

The Council of the Township of East Garafraxa held their regular meeting of Council in the Administration Office, Laurel, Ontario on April 25, 2006 at 2:00 p.m. Councillors Guy Gardhouse, Frances Pinkney, and Tom Nevills were present. Mayor Lennox was absent with notice and Deputy Mayor Allen Taylor assumed the chair in his absence. Susan M. Stone, C.A.O./Clerk-Treasurer; and David Menary, Director of Public Works, were also in attendance.

## OPENING OF MEETING

Deputy Mayor Taylor brought the meeting to order.

### 1. AGENDA

- a. Approval of Agenda.
- b. Motion to approve items to be added to the agenda carried.

### 2. MINUTES

- a. Council Minutes - motion to approve April 11, 2006 minutes as circulated.
- b. Business arising from minutes - none at this time.

### 3. DISCLOSURE OF PECUNIARY INTEREST WITH REASONS

Can be declared now or at anytime during the meeting. No disclosures at this time.

### 4. DELEGATIONS AND PUBLIC MEETINGS

- a. Michael Joaquin, 11<sup>th</sup> line attended to discuss the entrance to his property. The 40 km. speed limit has not resolved the safety issues, and he questioned the original approval of the entrance. He understands that the road work will be done in the future, but in the meantime he would like to relocate the driveway and requested the Township's assistance with the cost. Dave Menary, Director of Public Works stated that cutting the hill does not resolve the driveway issue. He suggested moving the driveway to the north which could be done when roadwork takes place in 2007 or 2008, and fill would be available. However, Mr. Joaquin indicated he would like to proceed with relocation sooner than that. Council indicated that the driveway was in existence many years ago, likely before sight lines were identified, that the relocation of the driveway would not be compensated by the Township; however, Director of Public Works will work with Mr. Joaquin to assist in the best location and method of relocating the driveway, and providing fill if available. Mr. Joaquin also stated that police presence is a waste of resources; however Council questioned if a Road Watch programme would be effective in this location, and will follow up.
- b. Public Meetings were held for the following applications:
  - i) Rezoning Application Z2/06 by 2040771 Ontario Ltd./Brent Hollenbeck, to rezone Concession B, East Part Lot 6 from Rural (RU) to Highway Commercial Exception (CH-5) to include a Workshop in addition to the CH permitted uses listed in Section 4.7.1 of the Zoning By-Law 60-2004, per condition of Consent Application B3/05. The applicant was in attendance. Mr. Lubja, neighbouring landowner and his son were also present. Planning Report, PAC minutes of April 25, 2006, and County comments received. Mr. Lubja questioned the entrance location, which has been moved to the east. The applicant explained that this location is preferred due to lower elevation and better drainage, and has been approved by the County Engineer. It was noted that this also places the driveway further away from the residential lot to the west. Mr. Lubja also questioned the proposed septic, which is now to be located in the front, and the location of the well. Mr. Hollenbeck indicated that the well driller identified the well at the rear corner of the proposed building and that it was therefore logical to move the septic to the front. Mr. Lubja Jr. questioned the grading, which will be addressed through site plan. Mr. Lubja requested that he be notified whenever the site plan is discussed by Council. There were no other members of the public present to support or oppose the application, and there were no written objections. Motion to approve and Bylaw 16-2006 passed.
  - ii) Rezoning Application Z3/06 by 2040771 Ontario Ltd./Brent Hollenbeck, to rezone Concession B, East Part Lot 6 from Rural (RU) to Highway Commercial. Mr. Lubja, neighbouring landowner and his son were also present. Planning Report, PAC minutes of April 25, 2006, and County comments were received. Planning recommendation is for Holding designation pending site plan agreement in the future. Existing well on property also questioned by Council, which does not currently meet MOE specifications. There were no other members of the public present to support or oppose the applications and there were no written objections. Motion to defer pending well modifications in accordance with MOE regulations carried.

- iii) Rezoning Application Z4/06 by Elegant View Homes to Rezone Plan 7M15 Lot 85 (48 Brookhaven Crescent) from Estate Residential and Environmental Protection to Estate Residential Exception (ER-10) and Environmental Protection under By-Law 60-2004 to allow proposed residential dwelling with a reduced front and rear yard. The applicants were in attendance. Planning Report, PAC minutes of April 25, 2006, CVC comments stating no objection to proposed building envelope, notwithstanding the 30 metre from wetland requirement of the Township zoning bylaw, were received. The situation regarding the EP lands and the 30 metre setback from wetlands with respect to adjacent parcel also owned by applicants was raised, and recommendation that applicants should talk to CVC regarding suitable building envelope. There were no other members of the public present to support or oppose the application, and there were no written objections. Motion to approve, and Bylaw 17-2006 were passed.
- iv) Rezoning Application Z5/06 by Ron Pachnosky and Della Thomson to rezone Concession 14, West Part Lot 5 as a condition of Consent Application B2/06 from Rural (RU) to Hamlet Residential (HR) to permit a residential dwelling. The applicants were in attendance, with Mr. Adrian Maes, Van Harten Surveying. Planning Report, PAC minutes of April 25, 2006, and GRCA comments were received. Planning recommendation to approve zoning bylaw, noting that the site plan will be approved at a future date. Discussion ensued regarding the access onto 13<sup>th</sup> Line, which will have a 1 foot reserve to restrict access to the 13<sup>th</sup> in the future when a plan of subdivision approved on the subject lands, with an internal road pattern. There were no other members of the public in attendance to support or oppose the application and there were no written objections. Motion to approve and Bylaw 15-2006 passed.
- c. Rogers Tower Public Meeting scheduled for 5:00 p.m. Proponents did not attend, reasons unknown. There were 2 members of the public who attended. Barb Taylor of East Luther Grand Valley questioned why Rogers would not be discussing co-location of their equipment with the Telus tower proposed for her property just north of the proposed site for Rogers. Council indicated that they have not been made aware of the Telus tower, and have no knowledge of whether the Township of East Luther Grand Valley are aware and whether they would be requiring any public meetings, but that there have now been two public meetings with respect to the Rogers tower, which consultation has resulted in the tower being relocated to the Co-Op property in accordance with Council's and the residents' request, therefore no further consideration necessary. Joost Heersche also attended (late arrival) and indicated his satisfaction with the relocation of the tower, also questioned if lights will be shielded, and why co-location of the proposed Telus tower in East Luther Grand Valley was not investigated. It was noted that all the comments will be forwarded to Rogers, and to the Township of East Luther Grand Valley, for their information.

## 5. UNFINISHED BUSINESS

The following matters were received:

- a. Marsville Water System - Notice of Public Meeting to present proposed 2006 water rates was received. Meeting to be held May 9, 2006 at 7:00 p.m. at the Marsville Community Hall
- b. 2006 Draft budget was reviewed and revisions are to be prepared for May 9, 2006 Council meeting in Laurel for further consideration.
- c. Other - Nothing at this time.

## 6. COUNTY COUNCIL BUSINESS

The following items were received:

- a. Town of Mono re Assumption of Total Waste Stream
- b. County Council Agenda April 13, 2006 and Addendum received. Councillor Gardhouse commented on the decision by the County not to reimburse the Grand Valley Fire Board for meetings held concerning the Ambulance Station. A new location has been chosen for the station, south of the Grand Valley Community Centre.
- c. Mandatory Emergency Numbering By-Law 2006-20.
- d. Other - Nothing at this time.

## 7. COMMITTEES

The following items were received:

- a. Grand River Conservation Authority
  - i) County of Brant re levy

- ii) GRCA Minutes April 2006
- iii) March April Issue of Grand Actions
- iv) 2006 Levy Appeal was discussed. A tentative dates for meeting with GRCA are May 9, 18, and 23. Staff to advise GRCA that Mayor Lennox, Deputy-Mayor Taylor, Councillor Tom Nevills and CAO will attend May 18, 2006. Councillor Nevills will prepare a report and staff was instructed to contact the City of Hamilton regarding their appeal.
- b. CVC March 10 Board of Directors' Meeting Minutes
- c. Chamber of Commerce - News and Views
- d. Other - Orangeville Fire Department 2006 budget was discussed by Councillor Nevills. Significant increase of \$18,000. For 2006 for East Garafraxa's share. Overall budget increase of 16% and additional 10% due to assessment growth in the fire area. Councillor Nevills noted that they had a \$100,000. shortfall from 2005 to pick up in 2006, which contributed to the overall increase.

#### 8. **ROADS DEPARTMENT:**

- a. Trevor Lewis, County Engineer indicated that Jake Brake Signs have been erected on County Road 24 but they should refer to noise by-law. Mr. Lewis is to be contacted.
- b. Universal Sand and Gravel to be contacted to attend the next meeting of Council to discuss status of construction.
- c. Burnsidre re Township Pit Expansion was received.
- d. Other
  - i) Red Oak tree provided by the County of Dufferin 125 committee to be planted at Orton Church property rather than the park.
  - ii) The Orton Park elevation should be raised and discussion regarding doing at time of 11<sup>th</sup> line road reconstruction .

#### 9. **PLANNING AND BY-LAW ENFORCEMENT MATTERS:**

The following items were received:

- a. Planning Advisory Committee April 20, 2006 Minutes
- b. Planning Reports re
  - i. Z2/06 (Hollenbeck)
  - ii. Z3/06 (Hollenbeck)
  - iii. Z4/06 (Elegant View Homes)
  - iv. Z5/06 (Pachnosky/Thomson)
- c. Grey Association for Better Planning - newsletter
- d. Notice of Adoption of Official Plan Amendment - Town of Erin
- e. AIM PowerGen Corp.(Wind) - Public Meeting April 25, 2006 - 7:00 p.m. Grand Valley
- f. Century Wood - Proposed Amendment to Site Plan - C of A application required, and applicants to attend a council meeting, and neighbouring residents to be notified accordingly.
- g. Site Plan Approval - Application and Procedures/Requirements - Draft - motion to adopt.
- h. Nutrient Management - 2006 Municipal Information Session - Presentation and Highlights
- i. Other - Building erected on West Part Lot 9, Concession 15 (added item) questioned. Staff to follow up with building permit process. Also Bill 51, which has received first reading, discussed, which apparently contains provisions that would remove municipal approval of wind turbines, and replace with EA process.

#### 10. **CORRESPONDENCE**

The following items were received:

- a. Township of King re Canada Post and Rural Mail Boxes
- b. Township of Adjala Tosorontio - re Conservation Authorities - resolution for next meeting.
- c. Minister Responsible for Seniors - World Elder Abuse Awareness Day
- d. Ministry of Citizenship and Immigration - Lincoln M. Alexander Award
- e. Township of South Algonquin re Current Value Assessment
- f. AMO Alert re Federal Gas Tax Implementation
- g. MPAC - Update
- h. Assessment Review Board re ARB Streaming Strategy for Tax Applications, Appeals and Complaints Filed Under Municipal Act, 2001
- i. Other - Trillium Renewables Inc. - Data Monitoring Tower - (added item) - received.
  - COMRIF funding - approval for 3 bridges (added item) - received.
  - Allograph re Garafraxa Woods Entrance Marker (added item) - discussion regarding logo for stone, also deposit of 50% previously paid. Staff to contact for pick up and engraving.

The base will need to be engineered.

11. **BILLS AND ACCOUNTS**

- a. Roads and General - motion to approve.

12. **BY-LAWS**

- a. Confirming - Bylaw number 18-2006 passed.  
b. Other(s) - Dealt with under Public Meetings.

13. **LEGAL, PROPERTY and PERSONNEL**

- a. Property Matters  
b. Legal Matters  
c. Personnel Matters

No In Camera session held.

14. **NEW BUSINESS**

- a. Crime Stoppers request for funding (added item) - motion to approve \$500.00.  
b. Trillium

15. **BULLETINS AND INFORMATION**

- a. OPP Media Releases  
b. AMO  
i) Several Announcements Related to Energy  
c. Other

**RESOLUTIONS:**

**MOVED BY GARDHOUSE, SECONDED BY PINKNEY**

THAT the minutes of the Council Meeting held April 11, 2006 be adopted as circulated.

**CARRIED.**

**MOVED BY GARDHOUSE, SECONDED BY PINKNEY**

THAT THE AGENDA BE AMENDED BY ADDING/DELETING THE FOLLOWING:

DELETED:

ADDED:

1. Crime Stoppers request for funding and Police Service Board resolution.
2. Trillium Renewables Inc. Data Monitoring Tower
3. Building Permit Application Concession 15 West Part Lot 9
4. COMRIF Funding
5. Allograph re Garafraxa Woods Entrance Marker

**CARRIED.**

**MOVED BY GARDHOUSE, SECONDED BY PINKNEY**

THAT Rezoning Application Z5/06 by Ron Pachnoskky/Della Thomson to rezone Concession 14, part West Part 5 from Rural to Hamlet Residential (HR) be approved subject to site plan agreement. **CARRIED.**

**MOVED BY NEVILLS, SECONDED BY PINKNEY**

THAT leave be given to introduce a By-Law to amend By-Law 60-2004 as amended by rezoning part West Part 5, Concession 14 from Rural (RU) to Hamlet Residential subject to site plan agreement and that it be given the necessary readings and be passed and numbered 15-2006. **CARRIED.**

**MOVED BY NEVILLS, SECONDED BY GARDHOUSE**

THAT Rezoning Application Z2/06 by 2040771 Ontario Inc./Brent Hollenbeck, to rezone Concession B, East Part Lot 6 from Rural to Highway Commercial Exception Five (CH-5) to permit a workshop be approved,

subject to site plan.

**CARRIED.**

**MOVED BY PINKNEY, SECONDED BY GARDHOUSE**

THAT leave be given to introduce a by-law to amend By-Law 60-2004 as amended by rezoning part East Part Lot 6, Concession B from Rural (RU) to Highway Commercial Exception Five (CH-5) to permit a workshop in addition to the permitted Highway Commercial provisions, subject to site plan agreement and that it be given the necessary readings and be passed and numbered 16-2006.

**CARRIED.**

**MOVED BY GARDHOUSE, SECONDED BY PINKNEY**

THAT Rezoning Application Z3/06 by 2040771 Ontario Inc./Brent Hollenbeck to rezone Concession B, part East Part Lot 6, from Rural to Highway Commercial - Holding (CH-H) be deferred, subject to retrofitting existing well, to meet Provincial standards.

**CARRIED.**

**MOVED BY NEVILLS, SECONDED BY TAYLOR**

THAT Rezoning Application Z4/06 by Elegantview Homes to Rezone Plan 7M15, Lot 85 (48 Brookhaven) from estate Residential (ER) to Estate Residential Exception Ten (ER-10) by reducing the front and rear yard requirements, notwithstanding Section 3.25.6 requirement for all buildings and structures to be 30 metres from the edge of a wetland be approved.

**CARRIED.**

**MOVED BY PINKNEY, SECONDED BY GARDHOUSE**

THAT leave be given to introduce a by-law to amend By-Law 60-2004 as amended by rezoning Plan 7M15, Lot 85 from Estate Residential (ER) to Estate Residential Exception Ten (ER-10) and that it be given the necessary readings and be passed and numbered 17-2006.

**CARRIED.**

**MOVED BY GARDHOUSE, SECONDED BY PINKNEY**

THAT Council of the Township of East Garafraxa do hereby adopt the procedures for Site Plan Approval and requirements as presented.

**CARRIED.**

**MOVED BY GARDHOUSE, SECONDED BY PINKNEY**

THAT Bills and Accounts in the amount of:

Roads	\$33,395.07	
General	\$72,442.48	be paid.

**CARRIED.**

**MOVED BY NEVILLS, SECONDED BY GARDHOUSE**

THAT Council approve donation of \$500.00 to Crime Stoppers for 2006.

**CARRIED.**

**MOVED BY PINKNEY, SECONDED BY GARDHOUSE**

THAT leave be given to introduce a by-law to confirm the proceedings of the April 25, 2006 meeting of the Council of the Township of East Garafraxa, and that it be given the necessary readings and be passed and numbered 18-2006.

**CARRIED.**

**MOVED BY NEVILLS, SECONDED BY TAYLOR**

THAT Council hereby adjourn to meet again Tuesday, May 9, 2006 at 2:00 p.m. Administration Office, Laurel or at the call of the Mayor.

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HEAD OF COUNCIL

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CLERK