

TOWNSHIP OF AMARANTH

The Township of Amaranth Council met in the Council Chambers of the municipal office on the above mentioned date commencing at 7:00 p.m.

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

ABSENT: Mayor D. MacIver (with notice)

1. **Opening of Meeting**

Deputy-Mayor Walter Kolodziechuk opened meeting.

2. **Late Submissions** (to be in the office prior to the meeting)**Resolution # 1**

Moved by P. Way - Seconded by B. Cowie

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

Added:

1. Headwaters Healthy Wetlands Project
Wetland Workshop for municipalities - Friday, June 27/08 - 11:00 a.m. to 3:30 p.m.
Alma Community Centre
2. Township of East Luther Grand Valley
Zoning By-law 2008-10/Rezoning Application Z13/07 - Windrush, Ashton Ridge
Farm, Grand Valley, Ont.
Notice of provide outstanding concerns and issues by July 2/08 for consideration
3. Marblemedia Adrenaline 2 Inc.
Filming Agreement
4. Robert Burnside - CTC Source Water Protection Committee
Invitation to briefing on Terms of Reference under Clean Water Act - June 24/08
at 12:00 noon to 2:00 p.m. - Orangeville Library

Deleted:

1. Nottawasaga Valley Conservation Authority
Wayne Wilson - CAO/Secretary-Treasurer & Walter Benotto-Vice Chair
re: Climate Change

Carried.

3. **Approval of Agenda**3.1 **Resolution # 2**

Moved by P. Way - Seconded by J. Aultman

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**

Regular Council Meeting - June 4, 2008

5.1 **Resolution # 3**

Moved by J. Aultman - Seconded by B. Cowie

Resolved that Council do hereby approve the minutes of the regular meeting of Council held June 4, 2008 as printed and circulated. **Carried.**

7: 00 p.m. to 7:15 p.m.

6. **Public Question Period**

No questions at this time.

7:15 p.m.

7. **Delegations**

7:15 p.m.

7.1 **Nottawasaga Valley Conservation Authority**

Wayne Wilson - CAO/Secretary/Treasurer & Walter Benotto - Vice Chair re:
Climate Change

Dealt with under Item # 2 - Late Submissions

Matter deleted from the agenda

8:00 p.m.

8. **Public Meeting****Resolution # 4**

Moved by J. Aultman - Seconded by P. Way

Resolved that Council do now hold a public meeting regarding the following:

1. Consent Application B3-08 - 2114675 Ontario Ltd. c/o Archie Duiker (Con. 3, East Part Lot 1)
Creation of a new lot to restructure property
2. Rezoning Application Z5-08 - Kerry's Place Autism Services (Con. 8, Lot 12) to allow for a group home for people with autism
3. Rezoning Z7-08 - Lillian Wolfe & Herta Wolkow (Con.1, East Part Lot 12)
To replace the existing detached garage with new attached garage and house extension with a deficient side yard, and provide relief of required minimum side yard. **Carried.**

8.1 **Consent B3-08 - 2114675 Ontario Ltd. c/o Archie Duiker (Con. 3, East Part 1)**
Creation of new lot to restructure property

Mr. Duiker was in attendance.

Township Planner Tracey Atkinson reviewed application and presented report.

Purpose of the application is to create new lot to restructure property for office/showroom and industrial uses on the retained lands and industrial uses on the severed parcel.

The parcel to be severed in half, both lots to be 0.8 ha., existing residential dwelling units on southern parcel to be demolished or relocated, and existing dwelling on northern lot to be converted to office space, and the existing abattoir to be demolished.

The Official Plan designates the lands as Employment Area and proposed severance will allow intensification and facilitate two employment uses.

Under Zoning By-law 46-88 the lands are zoned Special General Industrial (M1-4), which permits two dwellings on the subject land.

Under Zoning By-law 69-2004, the lands are zoned General Industrial Exception Four (M1-4) which also permits two dwellings.

The proposed severance and retained lands would not meet the requirements of the M1 and M1-4 zoning for frontage, therefore a site specific rezoning would be required to address this deficiency.

The proposed application conforms with, and does not conflict with, the Provincial Policy Statement, the Official Plan and the Growth Plan, and meets the intent of the zoning by-law. It is recommended that this application to sever a 0.8 ha. parcel of employment land be granted, conditional on the following additional condition:

- a) demolition and clean-up of the abattoir
- b) removal of the dwelling on the severed lands and clean-up of any foundation
- c) conversion of the existing dwelling on the retained lands to an office use, through an application for a building permit and signed undertaking, with securities as required
- d) rezoning the retained lands to prohibit residential uses
- e) rezoning the severed lands to a general M1 zone
- f) removal or debris and general clean-up of the retained and severed lands to the satisfaction of the Township
- g) entrance permit or alternative agreement on entrance/access with County of Dufferin

Comments:

Grand River Conservation Authority - no objection

County of Dufferin Public Works - objection - this configuration creates two lots which exceeds the number allowable.

The matter will be brought to the County of Dufferin Road Committee at their meeting on June 24/08 for further discussion.

There were no further written submissions, and no members of the public in attendance to support or oppose the application.

Matter to be brought back to next meeting of Council for decision.

8.2

Rezoning Z5-08 - Kerry's Place Autism Services / Jim Preston (Con. 8, Lot 12)

To allow for a group home for people with autism

Jim Preston was in attendance on behalf of Kerry's Place Group Home.

Township Planner Tracey Atkinson reviewed application and presented report.

The purpose of the application is to allow the existing dwelling to be used as a group home for up to 4 persons with autism spectrum disorder.

The Official Plan designates the land as Agricultural. It also permits home industries and occupations, along with a variety of other uses.

Under Zoning By-law 46-88 the lands are designated General Agriculture (A1).

A group home is defined; however not permitted within any zone.

Under Zoning By-law 69-2004 the lands are designated Agriculture (A).

A group home is defined; however not permitted within any zone.

With respect to the Minimum Distance Separation, there are barns located approximately 350 to 400 metres from the existing dwelling. The MDS calculations are dependent on land use, requiring a larger separation for institutional uses than for residential uses.

In conclusion, the subject lands are approximately 0.5 ha. (1.25 ac) in size and not used or intended to be used for agricultural purposes. They were intended to be used for a residential use. The proposed use has similar impacts to a residential use.

It is recommended that the proposal to rezone the subject lands from agricultural to a site specific agricultural exception, be deferred, pending comments from the OMAF RA and MDS calculations.

Comments:

Grand River Conservation Authority - no objection

Mr. J. W. Dunn - letter dated June 6/08 (Con. 8, Lot 13) - objects to proposal re affect on property values; possible property tax increases; possibility that more individuals may reside on the property in the future; safety concerns with respect to hunters in the area and use of firearms; supervision; access to medical and emergency services; potential noise from increased traffic.

Kathy Dunn - letter dated June 4/08 (Con.8, Lot 13) - objects to proposal - same reasons as stated above per Mr. Dunn.

Mr. Preston addressed Council, outlining that this group home will be restricted to no more than 4 persons and will have 24 hour staffing, 7 days a week.

There were no further written submissions and no members of the public in attendance to support or oppose the application.

Matter to be brought back to the next meeting of Council on July 16, 2008.

8.3

Rezoning Z7-08 - Lillian Wolfe & Herta Wolkow (Con. 1, East Part Lot 12)

To replace the existing detached garage with new attached garage and house extension with a deficient side yard, and provide relief of required minimum side yard
Applicant Lillian Wolfe was in attendance.

Township Planner Tracey Atkinson reviewed application and presented report.

Purpose of the application is to permit the construction of an attached garage and an addition to the existing dwelling.

The existing detached garage meets the minimum requirements of the zoning by-laws for an accessory (or detached) building; however an attached garage must meet the required yards for a principle building (residence).

The Official Plan designates the land as Rural and application conforms to Official Plan.

Under Zoning By-law 46-88 the lands are designated General Agricultural (A1) and requires a minimum side yard of 1.5 metres for accessory uses. The side yard requirement is 6 metres for principle building.

Under Zoning By-law 69-2004 the lands are designated Rural (RU) and requires a minimum side yard of 1.5 metres for accessory buildings or structures. The side yard requirement is 6 metres for principle building.

Provincial Policy Statement, 2005 - Application does not conflict with the PPS policies.

It is recommended that subject lands under By-law 46-88 and By-law 69-2004 be rezoned from Agricultural and Rural to a site specific agricultural exception zone and rural exception, to permit a minimum south interior side yard of 4.0 metres.

Comments:

Nottawasaga Valley Conservation Authority - no objection

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

It was suggested that this matter be dealt with promptly, due to timing issues for the applicant.

Resolution # 5

Moved by J. Aultman - Seconded by P. Way

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

Resolution # 6

Moved by J. Aultman - Seconded by P. Way

Resolved that Rezoning Application Z7-08 by Wolfe & Wolkow to rezone part of Lot 12, Concession 1, to allow reduction of side yard be approved. **Carried.**

9.

Unfinished Business

The following matters were received and/or dealt with.

9.1

Waldemar Park

9.1.1

Fencing

The fencing and gating of Waldemar park to prevent motorized vehicles from accessing this area, was again discussed; along with policing.

Staff instructed to notify residents and the police that motorized vehicles are prohibited.

Also, Mr. Bell to be updated on situation with respect to fencing of the park.

The following resolution was set forth.

Resolution # 7

Moved by J. Aultman - Seconded by P. Way

Resolved that Council request that the Amaranth Police Services Board direct the OPP to enforce "No Motorized Vehicles" in Waldemar Park, under the "Trespass to Property Act" and that there be a report back to Council as to the results of this issue. **Carried.**

9.2

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.

10.2 **Tenders**

10.2.1 Asphalt Tender

10.2.2 Pickup Truck Tender

Asphalt Tenders

Three (3) tenders were received and reviewed.

Greenwood Construction - \$347,912.46 including GST

Graham Bros. Construction - \$343,002.62 including GST

Miller Paving - \$382,756.50 including GST

Resolution # 8

Moved by P. Way - Seconded by B. Cowie

Resolved that Council accept tender submitted by Graham Bros. Construction Limited in the amount of \$343,002.62 incl. taxes, for the delivery and placing of hot mix paving (approximately 5028 tonne of HL3, 22' wide and 50 mil. deep) on roadway surfaces. **Carried.**

Pickup Truck Tenders

Two (2) tenders were received and reviewed.

McMaster - \$ 24,580.80 including taxes - not correct motor

Proper Ford - \$28,740.42 including taxes

Tenders reviewed and it was noted that the tender from McMaster did not meet specifications.

Resolution # 9

Moved by B. Cowie - Seconded by P. Way

Resolved that Council do hereby accept tender submitted by Proper Ford Lincoln Ltd. in the amount of \$28,740.42 incl. taxes, for the purchase of a 2009 ½ ton 4x4 pickup, including taxes and licensing costs at delivery. **Carried.**

10.3 **Industry Canada**

10.3.1 Environmental Mitigation Measures - Replacement of Bridge 009

10.4 **Other**

Nothing at this time.

11. **Planning**

The following matters were received and/or dealt with:

11.1 **Greenwood Recreation Complex (Con. 1, Lot 1)**

11.1.1 Site Plan Agreement/Removal of Holding Provision - Intention to pass by-law

Sam Greenwood and Amie Greenwood were in attendance.

Matter was reviewed and discussed. Letter from CVC not yet provided indicating no objection to the proposed development; therefore, holding zone cannot be lifted at this time. Mr. Greenwood also questioned some requirements contained within the Site Plan Agreement, and will provide same in writing to Township CAO and Solicitor. Matter deferred until July 16th Council meeting.

- 11.2 **Holmes Agro**
 11.2.1 Road Closure By-law re: Resolution - Surplus Land - Con. 3, Part Lot 2

The following resolutions were set forth.

Resolution # 10

Moved by B. Cowie - Seconded by P. Way

Resolved that leave be given to introduce a by-law to authorize the Closing and Stopping Up Highway, (Part of Lot 2, Concession 3, PIN 34038-0026 (LT)); and that it be given the necessary readings and be passed and Numbered 51-2008. **Carried.**

Resolution # 11

Moved by B. Cowie - Seconded by P. Way

Resolved that Council declares that the following lands are surplus lands: Part of Lot 2, Concession 3, in the Township of Amaranth, in the County of Dufferin, which parcel is more particularly identified by PIN 34038-0026 (LT). **Carried.**

- 11.3 **Canadian Hydro**
 11.3.1 Transmission Lines - 8th Line (request to change lines from the west side to east side)

Matter discussed in Closed Session. Bylaw 52-2008 passed authorizing an amendment to the Road Agreement between Canadian Hydro Developers Inc. and the Township of Amaranth.

- 11.4 **Township of East Luther Grand Valley**
 11.4.1 Notice of Rezoning Application Z5-08 - Stan Collini/1127792 Ontario Ltd. July 8/08 @ 7:00 p.m. - East Luther Grand Valley Municipal Office
 11.4.2 Grand Valley/Waldemar Wells - Groundwater Management & Protection Study (Well Capture Zones)

Rezoning Application Z5-08, circulated by the Township of East Luther Grand Valley, to allow a commercial business park to be located on agricultural land, was discussed.

It was agreed there are several issues that need to be addressed, such as the number of septic and wells proposed. Also, more detailed information is required, as application appears to be vague.

Landowners in Amaranth Twp. who are in close proximity to this proposal, are expressing their concern.

Councillor Aultman also relayed several issues on behalf of Mr. and Mrs. Clark (Con. 10, W. Pt. Lot 1) Amaranth.

The following resolution was set forth.

Resolution # 12

Moved by J. Aultman - Seconded by B. Cowie

Resolved that staff be instructed to forward letter to Township of East Luther Grand Valley for Public Meeting to be held July 8, 2008 with respect to Rezoning Application Z5-08 - Stan Collini/1127792 Ontario Ltd., to state concerns with respect to proposed development. **Carried.**

- 11.5 **Dufferin County Growth Management**
 11.5.1 Notice of Public Open House - Monday, June 16/08 / 4:00 p.m. to 8:00 p.m.
 T-D Canada Trust Room - Alder Street Recreation Centre, Orangeville, Ontario or on Wednesday, June 18/08 / 4:00 p.m. to 8:00 p.m. - Grace Tipling Hall, Shelburne Municipal Office, Shelburne
 Councillor Aultman reported on the Dufferin County Growth Management Open House in Orangeville on July 16/08, which covered topics as traffic, transportation, fairness of designation of growth, socio-economic impact, servicing, etc.
 Deputy-Mayor Kolodziechuk also to attend the June 18/08 Open House in Shelburne.

- 11.6 **Centurian Homes** (Con. 9, Pt. Lot 2)
11.6.1 Update
- Matter updated and discussed. Proposed plan reviewed with council and clarification with respect to development criteria and design will be provided to the proponents. Further discussion with Council regarding parkland dedication required.
- 11.7 **Ashton Ridge Golf Course Wind Farm**
11.7.1 Letter from Ministry of the Environment (May 22/08) to Jeff Wilker - Solicitor
- Matter updated and letter from Mr. A. Burton of Thomson Rogers was discussed.
- 11.8 **Township of East Garafraxa**
11.8.1 Utilities and Renewable Energy Planning Study - The Jones Consulting Group Ltd.
Open House - June 24/08 @ 7:00 p.m. Marsville Community Hall
- 11.9 **IMA Engineering Ltd.**
11.9.1 Notice of Public Information Centre - Hwy. 10/89 Improvements - Shelburne to Primrose
- 11.10 **Other**
ELGV Planning Application
Planning application for property know as Con. 3 & 4, Lot 32, in the Township of East Luther Grand Valley, has no impact on Amaranth Township.
- Item # 17 - Late Submissions**
Township of East Luther Grand Valley - Zoning By-law 2008-10 / Rezoning Application Z13/07 - Windrush, Ashton Ridge Wind Farm, Grand Valley, Ontario
Notice to provide outstanding concerns and issues by July 2/08 for consideration.
- Staff instructed to advise East Luther Grand Valley accordingly.
- Everus Communications**
Matter is proceeding and issuance of building permit will occur once insurance and securities provided in accordance with the Site Plan Agreement.
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 Dufferin County Museum and Archives - Artistry in Flowers
- 13.2 **Town of Mono Police Services Board**
13.2.1 Minutes of March 4, 2008
- 13.3 **Grand River Conservation Authority**
13.3.1 Approval and summary of proposed revisions to GRCA Policies for Administration of Development, Interference with Wetlands and Alteration to Shorelines and Watercourses
13.3.2 Spring 2008 Newsletter Article - "Lines on the Landscape"
- 13.4 **Credit Valley Conservation**
13.4.1 Minutes of Director's Meeting - May 9/08
- 13.5 **Nottawasaga Valley Conservation Authority**
13.5.1 Conservation Corner - June 2008 / Miracles of Life in Springtime
- 13.6 **Other**
Nothing at this time.

14. **General Business & Correspondence**

All matters read, received and dealt with.

14.1 **Headwaters Healthy Wetlands Project**

14.1.1 Wetland Workshop for Municipalities - Friday, June 27/08 - 11:00 a.m. to 3:00 p.m.
Alma Community Centre

14.2 **Assessment Review Board**

14.2.1 Status Respecting Mobile Home / Trailer Park Complaints

14.3 **A.M.O.**

14.3.1 Provincial Poverty Reduction Strategy

14.3.2 Discussion Paper - Alternative Approach to Blue Box Funding Model

14.3.3 Ontario Students lessons in responsible citizenship

Resolution # 13

Moved by B. Cowie - Seconded by P. Way

Resolved that Council do hereby support the AMO and AMRC recommended action plan for an alternative approach to Ontario's Blue Box Funding Model. **Carried.**

14.4 **Town of Grimsby**

14.4.1 Greenbelt Plan - Economic Effects on Farmers & Municipalities

14.5 **P.C. John Tory - Ontario PC Party**

14.5.1 Bill 35 "Investing in Ontario Act"

14.6 **Ministry of Natural Resources**

14.6.1 Plant a tree challenge

14.7 **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**

Resolution # 14

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):

A proposed or pending acquisition or disposition of land

Litigation or potential litigation

Advice that is subject to Solicitor-Client privilege.

Carried.

Resolution # 15

Moved by P. Way - Seconded by J. Aultman

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

Resolution # 16

Moved by P. Way - Seconded by B. Cowie

Resolved that by-law matters with respect to Concession 7, Lot 26 and Con. 10, Lot 30, East Part, be forwarded to Township By-law Enforcement Officer. **Carried.**

Resolution # 17

Moved by J. Aultman - Seconded by P. Way

Resolved that Council proceed past 11:00 p.m.
Carried.

16. **By-laws** (if any)**Resolution # 18**

Moved by B. Cowie - Seconded by P. Way

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

Resolution # 19

Moved by B. Cowie - Seconded by J. Aultman

Resolved that leave be given to introduce a by-law to authorize a correction to site plan agreement (seconded amendment) with respect to the Broeze property between Canadian Hydro Developers Inc. and the Township of Amaranth; and it be given the necessary readings and be passed and Numbered 53-2008. **Carried.**

Resolution # 20

Moved by J. Aultman - Seconded by B. Cowie

Resolved that leave be given to introduce a by-law to amend By-law 46-88 as amended with respect to part of Lot 12, Concession 1, to rezone subject lands from Agricultural (A1) zone to Special Agricultural zone to reduce minimum side yard and it be given the necessary readings and be passed and Numbered 54-2008. **Carried.**

Resolution # 21

Moved by P. Way - Seconded by J. Aultman

Resolved that leave be given to introduce a by-law to amend By-law 69-2004, as amended, with respect to Concession 1, Part Lot 12 by rezoning from Rural (RU) zone to Rural Exception to reduce minimum side yard requirements and it be given the necessary readings and be passed and Numbered 55-2008. **Carried.**

17. **Late Submissions**

All matters read, received and dealt with.

17.1 **Headwaters Healthy Wetlands Project**

Wetland workshop for municipalities - Friday, June 27/08 - 11: a.m. to 3:00 p.m. Alma Community Centre

17.2 **Township of East Luther Grand Valley**

Zoning By-law 2008-10 / Rezoning Application Z13/07 - Windrush, Ashton Ridge Wind Farm, Grand Valley, Ontario

Notice to provide outstanding concerns & issues by July 2/08 for consideration
Dealt with under Item # 11 - Planning Matters

- 17.3 **Marblemedia Adrenaline 2 Inc.**
Filming Agreement

Agreement reviewed, and will be amended to reflect correct parties. Letter of Credit required, and no work is to proceed until agreement is signed.

- 17.4 **Robert Burnside - CTC Source Water Protection Committee**
Invitation to a briefing on Terms of Reference under Clean Water Act = June 24/08 at 12:00 noon to 2:00 p.m. - Orangeville Public Library

Councillor Way to attend the Source Water Protection meeting.

18. **General Accounts and Road Business**

18.1 **Resolution 22**

Moved by J. Aultman - Seconded by B. Cowie

Resolved that General Bills and Accounts in the amount of \$963,423.88, for the period of May 20th, 2008 to June 18th, 2008 be approved for payment. **Carried.**

Resolution 23

Moved by P. Way - Seconded by B. Cowie

Resolved that Road Department Bills and Accounts in the amount of \$77,506.73 for the period of May 21st, 2008 to June 18th, 2008 be approved for payment. **Carried.**

19. **New Business**

Nothing at this time.

20. **Confirming By-law**

Resolution # 24

Moved by P. Way - Seconded by B. Cowie

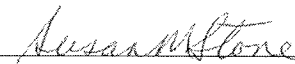
Resolved that leave be given to introduce a by-law to confirm the proceedings of the regular meeting of Council of the Township of Amaranth for June 18, 2008, and that it be given the necessary readings and be passed and Numbered 56-2008. **Carried.**

21. **Adjournment**

Resolution # 25

Moved by J. Aultman - Seconded by P. Way

Resolved that Council do now adjourn to meet again on July 16, 2008 at 10:00 a.m. or at the call of the Mayor. **Carried.**



CLERK



HEAD OF COUNCIL