

REGULAR COUNCIL MEETING

A Regular Meeting of the Council of the Corporation of the Township of Havelock-Belmont-Methuen was held on September 26, 2011 at 7:00 p.m. in the Havelock-Belmont-Methuen Council Chambers, Reeve Ron Gerow in the Chair.

All members of Council were present.

Staff present: CAO Linda Reed, Deputy Building Official Andrea Loyst, and Clerk Glenn Girven.

Reeve 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.

Minutes:

R-623-11 Moved by Councillor Pomeroy
 Seconded by Councillor Ellis

That the minutes of the Regular Council meeting of September 12, 2011 be adopted as circulated.

Carried

Public Meeting – Committee of Adjustment:

R-624-11 Moved by Councillor Martin
 Seconded by Councillor Ellis

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

Carried

Deputy Reeve 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-17/11 Dan and Lisa Coupland
Amended 187 Fire Road 27, Con 6, Part Lot 12, Belmont Ward, Belmont Lake
The purpose is to obtain approval for a minor variance to allow for the replacement of the existing open deck in same footprint, construct second storey addition onto existing cottage with a second storey deck with the effect of reduce the minimum water setback from 20' to 13' (13' existing) as per 4.35; and reduce side yard setback from 20' to 11' as per 11.2.1 (d) of Zoning By-law 1995-42 AA (for the open deck); and reduce front yard setback from 70' to 21' (21' existing) together with reducing the minimum

water setback from 100' to 16' (second storey deck) as per 4.35; and reduce the side yard setback from 20' to 13' (13' existing) as per 11.2.1 (d) of Zoning By-law 1995-42 AA (for the second storey addition).

This application had been deferred at the August 16, 2011 Committee of Adjustment meeting to provide the opportunity for the applicant to discuss the application with the Crowe Valley Conservation Authority. The application was amended for this meeting and notice recirculated.

The Clerk advised that notice of the 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 Deputy Building Official presented the Planning Report to the meeting.

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

Deputy Reeve Sharpe invited anyone present to speak in favour of the minor variance application three times. Mr. Coupland was in attendance to answer any questions that meeting may have. He said that the current cottage would become the second floor, with the new construction being the first floor.

R-625-11 Moved by Councillor Ellis
Seconded by Councillor Pomeroy

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;

And that the application A-17/11 is approved with the following conditions because it meets the four tests for a minor variance:

- That the 10' x 20' open deck be replaced back on the same footprint as existing open deck.
- Cottage addition and second storey deck be permitted.
- Building permit issuance is subject to approval from other agencies.
- That a building permit not be issued until the 20 day appeal period has lapsed.

Carried

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 notice of the 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 Deputy Building Official presented the Planning Report to the meeting.

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

Deputy Reeve Sharpe invited anyone present to speak in favour of the minor variance application three times with no response.

Deputy Reeve Sharpe said that the Minor Variance and Severance Review Committee had recommended that the application be deferred. There was a front deck addition built without a permit that should come down.

R-626-11 Moved by Reeve Gerow
Seconded by Councillor Martin

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;

And that the application A-19/11 be deferred until a proper site plan showing the deck that is to be removed is available; that the site plan be more detailed, and show that the work proposed to be done on the cottage comes as close as possible to the requirements of the zoning by-law.

Carried

A-20/11 Richard and Patricia Howard
35 Fire Road 50, Con 7, Pt Lot 19, Belmont Ward (Round Lake)
The purpose of the application is to demolish and reconstruct the existing cottage on the same footprint with the effect of reducing the minimum

water setback from 100' to 38' as per 11.2.1(c) of Zoning By-law 1995-42 AA.

The Clerk advised that notice of the 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 Deputy Building Official presented the Planning Report to the meeting.

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

Deputy Reeve Sharpe invited anyone present to speak in favour of the minor variance application three times with no response.

R-627-11 Moved by Councillor Martin
 Seconded by Councillor Pomeroy

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;

And that the application A-20/11 is approved with the following conditions because it meets the four tests for a minor variance:

- That the building location be confirmed on the property by an Ontario Land Surveyor.
- A silt fence to be installed as determined by and to the satisfaction of the Chief Building Official.
- That a building permit not be issued until the 20-day appeal period has lapsed.
- That an amended approval be received from the Crowe Valley Conservation Authority prior to issuance of a building permit.

Carried

A-21/11

Barry MacDougall

28 Fire Road 85H, Con 8, Pt Lot 27, Methuen Ward (Jack Lake)

The purpose of the application is to demolish part of existing deck and reconstruct an enclosed addition on footprint with the effect of reducing the water setback from 100 feet to 85 feet as per 4.35 of Zoning By-law 1995-42 AA (addition to cottage); and reducing the front yard setback from 70 feet to 54 feet as per 11.2.1(c) of Zoning By-law 1995-42 AA; and reduce the water setback from 100 feet to 54 feet as per 4.35 of Zoning By-law 1995-42 AA (deck/veranda).

The Clerk advised that notice of the 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 Deputy Building Official presented the Planning Report to the meeting.

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

Deputy Reeve Sharpe invited anyone present to speak in favour of the minor variance application three times. Brad MacDougall, son of the applicant, was in attendance to answer any questions that the meeting may have. He said that the deck was the priority. He said the measurements were done by the applicant to the best of their ability due to the topography of the property.

R-628-11 Moved by Councillor Martin
Seconded by Reeve Gerow

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;

And that the application A-21/11 be deferred to allow the owner to acquire a survey prepared by an Ontario Land Surveyor to confirm the proposed setbacks for the addition.

Carried

A-22/11 Rick Fox
865 Island 31 Jack Lake, Con 9, Pt Lot 29, Methuen Ward (Jack Lake)
The purpose of the application is to construct a new addition on cottage and reconstruct open deck with the effect of reducing the water setback from 100 feet to 27 feet (26 feet existing) as per 4.35 of Zoning By-law 1995-42 AA; and reduce the front yard setback from 70 feet to 27 feet (26 feet existing) as per 12.2.1(c) of Zoning By-law 1995-42 AA (addition); reducing the water setback from 100 feet to 0 feet (0 feet existing) as per 12.2.1 (c) of Zoning By-law 1995-42 AA (deck); and increasing the maximum lot coverage from 4% to 5% (3.6% existing) as per 12.2.1(g) of Zoning By-law 1995-42 AA.

The Clerk advised that notice of the 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 by the Clerk on the application.

The Deputy Building Official presented the Planning Report to the meeting. The Planning Report had recommended that the application be deferred to allow the applicant to consider relocating the addition. She said that she had received an email from the applicant in support of the application, and read the email into the public record.

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

Deputy Reeve Sharpe invited anyone present to speak in favour of the minor variance application three times.

R-629-11 Moved by Reeve Gerow
 Seconded by Councillor Ellis

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;

And that the application A-22/11 is deferred to allow for the applicant to consider relocating the addition further from the water.

Carried

A-23/11 Bill Godin and Leanne Skinkle
368 Fire Road 93 A, Con 8, Pt Lot 8 & 9, Methuen Ward (Kasshabog Lake)

The purpose of the application is to amend a previous Committee of Adjustment decision for the height and maximum floor area for an accessory building (Application A-06/11) with the effect of increasing the maximum floor area of all accessory buildings from 130% (A-06/11 decision) to 142%. 75% is the maximum floor area as per 11.2.2.1 of Zoning By-law 1995-42 AA; and increasing the maximum height of an accessory building from 19 feet (A-06/11 decision) to 24 feet. 15 feet is the maximum height required by 4.1 (c) of Zoning By-law 1995-42 AA.

The Clerk advised that notice of the 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 Deputy Building Official presented the Planning Report to the meeting.

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

Deputy Reeve Sharpe invited anyone present to speak in favour of the minor variance application three times. Leanne Skinkle was in attendance to answer any questions.

R-630-11 Moved by Reeve Gerow
Seconded by Councillor Ellis

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;

And that the application A-23/11 is approved with the following conditions because it meets the four tests for a minor variance:

- That the building be permitted as per the building plans submitted to the Building Department.
- That a building permit not be issued until the 20-day appeal period has lapsed.
- That an amended approval be received from the Crowe Valley Conservation Authority prior to issuance of a building permit.

Carried

R-631-11 Moved by Councillor Martin
Seconded by Councillor Pomeroy

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

Carried

Regular Meeting resumes:

Delegations:

There were no delegations scheduled for this meeting.

Reeve Gerow invited anyone in attendance wishing to make a presentation to Council to do so at this time, with no response.

Staff Reports:

1. **Report from Planning Department** – Preliminary Severance Review
Lot 10, Con. 7 (Belmont) – Spence, Morton and Edgerton
The applicant is proposing a rezoning of the agricultural barn to prohibit animal housing as a condition of severance.

R-632-11 Moved by Deputy Reeve Sharpe
Seconded by Councillor Martin

That the staff planning report be received; and that staff advise the property owner that Council would like to see the barn removed if the application were to move forward.

Carried

2. **Report from Planning Department** – Preliminary Severance Review
Plan 10 Blocks E and F (Blairton Plan of Subdivision) – Cox
Applicant proposing severance of property to allow for 2 new residential lots that would result in deficient lot frontage in the Rural Zone.
Also, applicant is seeking approval to enter new lot created by severance from unopened portion of Queen St. in Blairton.

R-633-11 Moved by Councillor Martin
Seconded by Councillor Ellis

That Public Works staff take a look at the option of permitting access to the westerly lot from the unopened portion of Queen Street; and that Council recommends that the applicant have the proposed lots surveyed to determine exactly what frontage is there.

Carried

Correspondence:

#226-11A **TEACH Centre** requests permission to use the municipal parking lot to host “Fresh Expressions at Oak & George” on September 30, 2011 from 4:00 to 7:00 p.m. The Township owns four spaces on the south side of the lot, with the north side owned by other property owners.

R-634-11 Moved by Deputy Reeve Sharpe
Seconded by Councillor Pomeroy

That Council support the TEACH Centre’s request and grant permission to use the municipal parking lot to host “Fresh Expressions at Oak & George” on September 30, 2011 from 4:00 to 7:00 p.m. for the four municipal spaces on the south side of the lot.

Carried

#234-11 **Donna Hoard & Family** thank the road crew for their work on Sandy Lake and Tongamong Roads.

R-635-11 Moved by Councillor Ellis
Seconded by Councillor Pomeroy

That the correspondence from the Hoard family be copied to the Works Department.

Carried

- #227-11** **Jeff Leal** – a copy of a letter from Jeff Leal to the Deputy Minister of Health and Long Term Care.
- #228-11** **Kawartha Pine Ridge District School Board** announces their annual public meeting on Facility Partnerships.
- #229-11** **Peterborough County-City Health Unit** – Board of Health Meeting Summary for September 14, 2011.
- #230-11** **Lupus Foundation of Ontario** thank the municipality for providing education to our citizens about Lupus.
- #231-11** **County of Peterborough** – email from the Director of Public Works – the Manager of Technical Services response to Council's inquiry related to parking on Ontario Street.
- #232-11** **AMO Watch File** – September 15, 2011 edition.
- #233-11** **AMO Watch File** – September 22, 2011 edition
- #235-11** **AMO Communication** – Provincial Election 2011 – Municipal Forums
- #235-11** **OGRA** announce OGRA's 2011 Ontario Election Website launch.
- R-636-11 Moved by Councillor Pomeroy
Seconded by Councillor Martin

That the balance of the correspondence be received for information and be filed.
Carried

Committee Reports:

Police Services Board minutes from the August 15, 2011 meeting – Reeve Gerow

- R-637-11 Moved by Councillor Ellis
Seconded by Councillor Pomeroy

That the Police Services Board minutes from the August 15, 2011 meeting be received.
Carried

Deputy Reeve Sharpe had nothing to report under Committee Reports.

Councillor Ellis said that the fundraising for the T.R.I.P. pond project was going very well with Unimin donating \$1,000.00 toward the project. T.R.I.P. were going to skip the advertising banners this year as it would be a double donation from the business that

have contributed to the pond project. He also reported that CAO Reed, Deputy Building Official Loyst and he had attended the Source Water Protection Forum. It had been an informative session and provided the opportunity for the township to voice their comments.

Councillor Martin said that he had attended the Crowe Valley Conservation Authority meeting last week. Vicky Woolfrey and Marnie Guidon had provided an update on the Source Water Protection program. He also said that he had a conflict with School Council meetings and Council meetings.

Councillor Pomeroy said that he had attended the Chamber of Commerce meeting last Monday night after the Council meeting. The next meeting would be a dinner meeting to try to create more interest in the Chamber in the community.

Reeve Gerow said that the Police Services Board had met last Monday. Discussion had focused on the Jamboree. The OPP reported a well organized event by the owners, with a minimum of problems or traffic issues.

Notice of Motion: written

No written Notice of Motions were presented.

Notice of Motion: oral

No oral Notice of Motions were presented.

Other Business:

Drainage on Ontario Street – the County has surveyed and will provide a report to the Township.

R-638-11 Moved by Councillor Martin
 Seconded by Councillor Pomeroy

That a letter be written to the County of Peterborough asking for a report on the number of kilometres of County Roads in HBM; the type of surface of the roads; the condition of the roads; the volume of traffic on each road, what is the five year forecast for the work on the County Roads within the township.

Carried

Meeting dates – Council meetings will be held on the first three Mondays of each month. A meeting would move to the Tuesday following a statutory holiday.

By-Laws:**1. Authorize the conveyance and lease of land from Canadian Pacific Railway.**

R-639-11 Moved by Deputy Reeve Sharpe
Seconded by Councillor Ellis

That the by-law to authorize the conveyance and lease of land from the Canadian Pacific Railway be read a first, second and third time and be passed in open Council this 26th day of September, 2011, and be given By-law No. 2011 - 93.

Carried

2. Authorize the acquisition of land – Lots 54 and 55, Registered Plan 9 – Ottawa Street.

R-640-11 Moved by Councillor Pomeroy
Seconded by Councillor Martin

That the by-law to authorize the acquisition of land, being Lots 54 and 55, Registered Plan 9, be read a first, second and third time and be passed in open Council this 26th day of September, 2011, and be given By-law No. 2011 - 94.

Carried

3. Change the title for the Head of Council and Other Members of Council.

R-641-11 Moved by Councillor Pomeroy
Seconded by Councillor Martin

That the by-law to change the title for the head of Council and other members of Council, be read a first, second and third time and be passed in open Council this 26th day of September, 2011, and be given By-law No. 2011 - 95.

Carried

Closed Session:

Deputy Reeve Sharpe said that he had one additional item under personal matters about identifiable individuals, including municipal employees, that he would like to see addressed in the closed session.

R-642-11 Moved by Deputy Reeve Sharpe
Seconded by Councillor Martin

That this meeting move into closed session at 9:10 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 proposed or pending acquisition of property by the municipality.

Carried

R-643-11 Moved by Councillor Martin
Seconded by Councillor Pomeroy

That the meeting rise from the closed session, 9:45 p.m. and the open session resume.

Carried

Confirmation By-Law:

R-644-11 Moved by Councillor Ellis
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 September 26, 2011 be read a first, second and third time and be finally passed in open council this 26th day of September, and be numbered By-Law No. 2011– 96.

Carried

Adjournment:

R-645-11 Moved by Councillor Pomeroy
Seconded by Deputy Reeve Sharpe

That this meeting adjourn at 9:50 p.m.

Carried

Reeve

Clerk