

Minutes of Council
September, 15, 2020

Time: 6:00 PM

Location: Electronic Participation



Meeting # 21

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

Present via Electronic Participation: Pat Barr

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

1. Call to Order/Roll Call

a) **Resolution**

The Clerk conducted a roll call of Council members and staff as reflected in the list above.

Resolution No. 2020-21-01

Moved by Councillor Morey

Seconded by Councillor Sleeth

That the Council meeting of September 15, 2020 be called to order at 6:10 p.m.

Carried

2. Declaration of pecuniary interest and the general nature thereof

a) There were no declarations reported.

3. Approval of Agenda

a) **Resolution**

Mayor Vandewal welcomed Councillor Barr who joined the meeting via electronic participation. As such, Agenda Item 11 d) was pulled from the agenda.

Resolution No. 2020-21-02

Moved by Councillor Ruttan

Seconded by Councillor Revill

That the agenda for the September 15, 2020 Council meeting be approved as presented, as amended.

Carried

4. Scheduled Closed Session

a) Closed Session - As permitted by the Municipal Act, Section 239.2 (b), to discuss personal matters about identifiable individuals, including municipal or local board employees.

Resolution No. 2020-21-03

Moved by Deputy Mayor Sutherland

Seconded by Councillor Leonard

That Council move into Closed Session as permitted the Municipal Act, Section 239.2 (b) to discuss personal matters about identifiable individuals, including municipal or local board employees.

Carried

- b) Branding Steering Group
- c) Additional Appointments to Lake Ecosystem Advisory Committee
- d) Staffing Update - Part 8 Services

Due to time constraint, this matter was not discussed. Council moved into closed session later in the meeting, see Agenda Items 19.

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

Resolution No. 2020-21-04

Moved by Councillor Ruttan

Seconded by Councillor Revill

That Council move out of the Closed Session meeting.

Carried

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

- 6. Delegations/Presentation

- a) Certificate of Appreciation to be presented to Wayne and Judy Conway

The Conway's are moving to Cobourg. Mayor Vandewal and Council took to the opportunity to present them with a certificate recognizing the many years of dedicated service to South Frontenac and their commitment to the Verona community for improving opportunities and programming to fellow residents.

- 7. Rise & Report from Closed Session

- a) Appointments to Branding Steering Group

Resolution No. 2020-21-05

Moved by Councillor Morey

Seconded by Deputy Mayor Sutherland

That Council rise and report from closed session and appoint the following community representatives to the Branding Steering Group:

- Jessalyn Harmon
- Paul Blais
- Wilma Kenny
- Tina Fisher

Carried

- b) Additional Appointments to Lake Ecosystem Advisory Committee

Resolution No. 2020-21-06

Moved by Councillor Leonard

Seconded by Councillor Ruttan

That Council rise and report in open session to appoint **John Sherbino** and **Michael Payne** as Lake Association representatives to the Lake Ecosystem Advisory Committee and amend Schedule A of By-law 2020-41 to reflect these additional names.

Carried

8. Public Meeting

a) Open Public Meeting and Statement

The Clerk provided direction to the public on providing comments about the rezoning application and the process for appealing decisions.

Resolution No. 2020-21-07

Moved by Councillor Sleeth

Seconded by Councillor Morey

That a public meeting be held to allow for input in to planning matters related to an application to rezone Concession 6, Part of Lot 25, 316 Koen Road, Loughborough District.

Carried

b) Application to Rezone Part of Lot 25, Concession 6, 316 Koen Road, Loughborough District - Clayton Potts

Christine Woods, Senior Planner provided an overview of the application to rezone property located at 316 Koen Road.

The subject property is 1853.5 square metres (0.5 acres) in area, and has frontage on Koen Road and on the East Basin of Loughborough Lake. The subject lands are generally level with an approximately 2.5 metre high bank along the shoreline. There is an existing one-storey cottage, aluminum shed, woodshed and pumphouse on the property. The owner proposes to demolish the existing buildings and structures and to construct a two-storey single detached dwelling and a detached garage. A new septic system would be installed in the location of the existing septic system between the dwelling and the road. Although the subject property has frontage on a public road, it is zoned Limited Service Residential – Waterfront (RLSW). The RLSW Zone is applicable to waterfront properties that are accessed by a private lane. As a result, there are contradictions between the RLSW Zone Provisions and the General Provisions that apply to the property. The situation can only be resolved through a zoning by-law amendment. The owners have requested the zoning by-law amendment to place the subject property in the Waterfront Residential (RW) zone. The special provision is required to permit the proposed development with variations from the standard RW zone provisions. The proposed development requires variations in a number of standard RW zone provisions including lot coverage, front yards, rear yards, interior side yard, setbacks from the high water mark and top of bank.

Cataraqui Conservation staff have no objection to the approval of the rezoning application based on its consideration for natural hazard, natural and cultural heritage, and water quality and quantity protection policies. The new dwelling will be outside the erosion hazard but within the 6 metre erosion access allowance. This is considered an improvement over the existing condition. Staff are satisfied that the scale of the proposed development is reasonable. A permit under O. Reg. 148/06 will be required for the proposed development.

KFL&A Public Health has no objections to the proposed zoning by-law amendment. An application to install a new sewage system has been submitted to KFL&A Public Health.

The proposed development is consistent with this direction of the PPS.

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. Section 5.2.7(b)(ii)(3), which speaks to proposals to construct additions to existing dwellings that are already within 30 metres of the high water mark, can be interpreted to also apply to the replacement of existing dwellings within the 30 metre setback. This policy specifies that the merits of a proposal will be evaluated based on three criteria. These criteria are:

- a) the ultimate total gross floor area, building footprint and lot coverage being proposed,
- b) the closeness of the existing dwelling to the high water mark, and
- c) the capacity of the lot to accommodate new development at a greater setback from the high water mark.

The proposed dwelling will be set back a minimum of 8.8 metres from the high water mark, whereas the existing cottage is set back 5.5 metres from the high water mark.

There is minimal opportunity to achieve a greater setback from the high water mark due to the area and shape of the lot.

The footprint of the proposed dwelling would be slightly larger than the footprint of the existing cottage. The proposed dwelling would have a 139.1 square metre footprint, which is 4.6 square metres greater than the existing cottage with attached deck. This translates to a proposed 7.5% lot coverage compared to the existing 7.3% lot coverage for the principal building.

The RW zone permits a maximum 5% lot coverage for the principal building, and the General Provisions permit an additional maximum 5% lot coverage for accessory buildings and structures. The zoning by-law amendment for a maximum 7.5% lot coverage for the principal building and 2.9% lot coverage for accessory buildings (maximum total lot coverage of 10.4%) would maintain the intent of Official Plan policy described above as well as the intent of the lot coverage provisions of the Zoning By-law.

The zoning by-law amendment would permit an accessory building (detached garage) between the dwelling and the front lot line. The garage would be set back 7.6 metres (24.9 feet) from the front line. The proposed location of the detached garage is on the non-waterfront side of the dwelling, adjacent to the proposed driveway. The garage would be located more than 30 metres from the high water mark.

The applicant has submitted a site plan control application that will be brought forward to Council at a future meeting date. A site plan is required to ensure that the environmental policies of the Township and drainage of the site are addressed to the satisfaction of Council, as the Planning Act does not permit conditions to be attached to a decision on a zoning by-law amendment application.

Ms. Woods indicated that at the time of writing, no formal comments have been received from the public.

Deputy Mayor Sutherland supported the rezoning and felt that this development is an improvement over what currently exists.

Councillor Barr felt the proposal is an improvement over what is currently there.

Mayor Vandewal expressed concerns about the challenges of developing on this very popular lake there will be disturbance with respect to this undersized lot, he questioned whether there would be an environmental impact study required as well as a re-vegetation strategy on the site plan. According to the pictures included, he felt that requiring these measures would be positive.

c) Close Public Meeting

Resolution No. 2020-21-08

Moved by Deputy Mayor Sutherland

Seconded by Councillor Ruttan

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

Carried

9. Approval of Minutes

a) September 1, 2020 Council Meeting

Resolution No. 2020-21-09

Moved by Councillor Revill

Seconded by Councillor Roberts

That the minutes of the September 1, 2020 Council meeting be approved.

Carried

10. Business Arising from the Minutes - not applicable

11. Reports Requiring Action

a) Zoning By-law Amendment # Z-20-03 - Concession 4, Part Lot 18, 3898
Greenfield Road - Bruce & Denise Wright

See By-law 2020-46

b) Road Closing Application - RC-20-02 - Unopened Road Allowance between
Concession 2 & 3, Lot 17, Bedford District - Beam

Resolution No. 2020-21-10

Moved by Councillor Morey

Seconded by Councillor Sleeth

That Council consider the closing and transferring of ownership of a 10 metre (33 foot) by approximately 117 metres (382.8 foot) portion of unopened road allowance to enlarge an adjacent parcel of land municipally known as 52 Sneddon Lane.

Carried

c) Property Acquisition and Divestment at Hinchinbrooke and Desert Lake Roads

See By-law 2020-47

d) Councillor Absence in Accordance with Municipal Act

This report was no longer required as Councillor Barr was in attendance.

12. Committee Meeting Minutes

a) Harrowsmith Beautification Committee meeting held June 29, 2020

Resolution No. 2020-21-11

Moved by Councillor Leonard

Seconded by Councillor Sleeth

That Council receives for information the minutes of the Harrowsmith Beautification Committee meeting held June 29, 2020.

Carried

13. By-laws

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- a) By-law 2020-46 - Rezone Concession 4, Part Lot 18, 3898 Greenfield Road - Wright

Resolution No. 2020-21-12

Moved by Councillor Roberts

Seconded by Councillor Sleeth

That By-laws 2020-46 and 2020-47 be given first and second reading.

Carried

Resolution No. 2020-21-13

Moved by Councillor Ruttan

Seconded by Deputy Mayor Sutherland

That By-law 2020-46, being a by-law to amend By-law 2003-75, as amended, to rezone land from Rezone from Rural Waterfront – Site Specific Zone (RW-27) to Rural Waterfront - Site Specific Zone (RW-45) on lands described as 3898 Greenfield Road, Part Lot 18, Concession 4 being Part 1 on Plan 13R19169, be given third reading, signed and sealed.

Carried

- b) By-law 2020-47 - Stop up, close and sell a portion of an unopened road allowance - Hinchinbrooke and Desert Lake Roads

Resolution No. 2020-21-14

Moved by Councillor Revill

Seconded by Councillor Morey

That By-law 2020-47, being a by-law to stop up, close and sell a portion of an unopened road allowance that is part of Desert lake and Hinchinbrooke Roads, being part of Lot 5, Concession 12, District of Portland, be given third reading, signed and sealed.

Carried

14. Reports for Information

- a) Johnston Point Condominium Agreement
- b) Accounts Payable and Payroll Listing

15. Information Items

- a) Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs, re: Security form Trespass and Protecting Food Safety Act, 2020

16. Notice of Motions - not applicable

17. Announcements/Statements by Councillors

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

19. Closed Session

- a) Matters about an Identifiable Individual

Resolution No. 2020-21-15

Moved by Deputy Mayor Sutherland

Seconded by Councillor Leonard

That Council move into Closed Session as permitted by the Municipal Act, Section 239.2 (b) to discuss personal matters about an identifiable individual, including municipal or local board employees.

Carried

- b) Staffing Update - Part 8 Services

c) Resolution

Resolution No. 2020-21-16
Moved by Councillor Ruttan
Seconded by Councillor Revill
That Council move out of the Closed Session meeting.

Carried

20. Confirmatory By-law

a) By-law 2020-48

Resolution No. 2020-21-17
Moved by Deputy Mayor Sutherland
Seconded by Councillor Roberts
That By-law 2020-48, 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 15 day of September, 2020.

Carried

Resolution No. 2020-21-18
Moved by Councillor Morey
Seconded by Councillor Ruttan
That By-law 2020-48, being the confirmatory by-law, be given third reading, signed and sealed this 15th day of September, 2020.

Carried

21. Adjournment

a) Resolution

Resolution No. 2020-21-19
Moved by Councillor Revill
Seconded by Councillor Leonard
That the Council meeting of September 15, 2020 be adjourned at 8:40 p.m.

Carried

Ron Vandewal, Mayor

Angela Maddocks, Clerk