



**CORPORATION OF THE
MUNICIPALITY OF NORTH GRENVILLE**

MINUTES

Regular Council Meeting No. 16

**Held in the Council Chambers, 285 County Road 44
On Tuesday, October 13th, 2009 at 6:40 p.m.**

PRESENT:

Deputy Mayor:	Ken Finnerty
Councillor:	Terry Butler
Councillor:	Tim Sutton
Councillor:	Barb Tobin
C.A.O.:	Andy Brown
Clerk:	Cahl Pominville
Director of Public Works:	Karen Dunlop
Director of Parks, Recreation & Culture:	Darren Patmore
Treasurer:	Sheila Kehoe
Director of Planning & Development:	Forbes Symon
Media:	Nathan Jahn, Kemptville Advance Ashley Kulp, EMC Cogeco TV

Deputy Mayor Ken Finnerty declared the meeting open.

OPENING REMARKS

C.A.O. Andy Brown advised that a Closed Council Session was held prior to this Council Meeting to discuss disposition of potential surplus properties. It will reconvene after this meeting to finish the agenda. Reports will come to a Committee of the Whole Meeting.

MINUTES OF PREVIOUS MEETING

Moved by Terry Butler and seconded by Barb Tobin that the attached copies of minutes, being replicas of those recorded in the Minute Book of the Municipality, of the Regular Council Meeting of September 28, 2009 and the Special Council Meeting of August 14, 2009, similar copies having been distributed to each Council member for their perusal, are hereby approved.

CARRIED

PUBLIC MEETING

1. A public meeting to consider Official Plan Amendment #1 and Zoning By-Law Amendment ZBL-11-09 (Fetherston) was declared open by Deputy Mayor Finnerty at 7:01 p.m.

The purpose of the application is to re-designate the subject lands from "Rural" to "Mobile Home", and to re-zone the same lands from RU – Rural to RMHP-1-h – Residential Mobile Home Park Exception 1 Holding", to facilitate the expansion of the existing mobile home park. The property is located in Part of Lot 27, Concession 8, in the former Township of Oxford-on-Rideau.

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Forbes Symon provided background information on the park and the proposed applications. New development would consist of modular homes, not mobile homes. Staff recommend amendment of the Official Plan policy for the project to proceed.

The following comments were provided:

- Rodger Robertson and Henry Starno, Owners and Developers
- developers have experience in modular home parks.
 - power point presentation was made which included: update on their backgrounds, revitalization and vision for the future, definitions of land-lease communities, definitions of modular and manufactured homes, concept plan.

Questions of Council

Councillor Tobin

- plans for buffering neighbouring properties- the homes will be constructed closer to the front of the lot with trees behind.

Councillor Butler

- an rv storage area included in the concept plan. Where would the commercial area be? A tuck shop and laundromat would not be included unless there is a need by the residents. Wouldn't plans be in place? It would be included in the zoning but not in the concept plan. Site plan would have to be amended should they wish to make a change later.
- how are the homes heated? Houses have the same options as any other. They are governed by the Ontario Building Code.
- concerned about the fact that no wetlands is stated. Forbes Symon advised that no Provincially significant wetlands are identified in the Official Plan. There are some low areas that are poorly drained. The RVCA are involved in the project to ensure proper drainage.
- currently 54 units in the park. Some are quite close together. Developer advised that any current deficiencies would have to be remedied.

Councillor Sutton

- there are current Ministry orders on the property. How will compliance be met? The developers advised that securities will be required. New water and sewer system will be installed to address current homes and the future to make it viable.
- will current homes be upgraded? The original homes are already owned. They will assist with cleanup of the area.
- what will these homes sell for? Turnkey price of approx \$110,000
- type of foundation? Permanent foundation which will be on piers.

Deputy Mayor Finnerty

- will current owners be encouraged to purchase a new home? The developers will discuss options with each owner.
- the former nursing home property is separate from this application.

Dave Leonard, 868 County Rd. 44, on behalf of several County Rd. 44 residents

- copies of presentation provided to Council and staff.
- support the current park residents.
- opposed to the expansion of the park.
- current regulations are not enforced at the park. Expansion would increase these problems.
- would not be comfortable with changes in zoning given the current track record of the Municipality.
- concerned that no impact studies have been conducted on the property.

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- serious concerns regarding changing the land use without seeing the results of all the studies required under the Official Plan and Provincial Policy Statements.
- notification of the public meeting is the only correspondence we have received regarding Fetherston Park.
- believe decisions in Closed Session have been made that have breached the *Municipal Act*.
- is the sale of the lands contingent upon the expansion?
- are the interested parties going to fix the existing park first or are they going to develop the rural land and then fix the park?
- what assurances do the current park tenants have that this decision to expand the park will satisfy their needs down the road?
- do not support the rezoning application.
- further open public consultation and study results are required.

Councillor Sutton

- all Planning Act requirements have been met and exceeded.
- staff and Council have worked with current residents. Confident on plans to move forward to improve water & sewer and the community.
- have held several meetings with park residents which were noted at Council and in the newspaper.

Councillor Tobin

- what is the cost to fix current problems? Karen Dunlop advised that it would be \$300,000+.
- this is not Municipal property, it was given to us.
- closed sessions are in compliance to receive solicitor advice.

Councillor Butler

- are MOE or SNCA reports to come? Mr. Symon advised that MOE takes over from the Health Unit for this size of development. Environmental Assessment studies are only required when there are significant natural features. No requirement for these additional studies as no significant areas exist in this property. Detailed engineering studies will come forward as project proceeds.

Dave Leonard, 868 County Rd. 44, on behalf of several County Rd. 44 residents

- report on Closed Session where two proposals were considered. Mr. Brown advised that there were no decisions made, just direction of Council to staff.
- reference was made to sections of the new Official Plan including growth management, suitable areas for growth, new development financing, development patterns, rural design strategy and information required for land development.
- it is clear that applicant must demonstrate change in use of land. Mr. Brown requested that these concerns should be provided to Mr. Symon for a response.

Marc Johnson, 874 County Rd. 44

- three homes are not included on the maps.
- land next door is low.
- concerned that his land will be protected. Mr. Symon concurred that there is a low area and development cannot create a drainage problem. A study will be needed as we get more detail as to what a stormwater plan would be. Developers will have to develop a plan to address drainage at the site plan stage to ensure no negative impacts.
- park residents should not be forced to upgrade their homes.
- look to fix the existing park first. Mr. Symons advised that the order from MOE is to fix up existing park problems. This will ensure that the rights of current residents are addressed.
- notice of this meeting is first information received.

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Karen Latimer, 851 County Rd. 44

- no notice of this meeting was received.
- there are fish on the lands and wetlands at the back.
- County Rd. 44 is driven like a highway.
- site line at entrance is limited and 300 cars will be added with this development
- who will pay to fix the water and sewer? Will current owners be responsible or be made do it? Mr. Brown advised that the new owner will be responsible to fix the water and sewer system. Council position is to find a new owner to fix the current problems. All proposals were to enlarge the park to make it feasible. Site plan approval process will require a traffic study by the County. Mr. Symon advised that there may be a potential entrance at the south end of the property onto County Rd. 44. A traffic analysis will be required.

Cheryl Keating, 2825 Tompkins Rd.

- oppose expansion of the park.
- how can new expansion be guaranteed to be correct? Mr. Symon advised that many new regulations will assist to ensure the expansion will meet requirements. Agreements are registered on title to ensure compliance. Historic development was a problem. No agreements were put in place. This is an opportunity to fix the existing as well as the new.
- wetlands do exist although the Official Plan says there are no significant wetlands. Has the property been visited to determine this? Mr. Symon advised that new information was received from Conservation Authorities and Ministries when the new Official Plan was done. These wetlands are not determined as being Provincially significant. Staff will contact the Ministries to see if they did visit the site.
- drainage will be addressed at a later date. Mr. Symon advised that this is correct. Development cannot have a negative effect on neighbours. They will be notified of future meetings.
- how will density be ensured? Mr. Brown advised that the site plan will be registered on title that will show where permitted lots are. Development can then be controlled. can a neighbour apply for the same type of development? Mr. Symon advised that existing development is driving this proposal. Future development would have to fully address the Official Plan.

Craig Pollard, 858 County Rd. 44

- does not support the proposal as it is not clear.
- will residents be able to stay as they are now?
- rezoning may cause wetlands problem.
- previous problems in the park were not dealt with.
- area residents were not kept informed as park residents were.
- request enough information that this will be the best solution for everyone.
- problem of saving the current residents vs. a new development. Mr. Symon advised that notice was given to property owners within the 120 metre limit as required. Interests are with the current residents. We are in a very severe situation. Karen Dunlop advised that 41 units were in the park that were occupied. Mr. Brown advised that the Municipality does not own the park. The trustee will do nothing. MOE has orders against the Municipality to deal with issues. The Municipality is trying to facilitate a process to get a resolution.
- feels due diligence has not been met.

Henry Starno, representing the Owners and Developers

- sequence of events- satisfy outstanding orders in existing area, no work in new area until existing area has met MOE requirements, all new underground pipes will be installed.
- must upgrade the existing area appearance. Cannot sell new homes unless old area is cleaned up. No intention of pushing any tenant out.
- \$500,000 has to go into upgrades to the existing area. Economics cannot work unless there is expansion of the area. Municipality will be protected by securities that the systems will work.

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- the plan is at the concept stage.
- answers to questions will be provided before a shovel will go into the ground.

The public meeting was adjourned by Deputy Mayor Finnerty.

Mr. Symon asked all those concerned to sign in to ensure notice of next meeting. Staff requested to review the concerns presented. Council agreed with this request. This item will come back to the next Council Meeting to be held on October 26th.

REPORTS OF MUNICIPAL OFFICERS

1. Andy Brown, C.A.O., reported on the following:
 - i) A by-law to enter into an Infrastructure Stimulus Fund Contribution Agreement was presented and passed. (See By-Law 64-09)
 - ii) A resolution to name the lounge in the new Fire Station in memory of Ken Seymour was presented and passed. (See Resolutions A.)
 - iii) A resolution was presented regarding a downtown police office in the new library. Each phase of the project will come back to Council for approvals. Councillor Tobin requested a business case from the Police Services Board for the policing office component of the new library. Council passed the resolution. (See Resolutions B.)
2. Cahl Pominville, Director of Corporate Services/Clerk, reported on the following:
 - i) A resolution in support of the Salvation Army effort to obtain property for a new building was presented and passed. (See Resolutions C.)
 - ii) The next Committee of the Whole meeting will be held on Monday, October 19th and the next Regular Council meeting will be held on Monday, October 26th.
3. Karen Dunlop, Director of Public Works, reported on the following:
 - i) A by-law to award Tender NG09-26 for the framing of the Oxford Mills Garage was presented and passed. (See By-Law 65-09)
 - ii) All paving is complete for 2009.
4. Darren Patmore, Director of Parks, Recreation & Culture, reported on the following:
 - i) An update was provided on events at the Municipal Centre.
 - ii) Swim pool repairs ongoing.
 - iii) Staff are working on 2010 budget estimates.
5. Sheila Kehoe, Treasurer, reported on the following:
 - i) 86% of the 2009 tax levy has been received.
6. Forbes Symon, Director of Planning & Development, reported on the following:
 - i) A by-law to enter into an encroachment agreement with the owner of 23 Water St., Oxford Mills, was presented and passed. (See By-Law 63-09)

REPORTS OF MEMBERS OF COUNCIL

1. Deputy Mayor Ken Finnerty reported on the following:
 - i) The Waste Reduction Committee will meet on October 21st at 3:00 p.m.

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- ii) A fund raising dance will take place on October 17th at the Municipal Centre with proceeds to fire fighting equipment for the KFD.
2. Councillor Terry Butler reported on the following:
- i) The gala put on by CASE was attended. This event was well attended with another fundraiser scheduled for October 24th.
 - ii) The Special Projects Committee will meet on October 15th at 8:30 a.m.
 - iii) The recent Dandelion Festival meeting was attended. Grants have been applied for 2010 events.
3. Councillor Tim Sutton reported on the following:
- i) Recent events attended include a Kemptville Rotary Club meeting, Carleton University session on architectural and heritage conservation programs and the County roundtable on manufacturing. Updates were provided.
 - ii) The next Economic Development Committee Meeting will be held on October 23rd at 1:30 p.m.
 - iii) Phase I of the Colonnade development will begin next spring. Staples and two other major partners will look to open in August.
4. Councillor Barb Tobin reported on the following:
- i) The Oxford Mills Community Association met on October 7th. Plans for a Halloween party are being made.
 - ii) The Chamber of Commerce business breakfast will be held on October 23rd.
 - iii) Numerous activities are planned for Ontario Public Library Week. Upcoming library events include bedtime story hour on October 20th at the Kemptville branch, drop in story time on October 23rd at the South Gower Library and the Annual Book Fair at the Forest Centre on October 16th and 17th.
 - iv) An Open House will be held at the NGMC on October 22nd to view draft plans and provide comments on the New Centralized Library.

BY-LAWS

By-Law 63-09

A By-Law to Authorize an Encroachment Agreement

Moved by Tim Sutton and seconded by Terry Butler that By-Law 63-09 to authorize the Municipality to enter into an encroachment agreement be adopted and passed;

And Further That the said By-Law be signed by the Mayor and Clerk, sealed with the seal of the Corporation and be engrossed in the By-Law Book.

CARRIED

By-Law 64-09

A By-Law to Authorize a Contribution Agreement for Infrastructure Stimulus Fund

Moved by Tim Sutton and seconded by Terry Butler that By-Law 64-09 to authorize a contribution agreement for the Infrastructure Stimulus Fund be adopted and passed;

And Further That the said By-Law be signed by the Mayor and Clerk, sealed with the seal of the Corporation and be engrossed in the By-Law Book.

CARRIED

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By-Law 65-09

A By-Law to Award Tender NG09-26 (Framing Oxford Mills Garage)

Moved by Terry Butler and seconded by Barb Tobin that By-Law 65-09 to award Tender NG09-26 for framing the Oxford Mills Garage be adopted and passed;

And Further That the said By-Law be signed by the Mayor and Clerk, sealed with the seal of the Corporation and be engrossed in the By-Law Book.

CARRIED

RESOLUTIONS

A. Moved by Tim Sutton and seconded by Terry Butler that Council name the Lounge in the new Fire Station in memory of Ken Seymour, based on the financial donation by Mark Seymour, his son.

CARRIED

B. Moved by Barb Tobin and seconded by Terry Butler that Council accepts the recommendation from the Police Services Board and agrees that a community policing office should be in place as soon as possible in Old Town Kemptville;

AND FURTHER THAT Council supports a space of 100 square feet to be added to the new library for the purpose of a downtown police office pending final approval;

AND FURTHER THAT the costs of construction of this space shall not exceed \$300 per square foot as per the C.A.O.'s report to Council and the Library Board on October 8th, 2009;

AND FURTHER THAT all construction and operational costs shall be borne by the Municipality and not be a part of the library costs or funds/grants;

AND FURTHER THAT should the police office not be required in the future, this space will be used for municipal purposes only, or provided to the library for its use;

AND FURTHER THAT given that the timeframe to complete the library project may mean that a community policing office will not be available to the O.P.P. in Old Town Kemptville until 2011, that Council directs staff to make a suitable work space of similar size available to the O.P.P. in the Court House Building on Water St. effective immediately for use as an interim community policing office until such time as the new office is completed.

CARRIED

C. Moved by Barb Tobin and seconded by Terry Butler that the Council of the Municipality of North Grenville supports the Salvation Army in their effort in acquiring the surplus parcel of land at 270 County Rd. 44 owned by the Federal Government so they can relocate and build a building that will enable the Salvation Army to enhance the capacity of the services that are currently offered and allow them to provide future services as the community and the needs change and grow.

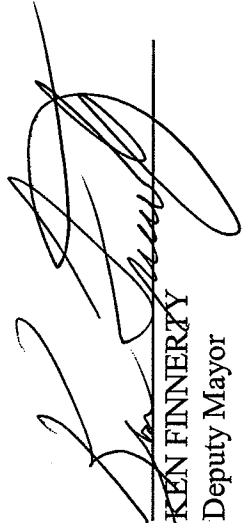
CARRIED

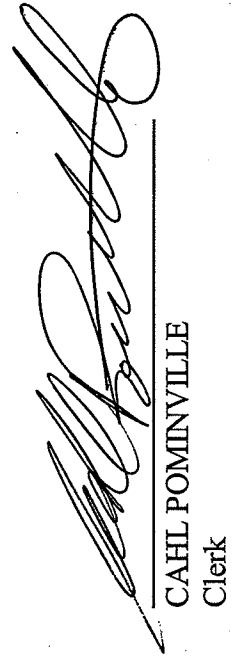
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ADJOURNMENT

Moved by Barb Tobin and seconded Terry Butler that this Regular Meeting of Council adjourn at 9:20 p.m. and that the next Regular Meeting be held October 26, 2009 at 6:30 p.m.

CARRIED


KEN FINNERFY
Deputy Mayor


CAHL POMINVILLE
Clerk