

Minutes of Council
August, 11, 2020

Time: 6:00 PM

Location: Electronic Participation/Council Chambers



Meeting #19

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

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

Staff Present via teleconference: Louise Fragnito - Director of Corporate Services

1. Call to Order & Roll Call
- a) Resolution

The Clerk conducted the roll call as noted in the attendance listed above.

Resolution No. 2020-19-01

Moved by Councillor Leonard

Seconded by Councillor Roberts

That the Council meeting of August 11, 2020 be called to order at 6:02 p.m.

Carried

2. Declaration of pecuniary interest and the general nature thereof
- a) Councillor Leonard declared a pecuniary interest with respect to Agenda Item 13 b) Accounts Payable and Payroll Listing.
3. Approval of Agenda
- a) Resolution

Resolution No. 2020-19-02

Moved by Councillor Revill

Seconded by Councillor Ruttan

That the agenda for the August 11, 2020 Council meeting be adopted as presented.

Carried

4. Scheduled Closed Session
- a) As permitted by the Municipal Act, Section 239.2 (b), Council will move into closed session to discuss personal matters about an identifiable individual, including municipal or local board employees related to the Chief Administrative Officer's performance appraisal and to discuss applications received for the Lake Ecosystem Advisory Committee, (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed,

could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization related to the garbage and recycling contracts and to approve minutes of previous Closed Session meetings.

Resolution No. 2020-19-03

Moved by Deputy Mayor Sutherland

Seconded by Councillor Morey

That Council will move into a Closed Session meeting as permitted by the Municipal Act, Section 239.2 (b) to discuss personal matters about an identifiable individual (s), including municipal or local board employees related to the Chief Administrative Officer's performance appraisal and to review and discuss applications received for the Lake Ecosystem Advisory Committee, (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization related to the garbage and recycling contracts, as well as to approve minutes of previous Closed Session meetings.

Carried

- b) CAO Performance Review Committee - Verbal Update
- c) Lake Ecosystem Advisory Committee Applications
- d) Garbage and Recycling Contracts - Verbal Update
- e) Minutes of previous Closed Session Meetings
- f) Resolution - Move out of Closed Session

Resolution No. 2020-19-06

Moved by Councillor Revill

Seconded by Councillor Ruttan

That Council move out of closed session.

Carried

- 5. ***Recess - reconvene at 7:00 p.m. for Open Session
- 6. Delegations - not applicable
- 7. Public Meeting (7:00 pm)
- a) Resolution and Public Meeting Notice of Decision Requirements

The Clerk provided direction to the public on how to submit comments regarding the rezoning application, requesting a notice of the decision and the process to appeal the decision with the Local Planning Advisory Tribunal (LPAT).

Resolution No. 2020-19-07

Moved by Deputy Mayor Sutherland

Seconded by Councillor Morey

That a public meeting be held to allow for input into an application for rezoning of a property located in Concession 8, Part of Lot 7, 2529 Devil Lake Road (Bedford District) from Rural (RU) to Waterfront Residential - Special Provision (RW-46).

Carried

- b) Z-20-06 - Rezone Concession 8, Part of Lot 7, 2529 Devil Lake Road from

Rural (RU) to Waterfront Residential- Special Provision (RW-46)

Christine Woods, Senior Planner, reviewed the application with Council noting that the subject property was created through consent application S-13-16-B. It is one hectare (2.57 acres) in size, and has frontage on Devil Lake Road and Devil Lake Creek. The subject lands are forested and generally level. There is an existing two-storey garage on the property. The Rural zone permits a single detached dwelling but not a seasonal dwelling. The owners have requested the zoning by-law amendment to permit the construction of a 59 square metre (635.1 square foot) a seasonal dwelling on the subject property. The dwelling would be within the building envelope identified through the 2016 consent process. The amendment is also requested to permit the existing accessory building (garage) between the dwelling and the front lot line. The existing garage is set back 20.7 metres (68 feet) from the front line. This special provision is required because section 5.24.2 of the Zoning By-law requires accessory buildings to be erected to the rear of the projected front wall of the main building. There were no objections received from Cataraqui Conservation or Public Services. Ms. Woods indicated that an adjacent landowner requested further information about the application but at the time of writing her report, no formal comments have been received from the public.

The subject lands are separated from Frontenac Provincial Park by Devil Lake Creek. This section of the park contains a significant area of natural and scientific interest (ANSI). Section 1.5.1 of the PPS suggests that provincial parks should be recognized and that negative impacts on these areas should be minimized. Section 2 states that development and site alteration shall not be permitted on adjacent lands to a significant ANSI unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the ANSI or on its ecological functions. Typically, demonstrating no negative impact would occur as part of the consent process. Township staff note that the Preliminary EIA prepared in support of the creation of this lot recommended maintaining the natural forest growth within 30 metres of Devil Lake Creek to the extent possible, and prohibiting the placement of fill beyond the proposed building envelope location (Ontario Lake Assessments, April 4, 2016). Cataraqui Conservation staff are satisfied that an environmental impact assessment (EIA) is not required in support of the proposed seasonal dwelling since it will be located approximately 50 metres from the ANSI.

The proposed development is consistent with the direction of the County Official Plan.

The zoning by-law amendment would be consistent with the Official Plan policies on environmentally sensitive areas. Specifically, the 59 square metre (635.1 square foot) one-storey seasonal dwelling would be located at least 38 metres from the high water mark of Devil Lake Creek. The septic system would be installed between the dwelling and the road. The owners propose to construct the dwelling on concrete piers in order to retain more trees and to minimize the environmental footprint of the development.

The zoning by-law amendment would permit the existing accessory building (garage) between the dwelling and the front lot line. The garage is set back 20.7 metres (68 feet) from the front line. It was constructed out of natural materials that blend in with the surroundings and is visually screened from the road by the forest. Locating the proposed dwelling behind the garage supports the installation of the septic system between the dwelling and the road, maximizing the setback of the septic system from the creek.

There were no comments from Council or the public.

c) Resolution to Close Public Meeting

Resolution No. 2020-19-08
Moved by Councillor Roberts
Seconded by Deputy Mayor Sutherland
That having provided an opportunity for public input on planning matters, the public meeting be closed.

Carried

8. Approval of Minutes
a) July 14, 2020 - Committee of the Whole

Resolution No. 2020-19-09
Moved by Councillor Morey
Seconded by Councillor Sleeth
That the minutes of the July 14, 2020 Committee of the Whole meeting be approved.

Carried

- b) July 14, 2020 - Council

Deputy Mayor Sutherland suggested that when a "declaration of pecuniary interest" is made that the Council member should actually leave the Council Chambers instead of just backing away from their spot at the Council table.

Resolution No. 2020-19-10
Moved by Councillor Leonard
Seconded by Councillor Roberts
That the minutes of the July 14, 2020 Council meeting be approved.

Carried

- c) July 21, 2020 - Council

Resolution No. 2020-19-11
Moved by Councillor Ruttan
Seconded by Councillor Sleeth
That the Council meeting minutes of July 21, 2020 be approved.

Carried

9. Business Arising from the Minutes
a) Continued Closure of Northern Waste Sites

The Green Bay Site had been inadvertently included in the recommendation. Council supported a friendly amendment to the motion to remove it.

Resolution No. 2020-19-12
Moved by Councillor Revill
Seconded by Councillor Morey
That Council approve the continued closure of Salem & Bradshaw Waste Disposal Sites for the remainder of 2020, and that these closures will be reviewed again during the 2021 Budget deliberations.

Carried

- b) Rezoning from Rural (RU) to Pit "B" (PB), Concession 6, Part of Lot 8 and 9 - Harrison

See By-law 2020-38.

- c) Rezoning from Rural (RU) to Pit "B" (PB) - Conc 1 and 2, Part of Lots 12 and

13 - McNichols

See By-law 2020-39

10. Reports Requiring Action

- a) Rezoning of lands associated with Shield Shores Plan of Vacant Land Condominium

See By-law 2020-40.

- b) Shield Shores Condominium Private Lane Naming

Resolution No. 2020-19-13

Moved by Councillor Roberts

Seconded by Councillor Sleeth

That pursuant to By-law 2002-92, as amended by By-law 2002-100, Council direct staff to provide public notice of Council's intention to pass a by-law naming two private lanes and two existing rights-of-way associated with the Shield Shores Plan of Vacant Land Condominium.

Carried

- c) Open Air Burning Permits - Proposed Automated System

Darcy Knott, Director of Fire and Emergency Services, spoke to his presentation regarding an "Open Air Burning Permit" automated system and changes to the existing burning by-law, costs associated with the system and fees for annual permits. The intention behind the system would be to make it cost neutral.

While Council generally supported this, staff were directed to bring this back with a recommendation.

- d) SFFR - Equipment Capital Plan

A recorded vote was requested. Councillors Leonard, Morey, Revill, Ruttan and Deputy Mayor Sutherland voted in favour of the motion. Mayor Vandewal, Councillor Roberts and Councillor Sleeth voted against the motion.

Resolution No. 2020-19-14

Moved by Councillor Leonard

Seconded by Councillor Ruttan

That Council support the recommended changes to the SFFR Equipment Capital Plan as presented

Carried

- e) Transition of Blue Box to Full Producer Responsibility

Resolution No. 2020-19-15

Moved by Councillor Morey

Seconded by Councillor Revill

That Council support the date for the Township of South Frontenac to transition its Blue Box program to full producer responsibility on September 1, 2023, which has been chosen as a result of current blue box collection contracts expiring on August 30, 2023 and;

That this resolution be forwarded to the Association of Municipalities of Ontario.

Carried

- f) Water Filling Station

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Resolution No. 2020-19-16

Moved by Councillor Sleeth

Seconded by Councillor Morey

That Council approve an additional amount of \$40,000 from the Water Reserve for the supply and installation of a Water Filling Station at the Township Water Tower and a Water bottle filling station in Mill Pond Park.

Carried

g) 2021 Budget Schedule

Council was concerned about the overall impacts that the COVID pandemic has had on residents in 2020. Council felt that they should still be giving parameters to staff and suggested that this should be part of the September 8 Committee of the Whole meeting.

Resolution No. 2020-19-17

Moved by Councillor Roberts

Seconded by Deputy Mayor Sutherland

That Council adopt the 2021 budget cycle as presented.

Carried

h) Noise By-law Exemption request from Desert Lake Resort

The Clerk noted that the resort owners had amended their request (after the agenda was published) for an exemption on September 4 instead as the band they wished to book was not available on September 5.

Resolution No. 2020-19-18

Moved by Deputy Mayor Sutherland

Seconded by Councillor Revill

That Council grant an exemption to the Noise Bylaw for the Desert Lake Resort for September 4, 2020 between the hours of 7:30 pm and 10:30 pm, for the purpose of amplified musical event.

Amendment:

That a copy of this resolution be circulated to Public Health to ensure that they are aware of this gathering and to have Desert Lake Resort owners coordinate/discuss with Public Health a strategy to meet current COVID regulations to protect public health.

Carried (as amended)

11. Committee Meeting Minutes - not applicable

12. By-laws

a) By-law 2020-38 - Rezone from Rural to Pit "B" - Harrison

Resolution No. 2020-19-19

Moved by Councillor Morey

Seconded by Councillor Sleeth

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

- By-law 2020-38
- By-law 2020-39
- By-law 2020-40
- By-law 2020-41

Carried

Resolution No. 2020-19-20

Moved by Councillor Sleeth

Seconded by Councillor Roberts

That By-law 2020-38, being a by-law to amend By-law 2003-75 as amended, to rezone land from Rural to Pit "B" on lands describes as 2499 Washburn Road, Part of Lot 8 and 9, Concession 6, Loughborough District, be given third reading, signed and sealed.

Carried

- b) By-law 2020-39 - Rezone from Rural to Pit "B" - McNichols

Resolution No. 2020-19-21
Moved by Councillor Revill
Seconded by Councillor Leonard

That By-law 2020-39, being a by-law to amend By-law 2003-75, as amended, to rezone land from Rural to Pit "B" on lands described as Part of Lots 12 and 13, Concession 1 and Part of Lots 12 and 13, Concession 2, District of Bedford, be given third reading, signed and sealed.

Carried

- c) By-law 2020-40 - Shield Shores Condominium Rezoning

Resolution No. 2020-19-22

Moved by Councillor Roberts Seconded by Deputy Mayor Sutherland

That By-law 2020-40, being a by-law to amend By-law 2003-75, as amended, to rezone land from Rural (RU) Zone to Limited Service Residential – Special Provisions – Holding Zone (RLS-9-H, 10-H, 11-H, 12-H & 13-H) and Limited Service Residential-Waterfront – Special Provisions – Holding Zone (RLSW-123-H, 124-H, 125-H & 126-H), Private Open Space – Special Provisions – Holding Zone (OSP-13-H) and OSP-H, Part of Lots 15, 16 & 17, Concession 9, be given third reading, signed and sealed, and

That pursuant to Section 34(17) of the Planning Act, no further notice is determined to be necessary for the changes made to the proposed Zoning By-law Amendment.

Carried

- d) By-law 2020-41 - Appointments to Lake Ecosystem Advisory Committee

Resolution No. 2020-19-23
Moved by Councillor Morey
Seconded by Councillor Sleeth

That By-law 2020-41, being a by-law to appoint Council members and members of the public to the Lake Ecosystem Advisory Committee, be given third reading, signed and sealed.

Carried

13. Reports for Information

- a) Indoor Municipal Facility Reopening
- b) Accounts Payable and Payroll Listing
- c) 2nd Quarter 2020 Update - Fire and Emergency Services

14. Information Items

- a) South Frontenac Museum Society - Thank you for Community Grant

15. Notice of Motions

- a) Deputy Mayor Sutherland served a notice of motion regarding Council having the opportunity to examine the unredacted version of the Benefit Permit for the Johnston Point development.

16. Announcements/Statements by Councillors

- a) Deputy Mayor Sutherland acknowledged the new "business district" sign for Sydenham as part of the Main Street Revitalization funding.

17. Question of Clarity (from the public on outcome of agenda items) - not applicable

18. Closed Session - not applicable

19. Confirmatory By-law

- a) By-law 2020-42

Resolution No. 2020-19-24

Moved by Deputy Mayor Sutherland

Seconded by Councillor Roberts

That By-law 2020-42, 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 11 day of August, 2020.

Carried

Resolution No. 2020-19-25

Moved by Councillor Leonard

Seconded by Councillor Ruttan

That By-law 2020-42, being the confirmatory by-law be given third reading signed and sealed this 11 day of August, 2020.

Carried

20. Adjournment

- a) Resolution

Resolution No. 2020-19-26

Moved by Councillor Revill

Seconded by Councillor Leonard

That the Council meeting of August 11, 2020 be adjourned at 9:05 p.m.

Carried

Ron Vandewal, Mayor

Angela Maddocks, Clerk