

The Council of the Township of East Garafraxa held a regular Meeting of Council at the Administration Office, Laurel ON at 2:00 p.m. on September 27, 2011. Councillors John Stirk, Lenora Banfield, Fran Pinkney and Deputy Mayor Guy Gardhouse were in attendance, with Mayor Allen Taylor presiding. Susan Stone, CAO/Clerk-Treasurer; Christine Gervais, Planner (for Planning matters); Karen Canivet, Deputy-Clerk; and David Menary, Director of Public Works were also in attendance.

**OPENING OF MEETING**

Mayor Taylor called the meeting to order.

The following items were received and/or dealt with.

**1 AGENDA**

- 1.1 Added items:
  - 1.1.1 Township of Melancthon re donation to Goderich
  - 1.1.2 County of Dufferin Draft 2012 Budget Introductory remarks
- 1.2 Approval of agenda as amended.

**2 MINUTES**

- 2.1 Council Minutes August 16, 2011 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 None at this time.

**5 PUBLIC MEETING(S)**

- 5.1 Consent Application B5/11 by Charlotte Kelly for consent to sever 2 hectare (5 acres) residential lot, and retain 2 hectares (5 acres), at Concession 14, West Part Lot 10, Parcel 10. Mrs. Kelly was in attendance. There were no other members of the public present to support or oppose the application. Planner Christine Gervais reviewed the Planning Report which indicated that the proposal conforms to the policies of the Provincial Policy statement, Official Plan and Zoning By-Law. The Minimum Distance Separation calculation impacts the retained parcel only, and a building envelope can be accommodated on the new parcel. Comments from Public Works indicate that a road widening will be required on the 13<sup>th</sup> Line and 10 Sideroad, including a daylight triangle, and sight lines are satisfactory for a road entrance to the severed parcel. Grand River Conservation comments indicate they have no objections to the proposed severance; however any future construction or alteration on either parcel will require the prior written approval of the Grand River Conservation Authority. Neighbouring landowner present at the Planning Advisory meeting commented that the area is very wet, but Grand River had indicated no concerns. The Planning Advisory Committee recommended that the application be approved. Motion to approve the application.
- 5.2 Consent Application B6/11 by Bill Stewart, applicant, on behalf of Maria Pulles, owner, for consent to sever approximately 0.9 ha. (2.2 acres) at Concession 9, East Part Lot 6 for lot enlargement purposes. Mr. Stewart and Mrs. Pulles were both in attendance. Planner Christine Gervais presented the Planning Report which states that the addition will provide a frontage of 61 m. along the 9<sup>th</sup> Line to the existing land locked parcel, below the existing trail (former railway). The trail forms a natural severance of the property, which could not be developed because of the lack of frontage onto a road. The Provincial Policy Statement provides that lot adjustments in prime agricultural areas are permitted for legal and technical reasons; and the application is consistent with the Official Plan and Zoning By-Law. The Zoning By-Law provides provision for undersized lots of records and that lots that have been increased in size following the passing of the by-law may also be used. Future development of the property south of the trail will need to comply with the Minimum Distance Separation criteria as part of future building permit process; however, there is sufficient land on the parcel to build a house outside of the MDS 1. Comments from the Director of Public Works indicates that a road widening on the 9<sup>th</sup> line would be required and the County of Dufferin had previously indicated that a road widening would be required, however, have now stated that they would not require a road widening. At the Planning Advisory Committee meeting, neighbouring landowner that questioned if a wind turbine was proposed and Mr. Stewart indicated no. Planning Advisory Committee recommended approval of the application. Motion to approve the application.

## **6 UNFINISHED BUSINESS**

- 6.1 Enabling Accessibility Fund notice received refusing the application for funding. Discussion regarding reasoning. Letter to be forwarded to David Child and Mark Hicks, who completed the original application on behalf of the municipality, for their information.
- 6.2 Other - nothing at this time.

## **7 COUNTY COUNCIL BUSINESS**

The following matters were received and/or dealt with.

- 7.1 Council in Brief September 8, 2011
- 7.2 Emergency Training October 4; Exercise October 18, 2011 - use of social media such as Twitter discussed, and Emergency Management Co-Ordinator to be invited to upcoming meeting.
- 7.3 News Release Town of Goderich
- 7.4 Other - Mayor Taylor addressed the 2012 County Budget process (added item), and discussed various matters related to the budget. Mayor Taylor also reported on his recent visit to waste management facility/recycling facility in Japan along with other County and municipal representatives.

## **8 ROADS DEPARTMENT**

The following matters were received and/or dealt with:

- 8.1 Director of Public Works Report - 10<sup>th</sup> Line insurance matter resolved.
- 8.2 Other - Laneway development to access municipal property in Marsville discussed. Estimated to cost approximately \$20,000 and would accommodate additional parking at the school, which would address safety concerns with respect to parking on Dufferin Road 3. Mayor Taylor to speak to school board to discuss.

## **9 PLANNING DEPARTMENT**

The following matters were received and/or dealt with.

- 9.1 Development Updates - Mayor Taylor reported on recent meeting with staff and himself and the developers of Nature's Landing West, to discuss outstanding matters related to the proposed subdivision.
- 9.2 Consent Application B5/11 Planning Report
- 9.3 Consent Application B6/11 Planning Report
- 9.4 Planning Advisory Committee Minutes August 10, 2011
- 9.5 Haudensosaunee Development Institute re Rights and interests
- 9.6 Friends of the Greenbelt Annual Report (report in Office)
- 9.7 Friends of Greenbelt: Inside and Out: Sustaining Ontario's Greenbelt (report in Office)
- 9.8 Carl DeGroot re Development - Staff to contact Mr. DeGroot to advise that he can either make application to change Official Plan designation of his employment lands to residential and provide a planning justification, or wait for the next phase of the Township Official Plan Review, at which time he could bring back to council for consideration.
- 9.9 Site Alteration, Fill removal request Con A Lot 6 - Christine Gervais, Township Planner, explained that this property is not in GRCA regulated area, and therefore, council approval for exporting of material is required. Motion passed accordingly.
- 9.10 Other - Township Planner advised Council of upcoming pre-consultation meeting with respect to proposed plan of subdivision in Marsville, to be an expansion of the existing subdivision, for which owner is proposing a sewage treatment system. Discussion ensued regarding drainage, road configuration, water system, and overall community development. Other matters discussed included building occurring on 17<sup>th</sup> Line, and enquiry regarding severance opportunities for property on Trafalgar Road at 10 Sideroad, for which an Official Plan Amendment would be required.

## 10 COMMITTEES

The following matters were received and/or dealt with.

- 10.1 Source Water Protection
  - 10.1.1 Lake Erie Minutes August 4, 2011
  - 10.1.2 Ministry of Environment ~ Administration of Part IV of the Clean Water Act
    - 10.1.2.1 Administering & Enforcement Part IV
    - 10.1.2.2 Source Protection Planning Bulletin
- 10.2 Grand River Conservation Authority
  - 10.2.1 Free Meadow Hikes
  - 10.2.2 Tree planting 2012 - both GRCA and CVC programme information provided on Township website with links, and in Township Newsletters.
- 10.3 POA revenue June and July
- 10.4 Grand Valley and District Community Centre
  - 10.4.1 Minutes August 15
  - 10.4.2 Food handling resolution - Councillor Banfield reported on meeting with Health Dept.
- 10.5 Upper Grand Watershed Committee Minutes May 26
  - 10.5.1 Township of Amaranth resolution of support
  - 10.5.2 Township of Melancthon resolution of support
- 10.6 Dufferin Municipal Officers Minutes June 10, 2011 - discussion regarding emergency management and health and safety; also lighting presentation, and discussion regarding A Line solar street light, which could be replaced with and LED streetlight for approximately \$3,750.
- 10.7 Other - nothing at this time.

## 11 GENERAL BUSINESS AND CORRESPONDENCE

The following matters were received and/or dealt with:

- 11.1 Alternative Energy
  - 11.1.1 Wallaston Township correspondence re Green Energy Act
- 11.2 Michael Janisse - Complaint re garbage collection and speed
- 11.3 Retirement Notice Keith Lawson OPP
- 11.4 Statistics Canada acknowledgment
- 11.5 CUPE re National Childhood Educators Week
- 11.6 Dufferin Federation of Agriculture re recreation vehicles - damages to property
- 11.7 Ministry of Municipal Affairs - Minister Rick Bartolucci
- 11.8 Orangeville Economic Development Breakfast October 20 - register by October 14
- 11.9 Local Government Week October 16-22, 2011
- 11.10 Other - nothing at this time.

## 12 NEW BUSINESS

- 12.1 Other - nothing at this time.

## 13 BILLS AND ACCOUNTS

- 13.1 Roads
- 13.2 General

Motion to approve Roads and General accounts.

## 14 CLOSED MEETING

- 14.1 Proposed or Pending Acquisition or Disposition of Land by the Municipality or Local Board
- 14.2 Personal Matters about an identifiable individual(s) including Municipal or Local Board Employees

Closed meeting held 4:40 p.m. to 5:10 p.m. and staff instructed accordingly.

## 15 BY-LAWS

- 15.1 Confirming
- 15.2 Other - none at this time.

**16 BULLETINS AND INFORMATION**

The following were received and/or dealt with:

- 16.1 LHIN - Central West Health Care Update
- 16.1 Biosolids Master Plan
- 16.2 Community Living Dufferin - Theme party to raise funds
- 16.3 Heads Up to your Health - Headwaters Health Care Foundation
- 16.4 AMO Watch - Goderich account, etc.
- 16.5 AMO - Candidates address 12 concerns
- 16.6 Xplornet - Satellite to Launch
- 16.7 Other - nothing at this time.

**17 ADJOURNMENT**

- 17.1 Next meeting Wednesday, October 12, 2011 - motion to adjourn.

**RESOLUTIONS:**

**MOVED BY BANFIELD, SECONDED BY STIRK**

THAT the agenda be amended by adding:

- 1. Township of Melancthon - donation to Goderich
- 2. County of Dufferin - Draft 2012 Budget Introductory remarks.

**CARRIED.**

**MOVED BY STIRK, SECONDED BY BANFIELD**

THAT the agenda be approved as amended.

**CARRIED.**

**MOVED BY GARDHOUSE, SECONDED BY PINKNEY**

THAT the minutes of the regular Council Meeting held August 16, 2011 be adopted as circulated.

**CARRIED.**

**MOVED BY PINKNEY, SECONDED BY GARDHOUSE**

THAT Council of the Township of East Garafraxa donates \$100.00 to the Town of Goderich to assist with rebuilding efforts after the recent tornado.

**CARRIED.**

**MOVED BY STIRK, SECONDED BY BANFIELD**

THAT Council do now hold Public Meeting regarding the following:

- 1. Consent Application B5/11 by Charlotte Kelly, Concession 14, Part Lot 10, Parcel 10
- 2. Consent Application B6/11 by Bill Steward, applicant; Maria Pulles, owner Con 9, E Part Lot 6

**CARRIED.**

**MOVED BY PINKNEY, SECONDED BY GARDHOUSE**

THAT Council do now adjourn Public Meeting and resume regular business.

**CARRIED.**

**MOVED BY BANFIELD, SECONDED BY STIRK**

THAT Consent Application B5/11 by Charlotte Kelly for consent to sever approximately 2.0 ha. From East Part Lot 10, Concession 14, Parcel 10 for residential lot be approved. Conforms to the Official Plan. Consent is granted subject to the following conditions, which must be, in the opinion of Council, substantially complied with or waived by the party requesting the condition:

- 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 on severed;
5. Approval for septic system on severed parcel;
6. Plan of Survey, paper and digital format on severed;
7. 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;
8. Road Widening required on severed and retained parcels
9. Daylighting required on retained parcel

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 PINKNEY, SECONDED BY GARDHOUSE**

THAT Consent Application B6/11 by William Stewart for consent to sever approximately 0.9 ha. from East Part Lot 6, Concession 9 for lot enlargement purposes, to be added to Part Lot 7, Concession 9 be approved. Consent conforms with Official Plan, Provincial Policy Statement and Township Zoning By-Law 60-2004. Consent is granted subject to the following conditions, which must be, in the opinion of Council, substantially complied with or waived by the party requesting the condition:

1. Taxes paid in full on both severed and retained parcels;
2. Section 50 (3) of the Planning Act will apply;
3. Consolidated of Parcels; severed to be added to Part Lot 7, Concession 9
4. Conservation Authority approval;
5. Entrance approval on severed;
6. Plan of Survey, paper and digital format on severed and retained
7. Road Widening required on severed and retained parcels re 9<sup>th</sup> Line

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 BANFIELD, SECONDED BY STIRK**

THAT Council of the Township of East Garafraxa approve the request of Martin Van Zutphen, Concession A, West Part Lot 6 to export 60 loads of peat pursuant to Section 5 (g) of Site Alteration By-Law 51-2009.

**CARRIED**

#### **MOVED BY STIRK, SECONDED BY BANFIELD**

THAT Bills and Accounts in the amount of:

Roads: \$120,043.74

General: \$176,419.81 be paid.

**CARRIED**

#### **MOVED BY BANFIELD, SECONDED BY STIRK**

Council do now enter Closed Meeting pursuant to Municipal Act 2001, C.25, Section 239 for the following reasons:

1. Personal matters about an identifiable individual(s), including Municipal or Local Board Employees
2. Proposed or Pending Acquisition or Disposition of Land by the Municipality or Local Board

**CARRIED.**

#### **MOVED BY GARDHOUSE, SECONDED BY PINKNEY**

That Council now rise and report from Closed Meeting and resume regular business.

**CARRIED.**

#### **MOVED BY PINKNEY, SECONDED BY GARDHOUSE**

THAT leave be given to introduce a by-law to confirm the proceedings of the September 27, 2011 regular meeting of the Council of the Township of East Garafraxa and that it be given the necessary readings and be passed and numbered **27-2011.**

**CARRIED.**

September 27, 2011

**MOVED BY BANFIELD, SECONDED BY STIRK**

THAT Council now adjourn to meet again Wednesday, October 12, 2011 at 2:00 p.m. at the Administration Office, Laurel, ON, or at the call of the Mayor. **CARRIED.**

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Head of Council

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Clerk