

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
FIFTH REGULAR 2013 COUNCIL MEETING

MINUTES

DATE: Wednesday, February 6, 2013

TIME: 1:00 P.M.

The Fifth Regular 2013 Council Meeting was held on the above date and called to order at 1:00 p.m. in the Council Chambers, Aberfoyle.

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

OTHERS IN ATTENDANCE:

1. Don Creed, Public Works Supervisor
2. Heather Krouskie, Deputy Clerk
3. Robert Kelly, Chief Building Official
4. Mike Robinson, Wellington Advertiser
5. Karen and Michael Lever
6. Janice Marr
7. Don McKay, County Councillor Ward 7
8. Doug Smith
9. Karen Landry
10. Sarah Wilhelm, Planner, County of Wellington
11. Jameson Pickard, County of Wellington

CAO/Clerk-Treasurer Brenda Law presented Mayor Lever with the Queen's Diamond Jubilee Medal.

Mayor Lever introduced Karen Landry, the Township's new Chief Administrative Officer and Clerk and thanked Brenda Law for staying on to help with the transition.

DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF:

None.

ADOPTION OF THE MINUTES:

Motion No. 1: Moved by Wayne Stokley and Seconded by Susan Fielding.

THAT: The 2013 Special Council Meeting Minutes dated January 23, 2013 and the Fourth Regular 2013 Council Meeting Minutes dated January 23, 2013, be and are hereby adopted as presented.

CARRIED.

BUSINESS ARISING OUT OF THE MINUTES:

None.

COMMUNICATIONS:

1. Asset Management Plan

- (a) Correspondence from Amanda Pepping, Gamsby and Mannerow Limited dated January 21, 2013 providing a proposed work plan and fee estimate for services associated with the development of an Asset Management Plan.

Motion No. 2: Moved by Ken Roth and seconded by Jerry Schmidt.

THAT: The Council in and for the Township of Puslinch does hereby accept the proposed Work Plan and Fee Estimate of \$22,850 (plus HST) to develop an Asset Management Plan as set out in the correspondence from Gamsby and Mannerow Limited dated January 21, 2013.

CARRIED.

2. Nestle Waters Inc.

- (a) Environmental Registry Notice dated January 23, 2013 of an amendment to Permit to Take Water regarding the use of a second well on the site to provide water to top up a fire fighting pond. There proposed water taking is not authorized for the purposes of water bottling. There will be no increase in the total amount of water taken at the site, nor the total amount authorized under the amended permit.

3. Royal Canin

- (a) Email correspondence from Nick Schmidt, AMEC Environment & Infrastructure dated January 25, 2013 regarding increasing the water taking permit. Mr. Schmidt advises that AMEC has been retained to assist Royal Canin with increasing their water taking permit and are advising the Township as a courtesy.

4. **Maple Leaf Foods Inc.**

- (a) Email correspondence from Stephanie Lombardo, Ministry of the Environment dated January 25, 2013 enclosing the Notification of Application for Permit to Take Water. The proposal is for a new Category 3 PTTW application to support water supply at the Maple Leaf Foods Distribution Centre. The maximum taken per day is 653,760 litres.

Council instructed staff to request that the Ministry of the Environment consider reducing the permit time period to 5 years.

- (b) Ministry of the Environment Environmental Compliance Approval notice dated November 28, 2012. The application is for the establishment of stormwater conveyance system and stormwater management system for the collection, transmission, treatment and disposal of stormwater runoff from catchment areas with a total area of 9.61 hectares, to provide enhanced water quality protection and to attenuate post-development peak flows to pre-development levels for all storm events up to and including the 100 year return storm.

5. **Drinking Water Systems Regulation O.Reg. 170/03**

- (a) Province of Ontario Annual Report for a small municipal non-residential water system at the Puslinch Community Centre for 2012.

6. **Zoning Bylaw Amendment Application #P3/12 – Krayishnik**

- (a) Environmental and Land Tribunals Ontario/Ontario Municipal Board confirmation of Hearing Room Arrangements dated January 17, 2013. The hearing is scheduled for Thursday, May 16 and Friday May 17 starting at 10 a.m. at the Puslinch Municipal Complex.
- (b) Planning Report prepared by Sarah Wilhelm, Planner, County of Wellington dated January 22, 2013. It is the opinion of the Planning Department that the proposed amendments to the County Official Plan and Puslinch Zoning bylaw do not represent good planning and are not in the public interest. The

amendments do not conform with the Growth Plan and are not consistent with the Provincial Policy Statement, which direct growth to settlement areas. The amendments do not conform with Official Plan policies established to manage growth in rural areas and limit residential development in secondary agricultural areas.

Motion No. 3: Moved by Susan Fielding and seconded by Wayne Stokley.

THAT: The Council in and for the Township of Puslinch does accept the recommendation of Sarah Wilhelm as set out in her Planning Report dated January 22, 2013 that Puslinch Council not support the proposed Official Plan Amendment (Application OP-2012-03) and advise the County of Wellington and the Ontario Municipal Board of its position;

AND THAT: Puslinch Council will advise the Ontario Municipal Board that the proposed zoning by-law amendment (Application P3/12) should be refused.

Re: Ned and Lily Krayishnik

CARRIED.

7. **Zoning Bylaw Amendment Application #P7/12 – Harrison/Gingras**

- (a) Notice of Public Meeting dated January 9, 2013. The meeting is scheduled for Wednesday, February 6, 2013 at 3 p.m. The purpose of the proposed amendment is to rezone the subject property to allow for a second dwelling on a temporary basis (a garden suite).
- (b) Correspondence from Sarah Wilhelm, Planner, County of Wellington dated January 30, 2013 providing her final comments and enclosing the draft bylaw. Sarah advises that the proposed rezoning is consistent with the Provincial Policy Statement and generally conforms to the Greenbelt Plan, Provincial Growth Plan and the County Official Plan. There may, however, be a need to further address concerns of neighbouring land owners regarding the visual impact of the garden suite.

- (c) Garden Suite Agreement between the Township of Puslinch and Michel Gingras and Marina Harrison.

Council requested that a provision be added to the Agreement with respect to screening of the garden suite to reduce the view for the neighbours to the east.

See also Public Meeting Minutes dated February 6, 2013.

8. Fox Run Phase 2

- (a) Correspondence from Fred Natalochny, Supervisor Resource Planning, Grand River Conservation Authority dated January 24, 2013 commenting on the Preliminary Stormwater Management and Site Servicing Report. Mr. Natalochny is recommending oil and grit separators to eliminate some of the steeper slopes at the rear of the property instead of side slopes and swales. He is also requesting confirmation of the suitability for reuse and an illustration of the physical characteristics of the salvaged out structure and its associated subdrain.

9. County of Wellington

- (a) Correspondence from Scott Wilson, CAO, County of Wellington dated January 25, 2013 regarding the Risk Management Official and Inspector. Local municipalities agreed that a risk management structure based on the Fire Training Officer model would be a good direction to follow. The County of Wellington will provide the funds to cover employment costs of the Risk Management Official (RMO); A single RMO will be appointed by each local municipality in the County, and will fulfill any and all legislated duties for each local municipality, including supervising any appointed Risk Management Inspector (RMI); and the RMO will be an employee of the Township of Centre Wellington and report to the Township's Director of Public Works.

Council requested that the Chief Building Official be involved in any future discussion on this matter.

10. **Grand River Conservation Authority**

- (a) Correspondence from Keith Murch, Assistant Chief Administrative Officer, Grand River Conservation Authority dated January 28, 2013 enclosing the preliminary 2013 budget. The Township will see an increase in the municipal levy of 2.7% over the 2012 levy.

11. **City of Cambridge – Black Bridge Road**

- (a) Heritage Progress Meeting Notes dated January 10, 2013.

CAO/Clerk-Treasurer Brenda Law explained that the Township of Puslinch could be included as part of the heritage assessment and at this point there would be no cost to the Township. Council was agreeable to having the Township part of the assessment but would like to have involvement from the Puslinch Heritage Committee.

12. **Niagara to GTA Corridor EA Study**

- (a) Email correspondence from Trish Martins, Project Administrator, URS Canada Inc. dated January 30, 2013 enclosing the Notice of Public Information Centre #5. Stakeholders are invited to attend the fifth round of Public Information Centres to review and comment on the preferred highway expansion options for the entire Niagara to GTA (NGTA) study area. PIC #5 will be held on: Tuesday, February 12, 2013 4 to 8 p.m. Holiday Inn Burlington, Halton Hall, 3063 South Service Road, Burlington; Wednesday, February 13, 2013 4 to 8 p.m., Royal Canadian Legion, Upstairs Hall, 383 Morningstar Avenue, Welland; Tuesday, February 19, 2013 4 to 8 p.m., Ancaster Fairgrounds, Marritt Hall, 630 Trinity Road, Jerseyville.
- (b) Assessment and Evaluation of Highway Expansion Alternatives powerpoint presentation dated January 29, 2013.

13. **Aggregate Operations**

Puslinch Pit Expansion ~ Cox Construction

- (a) Correspondence from Stan Denhoed, Harden Environmental Services dated January 30, 2013 regarding continued monitoring. Stan advises that all of his comments of January 27, 2012 have been addressed. Stan suggests that the design err on the side of restricting more flow than less flow given that all concerns on the Mast Snyder property revolve around a water level that is too low with respect to fisheries and wetlands upgradient of the Mast Snyder Pit ponds.

Puslinch Pit ~ CBM Aggregates

- (b) 2012 Groundwater Monitoring Report dated January, 2013 and prepared by Groundwater Science Corp. The data indicates that the below water table extraction at the Puslinch Pit has had an insignificant effect on the overall groundwater flow system and has not resulted in any measurable alteration to the division of water between the Mill Creek and Fletcher Creek subwatersheds. It is recommended that the groundwater monitoring program continue in 2013.

Neubauer Pit ~ CBM Aggregates

- (c) Correspondence from Andrew Pentney, Groundwater Science Corp. to CBM Aggregates dated January 16, 2013 providing the Groundwater Monitoring Summary. To date no extraction has occurred at the site and no below water extraction can be expected at the site in the next two years.

Nigro Pit ~ CBM Aggregates

- (d) Correspondence from Andrew Pentney, Groundwater Science Corp. to CBM Aggregates dated January 15, 2013 providing the 2012 Groundwater Monitoring Summary. Mr. Pentney recommends that the monitoring program continue and the blockage in monitor BH2-5 should be removed.

14. **Intergovernmental Affairs**

- (a) Various correspondences for review.

DELEGATIONS

None.

REPORTS:

1. **Road Department**

- a) **Motion No. 4:** Moved by Jerry Schmidt and seconded by Ken Roth.

THAT: The Road Department Accounts for Payment for the Month of January, 2013 in the amount of \$71,616.60 be and are hereby authorized for payment.

CARRIED.

- b) Public Works Committee recommendation re: Equipment Life Cycle

Motion No. 5: Moved by Wayne Stokley and seconded by Susan Fielding.

THAT: The Council in and for the Township of Puslinch does hereby support the recommendation of the Public Works Committee that the Roads Equipment Life Cycle be as follows:

Trucks	8 years
Pick-ups	5 years
Backhoe & Ton & Half Truck	10 years
Graders	20 to 25 years

and/or at the discretion of the Public Works Superintendent.

CARRIED.

- c) Correspondence from Pat and Carol LaCivita dated January 31, 2013 requesting a second entrance permit from the rear of their property (14 Deer View Ridge) off of Hammersley Road.

Public Works Superintendent Don Creed advised that he explained that the driveway could not be made into a throughway and he did not anticipate any impact to future work required by Roads Department as a result of the second entrance. An entrance permit is still required. The one foot reserve along Hammersley Road will have to be removed and dedicated as a public road.

- d) Correspondence from Marjorie Clark dated January 10, 2013 requesting that signs be installed marking heritage locations.

Council was agreeable to having the signs installed. Don to proceed with those listed in Marjorie's letter. Staff are instructed to seek input from the Heritage Committee and then prepare a design for Council's approval.

2. **Building Department**

- a) Council members reviewed and acknowledged the January, 2013 Chief Building Official's Report to Council.
- b) Proposed Sign Bylaw continues to be reviewed.
- c) Correspondence from Patricia Barr dated January 18, 2013 regarding Ren's Pets Depot sign. Ms. Barr finds the light emitting from the sign is annoying.

ACCOUNTS FOR PAYMENT:

1. **Motion No. 6:** Moved by Wayne Stokley and seconded by Susan Fielding.

THAT: The Council does hereby authorize for payment the Gamsby and Mannerow Limited invoices dated January 16, 2013 for services rendered with respect to the following:

1	Carroll Pond Municipal Drain – Water Quality Monitoring	1,504.06
2	Various Zoning Matters	2,594.64
	TOTAL	\$4,098.70

These amounts shall be invoiced to the applicable parties.

CARRIED.

2. **Motion No. 7:** Moved by Ken Roth and seconded by Jerry Schmidt.

THAT: The Council in and for the Township of Puslinch does hereby authorize for payment the Account for general legal matters for 2012 from McElderry & Morris in the amount of \$4,767.19.

CARRIED.

BY-LAWS:

1. **Motion No. 8:** Moved by Ken Roth and seconded by Jerry Schmidt.

THAT: The Council in and for the Township of Puslinch does hereby give By-law #18/13, 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 6th day of February, 2013.

Re: #P7/12 Gingras/Harrison, Part Lot 17, Gore Concession.

CARRIED.

2. **Motion No. 9:** Moved by Ken Roth and seconded by Jerry Schmidt.

THAT: The Council in and for the Township of Puslinch does hereby give By-law #19/13, being a by-law to Appoint a Chief Administrative Officer and Clerk, its First, Second and Third Readings and Finally Passed this 6th day of February, 2013.

(Karen Landry effective March 4, 2013)

CARRIED.

3. **Motion No. 10:** Moved by Susan Fielding and seconded by Wayne Stokley.

THAT: The Council in and for the Township of Puslinch does hereby give By-law #20/13, being a by-law to Authorize the Execution of an Employment Agreement, its First, Second and Third Readings and Finally Passed this 6th day of February, 2013. (Karen Landry)

CARRIED.

NEW BUSINESS:

1. Councillor Jerry Schmidt asked Council to consider revising the Fire & Rescue Committee Mandate to change the meeting schedule from bi-monthly to monthly. The current Mandate allows the Chair to call the meetings as he sees fit, so it was decided to leave the Mandate as is.
2. The Optimist Club Winter Classic Weekend is February 16, 17 and 18 at the Puslinch Optimist Recreation Centre. The Optimist Club of Puslinch is hosting a fun filled family weekend to be held in the Puslinch Community Park, Aberfoyle, on Family Day weekend. There will be a multitude of activities for all age groups.

The proceeds of the weekend will support the club's Big Apple Challenge to help the victims of Hurricane Sandy. Enter a team or just come and enjoy the fun!

3. Recreation Committee obtained 3 quotes for the new flooring and will look at samples and discuss when is the best time to have the floor replaced.
4. At the Remembrance Day Ceremony it was brought to our attention that work around cenotaph is needed. Grant program available until end of March. Make application but will need an estimate of work needed and cost.
5. Mayor Lever reminded everyone that the Volunteer and Senior of the Year nomination deadlines were fast approaching and to think about potential nominees.
6. Council requested that the Optimist Recreation Centre sound barrier be added to the next council agenda.
7. Minutes of Settlement received recently advising that Dufferin Aggregates will receive a \$180,000 tax refund.
8. Wellington County Economic Development Municipal Working Group is looking for a political and an administrative representative from each municipality. The meetings are the first Tuesday of each month. Ward 7 County Councillor Don McKay advised that he was willing to be the Township political representative. Township staff will represent the administrative side.

CLOSED MEETING:

None.

UNFINISHED BUSINESS:

None.

CONFIRMING BY-LAW:

Motion No. 11: Moved by Wayne Stokley and Seconded by Susan Fielding.

THAT: The Council in and for the Corporation of the Township of Puslinch does hereby give By-law # **21/13** being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Puslinch at its meeting held on February 6, 2013, its First, Second and Third Readings and Finally Passed this 6th day of February, 2013.

CARRIED.

ADJOURNMENT:

Motion No. 12: Moved by Jerry Schmidt and Seconded by Ken Roth.

THAT: The Council does hereby Adjourn at 3:33 p.m.

CARRIED.

Signed: _____
Dennis Lever, Mayor

Brenda Law, CAO/Clerk-Treasurer