



**THE CORPORATION OF THE
TOWNSHIP OF ALNWICK/HALDIMAND
MUNICIPAL PLANNING MINUTES OF
WEDNESDAY, APRIL 28TH, 2010 - 7:00 P.M.**

Council met in Regular Session on Wednesday, April 28th, 2010 at 7:00 p.m. in the Council Chambers with Mayor William Finley presiding.

Members Present:

Mayor William Finley
Deputy Mayor McDonald
Councillors: Raymond Bennis
Bill Holmes
Art Jeninga
Cathie Ritchie
Rosemarie Robins

Staff Present:

Terry Korotki, Clerk/Administrator/Planning Coordinator
Robin van de Moosdyk, Deputy Clerk

Others Present:

Fred Lautenbach	James Robins Jr.
Mike DeJong	K. Dunne
R. Green	J. Mihelcic
Peter Josesphs, Municipal Planner	
Betty Carruthers	Larry Robins
Shawn Robins	Bernie Fuhrmann
Robin Robins	Elgie Marsden Cormier
Bud Cormier	Nathan Robins
Richard Robins	John Caverly
Brenda Caverly	Reg Newton
Jamie Newton	Shelley Newton
Rob Nicholas	Jennifer Nicholas
Erin Noonan	Mike Noonan
Bob Mitro	Marg Mitro
Gwen Williams	David Prentice
Helen Prentice	Keith Bundy
Gritt Koehl	Ernie Koehl
Gordon Flagler	Gail Madden
John Logel	Peter Logel
Richard Irvine	Heather Sadler
Hans Jansen	

I. CALL TO ORDER - 7:00 P.M.

Mayor Finley called the meeting to order at 7:00 p.m.

II. DISCLOSURES OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF - 7:00 P.M.:

Deputy Mayor McDonald declared a pecuniary interest pertaining to the Consent Application as submitted and being heard on the agenda from DeJong Family Farms Ltd., Agent: Mark DeJong.

III. APPROVAL OF AGENDA AS CIRCULATED - 7:01 P.M.:

Moved by Councillor Robins, seconded by Councillor Bennis;

"Be it resolved that the Agenda as circulated for the Municipal Planning Meeting of the Council of the Township of Alnwick/Haldimand of Wednesday, April 28th, 2010, be approved. CARRIED."

IV. PUBLIC MEETINGS - 7:02 P.M.:

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, adjourn to a Public Meeting for the purposes of Municipal Zoning By-Laws, at 7:02 p.m. CARRIED."

7:02 p.m. - Mr. Joe Mihelcic, **By-Law No. 34-2010**, Concession 1, Part Lot 29 (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 January 7th, 2010 to property owners within four hundred (400') feet of the subject property and all affected ministries and agencies.

Purpose:

The subject property has a land area of approximately 6.10 hectares from which a 0.81 hectare parcel is to be created by consent to land severance. The severed parcel to result from severance consent application A/H-12/2009 is vacant land.

The proposed Zoning By-Law Amendment would change the Zone category from Rural Exception No. 72 (RU-72) to Rural Residential (RR) Zone. The Rural Exception No. 72 (RU-72) Zone is being amended to recognize the reduced lot area on the retained parcel of land.

The parcel of land being rezoned Rural Residential (RR) is vacant land and will recognize that the parcel of land will have a single family dwelling house and garage erected thereon in the future. The retained parcel of land is also vacant but will have a single family dwelling house and garage erected thereon in the future. The retained parcel of land is zoned Rural Exception No. 72 (RU-72) which is being amended to address the reduced lot area due to Consent application AH-12/2009.

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "Is there anyone present other than the applicant in support of this zoning by-law amendment?" The Planning Co-ordinator, Terrence Korotki, advised that there was no one present objecting to this application. Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "Are 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.
- **Lower Trent Conservation Authority:** In light of these comments, Lower Trent Conservation has **no concerns in principle** with approval of the proposed Zoning By-law amendment application 34-2010, provided that:
 1. The applicant(s) be advised of the applicability of the Development, Interference with Wetlands & Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 163/06), and the need for written approval from the Conservation Authority for any development within the identified regulated area. Pursuant to Ontario Regulation 163/06, the proposed development on the retained lot is prohibited within 30 meters of the identified non-provincially significant wetland.

Lower Trent Conservation additionally recommends that:

2. The proposed development on the retained and severed lots be setback from the identified steep vegetated slope at the northern boundary of the subject lots (fronting off of Finley Road), in absence of a geotechnical study to evaluate slope stability.
- **Letter from Ben Stark:** Although I am not opposed to the previous approval on June 24th, 2009 of a consent application (AH-12/2009), or the current requirement for a Zone change, as a result of the previous consent, for the larger residual property, I would like assurances on the following matters, **in keeping with the previous application.**
1. that any residential entrances be from Gully Rd., as recommended by the Alnwick/Haldimand Public Works Dept., with no back lanes accessing either property from Finley Rd. on the north side of the severed lots, noting that "lot frontage" for the purposes of this bylaw amendment *only* is being calculated along Finley Rd.
 2. that the total sloped Green Space, representing a 25 year reforestation of mature spruce and pine, be maintained as an environmental buffer (no clear cutting) and to protect the integrity and water quality of the natural pond in the southeast portion of the property.
 3. That Lower Trent Conservation Authority applicable setbacks, as previously noted, are fully met in regard to present and future residential development, under the Wetlands and Alterations for Shorelines and Watercourses Regulation.
 4. That Hydro One access to the severed lots be brought in from Gully Rd. which is the most direct and serviceable point of entry without damage to the forest. Thank you and I look forward to attending the meeting on April 28, 2010 at 7:00 pm.
- **Pine Ridge Municipal Planning Agency:** The application is to rezone a total area of 6.1 hectares (15.08 acres) located along the north side of Gully Road. The area to be rezoned includes two parcels. One parcel encompasses 0.81 hectares and is currently vacant. It will be rezoned from Special Rural (RU-72) to Rural Residential (RR) and will be developed for rural residential purposes. The second parcel encompasses 5.3 hectares (13.07 acres) and is vacant. The parcel will be rezoned to recognize the reduced lot area and will remain in the Special Rural (RU-72) zone.

The subject lands are designated Rural in accordance with the Township's Official Plan. The Rural designation permits limited rural residential development. The Provincial Policy Statement permits limited residential development in the rural areas of the municipality. A single lot severance would be considered limited residential development. The number of lots shall be determined based on the size of the original parcel as it existed on January 1, 1990. Therefore, the PRMPA recommends that Zoning Bylaw Amendment Application ZBA 34-2010 be approved.

[JOE MIHELICIC NOTICE OF PUB MTG AND PURPOSE.pdf](#)

[JOE MIHELICIC HEALTH UNIT COMMENTS.pdf](#)

[JOE MIHELICIC BYLAW 34 2010.pdf](#)

[ZBA 34-2010 - Mihelcic - Lot 29 Concession 1 \(Haldimand\) LTC Comments April2010.doc](#)

[ZBA-34-2010 Mihelcic.doc](#)

[BEN STARK RE MIHELICIC.pdf](#)

7:12 P.M. - Rob and Jennifer Nicholas, **MV 02-2010**, Concession A, Part Lot 30, (former Haldimand Township) now in the Township of Alnwick/Haldimand RE: Reduce interior side yard setback (west side).

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

Notification:

The notice of the Public Meeting was circulated on March 25th, 2010 to property owners within two hundred feet (200') of the subject property and all affected ministries and agencies.

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

Purpose:

NATURE OF RELIEF from Zoning By-Law No. 619 (former Township of Haldimand), as amended.

To allow for the construction of an attached garage that is being built within fourteen (14) feet in the interior yard (west side) which requires a minimum interior side yard setback of twenty-five (25) feet as stipulated in Plate "C", Column B, Line 9 of Restricted Area Zoning By-Law 619.

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

There was no one present objecting to the 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:** Please be advised that this Health Unit has no objections to the above noted Minor Variance Application.
- **Pine Ridge Municipal Planning Agency:** The minor variance application is to permit an addition to an existing single detached, one-storey dwelling which will reduce the required interior side yard setback from 7.62 metres (25 feet) to 4.3 metres (14 feet). The addition is to enlarge an existing one-and-a-half-car garage to create a two-car garage on the west side of the house, and to provide additional residential space on the west side and to the rear of the existing house. The lot is of a regular shape and encompasses 0.38 hectares (0.94 acres). It is located on the south side of Lakeshore Road west of Grafton. The lot also fronts onto Lake Ontario. The property is designated Shoreline which permits residential dwellings and accessory buildings. A site visit was conducted on April 8th, 2010. The lot to the west will be most affected by the reduction in the side yard. However, there is a thick row of trees along the lot line separating the proposed addition and the house to the west. There is an additional approximately 18 metres (60 ft) of side yard between the proposed addition and the house to the west. Therefore, the existing house to the west will be buffered from the proposed addition with both distance and a tree barrier. The property to the west should not be adversely impacted by the proposed addition.

Therefore, PRMPA recommends that minor variance application MV-02/2010 be supported, as it meets the intent of the Township's Official Plan and Zoning Bylaw, is minor in nature and should not adversely affect surrounding land uses.

- **Lower Trent Conservation Authority:** In light of the above comments, Lower Trent Conservation has **no concerns** with the approval of the application for minor variance (MV-02-2010). Lower Trent Conservation recommends that:
 1. The applicant(s) be advised of the applicability of the Development, Interference with Wetlands & Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 163/06), and the need for written approval from the Conservation Authority for any development within the aforementioned regulated area.
 2. The applicant(s) are encouraged to maintain, and where possible enhance, the natural vegetation along the shoreline of Lake Ontario (southern property boundary).

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

[NOTICE OF PUBLIC MTG NICHOLAS MV 02 2010.pdf](#)

[MV-02-2010-Nicholas.doc](#)

[ROB AND JENNIFER NICHOLAS MV 02 2010.pdf](#)

[MV-02-2010 - Nicholas - Lot 30 Concession A \(Haldimand\) LTC Comments April2010.doc](#)

[HEALTH UNIT NICHOLAS MV 02 2010.pdf](#)

[AH PUBLIC WORKS COMMENTS NICHOLAS.pdf](#)

MOTION TO RECONVENE TO MUNICIPAL PLANNING SESSION:

Moved by Councillor Robins, 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 reconvene to the Municipal Planning Session at 7:18 p.m. CARRIED."

BY-LAW NO. 34-2010 - Being a by-law to amend the Restricted Zoning By-Law No. 619, as amended, for Joe Mihelcic, Concession 1, Part Lot 29 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

Moved by Councillor Jeninga, seconded by Deputy Mayor McDonald;

"Be it resolved that **By-Law No. 34-2010**, being a by-law to amend Restricted Zoning By-Law No. 619, as amended, for Joe Mihelcic, Concession 1, Part Lot 29 (former Township of Haldimand) now in the Township of Alnwick/Haldimand, be read and deemed to be PASSED this 28th, day of April, 2010. CARRIED."

7:25 p.m. - Rob and Jennifer Nicholas, **MV 02-2010**, Concession A, Part Lot 30, (former Haldimand Township) now in the Township of Alnwick/Haldimand RE: Reduce interior side yard setback (west side)

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 Application **MV 02-2010**, for Rob and Jennifer Nicholas, Concession A, Part Lot 30, (former Township of Haldimand) now in the Township of Alnwick/Haldimand to allow for the construction of an attached garage that is being built within fourteen (14) feet in the interior yard (west side) which requires a minimum interior side yard setback of twenty-five (25) feet as stipulated in Plate "C", Column B, Line 9 of Restricted Area Zoning By-Law 619. CARRIED."

V. BY-LAWS - 7:26 P.M.:

Anamet Canada Ltd. By-Law 03-2010:

Moved by Councillor Robins, seconded by Councillor Jeninga;

"Be it resolved that the Council of the Township of Alnwick/Haldimand held a public meeting on January 27, 2010 for By-law No. 03-2010 under Section 34 of the Planning Act;

And whereas following the public meeting Council determined that it is necessary and appropriate to make certain changes to By-law No. 03-2010 before it is passed;

And whereas those changes do not substantially affect the original purpose and intent of the By-law;

Now therefore the Council of the Corporation of the Township of Alnwick/Haldimand resolves that it is not necessary or in the public interest to hold an additional public meeting for By-law No. 03-2010 before a decision is made with respect to this By-law. CARRIED."

BY-LAW NO. 03-2010- Being a by-law to amend the Restricted Zoning By-Law No. 619, as amended, for Anamet Canada Inc. (Agent: Ed Owens), Concession B, Part Lot 1 (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. 03-2010**, being a by-law to amend Restricted Zoning By-Law No. 619, as amended, for Anamet Canada Inc. (Agent: Ed Owens), Concession B, Part Lot 1 (former Township of Haldimand) now in the Township of Alnwick/Haldimand, be read and deemed to be PASSED this 28th, day of April, 2010. CARRIED."

Report from Peter A. Josephs & Associates dated April 19, 2010 RE: OPA No. 2 and Zoning By-Law Amendment for Robins Pit Proposal.

Re: Robins Pit Proposal
Applications for Official Plan Amendment (OPA No.2)
And Zoning By-law Amendment (By-law No. 30-2010)
Part of Lot 14, Concession 4, Former Township of Alnwick

Township of Alnwick/Haldimand

The public meeting for Official Plan Amendment NO.2 and the related Zoning By-law Amendment for the Robins pit site in part of Lot 14, Concession 4, in the former Township of Alnwick was held on September 21, 2009. A decision was deferred at the conclusion of the public meeting to provide additional time to review the planning applications. I provided planning reports to the Township dated August 20, 2009 and September 17, 2009, which outlined the purpose of the proposed Official Plan Amendment No.2 and the Zoning By-law Amendment (now identified as By-law No. 30-2010), together with a number of planning considerations.

Based on the Township's review of these planning applications, and in particular with respect to the relevant provisions of the Township Official Plan and the Oak Ridges Moraine Conservation Plan (as outlined in my report dated September 17, 2009), two issues were identified which required further investigations by the applicant:

1. The preparation of a Traffic Impact Study, in accordance with Section 5.8.3(x) of the Township Official Plan; and
2. Clarification regarding the status and boundaries of a Key Natural Heritage Feature (a significant woodlands area) on the part of the property that is located on the Oak Ridges Moraine.

With respect to the Traffic Impact Study, Council passed a resolution requiring the applicant to prepare a study relating to the planning proposal. The applicant subsequently retained Tranplan Associates to undertake the traffic study. The traffic study was completed in February 2010 and was submitted to the Township. Council passed a resolution on March 17, 2010 advising the applicant that the Township would not require a peer review of the Traffic Impact Study.

Section 5 of the traffic study outlines certain "mitigation measures" for the haul route. I recommend that these measures should be implemented as part of the development agreement for the site. The Zoning By-law will contain a Holding (H) provision that will be conditional on a development agreement between the Township and the applicant.

Section 6 of the Traffic Impact Study concludes that:

- The proposed haul route has the capacity to accommodate future site traffic.
- Future site traffic volumes are forecast to be about 24 vph (two-way) in the PM peak hour.

These volumes will have relatively little impact on future traffic operations along the proposed haul route.

- The proposed haul route presently accommodates truck traffic hauling gravel from a number of adjacent pits.
- The proposed haul route has been upgraded over the last few years so that it now has an all-weather surface capable of carrying truck traffic.
- The present haul route intersection geometries will support future site and background traffic. No auxiliary lanes will be required at haul route intersections.

Section 6 of the Traffic Study also outlines specific mitigation measures for the haul route, which, as noted above, should be included as part of the development agreement between the Township and the applicant.

With respect to the second planning issue noted above, (ORM Key Natural Heritage Feature), a letter was submitted to the Ministry of Municipal Affairs and Housing dated January 26, 2010 (Peter A. Josephs & Associates on behalf of the Township), requesting a provincial interpretation on the boundary of the "significant woodlands" feature that was identified on the subject property.

A copy of this letter is contained in Appendix NO.1 of the Official Plan Amendment (Planning Reports). The Ministry of Municipal Affairs and Housing responded to the Township in a letter dated March 10, 2010, which advised that the Ministry of Natural Resources was able to accept the conclusion that the area in question does not meet

the criteria for "significant woodlands." The Ministry of Municipal Affairs and Housing also advised that they had no objections to the proposed aggregate operation on the subject property. However, the Ministry recommended that Official Plan Amendment No.2 and the Zoning By-law Amendment should be modified to amend the boundary of the Key Natural Heritage Feature on the site. A copy of the Ministry's letter is contained in Appendix NO.4 of the Official Plan Amendment (Agency Comments). As a result of the recommendation of the Ministry of Municipal Affairs and Housing in their letter dated March 10, 2010, OPA NO.2 has been revised to address the boundaries of the Key Natural Heritage Feature, as outlined below.

My planning report dated September 17, 2009, outlined the purpose of the proposed Official Plan Amendment No.2. The "purpose" of the Amendment has been expanded to include a new Item (c), as highlighted below, in order to address the Ministry's recommendation from March 10, 2010. The purpose of the Official Plan Amendment is to amend the Official Plan of the Township of Alnwick/Haldimand for the subject lands as follows:

- (a) Change the land use designation on Schedule "A" of the Official Plan (the "Land Use Plan") from "Environmental Protection" to "Aggregate Resource,"
- (b) Change the land use designation on Schedule "C-1" of the Official Plan (the "Oak Ridges Moraine Land Use Designations" schedule) from "Countryside-Rural" to "Countryside-Aggregate Resource," and
- (c) Delete the "Significant Woodlands" symbol on Schedule "C-2" of the Official Plan (the "Oak Ridges Moraine Natural Heritage Features" schedule).

Items (a) and (b) were outlined in the original version of OPA No.2, as presented at the public meeting on September 21, 2009. Item (c) has been added to the text of the Amendment. In addition, a new Paragraph "(c)" has been added to the "Details of the Amendment" (page 6 of the Amendment) to give effect to the new item (c) listed above:

"(c) Schedule "C-2" of the Official Plan (the "Oak Ridges Moraine Natural Heritage Features" Schedule for the Former Township of Alnwick) is amended by deleting the "Significant Woodlands" symbol on certain lands located in part of Lot 14, Concession 4, in the former Township of Alnwick, in the Township of Alnwick/Haldimand, as shown on Schedule "B" attached hereto and forming part of this Amendment."

A new Schedule "B" map has also been added to the Amendment that illustrates the specific "Significant Woodlands" symbol that is being deleted from Schedule "C-2" of the Township's Official Plan, on the subject property. It is my opinion that these revisions to the Official Plan Amendment reflect the recommendations of the Ministry of Municipal Affairs and Housing as set out in their letter dated March 10, 2010.

Zoning By-law Amendment – Revisions:

The pit site is subject to Restricted Area By-law NO.1 001-73 of the former Township of Alnwick, as amended by By-law No. 31-2006, which is the Oak Ridges Moraine zoning by-law (passed on March 27, 2006).

The purpose of the proposed zoning by-law amendment for the Robins pit is to amend Plates "A" and "A2" of Restricted Area By-law NO.1 001-73, as amended, by changing the zone classifications on the site as follows:

- (a) Amend Plate "A" (for the lands not on the Oak Ridges Moraine) by changing the zoning from the Rural (RU) Zone to the Extractive Industrial-Holding (M3-H) Zone;
- (b) Amend Plate "A2" (for the lands situated on the Oak Ridges Moraine) by changing the zoning from the Oak Ridges Moraine Environmental (ORME) Zone to the Oak Ridges Moraine Mineral Extractive Exception 2-Holding (ORMME-2-H) Zone; and
- (c) Amend Plate "A2" (for the lands situated on the Oak Ridges Moraine) by changing the zoning from the Oak Ridges Moraine Countryside (ORMCO) Zone to the Oak Ridges Moraine Mineral Extractive Exception 2-Holding (ORMME-2-H) Zone.

The effect of these changes to the Zoning By-law is to permit the subject property to be used for a gravel pit/mineral aggregate operation and related accessory uses. Based on recent discussions with the applicant's representative, Mr. Fuhrmann, two

revisions were made to the draft Zoning By-law after the public meeting on September 21, 2009:

1. A new provision has been added to the ORMME-2 zone that has the effect of allowing a pit that involves the removal of sand and gravel, and the processing of sand and gravel, to be located within 20 metres of an existing dwelling. This provision is intended to reflect the separation of the pit boundary from the existing dwelling that is located immediately to the south of the pit site.
2. The original special zone provision of the ORMME-2 zone has been amended to also permit a zero-metre interior side yard width, and no excavation setback, adjacent to the lot line that splits the property in the centre of the site. This provision was added to clarify the effect of the By-law with respect to setbacks from the lot line that splits the subject property. This provision is not intended to apply to the exterior boundaries of the licensed pit. The revised Zoning By-law Amendment (By-law No. 30-2010) is, in my opinion, appropriate for the site and will *have* the effect of implementing the related Official Plan Amendment No.2.

Public Comments and Planning Review:

The public meeting for Official Plan Amendment No.2 and the Zoning By-law Amendment was held on September 21, 2009. A number of individuals spoke at the public meeting. The Minutes of the public meeting are contained in Appendix NO.2 of the Official Plan Amendment.

The Township has also received a number of written submissions. Copies of these letters are contained in Appendix NO.3 of the Official Plan Amendment (Public Comments).

Based on a review of the minutes of the public meeting and the written submissions, I believe that the following is a summary of the general types of concerns that have been raised by the public:

- Potential impacts of extraction on groundwater quality and wells on residential properties. Potential fuel spills could affect groundwater.
- Noise impacts.
- Ground vibrations.
- Traffic impacts (safety of vehicles using road, additional traffic on roads, deterioration of roads, pedestrian safety). Any alternative haul routes?
- Dust from pit operation.
- Potential negative impacts on tourism industry/resorts in the vicinity of the pit operation, Rice Lake shoreline.
- Questions regarding need for a new pit operation in the Township.
- Questions regarding non-rehabilitation of former pit on site.
- Potential impacts on the natural environment - Oak Ridges Moraine.
- Ability of the province to police/enforce regulations regarding pit operation/rehabilitation?
- Concerns regarding proposed operating hours.
- General concerns with land use compatibility - potential effects on local residential and commercial land uses. Potential impacts on the health, safety and welfare of residents and visitors.
- Potential negative impacts on property values.
- Petition against the pit was presented to the Township.
- Municipalities should promote greater recycled content in construction industry using aggregate.
- Comments in support of proposed aggregate operation and operator. Trust that operator will operate pit in accordance with the laws.
- Lack of available aggregate material could be costly to the municipality.

The range of comments noted above indicates that the perception of many individuals who provided comments to the Township is that the pit operation would not be compatible or desirable in the proposed location. In response to these concerns, the applicant indicates that a number of technical studies have been undertaken to address the licensing requirements of the Ministry of Natural Resources. The applicant has also undertaken a traffic impact study as required by the Township of Alnwick/Haldimand.

The Township has not undertaken separate peer reviews of the technical studies that were prepared for the *Aggregate Resources Act* pit application, or the traffic impact study. I believe that in this case the Township has relied on the provincial review of the technical studies, and the conclusions of the traffic study. It is noted that the pit is located for the most part on the Oak Ridges Moraine, and has therefore been given consideration in relation to the provisions of the ORM Conservation Plan, particularly with respect to the "significant woodlands" area that was originally identified in the central part of the site. This matter has been addressed by the Ministry of Municipal Affairs and Housing and the Ministry of Natural Resources.

The Township's Official Plan recognizes that there is aggregate potential on and in the vicinity of the proposed pit. The Oak Ridges Moraine "Countryside Aggregate Resource" designation applies to the lands to the south of the subject property, including the southern part of the proposed pit site, and to the west of the site, south of Island View Road, Section 11.1.5.6 of the Official Plan, which outlines policies for the "Countryside Aggregate Resource" designation, indicates that this is a sub-category of the Countryside land use designation and is intended to recognize areas with high potential for aggregate extraction and to recognize existing licensed pits.

A mineral aggregate operation is a permitted use of the Countryside Rural designation (which applies to the northern part of the subject lands), but the Township's Official Plan requires an official plan amendment to designate a new pit in the Countryside Aggregate Resource designation where it is not already in that designation. The Official Plan recognizes high potential aggregate material in the vicinity of the proposed pit and on part of the pit site. The potential for a pit in the vicinity of the subject property is, I believe, reflected in the Official Plan, at the same time, Council should be satisfied that the proposed pit is appropriate for the site and will be a compatible land use. Even though there was a licensed pit on part of the site in the past, the current application is designed to add to the overall area of the previous pit.

Council should consider the concerns raised by the public in relation to the potential benefits of a pit that could supply local aggregate requirements. My experience is that it is often difficult to completely satisfy all parties in this type of planning application, given the wide range of opinions that are typically expressed with respect to aggregate extraction operations.

Based on the information outlined in the Official Plan, the previous use of part of the site for aggregate extraction, and the proposed operating plans, I believe that this should be a compatible land use in this area. I would therefore support the approval of Official Plan Amendment NO.2 and By-law No. 30-2010.

Council should also require an appropriate development agreement with the applicant to ensure that the operation of the pit addresses Township Interests that are set out in Section 5,8.4 of the Official Plan, particularly with respect to the recommendations of the traffic impact study. The Holding (H) provision in By-law No. 30-2010 should be retained until such time as the development agreement is approved by the Township and the agreement is registered on title.

[PETER JOSEPHS REPORT OPA 2 AND ZBA ROBINS.pdf](#)

Consensus of Council to allow Mr. Robins to speak:

Mr. James Robins Jr. requested clarification of the wording from page two of Mr. Peter Josephs, Municipal Planner's Report, as noted above. Mr. Josephs advised that the specific wording was taken directly from the Traffic Study and is not his own words to interpret.

Mr. Fuhrmann advised that there is a significant amount of technical information contained in the Traffic Study and all the recommendations of the Traffic Study are to be implemented in the Development Agreement.

Mr. Noonan advised that he and his family live on the east side of the proposed pit operation and have no real concerns with the proposal. However, would like to see Children Playing signage, hidden driveway signage, noise and dust controlled and discontinued after 5:00 p.m. and no crushing activities on the weekends.

Mr. Fuhrmann noted that the last task on the approval of the Licensing is to communicate with each individual with concerns and noted that the applicant is willing to review these issues with Mr. Noonan.

Mrs. Marsden Cormier noted that the last time the pit was operating their well was contaminated and if the wells and streams are contaminated again, who is going to pay?

Robin Pit Proposal Official Plan Amendment No. 2 (OPA #2) By-Law 30-2010 and Zoning By-Law Amendment By-Law No. 29-2010:

Moved by Councillor Holmes, seconded by Councillor Jeninga;

"Be it resolved that the Council of the Township of Alnwick/Haldimand held a public meeting on September 21, 2009 for By-law No. 30-2010 under Section 34 of the Planning Act, and for Official Plan Amendment No. 2 under Section 17 of the Planning Act;

And whereas following the public meeting Council determined that it is necessary and appropriate to make certain changes to By-law No. 30-2010 and Official Plan Amendment No. 2 before they are passed and adopted;

And whereas those changes do not substantially affect the original purpose and intent of the By-law and Official Plan Amendment No. 2;

Now therefore the Council of the Corporation of the Township of Alnwick/Haldimand resolves that it is not necessary or in the public interest to hold an additional public meeting for By-law No. 30-2010 and Official Plan Amendment No. 2 before a decision is made with respect to these applications. CARRIED."

7:51 BY-LAW NO. 29-2010 - Being a by-law to amend the Official Plan of the Township of Alnwick/Haldimand for Marlene, Shawn and Robin Robins, Part Lot 14, Concession 4 (former Alnwick Township) now in the Township of Alnwick/Haldimand, Official Plan Amendment No. 2 (OPA #2).

Moved by Councillor Ritchie, seconded by Councillor Bennis;

"Be it resolved that **By-Law No. 29-2010**, being a by-law to amend the Official Plan for the Township of Alnwick/Haldimand for Marlene, Shawn and Robin Robins, Part Lot 14, Concession 4 (former Alnwick Township) now in the Township of Alnwick/Haldimand, Official Plan Amendment No. 2 (OPA #2), be read and deemed to be PASSED this 28th day of April, 2010. CARRIED."

[CAM WARD COMMENTS ROBINS PIT TRAFFIC IMPACT STUDY.pdf](#)
[BYLAW 29 2010 ROBINS.pdf](#)

BY-LAW NO. 30-2010 - Being a by-law to amend Restricted Area Zoning By-Law No. 1001-73 for Marlene, Shawn and Robin Robins, Part Lot 14, Concession 4 (former Alnwick Township) now in the Township of Alnwick/Haldimand.

Moved by Councillor Robins, seconded by Councillor Holmes;

"Be it resolved that **By-Law No. 30-2010**, being a by-law to amend Restricted Area Zoning By-Law No. 1001-73 for Marlene, Shawn and Robin Robins, Part Lot 14, Concession 4 (former Alnwick Township) now in the Township of Alnwick/Haldimand Township, be read and deemed to be passed this 28th day of April, 2010.

CARRIED."

[CAM WARD COMMENTS ROBINS PIT TRAFFIC IMPACT STUDY.pdf](#)
[BYLAW 30 2010.pdf](#)

7:54 p.m. - BY-LAW NO. 41-2010 - Being a by-law to authorize the signing and execution of a Pre-Development Agreement for White's Island

Moved by Councillor Robins, seconded by Deputy Mayor McDonald;

"Be it resolved that **By-Law No. 41-2010**, being a by-law to authorize the signing and execution of a Pre-Development Agreement for White's Island, be read and deemed to be passed this 28th day of April, 2010.

CARRIED."

[WHITES ISLAND HEATHER SADLER.pdf](#)
[BYLAW 41 2010 PREDEVEL AGMT WHITES ISLAND.pdf](#)

VI. FORMAL CONSENT(S) – 7:56 P.M.:

Deputy Mayor McDonald declared a pecuniary interest with respect to the Consent Application for DeJong Family Farms Limited, Agent: Mark DeJong, and departed from the Municipal Planning Meeting at 7:56 p.m.

7:56 p.m. – DeJong Family Farms Limited, Agent: Mark DeJong **File AH-01/2010**, Concession 5, Part Lots 27 & 28, (former Township of Haldimand) now in Township of Alnwick/Haldimand RE: Surplus Residence

Mr. DeJong, Agent for DeJong Family Farms Limited, is requesting a lot severance. The severed lot will be approximately 2.35 hectares and the retained parcel will be approximately 58.27 hectares from a parcel of approximately 60.62 hectares. The Planning Coordinator Terrence Korotki advised that the said lands are located on Baptist Road. The proposed parcel is located in the Oak Ridges Moraine Conservation Plan Area and designated as Countryside-Agricultural. The following ministries and agencies were circulated and following comments were received:

- Pine Ridge Municipal Planning Agency:

The consent application proposes to sever a 2.3-hectare (5.8 acre) lot which is developed with a house, barn and outbuildings. The proposed lot is surplus to a farming operation. The retained lot encompasses 58.3 hectares (144 acres) and is vacant. The severed and retained lots are located in the Oak Ridges Moraine Conservation Plan (ORMCP). The lands are designated Countryside-Agricultural and lie within an area of high aquifer vulnerability.

The intent of the Countryside Areas of the Oak Ridges Moraine Conservation Plan is to protect prime agricultural areas, provide for the continuation of agricultural and other rural land uses and normal farm practices and maintain the rural character of the Rural Settlements.

The Planning Act (Section 3) requires that "A decision of the Council of a municipality ...shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision...".

The Provincial Policy Statement (PPS) was issued under the authority of Section 3 of the Planning Act. The PPS came into effect on March 1, 2005. Decisions affecting planning matter "shall be consistent with" policy statements issued under the Act.

Section 2.3.4.1 of the Provincial Policy Statement (PPS) (2005) states the following:

Lot creation in *prime agricultural areas* is discouraged and may only be permitted for:

- a) *agricultural uses*, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
- b) *agriculture-related uses*, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*;
- c) *a residence surplus to a farming operation* as a result of farm consolidation, provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance.

The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and

- d) *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

The PPS further states (Section 2.3.4.3.) that "the creation of new residential lots in *prime agricultural areas* shall not be permitted, except in accordance with policy 2.3.4.1c).

The proposed lot is located in an area of high aquifer vulnerability. As such, the uses in Section 29 (5) of the ORMC Plan are prohibited. It is recommended that the severed lot be rezoned to prohibit such uses.

It is recommended that, should the Township be satisfied that the application does represent lot creation as a result of farm consolidation, the retained lot be rezoned to prohibit residential development.

Subject to the above comments, the PRMPA recommends that consent application AH-01/2010 be approved as it meets the intent of the Official Plan and is consistent with the Provincial Policy Statement and the Oak Ridges Conservation Plan regarding the creation of a lot containing a residence that is surplus to farming.

Additional comments from Pine Ridge Municipal Planning Agency dated April 1, 2010:

PRMPA's review of January 2010, expressed concern regarding loss of agricultural land should the proposed retained lands be developed and recommended that the retained lands be rezoned to prohibit development. It also noted that the subject lands are in an area of high aquifer vulnerability and recommended that the recommended zoning by-law amendment exclude uses that are prohibited in an area of high aquifer vulnerability, as established by the Oak Ridges Moraine Conservation Plan.

The intent of the Countryside Areas of the Oak Ridges Moraine Conservation Plan is to protect prime agricultural areas, provide for the continuation of agricultural and other rural land uses and normal farm practices and maintain the rural character of the Rural Settlements. The applicant is proposing to register an agreement between the Township and the applicant which will restrict development on the retained lands. PRMPA has no objection to this approach to the preservation of agricultural lands and is satisfied that this will achieve the same objective as rezoning the retained lands.

The Township's Oak Ridges Moraine Zoning By-Law No. 32-2006 lists uses that are prohibited in areas of high aquifer vulnerability as identified in the Oak Ridges Moraine Conservation and reflected in the bylaw's schedules. As such, these uses are regulated and there is no need to rezone the subject lands to ensure protection of the lands from these uses. PRMPA is satisfied that the areas of high aquifer vulnerability are sufficiently protected by the existing bylaw.

Therefore, PRMPA recommends that consent application AH-01/2010 be approved as it meets the intent of the Official Plan and it is consistent with the Provincial Police Statement and the Oak Ridges Moraine Conservation Plan regarding the creation of a lot containing a residence that is surplus to farming.

- Alnwick/Haldimand Public Works Department: An entrance is allowed only at location approved by the Public Works Superintendent at the expense of the property owner.

- Lower Trent Conservation Authority: Please be advised that Lower Trent Conservation has no concerns in principle with the approval of the above noted application for consent, provided that the comments made by Conservation Authority staff (August 19, 2009) on consent application AH-20/2009 are amended.

-Additional comments received from Eleanor Olmsted dated March 18, 2010: As attached and as follows:

"I think the following summarizes very briefly the points which were raised in our discussion at the Township office on Feb. 26. 2010 regarding the application for severance.

1. The retained portion will be conditional on and subject to a restriction that no residential buildings will be permitted.
2. The severed portion will be conditional on and subject to a restriction that even though a rural residential use is permitted, that any use will be strictly in accordance with the Nutrient Management Act.
3. The title to the severed portion will be put in a personal name and not in a related corporate name.

Not discussed explicitly, but as the land is in an area of High Aquifer Vulnerability, the recommendation of PRMPA in their letter of January 15, 2010 should be followed to ensure that uses in Section 29(5) of the ORMCP are prohibited.

If I have omitted something, please let me know. If this is your understanding, and you have a recommendation how to ensure that this can be achieved simply, I would be inclined to follow your guidance. I am at home this afternoon and tomorrow morning if you wish to discuss this with me. I apologize for the delay.

- Ganaraska Region Conservation Authority comments dated February 18, 2010:

As attached and as follows:

Further to our correspondence of January 20, 2010, we have received a statement from the applicant related to section 32.(1)1 of the Oak Ridges Moraine Conservation Plan (ORMCP), and the applicability of the surplus dwelling definition to this proposal.

As the subject lands were purchased by an existing farming operation, and are being used in the consolidated farming operation, it would appear that the intent of the ORMCP is being met.

Moved by Councillor Jeninga, seconded by Councillor Bennis;

"Be it resolved that the Corporation of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve Consent **File AH-01/2010**, for DeJong Family Farms Ltd., Concession 5, Part Lots 27 and 28, (former Township of Haldimand) now in the Township of Alnwick/Haldimand

- Conditional upon an Agreement between the applicant and the Township will be registered on title for the severed parcel that will have the effect of:

- a) The severed parcel is registered in an individual's name and not the name of a corporation.
- b) The severed parcel will permit an existing rural residential dwelling, but any use of the property will be strictly in accordance with the applicable provisions of the Township's Nutrient Management By-Law.

-Conditional upon an Agreement between the applicant and the Township will be registered in Title for the retained parcel that will have the effect of:

- a) A residential dwelling shall not be a permitted use. CARRIED."

[PRMPA LETTER RE DEJONG APRIL 2010.pdf](#)

[ADDITIONAL COMMENTS E OLMSTED DEJONG MARCH 18 2010.pdf](#)

[GRCA COMMENTS DEJONG GREG WELLS.pdf](#)

8:02 P.M. - Edward and Mary Logel, Agent: Peter Logel, **File AH-04/2010**, Concession 1, Part Lot 22, (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Hamlet.

Mr. and Mrs. Logel, Agent: Peter Logel, are requesting a severance for the creation of a residential lot in the Hamlet of Grafton. The severed lot will be approximately 1.40 acres and the retained parcel will be approximately 12.0 acres from a parcel of approximately 13.40 acres. The lands front on Clitheroe Road, are not located on the Oak Ridges Moraine. The Official Plan designation is Hamlet and the Zoning is Rural (RU). All the Ministries and Agencies were contacted concerning this application and the following comments were received:

Pine Ridge Municipal Planning Agency: The consent application proposes to sever a 0.56-hectare (1.4 acre) residential lot in the hamlet of Grafton. The retained lands encompass 4.8 hectares (12.0 acres). The proposed severed lot is vacant. The retained lot is developed with a house and accessory (equipment storage) building. The proposed lot is designated Hamlet in the Township's Official Plan. The Hamlet of Grafton is a settlement area as defined in the Provincial Policy Statement (PPS). Settlement areas are intended to be the focus of growth in a municipality and as such, new residential lots are permitted and appropriate within this designation.

Therefore, PRMPA recommends that consent application AH-04/2010 be approved as it is consistent with the PPS with respect to development in the settlement areas of the municipality.

Lower Trent Conservation Authority: In review of the dimensions of the severed lot (0.56 hectares), and depending on the scale of the proposed development, it appears there is a marginal development envelope on the severed lot that will respect the recommended 30 meter setback from the top-of-bank of the coldwater watercourse. In light of these comments Lower Trent Conservation Authority recommends deferring the approval of consent application AH-04/2010, until the applicant(s) have demonstrated that a suitable building envelope can be accommodated on the severed lot. As such, a site plan should be prepared by a qualified Ontario Land Surveyor to the satisfaction of Lower Trent Conservation and the planning approval authority that notes the development constraints on the severed lot.

Additionally, Lower Trent Conservation recommends that:

1. The applicant(s) be advised of the applicability of the Development, Interference with Wetlands & Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 163/06), and the need for written approval from the Conservation Authority for any development within the aforementioned regulated area.
2. Lower Trent Conservation be contacted to determine any potential implications of the Fisheries Act.
3. The applicant(s) are encouraged to maintain, and where possible enhance the natural vegetation within the riparian area of the identified coldwater watercourse.

Additional comments received from Lower Trent Conservation Authority dated April 15, 2010:

Lower Trent Conservation is in receipt of the applicant(s) Ontario Land Survey (OLS) site plan, demarcating the recommended 30 meter development setback from the identified cold water watercourse (top-of-bank) bisecting the proposed severed lot (AH-04/2010). Conservation Authority staff have reviewed the information and are in general agreement that a suitable development envelope appears to exist on the proposed severed lot, respecting the prescribed setback. Lower Trent Conservation has no objection with the site survey, provided that all the proposed development (i.e. single detached dwelling, private wastewater servicing, access from Clitheroe Road, and any accessory structures) is accommodated within the development envelope demarcated on the site survey.

Alnwick/Haldimand Public Works Department: An entrance is allowed only at location approved by the Public Works Superintendent at the expense of the property owner. A Drainage Easement across the property already dedicated to the Municipality.

Haliburton, Kawartha Pine Ridge District Health Unit: A site visit was carried out by the undersigned on February 8, 2010, and it found that the stream along County Road #2 could impact on the location and design of any sewage system to be located on the severed portion. Subsequently, I contacted the Lower Trent Conservation Authority and was advised that a 30 metre setback will be applied from the top-of-bank of the stream. With Conservation Authority requirements being applicable law under the Ontario Building Code for sewage systems, this 30 metre setback will seriously restrict the installation of a sewage disposal system. Therefore, our office recommends deferral of any decision regarding this application until the owner has shown that a dwelling and a sewage system will fit on the property in compliance with the Ontario Building Code, requirements of the Lower Trent Conservation Authority and the municipality. This must be completed by providing our office with a sewage disposal system design as well as a surveyor's site plan.

Additional comments from the Haliburton Kawartha Pine Ridge District Health Unit dated April 19, 2010:

Any sewage system must be set back at least 30 metres from the top of bank of the stream as required by the Lower Trent Conservation Authority. Any leaching bed will have to be raised with approximately 3 feet of sand fill.

Moved by Councillor Jeninga, seconded by Councillor Robins;

"Be it resolved that that the Corporation of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve Consent **File AH-04/2010**, for Mary and Edward Logel, Agent: Peter Logel, Concession 1, Part Lot 23 (former Township of Haldimand) 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 the Residential Development Fee of **\$4,729.00**;

-Conditional upon payment of the Grafton Communal Water Development Charge Fee of **\$4,240.00**;

-Conditional upon payment of **\$436.99** for one streetlight as a contribution to the installation of streetlights in the Hamlet of Grafton.

CARRIED."

[LTCA COMMENTS LOGEL.pdf](#)
[LOGEL HEALTH UNIT COMMENTS AH 04 2010.pdf](#)

8:05 p.m. - Paula DeGraauw, **File AH-22A/2009**, Concession A, Part Lot 23 (former Township of Haldimand) now in the Township of Alnwick/Haldimand
RE: Hamlet.

Mrs. DeGraauw is requesting a severance for a lot severance. The Planning Coordinator Mr. Terry Korotki advised that said lands are located on St. Andrews Drive.

The severed lot will be approximately 1.08 acres and the retained parcel will be approximately 2.39 acres from a parcel of approximately 3.47 acres. The following ministries and agencies were circulated and the following comments have been received with respect to this application:

Pine Ridge Municipal Planning Agency: The application proposes to sever a lot encompassing 0.43 hectares (1.08 acres) for hamlet residential purposes. The retained parcel will encompass 0.97 hectares (2.39 acres). Both parcels are vacant.

The subject lands are designated Hamlet in accordance with the Township's Official Plan. The Official Plan permits a maximum of 3 lots and a retained lot on parcels existing prior to January 1, 1990. The Official Plan directs that the majority of residential growth shall occur in the Township's hamlets.

The Provincial Policy Statement (PPS) supports the intensification of development in settlement area (hamlets), provided adequate servicing can be provided.

Based on the above, PRMPA recommends that application AH-22/2009 be approved as it is consistent with the Provincial Policy Statement and complies with the Township's Official Plan with respect to the creation of residential lots in the Hamlet designation.

Alnwick/Haldimand Public Works Department: An entrance is allowed only at location approved by the Public Works Superintendent at the expense of the property owner.

Additional Comments from Mr. Cam Ward: I have reviewed again the proposed easement (40') off Bowman Court South (Consent AH-29/2009). Due to the length and steep slope of the proposed easement I would insist on an engineered access to the property to the east. Erosion control must be provided for the full length of the easement. The same applies for the entrance and driveway off St. Andrews Drive (Consent AH-22A12009).

Haliburton Kawartha Pine Ridge District Health Unit: With the narrowness and steep slopes of the lot, it cannot be determined if a sewage disposal system could be installed in compliance with the Ontario Building Code. Therefore, we cannot recommend approval and ask that any decision be deferred until the owner can provide an engineered design for a sewage system that will comply with the Ontario Building Code if possible.

Lower Trent Conservation Authority: Please be advised that Lower Trent Conservation has no concerns in principle with approval of this application.

Lower Trent Conservation recommends that:

- i. Future development and site alteration be prohibited on and directly adjacent to the identified slope, equal to or exceeding a ratio of 3(h):1(v), where a 15 meter development setback is maintained from the top-of-slope; or

- ii. Development proposed on or directly adjacent (15 meters) to the identified slope, equal to or exceeding a ratio of 3(h):1(v), be supported by a geo-technical study to the satisfaction of Lower Trent Conservation and the planning authority prior to the granting of an application under the *Planning Act*.

In addition, Lower Trent Conservation recommends the following:

- i. To assist in implementing subparagraph 'i' above, Lower Trent Conservation recommends that as a condition of approval the slope equal to or exceeding a ratio of 3(h):1(v), plus the 15 meter development setback from the top-of-slope, be zoned Environmental Control (EC).

Additional comments received April 27, 2010 from Lower Trent Conservation Authority:

Conservation Authority staff have had the opportunity to review the Site Plan (April 7, 2010) submitted in support of the above noted application for consent (AH-22A/2009). Based on past correspondence on this file, Conservation Authority staff recommended that:

- i. Future development and site alteration be prohibited on and directly adjacent to the identified slope, equal to or exceeding a ratio of 3(h):1(v), where a 15 meter development setback is maintained from the top-of-slope; OR
- ii. Development proposed on or directly adjacent (15 meters) to the identified slope, equal to or exceeding a ratio of 3(h):1(v), be supported by a geo-technical study to the satisfaction of Lower Trent Conservation and the planning authority prior to the granting of an application under the *Planning Act*.

The Site Plan demarcates the proposed dimensions and locations of the single detached dwelling and private wastewater servicing on the lot of interest. The subject development appears to be approximately 26 (septic bed) to 28 (single detached dwelling) meters setback from the surveyed stable top-of-bank of the identified steep slope (3(h):1(v)). As such, the Site Plan submitted in support of the application for consent appears to satisfy subparagraph (i) above. Please note that this identified steep slope is not regulated by Lower Trent Conservation; as such, development on the retained and severed lots will not require authorization from Lower Trent Conservation.

Letter from Gritt and Ernie Koehl dated January 27, 2010: We are opposed to the above applications for a severance and an easement based on the concerns outlined below.

Easement application:

- Application dimensions are difficult to read. Dimensions need to be precise.
- Slope from Bowman Court South to Lot 23 is approximately 7 degrees. Given that the driveway on this tract of land would need to run straight up the hill, runoff and erosion issues are a real concern.
- Purpose of this application is to create an access to Lot 23 from Bowman Court South. Lot 23 already has a frontage of 289 feet on St. Andrews Drive.
- We purchased on a court for obvious reasons. The prospect of looking at a "roadway/driveway" to a property (Lot 23) that is not visible from the court is not appealing. Lot 23 is not a part of the subdivision Plan 469.
- Application should be for the tract of land to be severed from Lot 32; Plan 469 and subsequently deeded to Lot 23.

Severance application:

-The proposed severance of Lot 23 creates a very long and narrow parcel of land. Since access to Lot 23 from St. Andres Drive is already of concern, then how would access to the narrower lot be feasible? The severance of Lot 23 is illogical.

-With proper grading and erosion control, a winding driveway could be constructed up the hill on Lot 23, so that the owner can build a house with a view. If Lot 23 is severed as suggested, then an access from St. Andrews is not possible for either lot.

We respectfully request that the above applications not be approved at this time.

-Alnwick/Haldimand Public Works Department dated January 28, 2010:

Comments attached and as above.

-Letter from Gordon Flagler & Kate Firstbrook dated January 28, 2010:

Comments attached and as follows:

Dear Council: My wife, Kate Firstbrook, and I, own the property immediately to the south of the proposed De Graauw severances. We live in the red house at the bottom of the hill, to the north of the Grafton Public School.

We attended the January 27th meeting. We have decided to express our concern in writing:

We worry that Mr. De Graauw or future owners of these properties may attempt to lower or alter the grade of the hilltop in order to obtain a Lake Ontario view for the houses to be built on these lands.

We have spent a substantial amount of money to protect our home from the current run-off from the large and steep hill. Our investment has been based on current water flows and direction of the flow. Any change to the hilltop could increase the volume of drainage and also change the direction of the flow. Either situation could be disastrous for us. It has been well proven that trees are a major aid in preventing erosion. We therefore ask that the township also require that the existing mature coniferous trees at the top of the hill be maintained to assist in ensuring that the hilltop remains intact and that current runoffs are maintained in terms of direction and flow. Having the hill erode would, again, be very disastrous for us. Thank you, in advance, for your attention to our concerns.

-Letter from Dave and Helen Prentice dated January 28, 2010: Comments attached and as follows:

My wife Helen and I have lived for many years on Station Road. Our property is directly south and east of the proposed De Graauw severances. The hill behind our home is very steep and runs down directly toward our house.

We have two concerns.

First, we have an excellent well on our property and continue to use it for drinking water. We are extremely concerned that any changes made to the hill above us could damage our well.

Two, our property's lawns and drainage are designed for current run-off volumes and direction. Any changes on the hill above our home could greatly impact the property we have lived on for many years.

We want to ensure that Mr. De Graauw or subsequent owners are not able to change the shape or height of the hill or cut down the big trees on the top of the hill.

Helen and I want to thank you for ensuring that our concerns are taken care of as you deliberate on Mr. De Graauw's proposed severances.

Yours very truly, Dave and Helen Prentice

-Letter from Ernie Koehl dated February 4, 2010: Comments attached and as follows:

In order to properly address the issues with the De Graauw applications currently before the Township Land Division Committee, I need to speak to the official Town Planner who I understand is Mr. Peter Joseph.

The reason for speaking to Mr. Joseph is to collect information on how the structure of a registered subdivision such as that outlined in Plan 469 is controlled and protected under the Ontario Planning Act.

I need to speak to Mr. Joseph before any future meetings on Application AH29/2009. If you provide me with contact information for Mr. Joseph, I'll call him directly.

Alternately you can arrange for Mr. Joseph to contact Ernie or Gritt Koehl at the number below. Thank you for your assistance.

-Notice of those persons objecting to the DeGraauw Consent Applications dated March 1, 2010: As attached and as follows;

Re: 1. "Easement" Application by John De Graauw
Concession A, Part Lot 23, Lot 32; Plan 469 (Type Easement) (AH-29/2009)
2. "Severance" Application by Paula De Graauw
Concession A, Part Lot 23 (Type: Hamlet) (AH-22A/2009)

The persons listed on the following page are opposed to the above applications for a severance and an easement. These are the reasons for our opposition:

"Severance" Application (AH-22A/2009)

- This application relates to a parcel of land which is officially designated as Concession A; Part of Lot 23; Sublot Number: 4; Plan Number 39R-6893
- This is a 3.47 acre parcel of land which has gradually been orphaned by land development in past years.
- The parcel of land has radical slopes on the northern, southern and eastern boundaries. This creates issues around erosion and runoff control as well as engineering concerns such as the installation of septic systems. The Haliburton Pine Ridge District Health Unit and the Lower Trent Conservation Authority have previously identified these concerns.
- Township of Alnwick/Haldimand officials have raised concerns about access to this parcel of land and have essentially limited access to a single point at the northeast corner of the property.
- It is therefore not appropriate to approve severing parcels of land from this property.

"Easement" Application (AH-29/2009)

- This application relates to Lot 32 on Bowman Court S which is officially designated as Concession A; Part of Lot 23; Lot 32; Plan Number 469
- The application to sever a forty-foot wide strip of land from the northern boundary of Lot 32 is an obvious attempt to work around access limitations to the 3.47 acre parcel of land in AH-22A12009 and to save money on running services and a driveway to a dwelling built in the prime location at the top of the hill.
- There are runoff and erosion issues associated with the construction and maintenance of a 270-foot (arrow-straight) roadway up a seven-degree slope.
- The 3.47 acre parcel of land (AH-22A12009) on St. Andrews Drive is not land-locked. It has a 289 ft. frontage. Any and all access to this parcel of land should be via St. Andrews Drive. With proper engineering, a winding driveway could be constructed up the hill on this parcel of land to allow the owner to construct a dwelling.
- It is therefore not appropriate to approve this application and allow alterations to an existing (approved) subdivision.

-Letter from John and Paula DeGraauw dated March 5, 2010: As attached.

Mr. Josephs advised that he met with Mr. DeGraauw at the site on Friday, April 23, 2010 and noted that the severance has clearly been revised from 125 foot frontage to 150 foot frontage, which in this case, he would recommend that the application, as submitted, be withdrawn and be resubmitted and circulated.

Additional letter received from Peter and Laurie McLean:

First, let me introduce myself, my wife and I are the owners of the residence situated at 127 Bowman Ct. S., Grafton, ON, also known as lot 29 on the registered plan.

I am writing this letter to voice our opposition to Mr. and Mrs. De Graauw's request to sever their lot situated at Concession A Pt. Lot 33 registered as plan # 39R-6892 Part #4 and their request to seek an easement over lot 32 situated on Bowman Ct. S. Grafton, ON. I will speak first to the request by Mrs. DeGraauw, the request to sever the lot known as Part 139R2363 on the map as provided by your office.

I believe that this request is an attempt by Mr. DeGraauw to maximize the monetary return on his land without taking into consideration the impact this severance will have on the adjoining land owners. At no time has Mr. DeGraauw contacted us to discuss his plans and how they will or will not impact on our house and lot.

Given the slope of the land and the plans for the development of least two homes on the property, I question what, if any consideration has been given to drainage of water from these lots. As it stands right now, I have had to deal twice with heavy rains in the last two years and the runoff from lot 30 Bowman Ct. S. and I suspect Mr. DeGraauw's property. This run off has caused severe wash outs of my driveway on both occasions. I would ask that before any decision is made that any engineer hired by Mr. DeGraauw contacts us so we can discuss these run off issues, so he is properly informed of the past problems. I have concerns about the viability of the 1 acre lot he is proposing on the east side of the proposed severed property. Given the severe slope to the east, I question if a proper septic system can be installed to make this lot sellable. If this lot is created and cannot be sold due to its long narrow design which limits the design and style of house that can be accommodated, I believe that Mr. DeGraauw will return to council seeking to have the front half (north end) and front half (north end) of the proposed 2+ acre redesigned to accommodate two lots facing onto St. Andrews. He will then attempt to have the south ends of both lots consolidated into one lot, if the easement is granted in the application for lot 32 Bowman Ct. S. this will allow him to create three lots out of one; circumventing the need to deal with severe slope and grade issues for this lot and maximize his monetary return on his property. Once done and the properties are sold, he walks away with his money; leaving the drainage issues to be dealt with by the affected property owners and the Township. Is the Township prepared to take on this liability? As for the easement on Lot 32, this is nothing more than Mr. DeGraauw's attempt to put in a driveway/roadway to provide access into the south end of his property at Part 1 39R-2363 (the lot he is proposing to sever). I believe this will allow and encourage Mr. DeGraauw to try and divide this parcel into 3 lots, as discussed above.

Bowman Ct. S. was designed and planned to have nine (9) lots. This was approved by previous Councils after receiving proper information and direction from the Township Planning Department of the day. Any attempt to change would be a slap in the face to that council and the planners. When we purchased, it was with the understanding that this would be a court with 9 lots not a court with a roadway running off it to provide access to further homes and development. If Mr. De Graauw is seeking to build a residence on the south end of the lot, I would suggest that with proper engineering-grade and drainage- a driveway could be made from St. Andrews to the home site. I respectfully request that the severance and easement requests be denied by the Land Division Committee.

Sincerely, Peter and Laurie McLean

Letter from John and Paula DeGraauw:

We have worked on these two severances since July 10, 2009 to please everybody. We have consulted Engineers. We have 3 sons who are Engineers and they have consulted their Engineering friends. We went to Lower Trent Conservation, the Health Department, Hydro One and local Utilities - none of these found any problems with our applications. 15 or more neighbours about our property and there were no objections, then two neighbours in Bowman Court objected which we think was frivolous. (only 2 written objections submitted – and all the issues were dealt with accordingly). We applied a new site plan to Terry and he said we had to re-apply because of the changes. We are not going to - we think we supplied enough information plus site topography to make a decision.
Thank you. John & Paula de Graauw.

Moved by Councillor Robins, seconded by Councillor Jeninga;

"Be it resolved that that the Corporation of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, defer Consent **File AH-22A/2009**, for Paula DeGraauw, Concession A, Part Lot 23 (former Township of Haldimand) now in the Township of Alnwick/Haldimand. CARRIED."

[P DEGAAUW CAM WARD COMMENTS JAN 28 2010.pdf](#)

[P DEGAAUW DAVE HELEN PRENTICE COMMENTS JAN 28 2010.pdf](#)

[P DEGAAUW ERNIE KOEHL FEB 4 2010.pdf](#)

[P DEGAAUW GORDON FLAGLER KATE FIRSTBROOK JAN 28 2010.pdf](#)

[P DEGAAUW LETTER FROM J AND P DEGAAUW MARCH 5 2010.pdf](#)

[P DEGAAUW PERSONS OBJECTING DATED MARCH 1 2010.pdf](#)

8:34 P.M. - John DeGraauw, **AH-29/2009**, Concession A, Part Lot 32 (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Easement.

Mr. DeGraauw is requesting a severance for the creation of an easement. The Planning Coordinator Mr. Terry Korotki advised that said lands are located on Bowman Court South. The following ministries and agencies were circulated and the following comments have been received with respect to this application:

-Pine Ridge Municipal Planning Agency: The application proposes to sever a lot addition encompassing 666.9 sq metres (7178.7 sq ft) to be merged as a lot addition with an existing (benefitting) lot encompassing 1.4 hectares (3.45 acres). The lot addition will provide a second access to this existing lot which currently fronts on St. Andrew's Drive in Grafton. This existing lot is the subject of consent application AH-22A/2009 to sever it into two parcels. Should application AH-22A/2009 be approved, the existing lot will be reduced in area to 0.97 hectares (2.39 acres), plus the lot addition. Both the lot addition and the benefitting lot are vacant.

The subject lands are designated Hamlet in accordance with the Township's Official Plan. The Official Plan permits a maximum of 3 lots and a retained lot on parcels existing prior to January 1, 1990. The Official Plan directs that the majority of residential growth shall occur in the Township's hamlets.

The Provincial Policy Statement (PPS) supports the intensification of development in settlement area (hamlets), provided adequate servicing can be provided.

Based on the above, PRMPA recommends that application AH-29/2009 be approved as it is consistent with the Provincial Policy Statement and complies with the Township's Official Plan with respect to the creation of residential lots in the Hamlet designation.

Alnwick/Haldimand Public Works Department: An entrance is allowed only at location approved by the Public Works Superintendent at the expense of the property owner.

Haliburton Kawartha Pine Ridge District Health Unit: Could be satisfactory for an easement for a driveway only. Not suitable for development of a septic system.

Lower Trent Conservation Authority: Please be advised that Lower Trent Conservation has no concerns with approval of this application.

Letter from Gail Madden dated January 24, 2010: Further to our discussion of Monday, January 18, 2010, I would like to put forth my concerns regarding the Application for Consent for an Easement on Lot 32, Bowman Court, Grafton. They are as follows:

- In the Application for Easement, Item #10 the figures shown are very confusing and difficult to read, therefore they need to be clearly stated for all concerned.
- Will there be gas lines and/or pipelines running along the easement to the back lot? What utility boxes will be on Lot 32 at the base of the easement?
- This easement could definitely limit my privacy (for a future residence) as it will run the whole depth of my lot (#31) including any backyard I would have.
- I would request that some landscaping with trees be put along the easement on the border adjacent to my property.
- I am concerned about the runoff from the easement and how it might affect the drainage for the court and what impact it would have in the winter.

I would very much appreciate it if you could provide me with answers for some of my concerns. Unfortunately I will be unable to attend the meeting to discuss this application on Wednesday, January 27, 2010. However, my neighbours Mr. and Mr. Koehl will be attending and will express these concerns on my behalf.

Letter from Gritt and Ernie Koehl dated January 27, 2010: We are opposed to the above applications for a severance and an easement based on the concerns outlined below.

Easement application:

- Application dimensions are difficult to read. Dimensions need to be precise.
- Slope from Bowman Court South to Lot 23 is approximately 7 degrees. Given that the driveway on this tract of land would need to run straight up the hill, runoff and erosion issues are a real concern.
- Purpose of this application is to create an access to Lot 23 from Bowman Court South. Lot 23 already has a frontage of 289 feet on St. Andrews Drive.
- We purchased on a court for obvious reasons. The prospect of looking at a "roadway/driveway" to a property (Lot 23) that is not visible from the court is not appealing. Lot 23 is not a part of the subdivision Plan 469.
- Application should be for the tract of land to be severed from Lot 32; Plan 469 and subsequently deeded to Lot 23.

Severance application:

- The proposed severance of Lot 23 creates a very long and narrow parcel of land. Since access to Lot 23 from St. Andrew Drive is already of concern, then how would access to the narrower lot be feasible? The severance of Lot 23 is illogical.

-With proper grading and erosion control, a winding driveway could be constructed up the hill on Lot 23, so that the owner can build a house with a view. If Lot 23 is severed as suggested, then an access from St. Andrews is not possible for either lot. We respectfully request that the above applications not be approved at this time.

Letter from Gail Madden dated April 12, 2010 RE: De Graauw Letter dated March 5, 2010. As attached and as follows:

Re: De Graauw Letter Dated March 5, 2010

I was disappointed to hear that the De Graauws had written a letter to you indicating that they had addressed each of my "concerns appropriately". At no time did the De Graauws contact me to discuss my concerns.

1) Their comment "any neighbouring property could limit one's privacy" clearly indicates that they don't understand my concern about privacy. When I purchased my property, I never envisioned that there would be a roadway or laneway running the full length of my property right at the boundary of the property.

Normally a driveway is constructed up to the front of a dwelling, which is typically located near the middle of a property. Having bought on a court, I didn't expect to be living with a situation where a vehicle's headlights would be shining on the back of my house as it traveled along the boundary of my property.

2) My request for trees along the easement was an ill-conceived comment. I was trying to be nice and find a way of making an undesirable roadway a little more palatable. I should have simply stated that I don't want a roadway or laneway installed adjacent to my property.

3) While the statement about the Presto's GeoWeb has been made to sound like it is the greatest thing since sliced bread - it is basically a product used to stabilize slopes or ditches against erosion. Although it has been used to stabilize soils for vehicular traffic or walkways, it is not the first choice in constructing a driveway on a slope. Of course this is all academic since I don't want a roadway or laneway adjacent to my property.

In a nutshell, the De Graauw letter does not address my concerns. Let it be clear that I object to a severance or easement on Lot 32 for the purpose of constructing a roadway or laneway to another property.

Moved by Councillor Ritchie, seconded by Deputy Mayor McDonald;

"Be it resolved that the Corporation of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, defer Consent **File AH-29/2009**, for John DeGraauw, Concession A, Part Lot 32 (former Township of Haldimand) now in the Township of Alnwick/Haldimand. Drainage report /engineer erosion report required. CARRIED."

[GAIL MADDEN LETTER APRIL 12 2010 DEGRAAUW SER.pdf](#)

Moved by Councillor Bennis, seconded by Councillor Ritchie;

"Be it resolved that the letter received from Laurie and Peter McLean dated April 28, 2010, regarding the De Graauw Consent Applications, be received for information. CARRIED."

VII. INFORMAL CONSENT(S) - 8:41 P.M.:

8:41 p.m. - Bob and Marg Mitro, **AH-08/2010, Consent #1**, Concession 4, Part Lot 2 (former Township of Haldimand) now in the Township of Alnwick/Haldimand
RE: Non-farm.

Mr. and Mrs. Mitro are requesting a severance for the creation of a residential lot (non-farm). The severed lot will be approximately 2.77 acres and the retained parcel will be approximately 96.73 acres from a parcel of approximately 99.50 acres. The subject property fronts along Shelter Valley Road and is not located on the Oak Ridges Moraine. The Official Plan designation is Rural and Environmental Protection (northend) and the Zoning is Rural (RU).

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 circulation of the Consent Application **AH-08/2010**, for Bob and Marg Mitro, Concession 4, Part Lot 2 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

CARRIED."

[BOB MITRO - CONSENT - AH-08-2010.pdf](#)

8:42 p.m. - Bob and Marg Mitro, **AH-09/2010, Consent #2**, Concession 4, Part Lot 2 (former Township of Haldimand) now in the Township of Alnwick/Haldimand
RE: Non-farm.

Mr. and Mrs. Mitro are requesting a severance for the creation of a residential lot (non-farm). The severed lot will be approximately 5.00 acres and the retained parcel will be approximately 94.50 acres from a parcel of approximately 99.50 acres. The subject property fronts along Shelter Valley Road and is not located on the Oak Ridges Moraine. The Official Plan designation is Rural and Environmental Protection (northend) and the Zoning is Rural (RU).

Moved by Councillor Benns, 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 Consent Application **AH-09/2010**, for Bob and Marg Mitro, Concession 4, Part Lot 2 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

CARRIED."

[BOB MITRO - CONSENT - AH-09-2010.pdf](#)

8:45 p.m. - Marg Mitro, Agent: Bob Mitro, **AH-10/2010, Consent #1**, Concession 4, Part Lot 3 (former Township of Haldimand) now in the Township of Alnwick/Haldimand
RE: Non-farm.

Mr. and Mrs. Mitro are requesting a severance for the creation of a residential lot (non-farm). The severed lot will be approximately 1.0 acres and the retained parcel will be approximately 49.0 acres from a parcel of approximately 50.0 acres. The subject property fronts along Shelter Valley Road and is not located on the Oak Ridges Moraine. The Official Plan designation is Rural and Environmental Protection (northend) and the Zoning is Rural (RU).

Moved by Deputy Mayor McDonald, seconded by Councillor Robins;

"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 Consent Application **AH-10/2010**, for Bob and Marg Mitro, Concession 4, Part Lot 3 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

CARRIED."

[BOB MITRO - CONSENT - AH-10-2010.pdf](#)

8:50 p.m. - Marg Mitro, Agent: Bob Mitro, **AH-11/2010, Consent #2**, Concession 4, Part Lot 3 (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Non-farm.

Mr. and Mrs. Mitro are requesting a severance for the creation of a residential lot (non-farm). The severed lot will be approximately 1.0 acres and the retained parcel will be approximately 49.0 acres from a parcel of approximately 50.0 acres. The subject property fronts along Shelter Valley Road and is not located on the Oak Ridges Moraine. The Official Plan designation is Rural and Environmental Protection (northend) and the Zoning is Rural (RU).

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 the circulation of the Consent Application **AH-11/2010**, for Bob and Marg Mitro, Concession 4, Part Lot 3 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

CARRIED."

[BOB MITRO - CONSENT - AH-11-2010.pdf](#)

8:55 p.m. - Diane Knight, **AH-12/2010**, Concession 1, Part Lot 2 (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Non-farm.

Ms. Dianne Knight is requesting a severance for the creation of a residential lot (non-farm). The severed lot will be approximately 4.80 acres and the retained parcel will be approximately 35.0 acres from a parcel of approximately 39.80 acres. The subject property fronts along Dudley Road and is not located on the Oak Ridges Moraine. The Official Plan designation is Rural and Environmental Protection and the Zoning is Rural (RU).

Moved by Councillor Robins, 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 circulation of the Consent Application **AH-12/2010**, as submitted by Ms. Dianne Knight, Concession 1, Part Lot 2 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

CARRIED."

[DIANE KNIGHT - CONSENT - AH-12-2010.pdf](#)

8:56 p.m. - Brian Read, **AH-13/2010**, Concession 1, Part Lot 34 (former Township of Haldimand) now in the Township of Alnwick/Haldimand. RE: Lot Addition.

Mr. Read is requesting a severance for a lot addition. The parcel of land to be severed is approximately 2.26 acres which is to merge with the property to the east owned by Kimberly Read. The Planning Coordinator, Terry Korotki advised that the said lands are located on Brookside Road and the proposed parcel is not located on the Oak Ridges Moraine Conservation Plan area. The Official Plan designation is Agricultural and Environmental Protection and the Zoning is Rural (RU) and Environmental Control (EC).

Moved by Councillor Robins, seconded by Councillor Benns;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve to circulate the Consent Application **AH-13/2010**, for Brian Read, Concession 1, Part Lot 34 (former Haldimand Township) now in the Township of Alnwick/Haldimand.

CARRIED."

[BRIAN READ AH 13 2010.pdf](#)

9:02 p.m. - Kimberly Read, **AH-14/2010**, Concession 1, Part Lot 34, (former Haldimand Township) now in the Township of Alnwick/Haldimand RE: Lot Addition.

Ms. Read is requesting a severance for a lot addition. The parcel of land to be severed is approximately 42.72 acres which is to merge with property to the west owned by Brian Read. The Planning Coordinator, Terry Korotki advised that the said lands are located on Brookside Road (and County Road No. 2 - southerly boundary). The proposed parcel is not located in the Oak Ridges Moraine Conservation Plan area. The Official Plan designation is Agricultural and Environmental Protection and the Zoning is Rural (RU) and Environmental Control (EC).

Moved by Councillor Robins, seconded by Councillor Jeninga;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve to circulate the Consent Application **AH-14/2010**, for Kimberly Read, Concession 1, Part Lot 34 (former Haldimand Township) now in the Township of Alnwick/Haldimand.

CARRIED."

[KIM READ AH 14 2010.pdf](#)

9:03 p.m. - Robert Nuttall & Judyth Rekai, **MV-04/2010**, Concession 2, Part Lot 18 (former Township of Alnwick) now in the Township of Alnwick/Haldimand RE: Request for reduction of front yard setback for a farm building (equestrian riding arena).

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 to circulate the Minor Variance Application **MV 04/2010**, as submitted by Robert Nuttall and Judyth Rekai,

Concession 2, Part Lot 18 (former Township of Alnwick) now in the Township of Alnwick/Haldimand.

CARRIED."

[ROBERT NUTTALL MV 04 2010.pdf](#)

9:10 p.m. - Richard Irvine (Solicitor) RE: Discuss viability of a Consent for property in Concession 2, Part Lot 6 owned by Omni Commerce Ltd. (Agent: Richard C. Irvine) (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

A discussion was held at length with respect to this proposal. It will be the discretion of Mr. Irvine's clients as to the avenue they wish to pursue with regards to this matter.

[IRVINE IRVINE OMNI COMMERCE LTD APRIL 2010.pdf](#)

VIII. INFORMAL MINOR VARIANCE(S) – 9:41 P.M.:

9:41 p.m. - Zenon and Mira Szumonski, **MV 03/2010**, Concession 7, Part Lot 20 (former township of Alnwick) now in the Township of Alnwick/Haldimand RE: Request for reduction of the interior side yard setback (eastside).

Moved by Councillor Robins, seconded by Councillor Jeninga;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve to circulate the Minor Variance Application **MV 03/2010**, as submitted by Zenon and Mira Szumonski, Concession 7, Part Lot 20 (former Township of Alnwick) now in the Township of Alnwick/Haldimand.

CARRIED."

[ZENON SZUMONSKI MV 03 2010.pdf](#)

IX. PLANNING DELEGATIONS - 9:46 P.M.:

9:46 p.m. - Ramanveer Kaur Nijjar, Concession A, Part Lot 2 (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Discuss zoning amendment request for Grafton Gas & Service (residential use).

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 in principle the proposed Zoning By-Law Amendment as submitted by Ramanveer Kaur Nijjar, Concession A, Part Lot 2 (former Township of Haldimand) now in the Township of Alnwick/Haldimand to permit a residential use in conjunction with an existing gas and service station. CARRIED."

X. APPROVAL OF MINUTES - 9:50 P.M.:

Municipal Planning Meeting Minutes of March 24, 2010.

Moved by Councillor Robins, seconded by Councillor Ritchie;

"Be it resolved that the Minutes of the Municipal Planning Meeting of March 24, 2010, be approved. CARRIED."

[MARCH 24 2010 MINUTES.pdf](#)

XI. BUSINESS ARISING FROM PREVIOUS MINUTES - 9:50 P.M.

There was no business arising from previous minutes.

XII. CORRESPONDENCE - 9:51 P.M.:

Letter from EcoVue dated April 8, 2010 RE: Status of Oak Heights Winery Appeal, Part Lot 2, Concession 8.

Letter from EcoVue dated April 21, 2010 RE: Resolution of OMB Appeal - Oak Heights Estates Winery - 337 Covert Hill Road.

Moved by Councillor Jeninga, seconded by Councillor Robins;

"Be it resolved that the letters from EcoVue dated April 8, 2010 and April 21, 2010 regarding the Oak Heights Estates Winery, be received and filed; and further that Council suggests that the Applicant, Mr. Ian Fraser, Heather Sadler, EcoVue Consultants, Mr. Peter Josephs, Municipal Planner and Mr. Brian Cook meet to discuss and address Mr. Cook's outstanding concerns. CARRIED."

[ECVUE LETTER WHITES ISLAND.pdf](#)

[OAK HEIGHTS 2010 04 21 Letter to twp re OMB Appeal.pdf](#)

Letter from EcoVue Consulting Services dated March 18, 2010 RE: White Island Estates - Draft Plan of Subdivision, Part of Lots 10 and 12, Concession 4, (former Township of Alnwick) now in the Township of Alnwick/Haldimand.

Moved by Councillor Robins, seconded by Councillor Holmes;

"Be it resolved that the letter from EcoVue Consulting Services dated March 18, 2010 regarding White Island Estates - Draft Plan of Subdivision, Part of Lots 10 and 12, Concession 4, (former Township of Alnwick) now in the Township of Alnwick/Haldimand, be received and filed. CARRIED."

Letter from EcoVue Consulting Services dated April 26, 2010 RE: White Island Estates - Draft Plan of Subdivision, Part of Lots 10 and 12, Concession 4, (former Township of Alnwick) now in the Township of Alnwick/Haldimand

Moved by Councillor Bennis, seconded by Councillor Jeninga;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, forward the letter received from EcoVue Consulting Services dated April 26, 2010 to Mr. Peter Josephs, Municipal Planner to prepare a new set of "Draft Conditions of Subdivision" for White's Island, Concession 4, Part Lots 10 and 11 (former Township of Alnwick) now in the Township of Alnwick/Haldimand. CARRIED."

Moved by Councillor Ritchie, seconded by Councillor Bennis;

"Be it resolved that the letter received from EcoVue Consulting Services dated April 26, 2010 pertaining to the Draft Conditions of Subdivision for White's Island, Concession 4, Part Lots 10 and 11 (former Township of Alnwick) now in the Township of Alnwick/Haldimand, be forwarded to the Band Council of Alderville First Nation and the Pine Ridge Municipal Planning Agency. CARRIED."

[WHITE ISLAND ESTATES DRAFT PLAN OF SUB MARCH 18 2010.pdf](#)

Letter from Fogler, Rubinoff dated March 22, 2010 RE: Energy Farming Ontario Inc. (EFO), Clean Breeze Wind Park.

Moved by Councillor Jeninga, seconded by Councillor Bennis;

"Be it resolved that the letter from Fogler, Rubinoff dated March 22, 2010 regarding Energy Farming Ontario Inc. (EFO), Clean Breeze Wind Park, be received and filed. CARRIED."

[FOGLER, RUBINOFF MARCH 22, 2010.pdf](#)

Planning Report from Peter A. Josephs & Associates dated March 12, 2010 RE: Severance Proposal - Ron Beatty, Part of Lot 3, Concession 10 (former Haldimand Township) now in the Township of Alnwick/Haldimand, 464 Noonan Road, Part 1 on Plan 39R-579.

Moved by Councillor Holmes, seconded by Councillor Bennis;

"Be it resolved that the Planning Report from Peter A. Josephs & Associates dated March 12, 2010 addressing the Severance Proposal submitted by Ron Beatty, Part of Lot 3, Concession 10 (former Haldimand Township) now in the Township of Alnwick/Haldimand, 464 Noonan Road, Part 1 on Plan 39R-579, be received and filed; and further that a copy of Mr. Joseph's Report be forwarded to Mr. Beatty for his perusal and file. CARRIED."

[PETER JOSEPHS REPORT RON BEATTY SEV REQUEST MARCH 12 2010.pdf](#)

Consent History Summary Update

Moved by Councillor Ritchie, seconded by Councillor Bennis;

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

XIII. FINANCIAL ACCOUNTS - 10:18 P.M.:

Financial Accounts - Voucher #12:

Moved by Councillor Bennis, seconded by Councillor Jeninga;

"Be it resolved that Council approve the following expenditures:

CORPORATION & TAXES & PLN RECOVERABLES - \$12,914.75
COUNCIL - \$803.29
ADMINISTRATION - \$10,156.00
VOLUNTEER FIREFIGHTERS - \$9,365.94
FIRE OPERATION & CAPTIAL - \$8,151.21
CBO2 - \$78.41
LIVESTOCK - \$420.00
EMO - \$403.16
PWS - \$11,545.44
ENVIRONMENTAL [2] - \$50.00
GRF CC - \$410.31
ACC - \$22,313.67
LIBRARY - \$3,562.71
ARENA - \$12,099.70
OPP - \$1,150.00
PRK - \$111.66

TOTAL: \$93,536.25

CARRIED."

[V #12 2010 ap \\$93,536.25 28APR2010.doc](#)

XIV. CAO REPORT/UPDATES - 10:27 P.M.:

The Clerk/Administrator advised of the following two items:

- Email from Brian Cook dated April 28th, 2010 RE: Oak Heights Winery OMB Appeal.
- Letters from facilities as submitted by Mike Godin, CBO/MBEO RE: Accessibility issues at the Alnwick Civic Centre and the Haldimand Memorial Arena.

It was noted that these issues would be reviewed and discussed at 12:30 p.m. on site and the Haldimand Memorial Arena.

MOTION FOR DEPUTY MAYOR MCDONALD TO CHAIR MEETING:

Moved by Councillor Bennis, seconded by Councillor Holmes;

"Be it resolved that Deputy Mayor McDonald Chair the Municipal Planning Meeting at this time due to a conflict noted by Mayor Finley with respect to a new agenda item, that being a by-law to assume a portion of Telephone Road which was a condition of consent for Mrs. Bonnie Finley, who is Mayor Finley's sister-in-law. CARRIED."

By-Law No. 43-2010 - Being a by-law to declare that a portion of a Highway, Street or Walkway is assumed for Public Use in the Township of Alnwick/Haldimand, Portion of Telephone Road (Condition of B. Finley Consent application)

Moved by Councillor Jeninga, seconded by Councillor Ritchie;

"Be it resolved that **By-Law No. 43-2010**, being a by-law to declare that a portion of a Highway, Street or Walkway is assumed for Public Use in the Township of Alnwick/Haldimand, portion of Telephone Road, be read and deemed to be PASSED this 28th day of April, 2010. CARRIED."

Mayor Finley returned to the meeting and retained the Chair at this time.

The Clerk/Administrator noted that the Ontario Municipal Board has notified the municipality that the Appeal pertaining to the Oak Heights Estates Winery shall commence on June 14, 2010.

XV QUESTIONS FROM THE RATEPAYERS - 10:55 P.M.:

Mrs. Carruthers asked if it was known when the Budget would be finalized. The Clerk/Administrator noted that May 10, 2010 has been scheduled for the Public Meeting for the 2010 Proposed Municipal Budget.

Mrs. Carruthers asked if the Cobourg Hospital, or representatives thereof have approached the County or local municipalities to implement a tax levy to assist in alleviating the financial debt of the Hospital, as was done for the Campbellford Hospital. Mayor Finley noted that he was not aware of any such request at this time.

BUSINESS FROM COUNCILLORS - 10:58 P.M.:

Councillor Ritchie asked when the new Fire Prevention Officer's office would be ready for occupancy as Mr. Poole is not able to utilize this area to complete his work. The Clerk/Administrator noted that Mr. Poole could use the accessory desk in the Municipal Office at the Alnwick Civic Centre to complete his work if he wished to do so.

The status of the Annual Accessibility Report was also requested. Mr. Korotki advised that he would follow up on this matter with Mike Godin, CBO/MBEO and Dianne Nicholls, Administrative Assistant.

Councillor Jeninga asked if there was an existing commercial operation located within the Oak Ridges Moraine Conservation Area and wanted to revert the zoning back to residential, is it permitted within the provisions of the Oak Ridges Moraine Conservation Plan.

Councillor Holmes requested that Mrs. Barb Foreman be notified prior to meetings being scheduled or booked for the Council Chambers to ensure that there is no conflicting activities.

XVI. APPROVAL OF CONFIRMING BY-LAW – 11:10 P.M.:

By-Law No. 42-2010 - Being a by-law to confirm the proceedings of the Municipal Planning Meeting held on Wednesday, April 28th, 2010 of the Council of the Township of Alnwick/Haldimand.

Moved by Councillor Holmes, seconded by Councillor Ritchie;

"Be it resolved that **By-Law No. 42-2010**, being a by-law to confirm the proceedings of the Municipal Planning Meeting held on Wednesday, April 28th, 2010 of the Council of the Township of Alnwick/Haldimand, be read and deemed to be PASSED this 28th day of April, 2010. CARRIED."

XVII. ADJOURNMENT – 11:11 P.M.:

Moved by Councillor Robins, seconded by Councillor Bennis;

"Be it resolved that the Municipal Planning Meeting of Wednesday, April 28th, 2010,
be adjourned at 11:11 p.m. CARRIED."

MAYOR, WILLIAM FINLEY

DEPUTY MAYOR, DALTON MCDONALD

CLERK/ADMINISTRATOR, TERRY KOROTKI