

**Meeting No. 23**  
**Date: June 14<sup>th</sup>, 2011**  
**Time: 7:00 p.m.**  
**Location: Sydenham**

**Present:**        **Mayor**                                **Gary Davison**  
                  **Councillors,**                            **John McDougall**  
  **Allan McPhail**  
  **Cam Naish**  
  **Bill Robinson**  
  **Del Stowe**  
  **Ron Vandewal**  
  **Larry York**

**Absent:**        **Deputy Mayor**                    **Mark Tinlin**

**Staff:**        **Wayne Orr, Chief Administrative Officer**  
                  **Lindsay Mills, Planner**  
                  **Ashley Brown, Recreation Coordinator**  
                  **Mark Segsworth, Public Works Manager**

**Others:**       **Peter Young, County of Frontenac**  
                  **Mike Keene, FoTenn**

**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. Delegations - nil**

**4. Business Items**

- (i) Report from Lindsay Mills, and presentation by County of Frontenac and FoTenn Planning Consultants, re: Community Improvement Plan for Verona – Goals, Objectives and Incentive Programs.

Peter Young and Mike Keene presented the draft community improvement plan for Verona. They reviewed the program details and sought feedback from Council. There had been two public open houses in February and April. Before Council were the goals, objectives and incentive programs. With regard to the general program requirements and the incentive programs, the participants will be eligible to apply for up to two programs with the combined maximum of \$2500.00, plus be eligible for a \$7500.00 interest free loan from the township and the opportunity to apply for a fees grant of up to \$2000.00. There are six incentive programs funded with \$70,000.00 from federal gas tax money transferred from the County and \$10,000.00 in the 2011 township budget. It is anticipated that an additional \$10,000.00 will flow each year for the remainder of the Council term. The programs include: façade improvement, a commercial façade improvement, accessibility upgrades, a residential conversion program, a loan program and a municipal fee program. The loan program would be up to five years interest free of \$7500.00 and the fees grant for up to \$2000.00 to offset things such as building fees, zoning requirements and Official Plan changes. Those funds can only come out of the township portion as federal gas tax money can not be used to transfer funds to the township.

It was clarified that in total, individuals could have up to \$10,000.00, \$2500.00 plus the \$7500.00 loan and the \$2000.00 grant. At this point, this is all for the Verona program.

The recommendation initially is to 2016 for five years however Council felt that the term of Council was more appropriate and that completion should be within the five years.

It was commented that based on the feedback at the public open houses, that the incentive programs adequately captured the direction and comments being shared.

There was some question and confusion on how the next village would be adopted and it was clarified that although the County's program may very well go to elsewhere in the county, there is nothing that prohibits the township from moving forward with another CIP programs and funding them appropriately.

(ii) Report from Lindsay Mills regarding the Keeping of Backyard Hens in Township

Lindsay Mills presented the current zoning restrictions as well as the recent events including the May 10<sup>th</sup> Committee meeting and June 7th delegation. He outlined three alternatives. One would be to add a line to the current chart under hobby farms allowing 10 chickens on lots two to three acres. The second alternative would be to have a resolution that would specify what the interpretation of hens would be and the third would be to add a "notwithstanding" clause to the clause that would allow 10 chickens on two to three acres. He commented that the number of hens may need to be reviewed.

It was clarified that if changes are made, existing property standards and noise by-laws would still be in place.

The questions was raised, "does this only apply to hens". The answer was yes; hens have a definition of a female chicken and not other poultry or other types of foul or livestock. A zoning by-law amendment would require a public meeting.

There was general support from Council to proceed with a ten (10) hen maximum on two to three acres with the addition of the "notwithstanding" clause to the by-law.

(iii) Report from Lindsay Mills regarding William Beeman complaint re: Issuance of Building Permit – Yarker Road, Portland District

Mr. Mills brought forward a brief report to Council outlining the MDS calculations on the ten acre parcel of land that Councillor Robinson had raised at the previous meeting.

Councillor Robinson felt that the issue would need to go in-camera and requested a deferral to later in the meeting.

(iv) Report from Lindsay Mills regarding Bill Day Motorcross Racing, Portland District.

Lindsay Mills reviewed the process to date and suggested that the option that might be most appropriate at this point would be a temporary use by-law. This would allow Council to re-evaluate at the conclusion of the temporary use and give further direction at that time.

Councillor Vandewal felt that going forward for one year was reasonable however the campers should not be asked to leave until noon the next day. He felt that only Wednesday on race week should be permitted as practice days and that Sunday should not start before 8:00 a.m.

Councillor Robinson questioned if it was a public meeting.

Mayor Davison indicated that he would be seeking input from the two parties as discussed at the last meeting.

An updated petition was forwarded to the Clerk including a map which outlined the locations of those who had signed.

Jen Scott was appointed as spokesperson for the residents and presented the comments of the community. A copy of her presentation is available. Highlights included the impact on long term residents, young families, those living south of the property as well as those in close proximity. The concerns were that many were unaware of the process and that there has been a lack of communication. Noise is not constrained to property lines but filters and moves across the area based on the wind etc. Realizing that there is often opposition to change, this is very much a different concern than other residents in this situation about the view or once a year event, this is a concern that extends throughout the summer. She highlighted concerns with regard to the experience of those living many years within this community, noise, dust, township responsibility in terms of emergency response, lack of economic payback to the community, concerns with regard to access and enjoyment to the trail, decreased property value, future development as a lost opportunity because people do not want to be in close proximity to this type of event and the concerns that the Planner's recommendation are not being considered. She questioned when it would stop. She expressed concern with the temporary use provision in that the community felt there had already been a period last summer where the use had been in place. She noted that Council has already received the community's input from that process. She questioned how through the temporary use period, Council would assess or what criteria they would use to evaluate the tracks impact. She also noted concern that complaints from 60 residents does not seem to be adequate and what can they expect that would be different. She indicated that this proposal has rallied the community and demonstrates that the community in responding to issues together. In summary she felt that the proposal does not preserve the quality of life and is not compatible with the existing community and therefore seeks consideration of Council.

Mr. Day asked John McGuire from McGuire Race to speak on his behalf. Mr. McGuire indicated that he owns the race circuit and has been operating for 15 years. Currently he operates within seven different municipalities. He stressed that this a family activity which is safe and well maintained and he has had great success with other municipalities. He believes it to be a sport that supports families with children and participants range in age from four to 65 years of age. They acknowledge the concerns of residents and believe that they too can produce a petition in support of the event. The events would take place in a remote section of the property where over 35 years snowmobile drags have taken place. The motor cross event keeps users off the trails and operating in a safe manner. He commented and stressed that there is no request for land or money from Council, simply an approval to operate. He felt the risk to the township was minimal and that dust can be controlled for the neighbours and properties in the vicinity. He commented that typically there may be 600 people at an event and 200 vehicles of various sizes. Traffic flow is staggered both on arrival and departure and as a result there is no significant traffic impact. As for dust, he offered access to professional photography to demonstrate that dust does not present an ongoing problem. With regard to noise, he indicated that those vehicles not complying with current testing are not allowed to participate and that perimeter testing can be done however he commented that quite often noise is drowned out or has no affect beyond the borders of the property. In another community, he noted that he had been asked by the Fair Board and been invited to the community and the Chamber of Commerce had asked him to do more in the community. The Chamber is seeking an ongoing contract for continued services. With regard to the age of participants and alcohol useage he indicated that there have been no issues with regard to that. He commented that gates to the event are closed at 5:00 p.m. and only members are permitted inside after that point. There are no motors after 5:00 p.m. on Saturdays and generally no later than 5:00 on Sunday however if there is a scheduling problem a definite end time would be 6:00 p.m. He believes that the participants represent good family values and that staff address garbage issues and clean up at the end of the event. McGuire's is prepared to name the township as insured on their \$5 million insurance policy. He invited Council members to the event to see and hear the event and observe the dust management practices in place. They are seeking to be a good neighbour and out of respect they have rescheduled the June event. Although five races are requested, this could be negotiated; he is here to work with the neighbourhood and the community. He would be willing to consider one event this year and that could be done later. He responded that he too has horses present on his track and they are more inquisitive than nervous. He felt that there is an opportunity for properties to increase in value by offering another recreational activity. He indicated that

permission from the Cataraqui Trail has been given and that the MOE was onsite today addressing water questions. He once again reiterated that the more we work together the better the outcome.

Mayor Davison asked where water will be obtained from.

Mr. Day commented that based on his review of the property there is an additional piece of property that has access to water and he does not believe this to be an issue.

Councillor Robinson spoke and indicated that when people get together, rumours run rampant. For twenty years he has known of this event and had no complaints and any concerns were under the past ownership. He felt that he lives closer than anyone as the crow flies and if you listen hard enough you can always hear something anywhere. He felt that the dust has been addressed as well as the water and trail issues. The trailers are a long way away from the road. They are willing to work together and felt that one year is a fair period. The owner is new to this process and that the township needs to give him a chance to operate.

Councillor Vandewal indicated that he as a landowner would like to think that he could also do what he wishes with his own 187 acres. He acknowledged that the owner is trying to do the right thing and that the township should be prepared to work with the property owner.

Councillor McPhail spoke to the temporary use by-law and pointed out that there should be some form of evaluation considered in advance and that Council members should be participating and observing.

Councillor York indicated that he has already visited this site and indicated that he observed a high berm and trees and he felt that those would act as a barrier. He stated that he felt that new ideas should not be rejected just because there is opposition, but rather that we should give this a try first.

Mayor Davison spoke to shortening up the number of events and practice times on Wednesday should be more limited. He felt that 8:00 p.m. was too late to stop.

A citizen asked Council what would happen one year later based on the investment that the property owner puts into this event.

Mayor Davison commented that there is no guarantee that Council would permit the activities to continue following a temporary use by-law.

Councillor Vandewal also reiterated that no business is guaranteed success and that council is not bound by those actions.

Councillor Vandewal suggested that the draft site plan be revised and limited based on the feedback and that this come forward to Council as a written document for their review.

In general there was support for staff to proceed with this next step.

A further comment from the community indicated that a suggestion to consider was to have events in April, May and September, October and that no events take place in June, July and August. That all events, particularly practices end earlier than 8:00 p.m.

Councillor Stowe questioned how we would go about evaluating the one year trial period if it was put in place.

## **5. Other Business**

### **(i) Recreation Programs**

Ashley Brown addressed her recent swim program developments. Two concerns were brought to Council's attention. The first one was the practice of allowing the upper level of swim participants to do their endurance swims outside the buoy lines. The other concern was the lack of interest in summer positions for the Storrington program. As a result, potential changes and/or cancellations may be necessary.

Councillor Naish asked that Storrington participants be contacted to determine if they know of anyone who could be approached to offer instructor training. He questioned if the recruitment at this point has been limited to summer students.

Ashley Brown confirmed that in the secondary level of recruitment has been aimed at instructors with no reference to students.

Councillor Vandewal suggested that for the upper levels that we seek volunteer options from participants to see if they have any connections. Now that we know of the insurance and liability concerns we are under greater scrutiny to ensure that we protect the safety of the participants.

Councillor Robinson was concerned where the boat would be operating and at what sites.

Councillor McPhail indicated that in the future as we find an ongoing solution that we may need to adjust the fees for Level 8 + and alternatively coordinating bus travel to Kingston may be an option to explore.

Councillor Vandewal had concerns about transportation outside of the community.

Councillor Stowe asked whether the issue was the student instructor's access to transportation and whether we should be providing vehicles or arranging transportation of the staff.

Councillor Vandewal indicated a lack of support for that idea.

Generally the direction of Council was to continue to pursue alternatives and investigate solutions to try and avoid the cancellation of the program without jeopardizing the safety or liability of the township.

(ii) **Recent Wind Storm Damage**

Letters written by the Fire Chief were brought to Council's attention. Two volunteers were commended for offering their services following the recent damage due to wind storms.

(iii) **Strategic Planning**

With regard to strategic planning and scheduling a new date, direction from Council was to consider the week of July 26<sup>th</sup> or the week of August 8<sup>th</sup> or Monday, Tuesday August 15<sup>th</sup> and 16<sup>th</sup>.

**6. In-Camera**

The Committee of the Whole then moved in-camera.

**7. Adjournment**

The meeting adjourned at 9:10 p.m.