

**Minutes of the Meeting of the Council of the Municipality of Highlands East held on
April 22, 2008 9:00 a.m. in the Council Chambers, Wilberforce, Ontario.**

Members Present:

Reeve, Dave Burton
Deputy Reeve, Jim Mackie Ward 1
Councillor Suzanne Partridge Ward 2
Councillor Donna Graham Ward 3
Councillor Gary Stoughton Ward 4

Staff Present:

CAO/Treasurer, Sharon Stoughton-Craig
Clerk, Irene S. Cook
Environmental/Property Supervisor, Glen Covert
Fire Chief, Bill Wingrove

Attendance:

Greg Hoestra Haliburton Echo
Liz Danielsen The County Voice
Kelli Walsh
Roger Walsh
Abigail Kauffeldt
Paula Pepping
Marita Raghe
Jennifer Wanless-Craig
Pat Currie
Carman Coumbs

Delegations

Wayne Cox
Heather Kauffeldt

Affiliation

4 C's re: request to use Tory Hill Recreation Centre
Cardiff Multi-Use Arts & Recreation Facility Proposal

Special Delegations

Chris Jones

Affiliation

Meridian Planning Consultants

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF.

- The Reeve called the meeting to order.
- The meeting commenced at 9:00 a.m.
- A quorum was present.
- He reminded Council of the Disclosure of Pecuniary Interest as noted on the agenda.

Disclosure of Pecuniary Interest and general nature thereof:

None declared.

Open Meeting

2008-191

Moved by: Suzanne Partridge

Seconded by: Gary Stoughton

BE IT RESOLVED THAT this Council meeting be declared open.

Carried.

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Items added/changed to Agenda

2008-192

Moved by: Donna Graham

Seconded by: Suzanne Partridge

BE IT RESOLVED THAT the following items be added/changed on the agenda:

- **Administration:** letters of support re: use of Tory Hill Recreation Centre by the 4 C's – FYI's
- **Environment:** Datacall for Waste Diversion – Resolution
- **Roads:** Ontario Federation of Trail Riders re: permission to use municipal road for two motorcycle events – Resolution
- **Recreation:** Paudash Trail Blazers re: Landowner appreciation and annual meeting May 4th, 2008 – Mention

Carried.

DELEGATIONS:

Wayne Cox, 4 C's

Wayne Cox from the 4 C's discussed with Council the proposal to use the Tory Hill Recreation Centre to operate a food bank and thrift shop in Highlands East. A need to operate a better food bank and thrift shop was determined last summer by the 4C's. There are a large number of residents from Highlands East that access the facility in Haliburton (approximately 43%) for food bank usage. The Reeve opened the floor to the public to obtain their input. After much discussion it was felt that the location in Tory Hill was not the best but there was interest from those attending to use the hall for recreation purposes. Mr. Cox stressed that the 4 C's has no intention to cause dissention and would only go forward with strong public support. Other locations were discussed i.e. Gooderham. Ms. Graham indicated that she would like to have community support if Gooderham is to be used. 4 C's will continue to operate in Haliburton. Council thanked Mr. Cox for his proposal and indicated that they were supportive of the idea of 4 C's but there is not enough public support at this time.

Heather Kauffeldt, Cardiff School Council

Heather Kauffeldt, representing the Cardiff School Council, discussed with Council the feasibility of an Arts and Recreation facility in Cardiff. The facility would be adjoined to the School and would be open to both children and adults. They are proposing a 3,000 sq. foot building using "environmental friendly material". At this time they are seeking Council support for the feasibility study only.

Chris Jones, Meridian Planning Consultants

Chris Jones, Meridian Planning Consultants discussed with Council the "Housekeeping" changes to the Zoning By-law for the Municipality of Highlands East. A public meeting was held on June 12, 2007 regarding the housekeeping changes to the by-law and they received two written submissions. Mr. Jones summarized the comments from those submissions in his report and requested Council permission to proceed with presenting Council with an amendment package for their approval.

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Cardiff School Council – feasibility study for recreation facility

2008-193

Moved by: Suzanne Partridge

Seconded by: Jim Mackie

BE IT RESOLVED THAT Council supports the proposal presented by Heather Kauffeldt on behalf of the Cardiff School Council on April 22, 2008 for a feasibility study for a multi-use recreation facility on school property in Cardiff townsite.

Carried.

Customer Service Regulation

2008-194

Moved by: Gary Stoughton

Seconded by: Donna Graham

BE IT RESOLVED THAT Council for the Municipality of Highlands East supports the resolution of the City of Port Colborne's call upon the Association of Municipalities of Ontario to petition for and work with the Province of Ontario on the development and provision of a proper and fair provincial funding mechanism to assist municipalities and other provincially funded public sector organizations in complying with the provisions of O.Reg. 429/07 so that the financial burden imposed by the Regulation is fairly shared by all the residents of Ontario.

Carried.

Surplus Lands – shoreline road allowance

2008-195

Moved by: Donna Graham

Seconded by: Jim Mackie

BE IT RESOLVED THAT the following application for the Closure and Conveyance of Shoreline Road Allowances be declared surplus lands by Council and that the application be approved in principle and be forwarded to Bishop and Rogers for processing:

- **HOLDING, Bill & Barbara;** Part Lots 33 & 34, Conc. 3, geographic Township of Glamorgan (Salerno Lake) 901-22225
- **PETROVIC, LJUBODRAG;** Part Lot 2, Conc. 5, geographic Township of Glamorgan (Salerno Lake) 901-55300

Carried.

Use of original road allowance

2008-196

Moved by: Suzanne Partridge

Seconded by: Gary Stoughton

BE IT RESOLVED THAT Council grants permission to the registered owner of Roll Nos. 46-24-030-000-00500-0000, 46-01-103-000-2200-0000 and 46-01-103-000-22100 -0000 (Riverbank Cottages and

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Trailer Park), being Part 1, Conc. 1, geographic Township of Harcourt now in the United Townships of Dysart et al and Part Lot A, Conc. 22, geographic Township of Cardiff now in the Municipality of Highlands East to use a portion of the original allowance for road between the geographic Township of Harcourt and the geographic Township of Cardiff, for pedestrian access purpose only. Buildings are not permitted on the said original allowance for road. Access is permitted at the location shown generally on the sketch attached to the signed Standard Acknowledgement Form. Permission extends to heirs, executors and invited guests and is subject to the terms and conditions outlined in the Municipality's standard acknowledgement form for use of road allowance. Use of the original allowance for road is restricted to normal pedestrian traffic associated with used permitted by the applicable Comprehensive Zoning By-law with respect to Roll Nos. 46-24-030-000-00500-0000, 46-01-103-000-2200-0000 and 46-01-103-000-22100 -0000. This permission is subject to concurrence by the Council of the United Townships of Dysart et al. This permission is not valid unless the owner executes the Municipality's Acknowledgement Form.

Carried.

**Consent Application H-016/08 – Rhonda Nogueira
2008-197**

Moved by: Donna Graham

Seconded by: Jim Mackie

BE IT RESOLVED THAT the conveyance of part of lot 3, Concession 1 in the geographic Township of Glamorgan by Rhonda Nogueira be approved. Conditions to be imposed:

- Municipality of Highlands East Administration fee of \$100.00 per lot;
- Subject to approval of final survey by Chief Administrative Officer;
- For easement purposes only

Carried.

**Consent Application H-017/08 – Victor & Maria Fernandes
2008-198**

Moved by: Suzanne Partridge

Seconded by: Gary Stoughton

BE IT RESOLVED THAT the conveyance of part of lot 3, Concession 1 in the geographic Township of Glamorgan by Victor & Maria Fernandes be approved. Conditions to be imposed:

- Municipality of Highlands East Administration fee of \$100.00 per lot;
- Subject to approval of final survey by Chief Administrative Officer;
- For easement purposes only

Carried.

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**Consent Application H-018/08 – Rhonda Nogueira
2008-199**

Moved by: Jim Mackie

Seconded by: Suzanne Partridge

BE IT RESOLVED THAT the conveyance of part of lot 3, Concession 1 in the geographic Township of Glamorgan by Rhonda Nogueira be approved. Conditions to be imposed:

- Municipality of Highlands East Administration fee of \$100.00 per lot;
- Subject to approval of final survey by Chief Administrative Officer;
- For easement purposes only

Carried.

**Motorcycle Events on Municipal Roads
2008-200**

Moved by: Donna Graham

Seconded by: Suzanne Partridge

BE IT RESOLVED THAT Council for the Municipality of Highlands East approves the request from the Ontario Federation of Trail Riders to use municipal roads for two motorcycle events as set out in their letter dated April 16th, 2008.

Carried.

**Adjourn Committee of Council Meeting
2008-201**

Moved by: Suzanne Partridge

Seconded by: Donna Graham

BE IT RESOLVED THAT this Council meeting be adjourned.

Carried.

**Minutes of the Meeting of the Council of the Municipality of Highlands East held on
April 22, 2008 9:00 a.m. in the Council Chambers, Wilberforce, Ontario.**

Minutes of Public Meeting (under Section 34 of the Planning Act, R.S.O. 1990, cp. 13 as amended)
held on April 22, 2008 at 10:00 a.m. in the Council Chambers, Wilberforce in the Municipality of
Highlands East.

Members Present:

Reeve	Dave Burton	
Deputy Reeve	Jim Mackie	Ward 1
Councillor	Suzanne Partridge	Ward 2
Councillor	Donna Graham	Ward 3
Councillor	Gary Stoughton	Ward 4

Staff Present:

CAO/Treasurer, Sharon Stoughton-Craig
Clerk, Irene S. Cook

Attendance:

Greg Hoestra	Haliburton Echo
Liz Danielsen	The County Voice

Attendance:

Paula Pepping
Marita Ragheb
Jennifer Wanless-Craig
Pat Currie

**Open Public Meeting
2008-202**

Moved by: Donna Graham
Seconded by: Suzanne Partridge

BE IT RESOLVED THAT this scheduled Public meeting be declared open to discuss the following applications made under Section 34 of the Planning Act, R.S.O. 1990, cp.13 as amended, as follows:

1. Applicant: FREWING, DAVID

Purpose: The purpose of the proposed by-law is to amend the Restricted Area (Zoning) By-Law No. 2005-29 as amended to lands located on Highway 118 in Part of Lot 18, Concession 11 in the Settlement area of Tory Hill (Monmouth).

The application, if approved, would rezone the lots from the General Residential (R1) Zone to the General Commercial One Exception (GC1-1) Zone to permit the subject lands to be used for a portable take-out food establishment.

File No. RZ-04-2008 Roll No. 4601 601 000 56600 0000

2. Applicant: ELLIOTT, BEVERLEY

Purpose: The purpose of the proposed by-law is to amend the Restricted Area (Zoning) By-Law No. 2005-29 as amended to lands located at 5311 Loop Road located in Part of Lots 24 and 25, Concession 21 in the settlement area of Highland Grove (Cardiff). The application, if approved, would rezone the subject land to a General Residential Exception (R1-7) Zone to permit the establishment of an antique shop/computer room/tea room in conjunction with the existing residential use.

File No. RZ-06-2008 Roll No. 4601 103 000 18512 0000

**Minutes of the Meeting of the Council of the Municipality of Highlands East held on
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3. Applicant: MARTINEK, JOSEF & NADEZDA

Purpose: The purpose of the proposed by-law is to amend the Restricted Area (Zoning) By-Law No. 2005-29 as amended for a new lot located in Part of Lot 29, Concession 16 (Monmouth). The rezoning has been requested to recognize that the new lot does not have frontage on, or direct access to, an assumed public road.

File No. RZ-03-2008 Roll No. 4601 602 000 32300 0000

4. Applicant: REIL, DAVID & DARLENE

Purpose: The purpose of the proposed by-law is to amend the Restricted Area (Zoning) By-Law No. 2005-29 as amended to lands located on County Road 3 in Part of Lot 24, Concession 15, Part 2, Plan 19R4981 (Glamorgan). The application, if approved, would rezone the severed lot to a Rural Exception (RU-7) Zone to recognize a deficiency in minimum lot area for the Rural Zone and the use of a private right-of-way for access.

File No. RZ-05-2008 Roll No. 4601 903 000 27600 0000

Carried.

PUBLIC MEETING AS FOLLOWS:

1. Applicant: FREWING, DAVID

Purpose: The purpose of the proposed by-law is to amend the Restricted Area (Zoning) By-Law No. 2005-29 as amended to lands located on Highway 118 in Part of Lot 18, Concession 11 in the Settlement area of Tory Hill (Monmouth).

The application, if approved, would rezone the lots from the General Residential (R1) Zone to the General Commercial One Exception (GC1-1) Zone to permit the subject lands to be used for a portable take-out food establishment.

File No. RZ-04-2008 Roll No. 4601 601 000 56600 0000

Paula Pepping, Marita Ragheb, Jennifer Wanless-Craig and Pat Currie were in attendance for this meeting in support of the proposed rezoning. There was no one else in attendance to either support or oppose the application. Public notice for the meeting was given as follows: March 28, 2008 - first class prepaid mail to all persons & bodies as per Planning Act, notice posted March 28, 2008 on site. As of 4:30 p.m. April 21, 2008, there were a total of zero (0) written submissions. On April 22nd a letter was received from the Ministry of Transportation outlining the criteria that must be met for the applicant to access property from the MTO Highway. A letter from Tracey Lee Green was also received in support of the application.

2. Applicant: ELLIOTT, BEVERLEY

Purpose: The purpose of the proposed by-law is to amend the Restricted Area (Zoning) By-Law No. 2005-29 as amended to lands located at 5311 Loop Road located in Part of Lots 24 and 25, Concession 21 in the settlement area of Highland Grove (Cardiff). The application, if approved, would rezone the subject land to a General Residential Exception (R1-7) Zone to permit the establishment of an antique shop/computer room/tea room in conjunction with the existing residential use.

File No. RZ-06-2008 Roll No. 4601 103 000 18512 0000

**Minutes of the Meeting of the Council of the Municipality of Highlands East held on
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There was no one present at the public meeting to either support or oppose the application. Public notice for the meeting was given as follows: March 28, 2008 - first class prepaid mail to all persons & bodies as per Planning Act, notice posted March 28, 2008 on site. As of 4:30 p.m. April 21, 2008, there were a total of zero (0) written submissions.

3. Applicant: MARTINEK, JOSEF & NADEZDA

Purpose: The purpose of the proposed by-law is to amend the Restricted Area (Zoning) By-Law No. 2005-29 as amended for a new lot located in Part of Lot 29, Concession 16 (Monmouth). The rezoning has been requested to recognize that the new lot does not have frontage on, or direct access to, an assumed public road.

File No. RZ-03-2008 Roll No. 4601 602 000 32300 0000

There was no one present at the public meeting to either support or oppose the application. Public notice for the meeting was given as follows: March 31, 2008 - first class prepaid mail to all persons & bodies as per Planning Act, notice posted March 31, 2008 on site. As of 4:30 p.m. April 21, 2008, there were a total of zero (0) written submissions.

4. Applicant: REIL, DAVID & DARLENE

Purpose: The purpose of the proposed by-law is to amend the Restricted Area (Zoning) By-Law No. 2005-29 as amended to lands located on County Road 3 in Part of Lot 24, Concession 15, Part 2, Plan 19R4981 (Glamorgan). The application, if approved, would rezone the severed lot to a Rural Exception (RU-7) Zone to recognize a deficiency in minimum lot area for the Rural Zone and the use of a private right-of-way for access.

File No. RZ-05-2008 Roll No. 4601 903 000 27600 0000

There was no one present at the public meeting to either support or oppose the application. Public notice for the meeting was given as follows: March 3, 2008 - first class prepaid mail to all persons & bodies as per Planning Act, notice posted March 31, 2008 on site. As of 4:30 p.m. April 21, 2008, 2008 there were a total of zero (0) written submissions.

**Adjourned Public Meeting
2008-203**

Moved by: Donna Graham

Second by: Gary Stoughton

BE IT RESOLVED THAT this Public meeting be adjourned.

Carried.

The Public Meeting was adjourned at 10:15 a.m.

Reeve, Dave Burton

Clerk, Irene S. Cook

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Reconvene Committee of Council Meeting

2008-204

Moved by: Suzanne Partridge

Seconded by: Jim Mackie

BE IT RESOLVED THAT this Council meeting be reconvened.

Carried.

Volunteer Fire Honorarium System

2008-205

Moved by: Donna Graham

Seconded by: Gary Stoughton

BE IT RESOLVED THAT Council approves the proposed Volunteer Fire Department Honorarium System as outlined in the March 2008 Fire Department Council Report. The revised honorarium changes to be implemented beginning June 1, 2008 the start of the next pay period.

Carried.

Offer to purchase zamboni

2008-206

Moved by: Gary Stoughton

Seconded by: Jim Mackie

BE IT RESOLVED THAT Council accepts the offer of \$400.00 to buy the old zamboni from Bernie Crevier "where is", "as is".

Carried.

2007 WDO Datacall

2008-207

Moved by: Donna Graham

Seconded by: Suzanne Partridge

BE IT RESOLVED THAT council for the Municipality of Highlands East receives the Waste Diversion Datacall for the year 2007 and further that council authorizes the CAO/Treasurer or Clerk to sign the Summary Datacall Report on behalf of the municipality.

Carried.

**Minutes of the Meeting of the Council of the Municipality of Highlands East held on
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Housekeeping Changes to Zoning By-law

2008-208

Moved by: Jim Mackie

Seconded by: Gary Stoughton

BE IT RESOLVED THAT Council for the Municipality of Highlands East receives the Meridian Planning Consultants – Planning Report File No. 3028 dated April 16, 2008 regarding Zoning By-law “Housekeeping” Amendment AND FURTHER THAT Council directs Meridian Planning Consultants Inc. to provide Council with an amendment package ready for adoption.

Carried.

Approve Resolutions

2008-209

Moved by: Donna Graham

Seconded by: Gary Stoughton

BE IT RESOLVED THAT the resolutions from the Council meeting of Tuesday, April 22, 2008 be adopted.

Carried.

By-laws

2008-210

Moved by: Jim Mackie

Seconded by: Gary Stoughton

BE IT RESOLVED THAT By-laws Nos:

- 2008-30 Being a By-law to amend By-law No. 2005-29, as amended, the zoning by-law for the Municipality of Highlands East with respect to lands located in Part of Lot 18, Concession 11, geographic Township of Monmouth, now in the Municipality of Highlands East (David Frewing Roll No. 4601 601 000 56600 0000)
- 2008-31 Being a By-law to amend By-law No. 2005-29, as amended, the zoning by-law for the Municipality of Highlands East with respect to lands located in Part of Lot 24 & 25, Concession 21, geographic Township of Cardiff, now in the Municipality of Highlands East (Beverley Elliott Roll No. 4601 103 000 18512 0000)
- 2008-32 Being a By-law to amend By-law No. 2005-29, as amended, the zoning by-law for the Municipality of Highlands East with respect to lands located in Part of Lot 29, Concession 16, geographic Township of Monmouth, now in the Municipality of Highlands East (Josef & Nadezda Martinek Roll No. 4601 602 323 0000)

be read a first, second and third time, passed and signed and the Corporate Seal attached.

Carried.

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Closed Session

2008-211

Moved by: Donna Graham

Seconded by: Jim Mackie

BE IT RESOLVED THAT this Council moves into a Committee of a Whole in order to discuss a matter pertaining to:

- personal matters about an identifiable individual, including municipal local board employees;

Carried.

Arise from Closed Session

2008-212

Moved by: Suzanne Partridge

Seconded by: Gary Stoughton

BE IT RESOLVED THAT Council arise from the closed session.

Carried.

Chief Building Official – Randal Dunsmore

2008-213

Moved by: Donna Graham

Seconded by: Suzanne Partridge

BE IT RESOLVED THAT Randal Dunsmore be hired as Chief Building Official for Highlands East.

Carried.

Confirm Proceeding of Meeting

2008-214

Moved by: Suzanne Partridge

Seconded by: Donna Graham

BE IT RESOLVED THAT By-law No. 2008-33 being a by-law to confirm the proceedings of council at its regular meeting of April 22, 2008, be read a first, second and third time, passed, signed and sealed with the Corporate Seal.

Carried.

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Adjournment

2008-215

Moved by: Gary Stoughton

Seconded by: Jim Mackie

BE IT RESOLVED THAT this Council meeting be adjourned.

Carried.

The meeting adjourned at 11:40 a.m.

Reeve, Dave Burton

Clerk, Irene S. Cook