

The Council of the Township of East Garafraxa held their regular meeting of council at the Administration Office, Laurel at 2:00 p.m. on April 13, 2010. Councillors Tom Nevills, Allan Boynton, Fran Pinkney and Deputy Mayor Guy Gardhouse were in attendance, with Mayor Allen Taylor presiding. Susan M. Stone, CAO/Clerk-Treasurer; Karen Canivet Deputy-Clerk; Christine Gervais, Planner (for planning matters) and David Menary, Director of Public Works were also in attendance.

OPENING OF MEETING

Mayor Taylor called the meeting to order.

1 AGENDA

- 1.1 Added items: The following were received and/or dealt with:
 - 1.1.1 Solar Agreement
 - 1.1.2 Sylvia Jones introduces Bill re Local Say in Wind Energy Projects

2 MINUTES

- 2.1 Council Minutes March 23, 2010 approved as circulated.
- 2.2 Business Arising from Minutes - none at this time.

3 DISCLOSURE OF PECUNIARY INTEREST WITH REASONS

Can be declared at any time during the meeting. None declared at this time.

4 DELEGATIONS

- 4.1 Lorrie Minshall, Dale Murray, Greg Zwiers and Dave Hopkins of Lake Erie Source Water Protection Committee, attended to present two reports; Burnside Vulnerability Analysis, Issues Evaluation and Threats Assessment (Draft) and Golder Associates Draft Report on Grand Valley, Waldemar and Marsville Municipal Wells - Groundwater Model and Capture Zone Development, and to request that Council release these reports to the Source Water Protection Committee. The reports identify potential risks within the 100 metre and 2 year travel zones around the Marsville Municipal Well, and once the reports are released by Council a public meeting will be held. Twelve possible significant threats have been identified, though still require confirmation, and time lines for final reports contingent on direction from Council to release reports. Discussion ensued regarding funding available in 2 year zone with 100% funding for identified threats under GRCA Upper Grand Restoration Fund. Deadline to MOE of final reports to be extended to October, 2010, and Source Water Protection Plans to deal with significant threats to be in draft by end of 2011. They will be advising those impacted as well as those who may be conducting activities that may be a significant risk, and encourage attendance at the public meeting. Concerns regarding the method of contacting residents and identification of specific risks also discussed. Brochures regarding grant information provided. The Committee will develop the Plans in conjunction with the municipalities as there are planning implications, also administration and enforcement will become municipal responsibility, and planning documents will have to conform.

5 PUBLIC MEETINGS

Public Meetings were held for the following applications:

- 5.1 Consent Application B1/10 and B2/10 by Ron Pachnosky and Della Thomson, Concession 14 West Part Lot 5. The applicants and their agent, Adrian Maes, Van Harten Surveying, were in attendance. There were no other members of the public present to support or oppose the application. Christine Gervais, Township Planner, provided planning report, indicating that the matter had been reviewed at the Planning Advisory Committee meeting held March 31st and that a member of the public had voiced concern about setbacks to existing industrial use, number of severances, future development, and creation of a land locked situation; also letter from neighbouring landowner, Jabac Holdings Inc., noted concerns with lot size and impact on future development. However, Ms. Gervais noted that specific setbacks are only applicable to new industrial/employment uses, that the restriction on the number of severances does not apply to community development, and that the proposed lots do not impede future development or create a land locked parcel. PAC had recommended approval, also GRCA had no objections to the severances but had requested that the existing wetland be located within the parcel being created by Consent Application B2/10 and the plans have been amended accordingly. The severances conform with the

Provincial Policy Statement, Township Official Plan and Zoning Bylaw 60-2004, and Minimum Distance Separation calculations indicate no impact on the proposed severances, and Ms. Gervais recommended approval subject to normal conditions imposed by Township; also that .3 metre reserve be lifted for driveway access only, for the severed parcel created by B2/10 and for the retained parcel. There is an existing driveway located on parcel created by B1/10. Motion to approve.

- 5.2 Consent Application B3/10 by Wayne Baguley. Mr. Baguley in attendance. Christine Gervais, Township Planner, presented planning report, describing the proposed severance, which conforms to the Provincial Policy Statement and Township Official Plan; however will require rezoning under Zoning Bylaw 60-2004, to Hamlet Residential, and to address lot frontage deficiency. Minimum Distance Separation calculations indicate adequate building site location available. Credit Valley Conservation Authority, owners of land in Town of Erin within the circulation distance, indicated no objections. Grand River Conservation Authority no objection; however commented that they don't want fragmentation of the Provincially Significant Wetlands and require that an EIS be prepared, and site visit to determine the boundary of the wetland. Ms. Gervais indicated that it might be preferable to adjust the frontage of the proposed lot to 20 metres, which removes the severed parcel from the Provincially Significant Wetland, and would still provide enough area for a driveway, and the north property line would be adjusted to provide the minimum lot size of 1 ha. Township Public Works department comments indicate concern with respect to sight lines along the Townline, and specified that the driveway to be located 30 feet east of the adjacent property. It was noted that the application had been reviewed at the Planning Advisory Committee meeting held March 31st, and that public in attendance had commented on the EP area, which had been delineated in 2004 so why would further analysis be required; proposed driveway lower than the road so fill required which may result in drainage issues for adjacent parcel; boundary concerns; sight line constraints and location of driveway. PAC had recommended that the frontage of the proposed lot be 60 metres in accordance with Township Zoning Bylaw 60-2004; and that an engineered drainage plan be required. Township Planner recommended approval subject to conditions including rezoning and reduced frontage, and EIS to be approved by GRCA. Discussion ensued, and application deferred pending GRCA site visit to determine wetland boundary and confirmation of suitable access from Townline. Mr. Baguley indicated that he would like approval now as he is dealing with another property matter involving Hydro One, and that EIS already conducted by them should be satisfactory, and also noted that he preferred larger frontage, to which Council not opposed. There were no other members of the public present to support or oppose the application. Motion to defer.

6 UNFINISHED BUSINESS

- 6.1 PSAB/AMP update provided. Auditors coming to conduct PSAB audit and finalization of PSAB report forthcoming. Temporary staff position contingent on audit process and further requirements on staff related to PSAB.
- 6.2 New Municipal Facility Update
Discussion regarding process to retain an architect and County Request for Proposal document provided at previous meeting. Staff to obtain estimates from architects and further meeting with architect to occur. Joint Administration Agreement with Township of Amaranth and chart with respect to shared costs provided.
- 6.3 Other - Nothing at this time.

7 COUNTY COUNCIL BUSINESS

The following were received and/or dealt with and Mayor Taylor reported on County Council as follows:

- 7.1 County Council Agenda April 8, 2010
- 7.1.1 Minutes March 11, 2010
- 7.1.2 Ivan Solomon re Highlands Rail Line
- 7.2 Other
- 7.2.1 Mayor Taylor reported that proposed 50% increase to Building Department Fees has been deferred. Discussion regarding status of reserves.
- 7.2.2 Discussion regarding economics of composting and further clarification required. Discussion regarding possibility of changing contract with Sandhill to utilize same truck as compost. Sandhill to be contacted to ascertain opportunity to amend contract and any cost savings, and to attend future meeting.

8 ROADS DEPARTMENT

The following were received and/or dealt with:

- 8.1 Director of Public works report
- 8.2 Storage System Dome Report - Storage Dome built in 1987 and engineering report from Storage Systems Construction Corp. dated March 30, 2010 indicates the need for structural work in addition to replacing the shingles, and provided estimate of \$40,000. in total. Discussion ensued regarding sole sourcing, as the work requires engineering approval, and motion passed to proceed.
- 8.3 Gravel Pit - CVC Comments - Credit Valley Conservation comments received March 30, 2010, which requires additional monitoring wells; therefore on site meeting scheduled for April 14th, to include Director of Public Works, Township Engineer, and CVC staff.
- 8.4 Street Light Discussions - Report from CID Powerline provided and received.
- 8.5 AORS re OGRA
- 8.6 Other
- 8.6.1 Discussion regarding report of ORICA truck using East Garafraxa 9th Line fully loaded. Director of Public Works to follow up regarding designated haul route, and to post signs.

9 PLANNING AND BY-LAW ENFORCEMENT MATTERS

The following was received and/or dealt with:

- 9.1 Site Plan Agreement Amendment - Concession 16 East Part Lot 12 - further building for commercial storage requires amendment to existing site plan agreement, to be circulated to Orangeville Fire Department, etc. Motion to approve.
- 9.2 Planning Advisory Draft Minutes March 31, 2010
- 9.3 PAC Report B1/10 and B2/10 - Adrian Maes / Ron Pachnosky & Della Thomson
- 9.3.1 Council Report B1/10 and B2/10
- 9.3.2 PAC Report B3/10 - Wayne Baguley
- 9.3.3 Council Report B3/10
- 9.4 WIND MATTERS
- 9.4.1 Correspondence re Belwood Wind Project - 11 documents received.
- 9.4.2 Guelph Mercury articles
- 9.4.3 Township of Melancthon re Moratorium on Wind projects
- 9.4.4 Huber and Heersche to Invenergy
- 9.4.5 OPA Feed-In Tariff Backgrounder
- 9.4.5.1 Contracts and map (at meeting)
- 9.5 Town of Orangeville Planning Application - no concerns
- 9.6 Hydro One
- 9.6.1 Open Houses
- 9.6.2 Connection Newsletter
- 9.6.3 Other
- 9.6.4 Township Planner indicated that Jabac Holdings Inc. has discussed possible development opportunities in Marsville for residential development.
- 9.6.5 Official Plan Review Public Meeting scheduled for May 25, 2010 in Marsville. Council requested an information report prior to the meeting and as hand out at the meeting.
- 9.6.6 Nature's Landing West will be developed in accordance with previous plans by two developers and staff/developer meeting was held to determine outstanding matters and moving development forward.
- 9.6.7 Township of Mulmur new Official Plan, which is at the Ministry for approval, discussed, and Township Planner to review regarding enhancement of scenic value/rural character policies.

10 COMMITTEES

The following were received and/or dealt with:

- 10.1 Grand Valley and District Community Centre Minutes March 8, 2010 - Councillor Boynton indicated that budget meeting held on April 12th and 2010 budget to be forwarded to councils for endorsement.
- 10.2 Grand River Conservation Authority
- 10.2.1 Minutes
- 10.2.2 Flood Information
- 10.2.3 Prescribed burn

- 10.3 Grand Valley and District Fire Board 2010 Budget - Motion to support.
- 10.4 Fergus Recruitment Stakeholders Meeting
- 10.4.1 Agenda March 31
- 10.4.2 Minutes January 14
- 10.5 Other

11 CORRESPONDENCE

The following was received and/or dealt with:

- 11.1 East Garafraxa Central Public School Graduation 2010 - Councillor Boynton to attend.
- 11.2 Shelburne Economic Development Invitation April 22, 2010
- 11.3 AMO Conference registration
- 11.4 Muskoka Lakes resolution re Accessibility
- 11.5 OMAFRA re 2010 Tile Drain Program
- 11.6 Stewardship Ontario - Thinking beyond the box

12 NEW BUSINESS

- 12.1 Tile Drain Application Con 11, West Part Lot 21 - motion to accept.
- 12.2 Other - nothing at this time.

13 BILLS AND ACCOUNTS

- 13.1 General
- 13.2 Roads

Motion to approve accounts passed.

14 BY-LAWS

- 14.1 Road widening By-Law Consent Application B7/03 Concession 11, East Half Lot 13 - Bylaw 11-2010 passed.
- 14.2 Confirming Bylaw 12-2010 passed.

15 LEGAL PROPERTY AND PERSONNEL

- 15.1 Proposed or Pending Acquisition or Disposition of land by the municipality
- 15.2 Personal matters about an Identifiable Individual including Municipal or Local Board Employees
- 15.3 Advice that is subject to Solicitor Client Privilege
- 15.4 Litigation or Potential Litigation

Closed Meeting held and staff instructed accordingly.

16 BULLETINS AND INFORMATION

The following were received and/or dealt with:

- 16.1 Kerfuffle - Combine on Broadway
- 16.2 AMO
- 16.2.1 Budget
- 16.2.2 OMPF
- 16.2.3 How to Hold a Meeting
- 16.2.4 Legislation Update
- 16.2.5 Retirement Homes
- 16.3 Barb White

17 ADJOURNMENT

- 17.1 Motion to adjourn.

RESOLUTIONS:

MOVED BY GARDHOUSE, SECONDED BY PINKNEY

THAT the agenda be amended by adding the following:

- 1. Solar agreement
- 2. Sylvia Jones introduces Bill re Local say in Wind Energy Projects.

CARRIED.

MOVED BY PINKNEY, SECONDED BY GARDHOUSE

THAT the agenda be approved as amended.

CARRIED.

MOVED BY NEVILLS, SECONDED BY BOYNTON

THAT the minutes of the March 23, 2010 be adopted as circulated.

CARRIED.

MOVED BY NEVILLS, SECONDED BY PINKNEY

THAT Council accept the inspection report from Storage System Construction Corporation dated March 30, 2010, for Storage Dome at the Public Works yard, and that Director of Public Works be instructed to proceed with recommendations for replacement of shingles in the amount of \$35,000.00; and repair of fan dormer panel in the amount of \$5,000.

CARRIED.

MOVED BY NEVILLS, SECONDED BY BOYNTON

THAT Consent Application B1/10 by Ron Pachnosky and Della Thomson for consent to sever approximately 1.0 hectare from West Part Lot 5, Concession 14 for a residential lot be approved
Reasons: Conforms with Official Plan, subject to following conditions:

1. Park Dedication in the amount of \$400.00;
2. Taxes paid in full on both severed and retained parcels;
3. Conservation Authority approval;
4. Entrance approval for retained parcel;
5. Approval for septic system on retained parcel;
6. Plan of Survey, paper and digital format on severed and retained;
7. Consent agreement to be registered on title severed and retained parcels to include requirement for fencing around boundaries of the severed lot, with exception of road frontage when required by adjacent landowner;
8. 1 foot (.3 m) reserve to be lifted for driveway access only on retained parcel

If a road widening has been obtained at an earlier date, condition would not apply. Any unregistered road widenings to be deeded to the appropriate authority. Any road widenings, easements, survey costs, legal costs and any other transaction costs 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. All conditions must be fulfilled and the Certificate of Clerk issued within one year of the date of notice of decision. Failing to do so will cause the application to be null and void.

CARRIED.

MOVED BY PINKNEY, SECONDED BY GARDHOUSE

THAT Consent Application B2/10 by Ron Pachnosky and Della Thomson for consent to sever approximately 1.0 hectare from West Part Lot 5, Concession 14 for a residential lot be approved
Reasons: Conforms with Official Plan, subject to following conditions:

Park Dedication in the amount of \$400.00;

1. Taxes paid in full on both severed and retained parcels;
2. Conservation Authority approval;
3. Entrance approval on severed and retained parcels;
4. Approval for septic system on severed parcel and retained parcels;
5. Plan of Survey, paper and digital format on severed and retained;
6. Consent agreement to be registered on title on severed and retained parcels to include requirement for fencing around boundaries of severed parcel with exception of road frontage when required by adjacent landowner;
7. 1 foot (.3 m) reserve to be lifted for driveway access only on severed and retained parcels

If a road widening has been obtained at an earlier date, condition would not apply. Any unregistered road widening to be deeded to the appropriate authority. Any road widenings, easements, survey costs, legal costs and any other transaction costs 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. All conditions must be fulfilled and the Certificate of Clerk issued within one year of the date of notice of decision. Failing to do so will cause the application to be null and void.

CARRIED.

MOVED BY NEVILLS, SECONDED BY BOYNTON

THAT Consent Application B 3/10 by Wayne Baguley for consent to sever approximately 1.08 ha. from Part Lot 1, Concession 11 for residential lot be deferred. **CARRIED.**

MOVED BY GARDHOUSE, SECONDED BY BOYNTON

THAT Staff be instructed to prepare amended site plan agreement for Dave Black, Concession 16, Part Lot 12, to allow construction of a storage building within the zoned area, as presented. **CARRIED.**

MOVED BY BOYNTON, SECONDED BY GARDHOUSE

THAT Council of the Township of East Garafraxa approve the Grand Valley and District Fire Board 2010 Budget as presented in the amount of \$329,000.00 being \$259,000 operating and \$70,000.00 equipment reserve; East Garafraxa's share being \$37,475.88 operating; Truck Reserve \$4,058.21; and Equipment Reserve of \$7,125.84 for a total of \$48,659.93. **CARRIED.**

MOVED BY PINKNEY, SECONDED BY GARDHOUSE

THAT Tile Drain Loan application for Concession 11, West Part Lot 21 be accepted subject to availability of funds. **CARRIED.**

MOVED BY GARDHOUSE, SECONDED BY PINKNEY

THAT Bills and Accounts in the amount of:

Roads: \$ 55,583.94
General: \$702,820.17 be paid. **CARRIED.**

MOVED BY NEVILLS, SECONDED BY BOYNTON

THAT leave be given to introduce a by-law to authorize the acquisition of land to establish and lay out Part of Eat Part Lot 13, Concession 11 in the Township of East Garafraxa, being Part 1 on RP 7R-5251, Registered as Instrument Number DC 37093 as part of the highway on which it abuts, and that it be given the necessary readings and be passed and numbered 11-2010. **CARRIED.**

MOVED BY PINKNEY, SECONDED BY GARDHOUSE

THAT Council do now enter closed meeting for the following reasons: Personal matters about an identifiable individual including municipal or local board employees; proposed or pending acquisition or disposition of land by the municipality or local board; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose. **CARRIED.**

MOVED BY NEVILLS, SECONDED BY BOYNTON

THAT Council now rise and report from closed meeting and resume regular business. **CARRIED.**

MOVED BY NEVILLS, SECONDED BY BOYNTON

THAT leave be given to introduce a by-law to confirm the proceedings of the April 13, 2010 regular meeting of the Council of the Township of East Garafraxa and that it be given the necessary readings and be passed and numbered 12-2010. **CARRIED.**

MOVED BY GARDHOUSE, SECONDED BY BOYNTON

THAT Council now adjourn to meet again April 27, 2010 at 2:00 p.m. at the Marsville Community Hall, Marsville ON or at the call of the Mayor. **CARRIED.**

Allen Taylor

Head of Council

Susan M. Stone

Clerk