

**THE CORPORATION OF THE TOWNSHIP OF ALNWICK/HALDIMAND
MUNICIPAL PLANNING MINUTES OF MARCH 26, 2008- 7:00 P.M.**

Council met in the Municipal Planning Meeting on Wednesday, March 26, 2008 at 7:00 p.m. in the Council Chambers at the Municipal Office in Grafton, with Mayor William Finley presiding.

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

Members Absent with Notification: Councillor Art Jeninga
Councillor Walter Broegemann

Staff Present: Terrence Korotki, Clerk/Administrator/Planning Co-ordinator
Robin van de Moosdyk, Deputy Clerk
Peter Josephs, Municipal Planner

Others: Lenuta Costache
Ellie Twiwil
Jim Harris
Dan Ferguson
Brian Cook
Bruce Campbell
Terrace Good
Eleanor Olmsted
Gail Covert
Heinz Dudichum
C. Dudichum
Brent Townsend
Dean Peters
Sandra Walls (Jaynes)
Peter Jaynes
Dave Bunyan
Roger Hardy
Mike Traynor
Ian Fraser
Dennis Zezula
Beatrix Davis
Nancy and Ted Helps
Bonnie Bunyan
Maggie Zezula
Andreas Gada
Betty Carruthers

I. CALL TO ORDER

Mayor Finley called the meeting to order at 7:03 p.m.

II. DISCLOSURES OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

Mayor Finley declared a pecuniary interest pertaining to the Informal Consent Applications **AH-08/2008** and **AH-09/2008** of Bonnie Finley, as this is his sister-in-law and **By-Law No. 26-2008** for Mr. David and Joan Norris, Agent: Melanie Finley, as Mrs. Finley is his daughter-in-law.

Deputy Mayor McDonald advised that he had a pecuniary interest pertaining to Mr. John Maguire's property, due to an existing business arrangement.

III. PUBLIC MEETING:

MOTION TO COMMENCE A PUBLIC MEETING

Moved by Councillor Bennis, seconded by Councillor Ritchie;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, to commence a Public Meeting at 7:04 p.m. CARRIED."

7:04 p.m. – Lenuta Costache, **By-Law No. 25-2008**, Concession 7, Part Lot 21 (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 March 5, 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 Zoning By-Law Amendment will change the zoning on the subject property from Rural (RU) to Rural Residential (RR) and Rural Exception No. 48 (RU-48) to satisfy a condition of consent imposed by the Land Division Committee of the Township of Alnwick/Haldimand in granting consent to land severance application AH-05/2007.

The parcel of land being rezoned Rural Residential (RR) is vacant land but will have a single family dwelling house and garage erected thereon in the future.

The parcel of land being rezoned Rural Exception No. 48 (RU-48) is vacant land but will have a single family dwelling house and garage erected thereon in the future. The parcel of land being rezoned Rural Exception No. 48 (RU-48) will recognize that the parcel of land has insufficient lot area to comply with the provisions of the Rural (RU) Zone.

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, 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:

- **Haliburton Kawartha Pine Ridge District Health Unit:** No objections.
- **Pine Ridge Municipal Planning Agency:** This zoning application has been made with the intent to fulfill a condition of severance application AH-05/2007. The application is to change the zoning on the subject land from Rural (RU) to Rural Residential (RR) and Rural Exception No. 48 (RU-48). The purpose of the application is to rezone the property to permit the construction of a single family dwelling house on the severed portion and to recognize the lot area on the retained portion of the land.

Our review concludes that there are no Provincial Issues with respect to the proposed Zoning By-law amendment. The lands are designated as Rural in the accordance with the Township Official Plan.

Based on the above, PRMPA recommends that Rezoning Application 25-2008 be approved as it is consistent with the Provincial Policy Statement and complies with the Township's Official Plan with respect to Rural development in the municipality.

- **Parks Canada:** No concerns.
- **Lower Trent Conservation Authority:** No concerns.
- **Email from Mr. Edward P. Kerwin dated March 26, 2008:** My wife and I returned last night from a vacation out-of-the-province and have found a Notification of Public Meeting concerning a Proposed Zoning By-Law Amendment that is referenced in the Subject line of this e-mail message, above. We acknowledge receipt of the Notification that was sent to us by ordinary post at our postal address in Toronto. My wife and I are the owners of the lands that are located immediately to the South of the lands that are the subject of the Proposed Zoning By-Law Amendment and accordingly, have a substantial interest in the Proposed Zoning By-Law Amendment. We have one comment and request that is two-fold.

We request that the Zoning By-Law Amendment set out expressly the limitations and restrictions that are expressed in the Notification and in the statement of purpose and effect of the proposed amendment, which are to the effect that not more than one single family dwelling house and garage may be erected on the lands that are being rezoned Rural Residential (RR) and that not more than one single family dwelling house and garage may be erected on the lands that are being rezoned Rural Exception No. 48 (RU-48).

We have noted that those limitations and restrictions have been expressed in the Notification and in the statement of purpose and effect of the proposed amendment. We submit that it would be appropriate and consistent with the expressed statements in the Notification and the statement of purpose and effect of the proposed amendment to have those limitations and restrictions expressly set forth in the Zoning By-Law Amendment.

We have marked two additions that we suggest would reflect those limitations and restrictions on the first page of the proposed amending by-law. We have attached to this e-mail message a copy of the said first page with our two suggested additions.

We respectfully submit our request to all of you and would ask that you consider our request favourably.

Mayor Finley declared a pecuniary interest pertaining to the Informal Consent Applications **AH-08/2008** and **AH-09/2008** of Bonnie Finley, as this is his sister-in-law and **By-Law No. 26-2008** for Mr. David and Joan Norris, Agent: Melanie Finley, as Mrs. Finley is his daughter-in-law and departed from the Municipal Planning Meeting at 7:13 p.m.

MOTION FOR DEPUTY MAYOR TO CHAIR MEETING

Moved by Councillor Holmes, seconded by Councillor Ritchie;

"Be it resolved that the Council of the Township of Alnwick/Haldimand appoint Deputy Mayor Dalton McDonald as Chair for this portion of the Municipal Planning Meeting due to the pecuniary interest declared by Mayor Finley.

7:15 p.m. – David and Joan Norris, Agent: Melanie Finley, **By-Law No. 26-2008**, Concession 2 and 3, Part Lot 35, (former Haldimand Township) now in the Township of Alnwick/Haldimand.

Deputy Mayor McDonald 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 March 5, 2008 to property owners within four hundred (400') feet of the subject property and all affected ministries and agencies.

Deputy Mayor McDonald 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 4.75 hectares from which a 1.49 hectare parcel is to be created by consent to land severance. The severed parcel to result from severance consent application A/H-35/2007 is vacant land.

The proposed Zoning By-Law Amendment would change the Zone category from Rural (RU) to Rural Residential (RR) to permit the severed parcel to be used for residential purposes. The Rural Residential (RR) Zone will allow for the construction of a single family dwelling house to be erected in the future on the severed parcel of land and recognize the existing single family dwelling house on the retained parcel of land.

Deputy Mayor McDonald 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, requesting clarification concerning this application.

Deputy Mayor McDonald 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:

- **Haliburton Kawartha Pine Ridge District Health Unit:** No objections.
- **Pine Ridge Municipal Planning Agency:** This zoning application has been made with the intent to fulfill a condition of severance application AH-35/2007. The application is to change the zoning on the subject land from Rural (RU) zone to a Rural Residential zone. The purpose of the application is to rezone the property to acknowledge the existing single family dwelling on the retained land and to permit the construction of a single family dwelling on the severed land.

Our review concludes that there are no Provincial Issues with respect to the proposed Zoning By-law amendment. The lands are designated as Rural in the accordance with the Township Official Plan.

Based on the above, PRMPA recommends that Rezoning Application 26-2008 be approved as it is consistent with the Provincial Policy Statement and complies with the Township's Official Plan with respect to Rural development in the municipality.

- **Ganaraska Region Conservation Authority:** No objection.

MOTION FOR MAYOR FINLEY TO CHAIR MEETING

Moved by Councillor Ritchie, seconded by Councillor Bennis;

"Be it resolved that Mayor Finley return to the Municipal Planning Meeting as Chair, at this 7:17 p.m. CARRIED."

7:20 p.m. – Roy Hircock, Agent: Lynda Gowling, **By-Law No. 27-2008**, Concession A, Part Lot 22 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

Mrs. Lynda Gowling was present in favour of the application.

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 March 5, 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 1.59 hectares from which a 0.40 hectare parcel for three (3) residential lots are to be created by consent to land severance. The severed parcels to result from severance consent applications AH-11/2007, AH-12/2007 and AH-13/2007 are vacant land but are to be used for residential purposes.

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, 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:

- **Haliburton Kawartha Pine Ridge District Health Unit:** Although the Health Unit has no objection to the Zoning By-Law Amendment in principle, we would not issue any sewage system approvals until we are in receipt of written approvals from the Conservation Authority stating their requirements have been met.
- **Pine Ridge Municipal Planning Agency:** This zoning application has been made with the intent to fulfill a condition of severance applications AH-11/2007, AH-12/2007, and AH-13/2007. The application is to change the zoning on the subject land from Rural Residential Exception No.8 (RU-8) zone to a Hamlet Residential (HR) zone. The purpose of the application is to rezone the property to permit the construction of a single family dwelling on the severed and retained portions of the land.

Our review concludes that there are no Provincial Issues with respect to the proposed Zoning By-law amendment. The lands are designated as Hamlet in the accordance with the Township Official Plan.

Based on the above, PRMPA recommends that Rezoning Application 27-2008 be approved as it is consistent with the Provincial Policy Statement and complies with the Township's Official Plan with respect to Hamlet development in the municipality.

Lower Trent Conservation Authority: No objections.

Mrs. Gowling advised that she has been in contact with the Haliburton Kawartha Pine Ridge District Health and they will be forwarding revised comments to the Municipality pertaining to this application with respect to the requirements for lots 3 and 4 only.

Mrs. Betty Carruthers arrived at the meeting at 7:24 p.m.

Mayor Finley stated that Council would be reviewing the road improvement requirements, of which, is a condition of the consent applications as submitted by Mr. Hircock, at the Regular Session scheduled on Thursday, April 3, 2008.

MOTION TO ADJOURN THE PUBLIC MEETING – 7:26 P.M.

Moved by Councillor Holmes, seconded by Councillor Ritchie;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, adjourn the Public Meeting at 7:26 p.m. CARRIED."

IV. FORMAL CONSENT(S) – 7:36 P.M.:

7:36 p.m. – Heinz Dudichum, **AH-06/2008**, Concession 3, Part Lot 11 (former Township of Alnwick) now in the Township of Alnwick/Haldimand RE: Non-Farm.

Mr. Dudichum and his son were present in favour of the application.

Mr. Dudichum is requesting a severance for the creation of one residential lot. The approximate size of the lot will be 1.03 acres and the retained parcel will be approximately 59.8 acres from a parcel of approximately 61.0 acres. The Planning Co-ordinator, Terrence Korotki advised that the said lands are located on Wideview Drive and that the lands are 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 circulated and the following comments were received:

- **Haliburton Kawartha Pine Ridge District Health Unit:** Existing single family dwelling with attached garage. House is served by private well and sewage system installed in 2002.
- **Alnwick/Haldimand Public Works Department:** Owner must convey 66 feet of land to the township and construction of the road on the 66 foot right of way to Municipal standards complete with turn-a-round and surface treatment. The road length must be a minimum of 150 feet east of the cul-de-sac on Wideview Drive and the applicant shall enter into a Road Improvement Agreement with the Municipality. Drainage covenant also required on the retained parcel.
- **Lower Trent Conservation Authority:** Lower Trent Conservation Authority has no concerns with approval of the above noted application for consent. However, we recommend the following: 1) That the landowner(s) be advised of the applicability of the Development, Interference with Wetlands & Alterations to Shorelines & Watercourses Regulations and the Federal Fisheries Act; 2) That the landowner(s) be encouraged to maintain and/or enhance the natural vegetation adjacent to the watercourse; 3) That the watercourse and the adjacent lands 30m either side of the watercourse on the retained parcel be placed in or remain in an Environmental Control (EC) zone.

- **Pine Ridge Municipal Planning Agency:** The consent application proposes the severance of a 1.03-acre lot (approximate) from a 59.8-acre lot (approximate) to be used for single-family residential purposes. The lands to be severed contain an existing single detached residential dwelling while the retained parcel is currently vacant. The subject lands are designated Rural Residential in accordance with the Township's Official Plan. The Rural Residential designation permits the creation of lots for non-farm residential uses. The Provincial Policy Statement also permits limited residential development in the rural areas of the municipality provided there are no conflicts with the Growth Plan for the Greater Golden Horseshoe. The proposed severance is in conformity with the growth plan. Based on the above, PRMPA recommends that Consent Applications AH-06/2008 be approved.

Moved by Deputy Mayor McDonald, 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 Consent Application for Mr. Heinz Dudichum, **AH-06/2008**, Concession 3, Part Lot 11 (former Alnwick Township) now in the Township of Alnwick/Haldimand,

- Conditional upon an amendment to Restricted Area Zoning By-Law 1001-73 coming into force and effect;
- Conditional upon payment of a **\$4,550.00** Residential Development Fee;
- Conditional upon the applicant conveying and registering on title lands measuring sixty-six (66') feet in width by one hundred and fifty (150') in length for road improvement purposes;
- Conditional upon the applicant registering sufficient covenants on the title to protect overland surface water drainage patterns to ensure that drainage from the adjacent municipal road allowance properties shall remain unimpeded over the property;
- Conditional upon the applicant entering into a Road Improvement Agreement for the upgrading and surface treating of the extension of Wideview Drive. CARRIED."

7:40 p.m. – Clarence and Gene Jaynes, **AH-07/2008**, replaces File AH-06/2007, Concession 3, Part Lot 18 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

Mr. and Mrs. Jaynes, Agents: Peter and Sandra Jaynes, are requesting a severance for the creation of one residential lot. The approximate size of the lot will be 2.60 acres and the retained parcel will be approximately 5.10 acres from a parcel of approximately 7.80 acres. The Planning Co-ordinator, Terrence Korotki advised that the said lands are located on County Road #23 and that the lands are not located in the Oak Ridges Moraine Conservation Plan Area. The Official Plan designation is Rural and the Zoning is Rural (RU). Mr. and Mrs. Jaynes have owned the lands for approximately 43 years. All ministries and agencies were circulated and the following comments were received:

- **County of Northumberland:** No concerns.
- **Haliburton Kawartha Pine Ridge District Health Unit:** No objections.
- **Letter from 5512623 Ontario Limited dated March 18, 2008:** I am a resident of this Township and I own lands adjacent to the lands subject to the above application. I believe that my lands are affected by this decision. I own a portion of a Provincially Significant Wetland (PSW) known as the Shelter Valley Wetland Complex, which I purchased for conservation purposes from the applicant. This wetland complex extends through the applicant's lands and through my lands. Our lands are situated entirely with the Rice Lake Plains Natural Area. Much of the wetland complex is designed as an ANSI.

For almost a year I have been requesting that Council require an Environmental Impact Study (EIS) prior to making any decisions with respect to new land uses for properties in close proximity to this PSW and to the streams running to the PSW. So far, Council has refused to take my requests into consideration. I AGAIN request that Council defer its deliberation on this consent application until such time as an EIS has been completed and reviewed to ensure that not only is the PSW protected but enhanced. As EIS must be conducted prior to the approval of an application for severance on lands within 120 metres of a Provincially Significant Wetland pursuant to section 5.12.8 of the Township of Alnwick/Haldimand Official Plan (OP) approved in June 2007. I have attached pages 89 and 90 of the OP for your review.

The lands subject to this application are part of a parcel of land extending into lot 19, all described in one deed. This application will permit two new lots of record in addition to the 34 acres conveyed to me in 2005. Furthermore, the Jaynes contemplate additional severances on environmentally sensitive lands in lots 19 and 20, also in close proximity to this wetland complex. In addition, an application has been submitted by another landowner to Council for three new houses immediately across from the PSW.

I have many objections to this application. I have briefly set forth some of my objections below and I reserve my rights to make further objections.

1. This is NOT a non-farm consent application. This applicant has been farming these lands for some fifty years. The land use has been agricultural for more than fifty years. The farm has farm buildings, sheds, crops, and livestock. The farm house is located on fields which have been used as a hayfield and which are on the same deed as most of the rest of the farm. The applicant has not disclosed these abutting lands showing the boundaries and dimensions. Peter Josephs, the municipal planning consultant, has written a memorandum on October 22, 2007 to the Township with respect to the complicated zoning of this farm. This property has never been used for any purpose other than agricultural. This property, including the retained and severed portions, has always been assessed as farm taxable. Most of the adjoining properties are also agricultural.
2. The previous application for consent was deemed refused by the provisions of the Planning Act. Furthermore, the applicants did not comply with the conditions of severance. This new application attempts to sever an irregular parcel with dimensions of 444 frontage and 509 feet depth compared to the previous application where the dimensions were 495 frontage by 459 feet depth. This brings the severed lot another 50 feet closer to my lands and 50 feet closer to the PSW to the south. The severed and retained portions are clearly within the mapped regulation limit of the Ontario Regulation 163 for 06, shown on the attached map.
3. The application is erroneous and contains material misstatements. The applicants should have answered the questions indicating the following:
 - On the severed and retained lands, there is an agricultural operation, there is a watercourse, there is a seasonally wet area, and there is slope.
 - Within 500 metres of the severed and retained lands, there are Provincially Significant Wetlands and there are at least two natural gas and petroleum pipelines.

The contents of this application have been sworn to be correct, yet it contains material misstatements. This application has been sent to various agencies for comments containing erroneous information. The agencies' comments should be reviewed carefully in light of such material misrepresentations and a correct application should be re-circulated so that the agencies can make informed decisions. Council should reject this application on the grounds that the applicant has submitted a misleading and erroneous application. Furthermore, it is even more imperative that an EIS be required as the applicants and their agents seem to be in denial that there are wetlands in the immediate vicinity of their lands, which require protection. The PSW extends through lots 20, 19, 18 and 17 to the south, east and west.

4. The 2005 Provincial Policy Statement requires that new land uses, such as the creation of new lots, must comply with the Minimum Distance Separation (MDS) calculation. This application does not meet the MDS test. The MDS guidelines must be rigorously enforced in a severance application and cannot contemplate that a minor variance could be brought at the time of rezoning.
5. This new consent application is dated February 2008 and is subject to the provisions of the Township's Official Plan effective June 2007, wherein enhancement and preservation of the environment is one of the basic objectives set forth in s 2.3.3. In addition to the other policies of s. 5.12, development and site alteration, which includes specifically the creation of new lot requiring approval under the Planning Act, shall only be permitted within 120 metres of a PSW following the completion of an EIS in accordance with the guidelines of the Minister of Natural Resources, as set forth attached in s. 5.12.8.1 According to the Report Card on the Shelter Valley Creeks Subwatershed, PSWs comprise only 2% of the total land area of the 119 km sq of the watershed. The Shelter Valley Creek which traverses the property is a valuable cold water trout stream.
6. This severance application is inconsistent with the Places to Grow Act, 2005. Currently there are two subdivision proposals with over 130 lots property for Alnwick/Haldimand with hundreds of vacant lots of record also available for development. Potential development on these lots far exceed the Township's growth targets. Between the years 2006 and 2011, the proposed population increase for Alnwick/Haldimand is from 6,435 people to 6,725 people, or an increase of 290 people over five years. Assuming 2.3 people per household, this would be 126 new residences in five years, and an average of about 25 new residences per year. Planned and approved development currently exceeds these growth targets.

An EIS is required prior to any decision of Council. Furthermore, this consent application should not be approved for the above reasons.

- **Pine Ridge Municipal Planning Agency:** The subject lands are designated Rural in accordance with the Township's Official Plan. The Rural designation permits the creation of lots for single family residential uses. The Provincial Policy Statement (PPS) also permits limited residential development in the rural areas of the municipality provided there are no conflicts with the Growth Plan for the Greater Golden Horseshoe.

The sketch supplied by the applicant indicates a barn located on the adjacent lands. The PPS requires that new lots be in conformity with the Minimum Distance Separation Formula (MDS).

Based on the above, PRMPA recommends that Consent Applications AH-07/2008 be approved.

- **Lower Trent Conservation Authority:** It is our understanding that a major concern of the appellants was the absence of an Environmental Impact Study (EIS) on the original consent. The Township of Alnwick/Haldimand's Official Plan policy (in compliance with the Provincial Policy Statement) states that development within 120 metres of a provincially significant wetland must have an evaluation of the ecological function of the lands and it must be demonstrated that there will be no negative impacts on the natural features and their ecological functions as a result of the proposed development. The definition of development under the PPS includes the creation of a new lot. It would appear that the proposed severed lot and its building envelope would be outside the 120 metre "area of influence" of the PSW, and therefore Lower Trent did not recommend the completion of an EIS. Based on the concerns of the pending appeal of by-law 39/2007, the Municipality may deem it prudent to require an evaluation to be completed on the retained parcel. Lower Trent would offer to review the EIS on the Municipality's behalf and provide comments on same.

Mr. Terrace Good was present and stated the following: "I am the president of 512623 Ontario Limited, the owner of the lands to the south. I have been a resident in this community for 20 years during which, I have become involved in the protection of environmentally sensitive lands. I have written a letter to Council voicing my concerns with this application. I have purchased 160 acres at the head water of the Shelter Valley Creek. I have purchased 24 acres of forest adjacent to the Northumberland County Forest. I am the owner of an ANSI called the "Grafton Swamp" according to my MPAC assessment notice on Boomerang Road and I purchased 37 acre parcel which contains a Provincially Significant Wetland known as the Shelter Valley Wetland Complex. It is also an ANSI. For a year I have been requesting Council to ensure that an Environmental Impact Study is done to ensure that this wetland is protected.

FOR THE RECORD, I continue to object to this severance. I request written notice of this decision please afford me the protection of the environment under the Official Plan.

Mrs. Olmsted stated that the heading listed on the agenda for this application for this evenings meeting states it replaces file number AH-06/2007. However, under the Provisions of the Planning Act, this new application does not in fact replace any previous file.

Mrs. Olmsted noted that the lands in question, with respect to frontage and depth are not listed the same for both file numbers, the signs have not been posted correctly even though the survey stakes are present. Mrs. Olmsted asked clarification as to which dimensions are the applicants actually wanting to use. If they use the dimensions as noted on the application presented tonight, then the proposed severed property would be another fifty feet (50') closer to the existing ANSI owned by Mr. Good. Mrs. Olmsted also inquired as to the correctness of the agency comments and have they noted to revised dimensions of the proposed severed lands.

Councillor Bennis asked Mr. Jaynes the approximate distance between the proposed severed lands and the nearest pipeline to the south. Mr. Jaynes stated that it was approximately 1,500 metres away.

Mrs. Olmsted stated that in her review of the Consent Application Form, the applicant does not state the distance from the pipeline to the retained portion, which is in very close proximity.

Deputy Mayor McDonald suggested that the application be circulated to the Trans Canada Pipeline for their review and comments with respect to their lines in this location and in relation to this application.

Councillor Bennis asked Mr. Good and Mrs. Olmsted that if the applicants were to have the Environmental Impact Study completed and then reviewed and commented on by the Lower Trent Conservation Authority and it was in favour of the applicants, would they abide by the findings and conclusions, pertaining this matter. Mrs. Olmsted stated that during the appeal they confirmed they would accept mediation if the Environmental Impact Study was completed. Mrs. Olmsted noted that there is also a question with respect to the Minimum Distance Separation Calculation and was it calculated with the old dimensions from the previous severance or has it been completed with the new dimensions being used.

Moved by Councillor Bennis, seconded by Councillor Holmes;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, defer Consent Application **AH-07/2008**, for Clarence and Gene Jaynes, Part Lot 18, Concession 3 (former Township of Haldimand) now in the Township of Alnwick/Haldimand, until such time as additional information and clarification has been obtained. CARRIED."

Mayor Finley declared a pecuniary interest pertaining to the Informal Consent Applications **AH-08/2008** and **AH-09/2008** of Bonnie Finley, as this is his sister-in-law and departed from the Municipal Planning Meeting at 8:10 p.m.

MOTION –DEPUTY MAYOR MCDONALD TO CHAIR MEETING

Moved by Councillor Holmes, seconded by Councillor Ritchie;

"Be it resolved that Deputy Mayor McDonald be approved to Chair the Municipal Planning Meeting at this time, due to the pecuniary interest declared by Mayor Finley. CARRIED."

8:10 p.m. – Bonnie Finley **AH-08/2008**, Concession A, Part Lot 13 (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Hamlet.

There was no one present representing the applicant.

Mrs. Finley is requesting a severance for the creation of one residential lot. The approximate size of the lot will be 1.57 acres and the retained parcel will be approximately 41.19 acres from a parcel of approximately 42.76 acres. The Planning Co-ordinator, Terrence Korotki advised that the said lands are located on County Road #2 and that the lands are 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 circulated and the following comments were received:

- **Alnwick/Haldimand Public Works Department:** No concerns County of Northumberland jurisdiction.
- **Northumberland County:** We have reviewed the application noted above and would request that the following be included as conditions of approval for both applications: That the applicant shall register sufficient covenants on the title of the retained and severed portions to protect overland surface water drainage patterns to ensure that drainage from the adjacent County road allowance properties shall remain unimpeded over the property.
- **Lower Trent Conservation Authority:** No concerns.
- **Pine Ridge Municipal Planning Agency:** The consent application proposes the severance of two 1.57-acre lots (approximate) from a 41.19-acre lot (approximate) to be used for single-family residential purposes. Both severed portions and the retained portion are currently vacant. The proposed lots are to be service with private well and septic systems.

The subject lands are designated Hamlet in accordance with the Township's Official Plan. The Hamlet designation permits the creation of lots for single family residential uses. The proposal is consistent with the settlement and rural policies contained within the Provincial Policy Statement.

Based on the above, PRMPA recommends that Consent Applications AH-08/2008 and AH-09/2008 be approved.

- **Haliburton, Kawartha, Pine Ridge District Health Unit:** No objections. The size and location of the sewage system to be determined prior to issuance of a building permit.

Mrs. Olmsted asked if the number of severances were being tracked in the municipality to determine if the Growth Rates were in conjunction with the Growth Projections for the municipality.

The Clerk/Administrator, Terrence Korotki advised that a chart is being kept which notes each severance within the municipality, which is being forwarded to the Consultant, Mr. Nick McDonald, who has been contracted by the County of Northumberland to review this matter, with respect to the growth projections for the County of Northumberland.

Moved by Councillor Holmes, seconded by Councillor Ritchie;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve Consent Application for Mrs. Bonnie Finley, **AH-08/2008**, Concession A, Part Lot 13 (former Haldimand Township) now in the Township of Alnwick/Haldimand,

- Conditional upon an amendment to Restricted Area Zoning By-Law 619 coming into force and effect;
- Conditional upon payment of a **\$4,550.00** Residential Development Fee;
- Conditional upon the applicant registering sufficient covenants on title of the severed portion to protect overland surface water drainage patterns to ensure that drainage from the adjacent county road allowance properties shall remain unimpeded over the property;
- Conditional upon payment of **\$436.99** for one streetlight as a contribution to the installation of streetlights in the Hamlet of Wicklow.

CARRIED."

8:13 p.m. – Bonne Finley, **AH-09/2008**, Consent #2, Concession A, Part Lot 13, (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Hamlet.

No one was present representing the applicant. Mrs. Finley is requesting a severance for the creation of one residential lot. The approximate size of the lot will be 1.57 acres and the retained parcel will be approximately 41.19 acres from a parcel of approximately 42.76 acres. The Planning Co-ordinator, Terrence Korotki advised that the said lands are located on County Road #2 and that the lands are 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 circulated and the following comments were received:

- **Alnwick/Haldimand Public Works Department:** No concerns County of Northumberland jurisdiction.
- **Northumberland County:** We have reviewed the application noted above and would request that the following be included as conditions of approval for both applications: That the applicant shall register sufficient covenants on the title of the retained and severed portions to protect overland surface water drainage patterns to ensure that drainage from the adjacent County road allowance properties shall remain unimpeded over the property.
- **Lower Trent Conservation Authority:** No concerns.

- **Pine Ridge Municipal Planning Agency:** The consent application proposes the severance of two 1.57-acre lots (approximate) from a 41.19-acre lot (approximate) to be used for single-family residential purposes. Both severed portions and the retained portion are currently vacant. The proposed lots are to be service with private well and septic systems.

The subject lands are designated Hamlet in accordance with the Township's Official Plan. The Hamlet designation permits the creation of lots for single family residential uses. The proposal is consistent with the settlement and rural policies contained within the Provincial Policy Statement.

Based on the above, PRMPA recommends that Consent Applications AH-08/2008 and AH-09/2008 be approved.

- **Haliburton, Kawartha, Pine Ridge District Health Unit:** No objections. The size and location of the sewage system to be determined prior to issuance of a building permit.

Moved by Councillor Bennis, 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 Consent Application for Mrs. Bonnie Finley, **AH-09/2008**, Concession A, Part Lot 13 (former Haldimand Township) now in the Township of Alnwick/Haldimand,

- Conditional upon an amendment to Restricted Area Zoning By-Law 619 coming into force and effect;
- Conditional upon payment of a **\$4,550.00** Residential Development Fee;
- Conditional upon the applicant registering sufficient covenants on title of the severed portion to protect overland surface water drainage patterns to ensure that drainage from the adjacent county road allowance properties shall remain unimpeded over the property;
- Conditional upon payment of **\$436.99** for one streetlight as a contribution to the installation of streetlights in the Hamlet of Wicklow.

CARRIED."

Break at 8:14 p.m. – 8:25 p.m.

MOTION-MAYOR FINLEY RETURN TO CHAIR MEETING- 8:25 P.M.:

Moved by Councillor Bennis, seconded by Councillor Ritchie;

"Be it resolved that Mayor Finley return to the Municipal Planning Meeting as Chair at 8:25 p.m. CARRIED."

V. PUBLIC MEETING – 8:26 P.M.:

MOTION TO COMMENCE A PUBLIC MEETING

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, to commence a Public Meeting at, 8:26 p.m. CARRIED."

8:26 p.m. – Ian Fraser, Oak Heights Estate Winery, **By-Law No. 28-2008**, Concession 8, Part Lot 2(former Township of Haldimand) 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 March 5, 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:

Official Plan Amendment No. 1:

The Council of the Township of Alnwick/Haldimand is in receipt of an application to amend the Official Plan of the Township of Alnwick/Haldimand with respect to lands located in part of Lot 2, Concession 8, in the former Township of Haldimand.

The purpose of the Official Plan Amendment is to add a site-specific "Special Policy" to the existing Rural designation that would have the effect of permitting an accessory dwelling for a wine maker, a banquet hall, and a bed and breakfast establishment, in addition to the uses permitted by the Rural designation. The proposed banquet hall facility would allow for gatherings of up to 200-250 people.

Zoning By-Law No. 28-2008:

Notwithstanding the uses permitted within the Rural (RU) Zone as shown on Plate "B" entitled "Permitted Uses in Zones", of By-law No. 619 as otherwise amended, within the Rural Exception No. 451 (RU-451) Zone the permitted uses shall also include the following:

(i) Residential Uses

- A bed and breakfast establishment
- An accessory dwelling unit for farm help, including a wine-maker

(ii) Non-Residential Uses

- A banquet hall

(a) Zone Regulations

Notwithstanding the provisions for residential and non-residential uses within the Rural (RU) Zone as shown on Plate "C" entitled "Provisions for Residential Uses", and on Plate "D" entitled "Provisions for Non-Residential Uses", or any other provision of By-law No. 619 to the contrary, within the Rural Exception No. 451 (RU-451) Zone the following special provisions shall apply:

(i) Special Provisions for a Bed and Breakfast Establishment:

- For the purposes of the Rural Exception No. 451 (RU-451) Zone, the following definition shall apply: "A Bed and Breakfast Establishment shall mean a single family dwelling house in which guest rooms are made available for rent to the public for short-term accommodation. A Bed and Breakfast Establishment may offer meals to those persons patronizing the establishment. A Bed and Breakfast Establishment shall not include an eating establishment, a motel, a motor hotel, a resort, any other form of tourist establishment, or any other establishments otherwise defined or classified in By-law No. 619, as amended."

- A Bed and Breakfast Establishment shall be permitted in a single family dwelling house only, and shall have a maximum of three (3) guest rooms.
- The minimum number of off-street parking spaces required for a Bed and Breakfast Establishment shall be one (1) parking space per dwelling unit plus one (1) parking space per guest room.
- A Bed and Breakfast Establishment shall be deemed to be a residential use, and shall comply with all applicable regulations and requirements of the Zone in which it is permitted.

(ii) Special Provisions for an Accessory Dwelling Unit for Farm Help:

- A maximum of one (1) accessory dwelling unit for farm help only, including a wine-maker, shall be permitted.
- The maximum floor area for an accessory dwelling unit for farm help shall be 36 square metres (387.5 square feet).
- An accessory dwelling unit for farm help may be located in a non-residential building, subject to the provisions of Section 7(j) of By-law No. 619.

(iii) Special Provisions for a Banquet Hall:

- For the purposes of the Rural Exception No. 451 (RU-451) Zone, the following definition shall apply: "A Banquet Hall shall mean a building or part thereof used for the gathering of groups of people for a special function including the consumption of food and drink, and shall include full kitchen facilities. A Banquet Hall shall not include any other establishment otherwise defined or classified in By-law No. 619, as amended."
- A Banquet Hall shall have a maximum seating capacity of 250 persons and a maximum floor area of 260 square metres (2,798.7 square feet).
- The minimum number of off-street parking spaces required for a Banquet Hall shall be one (1) parking space per four (4) persons that may be legally accommodated at any one time.

(iv) Minimum Lot Area:

- Notwithstanding the minimum lot area requirement for the Rural (RU) Zone to the contrary, within the Rural Exception No. 451 (RU-451) Zone, the minimum lot area shall be 30.0 hectares (74.1 acres). For the purposes of this zone provision, that portion of the lot situated on the Oak Ridges Moraine and subject to the provisions of By-law No. 32-2006 shall be used to calculate the minimum lot area requirement of the Rural Exception No. 451 (RU-451) Zone.

The provisions of the Rural (RU) Zone shall apply in all other respects."

Mr. Josephs noted the following provisions for receipt of notification of the proposed Official Plan Amendment No. 1 and proposed Zoning By-Law Amendment No. 28-2008:

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Alnwick/Haldimand before the proposed Official Plan Amendment is adopted or before the proposed By-law is passed, the person or public body is not entitled to appeal the decision of the Council of the Township of Alnwick/Haldimand to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Alnwick/Haldimand before the proposed Official Plan Amendment is adopted or before the proposed By-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

If you wish to be notified of the adoption of the proposed Official Plan Amendment or the passing of the proposed Zoning By-law, or of the refusal of a request to amend the Official Plan, you must make a written request to the Clerk/Administrator of the Township of Alnwick/Haldimand at the address given below.

Mrs. Heather Watson, Ecovue Consulting Services, provided a brief review of the applicant's proposal.

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 were a number of individuals present, 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:

➤ **Mr. Mike Keene, Ministry of Municipal Affairs and Housing:** I have circulated the Oak Heights Winery proposed official plan amendment to the Ministry of the Environment to ensure that servicing for this proposal has been appropriately addressed. I was led to believe that Council would be considering this amendment for adoption on March 26, 2008. I will not be able to provide comments to the Township by this date and wish to request that the Township defer its adoption of the amendment until one-window comments can be provided to assist Council with their decision on this application.

➤ **Letter from the Warkworth Business Association dated March 19, 2008:**

I am writing on behalf of the Warkworth Business Association (WBA) in support of the Zoning By-Law Amendment and the Official Plan Amendment put forth by Oak Heights Estate Winery. Tourism plays a significant role in the growth and development of the County of Northumberland, and we believe the proposed enhancements to the winery will play an integral part in the growth of tourism not only in Alnwick/Haldimand but in our area as well. As you maybe aware Warkworth has been going through a resurgence over the last few years and we see this project as another welcome addition to our area. Although the Oak Heights Estate Winery is not in the Municipality of Trent Hills, it is sufficiently close to Warkworth that the village significantly benefits from customers and visitors of the winery. The WBA is very much in favour of this project and would welcome the approval by Council of the Zoning By-Law Amendment and Official Plan Amendment.

- **Pine Ridge Municipal Planning Agency:** The application proposes an amendment to permit a broader range of permitted uses at the existing winery. These uses include an accessory dwelling for a wine maker, a banquet hall, and a bed and breakfast establishment. The amendment would place the subject land into a "Special Policy" Rural designation. The proposed Zoning By-Law amendment would implement the policies of the Official Plan Amendment. A sketch has been included with the Planning Report, provided by EcoVue Consulting that indicates the proposed location of the new building.

The subject lands are currently designated Rural and Oak Ridges Moraine. The lands subject to this application are located outside of the area designated Oak Ridges Moraine, as such; policies of the Oak Ridges Moraine Conservation Plan do not apply.

Section 1.1.4 of the Provincial Policy Statement (PPS) describes the general pattern of land uses that are to be found in Rural areas. These uses shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses. The expansion of an existing winery would meet the uses permitted in this section provided the site servicing that is planned for is appropriate. Section 1.6 provides policies pertaining private septic and water systems. Within this section the use of private septic system and water systems are permitted where site conditions are suitable.

The planning report indicates that Geologic and Environmental Consultants are currently undertaking a hydrogeological report. Until such time that the report has been complete and peer reviewed, the applicant has not demonstrated that the proposal is consistent with Section 1.6 of the PPS and the application could be considered premature.

Based on the above, PRMPA recommends that the application to approve the application to amend the Official Plan and Zoning By-law be deferred until the hydrogeological report has been completed to the satisfaction of the Municipality.

- **Lower Trent Conservation Authority:** Please be advised that Lower Trent Conservation Authority in principle has no concerns with approval of the above noted applications for Official Plan Amendment and Zoning By-Law Amendments. However, we would like to note that the outcome of the hydrogeological report could have significant impacts on the form of the proposed development. The proposed size and location of the proposed banquet facility may require changes. We would like to recommend the following:
 1. That a detailed site/drainage plan be prepared and submitted for review to Lower Trent Conservation prior to the issuance of any building permits.
 2. That the hydrogeological assessment be submitted for review and comment by Lower Trent conservation prior the issuance of any building permits.
- **Letter from Gail Covert dated March 25, 2008:** I want to make it clear that I do not object to the proposed rezoning of the property in question. However, it is imperative that the Council delay approval until a full and complete study is made of the effect that the new buildings and the inevitable increase in the use of water will have on the water supply in the immediate area. My parents were life-long residents of the community and I have chosen to retire to one of the most beautiful and scenic areas of Ontario. My father's house is located across Covert Hill Road to the west of the Oak Heights Winery and my house is located on County Road 29, approximately 600 feet from the Winery.

In my experience, the water supply on Mr. Fraser's property (where I was raised) has always been sufficient to support agricultural activities, such as the growing of crops – corn, hay and grain – and raising cattle, along with the normal level of household use by a family of four. Although I know that Mr. Fraser is very conscientious about the environment and makes every effort to conserve, the current usage of the land and existing buildings has resulted in an increase in the need for water on his property and it is inevitable that further expansion (such as conference centre with a capacity of 200 to 250) will add to the level of consumption of water. I appreciate Mr. Fraser's commitment to the environment and to this community, and I realize that time is an important consideration when dealing with a commercial venture, but I feel that Council should, at the very least, require completion of a study that clearly outlines the possible effects on the water supply to nearby residents before granting approval for the requested rezoning. Thank you for your consideration.

➤ **Letter from Daniel, Tamara, Alex, Earl, Rueben and Molly Ferguson, dated March 22, 2008:**

My name is Dan Ferguson. I represent the Ferguson Family of Oak Heights. Our property is on the North ½ Lot 3, Concession 8 Haldimand Township. Our family has lived on this property and contributed to the community for over 100 years. Our farm has been in continuous operation in our family name long enough to attain Century Farm designation. That is something we are extremely proud of. My wife and I have raised our four children in this environment and hope that they would be allowed to continue in this tradition. Farming is a low margin, high labor activity that many of the Oak Heights properties were established on and still support. Three years ago, my uncle Clarence Ferguson, North ½ Lot 3, Concession 9, also a farmer, had to move closer to health care and decided to sell his property. He owned a 50-acre parcel, with a separate deed, bordering my west line fence. He and I reached an agreement as to a value so I could expand my property base to maintain my farming activity. We were both extremely disappointed to find out from the Clerk/Administrator that a combination of the Official Plan and the Oak Ridges Moraine, would not allow him to sell that parcel separately from his residential parcel. This put the price out of our range to finance a purchase. We regrettably accepted this as "The Rule", and the property sold outside the family. I therefore, challenge council with the new Official Plan in place, to give careful and thoughtful consideration to quick amendments and rezoning applications. These changes will no doubt impact neighbouring landowners and demonstrate to me that there are double standards based on resources available to property owners to affect the rules council approves. We are humbly in awe of the landscape changes and renovations the winery has already embarked upon. History, even in this Township, has shown us how large businesses can change plans or change ownership. New business plans or a change of ownership may not share Mr. Fraser's expressed empathy for neighbourhood concerns. We ask that Council carefully consider, and give time for local comment regarding amendments to the Official Plan that will impact our right to farm and our rights as neighbours in this community in the future.

- Letter from Dan and Tammy Ferguson, Bruce and Joanne Campbell, Gail Covert, Brian Cook and Cynthia Whitehead, Bruce Taylor and Paula Gilthorpe, Dave Ferguson and Kerry Bandy dated March 22, 2008:

cc. Council (7)
Peter Josephs (Hwy. 7000)
Heather Watson (consultant)
Hand-delivered March 22, 2008
March 22, 2008
RVM - 9:34 AM
7
MAY 25 2008
March 22, 2008
He

To: The Council of the Corporation of the Township of Alnwick/Haldimand

Regarding: Applications for an Official Plan Amendment and a Zoning By-Law Amendment in respect of Part Lot 2, Concession 8, in the former Township of Haldimand, now in the Township of Alnwick/Haldimand, the municipal address being 337 Covert Hill Road.

From: The undersigned neighbouring residents

Request for adjournment of consideration by Council of the proposed Official Plan Amendment and Zoning By-Law Amendment pending an opportunity for consultation with the affected community; or in the alternative, denial of the applications without prejudice to a future application following consultation with the affected community.

Dear Council:

We are a group of concerned landowners in the vicinity of the Oak Heights Estate Winery, operated by Mr. Ian Fraser, the applicant for the Official Plan Amendment. Our members range from long time family farm owners and operators to permanent and part-time residents – some long-term and some more recent. As both friends and neighbours, we are all concerned with the proposed changes to the land uses that are the subject of these Applications.

These concerns relate to a variety of issues, and while they may all be resolved by a willingness on Mr. Fraser's part to pause at this time and provide further information and opportunities for discussion before any action by Council, that invitation has not been made to date. Accordingly, we have no clear picture of exactly what is being proposed in these applications, the implications of the current proposals, or how the current proposals fit into any further development plans. For example, it would be appropriate for Mr. Fraser to clarify any further expansion plans that he may have for the business. In particular, we would like public clarification of the question of whether there are any plans for a hotel/inn or other building to accommodate guests who attend functions at the winery, apart from the proposed B&B.

Clearly the very limited time allowed in the Council's agenda (we understand from Township staff that about 20 minutes has been scheduled for the public meeting on this matter) is completely inadequate for any meaningful opportunity to address public concerns. At this point, on the basis of the limited information submitted with the proposal, the community concerns focus on the following matters:

Maintaining the integrity of the Official Plan

It appears that several of the issues associated with the proposal (for example the environmental and water issues discussed below) will only be addressed after the proposal has been adopted.

And as a planning matter, we do not see any rationale for concluding that a 250 person banquet hall is consistent with the Rural designation. Party noise, traffic and related activities – to name but a few of the potential issues that would conflict with that designation – are barely touched on in the material provided to date. We would also like to know if it is the Township's position that a capacity of 250 is appropriate, and if so on what basis, particularly as Mr. Fraser advised one of our members that he would be content with a smaller number.

In our view, all relevant issues should be fully addressed before any formal consideration by Council – particularly as the proposed uses are on their face so inconsistent with the recently-adopted Official Plan. We understand that this is the first amendment proposed to that Plan – ensuring that the integrity of the Rural designation is maintained is a watershed decision for the Council and deserves the time necessary to provide for meaningful public input.

Environment

We have two primary environmental concerns. The first is about ground water use. Most of our properties have experienced significant water shortages in the past few years, particularly in the drier months of August and September. The proposal includes plans for an expanded septic system capable of handling over 11,000 liters of water a day.

We would like clarification of how much additional water use will be associated with the proposal and assurances that the additional water will not further deplete the availability of water for the surrounding properties. The associated hydrogeological work and well surveys (extended to at least cover our members) should be completed before further consideration by Council.

The second concern is about the increased sewage that will be associated with the proposal and the potential for groundwater contamination. This is particularly important because of the immediate proximity of the proposed development to the Oak Ridges Moraine.

We understand that further approval is required from the Ministry of the Environment in regard to both the water use and the sewage concerns. We feel that Council should wait until the Ministry assessments have been completed before further consideration is given to the proposal.

Right to Farm

No doubt Council has had to wrestle in the past with the conflicts that arise when non-rural uses are introduced into farm settings. As a graphic example, manure spreading and wedding banquets are not a good combination. Yet the proposed "Special Policy" sets up the very kind of land-use conflict that the Rural designation in the new Official Plan was designed to avoid. This is not an academic concern – the next farm north across Covert Hill Road is a cattle farm that has been in operation for generations.

2

The current uses should be addressed before contemplating expansion

The application, in part, seeks approval for "one accessory dwelling unit located in a non-residential building, for occupation by a wine maker or other full-time farm help."

Having attended winery events at Mr. Fraser's invitation, this use is already taking place – a fact which is not apparent in the application. Has the Council reviewed whether the existing facilities and uses at the winery conform to all relevant requirements, including liquor license requirements etc? At the least, Council should be satisfied that existing uses are regularized before proceeding to consider additional uses.

Zoning Issues

In discussing this matter, it is not clear to us what zoning changes would occur if the official plan amendment application proceeds. Currently an "assembly hall" (i.e. the banquet hall) is only permitted in the Community Facility and Hamlet Commercial zones. (As an aside, this language is further recognition that such facilities are not consistent with the Rural use designation.) As a matter of fairness, associated zoning restrictions, designed to the extent feasible to address the potential land-use conflicts that led to the uses being excluded from Rural areas in the first place, should be developed with community input before the Official Plan changes are considered by Council.

For example, a restriction that amplified sound would only be permitted inside a closed structure would go some way to alleviating party noise concerns, and is the kind of zoning provision that should be discussed with the community. Until the zoning implications of the proposed scheme have been clearly identified and discussed, the community will not have any reliable basis on which to respond to the overall proposal.

In closing, we want to be clear that under appropriate circumstances we are not necessarily opposed to further development of the winery. However, we do have concerns about the extent of the proposed development. It seems clear that regular events involving up to 250 people are significantly inconsistent with this rural neighbourhood. Consideration could be given to approval of a smaller facility that would create less potential for increased traffic, noise, disruption and environmental impact.

Prior to the official opening of the winery last year, Mr. Fraser invited the local neighbours for an introduction to him and the winery operation. At that time he assured us that he valued the character of our countryside and took seriously the need to fit in with the community. We invite Mr. Fraser, and this Council, to work with the community to develop a plan that works for us all. Delaying further consideration of this application would be an important step and an act of good faith that the concerns of the community will be fairly and respectfully considered.

We would each like to receive notice of Council's decisions and of any further proceedings in relation to the official plan amendment and zoning applications.

3

- **Letter from Dennis and Maggie Zezula, Andreas Gada, Bonnie Bunyan and David Bunyan, Trixie Davis, Ron Wallin and Moe and Lori Cribbens family dated Marcy 26, 2008:**

LIST OF CONCERNS

This is to notify the Council of the township of Alnwick/Haldimand that the undersigned have concerns relating to the approval of the proposed Official Plan Amendment under Sections 21 and 22 of the Planning Act, and a proposed Zoning By-law Amendment under Section 34 of the Planning Act.

Our concerns are:

Water Resources Utilization.

The proposed expansion of the Oak Heights Estate Winery, especially the addition of a banquet hall, will result in a greatly increased demand for fresh water. This will not be a trivial increase in water consumption as we are talking about water required for growing grapes, wine production, a Bed and Breakfast facility, a banquet hall for up to 250 people, a second house for the vintner, and the horse stables and the extra staff to work in these areas. These will significantly deplete/reduce the water table in the entire ANSI buffer zone area. Already, water has been pumped from the Salt Creek ANSI for the winery without an appropriate permit.

Surrounding areas already experience shortages of water especially in late summer.

Sewage Disposal Requirement.

The increased number of patrons and staff, especially of the banquet hall, the B&B facility and horse stables will result in an increased volume of sewage to be disposed of on the premises that are in close vicinity of the Oak Ridges Moraine.

With a tile bed on the hill and the drainage being south, we have serious concerns about potential water contamination in the properties located in Salt Creek ANSI to the south.

Increased Vehicular Traffic and resulting Pollution.

Heavier traffic through our area will create increased air and noise pollution. Those already living in the area, purchased the land for the tranquility.

The increased traffic and number of patrons of the winery will disturb tranquility of the area.

Increased Light Pollution:

This area is a prime dark-sky area because there is a very minimal amount of light pollution. For the past twenty-three years, the North York Astronomical Association (www.nyaa.ca) has used the adjacent property to the south to view the skies and stars. The proposed expansion will increase the amount of light emitted from the winery, which will interfere with the ability of the NYAA to view the skies and stars.

Date:26/03/2008

List Of Concerns

Page:1 of 5

Full cut-off lighting would be required to shield all out-door lighting.

Stables.

It is not clear from the Planning Document for the Oak Heights Estate Winery whether the stables are planned for personal use or for commercial use or for mixed use. How many horses are planned to be kept on the property? Which area of the property is planned to be used as a pasture for the horses?

If riding stables are established, we are concerned that riders will trespass on private properties belonging to nearby residents.

Guest Parking.

Also, it is not clear from the Planning Document for the Oak Heights Estate Winery where the guest parking space (large enough for the guests of banquet hall and B&B) will be located.

Height of the Proposed Buildings.

Page 3 (3.0 Proposed Site Development) of the Planning Document states that all buildings will be 4.27 meters (46 feet) in height. When converted, 4.27 meters equals to 14.09 feet.

Our question is:

"What is the proposed height of the buildings? Is it 14 feet or 46 feet?"

House for the Winemaker.

The size of the Winemaker Dwelling is 36 square meters. When converted into square feet, the **size of the dwelling is 390 square feet. Is this correct?** Does this conform to the size restrictions on dwellings in the township of Alnwick/Haldimand?

Taxation

How will a site-specific "Special Policy" be taxed? Does this mean that the commercial operation is going to be taxed as an agri-business?

Precursor for the Future Expansion.

The undersigned feel that the proposed expansion is just a starting point that will be followed by more expansions in future. We are concerned about what else may be planned for the Oak Heights Estate Winery.

Will a site-specific "Special Policy" allow future growth carte blanche?

Date:26/03/2008

List Of Concerns

Page:2 of 5

CONCLUSION:

In closing, we would like to point out that the undersigned are not against the Oak Heights Estate Winery as it is at the present time, however, we feel that there was a total lack of any meaningful communication between the owner of the winery and the neighbours who will be adversely affected by the proposed expansion. Many concerns and misconceptions could have been eliminated prior to this Council meeting.

We would also like to point out that the amount of time allocated by the Council of Alnwick/Haldimand (i.e. 20 minutes) for the presentations either supporting or opposing the application for the expansion of the Oak Heights Estate Winery is totally inadequate.

We do not understand the urgency of the Alnwick/Haldimand's Council to approve the Amendment No. 1 to the Official Plan of the Township of Alnwick/Haldimand without first addressing the concerns of the people who are likely to be negatively affected by their approval. The concerns of the petitioners should be addressed to their full satisfaction first, irrespective how long it takes, before the Council's approval is granted to go ahead with the proposed Oak Heights Estate Winery expansion. This is the way to avoid unnecessary litigation.

We urge the Council of Alnwick/Haldimand to postpone the approval of the Official Plan Amendment No. 1 until the concerns of the petitioners are adequately dealt with.

PLEASE NOTE:

We would like to be notified about Council's decisions and about any further proceedings related to the Official Plan Amendment No. 1 and zoning applications to the following address:

Dennis Zezula
R.R. # 1
Warkworth, ON. K0K 3K0
Phone: (905) 344-7667

Date:26/03/2008

List Of Concerns

Page:3 OF 5

PAGE 5 OF 5

Estimated Daily Water Consumption To Support Five Hectares Of Grape Vines

	Theoretical Peak Water Demand (1) mm / Month	Cobourg 2007 Rainfall (2) mm / Month	Deficit mm / Month	Water Required Litres / Hectare / Month	Daily Water Required (3) Litres / Hectare	Daily Water Required Based On Five Hectares
May	57.7	73.2	-15.5	-	-	-
June	85.1	79.4	5.7	57,000	1,900	9,500
July	103.6	59.2	50.4	504,000	16,758	81,290
August	84.6	77.6	7	70,000	2,358	11,290

Notes:

- 1 Theoretical Peak Demand based on study conducted by Stanec Consulting Ltd for the Regional Municipality of Niagara
- 2 Cobourg 2007 Rainfall data obtained from Environment Canada <http://www.ec.gc.ca/meteo/14679672-2007-9981-ad66-735206016672>
- 3 Water Required does not take into account soil type, the effect of wind and water loss in the irrigation system.

16/03/2008

Public Questions – 9:04 p.m.:

Terrace Good stated that this is not just a large structure, but also putting 65 cars in a large parking area which would need to be lit at night would give off too much illumination in this area.

Mr. Dan Ferguson was present to reinforce his written correspondence.

Mr. Brian Cook advised that he is an adjacent property owner and stressed the need for Council to defer approval of the planning applications until a more detailed information session can be provided to those individuals with concerns or questions.

Mr. Zezula was present and stated that the email message from Mr. Keene with respect to his concerns was received by accident and it should have been the letter as presented above in these minutes, of which Mr. Zezula read to those present.

Mr. Andreas Gada was present and reviewed their written correspondence of concerns with respect to this application.

Mr. Bruce Campbell was present to reinforce their concerns as expressed in the written correspondence outlined above with respect to these proposals.

Mrs. Trixie Davis was present to provide a brief overview of her concerns which were also expressed in the correspondence above.

Mrs. Gail Covert was also present and commented that she wanted assurance from Council that sufficient time is given in order to address all concerns with respect to these applications.

Mr. Dean Peters was present as a resident of Warkworth and representative of the Warkworth Business Association in support of the existing operation as well as the proposed amendments for the economic effects it will have, not just on the immediate area, but for neighbouring communities as well.

Mr. Brent Townsend was present and stated that Mr. Fraser is a very responsible person and was sure that he would do what was possible to address the concerns expressed and advised that he was quite impressed with the neighbours presentations and correspondence with respect to this proposal. He stated that the he was sure it could conclude as a "win-win" situation for everyone.

Ms. Olmsted asked if a Permit-to-take-Water was contemplated and can this be addressed by Council.

Mr. P. Josephs, Municipal Planner stated that the Section to address the water issue was deferred by the Province of Ontario when approval was given for the Official Plan. However, it was adopted by Council.

Mrs. Watson stated that her clients had no intentions of withholding information or the lack of with respect to their proposal and stated that they would like to, first, obtain all the concerns and address them in written form, and secondly, schedule a meeting of all concerned parties, together with the municipal Council, to review these matters of concern.

Mr. Fraser stated that he was very happy to everyone out to this meeting and advised that he cares as much as anyone in the room, and thanked the Council for the time to speak with respect to the applications.

Ms. Gretchen Harris and Nick Vanderknokke arrived at the meeting at 10:11 p.m.

10:12 p.m. – Ted and Nancy Helps, **By-Law No. 29-2008**, Concession 4, Part Lot 11 (former Haldimand Township) now in the Township of Alnwick/Haldimand.

Mr. and Mrs. Helps were in attendance in favour of the application.

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 March 5, 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 8.77 hectares from which a 2.32 hectare parcel is to be created by consent to land severance. The severed parcel to result from severance consent application A/H-23/2007 has a single family dwelling house erected thereon.

The retained parcel of land is vacant land but will have a single family dwelling house and garage erected thereon in the future.

The proposed Zoning By-Law Amendment would change the Zone category from Rural (RU) to Rural Exception No. 452 (RU-452) and Rural Exception No. 453 (RU-453) Zone. The Rural Exception No. 452 (RU-452) Zone and Rural Exception No. 453 (RU-453) Zone both have insufficient lot area to comply to the Rural (RU) Zone. For the purposes of this by-law, lot frontage shall be calculated along Boeve Lane in respect to the severed parcel of land.

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, 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:

- **Haliburton Kawartha Pine Ridge District Health Unit:** No objection.
- **Pine Ridge Municipal Planning Agency:** The application is to change the zoning on the subject land from Rural (RU) zone to a Rural Residential Exception No. 452 (RU-452) zone and a Rural Exception No. 453 (RU-452) zone. This zoning application has been made with the intent to fulfill a condition of severance application AH-23/2007. The purpose of the application is to rezone the property to recognize the reduced lot area of the severed and retained parcels.

Our review concludes that there are no Provincial Issues with respect to the proposed Zoning By-law amendment. The lands are designated as Rural in the accordance with the Township Official Plan.

Based on the above, PRMPA recommends that Rezoning Application 29-2008 be approved as it is consistent with the Provincial Policy Statement and complies with the Township's Official Plan with respect to Rural development in the municipality.

- **Lower Trent Conservation Authority:** No concerns.

MOTION TO ADJOURN THE PUBLIC MEETING – 10:14 P.M.

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, adjourn the Public Meeting at 10:14 p.m. CARRIED."

VI. APPROVAL OF MINUTES – 10:15 P.M.:

Municipal Planning Meeting Minutes of February 27, 2008.

Moved by Councillor Bennis, seconded by Councillor Ritchie;

"Be it resolved that the Minutes of the Municipal Planning Meeting of February 27, 2008, be adopted. CARRIED."

VII. BUSINESS ARISING FROM PREVIOUS MINUTES – 10:16 P.M.:

Deputy Mayor McDonald advised that he had a pecuniary interest pertaining to Mr. John Maguire's property, due to an existing business arrangement, and departed from the meeting at 10:16 p.m.

Maguire Property – Suggested Environmental Impact Study be conducted for the uses on this property.

The Clerk/Administrator, Terrence Korotki advised that the Municipality has no jurisdiction or authority to ask or require Mr. Maguire to complete an Environment Impact Study as suggested by Mrs. Gretchen Harris. However, if the by-law was revise or amended at any time, a clause could be considered for inclusion at that time to the By-Law for any new such activities.

Councillor Bennis stated that there is a pamphlet that has been distributed for Mutco Mountain events which lists admission fees.

Moved by Councillor Holmes, seconded by Councillor Bennis;

"Be it resolved that the Chief Building Official/By-Law Enforcement Officer, Michael Godin be directed to prepare a letter to advise Mr. Maguire of the Restricted Area Zoning By-Law No. 619 and it's provisions with respect to commercial and non-commercial establishments or operations within the municipality; and further that he be notified that should an admittance be charged to gain entry into any of the 2008 events as scheduled the existing approvals for future events may be retracted until such time as compliance with the existing Restricted Area Zoning By-Law is obtained. CARRIED."

The Clerk/Administrator, Terrence Korotki advised that the Chief Building Official/By-Law Enforcement Officer, Michael Godin will not be available to attend the first schedule event on May 3rd, 2008, as directed by Council, due to previously scheduled holiday/vacation.

Deputy Mayor McDonald returned to the Municipal Planning Meeting at 10:24 p.m.

10:24 p.m. - Dave Melless and Marlene Poynton, **MV-01/2008**, Concession 7, Part Lot 20 (former Alnwick Township) now in the Township of Alnwick/Haldimand RE: Relief from High Water Mark and reduction in Interior side yard.

Moved by Councillor Ritchie, 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 for Dave Melless and Marlene Poynton, **MV-01/2008**, Concession 7, Part Lot 20 (former Alnwick Township) now in the Township of Alnwick/Haldimand to reconstruct a seasonal dwelling house in reducing the required setback of 38.0 metres to 18.33 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 4.05 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; and further that the owner obtain written permission from the Lower Trent Conservation Authority prior to issuance of a building permit. CARRIED."

VIII. BY-LAWS – 10:28 P.M.:

By-Law No. 25-2008 – Being a by-law to amend Restricted Area By-Law No. 1001-73, Township of Alnwick/Haldimand owned by Lenuta Costache, Concession 7, Part Lot 21(former Township of Alnwick) now in the Township of Alnwick/Haldimand.

Moved by Councillor Bennis, seconded by Councillor Holmes;

"Be it resolved that **By-Law No. 25-2008**, being a by-law to amend Restricted Area By-Law No. 1001-73, Township of Alnwick/Haldimand owned by Lenuta Costache, Concession 7, Part Lot 21(former Township of Alnwick) now in the Township of Alnwick/Haldimand, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 26th day of March. CARRIED."

Mayor Finley declared a pecuniary interest pertaining to the Informal Consent Applications **AH-08/2008** and **AH-09/2008** of Bonnie Finley, as this is his sister-in-law and **By-Law No. 26-2008** for Mr. David and Joan Norris, Agent: Melanie Finley, as Mrs. Finley is his daughter-in-law.

MOTION FOR DEPUTY MAYOR MCDONALD TO CHAIR MEETING

Moved by Councillor Bennis, seconded by Councillor Ritchie;

"Be it resolved that Deputy Mayor McDonald be appointed to Chair the meeting at this time, due to the pecuniary interest as declared by Mayor Finley, at 10:30 p.m. CARRIED."

By-Law No. 26-2008 – Being a by-law to amend Restricted Area By-Law No. 619, Township of Alnwick/Haldimand owned by David and Joan Norris, Concession 2 and 3, Part Lot 35 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

Moved by Councillor Ritchie, seconded by Councillor Holmes;

"Be it resolved that **By-Law No. 26-2008**, being a by-law to amend Restricted Area By-Law No. 619, Township of Alnwick/Haldimand owned by David and Joan Norris, Concession 2 and 3, Part Lot 35 (former Township of Haldimand) now in the Township of Alnwick/Haldimand, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 26th day of March, 2008. CARRIED."

MOTION FOR MAYOR FINLEY TO RETURN AS CHAIR

Moved by Councillor Holmes, seconded by Councillor Bennis;

"Be it resolved that Mayor Finley return to the Municipal Planning Meeting as Chair at 10:32 p.m. CARRIED."

By-Law No. 27-2008 – Being a by-law to amend Restricted Area By-Law No. 619, Township of Alnwick/Haldimand owned by Roy Hircock, Agent: Lynda Gowling, Concession A, Part Lot 22 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

Moved by Councillor Ritchie, seconded by Councillor Bennis;

"Be it resolved that **By-Law No. 27-2008**, being a by-law to amend Restricted Area By-Law No. 619, Township of Alnwick/Haldimand owned by Roy Hircock, Agent: Lynda Gowling, Concession A, Part Lot 22 (former Township of Haldimand) now in the Township of Alnwick/Haldimand, be given a FIRST, and SECOND READING this 26th day of March, 2008. CARRIED."

By-Law No. 28-2008 – Being a by-law to amend Restricted Area By-Law No. 619, Township of Alnwick/Haldimand owned by Ian Fraser, Oak Heights Estate Winery, Concession 8, Part Lot 2 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

Moved by Councillor Bennis, seconded by Councillor Holmes;

"Be it resolved that **By-Law No. 28-2008**, being a by-law to amend Restricted Area By-Law No. 619, Township of Alnwick/Haldimand owned by Ian Fraser, Oak Heights Estate Winery, Concession 8, Part Lot 2 (former Township of Haldimand) now in the Township of Alnwick/Haldimand, be deferred research and review this 26th day of March, 2008. CARRIED."

By-Law No. 31-2008 – Being a by-law passed pursuant to the provisions of Section 17, 21 and 22 of the Planning Act, R.S.O., 1990, as amended for Official Plan Amendment No. 1 for Mr. Ian Fraser, Oak Heights Estate Winery, Concession 8, Part Lot 2 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

Moved by Councillor Ritchie, seconded by Councillor Holmes;

"Be it resolved that **By-Law No. 31-2008**, being a by-law passed pursuant to the provisions of Section 17, 21 and 22 of the Planning Act, R.S.O., 1990, as amended for Official Plan Amendment No. 1 for Mr. Ian Fraser, Oak Heights Estate Winery, Concession 8, Part Lot 2 (former Township of Haldimand) now in the Township of Alnwick/Haldimand, be deferred to permit further research and review. CARRIED."

By-Law No. 29-2008 – Being a by-law to amend Restricted Area By-Law No. 619, Township of Alnwick/Haldimand owned by Ted and Nancy Helps, Concession 4, Part Lot 11 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

Moved by Councillor Ritchie, seconded by Councillor Bennis;

"Be it resolved that **By-Law No. 29-2008**, being a by-law to amend Restricted Area By-Law No. 619, Township of Alnwick/Haldimand owned by Ted and Nancy Helps, Concession 4, Part Lot 11 (former Township of Haldimand) now in the Township of Alnwick/Haldimand, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 26th day of March, 2008. CARRIED."

IX. CORRESPONDENCE – 10:40 P.M.:

Email from Wayne Fairbrother dated March 3, 2008 RE: Alnwick/Jaynes/Good Ontario Municipal Board Decision dated February 21, 2008.

Moved by Councillor Holmes, seconded by Councillor Ritchie;

"Be it resolved that the email from Wayne Fairbrother dated March 3, 2008 regarding the Alnwick/Jaynes/Good Ontario Municipal Board Decision dated February 21, 2008, be received and filed. CARRIED."

Letter from the Ontario Municipal Board regarding By-Law 39-2007, Part Lot 18, Concession 3, Jaynes be adjourned sine de the second prehearing conference scheduled for March 26, 2008 until the recent application for consent has obtained a decision by the Land Division Committee.

Moved by Councillor Bennis, seconded by Councillor Holmes;

"Be it resolved that the letter from the Ontario Municipal Board regarding By-Law 39-2007, Part Lot 18, Concession 3, Jaynes be adjourned sine de the second prehearing conference scheduled for March 26, 2008 until the recent application for consent has obtained a decision by the Land Division Committee, be received and filed. CARRIED."

Letter from the County of Northumberland dated March 10, 2008 RE: Application for Minor Variance to Tree Conservation By-Law 51-00.

Moved by Councillor Ritchie, seconded by Councillor Bennis;

"Be it resolved that the letter from the County of Northumberland dated March 10, 2008 regarding an Application for Minor Variance to Tree Conservation By-Law 51-00 as submitted by Mr. Tom McQuillan, be deferred to the Regular Council Session of April 3, 2008 for further information to be obtained. CARRIED."

Letter from Lou Rinaldi, M.P.P., Northumberland to Mr. Ed Lean RE: Lots of Record.

Moved by Councillor Holmes, seconded by Councillor Ritchie;

"Be it resolved that the letter from Lou Rinaldi, M.P.P., Northumberland to Mr. Ed Lean regarding the Lots of Record, be received and filed. CARRIED."

Letter from Peter A. Josephs & Associates dated February 1, 2008 to Bernie Fuhrmann RE: Robins Pit Proposal (deferred from February 27, 2008 meeting).

Moved by Councillor Bennis, seconded by Councillor Ritchie;

"Be it resolved that the letter from Peter A. Josephs Associates dated February 1, 2008 to Bernie Fuhrmann regarding Robins Pit Proposal (deferred from February 27, 2008 meeting), be received and filed. CARRIED."

Letter and report from Monitoring the Moraine project partners dated January 28, 2008 RE: Policy Monitoring Manual "Moraine Watch: A guide to Monitoring Municipal Land Use Planning on the Oak Ridges Moraine".

Moved by Councillor Ritchie, seconded by Councillor Holmes;

"Be it resolved that the letter and report from Monitoring the Moraine project partners dated January 28, 2008 regarding the Policy Monitoring Manual "Moraine Watch: A guide to Monitoring Municipal Land Use Planning on the Oak Ridges Moraine", be received and filed. CARRIED."

By-Law No. 35-2008 - Being a by-law to provide for the assumption within the municipal road system to acquire certain lands by the Municipality for the establishment of a highway(s) – Parts 1, 2 and 3 on Registered Plan 39R-11783, Concession 7, Part Lot 21, (former Township of Alnwick) now in the Township of Alnwick/Haldimand more particularly known as Merrill Road – to fulfill condition of Consent – Lenuta Costache.

Moved by Councillor Holmes, seconded by Councillor Bennis;

"Be it resolved that **By-Law No. 35-2008**, being a by-law to provide for the assumption within the municipal road system to acquire certain lands by the Municipality for the establishment of a highway(s) – Parts 1, 2 and 3 on Registered Plan 39R-11783, Concession 7, Part Lot 21, (former Township of Alnwick) now in the Township of Alnwick/Haldimand more particularly known as Merrill Road – to fulfill condition of Consent – Lenuta Costache, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 26th day of March, 2008. CARRIED."

X. BUSINESS FROM COUNCILLORS – 10:45 P.M.:

Deputy Mayor McDonald:

Deputy Mayor McDonald requested that the Clerk/Administrator, Terrence Korotki, investigate prior records with respect to Mr. Dan Ferguson request and property as noted in Mr. Ferguson's correspondence.

Councillor Bennis:

Councillor Bennis asked the Members of Council present if they wished to attend the Ganaraska Region Conservation Dinner and Auction and Deputy Mayor McDonald and Councillor Ritchie noted that they wished to attend this event.

Mayor Finley:

Mayor Finley noted that he would be attending a meeting a 7:30 a.m. the next morning at the Port Hope Chamber of Commerce which there is to be an announcement made by Lou Rinaldi, M.P.P., Northumberland with respect to infrastructure funding.

XI. QUESTIONS FROM THE PRESS/PUBLIC/GALLERY – 10:54 P.M.:

Mrs. Carruthers requested clarification with respect to Close/Stop Up Sell and Convey Process for unopened Road Allowances within the Township which border with another municipality. The Clerk/Administrator, Terrence Korotki advised that the applicant is requested to put their proposal in writing for review by Council and the Public Works Superintendent, possibly complete a site visit and if approved in principle the applicant will be requested to submit a deposit of \$1750.00 to the Municipality to cover all related costs for this process. If it is bordering with another municipality then the applicant would need to address both respective municipalities.

CONFIRMING BY-LAW – 11:00 P.M.:

By-Law No. 34-2008 - Being a by-law to confirm the proceedings of The Municipal Planning Meeting of March 26, 2008.

Moved by Councillor Bennis, seconded by Councillor Holmes;

“Be it resolved that **By-Law No. 34-2008**, being a by-law to confirm the proceedings of the Municipal Planning Meeting of March 26, 2008, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 26th day of March, 2008. CARRIED.”

XII. ADJOURNMENT – 11:01 P.M.:

Moved by Councillor Ritchie, seconded by Deputy Mayor McDonald;

“Be it resolved that the Municipal Planning Meeting of March 26, 2008, be adjourned at 11:01 p.m. CARRIED.”

MAYOR, WILLIAM FINLEY

CLERK/ADMINISTRATOR,
TERRENCE KOROTKI