



#17 Minutes Meeting of September 26, 2017 Committee of The Whole

The Committee of the Whole met on Tuesday, September 26, 2017 at the Township of Drummond/North Elmsley Administrative Building, 310 Port Elmsley Rd.

Members Present:

Aubrey Churchill	Reeve
Steve Fournier	Councillor
George Sachs	Councillor
Ray Scissons	Councillor (Chair)

Staff Present:

Cindy Halcrow	Clerk Administrator
Cathy Ryder	Deputy Clerk
Scott Cameron	Manager of Public Works
Karl Grenke	Planner
Peter Echlin	Chief Building Official

Absent:

Gail Code	Deputy Reeve
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1. Call to Order

The meeting was called to order at 5:09 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 September 12, 2017

MOTION #COW-17-158 (Verbal)

MOVED BY: George Sachs
SECONDED BY: Steve Fournier

THAT the Committee of the Whole approves the minutes of the regular Committee of the Whole meeting held on September 12, 2017 as circulated.

ADOPTED

3.2 Closed Session Minutes (8.1) of September 12, 2017

MOTION #COW-17-159 (Verbal)

MOVED BY: Steve Fournier
SECONDED BY: George Sachs

THAT the Committee of the Whole approves the minutes of the closed Committee of the Whole meeting held on September 12, 2017 as circulated.

ADOPTED

3.3 Closed Session Minutes (8.2) of September 12, 2017

MOTION #COW-17-160 (Verbal)

**MOVED BY: Steve Fournier
SECONDED BY: George Sachs**

THAT the Committee of the Whole approves the minutes of the closed Committee of the Whole meeting held on September 12, 2017 as circulated.

ADOPTED

3.4 Closed Session Minutes (8.3) of September 12, 2017

MOTION #COW-17-161 (Verbal)

**MOVED BY: George Sachs
SECONDED BY: Steve Fournier**

THAT the Committee of the Whole approves the minutes of the closed Committee of the Whole meeting held on September 12, 2017 as circulated.

ADOPTED

4. Approval of Agenda

MOTION #COW-17-162 (Verbal)

**MOVED BY: Steve Fournier
SECONDED BY: George Sachs**

THAT the Committee of the Whole approves the agenda for the September 26, 2017 meeting of the Committee, as amended.

ADOPTED

Amendments

- Item 8.1 Building Code Enforcement Delegation – Dealt with in open session at 6:00 p.m.
- Item 8.2 Withdrawn from the agenda
- Item 10.2 1992 International Tandem Plow & Sand Truck Bid – New Business

5. Petitions/Delegations/Public Hearings/Public Meetings 5:30 p.m.

5.1 Building Code Enforcement Delegation 6:00

Mr. Hawe and Deb Howitt, Paralegal, appeared before Council to request an order be issued on Mr. Hawe’s property to enable him to go through his Title Insurance for repairs to a house he bought in 2015. Mr. Hawe expressed his concerns and reported that he felt his issue was not taken seriously by Township staff nor was it dealt with in a timely manner. He stated that he received different information from Township staff.

Ms. Howitt requested that Council help her client and provide an order against the property to assist Mr. Hawe with his insurance claim. Mr. Hawe reported that he purchased his property at 111 Cats Cove Road and while inspected at the time of purchase, deficiencies were discovered at a later date. Mr. Hawe reported that he has invested thousands of dollars repairing the property and is unable to sell it due to deficiencies. The Chair thanked Mr. Howe and Ms. Howitt.

Action Item: Direction given to staff to communicate with Mr. Hawe within two weeks.

5.2 Midway Sports Re-zoning 5:32

Minutes of public meeting concerning proposed Zoning By-law amendments

ZA-17-05 William and Donna Black (120 Station Road)

Attending: Public (signed in): Ron Jackson, Sharon Hunt, Bruce Schurman, Damian Adams, Bill Black, Donna Black, Nancy Tulipano.

Call to Order

Councillor Ray Scissons opened the meeting at 5:05 p.m.

Purpose of Meeting

Councillor Scissons advised that the purpose of the meeting was to consider two zoning amendment applications under Section 34 of the Planning Act. He advised that the public meeting is the opportunity to provide any feedback in favour or in opposition to a proposed amendment and that the OMB may refuse to consider an appeal by someone who does not participate in the process.

Presentation and Hearing- Midway Sports

Councillor Scissons invited Township Planner Karl Grenke to report on notification and review.

Planner's report and presentation

Mr. Grenke reported that the purpose and effect of the application is to rezone a roughly 2.5 acre portion of land described as the Port Elmsley Hall from Institutional, Rural and Residential to General Commercial Special Exception. The special exception would limit permitted uses to retail store, custom workshop, sample showroom, recreation instruction, restaurant and accessory apartment. Mr. Grenke advised that Council has previously agreed to sell the property and this meeting is intended to contemplate the proposed land use.

The applicants wish to relocate their business, Midway Sports and Trophies to this property and the proposal would accommodate this and some potential future land uses. The purpose of the public meeting was to hear feedback from the community prior to Council considering a change in the rules for the land. This application, including all notifications to agencies and abutting property owners, was done in accordance with the Planning Act. Mr. Grenke described the site and advised that the proposed rezoning only applies to that property. He also noted that a decision would not be made on the application this evening, a report and recommendation would follow at the next meeting. Council's decision can be appealed to the OMB.

Presentations and Discussion

Councillor Scissons advised that those speaking need to state their name and address, whether they support or oppose the application and their reason. He also advised that written comments can be submitted prior to Council making a decision on the application.

Bill Black, the applicant (5315 County Road 43) introduced himself and his background, noting that he has been in business for 29 years and is currently running the business from his house. There have been no complaints to date on the current location. He had met with his neighbours before this public meeting and advised that he has no intention of utilizing the greenspace area beside the neighbouring residence, other than possibly placing a sign or digging to extend natural gas to the building. He noted the proposed use would be low impact.

Ron Jackson (155 Station Rd) lives across the road and he advised that his concerns relate to the potential future location of the existing post boxes and newspapers currently in front of the hall. There is a concern about littering. He acknowledges this does not relate significantly to the land use issue but they are issues nonetheless. He supports the concept of the proposed development and sought clarification on the explanatory note. Mr. Grenke clarified that the proposed rezoning affects only 2.5 acres of the 3.5 acre portion. The acre at the north is proposed to be sold separately and is not part of this application.

Damien Adams (4961 County Road 43) owns the abutting stone house. He does not object in principle to the proposed land use but is concerned about the protection of the greenspace area at the corner of Station Road and County Rd 43 next to his house. His concern relates to potential utilization of that by a future property owner and requested additional zoning limitations to that area.

Sharon Hunt (142 Station Road) was concerned about potential impacts of a restaurant there. There was some discussion regarding the restaurant and whether a liquor license can be excluded from the definition. Reeve Churchill suggested that would be doable.

Adjournment of Public Meeting

Councillor Scissons closed this portion of the public meeting at 5:54 pm.

5.3 Tulipano Re-zoning 5:54

ZA-14-04 Chris and Nancy Tulipano (15880 Highway 7)

Attending: Public (signed in): Nancy Tulipano.

Presentation and Hearing - Tulipano

Councillor Scissons invited Township Planner Karl Grenke to report on notification and review.

Planner's report and presentation

Mr. Grenke reported that the purpose and effect of the application is to establish permission for a garden suite to be constructed on this lot as a temporary use. Mr. Grenke noted that the Zoning By-law allows only one dwelling per lot; however an exception can be created for garden suites, also known as granny flats where the need is required. As per the Planning Act, this permission would extend for 20 years, renewable, unless the need is removed earlier, at which point the structure would need to be removed or rendered uninhabitable.

The purpose of the public meeting was to hear feedback from the community prior to Council considering a change in the rules for the land. This application, including all notifications to agencies and abutting property owners, was done in accordance with the Planning Act. Mr. Grenke described the site and the planning process. He also noted that a decision would not be made on the application this evening, a report and recommendation would follow at the next meeting. Council's decision can be appealed to the OMB.

Presentations and Discussion

Councillor Scissons advised that those speaking need to state their name and address, whether they support or oppose the application and their reason. He also advised that written comments can be submitted prior to Council making a decision on the application.

Mrs. Tulipano advised that her mother is ill and the proposed garden suite would allow her independence, however to remain very close to family members.

Councillor Fournier asked what happens after the 20 years. Mr. Grenke advised that the zoning provision specifies a date upon which the use expires and the owners would be required to enter into a site plan agreement to implement that. He noted that upon the expiration of the temporary zone a garden suite would not have legal non-conforming rights.

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.

Adjournment of Public Meeting

Councillor Scissons closed this portion of the public meeting at 6:02 pm.

6. Communication/Correspondence

No items were pulled from the Communication package but the following item was discussed before the motion was adopted:

#1 Big Brothers Big Sisters – Donation request to be reviewed during budget deliberations.

MOTION #COW-17-163 (Verbal)

MOVED BY: Aubrey Churchill
SECONDED BY: George Sachs

THAT THE COMMITTEE OF THE WHOLE receives the communication items for the September 26, 2017 Committee of the Whole as information.

ADOPTED

7. Committee and Board Reports

7.1 COMMUNITY DEVELOPMENT

a) Report of the Planner – Cavanagh Pit Re-zoning (Dyno Nobel)

(Dealt with prior to Item 5)

The Planner reviewed the outcome of the public meeting and feedback received and provided next steps on the application. An application submitted by Cavanagh Construction on behalf of Dyno Nobel Canada Inc. seeks to amend the existing split

zoning of the site, Rural and Aggregate Reserve, to recognize the pit on the property and to allow the storage of explosives in licensed magazines at the Fergusons Falls property.

Steve Fournier reported that he would not be supporting this application. Reeve Churchill reported that he would like additional time to consider the merits of the application.

MOTION #COW-17-164 (Verbal)

MOVED BY: Aubrey Churchill
SECONDED BY: George Sachs

THE COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL,
THAT Council defer this item until the next Committee of the Whole meeting on October 10, 2017.

ADOPTED

Action Item: Direction given to staff to bring a report forward comparing the community benefit of approving the application.

b) Report of the Planner – Thompson Zoning Amendment

The Planner reviewed his report regarding Paul and Corrine Thompson's application to rezone a lot which is considered a farm consolidation whereby the farmland on the lot remains with the family and the surplus dwelling and outbuildings to be severed on 2919 Drummond Concession 7.

Action Item: Direction given to staff to schedule and prepare for a public meeting in October to consider the Thompson zoning amendment application (ZA-17-06)

c) Report of the Planner – McFadden Zoning Amendment

The Planner reviewed his report regarding Tamara and Leonard McFadden's application to rezone an 83 acre lot from Rural to Rural Temporary Use zone. The applicants propose the construction of a garden suite as a permitted secondary dwelling for a period not exceeding 20 years at 1002 Armstrong Road.

Action Item: Direction given to staff to schedule and prepare for a public meeting to consider the McFadden zoning amendment application (ZA-17-07)

7.2 PUBLIC WORKS

a) Report of the Public Works Manager – Road Reconstruction Contract 2017-05 Stamford Drive

The Public Works Manager provided an update on the tender results for Stamford Drive road reconstruction project. He reported that two bids were received and that Crains' Construction Ltd. was the lowest bid. The Public Works Manager reported that \$100,000 was initially approved for the reconstruction but an additional \$35,000 will be required. The recommendation is for the shortfall to come from the construction reserve. The Committee accepted the recommendation and the following motion was adopted:

MOTION #COW-17-165 (Verbal)

MOVED BY: Aubrey Churchill
SECONDED BY: George Sachs

THE COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL,
THAT Council accepts the tendered price from Crains' Construction Ltd. of \$132,072 (plus applicable taxes) for the Stamford Drive Reconstruction Tender 2017-05 and;

FURTHERMORE THAT Council approves the additional funding required to compensate for the financial gap from what was originally approved vs the actual cost are to come from the Construction Reserve and

FURTHERMORE THAT Council gives the Reeve and Clerk Administrator the authority to sign all pertinent documentation with Crains' Construction Ltd. the Stamford Drive Reconstruction Tender 2017-05.

ADOPTED

b) Report of the Public Works Manager – Rideau Ferry Parking Lot

The Public Works Manager reported to the Committee that the paving of the Rideau Ferry parking lot was over budget due to contaminated soil which required digger much deeper than expected. He recommended that the overage could come from the construction reserve. The Committee accepted the recommendation of the Public Works Manager and the following motion was adopted:

MOTION #COW-17-166 (Verbal)

MOVED BY: Steve Fournier
SECONDED BY: George Sachs

THE COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL,
THAT Council approves an additional \$42,100 be funded from the Construction Reserve for the Rideau Ferry Parking Lot Reconstruction project.

ADOPTED

c) Report of the Public Works Manager – Nickerson Access onto Unopen Road Allowance

(dealt with this item prior to 7.2 a)

The Public Works Manager reviewed his report to provide an alternative access to Lot 1, Concession 12, Drummond Ward. The proposed access would be constructed within the unopen Road Allowance adjacent to Mr. Nickerson's property connecting to County Road No.12, also known as the McDonald Corners Road. This access would be a conditional access as part of the process and subject to zoning and site plan control before moving forward. Design drawers would be requested from the applicant so the Township and County could see what will be put in place.

The Public Works Manager reported that the property owner on Lot 2 might provide resistance to this application because the entrance will be in front of his property. Even though the access is front of the property on Lot 2, this is the safest access and it is Township land. The Committee agreed to support the conditional access, in principal, and the following motion was adopted:

MOTION #COW-17-167 (Verbal)

MOVED BY: George Sachs
SECONDED BY: Steve Fournier

THE COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL,

THAT Council approves, in principal, that the owner of Lot 1, Concession 12, Drummond Ward be allowed to construct an access driveway within the unopen Road Allowance adjacent to his property connecting to County Road No.12, provided that certain conditions are met to the satisfaction of the Manager of Public Works for the Township of Drummond North Elmsley and the Director of Public Works for the County of Lanark and conditional upon rezoning and site plan control.

ADOPTED

7.3 CORPORATE SERVICES: None

7.4 COMMUNITY SERVICES

7.5 CLERK/MEMBERS OF COUNCIL

- a) Report of Reeve - No report
- b) Report from Fire Board – No report
- c) Report from Library Board – No report
- d) Report from CA's – No report
- e) Report from Members of Committee – No report

8. Closed Session: None

9. Unfinished Business: None

10. New Business

10.1 CP Rail Corridor Update

Councillor Sachs was seeking an update on the Ottawa Valley Rail Trail which is slated to be developed as a future trail. Reeve Churchill reported that there was no current update.

10.2 1992 International Tandem Plow & Sand Truck Bid
(dealt with this issue prior to Item 7.3)

The Public Works Manager reported to the Committee that the Municipality of Mississippi

Mills is selling surplus used vehicles. He reported that a bid must be submitted by the Township by October 2, 2017. The vehicle would be used at the waste site and he was seeking authorization to submit a bid and direction on price range.

MOTION #COW-17-168 (Verbal)

MOVED BY: Steve Fournier
SECONDED BY: Aubrey Churchill

THE COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL,
THAT Council authorizes the Public Works Manager to submit a bid on a 1992 International Tandem Plow and Sand Truck to an upset limit of \$6,000 or less.

ADOPTED

11. Adjournment

MOTION #COW-17-169 (Verbal)
MOVED BY: George Sachs
SECONDED BY: Steve Fournier

THAT the Committee of the Whole stand adjourned at 7:03 p.m.

ADOPTED

CHAIR

CLERK ADMINISTRATOR