

**Meeting No. 20**

**Date: June 8, 2010**

**Time: 7:00 p.m.**

**Location: Sydenham**

**Present:** Mayor, Gary Davison  
Deputy Mayor, Del Stowe  
Councillors, Bill Robinson  
Jim Hicks  
Allan McPhail  
Ron Vandewal  
David Hahn  
Larry York  
John Fillion

**Staff:** Lindsay Mills, Planning Coordinator Deputy Clerk

**1. Call to Order**

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

**2. Declaration of Pecuniary Interest.**

There were no declarations of pecuniary interest.

**3. There were no delegations.**

**4. Business Items.**

**(i) Mayor Davison asked Lindsay Mills to explain the lease agreement for the model trains in Battersea Park**

L. Mills explained that Council had already given approval in principle to the Frontenac Society of Model Engineers to operate in the park. He explained that the only real point of contention was the setback of the train tracks from the wetland at the north but that the Cataraqui Region Conservation Authority had finally given their approval to a 15 metres setback at the track's closest point. The subject lease agreement is necessary to outline the operating conditions, scheduling arrangements, liability insurance and termination provisions.

L. Mills further noted that the lease notes that the trains will operate within two years of the effective date of the lease and that the operation would be subject to a yearly review. He noted that the lease requires the Lessee to provide Open Houses but that it should specify a minimum number of such open houses.

Mayor Davison asked a member of the society that was in attendance how many events there should be.

Dave Albertanson replied that they were a group of hobbyists so he said it was hard to say how many. He added that the liability insurance covers it no matter how many but he suggested that they should be on a week-end.

Councillor Hahn said that we should agree to a minimum number of public events.

Mayor Davison suggested that we have one in Spring, Winter and Autumn.

Dave Albertanson said that he would need to take it back to his committee but he suggested that three would be agreeable.

**Councillor McPhail said that we shouldn't worry about the number of events because if they're not interested in working with the community they'll wear out their welcome.**

**It was decided that they should commit to at least two public open houses and that one of them should be during Pumpkin Fest.**

**(ii) Lindsay Mills Re: Proposed Planning Advisory Committee: Comparison with Neighbouring Municipalities.**

**L. Mills explained that this report was a follow-up from a Committee of the Whole meeting held on April 13, 2010 where a planning report outlined the possible methods to accommodate future growth in the Township. This follow up report reviewed the structure of eight surrounding municipalities in regards to their planning committees. The municipalities reviewed were Elizabethtown-Kitley; Municipality of Brighton; Leeds & Thousand Islands; Town of Gananoque; Loyalist Township; Rideau Lakes; Township of North Frontenac; and Township of Central Frontenac.**

**Councillor Vandewal referred to the report and stated that he is not in favour of any study that would examine growth. He added that he is in favour of shared entrances onto former County roads and that he agrees with expanding the urban boundary of Sydenham but he does not like the idea of a second core for Sydenham. He noted that he liked the idea of establishing an industrial park. Regarding the establishment of another committee he stated that the electorate elects Council to make decisions and not committees. He said that the decisions should always come to Council but he's okay with establishing any committee as long as it's advisory.**

**Councillor McPhail noted that, in Rideau Lakes, the Council and the Committee of Adjustment are the same guys. He suggested that we need further discussion on planning matters and we should recommend a Planning Advisory Committee for the next term of Council.**

**Councillor Stowe stated that the numbers of members on the Committee of Adjustment should decrease and we should have a Planning Advisory Committee.**

**Councillor Hahn said that we shouldn't forget that ours is actually a land division/Committee of Adjustment. He added that they are autonomous but a Planning Advisory Committee is totally different because it can't make decisions. He noted that all of the municipalities in the list have smaller committees than us and he said that the new Council should look at the new structure before December.**

**Councillor Fillion said that there are too many planners around and we don't need a Planning Advisory Committee to slow things down.**

**Councillor York said that the system now works well but he supports a reduction of the Committee of Adjustment to 5 or 4 members. He added that we should have Councillors on any committee.**

**Councillor Robinson expressed the view that the present Committee of Adjustment has a great record and that we don't need another layer.**

**Councillor Vandewal stated that he agrees with changing the make-up of Committee of Adjustment. He said that the committee is right 90 percent of the time but another committee would just add another unnecessary layer. He said he was in favour of reducing the members on the Cof A.**

Mayor Davison thought that we do a good job with our planning and our committee is fine. He said he doesn't see a planning advisory committee as being another layer and he likes the idea.

Councillor McPhail suggested that we're missing the point which is that a new committee would allow Councillors to better discuss applications and future planning. He thought that there is nothing worse than allowing a councillor ten minutes at Council meetings to decide on something. He said that planners have the upper hand but we need to be better educated on it.

Councillor Vandewal suggested that we could just devote part of the Committee of the Whole agenda to planning matters.

Councillor Fillion said that there should be no public on the committee.

Councillor Stowe said that we should look at all our committees and instead of a whole new committee maybe we should do planning at a CofW where we dedicate half of the meeting to it. He said that we could do it once per month and ask the applicant too.

Mayor Davison said that anything works as long as we stick to our Official Plan policies.

(iii) **Lindsay Mills Re: Proposed Temporary Use By-law part Lot 19, Concession III, Rider**

L. Mills explained that the Committee of Adjustment had allowed Mr. and Mrs. Rider to remove their trailer with addition and replace it with a modular home at 57 feet from the shore of Buck Bay of Bob's Lake. He said that the decision was very specific in not permitting any deck on the home to further encroach on this setback. However, acting on a neighbour's complaint they went to the site and discovered that a large deck was in fact just finishing being constructed contrary to the terms of approval of the minor variance. At the site the contractor, who is actually the son of the Riders explained that the deck is needed for his ailing father who requires the large deck with access ramps for access to the home and maneuvering of his wheelchair.

L. Mills then explained that Mr. Rider was in dire health condition and that through a temporary use by-law the deck could be permitted on a temporary basis to accommodate Mr. Rider's special circumstances. He said that the by-law could be in effect for perhaps three years and a security deposit should be received as well to ensure that the deck is removed when no longer needed.

Councillor Vandewal said that he supported the minor variance at the time because they were taking away a trailer. He stated that they knowingly broke the rules and, no disrespect to him being handicapped, but this has nothing to do with a handicapped situation.

Councillor Hicks asked how it would be monitored and suggested that the security be put at \$2,500.00.

Councillor Stowe wondered what precedent this is establishing and said that we better be prepared to do it for everybody. He brought up the issue of boathouses and the decisions we made previously of them.

Councillor Hahn said he doesn't know how we can justify this because he just went ahead and did it. he wondered how we would ever say no to anyone else.

Councillor York said he can't support it.

**Councillor Fillion said that his position is that he would support it.**

**Councillor Robinson said that we should judge each case on its own merits. He agrees that it was completely wrong but we should give a little. The planner says there is a way to do it.**

**Councillor McPhail said that, if we accept it, he should pay the security plus all the other fees.**

**Councillor Fillion said that we should check with our solicitor as to whether handicapped laws take precedent over the Planning Act.**

**Councillor Hahn said that the planner is simply asking whether Council would approve this temporary use by-law.**

**The committee voted 7 to 2 to approve the temporary use by-law on the condition that they pay all fees (building and planning) and pay a security of \$2,500.00 to be returned only when the deck has been completely removed.**

**5. In-Camera**

**6. Adjournment**

**Moved by Ron Vandewal**

**Seconded by Del Stowe**

**THAT the Committee of the Whole meeting be adjourned at 8:15 p.m.  
Carried**