

Minutes of Council

April, 17, 2018

Time: 7:00 PM

Location: Council Chambers



Meeting # 11

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

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

1. Call to Order

a) Resolution

Resolution No. 2018-11-01

Moved by Councillor Revill

Seconded by Councillor Sutherland

THAT the Council meeting of April 17, 2018 be called to order at 7:00 p.m.

Carried

2. Declaration of pecuniary interest and the general nature thereof

a) Councillor Sutherland declared a pecuniary interest with respect to Agenda Item 10 (b) concerning community grants.

3. Approval of Agenda

a) Resolution

Resolution No. 2018-11-02

Moved by Councillor Sutherland

Seconded by Councillor Revill

THAT Council approves the agenda as presented.

Carried

4. Scheduled Closed Session - n/a

5. Recess - n/a

6. Public Meeting

a) Resolution

Resolution No. 2018-11-03

Moved by Councillor Revill

Seconded by Councillor Sutherland

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

- Proposed Zoning Amendment - Concession VII, Part of Lot 33, Storrington
- Proposed Zoning Amendment Concession VI, Part of Lot 4, Loughborough

Carried

b) Proposed Zoning Amendment for Single Detached Dwelling at Collins Lake: Concession VII, Part of Lot 33, Storrington: Corcoran

Lindsay Mills explained that the purpose of the application is to permit a single detached dwelling to be constructed that exceeds the maximum permitted lot coverage. The subject land is a waterfront lot on Collins Lake and is 1.2 acres in size and with 150 feet of waterfrontage. The existing zoning on this property is wrongly placed, as the property fronts on a fully maintained public road, the land should be zoned Waterfront Residential (RW). The shoreline of this area of Collins Lake is designated Environmental Protection and is identified as a provincially significant wetland. He noted the correspondence received from the CRCA that advised that the flood plain does not extend inland beyond the low bank at the shoreline and that the wetland and PSW designations are only confined to the shallow portion of the lake. They support the establishment of a minimum 30 metre setback from the water body subject to this being specified through a zoning amendment. He further explained that the zoning by-law requires that the principal building have a maximum lot coverage of only five percent. However the applicant is proposing to construct a principal dwelling with an attached garage that would have a footprint of 3080 square. The maximum permitted lot coverage (at 5%) is only 2641 square feet, 439 over the permitted coverage. A site plan will be required, and the new septic system and house will be further back from the water. He felt there was no need for an Environmental Impact Assessment as the Conservation Authority's initial comments were based on the property being vacant land and therefore didn't require the EIA.

Councillor Sutherland felt the proposal was good and an improvement however he noted that the Official Plan Sections 5.2.5 and 5.2.11 requiring an environmental impact study on lands within 120 metres of a provincially significant wetland. He felt this was relatively straightforward and inexpensive process and not optional. He recognized that while the applicant is hoping to replace a small cottage and moving it back, the new structure is substantially larger and an environmental impact assessment should be done.

Councillor Sleeth was familiar with the property and felt the proposal was a significant improvement. He felt the environmentally sensitive area was not on this property and therefore should not be required. The Conservation Authority is the body that would require the EIA and if they are supportive of not having one; why would Council require it to be done.

Councillor Schjerning questioned the requirement for the environmental impact assessment and how to proceed.

Lindsay Mills noted that the Planning Department defers the decision for an EIA to be done to the Conservation Authority, however he acknowledged that it would be up to Council to make this decision.

Councillor McDougall inquired about the distance from the provincially significant wetland. Mr. Mills noted that from the shoreline back there is a 120 metre buffer area.

Councillor Revill asked about the requirements of a preliminary environmental impact assessment.

Mayor Vandewal asked if the conservation authority had done a site visit as this would have provided clarity about the environmental assessment.

Helen Corcoran, the applicant, advised Council that an EIA had been done last week and should have been received by the Conservation Authority at this time.

There were no comments from the public.

- c) Proposed Zoning Amendment for Two Residential Lots in Concession VI, Part

of Lot 4, Loughborough: Morgan

Mr. Mills explained that the purpose of this application is to permit a proposed new residential lot and a retained lot to be created at a reduced lots size and road frontage in the village of Sydenham. The new lot would be 1.1 acres in size and would have 210 feet of frontage on Bedford Road with the retained lot having the same dimensions. The land technically has waterfrontage considering that it borders a remnant waterbody formed by the man-made berm for the rail line. As part of the consent process to create the new lot, the buildings are to be removed and a road widening taken to help accommodate the current improvements being done to Bedford road. Both lots would also be serviced by the municipal water system. From a planning perspective there are no concerns, there were no public comments received or any objections. A development agreement will be required.

Councillor Schjerning questioned the jog in the property line and if the pole can now be moved further back.

Mark Segsworth, Public Works Manager, indicated that he has talked to the owner and all will fit within the existing alignment of the rest of the poles.

There were no comments from the public.

d) Resolution

Resolution No. 2018-11-04

Moved by Councillor Sutherland

Seconded by Councillor Revill

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

Carried

7. Delegations

a) Gord Mitchell, Public Health Inspector, KFLA Health Unit, re: Part 8 of the Ontario Building Code

Gord Mitchell reviewed the role of the KFLA Public Health team as the principal authority for Part 8 of the Ontario Building Code. His presentation included specific statistics for South Frontenac that included 117 permits for new sewage systems, 40 reviews of existing systems and 12 tank only replacements. Also provided were reviews and comments on 28 severances, 13 minor variances and a zoning by-law amendment. He commended South Frontenac for requiring health unit review of applications as this is not necessarily the practice of other municipalities. Mr. Mitchell circulated copies of "SepticSmart!" and the flowchart of "when to circulate to KFL&A Public Health for minor variances and zoning by-law amendments" and answered Council's questions about septic systems and mandatory inspections.

b) Andrew Girourard, Manager, Environmental Health Team, re: Public Health Inspectors - What do they inspect?

Mr. Girourard provided an update to Council on the environmental health program standards that include food safety, safe water, healthy environments, infectious and communicable disease prevention and control. Statistical information related to South Frontenac was reviewed.

Mayor Vandewal spoke to concerns from residents regarding challenges with completing applications and not having clarity on expectations as it is perceived that the rules change.

Mr. Girourard noted that some rules have changed based on new provincial

regulations and acknowledged that there is some inconsistency in enforcement and this is a challenge they are working through.

Mayor Vandewal thanked both Mr. Mitchell and Mr. Girourardin for attending and providing informative presentations.

c) Annual Update - Waste Disposal Sites - Presented by Cambium

Stephanie Reeder spoke to the PowerPoint presentation included in the agenda package that provided an outline of the status of the active and closed waste disposal sites. Overall there is 20.3 years capacity left in township sites which does not include any site expansion considerations or a change to managing waste from Storrington District within South Frontenac.

Mayor Vandewal thanked her for the presentation and the good working relationship that exists with Cambium and the Ministry of the Environment and Climate Change.

8. Approval of Minutes

a) April 3, 2018 Council Meeting

b) April 10, 2018 Committee of the Whole Meeting

Resolution No. 2018-11-05

Moved by Councillor Sleeth

Seconded by Councillor Barbeau

THAT Council approves the minutes of the April 3, 2018 Council meeting and the April 10, 2018 Committee of the Whole meeting.

Carried

9. Business Arising from the Minutes

a) Delegated Authority (Lame Duck period)

See By-law 2018-23

b) Notice of Motion - Speed Limit of OPP Officers responding to calls

Resolution No. 2018-11-06

Moved by Councillor Sleeth

Seconded by Councillor Barbeau

THAT Council request the OPP Detachment Commander to appear before Council to answer questions about the speed at which officers drive while responding to calls within the Township and discuss solutions to problems raised.

Carried

c) Assessment Review Board Changes

See By-law 2018-24

d) Source Water Protection - Risk Management Services

Resolution No. 2018-11-07

Moved by Councillor Sleeth

Seconded by Councillor Barbeau

THAT Council receives for information the Planning Report dated March 27, 2018 regarding the selection of the firm 'Cambium Inc.' to undertake risk management services for the Township for the years 2018, 2019 and 2020.

And that South Frontenac acknowledges the \$3,408.00 per year for the next three years for this service.

Carried

10. Reports Requiring Action

a) Road Closing Request from Peck and Frontenac Park

Council directed staff to proceed with the road closing request noting that there would not be a need to advertise.

b) 2018 Community Grants

Councillor Sutherland left the table and did not participate in the approval of the motion.

Resolution No. 2018-11-08

Moved by Councillor Sleeth

Seconded by Councillor Barbeau

THAT Council receive the listing of Community Grants awarded for information and further;

AND THAT Council support the recommendation of the Corporate Services Committee to carry forward any unallocated community grant budget to the next year to be added to the base allocation.

Carried

c) PW-RFQ1-2018- Request for Quote, Equipment & Materials

Mark Segsworth reported that some local firms had missed submitting prices. There will be a need to do business with vendors of record who did not submit prices on services.

Resolution No. 2018-11-09

Moved by Deputy Mayor Barr

Seconded by Councillor Roberts

THAT Council authorized the purchase of materials and culverts, the contracting of trades and the rental of equipment within set budgets as per the attachments to the 2018 Request for Quotes, Equipment and materials report dated April 17, 2018.

Carried

d) Compliance Audit Committee Appointment

Resolution No. 2018-11-10

Moved by Deputy Mayor Barr

Seconded by Councillor Roberts

THAT Council appoint Pat Player as the South Frontenac representative on the 2018-2022 Compliance Audit Committee and that she be compensated on a per meeting basis at the same rate as other volunteer committee members.

AND THAT the CAO, or in his absence the Deputy Clerk, shall be a non-voting member of the committee and shall serve to support the committee in carrying out its functions as they relate to applications in South Frontenac.

Carried

11. Committee Meeting Minutes

a) Portland District and Area Heritage Society meeting held April 4, 2018

Councillor Sutherland questioned the status of the Desert Lake causeway.

- b) Corporate Services Committee meeting held February 13, 2018
- c) Public Services Committee meeting held March 23, 2018.

Resolution No. 2018-11-11

Moved by Deputy Mayor Barr

Seconded by Councillor Roberts

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

- Portland District and Area Heritage society meeting held April 4, 2018
- Corporate Services Committee meeting held February 13, 2018
- Public Services Committee meeting held March 23, 2018

Carried

12. By-laws

- a) By-law 2018-22 - Road Closing

Resolution No. 2018-11-12

Moved by Councillor Roberts

Seconded by Deputy Mayor Barr

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

- By-law 2018-22
- By-law 2018-23
- By-law 2018-24
- By-law 2018-25

Carried

Resolution No. 2018-11-13

Moved by Councillor Roberts

Seconded by Deputy Mayor Barr

THAT By-law 2018-22, being a by-law to stop-up, close and sell a portion of an unopened road allowance lying between Concession IX and X, in Part of Lot 20, Storrington District, be given third reading signed and sealed this 17 day of April 2018.

Carried

- b) By-law 2018-23 - Delegated Authority to CAO

Resolution No. 2018-11-14

Moved by Deputy Mayor Barr

Seconded by Councillor Roberts

THAT By-law 2018-23, being a by-law to delegate authority to the Chief Administrative Officer, be given third reading, signed and sealed.

Carried

- c) By-law 2018-24 - Delegate Authority for ARB Appeals

Resolution No. 2018-11-15

Moved by Deputy Mayor Barr

Seconded by Councillor Roberts

THAT By-law 2018-24, being a by-law to designate to the Treasurer, or designate, the power to act on behalf of the Township at settlement meetings and hearings for Assessment Review Board appeals, be given third reading, signed and sealed.

Carried

d) By-law 2018-25 - Tax Levy

Resolution No. 2018-11-16

Moved by Councillor Schjerning

Seconded by Councillor McDougall

THAT By-law 2018-25, being a by-law to levy taxes in the Township of South Frontenac for the year 2018 be given third reading, signed and sealed.

Carried

13. Reports for Information

a) South Frontenac Committees - Compensation

b) Tender # PW-2018-09 - New Tire & Repair Program

c) Tender # PW-2018-11 - Gravel Supply Program

d) Accounts Payable and Payroll Listing

14. Information Items

a) Letter to Minister of Natural Resources and Forestry, re: Johnston Point Benefit Agreement

b) Ernie Hardeman, MPP Oxford, re: Private Members Bill - Authority over Landfill Sites

c) Around the Rideau - March/April 2018 Edition

d) Councillor Schjerning and Councillor Sutherland, re: Main Street Improvement Funding Proposals

e) 2017 Annual Report - Hazardous Waste Facility

15. Notice of Motions - n/a

16. Announcements/Statements by Councillors

17. Question of Clarity (from the public on outcome of agenda items) - n/a

18. Closed Session -n/a

19. Confirmatory By-law

a) By-law 2018-26

Resolution No. 2018-11-17

Moved by Councillor Schjerning

Seconded by Councillor McDougall

THAT By-law 2018-26, 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 17 day of April 2018.

Carried

Resolution No. 2018-11-18

Moved by Councillor Schjerning

Seconded by Councillor McDougall

THAT By-law 2018-26, 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 17 day of April, 2018.

Carried

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20. Adjournment

a) Resolution

Resolution No. 2018-11-19

Moved by Councillor McDougall

Seconded by Councillor Schjerning

THAT the Council meeting of April 17, 2018 be adjourned at 9:30 p.m.

Carried

Ron Vandewal, Mayor

Wayne Orr, Chief Administrative Officer