

Council Present:

Mayor George Bridge
Deputy Mayor Terry Fisk
Councillor Turton
Councillor Colwell
Councillor Elliott
Councillor Hembly

Council Absent:

Councillor Faulkner

Staff Present:

Bill Winegard, Deputy Clerk
Gordon Duff, Treasurer
Chris Harrow, Fire Chief
Peg Schieck, Clerical Assistant/Recording Secretary

CALL TO ORDER

Mayor Bridge called the meeting to order at 6:00 p.m.

DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT- None

MOTION TO GO INTO CLOSED SESSION

RESOLUTION # 70/11

Moved by: D. Turton

Seconded by: M. Colwell

THAT the Council of the Corporation of the Town of Minto “Close to the Public” to discuss the following;

- The Security of the Property of the municipality or local board
- Litigation or potential litigation including matters before administrative tribunals, affecting the municipality or local boards

CARRIED

MOTION TO RECONVENE IN OPEN SESSION

RESOLUTION # 71/11

Moved by: R. Elliott

Seconded by: D. Turton

THAT the Council of the Corporation of the Town of Minto resume into open Council.

CARRIED

PUBLIC MEETING 7:00 p.m.

The Mayor read the purpose and effect of the public meeting amendment. *Pursuant to the Planning Act R.S.O. 1990, as amended for the purpose of hearing proposals to amend the Zoning By-law.*

The Chairman announced this is a Public Meeting under the Planning Act to hear comments from the public and agencies and to give consideration to an application for a proposed Zoning By-law Amendment.

The subject land is described as Lots 7 & 8 Concession 1, Town of Minto, and is municipally known as 6560 Wellington Road 123.

The purpose and effect of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural, “retained” portion of the property and to address the oversized accessory buildings on the “severed” residential portion of the subject lands. In addition, a deficiency of frontage is to be recognized for the severed portion. This rezoning is a condition of severance application B45/10, that was granted provisional consent by the Wellington County Land Division Committee.

Deputy Clerk Bill Winegard indicated that notice of the public meeting was mailed to property owners within 400 feet of the subject property and applicable agencies on Tuesday January 25th, 2011. As well a copy of the public meeting notice was posted at the subject property. No concerns or letters of objections were received. County of Wellington Planner Mark Van Patter’s comments dated January 31, 2011 were received.

Mark Van Patter was in attendance and provided the following comments.

The subject property is just west of Teviotdale on County Road 123. The rezoning is required as a condition of provisional consent (B45/10) by the Wellington County Land Division Committee. Both the Provincial Policy Statement and the County Plan provide for surplus farm dwelling severances and rezoning the retained to prohibit dwellings. It is not unusual to permit existing accessory buildings for storage as a result of such severances. Use of the buildings is still controlled by zoning. Council should be satisfied that the accessory buildings are intended for personal use and not for commercial or livestock purposes. The reduction of frontage works to save good agricultural land.

The subject lands are zoned Agricultural (A). There will be two site specific zones required on the subject lands. The first site specific zone (A-87) will prohibit a dwelling on the 116 acres “retained” agricultural parcel and will require that the existing barn be demolished. The second zone (A-88) for the 1.9 acre “severed” residential parcel recognizes the deficiency in frontage; 100 feet are

required and only 49 feet is proposed. The second zone also permits 4,136 sq. ft. of accessory buildings, when only 1,000 sq. ft. are permitted in the zoning by-law. Mark Van Patter had no concerns with this zoning by-law amendment.

Mr. Frank Spoelstra noted that the subject property owner should be aware that there is an airport adjacent to the subject property. Mr. Spoelstra's concern surrounded the noise by-law and that subject property owner should be aware of a nearby airport.

Planner Van Patter noted that the actual land use is not really changing on the subject property. The existing residence is only being separated from the farmed portion. No new residences will be permitted. The only real difference is that the residence and farm portions will be owned by different persons. Given this, he didn't see any justification for notice on the properties deeds.

Chairman Bridge asked the property owner if there were any additional comments. None

Chairman Bridge asked if anyone wished to comment in favour of the proposed amendment. None

Chairman Bridge asked if anyone wished to comment in opposition of the proposed amendment. None

Chairman Bridge asked if there were any further questions from Council regarding the proposed zoning by-law amendment. None

Chairman Bridge stated that if you wish to be notified of the decision of the Council of the Town of Minto in respect of the proposed Zoning By-law Amendment application, you must make a written request to the Deputy Clerk of the Town of Minto.

Chairman Bridge asked if there were any further questions regarding the proposed zoning by-law amendment. Hearing none, the first Public Meeting was adjourned.

The Chairman announced the second Public Meeting under the Planning Act to hear comments from the public and agencies and to give consideration to an application for a proposed Zoning By-law Amendment.

The purpose and effect of the amendment is to revise the definition of “public building” to include the County of Wellington. An additional revision is to refer to Minto as a “Town” rather than as a “Township”

Deputy Clerk Bill Winegard indicated that notice of the public meeting was mailed to property owners within 400 feet of the subject property and applicable agencies on Tuesday January 25th, 2011. As well a copy of the public meeting notice was posted at the subject property. No concerns or letters of objections were received. County of Wellington Planner Mark Van Patter’s comments dated February 3rd, 2011 were received.

The subject land applies to the whole Town of Minto.

Mark Van Patter was in attendance and provided the following comments. It simply includes the County of Wellington under the definition of “public building”, giving it the same status as the Town, Province and Canada. This oversight should be corrected. Otherwise, a public building could require a rezoning, depending on the specifics of the zone it was in.

Chairman Bridge asked if anyone wished to comment in favour of the proposed amendment. None

Chairman Bridge asked if anyone wished to comment in opposition of the proposed amendment. None

Chairman Bridge asked if there were any further questions from Council regarding the proposed zoning by-law amendment. None

Chairman Bridge stated that if you wish to be notified of the decision of the Council of the Town of Minto in respect of the proposed Zoning By-law Amendment application, you must make a written request to the Deputy Clerk of the Town of Minto.

Chairman Bridge asked if there were any further questions regarding the proposed zoning by-law amendment. Hearing none, the second Public Meeting was adjourned.

Please note that the notice for this amendment was not given to the whole Town (i.e. newspaper). Therefore, notice of approval is not being given. The same amendment will be considered again in the near future with proper notice being given.

DELEGATIONS

Phil Beard, Maitland Valley Conservation Authority General Manager and John Cox, 2010 Board Member, presented background information of the services provided by the Conservation Authority. Mr. Beard also provided a brief overview of the strategic plan goals and how it's reflected in the 2011 priorities and proposed levy fees.

Deputy Mayor Fisk inquired as to residents concerns with the dumping of snow at the Harriston Arena. Mr. Beard commented that the amount of water in the snow is minimal and has no reflection to the flooding concern in Harriston.

VERBAL RESOLUTION #72/11

Moved by: M. Colwell

Seconded by: R. Hembly:

THAT:

The Council of the Town of Minto waive the rules of procedure to allow Agenda Item 9.5.2 (Maitland Valley Conservation Authority proposed levy) to be moved ahead on the Agenda for Council's consideration.

CARRIED

RESOLUTION # 73/11

Moved by: D. Turton

Seconded by: M. Colwell

THAT the Council of the Corporation of the Town of Minto approve the proposed Maitland Valley Conservation Authority (MVCA) levy of \$74,046.00 for the Town of Minto.

AND FURTHER THAT:

The Town of Minto's representative on the Board of Directors for the Maitland Valley Conservation Authority be directed to vote approving the 2011 MVCA budget and levy;

AND FURTHER THAT:

The Town of Minto incorporates the MVCA's levy into the Town of Minto's 2011 budget.

CARRIED

Saugeen Valley Conservation Authority, Mark MacKenzie, County Councillor and SVCA Board Member outlined the overview presented to Council. Mr. Mackenzie offered to answer any questions or provide follow-up answers to Council relating to the SVCA levy report.

VERBAL RESOLUTION # 74/11

Moved by: M. Colwell

Seconded by: R. Hembly

THAT:

The Council of the Town of Minto waive the rules of procedure to allow Agenda Item 9.5.3 (Saugeen Valley Conservation Authority proposed levy) to be moved ahead on the Agenda for Council's consideration.

CARRIED

RESOLUTION # 75/11

Moved by: R. Elliott

Seconded by: R. Hembly

THAT the Council of the Corporation of the Town of Minto approve the proposed Saugeen Valley Conversation Authority (SVCA) levy of \$36,630.72;

AND FURTHER THAT

The Town of Minto's representative on the Board of Directors for the Saugeen Valley Conservation Authority be directed to vote approving the 2011 SVCA budget and levy;

AND FURTHER THAT

The Town of Minto incorporates the SVCA's levy into the Town of Minto's 2011 budget.

CARRIED

ADDITIONS TO THE AGENDA -none

MINUTES OF PREVIOUS MEETINGS

RESOLUTION # 76 /11

Moved by: D. Turton

Seconded by: T. Fisk

THAT the minutes of the following meetings be adopted as presented;

Council Meeting	January 11 th , 2011
Special Council Meeting	January 18 th , 2011
Committee of the Whole	January 25 th , 2011
	February 1 st , 2011
Special Council Meeting	February 9 th , 2011
Economic Development & Planning Committee	January 20 th , 2011
Palmerston CN Land Rehabilitation Ad Hoc Committee	January 10 th , 2011

CARRIED

Business Arising

RESOLUTION # 77 /11

Moved by: M. Colwell

Seconded by: R. Hembly

WHEREAS with on-going trespass complaints by our residents and the continued disrespect by the bait-fish harvesters, within the Town of Minto;

AND WHEREAS the difficulty to enforce a by-law to prohibit Commercial Bait-fishing within the Town of Minto and other municipalities with Ontario;

AND WHEREAS Commercial Bait-fishers are licensed through the Ministry of Natural Resources (MNR);

AND WHEREAS they are regulated, inspected and audited by the Ministry of Natural Resources;

AND WHEREAS the negative impact on the eco-system and sport fishing in our municipality and other areas in Ontario;

NOW THEREFORE BE IT RESOLVED THAT the Ministry of Natural Resources:

1. Only issue harvest licenses for Aqua-farming
2. Stop harvest in VHS zones
3. Require written authorization from land owners under the current regulations
4. Or stop the program entirely as in other provinces in Canada

AND FURTHER THAT this resolution be forwarded to the Ministry of Natural Resources, Department of Fisheries and Oceans, Conservation Authorities, local MPP and MP and all Ontario municipalities and any other individual or associations as deemed appropriate for their support.

CARRIED

Mark Mackenzie, County Councillor thanked the Town of Minto for further supporting this resolution and the eco-system.

CURRENT BUSINESS

RESOLUTION # 78/11

Moved by: R. Hembly

Seconded by: R. Elliott

THAT report BB 2011-02 Building Summary January 31st 2011, be received for information.

CARRIED

RESOLUTION # 79/11

Moved by: T. Fisk

Seconded by: D. Turton

THAT the Council of the Corporation of the Town of Minto ratify the recommendations as approved by the Committee of the Whole meeting on February 1st, 2011.

CARRIED

RESOLUTION # 80 /11

Moved by: M. Colwell

Seconded by: D. Turton

THAT the Corporation of the Town of Minto appoint Dr. Terry K. Fisk as a representative to the Maitland Source Protection Authority Board for a three year period; January 1, 2011 to December 31st, 2013;

AND FURTHER THAT

The Appointment Schedule A is updated to support this resolution.

CARRIED

RESOLUTION # 81 /11

Moved by: M. Colwell

Seconded by: D Turton

THAT the February 2011 tax collector report with regards to the cancellation, reduction or refund of taxes under Section 357 and 358 of the *Municipal Act*, S.O. 2001, c.25, as amended, be approved;

AND FURTHER THAT

The taxes on the attached listing February, 2011 totalling \$2,360.51 be written off in accordance with Section 357 and 358 of the *Municipal Act*, S.O. 2001, c.25, as amended.

CARRIED

RESOLUTION # 82 /11

Moved by: R. Hembly

Seconded by: R. Elliott

THAT the Council of the Corporation of the Town of Minto approves the proposal from Frank Cowan Company Limited for Municipal Insurance coverage for the period March 1, 2011 until March 1, 2012 at a cost of \$ 241,292.00 plus applicable taxes.

CARRIED

RESOLUTION # 83 /11

Moved by: D. Turton

Seconded by: R. Hembly

THAT Schedule F of the Fees and Charges By-law No. 02-79 be amended to reflect the Incidents on Public Roadways, Ministry of Transportation rates (which are increased to \$410.00 per vehicle per hour for the first hour or part thereof and \$205.00 per 1/2 hour per vehicle thereafter as amended and in effect from time to time).

CARRIED

Fire Chief Chris Harrow noted that the Ministry of Transportation fees have increased so the Town has shown this increase on our fees and charges by-law Schedule F.

RESOLUTION # 84/11

Moved by: R. Elliott

Seconded by: R. Hembly

THAT Council correspondence be received for information.

CARRIED

BY-LAWS

RESOLUTION # 85/11

Moved by: D. Turton

Seconded by: M. Colwell

THAT:

By-law No. 2011-19; being a By-law to appoint a Drainage Superintendent; be introduced and read a first, second, third time and finally passed in open Council.

By-law No. 2011-24; being a By-law to exempt war veteran service clubs from taxation by the Town of Minto; be introduced and read a first, second, third time and finally passed in open Council.

By-law No. 2011-25; being a By-law to Amend Zoning By-law Number 01-86 for the Town of Minto; be introduced and read a first, second, third time and finally passed in open Council.

By-law No. 2011-26; being a By-law to Amend Zoning By-law Number 01-86 for the Town of Minto; be introduced and read a first, second, third time and finally passed in open Council.

CARRIED

NOTICE OF MOTION

NEW BUSINESS/ANNOUNCEMENTS

MOTION TO GO INTO CLOSED SESSION

RESOLUTION # 86/11

Moved by: T. Fisk

Seconded by: M. Colwell

THAT the Council of the Corporation of the Town of Minto "Closed to the Public" to discuss the following;

- The Security of the Property of the municipality or local board;

- Personal matters about an identifiable individual, including municipal or local board employees;
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

Councillor Elliott left the Council meeting at 9:20 p.m.

Councillor Turton left the Council meeting at 9:50 p.m.

MOTION TO RECONVENE IN OPEN SESSION

RESOLUTION # 87/11

Moved by: M. Colwell

Seconded by: T. Fisk

THAT the Council of the Corporation of the Town of Minto resume into open Council.

CARRIED

BUSINESS ARISING FROM CLOSED SESSION

RESOLUTION # 88 /11

Moved by: M. Colwell

Seconded by: T. Fisk

THAT the Town of Minto staff follow through with items as directed by Council in Closed Session;

AND FURTHER THAT

follow-up be provided back to Council by the staff person, and in written format where possible, at an upcoming Closed Session.

CARRIED

ADJOURNMENT

RESOLUTION # 89/11

Moved by: Rick Hembly

Seconded by: T. Fisk

THAT the Council of the Town of Minto adjourn to meet again at the call of the Mayor.

CARRIED