**
13.5.1 Minutes - June 11/08

Councillor Bill Cowie reported on issues concerning the CDRC.
Capital costs will be required over the next few years for upgrades.

13.6 **CTC Source Protection Committee**
13.6.1 Notice of Consultation - Deadline for Comment / September 21/08
13.6.2 Draft Proposed Terms of Reference / Work Plan

13.7 **Lake Erie Region Source Protection Committee**
13.7.1 Meeting Minutes - June 5/08
13.7.2 Meeting Minutes - July 17/08
13.7.3 Draft Comments on AR Regulations and Rules
13.7.4 Agenda - August 7/08

13.8 **Credit Valley Conservation Authority**
13.8.1 Board of Directors' Meeting Minutes - July 11/08
13.8.2 Landscapes For Life

13.9 **Grand River Conservation Authority**
13.9.1 Grand Actions Newsletter for July/August 2008
(Annual Grand River Water Forum - Friday, September 19/08 - 8:30 a.m. to 3:30 p.m.)

13.10 **Nottawasaga Valley Conservation Authority**
13.10.1 Nottawasaga News Volume 9

13.11 **Other**

Nothing at this time.

14. **General Business & Correspondence**

All matters read, received and dealt with.

14.1 **Town of Caledon**
14.1.1 Resolution - Actions requested by Solmar Development Corp.
14.1.2 Mono Resolution of Support
14.1.3 East Garafraxa Resolution of Support

Resolution # 16

Moved by J. Aultman - Seconded by W. Kolodziechuk

Resolved that the Council of the Township of Amaranth support the motion of the Town of Caledon regarding the challenges facing municipalities from the implementation of provincial growth legislation and join in requesting that a provincial inquiry be implemented into the challenges facing municipalities as a result of the provincial growth legislation. **Carried.**

- 14.2 **Township of Mulmur**
- 14.2.1 Resolution - Provincial Growth Legislation

- 14.3 **Township of Muskoka Lakes**
- 14.3.1 Resolution - MPAC Services

- 14.4 **Township of Hilliard**
- 14.4.1 Resolution - Zenn Electric Cars

- 14.5 **Township of Galway-Cavendish & Harvey**
- 14.5.1 Resolution - Protecting Canada's water resources from export discussions

- 14.6 **County of Wellington**
- 14.6.1 Notice of Appeal - Status of Decision for Amendment No. 61 to Official Plan

- 14.7 **Upper Grand District School Board**
- 14.7.1 Directors 2006/2007 Annual Report

- 14.8 **Ontario Good Roads Association**
- 14.8.1 Ban on Cosmetic Use of Pesticides
- 14.8.2 Canada & Ontario sign Infrastructure Agreement

- 14.9 **LAS Communication**
- 14.9.1 New Energy Management Resources

- 14.10 **MPAC**
- 14.10.1 Property Assessment Notice/Appeal Process/Products Update

- 14.11 **Taoist Tai Chi Society of Canada**
- 14.11.1 Invitation to attend multiple celebrations on the event of their Twenty Second Annual Taoist Tai Chi Awareness Day on Sunday, September 13/08

- 14.12 **FCM Municipal Marketplace**
- 14.12.1 Coleman Canada - Recycling of non-refillable propane cylinders

- 14.13 **A.M.O.**
- 14.13.1 Waste Electrical & Electronic Equipment Plan (Weee) - 1st phase receives approval
- 14.13.2 Landfill Gas Capture
- 14.13.3 Transit Project Assessment - Deadline for switching from full EA to the new process is August 25/08
- 14.13.4 Municipal Input request on areas of amendments to Immigration and Refugee Protection Act
- 14.13.5 Canada & Ontario Sign Major Infrastructure Agreement
- 14.13.6 Municipal Hazardous or Special Waste Phase 2 & 3 Program Plans requested

- 14.14 **Ministry of Natural Resources**
- 14.14.1 Endangered Species Act, 2007

- 14.15 **Crime Stoppers**
14.15.1 10th Annual Crime Stoppers and Police Service Gala Dinner and Silent Auction
- 14.16 **Ministry of Municipal Affairs & Housing**
14.16.1 Building Code Amendments
- 14.17 **Family Transition Place**
14.17.1 Journey of Hope
- 14.18 **The Council of Canadians**
14.18.1 Correspondence and Brochure
- 14.19 **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**
Dealt with under Delegations.
16. **By-laws** (if any)
Nothing at this time.
17. **Late Submissions**
- 17.1 **Extension Agreement - Tax Arrears (Closed Session)**
Discussed under Item # 7.4 - in closed session and dealt with under Item 19.7.1 - New Business.
- 17.2 **The Maples Independent Country School** - Invitation to attend assembly - Tour of school and BBQ. to celebrate 10th Anniversary of September 11/08 at 3:00 p.m.
Deputy-Mayor Kolodziechuk to attend celebrations.
Councillor Aultman also hoping to join the festivities.
- 17.3 **Greater Dufferin Area Chamber of Commerce** - Request for support from municipality in celebrating the Chamber of Commerce 100th Anniversary in 2009
Discussion led to the following resolution.
Resolution # 17
Moved by B. Cowie - Seconded by P. Way
Resolved that Council supports and congratulates the Greater Dufferin Area Chamber of Commerce on it's 100th Anniversary celebrations. **Carried.**
- 17.4 **Supplementary Minutes of Settlement** re: CHD By-law
Discussion led to the following resolution.

Resolution # 18

Moved by B. Cowie - Seconded by P. Way

Resolved that leave be given to introduce a by-law to authorize the Township Solicitors, Thomson, Rogers to execute a Supplementary Minutes of Settlement, between the Township of Amaranth and Canadian Hydro Developers Inc.; and that it be given the necessary readings and be passed and Numbered 71-2008.
Carried.

17.5 **Update on Shelburne Library Search Committee**

Dealt with under Item # 13.4.1 - Committee Reports

18. **General Accounts and Road Business**18.1 **Resolution # 19**

Moved by J. Aultman - Seconded by W. Kolodziechuk

Resolved that General Bills and Accounts in the amount of \$268,193.94, for the period of July 11th to August 15th, 2008, be approved for payment. **Carried.**

18.2 **Resolution # 20**

Moved by W. Kolodziechuk - Seconded by J. Aultman

Resolved that Road Department Bills and Accounts in the amount of \$413,501.57 for the period of July 11th to August 15th, 2008, be approved for payment.
Carried.

18.3 **Resolution # 21**

Moved by P. Way - Seconded by B.Cowie

Resolved that Recreation Accounts in the amount of \$310.35 for the period of July 11th to August 15, 2008, be approved for payment. **Carried.**

19. **New Business**

All matters read, received and dealt with.

19.1 **Emergency Planning**

19.1.1 Township Emergency Control Centre & Emergency Shelter

Issues discussed were a filter system for the building's drinking water and JEPP funding for generator.

19.2 **The Adrenaline Project**

19.2.1 Invitation to members of the community to attend the final filming of the Adrenaline Project on October 10, 2008 and take part in the festivities

19.3 **Shelburne District Agricultural Society**

19.3.1 Thank you for sponsorship

19.4 **Tax Policy for Vacant Commercial and Industrial Lands**

19.4.1 Resolution to adopt

Resolution # 22Moved by P. Way - Seconded by B. Cowie

Resolved that Council do hereby adopt the tax policy for vacant commercial and industrial lands for the Township of Amaranth as presented. **Carried.**

19.5 **Amaranth's 2008 Budget Summary**

Council reviewed and requested monthly budget summary be prepared until the end of year.

19.6 **Accessibility Plan**

19.6.1 Update

Resolution # 23Moved by J. Aultman - Seconded by W. Kolodziechuk

Resolved that Council do hereby adopt the Township of Amaranth Annual Accessibility Plan for 2008 - 2009. **Carried.**

19.7 **Mullin, Thwaites, Ward LLP (Closed Session)**

19.7.1 Tax Arrears Collection - Extension Agreement

Discussed earlier in the meeting under Item 7.4 in closed session.

Resolution # 24Moved by B. Cowie - Seconded by P. Way

Resolved that leave be given to introduce a by-law to authorize the execution of an extension agreement for tax arrears; and that it be given the necessary readings and be passed and Numbered 70-2008. **Carried.**

19.8 **Other**

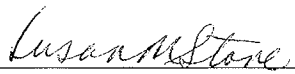
Nothing at this time.

20. **Confirming By-law**20.1 **Resolution # 25**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 August 20, 2008, and that it be given the necessary readings and be passed and Numbered 72-2008. **Carried.**

21. **Adjournment**21.1 **Resolution # 26**Moved by P. Way - Seconded by B. Cowie

Resolved that Council do now adjourn to meet again on September 3, 2008 at 10:00 a.m. or at the call of the Mayor. **Carried.**


CLERK


HEAD OF COUNCIL