

THE EIGHTIETH MEETING  
August 9, 2017

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Public and regular meetings of Council commenced at 6:00 PM at the South Stormont Town Hall.

**Public Meeting: 6:00 PM**

Present:

Council: Mayor Jim Bancroft  
Deputy Mayor Tammy Hart  
Councillor Donna Primeau  
Councillor David Smith  
Councillor Richard Waldroff

Staff: Loriann Harbers, Director of Corporate Services/Clerk  
Peter Young, Director of Planning/EDO  
Saadia Jamil, Community Planner

Welcome and Call to Order

Declaration of Pecuniary Interest

Mayor Bancroft declared a potential conflict of interest due to his relationship with the applicant and excused himself from the meeting.

Deputy Mayor Hart assumed the position as chair.

Public Meeting: Zoning Amendment Application No. Z-2017-08 (Zeran)

Deputy Mayor Hart welcomed those in attendance and introduced Peter Young, Director of Planning.

Director Young provided an overview of the public meeting process and advised that notice of public meeting had been mailed on July 20, 2017 in addition to being posted at the property. The notice was also sent electronically to the prescribed list pursuant to the Planning Act.

Those in attendance were encouraged to provide their contact information on the sign in sheet and that anyone wishing to receive further notice about the Zoning Amendment should provide their full name and address to the Clerk.

Director Young advised that the purpose of this zoning amendment is to remove Automotive Repair Garage as a prohibited use on Concession 5, Part of Lot 34, Part 1 and Part of Part 2 on Reference Plan 52R-5325, Parts 8 and 9 on Reference Plan 52R-7434, geographic Township of Cornwall, Township of South Stormont, and as shown on the Key Plan. The subject property is currently zoned, Highway Commercial – Special Exception Seven (CH-7). The rezoning would permit an automotive repair garage operation to be established on the subject property.

To further explain the proposal, Director Young described the existing permitted uses and provided a historical summary of the zoning of the subject property. He also described requirements that may be necessary should the zoning be approved including, landscaping, screening, fence as a buffer and setback distances.

Director Young advised that 2 emails, 16 letters and 3 phone calls were received in opposition to the proposal. In summary, concerns expressed include:

- Presently a quiet and tranquil neighbourhood, should the garage be approved there would be a greater potential for noise, added traffic and unpleasant view;
- View from Matthew Kieran Cr. (higher elevation) would be looking into automotive repair operation;
- Present zoning for this property is outdated; Industrial uses were permitted at one time in area, however, residential use has become prominent. It is suggested that General Commercial would be more appropriate than Highway Commercial in this location;
- Other already permitted uses would be more fitting, these include: nursery, garden centre or a small grocery shop.
- Concern was expressed that there is not enough detail about the proposal and more information is required before any decision is made.

Director Young proceeded to explain that no decision concerning this application will be made this evening. He explained that comments received will be considered and a recommendation will be presented to Council at a forthcoming meeting; likely September 6 or 27, 2017.

Those present were then provided with an explanation as to appeal rights; specifically:

- If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of South Stormont before the by-law is passed, the person or public body is not entitled to appeal the decision of the Township of South Stormont to the Ontario Municipal Board.
- If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of South Stormont before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Following the explanation of appeal rights, Deputy Mayor Hart invited those wishing to speak to the proposal to state their name and address for recording purposes.

Collette Bissonnette, 19 Matthew Kieran Cr., explained that the view from their home looking down onto the subject property would be compromised, that they selected the location of their home based on the peaceful area and beautiful view. She explained that they moved to the area to be away from noise and is concerned the automotive repair garage will negatively affect their lifestyle.

Claude Bissonnette, 19 Matthew Kieran Cr., advised that they moved to the area to avoid a "cookie cutter" type subdivision with beautiful views and quiet enjoyment. Mr. Bissonnette also expressed frustration that they did not receive a notice of public meeting and that the circulation area should have been greater. He suggests homes outside the required 400 feet should have been included.

Donna Labonte, 16165 County Road 36, explained that they moved to the area 11 years ago for peace and quiet. She suggested that if the proposed garage needs to be camouflaged as described earlier, perhaps it should not be located on the subject property.

Irene Cameron, 19013 County Road 2, Summerstown, advised that she was the original owner of the residential property to the south. She explained that over the years she has invested a great deal to develop the Arrowhead Subdivision and strongly objects to the possibility of having an automotive repair garage in the vicinity of the peaceful residential area surrounding.

Ms. Cameron stated that in her opinion, all residents in both the Arrowhead and Chase Meadows Subdivisions should have been circulated the notice of public meeting.

Ms. Cameron proceeded to explain that the current zoning of the subject property is outdated and as surrounding properties were rezoned for residential purposes, the subject property zoning should have been evaluated as well. General Commercial zoning would be a more fitting zone than the present Highway Commercial. She further questioned how the existing zoning occurred with Highway Commercial restricting Automotive Repair Garage.

She stated that she has 15 lots available for sale in the immediate area and stated that they are only sold to those interested with acceptable standards. These standards continue to maintain the quality of subdivision she has created and the addition of an automotive repair garage will deter potential buyers in this location.

Janna Labonte, 16636 Myers Road, expressed her opposition to the proposal due to potential noise. She had expressed interest in constructing a home adjacent to the subject property, however will re-consider if the amendment is approved.

Josh Eamon, 14 Forest Hill, questioned what the intended use is and what was the original rationale to restrict automotive repair garage?

Director Young referred to the previously presented slide summarizing the history of the zoning of the subject property, shown below:

- 1999 - Rezoned to Commercial Highway at front portion
- 2009 – Rezoned to Commercial Highway Exception 10 (added mini-warehouse and public storage and open storage as permitted uses). Auto repair garage, auto service station, and gasoline bar removed as permitted uses
- 2011 – Highway Commercial Exception 7 in new by-law
- 2012 – Warehousing added as permitted use to CH-7 zone.

It was clarified that the 2009 application was considered by the Planning Committee at the time and it is possible that the automotive repair garage restriction may have been a "trade off".

Collette Bissonnette, 19 Matthew Kieran Cr., stated that if the garage had already been constructed in the proposed location, they would not have built their home in the present location.

In response to the comment concerning how the exception zone occurred, Gerry Zeran, the applicant, explained that this was a decision of the Council of the day. He also stated that the property had been commercially zoned for some time and that the existing Community Market is well received. He advised that the property is well kept and this will continue with the new

tenant. He desires to promote local businesses and pays the required commercial taxes.

Janna Labonte, 16636 Myers Road, stated that she is concerned about the potential noise to be generated from an automotive repair garage from 8AM to 5 PM each day.

Claude Bissonnette, 19 Matthew Kieran Cr. expressed how loud an impact wrench could be and what inquired about the environmental impact of the used oil? He suggests details with regards to the proposal need to be provided.

Director Young advised that setbacks, specific to automotive repair garage will need to be adhered to. He also explained that the circulation list was prepared pursuant to the Planning Act, being 120 metres. Those in attendance were reminded that this meeting is hosted specifically to hear concerns and to gather information in advance of any recommendation or decision. If approved, the site plan control process will be undertaken and specifications concerning elevation, fence and/or hedge, etc. will need to be addressed.

Sue Zeran, applicant, stated that the mowers they use to maintain the property generate more noise than the anticipated noise of the automotive repair garage. She inquired as to noise complaints as a result of Rick's Automotive in Long Sault. She advised that there will be three buildings in total and that the two to be added will be similar to the existing building on the site. She explained that as property owners, they have standards of maintenance.

Irene Cameron, 19013 County Road 2, Summerstown, stated that under the current zoning there are some objectionable permitted uses and those uses should also be removed.

Deputy Mayor Hart invited Council members to ask questions.

Councillor Primeau requested clarification with regards to a cardlock establishment; this is one of the existing permitted uses.

The definition of "Cardlock Establishment" was read directly from the by-law:

"Cardlock Establishment shall mean one or more pump islands designed for the retail sale of gasoline or diesel fuel using pumps which are operated automatically by custom access, or similar card systems."

Councillor Waldroff requested clarification as to the circulation list; how many property owners were included?

Director Young advised that within the 120 metre radius there were approximately 20 property owners notified.

Councillor Smith inquired as to environmental regulations, aesthetics, traffic and noise.

Clarification was made that the Township's noise by-law prohibits excessive noise between the hours of 11 PM and 7 AM. In addition, members were advised that environmental regulations are prescribed and monitored by the Ministry of Environment and Climate Change and stormwater and environmental protection would typically be addressed in the site plan approval process.

Mr. Zeran advised that the interested tenant is aware of the environmental requirements as he had previously operated in an alternate location in the Township. He further stated that the operation will need to work within the setback of the existing sewer easement and therefore be positioned further north on the property.

Director Young explained that no decision will be made this evening and that it is anticipated that Council will consider at a meeting in September.

Members were also reminded that should anyone wish to receive notice of Council's decision, they must provide their name and address to the Clerk.

Deputy Mayor Hart expressed thanks to all who attended.

The public meeting adjourned at 6:53 PM.

### **Regular Meeting: 7:00 PM**

Present:

Council: Mayor Jim Bancroft  
Deputy Mayor Tammy Hart  
Councillor Donna Primeau  
Councillor Richard Waldroff  
Councillor David Smith

Staff: Kevin Amelotte, Director of Parks and Recreation  
Gilles Crepeau, Fire Chief  
Hilton Cryderman, Chief Building Official  
Ross Gellately, Director of Public Works  
Loriann Harbers, Director of Corporate Services/Clerk  
Cindy Piché, Director of Finance/Treasurer  
Peter Young, Director of Planning/EDO

1. Call Meeting to Order and Opening Remarks

2. The Lord's Prayer

3. Confirmation of Agenda

- a) Additions Deletions or Amendments: All matters listed under Consent Agenda are considered routine and will be enacted by one motion. Should a Council member wish an alternative action from the proposed recommendation the Council member shall request that this matter be moved to the appropriate section at this time.

Resolution No. 244/2017

Moved by Councillor Primeau  
Seconded by Councillor Waldroff

That the August 9, 2017 agenda be accepted as circulated.  
CARRIED

4. Disclosure of Pecuniary Interest

Councillor Waldroff declared a potential conflict of interest with By-law 2017-070 pertaining to acquisition or disposition of land to due to a business arrangement with the potential purchaser.

5. Adoption of Minutes

a) July 19, 2017

Resolution No. 245/2017

Moved by Deputy Mayor Hart

Seconded by Councillor Primeau

That the minutes of the July 19, 2017 meeting, be adopted as circulated.

CARRIED

6. Delegations

a) Ontario Provincial Police

Sergeant Turcotte was in attendance to provide an overview of the work of the Ontario Provincial Police in South Stormont.

7. Consent Agenda

Resolution No. 246/2017

Moved by Councillor Waldroff

Seconded by Councillor Smith

That all items listed under the Consent Agenda section of the Agenda be approved as recommended.

CARRIED

8. Key Information Reports

9. Action Requests

a) Camera and Recording of Council Meetings (2017 Budget)

Resolution No. 247/2017

Moved by Deputy Mayor Hart

Seconded by Councillor Smith

That Council defer the Camera/Recording Project, approved as part of the 2017 budget, for one year and re-visit during the 2018 budget deliberations. Furthermore, the Director of Finance make the appropriate entry to place the amount of \$4,500 into working capital reserves.

CARRIED

b) Long Sault Legion Temporary Extension – BBQ Event

Resolution No. 248/2017

Moved by Councillor Primeau

Seconded by Councillor Waldroff

Whereas the Long Sault Legion is applying for a temporary extension of the premises area from the Alcohol and Gaming Commission of Ontario (AGCO) for a Corn and Hot Dog BBQ Event; And whereas staff have reviewed the application and the requirements have been met. Now therefore be it resolved that the Township has no objection to the proposed extended licence area for the Long Sault Legion Corn and Hot Dog BBQ Event on Saturday, August 26, 2017.



Save South Stormont School Municipal Advisory Committee  
Celebrate Canada 150 Committee

11. By-laws

- a) By-law No. 2017-068 A Bylaw to Amend By-law No. 2011-100  
(Housekeeping III)

Resolution No. 254/2017

Moved by Deputy Mayor Hart  
Seconded by Councillor Smith

That By-law No. 2017-068, being a housekeeping update to Zoning By-law No. 2011-100, be read and passed in open Council signed and sealed this 9th day of August, 2017.

CARRIED

- b) By-law No. 2017-069 A Bylaw to Authorize Part Lot Control

Resolution No. 255/2017

Moved by Deputy Mayor Hart  
Seconded by Councillor Smith

That By-law No. 2017-069, being a by-law to authorize the lifting of part lot control, be read and passed in open Council, signed and sealed this 9th day of August, 2017.

CARRIED

- c) By-law No. 2017-070 A By-law to Authorize the Sale of Land

Resolution No. 256/2017

Moved by Councillor Smith  
Seconded by Councillor Primeau

That By-law No. 2017-070, being a by-law to authorize the sale of Part of Block G, Plan 230, be read and passed, signed and sealed in open Council this 9th day of August, 2017.

CARRIED

12. Motions and Notices of Motions

13. Miscellaneous Business

14. Unfinished Business Summary

15. Ratification By-law

Resolution No. 257/2017

Moved by Councillor Smith  
Seconded by Deputy Mayor Hart

That By-law No. 2017-071, being a by-law to ratify matters, be read and passed in open Council signed and sealed this 9th day of August, 2017.

16. Closed Meeting

Resolution No. 258/2017

Moved by Councillor Primeau  
Seconded by Councillor Smith

That Council, as provided in Section 239 (2) of The Municipal Act S.O. 2001, move into a closed meeting at 7:11 PM to address a matter pertaining to labour relations or employee negotiations,

Specifically: Collective Agreement  
CARRIED

Resolution No. 259/2017

Moved by Deputy Mayor Hart  
Seconded by Councillor Waldroff

That Council move out this closed meeting at 7:19 PM.

CARRIED

17. Adjournment by Resolution

Resolution No. 260/2017

Moved by Councillor Smith  
Seconded by Councillor Primeau

That Council adjourn this meeting at 7:20 PM and return to the call of the chair.

CARRIED

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Mayor

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Clerk