

THE CORPORATION OF THE TOWNSHIP OF BROCK

MUNICIPAL ADMINISTRATION BUILDING

COMMITTEE OF THE WHOLE

SESSION ONE

MONDAY, FEBRUARY 12, 2007

The First Meeting of the Committee of the Whole of the Township of Brock, in the Regional Municipality of Durham, was held on Monday, February 12, 2007, in the Municipal Administration Building.

Members present: Mayor: Larry O'Connor
Regional Councillor: John Grant
Councillors: Mike Manchester
Harold Lodwick
Anthony Woodruff
David Marquis
W.E. Ted Smith

Staff Members present: Clerk-Administrator George S. Graham
(recording the minutes)
Deputy Clerk-Administrator Thomas Gettinby
Clerk-Stenographer Susan Creighton
Director of Public Works Judy Avery

I. CALL TO ORDER

Chair/Mayor Larry O'Connor called the meeting to order at 10:30 a.m.

II. DECLARATION OF PECUNIARY INTEREST – N I L

III. CONFIRMATION OF MINUTES – N I L

IV. HEARING OF DEPUTATIONS/PUBLIC HEARINGS AS AUTHORIZED BY STATUTE OR COUNCIL

- (1) **10:30 a.m.** - Totten Sims Hubicki Associates, Michael K. Thompson, P.Eng. – presentation of Beach Road Drainage Study Report

Jim McEwen, P. Eng., Vice-President – Municipal, Michael K. Thompson, P. Eng., PE, Senior Project Manager, Water Resources, and Renata T. Sadowska, M. Eng., P. Eng, Project Engineer, Water Resources were present on behalf of Totten Sims Hubicki Associates to present the Beach Road Drainage Study Report which has been undertaken at the instruction of the municipality. An overview of the executive study of the report was undertaken and is as follows:

Study Area

- Approximately 8.5 km section of Beach Road from Concession 5 (North) to Regional Road 23 (South). Includes 27 cross-culverts and 14 CNR crossings.

Study Purpose

- Investigate & document the existing drainage conditions
- Identify areas of drainage concerns & opportunities
- Establish priorities; and
- Develop a Drainage Improvement Strategy

Study Goals

- Increase the overall level of service
- Reduce/eliminate the adverse impacts of wet weather flow (built & natural environment)

Technical Objectives

- Establish existing conditions
- Assess & analyze drainage system; and
- Recommend road/drainage improvements.

Deliverables

- Technical Summary
- Drainage Plans
- Road Drainage Alternatives
- Drainage Improvement Strategy
- Implementation Strategy (e.g. phasing, costing)

Drainage Concerns – Findings/Observations

- Historical changes to land use & drainage system
- Change from seasonal to year-round residency
- Fill placement/changes to lot grading
- Creek/outlet enclosure (fill/piping)
- Substandard drainage conditions, i.e. in the past no grading control for cottage lots
- The CNR embankment – primary restriction to overland flows from external drainage areas

Drainage Improvement Strategy – Objectives

- To facilitate the Township's Planning & Decision Making Process; and
- To provide guidance & tools during Detail Design stages

General Consideration

- SWM Quantity/Quality Control
- Major and Minor Flows Conveyance
- Lot Drainage
- Easements
- Road Drainage Alternatives
- Education

Site-Specific Drainage Improvements – Recommendations:

It is necessary that the road drainage system reflects its dual function:

- Local road drainage
- Conveyance of flows from external drainage areas
- Provide additional outlets to Lake
- Increase capacity of existing outlet channels
- Upgrade identified culvert crossings
- Construct detention facilities
- Provide new culverts in strategic locations
- Re-instate natural outlet channels
- Re-grade/clean-up road and CNR ditches
- Allow for property easements; and
- Improve local lot drainage; and
- Encourage landowners participation in the public consultation process and water management programs

Implementation Strategy – Key Components

- Phasing
- Costing
- Agency Approvals
- Other Requirements

Phasing

- Year 1: Pre-engineering, Geotechnical Investigations, Identification of Existing Utilities and Upgrades proposed, Preliminary and Detail Design, Initiation of Permitting/Approval Process
- Year 2: Completion of Permitting/Approval process, Identification of Construction Windows, Relocation of Utilities; and
- Year 3: Early Tender Call (Jan./Feb.), Complete Construction within Mandated Construction Windows

Costing:

- Unit Costs

- Quantities
- Estimated Construction Costs

Budget Components

- Permanent Easements
- Drainage System
- Road Improvement
- Erosion & Sediment control
- Site Restoration
- Provisional Items
- 15% Engineering Design & Inspection
- 8% Utilities Relocation
- 10% Contingencies
- 6% GST

Priority Areas:

- Areas with drainage concerns identified by residents
- McLennan's Beach Road South of 5th Concession – Road Re-construction & Drainage Improvements
- Cedarhurst Beach Road North of 4th Concession – Road Re-construction & Drainage Improvements incl. replacement of Culvert Crossing

Estimated Costs – Road Re-construction & Drainage Improvements

- McLennan's Beach Road - \$860,600
- Cedarhurst Beach Road - \$312,000
- Cedarhurst Beach Road North of 4th Conc. Road - \$892,00

Agency Approvals

The approval process must be recognized as an integral part of the planning, design and construction phases of each project. Agencies involved: LSRCA, CN Rail, MOE, MNR, DFO, Coast Guard.

Mr. McEwen advised that these are preliminary costs for 2007 expenditures, stressing there could be a huge variable for outlet and land acquisition. He added that the area was originally developed as a cottage area as compared to the permanent residences that currently exist and when the cottage area was developed, lot grading control measures to prevent this type of drainage problem were not in existence.

Regional Councillor John Grant commented that the problem areas are well defined in the report. He enquired further whether the culvert north of Cedarhurst Beach has been included in the 2007 budget and was advised in the affirmative pending funding approval. Regional Councillor Grant advised that the flooding from Durham Road 23 to McLennan's Beach is getting worse each spring. He enquired whether this report should be referred for consideration during 2007 budget discussions and was advised that would be appropriate.

Councillor Harold Lodwick enquired whether the municipality should be requesting that CN clean out their ditches and was advised by Mr. McEwen in the affirmative and further that TSH will be forwarding to CN and the LSRCA a copy of the drainage report. He added that study or not, CN has an obligation to maintain their ditches.

Councillor David Marquis commented that private landowners are part of the solution and are there any programs available through the LSRCA, to private landowners in this regard?

Councillor Mike Manchester enquired as to the purpose of land acquisition and was advised by Mr. McEwen that over the years outlets have been compromised and natural outlets impacted. The municipality will need to negotiate or expropriate those lands on which the outlets are located in order to be able to access the outlets if necessary. Councillor Manchester enquired whether any property owners have been contacted in this regard and was advised they have not.

Mayor Larry O'Connor enquired whether the Cedarhurst Beach Road elevation needs to change to minimize outlet and was advised by Ms. Sadowska that the intent is to retain the general road topography and to work with the existing outlets.

Mayor O'Connor noted the increased water flow over properties in the vicinity of McClennan's Beach and enquired whether changes to the properties will be necessary to allow runoff to the lake or will water retention ponds be required? Ms. Sadowska advised that the plan is to identify low points for easement purposes, improve the outlets to the lake and the roadside ditches to capture the water and direct it to the outlets to the lake. Mayor O'Connor enquired whether the esthetics of the area would remain, i.e. low ditches and grassed areas and was advised on the east side of the roadway there would be open roadside ditching, however on the west side the drainage system would be buried, retaining the esthetics of the area.

Mayor O'Connor commented on the importance of public consultation throughout the process and the importance of having the landowners involved and was advised that TSH can assist with this.

Councillor Harold Lodwick advised that it is his understanding that if an emergency occurs that the municipality can go ahead and fix the problem without having to obtain all the approvals normally required, to which Mr. McEwen advised that this is the case if it is a severe situation, however, the usual process still must be followed through with.

Councillor W.E. Ted Smith enquired if CN were to undertake ditching on their lands, would it improve or worsen the municipality's problems in this area, to which Mr. McEwen advised that if CN were to undertake ditching, the water would move more quickly to the problem areas. He suggested that a meeting with CN be arranged to discuss this issue. Councillor Smith enquired whether the easements required on tables 14 and 15 of the handout involve moving any cottages and was advised structural removal may be necessary or alternatively a legal easement to be obtained by the municipality.

Resolution No. 1-1

MOVED BY John Grant that the Beach Road Drainage Assessment Study be received for information and referred to 2007 budget discussions.

MOTION CARRIED

Resolution No. 2-1

MOVED BY John Grant that we break for 5 minutes at 11:10 a.m.

MOTION CARRIED

Chair/Mayor Larry O'Connor reconvened the meeting at 11:15 a.m. with the same members of committee in attendance and staff members George Graham, Thomas Gettinby and Susan Creighton.

- (2) **11:00 a.m.** - Kawartha Conservation, Ian Macnab, Chief Administrative Officer
– update on activities over last three years

Mr. Ian Macnab, CAO for Kawartha Conservation attended to provide an update on the Authority's activities over the last three years. He provided to each member of the committee with a booklet entitled "An Overview of Environmental Initiatives Undertaken by Kawartha Conservation in the Kawartha Watershed 2004-2006", which he proceeded to briefly review. The report outlines who Kawartha Conservation is, its mandate, objectives, programs and services, followed by the Authority's involvement in their watershed communities such as workshops and fall fairs. Recent and current capital projects are listed as well as future projects for consideration. The balance of the report contains maps and statistical information on each watershed municipality and although only a very small portion of Brock Township falls within the jurisdiction of the Kawartha Conservation Watershed it is important to review the report from an entire watershed perspective to better the entire watershed community.

Chair/Mayor Larry O'Connor enquired whether all of the watershed municipalities will have this same presentation and was advised in the affirmative.

Councillor W.E. Ted Smith enquired whether Kawartha Conservation's mandate involves wind turbines and was advised it does not as their focus is on water resources.

Resolution No. 3-1

MOVED BY Harold Lodwick that Brock Committee of Whole receive report Managing Our Watershed, reference Kawartha Watershed 2004-2006, for information.

MOTION CARRIED

- (3) **11:10 a.m.** – Cannington Figure Skating Club, Michelle Gordon – request re: Cannington Figure Skating Club

This deputation cancelled and will reschedule.

- (4) **11:20 a.m.** – Jay Yerema-Weafer – CCCC Durham Ltd. Subdivision Proposal

Ms. Jay Yerema-Weafer attended to present to the committee an alternative plan for the CCCC Durham Ltd. (Kaitlin) subdivision. She also distributed to the members of the committee a booklet which she requested that they read prior to making their decision with respect to this proposed subdivision development. Ms. Yerema-Weafer advised that she also has the signed petition which contains the signatures of approximately 90% of Sunderland residents, however it is not her intent to submit the petition. Members of the committee are however, welcome to look at the petition. Ms. Yerema-Weafer reviewed her alternative plan, noting that the storm water management ponds are included within the subdivision, the link housing has been intensified to provide housing for residents of all ages and with varying income. The tree line on the River Street properties backing the proposed development, have been retained by creating premium, deep, "wooded" lots. The walkway has been improved linking the development to the community. Streets are open to the parkland and the fairgrounds and more green space has been created. Her plan provides for 240 homes, 184 lots and a 3 storey condo style building and resolves some of the contentious issues. Ms. Yerema-Weafer advised this is only one alternative which respects the environment and eliminates the unsafe walkways. She advised that the committee can be leaders by giving consideration to an alternate plan or accept an unacceptable plan which violates planning standards. The municipality can allow a legacy or a liability to be built and she requested that the appropriate action be taken by the municipality while the matter is still in their hands.

Chair/Mayor Larry O'Connor thanked Ms. Weafer-Yerema for her alternative presentation, something he has been requesting for two years.

Councillor W.E. Ted Smith enquired of the deputation why the alternative plan is being presented today and not months ago, to which Ms. Weafer-Yerema advised that she had anticipated a community liaison committee would be formed, something that has never happened.

Chair/Mayor Larry O'Connor advised that thoughts and suggestions were requested from the public at every meeting pertaining to this development and to date, this is the most detailed information to be received, to which Ms. Yerema-Weafer advised that all of the letters from the community made suggestions. She advised that she has always perceived a wall in that council was not seeing what the community was seeing, thus her visual presentation for sustainable development that is sensitive to the existing community and provides for seniors housing and area life styles.

Councillor David Marquis thanked Ms. Yerema-Weafer for her presentation, noting the large amounts of roadway and enquiring as to the percentage or pavement? Ms. Yerema-Weafer agreed there is more roadway, however it mimics the area's historic grid pattern. The community would like to see more cul-de-sacs, but in working with the initial plan, a safer community has been created in which more foot traffic has been realized.

Councillor Anthony Woodruff enquired whether the lot sizes have been changed and was advised they have not been in that they remain on lots 15-22 metres in width, the exception being that in the alternative plan the corner lots have been eliminated.

Councillor Harold Lodwick enquired why the petition is not being presented and was advised that if the municipality was going to keep the petition for information only, that the group decided to retain the document should there be a future challenge. Councillor Lodwick enquired as to the number of names on the petition and was advised approximately 723. Ms. Yerema-Weafer advised that she is currently undertaking a telephone survey with the results to date being as follows:

Undecided – 5-7%, Against – 85% and In Favour Of – 4-5%.

Councillor Mike Manchester enquired who had input into the alternative plan being presented today and was advised that it is “Jay’s Plan” with input from the community.

Regional Councillor John Grant enquired whether the storm water management ponds would be usable or fenced and was advised they would be usable citing the Quaker Village ponds in Uxbridge, as a good use example. Regional Councillor Grant advised that the municipality has been waiting for the submission of the petition but was advised by Ms. Yerema-Weafer that the Citizen’s Group plans to retain the document, but will however leave the sheets with the committee onto which the names of those having signed the petition have been transferred. Regional Councillor Grant enquired as to the wording on the petition and was advised accordingly.

Chair/Mayor O’Connor commented that he appreciates the efforts put forth in this regard, however he wishes this had been done sooner. He thanked the deputation for her presentation.

In closing, Ms. Yerema-Weafer requested that the committee delay making their decision with respect to the subdivision proposal and work with the community to create a plan that everyone can live with.

V. PETITIONS – N I L

VI. COMMUNICATIONS SUBMITTED TO COUNCIL

Group I – Receive & File

- 226 Durham Clerk’s Department – Court Security Funding
- 229 Barry Devolin, MP, Haliburton-Kawartha Lakes-Brock – *Devolin Named to Agriculture Committee*
- 234 Durham Regional Police – Letter to Minister of the Attorney General – Court Security Funding
- 236 Ontario Traffic Conference – Walk21 Toronto 2007 – Putting Pedestrians First
- 237 Town of Lindsay – *150th Anniversary Parade Committee Announced*
- 239 AMO – Alert re: *Government Announcement of New Child Care Fee Subsidy Model Received with Caution and Concern*
- 240 AMO – Alert re: *AMO’s Pre-Budget Submission Calls for New Fiscal Arrangements*
- 246 GTA/905 Healthcare Alliance – Canadian Club of Halton Peel event
- 247 Ajax-Pickering Board of Trade – Media Release – *Board of Trade inducts 2007 Council*
- 254 Ministry of the Environment - Certificate of Approval – Municipal Drinking Water Systems – Doble, Street, James Street and Ida Street
- 255 Ministry of the Environment - Certificate of Approval – Municipal and Private Sewage Works – Doble Street, James Street and Ida Street

258 Canadian Nuclear Safety Commission – Revised Notice of Public Hearing – Ontario Power Generation Inc. – renewal of operating licence for the Western Waste Management Facility at Bruce nuclear generating station

265 Durham Regional Police Services Board – *Highlights* – February 5/07 meeting

Regional Councillor John Grant requested that a letter of congratulations be forwarded to Terry Clayton upon his appointment as Chair of the Police Services Board.

Mayor Larry O'Connor advised that he has reserved the Cannington Community Centre for a forum to discuss health care funding issues and inequities, the evening of March 15, 2007.

Resolution No. 4-1

MOVED BY John Grant that communications no. 226, 229, 234, 236, 237, 239, 240, 246, 247, 254, 255, 258 and 265 be received for the information of the Committee of the Whole and filed.

MOTION CARRIED

Group II – Communications Submitted for Action

244 Town of Minto - request for support of resolution re: reimbursement of engineering fees for unsuccessful COMRIF applicants

253 Ministry of Agriculture, Food and Rural Affairs – Appointment of Area and Municipal Weed Inspectors 2007

257 Ontario Honours and Awards Secretariat – request for nomination of individual for the Order of Ontario

Resolution No. 5-1

MOVED BY John Grant that communications 244, 253 and 257 be received for information and filed.

MOTION CARRIED

245 Town of Minto - request for support of resolution re: exemption for Legions from education portion of property taxes

Resolution No. 6-1

MOVED BY John Grant that Committee of the Whole support the resolution of the Town of Minto. That copies be sent to Durham Region, MP Barry Devolin and MPP Laurie Scott.

MOTION CARRIED

Mayor O'Connor requested that a copy of this letter be sent to the Ministries of Finance, Education and Municipal Affairs and the Legions within the municipality.

250 AMO – Alert re: *Your Comments and Support Requested Re: the AMO/AMRC Discussion Paper on Strengthening Extended Producer Responsibilities for Ontario's Blue Box*

Resolution No. 7-1

MOVED BY David Marquis that communication # 250/07 be received and filed for information.

MOTION CARRIED

VII. GENERAL ITEMS AND ENQUIRIES

(1) Councillor Anthony Woodruff – 2007 Sunderland Lions Music Festival

Councillor Anthony Woodruff commented that he enjoyed attending the opening of the music festival.

(2) Councillor Harold Lodwick – W5 Television Show

Councillor Harold Lodwick advised that this past Saturday on W5 there was an interesting feature which highlighted CN Rail's disregard for safety and the environment. It was noted on the program that the lineman who identified repairs required to the rail line just prior to the Gamebridge train derailment, was fired.

(3) Mayor Larry O'Connor – 2007 Sunderland Lions Music Festival

Mayor Larry O'Connor echoed Councillor Woodruff's comments with respect to the music festival advising that it was good to see all of the members of council in attendance at the opening and further commending the Sunderland Lions Club for their efforts in this regard.

(4) Public Questions and Clarification

Mrs. Denise Wilson advised the members of the committee that she is not sure whether she needs a Tylenol or a Kleenex. She enquired why council has "copped out" on the community when the community has come forward with an alternate plan for the proposed Kaitlin subdivision, further advising that she had specifically enquired of Mayor O'Connor whether a plan from the community was required and was advised it was not and to just put concerns in writing. She advised that the Concerned Citizens of Sunderland care about their community and want council to care as well.

Mayor Larry O'Connor advised that the developer has considered community suggestions and that there will be further input at the Planning Committee meeting to be held later in the day.

Mr. Harry Nixon advised he is glad to see an alternate plan for the Kaitlin subdivision having been submitted and that he admires the role of council, something he could never do as he, personally, could not campaign for the position, however, if he were ever to sit on council and there was an issue in his area, he would sit down with the residents to try and reach a resolve to the issues at hand. This issue has been ongoing for approximately 2 years now and never has council offered to sit down with the community to discuss their issues. He suggested that this proposal be put on hold for the time being in order to afford a meeting with the community and to come up with a plan that is acceptable to all and not pass the issue onto Durham Region.

Ms. Jay Yerema Weafer commented that the proposed Kaitlin subdivision could change the face of Sunderland forever. She advised that a safety analysis has not been completed in light of the safety concerns which have been raised, which is another reason that the decision pertaining to the development should be delayed until the DRPS can undertake the safety analysis.

VIII. ADJOURNMENTResolution No. 8-1

MOVED BY John Grant that we do now adjourn at 12:15 p.m.

MOTION CARRIED

CHAIR

SECRETARY