

Minutes of Council
August, 23, 2016

Time: 7:00 PM

Location: Council Chambers

Meeting # 25

Present: Mayor Ron Vandewal, John McDougall, Alan Revill, Norm Roberts, Mark Schjerning, Ron Sleeth, Ross Sutherland

Staff: Wayne Orr, Chief Administrative Officer, Mark Segsworth, Public Works Manager, Angela Maddocks, Executive Assistant.

1. Call to Order

a) Resolution

Resolution No. 2016-25-1
Moved by Councillor Sleeth
Seconded by Councillor Revill

THAT the Special Council meeting of August 23, 2016 be called to order at 7:00 p.m.

Carried

2. Declaration of pecuniary interest and general nature thereof-N/A

3. Closed Session

a) Resolution

Resolution No. 2016-25-2
Moved by Councillor Sleeth
Seconded by Councillor Revill

THAT the Special Council meeting of August 23, 2016 move into closed session to discuss matters subject to client solicitor privilege.

Carried

c) Resolution

Resolution No. 2016-25-3
Moved by Councillor Sleeth
Seconded by Councillor Revill

THAT Council move out of closed session.

Carried

4. Delegations

a) Council agreed to hear a delegation from the Hartington Community Association.

b) John Lesperance, on behalf of the Hartington Community Association, summarized their keys issues of concern noting that there are uncertainties and unknowns even with lots of professional input and peer reviews. The extent of hydrocarbon contamination remains unclear and should be sorted out before any approval is given. He expressed concern about the testing of wells and the uncertainty of whether fracking has been done and if so what is the data. He commented that tertiary systems are not a great option. Six wells have gone dry in the area this summer and while he recognized that this has been an extremely dry summer throughout the township, he encouraged

Council to have wells tested now while drought conditions are still evident. Water quantity and quality remains an issue and he noted that their planner agreed that there needs to be testing done up front as the aquifer is already compromised. Mr. Lesperance stated that the lot frontages are a concern and why is the township bending the rules of the Official Plan. New lots are required to have 250 feet of frontage and be big enough lots to handle wells and a traditional septic system. The southern portion of this parcel will have the same issues. He stated that he is in favour of sustainable development however he felt there are still inconsistencies and uncertainties and there has always been a concern about water. He felt there is too much dissent among the experts.

5. Reports Requiring Action

a) Lindsay Mills, Planner re: Hartington Draft Plan Conditions and Zoning

Wayne Orr spoke to the Planner's report noting that the purpose is to zone and approve the draft plan of subdivision conditions.

Resolution No. 2016-25-4
Moved by Deputy Mayor Sutherland
Seconded by Councillor McDougall

THAT an additional condition be added that all reports and well testing required in the draft conditions be made publicly available when they are done.

Carried

Resolution No. 2016-25-5
Moved by Councillor McDougall
Seconded by Deputy Mayor Sutherland

THAT Council receive the Planning Report dated August 17, 2016 and forward the report and all attachments to the County of Frontenac as representing the Township's conditions of draft plan approval for the proposed thirteen lot plan of subdivision by 1278804 Ontario Inc in the Hamlet of Hartington as amended.

Recorded Vote
P. Barr - absent
J. McDougall - Yes
A. Revill - No
B. Robinson - absent
N. Roberts - No
M. Schjerning - No
R. Sleeth - No
R. Sutherland - Yes
R. Vandewal - Yes

Defeated

6. By-Laws

a) By-Law 2016-52 - Hartington Subdivision

Resolution No. 2016-25-6
Moved by Deputy Mayor Sutherland
Seconded by Councillor Schjerning

THAT readings of the by-law be deferred.

Defeated

Resolution No. 2016-25-7

Moved by Deputy Mayor Sutherland
Seconded by Councillor Schjerner

THAT By-law 2016-52 be given first and second reading.

Defeated

7. Information Items
 - a) Dorfman Planning Report -previously included on August 2 Agenda
 - b) Hanne & Dennis Saunders, re: Hartington Subdivision reports
 - c) Wilf Ruland, P. Geo, re: Memorandum regarding PHC Contamination in the Hamlet of Hartington - circulated by email July 28
 - d) Email Correspondence - FOI follow up
 - e) Malroz Engineering Incorporated, re: Review of Technical Support Documentation - Hartington Subdivision
 - f) Email correspondence requesting delegation status
 - g) Community Correspondence
 - h) Township peer review - August 18 - exp. Services Inc.
 - i) Saunders Email
 - j) Hartington Water Levels - email rec'd 08-23-16
8. Question of Clarity (from the public on outcome of agenda items)
 - a) Michelle Foxtan asked how County Council will be advised of tonight's decision of South Frontenac Council and what will the two representatives on County Council say at the County Council meeting tomorrow. She asked what South Frontenac council would direct their solicitor to say at the OMB hearing.

The autonomy of County Councillors was clarified. Matters of client solicitor privilege are addressed in closed session.
 - b) Nicole Kassera expressed her concern about South Frontenac Council's opinion on the proposal not being reflected at the County Council level as Mayor Vandewal is supportive of the development. She felt this contravenes the opinion of South Frontenac and felt that the Mayor will not be taking forward this Council's opinion. She also wondered why the public meetings are held at the local municipality and not at the County if they are the decision maker.
 - c) Wayne Orr explained the approval process for subdivisions. County Council requests that local Councils host the public meetings as required. The County of Frontenac has their own process to deal with subdivision approval and this includes the votes from Council Representatives from North Frontenac, Central Frontenac and Frontenac Islands. He also confirmed that decisions from tonight's meeting will be forwarded to the County directly after this meeting which includes decision of Council on the draft plan conditions.
 - d) Fran Willes wondered how the County could approve a development that has been turned down at the local level and stated that there is a problem at the County level.

Wayne Orr explained that applications for subdivisions are submitted to the County with the township hosting the public meetings that provide recommendations. South Frontenac Council is only being asked to recommend draft conditions and the County's decision does not require the approval from the lower tier as they act independently.

- e) Wilma Kenny asked for clarification on the draft plan conditions and do those conditions provided address the concerns.

Wayne Orr explained that the draft plan conditions in essence are the same whether you reference the township or county information, it is basically the same.

- f) Tasha Lloyd asked for clarification on the South Frontenac representatives on County Council and their personal opinion and those of their fellow Council members in the decision making process.

Councillor McDougall noted that the County Planner has prepared recommendations and County Council will make a decision at the meeting scheduled tomorrow.

- g) Steve Leonard commented that his family heritage has been jeopardized by those voting in favour of this development.
- h) Councillor Schjerning stated that it is recognized that the current approval process is an issue for South Frontenac which is why Council is looking at bringing it to the local level. The new position of Development Services Manager is a step in the process to formalize the request for approval authority.
- i) Charlie Labarge felt that all reports mentioned were done by the County and the Developer's planners. He questioned the input from the planner hired by the community association.

Mayor Vandewal explained that all reports and correspondence are included in the County's files.

- 9. Confirmatory By-law
 - a) By-law 2016-53

Resolution No. 2016-25-8
Moved by Councillor McDougall
Seconded by Councillor Schjerning

THAT By-law 2016-53, 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 23 day of August, 2016.

Carried

Resolution No. 2016-25-9
Moved by Councillor McDougall
Seconded by Deputy Mayor Sutherland

THAT By-law 2016-53, being a by-law to confirm generally previous actions of the Council of the Township of South Frontenac, be given third reading, signed and sealed this 23 day of August, 2016.

Carried

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10. Adjournment
- a) Resolution

Resolution No. 2016-25-10
Moved by Councillor Schjerning
Seconded by Councillor McDougall

THAT the Special Council meeting of August 23, 2016 be adjourned at 8:25 p.m.
Carried

Ron Vandewal, Mayor

Wayne Orr, Chief Administrative Officer