

Meeting No. 1

Time: 7:00 p.m.

Location: Sydenham

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

Absent: John Fillion

Staff: Wayne Orr, Clerk-Administrator; Mark Segsworth, Public Works Manager; Lindsay Mills, Planning Coordinator; Angela Maddocks, Confidential Secretary

1. Call to Order

Resolution No. 2010-1-01

Moved by Jim Hicks

Seconded by Allan McPhail

THAT the Council meeting of January 12th, 2010 be convened at 7:00 p.m.

Carried.

2. Declarations of Pecuniary Interest

Bill Robinson declared a pecuniary interest with respect to Page 29 of the Accounts Payable Voucher.

Ron Vandewal declared a pecuniary interest with respect to Page 34 of the Accounts Payable Voucher.

3. Delegations - nil

4. Public Meeting

Resolution No. 2010-1-02

Moved by Jim Hicks

Seconded by Allan McPhail

That a public meeting be held to discuss planning matters related to:

- **Proposed Zoning By-law Amendment Z-09/26, Concession XI, Part of Lot 24, District of Storrington**
 - **Proposed Zoning By-law Amendment Z-09/27, Concession XIV, Part of Lot 26, District of Loughborough**
 - **Proposed Zoning By-law Amendment Z-09/15, Concession VI, Part of Lot 19, District of Portland**
 - **Proposed Zoning By-law Amendment Z-09/28, Concession V, Part Lot 4, District of Loughborough**
 - **Proposed Zoning By-law Amendment Z09/29, Concession IV, Part Lot 4, District of Loughborough**
- Carried**

(a) Z-09/26 – Concession XI, Part of Lot 24, District of Storrington - Harris

Lindsay Mills explained that this application is to rezone a 4.36 acres area of land that is being added to an existing residential lot on Burnt Hills Road and that this addition will make the existing lot a waterfront lot.

Ron Vandewal questioned the larger lot and asked if the applicant could build closer to the water.

Lindsay Mills explained that no structure will be permitted within the 30 metres setback and the applicant can't erect another dwelling due to this rezoning.

Del Stowe asked if the applicant will be restricted in this zone.

Lindsay Mills replied no.

With respect to the aerial photo of the property, David Hahn questioned the existing structures as it appeared there were at least four structures.

Merv Harris, the applicant, confirmed that there are two structures on the property, one being a storage shed and the other a gazebo. He stated that the gazebo is approximately 16 feet by 20 feet and that he has his boat stored in the storage shed. Mrs. Harris also confirmed that there are only two structures on the property.

Del Stowe suggested that a site plan would identify any existing structures on this property. He was concerned that the existing structures were permitted uses.

Lindsay Mills agreed that a site plan could be attached to the by-law. He also explained that this application is not changing anything on the ground. The existing buildings will now be accessory buildings to the dwelling. If the owner wishes to make any future changes, he will have to rezone the property to reflect other uses.

There were no comments from the public.

(b) Z-09/27 - Concession XIV, Part of Lot 26, District of Loughborough - Postma

Lindsay Mills explained that this application will rezone a one acre parcel that is a lot addition to an existing waterfront residential lot that is approximately 1.39 acres in size which will bring the parcel of almost into conformity with the Official Plan. He noted that all agencies commented favourably to this proposal.

Allan McPhail wanted to confirm the name of the lane as the map did not clearly show it as being on Neva Lane.

Lindsay Mills confirmed that this property is on Neva Lane.

There were no comments from the public.

(c) Z-09/15- Concession VI, Part Lot 19 District of Portland - Kerr

Lindsay Mills explained that the purpose of this application is to rezone a two acre area of land from Urban Residential First Density Zone to a Special Urban Residential-First Density Zone to a proposed new residential lot in the hamlet of Petworth. He noted that this lot previously existed but had been merged through common ownership. The Special Urban Residential First Density Zone will recognize the reduced frontage that this lot will have on the road. He noted that there is no minimum road frontage specified in the Official Plan for hamlets.

There were no comments from Council or the public.

(d) Z-09/28 - Concession V, Part Lot 4, District of Loughborough - Township Initiated

Lindsay Mills explained that this was a township initiated rezoning to place the correct zoning on the township property to properly accommodate the new

library. He stated that three portions of land were created before the Planning Act and thus they merged into one through common ownership. He noted that the existing dwelling is proposed to be removed.

Allan McPhail questioned the zoning for the area towards the lake used for docking and boat launching and if it should be zoned Community Facility or Open Space.

Lindsay Mills recommended that it be left as "Open Space" which is meant for public parks whereas "Community Facility" permits schools, hospitals, group homes etc.

Jim Hicks questioned the restrictions on rezoning an open space.

Lindsay Mills stated that each application would be considered on its own merit and would be dependent on the intended use.

There were no other comments from the public.

(e) **Z-09/29 – Concession IV, Part Lot 4, District of Loughborough – Township Initiated**

Lindsay Mills explained that this is a township initiated rezoning at the request of the County of Frontenac to rezone a parcel of land they will be purchasing from the township for an ambulance base/paramedic station. He explained that the new would have 200 feet of frontage on Stagecoach Road. He noted that in the Official Plan, the hamlet of Sydenham is a special study area where major development should not occur until such time as long term sewage disposal and potable water supply requirements for the area have been determined. However, these have now been determined and one acre lots are supported.

Lindsay Mills recommended that the third reading be deferred until the reference plan is prepared. He confirmed that the plan is ready but still needs to be registered.

Ron Vandewal was concerned as to who was paying the costs for this application and hoped that the township was not responsible for any associated costs.

Joe Gallivan, County of Frontenac, stated that they support the deferral of third reading of this by-law.

There were no comments from the public.

Resolution No. 2010-1-03

Moved by Jim Hicks

Seconded to Allan McPhail

That an opportunity having been provided to discuss planning matters, that the public meeting be closed. Carried.

5. **Approval of Minutes**

(a) **Council Meeting Minutes**

Resolution No. 2010-1-04

Moved by Jim Hicks

Seconded by Allan McPhail

THAT the Council meeting minutes of December 15th, 2009 be approved.

Carried.

(b) **Committee of the Whole Meeting Minutes**

Resolution No. 2010-1-05

Moved by Jim Hicks

Seconded by Allan McPhail

THAT the Committee of the Whole meeting minutes of December 22nd, 2009 be approved. Carried.

6. Business Arising

(a) Notice of Motion – Democratic Process for Changing Council Composition

Ron Vandewal stated that he did not want to support the resolution as it was written and felt there should be a majority vote from Council. He suggested changing it from 6 to 5.

David Hahn referred to his proposed notice of motion and felt there should be a clear and distinct majority. He agreed with the argument for 5 votes and felt it was important to have at least one representative from each district in agreement with any changes. He felt there should be more public consultation to any proposed changes to Council composition. He noted that his notice of motion suggests an amendment to the procedural by-law.

Bill Robinson agreed with Ron Vandewal's position.

Larry York thought this issue was getting carried away and felt there is no need to change the system.

Mayor Davison stated that the procedural by-law will need to be changed to address this resolution.

Ron Vandewal stated that if the motion was supported then it would be okay to change the procedural by-law.

Wayne Orr asked if Council was prepared for a friendly amendment to change Item # 1 on the resolution from 6 votes to 5 votes. Council agreed to this amendment to the resolution.

Ron Vandewal felt there was strong support to go ahead with this motion.

Jim Hicks and Larry York wanted the motion deferred.

Resolution No. 2010-1-06

Moved by Jim Hicks

Seconded by Bill Robinson

That Council defer a decision on the notice of motion filed by Councillor David Hahn. Defeated.

Del Stowe asked for a recorded vote.

Resolution No. 2010-1-07

Moved by Larry York

Seconded by David Hahn

Whereas Council is authorized under the Municipal Act to make certain changes to the composition of the township Council and;

Whereas Council may wish to consider changes to the composition of Council and;

Whereas such changes may affect the basic rights of representation of the property owners and residents of South Frontenac Township and;

Whereas such changes should not be made by a simple majority of those Councillors present and

Whereas voters need to be informed and consulted about a fundamental change in the way they are represented on Council,

Therefore be it resolved that:

The Rules of Procedure of South Frontenac Township be amended so that,

Where Council wishes to consider changes to the composition of council

1. 5 votes shall be required to support the change,
 2. At least one Councillor from each district shall support the change,
 3. There shall be widespread consultation with voters before any proposal is adopted including at least one public meeting in advance of day of the meeting where the resolution is decided. Normal municipal procedures for public notice shall apply.
- Carried.

RECORDED VOTES

	YES	NO	ABSTAIN
J. Fillion			
D. Hahn	√		
J. Hicks		√	
A. McPhail	√		

	YES	NO	ABSTAIN
B. Robinson		√	
D. Stowe	√		
R. Vandewal	√		
L. York		√	
G. Davison	√		

7. Reports Requiring Action

(a) Accounts

Resolution No: 2010-1-08

Moved by Jim Hicks

Seconded by Allan McPhail

THAT Council approve the payment of the Accounts Payable Voucher dated January 7th, 2010 in the amount of \$2,492,093.46

Carried.

(b) Report from Anne Levac, Planning Department, re: encroachment onto unopened road allowance

See By-law 2010-01

(c) Report from Wayne Orr, Clerk-Administrator, re: Emergency Management Program

Wayne Orr explained that while the township has an Emergency Plan in place, there is also a requirement to have an emergency management program for the protection of public safety, health, the environment and critical infrastructure.

Allan McPhail asked if the Emergency Plan needs to be reviewed in its entirety.

Wayne Orr stated that staff is directed to review the plan annually.

See By-law 2010-03

(d) Report form Wayne Orr, Clerk-Administrator, re: Community Adjustment Fund – “The Point” in Sydenham

Wayne Orr referred to the report and noted that the improvement project for The Point is estimated to be just over \$2 million. This fund would provide \$0.90 on the dollar so that the township share would be \$212,500.00. He noted that there would not be any changes to the cenotaph.

Allan McPhail stated that while it is difficult to speak against a funding opportunity, the improvement plan for The Point has only been viewed by the local recreation committee and has not been approved by Council. He felt this request should have been approved by the South Frontenac Recreation Committee and then to Council for consideration. He stated that he doesn't have a problem with addressing the retaining wall issue. He noted that there haven't been any recommendations from Loughborough Recreation to proceed.

Ron Vandewal stated that the ideas for improvements only came up at a committee meeting but there are still outstanding questions as to the needs. He stated that there are still a lot of grey areas and no plan of action.

Del Stowe indicated that the South Frontenac Recreation Committee briefly discussed the proposed improvements to "The Point" at their January 11th meeting. He stated that there may be an opportunity to discuss capital needs, however given the deadline for the funding application, there has not been an opportunity to pick and choose what will be included.

David Hahn questioned the description of the project as a continued community project and how rigid is the expectation to get the funding.

Wayne Orr felt that the requirements would be similar to the Sydenham Library Project and that his general sense is that there is some flexibility. He noted that Council will have to allocate the 10% township share and firm up what items should be funded.

Larry York suggested an emergency meeting be held with all groups and committees to determine the needs for the funding application.

Wayne Orr stated that given the short turn around time, three days will not provide enough time to get approval from all of the groups. He stated that Council still has control over the project.

Alan McPhail referred to a previous plan for "The Point" and felt that the recommendations from that plan should be included.

Del Stowe felt that there should be a cap on the amount of this proposed project.

Ron Vandewal agreed with Alan McPhail and stated that since the Greater Sydenham Community Association started the process, they should have still gone through the proper channels.

Mayor Davison referred to the funding that South Frontenac has already received and that he would be surprised if the township gets anymore funding.

Wayne Orr agreed that the project could be scaled back.

Resolution No. 2010-1-09

Moved by Allan McPhail

Seconded by Jim Hicks

That Council directs staff to proceed with preparing an application for development of The Point in Sydenham. Carried.

- (e) Report from Lindsay Mills, Planning Coordinator, re: review of Zoning By-law Amendment in Part of Lot 8, Concession III, District of Portland- O. Bettschen Construction Ltd.

Lindsay Mill explained that this application came before Council in July of 2009 and that an Official Plan Amendment was required to expand the aggregate area. He noted that the same entrance will be utilized. There were no objections from any of the agencies and he recommended approval.

There were no questions from Council.

See By-law 2009-93

- (f) Report from Mark Segsworth, Public Works Manager, re: Shales Road

Mark Segsworth explained that the curb, barrier and railing system on Shales Road have failed and currently there are no rails in place. Caution tape and

pylons have been placed there as a precaution. He stated that this was not identified in the bridge appraisal and noted the potential hazard. He recommended that this be fixed as soon as possible. He noted that a quote from Len Corcoran Excavating identifies the costs to make the necessary repairs.

Ron Vandewal asked if there is enough room to put a temporary cement curb at this location.

Mark Segsworth replied no.

Ron Vandewal stated that he does not support sole sourcing this repair and that it shouldn't be considered an emergency since the problem has existed for over a month.

Jim Hicks asked about the extra expense of pouring concrete at this time of year.

Mark Segsworth stated that winter conditions were included in the price.

Alan McPhail questioned the width of the road and the usage and suggested that this may be an opportunity to widen the road if necessary and that by doing both this would be a cost saving.

Mark Segsworth responded that there is no immediate plan to widen the road. He stated that the immediate concern is keeping vehicles on the road. He recognized that the problem has existed since mid December but reminded Council that Christmas holidays have to be taken into account and that this project is beyond the township scope to repair.

Larry York asked if the road was being ploughed and what size of truck was being used.

Mark Segsworth confirmed that the road is being ploughed but he was uncertain as to what size of truck is being used.

Ron Vandewal did not support the process of determining the road repair. He felt that if this was an emergency then funding should have come from the "Emergency Road Repair Reserve" and Council should not be dealing with it at this time as it could have already been repaired.

Mayor Davison reminded Council that the Public Works Manager has been chastised for going ahead with projects before.

Bill Robinson felt there should be more quotes received on the necessary repairs and referred to other projects where sole sourcing has been criticized.

Mayor Davison was concerned about the danger of this situation.

Jim Hicks asked if would be possible to have two more quotes for next week.

Mayor Davison suggested that this would be unfair as there is already a quote on the table and any competitors will have the advantage of knowing the existing quote.

Alan McPhail felt this could be funded out of the 2009 Emergency Reserve.

8. By-laws

Resolution No. 2010-1-10

Moved by Larry York

Seconded by David Hahn

THAT the following by-laws be given first and second reading:

- **By-law 2009-93, being a by-law to amend By-law 2003-75, as amended, to rezone lands from Rural (RU) Zone to Quarry “B” (QB) Zone, Part Lot 8, Concession III, District of Portland**
- **By-law 2010-01, being a by-law to authorize the encroachment of a dwelling on the unopened road allowance between Lot 1, Concession 8, District of Portland and Lot 1, Concession 8, District of Loughborough**
- **By-law 2010-02, being a by-law to amend By-law 2003-75, as amended, to rezone lands from Special Urban Industrial (UI-1) Zone to Special Community Facility Zone (CF-4) Zone, Part Lot 4, Concession IV, District of Loughborough**
- **By-law 2010-03, being a by-law requiring an Emergency Management Program for the protection of public safety, health, the environment, the critical infrastructure and property and to promote a disaster-resilient community**
- **By-law 2010-04, being a by-law to amend By-law 2003-75, as amended, to rezone lands from Rural (RU) Zone and Limited Service Residential (RLS) Zone to Waterfront Residential (RW) Zone, Part Lot 24, Concession XI, District of Storrington**
- **By-law 2010-05, being a by-law to amend By-law 2003-75 as amended, to rezone lands from Open Space-Public (OS) Zone and Urban Residential-First Density (UR1) Zone to Community Facility (CF) Zone, Part Lot 4, Concession V, District of Loughborough**
- **By-law 2010-06, being a by-law to amend By-law 2003-75, as amended, to rezone lands from Waterfront Residential (WF) Zone to Limited Service Residential-Waterfront (RSLW) Zone, Part Lot 26, Concession XIV, District of Loughborough**
- **By-law 2010-07 being a by-law to amend By-law 2003-75, as amended, to rezone lands from Urban Residential-First Density Zone (UR1) Zone to Special Urban Residential-First Density (UR1-10) Zone, Part Lot 19, Concession VI, District of Portland** Carried.

(a) By-law 2009-93

Resolution No. 2010-1-11
Moved by David Hahn

Seconded by Larry York

THAT By-law 2009-93, being a by-law to amend By-law 2003-75, as amended, to rezone lands from Rural (RU) Zone to Quarry “B” (QB) Zone, Part Lot 8, Concession III, District of Portland, be read a third time, signed and sealed.

Carried.

(b) By-law 2010-01

Resolution No. 2010-1-12
Moved by Larry York

Seconded by David Hahn

THAT By-law 2010-01, being a by-law to authorize the encroachment of a dwelling on the unopened road allowance between Lot 1, Concession 8, District of Portland and Lot 1, Concession 8, District of Loughborough, be read a third time, signed and sealed.

Carried.

(c) By-law 2010-02

Lindsay Mills recommend that the third reading be deferred on this until the Reference Plan is registered.

(d) By-law 2010-03

Resolution No. 2010-1-13
Moved by David Hahn

Seconded by Larry York

THAT By-law 2010-03, being a by-law requiring an Emergency Management Program for the protection of public safety, health, the environment, the critical infrastructure and property and to promote a disaster-resilient community, be read a third time, signed and sealed. Carried.

(e) By-law 2010-04

**Resolution No. 2010-1-14
Moved by Larry York**

Seconded by David Hahn

THAT By-law 2010-04, being a by-law to amend By-law 2003-75, as amended, to rezone lands from Rural (RU) Zone and Limited Service Residential (RLS) Zone to Waterfront Residential (RW) Zone, Part Lot 24, Concession XI, District of Storrington,, be read a third time, signed and sealed. Carried.

(f) By-law 2010-05

**Resolution No. 2010-1-15
Moved by Ron Vandewal**

Seconded by Del Stowe

THAT By-law 2010-05, being a by-law to amend By-law 2003-75 as amended, to rezone lands from Open Space-Public (OS) Zone and Urban Residential-First Density (UR1) Zone to Community Facility (CF) Zone, Part Lot 4, Concession V, District of Loughborough, be read a third time, signed and sealed.

Carried.

(g) By-law 2010-06

**Resolution No. 2010-1-16
Moved by Del Stowe**

Seconded by Ron Vandewal

That By-law 2010-06, being a by-law to amend By-law 2003-75, as amended, to rezone lands from Waterfront Residential (WF) Zone to Limited Service Residential-Waterfront (RSLW) Zone, Part Lot 26, Concession XIV, District of Loughborough, be read a third time, signed and sealed. Carried.

(h) By-law 2010-07

**Resolution No. 2010-1-17
Moved by Ron Vandewal**

Seconded by Del Stowe

That By-law 2010-07, being a by-law to amend By-law 2003-75, as amended, to rezone lands from Urban Residential-First Density Zone (UR1) Zone to Special Urban Residential-First Density (UR1-10) Zone, Part Lot 19, Concession VI, District of Portland, be read a third time, signed and sealed.

Carried.

9. Reports for Information

- (a) Building Department Report for the month of December 2009 and Year to Year Comparison**

10. Information Items

- (a) Invitation for Council to attend the South Frontenac Recreation Committee to discuss 5 Year Recreation Master Plan**

Wayne Orr referred to the invitation for Council to attend this meeting.

- (b) Dell R. Hallett, General Manager/Secretary-Treasurer, Rideau Valley Conservation Authority, re: 2010 Preliminary Budget**

Ron Vandewal referred to the increase and while Council is not supportive of an increase of this size there is not much we can do to change it.

David Hahn stated that South Frontenac is experiencing within this conservation area what Bedford District experienced for waterfront properties.

- (c) Warden Paul Dulmage, County of Lanark, re: Electoral Riding – Lanark Frontenac Lennox & Addington

Ron Vandewal requested that this item be brought forward to the next meeting.

- (d) Township of Frontenac Islands – Part VIII of the Building Code

This item was an addition to the agenda.

Wayne Orr indicated that he and Alan Revill will be attending a meeting to discuss the septic approval process and where the Health Unit stands on this issue. He stated that the KFLA Health Unit has not made any formal decision yet and will still need to provide six months notice to municipalities at that point. He stated that a meeting with Steve Knechtel of the Cataraqui Region Conservation Authority has already taken place as they may consider providing this service.

David Hahn suggested that if the KFLA give notice that a longer time period be requested of them before discontinuing the inspection process.

Ron Vandewal was concerned about staffing if the township is expected to find resources to conduct septic approvals and the fact that there have been discussions about additional staffing for recreational purposes and facility management.

11. New Business

- (a) Ron Vandewal questioned the impact and affects that the harmonized sales tax will have on South Frontenac.

Wayne Orr indicated that staff members have attended training sessions on the HST and that generally the greatest impact will generally come from external contracts.

David Hahn questioned the portion of sales tax that will be refunded.

- (b) Bill Robinson asked if notification of nominations has been posted yet.

Wayne Orr indicated that there is a posting in the front office for the public to view.

- (c) Allan McPhail questioned the status of the Official Plan.

Wayne Orr indicated that it is in the Ministry's hands at this time. He stated that Lindsay Mills is following up and trying to get the process moving forward.

Ron Vandewal stated that the township and the ministry are a long way apart in their position with regard to the Official Plan and he felt we don't want to settle as he felt Council and the Planner have been very clear on their position.

David Hahn felt that the township needs to rationalize the position that they have to the Ministry.

Wayne Orr suggested that the Ministry should be prepared to defend their position.

- (d) **Mark Segsworth informed Council that the next issue of bag tags will be with the March Tax Notices and that he had envisioned that the 50 tags sent out with the 2009 Final Tax Notice should carry residents through to the end of February 2010. He stated that some residents are claiming that they did not receive them or that they threw them out so they are being asked to sign an affidavit before at the township office before any more tags are given out. He noted that the fee for bag tags is \$2.00 per tag effective January 1st, 2010.**

12. Committee Minutes

Resolution No. 2010-1-18

Moved by Del Stowe

Seconded by Ron Vandewal

THAT Council receives the Committee minutes of various Township Committees of Council as presented at the January 12th, 2010 meeting:

- **Minutes of the Library Expansion and Administrative Office Development Committee meeting held December 10th, 2009**
- **Minutes of the Sydenham Water Advisory Committee meeting held December 15th, 2009** (Carried)

13. In-Camera - nil

14. Confirmatory By-law

Resolution No. 2010-1-19

Moved by Del Stowe

Seconded by Bill Robinson

THAT By-law 2010-08, a by-law to confirm generally previous actions of the Council of the Township of South Frontenac, be read a first and second time this 12th day of January 2010. Carried.

Resolution No. 2010-1-20

Moved by Del Stowe

Seconded by Bill Robinson

THAT By-law 2010-08, being a by-law to confirm generally previous actions of the Council of the Township of South Frontenac be read a third time and finally approved this 12th day of January 2010. Carried.

15. Adjournment

Resolution No. 2010-1-21

Moved by Del Stowe

Seconded by Bill Robinson

THAT the Council meeting of January 12th, 2010 be adjourned at 8:36 p.m. Carried



Mayor



Clerk Administrator