



Minutes
Committee of the Whole
Tuesday October 4, 2011
3:00 PM. Council Chambers

Council Present:

Mayor George Bridge
Deputy Mayor Terry Fisk
Councillor Faulkner
Councillor Colwell
Councillor Elliott
Councillor Hembly
County Councillor Mark MacKenzie

Council Regrets:

Councillor Turton

Staff Present:

Bill White, CAO/Clerk
Gordon Duff, Treasurer
Norm Fisk, Director of Public Services
Matthew Lubbers, Manager of Recreation Manager
Terry Kuipers, Chief Building Official
Peg Schieck, Clerk's Assistant/Recording Secretary
Janet Klemp, Tax Collector
Mandy Hansen, Recreation & Marketing Coordinator
Annilene McRobb, Water & Sewer Billing Clerk

1. Call to Order- 3:02p.m.
2. Disclosure of Pecuniary Interest under the Municipal Conflict of Interest Act- None
3. Additions to the Agenda

MOTION COW-061

Moved by: R. Faulkner

Seconded by: M. Colwell

To Waive the Proceedings of Council and add the following agenda items;

1. **Agenda 4 d) County Councillor Mark MacKenzie County Council 3rd Quarter Report and Saugeen Valley Conservation Report**
2. **Agenda 8. Saugeen Valley Conservation Authority comments Report**

Carried

4. Delegations

a) Hope Robertson, 3rd Annual Heels for Hospital, Saturday October 15, 2011

Hope Robinson challenged Council to participate in the Heels for Hospitals Fundraiser. This event was created three years ago to raise funds for fifteen different hospitals and has raised over \$9000 to date. This year marks the 10th anniversary of CKNX radioathon. The event is on Saturday October 15, 10:00 a.m. at the Clifford Rotary Park.

b) Minto Arts Council; Eleanor Butt. and Harriston Historical Society; Ron Leslie & Kim McKenzie Mayor's Golf Cheque presentation.

Mayor Bridge presented a \$3000 cheque to Carol Homuth on behalf of the Harriston Historical Society and a second cheque to Eleanor Butt on behalf of the Minto Arts Council, which are the proceeds from the first annual Mayor's tournament.

c) Robert & Phyllis Huntley; Lars Eedy & Patricia Hugo-Eedy; Dave Hall, Drainage Concerns 56 and 62 Elora Street, Clifford, (Dietrich Engineering Report).

Mayor Bridge explained the Town's procedure for multiple delegations. It was noted Mr. Hall was not in attendance. Speakers are limited to 10 minutes and are asked not to repeat points. It was agreed that the report would be reviewed first to explain the situation to Council.

Greg Nancekivell, Drainage Inspector advised he had completed only a preliminary investigation report to assess options. A full Drainage Engineer's report would be more comprehensive and expensive and funds could be better directed to required improvements. He noted two options including option one in which an landowner agreement is negotiated to implement a solution, and option two which is a full petition under the Drainage Act. Option one is less costly and directs funds to the solution. Mr. Nancekivell responded to questions submitted by Lars Eedy and noted that the flooding is a private drain matter and that the Town has no records of municipal or registered drains in this area.

Lars Eedy, 56 Elora St. Clifford noted that he had expressed flooding concerns on July 5, 2011 Council meeting and doesn't feel the drainage report received fully addresses the flooding concern.

Phyllis Huntley, 62 Elora Street, Clifford noted that they had hired their own engineer however the engineer was unable to attain information from the Town.

Council asked the Director of Public Services and Mr. Nancekivell to meet with the residents to discuss their information requests and concerns more fully.

d) County Councillor Mark MacKenzie County Report and Saugeen Valley Conservation Report

County Councillor MacKenzie summarized the County Council 3rd Quarter Report. He also

presented the Saugeen Valley Conversation Authority (SVCA) report. MacKenzie suggested that Council consider requesting the SVCA to provide an overview to Council at a subsequent meeting.

5. Committees

a) **Public Works**

i) 12 Line Traffic Concerns

CAO/Clerk White advised the Committee of the follow-up report from the OPP which did not recommend a speed limit reduction. The Director of Public Services report was also considered including the option that half loads be designated on the 12th line. Council discussed options to proceed noting the speed limit request should be dealt with specifically before moving into the issue of half loads. Council raised the option on no trucks being permitted on the 12th Line. Staff will provide a follow up report in response to Council direction.

MOTION: COW - 062

Moved by: R. Elliott

Seconded by: T. Fisk

In consideration of the report from Director of Public Services and the OPP, Committee of the Whole does not approve a speed limit reduction on 12th Line and Pike Lake Road and directs staff to bring back a report to consider half loads or restricted truck traffic on the 12th Line and that a letter be sent to those who signed the petition and a copy of the OPP report be made available.

Carried

ii) Pubic Works- County of Wellington and Town of Minto Joint Capital Projects

Director of Public Services, Norm Fisk reviewed his report outlining major County road reconstruction projects in Harriston and Clifford over the next few years. The Town should coordinate replacement of underground services and streetscape work with the road reconstruction and needs to budget accordingly. Council directed that the Town budget be prepared based on doing Allen Street Clifford in 2012 and Harriston Main Street in 2013 or 2014.

MOTION: COW - 063

Moved by: R. Elliott

Seconded by: M. Colwell

THAT the Committee receives the Director of Public Services report regarding County of Wellington and Town of Minto Joint Capital Projects report for information.

Carried

b) Fire and Emergency Measures- None

c) Finance

Minutes CN Land Committee September 19, 2011

MOTION: COW - 064

Moved by: R. Hembly

Seconded by: M. Colwell

THAT The September 19, 2011 CN Land Committee minutes be received for information.

Carried

d) Recreation

i) Harriston Horticultural Society, Clifford Horticultural Society, Public Facilities Limited Use Agreements.

Manager of Recreation Services, Matthew Lubbers noted that these groups are renewing an existing agreement. The Clifford and Harriston agreements are for three years, and contain similar wording regarding rental rates for shows and the town's annual contribution toward purchasing plants for Minto facilities and properties.

MOTION: COW - 065

Moved by: R. Elliott

Seconded by: R. Hembly

To accept the Harriston Horticultural Society and Clifford Horticultural Society, Public Facilities Limited Use Agreements report for information and consider the By-laws at the October 18, 2011 Council Meeting.

Carried

ii) Parks & Recreation Advisory Committee Minutes September 12, 2011

Manager of Recreation Services, Matthew Lubbers summarized the minutes noting Committee needs a new Harriston member in 2012.

MOTION: COW - 066

Moved by: R. Faulkner

Seconded by: M. Colwell

THAT The September 12, 2011 Park and Recreation Advisory Committee minutes be received for information.

Carried

e) Building/Enforcement

Monthly Building Report September 2011

Chief Building Official, Terry Kuipers noted that building permit values are the same, cost of construction is up and permit numbers are down.

MOTION: COW - 067

Moved by: R. Faulkner

Seconded by: M. Colwell

To accept the Monthly Building Report for September 2011 be received for information.

Carried

f) **Economic Development**

Economic Development & Planning Committee Minutes September 15, 2011

Councillor Hembly noted that the Palmerston downtown revitalization project is underway and the CN Bridge painting is complete. Treasurer Gordon Duff noted the Economic Development Pitch-It campaign is underway and that the Tannery Park decking is nearly complete with landscaping scheduled for spring 2012.

MOTION: COW - 068

Moved by: M. Colwell

Seconded by: R. Elliott

THAT the September 15, 2011 Economic Development & Planning Committee minutes be received for information.

Carried

6. **Reports**

a) **Notice By-law Amendments Report**

CAO/Clerk White advised the amendments to the Notice By-law were created to include notice to stop up and close a road allowance and to clarify how other notices shall be given. Clerk's Assistants McRobb and Schieck amended other sections of the By-law and Schedules.

MOTION: COW -069

Moved by: R Elliott

Seconded by: R. Faulkner

THAT The Committee receives the report for information and consider a revised Notice By-law at the October 18, 2011 Council Meeting.

Carried

b) **Correspondence & Communication Policy**

CAO/Clerk White reviewed the correspondence and communication policy intended to effectively manage Council's review and response to paper and electronic correspondence. The policy would allow urgent correspondence items to be brought forward and dealt with by Council at one meeting if necessary. A correspondence summary list will be provided on Council agendas.

MOTION: COW - 070

Moved by: M. Colwell

Seconded by: R. Hembly

To accept and adopt the Correspondence and Communication Policy as of October 4, 2011.

Carried

c) County of Wellington Taxi By-law Amendments

CAO-Clerk White noted the amendments to the County of Wellington Taxi By-law.

MOTION: COW - 071

Moved by: R. Elliott

Seconded by: R. Hembly

To accept the amendments of the County of Wellington Proposed Taxi By-law.

Carried

d) James and Ernestine Melton (Paul Martin) Severance B107/11Report

Chief Building Official, Terry Kuipers noted the location of the subject property and how the lots would be created relative to the rail line.

County of Wellington Senior Planner, Mark Van Patter stated that the applicant's intent is to farm the 100 acres. The applicant has also filed a Zoning By-law Amendment application with the Town.

MOTION: COW - 072

Moved by: R. Faulkner

Seconded by: R. Elliott

THAT The Council of the Town of Minto recommends to the Planning Land Division to approve Severance Application B107/11 for property located at Part Lots 11 & 12, Concession 8 with the following conditions;

1. THAT prior to certificate of consent being issued zoning for the subject lands be in full force and effect to the satisfaction of the Town;
2. THAT safe driveway access can be provided to the satisfaction of the Town.
3. THAT prior to a certificate of consent being issued all financial requirements are met to the satisfaction of the Town.

Carried

e) Proposed Sale of Land Report- Part 3 & 4, R.P. 61R7879 of Lot 60, Mill Lane, Palmerston (former Waste water Treatment Plant).

CAO/Clerk White explained that the process to sell this land had begun in the late 1990's in the former Town of Palmerston. The process still required the Town of Minto declare the land surplus and issue notice that an agreement of purchase and sale would be considered by Council. The intent is to consider this at the October 18th meeting.

MOTION: COW - 073

Moved by: R. Elliott

Seconded by: T. Fisk

THAT pursuant to By-law 03 of 2008 as amended, Council declares the lands known as Part of Lot 60 West of Mill Lane Parts 3 and 4 Reference Plan 61R-7879, former Town of Palmerston to be surplus to the needs of the Town of Minto so the lands may be transferred to B/H Leasing Inc. (Bruce Hutchison).

And further

THAT the CAO/Clerk issue notice that the Town intends to convey the above lands to B/H Leasing Inc.

And further

THAT a By-law authorizing the Mayor and Clerk to execute the Property Purchase Agreement with B/H Leasing Inc. be brought forward at the regular session of Council October 18th following the issuance of the required notice.

Carried

7. Motion to Convene into Council

RESOLUTION: 367/11

Moved by: R. Elliott

Seconded by: T. Fisk

THAT The Town of Minto Committee of the Whole convenes into Council.

Carried

a) Motion to ratify recommendations of Committee.

RESOLUTION: 368/11

Moved by: R. Faulkner

Seconded by: R. Elliott

THAT The Council of the Town of Minto ratifies the motions made in the Committee of the Whole.

Carried

8. Public Meeting - 4:53 p.m.

Proposed Official Plan Amendment and Proposed Zoning By-law Amendment

The Murray Group- Plume Pit, Part of Lot 7 Concession A,

Public Meeting started at 4:53 p.m.

Mayor Bridge convened the public meeting noting if a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Minto before the Official Plan or Zoning By-law is passed, the person or public body is not entitled to appeal the decision of the Town of Minto to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of the appeal before the Board unless, in the opinion of the Board, there are reasonable grounds to do so.

CAO/Clerk Bill White advised the lands are located in Part of Lot 7, Concession A, geographic Township of Minto, and are designated Secondary Agriculture, Greenlands and Core Greenlands. The subject land is not currently identified as part of the Mineral Aggregate Area overlay in the County of Wellington Official Plan, which identifies areas within the County that contain mineral aggregate (Primary sand & gravel) deposits. The Mineral Aggregate Area policies of the County Official Plan allow new or expanded mineral aggregate operations, subject to consideration of the potential for impacts on the agricultural resources, natural environment and surrounding land uses. Appropriate zoning and a license from the Minister of Natural Resources are also required for such an operation.

The proposed Official Plan Amendment would allow the expansion of an existing mineral aggregate operation, operated by The Murray Group Limited, by adding the Mineral Aggregate Area overlay to a portion of Part of Lot 7, Concession A. Minor corrections to the Core Greenlands and Greenlands designation will also be considered as part of this Official Plan Amendment.

The proposed Zoning By-law Amendment would re-zone the lands from Agricultural and Natural Environment to Extractive Industrial. Minor corrections to the Natural Environment zone will also be considered as part of this amendment. If approved re-zoning would permit the establishment of a mineral aggregate operation (pit above the water table) on the subject land.

CAO/Clerk Bill White stated notices were mailed to property owners within 400 feet of the subject property and applicable agencies on Sept 14, 2011 and a copy of the public meeting notice was posted at the subject property by the Chief Building Official. The following correspondence was summarized:

1. From Town of Minto staff: Fire Chief and Chief Building Official No Comments
2. Public Works: Noted that with increased truck traffic on 12th line, the Town should consider an agreement requiring upgraded asphalt on this road.
3. MacKinnon & Associates- Comments attached
4. Saugeen Valley Conservation Authority: No objections

County of Wellington, Senior Planner, Mark Van Patter introduced Richard Seibel, Murray Group and Rob Stovel, Murray Group, Planning Consultant.

Rob Stovel, Planning Consultant summarized the pit application. The proposed mineral aggregate area is approximately 13 hectares and is 1.5 metres above the water table. Mr. Stovel noted the Murray Group will use the existing connected pit as a road entrance for the main haulage route. A larger setback would protect the Core Greenlands and Greenlands designations, and restrictions on site plan will require reforestation of this space. He believes the closest neighbours 600 metres to the north. Mr. Stovel further noted that the Saugeen Valley Conservation Authority (SVCA) had no objections and the archeology study completed had no concerns.

Mr. Stovel noted that the Murray Group was waiting for a report from Ministry of Natural Resources (MNR), commenting on the revised application. Once they have they will meet again with Council and provide further information.

Council clarified the Murrays Group previous reforestation practices and typical tree species used. Stovel advised that the rehabilitation plan is approved and dictated by the SVCA and MNR as far as species.

Mark Van Patter, Senior County Planner summarized the Official Plan and Zoning By-law Amendments and pit licensing processes. Mr. Van Patter advised that Council wait until the MNR comments are received and any concerns are resolved before taking a position on

the amendment. He suggests the aggregate resource area overlay should correspond to the license area on the site plan. The re-designation should follow the smaller extraction area to better protect the natural heritage features.

Mark Van Patter noted several revisions since the original application was received. He noted that there were 8.4 hectares of woodlot on the property with existing trails. Approximately a 5.1 ha woodlot is to be gradually removed during the phased extraction. The loss of part of the existing forest and its eventual reforestation must be considered against the need for aggregate resources and the Murray Group's need for expansion. A snapping turtle habitat area is being protected in the central and southern wetland. The butternut tree on the proposed lands is to the east of the proposed licensed area and will be addressed in the licensing process. Given the separation distances, elevated areas, there is no concern for potential noise impacts. While concerns from SVCA have been addressed, we are still waiting for MNR comments.

Chair Bridge asked the property owner if there were any additional comments, or if anyone wished to comment in favour or in opposition to the proposed amendment.

Mark MacKenzie spoke in opposition to the application, until concerns about watercourse impacts have to be addressed. He questioned if MNR had any concerns and inquired as to whether Oceans and Fisheries are involved in this process. He questioned the waterways shown on the map and raised concerns and what the affects would have on streams and waterways of the Saugeen River.

Mr. Stovel responded that the Conservation Authority was responsible fo Oceans and Fisheries issues and that the stream in question was too far away to be part of their analysis.

CAO-Clerk Bill White read the letter attached from Mr. Radojcin. Mr. Radojcin addressed concerns relating to potential noise and the safety of trucks on the road. He noted in his letter that trees that have been planted on the property and questioned the farm land impacted by the mineral aggregate approval

Councillor Hembly left the meeting at 5:09 p.m.

CAO/Clerk Bill White read the letter attached from Mr. Radojcin expressing concerns with potential noise and the safety of trucks on the road. He noted in his letter that trees that have been planted on the property and questioned the farm land impacted by the mineral aggregate approval. H also advised there were already three pits in the area.

It was noted that the subject property is further away from Mr. Radojcin's than the existing pit.

Chair Bridge stated that if you wish to be notified of the adoption of the Proposed Official Plan Amendment OP-2011-01, you must make a written request to the Director, Planning and Development Department, County of Wellington, 74 Woolwich Street, Guelph, Ontario N1H 3T9.

Chair 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 Clerk of the Town of Minto at 5941 Highway 89, Harriston, NOG 1Z0 or emailed to Bwhite@town.minto.on.ca.

Chair Bridge asked if there were any further questions regarding the proposed amendment. With no further comments forthcoming, the Public Meeting adjourned at 5:30 p.m.

9. Correspondence

a) For Information Only -

i) MADD Canada, Ontario Public Health Association, Centre for Addiction & Mental Health; concerns about the current campaign to allow beer and wine to be sold at convenience stores.

ii) MVCA Minutes June 15, 2011

RESOLUTION: 369/11

Moved by: R. Faulkner

Seconded by: T. Fisk

THAT The Council correspondence be received for information.

Carried

b) Correspondence requiring Council Action

Maitland Valley Conservation Authority, Strategic Plan Outline and activity update; Presentation of 2011 priorities and projects.

Deputy Mayor Fisk requested that Council invite Phil Beard to Council to explain the process of the MVCA Strategic Plan. This would provide an opportunity for the Town to bring forward any issues related to Minto; such as storm water ponds for floodwater retention and partnerships such as the Scott Farm Project.

VERBAL RESOLUTION: 370/11

Moved by: T. Fisk

Seconded by: M. Colwell

THAT Council directs the CAO-Clerk to invite Mr. Phil Beard, General Manager of Maitland Valley Conservation Authority to attend a Town of Minto Council meeting to discuss the Strategic Plan Outline.

Carried

10. By-laws

a) By-law 2011-90; Authorize the Mayor and Clerk to enter into an Agreement with SARJ Equipment.

CAO/Clerk White explained that the agreement of purchase and sale had been prepared by the new Town Solicitor including standard covenants requiring a minimum building size and completion date. He noted that by passing the By-law allows the Mayor and Clerk to execute necessary documents pertaining to the sale. If there were major changes to the agreement of purchase and sale Council would have a chance to review, as well the site plan would return for approval as soon as it was submitted.

RESOLUTION: 371/11

Moved by: T. Fisk

Seconded by: M. Colwell

THAT By-law 2011-90; being a By-law to authorize the Mayor and Clerk to execute an agreement between the Town of Minto and SASRJ Equipment; be introduced and read a first, second, third time and passed in open Council and sealed with the seal of the Corporation.

Carried

11. Motion to go into Closed Session- 5:35 p.m.

RESOLUTION: 372/11

Moved by: M. Colwell

Seconded by: T. Fisk

THAT The Council of the Town of Minto Close to the Public” to discuss the following:

- The security of the property of the municipality;
- Personal matters about an identifiable individual, including but not clearly limited to employees of the municipality;
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

12. Motion to Convene into Open Session 6:32 p.m.

RESOLUTION: 373/11

Moved by: R. Elliott

Seconded by: R. Faulkner

THAT The Council of the Town of Minto convenes into open Council.

Carried

13. Business Arising from Closed Session- None

14. Confirmatory By-law

a) By-law 2011-91

RESOLUTION: 374/11

Moved by: R. Faulkner

Seconded by: M. Colwell

THAT By-law 2011-91; being a BY-law to confirm the Proceedings of Council at its Committee of the Whole meeting held on October 4, 2011; be introduced and read a first, second, third time and passed in open Council and sealed with the seal of the Corporation.

Carried

15. Adjournment- 6:35 p.m.

RESOLUTION: 375/11

Moved by: R. Faulkner

Seconded by: R. Elliott

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

Carried