

REGULAR COUNCIL MEETING MINUTES

Held on Tuesday, October 3, 2023 at 6:00 PM

Held via WebEx Video, Teleconference and In-person

COUNCIL MEMBERS PRESENT		STAFF PRESENT
Mayor:	John Beddows	Shellee Fournier, CAO
Councillors:	Colin Brown	Penny Kelly, Clerk/CEMC
	Matt Harper	Melanie Kirkby, Treasurer
	Patrick Kirkby	Brenda Guy, Manager of Planning and Development
	Anne-Marie Koiner	David Armstrong, Manager of Public Works
	Vicky Leakey	Gord Howard, Fire Chief
	David Osmond	
Regrets:		Scott Gee, Police Chief
		Jeff Johnston, Manager of Parks and Recreation

1.	Call Meeting to Order
	Mayor Beddows called the meeting to order at 6:00 PM.
2.	Disclosure of Pecuniary Interest & General Nature Thereof – None
3.	Closed Meeting of Council – None
4.	Land Acknowledgement Statement
	<ul style="list-style-type: none"> Mayor Beddows read the Land Acknowledgement Statement.
5.	Public Question / Comment (Only Addressing Motion(s) or Reports on the Agenda) – None
6.	Disclosure of Additional Items – None
7.	Delegations – None
8.	Presentations / Awards / Deputations – None
9.	Mayor's Declaration – None
10.	Public Meeting
	1. Class III Development Permit – DP2022-19 – Home Hardware Stores Limited (+Report Council-PD-2023-16)
	<ul style="list-style-type: none"> A Public Meeting was held with respect to a Proposed Class III Development Permit Application (DP2022-19) received from Marcel A. Lavigne, on behalf of Home Hardware Stores Limited, regarding the property municipally and legally described as 875 STONE STREET N CON 1 E PT LOTS 12 AND 13 PART ROAD ALLOW AND PLAN 86 BLK W LOTS 15 AND 16 PT LOTS 3 TO 14 17 RP 28R10412 PART 2 TOWN OF GANANOQUE, to erect a greenhouse in the front yard attached to the existing Home Hardware Building. The Chair requested the Manager of Planning and Development present the Application to Council. <ul style="list-style-type: none"> Brenda Guy, Manager of Planning and Development provided an overview of Council Report PD-2023-16. The Chair asked if any member of Council had any questions or comments. <ul style="list-style-type: none"> Chair of PAC, Councillor Brown noted that this is a good project and is in favour of the greenhouse.

	<ul style="list-style-type: none"> • The Chair advised that under the Development Permit By-law, comments may be made by the public, however, once a Permit has been approved the only party able to appeal to the Ontario Land Tribunal is the Applicant. • The Chair asked if any member of the public had any questions or comments – None
	<ul style="list-style-type: none"> • The Chair asked if the Applicant / Owner had any additional questions or comments. – None
	<ul style="list-style-type: none"> • Council considered the following recommendation.
	<p>Motion #23-197 – Class III Development Permit – DP2022-19 – Home Hardware Stores Limited</p> <p>Moved by: Deputy Mayor Leakey Seconded by: Councillor Koiner</p> <p>BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE APPROVES DP2022-19 – 875 STONE STREET NORTH – HOME HARDWARE FOR THE ADDITION OF AN ATTACHED GREENHOUSE STRUCTURE AT THE FRONT OF THE EXISTING BUILDING, SUBJECT TO THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none"> • THE FIVE (5) BARRIER FREE PARKING SPACES BE REPAINTED AT THE FRONT OF THE BUILDING IN COMPLIANCE WITH THE REQUIRED DIMENSIONS AND BUFFERS IN ACCORDANCE WITH THE DEVELOPMENT PERMIT BY-LAW AND SHOW ON THE FINAL PLANS. • THE OWNER OBTAINS ALL NECESSARY APPROVALS FROM THE MINISTRY OF TRANSPORTATION AND PROVIDE TO THE TOWN. • THE OWNER OBTAINS ALL NECESSARY APPROVALS FROM ENBRIDGE GAS AND PROVIDE TO THE TOWN. • THE OWNER ENTERS INTO AN AMENDING DEVELOPMENT PERMIT AGREEMENT WITHIN ONE YEAR OF THE NOTICE OF DECISION, AND • ALL COSTS ASSOCIATED WITH FULFILLING THE CONDITIONS OF THIS DECISION ARE BORNE BY THE OWNER, <p>AS RECOMMENDED BY THE PLANNING ADVISORY COMMITTEE (PAC), AND; AS PRESENTED IN REPORT COUNCIL-PD-2023-16.</p> <p style="text-align: right;">CARRIED – UNANIMOUS</p>
	<p>2. Plan of Subdivision – SD2022-02 – Riverton Homes (Castlegrove) – Phases 2, 3, 4, 5, and; Class III Development Permit – DP2022-15 – 10664006 Canada Inc. (Castlegrove) (+Report Council-PD-2023-17)</p>
	<ul style="list-style-type: none"> • A Public Meeting was held with respect to a Plan of Subdivision pursuant to Section 51 and a Development Permit pursuant Section 70.2 of the <i>Planning Act</i>, R.S.O. 1990, regarding the property municipally and legally described as vacant lands north of MacDonald Drive and east of Elmwood Drive, PART OF LOT 16, CONCESSION 1, TOWN OF GANANOQUE. The Owner/Applicant is seeking draft Plan approval for a Plan of Subdivision (SD2022-02) by Riverton Homes (Castlegrove) to develop the subject lands, to be phased with twenty-four (24) single family dwellings, twelve (12) semi-detached dwellings and sixty-nine (69) row house units, and; additionally applied for a Class III Development Permit Application (DP2022-15) by 10664006 Canada Inc., (Castlegrove), seeking relief for lot coverage, minimum lot area, lot frontage, front yard setback and parking locations • Note: Applications SD2022-02 and DP2022-15 are concurrent. DP2022-15 will be a condition for final approval of Plan of Subdivision Application SD2022-02.

	<ul style="list-style-type: none"> • The Chair proceeded with the Public Meeting for the proposed Plan of Subdivision advising the public that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Gananoque in respect of the proposed Plan of Subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision, the person or public body is not entitled to appeal the decision of the Town of Gananoque to the Ontario Land Tribunal (OLT) nor may they be added as a party to the hearing of an appeal before the Ontario Land Tribunal (OLT) unless, in the opinion of the Tribunal, there are reasonable grounds to do so. • If you wish to be notified of the decision of the Town of Gananoque in respect of the proposed Plan of Subdivision, you must make a written request to the Clerk. • Under the proposed Development Permit application, comments may be made by the public, however, once a Permit has been approved the only party able to appeal to the Ontario Land Tribunal is the Applicant. The Development Permit Application relates to any reliefs being sought under the Development Permit By-law No. 2010-65.
	<ul style="list-style-type: none"> • The Chair called the Public Meeting to order to deal with the Plan of Subdivision and Development Permit at 6:11 PM.
	<ul style="list-style-type: none"> • The Chair requested the Manager of Planning and Development present the Plan of Subdivision and Development Permit Application. <ul style="list-style-type: none"> • Brenda Guy, Manager of Planning and Development provided an overview of Council Report PD-2023-17.
	<ul style="list-style-type: none"> • The Chair asked if any member of Council had any questions or comments pertaining to the Plan of Subdivision or Development Permit Application. <ul style="list-style-type: none"> • Councillor Brown thanked Veenstra's for providing Planning Advisory Committee (PAC) a very thorough presentation of their vision and plan for this development. • Councillor Brown noted Brenda's comments regarding the sidewalks, setbacks for lots. Council to consider the Elmwood/Pine to King Street access. PAC was back and forth on the recommendation and left it as an option to be brought back for Council decision. • Councillor Koiner noted that the Public Notice indicated 66 row houses, however; it was presented to PAC as 69. Evan Veenstra (one of the Directors of Riverton Homes) confirmed the total is 105 units and confirmed that it was a typo. • Councillor Koiner additionally spoke to the PAC members going back and forth with respect to the connectivity of the road, lining up with Wilson Drive and offers issues with the next street lights. PAC felt that the requirement to connect was harsh but the exploration to connect was a better solution. • Deputy Mayor Leaky requested clarification regarding the location of connectivity. Deputy Mayor Leakey agreed that the connectivity at Shoppers Drug Mart entrance/exit to King Street E is something that has to be looked at. • Deputy Mayor asked the Developer if Phase II is the start. Veenstra confirmed this. • Deputy Mayor asked if there is a timeline for the phases.

- Evan Veenstra explained that there are two sides to the project. There is the development side, which is the street infrastructure and then the home building side.

Veenstra noted that they would like to enter into a Pre-Servicing Agreement for the entire site. This will permit them to begin working on the infrastructure side of Phase II, prior to registration of the subdivision agreement. While working on the builds of Phase II, the street work would continue for Phase III, IV and V. With that said, it is hopeful that all the infrastructure will be in the ground much sooner than all the homes are built. Potentially within the next 7 years or so for the street work to be done and it could take upwards of 12 years to do all the homes.

- Deputy Mayor Leakey noted that there will be semis/row houses and detached homes, and that the market would dictate the value, and pricing would vary for each.
- Veenstra responded by confirming the comment and further stated they are investigating the potential to rent units, assuming Castlegrove can build its capital.
- Councillor Osmond requested confirmation that this is the draft plan so in fact Council is considering moving the project forward.
- Mayor Beddows confirmed that this is correct.
- Councillor Osmond commented that he is not overly worried about the sidewalk piece from Veenstra Grove. It's a cul-de-sac, not worried about expanding that. Lot size approvals, Council has previously approved smaller lot sizes and in his opinion, it is "buyer beware" situation on the lot size.
- Mayor Beddows observed that sidewalks are access for children to walk to school and this should be considered.

- **The Chair asked if any member of the public had any questions or comments pertaining to the Applications.**

- Lynda Garrah, spoke about the connection between Elmwood and King Street, and; stated that Councillor Brown expressed it very well the feeling from PAC. The general feeling at PAC was this is not going to be an ideal access to King Street, however; Councillor Brown felt that it was important that it remain a decision that Council could make or there could be some conversation about how it may happen.

It is always important when you are trying to get traffic out of a subdivision area to direct to where you have stop lights, so the idea is that you would get as much traffic as you get going out Carmichael and out Elizabeth where there are already stop lights. The visibility at Elmwood and King is already atrocious and short of tearing down the house that is there, not sure how you could correct it so that it could connect to cross the street which is eventually the goal.

Request that Council give serious consideration as to:

1. Whether it is even advisable to have another exit going out to King Street, and;
2. Whether it is at all feasible.

- Marion Sprenger, a member of the Planning Advisory Committee agreed with Lynda Garrah's comments regarding Elmwood Drive to King Street. Hoping that Council will consider making it into some type of multi-use pathway for walking or cycling. It is already used by the high school, you can see the path going through, so a consideration for a multi-use pathway would be beneficial.

- Josie Mercier, resides at the corner Wilmer Avenue and MacDonald Drive and wishes to speak in the voice of the children. Josie has two small children and is requesting information regarding a park, as there is no park within walking distance right now.
- Brenda Guy explained that the Town currently owns a stub of land north off MacDonald Drive that was intended as a street on the original plan of subdivision. What is being proposed and outlined in the Staff report is that this stub be an access to the park. There is another access point adjacent Lot 34 and Lot 47 into the cul-de-sac. Staff are proposing that the access from Conner Drive be eliminated and realign Lot #31 to be consistent with the other lots to the north, as it is very difficult for staff to maintain all the snippets of land.
- Mercier asked if there will be playground structures or just green land?
- Mayor Beddows responded that typically we (the Town) look to make parks useable and accessible, and given that this is a draft subdivision submission, we would look for public consultation on how we want to equip the park to satisfy the needs of the residents who are near it.
- Brenda added that one of the draft conditions of approval is the submission of a Park Plan. What that entails, is left to be seen.

- **The Chair asked if the Applicant / Owner had any additional questions or comments.**
- Evan Veenstra, introduced himself and Paul and Izaak Veenstra, owners of Castlegrove. Veenstra presented to Council following remarks:
 - Veenstra provided an overview of the establishment of Castlegrove.
 - Very excited to present to Council and cannot express enough how great it is to work Town Staff. It's been a very cooperative and supportive environment/experience.
 - Veenstra advised that when a developer submits an application for a subdivision, one of the requirements is to submit a Traffic Impact Study Report. When this Study was prepared, it did state that the road connection from Elwood to King Street was not warranted. Veenstra remarked that at this point he noted that the Town was very interested in seeing this connection happen. The Town subsequently had a peer review completed on the Traffic Impact Study submitted.
 - The peer review did state that the Traffic Impact Study was a good study, the conclusions were sound.
 - At this point, Castlegrove had a letter drawn up, from our Traffic Engineer, and; it reiterated this connection should not be made for various reasons.
 - Veenstra went on to state that a second peer review, not quoted verbatim, concluded the Traffic Impact Study are sound and it further stated that we understand this connection is going to take place.
 - Veenstra further stated that there a number of key problems with this connection it would take place in the engineering realm. First, according to provincial standards you have to have 400 metres between traffic lighted intersections. If you connect Elmwood Drive to Wilson Drive, if Wilson Drive is realigned and a proper four-way intersection, it has to be lighted/signalled. This would be 220 metres from Elmwood Drive to Carmichael Drive and 200 metres to Elizabeth Drive which is also illegal.

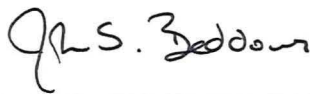

Provincial standards require a 90-degree intersection. The current entrance to the west side (Shoppers Drug Mart parking lot) is 50-degrees, which is illegal. If you were to utilize the existing road allowance, it would create another 52-degree angle at Elmwood and Pine, thus creating another illegal corner.

Additionally, at three-legged corners there should be 40 metres and it is much less than that between the top of Pine and Elmwood and Elmwood going up to King Street. There are many points that a Traffic Engineer cannot sign off on as this is illegal.

There could be a few work-arounds, such as expropriating land from Castlegrove and the owner who lives on the corner across from Shoppers Drug Mart. I don't think the Town has ever done that nor think that they are going to do that. If you realign Wilson, which would help, but it will not alleviate half these problems, but it will help, but would lose 23 parking spots at the Rec Centre from the right side.

- Veenstra advised that connectivity is very important. That being said, connectivity has to be done with supporting reports, done with logic and purpose. We could do a thousand street connections to King Street, but it is not good practice. So, connectivity is only an argument when you have a Traffic Impact Study that supports the connection.
- Another argument is that this was the intention when Shoppers Drug Mart was originally developed. I firmly believe if we could travel back in time when that was done, all the information at hand suggested that it was the best way to address that connection. The reality is that we have to go forward using the information we have today. Today, everything that we have looking at us suggests that this is not the best use of that land. Regardless of what the case may have been 20 years ago.
- Another argument that I heard a few times is with the additional homes built, there will be additional traffic in this part of town and will this additional connection alleviate the traffic concerns, and; I have to stress that the whole purpose of a Traffic Impact Study is to look at this and that is why it is done. So, when a Traffic Impact Study suggests utilize Carmichael / Elizabeth, when it says don't utilize this, a person, that is much more knowledgeable than myself or I think anyone else here, has already practiced that and they have already determined that does not alleviate the traffic concerns in that part of Town.
- Veenstra recognized the two Subdivision Options provided in the Staff Report and noted that the secondary option is that Council considers that Riverton Homes puts this street in. The first Impact Study was initially presented a year-and-a-half ago, and is eager to see the conversation continue, and; stated that this is our opportunity to have a full discussion and come to terms with it.
- Veenstra advised that discussions with his brothers and Engineer have taken place and would like to take this opportunity to propose a few alternative options for Council's consideration:
 1. Leave it as it is. Not everyone's best case scenario, but it is an option.
 2. If the Town is adamant that the street goes in, the Town can put in at the its cost, seeing that is on Town property. We don't have any supporting documents to suggest it is warranted, and; it's impossible for us to say we would cover the costs.

	<p>3. Riverton Homes would put in a multi-use pathway. That way there is connectivity, at least for pedestrian, it would be a clean up, including the swampy/wooded area, and; would add beautification to that part of King Street.</p>
	<ul style="list-style-type: none"> • Council considered the following the draft approval for the Plan of Subdivision and Class III Development Permit.
	<p>Motion #23-198 – Plan of Subdivision – SD2022-02 – Riverton Homes (Castlegrove) – Phases 2, 3, 4, 5</p> <p>Moved by: Deputy Mayor Leakey Seconded by: Councillor Koiner</p> <p>BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE APPROVES, OPTION #1, SD2022-01 RIVERTON HOMES BEING ISSUED DRAFT PLAN APPROVAL, PROVIDED THE FOLLOWING RECOMMENDATIONS ARE INCORPORATED:</p> <ul style="list-style-type: none"> • THE DEVELOPER EXPLORES WITH PUBLIC WORKS THE ROAD CONNECTIVITY TO KING STREET EAST VIA THE PINE STREET AND ELMWOOD DRIVE AREA TO ACCOMMODATE ADDITIONAL TRAFFIC GENERATED FROM THE 105 NEW UNITS. • LOT 31 BE REALIGNED, CONSISTENT WITH LOTS 32 AND 33 ALONG CONNER DRIVE. • SIDEWALKS BE 1.5M (5') IN WIDTH THROUGHOUT THE DEVELOPMENT, WHICH IS THE STANDARD IN ROAD RECONSTRUCTION PROJECTS THROUGHOUT THE TOWN, <p>AS RECOMMENDED BY THE PLANNING ADVISORY COMMITTEE (PAC), AND; AS PRESENTED IN REPORT COUNCIL PD-2023-17.</p> <p style="text-align: right;">CARRIED – UNANIMOUS</p>
	<p>Motion #23-199 – Class III Development Permit – DP2022-15 – 10664006 Canada Inc. (Castlegrove)</p> <p>Moved by: Deputy Mayor Leakey Seconded by: Councillor Koiner</p> <p>BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE APPROVES DP2022-15 10664006 CANADA INC. FOR THE FOLLOWING:</p> <ul style="list-style-type: none"> • LOT COVERAGE FOR SINGLE FAMILY DWELLING TO 40%, 46% FOR SEMI-DETACHED, AND 50% FOR TOWNHOUSES • RELIEF OF FRONT YARD SETBACK FOR LOT 33B AND LOT 40 AND REAR YARD RELIEF FOR LOT 7A, 42B, 53B AND 43A DUE TO CORNER LOTS OR IRREGULAR-SHAPED LOTS. • UNDERSIZED SEMI-DETACHED LOTS DUE TO MUNICIPAL EASEMENT, IRREGULAR LOT SIZE FOR LOTS 31B, 33A, 42A, 47B AND 53A • PARKING BEING PERMITTED IN THE FRONT YARDS OF ALL TOWNHOUSES, <p>AS RECOMMENDED BY THE PLANNING ADVISORY COMMITTEE (PAC), AND AS PRESENTED IN REPORT COUNCIL PD-2023-17.</p> <p style="text-align: right;">CARRIED – UNANIMOUS</p>
	<ul style="list-style-type: none"> • The Public Meeting dealing with a Plan of Subdivision and Development Permit adjourned at 6:54 PM.
	<p>***At this point, Councillors Brown, Harper and Mayor Beddows left the meeting to attend, as a Delegation at the TLTI Committee of the Whole meeting regarding the Lou Jeffries Community Centre.</p> <p>***Deputy Mayor Leakey assumed the role as Chair, for the remainder of the meeting.</p>

11.	Unfinished Business – None
12.	Staff Reports – None
13.	Motions (Council Direction to Staff) – None
14.	Correspondence – None
15.	Notice Required Under the Notice By-law – None
16.	Committee Updates (Council Reps) – None
17.	Discussion of Additional Items – None
18.	Questions from the Media – None
19.	Confirmation By-law
	<p>By-law No. 2023-099 – Confirming By-law – October 3, 2023 Moved By: Deputy Mayor Leakey Seconded By: Councillor Koiner BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF GANANOQUE PASS BY-LAW NO. 2023-099, BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS REGULAR MEETING HELD ON TUESDAY, OCTOBER 3RD, 2023, BE READ THREE TIMES AND FINALLY PASSED THIS 3RD DAY OF OCTOBER 2023.</p> <p style="text-align: right;">CARRIED – UNANIMOUS</p>
20.	Next Meeting(s) – Tuesday, October 17, 2023 @ 6:00 PM
21.	Adjournment
	<p>Moved By: Deputy Mayor Leakey Be it resolved that Council hereby adjourns this regular meeting of Council at 6:59 PM.</p> <p style="text-align: right;">CARRIED – UNANIMOUS</p>
	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">  <hr/> <p>John S. Beddows, Mayor</p> </div> <div style="width: 45%;">  <hr/> <p>Penny Kelly, Clerk / CEMC</p> </div> </div>