

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
TWENTIETH REGULAR 2010 COUNCIL MEETING

MINUTES

DATE: Wednesday, September 15, 2010

TIME: 7:30 P.M.

The Twentieth Regular 2010 Council Meeting was held on the above date and called to order at 7:30 p.m. in the Council Chambers, Aberfoyle.

ATTENDANCE: All members of Council and the CAO/Clerk-Treasurer.

OTHERS IN ATTENDANCE:

1. Kathy White
2. Jean and Fred Stahlbaum
3. Chris Daponte, Wellington Advertiser
4. Bev Wozniak, Mill Creek CLT
5. Janice Marr, Puslinch Pioneer
6. Fire Chief Bob Gordon
7. Heather Krouskie, Deputy Clerk
8. Helen Purdy
9. Dennis and Karen Lever
10. Ken Roth
11. Gary Cousins, Director of Planning and Development, County of Wellington
12. Mark Paoli, Sr. Planner, County of Wellington
13. Wayne Stokley, Planning Advisory Committee
14. Brian Cowan, Planning Advisory Committee
15. Doug Smith, Planning Advisory Committee
16. Betty Andersen
17. Aldo Salis, Sr. Planner, County of Wellington
18. Dianne and Dino Paron
19. Ned Krayishnik
20. Brian Beatty
21. Bruce Donaldson, Black Shoemaker Robinson & Donaldson
22. Rena Finlay
23. Don Tilma

ADOPTION OF THE MINUTES:

Motion No. 1: Moved by Dick Visser and Seconded by Don McKay.

THAT: The Special 2010 Council Meeting Minutes dated September 1, 2010 and the Nineteenth Regular 2010 Council Meeting Minutes dated September 1, 2010, be and are hereby adopted as presented.

CARRIED.

BUSINESS ARISING OUT OF THE MINUTES:

None.

DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF:

None.

COMMUNICATIONS:

1. **City of Guelph**

- (a) Notice of Project Commencement and Invitation to Participate received August 27, 2010 regarding the York Trunk Sanitary Sewer and Paisley-Clythe Water Feedermain Class Environmental Assessment. The City is initiating a Class EA study for improvements to the York Trunk Sanitary Sewer and a new drinking water feedermain for the Paisley and Clythe Reservoirs. Community members and interested parties are invited to attend the first of two Public Information Centres to review and discuss issues. Meeting dates and details will be advertized and posted in the meeting and event calendar at Guelph.ca.
- (b) Planning Application Notice of proposed Plan of Subdivision and Zoning By-law Amendment dated August 31, 2010 regarding 246 Arkell Road. The applicant is proposing a residential subdivision consisting of 12 lots to accommodate 24 semi-detached dwellings, 2 blocks to accommodate approximately 68 townhouse units and an associated stormwater management facility.
- (c) Notice of Application for Part Lot Control Exemption dated September 1, 2010 regarding 277 and 475 McWilliams Road and 630 Laird Road. The lands are currently draft plan approved and zoned for future industrial and corporate business park uses as part of the Hanlon Creek Business Park. The application would apply only to lots zoned and intended for industrial and business park uses.

(d) Notice of the Passing of a By-law Regarding Proposed Administrative Amendments to the Zoning By-law dated September 2, 2010. The proposed amendment would modify or introduce new regulations in the following categories: (i) Various residential Townhouse (R.3A and R.3B) Zone regulations; (ii) Definitions (various); (iii) General Provisions including Parking, Site Lines, and Permitted Yard Projections; (iv) Permitted uses in Industrial Zones; (v) Various regulations for Residential Single Detached (R.1) and Semi-Detached (R.2) zones; and (vi) The correction of mapping errors and general changes affecting a number of Defined Area Maps.

2. **Mini Lakes Residents' Association**

- (a) Correspondence from Astrid Clos, Planning Consultant to Sarah Wilhelm, Planner, County of Wellington dated August 26, 2010 providing revised plans. Astrid is resubmitting a revised draft plan of subdivision, plan of common element condominium and concept plan following comments and additional information received.
- (b) Confirmation from Pasquale Costanzo, Engineering Technologist, County of Wellington dated August 16, 2010 that the Engineering Services Department has no objection to the applications.

3. **Drinking Water System Engineering Assessment**

- (a) Correspondence from Grant Parkinson, Gamsby and Mannerow to the Director of Approvals (Part VI) Ministry of the Environment dated August 20, 2010 providing the Engineering Evaluation Report (Rev. 1). Gamsby and Mannerow were retained by the Township to conduct an engineering assessment of the drinking water system serving the Puslinch Community Centre. The assignment was initiated based on results of an MOE inspection conducted on April 21, 2010 and subsequent report dated May 13, 2010. Based on an inspection and assessment, Mr. Parkinson confirms that at least the minimum level of treatment stipulated in Schedules 2 and 3 of

Regulation 170/03 is being provided, and monitoring equipment is available to meet requirements of Schedules 6 and 9.

- (b) Email correspondence from Rick Neubrand, Senior Environmental Officer/Inspector, Ministry of the Environment dated September 13, 2010 advising that the Engineering Evaluation Report now complies with the requirements of O.Regulation 170/03 and no further action is required by the Township at this time.

4. **Severance Application #B135/06 – Norman Shain 66 Hume Road**

- (a) Correspondence from Margaret Chapman, solicitor, Mackenzie and Chapman received August 27, 2010 enclosing a Release of the tertiary treatment agreement on the retained parcel of land. Ms. Mackenzie advises that the land registry indicates that the tertiary treatment agreement was registered against both the severed parcel and the retained parcel. The owner of the retained parcel, Norman Shain, has now sold the property and the purchaser's solicitor has requested the removal of the agreement from title.

Motion No. 2: Moved by Don McKay and seconded by Dick Visser.

THAT: The Council in and for the Township of Puslinch does hereby accept the Release Agreement dated August 27, 2010 between The Corporation of the Township of Puslinch and Norman James Shain and does hereby authorize the Mayor and the CAO/Clerk-Treasurer to execute the same regarding Part Lot 10, Concession 10 as in MS78718 and Part 1, 61R-3285 Except Part 1, 61R-10540 and Part 1, 61R-11020.

CARRIED.

5. **Zoning By-law Amendment Application #P3/10 – Roger Will**
337 Townline Road, Part Lot 1, Gore Concession
 - (a) Notice of a Complete Application and Initial Review of an Application to Amend the Zoning By-law dated August 30, 2010. The proposed amendment is to rezone the subject land from the current site specific Agricultural Exception (A-30) Zone back to the Agricultural (A) Zone. The current Natural Environmental (NE) Zone on the property is to remain unchanged. The Planning Advisory Committee will hold their initial review of the application at their meeting on Monday, September 27 at 8 p.m. at the Municipal Complex.

6. **Township Speed Limits**
 - (a) Correspondence from Wayne Schiedel dated August 19, 2010 regarding speeders on Township roads. Mr. Schiedel is particularly concerned with speeding on Forestell and Roszell Roads with some speeds in excess of 100 km/hr.

7. **Ministry of the Environment**
 - (a) Environmental Registry Notice 011-1092 located on September 2, 2010 for Stantec Consulting Ltd for dispensing fuel inside a building. The applicant has requested permission to dispense gasoline into new vehicles on the assembly line.

8. **Source Water Protection**
 - (a) Email correspondence from Trina Sequin, Source Protection Administrative Assistant dated August 31, 2010 enclosing the Proposed Early Response Prioritization report for the Lake Erie Source Protection Region.
 - (b) Email correspondence from Trina Sequin, Source Protection Administrative Assistant dated September 7, 2010 enclosing the approved minutes from the Lake Erie Region Source Protection Committee meeting of August 12.

9. **Highway #401 Service Centre Redevelopment**

- (a) Newspaper Notice of Public Information regarding the Cambridge South Service Centre. The PIC will be held on Thursday, September 16 from 4 to 8 p.m. at the Puslinch Community Centre.
- (b) Newspaper Notice of Public Information regarding the Cambridge North Service Centre. The PIC will be held on Thursday, September 16 from 4 to 8 p.m. at the Puslinch Community Centre.

10. **Puslinch Public Library**

- (a) Library Lease between The Corporation of the County of Wellington and The Corporation of the Township of Puslinch (Puslinch Historical Society).

Motion No. 3: Moved by Matthew Bulmer and seconded by Susan Fielding.

THAT: The Council in and for the Township of Puslinch does hereby accept the Lease Agreement dated September 15, 2010 between The Corporation of the County of Wellington and The Corporation of the Township of Puslinch and does hereby authorize the Mayor and the CAO/Clerk-Treasurer to execute the same regarding the Puslinch Public Library. (Puslinch Historical Society)

CARRIED.

11. **Zoning By-law Amendment Application #P2/10 – Geddes/Keleher**

31 Pioneer Grove Road, Part Lot 5, Concession 1

- (a) Correspondence from Aldo Salis, Sr. Planner, County of Wellington dated September 13, 2010 providing his comments for Council's consideration. Aldo advises that the purpose of the application is to satisfy a condition of a consent application, which proposes to subdivide the subject property into two large lots. If rezoning is approved and the related consent application is finalized, the proposed development will result in: (a) a large new lot (severed parcel) with reduced frontage and 25 metre building setback from

Oak Lane and utilizing the existing right-of-way and Pioneer Grove Road as a means of access; (b) a large retained lot with existing residence with reduced frontage and with access (also via a right-of-way and Pioneer Grove Road) unchanged; and (c) abandonment of a proposed Plan of Vacant Land Condominium application on the subject land. Aldo further advises that his office supported the consent application and has no concerns with the amending by-law.

The public meeting was held at 7 p.m. on this same date in Council Chambers at the Municipal Complex.

See also By-law #42/10 below.

12. **Intergovernmental Affairs**

- (a) Various correspondences for review.

DELEGATIONS

1. **Gary Cousins, Director of Planning and Development, County of Wellington
Mark Paoli, Sr. Planner, County of Wellington**

Gary and Mark attended before Township Council to discuss what has happened and where things are going with respect to the Official Plan 5-Year Review process.

- The County of Wellington is conducting a 5-year review of the Official Plan.
- The provincial policies keep changing and this is to bring the OP into compliance with those changes including the Greenbelt Plan.
- The County will be looking at policies in the OP that will:
 - better our community;
 - protect Natural Heritage including smaller woodland systems;
 - review the complete application process;
 - recognize the Paris and Galt Moraine policy area; and
 - recognize provincial changes to Earth Science ANSIs.
- The Township provided a list of items that Council would like to see be included:
 - (a) Remove the Greenbelt and expand Morriston. The Greenbelt does not allow this as boundaries are frozen.

- (b) Include Morriston in the Hamlet Residential boundary.
- (c) Can we create our own ANSI lines or do we have to follow the Ministry of Natural Resources lines? The Ministry of Natural Resources has the expertise. The County is not planning to establish its own lines.
- (d) Re-setting the date with respect to severances; and
- (e) How we review aggregate proposals.

Councillor Susan Fielding

- With respect to the Hamlet Residential in Morriston, when can we expect answer from Province?

Mark Paoli

- In the next week or so we are hoping to receive verbal confirmation.

Councillor Susan Fielding

- What are your thoughts on re-setting the severance dates?

Mark Paoli

- Currently a severance application is available should someone own the property for 5 years and have not had a severance since May of 1999.
- We currently have no thoughts on what to set the new date at.

Councillor Matthew Bulmer

- Aggregate approvals process
- More of a parallel process developing in the OP
- Develop through planning process to protect residences as opposed to relying on what is seen in compliance reports.

Gary Cousins

- The right study requirements are required.
- It is an issue of control
- The Province has not given us the ability to do that.

Councillor Matthew Bulmer

- We have a responsibility to build in through the planning process.
- Currently the aggregate companies can licence the entire site but we can only control it through the zoning process.
- We need to provide adequate setbacks and buffers so that residences are protected.
- It would be better if we could stage the zoning.

Gary Cousins

- I'm willing to explore this issue.
- We don't have the same regulations for an aggregate extraction application vs. a gas station application.

Councillor Matthew Bulmer

- Mast/Snyder Pit – limited extraction by limiting zoning.
- The applicant is then free to make application once protection in place.

Councillor Don McKay

- I'm glad to see that we will be recognizing the Moraines and ANSIs.
- What can we do to protect these?
- We saw at the proposed Neubauer Pit where the Ministry of Natural Resources changed the boundaries.

Gary Cousins

- There is limited technical skill out there.
- We didn't like the way the boundaries were decided either.
- I don't see that there is a lot to be gained fighting the Ministry of Natural Resources decisions.

Mark Paoli

- The Paris-Galt Moraine Policy areas are shown in Schedule "B" of the draft OP.
- We wanted to bring attention to them as an important water feature.
- The question is "protect them from what and how?" is something we need to determine.
- The industrial lands and residential hamlet areas also need to be considered in terms of the Moraines.

Councillor Don McKay

- Important that there is consistency and compatibility with the City of Guelph.
- I'm concerned they don't consider what they are doing requires our consideration.
- The Township's submitted comments regarding the Guelph Heritage plan.

Councillor Dick Visser

- The expansion of the Hamlet Residential zoning in Morriston, would you put an Official Plan line around it?

Mark Paoli

- We are consulting with them now but are proposing a new urban centre line would go around it.

Councillor Dick Visser

- With respect to the severance policy, there are a number of lots still available.

Gary cousins

- Yes, there are several hundred still available with the Reid's Heritage Lake development, Audrey Meadows development and the Aberfoyle Meadows development but the sources of lots in Puslinch will dry up.

- Need to think about how people, in the future, are going to obtain lots.

Councillor Susan Fielding

- I believe the 10-year review of the Greenbelt is coming up.
- Would the Province be amenable to changing the boundaries?

Gary Cousins

- In un-serviced communities expansion will be limited.

Councillor Susan Fielding

- I would like to see us grow Hamlet boundaries.
- I think it would be better planning and hope in 4 years something is put forth to the Province.

Councillor Matthew Bulmer

- Compliance with Places to Grow
- Do we have enough employment lands put aside? Do we have the right type? Manufacturing vs. service industry.

Mark Paoli

- We exceed the recommended 1 job for every 3 residences.
- We will have to look into this.

Councillor Matthew Bulmer

- We have designated the corridor next to the Hanlon as an employment area in the Design Guidelines.
- Are there other places that we should be looking at to take advantage of highways?

Gary Cousins

- We can look at that for you.

Mayor Brad Whitcombe

- The moraines are the recharge engine.
- Need to develop policies to deal with form and function.

Mark Paoli

- That is a good place to start.

Gary Cousins

- It is not going to be easy.
- Large development has the ability to change the landscaping and threaten the moraine.
- We need to encourage the development that respects the landform.

Mayor Brad Whitcombe

- If we want to take advantage of some modest opportunities available in Morriston, why wouldn't we start right now and be ready for the Province. We should look at how the Hamlet should be serviced instead of waiting until the end of the 4 years is up.

Gary Cousins

- Morriston is a good site to grow the community.
- Your chances will improve depending upon the level of services you are willing to offer.

Mayor Brad Whitcombe

- I see the changing of the severance policy as growth opportunities.
- I think it bears a thorough look.

Gary Cousins

- We will look at that also.

Mayor Brad Whitcombe

- In terms of the Aggregate Industry, I agree with Councillor Bulmer that anything that gives us power would be most helpful.

Gary Cousins

- Yes, we need some control over aggregate industry and would like to keep what control we have and get more.

Council thanked Mark and Gary for attending before them.

REPORTS:

1. Fire Department
 - (a) **Motion No. 4:** Moved by Matthew Bulmer and seconded by Susan Fielding.
THAT: The Fire Department Accounts for Payment for the Month of August, 2010 in the amount of \$34,324.85 be and are hereby authorized for payment.
CARRIED.
 - (b) Fire Chief Gordon mentioned that there are some locations in the Township where fire trucks are unable to get through due to large tree branches hanging over the roadways. One location being Swastika Trail. Councillor Visser advised that he would mention this at an upcoming Puslinch Lake Conservation Association meeting in October.
 - (c) Fire Chief Gordon has arranged a Tanker demonstration for immediately following the October 6 Council meeting.

2. **Financial Department**

(a) Financial Report as of July 31, 2010.

(b) Statement of Expenditures for the period ending July 31, 2010.

Council acknowledged these reports.

ACCOUNTS FOR PAYMENT:

1. **Motion No. 5:** Moved by Dick Visser and seconded by Don McKay.

The Council does hereby authorize for payment the County of Wellington Planning and Development Department invoice dated August 18, 2010 for services rendered regarding Zoning By-law Amendment Application #P6/08 Noonan and McIntosh in the amount of \$722.50.

This amount shall be invoiced to the applicable party.

CARRIED.

2. **Motion No. 6:** Moved by Susan Fielding and seconded by Matthew Bulmer.

THAT: The Council does hereby authorize for payment the Harden Environmental Services Ltd. invoices dated August 31, 2010 for services rendered regarding the following:

1	Nestle Waters Canada	\$1,762.80
2	Concession II Pits	\$440.70
3	Halton and Hamilton Sourcewater Protection	\$1,101.75
4	Puslinch Groundwater Monitoring	\$1,919.64
5	Puslinch Lake	\$6,947.08
	TOTAL	\$12,171.97

These amounts shall be invoiced to the applicable parties.

CARRIED.

3. **Motion No. 7:** Moved by Don McKay and seconded by Dick Visser.

THAT: The Council does hereby authorize for payment the GWS Ecological & Forestry Services Inc. invoices dated September 8, 2010 for services rendered regarding the following:

1	Shell Station Redevelopment	\$500.82
2	Capital Paving Site Plan Review	\$152.55
3	Aberfoyle Concrete Site Plan Review	\$269.17
	TOTAL	\$922.54

These amounts shall be invoiced to the applicable parties.

CARRIED.

4. **Motion No. 8:** Moved by Matthew Bulmer and seconded by Susan Fielding.

THAT: The Council does hereby authorize for payment the General Accounts for the month of July, 2010 in the amount of \$571,467.58.

CARRIED.

BY-LAWS:

1. **Motion No. 9:** Moved by Richard Visser and seconded by Don McKay.

THAT: The Council in and for the Township of Puslinch does hereby give By-law #42/10, being a by-law to amend By-law #19/85, as amended, being the Zoning By-law of the Township of Puslinch, its First, Second and Third Readings and Finally Passed this 15th day of September, 2010. – #P2/10 Geddes/Keleher 31 Pioneer Grove Road.

CARRIED.

2. **Motion No. 10:** Moved by Matthew Bulmer and seconded by Susan Fielding.
THAT: The Council in and for the Township of Puslinch does hereby give By-law #**43/10**, being a by-law to provide for advance votes to be held prior to voting day, its First, Second and Third Readings and Finally Passed this 15th day of September, 2010.
CARRIED.

3. **Motion No. 11:** Moved by Don McKay and seconded by Dick Visser.
THAT: The Council in and for the Township of Puslinch does hereby give By-law #**44/10**, being a by-law to provide early voting on voting day and reduced hours of voting in institutions and retirement homes, its First, Second and Third Readings and Finally Passed this 15th day of September, 2010.
CARRIED.

4. **Motion No. 12:** Moved by Susan Fielding and seconded by Matthew Bulmer.
THAT: The Council in and for the Township of Puslinch does hereby give By-law #**45/10**, being a by-law to fix the date, time and place for the Inaugural Meeting and the First Regular Meeting of the Council of the Corporation of the Township of Puslinch for the 2011 – 2014 Term, its First, Second and Third Readings and Finally Passed this 15th day of September, 2010.
CARRIED.

5. **Motion No. 13:** Moved by Dick Visser and seconded by Don McKay.
THAT: The Council in and for the Township of Puslinch does hereby give By-law #**46/10**, being a by-law to authorize the establishment of an election compliance audit committee, its First, Second and Third Readings and Finally Passed this 15th day of September, 2010.
CARRIED.

NEW BUSINESS:

1. Councillor Dick Visser mentioned the circulation that was received last week and as such suggested that there be a police presence on both Candidate Meeting nights.
2. Councillor Don McKay advised that the Aberfoyle Fall Fair was a huge success. Over 800 attended for the meal put on by Capital Paving. Thanks to everyone for their contributions to the Agricultural Society in making the 2010 Fair a great success. This is the fair's 170th year. Councillor Visser thanked CBO Dave Thompson for his efforts in getting the site cleaned up in time for the fair.
3. Councillor Matthew Bulmer asked about the opening of the new Multi-Use Recreational Facility in November and the long-term management plan, which includes the proposed service fees.
4. Councillor Susan Fielding mentioned the launch of Road Watch at the Aberfoyle Fall Fair on Saturday and thanked Dave Haley for all of his efforts.

CLOSED MEETING:

None.

UNFINISHED BUSINESS:

None.

CONFIRMING BY-LAW:

Motion No. 14: Moved by Susan Fielding and Seconded by Matthew Bulmer.

THAT: The Council in and for the Corporation of the Township of Puslinch does hereby give By-law #47/10 being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Puslinch at its meeting held on September 15, 2010, its First, Second and Third Readings and Finally Passed this 15th day of September, 2010.

CARRIED.

ADJOURNMENT:

Motion No. 15: Moved by Dick Visser and Seconded by Don McKay.

THAT: The Council does hereby Adjourn at 9:09 p.m.

CARRIED.

Signed: _____
Brad Whitcombe, Mayor

Brenda Law, CAO/Clerk-Treasurer