

## REGULAR COUNCIL MEETING

A Regular Meeting of the Council of the Corporation of the Township of Havelock-Belmont-Methuen was held on November 21, 2011 at 7:00 p.m. in the Havelock-Belmont-Methuen Council Chambers, Mayor Ron Gerow in the Chair.

All members of Council were present.

Staff present: CAO Linda Reed, Planning Assistant/By-law Enforcement Officer Andrea Loyst, Chief Building Official Travis Toms, Superintendent of Works Boyd Hill, Manager of Infrastructure Peter Deshane, and Clerk Glenn Girven.

Mayor Gerow called the meeting to order and reminded Council of the requirement to disclose any pecuniary interest and the general nature thereof if the occasion arises.

### **Presentation: Community Recognition Awards for 2011**

#### **Community Recognition Awards**

Colin Connelly and Family  
Eleanor Cheyne  
Ladies Orange Lodge  
Bev Flagler  
Wendy Cassidy (not in attendance)

#### **Nominated by:**

Havelock Catholic Women's League  
Community Care Havelock  
Councillor Ellis  
Wendy Cassidy and Members of Council  
Members of Council

**Certificate of Commendation from the Governor General of Canada** to Christopher Spooner in recognition of his actions following an incident in Havelock on April 11, 2009. Mr. Spooner was not in attendance to receive his Certificate of Commendation.

### **Minutes:**

R-744-11      Moved by Councillor Ellis  
                    Seconded by Deputy Mayor Sharpe

That the minutes of the Regular Council meeting of November 7, 2011 be adopted as circulated.

Carried

### **Public Meeting – Committee of Adjustment:**

R-745-11      Moved by Councillor Martin  
                    Seconded by Councillor Pomeroy

That this meeting move into a public meeting of the Committee of Adjustment with Deputy Mayor Sharpe in the Chair.

Carried

Deputy Mayor Sharpe reminded members of the Committee of the requirement to disclose any pecuniary interest and the general nature thereof if the occasion arises.

### **Minor Variances:**

**A-19/11 Margaret and David Barnard**  
**29 Fire Road 84B**, Con 3, Pt Lot 25, Methuen Ward (Methuen Lake)  
The purpose is to demolish part of existing deck and reconstruct an enclosed addition on footprint and construct a new accessory building with the effect of reducing the water setback from 100 feet to 70 feet (70 feet existing) as per 4.35 of Zoning By-law 1995-42 AA; and reduce the side yard setback from 20 feet to 6 feet (0 feet existing) as per 11.2.1(d) of Zoning By-law 1995-42 AA (for the cottage addition); and reduce the side yard setback from 10 feet to 5 feet as per 4.1 (e)(iii) of Zoning By-law 1995-42 AA (for the accessory building).

The Clerk advised that this application had been deferred at the September 26<sup>th</sup>, 2011 Committee of Adjustment meeting. Notice had been re-circulated for this Public Meeting. Notice had been given by prepaid first class mail to every owner of land within 60 metres of the area to which the application applies and a notice was clearly posted on the property. No written comments had been received on the application.

The Planning Assistant/By-law Enforcement Officer presented the Planning Report to the meeting.

Deputy Mayor Sharpe invited anyone present to speak in opposition to the minor variance three times with no response.

Deputy Mayor Sharpe invited anyone present to speak in favour of the minor variance application three times with no response. The applicant was not in attendance.

Deputy Mayor Sharpe said that the Minor Variance and Severance Review Committee had recommended that the application be deferred

R-746-11 Moved by Councillor Martin  
Seconded by Councillor Ellis

That the application A-19/11 is approved with the following conditions because it meets the four tests for a minor variance:

- That the accessory building be no closer to the side lot line than 5 feet,
- That the accessory building be no closer to the existing cottage structure than 5 feet.
- That the existing deck at the northwest side of the cottage is to be reduced to remove the encroachment on the neighbouring property, but is permitted a setback of zero feet.

- That the deck addition on the front of the cottage be permitted no closer to the side yard than 4.9 feet.
- That the setback for the deck addition, and the removal of the encroachment on the existing deck at the northwest side of the cottage, are to be confirmed by an Ontario Land Surveyor.
- That a silt fence be installed as determined by and to the satisfaction of the Chief Building Official.
- Building Permit(s) subject to approvals by Crowe Valley Conservation Authority and Peterborough County-City Health Unit.
- That a building permit not be issued until the 20-day appeal period has lapsed.

That the Waterfront Minor Variance and Severance Committee Statement of Findings be received for information;

That the balance of the information in the Planning Report be received;  
Carried

**A-24/11 Wesley Cawker and Rhonda Cawker**

Lot 8 & 9, Concession 1, Belmont Ward (Crowe Lake)

Construct a cottage and open deck with the effect of reducing the water setback from 100 feet to 88 feet as per 4.35 of Zoning By-law 1995-42 AA; and reducing the minimum floor area for vacation dwelling from 797 sq ft. to 400 sq ft. as per 12.2.1 (h) of Zoning By-law 1995-42 AA.

The Clerk advised that this application had been deferred at the October 17<sup>th</sup>, 2011 Committee of Adjustment meeting. Notice for that Public Meeting had been given by prepaid first class mail to every owner of land within 60 metres of the area to which the application applies and a notice was clearly posted on the property. No written comments had been received on the application.

The Planning Assistant/By-law Enforcement Officer presented the Planning Report to the meeting.

Deputy Mayor Sharpe invited anyone present to speak in opposition to the minor variance three times with no response.

Deputy Mayor Sharpe invited anyone present to speak in favour of the minor variance application three times. The applicant was in attendance to answer any questions.

Deputy Mayor Sharpe said that the Minor Variance and Severance Review Committee had found that the application did not meet two of the tests for a minor variance.

Councillor Pomeroy said that the cottage had been started without a building permit. The application did not meet the general intent of the Zoning By-law or Official Plan.

R-747-11 Moved by Councillor Pomeroy  
Seconded by Councillor Ellis

That the application A-24-11 is denied approved because it does not meet the four tests for a minor variance;

That the Waterfront Minor Variance and Severance Committee Statement of Findings be received for information;

That the balance of the information in the Planning Report be received;

Carried

R-748-11 Moved by Councillor Ellis  
Seconded by Councillor Pomeroy

That the Committee of Adjustment meeting adjourn and the gavel be returned to the Mayor.

Carried

### **Regular Meeting resumes:**

### **Delegations:**

Chris Bradley, Director of Public Works at the County of Peterborough, at the invitation of Council. Mr. Bradley introduced Peter Nelson, the new Manager of Technical Services for the County, to members of Council and staff.

Mr. Bradley provided a response to the Township's October 25<sup>th</sup> letter requesting information on the road inventory of County Roads within Havelock-Belmont-Methuen. He presented a Road Inventory Summary listing the County Road number, surface type, length, traffic volumes and condition rating. He also presented an excerpt from the 2011 Five Year Construction forecast showing the five year forecast for construction and resurfacing projects in HBM. Different County Roads and bridges within HBM have been identified for work over the next few years, starting with Concession Street/County Road 30 slated for 2012. Although George Street was not on the Five Year forecast, Mr. Bradley said that they would look at interim solutions to make the road better in the short term until the road can be reconstructed in the long term.

Members of Council thanked Mr. Bradley and Mr. Nelson for their positive news for the County Roads within HBM.

Mayor Gerow extended an invitation to anyone in attendance not listed as a delegation, to do so now. Ruth Pezzack provided preliminary input to the 2012 municipal budget. On behalf of the HBM Lake Association, she asked that Council hold the line with a zero mill rate increase for 2012.

R-749-11 Moved by Councillor Martin  
Seconded by Councillor Pomeroy

That the delegations to the meeting be received.  
Carried

### Staff Reports:

1. Report from the Planning Department – **Severance applications B-88 & 89-11**  
The purpose of this report was to receive a recommendation for the Peterborough Land Division regarding two seasonal residential lot creations and a retained Rural lot from a Rural parcel

#### **B-88/11 Sahyog Investments Inc./Kevin Duguay**

Lot 7, Concession 1, Belmont Ward (Crowe Lake)

The purpose and effect of this application is the creation of a new lot with an area of approximately 46.9 acres (19 ha) and a frontage on Crowe Lake of 664.55 feet (202.6 m). The retained parcel will have a lot area of 32.9 acres (13.3 ha) with 411 feet (125.3 m) of frontage on Crowe Lake and 500 feet (152.4 m) of frontage on Terrace Rd.

#### **B-89/11 Sahyog Investments Inc. /Kevin Duguay**

Lot 7, Concession 1, Belmont Ward (Crowe Lake)

The purpose and effect of this application is the creation of a new Seasonal Residential lot with an area of approximately 40.5 acres (16.4 ha) and a frontage on Crowe Lake of 594 feet (181 m) and a frontage of 145.6 feet (44.37 m) on Blairton Tent and Trailer Park Rd. The retained parcel will have a lot area of 32.9 acres (13.3 ha) with 411 feet (125.3 m) of frontage on Crowe Lake and 500 feet (152.4 m) of frontage on Terrace Rd.

R-750-11 Moved by Deputy Mayor Sharpe  
Seconded by Councillor Ellis

- That the application B-88-11 be recommended to the Peterborough County Land Division with the following conditions:
  - That \$1000 cash-in-lieu of Parkland fee be paid to the municipality
  - That the severed parcels be rezoned to the satisfaction of the municipality
  - That an Environmental Impact Study be completed on the retained parcel because of the Crowe Lake Wetland No. 2 (Provincially Significant Wetland) traverses the property.

That the Waterfront Minor Variance and Severance Committee Statement of Findings be received for information.

That the balance of the information in the Report be received.

Carried

R-751-11 Moved by Deputy Mayor Sharpe  
Seconded by Councillor Ellis

That the application B-89-11 be recommended to the Peterborough County Land Division with the following conditions:

- That \$1000 cash-in-lieu of Parkland fee be paid to the municipality
- That the severed parcels be rezoned to the satisfaction of the municipality
- That an Environmental Impact Study be completed on the retained parcel because of the Crowe Lake Wetland No. 2 (Provincially Significant Wetland) traverses the property.

That the Waterfront Minor Variance and Severance Committee Statement of Findings be received for information.

That the balance of the information in the Report be received.

Carried

2. Report from the Planning Department – **Severance applications B-90-11**  
The purpose of this report was to receive a recommendation for the Peterborough Land Division regarding a lot creation of a Seasonal Residential lot from a lot that had been previously subject to a consent approval (B-27-09).

**B-90/11 Sharon Mae Wood/Robert Broughton**

**34 Fire Rd. 17**, Lot 20, Concession 3, Belmont Ward (Belmont Lake)

The purpose and effect of this application is to sever a parcel from a parcel previously created by consent approval (B-27/09). The severed parcel has 175 feet of frontage on Belmont Lake with an area of 1.07 acres (0.43 ha). The retained parcel has 225 feet (68.6 m) of frontage on Belmont Lake and an area of 2.7 acres (1.1 ha).

R-752-11 Moved by Deputy Mayor Sharpe  
Seconded by Councillor Ellis

That the application B-90/11 is not be recommended for approval to the Peterborough County Land Division because it is contrary to the Township's Official Plan policy 6.2.8.1;

And that a letter be written to the County of Peterborough Land Division to explain the provision in Section 6.2.8.1 of the Official Plan;

And further that a staff person attend the Land Division Meeting to speak to the application.

Carried

3. Report from the Planning Department – **Severance applications B-94-11**  
The purpose of this report was to receive a recommendation for the Peterborough Land Division regarding a lot addition from a Rural property to be merged with a Seasonal Residential property.

**B-94/11 Ricardo and Dawn-Marie Rodo**

Lot 18, Concession 6, Belmont Ward

The purpose and effect of this application is to sever a parcel of land on the east side of Burnt Dam Rd. to be merged with an existing seasonal residential property on the west side of Burnt Dam Rd. The severed parcel is to have approximately 250 feet (76.2 m) of frontage on Burnt Dam Rd. and an area of approximately 2.3 acres (0.93 ha). The retained parcel is approximately 109 acres (44.12 ha) and has frontage on both Burnt Dam Rd. and Preston Rd.

R-753-11 Moved by Councillor Ellis  
Seconded by Councillor Pomeroy

That the application B-94/11 be recommended to the Peterborough County Land Division with the following conditions:

- Entrance approval received from Havelock-Belmont-Methuen Superintendent of Works.
- 33 feet from centre of road be deeded to the township
- That a rezoning of the severed parcel be completed to the Township's satisfaction
- That a merger agreement be entered into between the transferor, transferee and the municipality as per the Planning Act and registered on title that would merge the severed parcel with the abutting parcel of land with Roll No 1531-010-004-08901 such that these parcels will be considered as one lot and will not be dealt with separately.
- That staff be directed to forward the municipal appraisal form to Peterborough County Land Division.
- That the balance of the information in the Report be received.

Carried

4. **Report from the Chief Building Official – Building Department Activity Report for August 2011.**
5. **Report from the Chief Building Official – Building Department Activity Report for September 2011.**
6. **Report from the Chief Building Official – Building Department Activity Report for October 2011.**

R-754-11 Moved by Councillor Pomeroy  
Seconded by Councillor Martin

That the Building Activity Reports from the Chief Building Official for August, September and October, 2011 be received.

Carried

**7. Report from the Superintendent of Works – Waste Site Hours for Christmas Holidays.**

R-755-11 Moved by Deputy Mayor Sharpe  
Seconded by Councillor Pomeroy

That Council approve of the following revised Waste Site Hours of Operation for the week December 25, 2011 through to January 2, 2012, and that the schedule be posted on the Website for information:

**Sixth Line Transfer Station**

Closed: Sunday, Dec 25  
Monday, Dec 26  
Sunday, Jan 1

**Oak Lake and West Kosh**

Closed: Sunday, Dec 25  
Sunday, Jan 1  
Open: Tuesday, Dec 27  
Monday, Jan 2

**Jack Lake Transfer Station**

Closed: Sunday, Dec 25  
Sunday, Jan 1  
Open: Tuesday, Dec 27  
Monday, Jan 2

Carried

**8. Report from the Treasurer – 2012 draft budget – municipal purposes, water & sewer.**

R-756-11 Moved by Councillor Pomeroy  
Seconded by Councillor Ellis

That the 2012 Draft Budget reports be received and referred to the December 19<sup>th</sup> Council Meeting; and that delegations from the public may be received at the December 5<sup>th</sup> and December 12<sup>th</sup>, 2011 Council meetings; with final approval of the budgets considered at the December 19<sup>th</sup>, 2011 Council meeting.

Carried

**Correspondence:**

**#258-11**      **County of Peterborough** provide a copy of their by-law to regulate the Operation of All-Terrain Vehicles on Highways and Roadways within the Jurisdiction of the County of Peterborough.

R-757-11      Moved by Deputy Mayor Sharpe  
Seconded by Councillor Ellis

That the correspondence from the County of Peterborough be received; and that the information be provided to the Havelock and District ATV Club and that they be advised to bring back a proposal for Council consideration.

Carried

**#260-11**      **Town of Richmond Hill** petitions the legislative assembly of Ontario to request the Minister of Health to direct the Ontario Public Health system and OHIP to include all currently available and scientifically verified tests for Acute and Chronic Lyme diagnosis, to do everything necessary to create public awareness of Lyme Disease in Ontario, and to have internationally developed diagnostic and successful treatment protocols available to patients and physicians.

R-758-11      Moved by Councillor Pomeroy  
Seconded by Deputy Mayor Sharpe

That Council support the resolution from the Town of Richmond Hill.

Carried

**#259-11**      **AMO Watch File** November 10, 2011 edition. A copy of the Hotel Room booking policy in effect for AMO 2012 is attached.

**#261-11**      **AMO Watch File** November 17, 2011 edition. The information on the Risks and Rewards of Social Media is attached.

**#262-11**      **Township of Chisholm** recommends to the Ontario Government that there be an amendment to the Municipal Act providing for appropriate pregnancy/Parental leave for Municipal Mayors and Councillors that does not require authorization from Council.

**#263-11**      **Peterborough County-City Health Unit** – Board of Health Meeting Summary for the November 9, 2011 meeting.

**#264-11**      **Affordable Housing Action Committee** – Housing is Fundamental 2011.



1. To Authorize an agreement with the Trent Hills Family Health Team for the Medical Centre.

R-761-11 Moved by Councillor Pomeroy  
Seconded by Deputy Mayor Sharpe

That the By-law to authorize the Mayor and Clerk to enter into the "Provision of Services Agreement" with the Trent Hills Family Health Team be read a first, second and third time and be passed in open Council this 21<sup>st</sup> day of November, 2011, and be given By-law No. 2011-105.

Carried

### **Curfew**

R-762-11 Moved by Councillor Pomeroy  
Seconded by Councillor Ellis

That the Council meeting extend past the 10:00 curfew to continue the business of this meeting.

Carried

### **Closed Session:**

R-763-11 Moved by Councillor Martin  
Seconded by Councillor Ellis

That this meeting move into closed session at 9:55 p.m. under Section 239 (2) of the Municipal Act for matters regarding the security of the property of the municipality; personal matters about identifiable individuals, including municipal employees; and litigation or potential litigation affecting the municipality.

Carried

R-764-11 Moved by Councillor Ellis  
Seconded by Councillor Martin

That the meeting rise from the closed session, 10:30 p.m. and the open session resume.

Carried

**Confirmation By-Law:**

R-765-11     Moved by Deputy Mayor Sharpe  
                  Seconded by Councillor Martin

That the by-law to confirm the proceedings of the meeting of the Council of the Corporation of the Township of Havelock-Belmont-Methuen held on November 21, 2011 be read a first, second and third time and be finally passed in open council this 21<sup>st</sup> day of November, and be numbered By-Law No. 2011– 106.

Carried

**Adjournment:**

R-766-11     Moved by Councillor Pomeroy  
                  Seconded by Councillor Ellis

That this meeting adjourn at 10:35 p.m.

Carried

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Mayor

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Clerk