



TOWNSHIP OF AMARANTH COUNCIL MINUTES Wednesday, September 9, 2009

The Township of Amaranth Council met in the Council Chambers of the municipal office, Laurel, Ontario on September 9, 2009 at 10:00 a.m.

PRESENT:	Mayor	D. Maclver
	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-with notice)

1. OPENING OF MEETING

Mayor Maclver called meeting to order.

2. LATE SUBMISSIONS (to be in the office prior to the meeting)

Resolution # 1

Moved by B. Cowie - Seconded by P. Way

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

Added

1. Town of Orangeville – Application to renew a permit to take water
 2. Ministry of Environment – Notification of application for permit to take water
 3. Source Water Protection Committee of South Georgian Bay Lake Simcoe – Presentation of pollution issues – September 24/09
 4. Grand Valley & District Community Centre Board – Resolution repairs at arena
- Carried.**

3. APPROVAL OF AGENDA

Resolution # 2

Moved by P. Way - Seconded by B. Cowie

Resolved that Council do hereby approve the agenda as amended.
Carried.

4. DISCLOSURE OF PENCUNIARY INTEREST WITH REASONS

Nothing at this time.

5. APPROVAL OF MINUTES

- 5.1. Regular meeting minutes of August 19, 2009

Resolution # 3

Moved by P. Way - Seconded by W. Kolodziechuk

Resolved that Council do hereby approve the minutes of the regular meeting of Council held August 19, 2009, as circulated. **Carried.**

6. PUBLIC QUESTION PERIOD**6.1. 10:00 A.M. TO 10:15 A.M.**

Township resident, Theresa Kidd, enquired as to any further information received from the Ministry of Environment, concerning Canadian Hydro Developers and the wind turbine issues. Staff to provide copy of letter sent to MOE by Thomson Rogers on behalf of the Township and response from CHD, along with copy of the approved minutes; however, no response from MOE as yet.

Township resident, Hans Tijssen, addressed Council with respect to a drainage problem he is experiencing on his property, which he purchased in 1986. He indicated that his property is affected by the Banks Drain, but that his drainage is impaired due to the road culvert, which has buckled. He has contacted the Township Drainage Superintendent, but is not satisfied with the response. Council instructed the matter be forwarded to the Drainage Superintendent at R.J. Burnside & Associates for investigation and report back to Council.

7. DELEGATIONS

Nothing at this time.

8. PUBLIC MEETING

Nothing at this time.

9. UNFINISHED BUSINESS**9.1 PSAB/Asset Management****9.1.1. Update**

Meeting between staff, Township auditor and GIS technician held recently and work continuing.

Councillor **Percy Way** declared **pecuniary interested** on the following item # 9.2 and left the council chambers.

9.2. Ontario Tire Stewardship Program**9.2.1. Update**

Matter discussed and several issues were discussed, such as status of Amaranth landfill site Certificate of Approval, wear and tear on Amaranth roads, participation of other municipalities in the area as a depot centre and other registered depots, etc; also, discussion regarding registered site located on Way property. Township Planner Christine Gervais updated council on the status of the Foreign Express applications, and Way severance, which has expired. Staff have provided input on fencing requirements, and site plan to be provided, including grading and stormwater management, and landscape architect for landscape plan. Staff instructed to provide report from Township engineer and planner with respect to status of the site plan/reports, and to follow up with the applicants with respect to progress, and to have them and Township engineer attend council meeting. Matter deferred pending further information.

Councillor **Percy Way** returned to the council chambers and his seat.

It was agreed that tires will no longer be accepted at Amaranth landfill site and staff will supply list of registered tire depots to residents..

9.3. **Other**

Nothing at this time.

10. **ROAD BUSINESS**

10.1 **Director of Public Works**

10.1.1. Report

Doug Price, Director of Public Works on vacation. Council requested that in the absence of the Director, the Foreman is required to attend and address road matters; therefore, Foreman Ben Ryzebol in attendance at 1:30 p.m. He discussed road matters with council, and it was noted that the pot holes on the Mono-Amaranth Townline have been filled in, and the tree trimming and road sweeping at 7th Line intersection being addressed. Issue with respect to pot hole in Sylvanwood also raised.

10.2. **Landfill Site**

10.2.1. Update

Nothing at this time.

10.3. **Salt/Sand Dome Storage Licence Agreement**

10.3.1. Twp. of Amaranth & County of Dufferin (By-law)

Draft agreement forwarded to County. Matter deferred.

It was also noted that there would be funding announcement ceremony at the works yard on Friday, September 11th at 3:00 p.m. Foreman to attend along with CAO, Mayor, council members, contractor representatives and County.

10.4. **Other**

Nothing at this time.

11. **PLANNING**

The following matters were received / and or dealt with.

11.1. **Consent Application B5-09 – Con. 3, Lot 9, Estate of Donald Greason Larry Melen**

To sever wetland and add to adjacent residential lot (Decision)

Township Planner, Christine Gervais, provided planning report and recommendation, which resulted in the following resolution.

Resolution # 4

Moved by B. Cowie – Seconded by P. Way

Resolved that Consent Application B5-09 by Estate of Donald Greason & Larry Melen – Owner / Applicant, Concession 3, Lot 9, for consent to sever a 1.84 ha. (4.5 ac) parcel of land, for the purpose of a lot addition to adjacent residential lot, Concession 3, W. Pt. Lot 10 be approved.

Reasons:

Conforms to the Official Plan.

Conditions:

Taxes paid in full.

Section 50(3) of the Planning Act shall apply and consolidation of parcels required.

Conservation Authority approval.

Plan of Survey required on severed parcel (paper & digital format).

Consent Agreement to be registered on title on severed and retained parcels.

Consent Agreement to include requirement for fencing around boundaries of severed parcel when required by adjacent landowner (with exception of road frontage)

Road widening required on severed and retained parcels.

Road widening shall be conveyed to the appropriate road authority, in accordance with applicable road authority policies.

If road widening has been obtained at an earlier date, condition would not apply.

Any unregistered road widening to be deeded to the Township or appropriate road authority.

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. **Rezoning Application Z2-09 – 3 St. John Street (Waldemar), Andrea Aloe & Karyn Ristok**

To permit the construction of a detached garage to be located in the front yard, whereas the zoning by-law does not allow accessory buildings to be located closer to the front lot line than the principal building on the lot (Decision)

Township Planner reported that she attended the property and though recommending approval of the application, she also recommends that the garage be a maximum of 100 square metres and in closer proximity to other buildings; also, that the number of buildings be limited to two, which would require the removal of one of the existing sheds.

Planner instructed to contact owners/applicants to discuss conditions and matter deferred until next council meeting.

11.3. **Rezoning Application Z3-09 – Con. 2, Part Lot 9, James Lundy**

Retained parcel to be rezoned to prohibit the construction of new residential buildings and severed parcel to be rezoned to reduce rear yard setback from 20 metres to 15.4 metres (Decision)

Planner, Christine Gervais, provided report and recommendation, which resulted in the following resolutions.

Resolution # 5

Moved by W. Kolodziechuk – Seconded by P. Way

Resolved that Rezoning Application Z3-09 by James Lundy to rezone retained portion pursuant to Consent Application B5-08, Concession 2, Part Lot 9, from Rural (RU) and Environmental Protection (EP) to Rural Exception Twenty (RU-20) and Environmental Protection under Zoning By-law 2-2009, to prohibit residential use and buildings be approved. **Carried.**

Resolution # 6

Moved by W. Koldoziechuk – Seconded by P. Way

Resolved that leave be given to introduce a by-law to rezone Concession 2, Part Lot 9, from Rural (RU) and Environmental Protection (EP) to Rural Exception Twenty (RU-20) and Environmental Protection (EP) under Zoning

By-law 2-2009; and that it be given the necessary readings and be passed and Numbered 45-2009. **Carried.**

Resolution # 7

Moved by J. Aultman – Seconded by P. Way

Resolved that Rezoning Application Z3-09 by James Lundy to rezone the severed portion pursuant to Consent Application B5-08, Concession 2, Part Lot 9, from Rural (RU) and Environmental Protection (EP) to Rural Exception Twenty-One (RU-21) and Environmental Protection under Zoning By-law 2-2009, to allow a minimum rear yard for existing dwelling of 15.4 metres, be approved. **Carried.**

Resolution # 8

Moved by P. Way – Seconded by J. Aultman

Resolved that leave be given to introduce a by-law to rezone Concession 2, Part Lot 9, from Rural (RU) and Environmental Protection (EP) to Rural Exception Twenty-One (RU-21) and Environmental Protection (EP) under Zoning By-law 2-2009; and that it be given the necessary readings and be passed and Numbered 46-2009. **Carried.**

- 11.4. **Canadian Hydro Developers Inc. – Wind Turbines**
- 11.4.1. Paulette Crawley – Daily Reports re: Noise (August 18/09 to September 1/09) and CHD Communications up to August 20/09
- 11.4.2. CHD Amenities Agreement
- 11.4.3. Noise Matters
- 11.4.4. File Closure – ME2009-03-TU / Certificate of Approval Air: 2429-7DZHCV – Melancthon EcoPower Centre

CHD Amenities Agreement term to be determined; matter deferred.

- 11.5. **Bill 150 – Green Energy Act**
- 11.5.1. Draft letter to Dalton McGuinty from Wind Concerns Ontario re: Request for further study regarding the impacts of industrial wind complexes and other renewable installations under Bill 150

- 11.6. **Ontario Municipal Board**
- 11.6.1. Notice of OMB Pre-Hearing Conference – Tuesday, November 3, 2009 – Grand Valley Community Centre, 90 Main St. N. Grand Valley, Ont.

11.7. **Development Updates**

Council received updates with respect to Foreign Express (earlier in meeting); Centurian Homes subdivision regarding park location and size (discussed at last council meeting) and status of Country Meadows.

- 11.8. **Van Harten Surveying Inc.**
- 11.8.1. Request that condition of severance for rezoning be waived re: Consent File # B1-09 & B2-09

Township Planner, Christine Gervais, reported that requirement for rezoning no longer necessary since Zoning Bylaw 46-88 no longer in effect, and the following resolution was passed:.

Resolution # 9

Moved by J. Aultman – Seconded by W. Kolodziechuk

Resolved that Council do hereby approve the request from Van Harten Surveying Inc. that the condition of severance to rezone the property, on Consent Applications B1-09 and B2-09 (Schild) be waived, as Zoning By-law 46-88 no longer in effect. **Carried.**

- 11.9. **Ministry of Municipal Affairs & Housing**
- 11.9.1. Official Plan Amendment No. 3 (OPA3) to the Township of Amaranth Official Plan MMAH File # 22-DP-4050-08010 – No Appeals Filed

- 11.10. **Watermaker Inc.**
- 11.10.1. Letter of Credit

Resolution # 10

Moved by B. Cowie – Seconded by P. Way

Resolved that Council do hereby approve the release of the Letter of Credit for Watermaker Inc. development. **Carried.**

- 11.11. **Other**

- Nothing at this time.

COUNCIL ADJOURNED FOR LUNCH

12. **BY-LAW ENFORCEMENT**

- 12.1. **Other**

- Nothing at this time.

1:50 p.m. Councillor Bill Cowie stated he had to leave the meeting, and excused himself from his seat.

13. **COMMITTEE REPORTS**

The following matters were received and / or dealt with.

- 13.1. **County of Dufferin**
- 13.1.1. Core Guidelines from County – Removal of Giant Hogweed & Fact Sheet From NVCA
- 13.1.2. 2009 Accessibility Training Sessions Members of Council
- 13.1.3. Resolution & Draft By-law – To regulate tow truck operators in Dufferin Cty.

- Draft Towing By-law to be deferred until next meeting of Council.

- 13.2. **Town of Caledon**
- 13.2.1. POA – Cheque
- 13.2.2. Township of Mulmur – Resolution supporting Amaranth’s position on the POA Conducting an efficiency study

- 13.3. **Source Water Protection**
- 13.3.1. Lake Erie Source Protection Region Joint Water Services Technical Group & Planning Directors Group Meeting – Agenda for September 17/09 & Minutes of July 23/09

- Councillor Percy Way and CAO Susan Stone to attend September 17th meeting with respect to enforcement and inspections.

- 13.4. **Police Service Boards**
- 13.4.1. Update (if any)

- 13.5. **Economic Development Committee**
- 13.5.1. Update (if any)
- 13.5.2. Minutes of July 15, 2009

Councillor Aultman reported on the EDC activities and the suggestion that local artwork be displayed in the Township municipal building; also, Canada Day celebrations could include the local artists and their works.

13.6. **Building Maintenance Committee**

13.6.1. Report (if any)

The Building Maintenance Committee meeting time changed from 10:00 a.m. to 2:00 p.m. on September 18, 2009.

13.7. **Grand River Conservation Authority**

13.7.1. Revised Policies for the Administration of the Development, Interference with Wetlands and Alternations to Shorelines & Watercourses Regulation

13.7.2. Open House-September 2/09 @ Elora Community Centre from 5:30 p.m. to 8:30 p.m. re: Drimmie Dam in Elora

13.7.3. General Meeting Agenda – August 28/09

13.8. **Credit Valley Conservation**

13.8.1. Minutes of August 7/09

13.9. **Nottawasaga Valley Conservation Authority**

13.9.1. Information pkg. for councillors

13.9.2. Low Water Report (Aug. 15/09) – Summary Conditions

13.9.3. Conservation Corner (Aug. 2009) – Septic System

13.10. **Other**

Discussion regarding CDRC project and request for funding from municipalities. Matter deferred and staff instructed to contact Town of Shelburne to discuss payment options and fundraising.

ITEM # 16 – LATE SUBMISSIONS

Late Submission Item #4 – Grand Valley & District Community Centre Board – Resolution Repairs at arena

The following resolution as set forth.

Resolution # 11

Moved by W. Kolodziechuk – Seconded by J. Aultman

Resolved that Council do hereby concur with the resolution dated September 9, 2009, by the Grand Valley & District Community Centre Board with respect to additional repairs to the wall portions of the Grand Valley arena over the dressing rooms, in the amount of \$10,740.00; Amaranth's share being \$3,200.00. **Carried.**

14. **GENERAL BUSINESS AND CORRESPONDENCE**

The following matters were received and / or dealt with.

14.1. **OMA (Ontario Medical Association)**

14.1.1. Menu Board Labeling

14.2. **NDACT (North Dufferin Agricultural & Community Taskforce)**

14.2.1. Request by NDACT to Melancthon Council re: The demolition of homes by The Highland Companies to allow for aggregate extraction

14.3. **YMCA**

14.3.1. Letter from The Highland Companies – First phase of YMCA research Process

14.4. **Upper Grand District School Board**

14.4.1. Renewal of Education Development Charges – Dufferin County

14.5. **Canadian Cancer Society**

14.5.1. Cancer walk – Saturday, October 17, 2009

- 14.6. **Shelburne & District Economic Development Committee**
- 14.6.1. Annual Golf Classic – Thursday, Sept. 17/09 @ 3:00 p.m. / Shelburne Golf & Country Club

- 14.7. **Town of New Tecumseth**
- 14.7.1. Harmonization of Taxes – Resolution

- 14.8. **Ontario Good Roads Association**
- 14.8.1. Harmonized Sales Tax Statement – July 1, 2010

- 14.9. **City of Toronto**
- 14.9.1. Biosolids Master Plan Update – Notice of Public Information

- 14.10. **A.M.O**
- 14.10.1. Safeguarding & sustaining Ontario’s Water Resources (#09-059)
- 14.10.2. Court Decision on Bank Tower Assessment (#09-060)
- 14.10.3. Local Government Week and You
(Booklet on “About Local Government” & “A Kids Guide to Local Government” is available in Clerk’s office)

- 14.11. **Ontario Provincial Police (OPP)**
- 14.11.1. OPP Training Strategy on Accessible Customer Service

- 14.12. **Crime Stoppers & Midland Police Services**
- 14.12.1. Midland Police Service – 11th Annual Crime Stoppers & Police Gala Dinner & Silent Auction – October 17, 2009 at the Brooklea Golf & Country Club, Hwy. 93, Midland

- 14.13. **Hydro One**
- 14.13.1. Great Refrigerator Roundup Program

- 14.14. **Ministry of Municipal Affairs and Housing**
- 14.14.1. Provincial-Municipal Fiscal and Service Delivery Review Update

- 14.15. **Communities Remember – A Gesture of Heritage / Tribute for Lasting**
- 14.15.1. Project to support and remember Canada’s veterans

- 14.16. **Town of Amherstburg**
- 14.16.1. Resolution – MPAC Evaluation of Solar Energy Development

- 14.17. **Ministry of Community and Social Services**
- 14.17.1. Summary of Final Proposed Accessible Information and Communications

- 14.18. **Ministry of Agriculture, Food and Rural Affairs**
- 14.18.1. Premier’s Award for Agri-Food Innovation Excellence

- 14.19. **Government of Ontario**
- 14.19.1. Rural Broadband Gets Boost from Partnership

- 14.20. **Other**
- Nothing at this time.

15. **BY-LAWS**

Nothing at this time.

16. **LATE SUBMISSIONS**

The following matters were received and / or dealt with.

- 16.1. **Town of Orangeville – Application To Renew A Permit To Take Water**
- 16.2. **Ministry of the Environment – Notification Of Application For Permit To Take Water**

- 16.3. **Source Water Protection Committee of South Georgian Bay Lake Simcoe - Presentation of Pollution Issues – September 24/09**
- 16.4. **Grand Valley & District Community Centre Board – Resolution / Repairs at arena**

Dealt with under Item # 13.10 - Other

17. **ACCOUNTS**

17.1. **General Accounts**

Resolution # 12

Moved by W. Kolodziechuk - Seconded by J. Aultman

Resolved that General bills and accounts in the amount of \$ 152,771.75 for the period of August 19, 2009 to September 9, 2009, be approved for payment. **Carried.**

17.2. **Road Accounts**

Resolution # 13

Moved by P. Way - Seconded by J. Aultman

Resolved that Road Department bills and accounts in the amount of \$ 61,857.92 for the period of August 19, 2009 to September 9, 2009, be approved for payment. **Carried.**

17.3. **Recreation Accounts**

Resolution # 14

Moved by J. Aultman - Seconded by W. Kolodziechuk

Resolved that Recreation accounts in the amount of \$1,619.31 for the period of August 19, 2009 to September 9, 2009 be approved for payment. **Carried.**

Recreation Coordinator Kevin Ewen to attend an upcoming meeting of Council to report on recreation activities.

18. **BUDGET REPORTS**

Nothing at this time.

19. **NEW BUSINES**

19.1. **The Maples Independent Country School**

Invitation to attend 20th Anniversary – ceremony, slide show, BBQ on Thursday, September 17/09 @ 2:30 p.m.

The following resolution was set forth.

Resolution # 15

Moved by P. Way – Seconded by J. Aultman

Resolved that Council do hereby extend their congratulations to the Maples Independent Country School on their 20th Anniversary, and are pleased to attend the festivities on September 17th, 2009, and appoint Deputy-Mayor Kolodziechuk to speak to the students and their families on behalf of the Township of Amaranth. **Carried.**

- 19.2. **Ministry of Agriculture, Food & Rural Affairs**
19.2.1. Infrastructure Stimulus Fund – Contribution Agreement between Twp. of Amaranth & Province of Ontario & OMAFRA (by-law)

The following resolution was passed.

Resolution # 16

Moved by J. Aultman – Seconded by P. Way

Resolved that leave be given to introduce a by-law to enter into an agreement between Her Majesty the Queen In Right of Ontario / OMAFRA and The Corporation of the Township of Amaranth, for conditional funding through the Infrastructure Stimulus Fund, for the sand/storage building; And that the Mayor and Clerk be instructed to sign said agreement, and That it be given the necessary readings and be passed and Numbered 47-2009. **Carried.**

- 19.3. **Municipal Drain**
19.3.1. Letter from Township resident

Dealt with under Item # 6 – Question Period

- 19.4. **Hyland Centre Child Care**
19.4.1. Request for assistance in purchasing equipment, materials, toys, etc. for the child care centre

- 19.5. **Other**

Nothing at this time.

20. **CLOSED MEETING**

- 20.1. **Property Matters**
20.2. **Solicitor / Client Privilege Matters**
20.3. **By-law Enforcement Matters Update**
20.4. **Litigation / Potential Litigation**

Resolution # 17 (approximately 3:25 p.m.)

Moved by W. Kolodziechuk – 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. **Carried.**

Resolution # 18 (approximately 4:00 p.m.)

Moved by J. Aultman – Seconded by P. Way

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

21. **CONFIRMING BY-LAW**

Resolution # 19

Moved by W. Kolodziechuk - Seconded by J. Aultman

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 19, 2009; and that it be given the necessary readings and be passed and Numbered 48-2009. **Carried.**

22. **ADJOURNMENT**

4:10 P.M. (approximately)

Resolution # 20

Moved by P. Way - Seconded by J. Aultman

Resolved that Council do now adjourn to meet again on September 23, 2009 at 7:00 p.m. or at the call of the Mayor. **Carried.**

CLERK

HEAD OF COUNCIL