

**TOWNSHIP OF SOUTH FRONTENAC  
COUNCIL MEETING  
AGENDA**



**Audio Broadcast to the Township's Facebook Page  
<https://www.facebook.com/SouthFrontenacTwp>**

TIME: 7:00 PM,  
DATE: Tuesday, April 6, 2021  
PLACE: Electronic Participation/Council  
Chambers.

1. Call to Order and Roll Call
  - a) Resolution
2. Declaration of pecuniary interest and the general nature thereof
3. Approval of Agenda
  - a) Resolution
4. Scheduled Closed Session ( at the end of agenda)
5. Delegations - not applicable
6. Public Meeting
  - a) Resolution & Public Meeting Statement 4
  - b) Zoning By-law Amendment Z-21-04 - 984 Leland Road (Clifford Green) 5 - 24
  - c) Resolution - Close Public Meeting
7. Approval of Minutes
  - a) March 2, 2021 Special Committee of the Whole 25 - 26
  - b) March 16, 2021 Council 27 - 34
8. Business Arising from the Minutes
  - a) Noise By-law Exemption for Desert Lake Resort - Date Change 35
  - b) Z-20-12 and SP-09-20-L - 1012 Hill Lane (Loughborough) - Rob Blasko (See By-laws 2021-10 and 2021-11) 36 - 47
9. Reports Requiring Action
  - a) Hartington Station - 2500IG Tanker Purchase 48 - 49

- |     |  |         |
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| b)  | Deem Lot 20 on Plan 1316 not to be in a plan of subdivision for the purpose of applying 50(3) of the Planning Act (See By-law 2021-14)   | 50 - 52 |
| c)  | Amendment to By-law - Dedicating a portion of First Lake Road (See By-law 2021-15)   | 53 - 56 |
| d)  | Access over an unopened road allowance to allow a lane extension to facilitate a Consent Application (See By-law 2021-16)  | 57 - 67 |
| e)  | Road Allowance Closure between Concessions 2 & 3, Lot 17, (Bedford), 52 Sneddon Lane - Lisa & Greg Beam (See By-law 2021-17)   | 68 - 71 |
| 10. | <u>Committee Meeting Minutes</u>   |         |
| a)  | Heritage Committee meeting held January 28, 2021   | 72 - 73 |
| 11. | <u>By-laws</u>   |         |
| a)  | By-law 2021-10 - Rezone Lot 8 on Plan 1540, Part of Lot 10, Concession VIII (Storrington)  | 74 - 76 |
| b)  | By-law 2021-11 - Site Plan Agreement with Robert Blasko  | 77      |
| c)  | By-law 2021-14 - Deem Part of a Plan of Subdivision not to be a Registered Plan of Subdivision, Lot 20, Plan 1316  | 78      |
| d)  | By-law 2021-15 - Correct the original By-law 2006-0072 relating to the Reference Plan identified   | 79      |
| e)  | By-law 2021-16 - Licence Agreement with Danielle (Clair) Walsh for access over an unopened road allowance  | 80      |
| f)  | By-law 2021-17 - Stop up, close and sell a portion of an unopened road allowance between Concession 2 & 3, Lot 17 (Beam)   | 81      |
| 12. | <u>Reports for Information - not applicable</u>  |         |
| 13. | <u>Information Items</u>   |         |
| a)  | COVID Questions from the Public  | 82 - 83 |
| 14. | <u>Notice of Motions</u>   |         |
| 15. | <u>Announcements/Statements by Councillors</u>   |         |
| 16. | <u>Question of Clarity (from the public on outcome of agenda items)</u>  |         |
| 17. | <u>Closed Session</u>  |         |
| a)  | As permitted by the Municipal Act, Section 239.2 Council will move into Closed Session to discuss item(b) personal matters about an identifiable individual, including municipal or local board employees; and to approve minutes of previous closed meetings. |         |

- b) Personal Matters about an Identifiable individual - Verbal Update on Staff Recruitment
- c) Minutes of previous Closed Session meetings - September 2020 - March 2021 (Resolution)
- d) Move out of Closed Session
- 18. Confirmatory By-law
  - a) By-law 2021-18
- 19. Adjournment
  - a) Resolution

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Tonight's public meeting is held to hear Zoning By-law Amendment Application Z-21-04.

If a person or public body does not make oral or written submissions at a public meeting, or make written submissions to South Frontenac Township before the by-law is passed, the person or public body may not be added to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Anyone who wishes to be notified must submit a written request to the Clerk" via email at [amaddocks@southfrontenac.net](mailto:amaddocks@southfrontenac.net) and by doing so this will also entitle you to be advised of a possible Local Planning Appeal Tribunal.

To clarify, anyone may appeal the decision to the Local Planning Appeal Tribunal by filing with the Clerk within 20 days of the notice of decision.

An appeal to the Local Planning Appeal Tribunal may be filed with the Clerk of the Township not later than 20 days after the day that the notice of decision was given. The notice of appeal must set out the objection to the by-law and the reasons in support of the objection, accompanied by the required fee.



## REPORT TO COUNCIL DEVELOPMENT SERVICES



### Public Meeting Report – Zoning By-law Amendment

**Report Date:** March 31, 2021

**Application No:** Z-21-04

**Owner:** Clifford Green

**Agent:** Diane Kennedy

**Location of Property:** 984 Leland Road, Loughborough District

**Purpose of Application:** Rezone from Rural (RU) to Rural – Special Provision (RU-XX)

**Date of Public Meeting:** April 6, 2021 (Virtual Public Meeting)

### Recommendation

It is recommended that South Frontenac Council receive comments from the public and pending comments received, direct staff to prepare a by-law to rezone the subject lands from Rural (RU) to Rural – Special Provision (RU-XX) in order to permit a secondary dwelling unit and an additional dwelling unit in an ancillary building on the property.

### Proposal

An application was submitted to amend the Township of South Frontenac Comprehensive Zoning By-law 2003-75 to rezone the subject property from Rural (RU) to Rural – Special Provision (RU-XX).

### Background

The subject property is 40.4 hectares (100 acres) in area. It has approximately 385 metres of combined frontage on Leland Road and Dean Smith Road. The lands consist of forest and farmland.

The property contains a primary dwelling and a residential garden suite. The primary dwelling is located on the west side of the property and is accessed from Leland Road. The garden suite is a separate, detached dwelling that was permitted by the Committee of Adjustment of the former Storrington Township in 1985. It is located on the east side of the property and is accessed from Dean Smith Road. The garden suite is serviced by its own well, sewage system and driveway.

The Owner proposes to construct an addition to the primary dwelling for the purpose of a secondary dwelling unit. A secondary dwelling unit is a self-contained residential unit with a private kitchen, bathroom facilities and sleeping areas.

The existing dwelling and the secondary dwelling unit would share a driveway, well and sewage system. The Owner acknowledges that a new sewage system would be required to service both the existing dwelling and the secondary dwelling unit.



## REPORT TO COUNCIL DEVELOPMENT SERVICES



The existing primary dwelling is one storey with a partially raised basement, and 81 square metres (880 square feet) in area. The Owner proposes to enlarge the existing primary dwelling by 33 square metres (360 square feet) to add an accessible bathroom and bedroom. The proposed addition for the secondary dwelling unit is two storeys in height with no basement. It is proposed to have a similar roofline to the existing dwelling. The secondary dwelling unit would have a gross floor area of 167.2 square metres (1800 square feet). The gross floor area (total floor area of all storeys) of the primary dwelling is proposed to increase from 81 square metres (880 square feet) to 281.2 square metres (3027 square feet) to accommodate the changes to the primary dwelling unit and to add the secondary dwelling unit. The Owner may also add a 53.5 square metre (576 square foot) attached garage to the dwelling.

The Owner has requested a zoning by-law amendment to change the Rural (RU) zone on the subject lands to Rural – Special Provision (RU-XX). The special provision is requested to permit a secondary dwelling unit within the primary dwelling on the property. Attachment 1 to this report is a draft by-law that specifies zoning provisions.

### **Department, Agency and Public Comments**

The Building Department was advised of this application, and has no objections to the application as presented and will review the detailed building plans through the Building Permit process, should the application be approved.

Under the Planning Act, a public meeting is required to be held to receive comments from citizens on the proposed rezoning. The province has provided direction that public meetings are able to be held virtually using technology such as Zoom to obtain public input on planning applications. The public meeting for application Z-21-04 will be a virtual public meeting.

Further public comments may be provided through the virtual public meeting.

### **Planning Analysis**

#### **Provincial Policy Statement, 2020**

The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Section 3 of the Planning Act requires that Council decisions be “consistent with” the PPS.

The PPS encourages efficient land use and development patterns to create and maintain strong communities and a healthy environment while encouraging economic growth over the long-term. It recognizes that rural areas are important to the economic success of the Province and our quality of life. To this end, section 1.1.4 states, among other things, that we should build on the rural character of the Township and leverage rural amenities and assets, and encourage the conservation and redevelopment of existing rural housing stock on rural lands. The PPS also encourages municipalities to accommodate an appropriate affordable and market-based range and mix of housing



## REPORT TO COUNCIL DEVELOPMENT SERVICES



(section 1.1.1 b). This can be achieved through the redevelopment of existing housing stock as well as by permitting additional residential units in houses or in ancillary (detached accessory) buildings.

The Planning Act was amended in September 2019 by Bill 108 to permit additional residential units on a property which contains a detached house, semi-detached house or rowhouse. A second residential unit may be permitted in one of these houses, and an additional residential unit may be permitted in a building or structure ancillary to the house on the same property. This amendment to the Planning Act, once implemented in an official plan and zoning by-law, supports the accommodation of affordable housing in local municipalities.

The application is consistent with this direction of the PPS and the amendments to the Planning Act.

### **County of Frontenac Official Plan, 2016**

The accommodation of affordable housing through additional residential units is required by the Planning Act. The Planning Act requires official plans and zoning by-law to authorize the use of additional residential units by authorizing the use of two residential units in a detached house, semi-detached house or rowhouse; and the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse. Accordingly, section 5.6.2 of the County of Frontenac Official Plan requires the Township Official Plan to permit additional residential units. While required to permit additional units, the Township retains control over the location, access and servicing required for these units.

The proposed development is consistent with the intent of this direction of the County Official Plan.

### **Township of South Frontenac Official Plan, 2003**

The subject lands are designated 'Rural' in the Official Plan on Schedule A. The type and amount of development on 'Rural' lands must maintain the rural character, natural heritage, and cultural landscape in the Township.

The Official Plan does not provide specific direction on how many dwellings or dwelling units may be permitted on a property. In this situation, one must look to the Planning Act and the PPS for direction. As indicated above, the accommodation of affordable housing through additional residential units is required by the Planning Act.

In the absence of Official Plan policies, the Township looks to the information published by the Province in the Second Unit Info Sheet (Ministry of Municipal Affairs, Spring 2017) and to recent amendments to the Planning Act. The Info Sheet describes what an additional residential unit is, and provides considerations for where it may be appropriate to permit these units. These considerations include locations on roads that are maintained year-round and accessible by Emergency Services, as well as



## REPORT TO COUNCIL DEVELOPMENT SERVICES



demonstrating that on-site water and sewage services have sufficient capacity for the additional dwelling unit.

Staff support the application because the proposal meets or will meet the intent of the above considerations by sharing a driveway, well and sewage system. The driveway is accessed from a public road that is maintained year round. The Owner will be responsible for ensuring the well produces an adequate volume of water for both the primary dwelling and the secondary dwelling unit. Drinking water quality (potable water) will need to be confirmed as part of the required permit under the Ontario Building Code. A new sewage system that complies with the Ontario Building Code is required to service both the enlarged primary dwelling and the secondary dwelling unit.

The existing dwelling is setback approximately 12 metres from the front lot line, whereas the Rural zone requires a 20 metre setback from the front lot line. This setback would be maintained by the secondary dwelling unit. The General Provisions of Zoning By-law No. 2003-75 allow for the expansion of existing buildings that have deficient front yards provided that the yard is not reduced further.

The existing garden suite was permitted by the Committee of Adjustment of the former Storrington Township in 1985. The garden suite has been occupied as a dwelling since that time. It is serviced by its own driveway on a maintained public road, a well and a sewage system. The garden suite meets the setbacks required in the Rural zone. It is the opinion of staff that it would be appropriate to legally recognize the use of the garden suite on the property as part of the zoning by-law amendment as it is a use contemplated by the Planning Act. The draft by-law refers to the garden suite as an additional dwelling unit in an ancillary building.

The proposed zoning by-law amendment would help the Township to achieve its goal to encourage residential development which is affordable, of high quality and capable of meeting the changing and diverse needs of the rural community. It is also consistent with the Planning Act and the direction provided from the PPS.

### **Conclusion**

It is the author's opinion that this application is consistent with the Provincial Policy Statement 2020, the County of Frontenac Official Plan and the South Frontenac Official Plan, and that it represents appropriate planning for the subject lands.

Consistent with Council's procedural by-law, it is recommended that South Frontenac Council receive comments from the public and pending comments received direct staff to prepare a by-law to rezone the subject lands from Rural (RU) to Rural – Special Provision (RU-XX).

**Prepared by:** Christine Woods, MCIP, RPP, Senior Planner

**Submitted/approved:** Claire Dodds, MCIP, RPP, Director of Development Services

**Approved by:** Neil Carbone, CAO



## REPORT TO COUNCIL DEVELOPMENT SERVICES



Date of Site Visit: March 17, 2021

Attachments:

1. Draft By-law 2021-XX

# Public Meeting

## Z-21-04

Applicant: Clifford Green  
Agent: Diane Kennedy  
Property: 984 Leland Road, Loughborough District

Tuesday, April 6, 2021

7:00 p.m. Virtual Public Meeting

South Frontenac Committee of the Whole



# Public Meeting Statement



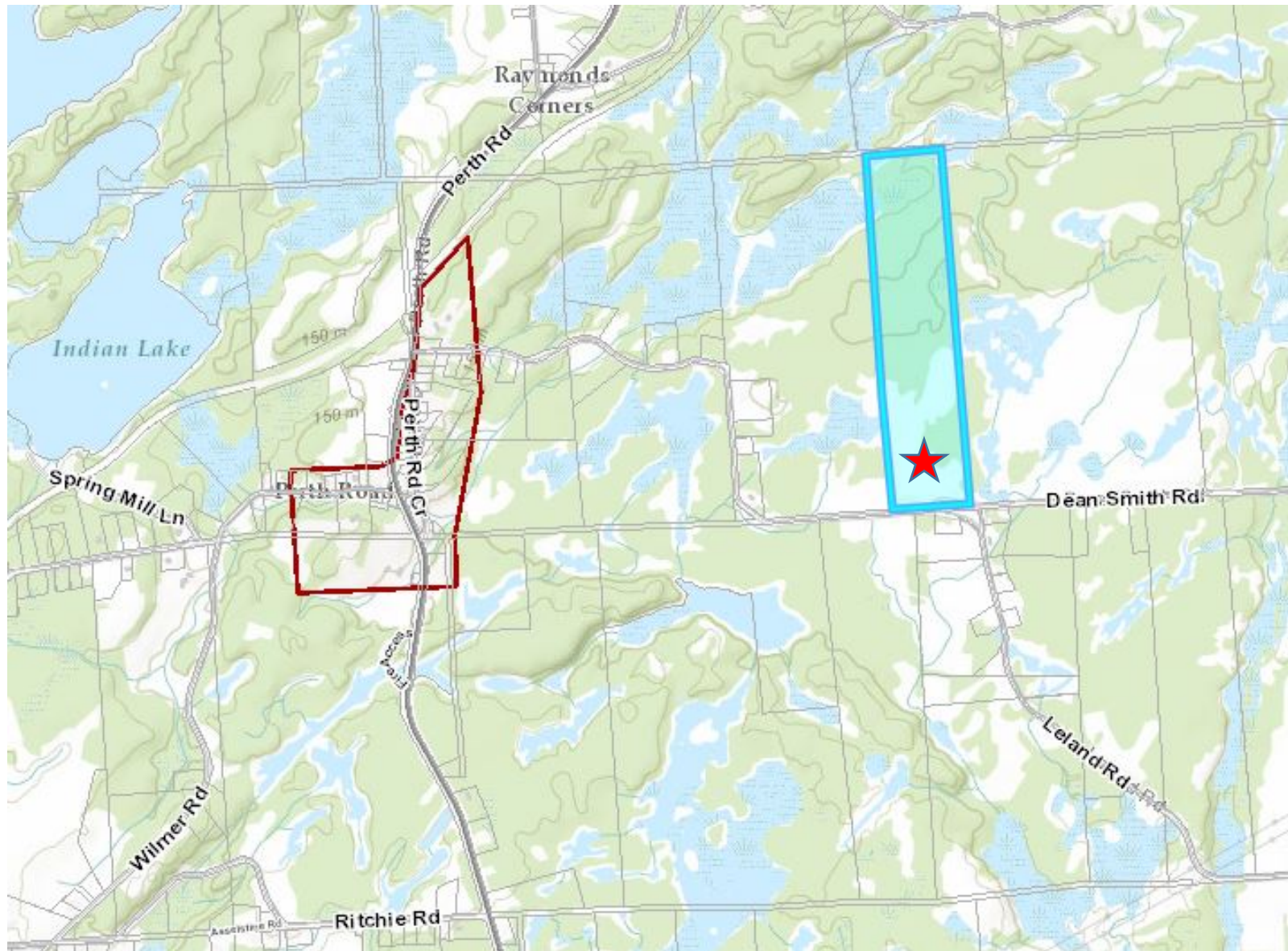
- The purpose of this public meeting is to hear comments on Zoning By-Law Amendment application Z-21-04.
- If a person or public body does not make oral or written submissions at a public meeting, or make written submissions to South Frontenac Township before the by-law is passed, the person or public body may not be added to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.
- If you wish to be notified of the decision of Council in respect to the application, you must submit a written request to the Clerk via email at [amaddocks@southfrontenac.net](mailto:amaddocks@southfrontenac.net). This will also entitle you to be advised of a possible Local Planning Appeal Tribunal.
- Anyone may appeal the decision to the Local Planning Appeal Tribunal by filing with the Clerk within 20 days of the notice of decision.
- An appeal to the Local Planning Appeal Tribunal may be filed with the Clerk of the Township not later than 20 days after the day that the notice of decision was given. The notice of appeal must set out the objection to the by-law and the reasons in support of the objection, accompanied by the required fee.



# Agenda for Public Meeting

- Planner reviews proposal and delivers report
- Comments/Questions from Council
- Comments from Applicant/Owner and Agent
- Comments from the Public
- Comments/Questions from Council
- Close Public Meeting

# Location



# Proposal



- Rezone from RU to RU-XX
- Permit a secondary dwelling and garden suite on property





Proposed secondary dwelling on left side of existing dwelling



Dwelling (left), location of septic system (centre), garden suite (background)



Garden suite



# Department and Public Comments

- Building Department – no objection to consent application
- No public comments received



# Policy Framework

- Planning Act
- Provincial Policy Statement
- County of Frontenac Official Plan
- Township of South Frontenac Official Plan



# Recommendation and Next Steps

- It is recommended that South Frontenac Council receive comments from the public and pending comments received, direct staff to prepare a by-law to rezone the subject lands from Rural (RU) to Rural – Special Provision (RU-XX) in order to permit a secondary dwelling and a garden suite on the property.
- Planning staff will bring forward a report providing a further recommendation and by-law to an upcoming Council meeting for consideration.



# Questions and Comments

- Comments/Questions from Council
- Comments from Applicant/Owner and Agent
- Comments from the Public
- Comments/Questions from Council

**TOWNSHIP OF SOUTH FRONTENAC  
BY-LAW 2021-XX**

**BEING A BY-LAW TO AMEND BY-LAW 2003-75, AS AMENDED, TO REZONE LAND FROM RURAL (RU) TO RURAL – SPECIAL PROVISION (RU-XX) ON LANDS DESCRIBED AS 984 LELAND ROAD, PART OF LOT 22, CONCESSION 9, DISTRICT OF LOUGHBOROUGH: GREEN**

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**WHEREAS** pursuant to the provisions of Section 34 of the *Planning Act*, RSO 1990 as amended, the Council of a Municipality may enact by-laws regulating the use of land and the erection, location and use of buildings and structures thereon;

**AND WHEREAS** By-law 2003-75 being the Zoning By-law regulates the use of land and the erection, location and use of buildings and structures within the Township of South Frontenac;

**AND WHEREAS** the Council of the Corporation of the Township of South Frontenac considered all written and oral submissions received on this application, the effect of which helped Council make an informed decision;

**NOW THEREFORE**, the Council of the Corporation of the Township of South Frontenac, hereby enacts as follows:

1. **THAT** Schedule “B”, to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning from Rural (RU) to Rural – Special Provision (RU-XX) for the lands shown on Schedule “1”.
2. **THAT** Zoning By-law number 2003-75 as amended is hereby further amended by adding a new section RU-XX (984 Leland Road, Part of Lot 22, Concession 9, District of Loughborough – Green) immediately after the last Rural – Special Provision Zone to read as follows:

***RU-XX (984 Leland Road, Part of Lot 22, Concession 9, District of Loughborough – Green)***

*Notwithstanding the provisions of Section 7 or any other provision of this By-law to the contrary, on the lands zoned Special Rural (RU-XX), the following provisions apply:*

- *The existing single detached dwelling on the lands zoned RU-XX may be enlarged to include a secondary dwelling unit.*
- *The primary and secondary dwelling units within the single detached dwelling shall be accessed by the same driveway, and be serviced by a shared sewage system and well.*
- *The property zoned RU-XX shall also be permitted to have an additional dwelling unit in an ancillary building that is serviced by its own separate driveway, sewage system and well.*
- *The minimum setback from the front lot line for an additional dwelling unit in an ancillary building shall be 20 Metres (65.6 ft.).*

*All other provisions of this by-law shall apply.*

3. THIS BY-LAW shall come into force in accordance with Section 34 of the Planning Act, 1990, as amended, either upon the date of passage or as otherwise provided by said Section 34.

**Dated at the Township of South Frontenac this ##<sup>th</sup> day of Month, 2021.**

**Read a first and second time this ##<sup>th</sup> day of Month, 2021.**

Read a third time and finally passed this ##<sup>th</sup> day of Month, 2021.

**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH FRONTENAC**

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**Ron Vandewal, Mayor**

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**Angela Maddocks, Clerk**

DRAFT



**Minutes of Committee of the Whole  
March 2, 2021**



**Time:** 6:45 pm

**Location:** Council Chambers/Electronic Participation

**Meeting # 10**

**Council Present in Council Chambers:** Mayor Ron Vandewal, Ray Leonard, Doug Morey, Alan Revill, Norm Roberts, Randy Ruttan, Ron Sleeth, Ross Sutherland

**Council Present via Electronic Participation:** Pat Barr

**Staff (Present in Council Chambers):** Neil Carbone - Chief Administrative Officer,  
Angela Maddocks - Clerk

1. Call to Order and Roll Call

a) The Clerk conducted the roll call as outlined in the attendance noted above.

Moved by Councillor Sleeth

Seconded by Councillor Ruttan

That the Special Committee of the Whole meeting be called to order at 6:45 pm.

Carried

2. Declaration of pecuniary interest and the general nature thereof

a) There were no declarations reported.

3. Approval of Agenda

a) Motion

Moved by Councillor Revill

Seconded by Councillor Morey

That the agenda for the Special Committee of the Whole meeting be approved as presented.

Carried

4. Scheduled Closed Session

a) Motion - Closed Session

In accordance with the Municipal Act, Section 239.2 to discuss item e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; regarding a LPAT Settlement Agreement.

Moved by Councillor Revill

Seconded by Councillor Ruttan

That Council move into Closed Session as permitted by the Municipal Act, Section 239.2 to discuss item e) litigation or potential litigation, including matters

Committee of the Whole  
March 2, 2021

before administrative tribunals, affecting the municipality or local board; regarding a LPAT Settlement Agreement.

Carried

c) Motion - Move out of Closed Session

Moved by Councillor Roberts  
Seconded by Councillor Morey  
That Committee of the Whole move out of Closed Session.

Carried

5. Adjournment

a) Motion

Moved by Councillor Sleeth  
Seconded by Councillor Morey  
That the Special Committee of the Whole meeting be adjourned at 6:56 pm.

Carried

Minutes of Council  
 March, 16, 2021

Time: 7:00 PM

Location: Electronic Participation/Council Chambers



**Meeting #13**

**Council Present in Council Chambers:** Mayor Ron Vandewal, Ray Leonard, Doug Morey, Alan Revill, Norm Roberts, Randy Ruttan, Ron Sleeth, Ross Sutherland

**Council Present via Electronic Participation:** Pat Barr (left the meeting at 7:30 pm)

**Staff Present in Council Chambers:** Louise Fragnito - Acting CAO/Director of Corporate Services and Treasurer, Angela Maddocks - Clerk, Claire Dodds - Director of Development Services, Christine Woods - Senior Planner.

1. Call to Order & Roll Call

a) Resolution

Resolution No. 2021-13-01

Moved by Councillor Morey

Seconded by Councillor Sleeth

That the Council meeting of March 16, 2021 be called to order at 7:00 p.m.

Carried

2. Declaration of pecuniary interest and the general nature thereof

a) Deputy Mayor Leonard declared a pecuniary interest with respect to the Accounts Payable and Payroll Listing - Agenda Item 13 a).

3. Approval of Agenda

a) Resolution

Resolution No. 2021-13-02

Moved by Councillor Ruttan

Seconded by Councillor Revill

That the agenda for the March 16, 2021 Council Meeting be approved as presented.

Carried

4. Scheduled Closed Session - not applicable

5. \*\*\*Recess\*\*\*\* - not applicable

6. Delegations - not applicable

7. Public Meeting

a) Resolution - Open Public Meeting

Resolution No. 2021-13-03

Moved by Councillor Revill

Seconded by Councillor Morey

That a public meeting be held to allow for input on Road Closing Application RC-20-03, Plan 1316, Lots 16-20, (part of Rideau Crescent).

Carried

b) Road Closing Application RC-20-03 - Plan 1316, Lots 16-20

Claire Dodds, Director of Development Services explained that the road allowance is aligned from southwest to northeast running through a peninsula in Little Cranberry Lake and is part of a former Plan of Subdivision for properties along Rideau Road and Rideau Crescent Lane, being Subdivision Plan 1316. The portion of road allowance subject to this application is accessed over Rideau Crescent Lane. The road allowance does not lead to water, however the benefitting property located at 30 Rideau Crescent Lane is a waterfront property. The subject road allowance is partially cleared and used as parking and access to the property with a scrub brush area furthest away from benefitting lands.

The owners of the lands municipally known as 30 Rideau Crescent Lane, Jordan Cunningham and Madeline King, have filed this road closing application requesting Council stop up, close and transfer an approximately 20 metres by 30.5 metres of unopened road allowance being part of Rideau Crescent on Plan 1316, District of Storrington.

30 Rideau Crescent Lane is a waterfront parcel of land located southeast of the unopened road allowance. The lands are developed with a home, outbuildings, a bridge and a dock. The parcel to be enlarged is approximately 0.52 acres in size, being an undersized, legal non-complying parcel. By adding the road allowance to this property, the parcel would be closer to conforming to the current Comprehensive Zoning By-Law 2003-75 provisions and will enable the applicants to enlarge their home away from the lake.

Although this portion of the unopened road allowance remains under Township ownership, a portion of road allowance to the north east has previously been stopped up, closed and transferred to the abutting property municipally known as 5508 Rideau Road.

Ms. Dodds noted that Public Services staff advised that they have no issues with selling the road allowance and that consistent with the requirements of the Municipal Act, a Notice of Road Closing was posted on the Township website on February 4, 2020 and advertised in the Frontenac News for 4 weeks beginning February 4, 2021. Notice was also sent by mail to all other land owners abutting the relevant portion of the road allowance.

Planning Staff received a reply to the Public Notice from adjacent land owners, Stanly and Muriel Prunster on February 19, 2021. The Prunster's own 5508 Rideau Road and the land between the unopened road allowance and Rideau Road, to the west of the portion of the unopened road allowance that has requested to be purchased. Planning Staff have since received written and verbal correspondence from the neighbours and on March 5, 2021 planning staff received an application from Mr. and Mrs. Prunster to stop up, close and purchase 50% of the road allowance proposed to be purchased by Jordan Cunningham and Madeline King.

Road Closing application RC-21-02 by Mr. and Mrs. Prunster, proposes to purchase a portion of the unopened road allowance as it would enable them to widen their driveway, improve drainage, provide more parking and allow for proper and safe snow removal on their own property. As the Township has now received two applications to close and transfer the same portion of unopened road allowance, staff have asked the parties to attempt to come to mutual agreement regarding the apportionment of the property prior to bringing a recommendation forward to Council to stop up, close and transfer the property.

Should the parties be unable to come to mutual agreement on the

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apportionment, staff would make a recommendation to Council regarding the transfer, based on best planning principles.

Councillor Sleeth asked if the Prunster's would have to make a separate application and pay the relevant fees for this process. Ms. Dodds confirmed that they have paid the relevant fees, however there would not be a need for a separate public meeting for the Prunster's application. Councillor Sleeth asked if there has been any indication received that both parties will agree to this. At this time, Ms. Dodds confirmed that staff have not received any decision.

Councillor Sutherland indicated that he had visited the site earlier in the day and tried to figure out if there was a way to drive down the road allowance to the Prunster property. Councillor Sleeth noted that originally they had accessed the property via the road allowance but this has not been the case for a number of years.

Councillor Sutherland felt it was a very rough and piece of land to provide the intended use that the applicants are seeking, despite this, he did not have a problem with the closing of the road allowance.

Councillor Revill stated that the original intent of the applicant was to ensure they have enough space to enlarge their residence and that this proposal is workable.

Madeline King (in attendance virtually) confirmed that they have come to a mutual agreement with the Prunster's in the division of the road allowance. This would still allow them to meet the setbacks for their proposed addition and provide additional parking space.

Muriel Prunster (in attendance virtually) confirmed the agreement with Jordan Cunningham and Madeline King which will assist them with their snow removal and drainage and narrow driveway. They did not want to impact the applicants ability to increase their structure. She acknowledged the associated costs for survey and administration fees involved with this process.

c) Resolution - Close Public Meeting

Resolution No. 2021-13-04

Moved by Councillor Ruttan

Seconded by Councillor Sleeth

That having provided an opportunity for public input on Road Closing Application RC-20-03, the public meeting be closed

Carried

8. Approval of Minutes

a) Committee of the Whole Meeting - February 9, 2021

Councillor Sutherland requested that the minutes be amended to reflect the compliance with the "human rights" aspect of changes to group homes. Council was supportive of this amendment.

b) Council Meeting - February 16, 2021

c) Special Committee of the Whole Meeting - February 23, 2021

d) Committee of the Whole Meeting - March 2, 2021

Resolution No. 2021-13-05

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Moved by Councillor Ruttan  
Seconded by Councillor Sleeth

That the following Committee of the Whole minutes be approved:

- Committee of the Whole meeting of February 9, 2021 (as amended)
- Special Committee of the Whole meeting of February 23, 2021
- Committee of the Whole meeting of March 9, 2021

Carried

e) Council Meeting - March 2, 2021

Resolution No. 2021-13-06

Moved by Councillor Roberts  
Seconded by Councillor Sutherland

That the following Council meeting minutes be approved:

- Council meeting of February 16, 2021
- Council meeting of March 2, 2021

Carried

9. Business Arising from the Minutes

a) Notice of Motion - Randy Hillier, MPP - Lanark-Frontenac-Kingston - Disregard for Pandemic Restrictions/Regulations

Resolution No. 2021-13-07

Moved by Councillor Sleeth  
Seconded by Councillor Morey

That Council inform the Premier of Ontario and the Ontario Legislature that the conduct of Lanark-Frontenac-Kingston, MPP Randy Hillier is in no way condoned or supported by the Council of the Township of South Frontenac; and,

That this resolution be forwarded to all other municipalities within the riding.

Carried

b) Anticipated Residential Development in Verona and the Use of the K & P Trail between Bellrock Road and Craig Road

Councillor Revill proposed an amendment to the motion (see 2021-03-09- as the proposed amendment) that was presented in the report. Councillor Morey, as the seconder of the motion approved the amendment.

Resolution No. 2021-13-08

Moved by Councillor Revill  
Seconded by Councillor Morey

That South Frontenac Council oppose the extension of the trial period for ATV access to the K&P Trail between Bellrock and Craig Road in Verona due to the anticipated residential growth and development in that area; and,

That staff be directed to provide a copy of this motion to County Council in advance of their regular meeting on March 17th, 2021.

(Original Motion included in the report)

Resolution No. 2021-13-09

Moved by Councillor Revill  
Seconded by Councillor Morey

That Council oppose the permanent ATV access to the K&P Trail between Bellrock and Craig Road in Verona, at this time, due to the anticipated residential growth and development in that area; and,

Minutes of Council  
March, 16, 2021

That Council support the extension of the trial period for ATV access to the K&P Trail between Bellrock and Craig Road in Verona to be reviewed between the Township and the County once further information is available on the anticipated housing development in Verona; and,

That staff be directed to provide a copy of this motion to County Council in advance of their regular meeting on March 17th, 2021.

Carried (as amended)

10. Reports Requiring Action

a) Desert Lake Resort - Noise By-law Exemption Request

Resolution No. 2021-13-10

Moved by Councillor Sutherland

Seconded by Councillor Revill

That Council grant an exemption to the Noise Bylaw for the Desert Lake Resort for June 26, July 3, July 31 and September 4, 2021 between the hours of 7:30 pm and 10:30 pm, for the purpose of amplified musical events;

And that a copy of this resolution is circulated to Public Health to ensure that they are aware of these gatherings and to have Desert Lake Resort owners coordinate/discuss with Public Health a strategy to meet the current COVID regulations in effect (for each of the dates requested) in order to ensure that public health is protected.

Carried

b) Awarding the Request for Proposal - South Frontenac Official Plan

Resolution No. 2021-13-11

Moved by Councillor Roberts

Seconded by Councillor Ruttan

That Council award the contract for consulting services for the preparation of a new South Frontenac Official Plan project to Dillon Consulting in the amount of \$132,562 + HST.

Carried

c) 2021 Crack Sealing Program

Resolution No. 2021-13-12

Moved by Councillor Morey

Seconded by Councillor Sleeth

That Council approves the extension of the Township's agreement with Roadlast Asphalt and Sealing Maintenance for the provision of crack sealing services in 2021 based on the vendor holding its 2020 rate for that service.

Carried

d) MFOA Request for Extension of Asset Management Deadlines

Resolution No. 2021-13-13

Moved by Councillor Sutherland

Seconded by Councillor Morey

WHEREAS the COVID-19 pandemic has had significant financial and operational impacts on Ontario municipalities;

AND WHEREAS municipalities have had to divert resources towards addressing the immediate needs of the pandemic and maintaining service delivery standards despite evolving restrictions and limited funds;

AND WHEREAS the Government of Ontario has delayed timelines with respect to several pieces of legislation;

AND WHEREAS the Government of Ontario has regulated municipal asset management through O. Reg. 588/17: Asset Management Planning for Municipal Infrastructure under the *Infrastructure for Jobs and Prosperity Act, 2015*;

AND WHEREAS O. Reg. 588/17 mandates that every municipality shall prepare an asset management plan in respect of its core municipal infrastructure assets by July 1, 2021, and in respect of all of its other municipal infrastructure assets by July 1, 2023;

AND WHEREAS the key components of an asset management plan as required by the regulation are:

1. Infrastructure asset inventory
2. Levels of service
3. Lifecycle management and financial strategy

AND WHEREAS there is a concern amongst Municipal Finance Officers' Association of Ontario (MFOA) members and their municipalities that current capacity challenges will result in limitations for purposeful asset management planning;

AND WHEREAS Ontario municipalities do not anticipate the current capacity challenges to be resolved in the short-term;

NOW THEREFORE BE IT RESOLVED that the Township of SouthFrontenac supports MFOA's letter to the Ministry of Infrastructure requesting a one-year extension of deadlines in O. Reg. 588/17: Asset Management Planning for Municipal Infrastructure under the *Infrastructure for Jobs and Prosperity Act, 2015*; so that all municipalities can focus on the immediate needs of the pandemic and engage in municipal asset management planning when capacity challenges are resolved.

Carried

- e) Zoning By-law Amendment Z-20-12 - Concession VIII, Part Lot 10 (Loughborough) 1012 Hill Lane

Christine Woods informed Council that there was a setback omitted from the version of the by-law that was included in the agenda regarding the setback for a sewage system. The by-law should require any sewage system to be setback a minimum of 12.2 metres from the top of bank.

- f) Site Plan Control Application - SP-09-20-L - Robert Blasko - 1024 Hill Lane

Council discussed Councillor Sutherland's concern about the gazebo on this property as there is not an existing building permit on file or to be found for it. The gazebo overhangs the top of the bank and is well within the setback from the shoreline. Also, there were concerns about legalizing the gazebo by approving the site plan as presented. This was addressed in the "By-law" section of the agenda.

- g) Zoning By-law Amendment Z-21-02 - Concession 9, Part of Lot 7 - 4679 Noble Lane

See By-law 2021-12

11. Committee Meeting Minutes - not applicable

12. By-laws

- a) By-law 2021-10 - Rezone Concession VIII, Part of Lot 10 (Loughborough) 1012 Hill Lane (deferred)

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Resolution No. 2021-13-14

Moved by Councillor Sleeth

Seconded by Councillor Morey

That Council defer By-laws 2021-10 and 2021-11 to allow time for staff to work with the applicants to address concerns about the existing gazebo located at 1012 Hill Lane.

Carried

b) By-law 2021-11 - Site Plan Agreement with Robert Blasko - 1012 Hill Lane (deferred)

c) By-law 2021-12 - Rezone Concession 9, Part Lot 7 (Storrington) - 4679 Noble Lane

Resolution No. 2021-13-15

Moved by Councillor Sleeth

Seconded by Councillor Sutherland

That By-law 2021-12 be given first and second reading.

Carried

Resolution No. 2021-13-16

Moved by Councillor Ruttan

Seconded by Councillor Sleeth

That By-law 2021-12, being a by-law to amend By-law 2003-75 as amended, to rezone land from Urban Residential First Density (UR1) to Limited Service Residential- Waterfront (RLSW) on lands described as 4679 Noble Lane, Part of Lot 17, Concession 9, District of Storrington, be given third reading signed and sealed.

Carried

13. Reports for Information

a) Accounts Payable and Payroll Listing

b) Council Remuneration & Expenses - 2020

c) Investment Update

d) 2020 Development Charges Reporting

14. Information Items - not applicable

15. Notice of Motions - none

16. Announcements/Statements by Councillors

a)

Councillor Sutherland stated his concern about the Ministerial Zoning Orders from the province with respect to overriding environmental protection initiatives and whether it's worthwhile to go through the Official Plan review.

17. Question of Clarity (from the public on outcome of agenda items) - none

18. Closed Session - not applicable

19. Confirmatory By-law

a) By-law 2021-13

Resolution No. 2021-13-17

Minutes of Council  
March, 16, 2021

Moved by Councillor Morey

Seconded by Councillor Sutherland

That By-law 2021-13, being a by-law to confirm generally previous actions of the Council of the Township of South Frontenac, be given first and second reading this 16 day of March, 2021.

Carried

Resolution No. 2021-13-18

Moved by Councillor Sleeth

Seconded by Deputy Mayor Leonard

That By-law 2021-13, being the confirmatory by-law, be given third reading, signed and sealed this 16 day of March, 2021.

Carried

20. Adjournment

a) Resolution

Resolution No. 2021-13-19

Moved by Councillor Sutherland

Seconded by Deputy Mayor Leonard

That the Council meeting of March 16, 2021 be adjourned at 8:02 p.m.

Carried

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Ron Vandewal, Mayor

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Angela Maddocks, Clerk



## REPORT TO COUNCIL CLERKS DEPARTMENT



**AGENDA DATE:** April 6, 2021  
**SUBJECT:** Noise By-law Exemption  
Desert Lake Resort – Date Change

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### **RECOMMENDATION:**

That Council has no objection to the Noise By-law exemption request from the Desert Lake Resort owners to change the previously approved date from July 3 to July 2 between the hours of 7:30 pm and 10:30 pm, for the purpose of amplified musical events, and that the same coordination with Public Health be required as approved on March 16<sup>th</sup>, 2021.

### **BACKGROUND:**

At the March 16, 2021 Council meeting an exemption to the Noise By-law **was** approved for Desert Lake Resort for live musical events on June 26, July 3, July 31 and September 4, 2021 from 7:30 pm to 10:30 pm.

### **ANALYSIS/DISCUSSION:**

Since that time, the resort owners have requested that the July 3 date be changed to July 2 as the band they had hoped to book for July 3 is not available.

The same criteria with respect to communicating with Public Health will be required with this date change.

### **FINANCIAL/STAFFING IMPLICATIONS:**

None

### **ATTACHMENTS:**

None

### **Submitted/approved by:**

Angela Maddocks, Clerk

### **Approved:**

Neil Carbone  
Chief Administrative Officer



## REPORT TO COUNCIL DEVELOPMENT SERVICES



**Report Date:** March 29, 2021

**Application No:** Z-20-12 and SP-09-20-L

**Owner:** Rob Blasko

**Agent:** IBI Group

**Location of Property:** 1012 Hill Lane, Loughborough District, Eel Bay of Sydenham Lake

**Purpose of Application:** Rezone from Waterfront Residential (RW) to Limited Service Residential – Waterfront – Special Provision (RLSW-127) and to Apply Site Plan Control

**Date of Public Meeting:** December 1, 2020 (Virtual Public Meeting)

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### Recommendations

THAT By-law 2021-10 to amend the zoning for 1012 Hill Lane, Lot 10 on Plan 1540, Part of Lot 10, Concession VIII, District of Loughborough, Township of South Frontenac **be passed**, and

THAT By-law 2021-11 to authorize the Mayor and Clerk to enter into the Site Plan Agreement with the Owner, Robert Blasko, for 1012 Hill Lane, Lot 10 on Plan 1540, Part of Lot 10, Concession VIII, District of Loughborough, Township of South Frontenac **be passed**.

### Background

An application was submitted to amend Zoning By-law No. 2003-75 to change the zone on the subject property, concurrent with an application for site plan control. Staff reports dated March 9, 2021, recommended that Council approve the applications by passing by-laws.

At its March 16, 2021, meeting, Council raised concerns about the existing wood deck and gazebo structure located at the top of bank near the shoreline, and the implications of the structure being identified on the site plan drawing. Council directed staff to have discussions with the Owner about removing the existing wood deck and gazebo structure or moving it to a more acceptable location on the property.

The Owner revised the site plan to note the removal of the existing wood deck and gazebo structure. The site plan agreement was revised to require removal of this structure under a valid demolition permit prior to the issuance of an occupancy permit for the dwelling. The Owner signed the revised agreement. The revised site plan and site plan agreement are Attachments 1 and 2 to this report.

By-laws 2021-10 and 2021-11 are listed on the Council agenda under By-laws.

**Prepared by:** Christine Woods, MCIP, RPP, Senior Planner

**Submitted/approved by:** Claire Dodds, MCIP, RPP, Director of Development Services

*Natural, Vibrant and Growing – a Progressive Rural Leader*



## REPORT TO COUNCIL DEVELOPMENT SERVICES

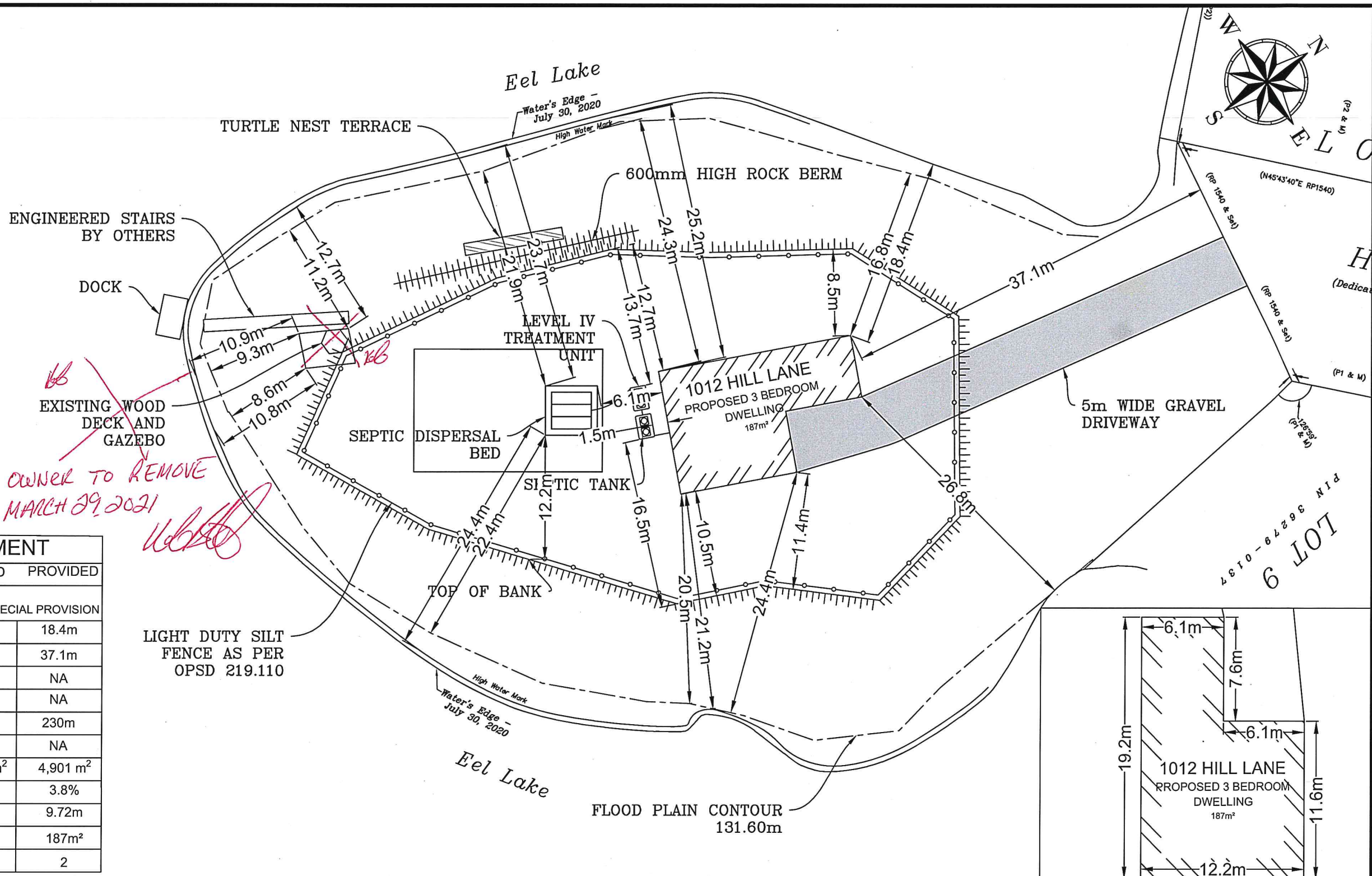


**Approved by:** Neil Carbone, CAO

Date of Site Visit: November 9, 2020

Attachments:

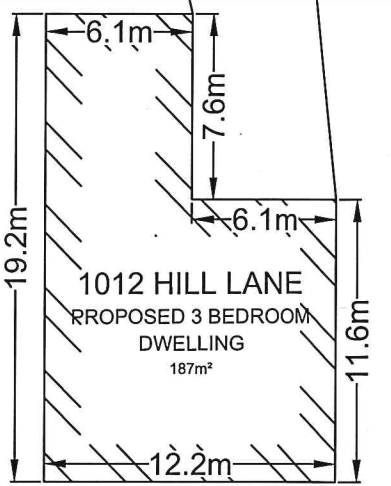
1. Revised Site Plan Drawing
2. Revised Site Plan Agreement



*bb*  
 EXISTING WOOD DECK AND GAZEBO  
 OWNER TO REMOVE  
 MARCH 29, 2021  
*bb*

DETAILS OF DEVELOPMENT			
DATA	REQUIRED	PROVIDED	
ZONING (RLSW-127) LIMITED SERVICE RESIDENTIAL-WATERFRONT ZONE SPECIAL PROVISION			
SETBACKS FOR SINGLE DETACHED DWELLING	FY (MIN)	30m	18.4m
	RY (MIN)	10m	37.1m
	INT.SY (MIN)	3m	NA
	EXT.SY (MIN)	30m	NA
	WATER FRONTAGE	91m	230m
ROAD FRONTAGE	76m	NA	
NET LOT AREA (MIN)	10,000 m <sup>2</sup>	4,901 m <sup>2</sup>	
LOT COVERAGE (MAX)	5%	3.8%	
BUILDING HEIGHT (MAX)	11m	9.72m	
GROSS FLOOR AREA (MIN)	59m <sup>2</sup>	187m <sup>2</sup>	
PARKING: # OF SPACES	2	2	

LIGHT DUTY SILT FENCE AS PER OPSD 219.110

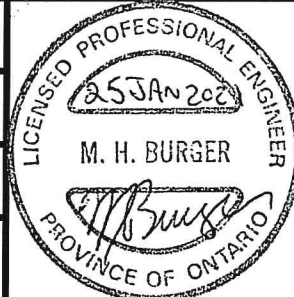


**Groundwork Engineering Limited**  
 GEOTECHNICAL • CIVIL • STORMWATER • ONSITE WASTEWATER  
 UNIT 640 - 654 NORRIS COURT  
 KINGSTON, ONTARIO  
 OFFICE (613) 634-1789

Client / Land Owner: **ROB BLASKO**  
 Project: **1012 HILL LANE**  
 SYDENHAM ONTARIO

Drawing Title: **SITE PLAN**  
 Project Number: **GW-20002-37**  
 Drawing Number: **C-101**  
 SHEET 1 of 1

Drawn by: **DF**  
 Checked By: **MB**  
 Scale: **1:400**  
 Date: **DEC. 18, 2020**



REVISIONS		
No.	Description	Date
#1	ISSUED FOR APPROVAL	2020/12/18
#2	REVISED AS PER TOWNSHIP COMMENTS	2021/01/25

**SITE PLAN AGREEMENT**

Made this \_\_\_\_\_ day of \_\_\_\_\_, 2021

**BETWEEN:**

**ROBERT BLASKO**

**Hereinafter called the "Owner"**

**OF THE FIRST PART**

**-and-**

**THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC**

**Hereinafter called the "Municipality"**

**OF THE SECOND PART**

WHEREAS the Owner is the registered owner in fee simple of certain lands located in the Township of South Frontenac (the "Lands");

AND WHEREAS Site Plan Control By-law 2003-25 applies to lands within 90 metres of a waterbody and requires that the Owner enter into this site plan agreement with the Municipality on the terms set out;

AND WHEREAS the Site Plan is supported by recommendations included in the Environmental Impact Assessment listed in Schedule "B" to this agreement;

AND WHEREAS the Municipality is authorized to enter into this agreement and register it against the title to the Lands pursuant to section 41 of the Planning Act;

NOW THEREFORE WITNESSETH that in consideration of the mutual covenants and agreements contained herein, the parties agree each with the other as follows:

- 1. **The Owner covenants that the Owner is the Owner in fee simple of the Owner's Lands described in Schedule "A" attached hereto.**
- 2. **The Owner covenants and agrees with the Municipality as follows:**

**2.1 General**

- 2.1.1 **That development shall be in accordance with the Site Plan Drawing, attached hereto in Schedule "B".**
- 2.1.2 **That the uses on the subject property are limited to a single detached dwelling and accessory buildings and structures.**
- 2.1.3 **That the existing wood deck and gazebo shown on the Site Plan Drawing is to be removed from the property, under a valid demolition permit, prior to the issuance of an occupancy permit for the single detached dwelling as per the Ontario Building Code.**
- 2.1.4 **Any home constructed on this lot requires a Class 4 Level IV sewage treatment system (as defined by the Ontario Building Code).**

**The Owner is required to obtain a septic permit from the authority responsible for Part 8 of the Ontario Building Code. The Level IV sewage treatment system shall be designed and installed by a professional who is qualified and certified by the Ontario Building Code Act.**

The septic system is to be maintained in accordance with the Ontario Building Code Act and the manufacturer's instructions. The Owner shall enter into a maintenance contract with an authorized maintenance provider for the life of the system. A copy of the signed maintenance contract must be provided to the authority responsible for Part 8 of the Ontario Building Code prior to occupancy of the building being granted.

The Owner is expected to follow all instructions provided by the installer and maintenance provider. The Level IV sewage treatment system effluent is to be sampled in accordance with the requirements of the Ontario Building Code Act. The Owner shall provide the Municipality proof of maintenance occurring on an annual basis by January 31 each year, including the results of the annual sampling results.

2.1.5 That the Owner may be required to obtain a permit from Cataraqui Conservation for any development or site alteration proposed from the lake to within 15 metres of the top of bank, as per the Ontario Regulation 148/06 Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses.

2.1.6 That the dock location will be maintained as per the Site Plan Drawing. The dock may be modified or replaced subject to all applicable approvals.

Any permanent dock shall protrude no further into the lake than the existing non-vegetated rock substrate, which averages about 2 metres from the shoreline as recommended by the Environmental Impact Assessment attached hereto in Schedule "B".

2.1.7 That construction and maintenance of the dock shall occur outside of the timeframe when fish are spawning.

## 2.2 Environmental Protection

2.2.1 That the land between the shoreline and the Top of Bank must be maintained as a natural buffer with no alteration of soil mantle or vegetation cover, except for the stairs and turtle nest terrace shown on the Site Plan Drawing. There shall be no cutting of trees within the natural buffer area except for safety reasons or for the removal of dead trees.

2.2.2 That the stairs to gain access to the shoreline shall be designed by a qualified professional to ensure that the installation and use of the structure will not aggravate the erosion hazard on the slope.

2.2.3 That erosion control measures (e.g. silt fence, straw bales) will be used during any construction and will remain in place until any ground cover disturbed during construction has been re-established. Ground cover will be re-established as soon as possible upon completion of construction.

2.2.4 That during and after the construction period there shall be no filling or false grading of excavated materials within 15 metres of the Top of Bank. The exception will be for allowance for landscaping materials for the final grade next to the dwelling.

2.2.5 That stormwater management best practices shall be employed to reduce the energy of runoff from the plateau, including roof runoff from the dwelling and any accessory buildings and structures.

- 2.2.6 That the turtle nest terrace shown on the Site Plan Drawing shall be maintained to compensate for the potential loss of Snapping Turtle nesting areas as a result of construction of the dwelling, as recommended by the Environmental Impact Assessment attached hereto in Schedule "B".
- 2.2.7 That the Owner is responsible to comply with the provisions of the *Endangered Species Act, 2007*. Sections 9 and 10 of the *Endangered Species Act* provide protection for individual members of a species and their habitat if that species is listed on the Species at Risk in Ontario list as extirpated, endangered or threatened. If an activity may cause adverse impacts to a species at risk and/or their habitat, authorization under the ESA may be required prior to conducting the activity.

### 2.3 Property Access

- 2.3.1 That access to the Owner's Lands is over an unassumed road allowance, described in Schedule "C" attached hereto, and that is not maintained by the Municipality. The Municipality shall permit the extension of a private lane over the road allowance.
- 2.3.2 That the Owner accepts the Road Allowance in an "as is" condition and not to require the Municipality to pay for or do any work or supply any equipment or services in connection with the Owner's use of the Road Allowance.
- 2.3.3 That the Owner shall improve the access over the Road Allowance, from the travelled portion of Hill Lane to the Owner's Lands consistent with the Township of South Frontenac Private Lane Standards attached hereto in Schedule "D".
- 2.3.4 The Owner shall contact the Township of South Frontenac Development Services Department prior to improvements occurring on the Road Allowance to notify staff of the commencement of the work. The Owner shall also contact the Development Services Department following the completion of construction in order to request the Township staff inspect the improvements undertaken to confirm the improvements meet Township Private Lane Standards.
- 2.3.5 Not to remove any trees or commence any work, or make any changes in surfacing, grade or landscaping on the Road Allowance except in accordance with the Township Private Lane Standards attached hereto in Schedule "D".
- 2.3.6 To obtain all necessary permits and approvals required by law.
- 2.3.7 To keep the Road Allowance in a clean and well-ordered condition, and not to permit any rubbish, refuse, debris or other objectionable material to be stored, or to accumulate thereon.
- 2.3.8 To use the Road Allowance only for the purpose of access to and from the Owner's Lands and not to interfere, obstruct or impede in any way the use of the Road Allowance by the Municipality, owners of abutting properties, or any other member of the public.
- 2.3.9 To not erect any signs, fences, buildings, structures or fixtures on the Road Allowance without the prior written consent of the Municipality.
- 2.3.10 To ensure that nothing is done or kept at or on the Road Allowance which is or may be a nuisance, or carry on any activity

or do anything else, which causes disturbance to or interferes with the users or occupants of any neighbouring property, or which in the opinion of the Municipality may cause damage to the road allowance or any neighbouring property.

- 2.3.11 To take, at the Owner's own expense, all measures necessary to ensure to the Municipality's satisfaction that any municipal services or utilities now or in the future on, under or adjacent to the Road Allowance are or will be adequately protected against damage, impairment, destruction or loss.
- 2.3.12 To ensure that no inflammable or explosive substances, contaminants, pollutants, or hazardous or environmentally sensitive materials are brought on to the Road Allowance, other than materials legally permitted on Township roads without special permit.
- 2.3.13 That the Municipality has no obligation during or upon expiration of the term of this license to compensate or reimburse the Owner for any costs or expenses incurred by the Owner to improve or maintain the Road Allowance, all of which will be done for the benefit of the Owner and not the Municipality.
- 2.3.14 To indemnify and save harmless the Municipality from and against any and all manner of claims, demands, losses, costs, charges, actions and other proceedings made or brought against, suffered by or imposed on the Municipality in respect of any loss, damage or injury to any person or property directly or indirectly arising out of, resulting from or sustained as a result of the Owner's occupation or use of the Road Allowance.
- 2.3.15 To further indemnify and save harmless the Municipality from and against any and all claims, demands, losses, costs, charges, actions and other proceedings under the *Construction Lien Act* in connection with any work done for the Owner at or on the Road Allowance, and to promptly attend at the Owner's expense to the removal of every claim for lien or certificate of action having to do with such work within 14 days of being notified in writing by the Municipality to do so, failing which the Municipality may attend to such removal and recover the expense and all attendant costs from the Owner.
- 2.3.16 To maintain in force at all times during the term of this license and any renewal thereof, at the Owner's expense and in the names of the Owner and the Municipality, coverage for legal liability for bodily injury, death or property damage in an amount of not less than two million dollars, and to provide the Municipality with proof of such insurance no later than the 15<sup>th</sup> day of January each year or upon request.
- 3.0 This agreement shall be registered against the title to the Lands by the Owner and the Municipality shall be entitled to enforce its provisions against the Owner and any or all subsequent owners of the Lands.
- 4.0 If the Owner fails or refuses for any reason to comply with any requirements of this agreement, the Owner shall be in default and the Municipality may, on fifteen (15) days' notice, require the Owner to remedy the default, failing which the Municipality may, without further notice and without prejudice to any other rights and remedies available to it, do such things and perform such work as is necessary to rectify the default.
- 5.0 Any account rendered by the Municipality for work done shall be paid by the Owner within thirty (30) days of the day of billing, and, if the Owner fails to pay, interest

shall be charged on the amount outstanding at the rate of one and one quarter (1.25%) per months (15% per annum) on the first day of each calendar month following the date the account was due. Any payments received on accounts rendered shall be applied first to any outstanding interest, which may have accrued, and the balance shall be applied to reduce the principal amount outstanding.

- 6.0 If the Municipality incurs any expense arising out of the terms of this Agreement, the Municipality may recover the amount in like manner as municipal taxes or by action, pursuant to Section 42.7 of the Municipal Act.
- 7.0 All costs necessary to fulfill any condition of this agreement, and all costs incurred by the Municipality in connection with the preparation, execution, registration or enforcement of this Agreement shall be paid by the Owners.
- 8.0 This Agreement shall enure to the benefit of and be binding upon the personal representatives, successors and assigns of the parties.

**IN WITNESS WHEREOF** the Parties hereto have hereunto set their hands and seals as of the day and year first written above.

**SIGNED, SEALED AND DELIVERED**  
In the presence of:

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
ROBERT BLASKO

THE CORPORATION OF THE  
TOWNSHIP OF SOUTH FRONTENAC  
Per:

\_\_\_\_\_  
RON VANDEWAL – MAYOR

\_\_\_\_\_  
ANGELA MADDOCKS – CLERK

**SCHEDULE "A"**  
**OWNER'S LANDS**

**Legal Description:**

Part Lot 10, Concession 8, Lot 8 on Plan 1540, District of Loughborough, Township of South Frontenac, County of Frontenac

**Municipal Address:**

1012 Hill Lane

**SCHEDULE "B"**

**DRAWING AND REPORT LIST**

<b>Site Plan Drawing</b>	1012 Hill Lane Site Plan, Prepared by Groundwork Engineering Limited, Revision 2, Dated January 25, 2021, Scale 1:400 Revised by Robert Blasko, March 29, 2021
<b>REPORT</b>	Eel Bay Impact Assessment for Rob Blasko Planning Application, Prepared by Ecological Services, Dated July 27, 2020

THE ORIGINAL OF ALL PLANS LISTED IN THIS SCHEDULE AND INCORPORATED BY REFERENCE INTO THIS AGREEMENT ARE ON FILE IN THE OFFICE OF THE SOUTH FRONTENC DEVELOPMENT SERVICES DEPARTMENT AND SHALL GOVERN IN THE EVENT OF ANY DISPUTE.

**SCHEDULE "C"**

**ROAD ALLOWANCE**

**Property Description:**

Long Street, Plan 1540, Except Parts 7 & 12, 13R13072; S/T the interest, if any in FR663789;  
Loughborough/South Frontenac

**SCHEDULE "D"****TOWNSHIP OF SOUTH FRONTENAC PRIVATE LANE STANDARDS**

<b>ITEM</b>	<b>PRIVATE LANE</b>
Right of Way Width	20.0 m (66 feet)
Height of Clearing	5.0 m (16 feet)
Width of Clearing	6.0 m (20 feet)
Surface Width	4.5 m (15 feet)
Surface Material	Crushed Stone
Depth of Material, Minimum	(100 mm) 4" of Granular A (150 mm) 6" of Granular B
Shoulder, including Rounding	Nil
Crown, Minimum	1%
Cross Culvert, Minimum	300 mm (12 inches)
Culvert Material	CSP/HDPE
Maximum Grade	12% (1 in 8)
Geometrics	Safe Passage of Emergency Vehicles
Ditches, Minimum Depth from Crown to Bottom of Ditch	0.3 m (1 foot)



## REPORT TO COUNCIL FIRE DEPARTMENT



**AGENDA DATE:** April 6, 2021

**SUBJECT:** Hartington Tanker Tender

### RECOMMENDATION:

That Council approve additional funds of \$7,476.87 from the Fire Fleet Capital Reserve to offset the additional cost of a 2,500IG Tanker for the Hartington Fire Station; and

That Council approve awarding of the tender for a 2,500IG Tanker to 1200 Degrees – Darch Fire (E-One) in the amount of \$424,822.35 + HST.

### BACKGROUND:

In accordance with the Township's Fire Department fleet asset management plan, a 1,500 gallon tanker currently stationed at the Hartington Station is due for replacement in 2022. Due to lead times for delivery, the replacement apparatus was budgeted for and must be ordered in 2021.

The 2021 South Frontenac Fire and Rescue Capital Budget included the purchase of a 2500IG Tanker for the Hartington Station #4, with the increased capacity assisting with the Township's water shuttled accreditation and fleet standardization.

A budget of \$425,000.00 for the tanker was approved by council in January of 2021.

A Tender was posted on the Township website, Biddingo, and the local newspaper.

### ANALYSIS/DISCUSSION:

The following submissions were received on March 29, 2021 in response to the tender:

Bidder	Price
Fort Garry Fire Trucks	\$432,445.89 + HST
1200 Degrees – Darch Fire (E-One)	\$424,822.35 + HST <u>prior</u> to April 13 (recommended) \$435,822.35 + HST <u>after</u> April 13

Staff has reviewed and evaluated the Tender submissions and recommend that the apparatus specified by 1200 Degrees – Darch Fire (E-One) meets and/or exceeds the requirements in the specification document.

The total purchase price if the tender is awarded before April 13, 2021 would be \$424,822.35 + HST for a total of \$432,299.22. Since this exceeds the budget of \$425,000.00 by \$7,476.87, Council approval is required in accordance with the Townships procurement policies.

Council should consider that in 2019 a similar apparatus was tendered and specified by SFFR with a total purchase price of \$391,000.00 from Fort Garry Fire Trucks. Over the two (2) years since, that same specified apparatus purchase price has



## REPORT TO COUNCIL FIRE DEPARTMENT



increased by approx. \$52,000.00 representing a nearly 15% increase in the cost of production and purchase.

### **FINANCIAL/STAFFING IMPLICATIONS:**

Approval of this tender prior to April 13<sup>th</sup> will result in an \$11,000.00 discount on the purchase of the apparatus.

The increased budget amount of \$7476.87 would be funded from the Fire Department Capital Reserve and will have a negligible impact on long range financial planning.

### **ATTACHMENTS:**

None.

### **Submitted by:**

Darcy W. Knott  
Director of Fire and Emergency Services  
Fire Chief / CEMC

### **Approved by:**

Neil Carbone  
Chief Administrative Officer



## Report to Council Development Services - Planning



### Deeming By-law

<b>Agenda Date:</b>	April 6, 2021
<b>Report Date:</b>	March 29, 2021
<b>Application No:</b>	D-01-21-S
<b>Owner:</b>	Jordan Cunningham & Madeline King
<b>Location of Property:</b>	30 Rideau Crescent Lane, Lot 20, Plan 1316
<b>Purpose of Application:</b>	Deem Lot 20 on Plan 1316 not to be a lot in a plan of subdivision for the purpose of applying 50(3) of the Planning Act.

### Recommendation

It is recommended By-law 2021-14 deeming the property described as Lot 20, Plan 1316, District of Storrington, Little Cranberry Lake, Township of South Frontenac not to be a lot in a plan of subdivision, **be passed**.

### Proposal

The property owners are requesting Council pass a by-law to deem the parcel that currently comprises their property known as 30 Rideau Crescent Lane, and the unopened Road Allowance that is subject to Application for Road Closing RC-20-03, known as Rideau Crescent on Plan 1316.

Currently, because the parcel that comprises the property is a lot in a plan of subdivision, part lot control (Section 50(3) of the *Planning Act*) prevents these parcels from merging, even when they are held in the same ownership. Passing a deeming by-law and registering it on the title of the parcel that is Lot 20, municipally known as 30 Rideau Crescent Lane, means that it will no longer be treated as a lot in a plan of subdivision and when registered in the same name, they will merge into one property.

By deeming Lot 20 not to be a lot in a plan of subdivision, it ensures the portion of the road allowance that will enlarge the lot will “stick” to it and not be transferred separately in the future.

### Background

The property addressed as 30 Rideau Crescent Lane, and the proposed road closing parcel to be merged with the larger parcel is illustrated on the attached map:

Subject Parcel:

Plan 1316 Lot 20, Little Cranberry Lake. It is 0.52 acres in size. This parcel is zoned Limited Services Residential - Waterfront (RLSW). This parcel fronts onto the unopened Road Allowance known as Rideau Crescent on Plan 1316. The property known as 30 Rideau Crescent is a waterfront property and the owners will be merging the property with the Road Allowance parcel.

The parcel that comprises the subject property was created by a plan of subdivision. Plan 1316 was a plan of subdivision that was created in the Township of Storrington prior to amalgamation, the Unopened Road allowance known as Rideau Crescent was never opened, and Rideau Road was never extended into the Crescent portion of the road. A portion of the Road Allowance has



## Report to Council

### Development Services - Planning



historically been stopped up, closed and transferred to the abutting property known as 5508 Rideau Road.

Merging the 2 parcels, once the Road Closing By-Law has been passed, is desirable. Cunningham/King intend to enlarge their property to facilitate an addition to their current residence and create additional parking.

### **Authority to Pass Deeming By-law**

Unlike many types of planning applications, the *Planning Act* gives Council the authority to pass a deeming by-law without the requirement to notify neighbours or to hold a public meeting. There is no appeal period that applies to a deeming by-law.

Passing a by-law to deem Lot 20 not to be part of a plan of subdivision effectively will cause the two portions of the property to merge upon registration of the by-law and transfer of the portion of unopened road allowance. Once the property has been deemed, it can be treated as one property for the issuance of a building permit.

### **Summary**

The by-law to address the stopping up, closing and transfer of the unopened road allowance to the Cunningham/King's will come forward at a future Council meeting once staff receive the deposited copy of the reference plan for the survey.

Passing of the deeming by-law at this time will help facilitate the merging of the portion of the unopened road allowance once it is transferred to the Cunningham/Kings, thereby assisting them move forward with their construction plans.

It is recommended Council approve this application by **passing** the attached deeming by-law.

**Prepared by:** Michelle Hannah, Planning Assistant

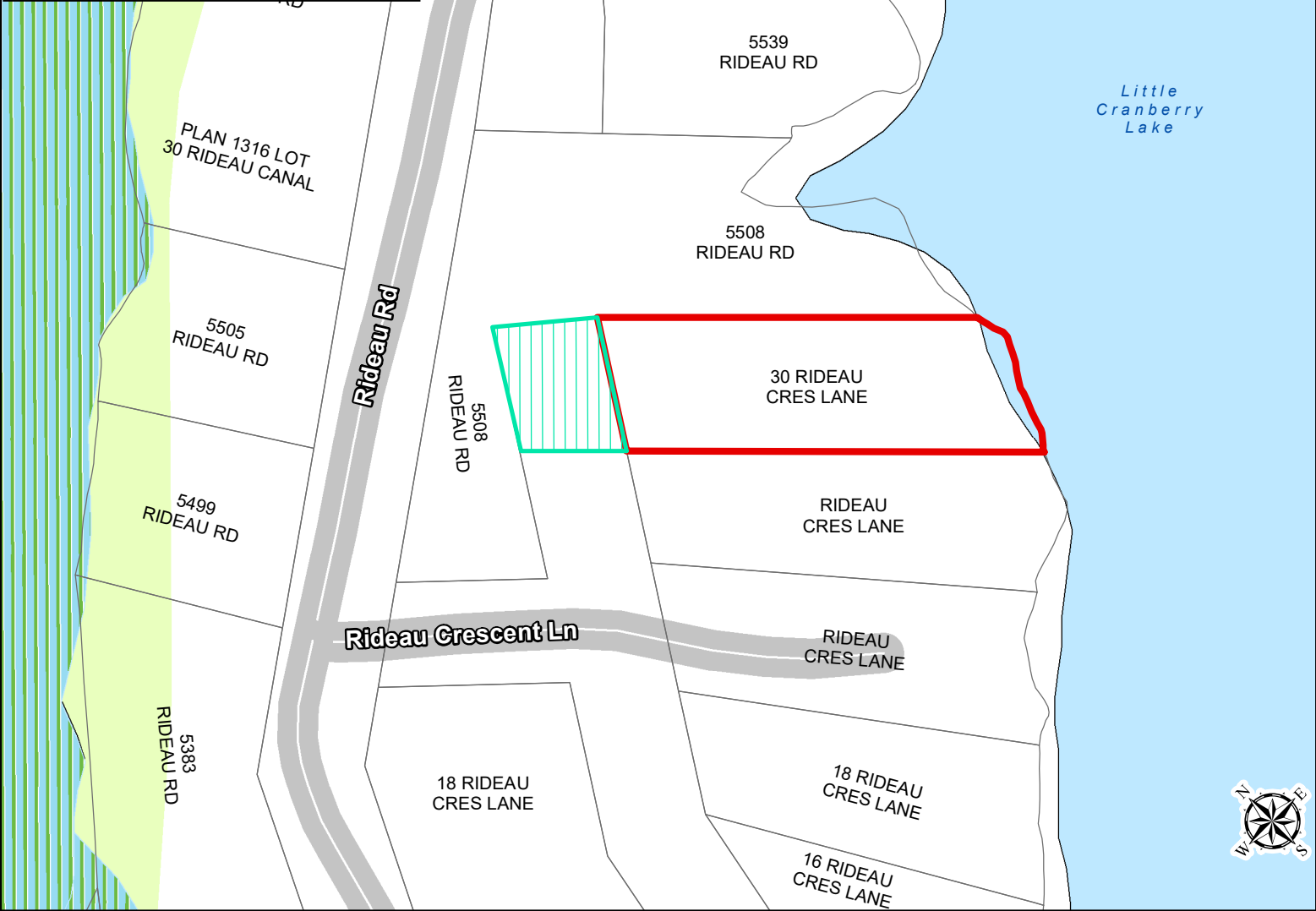
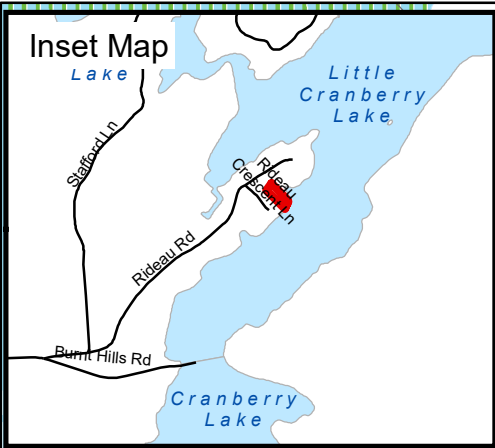
**Submitted by:** Claire Dodds, MCIP, RPP, Director of Development Services

**Approved by:** Neil Carbone, CAO

**Date of Site Visit:** December 9, 2020

### **Attachments:**







1. Location Map – 30 Rideau Crescent Lane
2. Deeming By-law – 2021-14



**RC-20-03  
(Cunningham)**

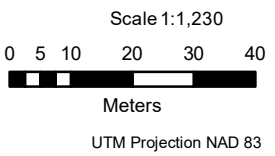
**30 RIDEAU CRES LANE**

**Legend**

-  Proposed Road Allowance Closure
-  Benefitting Lot
-  PIN Parcels
-  Parcel Fabric
-  Provincially Significant Wetlands
-  Wetland

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While the Township makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.





## Report to Council Development Services - Planning



### Correcting By-Law – Road Widening

<b>Agenda Date:</b>	April 6, 2021
<b>Report Date:</b>	March 29, 2021
<b>Location of Property:</b>	Part Lot 11, Plan 31, Part Lot 19, concession 11; Portland, being Parts 2, 3 and 4 on Plan 13R18192, known as First Lake Road, Township of South Frontenac
<b>Purpose of Application:</b>	To correct the original By-Law 2006-0072, being a By-Law to dedicate road widening along First Lake Road as a Public Highway

### Recommendation

It is recommended correcting By-law 2021-15 dedicating the road widening along First Lake Road, Township of South Frontenac as a Public Highway, **be passed**.

### Background

It was brought to the attention of staff that the By-Law dedicating road widening along First Lake Road as a Public Highway incorrectly referred to Parts 2, 3, 4 and 5 on Reference Plan 13R17874.

The correct description that should have been referenced is Part 2, 3 and 4, Reference Plan 13R18192.

This by-law has been requested to be corrected in order to facilitate the transfer of a property.

### Summary

It is recommended Council pass this correcting by-law and register the by-law on the title of First Lake Road, being PIN 36145-0319 and Legally Described as Part Lot 11, Plan 31, being Part Lot 19, Concession 11, Portland Parts 2, 3, 4 Plan 13R18192; South Frontenac.

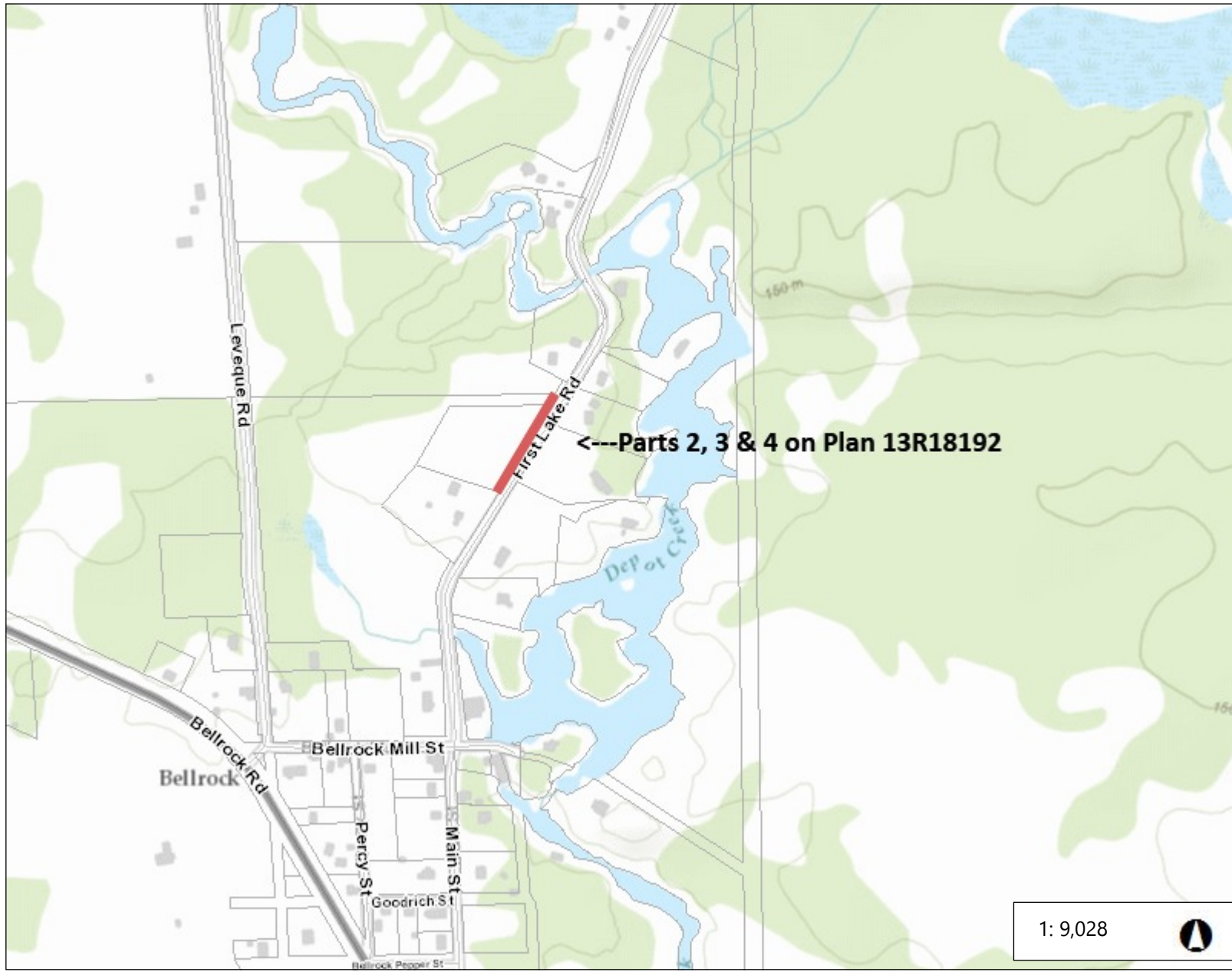
**Prepared by:** Michelle Hannah, Planning Assistant

**Submitted by:** Claire Dodds, MCIP, RPP, Director of Development Services

**Approved by:** Neil Carbone, CAO

### Attachments:

1. Location Map
2. By-Law 2021-15 – Correcting By-law (under the By-law section of the agenda)
3. By-Law 2006-0072 – Original Dedication By-law
4. Registered Reference Plan 13R18192



### Legend

- Road
  - Highway
  - Major Road
  - Secondary Road
  - Ferry Route
- Assessment Parcels
- Citations

1: 9,028 



**TOWNSHIP OF SOUTH FRONTENAC  
BY-LAW 2006-72**

**BEING A BY-LAW TO ASSUME AS A COMMON AND PUBLIC HIGHWAY CERTAIN LANDS BEING PART OF LOT 19, CONCESSION 11, IN THE FORMER TOWNSHIP OF PORTLAND, NOW IN THE TOWNSHIP OF SOUTH FRONTENAC, BEING PARTS 2, 3, 4 & 5 ON PLAN 13R-17874 MUNICIPALLY KNOWN AS FIRST LAKE ROAD, PURSUANT TO SECTION 31(6), OF THE MUNICIPAL ACT 2002.**

---

**WHEREAS** certain lands being Part of Lot 19, Concession 11, in the former Township of Portland, now in the Township of South Frontenac, being Parts 2,3,4, & 5 on Plan 13R-17874 were deeded to the Corporation of the Township of South Frontenac for the purpose of dedicating them to public use as a common and public highway;

**AND WHEREAS** Council wishes to enact a by-law for the purpose of assuming the lands as part of the public highways to be maintained by the municipality;

**NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC, BY ITS COUNCIL, HEREBY ENACTS AS FOLLOWS:**

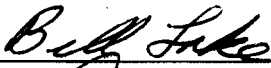
- 1. Those lands being Part of Lot 19, Concession 11, in the former Township of Portland, now in the Township of South Frontenac, being Parts 2,3,4 & 5 Plan 13R-17874 are hereby assumed as a public highway.**
- 2. This by-law shall come into force and take effect on the date of registration of this by-law.**

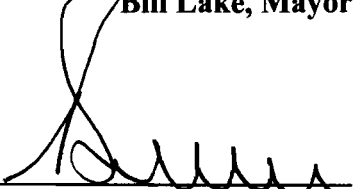
**Dated at the Township of South Frontenac this 1<sup>st</sup> day of August, 2006.**

**Read a first and second time this 1<sup>st</sup> day of August, 2006.**

**Read a third time and finally passed this 1<sup>st</sup> day of August, 2006.**

**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH FRONTENAC**

  
 \_\_\_\_\_  
 Bill Lake, Mayor

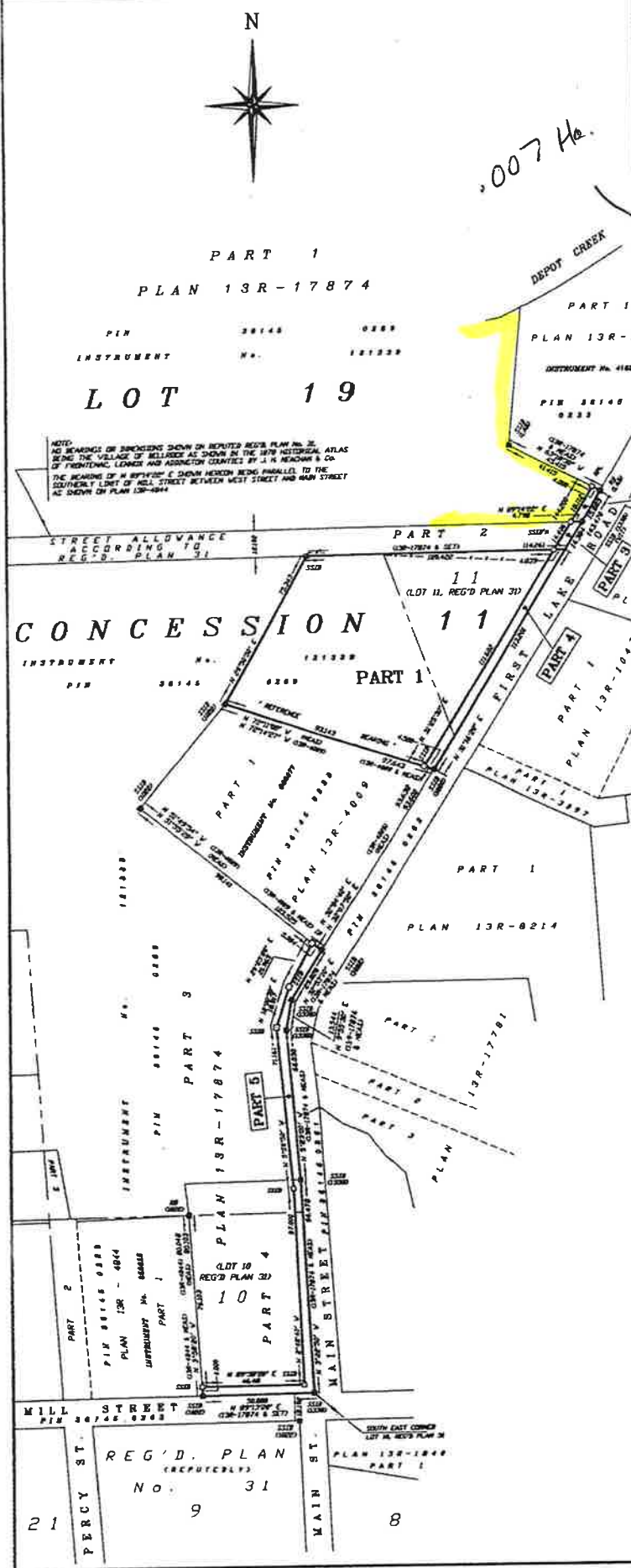
  
 \_\_\_\_\_  
 Gordon Burns, Clerk-Administrator

Block 36145  
REV. No. 1204

<b>METRIC</b>	I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE REGISTRY ACT.	<b>PLAN 13R-1819a</b>
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.	DECEMBER 19, 2006	RECEIVED AND DEPOSITED <i>December 20, 2006</i>
<b>NOTE</b>	<i>W. Ronald Clancy</i>	<i>Manon Duroie</i>
UNLESS NOTED OTHERWISE, PART LIMITS ARE NOT FENCED.	W. RONALD CLANCY	LAND REGISTRAR FOR THE REGISTRY DIVISION OF FRONTENAC (No. 13)

SCHEDULE				
PART	Part of LOT	CONCESSION	AREA (ha.)	PIN / INST
1			0.840	
2	19	11	0.007	38145 0280
3			0.006	
4			0.048	121339
5			0.029	

PARTS 1, 2, 3, 4 and 5 CONSIST OF PART OF PIN 38145 0280  
 PART 1 CONSISTS OF PART OF LOT 19, CON. 11 and PART OF LOT 11 per REG'D. PLAN No. 31  
 PART 2 CONSISTS OF PART OF LOT 19, CON. 11  
 PART 3 CONSISTS OF PART OF LOT 19, CON. 11 and PART OF DEPUTED STREET ALLOWANCE per REG'D. PLAN No. 31  
 PART 4 CONSISTS OF PART OF LOT 19, CON. 11 and PART OF LOT 11 per REG'D. PLAN No. 31  
 PART 5 CONSISTS OF PART OF LOT 19, CON. 11 and PART OF LOT 10 per REG'D. PLAN No. 31



**PLAN OF SURVEY OF PARTS OF LOT 19 CONCESSION 11 ( BEING PART OF LOT 10 AND ALL OF LOT 11 AND PART OF A STREET ALLOWANCE ALL ON EAST SIDE OF WEST STREET NORTH SIDE OF MILL STREET AND WEST SIDE OF MAIN STREET ALL SHOWN ON REPUTED REGISTERED PLAN No. 31 )**  
 Geographic Township of Portland  
 NOW IN THE  
**TOWNSHIP OF SOUTH FRONTENAC COUNTY OF FRONTENAC**

SCALE 1:1250  
 0 5 10 15 20 25 50 75 100 125 (METRES)

**CLANCY & HOPKINS**  
 SURVEYING LTD.  
 ONTARIO LAND SURVEYORS  
 WARANEE, ONTARIO  
 - 2005 -

BEARINGS ARE ASTROMONIC AND ARE REFERENCED TO THE NORTHERLY LIMIT OF PART 1, PLAN 13R-4000, HAVING A BEARING OF N 72°11'00" W AND DENOTED HEREON AS "REFERENCE BEARING"  
 ■ --- SURVEY MONUMENT FOUND  
 □ --- SURVEY MONUMENT PLANTED

FIELD WORK BY: E.R. A.R. E.R.	PLAN DRAWN BY: W.R.C.
<b>SURVEYOR'S CERTIFICATE</b>	
I CERTIFY THAT:	
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, SURVEYORS ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE UNDER THEM.	
2. THE SURVEY WAS COMPLETED ON THE 9th DAY OF DEC., 2006	
CLANCY & HOPKINS SURVEYING LTD.	
DECEMBER 19, 2006	
<i>W. Ronald Clancy</i> W. RONALD CLANCY ONTARIO LAND SURVEYOR	



## Report to Council

### Development Services Department – Planning



<b>Agenda Date:</b>	April 6, 2021
<b>Report Date:</b>	March 29, 2021
<b>Subject:</b>	Access over an unopened road allowance to allow a lane extension to facilitate a Consent Application
<b>Application:</b>	Licence Agreement LA-01-21-P (Danielle (Clair) Walsh)
<b>Applicant:</b>	Danielle (Clair) Walsh
<b>Location:</b>	Road Allowance Between Lots 24 and 25, Concession 12, (Carrigg Road), Former Township of Portland, North of Registered Plan 1195, (Also known as County Road 7 and Bellrock Road), Township of South Frontenac.

---

### **RECOMMENDATION:**

It is recommended that South Frontenac Council pass By-law 2021-16 to authorize the Mayor and Clerk to enter into a Licence Agreement with Danielle (Clair) Walsh for the purpose of permitting an extension of Carrigg Lane, to be surveyed and constructed to a private lane standard over a portion of the unopened road allowance between Concession Lots 24 and 25, Concession 12, located north of Bellrock Road.

### **BACKGROUND**

A resolution was passed at the Committee of the Whole meeting held on March 9, 2021 in support of the request for the Township to enter into a Licence Agreement with Danielle Walsh for the purpose of recognizing the existing Carrigg Lane, and for the extension of Carrigg Lane that currently runs over the Township owned, unopened road allowance between Lots 24 and 25, Concession 12, Portland District.

The purpose of the extension of Carrigg Lane, is to facilitate a Consent to Sever application to create one new Residential, Limited Services lot to be accessed over Carrigg Lane.

### **DISCUSSION**

The applicant had discussions and a pre-consultation meeting with Township planning staff with respect to a Consent to Sever for a new lot along an extension of Carrigg Lane. In accordance with the current Township Official Plan, section 5.7.7 Limited Service Residential Policies subsection (ii) c) permits severances for new non-waterfront limited service residential lots on extensions to existing private roads provided the extension of the existing private road is not greater than 152 metres and is designed and constructed in accordance with Township standards for private roads.

The owners of the lands that would be subject to a severance have been advised by staff that because Carrigg Lane is built over an Unopened Road Allowance and the extension will also be over the road allowance, they will need to enter into a Licence Agreement with the Township to extend the Lane up to 152 metres to facilitate the requirements under section 5.7.7 of the Official Plan prior to any consent to sever applications being approved.

The Licence Agreement and conditions of the severance approval will require the extension of the lane to be constructed in accordance with the Township of South Frontenac private lane standards.

The proposed Licence Agreement is required to address access for the proposed lot to be created by severance. As access is a critical matter to consider a consent application, staff are bringing forward the Licence Agreement for Council's consideration prior to processing the proposed consent application.

## **STAFF REVIEW & COMMENT**

At the March 9<sup>th</sup> Committee of the Whole meeting, Council members discussed the proposal to enter into a Licence Agreement to facilitate a future consent. Committee of the Whole passed a resolution supporting entering into a Licence Agreement to address access to facilitate a future consent application that would have frontage on Carrigg Lane.

Based on direction provided at the March 9<sup>th</sup> meeting, staff are now bringing back the Licence Agreement and associated by-law to be passed by Council to authorize the Mayor and Clerk to enter into the Licence Agreement with the Applicant.

### **Prepared by:**

Michelle Hannah, Planning Assistant

### **Reviewed and Submitted by:**

Claire Dodds, MCIP, RPP, Director of Development Services

### **Approved by:**

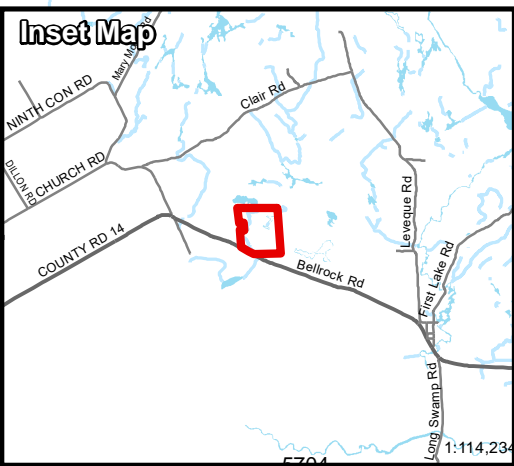
Neil Carbone, CAO

## **Attachments:**

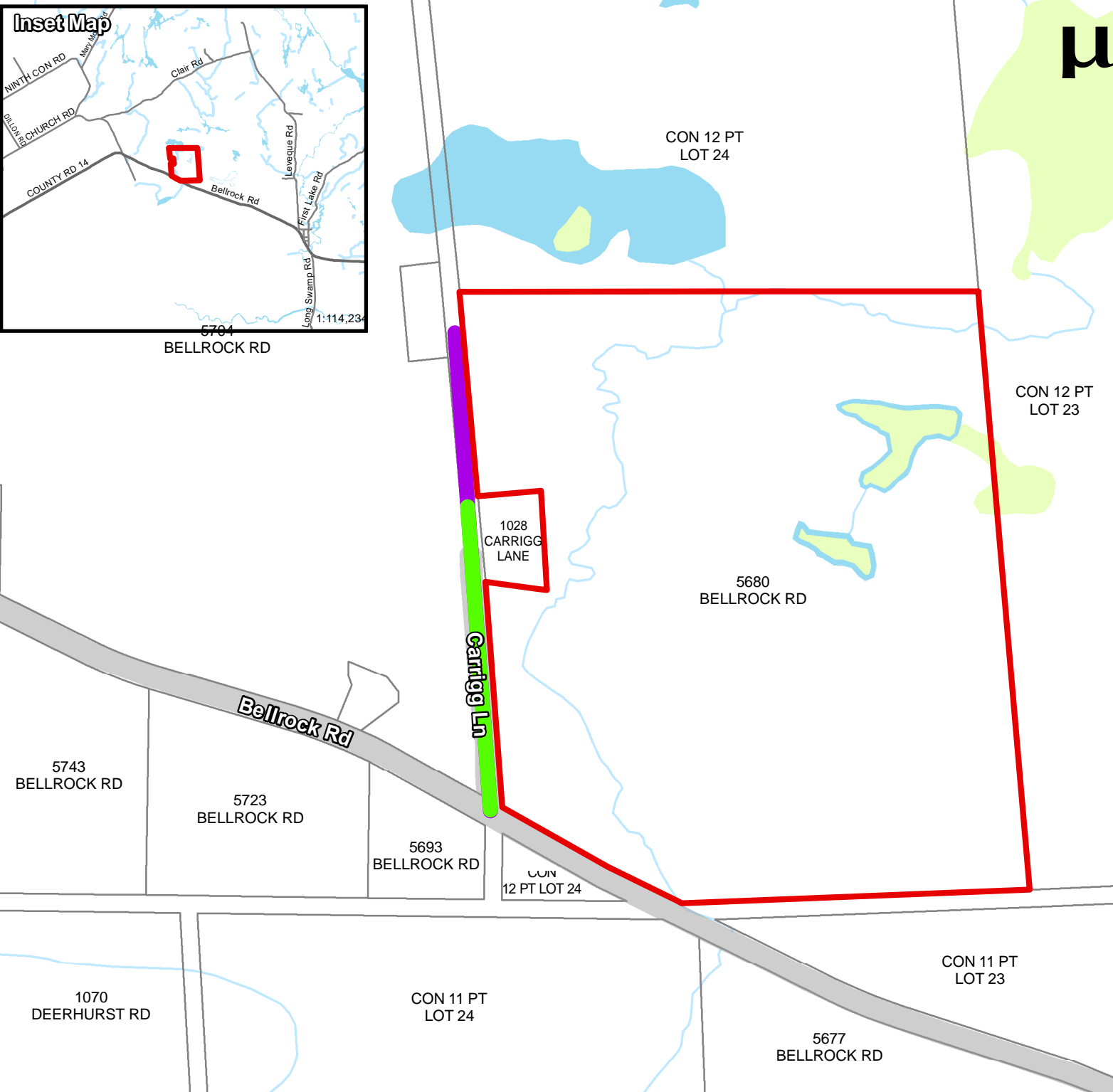
Attachment 1 – Location Map

Attachment 2 – By-law 2021-16 – By-law to Authorize Entering into a Licence Agreement  
(under By-law section of the agenda)

Attachment 3 – Licence Agreement between Danielle (Clair) Walsh and the Township of South Frontenac



5704  
BELLROCK RD



**LA-01-21-P  
(Clair) (Walsh)**

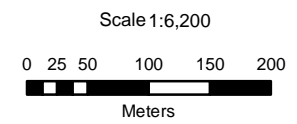
**5680 BELLROCK RD**

**Legend**

- Carrigg Lane**
- Carrigg Lane 350m
  - Proposed 152m Extension
  - Subject Property
  - Roads
  - Parcel Fabric
  - Provincially Significant Wetlands
  - Wetland
  - River/ Stream
  - Waterbody

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UTM Projection NAD 83

**Licence Agreement**

Made this \_\_\_\_\_ day of \_\_\_\_\_, 2021

Between:

Danielle (Clair) Walsh  
Hereinafter called the "Licensee"

of the First Part

-and-

The Corporation of the Township of South Frontenac  
hereinafter called the "Licensor"

of the Second Part

WHEREAS the Licensee is the registered owner in fee simple of certain lands located in the Township of South Frontenac more particularly described in Schedule "A" (the Owners' Lands");

AND WHEREAS the Council of the Corporation of the Township of South Frontenac has agreed to enter into a Licence Agreement with the Licensee to provide access along a portion of the unopened road allowance between Lots 24 and 25, Concession 12, Former Township of Portland, Township of South Frontenac;

AND WHEREAS the agreement is a prerequisite to the approval of an application for a Consent to Sever and an issuance of a building permit on the lands described as Part Lot 24 Concession 12, District of Portland;

AND WHEREAS Section 28, (2)(a) of the *Municipal Act*, 2001, c. 25, gives local municipalities jurisdiction over all road allowances located in the municipality; and whereas Council is authorized to licence the use of un-travelled portions of highways under its jurisdiction;

NOW THEREFORE WITNESSETH that in consideration of the mutual covenants and agreements contained herein and other good and valuable consideration, the parties agree with each other as follows:

1. In this Agreement,
  - a. "Licensee's Property" means those lands owned by the Licensee described in Schedule "A" to this Agreement;
  - b. "Road Allowance" means that portion of the unopened road allowance described in Schedule "B" to this Agreement;
  - c. "Location of Proposed Lane" means the portion of the unopened road allowance shown in Schedule "C" to this Agreement;
  - d. "Private Lane Standards" means the standard of development described in Schedule "D" to this Agreement;
2. The Municipality grants to the Licensee a non-exclusive licence to use the Road Allowance for the purpose of vehicular access to and from the Licensee's Property.
3. The term of this Licence shall be from the date of this Agreement to December 31, 2021, and thereafter from year to year.

4. Upon entering into this Agreement, the Licensee shall pay the Municipality the sum of \$10.00 and, prior to January 31 of each year thereafter, the further sum of \$10.00 during the term of this Licence.
5. The Licensee acknowledges that they have no rights, title or interest in the Road Allowance other than as provided in this Agreement.
6. The Municipality may, at any time, terminate this licence by giving the Licensee a minimum of 60 days written notice of termination, and the annual payment for the licence fee shall be apportioned as of the date of termination.
7. The Licensee covenants with the Municipality:
  - a. To accept the Road Allowance in an "as is" condition and not to require the Municipality to pay for or do any work or supply any equipment or services in connection with the Licensee's use of the Road Allowance;
  - b. To pay the annual Licence fee;
  - c. To obtain all necessary permits and approvals required by law;
  - d. Not to remove any trees or commence any work, or make any changes in surfacing, grade or landscaping on the Road Allowance except in accordance with plans and specifications submitted to and approved by the Municipality;
  - e. To meet and maintain the conditions of the Township's policy on Private Lane Standards as outlined in Schedule "D";
  - f. To keep the Road Allowance in a clean and well-ordered condition, and not to permit any rubbish, refuse, debris or other objectionable material to be stored, or to accumulate thereon;
  - g. To use the Road Allowance only for the purpose of access to and from the Licensee's Property and not to interfere, obstruct or impede in any way the use of the Road Allowance by the Municipality or any other member of the public;
  - h. Not to assign or otherwise transfer this Licence without the prior written consent of the Municipality, which consent may be arbitrarily withheld;
  - i. To erect and maintain a sign at the point of intersection of the Road Allowance and the travelled road that states: "Road Not Assumed by Municipality", but otherwise not to erect any signs, fences, buildings, structures or fixtures on the Road Allowance without the prior written consent of the Municipality;
  - j. To ensure that nothing is done or kept at or on the Road Allowance which is or may be a nuisance, or carry on any activity or do anything else, which causes disturbance to or interferes with the users or occupants of any neighbouring property, or which in the opinion of the Municipality may cause damage to the road allowance or any neighbouring property;
  - k. To take, at the Licensee's own expense, all measures necessary to ensure to the Municipality's satisfaction that any municipal services or utilities now or in the future on, under or adjacent to the Road Allowance are or will be adequately protected against damage, impairment, destruction or loss;
  - l. To ensure that no inflammable or explosive substances, contaminants, pollutants, or hazardous or environmentally sensitive materials are brought on to the Road Allowance, other than materials legally permitted on Township roads without special permit;
  - m. Upon termination of this Licence to remove from the Road Allowance all fixtures and chattels belonging to the Licensee, with all damage if any, caused by such removal made good by the Licensee;

- n. Upon failure by the Licensee to comply with any covenants or obligations imposed under this Agreement within 14 days written notice requiring such compliance from the Municipality, the Municipality may enter the Road Allowance and fulfill such conditions at the sole expense of the Licensee, who shall forthwith upon being invoiced therefore, reimburse the Municipality for all of its costs;
  - o. That the Municipality has no obligation during or upon expiration of the term of this licence to compensate or reimburse the Licensee for any costs or expenses incurred by the Licensee to improve or maintain the Road Allowance, all of which will be done for the benefit of the Licensee and not the Municipality;
  - p. Not to register this Agreement or a notice of this Agreement or any other notice of the Licensee's interest in the Road Allowance against title to the Road Allowance;
  - q. To indemnify and save harmless, the Municipality from and against any and all manner of claims, demands, losses, costs, charges, actions and other proceedings made or brought against, suffered by or imposed on the Municipality in respect of any loss, damage or injury to any person or property directly or indirectly arising out of, resulting from or sustained as a result of the Licensee's occupation or use of the Road Allowance;
  - r. To further indemnify and save harmless the Municipality from and against any and all claims, demands, losses, costs, charges, actions and other proceedings under the *Construction Lien Act* in connection with any work done for the Licensee at or on the Road Allowance, and to promptly attend at the Licensee's expense to the removal of every claim for lien or certificate of action having to do with such work within 14 days of being notified in writing by the Municipality to do so, failing which the Municipality may attend to such removal and recover the expense and all attendant costs from the Licensee;
  - s. To maintain in force at all times during the term of this licence and any renewal thereof, at the Licensee's expense and in the names of the Licensee and the Municipality, coverage for legal liability for bodily injury, death or property damage in an amount of not less than two million dollars, and to provide the Municipality with proof of such insurance no later than the 31<sup>st</sup> day of January each year or upon request.
8. This Agreement shall be binding upon, and enure to the benefit of, the parties and their respective successors and assigns.

IN WITNESS WHEREOF the Parties hereto have hereunto set their hands and seals as of the day and year first written above.

SIGNED, SEALED AND DELIVERED  
In the presence of:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Licensee

THE CORPORATION OF THE  
TOWNSHIP OF SOUTH FRONTENAC

Per:

\_\_\_\_\_  
Ron Vandewal – Mayor

\_\_\_\_\_  
Angela Maddocks – Clerk

We have the authority to bind the corporation.

**Schedule "A"**

**The Licensee Lands**

Part of Part Lot 24, Concession 12, District of Portland, Township of South Frontenac.

Being Part of PIN36145-0339

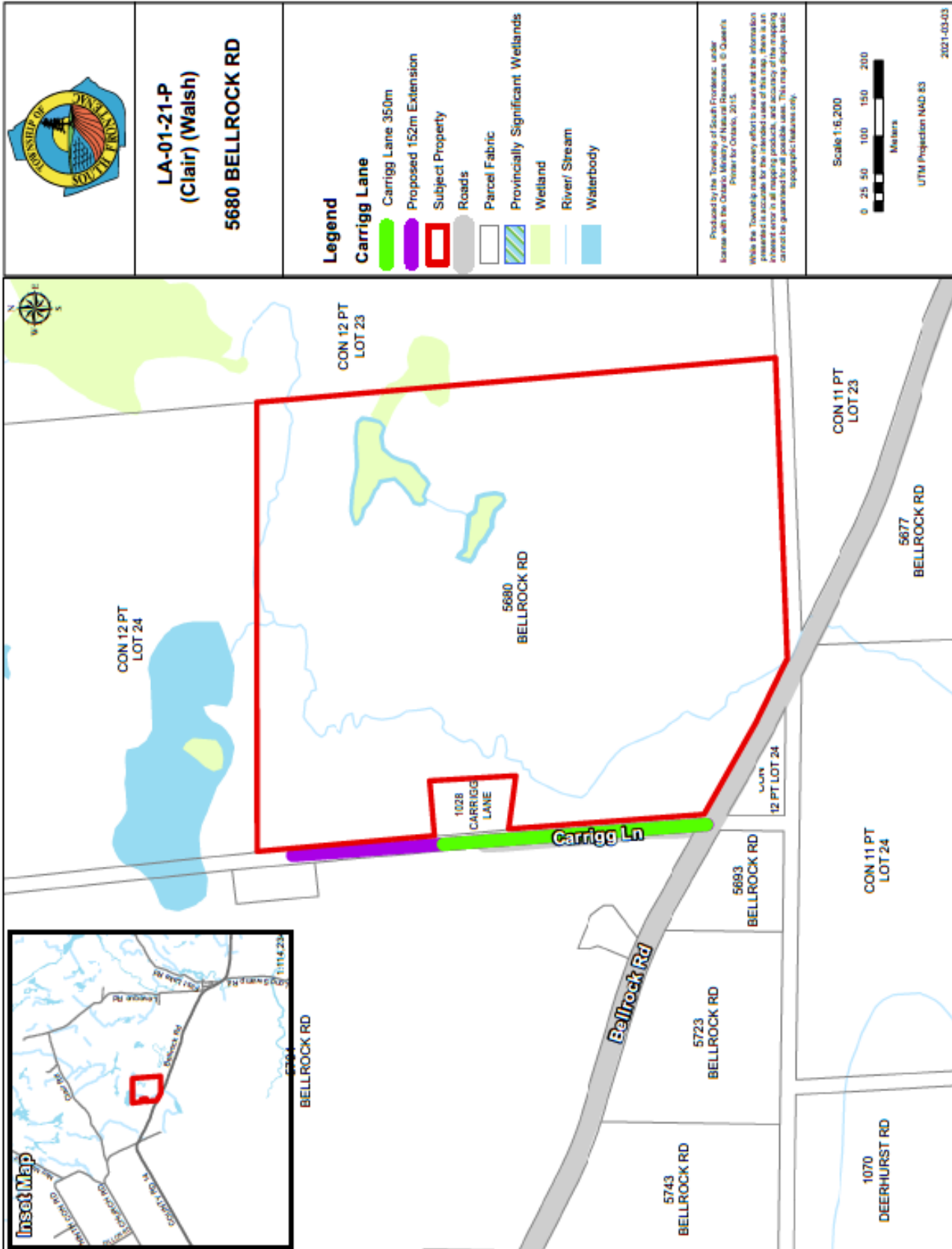
**Schedule “B”**

**Road Allowance**

Being a portion of the Road Allowance named as Carrigg Road, between Lot 24 and 25, Concession, District of Portland, lying North of Registered Plan 1195, (also known as County Road 7 and Bellrock Road); South Frontenac.

Schedule "C"

Location of Existing Lane and Proposed Land Extension over Unopened Road Allowance



## SCHEDULE "D"

### Township of South Frontenac Private Lane Standards

#### Township of South Frontenac Road and Lane Standard Cross-Section Policy

ITEM	PUBLIC ROAD	PRIVATE LANE
Right of Way Width	20.0m (66 ft)	20.0m (66 ft)
Height of Clearance	5.0m (16 ft)	5.0m (16 ft)
Width of Clearance	11.0m (36 ft)	9.0m (30 ft)
Surface Width	7.0m (23 ft)	4.5m (15 ft)
Surface Material	Per Table Below	Crushed Stone
Depth of Granular Material, Minimum	(150 mm) 6" of Granular A (300 mm) 12" of Granular B	(100 mm) 4" of Granular A (150 mm) 6" of Granular B
Shoulder, Including Rounding	1.0m (3 ft)	Nil
Crown, Minimum	2%	1%
Cross Culvert, Minimum	400mm (16 Inches)	400mm (16 Inches)
Culvert Material	CSP/HDPE	CSP/HDPE
Maximum Grade	10% (1:10)	12% (1:8)
Geometrics	TAC Standards	Safe Passage of Emergency Vehicles
Ditches, Minimum Depth from Crown to Bottom of Ditch	0.6m (2.0 ft)	0.3m (1.0 ft)

Embankment Protection (edge of surface drop-off) required for side slopes greater than 3:1 and depths of fill greater than 3 meters (MTO Safety Manual)

Traffic Volume	Surface Type	Minimum Depth
<200	Crushed Gravel	375 mm (15 inches)
200-1000	Double Surface Treatment	N/A
>1000	Asphalt	As per Development Guidelines

CSP: Corrugated Steel Pipe

HDPE: High Density Polyethylene (Double Wall)

TAC: Transportation Association of Canada

April, 2016

<p>Note: Public Road Cross-Section does not apply to New Sub-Divisions. Please refer to Design Criteria and Standards.</p>
--



## Report to Council

### Development Services Department



**Report Date:** March 29, 2021

**Agenda Date:** April 6, 2021

**Subject:** By-law to Stop Up, Close and Transfer Ownership of a Portion of a Road Allowance

**File Number:** RC-20-02

**Applicant:** Lisa & Greg Beam

**Location:** 52 Sneddon Lane

**Legal Description:** Part Road Allowance between Concession 2 & 3, Lot 17, District of Bedford, South Frontenac

### RECOMMENDATION

That Council **pass** By-law 2021-17 to stop up, close and transfer ownership of Parts 1, 2, 3 and 4, Plan 13R22369 being a portion of an unopened road allowance adjacent to the property at located at 52 Sneddon Lane.

### BACKGROUND

An application was submitted to the Development Services Department to stop up and close a portion of unopened road allowance that is aligned from north to south, running across a large peninsula in Bobs Lake, Buck Bay. The portion to be stopped up, closed and transferred is shown on Attachment "1" as Parts 1-4, Plan 13R22369 the length and width are irregular, the area for each Part has been noted on the Reference Plan by the Surveyor.

The proposal came before Council for consideration at the September 8, 2020 Council Meeting and to a public Council Meeting on January 12, 2021.

The transfer of the unopened road allowance (Parts 1-4 on plan 13R22369) will enable easier lake access for the subject property. It will be a requirement that Parts 1-4 are merged with the subject property at 52 Sneddon Lane.

Upon surveying the road allowance, it was discovered that the portion of the road allowance surveyed as Part 2 Plan 13R22369 is developed with a small portion of the neighbouring property's (128 Field Lane) shed encroaching on the Road Allowance. Lisa and Greg Beam have had conversations with the property owner and the Beams wish to transfer Part 2, Plan 13R22369 to the abutting property owner. The by-law to stop up and transfer the unopened road allowance includes provisions for the Township to transfer Part 2 to the owners of 128 Field Lane. The Beams have advised staff that they will cover all costs and purchase price of Part 2 to facilitate the transfer of this strip of land to the owners of 128 Field Lane.

Based on the Schedule provided by the Surveyor, the area of Part 1 is 1,234 square metres, Part 2 is 9 square metres, Part 3 is 313 square metres and Part 4 is 48 square metres. The total area of the Road Allowance to be stopped up, closed and transferred is 1,604 square metres (17,265.31 square feet).

Parts 2, 3 and 4 are all within 300 feet of the waterbody and the purchase price will be \$2.41 per square foot. Part 1 will be considered for the first 300 feet as within the waterbody having a purchase price of \$2.41 per square foot. The remaining 90 feet in length will have a purchase price of \$0.81 per square foot.

Part 1: 1,234 square metres (13,282 square feet)  
           Within 300 metres: 10,042 @ \$2.41 per square foot = \$24,201.22  
           Outside 300 metres: 3,240 @ \$0.81 per square foot = \$ 2,624.40

Part 2: 9 square metres (97 square feet) @ \$2.41 per square foot = \$233.77

Part 3: 313 square metres (3,369 square feet) @ \$2.41 per square foot = \$8,119.29

Part 4: 48 square metres (516.7 square feet) @ \$2.41 per square foot = \$1,245.25

Total Purchase Price: \$36,423.93 + HST (\$4,735.11) = \$41,159.04

The by-law to stop up, close and transfer ownership of the unopened road allowance to Greg and Lisa Beam has been drafted consistent with the direction of Council and is recommended to be approved.

Prior to the transfer of the portion of the unopened road allowance the Applicants, Greg and Lisa Beam are required to pay to The Township of South Frontenac \$41,159.04 consistent with the Township policy.

Greg and Lisa Beam have had the survey (13R22369) prepared. The survey was deposited with the Land Registry Office on February 16, 2021.

## **NOTICE & PUBLIC COMMENTS**

Consistent with the requirements of the *Municipal Act*, a Notice of Road Closing was posted on the Township website on November 25, 2020 and advertised in the Frontenac News for 4 weeks beginning November 25, 2020. Notice was also sent by mail to all other land owners abutting the relevant portion of the road allowance. A public meeting was held on January 12, 2021.

## **CONCLUSION**

It is recommended Council **pass** By-law 2021-17 to stop up, close and transfer ownership of the unopened road allowance identified as Parts 1-4 on Registered Plan 13R22369, and approve the purchase price of \$36,423.93 plus HST.

## **ATTACHMENTS**

Attachment #1 – Location Map – 52 Sneddon Lane  
 Attachment #2 – Registered Plan 13R22369  
 Attachment #3 – By-law 2021-17 to Stop Up and Close Road Allowance (under By-law section of the agenda)

**Prepared by:** Michelle Hannah, Planning Assistant




**Submitted by:** Claire Dodds, MCIP, RPP, Director of Development Services

**Approved by:** Neil Carbone, CAO



### Unopened Road Allowance Closure (BEAM)

### Legend

-  Subject Property
-  Road Allowance
-  Road Allowance ??
-  Parcel Fabric
-  Waterbody

Produced by the Township of South Frontenac under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2015.

While the Township makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

Scale 1:2,300

0 12.5 25 50 75 100



Meters

UTM Projection NAD 83

1:2,300

**SCHEDULE**

PART	DESCRIPTION	PIN	AREA
1			1234± sq.m.
2	Part of Road Allowance Between Concessions 2 & 3	Part of 36242-0566	9 sq.m.
3			313 sq.m.
4			48 sq.m.

**PLAN 13R-22369**

Received and deposited

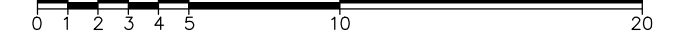
February 16<sup>th</sup>, 2021

**Joanne Mason**

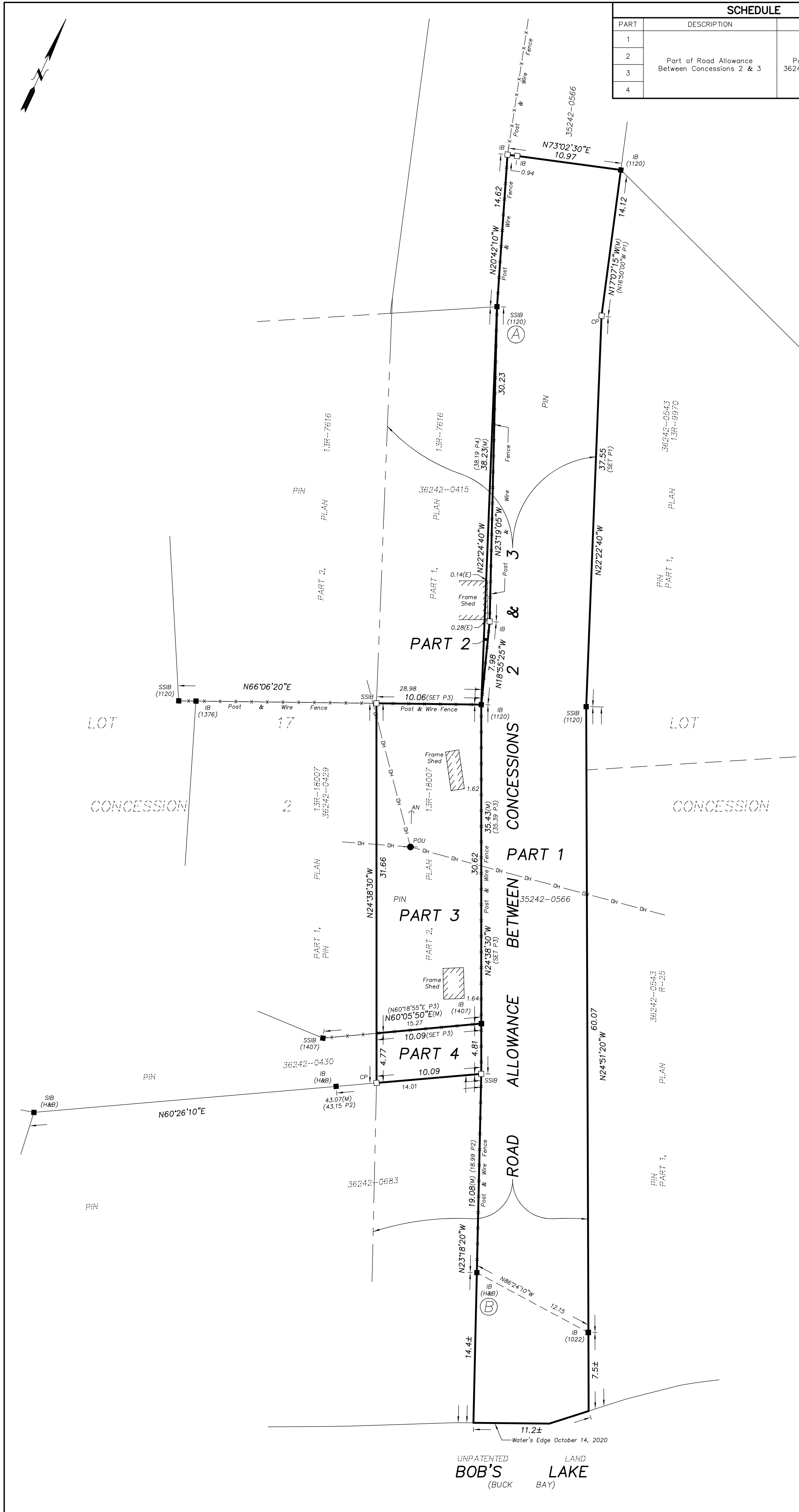
Representative for the  
Land Registrar for the  
Land Titles Division of  
Frontenac (No.13)

PLAN OF SURVEY OF  
PART OF ROAD ALLOWANCE  
BETWEEN CONCESSIONS 2 & 3  
GEOGRAPHIC TOWNSHIP OF BEDFORD  
TOWNSHIP OF SOUTH FRONTENAC  
COUNTY OF FRONTENAC

SCALE 1 : 250 METRES



THE INTENDED PLOT SIZE OF THIS PLAN IS 457MM IN WIDTH BY 609MM IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:250



**LEGEND**

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- SSIB DENOTES SHORT STANDARD IRON BAR
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- CP DENOTES CONCRETE PIN
- ⊙ DENOTES ROUND
- ⊕ DENOTES WITNESS
- M DENOTES MEASURED
- AN— DENOTES ANCHOR POINT
- POU DENOTES UTILITY POLE
- OH- DENOTES OVERHEAD WIRES
- P1 DENOTES PLAN 13R-9970
- P2 DENOTES PLAN BY HUMPHRIES & BURGHAM LTD. DATED SEPTEMBER 16, 1969, ATTACHED TO INSTRUMENT FR193178.
- P3 DENOTES PLAN 13R-18007
- P4 DENOTES PLAN 13R-7616
- 1022 DENOTES N.B. CAMPBELL, O.L.S.
- 1120 DENOTES J.A. MINNES, O.L.S.
- 1376 DENOTES P.S. HOPKINS, O.L.S.
- 1407 DENOTES M. PETER ALLEN, O.L.S.
- H&B DENOTES HUMPHRIES & BURGHAM, O.L.S.

**BEARING NOTES**

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 18, NAD83(CSRS)(2010).

FOR BEARING COMPARISONS, THE FOLLOWING ROTATIONS WERE APPLIED: P1 & P2 - 1°04'40" CLOCKWISE. P3 & P4 - 112'20" CLOCKWISE.

**DISTANCE NOTES - METRIC**

DISTANCES ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999785.

**SURVEYOR'S CERTIFICATE**

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
  - THE SURVEY WAS COMPLETED ON JANUARY 25, 2021.

FEBRUARY 2, 2021 *Kerry Boehme*  
DATE KERRY BOEHME, O.L.S.

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2150716.

**INTEGRATION DATA**

OBSERVED REFERENCE POINTS DERIVED FROM GPS OBSERVATIONS USING A REAL TIME NETWORK AND ARE REFERRED TO UTM ZONE 18 (75° WEST LONGITUDE) NAD83(CSRS)(2010).

POINT ID	NORTHING	EASTING
A	4942859.09	370559.42
B	4942774.03	370596.34

CAUTION: COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN



IBWSURVEYORS.COM | 1.800.667.0696

PARTY CHIEF, RAD | DRAWN BY, DED | CHECKED BY, KB | PLOT DATE, FEB 2, 2021  
FILE NAME, A-024234-RPLAN\_V5 | copies available at LandSurveyRecords.com

UNPATENTED LAND BOB'S LAKE (BUCK BAY)

Minutes of Heritage Committee  
January, 28, 2021

Time: 5:00 PM

Location: Virtual Meeting

Heritage Committee

Present: Wilma Kenny, Chair, Brad Barbeau, Michael Gemmell, Stephanie Soto Gordon, Travis Rivard , John McDougall, Councillor Pat Barr

Guest Speaker: Bruce Downey

Absent: Mark Millar.

Staff: Claire Dodds, Director of Development Services, Anna Geladi, Planner.

1. Call to Order

a) The meeting was called to order at 5:05 pm.

2. Declaration of pecuniary interest and the general nature thereof

a) There were no declarations of pecuniary interest.

3. Approval of Minutes

a) Minutes of the November 19, 2020 Meeting

The minutes of the November 19, 2020 meeting were adopted as presented.

Resolution No. 2021-Heritage-01/28-001

Moved by Bard Barbeau

Seconded by Wilma Kenny

THAT the minutes of the November 19, 2020 meeting be adopted as presented.

Carried

4. Business Arising from the Minutes

a) Stephanie Soto-Gordon inquired if the Committee will be continuing their research of local school houses and cheese factories.

The Chair confirmed that the Committee is continuing their research in addition to moving forward with development of the designation process, using Brad Barbeau's home as a test property.

5. New Business

a) Welcome to New Heritage Committee Members

The Chair introduced and welcomed the new Heritage Committee Members, Travis Rivard and John McDougall, and asked that their introduce themselves.

b) Brad and Michael - Update on Heritage Designation Process

Brad Barbeau referenced the attached document referencing the social history of his home. He noted that he will provide the land records at a later date.

Michael Gemmell explained that they have also documented the key details of the building's physical description and important structural attributes.

c) Guest Speaker: Bruce Downey

Minutes of Heritage Committee  
January, 28, 2021

*Discussion on Heritage Committee and Heritage Designation Process*

The Chair welcomed Bruce Downey, local resident and architect, as the evening's guest speaks in regards to heritage designation.

Bruce Downey explained that there are many important elements that go into the designation process. He noted that physical features are important, but it is also important to collect information on the impact historical structures had on the community and if any prominent activities took place at the building.

He noted that when you are building the physical description of a property to be designated, it is important to describe and characterize the various elements that are to be designated or recognized as having historical value, in an effort to ensure these features are reviewed before any future construction is permitted.

Bruce Downey reviewed several steps of the designation process with the Committee. He reiterated that designation does not prevent a property from being demolished or altered. It offers an opportunity for discussion.

Bruce Downey explained that the most contentious period of the designation process when properties and districts were being designated, in his experience, is the fact that the description was a general description of features. The discussion was about the total property. The building got discussed in the round not just as viewed from the street or what was specifically noted in the designation bylaw.

The Committee has an opportunity to influence what is done to a property not to dictate what must be done. Council can choose to take a firmer stance based on the Committee's recommendation.

Claire Dodds encouraged Committee members to utilize the Heritage Act Tool Kit. She noted that it is a great resource and has ton of information that will assist the Committee with the designation process.

6. Next Meeting:

a)

The next Heritage Committee was scheduled for February 18, 2021 at 6:30 pm.

The members discussed reviewing templates and designation bylaw and putting together designation paper forms and at the next meeting. Michael Gemmell noted that he and Brad Barbeau has already begun drafting forms.

The Chair asked that staff share the updated Heritage Property Inventory with the new members and the rest of the Committee. She noted that although members originally started researching based on their home district, members are welcome to research structures anywhere across South Frontenac.

7. Adjournment:

a) The meeting was adjourned at 6:55 pm.

Resolution No. 2021-Heritage-01/28-002  
Moved by Michael Gemmell

THAT the meeting be adjourned at 6:55 pm.

Carried

**TOWNSHIP OF SOUTH FRONTENAC  
BY-LAW 2021 – 10**

**BEING A BY-LAW TO AMEND BY-LAW 2003-75, AS AMENDED, TO REZONE LAND FROM WATERFRONT RESIDENTIAL (RW) TO LIMITED SERVICE RESIDENTIAL – WATERFRONT – SPECIAL PROVISION (RLSW-127) ON LANDS DESCRIBED AS 1012 HILL LANE, LOT 8 ON PLAN 1540, PART OF LOT 10, CONCESSION VIII, DISTRICT OF LOUGHBOROUGH: BLASKO**

---

**WHEREAS** pursuant to the provisions of Section 34 of the *Planning Act*, RSO 1990 as amended, the Council of a Municipality may enact by-laws regulating the use of land and the erection, location and use of buildings and structures thereon;

**AND WHEREAS** By-law 2003-75 being the Zoning By-law regulates the use of land and the erection, location and use of buildings and structures within the Township of South Frontenac;

**AND WHEREAS** the Council of the Corporation of the Township of South Frontenac considered all written and oral submissions received on this application, the effect of which helped Council make an informed decision;

**AND** that there be no further notice pursuant to Section 34 (17) of the *Planning Act*;

**NOW THEREFORE**, the Council of the Corporation of the Township of South Frontenac, hereby enacts as follows:

1. **THAT** Schedule “B”, to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning from Waterfront Residential (RW) to Limited Service Residential – Waterfront – Special Provision (RLSW-127) for the lands shown on Schedule “1”.
2. **THAT** Zoning By-law number 2003-75 as amended is hereby further amended by adding a new section RLSW-127 (1012 Hill Lane, Lot 8 on Plan 1540, Part of Lot 10, Concession VIII, Loughborough District – Blasko) immediately after Section RLSW-126-H (Part Lots 15, 16 & 17, Concession IX, Storrington District – Campbell, Shield Shores Condominium, Unit 11) to read as follows:

**RLSW-127 (1012 Hill Lane, Lot 8 on Plan 1540, Part of Lot 10, Concession VIII, Loughborough District – Blasko)**

*Notwithstanding the provisions of Section 10 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential - Waterfront (RLSW-127), the following provisions shall apply:*

- *For the Principal Building*

a) <i>Front Yard (Minimum)</i>	18.4 Metres (60.4 ft.)
b) <i>Setback from the high water mark of Sydenham Lake (Minimum)</i>	18.4 Metres (60.4 ft.)
c) <i>Setback from Floodline of Sydenham Lake (Minimum)</i>	16.8 Metres (55.1 ft.)
d) <i>Setback from Top of Bank (Minimum)</i>	8.5 Metres (27.8 ft.)
- *For any sewage system*

a) <i>Setback from the high water mark of Sydenham Lake (Minimum)</i>	23.7 Metres (77.7 ft.)
b) <i>Setback from Floodline of Sydenham Lake (Minimum)</i>	21.9 Metres (71.8 ft.)
c) <i>Setback from Top of Bank (Minimum)</i>	12.2 Metres (40 ft.)

*Notwithstanding Section 5.25.3, a building permit may be issued on the lands zoned RLSW-127 where access is by way of a Township unopened road allowance through a site plan agreement entered into with the Township and registered on title.*

*All other provisions of this by-law shall apply.*

3. THIS BY-LAW shall come into force in accordance with Section 34 of the Planning Act, 1990, as amended, either upon the date of passage or as otherwise provided by said Section 34.

**Dated at the Township of South Frontenac this 6<sup>th</sup> day of April, 2021.**

**Read a first and second time this 6<sup>th</sup> day of April, 2021.**

**Read a third time and finally passed this 6<sup>th</sup> day of April, 2021.**

**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH FRONTENAC**

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**Ron Vandewal, Mayor**

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**Angela Maddocks, Clerk**



**TOWNSHIP OF SOUTH FRONTENAC  
BY-LAW 2021-11**

**BEING A BY-LAW TO AUTHORIZE THE MAYOR AND THE CLERK TO  
EXECUTE A SITE PLAN AGREEMENT BETWEEN THE CORPORATION OF  
THE TOWNSHIP OF SOUTH FRONTENAC AND ROBERT BLASKO.**

---

**WHEREAS** a Site Plan and Site Plan Agreement have been prepared to the satisfaction of the Township of South Frontenac;

**NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF SOUTH  
FRONTENAC BY ITS COUNCIL, HEREBY ENACTS AS FOLLOWS:**

1. THAT the Mayor and the Clerk are hereby authorized to execute a Site Plan Agreement between the Corporation of the Township of South Frontenac and Robert Blasko, a copy of which is attached hereto forming part of this By-law.
2. THAT the Agreement shall be registered on title of the property described as 1012 Hill Lane, Lot 10 on Plan 1540, Part of Lot 10, Concession VIII, District of Loughborough, Township of South Frontenac.
3. THIS BY-LAW shall come into force and effect in accordance with Section 41 of the Planning Act 1990, either upon the date of passage or as otherwise provided by the said Section 41.

**Dated at the Township of South Frontenac this 6<sup>th</sup> day of April, 2021.**

**Read a first and second time this 6<sup>th</sup> day of April, 2021.**

**Read a third time and finally passed this 6<sup>th</sup> day of April, 2021.**

**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH FRONTENAC**

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**Ron Vandewal, Mayor**

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**Angela Maddocks, Clerk**

**TOWNSHIP OF SOUTH FRONTENAC  
BY-LAW 2021-14**

**BEING A BY-LAW TO DEEM PART OF PLAN OF SUBDIVISION NO. 1316  
NOT TO BE A REGISTERED PLAN OF SUBDIVISION: LOT 20, PLAN  
1316, DISTRICT OF STORRINGTON**

---

**WHEREAS**, section 50(4) of the *Planning Act R.S.O. 1990, c. P.13*, authorizes Council to pass a by-law to designate any plan of subdivision, or part thereof that has been registered for eight years or more, to be deemed not to be a registered plan of subdivision for purposes of the part lot control provisions of section 50(3) of the *Planning Act*.

**AND WHEREAS** Plan of Subdivision 1316 has been registered for more than eight (8) years;

**AND WHEREAS** Council considers it appropriate and necessary that those parts of Plan 1316 described in this by-law be deemed not to be a registered plan of subdivision to facilitate the merging of lands that will be utilized as one property and is developed as a single property for a period greater than eight years.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE  
TOWNSHIP OF SOUTH FRONTENAC HEREBY ENACTS AS FOLLOWS:**

1. THAT Lot 20, Plan of Subdivision 1316, District of Storrington is hereby deemed not to be a registered plan of subdivision for purposes of the part lot control provisions of subsection (3) of the *Planning Act*.
2. That the Owner(s) of the lands as of the date of by-law passage shall pay all costs associated with the development, passage and registration of this By-law.
3. That this By-law shall be registered in the proper Land Registry Office and the Municipality shall be provided with appropriate documentation that the registration has been completed within ten (10) business days of the date of registration;
4. That passage of this By-law shall be deemed to include authorization to legal counsel to register same in the appropriate Land Registry Office without further written authorization;
5. That this By-law shall come into effect when registered in the proper Land Registry Office.

**Read this 6<sup>th</sup> day of April, 2021.**

**Read a first and second time this 6<sup>th</sup> day of April, 2021.**

**Read a third time and finally passed this 6<sup>th</sup> day of April, 2021.**

**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH FRONTENAC**

---

**Ron Vandewal, Mayor**

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**Angela Maddocks, Clerk**

**TOWNSHIP OF SOUTH FRONTENAC  
BY-LAW 2021-15**

**BEING A BY-LAW TO CORRECT THE ORIGINAL BY-LAW 2006-0072 PERTAINING TO THE LANDS BEING PART OF LOT 19, CONCESSION 11, IN THE FORMER TOWNSHIP OF PORTLAND, NOW IN THE TOWNSHIP OF SOUTH FRONTENAC, BEING PARTS 2, 3 & 4 ON PLAN 13R-18192 MUNICIPALLY KNOWN AS FIRST LAKE ROAD, PURSUANT TO SECTION 31(6), OF THE MUNICIPAL ACT, 2001.**

---

**WHEREAS the previous by-law to assume and dedicate First Lake Road as a Public Highway Referred to Reference Plan 13R17874 incorrectly and also incorrectly referenced Part 5 of this reference plan,**

**AND WHEREAS Council wishes to amend the previous by-law 2009-0072 to correctly reference Plan 13R18192 and remove the reference to Part 5,**

**NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC, BY ITS COUNCIL, HEREBY ENACTS AS FOLLOWS:**

- 1. By-Law 2006-0072 shall be amended as such that the legal description shall read; those lands being Part of Lot 19, Concession 11, in the former Township of Portland, now in the Township of South Frontenac, being Parts 2, 3 & 4, Plan 13R1819.**
- 2. This by-law shall come into force and take effect on the date of registration of this by-law.**

**Dated at the Township of South Frontenac this 6<sup>th</sup> day of April, 2021.**

**Read a first and second time this 6<sup>th</sup> day of April, 2021.**

**Read a third time and finally passed this 6<sup>th</sup> day of April, 2021.**

**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH FRONTENAC**

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**Ron Vandewal, Mayor**

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**Angela Maddocks, Clerk**

**TOWNSHIPT OF SOUTH FRONTENAC  
BY-LAW 2021-16**

**BEING A BY-LAW TO AUTHORIZE THE MAYOR AND THE CLERK TO EXECUTE A  
LICENCE AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF  
SOUTH FRONTENAC AND DANIELLE (CLAIR) WALSH GRANTING ACCESS OVER  
AN UNOPENED TOWNSHIP ROAD ALLOWANCE**

---

**WHEREAS** a License Agreement has been prepared to the satisfaction of the Township of South Frontenac relating to the use of a portion of the unopened road allowance between Lots 24 and 25, Concession 12, District of Portland, Township of South Frontenac;

**NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF SOUTH  
FRONTENAC BY ITS COUNCIL, HEREBY ENACTS AS FOLLOWS:**

1. THAT the Mayor and the Clerk are hereby authorized to execute a License Agreement between the Corporation of the Township of South Frontenac and Danielle (Clair) Walsh, a copy of which is attached hereto and forms part of this by-law.
2. THIS BY-LAW shall come into force and effect in accordance with Section 28 of the Municipal Act, 2001, either upon the date of passage or as otherwise provided by the said Section 28.

**Dated at the Township of South Frontenac this 6<sup>th</sup> day of April, 2021.**

**Read a first and second time this 6<sup>th</sup> day of April, 2021.**

**Read a third time and finally passed this 6<sup>th</sup> day of April, 2021.**

**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH FRONTENAC**

---

**Ron Vandewal, Mayor**

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**Angela Maddocks, Clerk**

**TOWNSHIP OF SOUTH FRONTENAC  
BY-LAW NUMBER 2021-17**

**BEING A BY-LAW TO STOP UP, CLOSE AND SELL A PORTION OF AN UNOPENED ROAD ALLOWANCE BEING PARTS 1, 2, 3 and 4, PLAN 13R22369, PART OF ROAD ALLOWANCE BETWEEN CONCESSION 2 & 3, LOT 17 DISTRICT OF BEDFORD: BEAM**

---

**WHEREAS**, the Municipal Council of the Township of South Frontenac may pass a by-law to stop up, close and sell any highway or part thereof pursuant to the Municipal Act, section 34(1):

**AND WHEREAS** pursuant to the Township of South Frontenac's Notice By-law No. 2016-73, the Corporation of the Township of South Frontenac caused to be advertised the proposal to close portions of the said road allowance:

**AND WHEREAS** the said road allowance is not used as a publically travelled road:

**AND WHEREAS** no objections have been received to the road closing:

**NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC BY ITS COUNCIL, HEREBY ENACTS AS FOLLOWS:**

1. **THAT** the portion of road allowance in Part 1, 2, 3 and 4, Plan 13R22369, Part of the Road Allowance between, Concession 2 & 3, Lot 17 Geographic Township of Bedford, Township of South Frontenac, shall be stopped up and closed.
2. The ownership of Parts 1, 3 and 4, Plan 13R22369 be transferred to the abutting property owner of Part Lot 17 Concession 3, being Part 1 on Plan 13R25 and Part 1 on Plan 13R9970, District of Bedford, municipally known as 52 Sneddon Lane, being all of PIN No. 36242-0543;
3. The ownership of Part 2, Plan 13R22369 be transferred to the abutting property owner of Part Lot 17 Concession 2, being Part 1 and 2, Plan 13R7616, District of Bedford, municipally known as 128 Field Lane, being all of PIN No. 36242-0415;
4. **THAT** the Mayor and Clerk are hereby authorized and directed to execute such documents as are required; and
5. **THAT** this By-law shall come into force and take effect upon registration of this By-law.

**Dated at the Township of South Frontenac this 6<sup>th</sup> day of April, 2021.**

**Read a first and second time this 6<sup>th</sup> day of April, 2021.**

**Read a third time and finally passed this 6<sup>th</sup> day of April, 2021.**

**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH FRONTENAC**

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**Ron Vandewal, Mayor**

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**Angela Maddocks, Clerk**

## **COVID Community Questions from Website**

### **QUESTION # 1**

Please note the following response to COVID-19 Pandemic - Community Questions has been submitted at Monday March 29th 2021 2:24 PM with reference number 2021-03-29-001.

- **Do you have a pandemic related question for Council ?**  
hello on your website you have stated that south frontenac township is now in a state of emergency. However, i cannot find any information about what this means to the residents of south frontenac. Can you please provide information as to how this effects us and/or the new rules and guidelines to the state of emergency?  
Thank you
- **Email Address (optional):**

### **RESPONSE**

Thank you for your inquiry. The Township of South Frontenac remains in a state of emergency and subject to all the regulations and restrictions put in place by the local Public Health – KFLA Public Health. A link to their website is provided - <https://www.kflaph.ca/en/healthy-living/status-of-cases-in-kfla.aspx>

Public Service Announcements and Media Releases regarding services within the township are posted to the link below:  
[https://www.southfrontenac.net/en/covid-19-coronavirus-information.aspx?\\_mid\\_=27157](https://www.southfrontenac.net/en/covid-19-coronavirus-information.aspx?_mid_=27157)

and are included in the News and Public Notices portion of the website and shared on the township's social media outlets. Facebook - @SouthFrontenacTwp, Twitter – SthFrontenacTwp

As you can appreciate the regulations and restrictions can change quickly, however the basic social distancing protocols remain in place. Currently our offices are open to the public with distancing, masks and hand sanitizing being expected.

I hope this is helpful, but please let us know if you have any further questions.

### **QUESTION # 2**

Please note the following response to COVID-19 Pandemic - Community Questions has been submitted at Wednesday March 17th 2021 6:08 PM with reference number 2021-03-17-001.

- **Do you have a pandemic related question for Council ?**  
How many people can I have outside for the Easter weekend would like my children and grandkids  
Thank you

### **RESPONSE**

All COVID related restrictions and regulations are provided to us from KFLA Public Health. The link below provides the details on what is currently in place as far as restrictions. It does clarify that “No person shall – host or attend indoor or outdoor social gatherings with more than five (5) persons.

<https://www.kflaph.ca/en/healthy-living/novel-coronavirus.aspx>

While this order does indicate that the class order applies to “all persons in or present in the City of Kingston, along with businesses that serve alcohol in the City of Kingston.

We recommend that you reach out to Public Health directly for further interpretation of the current order which is in place until the end of April 2021.

### **QUESTION #3**

Please note the following response to COVID-19 Pandemic - Community Questions has been submitted at Tuesday March 16th 2021 8:29 AM with reference number 2021-03-16-001.

- **Do you have a pandemic related question for Council ?**  
How many people are allied in a house at same time currently March 2021

### **RESPONSE**

Thank you for your email. KFL & A Public Health are the local regulator for the pandemic and provide municipalities with updates on the status. I have inserted below direct information from their website that I hope will clarify for you your questions about gatherings and several other current restrictions. A link to their website - <https://www.kflaph.ca/en/healthy-living/novel-coronavirus.aspx>

On March 1, 2021 Dr. Kieran Moore, Medical Officer of Health at KFL&A Public Health issued a **Class Order pursuant to Section 22** of the Ontario health Protection and Promotion Act, 1990 to prevent a potential outbreak of COVID-19 virus and virus variants within the City of Kingston during St. Patrick's Day celebrations.

**Effective:** 12:01 a.m on Saturday, March 13 to 11:59 p.m. on Sunday, March 21, 2021.

**To:** All persons in or present in the City of Kingston, along with businesses that serve alcohol in the City of Kingston.

#### **No person shall**

1. Host or attend indoor or outdoor social gatherings with more than five (5) persons.

#### **All businesses that serve alcohol shall:**

1. Be closed between 11 p.m. and 5 a.m.
2. Only sell and serve alcohol between 12:00 p.m. (noon) and 10 p.m. No consumption of alcohol is permitted in the business or place between the hours of 11 p.m. and 12:00 p.m. (noon).
3. Ensure all patrons are seated when served. Pick up and take out is exempt.
4. Seat only five (5) persons to a table.
5. Collect contact information for all persons seated.
6. Not allow dancing, singing, or live performances of music. Volume of music must be low enough to allow for normal conversation.
7. Ensure line up management follows the capacity limits, 2 metres physical distancing, and masking regulations.

**TOWNSHIP OF SOUTH FRONTENAC  
BY-LAW 2021-18**

**A BY-LAW TO CONFIRM GENERALLY PREVIOUS ACTIONS OF THE COUNCIL  
OF THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC.**

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THEREFORE THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC,  
BY ITS COUNCIL, HEREBY ENACTS AS FOLLOWS:

1. The actions of the Council of the Corporation of the Township of South Frontenac at its special Council Meeting of April 6, 2021 be confirmed.
2. Execution by the Mayor and the Clerk of all Deeds, Instruments and other Documents necessary to give effect to any such Resolution, Motion or other action and the affixing of the Corporate Seal to any such Deed, Instruments or other Documents is hereby authorized and confirmed.
3. This By-law shall come into force and take effect on the date of its passage.

Dated at the Township of South Frontenac this 6 day of April, 2021.

Read a first and second time this 6 day of April, 2021.

Read a third time and finally passed this 6 day of April, 2021.

**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH FRONTENAC**

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**Ron Vandewal, Mayor**

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**Angela Maddocks, Clerk**