

Meeting No. 24
Date: June 28th, 2011
Time: 7:00 p.m.
Location: Sydenham

Present: **Deputy Mayor** **Mark Tinlin**
 Councillors, **John McDougall**
 Cam Naish
 Bill Robinson
 Del Stowe
 Ron Vandewal
 Larry York

Absent: **Gary Davison, Mayor**
 Allan McPhail

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

1. Call to Order

The Deputy 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

(a) Jim & Heather Cumpson

Heather Cumpson reviewed the current situation with their son and their request for a fourth severance on a lot. She indicated that the builder is willing to build the home at cost and the design has already had an occupational therapist review. She chronicled the last seven weeks since her son's injury and why at this point they are looking for an option to build an accessible home for his present medical state.

Councillor York indicated that this is a situation with a courageous young man; however council does have to abide by the rules.

Councillor Stowe indicated that following discussions with the Planner that there were alternatives such as a separate dwelling on the existing lot with a temporary use by-law.

Councillor Vandewal indicated that because of the request it would take an Official Plan change which would take approximately 16 months before any decision could be made.

Lindsay Mills indicated that as an alternative a temporary use by-law could be extended up to ten years for a self contained dwelling and that this could conceivably be passed as early as August 2nd.

Councillor McDougall indicated that somehow Council needs to find a way to make this happen.

Lindsay Mills will have further discussion with the Cumpson's to explore alternatives.

(b) Percy Snider, re: Parks Maintenance Contract

Percy Snider spoke to Council and asked five specific questions.

- Who was in charge of Parks Maintenance?

- Why were tables and docks at the Point moved by Public Works Department?
- With regard to the recent football event, why was garbage pickup done by the Roads Department on the weekend?
- Why was beach maintenance now being done by an independent contractor?
- Why are parks not being fully cut?

Councillor Vandewal spoke to Council and indicated that following the football event he had a call on Sunday morning at 9:00 a.m. and that he had called the Area Supervisor asking what could be done. The Area Supervisor then called someone in. At the end of the day, he commented that regardless it is township dollars and there is only one taxpayer funding the cost of getting work done.

Councillor Naish asked for a written report from Council outlining responses to these questions.

(b) Bill Day

Bill Day spoke to the site plan that will be coming up under "Business Items". He has requested that Council remove the practice conditions for Wednesday from 11:00 to 6:00 and that ATV's and snowmobiles be removed given that he believes it is currently a legal nonconforming use and that practice is not a racing event.

Councillor Stowe questioned the legal non conforming provisions and whether this applies.

Bill Day indicated that practices are an informal function.

Councillor Vandewal suggested that Council needs to be there to monitor sound on a race day to get a true sense of the situation. He did feel that Sunday start times should not be before 11:00 a.m.

Lindsay Mills clarified that it is within Council's prerogative to put conditions on the ATV and snowmobile drags as a condition when the applicant is seeking approval for something new.

4. Business Items

(i) Report from Lindsay Mills, re: Z-11/04 – review of application for Zoning By-law Amendment, Part of Lot 4, Concession IV, District of Portland.

Lindsay Mills addressed his report with regard to the Zoning By-law application for the Day property. He felt that a decision should be reached on the first zoning application given that Council has already given first and second reading and that there should be a final outcome before dealing with a temporary use by-law.

Councillor Vandewal agreed with this.

Councillor Stowe asked if Mr. McGuire offered any solutions to the issues that have been raised.

Lindsay Mills commented that solutions may not be possible as the nature of the use is not compatible with the neighbours.

Councillor Vandewal indicated that if we are looking at the temporary use by-law we need to be very explicit on what can and can not be done, particularly with racing and practice events.

Wayne Orr clarified that under the current draft before Council this would allow two events this year and two events in 2012 before the expiry of the temporary 12 month temporary use by-law.

Councillor McDougall felt this was at least a method to move forward and that he acknowledged that the snowmobiling was part of the culture and a practice of the community.

Councillor Stowe indicated that the homeowners were there first and the track built after they had bought their properties.

Councillor Vandewal indicated that many were opposed to ATV's on roads and that the temporary use by-law was a tool used at that time and upon review it moved forward with a permanent use by-law.

Councillor Naish was in favour of the temporary use by-law with one or two events and would like to see this move forward. He felt that Mr. Day should be commended for creating recreational opportunities within the township.

Councillor York felt that the temporary use is the way to move forward.

Specific direction from Council was sought.

- Racing should be Friday to Sunday
- Practices should be 11:00 a.m. to 6:00 p.m.
- Once per week before events.
- Concerns with regard to the water issue, Mr. Day had advised the Mayor and CAO that the MOE had been out and addressed those concerns.

Councillor Stowe asked with regard to the decision being appealed to the OMB and it was clarified that any zoning decision can be appealed to the Ontario Municipal Board by either party.

Councillor York indicated that he too had been out to the site and that the conservation authority was okay with the use.

(ii) Report from Lindsay Mills, re: Review of Site Plan Agreement for Wayne & Connie Selle; Part Lot 1, Concession III, District of Portland

Lindsay Mills addressed his report. There is an existing sawmill operation on the property at the time of the request for additional lot creation. He reviewed the site plan in light of the letter of complaint; smoke is from an outdoor furnace that heats the house but not the kiln.

Councillor Robinson questioned where the outdoor furnace was and it was confirmed that it is at the right hand bottom corner of the kiln, but the kiln is no longer there.

Council directed that the site plan map be updated for accuracy. With regard to the hours of operation and a request to consider a later start time, it was felt that a 7:00 a.m. start was reasonable.

The owners of the adjacent property indicated that noise is their biggest issue and that the noise is ongoing. They understand currently that the owner is not operating however the concern is with future owners.

Councillor Vandewal indicated that with regard to weekends, there is a need to let businesses operate and that the noise by-law while available only starts after 11:00 p.m.

This item is to come back to Council for a decision.

(iii) Report from Mark Segsworth, Public Works Manager, re: Small Drinking Water Systems

Mark Segsworth, Public Works Manager addressed Council with regard to the small drinking water systems report. Under the new legislation for small drinking water systems, any system that provides water for public consumption needs to meet the new

requirements. Previously they were enforced and managed by the Ministry of the Environment however that has been transferred to the Ministry of Health and Long Term Care through the local health unit. The change in regulations means it is no longer acceptable to simply post that the water is untested, now all small drinking water systems need to be tested. In our situation given the history of those sites, most require weekly testing. XCG has conducted a six year review of our results and they have provided recommendations on work, testing and protocols as well as site improvements that will be necessary to comply with the act. The township has an obligation to ensure safe drinking water systems. There is a capital requirement with regard to the Battersea Ball Field for approximately \$6,000.00 for a UV system and there are two wells that are located below grade that need to be brought above grade which has an approximately cost of \$11,000.00 for Harris Park and Battersea Ball Diamond. Operating costs as a result of this change will increase incrementally at about \$10,700.00 and furthermore there is a great concern that the township can't continue to operate without complete control of the facilities. In many cases we do not have keys to these facilities and it is our clear responsibility to be in control of these water systems.

Councillor York asked about the time frame for these capital works.

Mark Segsworth confirmed that a UV system could be installed within weeks, whereas the extension of the wells could be at any time.

With regard to the chart that Mr. Segsworth brought forward, Councillor Vandewal wanted to confirm that while there is a list of the current plumbers for each location, that quotes would be sought from multiple sources for any work being done.

Councillor Robinson indicated that it seemed to be a lot of money for short term use and questioned whether signs could be used.

Mark Segsworth indicated that if we do not have proper testing in place then the only alternative is to turn the water off to the complete facility which means toilets and sinks.

Councillor Stowe raised the issue of the palatability of the water at the Bedford Hall. It was confirmed that this was not a safety issue, simply a taste preference issue and that the regulation does not apply to this aspect.

Councillor Naish asked whether some fields could be shut down given that they are only used one day per week and whether there is an alternative to consider by putting in portable toilets for the season.

Councillor York asked if the UV system did not fully resolve the issue then what was the alternative.

Mark Segsworth confirmed that he had confidence in the recommendations of XCG.

Deputy Mayor Tinlin raised the question of whether we need to provide water given the prevalent use of bottled water by the consumer in parks and under utilized halls.

Wayne Orr commented that many of the facilities make use of the water and that those canteens are a source of funding for sports teams.

Councillor Robinson indicated that he sees people repeatedly bring water to parks.

From an ongoing maintenance use, Councillor McDougall asked who would be checking the UV alarms if it goes off.

Mark Segsworth confirmed that it is more than just water that needs our oversight at our facilities and referenced back to the budget discussions on the need for facilities coordination.

It was pointed out that this is not simply an issue of drinking water; however the water is also needed for public washrooms and hand washing following the use of those washrooms.

Councillor Vandewal acknowledged that it is difficult to remove running water from facilities that currently have it.

There are fields that use portable toilets even though some of those sites have water because those facilities are not open during the sporting events.

Specifically as to whether this item should go back to South Frontenac for recommendation it was felt that this was not necessary by Councillor Vandewal.

This item is to come back to Council for a decision and implementation.

(iv) Report from Mark Segsworth, Public Works Manager, re: Township Entrance Signs

Mark Segsworth brought forward a report with regard to Township entry signage. He believes strongly that there needs to be clear signage for the public and traveler to know which area they are entering into. Our current combination of signage is confusing to the traveler. Currently we still have district signage as well as township signage and its use is inconsistent.

He is seeking direction from Committee of the Whole to develop a signage strategy and provided a sample of only one option for consideration.

Deputy Mayor Tinlin indicated that with the new coat of arms being developed a new logo is a potential outcome however he strongly supported the need for a signage strategy.

Councillor Robinson indicated that if the signage was made of aluminum that there was a strong risk of those signs being stolen given the current market prices.

Councillor Vandewal was supportive of developing the direction however he was somewhat concerned with the disappearance of districts. He acknowledged that the logo maybe outstanding possibly up to a year through this process.

Councillor Stowe was okay with this strategy as well as Councillor Naish.

Mark Segsworth reminded Council that the current logo was a community developed initiative and his concern is that currently the districts seem to be more prominent than the township as a whole.

(v) Report from Deborah Bracken, Treasurer, re: Tax Sale Surplus – Payments out of court

This report is to be brought back to Council for clarity for a formal decision.

5. Other Business

(i) Settlement Areas

Lindsay Mills spoke to a previous request for settlement areas in Bedford District, the potential for three areas, Salem, Fermoy and Burr ridge. He commented that Salem given its current status is not likely to be a settlement area. Fermoy has an internal road system however many of the lots are covered by the scrap yard and that with a current large aggregate area nearby this may not be suitable as well. Burr ridge is however a prime candidate, the question is how to move forward and he was concerned that a water study would be necessary in order to move forward to that next step.

Councillor Vandewal asked how involved a ground water study would be.

The direction to staff was to get estimates on the cost of that and bring it back to Council at a future date.

(ii) Minimum Distance Separate

Councillor Robinson asked for a paper version of the Minimum Distance Separation document.

(iii) Battersea – Infrastructure Work

Mark Segsworth advised Council that there would be a public information session in Battersea on the public works infrastructure work proposed on July 13th from 7:00 p.m. to 9:00 p.m. at Battersea United Church

6. Adjournment

The meeting adjourned at 8:50 p.m.