

Minutes of Council
June, 18, 2019

Time: 6:00 PM

Location: Council Chambers



Meeting # 18

Present: Mayor Ron Vandewal, Pat Barr, Ray Leonard, Doug Morey, Alan Revill, Norm Roberts, Ron Sleeth, Ross Sutherland

Staff: Wayne Orr, Chief Administrative Officer, Angela Maddocks, Clerk, Mark Segsworth, Director of Public Services, Louise Fragnito, Director of Corporate Services and Treasurer, Claire Dodds, Director of Development Services, Tim Laprade, Arena and Recreation Supervisor, Darcy Knott, Fire Chief, Emily Caird, Executive Assistant (for the Volunteer Recognition portion)

1. Volunteer Recognition Award Presentations
 - a) Volunteer award recipients and their invited guest met for light refreshments prior to the actual awards presentation at 6:40 pm. Recipients for the year 2018 are Alvin Wood and Rhonda Storing.
2. Call to Order (regular meeting at 7:00 pm)
 - a) Resolution

Resolution No. 2019-18-01

Moved by Councillor Revill

Seconded by Deputy Mayor Sleeth

That the Council meeting of June 18, 2019 be called to order at 7:00 p.m.

Carried

3. Approval of Agenda
 - a) Resolution

Resolution No. 2019-18-02

Moved by Deputy Mayor Sleeth

Seconded by Councillor Revill

That the agenda be adopted as presented.

Carried

4. Declaration of pecuniary interest and the general nature thereof
 - a) Councillor Leonard declared a pecuniary interest with respect to Agenda Item 14 (a), the Accounts Payable and Payroll Listing.
 - b) Mayor Vandewal declared a pecuniary interest with respect to Agenda Item 11(i), Council Compensation amendment.
5. Scheduled Closed Session (later in the agenda)
6. ***Recess*** - n/a
7. Delegations - n/a
8. Public Meeting

a) Resolution

Resolution No. 2019-18-03

Moved by Councillor Revill

Seconded by Deputy Mayor Sleeth

That a public meeting be held to provide for discussion and input on planning matters related to:

- Rezoning of Concession 8, Part Lot 11, Part 5 RP13R-15931, District of Loughborough, municipally known as Eel Bay Road (S. Clark Homes Ltd)
Carried

b) Rezoning of Concession 8, Part Lot 11, Loughborough (Eel Bay Road) - Z-19-08 - S.Clark

Trudy Gravel reviewed the details for the rezoning of property in Concession 8, Part Lot 11, Loughborough District. The subject property has been operating as a resort commercial use with three rental cottages and a boat launch for many years. The lot is long and narrow and is elevated to the north and slopes southerly towards an existing marshland area which is identified as a Provincially Significant Wetland. It is located on the waterside of the intersection of Eel Bay Road and Charlie Green Road. The existing three cottages, which were very close to the top of bank and close to the high water mark, have been removed as well as the toilets and shower house. The septic tank will be removed in order to accommodate for a new septic system which has been approved by KFL&A Public Health Unit. The proposal also includes the removal and disposal of three derelict docks from the property. A new dock will be constructed from the walkway extending from the proposed house with a smaller dock to be constructed to the south where an existing gravel driveway is located. The current owner has been undertaking shoreline works including installing retaining walls on the property. This work has been undertaken with a permit from the Cataraqui Region Conservation Authority.

As the subject property is located within 120m of a provincially significant wetland, and a small portion of the subject property has been identified as including lands identified as Provincially Significant Wetland, an Environmental Impact Assessment was required to be prepared to evaluate the impact of the re-development proposal on the features and function of the wetland. In support of the rezoning application and the site plan application SP-03-19-L two Environmental Impact Assessments were prepared by Reginald Genge dated February 8, 2019 and April 29, 2019. This property is subject to site plan control because of its proximity to a Provincially Significant Wetland and the site plan application is being processed concurrently with the rezoning application. The recommendations of the EIA's and the requirements of the Cataraqui Region Conservation Authority will be captured as conditions in the Site Plan Control Agreement for the development of the property. The property is designated as Rural in the Township Official Plan. Policies of the Rural designation speak to permitting development that is consistent with maintaining the Township's rural, natural heritage, and cultural landscape. Policies in the Environmental Sensitive Areas Section 5.2.7 (b)(ii)(3) Policies for Development and Site Alterations Adjacent to Lakes and Rivers indicates that a reduction from a setback may only be considered if it is not physically possible or environmentally desirable to meet the 30 metre setback requirement and that there will be no negative impacts to fish habitat or water quality. This portion of Sydenham Lake has been classified as provincially significant wetland (PSW) by the Ontario Ministry of Natural Resources and Forestry. Section 5.2.11 of the Official Plan indicates that an Environmental Impact Assessment will be required when considering any development or site alteration, including any planning amendments or variances within or adjacent to a Provincial Significant Wetland. Two Environmental Impact Assessments were submitted in support of the proposed development states that the redevelopment of the site with the proposed setback distances will not have an environmental impact on the

water quality of Eel Bay, the adjacent waterfront or the provincially significant wetland.

The property will be rezoned from the Special Recreational Resort Commercial (RRC-26) Zone to the Special Waterfront Residential (RW-44) Zone. The RW-44 Zone requires a minimum 10 metre setback for the shed and 23.7 metres for the single detached dwelling unit from the highwater mark or floodline of the waterbody (Sydenham Lake). The RW-44 Zone requires the minimum permitted setback to the front lot line of 11.95 metres for the detached garage. The setback to the highwater mark to Sydenham Lake will be reduced to 23.7 metres for the single detached dwelling unit and 10 metres for the shed from the required 30 metres. The detached garage will be increasing in height from the required 6 metres (19 ft.) to 8.84 metres (29 ft.).

As the subject property is a waterfront lot that fronts onto a publicly maintained road, the application of the zoning by-law definitions makes the lot line adjacent to Eel Bay Road the front lot line. Accessory structures, such as garages and shed are permitted in the interior side yard and the rear yard. For the subject property that would normally mean that the garage and shed would be required to be placed between the dwelling and the water.

The KFL&A Public Health Unit have approved a septic system to be accommodated at this location. Staff at the CRCA have indicated that they do not have any objections to the rezoning application based on their consideration for natural hazards, natural heritage and water quality and quantity protection policies. Staff recommend that the EIA recommendations be included as a condition of approval in the Site Plan Control Agreement.

Comments were received from KFL&A Public Health dated June 10, 2019 indicating that they have no objections to the zoning by-law amendment. Permit LO-7-19 has been issued for the sewage system.

Councillor Sutherland felt this was a positive step for this lot as the previous impact on the lake had been a concern to him. He questioned the rationale for permitting two docks as he felt this encourages more traffic in the wetland area. He felt this was the opportunity to affect change with respect to the number of docks.

Trudy Gravel noted that currently three docks exist and that they could be reconstructed under the existing zoning of RRC.

Mayor Vandewal inquired about the total lot coverage and Ms. Gravel indicated that this has been reviewed under the zoning.

David Plumpton, 1958 Little Long Lake Rd, stated that he was highly in support of the rezoning of this property as it would cut down on the noise and rowdiness that existed previously.

Simon Clark, the applicant, noted that his rationale for the second dock was the difficulty in backing his boat into the dock. He indicated that he will keep the dock away from the swampy area. A floating dock is proposed as it is shallow water and the dock could be removed in spring during the spawning season. Mr. Clark noted that there has always been a dock there but it has not been maintained.

c) Resolution

Resolution No. 2019-18-04

Moved by Deputy Mayor Sleeth

Seconded by Councillor Revill

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

Carried

9. Approval of Minutes

Minutes of Council
June, 18, 2019

a) June 4, 2019 Council Meeting

Resolution No. 2019-18-05
Moved by Councillor Revill
Seconded by Deputy Mayor Sleeth
That the minutes of the June 4, 2019 Council meeting be approved.

Carried

b) June 11, 2019 Committee of the Whole Meeting

Resolution No. 2019-18-06
Moved by Deputy Mayor Sleeth
Seconded by Councillor Revill
That the minutes of the June 11, 2019 Committee of the Whole meeting be approved.

Carried

10. Business Arising from the Minutes

a) Notice of Motion - Sound Levels

Staff were asked to bring back a report to consider options for kennels to be exempted from the noise and animal control by-laws so long as they are properly placed and licensed with the township. A report will be presented at the next Development Services Committee meeting.

Resolution No. 2019-18-07
Moved by Deputy Mayor Sleeth
Seconded by Councillor Revill
That Staff be directed to engage professional services to determine the noise levels heard at the Snider property.

Defeated

b) Notice of Motion - Support for a OGRA ROMA Combined Conference

Resolution No. 2019-18-08
Moved by Deputy Mayor Sleeth
Seconded by Councillor Morey
That Council endorse the resolution passed by Petrolia Town Council regarding the re-establishment of an annual combined conference of the Ontario Good Roads Association (OGRA) and Rural Ontario Municipal Association (ROMA) and that a letter is sent to the ROMA Board of Directors and OGRA Board of Directors supporting the combined conference in the future.

Carried

11. Reports Requiring Action

a) Asset Management Policy

Resolution No. 2019-18-09
Moved by Deputy Mayor Sleeth
Seconded by Councillor Morey
That Council adopt the Strategic Asset Management Policy.

Carried

b) Bank Signing Authority

See By-law 2019-39

c) Credit Card Policy

Resolution No. 2019-18-10

Moved by Deputy Mayor Sleth

Seconded by Councillor Morey

That Council approve the Credit Card Use Policy and authorize the Director of Corporate Services & Treasurer to implement the changes.

Carried

d) South Frontenac Fire & Rescue - Tanker RFP

Resolution No. 2019-18-11

Moved by Deputy Mayor Sleeth

Seconded by Councillor Morey

That Council authorize the purchase of a replacement Tanker Apparatus for \$391,844.18

And that a further \$16,844.18 be released from the Equipment Reserve for Fire.

Carried

e) McCall Temporary Two Dwellings on One Lot Agreement

Resolution No. 2019-18-12

Moved by Deputy Mayor Sleeth

Seconded by Councillor Morey

That Council authorize the Mayor and Clerk to enter into the Temporary Two Dwelling Agreement with Michael John and Maddalena McCall which will allow them to live temporarily in their existing house during the construction of a new dwelling on the same lot.

Carried

f) Roads Requiring Permanent Repair

Resolution No. 2019-18-13

Moved by Councillor Sutherland

Seconded by Councillor Barr

That permanent repairs to various road sections be undertaken in the amount of \$500,000 to be funded from savings in the Petworth Culvert project, from the approved carryover of Carrying Place Road and approximately \$100,000 from the Devils Saddle Culvert project;

And that the Murvale Boundary Road reconstruction originally scheduled for 2021 be accelerated to 2019 with funding in the amount of \$576,916 allocated from the 2019 Federal Gas Tax Top up.

And that the 2021 amount budgeted for road construction be initially reduced by \$576,916 with notation that the Murvale reconstruction project was accelerated to 2019 and paid for from the Federal Gas Tax Top up.

Carried

g) Recreation Committee Restructuring

Councillor Roberts proposed an amendment to the original motion to provide for a trial period with the new committee structure.

Resolution No. 2019-18-14

Moved by Councillor Roberts

Seconded by Deputy Mayor Sleeth

Amendment:

That the new committee structures be reviewed by September 30, 2020.

Carried

Resolution No. 2019-18-15

Moved by Councillor Sutherland

Seconded by Councillor Barr

That Council strike a "Recreation and Leisure Facilities Committee" and a "Community Programming & Events Committee"

And that this structure be put in place for a trial period of 12 months from the date of committee appointments

And that staff be directed to actively advertise for committee appointments to these committees with a deadline of July 19th.

Carried (as amended)

h) Operational Plan for Drinking Water

Resolution No. 2019-18-16

Moved by Councillor Barr

Seconded by Councillor Sutherland

That the Council for the Township of South Frontenac receive the Operational Plan for the Sydenham Drinking Water System revised April 16, 2019 and authorize the Mayor and CAO to sign the endorsement of the plan.

Carried

i) Council Compensation - Amendment

Resolution No. 2019-18-17

Moved by Councillor Sutherland

Seconded by Councillor Barr

That Council amend the Council Compensation framework, effective January 1, 2019, to provide full day meeting compensation for the Mayor at the existing rate of \$150.00 per day.

Carried

12. Committee Meeting Minutes

a) Corporate Services Committee meeting held April 30, 2019

b) Harrowsmith Beautification Committee meeting held May 1, 2019

c) Heritage Committee meeting of May 2, 2019

Resolution No. 2019-18-18

Moved by Councillor Barr

Seconded by Councillor Sutherland

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

- Corporate Services Committee meeting held April 30, 2019
- Harrowsmith Beautification Committee meeting held May 1, 2019.
- Heritage Committee meeting held May 2, 2019

Carried

13. By-laws

a) By-law 2019-39 - Bank Signing Authority

Resolution No. 2019-18-19

Moved by Councillor Barr

Seconded by Councillor Sutherland

That the following By-laws be given first and second reading:

- By-law 2019-39
- By-law 2019-40

Carried

Resolution No. 2019-18-20

Moved by Councillor Barr

Seconded by Councillor Sutherland

That By-law 2019-39, being a by-law to provide for the appointment of banking signing authorities, be given third reading, signed and sealed.

Carried

- b) By-law 2019-40 -McCall Temporary Two Dwellings on One Lot

Resolution No. 2019-18-21

Moved by Councillor Barr

Seconded by Councillor Sutherland

That By-law 2019-40, being a by-law to authorize the Mayor and the Clerk to execute a temporary two dwelling agreement between the Corporation of the Township of South Frontenac and McCall, be given third reading, signed and sealed.

Carried

14. Reports for Information

- a) Accounts Payable and Payroll Listing

- b) Valleyview Estates Subdivision Agreement - Response to May 21, 2019 Delegation

15. Information Items

- a) Honourable Steve Clark, Minister of Municipal Affairs & Housing, re: Bill 108 - More Homes, More Choices and Development Charges Transition

16. Notice of Motions - not applicable

17. Announcements/Statements by Councillors

- a) Councillor Roberts requested that certificates of appreciation be presented to the District Recreation Committee members for the work they've done over the past 20 years to improve recreation programming and facilities in the township. Council was supportive of this request and directed staff to process.

- b) Further to the volunteer recognition celebration, Mayor Vandewal indicated that a staff report will be forthcoming with respect to changes to the volunteer recognition process for next year.

- c) Deputy Mayor Sleeth provided an update on a recent meeting he attended with the staff from CRCA, Queens' University and Carleton University regarding the water quality along the Rideau Canal. He indicated it has been very informative with lots of qualified researchers on hand. There is already evidence of the algae bloom at Gilmour Point.

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

19. Closed Session

- a) As permitted by the Municipal Act, Section 239.2, Council will move into closed session to discuss matters related to:

(b)personal matters about an identifiable individual, including municipal or local

board employees;
(c) a proposed or pending acquisition or disposition of land by the municipality or local board;

Resolution No. 2019-18-22

Moved by Councillor Leonard

Seconded by Councillor Roberts

That Council move into closed session as permitted by the Municipal Act, Section 239.2 to discuss matters related to:

- Personal matters about an identifiable individual, including municipal or local board employees,
- A proposed or pending acquisition or disposition of land by the municipality or local board; vesting of a failed tax sale property.

Carried

b) Personal matters about an identifiable individual

c) Vesting of a failed Tax Sale Property

d) Resolution

Resolution No. 2019-18-23

Moved by Councillor Roberts

Seconded by Councillor Leonard

That Council move out of closed session.

Carried

20. Confirmatory By-law

a) By-law 2019-41

Resolution No. 2019-18-24

Moved by Councillor Roberts

Seconded by Councillor Leonard

That By-law 2019-41, being a by-law to approve generally the previous actions of the Council of the Township of South Frontenac, be given first and second reading this 18 day of June 2019.

Carried

Resolution No. 2019-18-25

Moved by Councillor Leonard

Seconded by Councillor Roberts

That By-law 2019-41, 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 18 day of June, 2019.

Carried

21. Adjournment

a) Resolution

Resolution No. 2019-18-26

Moved by Councillor Roberts

Seconded by Councillor Leonard

That the council meeting of June 18, 2019 be adjourned at 8:15 pm.

Carried

Ron Vandewal, Mayor

Angela Maddocks, Clerk