

Minutes of Council  
October, 6, 2020

Time: 7:00 PM

Location: Electronic Participation/Council Chambers



## Meeting # 23

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

Staff Present: Neil Carbone - Chief Administrative Officer, Angela Maddocks - Clerk, Claire Dodds - Director of Development Services, Christine Woods - Planner, Mark Segsworth - Director of Public Services, Darcy Knott - Director of Fire and Emergency Services

1. Call to Order and Roll Call

a) The Clerk conducted the roll call with those in attendance noted above.

b) **Resolution**

Resolution No. 2020-23-01

Moved by Councillor Morey

Seconded by Councillor Sleeth

That the Council meeting of October 6, 2020 be called to order at 7:07 p.m.

Carried

2. Declaration of pecuniary interest and the general nature thereof

a) There were no declarations.

3. Approval of Agenda

a) **Resolution**

Resolution No. 2020-23-02

Moved by Councillor Ruttan

Seconded by Councillor Revill

That the agenda for the October 6, 2020 Council meeting be approved as presented.

Carried

4. Scheduled Closed Session - not applicable

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

6. Public Meeting

a) **Resolution - Open Public Meeting**

Resolution No. 2020-23-03

Moved by Councillor Leonard

Seconded by Councillor Roberts

That a public meeting be held to allow for input into the naming of two private lanes and two existing rights-of-way associated with the Shield Shores Plan of Vacant Land Condominium.

Carried

b) **Shield Shores Lane Naming**

Christine Woods, Planner, spoke to the process involved in providing public notice to individuals who own land accessed by the existing rights-of-way related to the draft plan for the Shield Shores Plan of Vacant Land Condominium located east of Battersea along Wellington St. She noted that the owner of the subject land (Barry Campbell) consulted with the landowners of the existing rights-of-way and the proposed names of Shield Shores Lane, Glacier Lane, Birdhaven Lane and Briscoe Bay Lane are acceptable to those landowners.

There were no comments from Council or from members of the public

c) **Resolution - Close Public Meeting**

Resolution No. 2020-23-04

Moved by Deputy Mayor Sutherland

Seconded by Councillor Ruttan

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

Carried

7. Rise and Report (from Special Committee of the Whole meeting)

a) Johnston Point Plan of Condominium - Environmental Benefit Permit

Resolution No. 2020-23-05

Moved by Councillor Sleeth

Seconded by Councillor Leonard

That Council confirms that they were given the opportunity to review in closed session, the un-redacted Environmental Benefit Permit pertaining to the Johnston Point Plan of Condominium.

Carried

8. Delegations

a) Meela Melnik-Proud, re: Johnston Point Plan of Condominium

Ms. Melnik-Proud spoke to her presentation that had been circulated to Council via email just prior to the meeting. She referenced the 8 reasons outlined in her submission that she felt Council should have opportunity to consider prior to making a decision.

A copy of this will be included in the October 20, 2020 Council Agenda as an information item.

b) Matt Rennie, re: Johnston Point Plan of Condominium

Mr. Rennie acknowledged that Council was able to look at the unredacted version of the Benefit Permit for Johnston Point in closed session. He felt that there had not been enough time for Council to review the document and make a decision further on in the meeting.

While he expressed confidence in the Development Services staff, he felt that Council deserve to be fully informed and have adequate time to process. He

questioned the access to the "unredacted" version of the benefit permit to potential purchasers as well as township staff when elected officials are unable to see the document. He stated that it is Council's job to approve the agreement but that they should have had all the information. He urged Council to resist the pressure of approving the agreement and to allow themselves more time to receive more information on this implications this development will have on species at risk. Mr. Rennie spoke directly to line 56 of the formal order issued in 2016 with respect to difficulty in implementing any of the conditions the the draft plan that the board can be spoken to directly and he felt this was a reason to do so. He felt that incorporating the Environmental Benefit into the draft plan was cause for Council to do so. He referenced the statement from Gordon Miller, the Environmental Commissioner for Ontario and the collective impacts of species at risk due to this type of development. This peninsula of Loughborough Lake is a unique piece of natural heritage land that should be protected from development and he felt the OMB requirement cannot be satisfied in its present status.

9. Approval of Minutes

a) **September 15, 2020 Council Minutes**

Resolution No. 2020-23-06

Moved by Councillor Revill

Seconded by Councillor Roberts

That the minutes of the September 15, 2020 Council meeting be approved.

Carried

10. Business Arising from the Minutes - not applicable

11. Reports Requiring Action

a) **RC-20-01 - Road Closing Application - Conc 9 & 10, Lot 20 - Christel Lane**

Resolution No. 2020-23-07

Moved by Councillor Leonard

Seconded by Deputy Mayor Sutherland

That as outlined in Schedule 1 of Notice By-law 2016-73 staff be directed to proceed with the public notice requirements to stop up, close and transfer ownership of a 1,356 square metre (14,595 square foot) portion of unopened road allowance between Concessions 9 & 10, Part Lot 20, District of Storrington, to enlarge adjacent lands owned by 2290998 Ontario Inc

Carried

b) **Site Plan Control Agreement - 3898 Greenfield Road - Wright**

See By-law 2020-49

c) **Zoning By-law Amendment - Z-20-08 - 316 Koen Road - Clayton Potts**

See By-law 2020-50

d) **Site Plan Control Application - SP-05-20-L - Concession 6 Part of Lot 25 - Loughborough (Potts)**

See By-law 2020-51

e) **Site Plan Control Application SP-07-20-B - Con 12, Part Lot 1, 10 Barrett Lane**

See By-law 2020-52

f) **Johnston Point Condominium Agreement**

See By-law 2020-53

g) **New Burning By-law**

See By-law 2020-54

h) **WTC Tower Site Agreement**

See By-law 2020-55 also.

Resolution No. 2020-23-08

Moved by Deputy Mayor Sutherland

Seconded by Councillor Morey

That Council direct the Chief Administrative Officer to provide the Westport Telephone Company Limited (WTC) with written concurrence for the construction of a 140 foot communications tower at the Perth Road Fire Hall.

Carried

i) **Non-Union Employment Policies**

Resolution No. 2020-23-09

Moved by Councillor Morey

Seconded by Councillor Sleeth

That Council approve the consolidated Non-Union Employment Policies as attached as Schedule A to the the Chief Administrative Officers report dated October 6, 2020.

Carried

12. **Committee Meeting Minutes**

a) Bellrock Community Hall Committee Meeting held August 20, 2020.

b) Public Services Committee Meeting of August 26, 2020

c) Harrowsmith Beautification Committee Meeting held August 31, 2020

Resolution No. 2020-23-10

Moved by Councillor Leonard

Seconded by Councillor Roberts

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

- Public Services Committee meeting of August 26, 2020
- Bellrock Community Hall Committee meeting of August 20, 2020
- Harrowsmith Beautification Committee meeting held August 31, 2020

Carried

13. **By-laws**

a) **By-law 2020-49 - Site Plan Control - 3898 Greenfield Road - Wright**

Resolution No. 2020-23-11

Moved by Councillor Ruttan

Seconded by Councillor Revill

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

- By-law 2020-49
- By-law 2020-50

- By-law 2020-51
- By-law 2020-52
- By-law 2020-53
- By-law 2020-54
- By-law 2020-55

Carried

Resolution No. 2020-23-12  
Moved by Councillor Roberts  
Seconded by Councillor Sleeth

That By-law 2020-49, 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 Denise and Bruce Wright, be given third reading, signed and sealed.

Carried

- b) **By-law 2020-50** - Rezone - Concession 6, Part of Lot 25, 316 Koen Road (Potts)

Resolution No. 2020-23-13  
Moved by Deputy Mayor Sutherland  
Seconded by Councillor Ruttan

That By-law 2020-50, being a by-law to amend By-law 2003-75, as amended, to rezone land from Limited Service Residential – Waterfront to Waterfront Residential – Special Exception (RW-47) on lands described as 316 Koen Road, Part of Lot 25, Concession 6, District of Loughborough, be given third reading, signed and sealed.

Carried

- c) **By-law 2020-51** - Site Plan Agreement - Conc 6 Part of Lot 25 - 316 Koen Road - Potts

Resolution No. 2020-23-14  
Moved by Councillor Ruttan  
Seconded by Councillor Sleeth

That By-law 2020-51, 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 Clayton and Margaret Potts, be given third reading, signed and sealed.

Carried

- d) **By-law 2020-52** - Site Plan Control - 10 Barrett Lane - Bumstead/Kratzer

Resolution No. 2020-23-15  
Moved by Councillor Roberts  
Seconded by Councillor Leonard

That By-law 2020-52, 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 Jeffrey Bumstead and Mary Kratzer, be given third reading, signed and sealed.

Carried

- e) **By-law 2020-53** - Johnston Point Condominium Agreement

Resolution No. 2020-23-16  
Moved by Councillor Sleeth  
Seconded by Councillor Morey

That By-law 2020-53, being a by-law to authorize the Mayor and the Clerk to execute a condominium agreement between the Corporation of the Township of South Frontenac and Magenta Waterfront Development Corporation and 1324789 Ontario Inc for Development at Johnston Point, be given third reading, signed and sealed.

Resolution No. 2020-23-17

Moved by Deputy Mayor Sutherland

Seconded by Councillor Revill

Amendment

That Schedule E, Clause 32 iii) be modified to read: The private road shall be maintained as a gravel surface only; ~~for clarity, no future hard surface paving shall be permitted without additional environmental impact analysis and approve of the Municipality:~~

- The last portion of this clause be removed in order to ensure the condominium agreement is in conformity with the Environmental Benefit Permit

That Schedule E, Clause 34 a) (xii) be added: Provisions to ensure all vegetation, with the exception of invasive species, shall be retained and maintained in their natural state within 30 metres of the shoreline. Within the 30 metre buffer area, no structures shall be built and the area shall remain in its natural state with respect to soil and vegetation, with the exception of a permitted pathway to the water. Any site disturbance shall be subject to specific direction within Permit PT-C-001-16

That Schedule E, Clause 34 b) (viii) be added: Provisions to ensure all vegetation, with the exception of invasive species, shall be retained and maintained in their natural state within 30 metres of the shoreline. Within the 30 metre buffer area, no structures shall be built and the area shall remain in its natural state with respect to soil and vegetation, with the exception of a permitted pathway to the water. Any site disturbance shall be subject to specific direction within Permit PT-C-001-16.

Carried

Resolution No. 2020-23-18

Moved by Councillor Sleeth

Seconded by Councillor Morey

That By-law 2020-53, being a by-law to authorize the Mayor and the Clerk to execute a condominium agreement between the Corporation of the Township of South Frontenac and Magenta Waterfront Development Corporation and 1324789 Ontario Inc for Development at Johnston Point, be given third reading, signed and sealed, as amended. (See Resolution # 2020-23-17)

Carried

f) **By-law 2020-54 - Regulate Open Air Burning**

Mayor Vandewal requested a recorded vote on the original resolution. (Resolution #2020-23-20). Mayor Vandewal and Councillor Leonard voted against the third reading. Councillors Morey, Revill, Roberts, Ruttan, Sleeth and Deputy Mayor Sutherland voted in favour.

Resolution No. 2020-23-19

Moved by Deputy Mayor Sutherland

Seconded by Councillor Morey

That third reading of this by-law be deferred.

Lost

Resolution No. 2020-23-20

Moved by Councillor Leonard  
Seconded by Councillor Roberts  
That By-law 2020-54, being a by-law to regulate open air burning in the Township of South Frontenac, be given third reading, signed and sealed.

Carried

g) **By-law 2020-55 - Agreement with WTC Communications**

Resolution No. 2020-23-21  
Moved by Councillor Morey  
Seconded by Councillor Sleeth  
That By-law 2020-55, being a by-law to enter into an agreement with WTC Communications, be given third reading, signed and sealed.

Carried

14. Reports for Information

a) **Social Media Usage Policy - HR-022**

15. Information Items - not applicable

16. Notice of Motions - not applicable

17. Announcements/Statements by Councillors - not applicable

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

a) Matt Rennie questioned the legalities of township staff going onsite until both owners of the Johnston Point Plan of Condominium have signed the agreement.

Claire Dodds explained that the second owner will be required to sign before the Mayor and Clerk do so. With regard to the enforcement of the terms of the agreement, the second owner will have to sign the agreement before any action can be taken. The Environmental Benefit Permit is in effect regardless; violations can be referred to the Ministry of the Environment through the the Endangered Species Act.

b) Meela Melnik-Proud asked for clarity on the implications of the Benefit Permit and not being able to specifically talk about the Johnston Point Development. previously when Council had asked for this information. She wondered if these restrictions no longer apply.

Claire Dodds confirmed that it was highly unlikely that they will discuss the permit with a member of the public or township staff, but they do have an enforcement process to follow up on matters. This does not mean that township staff or a member of the public are advised of the outcome of their investigation under the Endangered Species Act.

Ms. Melnik-Proud questioned the access to technical expertise from the Ministry of the Environment and Conservation.

19. Closed Session

a) **Resolution - Move into Closed Session**

Resolution No. 2020-23-22  
Moved by Councillor Leonard  
Seconded by Councillor Roberts

That Council move into closed session as permitted by the Municipal Act, Section 239.2 (b) to discuss personal matter about an identifiable individual related to the recruitment process for a Deputy Chief Building Official.

Carried

b) Municipal Act, Section 239.2 (b) personal matters about an identifiable individual, including municipal or local board employees - Deputy Chief Building Official - Verbal Update

c) **Resolution** - Move out of Closed Session

Resolution No. 2020-23-23  
Moved by Deputy Mayor Sutherland  
Seconded by Councillor Leonard  
That Council move out of closed session.

Carried

20. Confirmatory By-law

a) **By-law 2020-56**

Resolution No. 2020-23-24  
Moved by Councillor Roberts  
Seconded by Councillor Leonard  
That By-law 2020-56, 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 6 day of October, 2020.

Carried

Resolution No. 2020-23-25  
Moved by Councillor Morey  
Seconded by Councillor Ruttan  
That By-law 2020-56, 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 6 day of October 2020.

Carried

21. Adjournment

a) **Resolution**

Resolution No. 2020-23-26  
Moved by Councillor Revill  
Seconded by Councillor Ruttan  
That the Council meeting of October 6, 2020 be adjourned at 8:47 p.m.

Carried

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Ron Vandewal, Mayor

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Angela Maddocks, Clerk