



## TOWNSHIP OF AMARANTH COUNCIL MINUTES

**Wednesday, October 20, 2010**

The Township of Amaranth Council met in the Council Chambers of the municipal office, Laurel, Ontario on October 20, 2010, commencing at 7:00 p.m.

PRESENT:	Mayor	D. MacIver
	Deputy-Mayor	W. Kolodziechuk
	Councillor	J. Aultman
	Councillor	B. Cowie
	CAO/Clerk-Treasurer	S. Stone
	Director of Public Works	D. Price
	Planner	C. Gervais (Planning Matters)
	Deputy-Clerk	C. Doherty (left at 7:15 p.m. due to illness)

**7:00 p.m.**

1. **OPENING OF MEETING**

Mayor MacIver called the meeting to order.

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 the agenda.

Added:

1. Town of Shelburne -  
Notice of Public Meeting - Zoning By-law Amendment (219 First Ave.) -  
Rezone land from Mixed-Use Commercial to Site-Specific Mixed Use  
Commercial Exception - November 8, 2010 @ 7:00 p.m. Council  
Chambers, Shelburne
2. Market Dufferin  
**Carried.**

3. **APPROVAL OF AGENDA**

3.1 **Resolution # 2**

Moved by B. Cowie - Seconded by P. Way

**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 - October 20, 2010

**Resolution # 3**

Moved by J. Aultman - Seconded by W. Kolodziechuk

**Resolved** that Council do hereby approve the minutes of the regular meeting held October 6, 2010 as circulated. **Carried.**

6.  
7:00 p.m. to  
7:15 p.m.

**PUBLIC QUESTION PERIOD**

Paul Thompson questioned council response to his letter of August 13, 2010 regarding taxes. Mayor MacIver indicated that TransAlta have been requested to compensate for lost value; however, no response as yet.

Brad Sawyer addressed Council with respect to a dog kennel proposal, for which he can comply with zoning provisions, but is unable to meet the distance requirements of the Township Kennel Bylaw. It was suggested that he put his request for a variance to the Kennel Bylaw in writing for consideration at a future council meeting.

7.  
7:15 p.m.  
7.1

**DELEGATIONS**

**Glenn Wellings - Wellings Planning Consultants Inc.**

Planning Report - OPA No. 4 - Growth Plan and Greenbelt Plan Conformity

Mr. Wellings was in attendance and recapped the purpose of the Official Plan Amendment, to address the conformity between the Amaranth Official Plan and the Provincial Growth and Greenbelt Plans, being Phase 1 of the Township Official Plan Review process. Discussion included the Westside Commerce Development and delays in receiving comments from the Ministry; along with other issues that were raised and clarified at the Public Meeting such as the Greenbelt boundary, which followed the Credit Valley Conservation watershed, that annexation is not connected in any way to this process, and that further lands for employment and residential are not being designated, though existing designation are being maintained. Township Planner, Christine Gervais, indicated that additional comments received from the Nottawasaga Valley Conservation Authority, whom have no objection.

The following resolutions were set forth.

**Resolution # 4**

Moved by B. Cowie - Seconded by P. Way

**Resolved** that Council do hereby receive and concur with the recommendations of the planning report dated October 13, 2010 from Wellings Planning Consultants Inc. with respect to proposed Official Plan Amendment No. 4 - Growth Plan and Greenbelt Conformity. **Carried.**

**Resolution # 5**

Moved by J. Aultman - Seconded by W. Kolodziechuk

**Resolved** that leave be given to introduce a by-law to adopt Official Plan Amendment No.4 for the Township of Amaranth, and that it be given the necessary readings and be passed and Numbered 44-2010. **Carried.**

7:30 p.m.

7.2

**Franco Ferrara ( Con. 7, W. Pt. Lot 18 & 19)**

Authorization to Release Wildlife Imported into Ontario & Authorization to Train and Trail

Mr. Ferrara, attended, also, Pando Stepanis from Olympus Dog Training Academy, to address Council with respect to activities being conducted on the Ferrara property. Mr. Stepanis indicated that Mr. Ferrara trains his own dogs, and that they do not operate a game farm. Previous discussions with Council, and during Public Meeting process with respect to a rezoning application filed a number of years ago, suggested that Mr. Ferrara was proposing to operate a commercial game farm; however, Mr. Ferrara has now asked the Ministry of Natural Resources to consider the issuance of an Authorization to Release Wildlife Imported into Ontario or Propagated from Stock Imported into Ontario and the Authorization to Train and Trial in the Closed Season, for which he requires Council approval prior to the MNR issuing permits.

Mr. Bruce Horsley, Township resident, was given permission to address Council with respect to this matter, and he indicated his objection to allowing the importation of species of birds that are not native, and noted concerns regarding the impact they might have on livestock and farming operations. Mr. Tony Scavetta, Township resident, also spoke, stating that he has been to the property in question many times and supports Mr. Ferrara's activities.

Council agreed this is an ongoing operation, and appears to be changed from previous proposals, and requested that a letter detailing his operations be provided to the Township. Further discussion resulted in the following resolution.

**Resolution # 6**

Moved by P. Way - Seconded by B. Cowie

**Resolved** that if zoning permits, Council approve the issuance of licenses from Ministry of Natural Resources to Mr. Franco Ferrara for Authorization to Release Wildlife, Authorization to Conduct Field Trials and Training During the Closed Season; Licence to Keep Game Birds in Captivity; and Authorization to Conduct Field Trials and Training During the Closed Season. **Carried.**

8.

**8:00 p.m.****PUBLIC MEETING****Resolution # 7**

Moved by P. Way - Seconded by B. Cowie

**Resolved** that Council do now hold a Public Meeting regarding the following:

1. Temporary Use Bylaw Application Z4-10 - Jeannie & Christian Paradis - Owner  
(Con. 6, W. Pt. Lot 6)  
Propose a temporary use by-law to allow motor vehicle events (known as mud bog competition) on lands zoned Agricultural and Environmental Protection
2. Consent Application B14-10 - Gerald Wheaton - Owner (Con. 4, E. Pt. Lot 1)  
Creation of a new parcel.
3. Consent Application B15-10, B16-10, B17-10 - 1066886 Ontario Inc. - Owner & Ron Mills - Applicant & Agent  
Creations of three (3) new parcels.

**Carried.**

8.1

**Temporary Use Bylaw Application Z4-10 - Paradis, Jeannie & Christian (Owners)**

**Concession 6, West Part Lot 6**

To propose a temporary use by-law to allow motor vehicle events (mud bog competition) on lands zoned Agricultural and Environmental Protection)

Christian and Jeannie Paradis were in attendance.

Township Planner Christine Gervais presented application for a Temporary Use By-law to allow motor vehicle events (known as mud bog competition) on land zoned Agricultural and Environmental Protection. A conceptual plan showing an area of approximately one acre was also presented and discussed.

Township Official Plan designates the property as Agricultural and Environmental Protection.

Under Zoning By-Law 2-2009 the lands are zoned Agricultural (A) and Environmental Protection (EP).

Comments received:

Grand River Conservation Authority - no objection, however recommend that the southern boundary of the subject area be amended to provide a 30 metre setback from the edge of the watercourse (Drain No. 3) which is the Environmental Protection Zone.

Appropriate mitigation measures should be in place to prevent any encroachment in the Environmental Protection zone.

Mr. Paradis addressed Council indicating the smaller bog is within the 30 metre buffer but that they will be able to accommodate the request of the GRCA.

There were no other written comments.

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

Other matters such as insurance and security have been addressed.

8.2 **Consent Application B14-10 - Wheaton, Gerald (Owner)**  
**Concession 4, East Part Lot 1**

Creation of a new parcel

Gerald Wheaton was in attendance, also his daughter, Denise Wheaton.

Township Planner Christine Gervais presented and reviewed application.

The purpose of the application is for the creation of a new parcel, approximately 2 ha. in size; however, it was noted that there are already a number of severed parcels created from the original 100 acre parcel, and that there are only two policies in the Official Plan dealing with severances in the Rural designation, one which allows up to 3 severances from the original 100 acre parcel, and one that deals with infilling, but has specific criteria. Ms. Gervais will be reviewing the policies further and making her report and recommendation accordingly. The Minimum Distance Separation (MDS) does not impact this property.

The Official Plan designates the property as Rural and Environmental Protection and the lands are zoned Rural (RU) and Environmental Protection (EP) under Zoning Bylaw 2-2009.

Comments received:

Grand River Conservation Authority - no objection

Amaranth Township Public Works - no objection, road entrance granted, road widening required on both severed and retained parcels and new culvert to be installed.

There were no other written comments.

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

8.3 **Consent Application B15-10, B16-10, B17-10 - 1066886 Ontario Inc. (Owner)**  
**& Mills, Ron (Applicant/Agent)**

Creation of three new parcels

Ron Mills (Applicant) and John Clark (Owner) were in attendance. Township Planner Christine Gervais presented and reviewed the applications. The purpose of these applications are for the creation of three (3) new parcels. Under Zoning By-law 2-2009 the lands are Rural (RU); however a wetland has been identified by the Nottawasaga Valley Conservation Authority, which is not indicated on the Township mapping. As a result, this may cause an issue with respect to entrance permits being granted. Ms. Gervais indicated that it might be possible to move severance line north to utilize existing driveway, in order to avoid the wetland.

Comments received:

Nottawasaga Valley Conservation Authority - wetland identified therefore recommends deferral of all applications, to allow further discussion on lot line and entrance locations in order to avoid environmental features.

Amaranth Township Public Works - retained parcel has existing road widening, B15-10 has existing road widening and road entrance granted, B16-10 requires road widening and road entrance granted, B17-10 requires road widening and road entrance granted.

Town of Mono - no comment

There were no other written comments.

Council questioned if a re-circulation of the applications would be required.

Also entrance requirements, NVCA mapping of wetlands, relocating lot line, etc. Mr. Mills, on behalf of the owner, indicated the lot line would need to be moved approximately 40 metres, which they would prefer not to do, and would like the applications approved as applied for; however, they will be re-thinking their position.

Mr. Bruce Horsley, Township resident remarked that the wetland referred to by the NVCA is a very small section and he would not object to moving the lot line, and does not feel a re-circulation of the application would be necessary. He did note, however, that there may be sight line concerns, also that the wetland does not appear to connect to other wetlands. He also noted that the application indicated the barn across the road was a dairy barn, when it is actually a beef barn, and he provided written request for copy of the Decision.

Ron Mills stated that Mr. Clark, who is a builder and purchased the property for the purpose of building lots, thought they acquired lands without any wetlands identified. They recently met with the NVCA and it now appears this may be part of a Provincially Significant Wetlands. Mr. Mills also suggested that they might make the north lot slightly deeper to include the entire wetland identified there. Council noted that re-circulation may be required, if there are significant changes to be made; however, the other applications that do not require amendment can proceed. There were no other members of the public in attendance to support or oppose the applications.

### **Resolution # 8**

Moved by B. Cowie - Seconded by P. Way

**Resolved** that Council do now adjourn Public Meeting and resume regular business. **Carried.**

**The following was brought forward on the agenda and dealt with at this time.**

### **ITEM # 20**

### **CLOSED MEETING**

### **Resolution # 9**

(approximately 9:00 p.m.)

Moved by P. Way - Seconded by B. Cowie

**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

Advice that is subject to solicitor-client privilege

**Carried.**

**Resolution # 10** (approximately 9:50 p.m.)

Moved by W. Kolodziechuk - Seconded by J. Aultman

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

Staff instructed in accordance with Closed Meeting discussions and the following resolutions were set forth.

**Resolution # 11**

Moved by W. Kolodziechuk - Seconded by J. Aultman

**Resolved** that Township staff, together with the Township solicitor, take all steps, including litigation if necessary, to secure reimbursement of the expenses incurred by the Township in the approval of the Hamount/Valleygrove subdivisions. **Carried.**

**Resolution # 12**

Moved by P. Way - Seconded by B. Cowie

**Resolved** that leave be given to introduce a by-law to authorize the execution of a Letter of Intent regarding the Township of Amaranth Landfill Site, and that it be given the necessary readings and be passed and Numbered 45-2010. **Carried.**

<u>Recorded Vote:</u>	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>
Deputy-Mayor Walter Kolodziechuk	x		
Councillor Jane Aultman	x		
Councillor William Cowie	x		
Councillor Percy Way	x		
Mayor Don MacIver	x		

9. **UNFINISHED BUSINESS**

The following matters were received and/or dealt with.

9.1 **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

October 20, 2010

Director Doug Price reported on various matters. Staff to consult with Town of Mono with respect to a no truck route on the Mono-Amaranth Townline, also four way stop at 15 Sideroad and Mono-Amaranth Townline, due to resident concerns.

10.2 **Landfill Site**  
10.2.1 Update

Nothing at this time.

10.3 **Other** - nothing at this time.

11. **PLANNING**

The following matters were received and/or dealt with:

11.1 **Alternative Energy**

11.1.1 Paulette Crawley

Daily Noise Reports re: October 3, October 5, October 13,

11.1.2 Trans Alta & P. Crawley - Call Log/Noise Reduction Program

11.1.3 Letter to Ministry of Energy re: Whittington Wind Farm Project & Farm Owned Power (Melancthon) Wind Farm

11.1.4 wpd Canada & Stantec Consulting Ltd. - Whittington Wind Project Public Open House - information material

Township Planner reported on the Public Open House for the Whittington Wind Project, held October 12, 2010 at the Orangeville Fairgrounds. This open house was hosted by the proponents, wpd Canada, who were available to discuss and answer any questions about the project.

Council also attended the open house and noted that until such time as noise and vibration issues are solved, and real estate values are stable, they are not in favour of this project proceeding. Deputy-Mayor Kolodziechuk stated he has also experienced the vibration issue at his own home on two separate occasions and understands the public's concerns.

11.1.5 Municipal World Magazine - October 2010 Article - Can municipalities regain power over renewable energy projects

Councillor Cowie referred to article in magazine, suggesting health issues could also be a County matter.

11.2 **Amaranth Country Estates Inc.**

11.2.1 Subdivision Agreement

Township Planner Christine Gervais confirmed the following with Council:

Street name is Country Meadows Drive

Park name is Country Meadows Park

Entrance marker at each end to be addressed in the Subdivision Agreement.

Mayor questioned ponding at the back of the Amaranth County Estates property, which is impacting on Devonleigh Subdivision. Director of Public Works to look into this matter.

The following resolution was set forth.

**Resolution # 13**

Moved by J. Aultman - Seconded by W. Kolodziechuk

**Resolved** that leave be given to introduce a by-law to authorize the Township of

October 20, 2010

Amaranth to enter into a Subdivision Agreement with Amaranth Country Estates Inc., and that it be given the necessary readings and be passed and Numbered 46-2010. **Carried.**

11.3 **Development Updates**

Nothing at this time.

11.4 **Other**

**The following was brought forward on the agenda and dealt with at this time.**

**ITEM # 16**

**LATE SUBMISSIONS**

1. **Town of Shelburne - Notice of Public Meeting - Zoning By-law Amendment** (219 First Ave)  
Rezone land from Mixed-Use Commercial to Site-Specific Mixed-Use Commercial Exception - November 8, 2010 @ 7:00 p.m. Council Chambers, Shelburne

Township Planner reported there are no concerns with respect to this matter.

12. **BY-LAW ENFORCEMENT**

12.1 **Other**

Nothing at this time.

13. **COMMITTEE REPORTS**

All matters read, received and/or dealt with.

13.1 **County of Dufferin**

13.1.1 Agenda - October 14, 2010 & Minutes - September 9, 2010

13.1.2 Addendum to meeting for October 14, 2010

13.2 **Town of Caledon POA**

13.2.1 Cheque for month of August 2010 (\$2,048.00)

13.2.2 Agenda dated October 15, 2010 (to be rescheduled to November 5, 2010 @ 9:30 a.m. and Minutes of May 28, 2010

13.3 **Source Water Protection**

13.3.1 Credit Valley Conservation Source Protection - Minutes of Meeting September 10, 2010

13.3.2 Lake Erie Source Protection - Minutes of Meeting - September 2, 2010

13.4 **Amaranth Economic Development Committee (EDC)**

13.4.1 EDC Breakfast - November 12, 2010 - Registration 7:30 a.m. Breakfast 8:00 a.m. Presentation 8:30 a.m. - Amaranth Banquet Hall

**The following was brought forward on the agenda and dealt with at this time.**

**ITEM # 16**

**LATE SUBMISSIONS**

2. **Market Dufferin**

Council agreed to forward letter of support for the Market Dufferin initiative regarding funding application to OMAFRA.  
No financial commitment is offered by the municipality at this time.

13.5 **Shelburne Economic Development**  
13.5.1 EDC E-Newsletter for September 2010

13.6 **Amaranth Building Committee**  
13.6.1 Update

Picnic tables for new pavilion have been received and are being assembled; funding for the tables is being provided by marblemedia.

13.7 **Police Service Boards**  
13.7.1 Amaranth PSB - 2010 Semi-Annual Contract Policing Cost Summary from January 1, 2010 to June 30, 2010

13.8 **Grand Valley and District Santa Clause Parade Committee**  
13.8.1 Santa Clause Parade - November 27, 2010 - Requesting financial support

The following resolution was set forth.

**Resolution # 14**

Moved by P. Way - Seconded by B. Cowie

**Resolved** that Council do hereby support the Grand Valley and District Santa Claus Parade Committee by way of a financial donation in the amount of \$100.00 towards the Santa Claus parade on November 27, 2010. **Carried.**

13.9 **Shelburne Public Library Board Meeting**  
13.9.1 Minutes of June 15, 2010

Councillor Cowie reported on the Shelburne Library and the possibility of a funding request towards the library parking lot expansion.

13.10 **Grand River Conservation Authority**  
13.10.1 Aggregates Information Session - October 27, 2010 @ 1:30 p.m . Puslinch Community Centre

13.11 **Credit Valley Conservation**  
13.11.1 Board of Director's Meeting - September 10, 2010

13.12 **Nottawasaga Valley Conservation Authority**  
13.12.1 Highlights from Board Meeting - October 8, 2010

Councillor Way reported on the NVCA budget meeting and their hopes of a maximum increase of only 2.36% .  
Council instructed staff to send letter to NVCA recommending a 0% increase due to hardship to our residents and the increases over the past five years.

13.13 **Other**

Nothing at this time.

14. **GENERAL BUSINESS & CORRESPONDENCE**

All matters read, received and dealt with.

14.1 **Crime Stoppers - OPP**

14.1.1 12<sup>th</sup> Annual Crime Stoppers of Simcoe - Dufferin - Muskoka Gala on November 20, 2010 at Casino Rama

14.2 **Ministry of the Environment**

14.2.1 Invitation to join the Transfer of Review Program

14.3 **A.M.O.**

14.3.1 2009 Annual Expenditure Report (Part 1) Index

14.4 **Other**

Nothing at this time.

15. **BY-LAWS**

All matters dealt with earlier in the meeting.

15.1 **Amaranth OPA No. 4** - Bylaw 44-2010 passed.

15.2 **Amaranth Country Estates Subdivision Agreement** - Bylaw 46-2010 passed.

15.3 **Amaranth Landfill Site** - Bylaw 45-2010 passed.

16. **LATE SUBMISSIONS**

All matters read, received and/or dealt with.

16.1 **Town of Shelburne**

Notice of Public Meeting - Zoning By-law Amendment (219 First Ave.) Rezone Land from Mixed-Use Commercial to Site-Specific Mixed Use Commercial Exception - November 8, 2010 @ 7:00 p.m. Council Chambers, Shelburne

Dealt with under Item 11.4 - Planning Matters

16.2 **Market Dufferin**

Dealt with under Item 13.4. - Committee Reports

17. **ACCOUNTS**

17.1 **General Accounts**

**Resolution # 15**

Moved by B. Cowie - Seconded by P. Way

**Resolved** that General Bills and Accounts in the amount of \$1,018,356.45 for the period of September 11<sup>th</sup>, 2010 to October 13<sup>th</sup>, 2010 be approved for payment.

**Carried.**

17.2 **Road Accounts**

**Resolution # 16**

Moved by W. Kolodziechuk - Seconded by J. Aultman

**Resolved** that Road Department Bills and Accounts in the amount of \$232,558.29 for the period of September 11<sup>th</sup>, 2010 to October 13<sup>th</sup>, 2010 be approved for payment. **Carried.**

18. **BUDGET**

Nothing at this time.

19. **NEW BUSINESS**

The following were received and/or dealt with:

19.1 **Other**

Amaranth Christmas Dinner - November 23, 2010 - Amaranth Hall  
Amaranth Park Dedication Fees - It was suggested that consideration to increase these fees be given in next council term.

20. **CLOSED MEETING**

**Dealt with earlier in the meeting, following Item # 8 - Public Meetings**

20.1 Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

20.2 A proposed or pending acquisition or disposition of land by the municipality or local board.

21. **CONFIRMING BY-LAW**21.1 **Resolution # 17**

Moved by P. Way - Seconded by B. Cowie

**Resolved** that leave be given to introduce a by-law to confirm the proceedings of the regular meeting of Council of the Township of Amaranth for October 20, 2010 and that it be given the necessary readings and be passed and Numbered 47-2010. **Carried.**

22. **ADJOURNMENT**22.1 **Resolution # 18**

Moved by B. Cowie - Seconded by P. Way

**Resolved** that Council do now adjourn to meet again November 3, 2010 at 10:00 a.m. for regular meeting, or at the call of the Mayor. **Carried.**

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 CLERK

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 HEAD OF COUNCIL