

Meeting No. 28

Time: 7:00 p.m.

Location: Sydenham

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

Staff: Wayne Orr, Clerk-Administrator, Lindsay Mills, Planning Coordinator,
Ashley Belanger, Recreation Coordinator, Angela Maddocks,
Confidential Secretary

1. Call to Order

Resolution No. 2011-28-01

Moved by Councillor Stowe

Seconded by Councillor McDougall

**THAT the Council meeting of September 6th, 2011 be convened at 7:00 p.m.
Carried.**

2. Declarations of Pecuniary Interest

**Councillor Robinson declared a pecuniary interest with respect to Page 34 of
the Accounts Payable Voucher.**

3. Delegations

(a) Bill Votary – Drainage problem on Perth Road

**Bill Votary referred to the correspondence submitted to Council with
respect to a culvert that was replaced about twelve years ago and runs
under Perth Road and drains water from his property. He stated that prior
to the culvert being replaced water flowed steadily and evenly away from
his property but ever since this culvert has been replaced the water no longer
flows due to what he feels is the fact that the culvert is not level.**

**Councillor Vandewal commented that there is construction work proposed
in 2012 in Perth Road village and he felt this problem could be rectified at
this point; however he explained that it would be very expensive to dig up
County Road 10 just for this single culvert.**

**Councillor York noted that he has looked at this site and felt that the
culvert was higher on Mr. Votary's side therefore the water is being held in
his field.**

**Councillor Robinson asked why it has taken so long for this problem to be
addressed and felt this should have been looked at a long time ago.**

**Mayor Davison indicated that the magnitude of this job needs to be
considered.**

Deputy Mayor Tinlin asked if the cost of this repair has been determined.

**Wayne Orr noted that shots and elevations have been taken however there
is not a cost associated with this project.**

Councillor Stowe felt Council should give Mr. Votary some assurance that this work will be done in 2012 and suggested that a written response to Mr. Votary take place so that he has confirmation of the commitment to have this addressed.

Councillor Naish suggested that a report from the Public Works Manager regarding the cost of repair and timeframe for this work be requested.

Councillor Robinson asked if this problem was something South Frontenac caused.

Mr. Votary felt it was the township's error that caused the drainage problem.

Councillor McPhail questioned the proper procedure for this matter and if it should have been addressed by the Public Works Services Committee first.

(b) Mel Therien – Day Property – Harrowsmith Road

Mr. Therien referred to choices made and choices being made with respect to the Day property and illegal track use. He noted that he had no problem with the grass drags but on Labour Day weekend there were also motor bikes on the property. He felt the owner is being rewarded for doing wrong. He was concerned about the lack of guidelines, the over use of the rail bed and the danger that cyclist are put in. He reiterated the strong opposition from residents and the township planner to approve this use. He felt this practice does not fit with the green image that the County is promoting.

Councillor Robinson felt this matter was blown out of shape from the beginning and he felt there is no problem with the mud drags held in Verona. He commented that he lives closer to the site than the residents who are opposed to the operation.

Councillor Vandewal commented that the K& P Trail is not a township responsibility but felt there is a need for barricades to stop ATV's using the trail.

Mayor Davison stated that it is difficult to barricade those portions of the trail where private property owners are involved.

Councillor McDougall referred to the events from the past weekend on the Day property as he had attended the site.

4. In-Camera

Resolution No. 2011-28-02

Moved by Councillor McDougall

Seconded by Councillor Stowe

THAT the Council meeting of September 6th, 2011 move in-camera to discuss matters related to personnel and litigation. Carried.

Resolution No. 2011-28-04

Moved by Councillor McDougall

Seconded by Councillor Stowe

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

5. Public Meeting - Nil

6. Approval of Minutes

(a) Council Meeting

Resolution No. 2011-28-05

Moved by Councillor Stowe Seconded by Councillor McDougall

THAT the minutes of August 2nd, 2011 Council meeting be approved. Carried.

(b) Special Council Meeting

Resolution No. 2011-28-06

Moved by Councillor McPhail Seconded by Councillor York

THAT the minutes of the August 16th, 2011 Special Council meeting be approved. Carried.

7. Business Arising from the Minutes

(a) Notice of Motion - Dog Licensing

Councillor Naish commented that he did not have an objection to the door to door sale of dog tags but was more concerned with the time frame in which By-law Enforcement Officers were requested to conduct the sales. He suggested that in the future there be a May 1st start for door to door sales.

Councillor Vandewal stated that he did not support the resolution as written but would support this matter being reviewed by the Corporate Services Committee.

Councillor McPhail agreed with Councillor Vandewal's opinion and felt this was the role of the Corporate Services committee to make recommendations or changes to the process.

Councillor York agreed to have this reviewed by Corporate Services.

Resolution No. 2011-28-07

Moved by Councillor York Seconded by Councillor McPhail

THAT Council directs staff to cease the process of having Animal Control Officers conduct a door to door review for unlicensed dogs and further to direct the process back to the Corporate Services Committee to review the legality of the issue. Defeated.

8. Reports Requiring Action

(a) Accounts

Resolution No. 2011-28-08

Moved by Councillor York Seconded by Deputy Mayor Tinlin

THAT Council approves the payment of the Accounts Payable Voucher dated July 28th, 2011 in the amount of \$2,559,990.53. Carried.

(b) Report from Ashley Brown, Recreation Coordinator, re: Changes to the Capital Budget

Ashley Belanger spoke to her report and the requests made by South Frontenac Recreation Committee to reallocate funds.

Councillor Vandewal was supportive of the reallocation of funds for Portland District for a multi use concrete pad, however he questioned the mold problem at Bedford Hall and felt this should come from the South

Frontenac Budget. He thought that the restorations to the Old School in Hartington didn't come out of the Recreation Budget.

Wayne Orr noted that Bedford Hall falls within the Recreation Budget.

Councillor York agreed that mold is a health problem and should be looked at as soon as possible.

Councillor Robinson also agreed that the problem needs to be looked at but questioned where the money would be coming from.

Councillor McPhail asked if the location of the cement pad has already been Approved by the committee and is of a worthwhile nature.

Ashley Belanger confirmed that both committees are in agreement of these changes in projects.

Councillor McPhail felt that the mold should be part of the Recreation Capital Budget.

Wayne Orr stated that the mold problem is due to the outcome of poor maintenance over the years.

Deputy Mayor Tinlin commented that the Bedford Hall is not just for recreation purposes and he felt there are a lot more upgrades necessary for this building.

Councillor McDougall noted that the concrete pads will be installed near the location of the existing horseshoe pits.

Councillor Stowe noted the need to assess the issue of the mold and what is causing the problem, whether it is leakage or a moisture problem so that this does not keep reoccurring.

Councillor Vandewal noted the other items that also need to be assessed such as ventilation. He also felt there needs to be a determination with regard to how often this facility is being used.

Resolution No. 2011-28-09

Moved by Councillor York

Seconded by Councillor McPhail

THAT Council approve the recommendation of the South Frontenac Recreation Committee (SFRC) and the Portland Recreation Committee to defer the construction of a stage and outdoor ice rink at Centennial Park and reallocate the budget to pour a concrete pad at Centennial Park for multiple usages.

Carried.

Resolution No. 2011-28-10

Moved by Councillor York

Seconded by Councillor McPhail

THAT Council approve the recommendation of SFRC and Bedford Recreation Committee to defer the structural review and Old Canteen repairs at the Bedford Hall and reallocate the budget to assess and address the issue of mold located at Bedford Hall.

Carried.

(c) Report from Anne Levac, Planning Assistant, re: Assumption of Road

Lindsay Mills noted that the lands identified are being deeded to the township for road widening purposes as conditions of severances in 2007.

(See By-law 2011-54)

- (d) **Report from Lindsay Mills, Planning Coordinator, re: Proposed Zoning By-law Amendment Z-11/09, Concession III, Part Lot 1, District of Portland**

Lindsay Mills reminded Council that the specific zoning to permit a sawmill needs to be removed from the newly severed lots and that Council had delayed third and final reading until the site plan agreement was registered on title which has now been done.

(See By-law 2011-46)

- (e) **Report from Lindsay Mills, Planning Coordinator, re: Proposed Temporary Use Zoning By-law in Part Lot 4, Concession IV, Portland District**

Lindsay Mills referred to his report and the proposed temporary use to allow motocross racing and an accessory camping use. He recommended denial of the temporary use by-law.

Councillor Robinson thought that Council had already agreed to permit a trial period and felt it should be granted.

Councillor Vandewal commented that the grass drags that have taken place over the past several years would be a “grandfathered” use; however the dirt bikes are not a part of the grandfathered use. He noted that he has been supportive of one event per year only since this item originally came to Council.

Deputy Mayor Tinlin was not supportive of the use and rezoning. He noted the strong objections from surrounding neighbours and that the use is incompatible with the Official Plan.

Councillor McDougall indicated that he had attended the snowmobile grass drags on Sunday for a couple of hours and during that time frame there were also quads and ATV’s. He was concerned with the safety of the “rope” fence and felt that it was inadequate as this type of fencing would not be acceptable as a safety measure at township ball diamonds. He felt that the noise was not as bad as the noise that occurs at the mud drags in Verona. He noted that there appeared to be no sense of control over the small bikes that were racing all over the site. He felt the small bikes lead to a very dangerous situation and overall he was not impressed.

Councillor York agreed with that Deputy Mayor Tinlin and Councillor Vandewal’s comments. He was okay with permitting one event however he felt more events have been added.

Lindsay Mills noted that Mr. Day provided a petition from community members in favour of the use.

- (f) **Report from Lindsay Mills, Planning Coordinator, re: Endorsement of County of Frontenac Resolution regarding the location of ground-mounted solar panels**

Lindsay Mills explained that when the Green Energy Act came into effect it exempted renewable energy projects from having to adhere to any of the provisions of the Planning Act or the Environmental Protection Act, therefore municipalities are not able to use the normal development controls such as zoning setbacks or site plans to control the scale or location of such developments. The County of Frontenac is looking for support recommending the Ministry of Municipal Affairs to update the Provincial Policy Statement to include measures that allow the municipality to have the ability to use some planning tools to ensure new ground-mounted solar panels are installed in locations that do not cause negative impacts on adjacent properties.

Councillor Vandewal supported the request to a degree however he felt that municipalities should only provide comment as this should not be a local issue.

Councillor Stowe commented that at the recent AMO Conference it was recognized that while the Green Energy Act stimulated the economy there is a need to have some restrictions in place.

Lindsay Mills felt there should be setback requirements to allow for proper maintenance of the solar panels.

Councillor McPhail felt that the positioning of solar panels is important.

Councillor Robinson stated that the direction and placement of solar panels may affect the use of personal property.

Councillor Vandewal felt the best that municipalities will get is to provide comment.

Councillor Robinson asked for a recorded vote.

Resolution No. 2011-28-11

Moved by Deputy Mayor Tinlin

Seconded by Councillor Robinson

THAT Council endorse the County of Frontenac's resolution and send a recommendation to the Ministry of Municipal Affairs and Housing that provisions be included in the upcoming revised Provincial Policy Statement to allow municipalities to have some zoning controls over the location of ground mounted solar panel structures. Carried.

RECORDED VOTES

	YES	NO	ABSTAIN
J. McDougall	√		
A. McPhail	√		
C. Naish	√		
B. Robinson		√	

	YES	NO	ABSTAIN
D. Stowe		√	
M. Tinlin	√		
R. Vandewal		√	
L. York		√	
G. Davison	√		

(g) Report from, Lindsay Mills, Planning Coordinator, re: Drinking Water Source Protection: Cataraqui Protection Area Draft Policies

Lindsay Mills explained that the purpose of this report is to respond to an invitation to provide comments on some of the draft policies prepared by the Cataraqui Source Protection Committee that have been prepared as part of a program under the Clean Water Act to restrict and control development in areas where drinking water threats have been identified. He noted that the majority of the activities that the Ministry of the Environment has deemed to be significant drinking water threats do not occur in Cataraqui's intake protection zones and wellhead areas based on local characteristics and settlement patterns.

Councillor McPhail explained that items that will have to be dealt with are in the IPZ #1 and will be clearly indicated by the use of the word "shall", the IPZ #2 will refer to items that "should" be addressed. He noted that the Sydenham area will not be required to have a protection plan in place.

Mayor Davison commented that municipalities have been encouraged to provide input on the overall document with the final draft expected to be completed in 2013.

Councillor Vandewal stated that we already have zoning controls in place in our by-law and that the township has been diligent in improving salt management. He felt that the conservation authority should have the jurisdiction to conduct inspections, checks and balances.

Mayor Davison stated that the final plan will address who will be responsible for ensuring these inspections are complete. He also noted that the Nutrient Management Act brought about the concerns about drinking water protection.

Councillor York commented that most of the requirements are already in place and that we already have good guidelines.

Councillor Vandewal felt that Council should not be endorsing the report but that the resolution should be amended to state that the report is being "received".

Councillor McPhail noted that Council would be endorsing the Planner's report and not the comments and outcomes defined by the Cataraqui Region Conservation Authority.

Resolution No. 2011-28-12

Moved by Councillor Robinson Seconded by Deputy Mayor Tinlin

THAT Council receives the Planning Report dated August 30, 2011, containing initial comments on the Drinking Water Source Protection Act, Cataraqui Source Protection Area Draft Policies and that the report and Council comments be forwarded to the Cataraqui Region Conservation Authority as representing the Township's initial comments on the draft policies.
Carried.

(h) Report from Wayne Orr, Chief Administrative Officer, re: Office Redesign

Wayne Orr spoke to his report regarding the office redesign for George Street. He noted that the costing estimate is double what has been budgeted and he outlined the scope of the work that was included. He noted that council originally felt there was merit in making the council chambers accessible if the cost was reasonable.

Councillor Stowe was 100% in favour of an accessible washroom being installed as he felt the current arrangement of going outside of the council chambers and re-entering the building is not accessible.

Councillor Vandewal asked if there were any funding opportunities available for this project. He felt the upgrades for accessibility were not a requirement.

Wayne Orr commented that there are opportunities for funding that would mean that the project would have to be done separately. He noted that the \$350,000.00 portion needs to be done as this was part of the primary objective to relocate the Treasury Staff to the George Street site.

Councillor McDougall supported the inclusion of the accessible washroom.

Deputy Mayor Tinlin also supported the accessible washroom upgrade.

Resolution No. 2011-28-13

Moved by Deputy Mayor Tinlin Seconded by Councillor Robinson

THAT Council instruct staff to proceed with tendering the George Street renovations,

THAT Council instruct staff to proceed with tendering the additional renovations to the Council Chambers to add an accessible washroom.

Carried.

RECORDED VOTES

	YES	NO	ABSTAIN
J. McDougall	√		
A. McPhail	√		
C. Naish	√		
B. Robinson	√		

	YES	NO	ABSTAIN
D. Stowe	√		
M. Tinlin	√		
R. Vandewal		√	
L. York	√		
G. Davison	√		

9. By-laws

Resolution No: 2011-28-14

Moved by Councillor Robinson Seconded by Deputy Mayor Tinlin

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

- **By-law 2011-54**
- **By-law 2011-55**
- **By-law 2011-56**

Carried.

(a) By-law 2011-46

Resolution No. 2011-28-15

Moved by Deputy Mayor Tinlin Seconded by Councillor Robinson

THAT By-law 2011-46, being a by-law to amend By-law 2003-75, as amended, to rezone lands from Special Rural Zone (RU-28) to Rural Zone (RU), Part Lot 1, Concession III, District of Portland, be read a third time, signed and sealed.

Carried.

(b) By-law 2011-54

Resolution No. 2011-28-16

Moved by Councillor Vandewal Seconded by Councillor Naish

THAT By-law 2011-54, being a by-law to assume as common and public highway certain lands in the Township of South Frontenac pursuant to Section 31 (6) of the Municipal Act, 2001, be read a third time, signed and sealed.

Carried.

(c) By-law 2011-55

Resolution No. 2011-28-17

Moved by Councillor Naish Seconded by Councillor Vandewal

THAT By-law 2011-55, being a by-law to amend By-law 2003-75, as amended, to temporarily rezone lands from Rural Zone (RU) to Special Rural Zone (RU-47), Part Lot 4, Concession IV, District of Portland, be read a third time, signed and sealed.

Defeated.

RECORDED VOTES

	YES	NO	ABSTAIN
J. McDougall		√	
A. McPhail	√		
C. Naish	√		
B. Robinson	√		

	YES	NO	ABSTAIN
D. Stowe		√	
M. Tinlin		√	
R. Vandewal		√	
L. York	√		
G. Davison		√	

(d) By-law 2011-56

Resolution No. 2011-28-18

Moved by Councillor Vandewal Seconded by Councillor Naish

THAT By-law 2011-56, being a by-law to authorize the Mayor and the Clerk to execute a Site Plan Agreement between the Corporation of the Township of South Frontenac and William Day, be read a third time signed and sealed.

Defeated.

(e) By-law 2011-57

Resolution No. 2011-28-19

Moved by Councillor Naish Seconded by Councillor Vandewal

THAT By-law 2011-57, being a by-law to appoint a Treasurer and Tax Collector be given first and second reading.

Carried.

Resolution No. 2011-28-20

Moved by Councillor Vandewal Seconded by Councillor Naish

THAT By-law 2011-57, being a by-law to appoint a Treasurer and Tax Collector, be read a third time, signed and sealed.

Carried.

10. Reports for Information - nil

11. Information Items

(a) Virginia Lavin, Event Coordinator, re: Invitation to attend the 150th Anniversary Celebration of the Village of Bell Rock

Mayor Davison encouraged Council members to attend this celebration as he is unable to attend this function.

12. New Business

(a) Councillor Robinson asked for follow up on his previous request with respect to an inventory of all township assets. He stated that he has requested this information before and has not received any response.

Wayne Orr explained that Councillor Robinson's request was referred to the Public Works Services Committee. He noted that in PSAB requirements there is an existing inventory in place however the committee is working on determining the level of inventory to be included and are still trying to evaluate this process.

Councillor McDougall commented that this matter has been discussed at two meetings however other issues have taken priority.

(b) Councillor Robinson also requested an update on the status of the maintenance on the Pleasant Valley Municipal Drain.

(c) Councillor Vandewal presented a painting that was given to him by John Wilson. The painting, done by township resident Don Connolly, is a winter scene of the municipal building. Councillor Vandewal felt this could be placed somewhere in the offices.

(d) Councillor Vandewal referred to the recent AMO Conference that the Mayor and Public Works Manager had been registered to attend but due to circumstances neither was able to attend. He reminded Council that members are only paid to attend one conference per year and he felt that the registration fees could have been refunded instead of sending alternate representatives. He felt that even if the registration fee was not refundable it

would have been cheaper not sending other Council members given the cost to reimburse for travel and meals etc.

- (e) Councillor Vandewal disagreed with the format of the meeting and having the in-camera session at the beginning and asking the public to leave the Council Chambers. He suggested that meetings should start earlier if this format is repeated.

Wayne Orr stated that the procedural by-law will be addressed with the Corporate Services Committee.

Councillor McPhail suggested that the in-camera session could be held first with a 15 minute break before the regular meeting starts.

Deputy Mayor Tinlin agreed with an earlier start as he had suggested this during the strategic planning session.

- (f) Councillor Vandewal questioned the cancellation of summer Council meetings as he felt residents had to wait too long for approval of applications.

Wayne Orr indicated that this will also be discussed at a Corporate Services Committee meeting.

Councillor Stowe referred to Councillor Vandewal's comments indicating that having only one meeting per month in the summer time helped to accommodate vacation time for staff.

- (g) Councillor Naish asked the Chief Administrative Officer for an update on the status of the site plan agreement for the car wash in Hartington

- (h) Councillor McDougall served a notice of motion to bring the backyard chicken debate back to Council. He indicated that he has received lots of phone calls from residents who have less than one acre but who currently have chickens and are concerned with having an illegal use.

Councillor Vandewal commented that there needs to be a two-thirds majority from Council members to bring this back for discussion.

Councillor McDougall confirmed that this could be brought back in the late fall.

- (i) Councillor Vandewal served a notice of motion to have the issue of outdoor furnaces addressed.

13. Committee Meeting Minutes -nil

14. Confirmatory By-law

Resolution No. 2011-28-21

Moved by Councillor Naish

Seconded by Councillor Vandewal

THAT By-law 2011-58, being a by-law to confirm generally previous actions of the Council of the Township of South Frontenac, be given first and second reading this 6th day of September, 2011. Carried.

Resolution No: 2011-28-22

Moved by Councillor Vandewal

Seconded by Councillor Naish

THAT By-law 2011-58, be read a third time, signed and sealed this 6th of September, 2011. Carried.

15. Adjournment

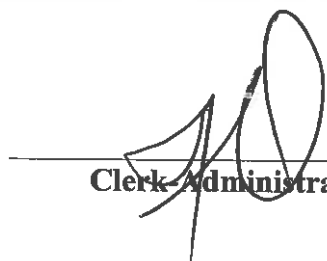
**Resolution No. 2011-28-23
Moved by Councillor Naish**

Seconded by Councillor Vandewal

**THAT the Council meeting of September 6th 2011 be adjourned at 9:20
p.m.**

Carried.



Mayor

Clerk-Administrator