

CORPORATION OF THE COUNTY OF PRINCE EDWARD

April 22, 2014
Shire Hall

A meeting of Prince Edward County Council was held on April 22, 2014 at 7:00 p.m. in the Council Chambers, Shire Hall with the following members present:

Mayor	Peter A. Mertens
Ward 1 (Picton) Councillor	Bev Campbell
Ward 1 (Picton) Councillor	Brian Marisett
Ward 2 (Bloomfield) Councillor	Barry Turpin
Ward 3 (Wellington) Councillor	Jim Dunlop
Ward 4 (Ameliasburgh) Councillor	Janice Maynard
Ward 4 (Ameliasburgh) Councillor	Nick Nowitski
Ward 4 (Ameliasburgh) Councillor	Dianne O'Brien
Ward 5 (Athol) Councillor	Jamie Forrester
Ward 6 (Hallowell) Councillor	Heather Campbell
Ward 6 (Hallowell) Councillor	Keith MacDonald
Ward 7 (Hillier) Councillor	Alec Lunn
Ward 8 (North Marysburgh) Councillor	Robert Quaiff
Ward 9 (South Marysburgh) Councillor	Barb Proctor
Ward 10 (Sophiasburgh) Councillor	Kevin Gale
Ward 10 (Sophiasburgh) Councillor	Terry Shortt

Staff Present:

Acting Chief Administrative Officer and Commissioner of Engineering, Development and Works	Robert McAuley
Commissioner of Corporate Services and Finance	Susan Turnbull
Clerk	Kim White

1. Call to Order

The meeting was called to order at 7:00 p.m.

2. Lord's Prayer

The Mayor invited those who wished, to join him in the Lord's Prayer.

3. Confirmation of Agenda

3.1 Confirmation of Agenda

Motion 2014-144

Moved by Councillor Gale

Seconded by Councillor Shortt

THAT the Agenda for the Council meeting of April 22, 2014 be confirmed.

Prior to voting on **Motion 2014-144** the following Amending Motion was put forward:

Amending Motion 2014-145

Moved by Councillor Gale

Seconded by Councillor Shortt

THAT the agenda be amended by deferring the By-law listed as 11.1.4 as it relates to the Maintenance of Municipal Cemeteries to the May 27, 2014 Council meeting.

CARRIED

A vote was then taken on **Motion 2014-144 as Amended**, as follows:

THAT the Agenda for the Council meeting of April 22, 2014 be confirmed, as amended, by deferring the By-law listed as 11.1.4 as it relates to the Maintenance of Municipal Cemeteries to the May 27, 2014 Council meeting.

CARRIED

4. Disclosure of Pecuniary Interest and the General Nature Thereof

There were no disclosures of pecuniary interest declared at this time.

5. Announcements - None

6. Adoption of Minutes

6.1 Council Minutes from the meeting held on April 8, 2014

Motion 2014-146

Moved by Councillor MacDonald

Seconded by Councillor Forrester

THAT the Council Minutes from the meeting held on April 8, 2014 be adopted as presented.

CARRIED

7. Deputations - None

8. Comments from the Audience (on items on the agenda)

There were no comments from the Audience on items listed on the agenda.

9. Items for Consideration

- 9.1 Report of the Engineering, Development and Works Commission dated April 22, 2014 regarding Removal of "H" Symbol, File Z17-14, Hilden Homes, Lots 8 and 10, Plan 47M-11, Part of Lots 10, 12, and 13, Concession SECP, Civic Addresses 21438 and 21450 Loyalist Parkway (By-law listed as 11.1.5)

Motion 2014-147

Moved by Councillor Maynard
Seconded by Councillor O'Brien

THAT the report of the Engineering, Development and Works Commission, dated April 22, 2014, regarding Removal of "H" Symbol, File Z17-14, Hilden Homes, Lots 8 and 10, Plan 47M-11, Part of Lots 10, 12, and 13, Concession SECP, Civic Addresses 21438 and 21450 Loyalist Parkway, be received; and

THAT a by-law be enacted to remove the Holding (H) Symbol from the residential lots zoned the Hamlet Residential Holding (HR-H) Zone, described as Lots 8 and 10, Plan 47M-11, Part of Lots 10, 12, and 13, Concession SECP, Ameliasburgh Ward, in the County of Prince Edward.

CARRIED

- 9.2 Report of the Engineering, Development and Works Commission dated April 22, 2014 regarding Site Plan Agreement File SP-01-14, 2394752 Ontario Corporation (The LYFE Building) (By-law listed as 11.1.3)

Motion 2014-148

Moved by Councillor B. Campbell
Seconded by Councillor Marisett

THAT the report of the Engineering, Development and Works Commission, dated April 22, 2014, regarding Site Plan Agreement File SP-01-14, 2394752 Ontario Corporation (The LYFE Building), be received; and

THAT Council enact a By-law authorizing and directing the Mayor and Clerk to execute a site plan agreement with 2394752 Ontario Corporation, Schleiss Development Company Limited (Mortgagee) and Westly Heights Holding Limited (Mortgagee), for Part Block 32, Plan 114, Parts 1, 2, 3, 4 and 5, 47R-8592 Ward 1 (Picton), in the County of Prince Edward.

CARRIED

- 9.3 Report of the Engineering, Development and Works Commission dated April 22, 2014, regarding Wellington on the Lake Phase 3 Subdivision Approval, File 13-T-11-502 - Sandbank Homes Inc. (By-law listed as 11.1.6)

Motion 2014-149

Moved by Councillor Dunlop
Seconded by Councillor Lunn

THAT the report of the Engineering, Development and Works Commission dated April 22, 2014 regarding Wellington on the Lake Phase 3 Subdivision Approval, File 13-T-11-502 - Sandbank Homes Inc. be received;

THAT a by-law be enacted to authorize a Subdivision Agreement between the County and Sandbank Homes Inc. and Mortgage International BV (Mortgagee) for the Wellington on the Lake Phase 3 Subdivision, subject to receiving confirmation from the Commissioner of Engineering, Development and Works that all requirements to be fulfilled prior to the execution of the Subdivision Agreement have been completed to his satisfaction;

THAT plan of subdivision File 13-T-11-502 be finally approved but not registered until the Municipal Solicitor and the Commissioner of Engineering, Development and Works are satisfied that all conditions of draft approval to be fulfilled prior to final registration have been completed to their satisfaction, and the Subdivision Agreement has been executed; and

THAT water and wastewater plant capacity in the amount of 126 single detached lots, 16 semi-detached lots and 21 townhome lots be allotted to the Wellington on the Lake Phase 3 Subdivision, File 13-T-11-502.

CARRIED

10. Committee Reports

10.1 Report of the Committee of the Whole from the meeting held on April 10, 2014

Additional information was provided by the Heritage Advisory Committee with input from the Heritage Community revised as of April 15, 2014 regarding wpd Canada White Pines Wind Project.

Motion 2014-150

Moved by Councillor Turpin
Seconded by Councillor B. Campbell

THAT the report of the Committee of the Whole from the meeting held on April 10, 2014 be adopted as presented with the exception of Motion CW-89-2014 and Motion CW-95-2014.

CARRIED

Councillor H. Campbell advised of the following larviciding activities performed by the Health Unit within the County as follows: 2011 no applications, 2012-1 application and 2013 no applications.

Motion 2014-151

Moved by Councillor Turpin
Seconded by Councillor B. Campbell

THAT the following motion (CW-89-2014) of the Committee of the Whole meeting held on April 10, 2014 at 1:00 p.m. be approved:

THAT the Corporation of the County of Prince Edward supports the efforts of the Hastings and Prince Edward Counties Health Unit to reduce the risk of West Nile virus illness in our area; and

THAT the Corporation of the County of Prince Edward gives permission to the Hastings and Prince Edward Counties Health Unit to carry out larviciding activities, to prevent and/or control of West Nile virus in our area, if deemed necessary.

Councillor Lunn requested a Recorded Vote on **Motion 2014-151:**

Name	In Favour	Opposed
LUNN, Alec		X
MACDONALD, Keith	X	
MARISSETT, Brian		X
MAYNARD, Janice	X	
NOWITSKI, Nick	X	
O'BRIEN, Dianne	X	
PROCTOR, Barb	X	
QUAIFF, Robert	X	
SHORTT, Terry	X	
TURPIN, Barry	X	
CAMPBELL, Bev	X	
CAMPBELL, Heather	X	
DUNLOP, Jim	X	
FORRESTER, Jamie		X
GALE, Kevin	X	
MERTENS, Mayor Peter	X	
Total	13	3
CARRIED		

Motion 2014-152

Moved by Councillor Turpin

Seconded by Councillor B. Campbell

THAT the following motion (CW-95-2014) of the Committee of the Whole meeting held on April 10, 2014 at 1:00 p.m. be approved:

THAT the report of the Engineering, Development and Works Commission dated April 10, 2014, regarding wpd Canada, White Pines Wind Project, REA #012-1279 Municipal Consultation Comments, be received;

THAT the County of Prince Edward consider the "White Pines Project Heritage Assessment Report" by Stantec Consulting Ltd. revised October 15, 2013 to be:

- **incomplete and deficient in the identification and assessment of the visual and construction impacts of the project on cultural heritage resources located within the study area of South Marysburgh and Athol wards; and**
- **lacking in appropriate mitigation measures for the identified impacts on cultural heritage resources located within the study area of South Marysburgh and Athol wards;**

THAT the Ontario Ministry of the Environment be requested to not approve the wpd Canada, White Pines Wind Project, REA #012-1279, as filed;

THAT the Ontario Ministry of the Environment be advised that if they choose to approve the White Pines Wind Project, REA #012-1279, the County of Prince Edward requests that the Ontario Ministry of the Environment require wpd Canada to modify the White Pines Wind Project, REA #012-1279, to remove/relocate turbines T07, T09 and T11 to remove the impacts on adjacent cultural heritage resources as documented in the White Pines Project Heritage Assessment Report by Stantec Consulting Ltd., revised October 15, 2013;

THAT the Ontario Ministry of the Environment be advised further that if they choose to approve the White Pines Wind Project, REA #012-1279, that the matters identified in Attachment #14 to the April 10, 2014 report of the Engineering, Development and Works Commission be addressed prior to, or as part of, any Renewal Energy Approval for the White Pines Wind Project; and

THAT this Report's comments in Attachment #14 to the April 10, 2014 report of the Engineering, Development and Works Commission be forwarded to the Ontario Ministry of the Environment and to wpd Canada as the Municipal Consultation Comments, and posted on the Environmental Registry in response to the White Pines Wind Project REA #012-1279.

Prior to voting on **Motion 2014-152** the following Amending Motion was put forward:

Amending Motion 2014-153

Moved by Councillor Quaiff

Seconded by Councillor MacDonald

THAT Committee of the Whole Motion CW- 95-2014 as contained in the report of April 10, 2014 be amended as follows:

THAT Attachment #14 – Corporation of the County of Prince Edward Matters to be Addressed, Revised April 10, 2014 as attached to the Engineering, Development and Works report dated April 10, 2014 be amended by:

- a) deleting Item 17 in its entirety and inserting in lieu thereof the following new clause as Item 17:**

"17. That the Province require wpd Canada to modify the White Pines Wind Project to remove/relocate turbines T07, T09 and T11 to remove the negative visual impacts on adjacent cultural heritage resources."; and

THAT a new clause be included as Item 18 as follows:

"18. That the Province require wpd Canada to correct the Revised Heritage Assessment Report to ensure completeness and accuracy in the identification and assessment of the visual and construction impacts of the project on the cultural heritage resources located within South Marysburgh and Athol wards, and provide appropriate mitigation measures to remove the identified impacts, as recommended in "Report of the Engineering, Development and Works Commission dated April 10, 2014 regarding wpd Canada, White Pines Wind Project, REA #012-1279 Municipal Consultation Comments," Appendix 11, "PEHAC Comments Mar 10/14," and Appendix 12, "PEHAC Comments Conclusions and Suggested Remedies."

CARRIED

A vote was then taken on **Motion 2014-152 as Amended** as follows:

THAT the report of the Engineering, Development and Works Commission dated April 10, 2014, regarding wpd Canada, White Pines Wind Project, REA #012-1279 Municipal Consultation Comments, be received;

THAT the County of Prince Edward consider the "White Pines Project Heritage Assessment Report" by Stantec Consulting Ltd. revised October 15, 2013 to be:

- **incomplete and deficient in the identification and assessment of the visual and construction impacts of the project on cultural heritage resources located within the study area of South Marysburgh and Athol wards; and**
- **lacking in appropriate mitigation measures for the identified impacts on cultural heritage resources located within the study area of South Marysburgh and Athol wards;**

THAT the Ontario Ministry of the Environment be requested to not approve the wpd Canada, White Pines Wind Project, REA #012-1279, as filed;

THAT the Ontario Ministry of the Environment be advised that if they choose to approve the White Pines Wind Project, REA #012-1279, the

County of Prince Edward requests that the Ontario Ministry of the Environment require wpd Canada to modify the White Pines Wind Project, REA #012-1279, to remove/relocate turbines T07, T09 and T11 to remove the impacts on adjacent cultural heritage resources as documented in the White Pines Project Heritage Assessment Report by Stantec Consulting Ltd., revised October 15, 2013;

THAT the Ontario Ministry of the Environment be advised further that if they choose to approve the White Pines Wind Project, REA #012-1279, that the matters identified in Attachment #14 to the April 10, 2014 report of the Engineering, Development and Works Commission be addressed prior to, or as part of, any Renewal Energy Approval for the White Pines Wind Project; and

THAT this Report's comments in Attachment #14 to the April 10, 2014 report of the Engineering, Development and Works Commission be amended by;

a) deleting Item 17 in its entirety and inserting in lieu thereof the following new clause as Item 17:

"17. That the Province require wpd Canada to modify the White Pines Wind Project to remove/relocate turbines T07, T09 and T11 to remove the negative visual impacts on adjacent cultural heritage resources.";

THAT a new clause be included as Item 18 as follows:

"18. That the Province require wpd Canada to correct the Revised Heritage Assessment Report to ensure completeness and accuracy in the identification and assessment of the visual and construction impacts of the project on the cultural heritage resources located within South Marysburgh and Athol wards, and provide appropriate mitigation measures to remove the identified impacts, as recommended in "Report of the Engineering, Development and Works Commission dated April 10, 2014 regarding wpd Canada, White Pines Wind Project, REA #012-1279 Municipal Consultation Comments," Appendix 11, "PEHAC Comments Mar 10/14," and Appendix 12, "PEHAC Comments Conclusions and Suggested Remedies."; and

Be forwarded to the Ontario Ministry of the Environment and to wpd Canada as the Municipal Consultation Comments, and posted on the Environmental Registry in response to the White Pines Wind Project REA #012-1279.

CARRIED

10.2 Public Report of Closed Session from the Committee of the Whole meeting held on April 8, 2014

Motion 2014-154

Moved by Councillor Lunn

Seconded by Councillor Quaiff

THAT the Public Report of Closed Session from the Committee of the Whole meeting held on April 8, 2014 be adopted as presented.

CARRIED

11. By-laws for Consideration

The By-law listed as item 11.1.4 as it relates to the Maintenance, Management and Control of all Municipal Cemeteries was deferred to the May 27, 2014 Council meeting for consideration.

11.1 The following By-laws are recommended for adoption

Motion 2014-155

Moved by Councillor Forrester

Seconded by Councillor MacDonald

THAT the following By-laws be read a first, second and third time and finally passed:

11.1.1 A By-law to authorize the Mayor and Clerk to execute an agreement between the Corporation of the County of Prince Edward and McInroy Maines Construction Ltd. (Rossmore Valve Chamber).(Signed as By-law No. 3387-2014)

11.1.2 A By-law to provide for Advance Votes to be held prior to the October 27, 2014 Municipal Election.(Signed as By-law No. 3388-2014)

11.1.3 A By-law to Authorize the Corporation of the County of Prince Edward to Enter into a Site Plan Agreement with 2394752 Ontario Corporation (Owner) and Schleiss Development Company Limited and Westly Heights Holding Limited (Mortgagee)- (LYFE Building).(Signed as By-law No. 3389-2014)

11.1.5 A By-law to Amend County Comprehensive Zoning By-law No. 1816-2006, as amended (Hilden Homes Removal of 'H').(Signed as By-law No. 3390-2014)

11.1.6 A By-law to authorize the Mayor and Clerk on behalf of the Corporation of the County of Prince Edward to enter into a subdivision agreement with Sandbank Homes Inc. (Owner) and Mortgage International B.V. (Mortgagee) to develop the lands as described in the attached agreement (Wellington on the Lake Phase 3 Subdivision).(Signed as By-law No. 3391-2014)

11.1.7 A By-law to authorize the Mayor and Clerk to Execute a Service Agreement between the Corporation of the County of Prince Edward and Glenwood Cemetery Limited.(Signed as By-law No. 3392-2014)
CARRIED

12. Closed Session

12.1 Motion to move into Closed Session

Motion 2014-156

Moved by Councillor O'Brien
Seconded by Councillor Proctor

THAT Council now move into closed session to consider:

a) A verbal report from Councillor O'Brien regarding personal matters about an identifiable individual, including municipal employees or local board employees (pursuant to Section 239.2(b) of the Municipal Act).
CARRIED

Council reconvened at 8:15 p.m. with all members present. **Motion 2014-157** was the motion to rise and resume sitting in open session, and was enacted in closed session.

13. Adoption of Closed Session Minutes

13.1 Council Minutes from the Closed Session meeting held on April 8, 2014

Motion 2014-158

Moved by Councillor Quaiff
Seconded by Councillor Maynard

THAT the Council Minutes from the Closed Session meeting held on April 8, 2014 be adopted.

CARRIED

14. Motions Arising from Closed Session - None

15. Confirmatory By-law

15.1 By-law to Confirm the Proceedings of this meeting

Motion 2014-159

Moved by Councillor H. Campbell
Seconded by Councillor Turpin

THAT the following by-law be read a first, second and third time and finally passed:

A By-law to Confirm the Proceedings of the Council of the Corporation of the County of Prince Edward at the meeting held on April 22, 2014.

(Signed as By-law No. 3393-2014)

CARRIED

16. Adjournment

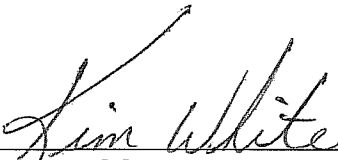
16.1 Motion to Adjourn

Motion 2014-160

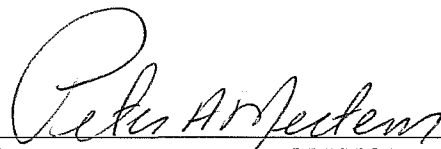
Moved by Councillor Proctor
Seconded by Councillor Dunlop

THAT this meeting now adjourn at 8:18 p.m.

CARRIED



Kim White, CLERK



Peter A. Mertens, MAYOR