



Minutes of the Town of Erin Special Council Meeting

December 1, 2015

6:30 PM

Municipal Council Chamber

PRESENT:

Allan Ails	Mayor
John Brennan	Councillor
Matt Sammut	Councillor
Rob Smith	Councillor
Jeff Duncan	Councillor

STAFF PRESENT: **Kathryn Ironmonger** **CAO/Town Manager**
Dina Lundy **Clerk**

1. Call to Order

Mayor Ails called the meeting to order.

Mayor Ails announced that this is a Public Meeting as required by the Ontario Planning Act to deal with Planning matters regarding land development in the Province of Ontario.

If a person or public body that files an appeal of a decision of the Town of Erin in respect to a proposed Official Plan, Zoning By-Law Amendment and/or a Plan of Subdivision or Condominium does not make oral submission at a public meeting or make written submission to the Town of Erin before the proposed Official Plan Amendment, Zoning By-law Amendment and/or Plan or Subdivision or Condominium is adopted or refused, then the Ontario Municipal Board may dismiss all or part of the appeal.

Council requests that anyone wishing to provide comments or concerns to Town Council and/or staff do so in written form to ensure that the message is provided effectively and accurately and to record their interest in the matter and to request a notice of decision of the matter.

This meeting is to provide information for Council, exchange views, generate input etc. Council has not taken a position on the matter; Council's decision will come after full consideration of input from the meeting, submissions from the public and comments from agencies.

Mayor Ails introduced Council and Staff, the consultant and the applicant.

All comments and questions should be put to the Chair. Speakers shall state their names and addresses for the record. Personal opinions and comments made by the public attending this meeting may be collected and recorded in the meeting minutes.

2. Declaration of Pecuniary Interest

None.

3. Topics for Discussion

3.1 Zoning Amendment - Angelstone Farms Inc. 8720 WCR50

Mr. Cousins presented his planning report to Council, outlining the intent of the application received October 9, 2015, and also highlighting some of the concerns as well as improvements that have been made by Angelstone to address those concerns to date.

John Richardson - Lawyer representing Angelstone

- acknowledge there have been problems
- with the Major Events permitting system in place there has been a progression of improvements made
- 2016 projected season is more abbreviated and no events are scheduled from mid-June to mid-August

John Cox - Agent for Angelstone

- for the 2015 season - there was a checklist of improvements completed, including sound, drainage, emergency plan update, site plan update, fencing etc that had to be done and was completed by the end of June
- detailed major events permits were done that included provisions for noise, hours of operation, camping etc, as well as monitoring of the adherence to the conditions
- the noise study consultants have been asked to evaluate the improvements to the sound system and to report on their findings
- in 2016 there will be no events from June 20 to August 16, which is more than an 8 week period during the summer.

Anna Spiteri – 9030 WCR 50

- asking that the request be denied
- understand this is horse country - not anti-equine
- see Angelstone as a commercial equine entertainment establishment
- disruptive to neighbours
- too small and inappropriately located, especially for future growth plans
- granting zoning could affect future uses of the property which may not be compatible
- Council should develop a master development plan before approving this rezoning
- there is a need to strike a balance
- what are the economic benefits to the Town of Erin

Nancy Smith – Lawyer representing Fred and Nancy Gilbert

- Angelstone use - not just an equestrian competition. It is a full scale special events business. How does this relate to agriculture and agricultural related uses?
- Gilbert's use - up to 2011 enjoyed 'quiet enjoyment' of their property. Please review appeal package
- Unacceptable adverse impacts - had requested the Town revoke permits. Ask that when Council is making its decision that the scale of these events is kept in mind. Problem is relentless

- Public interest - law of nuisance says that you cannot do something on your property that is a nuisance to another's. Angelstone did not live up to what they assured they would do.
- if the impacts are the result of an agricultural related activity, and are acceptable in a prime agricultural designation and you feel you would endure these impacts without complaint if you lived at 5129 Eramosa Erin Townline you should approve the rezoning application. However, if you answer no to any of these points, you should deny the application.

Keith Aitken

- live on County Road 50, across from the Angelstone farm
- agree that the Gilbert's are impacted profoundly - have known them for 20 years
- Angelstone are my neighbours too - they've done a lot wrong, but they have also done a lot of things right
- not everyone is upset about this.
- In terms of agriculture - the land is very wet and not very farm-able
- sometimes farm operations run 24 hours
- as a farmer, I spread manure - definitely impacting my neighbours

Margaret Aitken

- overwhelmed by the activity at Angelstone - it is absolutely beautiful
- impressed by the operation and how it involves the community
- there is a high standard that is beneficial to the equestrian world and youth
- run quite wonderfully - organized and great hospitality
- noise not an irritant at my property (across the road)

Dave Dautovich – 3rd Line

- have been following the issue
- clear requirement for Angelstone to meet - which they did not according to what I have heard tonight
- appreciate and support the presentation made by the Gilbert's lawyer

Ed Mc Kelvey – 5022 Trafalgar

- quite a few miles away - not directly impacted
- impressed by Nancy Smith's presentation
- if this operation was next to me, I would be quite upset

Greg Mance – 5143 Erin Eramosa Townline

- Neighbour to both the Gilbert's and Angelstone
- neutral - not impacted as severely as the Gilberts
- had small issues with Angelstone that were resolved
- Gilberts are established long-term residents and the onus should be on Angelstone to make it right
- Gilberts lives have been turned upside down

Nancy Gilbert – 5129 Erin Eramosa Townline

- have lived in a rural setting all my life - raised on a farm
- expect farm nuisances but do not expect these type of impacts
- Angelstone is a not a farm - it is a large commercial operation

John Cox – Agent for Angelstone

- there have been a number of issues raised
- Zoning could open itself to other things - with this restricted zoning that could not happen, the zoning would be specific to the equine operation
- regarding Nancy Smith's submission - the reference to prime agriculture uses - definition is per the Provincial Policy Statement, and the Wellington County and Town Official Plans - Equine uses are consistent with this - the application was not submitted late per the major events permit

Chelsea Miller - Angelstone

- the timing of the log in Nancy Smith's presentation - where is that coming from (Gilbert's observations)
- the banging noises could be horses kicking in their stalls

Mr. Cousins advised that he is interested in receiving any submissions, and a report will be coming back to Council as soon as possible.

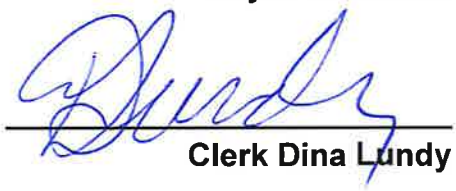
Mayor Alls thanked all participants for attending the meeting and advised that Council will consider all input prior to making a decision on the matter.

4. Adjournment

The meeting was adjourned at 8:36 PM



Mayor Allan Alls



Clerk Dina Lundy