



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
May 14, 2015 SPECIAL COUNCIL MEETING

MINUTES

DATE: Thursday, May 14, 2015

TIME: 6:00 P.M.

The May 14, 2015 Special Council Meeting was held on the above date and called to order at 6:00 p.m. in the Council Chambers, Aberfoyle. (Closed Meeting) and Optimist Recreation Centre- Gymnasium (Open Meeting).

1. **ATTENDANCE:**

Mayor Dennis Lever
Councillor Matthew Bulmer
Councillor Susan Fielding
Councillor Ken Roth
Councillor Wayne Stokley

STAFF IN ATTENDANCE:

1. Donna Tremblay, Deputy Clerk
2. Karen Landry, CAO/Clerk
3. Robert Kelly, Chief Building Official
4. Adam French, Building and Enforcement Inspector/Officer

OTHERS IN ATTENDANCE

Shirley Hillman	Donald Stewart
Donna Laking	Sophie Lampron
Ralph Southward	Phyllis McNinch
Brian Stevenson	Karen Simson
Jack Stevenson	Beverley Hodge
Carl Bousfield	Gord & Carol Hickman
Kevin Johnson	Malynda Wheeler
Kathryn Sparks	Carmela Marshall
Owen Hamilton	Don McKay
Dave Hamilton	Johanna Shapira
Don Aubin	Gerald Schmidt
Allen & Loretta Lisson	Marc Reid
Doug Smith	Larry Wayne
Jerri & Dennis Lea	Robin Wayne
Margaret Walton	Wendy McBratney
Mike Wassilyn	Florence Kee
Darryl DaCosta	John Myers
Jay Fieger	Greg Scheifele
Henry Halstead	Ruth Gilmour
Valerie Crawford	Nathaniel Devries
Sara Bailey	Angie Inglis
Jolanta Markiewicz	Charlie Inglis
Jeremy Devries	Ruth Gilmour
Greg Scheifele	Gerry Stephenson
Steve Gilmour	Kathy White
Laurie Fitzgerald	Amanda Pepping
Lila Wassilyn	Stan Denhoed

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

None.



3A. CLOSED MEETING

**Council was in closed session from 6:01 p.m. to 6:06 p.m.
Council recessed from 6:07 p.m. to 7:00 p.m.**

- (a) Confidential Report from the Township's Solicitor, 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 – Township of Puslinch By-law 31/12 - Site Alteration By-Law/Agreement – Reid

Resolution No. 2015-177: Moved by Councillor Stokley 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 Report from the Township's Solicitor, 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 – Township of Puslinch By-law 31/12 - Site Alteration By-Law/Agreement – Reid

CARRIED

Resolution No. 2015-178: Moved by Councillor Fielding and
Seconded by Councillor Stokley

That Council move into open session.

CARRIED

Resolution No. 2015-179: Moved by Councillor Stokley and
Seconded by Councillor Fielding

That Council receive the Confidential Report from the Township's Solicitor, 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 – Township of Puslinch By-law 31/12 - Site Alteration By-Law/Agreement – Reid.

CARRIED

3. DELEGATIONS

Mayor Lever advised Council that staff had received a request that the order of the delegations be amended as follows: Ms. Carmella Marshall, Ms. Margaret Walton and Ms. Johanna Shapira and inquired as to whether Council had any objections to the request.

There were no objections from the members of Council.

1. Ms. Carmela Marshall, Ontario Soil Regulation Task Force and Lakeridge Citizens for Clean Water regarding the large fill site application being brought before Council on May 14th, she shared experiences over the past 5 years with regard to large scale fill sites and provided concerns/recommendations to Council going forward regarding requirements, enforcement and compliance for large scale fill projects.



Ms. Marshall made a presentation to those in attendance which included information regarding other large scale fill sites which Ontario Soil Regulation Task Force and Lakeridge Citizens for Clean Water group has had past involvement. Ms. Marshall provided Council with the groups concerns and made recommendations to Council regarding requirements, enforcement and compliance for large scale fill projects.

Ms. Marshall indicated the Township's current By-law Agreement should be strengthened using the models she has submitted.

Ms. Marshall advised they do not support the application filed by Marc Reid.

Resolution No. 2015-180: Moved by Councillor Fielding and
Seconded by Councillor Stokley

That Council receive the delegation from Carmela Marshall, Ontario Soil Regulation Task Force and Lakeridge Citizens for Clean Water regarding the large fill site application being brought before Council on May 14th, share experiences over the past 5 years with regards to large scale fill site and provide concerns/recommendations to Council going forward regarding requirements, enforcement and compliance for large scale fill projects.

CARRIED

2. Ms. Margaret Walton, Planscape, site alteration matter Marc Reid L04/REI, opposing approval.

Ms. Walton made a presentation to those in attendance regarding site alteration applications and provided comments with respect to a Planning perspective as to whether large fill applications are considered normal farm practices under the Normal Farm Practices Act and requested that the township should proceed with caution with respect to these applications.

Resolution No. 2015-181: Moved by Councillor Roth and
Seconded by Councillor Bulmer

That Council receive the delegation from Ms. Margaret Walton, Planscape, site alteration matter Marc Reid L04/REI, opposing approval.

CARRIED

3. Ms. Johanna Shapira, Wood Bull, LLP regarding Site Alteration Agreement, Marc & Andrea Reid, 7827 Wellington Rd. 36, L04/REI, on behalf of John Myers and request refusal of permit Application and Agreement.

Ms. Shapira made a presentation to those in attendance with respect to her concerns regarding the technical and legal aspects of the Site Alteration Agreement.

Ms. Shapira stated there is considerable risk if work is not completed up front. Ms. Shapira raised concerns regarding the composition of native, soils, the testing of existing soils, the quality of fill dumped on site to date and legal mechanisms to tighten up the agreement.

Ms. Shapira recommended including the Conservation Authority in the Township's Agreement.

Resolution No. 2015-182: Moved by Councillor Stokley and
Seconded by Councillor Fielding

That Council receive the delegation from Johanna Shapira, Wood Bull, LLP regarding Site Alteration Agreement, Marc & Andrea Reid, 7827 Wellington Rd. 36, L04/REI, on



behalf of John Myers and request refusal of permit Application and Agreement; and

That Council receive the correspondence from Johanna Shapira regarding Puslinch Site Alteration – Reid dated May 14, 2015.

CARRIED

Mayor Lever advised that there were a number of correspondences that we received after the preparation of the Agenda. The information has been placed on the township's website and Council has been provided with copies prior to the meeting.

Resolution No. 2015-183: Moved by Councillor Roth and
Seconded by Councillor Bulmer

That Council receive the email from Mr. John Myers regarding Site Alteration Agreement Marc & Andrea Reid, 7827 Wellington Rd. 36 dated May 14, 2015.

CARRIED

Resolution No. 2015-184: Moved by Councillor Bulmer and
Seconded by Councillor Roth

That Council receive the correspondence from Gerald Schmidt dated May 11, 2015.

CARRIED

4. REPORTS:

- (a) Report PD-2015-008 – Site Alteration Agreement Marc & Andrea Reid – 7827 Wellington Road 36 – LO4/REI

Karen Landry CAO/Clerk advised those in attendance that there was an error on page 9 of report PD-2015-008 with respect to the amount of top soil and advised that the correct amount was 0.145m³ and not 1.45m³ as indicated in the report.

Resolution No. 2015-185: Moved by Councillor Stokley and
Seconded by Councillor Fielding

That Council enact a By-law to authorize the entering into of an agreement as outlined in Report PD-2015-008 with Marc & Andrea Reid – 7827 Wellington Road 36 upon submission of required securities and the ground water monitoring well locations, size, depth and baseline testing results; for review and approval by the Chief Building Official in consultation with the Township consultants.

A recorded vote was requested.

<u>Recorded Vote</u>	Yes	No	Conflict	Absent
Councillor Bulmer		√		
Councillor Roth		√		
Mayor Lever	√			
Councillor Stokley		√		
Councillor Fielding		√		
Total:	1	4		

LOST



Resolution No. 2015-186: Moved by Councillor Stokley and
Seconded by Councillor Fielding

That Council enact a By-Law to prohibit trucks on Currie Drive.

CARRIED

Resolution No. 2015-187: Moved by Councillor Stokley and
Seconded by Councillor Fielding

That Report PD-2015-008 regarding Site Alteration Agreement – Marc & Andrea Reid
– 7827 Wellington Road 36 be received.

CARRIED

5. **CONFIRMING BY-LAW**

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

Resolution 2015-188 Moved by Councillor Stokley and
Seconded by Councillor Fielding

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

- By-Law **33/15** being a by-law to confirm the proceedings of Council for the
Corporation of the Township of Puslinch at its meeting held on the 14th day of May
2015.


CARRIED

6. **ADJOURNMENT:**

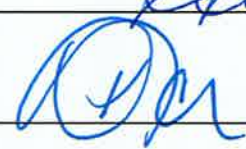
Resolution No. 2015-189: Moved by Councillor Roth and
Seconded by Councillor Bulmer

That Council hereby adjourns at 8:11 p.m.

CARRIED



Dennis Lever, Mayor



Karen Landry, CAO Clerk