



## #15 Minutes Meeting of June 23, 2015 Committee Of The Whole

The Committee of the Whole met on Tuesday, June 23, 2015 at 5:00 p.m. at the Township of Drummond/North Elmsley Administrative Building, 310 Port Elmsley Rd.

<b>Members Present:</b>	Aubrey Churchill Gail Code George Sachs Ray Scissons	Reeve Deputy Reeve Councillor Councillor (Chair)
<b>Staff Present:</b>	Cindy Halcrow Cathy Ryder Karl Grenke Scott Cameron	Clerk Administrator Deputy Clerk Planner Public Works Manager
<b>Absent:</b>	Steve Fournier	Councillor

### 1. Call to Order

The meeting was called to order at 5:00 p.m. A quorum was present.

### 2. Disclosure of Pecuniary Interest

The Chair invited members wishing to disclose a pecuniary interest to do so now. No members declared a pecuniary interest.

### 3. Minutes of Previous Meetings

#### 3.1 Regular Session Minutes of June 9, 2015

**MOTION #COW-15-094 (Verbal)**

**MOVED BY: Gail Code**  
**SECONDED BY: George Sachs**

**THAT the Committee of the Whole** approves the minutes of the regular Committee of the Whole meeting held on June 9, 2015 as circulated.

**ADOPTED**

#### 3.2 Closed Session Minutes of June 9, 2015

**MOTION #COW-15-095 (Verbal)**

**MOVED BY: Aubrey Churchill**  
**SECONDED BY: Gail Code**

**THAT the Committee of the Whole** approves the minutes of the closed Committee of the Whole meeting held on June 9, 2015 as circulated.

4. Approval of Agenda

MOTION #COW-15-096 (Verbal)

MOVED BY: Aubrey Churchill

SECONDED BY: Gail Code

THAT the Committee of the Whole approves the agenda for the June 23, 2015 meeting of the Committee, as amended:

Amendments:

- 5.3 United Way Presentation to Council
- 10.1 OMB Resolution - Widenmaier Road

ADOPTED

5. Petitions/Delegations/Public Hearings

5.1 Doug McLaren/Dennis Staples – Bishops Way

Dennis Staples and Doug McLaren made a joint request to Council for purchase consideration in connection with the unopened road allowance between 122 and 124 Bishops Way which is the boundary between Drummond/North Elmsley and Tay Valley Township. Mr. Staples reported that he also made this request 11 years ago and Council’s decision was to leave the road allowance open to the public. Mr. McLaren reported that he is replacing his existing holding tank with a septic system and the best possible placement location would be on the road allowance.

Mr. Staples reported that the road allowance would not be suitable for public access to the lake due to the steep incline and terrain. He invited members of Council to arrange a site visit before making a decision.

Action Item: Direction given for Council to arrange a site visit to Bishop’s Way.

5.2 Public Meeting – Kilfoyle Zoning Amendment (Wellington Street Innisville)

**PROPOSED ZONING BY-LAW AMENDMENT AND PROPOSED ROAD CLOSURE**

Public (signed in): Bill McDonald, David McNeely, Joyce and Ed Mayers, Gary Stefiuk, Sean McGirl, Tracy Cassidy

**Call to Order**

Councillor Ray Scissons opened the public hearing at 5:34 p.m.

**A. Purpose of Meeting**

Councillor Scissons reported that the purpose of the meeting was to consider a proposed road closing and accompanying Zoning Amendment application. The zoning amendment application was municipally initiated and has the effect of recognizing the deficient lot size and frontage on a newly constituted lot. He advised that this meeting was an opportunity to provide feedback in favour of or in opposition to an application in accordance with the

requirements of the Planning Act. He asked planner Karl Grenke to summarize the applications.

### **B. Planner's report and presentation**

Mr. Grenke summarized the intent of the applications, noting that the portion of road allowance to be closed was the surveyed and designated Wellington Street from the original Innisville subdivision plan, which has a cottage on it. The travelled Wellington Street was actually built over the adjacent lot legally owned by the Kilfoyle family. It is unknown which came to be first and it was proposed that the parcels be swapped, with the Township then assuming the portion of the travelled road into its road network. A small amount of the existing road allowance would be also retained by the Township in order to guarantee sight lines at the intersection of Wellington and Isabella. The zoning amendment was administrative in nature and only recognized the reduced lot frontage and area of the 'new' lot being created where the road allowance is. No change in land uses were contemplated and all existing access rights will remain. In his presentation Mr. Grenke acknowledged that there are several title issues in Innisville relating to the road allowances and this one is being addressed at this time since the Township received a request. Staff can work with abutting property owners on a case by case basis to address the other title anomalies. He also reported on the notification for both the zoning amendment and road closure and advised that it was undertaken in accordance with the Planning Act and Township's own policies. He noted that a decision on the applications will not be made this evening- feedback from this meeting will be considered and a report and recommendation will be presented to Council at a later meeting.

### **C. Oral and Written Presentations by those in Attendance**

Councillor Scissons asked if there were any oral or written presentations from those in the audience.

Ed Mayers stated that he did not object in principle to the swap however he was concerned with the existing condition of the road allowance. It is too narrow and the bushes at the corner of Bay and Wellington create a sight hazard.

Tracy Cassidy lives at the corner of Isabella and Wellington and had tried to acquire a portion of road allowance in 1989, however the Township wanted to leave it alone at the time. She feels as if she is going to lose this time.

Scott Cameron noted that the Roads Dept. does not have a problem taking down shrubs in the road allowance. There is so little space in that whole area already and they are trying to maximize the width.

Dave McNeely lives at 103 Bay Street and noted that the whole road allowance is very narrow and the Township should make a better road and improve the corner. He noted there are 13 residences on Bay Street and 6 summer residences.

Denis Lapalme noted that the road is very narrow. There were concerns raised about the land swap and who was paying for what.

Mr. Grenke said that there was an agreement in place where the costs for the survey and legal transfers are split. While road closures are normally done at the expense of the

person requesting, in this case there is a land exchange to correct a title error and it is felt this was fair to both parties.

**D. Questions and Discussion by Council members**

Reeve Churchill asked to confirm that the Township is acquiring more land than it is transferring. Mr. Grenke will verify the numbers on the survey. Councillor Sachs asked if the bush at the corner of Bay and Wellington is part of the road allowance. Mr. Cameron advised that it looks like the bars go right through the bush, he will verify. Councillor Scissons advised the audience that the Township will do what it can around the corner.

**E. Chair’s Closing Remarks and Reminder to Audience**

Councillor Scissons reminded audience members to sign the attendance sheet if they would like notice of Council’s decision.

**F. Adjournment of Public Meeting**

Councillor Scissons adjourned the meeting at 6:04 p.m.

**5.3 United Way Presentation (Dealt with this item before 5.1)**

Tim Campbell and Johann Ramsaran presented Reeve Churchill with a certificate to thank the Township for placing first place in the 2014 United Way Municipal Challenge for the second year in a row.

**6. Communication/Correspondence**

No items were pulled from the Communication package and the following motion was adopted:

**MOTION #COW-15-097 (Verbal)**

**MOVED BY: Aubrey Churchill**  
**SECONDED BY: George Sachs**

**THAT THE COMMITTEE OF THE WHOLE** receives the communication items for the June 23, 2015 Committee of the Whole as information.

**ADOPTED**

**7. Committee and Board Reports**

**7.1 COMMUNITY DEVELOPMENT**

**a) Report of the Planner Grassmere Zoning Amendment**

The Planner provided an overview of an administrative zoning amendment change to modify the minimum lot size and water frontage requirements for two large rural lots. The administrative amendment is required to amend the LSR 17 and 18 zones to include the proposed lot configurations with the actual land being transferred being rezoned from LST 18 to LSR 17 – no change of use is proposed.

**Action Item:** Direction given to staff to schedule and prepare for a public meeting on August 11, 2015 regarding the Grassmere Holdings zoning amendment application (ZA-15-04)

**7.2 PUBLIC WORKS - None**

**7.3 CORPORATE SERVICES - None**

**7.4 COMMUNITY SERVICES - None**

**7.5 CLERK/MEMBERS OF COUNCIL**

**a) Report of Reeve – None**

**b) Report from Fire Board – Ray Scissions, June 22, 1015**

- Received update on incidents and calls – statistics are similar to last year
- Demonstration of accountability for fire staff on scene
- Approval of the extraction exhibit next year at the Perth Fair Grounds

**c) Report from Library Board – George Sachs, June 22, 2015**

- Country Carpet awarded contract for carpets
- Library has been approved for “Heritage” status
- E-resource funding has been cancelled by the Province
- Summer literacy program is full with a waiting list
- Golf tournament raised \$48,000 for the literacy program
- Friends of the Library will be selling tickets on June 27, 2015 to the Classic Theatre Festival
- Annual report released – available on website
- Property committee meeting – September 28, 2015
- Board meeting - September 21, 2015

**d) Report from CA's - None**

**e) Report from Members of Committee – Mississippi Valley Conservation Authority - Gail Code**

- A resolution was drafted and sent to Scott Reid and Trans Canada Energy East Pipeline regarding highly sensitive water bodies. Both MVCA and RVCA are working together to ensure awareness of the sensitive areas of our waters.
- Next meeting July 15, 2015

**8. CLOSED SESSION** (*dealt with Item 8.2 before 8.1*)

**8.1 Litigation or potential litigation – OMB Widenmaier Appeal**

**MOTION #COW-15-098 (Verbal)**

**MOVED BY: Aubrey Churchill**

**SECONDED BY: George Sachs**

**THAT the Committee of the Whole** shall hereby hold closed session of Committee of the Whole at 6:21 p.m. to discuss litigation regarding the OMB Widenmaier Appeal,

**AND THAT** Clerk Administrator, Planner and Deputy Clerk remain in the room.

**ADOPTED**

**MOTION #COW-15-099 (Verbal)**

**MOVED BY: Aubrey Churchill**  
**SECONDED BY: George Sachs**

**THAT the Committee of the Whole** shall hereby return to regular session of the Committee of the Whole at 6:44 p.m.

**ADOPTED**

**RISE AND REPORT**

- Council received information relating to litigation regarding the OMB Widenmair Appeal

**8.2 Personal matters about an identifiable individual including municipal or local Board Employees – Patrol Supervisor Position**

**MOTION #COW-15-100 (Verbal)**

**MOVED BY: Aubrey Churchill**  
**SECONDED BY: George Sachs**

**THAT the Committee of the Whole** shall hereby hold closed session of Committee of the Whole at 6:10 p.m. to discuss personal matters about an identifiable individual including municipal or local board employees;

**AND THAT** Clerk Administrator, Public Works Manager and Deputy Clerk remain in the room.

**ADOPTED**

**MOTION #COW-15-101 (Verbal)**

**MOVED BY: George Sachs**  
**SECONDED BY: Gail Code**

**THAT the Committee of the Whole** shall hereby return to regular session of the Committee of the Whole at 6:20 p.m.

**ADOPTED**

**RISE AND REPORT**

**MOTION #COW-15-102 (Verbal)**

**MOVED BY: George Sachs**  
**SECONDED BY: Gail Code**

**THAT the Committee of the Whole** authorizes the hiring of Shawn James as the Patrol Supervisor effective June 24, 2015 subject to successfully passing a one-year probation.

**9. Unfinished Business – None**

**10. New Business**

**10.1 OMB Resolution**

The Planner provided an overview of Minimum Distance Separation guidelines and the Municipal interpretation of those guidelines. He reported that 385 Widenmaier Road day camp falls under recreation use and classified as low Intensity use - not usually requiring buildings, alterations to soil or topography, low density or concentration of human activity such as open space and environment areas. The Planner recommended the low intensity use. Council accepted the recommendation of the Planner and supports the following motion:

**MOTION #COW-15-103 (Verbal)**

**MOVED BY: Gail Code**  
**SECONDED BY: Aubrey Churchill**

**WHEREAS** the Township of Drummond/North Elmsley received a request to rezone a portion of Part of Lot 12 Concession 7, Drummond, 385 Widenmaier Road to permit a day camp;

**AND WHEREAS** after holding a public meeting, the Council of the Corporation of the Township of Drummond/North Elmsley had no objection to the request and adopted Zoning Amendment By-law No. 2015-023 on May 12, 2015 under Section 34 of the Planning Act, RSO 1990;

**AND WHEREAS** an abutting property owner has appealed Council's passage of said By-law to the Ontario Municipal Board on the grounds that the proposed land use contemplated in the by-law would affect his existing agricultural operation;

**NOW THEREFORE BE IT RESOLVED** that Council has considered its position regarding this application and endorses its decision of May 12<sup>th</sup>, 2015 as this application complies with the provisions of the Official Plan.

**ADOPTED**

**11. Adjournment**

**MOTION #COW-15-104 (Verbal)**

**MOVED BY: Aubrey Churchill**  
**SECONDED BY: Gail Code**

**THAT the Committee of the Whole stand adjourned at 6:45 p.m.**

**ADOPTED**

---

CHAIR

---

CLERK ADMINISTRATOR