



## **MINUTES**

**DATE:** Wednesday, November 23, 2016

**CLOSED MEETING:** 6:00 P.M.

**REGULAR MEETING:** 7:00 P.M.

The November 23, 2016 Regular Council Meeting was held on the above date and called to order at 6:00 p.m. in the Council Chambers, Aberfoyle.

### **1. ATTENDANCE:**

Mayor Dennis Lever  
Councillor Matthew Bulmer  
Councillor Susan Fielding  
Councillor Ken Roth  
Councillor John Sepulis

### **STAFF IN ATTENDANCE:**

1. Karen Landry, CAO/Clerk
2. Don Creed, Director of Public Works and Parks
3. Robert Kelly, Chief Building Official
4. Nina Lecic, Deputy Clerk

### **OTHERS IN ATTENDANCE**

1. Gerie McCauley
2. Sally Prior
3. Mary Lawrence
4. Bev McQuain
5. John Lawrence
6. Marcel Pruski
7. Jeff Buisman
8. Gay Kukovica
9. Luke Kukovica
10. Jessica Goyda
11. Stephen Goyda
12. John Sloom
13. Tony Mihocas
14. Dave Prior
15. Josh Fraser

### **2. DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF:**

Councillor Bulmer declared a pecuniary interest with respect to Item 3(a) - Confidential Verbal Report from Karen Landry, CAO/Clerk regarding the security of the property of the municipality or local board, with respect to 23 Brock Road. Councillor Bulmer left Council Chambers and was not present for any discussions on the matter.

### **3. CLOSED MEETING**

Council was in closed session from 6:02 p.m. to 6:54 p.m.

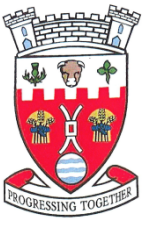
Council recessed from 6:54 p.m. to 7:00 p.m.

#### **Resolution No. 2016-417:**

Moved by Councillor Sepulis and  
Seconded by Councillor Fielding

**That Council shall go into closed session under Section 239 of the Municipal Act for the purpose of:**

- (a) **Confidential Verbal Report from Karen Landry, CAO/Clerk regarding the security of the property of the municipality or local board, with respect to 23 Brock Road.**



- (b) Confidential Verbal Report from Karen Landry, CAO/Clerk regarding litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board and advice that is subject to solicitor client privilege, including communications necessary for that purpose – Reid – 7827 Wellington Road 36 - Normal Farm Practices Board Hearing
- (c) Confidential Verbal Report from Karen Landry, CAO/Clerk regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Development agreements.
- (d) Confidential Verbal Report from Karen Landry, CAO/Clerk regarding litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board and advice that is subject to solicitor client privilege, including communications necessary for that purpose – 599 Arkell Road
- (e) Confidential Verbal Report from Karen Landry, CAO/Clerk regarding personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations – Organizational review.

**CARRIED**

**Resolution No. 2016- 418:**

Moved by Councillor Fielding and  
Seconded by Councillor Sepulis

**THAT Council move into open session.**

**CARRIED**

Council resumed into open session at 6:54 p.m.

**Resolution No. 2016- 419:**

Moved by Councillor Sepulis and  
Seconded by Councillor Fielding

**That Council receives the:**

- a. Confidential Verbal Report from Karen Landry, CAO/Clerk regarding the security of the property of the municipality or local board, with respect to 23 Brock Road.
- b. Confidential Verbal Report from Karen Landry, CAO/Clerk regarding litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board and advice that is subject to solicitor client privilege, including communications necessary for that purpose – Reid – 7827 Wellington Road 36 - Normal Farm Practices Board Hearing
- c. Confidential Verbal Report from Karen Landry, CAO/Clerk regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Development agreements
- d. Confidential Verbal Report from Karen Landry, CAO/Clerk regarding litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board and advice that is subject to solicitor client privilege, including communications necessary for that purpose – 599 Arkell Road
- e. Confidential Verbal Report from Karen Landry, CAO/Clerk regarding personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations – Organizational review.

**And that staff proceed as directed.**

**CARRIED**

**4. ADOPTION OF THE MINUTES:**

- (a) Council Meeting – November 9, 2016
- (b) Closed Council Meeting – November 9, 2016

**Resolution No. 2016- 420:**

Moved by Councillor Fielding and  
Seconded by Councillor Sepulis



**That the minutes of the following meetings be adopted as written and distributed:**

- (a) **Council Meeting – November 9, 2016**
- (b) **Closed Council Meeting – November 9, 2016**

**CARRIED**

**5. BUSINESS ARISING OUT OF THE MINUTES:**

- a. Ontario taking action to take water.

Karen Landry, CAO/Clerk sought clarification from Council with respect to additional information sought on the Ontario action to take water.

Council requested that Stan Denhoed, Harden Environmental provide a submission on behalf of the Township to the Ministry of the Environment with respect to the Moratorium - Permit to Take Water for Water Bottling EBR Registry Number 012-8783 at a cost of \$800.

**6. PUBLIC MEETINGS:**

None

**7. COMMUNICATIONS:**

- 1. Ontario Municipal Partnership Fund municipal allocations 2017
  - (a) Correspondence from the Ministry of Finance dated November 10, 2016
  - (b) Correspondence from AMO dated November 10, 2016
- 2. Monthly Monitoring Report, Mill Creek Pit, License #5738, 7115 Concession 2
  - a. Correspondence from Dufferin Aggregates dated November 10, 2016
- 3. Mini Lakes Groundwater and Surface Water Quarterly Monitoring Report – Q3
  - a. Correspondence from Burnside dated November 3, 2016
- 4. Township Staff
  - a. Correspondence from David Deacon, dated November 7, 2016
- 5. Notification of Application for Permit to Take Water, Mini Lakes Condominium Community
  - a. Correspondence from the Ministry of the Environment dated November 9, 2016
- 6. Expansion of the Greenbelt Plan Area
  - a. Correspondence from Ted Arnott, Wellington-Halton Hills MPP
- 7. **Intergovernmental Affairs**

Various correspondence for review.

**Resolution No. 2016- 421:**

Moved by Councillor Sepulis and  
Seconded by Councillor Fielding

**THAT the Council for the Township of Puslinch supports Bill 9 which states that all stroke victims receive care regardless of their age;**

**And that a copy of the resolution be sent to the Minister of Health and Long Term Care.**

**CARRIED**

Councillor Bulmer requested that Item #4, the correspondence with respect to Treaties Recognition Week be included on the next Heritage agenda.



**Resolution No. 2016- 422:**

Moved by Councillor Sepulis and  
Seconded by Councillor Fielding

**That the Intergovernmental Affairs correspondence items listed on the Council Agenda for November 23, 2016 Council meeting be received.**

**CARRIED**

**DELEGATIONS/PRESENTATIONS**

**Resolution No. 2016- 423:**

Moved by Councillor Sepulis and  
Seconded by Councillor Fielding

**THAT Council waives the procedural by-law to allow the following residents to speak with respect to PD-2016-031 Site Plan Agreement – Sloom Construction Ltd:**

- **Marny Mason and Marcel Pruski**

**CARRIED**

The following delegations address Council with respect to Staff Report PD-2016-031 Site Plan Agreement – Sloom Construction Ltd:

7:15 p.m. – Jeff Buisman, van Harten

Jeff Buisman provided an overview of the site plan approval and noted that all obligations have been met.

7:25 p.m. – Stephen and Jessica Goyda

Stephen and Jessica Goyda provided an overview of the proposal, including an overview of the work that has been done to get to site plan stage. An overview of future steps was also provided.

7:35 p.m. – Michael Oosterveld

Michael Oosterveld notified Council of his support for Staff Report PD-2016-031, including an overview of the positive impacts on the community.

7:45 p.m. – Luke Kukovica

Luke Kukovica notified Council of his support for Staff Report PD-2016-031 including an overview of the positive impacts on the community.

7:55 p.m. – Gay Kukovica

Gay Kukovica notified Council of her support for Staff Report PD-2016-031 including an overview of the positive impacts on the community.

8:05 p.m. – Wayne Hodges

Wayne Hodges notified Council of his opposition to Staff Report PD-2016-031, including:

- Concerns with the proposed sewage system, the liquor license application, a past oil spill, the cost of retaining Township lawyers and overall lack of trust with the applicant.

8:15 p.m. – David Prior

David Prior notified Council of his opposition to Staff Report PD-2016-031, including:

- Endangerment of safety.



- Site plan requirements have not been met, including the lack of well sign offs and nitrate impact assessment.
- Concerns with the proposed sewage system and impact on own well.
- Concerns with the correctness of the records, including the incorrect location of the well.
- Non conformity with the Building Code.
- Lack of trust with the applicant.

8:25 p.m. – Sally Prior

Sally Prior notified Council of her opposition to Staff Report PD-2016-031 due to negative impacts on her property and inquired whether Council had been provided with the correspondence from her solicitor dated November 18, 2016.

Karen Landry, CAO/Clerk advised that the Township did receive correspondence from the solicitor.

8:35 p.m. – Geraldine McCauley

Geraldine McCauley notified Council of her opposition to Staff Report PD-2016-31, including:

- Concerns with the sewage system and impacts on her property, the garbage disposal, the proposed parking and impacts to her property value.

8:45 p.m. – John Slood

John Slood notified Council of his support for Staff Report PD-2016-031 including:

- Overview of proposal and future plans.
- Overview of proposed seating, proposed septic system, proposed grading, relocation of Slood Construction, garbage removal, and overall efforts to alleviate neighbor concerns.

8:55 p.m. - Marcel Pruski

Marcel Pruski notified Council of his opposition to Staff Report PD-2016-031, including concerns with parking, the legal costs, the liquor license, the septic system and the overall safety to the community.

**Resolution No. 2016- 424:**

Moved by Councillor Fielding and  
Seconded by Councillor Sepulis

**That Council receives the following presentation with respect to Staff Report PD-2016-031 Site Plan Agreement – Slood Construction Ltd:**

- **Jeff Buisman, van Harten**
- **Stephen and Jessica Goyda**
- **Michael Oosterveld**
- **Luke Kukovica**
- **Gay Kukovica**
- **Wayne Hodges**
- **David Prior**
- **Sally Prior**
- **Geraldine McCauley**
- **John Slood**
- **Marcel Pruski**

**CARRIED**



**Resolution No. 2016- 425:**

Moved by Councillor Fielding and  
Seconded by Councillor Sepulis

**THAT Council receives the following correspondence with respect to Staff Report PD-2016-031 Site Plan Agreement – Sloom Construction Ltd:**

- E-mail from Daniel and Krista Taaffee dated November 21, 2016
- E-mail from Alex MacKinnon dated November 21, 2016

**CARRIED**

**8. REPORTS:**

**1. Puslinch Fire and Rescue Services**

None

**2. Finance Department**

None

**3. Administration Department**

None

**4. Planning and Building Department**

- (a) Report PD-2016-031 Site Plan Agreement – Sloom Construction Ltd., property described as Rear Part Lot 7, Concession 9, municipally known as 599 Arkell Road, Township of Puslinch.

**Resolution No. 2016- 426:**

Moved by Councillor Sepulis and  
Seconded by Councillor Fielding

**That Report PD-2016-031 regarding the Sloom Construction Ltd., property described as Rear Part Lot 7, Concession 9, municipally known as 599 Arkell Road, Township of Puslinch, be referred to staff for additional information, including:**

- That curbing be included on the south edge of the lot as a site plan requirement;
- That confirmation of the well location on Prior lands be obtained;
- The nitrate analysis capabilities of the proposed system be obtained with a recommendation from the Township's consultant that takes into consideration the background level;
- Clarification from GM BluePlan Engineering with respect to their statement "We are generally in agreement with the contents of the Stormwater Management Brief."
- Confirmation that a review based on a five year storm water is sufficient;
- GM BluePlan Engineering review of septic permit.

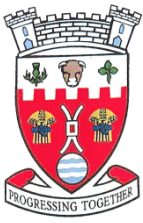
**CARRIED**

- (b) Report PD-2016-032 Telecommunication Application File A12/MET – Metrolinx, Greater Toronto Transit Authority, Plan 847, Part Block 1, RP61R8973, Parts 3- 4, located on Wellington Road 46

**Resolution No. 2016- 427:**

Moved by Councillor Roth and  
Seconded by Councillor Bulmer

**That Report PD-2016-032 regarding Telecommunication Application File A12/MET – Metrolinx, Greater Toronto Transit Authority, Plan 847, Part Block 1, RP61R8973, Parts 3- 4, located on Wellington Road 46, be received; and**



That Council authorize the release of the Concurrence Report to Industry Canada regarding the proposed 80 metre Metrolinx Communication Tower.  
**CARRIED**

(c) Wellington County Report- Ontario Municipal Board Review - Comments on Proposed Changes

**Resolution No. 2016- 428:** Moved by Councillor Bulmer and  
Seconded by Councillor Roth

THAT Puslinch Council receives the Wellington County Report on the Ontario Municipal Board Review;

AND THAT Council supports the resolution as outlined in the report.

**CARRIED**

(d) Wellington County Report- Bill 39- The Aggregate Resources and Mining Modernization Act, 2016

**Resolution No. 2016- 429:** Moved by Councillor Roth and  
Seconded by Councillor Bulmer

THAT Puslinch Council receives the Wellington County Report on Bill 39- The Aggregate Resources and Mining Modernization Act, 2016;

AND THAT Council supports the resolution as outlined in the report.

**CARRIED**

5. **Roads & Parks Department**

None

6. **Recreation Department**

None

7. **Mayor's Updates**

None

9. **NOTICE OF MOTION:**

a. Mayor Lever- Municipal Election Act- signatures of 25 supporters

**Resolution No. 2016- 430:** Moved by Councillor Fielding and  
Seconded by Councillor Bulmer

WHEREAS the Ministry of Municipal Affairs has implemented a new requirement that anyone wishing to run for office on a Council must submit the signature of 25 voters supporting the nomination;

AND WHEREAS in many small municipalities it has become increasingly difficult to attract councillors and this requirement will discourage qualified and new candidates;

AND WHEREAS in rural communities accessibility is even more difficult and infringes Ontarians with Disabilities Act (AODA);

AND WHEREAS the Province has stated that they want to encourage more local decision making.



NOW THEREFORE BE IT RESOLVED THAT the Township of Puslinch request the Province to re-evaluate this requirement and allow it to be an optional local decision to avoid negative consequences to many municipalities;

AND FURTHER THAT this resolution be circulated to the Minister of Municipal Affairs, the Association of Municipalities of Ontario.

**CARRIED**

b. Mayor Lever- Closing of the Fiscal gap

**Resolution No. 2016- 431:**

Moved by Councillor Roth and  
Seconded by Councillor Sepulis

WHEREAS recent polling, conducted on behalf of the Association of Municipalities of Ontario indicates 76% of Ontarians are concerned or somewhat concerned property taxes will not cover the cost of infrastructure while maintaining municipal services, and 90% agree maintaining safe infrastructure is an important priority for their communities;

AND WHEREAS infrastructure and transit are identified by Ontarians as the biggest problems facing their municipal government;

AND WHEREAS a ten-year projection (2016-2025) of municipal expenditures against inflationary property tax and user fee increases, shows there to be an unfunded average annual need of \$3.6 billion to fix local infrastructure and provide for municipal operating needs;

AND WHEREAS the \$3.6 billion average annual need would equate to annual increases of 4.6% (including inflation) to province-wide property tax revenue for the next ten years;

AND WHEREAS this gap calculation also presumes all existing and multi-year planned federal and provincial transfers to municipal governments are fulfilled;

AND WHEREAS if future federal and provincial transfers are unfulfilled beyond 2015 levels, it would require annual province-wide property tax revenue increases of up to 8.35% for ten years;

AND WHEREAS Ontarians already pay the highest property taxes in the country;

AND WHEREAS each municipal government in Ontario faces unique issues, the fiscal health and needs are a challenge which unites all municipal governments, regardless of size;

NOW THEREFORE BE IT RESOLVED that this Council supports the Association of Municipalities of Ontario in its work to close the fiscal gap; so that all municipalities can benefit from predictable and sustainable revenue, to finance the pressing infrastructure and municipal service needs faced by all municipal governments.

**CARRIED**

10. **COMMITTEE MINUTES**

- a. Heritage Committee Minutes – September 26, 2016
- b. Planning and Development, Committee of Adjustment Minutes – October 11, 2016
- c. Planning and Development Minutes – October 11, 2016

**Resolution No. 2016- 432:**

Moved by Councillor Bulmer and  
Seconded by Councillor Roth





That the minutes of the following meetings be received:

- a. Heritage Committee Minutes – September 26, 2016
- b. Planning and Development, Committee of Adjustment Minutes – October 11, 2016
- c. Planning and Development Minutes – October 11, 2016

**CARRIED**

**11. MUNICIPAL ANNOUNCEMENTS**

- (a) Councillor Fielding notified Council that she attended the Puslinch Lake Conservation Association meeting with Councillor Sepulis.
- (b) Councillor Fielding notified Council that she attended the Hamilton Conservation meeting and that the draft budget came in it at 1.8%.
- (c) Mayor Lever notified Council that the Remembrance Day ceremonies were well attended.
- (d) Mayor Lever notified Council that he attended the Premier's Awards for Agri-Food Innovation Excellence.

**12. UNFINISHED BUSINESS**

**13. BY-LAWS**

**14. CONFIRMING BY-LAW**

- (a) By-Law to confirm the proceedings of Council for the Corporation of the Township of Puslinch

**Resolution No. 2016- 433:**

Moved by Councillor Roth and  
Seconded by Councillor Bulmer

That the following By-law be taken as read three times and finally passed in open Council:

By-Law 081/16 being a by-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch at its meeting held on the 23<sup>rd</sup> day of November, 2016.

**CARRIED**

**15. ADJOURNMENT:**

**Resolution No. 2016- 434:**

Moved by Councillor Bulmer and  
Seconded by Councillor Roth

That Council hereby adjourns at 9:43 p.m.

**CARRIED**

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Dennis Lever, Mayor

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Karen Landry, CAO/Clerk