

**THE CORPORATION OF THE TOWNSHIP OF ALNWICK/HALDIMAND
MUNICIPAL PLANNING MINUTES OF MAY 28, 2008- 7:00 P.M.**

Council met in the Municipal Planning Meeting on Wednesday, May 28, 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
Walter Broegelmann
Bill Holmes
Art Jeninga arrived at 7:04 p.m.
Cathie Ritchie

Staff Present: Robin van de Moosdyk, Deputy Clerk
Peter A. Josephs, Municipal Planner

Others: Betty Carruthers, resident
Tyler Campbell, resident
Eva and John DeSousa, residents
Bev and Neil Jagger, residents
Glenn Hurst, resident
Scott Mabury, resident
Jason Kelly, resident
Midge Corkery, resident
Carl Bevan, resident
Eleanor Olmsted, resident
Terrace Good, resident

I. CALL TO ORDER

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

II. DISCLOSURES OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

Councillor Ritchie declared a pecuniary interest with respect to the letter received from Sylvester and Brown Surveying, which will be addressed under the Business Arising from Previous Minutes section of this agenda, as well as, the Informal Minor Variance as submitted by Mr. Tyler Campbell.

Mayor Finley declared a pecuniary interest with the Informal Consent application of Jenn and Jason Kelly, **AH-10/2008** as Mrs. Kelly is his niece.

III. APPROVAL OF AGENDA -7:02 P.M.:

Moved by Councillor Holmes, seconded by Councillor Ritchie;

"Be it resolved that the Municipal Planning Agenda of Wednesday, May 28, 2008, be approved with addenda, corrections, cancellations and the inclusion of an In Camera Session to review client/solicitor documentation. CARRIED."

IV. FORMAL CONSENT(S) -7:02 P.M.:

Mayor Finley departed from the Municipal Planning Meeting at 7:02 p.m.

MOTION FOR DEPUTY MAYOR MCDONALD TO CHAIR MEETING:

Moved by Broegelmann, seconded by Councillor Ritchie;

"Be it resolved that Deputy Mayor McDonald preside as Chair of the Municipal Planning Meeting at 7:02 p.m. CARRIED."

7:02 p.m. - Jason and Jenn Kelly, **AH-10/2008**, Concession A, Part Lot 14 (former Haldimand Township) now in the Township of Alnwick/Haldimand RE: Lot Addition.

Mr. and Mrs. Kelly are requesting a severance for the creation of a lot addition. The approximate size of the lot will be 0.10 acres and the retained parcel will be approximately 4.71 acres from a parcel of approximately 4.81 acres. The Deputy Clerk, Robin van de Moosdyk, advised that the said lands are not located in the Oak Ridges Moraine Conservation Plan area. The Official Plan designation is Hamlet 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:** The parcel in question to be sold to a neighbour to enlarge their lot.
- **Lower Trent Conservation Authority:** No concerns.
- **Alnwick/Haldimand Public Works Department:** Drainage Covenant in favour of the Municipality is required on retained parcel.
- **Pine Ridge Municipal Planning Agency:** The subject lands are designated Hamlet in accordance with the Township's Official Plan. The Hamlet designation permits the creation of lots for non-farm residential uses, provided that no more than three lots are created from any one holding. The number of lots shall be determined based on the lot as it existed on January 1, 1990.

The Provincial Policy Statement (PPS) permits limited residential development in the rural areas of the municipality. The addition of land to the neighbouring property, in this case, is consistent the PPS.

Based on the above, PRMPA recommends that Consent Application AH-10/2008 be approved.

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, approve the Consent Application for Mr. and Mrs. Kelly, **AH-10/2008**, Concession A, Part Lot 14 (former Haldimand Township) now in the Township of Alnwick/Haldimand,

- Conditional upon an amendment of the Restricted Area Zoning By-Law No. 619 coming into force and effect;
- Conditional upon the applicant registering sufficient covenants on the title of the retained portion to protect overland surface water drainage patterns to ensure that drainage from the adjacent Township road allowance properties shall remain unimpeded over the property.

CARRIED."

MOTION FOR MAYOR FINLEY TO RETURN AS CHAIR

Moved by Councillor Ritchie, seconded by Councillor Bennis;

"Be it resolved that Mayor Finley return to the Municipal Planning Meeting at 7:06 p.m. to Chair the remainder of this meeting. CARRIED."

Moved by Deputy Mayor McDonald, seconded by Councillor Bennis;

"Be it resolved that the Council of the Township of Alnwick/Haldimand permit the informal Minor Variance application as submitted by Tyler Campbell be brought forward on the agenda as the next item for discussion. CARRIED."

Councillor Ritchie declared a pecuniary interest with respect to the letter received from Sylvester and Brown Surveying, which will be addressed under the Business Arising from Previous Minutes section of this agenda, and departed from the Municipal Planning Meeting at 7:07 p.m.

INFORMAL MINOR VARIANCE – 7:07 P.M.:

Mr. Tyler Campbell, **MV-03/2008**, Lot 34, Concession 4, (former Haldimand Township) now in the Township of Alnwick/Haldimand RE: Relief from height restriction of 15 feet maximum to 19.6 feet.

Mr. Campbell is requesting a relief from the Restricted Area Zoning By-Law No. 619 to obtain relief from the maximum height restriction of 15 feet for accessory structures to 19.6 feet to permit the construction of a 30 foot wide by 40 foot deep detached garage.

Moved by Councillor Bennis, seconded by Councillor Jennings;

“Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, defer the Minor Variance Application as submitted by Tyler Campbell, **MV-03/2008**, Part of Lot 34, Concession 4 (former Township of Haldimand) now in the Township of Alnwick/Haldimand, in order to obtain clarification of the exact location of the proposed garage as it would be constructed with respect to the Oak Ridges Moraine Conservation Plan. CARRIED.”

Councillor Ritchie returned to the Municipal Planning Meeting at 7:22 p.m.

7:22 p.m. - Carl Bevan, **AH-11/2008**, Concession 6, Part Lot 6 (former Haldimand Township) now in the Township of Alnwick/Haldimand RE: Easement/Right-of-way.

Mr. Bevan present in favour of this application for consent.

Mr. Bevan is requesting a severance for the creation of an easement/right-of-way. The approximate size of the easement/right-of-way will be 2.3 acres and the retained parcel will be approximately 47.7 acres from a parcel of approximately 50.0 acres. The Planning Co-ordinator, Terrence Korotki advised that the said lands are located in the Natural Core area of the Oak Ridges Moraine Conservation Plan area. All ministries and agencies were circulated and the following comments were received:

- **Haliburton Kawartha Pine Ridge District Health Unit:** No objections.
- **Alnwick/Haldimand Public Works Department:** No concerns.
- **Pine Ridge Municipal Planning Agency:** The subject lands are designated Rural Oak Ridges Moraine in accordance with the Township's Official Plan. With the Oak Ridges Moraine Conservation Plan, the creation of lots is restricted to a limited number of circumstances. Specifically, the Plan permits the addition of adjacent land to an existing lot if the adjustment does not result in the creation of a lot that is undersized. In this case the size of the land being added is appropriate for the proposed use.

Based on the above, PRMPA recommends that Consent Application AH-11/2008 be approved.

Ms. Olmsted asked if a planning opinion/report had been completed for this application and was advised there was not a planning opinion obtained. Ms. Olmsted asked if the proposed easement/right-of-way give access to an open road. Ms. Olmsted proceeded to read the following portions of the correspondence addressed to Mr. Lou Rinaldi, M.P.P. from the Minister of Municipal Affairs and Housing, Mr. Jim Watson, "I understand that the township is specifically concerned that unopened roads within the moraine may not be brought up to municipal standard. This effectively prevents development on the lots that front onto these unopened roads. I also understand that the Township sought and received a legal opinion in this respect, along with advice from staff in the Ministry's Easter Municipal Services Office in Kingston. The result was a confirmation that – under the Oak Ridges Moraine Conservation Act, 2001 – it is not possible to build on these lots."

Deputy Mayor McDonald stated that the proposed easement is off of an existing road allowance in order to permit access to a parcel of land which would otherwise be land locked.

Moved by Councillor Jeninga, seconded by Councillor Ritchie;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve the Consent Application for Mr. Bevan for the establishment of an easement, **AH-11/2008**, Concession 6, Part Lot 6 (former Haldimand Township) now in the Township of Alnwick/Haldimand. CARRIED."

7:30 p.m. – Mike Desjardins, **AH-12/2008**, Concession 2, Part Lot 18 (former Haldimand Township) now in the Township of Alnwick/Haldimand RE: Non-Farm.

Mr. Dejardins is requesting a severance for the creation of a lot. The approximate size of the lot will be 2.50 acres and the retained parcel will be approximately 3.5 acres from a parcel of approximately 6.0 acres. The Planning Co-ordinator, Terrence Korotki advised that the said lands are not located in the Oak Ridges Moraine Conservation Plan area. All ministries and agencies were circulated and the following comments were received:

- **Haliburton Kawartha Pine Ridge District Health Unit:** No objections.
- **Lower Trent Conservation Authority:** No concerns.
- **Alnwick/Haldimand Public Works Department:** Due to the steep slope where the entrance will be located, an extensive cut in the bank must be made. The driveway shall not have a slope greater than eight (8) percent, and the back slopes shall be constructed to a 2:1 Grade and the ditches shall be constructed to prevent erosion onto the Township Municipal Road and drainage ditches.
- **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 non-farm residential uses, provided that no more than two lots are created from any one holding. The number of lots shall be determined based on the lot as it existed on January 1, 1990.

Based on the above, PRMPA recommends that Consent Application AH-12/2008 be approved.

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 Consent Application for Mr. Dejardins, **AH-12/2008**, Concession 2, Part Lot 18 (former Haldimand Township) now in the Township of Alnwick/Haldimand,

- Conditional upon payment of a **\$4,550.00** Residential Development Fee;
 - Conditional upon an amendment of the Restricted Zoning Area By-Law No. 619 coming into effect and force;
 - Conditional upon the applicant constructing the entrance and ensuring that there is sufficient erosion control installed on the slopes, to the specifications as provided by the Public Works Superintendent to protect overland surface water drainage patterns to ensure that drainage from the adjacent municipal properties shall remain unimpeded over the property;
- CARRIED."

V. INFORMAL MINOR VARIANCE(S) – 7:34 P.M.:

7:30 p.m. – Joseph and Iola Panetta, **MV-02/2008**, Part Lot 22, Concession 7 (former Township of Alnwick) now in the Township of Alnwick/Haldimand RE: Reduction of Rear yard setback and Side yard setback from High water mark of Rice Lake.

Mr. and Mrs. Panetta are requesting a relief from the Restricted Area Zoning By-Law No. 1001-73 to reduce the rear yard setback from 125 feet to 75 feet and the side yard setback from 20 feet to 15 feet in order to permit the construction of a seasonal dwelling unit for recreational purposes. The parcel of land is presently vacant.

Moved by Councillor Jeninga, seconded by Councillor Holmes;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve the circulation of the Minor Variance Application as submitted by Joseph and Iola Panetta, **MV-02/2008**, Part of Lot 22, Concession 7 (former Township of Alnwick) now in the Township of Alnwick/Haldimand. CARRIED."

Informal Consent Application Mr. Rick Potusek, Lots 21, 25 and 26, Plan 421 and 412 Roseneath Landing

The following memorandum was received from Peter A. Josephs dated May 14, 2008 with respect to this matter, and reviewed by Mr. Josephs:

Mr. Rick Potusek has submitted a letter to the Township of Alnwick/Haldimand outlining a proposed application for severance for these properties in Roseneath Landing. A copy of Mr. Potusek's letter is attached.

The subject lots are described as Lots 21, 25 and 26, Plans 421 and 412. I understand that Mr. Potusek owns all three lots. Lot 21 has municipal address 104 Grandview Drive, and has one existing dwelling with an accessory garage/shop in the west part of the lot. The size of the shop is about 30' X 40'. Lot 25 has municipal address 407 Sunset Crescent and is developed with one dwelling. Lot 26 is currently vacant and is located at the southwest corner of the intersection of Grandview Drive and Sunset Crescent.

The subject properties are shown on the attached survey sketch provided by Mr. Potusek.

Mr. Potusek wishes to sever a strip of land from the west part of Lot 21, containing the accessory garage/shop, and add this strip of land onto the rear of Lot 25. He would also propose to sever a part of the southern portion of Lot 26 and add this part to Lot 21 to essentially balance out the area of Lot 21 after the removal of the lands with the shop.

Mr. Potusek indicates that the existing garage/shop building will be used as a private hobby workshop.

Lot 21 is currently about 1.24 acres. After the severance of the strip of land with the garage/shop, Lot 21 would be about 0.8 acres. I understand that Mr. Potusek would therefore sever sufficient lands from Lot 26 (the sketch plan does not give the exact dimensions) to bring Lot 21 back up to about 1.0 acre.

The strip of land with the shop is about 71 feet wide by 270 feet deep (about 0.44 acres). Based on Mr. Potusek's sketch, the shop is situated about 100 feet from the Township Third Line Road, and about 20 feet from the proposed side lot lines within the strip of land.

Mr. Potusek proposes to sell Lot 21 with the existing dwelling, after these lot boundary adjustments.

The proposed lot boundary adjustments would not have the effect of creating a new residential lot.

Official Plan of the Township of Alnwick/Haldimand

The Township Official Plan indicates that the subject properties are designated as Rural Residential. Section 5.3.1 of the Official Plan outlines permitted uses in this designation. The permitted uses include single detached dwellings, which are the existing uses on Lots 21 and 25.

Section 5.3.10.1 of the Official Plan outlines special policies for Roseneath Landing. This section indicates that permitted land uses in Roseneath Landing include seasonal and permanent dwellings, and the conversion of seasonal dwellings to permanent dwellings. No commercial development is permitted.

Given that the subject lots are developed with existing dwellings (with the exception of Lot 26, which is vacant), and that no new land uses or lots are being proposed, I believe that the proposed lot boundary adjustments would conform to the applicable policies of the Official Plan.

I believe that the proposed lot boundary adjustments would conform to the Land Division policies of Section 4 of the Official Plan. Section 4.2.1(iii) states that severances that have the effect of changing boundary lines or which do not create additional new buildable lots may be evaluated on their own merits. However, the Health Unit should confirm that the proposed areas of Lots 21 and 26 are suitable for existing and future septic systems for residential uses.

One matter that should be clarified is the future use of the garage/shop. Under Section 3.26 of the Official Plan, dealing with Home Occupations and Home Industries, a Home Industry would not be permitted in the existing garage/shop on the strip of land that is to be added to Lot 25. A Home Industry is not identified as a permitted use in the Rural Residential designation. It may be necessary to clarify this policy in a zoning by-law amendment so that there is no confusion as to the permitted use of the garage/shop building.

Zoning By-law No. 1001-73 (Former Township of Alnwick)

Based on my review of By-law No. 1001-73, it appears that the subject properties are zoned Rural Residential Exception No. 13 (RR-13). The RR-13 Zone indicates that notwithstanding the minimum lot area and lot frontage requirements for the Rural Residential (RR) Zone (0.4 hectares (1.0 acre) and 45 metres (147.6 feet) respectively), within the RR-13 Zone the minimum lot area and lot frontage requirements shall be in accordance with the existing lots as shown on Registered Plans Nos. 412, 421 and 430.

The provisions of the RR-13 Zone imply that an amendment to the Zoning By-law would be required to recognize the revised lots areas and frontages of Lots 21, 25 and 26 following the lot boundary adjustments.

As noted above, a zoning by-law amendment could also have the effect of setting out specific permitted (and prohibited) uses for the garage/shop on the strip of land to be added to Lot 25.

Section 9.1 of By-law No. 1001-73 sets out regulations for accessory uses. The existing garage/shop would be considered as an accessory use within the RR-13 Zone. I have attached the applicable provisions for garages and other accessory buildings for information (Section 9.1(g)). It appears that the location of the garage/shop would comply with the applicable provisions of this section of the Zoning By-law.

Oak Ridges Moraine

The subject lots are not located within or adjacent to the Oak Ridges Moraine, and are therefore not subject to the provisions of the Oak Ridges Moraine Conservation Plan.

Other Planning Considerations

Provided that it is clarified that a home industry or other commercial use would not be permitted in the garage/shop building, and that this building is to be used only for private non-commercial uses, then I would not anticipate a land use compatibility concern with this proposed lot boundary adjustment.

Recommendations

I believe that the proposed lot boundary adjustments could be supported provided that:

1. The zoning on the lots should be amended as necessary to recognize the revised lot areas and frontages, and to clarify the future use of the garage/shop building.
2. The Health Unit should confirm that the dimensions of Lots 21 and 26, after the lot adjustments, will be acceptable for private septic systems.

Please contact me if you require any additional information.

Moved by Councillor Bennis, seconded by Councillor Ritchie;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, be the Land Division Committee/Committee of Adjustment, approve to circulate Consent Applications **AH-13/2008** and **AH-14/2008** as submitted by Rick Potusek, Lots 21, 25 and 26, Plan 421 and 412, Roseneath Landing, (former Township of Alnwick) now in the Township of Alnwick/Haldimand. CARRIED."

Letter from Mrs. Angela Rivard dated May 26, 2008 RE: Request for consideration of amendment to current township policies regarding lot severance and request to bring forced road up to municipal specifications to accommodate lot severance.

Moved by Councillor Bennis, seconded by Councillor Holmes;

"Be it resolved that the Council of the Township of Alnwick/Haldimand direct the Deputy Clerk, Robin van de Moosdyk to forward a letter to Mrs. Angela Rivard to advise that due to the previous Consent History of the said parcel of land, their request is ineligible for consideration by the municipality at this time.

CARRIED."

Councillor Ritchie declared a pecuniary interest with respect to the "Business Arising from Previous Minutes" section of this agenda and departed from the Council Chambers at 8:01 p.m.

VI. BUSINESS ARISING FROM PREVIOUS MINUTES –8:01 P.M.:

Sylvester and Brown correspondence dated May 6, 2008 as referred from the Regular Council meeting of May 21, 2008 RE: Ritchie request to purchase a parcel of municipal lands.

Moved by Councillor Jeninga, seconded by Councillor Holmes;

"Be it resolved that the Council of the Township of Alnwick/Haldimand have determined the exact parcel of land being requested to purchase by Mr. Ritchie; and further that approval be given to staff to proceed in requesting that the surveying of this parcel of land by Sylvester and Brown, Ontario Land Surveyors, be completed in order to proceed with the land conveyance process.

CARRIED."

Councillor Ritchie returned to the Municipal Planning Meeting at 8:07 p.m.

VII. DELEGATION-AS REQUESTED BY COUNCIL – 8:08 P.M.:

Mr. Nick Stanoulis, Rice Lake Estates Subdivision – Status Update and action taken to remedy outstanding issues.

Mayor Finley provided an explanation with respect to Council's request for Mr. Stanoulis's present at tonight's meeting, those being the following:

- a) Lot grading/Occupancy Permits
- b) Dry and Wet Waste Collection
- c) Road Maintenance issues (Winter and Summer)
- d) Request for extension of Phase II of the Subdivision

Mr. Stanoulis advised that he has tried several times to contact the Land Surveyor, Mr. Ralph Grander, with no response being received. He stated that he has requested Mr. Grander to have the required work completed by June 6, 2008 or he would have to contact another Land Surveyor to have this work completed by the June 30, 2008 deadline.

Mr. Stanoulis advised that he had paid a local contractor, Mr. Doug Kelly for the Winter Road Maintenance. Mr. Stanoulis asked if it would be appropriate to request that the Municipal Public Works Department complete the Winter Maintenance for the internal roads this coming winter season and he would be more than happy to pay all related costs.

A review and an explanation of the right-of-way was conducted by Mr. Stanoulis. Mr. Stanoulis also provided an overview of the works that have been completed to date on the siltation ponds, of which all works were completed to the specifications of the engineers and the Ministry of Environment, of which he also noted were only temporary.

Councillor Holmes brought forward many outstanding issues with respect to deficiencies on various lots, internal roads, siltation ponds, erosion, occupancies etc., of which he requested some answers.

Councillor Holmes asked Mr. Stanoulis if he was aware of the toxic dump that presently exists on a portion of the land in Phase II of the subdivision. Mr. Stanoulis noted that this area would be addressed during the development of Phase II.

Mr. Stanoulis noted that there is a potential new developer for the remaining lots in Phase I and for Phase II of the Subdivision Agreement and for this reason, he was requesting the two year extension for Phase II.

Mr. Stanoulis noted that all of the deficiencies have been satisfied with respect to Terrion. He noted that as developers they are good builders and build good homes.

Mayor Finley noted that it is mandatory for the outstanding items to be dealt with immediately. Mayor Finley also noted that a six month extension has been approved and until such time as the noted outstanding items are satisfied with the Municipal Engineer and Municipal Chief Building Official/By-Law Enforcement Officer, a further extension would be on hold.

Mr. Jagger noted that there were many remaining deficiencies, and not just with his home, but with others. Mr. Jagger stated that these items could be retrieved from Mr. Godin, the Chief Building Official/By-Law Enforcement Officer with respect to the inspection reports. Mr. Jagger also reiterated the concerns with the waste collection and the conditions of the roads.

Mrs. Stewart also expressed her concerns with respect to the right-of-way and the issuance of a final occupancy permit.

Mayor Finley stated to Mr. Stanoulis that the outstanding issues have to be dealt with immediately and to the satisfaction of the Municipality.

WINTER MAINTENANCE OF INTERNAL ROADS WITHIN THE RICE LAKE ESTATES SUBDIVISION BY PUBLIC WORKS DEPARTMENT

Moved by Councillor Jeninga, seconded by Councillor Holmes;

“Be it resolved that the Public Works Superintendent, Cam Ward be requested to review the proposal from Mr. Nick Stanoulis, Developer, Rice Lake Estates Subdivision, in which the Municipal Public Works Department would provide the Winter Maintenance for the internal roads within the Rice Lake Estates Subdivision of which would be charged back to the Developer for payment of such maintenance operations. CARRIED.”

Break from 9:02 p.m. – 9:12 p.m.

VIII. APPROVAL OF MINUTES – 9:12 P.M.:

Municipal Planning Meeting Minutes of April 23, 2008.

Moved by Councillor Bennis, seconded by Councillor Broegelmann;

“Be it resolved that the Minutes of the Municipal Planning Meeting of April 23, 2008, be adopted, as amended. CARRIED.”

IX. CORRESPONDENCE – 9:46 P.M.:

Consent History 2008 Update from January 1, 2008 to May 28, 2008 as prepared and submitted by Bernadette Murray, Administrative Assistant.

Moved by Councillor Jeninga, seconded by Councillor Holmes;

“Be it resolved that the Consent History 2008 Update from January 1, 2008 to May 28, 2008 as prepared and submitted by Bernadette Murray, Administrative Assistant, be received and filed. CARRIED.”

Email from Glenda Rogers, Lower Trent Conservation Authority dated May 15, 2008 RE: Draft Proposed Terms of Reference outlining the workplace and estimated budgets to develop Source Protection Plans for the Trent Conservation Coalition Source Protection Region.

Moved by Councillor Holmes, seconded by Councillor Ritchie;

“Be it resolved that the email from Glenda Rogers, Lower Trent Conservation Authority dated May 15, 2008 regarding the Draft Proposed Terms of Reference outlining the workplace and estimated budgets to develop Source Protection Plans for the Trent Conservation Coalition Source Protection Region, be received and filed. CARRIED.”

Email from Peter A. Josephs to Samantha McDonald dated April 25, 2008 RE: Roseneath Subdivision.

Moved by Councillor Holmes, seconded by Councillor Bennis;

“Be it resolved that the Council of the Township of Alnwick/Haldimand support the recommendations of the Municipal Planner, Mr. Peter A. Josephs as noted in his email addressed to Ms. Samantha McDonald dated April 25, 2008 with respect to the proposed subdivision development in the Hamlet of Roseneath. CARRIED.”

Invitation to Spring Open House received from Ecovue Consulting Services Inc. dated May 16, 2008.

Moved by Councillor Jeninga, seconded by Councillor Broegelmann;

“Be it resolved that the invitation received from Ecovue Consulting Services Inc. dated May 16, 2008 regarding their spring open house on May 28, 2008, be received and filed. CARRIED.”

Letter from the Oak Ridges Moraine Foundation dated May 7, 2008 RE: Thank you for meeting with Foundation staff.

Moved by Councillor Bennis, seconded by Councillor Ritchie;

“Be it resolved that the letter from the Oak Ridges Moraine Foundation dated May 7, 2008 thank the Clerk/Administrator, Terrence Korotki for meeting with Foundation staff, be received and filed. CARRIED.”

Letter from Jamie and Kristine Sprayson dated May 15, 2008 RE: Request for permission to allow for a Granny Flat on their property.

Moved by Councillor Bennis, seconded by Councillor Jeninga;

"Be it resolved that the Council of the Township of Alnwick/Haldimand direct that the correspondence from Jamie and Kristine Sprayson dated May 15, 2008, be forwarded to Mr. Peter A. Josephs, Municipal Planner, for a written Planning report with respect to their request to construct a Granny Flat on their property for an immediate family member. CARRIED."

Ms. Olmsted contacted the Deputy Clerk, Robin van de Moosdyk on Monday, May 26, 2008 at 2:10 p.m., advising that she will be requesting to speak to the following agenda item during this meeting.

Mayor Finley to poll the Members of Council for a consensus to permit the delegation or to decline the request.

It was the consensus of Council to permit Ms. Olmsted to address Council at this time.

Ms. Olmsted presented the following:

"Pursuant to my letter of May 18, 2008, I have put Sandra Jaynes and Peter Jaynes on notice and have requested a retraction of their statement. Putting the minutes on the internet is a publication. Publication of a libel is in itself a libel. Should you publish these minutes containing defamatory comments in their statement you will have added to the damages I will be seeking from Sandra Jaynes, Peter Jaynes, Clarence and Gene Jaynes, and/or Canada Post. The publication of the minutes with a statement which is defamatory may also be a tort by the Municipality and/or its officers and Councillors. Parliamentary privilege does not extend to a Municipal Council. "

Letter from Ms. M. Eleanor Olmsted dated May 18, 2008 RE: Requesting that the statement as submitted and read at the Municipal Planning Meeting on April 23, 2008, by Peter and Sandra Jaynes, be retracted from the minutes prior to approval and distribution to public due to defamatory references to herself.

Moved by Councillor Holmes, seconded by Councillor Jeninga;

"Be it resolved that the letter from Ms. M. Eleanor Olmsted dated May 18, 2008 requesting that the statement as submitted and read at the Municipal Planning Meeting on April 23, 2008, by Peter and Sandra Jaynes, be retracted from the minutes prior to approval and distribution to public due to defamatory references to herself, be received and filed. CARRIED."

Letter from Peter and Sandra Jaynes dated May 1, 2008 RE: Request for reduced Residential Development Fee to previous chargeable fee for AH-06/2007 as it represents the same parcel of land.

Moved by Councillor Holmes, seconded by Councillor Jeninga;

"Be it resolved that the Council of the Township of Alnwick/Haldimand approve the request of Sandra and Peter Jaynes to reduce the **\$4,550.00** Residential Development Fee for Consent Application AH-07/2008 to the fee of **\$2,833.00**, which was stated on the original Consent Application AH-06/2007; and further that this decision of Council does not set a precedence as the request was given consideration on it's individuality. CARRIED."

Letter from Kenneth T. Clark dated April 26, 2008 RE: Objection to Oak Heights Winery planning applications.

Moved by Councillor Ritchie, seconded by Councillor Holmes;

"Be it resolved that the letter from Kenneth T. Clark dated April 26, 2008 advising of his objection to the Oak Heights Winery Planning application, be deferred to the Municipal Planning Meeting of June 25, 2008; and further that a copy of this letter be forwarded to Ms. Heather Watson, Ecovue Consulting Ltd. for review and response; and further that a letter of acknowledgement advising the action taken be forwarded to Mr. Clark; and further that Mr. Clark be included on the circulation listing for this planning application in order to receive any future notices pertaining to this matter. CARRIED."

Letter and report from the Panel on the Future of the Trent-Severn Waterway dated April 28, 2008 RE: Report and Vision for the future.

Moved by Councillor Jeninga, seconded Councillor Ritchie;

"Be it resolved that the letter and report from the Panel on the Future of the Trent-Severn Waterway dated April 28, 2008 regarding the Vision for the Future, be received and filed. CARRIED."

Letter from the Ministry of Public Infrastructure Renewal dated May 14, 2008 RE: Assessment of employment areas in the Greater Golden Horseshoe as referred to in Policy 5.3.4 of the Growth Plan.

Moved by Councillor Ritchie, seconded by Councillor Holmes;

"Be it resolved that the letter from the Ministry of Public Infrastructure Renewal dated May 14, 2008 regarding the Assessment of employment areas in the Greater Golden Horseshoe as referred to in Policy 5.3.4 of the Growth Plan, be deferred to the Municipal Planning Meeting on June 25, 2008. CARRIED."

X. DELEGATION – 8:05 P.M.:

Mr. Robert Clark, Clark Consulting Services and Mr. Tim Post RE: Status Update with respect to the McQuillan Subdivision.

Mr. Clark contacted the Deputy Clerk on May 27, 2008 and advised that he would not be attendance at the meeting tonight as requested due to the lack of availability of pertinent documentation. However, he does hope to have the required documentation by the schedule Friday, June 20, 2008 meeting.

Memorandum from Peter A. Josephs & Associates dated May 26, 2008 RE: McQuillan Subdivision.

Moved by Councillor Ritchie, seconded by Councillor Jeninga;

"Be it resolved that the memorandum from Peter A. Josephs & Association dated May 26, 2008 regarding the McQuillan Subdivision, be deferred to the June 20, 2008 special meeting. CARRIED."

ADDITIONAL CORRESPONDENCE – 9:37 P.M.:

Letter from Lower Trent Conservation Authority dated May 22, 2008 RE: McQuillan Subdivision.

Moved by Councillor Holmes, seconded by Councillor Bennis;

“Be it resolved that the letter from the Lower Trent Conservation Authority dated May 22, 2008 regarding the McQuillan Subdivision, be deferred to the meeting being held on Friday, June 20, 2008 with Robert Clark, Clark Consulting and Mr. Tim Post, Agent for Mr. McQuillan. CARRIED.”

COUNCIL MINUTES – 9:38 P.M.:

Special meeting Minutes of May 6, 2008 RE: Debriefing pertaining to the “National Day of Action”.

Moved by Councillor Holmes, seconded by Councillor Ritchie;

“Be it resolved that the Minutes of the Special meeting held on May 6, 2008 for the debriefing with respect to the “National Day of Action”, be received and filed. CARRIED.”

Mayor Finley noted that the Clerk/Administrator, Terrence Korotki needs to determine who the third individual would be as an alternate contact for Emergency situations and to ensure that this individual is appointed as such.

Non-Emergency Response Policy and Procedure for the Township of Alnwick/Haldimand, as compiled and submitted by Dianne Nicholls, Administrative Assistant, May 2008.

Moved by Councillor Bennis, seconded by Councillor Holmes;

“Be it resolved that the Council of the Township of Alnwick/Haldimand, accept and approve the Non-Emergency Response Policy and Procedure for the Township of Alnwick/Haldimand as compiled and submitted by Mrs. Dianne Nicholls, Administrative Assistant dated May 2008. CARRIED.”

Proposed dates for Special Meetings:

Proposed Meeting for June 17, 2008 – I have a conflict with another commitment on this day. The Public Liaison Committee Grafton Water meeting is schedule from 4:00 to 5:30 p.m. However, I will not be able to stay after this meeting.

The following are possible dates/times/location and items for discussion for Council’s consideration:

Monday, June 2, 2008 - 1:00 p.m. to 5:00 p.m. Grafton
1 hour - Management Reviews Staff
1 hour - Lakeport Study - Discussion
1 hour - ATV Minutes/By-Law/further action
1 hour - Use of Road Allowances in the Northumberland Forrest

Friday, June 13, 2008 – 1:00 – 3:00 Alnwick Civic Centre, Roseneath
1 hour – Cemeteries – Review/further action
1 hour – County Police Study

Financial Accounts Voucher Nos. 24 and 25 – 9:44 P.M.:

Moved by Councillor Bennis, seconded by Councillor Jeninga;

“Be it resolved that the Financial Accounts – Voucher Nos. 24 and 25, as follows, be approved:

Voucher #24

General in the amount of \$5,684.75

Voucher #25

General in the amount of \$1,866.67

Voucher #26

General in the amount of \$ 500.00

Total \$8,051.42

CARRIED.”

Letter from the Pine Ridge Municipal Planning Agency dated May 14, 2008 RE: Revised Terms of Reference for the County Growth Management Steering Committee.

Moved by Councillor Ritchie, seconded by Councillor Holmes;

“Be it resolved that the Council of the Township of Alnwick/Haldimand support the resolution passed by the Pine Ridge Municipal Planning Agency with respect to the revised Terms of Reference for the County Growth Management Steering Committee with respect to Task #50 and Task #70; and further that a copy of this resolution be forwarded to the County of Northumberland and Pine Ridge Municipal Planning Agency. CARRIED.”

XI. BUSINESS FROM COUNCILLORS – 9:44 P.M.:

Councillor Bennis noted an item of interest which was brought forward at the Fire Chiefs meeting that the Province is making recommendations that the tires on all fire trucks shall have to be changed every seven years.

Councillor Holmes noted that Mr. Cam Ward, Public Works Superintendent will be completing the fencing required at the park lot in the Hamlet of Roseneath.

Councillor Holmes requested that Council give consideration for the Public Works Department to spread some gravel on the parking area at this location as well.

Moved by Councillor Holmes, seconded by Councillor Broegelmann;

“Be it resolved that the Council of the Township of Alnwick/Haldimand direct that the Public Works Superintendent, Cam Ward to apply gravel on the Parking Area of the parkland lot being rehabilitated by the Revitalization Committee. CARRIED.”

Mayor Finley noted to Councillor Bennis that he would be unable to attend the ground breaking ceremony at the Ganaraska Region Conservation Forest Centre on Friday, May 30, 2008 to due various other commitments.

XII. QUESTIONS FROM THE PRESS/PUBLIC/GALLERY – 9:51 P.M.:

Mrs. Carruthers asked if any information had been received with respect to Public Meetings for the Ganaraska Region Conservation Source Water Protection Committee. The Deputy Clerk, Robin van de Moosdyk advised that she would investigate this matter. It was noted that the Lower Trent Conservation Source Water Protection Committee has set dates for their Public Meetings.

Mrs. Carruthers noted that she has been advised that there have been signs posted at the Russ Cemetery, which have not been installed by the authority of the Abandoned Cemeteries Committee or by Council. Council noted that this matter would be investigated.

Moved by Councillor Jeninga, seconded by Councillor Ritchie;

“Be it resolved that the Council of the Township of Alnwick/Haldimand direct the Chief Building Official/By-Law Enforcement Officer to attend the Russ Cemetery to complete a site investigation and to photograph any items of concern/interest such as the noted signs. CARRIED.”

MOTION TO ADJOURN TO COMMITTEE OF THE WHOLE IN CAMERA

Moved by Councillor Broegelmann, seconded by Councillor Ritchie;

“Be it resolved that the Council of the Township of Alnwick/Haldimand adjourn to a Committee of the Whole In Camera Session in accordance with Section 239(2)(f) “advise that is subject to solicitor-client privilege, including communications necessary for that purpose, of the Municipal Act 2001, as amended, at 9:55 p.m. CARRIED.”

Correspondence from Mr. Jeff Paine, Templemann Menninga and an email from Mr. Wayne Fairbrother, Templemann Menninga.

MOTION TO RECONVENE TO THE MUNICIPAL PLANNING SESSION

Moved by Councillor Bennis, seconded by Councillor Broegelmann;

“Be it resolved that the Council of the Township of Alnwick/Haldimand reconvene to the Municipal Planning Session, at 10:06 p.m. CARRIED.”

Letter from Mr. Jeffrey D. Paine, P.Eng. dated May 26, 2008 RE: Inclusion of correspondence on Municipal Planning Minutes.

Moved by Councillor Bennis, seconded by Deputy Mayor McDonald;

“Be it resolved that the correspondence as received from Mr. J. D. Paine, P.Eng., Templemann Menninga dated May 26, 2008, with respect to legal counsel pertaining to the inclusion of correspondence on the Municipal Planning Minutes, be received as “Legal Opinion” and filed as such for future reference. CARRIED.”

Email from Mr. Wayne Fairbrother, Templemann Menninga dated May 23, 2008 RE: Smith OMB Hearing, June 3 and 4, 2008.

Moved by Councillor Holmes, seconded by Councillor Broegelmann;

“Be it resolved that the email from Mr. Wayne Fairbrother, Templemann Menninga dated May 23, 2008 pertaining to the Smith OMB Hearing scheduled for June 3rd and 4th, 2008, be received and filed. CARRIED.”

CONFIRMING BY-LAW – 10:07 P.M.:

By-Law No. 54-2008 - Being a by-law to confirm the proceedings of the Municipal Planning Session of May 28, 2008.

Moved by Councillor Broegelmann, seconded by Councillor Ritchie;

"Be it resolved that **By-Law No. 54-2008**, being a by-law to confirm the proceedings of the Municipal Planning Session of May 28, 2008, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 28th day of May, 2008. CARRIED."

XIII. ADJOURNMENT – 10:08 P.M.:

Moved by Councillor Broegelmann, seconded by Councillor Ritchie;

"Be it resolved that the Municipal Council Meeting of May 28th, 2008, be adjourned at 10:08 p.m. CARRIED."

Mayor, William Finley

Deputy Clerk, Robin van de Moosdyk