

Minutes of Council  
December, 5, 2017

Time: 6:00 PM

Location: Council Chambers

Meeting # 38

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

Staff: Wayne Orr, Chief Administrative Officer, Mark Segsworth, Public Works Manager, Louise Fragnito, Treasurer, Angela Maddocks, Deputy Clerk

1. Call to Order

a) Resolution

Resolution No. 2017-38-01  
Moved by Councillor McDougall  
Seconded by Councillor Schjerning

THAT the Council meeting of December 5, 2017 be called to order at 6:00 p.m.  
Carried

2. Declaration of pecuniary interest and the general nature thereof

a) Councillor Revill declared a pecuniary interest with respect to agenda items 8 (a) and 9 (c).

3. Scheduled Closed Session

a) Resolution

Resolution No. 2017-38-02  
Moved by Councillor Schjerning  
Seconded by Councillor McDougall

THAT the Council meeting of December 5, 2017 move into closed session to approve minutes of previous meetings, discuss matters concerning an identifiable individual and to receive advise that is subject to solicitor client privilege.

Carried

b) Approval of Minutes from Closed Meetings

c) Personal matters about an Identifiable individual - Verbal report from CAO

d) Advice that is subject to solicitor client privilege

e) Resolution

Resolution No. 2017-38-04  
Moved by Councillor Barr  
Seconded by Councillor Roberts

THAT Council move out of closed session.

Carried

4. \*\*\*Recess - reconvene at 7:00 p.m. for Open Session

5. Declaration of Office for Deputy Mayor

- a) Pat Barr was sworn in as the next Deputy Mayor.

6. Public Meeting

- a) Resolution

Resolution No. 2017-38-05  
Moved by Councillor Roberts  
Seconded by Deputy Mayor Barr

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

- Rezoning of Concession VII, Part of Lot 33, Bedford District
- Rezoning of Concession XI, Part of Lot 8, Storrington District

Carried

- b) Rezoning Part of Lot 33, Concession VII, Bedford - Cooper

Lindsay Mills indicated that the Conservation Authority has not yet submitted their comments on this application and recommended deferral of a decision by Council.

Resolution No. 2017-38-06  
Moved by Councillor Sutherland  
Seconded by Councillor Barbeau

THAT the public meeting for Cooper (Rezoning of Concession VII, Part of Lot 33, Bedford District) be deferred until after inspections and agency comments are received.

Carried

- c) Rezoning of Part of Lot 8, Concession XI, Storrington - Pater

Lindsay Mills explained that the purpose of this application is to rezone a new waterfront lot on North Shore Road. A significant portion of the area of the proposed new lot is comprised of a defined wetland area and as such is unsuitable for development. The applicant has proposed this severance for the purposes of deeding the new lot to the Nature Conservancy of Canada to allow for proper management and long-term protection of this wetland area. All commenting agencies had no objections at the consent stage and Planning staff are supportive of this rezoning.

There were no comments from Council or the public.

Resolution No. 2017-38-07  
Moved by Councillor Roberts  
Seconded by Deputy Mayor Barr

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

Carried

7. Approval of Minutes

- a) Minutes of November 7, 2017 Council Meeting

Resolution No. 2017-38-08  
Moved by Councillor Sleeth  
Seconded by Councillor Barbeau

THAT Council approves the minutes of the November 7, 2017 Council meeting.

Carried

- b) Minutes of November 14, 2017 Committee of the Whole Meeting

Resolution No. 2017-38-09  
Moved by Councillor Sleeth  
Seconded by Councillor Barbeau

THAT Council approve the minutes of the November 14, 2017 Committee of the Whole meeting.

Carried

- c) Minutes of November 18, 2017 Special Committee of the Whole Meeting

Resolution No. 2017-38-10  
Moved by Councillor Sleeth  
Seconded by Councillor Barbeau

THAT Council approves the minutes of the November 18, 2017 and November 20, 2017 Special Committee of the Whole meetings.

Carried

- d) Minutes of November 20, 2017 Special Committee of the Whole meeting

8. Business Arising from the Minutes

- a) Reimbursement for Ontario Association of Committees of Adjustment Seminar

Resolution No. 2017-38-11  
Moved by Councillor Sleeth  
Seconded by Councillor Roberts

THAT Council reimburse Councillor Revill for his registration and mileage and meeting expenses incurred to attend the Ontario Association of Committees of Adjustment Seminar on October 24, 2017 in Cobourg.

Carried

- b) Lindsay Mills, Planner, re: Third Reading of By Law 2017-58 (1324789 Ontario Inc)

- c) Lindsay Mills, Planner, re: Revised Draft Plan Conditions - McFadden Subdivision

Resolution No. 2017-38-12  
Moved by Councillor Revill  
Seconded by Councillor Sutherland

THAT Council approve revisions to the Township's draft plan conditions for the McFadden Road Subdivision in Part of Lots 14 and 15, Concession VIII, Loughborough District, as follows:

1. Add a condition to require that the Owner dedicate to the Township a road widening of McFadden Road so that the road allowance along the whole frontage of the subject land has a width of 10 metres (33 ft.) measured from the centre line of the travelled portion of the road to the subject property line.

2. Delete Condition #13 requiring direct access to the Cataraqui Trail.

3. Change Condition #14 to state that no development is permitted within 15 metres of the two westernmost wetlands identified in Figure 1 of the

Environmental Impact Study dated March 2017, prepared by Niblett Environmental Associates Inc. and that no development is permitted within 30 metres of any other waterbody on the subject land.

AND direct staff to forward the Township's revised conditions of draft plan approval to the County of Frontenac with a request that the requirement for a road widening of McFadden Road be incorporated into the County's draft plan conditions.

Carried

d) Notice of Motion - Young legal costs

Resolution No. 2017-38-13  
Moved by Councillor Sutherland  
Seconded by Councillor Revill

THAT the Township of South Frontenac cover the legal costs incurred by William and Wendy Young in connection with the closing of a road allowance outlined in By-law 2016-46.

Carried

e) Notice of Motion - Heritage Committee - Fermoy Hall

Resolution No. 2017-38-14  
Moved by Councillor Sleeth  
Seconded by Councillor Barbeau

THAT Council defer any work on Fermoy Hall, regardless of the funding source, until such time that the Heritage Committee has met and made recommendations back to Council.

Withdrawn

f) Notice of Motion - Commenting on Environmental Registry

Resolution No. 2017-38-15  
Moved by Councillor Sutherland  
Seconded by Councillor Schjerning

BE IT RESOLVED THAT South Frontenac Township comment on Environmental Registry (ER) listing 013-1130 stating that:

1) More detail is needed on the habitat to be protected for the Blanding Turtle and the Grey Rat Snake, and

2) Consideration needs to be given to the bats and whippoorwill, species at risk identified in the area.

Defeated

9. Reports Requiring Action

a) Lindsay Mills, Planner, re: Mundell - Road Allowance Closing

See By-law 2017-75.

b) Budget Decision

Resolution No. 2017-38-16  
Moved by Councillor Revill  
Seconded by Councillor Sleeth

THAT Council approve and adopt the combined 2018 Capital and Operating Budgets requiring \$19,129,719 to be raised by taxation,

AND THAT Council also approve the 2018 PSAB budget attached in the Treasurer's report dated December 5, 2017.

Carried

- c) Mark Segsworth, Public Works Manager, re: Private Lane Upgrade Program

Resolution No. 2017-38-17  
Moved by Councillor Sleeth  
Seconded by Councillor Barbeau

THAT Council approve payments totalling \$83,045.20 in the amounts as listed in the Private Lane Upgrading Assistance Program report dated December 5, 2017.

Carried

- d) Wayne Orr, Chief Administrative Officer, re: Seniors Housing Initial Commitment

Resolution No. 2017-38-18  
Moved by Councillor Sutherland  
Seconded by Councillor Revill

THAT Council commit to pursuing a Seniors Housing Project which includes a municipal investment and direct staff to explore a partnership with Kingston Frontenac Housing Corporation and explore potential sites.

Carried

- e) Wayne Orr Chief Administrative Officer, re: Support for Kinsmen Dream Home Raffle

Resolution No. 2017-38-19  
Moved by Councillor Sleeth  
Seconded by Councillor Revill

THAT Council authorize the CAO to support the 2018 Kinsmen Dream Home raffle with comparable donations back to the community.

Carried

- f) Wayne Orr, Chief Administrative Officer, re: Procedural By-law

See By-law 2017-76.

- g) Angela Maddocks, Deputy Clerk, re: January 2018 Meetings

Resolution No. 2017-38-20  
Moved by Councillor McDougall  
Seconded by Councillor Schjerning

THAT the Committee of the Whole meeting for January 2018 be scheduled for January 9, 2018 and the Council meeting be scheduled for January 16, 2018.

Carried

10. Committee Meeting Minutes

- a) Public Services Committee meeting held October 20, 2017

- b) Portland District Recreation meeting held September 25, 2017
- c) Portland District & Area Heritage Society meeting held November 16, 2017
- d) Police Services Board - meeting of October 16, 2017
- e) Corporate Services Committee meeting of October 10, 2017

Resolution No. 2017-38-21  
Moved by Deputy Mayor Barr  
Seconded by Councillor Roberts

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

- Public Services Committee meeting held October 20, 2017
- Portland District Recreation Committee meeting held September 25, 2017
- Portland District & Area Heritage Society meeting held November 15, 2017
- South Frontenac Police Services Board meeting held October 16, 2017
- Corporate Services Committee meeting held October 10, 2017

Carried

11. By-Laws

- a) By-law 2017-58 - Rezoning of Concession III, Part Lots 23 & 24, Storrington (third reading)

Resolution No. 2017-38-22  
Moved by Councillor Sleeth  
Seconded by Councillor Barbeau

THAT By-law 2017-58, being a by-law to amend By-law 2003-75, as amended, to rezone lands from Special Rural (RU-45) to Rural (RU) and Special Limited Service Residential-Waterfront (RLSW-115), Part Lot 243 & 24, Concession III, Storrington District, be given third reading, signed and sealed.

Carried

- b) By-Law 2017-74 - Rezoning Part of Lot 8, Concession XI, Storrington

Resolution No. 2017-38-23  
Moved by Councillor Sleeth  
Seconded by Councillor Barbeau

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

- By-law 2017-74
- By-law 2017-75
- By-law 2017-76

Carried

Resolution No. 2017-38-24  
Moved by Deputy Mayor Barr  
Seconded by Councillor Roberts

THAT By-law 2017-74, being a by-law to amend By-law 2003-75, as amended, to rezone land from Waterfront Residential Zone (RW) to Open Space - Private Zone (OSP), Part Lot 8 Concession XI, Storrington District, be given third reading, signed and sealed.

Carried

c) By-Law 2017-75 - Closing of Road Allowance - Mundell

Resolution No. 2017-38-25  
Moved by Councillor Roberts  
Seconded by Deputy Mayor Barr

THAT By-law 2017-75, being a by-law to stop up, close and sell a portion of an unopened road allowance in Part of Lot 19 between Concession V and VI, Loughborough District, be given third reading, signed and sealed.

Carried

d) By-law 2017-76 - Procedural By-law

Councillor Sutherland moved that there be two amendments to the by-law, however no one seconded his motion to amend.

Resolution No. 2017-38-26  
Moved by Deputy Mayor Barr  
Seconded by Councillor Roberts

THAT By-law 2017-76, being a by-law to provide for governing the proceedings of the Council, the conduct of member and the calling of meetings be given third reading, signed and sealed.

Carried

12. Reports for Information

a) Accounts Payable and Payroll Listing

13. Information Items

a) Stephen Hunt, Chair, Inverary Lake Residents Association, re: Rezoning on Inverary Lake

b) Hon. Bill Mauro, re: Transient Accommodation Tax

c) Submissions received re: Proposed Benefit Permit for Johnston Point

d) Martha and Gary Beach - response to Delegation re: Proposed Benefit Permit for Johnston Point

e) Philippe Archambault, re: Safety measures within 2018 budget

14. Notice of Motions

a) Councillor Revill served notice of motion to request a Ministry of Natural Resources and Forestry representative attend a meeting to discuss the benefit agreement for Johnston Point.

15. Announcements

a) Councillor Sutherland questioned the status of the Development Services Committee.

b) Councillor Sutherland noted the \$80,000.00 grant for cycling infrastructure and thanked Council for supporting the "share the road" initiative.

c) Mayor Vandewal announced that the Land O' Lakes Tourist Association will be ceasing operations after 70 years and that the Ontario East Municipal Conference for 2018 will be held in Cornwall.

16. Question of Clarity (from the public on outcome of agenda items)
- a) Evonn Potts questioned the notice of motion to request the MNRF attend a Council meeting for clarification on the benefit permit for Johnston Point and what area of the ministry would be responding

Mayor Vandewal comments that Council is seeking clarification on the end result and how they got to it. He felt the Ministry of Natural Resources and Forestry would stop the development if conditions were not being met.

- b) Meela Melnik-Proud felt the Ministry is failing and getting approvals wrong. It is disconcerting as the public believes that South Frontenac is making decision on behalf of the County.

17. Closed Session - n/a

18. Confirmatory By-law

- a) By-law 2017-77

Resolution No. 2017-38-27  
Moved by Councillor Schjerning  
Seconded by Councillor McDougall

THAT By-law 2017-77, 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 5 day of December 2017.

Carried

Resolution No. 2017-38-28  
Moved by Councillor Schjerning  
Seconded by Councillor McDougall

THAT By-law 2017-77, being a by-law to confirm generally previous actions of the Council of the Township of South Frontenac be given third reading, signed and sealed this 5 day of December 2017.

Carried

19. Adjournment

- a) Resolution

Resolution No. 2017-38-29  
Moved by Councillor McDougall  
Seconded by Councillor Schjerning

THAT the Council meeting of December 5, 2017 be adjourned at 8:25 p.m.

Carried

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Ron Vandewal, Mayor

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Wayne Orr, Chief Administrative Officer