

Minutes of Council

March, 1, 2016

Time: 6:00 PM

Location: Council Chambers

Meeting # 6

Present: Mayor Ron Vandewal, Pat Barr, John McDougall, Alan Revill, Norm Roberts, Mark Schjerning, Ron Sleeth, Ross Sutherland

Staff: Wayne Orr, Chief Administrative Officer, Lindsay Mills, Planner, Mark Segsworth, Public Works Manager, Angela Maddocks, Executive Assistant.

1. Call to Order

a) Resolution

Resolution No. 2016-6-1

Moved by Councillor Sleeth

Seconded by Deputy Mayor Sutherland

THAT the Council meeting of March 1, 2016 be called to order at 6:00 p.m.

Carried

2. Declaration of pecuniary interest and the general nature thereof - n/a

3. Scheduled Closed Session

a) Litigation

Resolution No. 2016-6-2

Moved by Councillor Sleeth

Seconded by Councillor Revill

THAT the Council meeting of March 1, 2016 move into closed session to discuss litigation.

Carried

4. ***Recess *** - reconvene at 7:00 pm in Open Session

5. Arise and Report from Closed Session

a) Resolution

Resolution No. 2016-6-4

Moved by Councillor McDougall

Seconded by Councillor Barr

THAT Council supports the draft plan of condominium for Johnson Point for 15 units with the conditions as presented December 1, 2015.

Carried

Resolution No. 2016-6-5

Moved by Councillor Barr

Seconded by Councillor McDougall

THAT Council supports the zoning that flows from the approval of the 15 unit motion just approved.

Carried

6. Public Meeting

a) Open Public Meeting - Resolution

Resolution No. 2016-6-6
Moved by Councillor Sleeth
Seconded by Councillor Revill

THAT a public meeting be held to discuss planning matters related to:

- Review of Application for Zoning By-law Amendment in Part Lot 1, Concession IV, Loughborough
- Review of Application for Zoning By-law Amendment in Part of Lot 26, Concession V, Bedford

Carried

b) Review of Application for Zoning By-law Amendment in Part of Lot 1, Concession IV, Loughborough: Bannon

Lindsay Mills stated that the purpose of the application is to rezone a lot to special rural to permit it to be used as a group home. The lot is situated in a relatively built up residential area amongst other residences on Campbell Road. The lot is an unusual shape with only 24 metres of road frontage. The subject property is developed with a dwelling and two accessory buildings but most of the lot is undeveloped and forested. He provided the definition for a group home that does not include a facility maintained and operated primarily for persons who have been placed on probation, who have been released on parole and who are admitted to the institution for correctional purposes

Paul Bell, 3216 Campbell Road sought clarification on the scope of the residents. He was concerned that the group home may be expanded to accommodate youth and violent offenders. He was also concerned about the impact this would have on the need for more Educational Assistants at Loughborough Public School as he felt they were already overloaded with special needs students. He also wondered about special transportation needs.

Mayor Vandewal noted that the report clarifies the regulations for the group home and noted that the group home residents would not necessarily go to Loughborough Public School.

Monique Brooks, 3183 Campbell Rd, was supportive of this proposal and noted that she raised two children with development issues who attended Loughborough Public School. While she agreed that support for Educational Assistants would be a problem, it is a problem throughout the province.

Christine Bell asked if the group home would benefit children from this community or outside communities. She questioned the formal agreements with government agencies with respect to referrals.

Mayor Vandewal stated that if the group home is government funded, there are restrictions in place and residents from the community do not necessarily get priority.

Lesley Moore, also a neighbour, submitted a letter from Katherine Teske, the former owner of the subject property which Mr. Mills read aloud. The letter focused on the real estate transaction between the previous and current owners with misrepresenting the intended use of the property by the purchaser.

Fran Willes questioned what is the lot size of the subject property.

Mr. Mills stated that the property is 14 acres and suggested that the owner could speak to how the existing building will be used as a group home.

Deputy Mayor Sutherland noted that there are a lot of needs in our community and this group home should be integrated well into the community. He asked if the proponent would be prepared to host a public meeting to discuss any issues from the community.

Mr. Bannon was supportive of a meeting to discuss any concerns there might be. He commented that there are 500 children in the care of the Children's Aid Society in Frontenac County; he was not sure how many of these children have special needs. With respect to concerns from Mrs. Teske, former owner of his property he noted that didn't have to disclose his plans for the property. He indicated he was happy to answer any questions from the community.

- c) Review of Application for Zoning By-law Amendment, Part of Lot 26, Concession V Bedford District: Isaacs,

Mr. Mills explained that the rezoning would apply to a portion of the land that is used as a resort comprising four rental cabins and accessory uses, however the resort land is split zoned with the west portion being zoned Recreational Resort commercial and the east portion zoned Special Open Space Private. The open space zoning was originally to allow for walking trails as part of the resort and to prohibit any buildings or structures. A portion of waterfront is being added to the resort and this is to be used for residential purposes along with the portion presently zoned for open space. He noted that the portion being added to the resort land is already zoned RLSW and with the portion being rezoned from OSP-4 to RLSW the result would effectively be a waterfront area 4.5 acres in size. Mr. Mills noted the letter of concern from Adrian Sutherland attached to his report. A letter of concern from Janet and Bob Couch was also shared with Council.

Councillor Revill asked if the new building became part of the resort, would this constitute crossing the line.

Lindsay Mills confirmed that it would as this is not part of the commercial operation.

Sandy Cameron, Burns Lane, who lives two cottages down from the Isaacs, voiced his concern about the commercial site migrating towards the new building.

Mr Mills explained that technically it is not a rental unit, however the municipality does not have anything in place to restrict this.

Resolution No. 2016-6-7
Moved by Councillor Sleeth
Seconded by Councillor Revill

THAT an opportunity having been provided, the public meeting be closed.

Carried

7. Approval of Minutes
a) January 26, 2016 Committee of the Whole Meeting
b) February 2, 2016 Council Meeting

Resolution No. 2016-6-8
Moved by Councillor Sleeth
Seconded by Deputy Mayor Sutherland

THAT Council approves the minutes of the February 2, 2016 Council meeting.

Carried

c) February 9, 2016 Committee of the Whole Meeting

Deputy Mayor Sutherland requested an amendment to the minutes with respect to questions he asked Jim Miller and Katie Morrow's water capacity presentation.

Resolution No. 2016-6-9

Moved by Councillor Sleeth

Seconded by Councillor Revill

THAT Council approves the minutes of the January 26, 2016 and February 9, 2016 (as amended) Committee of the Whole meetings.

Carried

8. Business Arising from the Minutes

a) 2015 Annual Report - Sydenham Water Treatment Sydenham (resolution only)

Resolution No. 2016-6-10

Moved by Councillor Revill

Seconded by Deputy Mayor Sutherland

THAT the Council of the Township of South Frontenac receive the Utilities Kingston 2015 Annual Report for the Sydenham Water Treatment System as presented on February 9, 2016.

Carried

b) Wayne Orr, Chief Administrative Officer, re: Cataraqui Trail Management Board
(See By-law 2016-07)

9. Reports Requiring Action

a) Accounts Payable and Payroll Listing (February 16 and March 1)

Resolution No. 2016-6-11

Moved by Councillor Sleeth

Seconded by Councillor Revill

THAT Council receives for information the Accounts Payable and Payroll Listing dated February 16, 2016 in the amount of \$2,151,810.08.

Carried

Resolution No. 2016-6-12

Moved by Councillor Revill

Seconded by Deputy Mayor Sutherland

THAT Council receives for information the Accounts Payable and Payroll Listing dated March 1, 2016 in the amount of \$737,995.66.

Carried

b) Mark Segsworth, Public Works Manager, re: Tender No PW-2016-02 - Tandem Dump Truck

Resolution No. 2016-6-13

Moved by Deputy Mayor Sutherland
Seconded by Councillor Revill

THAT Council approves the submission from Antrim Truck Centre, for Tender PW-2016-02, tandem dump truck complete with Snowplow Equipment, in the amount of \$255,038.14 plus HST.

Carried

- c) Lindsay Mills, Planner, re: Closing of Road Allowance between Concessions IX and X and Lots 30 and 31, Bedford District: Mahmud

See By-law 2016-11

- d) Lindsay Mills, Planner, re: Assumption of Road Widening: Part Lot 12, Concession X, Storrington District: Ramparts Rd

See By-law 2016-16

- e) Lindsay Mills, Planner, re: Severance Applications at Petworth Rd: Possible Parkland Dedication: Kerr

Resolution No. 2016-6-14
Moved by Councillor Revill
Seconded by Deputy Mayor Sutherland

THAT Council receive the Planning Report dated February 16, 2016 regarding the Kerr property on Petworth Road - Portland District and request that parkland be taken, including the Petworth Mill as a condition of approval for the consent applications.

Carried

- f) Lindsay Mills, Planner, re: Draft Plan Conditions for Plan of Subdivision, Part of Lot 7, Concession VII, 1278804 Ontario Inc (T. Grant)

Resolution No. 2016-6-15
Moved by Councillor Barr
Seconded by Councillor Roberts

THAT Council receive the Planning Report dated February 23, 2016, and forward the report and all attachments to the County of Frontenac as representing the Township's conditions of draft plan approval for the proposed thirteen lot plan of subdivision by 1278804 Ontario Inc (Terry Grant) in the Hamlet of Hartington.

Resolution No. 2016-6-16
Moved by Deputy Mayor Sutherland
Seconded by Councillor McDougall

THAT Council amend draft plan condition #1 to read 8 lots. And add the sentences (two paragraphs): The smaller number of lots is necessary due to 1) the history of poor water quantity and quality in the Hartington Community; 2) the lack of a clear source for the relatively high levels of nitrates 3) the real possibility that the existence of nitrates may be from nearby aging residential septic systems, a condition that will not diminish over time; and 4) the fact of it being an "inferred karst" region next to a known karst region with thin soil cover, necessitate a conservative evaluation of back ground nitrate concentrations.

13 lots is the maximum number of lots that would be permitted on the site under ideal conditions using existing guidelines while a conservative estimation of

nitrate concentration based on measured well levels would permit 8 lots. This smaller size of development provides a more reasonable expectation of long term water safety for the residents of the proposed subdivision and the surrounding houses.

Delete condition #6

Amend condition #9 to read “that a prohibition on cutting the mature trees except with the explicit permission of the Township placed on title of the lots abutting the K&P trail.

Amend condition #12 to read “That all conditions outlined in the letters dated June 2, 2015 from Quinte Conservation Authority to the County of Frontenac, be addressed to the satisfaction of the Municipality including the requirement for a draw down test for each individual well to be installed, that nitrate levels and hydrocarbons be tested for each individual well and that these test results be made public.

Delete condition #24

Amend item B to include after attachments, “and the September 1, 2015 report from Macintosh Perry commenting on the subdivision proposal”.

Defeated

Resolution No. 2016-6-17
Moved by Councillor Schjerning
Seconded by Councillor Sleeth

THAT Council defer this matter and instruct the township to engage an independent environmental consulting firm to review the reports that have been submitted to date and make a determination on the water quantity and quality in the proposed development and surrounding areas and make recommendations as to any additional testing or monitoring that should be conducted.

Carried

- g) Lindsay Mills, Planner, re: Closing of Road Allowance in Part of Lot 26, Concession V and VI, Bedford District: Corrigan

Resolution No. 2016-6-18
Moved by Councillor McDougall
Seconded by Councillor Schjerning

THAT Council deny a request from a property owner to close and transfer ownership of a portion of unopened road allowance at Bobs Lake in the District of Bedford.

Carried

- h) Lindsay Mills, Planner, re: Approval of Subdivision Agreement Part of Lots 18 & 19, Concession II: Willowbrook Estates

See By-law 2016-14

- i) Lindsay Mills, Planner, re: Approval of Condominium Agreement Part of Lots 20 & 21, Concession IV: Applewood Estates

See By-law 2016-15

- j) Wayne Orr, Chief Administrative Officer, re: Non-Union Staff Compensation

and Performance Evaluation

Resolution No. 2016-6-19
Moved by Councillor Schjerning
Seconded by Councillor McDougall

THAT Council support the redesign of the performance evaluation tool to improve its benefit and ease of use, while maintaining its current linkage to compensation,

AND THAT the current salary grid remain as developed.

Carried

10. Committee Meeting Minutes

- a) South Frontenac Rides Committee meeting held November 2, 2015
- b) South Frontenac Rides Committee meeting of January 11, 2016
- c) Verona Community Association meeting of November 11, 2015
- d) Verona Community Association meeting of January 13, 2016
- e) Public Services Committee meeting of November 26, 2015
- f) Loughborough District Recreation Meeting held January 25, 2016

Resolution No. 2016-6-20
Moved by Councillor McDougall
Seconded by Councillor Schjerning

THAT Council receives for information the minutes of the following committee meetings:

- Verona Community Association meeting of November 11, 2015
- Verna Community Association meeting of January 13, 2016
- South Frontenac Rides Committee meeting of November 2, 2015
- South Frontenac Rides Committee meeting of January 11, 2016
- Public Services Committee meeting of November 26, 2015
- Loughborough District Recreation meeting of January 25, 2016

Carried

11. By-Laws

- a) By-law 2016-07 - Cataraqui Trail Management Board

Resolution No. 2016-6-21
Moved by Councillor Schjerning
Seconded by Councillor McDougall

THAT the following by-laws be given first and second reading:

- By-law 2016-07
- By-law 2016-11
- By-law 2016-12
- By-law 2016-13
- By-law 2016-14
- By-law 2016-15
- By-law 2016-16

Carried

Resolution No. 2016-6-22

Moved by Councillor McDougall
Seconded by Councillor Schjerning

THAT By-law 2016-07. being a by-law to amend By-law 2014-71, appointing Council members to various boards, committees and associations be given third reading signed and sealed.

Carried

b) By-law 2016-11 - Closing of Road Allowance

Resolution No. 2016-6-23
Moved by Councillor Schjerning
Seconded by Councillor McDougall

THAT By-law 2016-11, being a by-law to stop up, close and sell portions of unopened road allowances between Concessions IX and X and between Lots 30 and 31, Bedford District, be given third reading, signed and sealed.

Carried

c) By-law 2016-12 - Bannon Rezoning

Resolution No. 2016-6-24
Moved by Councillor McDougall
Seconded by Councillor Schjerning

THAT By-law 2016-12, being a by-law to amend By-law 2003-75, as amended, to rezone land from Rural Zone (RU) to Special Rural Zone (RU-50), Part Lot 1, Concession IV, District of Loughborough, be given third reading, signed and sealed.

Carried

d) By-law 2016-13 - Isaacs Rezoning

Resolution No. 2016-6-25
Moved by Councillor Roberts
Seconded by Councillor Barr

THAT By-law 2016-13, being a by-law to amend By-law 2003-75, as amended, to rezone lands from Special Open Space Private (OSP-4) to Limited Service Residential Waterfront (RLSW), Part Lot 26, Concession V, District of Bedford, be given third reading signed and sealed.

Carried

e) By-law 2016-14 - Willowbrook Subdivision Agreement

Resolution No. 2016-6-26
Moved by Councillor Barr
Seconded by Councillor Roberts

THAT By-law 2016-14, being a by-law to authorize the Mayor and the Clerk to execute a Subdivision Agreement between the Corporation of the Township of South Frontenac and 1059823 Ontario Limited, be given third reading, signed and sealed.

Carried

f) By-law 2016-15 - Magenta Waterfront Condominium Development

Resolution No. 2016-6-27

Moved by Councillor Roberts
Seconded by Councillor Barr

THAT By-law 2016-15, being a bylaw to authorize the Mayor and the Clerk to execute a condominium agreement between the Corporation of the Township of South Frontenac and 1324789 Ontario Inc and Magenta Waterfront Development Corporation, be given third reading signed and sealed.

Carried

g) By-law 2016-16 - Road Widening -Ramparts Rd

Resolution No. 2016-6-28
Moved by Councillor Barr
Seconded by Councillor Roberts

THAT By-law 2016-16, being a by-law to assume as common and public highway certain lands in the Township of South Frontenac, pursuant to Section 31 (6) of the Municipal Act, 2001, be given third reading signed and sealed.

Carried

12. Reports for Information

- a) Deputy Mayor Sutherland, re: Observations from FCM Sustainable Communities Conference February 9-11
- b) Louise Fragnito, Treasurer, re: Infrastructure funding announcement

13. Information Items

- a) Ontario Energy Board Notice, re: cost recovery of expanding natural gas service
- b) Jeff Leal, Minister of Agriculture, Food and Rural Affairs, re: 2016 Premier's Award for Agri-Food Innovation Excellence Program
- c) Louis Antonakos, Mayor, Town of Carleton Place, re: OMAFRA Grant Scoring
- d) Ontario Newsroom - Province Seeking Public Feedback on its Strategy for a Safer Ontario
- e) Buck Lake Association - Outboard Motor Emissions.

Deputy Mayor Sutherland requested that a copy of this document be circulated to the Lake Associations.

- f) Robin Walker and Joanna Stricker, re: Response to February 9- Committee of the Whole Agenda Item 6(a)
- g) Mayor and Council's Letter of Thanks to Public Works Staff and First Responders
- h) Bicycle Friendly Communities Workshop - March 30, 2016

Deputy Mayor Sutherland invited Council to attend this workshop with a special invite to Mayor Vandewal.

- i) Ontario Onsite Wastewater Association - 2016 Tradeshow and Annual Conference

Councillor Revill indicated that he would like to attend one day of the conference. Council approved the financial support for him to attend.

14. Notice of Motions

- a) Deputy Mayor Sutherland served notice of motion for the integration of an electric vehicle into the township fleet.

15. Announcements

- a) Councillor Schjerning noted the February 16 snowstorm and commended the Public Works Department for a well done job.

16. Question of Clarity (from the public on outcome of agenda items)

- a) Craig Bakay referred to the motion from Councillor Schjerning regarding an independent review of water quality and quantity for the proposed Hartington Subdivision and asked who would be paying for that review.

It was confirmed that the township would be paying for this review.

- b) Fran Willes sought clarification on the intent of the review of water quality and quantity for the proposed Hartington subdivision. She was concerned with Council's liability referencing the Walkerton tragedy.

It was clarified that the township would ask for recommendations from an independent consultant after they have reviewed and analyzed the reports submitted with respect to this development proposal.

17. Closed Session - n/a

18. Confirmatory By-law

- a) By-law 2016-17

Resolution No. 2016-6-29
Moved by Councillor Roberts
Seconded by Councillor Barr

THAT By-law 2016-17, being a by-law to confirm generally previous actions of the Council of the Corporation of the Township of South Frontenac be given first and second reading this 1 day of March 2016.

Carried

Resolution No. 2016-6-30
Moved by Councillor Barr
Seconded by Councillor Roberts

THAT By-law 2016-17, being a by-law to confirm generally previous actions of the Council of the Corporation of the Township of South Frontenac be given third reading, signed and sealed this 1 day of March 2016.

Carried

19. Adjournment

- a) Resolution

Resolution No. 2016-6-31
Moved by Councillor Roberts
Seconded by Councillor Barr

THAT the Council meeting of March 1, 2016 be adjourned at 9:12 p.m.

Carried

Ron Vandewal, Mayor

Wayne Orr, Chief Administrative Officer