

**Meeting No. 4**  
**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. 2010-4-01**  
**Moved by Allan McPhail**

**Seconded by Jim Hicks**

**THAT the Council meeting of February 2<sup>nd</sup>, 2010 be convened at 7:00 p.m.**  
**Carried.**

**2. Declarations of Pecuniary Interest –nil**

**3. Delegations**

**(a) Fran Willes, re: Zoning By-law Amendment Z-09/07 – Gordon**

**Fran Willes asked as a rhetorical question, “what are we doing here?” She indicated that she would not plough old ground but she felt there were still too many unanswered questions and that it was a dangerous move to give third reading to this by-law at this point. She referred to the traffic report and felt that it does not reflect the proposed subdivision. She was concerned about the environmental sensitivity of the area and the watercourse drainage and that it would not recover if the area was polluted. She requested denial of this commercial zoning.**

**(b) Peter Svendsen, re: Zoning By-law Amendment Z-09/07 – Gordon**

**Mr. Svendsen noted that he has expressed his concerns during this process. He stated that there is a pond in the corner shaped like a basin and on level rock. He referred to the last mild weather which made his sump pump level full. He was concerned about the retail operations and how they may affect the downtown businesses as they are not getting rich as it is without any other competition.**

**Mr. Svendsen noted that the hotel has been removed and a house has been added. He was concerned about the run off from this development directly to the lake as well as the water quality. He referred to the drilling of wells and foundations for buildings and if the level of land was raised there will be more problems with run off and drainage. He was also concerned about the possibility of blasting.**

Mr. Svendsen felt that he was not getting the answers to his questions and concerns. He stated that with the water running towards Sydenham Lake there will be a need for more culverts. He compared the basin to water running over the top of a tub and that the water needs to go somewhere.

(c) **Jack Springer, re: Zoning By-law Amendment Z-09/07 – Gordon**

Mr. Springer stated that further to the June 2<sup>nd</sup> public meeting, his main concern remains with the draw down test results. He stated that while his own well was buried, he had agreed to accept the results of the tests conducted on the Willes' well. He stated that the applicant had cancelled the draw down tests and asked that third reading be deferred until tests have been done. He also asked what the impact of assessment would be due to this development.

(d) **Don Simpson expressed his concern with the water supply and water run off. He felt there were no adequate standards in place and questioned what the township standards were for water quality and quantity. He was concerned with the impact that additional proposed developments would also have on water quantity.**

Mayor Davison questioned the draw down tests.

Lindsay Mills stated that the hydro-geological testing has been done.

Ron Vandewal stated that in reviewing Ontario Municipal Board rulings it was evident that the OMB does not support claims if a development is thought to be in competition with existing services and that applications should not be denied by Council for this reason. He referred to water standards and noted that a 6 hour draw down test is required by the municipality.

4. **Public Meeting - nil**

5. **Approval of Minutes**

(a) **Minutes of the Council meeting held January 12<sup>th</sup>, 2010**

Jim Hicks questioned the township policy for building permit fees.

Wayne Orr noted that By-law 1998-06 outlines the fees charged for building permits however there is not a written policy in place to waive fees for building permits.

David Hahn stated that while there is not a policy in place, the evaluation for these requests is on a case by case basis.

Del Stowe asked if Jim Hicks was proposing exemptions from paying building permit fees. He felt Council would not be acting responsibly if they did not enforce the Building Code Act.

Bill Robinson stated that although Council had turned down a request for waiving a building permit fee, that the township is not paying for building permit fees for municipal projects.

Wayne Orr stated that it was clear from discussions at the Committee of the Whole meeting that there will be no further exemptions.

Resolution No. 2010-4-02

Moved by Jim Hicks

Seconded by Allan McPhail

THAT the Council Meeting minutes of January 12<sup>th</sup>, 2010 be approved.

Carried.

**(b) Minutes of the Council Meeting minutes held January 19<sup>th</sup>, 2010**

**Resolution No. 2010-4-03**

**Moved by Allan McPhail**

**Seconded by Jim Hicks**

**THAT the Council Meeting minutes of January 19<sup>th</sup>, 2010 be approved.**

**Carried.**

**6. Business Arising - nil**

**7. Reports Requiring Action**

**(a) Accounts**

**Resolution No: 2010-4-04**

**Moved by Allan McPhail**

**Seconded by Jim Hicks**

**THAT Council approve the payment of the Accounts Payable Voucher dated January 28<sup>th</sup>, 2010 in the amount of \$789,778.67.**

**Carried.**

**(b) Livestock Valuations**

**Resolution No. 2010-4-05**

**Moved by Allan McPhail**

**Seconded by Jim Hicks**

**THAT subject to the completion of the required affidavit, that Council approve the following livestock valuations:**

	<u>NAME</u>	<u>AMOUNT</u>	<u>LIVESTOCK</u>
1.	Kevin Bovey	\$957.60	Two Charlais Cross Steer
2.	Kevin Bovey	\$ 0.00	Two Charlais Heifers
3.	Terry Thake	\$378.00	One Charlais Cross Steer
4.	Martin Oomen	\$200.00	One Pregnant Ewe
5.	Larry Redden	\$378.00	One Limo Calf
6.	Jeff Peters	\$459.20	One Limo Cross Heifer

**Carried.**

**(c) Report from Mark Segsworth, Public Works Manager, re: Loughborough Lake Bridge Tender**

**Mark Segsworth stated that there were nine tenders received for this project and after reviewing the tenders, the consultants have indicated that they have worked with Clearwater and recommended this company for the project. He noted that Clearwater Structures can commence construction in March.**

**Ron Vandewal commended the Public Works Manager on the report.**

**Resolution No. 2010-4-06**

**Moved by Larry York**

**Seconded by David Hahn**

**THAT the bid of Clearwater Structures Inc. in the amount of \$1,376,735.00 for the rehabilitation of Loughborough Lake Bridge be accepted.**

**Carried.**

**(d) Report from, Lindsay Mills, Planning Coordinator, re: Review of Application of Zoning By-law Amendment in Part Lot 5, Concession IV, District of Loughborough (Gordon)**

**Lindsay Mills referenced a letter of petition from Sydenham business owners and their concerns with respect to the duplication of existing services.**

Mr. Mills stated that two public meetings have been held and that the studies submitted have been supportive and that these studies have been peer reviewed. He noted that the studies indicate that this proposal can work as long as certain caveats are put into place such as storm water and gas station waste monitoring. With respect to traffic flow, he noted that the Public Works Department is undertaking a study and review of this area.

Lindsay Mills circulated an excerpt from the Planning Act to Council with respect to site plan control and the comprehensive control Council has if site plan control is requested on developments.

Jim Hicks stated that he would like to defer third reading as he felt that the permitted uses need to be more specific.

Bill Robinson felt the process was moving too fast and that some of the information provided at the meeting should have been included in the Council agenda package.

Ron Vandewal stated that he felt it was tough to support third reading. He wanted to see a Ministry of the Environment response and to have the concerns addressed with respect to the gas station proposal. He questioned the entrance off Sydenham Road. He referred to aerial pictures indicating a dry storage and while he was not opposed to dry storage unit, he felt the proposed uses keep changing. He felt third reading should be deferred to get some answers.

Alan McPhail referred to the whole process and stated that the rules of the Official Plan have been followed and allowed for certain changes to the zoning. He stated that Council has the right to approve uses but hasn't had the opportunity to determine the impact of this development. He felt it was difficult to vote in favour of this as it impacts the existing community and could dramatically change the area, he felt some continuity was needed.

David Hahn felt that there should be special planning policies in place for Sydenham. He noted the concerns of property owners with respect to the impact on the aquifer and neighbouring wells and felt that drawn down tests are necessary. He agreed that site plan control can work for visual buffering but there is no control over the height and density of buildings. He felt that was a potentially large development that is premature for Sydenham and that future development should be considered and planned for properly. He noted that there will be competition for existing businesses but a vision for Sydenham is needed. He felt there is no framework to judge this development proposal as is.

Larry York stated that he agrees with the village residents and that there are too many "maybes". He stated that he would like to see this deferred.

Del Stowe stated that he felt the opportunity for specific planning policies for Sydenham should have been addressed during the Official Plan Review process. He stated that the application has come this far and now a suggestion for specific planning policies for Sydenham has been suggested. He felt the planner has provided the information that Council requires and he was concerned about the timeframe for the application.

Mayor Davison stated that Council can't decide not to allow competition.

Del Stowe asked Lindsay Mills about the water issues. It was confirmed that a second engineering firm has provided a peer review and agreed with the issues.

Bob Clarke referred to the comments made with regard to wells and the hydro-geological study. He stated that it had been determined that the wells did not meet the required regulations and that any testing could potentially lead to contamination. He stated that the hydro-geological test was conducted according to the guidelines and it was demonstrated that there is adequate water supply.

He stated that a qualified engineer has confirmed that the storm water can be managed on site. He noted that it is not the intention of the applicant to draw away from other businesses but to attract more interest and other types of commercial operations. Mr. Clarke also noted that significant sewage treatment will impact the development and be a limited factor.

Del Stowe asked if the storm retention study had been peer reviewed.

Lindsay Mills confirmed that everything had been peer reviewed.

Mark Segsworth stated that while there has been a lot of rumours of other development proposals, without having the opportunity to comment on these proposals it is difficult to comment on the impact. He noted that it would be easier to comment on the cumulative impact of all of the proposed developments within this area.

Del Stowe asked Mark Segsworth if from his perspective was there any reason to hold off on this proposal.

Mark Segsworth stated that any concerns could be addressed through the site plan stage.

Ron Vandewal referred to his earlier comments and that questions have been answered regarding the storm water management however there is still concern with the impact on the water system. He referred to site plan controls and that Council has placed site plan control on other lots where restrictions have been ignored. He stated that there is always a compromise and residents will not be asked to remove what already exists, he felt it was difficult to defend site plan control.

Mayor Davison asked Bob Clarke how long it would take to get the Ministry of the Environment comments.

Bob Clarke stated that the Ministry of the Environment is not typically a commenting authority. He noted that his client will need a decision by March 12<sup>th</sup> when considering the 20 day appeal period.

- (e) Report from Anne Levac, Planning Assistant, re: closing of unopened road allowance, Concession 11, Lots 18 and 19

Lindsay Mills stated that this parcel is a landlocked piece of land with no access to Battersea Road.

Mayor Davison questioned the water flow.

It was noted that the water flows from Troy Lake to Dog Lake.

Lindsay Mills stated that this property does not constitute waterfront.

Mr. Lamour stated that the water flows all year round. He asked if just a portion of the road allowance could be closed.

Lindsay Mills stated that it has not been the policy of council in the past to close small portions of road allowances. He noted that the fee for this section would be \$38,000.00.

Ron Vandewal stated that he has no problem with closing all of this road allowance as the township has no need for it.

Del Stowe stated that if we closed only a portion of this the township gains development.

**David Hahn stated that it has been the practice of Council to close the whole portion of unopened road allowance.**

**Larry York agreed with Councillor Stowe's comment.**

**Jim Hicks felt the whole portion should be closed.**

**Allan McPhail asked what the distance was and suggested a cul-de-sac.**

**Lindsay Mills stated that the construction of a cul-de-sac would cost more than the purchase of the road allowance.**

**Mayor Davison reiterated that the policy is not to sell pieces of a road allowance.**

**Del Stowe asked what the estimated cost would be to purchase half of the road allowance.**

**Lindsay Mills stated that it would be approximately \$20,700.00.**

**Mayor Davison asked if the agreement with Lamour was to buy the property out to the road.**

**Aaron Boulton asked if Council had no need for this road allowance then why was the cost so high.**

**Mayor Davison stated that this is the least expensive as road allowances leading to water are much higher.**

**Del Stowe explained to Mr. Boulton that a study had been conducted previously with respect to the selling of unopened road allowances that provided the guidelines to council for these types of requests.**

**Resolution No. 2010-4-07**

**Moved by David Hahn**

**Seconded by Larry York**

**THAT Council supports in principle the closing of a portion of an unopened road allowance between Lots 18 and 19 in Concession 11, District of Storrington, direct staff to proceed with the road closing process under the conditions outlined above; and specify that the closure and sale of this road allowance does not in anyway represent support for any future development plans. Carried.**

**(f) Sydenham Water – Technical Memo #2A**

**Wayne Orr stated that he had received this late on Friday afternoon. He noted that a resolution from council was necessary for the open house scheduled for February 3<sup>rd</sup>. He noted that it is still anticipated that we are to be within the established budget.**

**Resolution No. 2010-4-08**

**Moved by Larry York**

**Seconded by David Hahn**

**THAT Council approves the recommendations from Technical Memo 2A as prepared by XCG Consultants and direct staff to work with XCG to move forward to the detailed design and tendering stage. Carried.**

**8. By-laws**

**Resolution No. 2010-4-09**

**Moved by Bill Robinson**

**Seconded by Del Stowe**

**THAT third reading of Sally Gordon zoning application be deferred until March 2, 2010.**  
**Carried.**

**9. Reports for Information - nil**

**10. Information Items**

- (a) Honourable Peter Van Loan, Minister of Public Safety, re: response to Township of Frontenac Islands resolution concerning the closure of prison farm operations**

**Ron Vandewal requested that the township re-send the letter of support to Vic Toews, Ministry of Public Safety and copy the correspondence to Prime Minister Harper and Scott Reid, MP.**

**11. New Business**

- (a) 2010 Preliminary Budget Presentation**

**Wayne Orr reviewed his PowerPoint presentation outlining the 2010 preliminary budget highlights which included previous budget changes, assessment breakdown, internal and external changes, the status of stimulus projects and staffing needs. A copy of his presentation is attached.**

**Ron Vandewal questioned the special charge for the arena and questioned the increase.**

**Deb Bracken, Treasurer, explained that the 2009 budget wasn't finalized and while Bedford and Portland pay 59%, we are also invoiced for Loughborough and Storrington share. She noted that Jim Stinson had recommended the 2010 budget be the same as the 2009 actual.**

**With respect to the stabilization charge for the building department, Wayne Orr explained that this is a seasonal reserve which is dependent on new construction.**

**Allan McPhail referred to the final percentage on the impact of assessed value and asked if the assessment increase had been factored in.**

**Deb Bracken stated yes, however assessment growth is difficult to phase in.**

**Del Stowe commended the CAO on the presentation and questioned the \$85.00 garbage charge.**

**Wayne Orr explained that this will be the cost to balance the charge and cover the collection component for garbage and recycling.**

**David Hahn stated that an average did not previously exist and noted that one district will be provided with a higher level of service.**

**Wayne Orr stated that this is the transition year as there is no previous comparison due to an amalgamated budget. He stated that Council will have a further opportunity to review the preliminary budget in detail on February 16<sup>th</sup>.**

- (b) Jim Hicks asked for the name of the gentlemen who received a leather jacket from the Fire Department and which district he provided training for.**

**Fire Chief Chesebrough stated that Mr. John Fox has provided training to all four districts within South Frontenac free of charge. He stated that this was a small token of appreciation to Mr. Fox for his expertise.**

- (c) **Jim Hicks inquired about the status of the bridge on Shales Road.**

**Mark Segsworth stated that a temporary guiderail has been installed on the bridge structure and that the proper requests for the tender process will be started in the spring.**

- (d) **Jim Hicks asked about the status of phone bills for the Storrington Centre as there is currently \$5000.00 per year charged for telephone service to this building.**

**Wayne Orr stated that work is being done on this but it is not yet resolved.**

- (e) **Del Stowe asked about the gas tax funds and why the township is not able to use these funds.**

**Mayor Davison stated that he was quite certain that there will be more money coming to the municipality.**

- (f) **Del Stowe questioned the status of the vehicle use policy.**

- (g) **Bill Robinson referred to the January 28<sup>th</sup> edition of the Frontenac EMC with respect to the \$45 million County Budget. He encouraged fellow council members to read this article given South Frontenac's share in this budget.**

- (h) **Ron Vandewal referred to Del Stowe's comments concerning the gas tax funding. He noted that the ICSP dictated how the money gets spent. He felt there have been several studies conducted and money was being wasted on studies.**

**Mayor Davison stated that we will be looking for more this year and they are trying to whittle down this process but reminded Council that this process is all driven by legislation.**

## **12. Committee Minutes**

**Resolution No. 2010-4-10**

**Moved by Bill Robinson**

**Seconded by Del Stowe**

**THAT Council receives the Committee minutes of various Township Committees of Council as presented at the February 2nd, 2010 meeting:**

- Minutes of the South Frontenac Recreation Committee meeting held January 11<sup>th</sup>, 2010**
  - Minutes of the Fire Coordinating Committee meeting held January 18<sup>th</sup>, 2010,**
  - Minutes of the Sydenham Water Advisory Committee meeting held January 19<sup>th</sup>, 2010**
- Carried.**

## **13. In-Camera**

**Resolution No. 2010-4-11**

**Moved by Larry York**

**Seconded by David Hahn**

**That the Council meeting of February 2<sup>nd</sup>, 2010 move in-camera to discuss matters related to personnel, property matters and litigation.** **Carried.**

**Resolution No. 2010-4-12**

**Moved by Del Stowe**

**Seconded by Bill Robinson**

**That the Council meeting of February 2<sup>nd</sup>, 2010 move out of in-camera.**

**Carried.**

**14. Confirmatory By-law**

**Resolution No. 2010-4-13  
Moved by Del Stowe**

**Seconded by Bill Robinson**

**THAT By-law 2010-11, 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 2nd day of February 2010. Carried.**

**Resolution No. 2010-4-14  
Moved by Ron Vandewal**

**Seconded by Del Stowe**

**THAT By-law 2010-11, 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 2nd day of February 2010. Carried.**

**15. Adjournment**

**Resolution No. 2010-4-15  
Moved by Del Stowe**

**Seconded by Ron Vandewal**

**THAT the Council meeting of February 2nd, 2010 be adjourned at 9:15 p.m. Carried.**

  
\_\_\_\_\_  
**Mayor**

  
\_\_\_\_\_  
**Clerk-Administrator**