

Meeting No.7

Time: 7:00 p.m.

Location: Sydenham

Present: Mayor, Gary Davison
Deputy Mayor Mark Tinlin
Councillors, John McDougall
Allan McPhail
Cam Naish
Bill Robinson
Larry York

Absent: Del Stowe
Ron Vandewal

Staff: Wayne Orr, Clerk-Administrator; Angela Maddocks, Confidential Secretary, Mark Segsworth, Public Works Manager, Ashley Brown, Recreation Coordinator

1. Call to Order

Resolution No. 2011-07-01

Moved by Councillor McDougall

Seconded by Deputy Mayor Tinlin

**THAT the Council meeting of February 15th, 2011 be convened at 7:00 p.m.
Carried.**

2. Declarations of Pecuniary Interest - nil

3. Delegations

(a) Scott Asselstine, re: Site Plan requirements for Concession VII, Part Lot 6

Scott Asselstine referred to the February 1st Council meeting and the public meeting for rezoning this property. Mr. Asselstine indicated that he was unable to attend that meeting. He explained that the proposed mini storage units are designed to address the concerns of the neighbouring property owner to the south and face north so that all lighting from this building will face the north. He stated that he was unaware of the new requirements for the site plan. He noted that he has not received any complaints from the neighbours to the north and that he was not aware of the fencing requirement to the north. He was concerned about the fencing requirement for the lot severed north of the car wash as the solar panel system can't be shadowed by anything otherwise power is cut to the other units in the panel; a six foot fence would block the lower panels.

Councillor Robinson referred to two separate developments on the north and south end of Harrowsmith. He questioned why Council was hanging onto the old site plan as the township planner indicated that Council can make any changes they wish. He felt that there has never been a requirement for a deposit before on a site plan. He noted that the property is already three feet below the road. He commented that the property owners were upstanding business people and he does not like individuals telling Council what to do.

Councillor York stated that Mr. Asselstine owns the entire block on the east side of Road 38 with the closest house being 400 feet away and 700 feet being the distance from the car wash to the complainant's house.

4. **Public Meeting - nil**
5. **Approval of Minutes**
- (a) **Council Minutes**

Resolution No. 2011-07-02

Moved by Deputy Mayor Tinlin Seconded by Councillor McDougall

**THAT the Council meeting minutes of February 1st, 2011 be approved.
Carried.**

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

Resolution No. 2011-07-03

Moved by Councillor McDougall Seconded by Deputy Mayor Tinlin

**THAT the Committee of the Whole meeting minutes of February 8th, 2011
be approved. Carried.**

6. **Business Arising**

- (a) **Councillor McPhail questioned the mandate of the Point Park Improvement Committee and requested clarification of the role of this committee.**

Wayne Orr, CAO, stated that this committee was established as a sub-committee of Loughborough Recreation but there is no mandate other than fundraising at this point.

7. **Reports Requiring Action**

- (a) **Accounts**

Resolution No. 2011-07-04

Moved by Deputy Mayor Tinlin Seconded by Councillor McDougall

THAT Council approve the payment of the Accounts Payable Voucher dated February 10th, 2011 in the amount of \$391,227.82. Carried.

- (b) **Report from Lindsay Mills, Planning Coordinator, re: Review of application for Zoning By-law Amendment in Part of Lot 6, Concession VII, Portland District**

Wayne Orr spoke to this report and noted that there are five questions on Page 17 of the agenda package that Council needs to consider in order to move this application forward.

- 1) **Should the fence and plantings at the north of the site and the landscaping along Road 38 at the west side of the site still be required?**

Councillor Robinson questioned which site plan was being used as he thought there were only two trees, but the drawing shows five trees. He asked if there was another site plan that council is not aware of.

Mayor Davison commented that if the mini storage building is not constructed then there will be more trees required. He also noted that items A, B and C are items for Council to make a decision on.

Deputy Mayor Tinlin felt that if Council agreed to the new site plan and if the mini storage building was constructed then there was not a need for trees on the south end.

Councillor McPhail felt that the tree buffer (item B) could be waived if it interfered with the solar panels, and item C, the buffer along Road 38 in front of the car wash could be waived as there is no room for trees as the lot is paved right to the township road allowance. He approved of the trees along the south end behind the proposed mini storage building.

Mayor Davison felt that there was not a need for fencing around the entire property and he didn't want to impact the solar panel.

Councillor Robinson commented that he felt there was not a need for more trees on the north as there are existing trees there now. He felt there was no need for items A, B or C.

Councillor McDougall felt there is a need for compromise to address the concerns of neighbours. He felt it would be okay to leave out the trees, but if the mini storage building is not constructed, he agreed with the trees as a buffer. He felt there should be something in place for the north end of the property for a buffer.

Councillor York felt the site plan should allow for the front of the property to remain opened up for advertising.

Wayne Orr clarified the rationale behind having items B and C in place.

Councillor Naish felt that items A, B and C could be eliminated as the mini storage building addressed the main concern which was the lighting on this property affecting the neighbour's property.

2) If the above landscaping items are required, should the size of the trees be specified?

Wayne Orr explained that if the property is rezoned but there is no mini storage building constructed there would be a new site plan in place.

Councillor York was concerned with the tree size requirement as the root system can affect the structure or the footings of a building.

Councillor Robinson felt Council should vote on these items.

Wayne Orr explained that this discussion is an attempt to prepare a firm document that will identify what Council wants in the site plan and specifically if there is a requirement for the size of trees.

Mayor Davison felt there should be a required size for the trees and not shrubs.

Councillor McPhail felt that there should be a minimum requirement for trees of 5 feet or something equivalent to greenhouse stock.

Councillor Robinson referred to the absence of two Councillors and asked if Council will have to go through this discussion again.

Mayor Davison responded that while these councillors can offer comments, the decision for the new site plan will be decided upon at this meeting.

Councillor York felt it was okay to ask for a five foot tree requirement; however some trees can be 20 feet around. He felt the requirement should be 10 feet.

Wayne Orr noted that the general consensus was to specify the tree height at 5 to 6 feet.

- 3) Should the owner be required to undertake a traffic study and do the upgrades to Road 38 if the study determines it is necessary?**

Councillor Robinson felt there was no reason for a traffic study as this section of Road 38 is level.

Councillor McPhail felt that a mini storage facility will not generate more traffic.

Deputy Mayor Tinlin recognized that the traffic study is only one part and the cost for a turning lane is expensive. He felt there is no evidence to prove increased traffic.

Councillor McDougall agreed that there would not be an increase in traffic going into this site.

- 4) Is June 30, 2011 the date Council wishes to use as a completion date?**

Wayne Orr noted that Mr. Asselstine has indicated that he can't meet the June 30th deadline and another completion date needs to be defined.

Mayor Davison agreed that June 30th would not be a feasible time to have construction completed.

When asked by Councillor Naish what time frame would work best, Scott Asselstine felt the construction could be completed by September 30th.

Councillor McPhail suggested that the date be October 30th to give some leeway.

Wayne Orr noted that if the construction is not completed then the township is back to square one with this proposal.

- 5) Is \$5000.00 an acceptable security in this situation?**

Councillor Robinson questioned why the security amount was so high as the township only asks for \$800.00 as a deposit for swimming pools.

Wayne Orr explained that this amount represents the cost to the township to have the work completed should the owner not follow through with the site plan requirements.

Councillor McPhail felt this was an appropriate amount.

Deputy Mayor Tinlin felt this amount was okay and shows good faith that the work will be completed.

Councillor Naish agreed with the \$5000.00 amount.

Councillor York felt this amount was high.

Mayor Davison reminded Council that this is a refundable deposit.

Scott Asselstine stated that he has no problem with the security amount however he wanted the wording to be the same as the original site plan.

Wayne Orr replied no, the rezoning will have a new site plan.

- (c) Report from Wayne Orr, Chief Administrative Officer, re; Closed Meeting Investigator**

Wayne Orr spoke to his report and noted that this is a one year appointment with an option for renewal. It is on the same basis as before with no up front costs.

Deputy Mayor Tinlin asked if there were any retainer fees associated with this renewal.

Wayne Orr confirmed that there is no retainer fees involved.

(See By-law 2011-10)

(d) **Report from Ashley Brown, Recreation Coordinator, re: Triathlon – Somersault Events – July 3, 2011**

Ashley Brown, Recreation Coordinator referred to her report and the request from Somersault Events to host another triathlon event in Sydenham in July as they have for the past two years. She noted that this has been a popular event that has drawn approximately 400 participants last year. Somersault Events have requested that South Frontenac provide a letter of agreement which would cover a five year period so that annual approvals are not needed. There is a provision for either party to opt out of the agreement by giving a 9 month notice.

Councillor Naish referred to the closing of the boat ramp and questioned the opportunity for the public to view this event.

Ashley Brown confirmed that the public will still be able to watch the entire event.

Councillor Robinson asked if this agreement excludes the use of the football field.

Wayne Orr noted that this group will need the use of the football field.

Mayor Davison referred to #3 of the agreement with respect to community organizations, local charitable groups being involved in this event and questioned what benefits there may be to the community.

Ashley Brown noted that Somersault has donated to the legion and the Cataragui Trail.

Councillor McPhail questioned the clause concerning the township being saved harmless of all event related costs.

Ashley Brown confirmed that there is no financial burden or liability for the township.

Councillor McPhail asked if there was a listing of items to be covered under their costs.

Wayne Orr noted that Somersault Events will be paying the OPP for their part in the event, they will also be paying for the pumping of the septic system and any other direct costs will be billed to them.

Councillor Robinson and Councillor York were concerned about liability.

Mayor Davison reiterated that Somersault Events have their own liability insurance and they recognize that it is their responsibility.

Ashley Brown confirmed that there is a reciprocal escape clause in this agreement.

Resolution No. 2011-07-05

Committee should be bringing the draft conceptual plan for Point Park improvements to Council.

Resolution No. 2011-07-07

Moved by Councillor McPhail

Seconded by Councillor York

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

- **By-law 2011-10**
- **By-law 2011-11**
- **By-law 2011-12 (as amended)**

Carried.

(a) By-law 2011-10

Resolution No. 2011-07-08

Moved by Councillor McPhail

Seconded by Councillor York

THAT By-law 2011-10, being a by-law to appoint Fournier Consulting Services as the meetings investigator, pursuant to Sections 8, 9 and 10 and 239.1 of the Municipal Act, 2001, as amended, be read a third time, signed and sealed.

Carried.

(b) By-law 2011-11

Resolution No. 2011-07-09

Moved by Councillor McPhail

Seconded by Councillor York

THAT By-law 2011-11, being a by-law to provide for an interim tax levy; payment of taxes; to provide for penalty and interest of 1.25% on tax arrears per month, be read a third time, signed and sealed.

Carried.

(c) By-law 2011-12

Resolution No. 2011-07-10

Moved by Councillor McPhail

Seconded by Councillor York

THAT By-law 2011-12, being a by-law to appoint persons, including Council members to various boards, committees and associations for the term 2010-2014, be read a third time, signed and sealed as amended.

Carried.

9. Reports for Information - nil

10. Information Items

(a) Ministry of Agriculture, Food and Rural Affairs, - Important Training for Municipal Councillors – CED 101 Fundamentals of Economic Development

(b) Quinte Region Drinking Water Source Protection – Meeting Summary – January 2011

11. New Business

12. Committee Minutes

Resolution No. 2011-07-11

Moved by Councillor McPhail

Seconded by Councillor York

THAT Council receives the committee minutes of the various Township Committees of Council as presented at the February 15th, 2011 meeting:

- **Minutes of the Loughborough Recreation Committee meeting held November 29th, 2010**

Carried.

13. In Camera

Resolution No. 2011-07-12
Moved by Councillor York

Seconded by Councillor Naish

THAT the Council meeting of February 15th, 2011 move in-camera to discuss matters related to personnel, property matters and litigation. Carried.

Resolution No. 2011-07-14
Moved by Councillor Robinson

Seconded by Councillor Naish

THAT the Council meeting of February 15th, 2011 move out of in-camera. Carried.

14. Confirmatory By-law

Resolution No. 2011-07-15
Moved by Councillor Naish

Seconded by Councillor Robinson

THAT By-law 2011-13, a by-law to confirm generally previous actions of the Council of the Township of South Frontenac, be given read a first and second time this 15th day of February 2011. Carried.

Resolution No. 2011-07-16
Moved by Councillor Robinson

Seconded by Councillor Naish

THAT By-law 2011-13, be read a third time, signed and sealed this 15th day of February 2011. Carried.

15. Adjournment

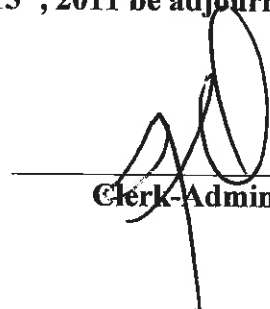
Resolution No. 2011-07-17
Moved by Councillor Naish

Seconded by Councillor Robinson

THAT the Council meeting of February 15th, 2011 be adjourned at 8:35 p.m. Carried



Mayor



Clerk-Administrator