

**THE CORPORATION OF THE TOWNSHIP OF ALNWICK/HALDIMAND
MUNICIPAL PLANNING MINUTES OF JANUARY 28TH, 2009- 7:00 P.M.**

Council met in the Municipal Planning meeting on Wednesday, January 28th, 2009, at 7:00 p.m. in the Council Chambers with Mayor William Finley presiding.

Members Present: Mayor William Finley
Deputy Mayor Dalton McDonald
Councillors: Raymond Bennis
Bill Holmes
Art Jeninga
Cathie Ritchie

Members Absent with Notification: Councillor Walter Broegelmann

Staff: Terrence Korotki, Clerk/Administrator/Planning Coordinator
Robin van de Moosdyk, Deputy Clerk

Others: Bernie Fuhrmann, Woellmann Development Services
Brian Crosby, Energy Farming Ontario
Paul Marshall, Representative, Alert Music

I. CALL TO ORDER

Mayor Finley called the meeting to order at 7:01 p.m.

II. DISCLOSURES OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest at this time.

III. APPROVAL OF AGENDA AS CIRCULATED

Moved by Councillor Ritchie, seconded by Councillor Bennis;

"Be it resolved that the Agenda as circulated for the Municipal Planning Meeting of the Council of the Township of Alnwick/Haldimand of Wednesday, January 28th, 2009, be approved with amendments in the form of cancellations.

CARRIED."

IV. PUBLIC MEETING – 7:03 P.M.:

MOTION TO COMMENCE A PUBLIC MEETING

Moved by Councillor Jeninga, seconded by Councillor Ritchie;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, commend a Public meeting at 7:03 p.m.

CARRIED."

Rezonings:

7:04 p.m. - Johanne Tummon, **By-Law No. 10-2009**, Concession 2 and 3, Part Lot 33 and 34 (former Township of Alnwick) now in the Township of Alnwick/Haldimand.

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "By what method what date and what notice of this meeting was sent?"

Notification:

The notice of Public Meeting was circulated on December 18th, 2008 to property owners within four hundred (400') feet of the subject property and all affected ministries and agencies.

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "Explain the purpose of the by-law, the reasons for the by-law and how the by-law proposes to accomplish the stated purpose."

Purpose:

The subject property has a land area of approximately 36.85 hectares from which a 1.11 hectare parcel is to be created by consent to land severance. The severed parcel to result from severance consent application AH-24/2008 is vacant land but is to merge with land to the south which can be described as Property Assessment Roll Number 1450 116 030 10610 0000, (Owner: Johanne Tummon).

The proposed Zoning By-Law Amendment would change the Zone category from Rural Residential (RR) and Environmental Control (EC) to Rural Exception No. 455 (RU-455). The Rural Exception No. 455 (RU-455) Zone will allow for the construction of a single family dwelling house and garage on the property.

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "Is there anyone present other than the applicant in support of this zoning by-law amendment?"

The Planning Co-ordinator, Terrence Korotki, advised that there was no one present, objecting to this application or requesting clarification concerning this application.

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "Is there any written comments received?"

The Planning Co-ordinator, Terrence Korotki advised the following comments were received from the following ministries and agencies:

- **Pine Ridge Municipal Planning Agency:** The application proposes to rezone 2.02 hectares from a Rural Residential (RR) zone to a Rural Exception No. 455 zone to recognize the reduced lot area and frontage of the subject lands. The parcel has been created by the amalgamation of an existing parcel with a 1.11-hectare parcel created by conditional approval of consent application file number AH-24/2008 on December 17, 2008. The subject lands are designated Rural and Environmental Protection in accordance with the Township's Official Plan and appear to be located outside the Oak Ridges Moraine. It is recommended that, should development be proposed on or near the area designated Environmental Protection, the Conservation Authority be consulted regarding maintaining adequate setbacks from any environmentally sensitive areas. Based on the above, there do not appear to be any issues of provincial significance. Therefore, PRMPA recommends that ZBA 10-2009 be approved as it is consistent with the Provincial Policy Statement and complies with the Township's Official Plan with respect to rural residential development in the rural areas of the municipality.
- **Haliburton, Kawartha, Pine Ridge District Health Unit:** No objections.
- **Ganaraska Region Conservation Authority:** We have completed our review of the above noted application to remove the Environmental Constraint designation from a parcel of land proposed for residential development. While the subject property is outside of the regulatory jurisdiction of the GRCA, this does not necessarily mean there is no environmental significance to the subject lands. Despite the absence of any Provincially identified features or conservation authority regulations, the area may still be environmental attributes, which precipitated the zoning of these lands to Environmental Constraint.

The zoning may have been due to the steepness of the slope or from the presence of seepage areas or springs. We would therefore recommend that the original environmental inventory or study used to formulate the zoning schedules be consulted. Failing this an environmental audit should be undertaken to determine the significance of the area and the appropriateness of the rezoning.

MOTION TO RECONVENE TO MUNICIPAL PLANNING MEETING

Moved by Councillor Ritchie, seconded by Councillor Bennis;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, reconvene to the Regular Municipal Planning Session at 7:10 p.m. CARRIED."

V. PLANNING BY-LAWS – 7:11 P.M.:

FOR THE REZONINGS

By-Law No. 10-2009- Being a by-law to amend the Restricted Zoning By-Law No. 619 of the Township of Alnwick/Haldimand for Johanne Tummon, Part Lots 33 and 34, Concessions 2 and 3 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

Moved by Councillor Ritchie, seconded by Councillor Jeninga;

"Be it resolved that **By-Law No. 10-2009**, being a by-law to amend the Restricted Zoning By-Law No. 619 of the Township of Alnwick/Haldimand for Johanne Tummon, Part Lots 33 and 34, Concessions 2 and 3 (former Township of Haldimand) now in the Township of Alnwick/Haldimand, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 28th day of January, 2009. CARRIED."

VI. FORMAL MINOR VARIANCE(S): 7:12 P.M.:

7:12 p.m. – Joseph Panetta, **MV-03/2008**, Concession 7, Part Lot 22 (former Township of Alnwick) now in the Township of Alnwick/Haldimand.

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "By what method what date and what notice of this meeting was sent?"

Notification:

The notice of the Public Meeting was circulated on June 4th, 2008 to property owners within two hundred feet (200') of the subject property and all affected ministries and agencies.

Mayor Finley asked the Planning Co-Ordinator, Terrence Korotki, "Explain the purpose, reasons for the minor variance proposed to accomplish the state of purpose."

Purpose:

NATURE OF RELIEF from Zoning By-Law 1001-73 (former Alnwick Township), as amended.

- To reconstruct a seasonal dwelling house in reducing the required setback of 38.0 metres to 22.86 metres from a high water mark of Rice Lake as stipulated in Zoning By-Law 1001-73 as amended by By-Law 1053-76, Section 7, Subsection 0.
- To allow for the reconstruction of a seasonal dwelling house that is being constructed within 4.57 metres of the required interior side yard setback (east side) instead of 6.0 metres as stipulated in Plate "C", Column "F", Line 11 of Restricted Area Zoning By-Law 1001-73.

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "Is there anyone present other than the applicant in support of this minor variance?"

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "Is there any written comments received?"

The Planning Co-ordinator, Terrence Korotki, advised the following comments were received from the following ministries and agencies:

The following comments were received and presented to the Land Division Committee/Committee of Adjustment on June 25, 2008:

- **Pine Ridge Municipal Planning Agency:** As the lot appears to be shallow and narrow, the Municipality may wish to take this opportunity to require that the new construction place the septic system to the rear of the lot, in order to protect and enhance water quality as much as possible.

Similarly, the Municipality should ensure that no direct drainage to the lake results from the new construction, which will adversely affect lake water quality. This can be accomplished through the use of dry wells, eavestroughs and other measures. Retention of shoreline vegetation will also help to protect water quality. The Municipality may also wish to satisfy itself that the new building size is compatible with neighbouring development. Therefore, PRMPA recommends that minor variance application MV-02/2008 be supported insofar as it maintains and enhances surface water quality.

- **Alnwick/Haldimand Public Works Department:** An entrance is allowed only at location approved by the Public Works Superintendent at the expense of the Property Owner. Also, this is a private road.

- **Lower Trent Conservation Authority:** We understand that the purpose of the application is to reduce the required setback from the high water mark of Rice Lake from 38 m to 22.86 m and to reduce the required interior side yard setback from 6 m to 4.57 m to allow the reconstruction of a seasonal dwelling. According to the Conservation Authority's flood plain mapping at this location, a portion of the subject property falls within the regulatory flood line. The regulatory flood elevation in this area is 187.9 m. Lower Trent is unsupportive of any new development occurring within this flood elevation. Provincial policy Section 3.1.2 states development and site alteration shall not be permitted within a floodway (floodplain). The Conservation Authority's Regulation 163/06 also states that development should be setback a minimum of 6 metres from the flood elevation for the purposes of emergency measures. The site plan as submitted with the application does not illustrate the location of the flood hazard. Lower Trent Conservation **requests that the application for minor variance be deferred.** Staff does not feel that sufficient information has been provided. Staff requests the addition of the flood elevation contour be plotted on the site plan in order to properly determine if the proposed development is outside of the floodplain and the 6 metre emergency measures offset.

- **Haliburton Kawartha Pine Ridge District Health Unit:** In order to comment on the Minor Variance being required, it is necessary to establish if a sewage system, large enough to serve the building being proposed, can be constructed on the property. The site plan provided indicates the dwelling to be a two storey, 2300 sq. ft. footprint (4300 sq. ft. living space) with a 75' setback from Rice Lake. Mr. Panetta advised me during a telephone conversation, the house is to be four bedrooms with a walkout at the lower level. I was also advised during a different conversation, there was only a loft and two bedrooms upstairs which would reduce the living space. The site visit revealed the property as being heavily treed and sloping towards the lake. I am also aware of the fact the area is known as having clay like soil, which adds to the sewage design concerns. Given the above information, I have advised Mr. Panetta, it is necessary for him to submit an application for the Installation of a Sewage System along with an acceptable design, appropriate fee, test hole, etc. I have provided Mr. Waldie with additional information regarding tertiary systems, however, I feel the size of the home being proposed demands a sewage system, which does not appear to be able to fit on the property. Mr. Panetta was advised that any options regarding moving the house or changing the dimensions of the house would have to be formalized in the sewage application before it could be considered. In any case, it is not likely an answer can be given for the meeting on June 25th, 2008.

- **Parks Canada:** No concern.

Additional comments received from the Lower Trent Conservation Authority dated January 8th, 2009:

- This will acknowledge receipt of a site plan prepared by 43 Degrees North Surveying and Mapping Solutions dated December 3, 2008 for the above noted property. Lower Trent staff has reviewed the site plan along with the previous minor variance application (MV-02/2008) with respect to comments provided by Lower Trent in letter dated June 18, 2008. We offer the following comments.

According to the Conservation Authority's flood plain mapping at this location, a portion of the subject property falls within the regulatory flood line. The regulatory flood elevation in this area is 187.0 m.

Written permission is required from the Conservation Authority for any proposed development within 15 metres of this flood elevation. The proposed setback for the dwelling is 22.86 m from the water's edge. Based on scaling on the site plan, it would appear that the proposed dwelling with deck will be outside of the flood hazard and the Conservation Authority's regulated area. Therefore, we do not have any concerns with the approval of this minor variance application.

We do note that the septic system is not indicated on either the December site plan or the site plan dated April 14, 2008, which was submitted with the application. Should the location of the septic system be within 15 metres of the flood hazard elevation a permit will be required from Lower Trent. If the septic can be located outside of the 15 metre area, no further permits/approvals would be required from the Conservation Authority.

APPROVAL OF MINOR VARIANCE – PANETTA MV-03/2008:

Moved by Councillor Jeninga, seconded by Councillor Holmes;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve the Minor Variance Application **MV-03/2008**, for Joseph Panetta, Concession 7, Part Lot 22, (former Township of Alnwick) now in the Township of Alnwick/Haldimand to reconstruct a seasonal dwelling house in reducing the required setback of 38.0 metres to 22.86 metres from a high water mark of Rice Lake as stipulated in Zoning By-Law 1001-73 as amended by By-Law 1053-76, Section 7, Subsection 0 and to allow for the reconstruction of a seasonal dwelling house that is being constructed within 4.57 metres of the required interior side yard setback (east side) instead of 6.0 metres as stipulated in Plate "C", Column "F", Line 11 of Restricted Area Zoning By-Law 1001-73. CARRIED."

VII. APPROVAL OF MINUTES: 7:15 P.M.:

Municipal Planning Meeting Minutes of November 26, 2008.

Moved by Councillor Holmes, seconded by Councillor Ritchie;

"Be it resolved that the Minutes of the Municipal Planning Session held on November 26, 2008, be adopted. CARRIED."

POLICY AND PROCEDURE BY-LAW FOR MUNICIPAL PLANNING

Moved by Councillor Jeninga, seconded by Councillor Holmes;

"Be it resolved that the Clerk/Administrator, Terrence Korotki prepare and establish a draft Policy and Procedure to address the procedures to govern the Municipal Planning Sessions, for Council's consideration. CARRIED."

Goals and Objectives Session:

The visionary meeting to discuss the Goals and Objections has been scheduled for Tuesday, March 17, 2009 at 7:00 p.m. at the Alnwick Civic Centre, Roseneath.

VIII. FORMAL CONSENT(S): 7:27 P.M.:

7:27 p.m. – Lillian Shirley Mann, Agent: Roslyn Smart, **AH-26/2009**, Concession 3, Part Lot 34 (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Retirement Lot.

Ms. Mann, Agent: Roslyn Smart, is requesting a severance for the creation of a lot. The approximate size of the lot will be 2.15 acres and the retained parcel will be approximately 95.0 acres from a parcel of approximately 97.50 acres. The Planning Co-ordinator, Terrence Korotki advised that the said lands are located on Northumberland Heights Road and the proposed parcel is located within the Oak Ridges Moraine Conservation Plan area. The Official Plan designation is Countryside Agricultural on Schedule "C-5" and the Zoning is Oak Ridges Moraine Countryside Zone in By-Law No. 32-2006. All ministries and agencies were contacted concerning this application with the following comments being received:

- **Pine Ridge Municipal Planning Agency:** The consent application proposes to sever a 2.15 acre lot which is currently vacant for farm retirement purposes. The retained parcel is developed with a dwelling, shed, storage barn and garage and encompasses 97.5 acres.

The subject lands are located within the Oak Ridges Moraine Conservation Plan (ORMCP) and are designated Countryside-Agricultural Area. The lands at the south end of the retained parcel are designated Natural Linkage Area. Within the Oak Ridges Moraine Conservation Plan, the creation of lots is restricted to a limited number of circumstances. The ORMCP permits a farm retirement severance from a rural lot, as defined in the ORMCP Plan.

A rural lot is defined as a lot that is at least 97.5 per cent of the land that is left in an original lot or an original half lot after the deduction of any land that is conveyed at any time for transportation, utilities or infrastructure, on or after November 16, 2001, or lands validly conveyed before June 27, 1970. It would appear that the proposed retained lot meets these criteria and as such, a farm retirement lot may be granted.

A minimum distance separation calculation should be completed prior to approval of the consent. The subject lands are located in close proximity to a utilities tower and a rail line. All proposed development should be in conformity with Section 3.3 (Utilities and Public Safety) and Section 3.7.4 (Development Abutting or in Proximity to Railways).

There are no other matters of Provincial concern. Based on the above, PRMPA recommends that Consent Application AH-26/2008 be approved as it conforms with the provisions of the Oak Ridges Moraine Conservation Plan with respect to farm retirement lots.

- **TransCanada/Lehman & Associates letter dated January 7, 2009:** No objections.
- **Haliburton Kawartha Pine Ridge District Health Unit:** Depending on soil and water table conditions, sand fill may be required in the area of any sewage system.
- **Alnwick/Haldimand Public Works Department:** An entrance is allowed only at location approved by the Public Works Superintendent at the expense of the Property Owner. Land dedication required on the retained parcel adjacent Northumberland Heights Road.

- **Ganaraska Region Conservation Authority:** There are no natural hazards or natural heritage features that would affect this application. Provided the proposed lot severance meets the criteria of the Oak Ridges Moraine Conservation Plan, we can hereby advise we would have no objection to the approval of this application.
- **Enbridge Pipelines Inc.** No objections.

Moved by Deputy Mayor McDonald, seconded by Councillor Bennis;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve Consent Application #**AH-26/2008**, as submitted by Lillian Shirley Mann Agent: Roselyn Smart, Concession 3, Part Lot 34, (former Haldimand Township) now in the Township of Alnwick/Haldimand,

- Conditional upon payment of the Residential Development Fee of **\$4,664.00.**
- Conditional upon land dedication to the Township of Alnwick/Haldimand on the retained parcel adjacent Northumberland Heights Road.
- Conditional upon compliance to the Minimum Distance Separation (MDS) formula pertaining to the agricultural building on the retained parcel of land and if not in compliance, the applicant must furnish a legal undertaking confirming that the agricultural building is only utilized for storage purposes. CARRIED."

7:36 p.m. – Alfons and Dianne Casteels, **AH-27/2008**, Concession 5, Part Lot 21 (former Township of Haldimand) now in the Township of Alnwick/Haldimand
RE: Retirement Lot.

Mr. and Mrs. Casteels are requesting a severance for the creation of a lot. The approximate size of the lot will be 1.1478 acres and the retained parcel will be approximately 98.85 acres from a parcel of approximately 100 acres. The Planning Co-ordinator, Terrence Korotki advised that the said lands are located on County Road No. 22 and the proposed parcel is located in the Oak Ridges Moraine Conservation Plan area. The Official Plan designation is Countryside Agricultural. All ministries and agencies were contacted concerning this application with the following comments being received:

- **Pine Ridge Municipal Planning Agency:** The consent application proposes to sever a 1.15 acre lot which is currently vacant for farm retirement purposes. The retained parcel is developed with a dwelling, shed, storage barn and greenhouse and encompasses 98.85 acres. The subject lands are located within the Oak Ridges Moraine Conservation Plan (ORMCP) and are designated Natural Core Area. The retained lands are designated Natural Core Area except for a small area designated Countryside-Agricultural Area within which the existing development on the retained lands is located. Within the Oak Ridges Moraine Conservation Plan, the creation of lots is restricted to a limited number of circumstances. The ORMCP permits a farm retirement severance from a rural lot, as defined in the ORMC Plan.

A rural lot is defined as a lot that is at least 97.5 per cent of the land that is left in an original lot or an original half lot after the deduction of any land that is conveyed at any time for transportation, utilities or infrastructure, on or after November 16, 2001, or lands validly conveyed before June 27, 1970. It would appear that the proposed retained lot meets these criteria and as such, a farm retirement lot may be granted. The proposed lot is adjacent to a hydrogeologically sensitive feature (watercourse) and as such, the applicant should complete a hydrogeological evaluation to demonstrate that development will have no adverse effects on the watercourse and further to identify any design and construction practices that will maintain the health, diversity and size of the watercourse. A minimum distance separation calculation should be completed prior to approval of the consent.

There are no other matters of Provincial concern. Based on the above, PRMPA recommends that Consent Application AH-27/2008 be approved, subject to completion of a hydrogeological evaluation, as it conforms with the Oak Ridges Moraine Conservation Plan with respect to farm retirement lots.

- **Lower Trent Conservation Authority:** Based on the above, we have no concerns with approval of the above noted application for consent. However, we recommend the following:
 - 1) The landowner(s) be advised of the applicability of the Development, Interference with Wetlands & Alterations to Shorelines & Watercourses Regulation.
 - 2) The existing Environmental Control (EC) zoning be maintained.
 - 3) The landowner(s) is encouraged to use Best Management Practices when carrying out any clearing of the wooded areas on the retained lands.
- **County of Northumberland:** Include as a condition: That the applicant lay out and dedicate by deed to the County of Northumberland a 0.3 metre (1 foot) reserve along the frontage of the retained portion of the County Road 22, save and except the existing entrance (width 10.0m).
- **Alnwick/Haldimand Public Works Department:** No concerns – County Road.
- **Haliburton Kawartha Pine Ridge District Health Unit:** Depending on soil and water table conditions, sand fill may be required in the area of any sewage system.

Moved by Councillor Bennis, seconded by Councillor Jeninga;

“Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, defer Consent Application **AH-27/2008**, as submitted by Alfons and Dianne Casteels, Concession 5, Part Lot 21, (former Haldimand Township) now in the Township of Alnwick/Haldimand. CARRIED.”

7:50 p.m. – John Krajnak, **AH-25/2008**, Concession A, Part Lots 3 and 4 (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Non-Farm.

Mr. Krajnak is requesting a severance for the creation of a lot. The approximate size of the lot will be 1.15 acres and the retained parcel will be approximately 1.15 acres from a parcel of approximately 2.30 acres. The Planning Coordinator, Terrence Korotki advised that the said lands are located on County Road No. 2 and the proposed parcel is not located in the Oak Ridges Moraine Conservation Plan area. The Official Plan designation is Rural and the Zoning is Rural (RU). All ministries and agencies were contacted concerning this application with the following comments being received:

- **Pine Ridge Municipal Planning Agency:** The application proposes to sever one lot encompassing 1.15 acres from a 2.3 acre parcel be used for single family residential purposes. The severed and retained parcels are currently vacant.

The subject lands are designated Rural in accordance with the Township's Official Plan. The Rural designation permits the creation of lots for non-farm residential uses, provided that no more than two lots are created from any one holding. The number of lots shall be determined based on the lot as it existed on January 1, 1990.

The application states that the subject land is within close proximity of an existing rail line. All proposed development should be in conformity with Section 3.7.4 of the Plan (Development Abutting or in Proximity to Railways).

The Provincial Policy Statement permits limited residential development in the rural areas of the municipality. A single lot severance would be considered limited residential development.

Based on the above, PRMPA recommends that consent application AH-25/2008 be approved.

- **Lower Trent Conservation Authority:** Please be advised that we have no concerns with approval of this application.
- **Alnwick/Haldimand Public Works Department:** No concerns – County Road.
- **County of Northumberland:** No concerns.
- **Haliburton Kawartha Pine Ridge District Health Unit:** Severed Lot: This lot will require clearing and leveling for the house and septic system area. Sand fill may be required.

Retained Lot: The lot has been mostly excavated out and leveled leaving a steep slope at the rear. Surface Drainage is good.

Moved by Councillor Holmes, seconded by Deputy Mayor McDonald;

“Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve Consent Application as submitted by John Krajnak, **AH-25/2008**, Concession A, Part Lots 3 and 4 (former Township of Haldimand) now in the Township of Alnwick/Haldimand,

- Conditional upon an amendment to Restricted Zoning By-Law No. 619 coming into force and effect;
 - Conditional upon payment of the Residential Development Fee of **\$4,664.00.**
- CARRIED.”

IX. PLANNING DELEGATIONS – 7:45 P.M.:

7:45 P.M. – Mr. Bernie Fuhrmann, Agent for Larry and Shawn Robins, Aggregate Extraction Planning Proposal, Robins, Part Lot 14, Concession 4 (14.0 hectares) (former Alnwick Township) now in the Township of Alnwick/Haldimand. Public Information Night will be conducted at the Fenella Community Centre on February 17th, 2009 from 7:00 p.m. to 9:00 p.m.

Mr. Larry Robins and his son, Shawn Robins were in attendance.

Mr. Fuhrmann noted that this type of application used to be driven by the Province. However, it is now the applicant who has to pursue and complete such applications. Mr. Fuhrmann noted that there is a set of Provincial Standards that the applicant has to adhere to, in order to proceed with this type of application for aggregate extraction.

Mr. Fuhrmann stated that the applicant would be requiring an Official Plan Amendment, as well as, a Rezoning Amendment from the Township in order to proceed. It was noted by Mr. Fuhrmann that he has been working in conjunction with Mr. Peter Josephs, the Municipal Planner with respect to this proposal. The said lands are located within the Countryside designation within the Oak Ridges Moraine Conservation Plan, of which permits such type of operation.

Councillor Jeninga suggested that this matter be placed on the Spring Road Tour Agenda for a site visit.

Councillor Holmes would like the Site Plan and possibly the summary statement to review prior to the Public Information Session.

Mayor Finley asked if the applicant was considering mining below the water table. Mr. Fuhrmann noted that they will not be mining below the water table level.

Mr. Fuhrmann thanked Council for their time and appreciated the time given to present this planning proposal.

8:13 P.M. - Resolution – Conceptual Drawings Shelter Valley Aggregates for use during the Class Environmental Assessment.

Moved by Councillor Bennis, seconded by Councillor Holmes;

“Be it resolved that the Council of the Township of Alnwick/Haldimand have reviewed the Shelter Valley Aggregates conceptual drawings prepared by their Consulting Engineer, namely:

Drawing No. 1 – Proposed Cross-Section in Earth for Industrial Road – December 2004

Drawing No. 2 - Proposed Entrance Shelter Valley Aggregates – December 2004;

And further that the Council of the Township of Alnwick/Haldimand support the recommendation of their Engineer that these conceptual designs for Shelter Valley Aggregates, be adapted and approved for use in the context of the Class Environmental Assessment in anticipation of their use in the final design forthcoming out of the recommendations of the Environmental Study Report.

CARRIED.”

8:15 P.M. - Mr. Paul Brown, 711 Wicklow Beach Road RE: Second Dwelling Unit on Lot.

Mr. Brown was present and provided a brief overview of his proposal, of which he would like to convert the existing garage area into a ground floor apartment to allow for accommodations for his parents during the summer months. Mr. Brown noted that he would be completing an overall addition of approximately 20 feet x 38 feet to the existing unit. It was noted by the Clerk/Administrator/Planning Coordinator, Terrence Korotki that Mr. Brown would require a rezoning to allow for the second unit on this parcel of land.

Convert the existing Garage into a ground floor apartment add 13 feet to the south and 20ft to the north onto the existing garage and the new garage –total overall would be 20ft x 38ft.

Mayor Finley advised Mr. Brown to make an appointment with Mr. Korotki in order to fill out the necessary documents to proceed.

8:25 P.M. - Brian Crosby – Energy Farming Ontario RE: Temporary Weather Tower for Wind Analysis (Henry DeJong Property)

Mr. Crosby was present and provided a brief synopsis of Energy Farming Ontario’s proposal, of which was noted in correspondence received on January 9, 2009, as follows:

“Energy Farming Ontario is proposing to install a temporary meteorological tower for the purpose of collecting wind data at the premises of Henry and Jane DeJong at 507 Grills Road in Grafton. This tower has a height of 60 metres and stands on a four foot square steel plate and is supported by guy wires on four sides. Our proposal is to install this temporary tower for a period not to exceed 18 months in duration at which point it will be removed. This data is required to determine the feasibility of a potential wind farm operation in this area. Energy Farming Ontario is requesting an exemption from applicable building permits and fees as this is a temporary structure erected for the sole purpose of collecting scientific data and will have no capacity for generating revenue during the time frame it would be in place. Our company has already filed applications with NavCan and Transport Canada and are at this point waiting for approval from NavCan. Thank you in advance for your consideration and attention.

Deputy Mayor McDonald asked if the data that is collected could be provided to the Municipality at the completion of this project. Mr. Crosby advised that he would forward this request to the Company for their consideration.

The Clerk/Administrator/Planning Coordinator, Terrence Korotki advised that he would prepare a report with respect to the municipal requirements for Council's consideration.

MOTION FOR COUNCIL BREAK:

Moved by Councillor Jeninga, seconded by Councillor Holmes;

"Be it resolved that the Council of the Township of Alnwick/Haldimand approve a break at 8:49 p.m. CARRIED."

Break 8:49 p.m. to 9:00 p.m.

CANCELLED DUE TO WEATHER CONDITIONS:

8:30 P.M.- 9:00 P.M. – Garth Watson, Review "Draft" Request for Proposal – Class EA Turk Road.

X. CORRESPONDENCE – 9:00 P.M.:

Letter from Hustler & Kay dated January 15, 2009 RE: Doug Kelly, Part Lot 18, Concession 7, Geographic Township of Haldimand.

Moved by Councillor Bennis, seconded by Deputy Mayor McDonald;

"Be it resolved that the Clerk/Administrator/Planning Coordinator, Terrence Korotki contact Sylvester Brown, Municipal Land Surveyors to request further investigation with respect to official documentation for this said transfer of land, on lands located in Part Lot 18, Concession 7, in the Alnwick/Haldimand Township; and further that Mr. Peter A. Josephs be contacted for additional information pertaining to this matter. CARRIED."

Email from Mr. Peter A. Josephs, Municipal Planner dated January 21, 2009 RE: Karen Shaw Property, Part Lot 27, Concessions A and 1.

Moved by Councillor Jeninga, seconded by Councillor Ritchie;

"Be it resolved that the email from Mr. Peter A. Josephs, Municipal Planner dated January 21, 2009 regarding the Karen Shaw Property, Part Lot 27, Concessions A and 1, in which he states that he will not be preparing a Planning Report pertaining to this property as the applicant has advised him that she does not wish to pursue this matter at this time, be accepted; and further that a copy of this resolution and Mr. Joseph's email be forwarded to Ms. Shaw for her records and request for written confirmation of this decision. CARRIED."

Memorandum from Peter A. Josephs, Municipal Planner dated January 20, 2009 RE: Severance Inquiry, Don and Lynda Gardner, Part Lot 16, Concession 6, 265 Silver Maple Road (former Haldimand Township), now in the Township of Alnwick/Haldimand.

Moved by Councillor Jeninga, seconded by Councillor Holmes;

"Be it resolved that the memorandum from Peter A. Josephs, Municipal Planner dated January 20, 2009 be forwarded to Mr. and Mrs. Don Gardner for their review; and further that the Council request a written confirmation of their intentions with respect to this property and their proposal. CARRIED."

Memorandum from Peter A. Josephs, Municipal Planner dated January 21, 2009
RE: Property Zoning By-Law Amendment, Jim and Tammy Worden, 9919 County
Road No. 2, Part Lot 35, Concession A (former Haldimand Township), now in the
Township of Alnwick/Haldimand.

Moved by Councillor Ritchie, seconded by Councillor Holmes;

"Be it resolved that the Memorandum from Peter A. Josephs, Municipal Planner
dated January 21, 2009 regarding the Property Zoning By-Law Amendment for
Jim and Tammy Worden, 9919 County Road No. 2, Part Lot 35, Concession A
(former Haldimand Township), now in the Township of Alnwick/Haldimand, be
received and filed. CARRIED."

Interoffice Memorandum from Bernadette Murray, Administrative Assistant dated
January 22nd, 2009 RE: Monthly Planning Activity Report.

Moved by Councillor Bennis, seconded by Councillor Holmes;

"Be it resolved that the Interoffice Memorandum from Bernadette Murray,
Administrative Assistant dated January 22nd, 2009 for the submission of the
Monthly Planning Activity Report, be received and filed. CARRIED."

Updated Consent History Summary for the Township of Alnwick/Haldimand 2008.

Moved by Councillor Holmes, seconded by Councillor Jeninga;

"Be it resolved that the Updated Consent History Summary for the Township of
Alnwick/Haldimand dated 2008, be received and filed. CARRIED."

MOTION TO ADJOURN TO COMMITTEE OF THE WHOLE IN CAMERA

Moved by Councillor Jeninga, seconded by Councillor Ritchie;

"Be it resolved that the Council of the Township of Alnwick/Haldimand adjourn to
Committee of Whole In Camera Session at 9:08 p.m. in accordance with Section
239(2)(c) of the Municipal Act 2001, as amended. CARRIED."

Discussion pertaining to an item of client/solicitor privilege.

MOTION TO RECONVENE TO MUNICIPAL PLANNING SESSION

Moved by Councillor Jeninga, seconded by Deputy Mayor McDonald;

"Be it resolved the Council of the Township of Alnwick/Haldimand reconvene to
the Municipal Planning Session, at 9:21 p.m. CARRIED."

**9:21 P.M. – Mark King RE: Grafton Heights Condominium Proposal –
Predevelopment Agreement**

The Clerk/Administrator/Planning Coordinator, Terrence Korotki read the
correspondence received from the Municipal Solicitor with respect to the three
proposed resolutions pertaining to the Grafton Heights Condominium Proposal.

By-Law No. 13-2009 - Being a by-law to Authorize the signing and
Execution of a Predevelopment Agreement
Between the Corporation of the Township of
Alnwick/Haldimand and 1185553 Ontario
Limited – Grafton Heights.

Moved by Councillor Jeninga, seconded by Councillor Holmes;

"Be it resolved that **By-Law No. 13-2009**, being a by-law to authorize the signing and execution of a Predevelopment Agreement between the Corporation of the Township of Alnwick/Haldimand and 1185553 Ontario Limited, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 28th day of January, 2009. CARRIED."

CANCELLED - 9:30 P.M. - Rocco Cornacchia, Concept Plan of Subdivision, Concession A, Part Lot 34 and 35.

9:38 P.M. – Mr. Paul Marshall, Event Proposal, entitled "The Wine Women and Song Festival", on August 15, 16 and 17, 2009, and review of Celebrate Canada Application for Funding and request for Council's approval.

Mr. Marshall provided an extensive overview of the Festival proposal which is to be established and operated on the west side of County Road No. 2 between Grafton and Colborne, and become an annual event in the community. A copy of the complete Funding Application, which is being submitted by Alert Music Canada, was distributed to Members of Council prior to tonight's meeting.

Mr. Marshall stated that Ms. Jennifer Henderson has been appointed as the Project Manager for this event. Mr. Marshall also introduced several individuals in attendance that are involved in this project, that being his two sons, Tyler and Paul, Ms. Michelle Ashton and Will.

Ms. Henderson advised that they were present tonight at this meeting to ask for Council's approval of this event, in order to proceed with all the planning matters associated with the event.

Councillor Benns noted that he has submitted to the presenters his list of questions pertaining to this proposed event and requested that they be responded to in written form. He also noted that it is imperative that a Legal Agreement be executed between the applicant and the municipality to ensure that all terms, conditions and provisions are met.

Deputy Mayor McDonald stated that a public meeting should be conducted within the municipality within close proximity of the proposal location of the Festival, in order to provide information to the community and those who will be most effected and to be able to answer any questions or concerns of the local residents.

It was noted that all information pertaining to this matter shall be brought before Council first.

Councillor Holmes concurred that there are some concerns that should be addressed and that a public meeting in the municipality be held.

Councillor Ritchie also concurred with Councillor Holmes and noted that overall this is a good idea.

Councillor Jeninga noted that local area wineries should be approached for this event as well as local bed and breakfast establishments. Councillor Jeninga also concurred with the other Councillors that various issues and concerns need to be addressed concerns this proposal prior to his support being given.

Mayor Finley concurred with the Members of Council and included Bonding requirements and status reports prior to and after the event.

XI. BUSINESS FROM COUNCILLORS – 10:32 P.M.:

Councillor Ritchie:

Councillor Ritchie noted that she was approached by an individual from Hamilton Township, who suggested that a, food bank/coats for kids, type of operation would be a benefit to our municipality as many individuals from the township are going to the Bewdley location for such articles. It was noted that there is such a store operating in the Hamlet of Grafton, just in front of the United Church on Old Danforth Road.

Councillor Bennis noted that he may have an individual interested in selling Dog Tags throughout the municipality. It was noted that no one has come forward requesting any additional information or submitting any documentation in this regard to date.

XII. QUESTIONS FROM THE PRESS/PUBLIC/GALLERY – 10:51 P.M.:

There were no questions from the press/public or gallery at this time.

CONFIRMING BY-LAW – 10:51 P.M.:

By-Law No. 09-2009 - Being a by-law to confirm the proceedings of the Municipal Planning Meeting held on Wednesday, January 28th, 2009 of the Council of the Township of Alnwick/Haldimand.

Moved by Councillor Ritchie, seconded by Councillor Jeninga;

“Be it resolved that **By-Law No. 09-2009**, being a by-law to confirm the proceedings of the Municipal Planning Meeting held on Wednesday, January 28th, 2009 of the Council of the Township of Alnwick/Haldimand, be read a FIRST, SECOND and THIRD TIME and FINALLY PASSED this 28th day of January, 2009.
CARRIED.”

XIII. ADJOURNMENT – 10:52 P.M.:

Moved by Councillor Ritchie, seconded by Councillor Bennis;

“Be it resolved that the Municipal Planning Meeting of January 28th, 2009, be adjourned at 10:52 p.m.
CARRIED.”

MAYOR, WILLIAM FINLEY

TERRENCE KOROTKI, CLERK/ADMINISTRATOR