

Minutes of Council
June, 16, 2020

Time: 7:00 PM

Location: Electronic Participation



Meeting # 15

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

Present via Teleconference: Randy Ruttan

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

1. Call to Order

a) **Roll Call and Resolution**

The Clerk conducted the Roll Call as reflected in the attendance noted above.

Resolution No. 2020-15-01

Moved by Councillor Barr

Seconded by Deputy Mayor Sutherland

That the Council meeting of June 16, 2020 be called to order at 7:00 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 a) Accounts Payable and Payroll Listing.

b) Councillor Roberts declared a pecuniary interest with respect to Agenda Item 13 a) Accounts Payable and Payroll Listing.

3. Approval of Agenda

a) **Resolution**

Resolution No. 2020-15-02

Moved by Councillor Leonard

Seconded by Councillor Roberts

That the agenda for the June 16, 2020 Council meeting be approved as presented.

Carried

4. Scheduled Closed Session - not applicable

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

6. Delegations - not applicable

7. Public Meeting

a) **Public Meeting Statement & Resolution**

The Clerk provided direction on the appeal process to any planning decision and the process for being notified of a decision on this application.

Resolution No. 2020-15-03

Moved by Councillor Revill

Seconded by Councillor Ruttan

That a public meeting be held to allow for public input into planning matters related to an application for a Zoning By-law Amendment for property located in Concession 4, Part Lot 18, 3898 Greenfield Road, Bruce and Denise Wright.

Carried

b) **Zoning By-law Amendment - Z-20-03, Con 4, Part Lot 18 - 3898 Greenfield Rd (Bruce & Denise Wright)**

Registered Attendees through the Zoom Webinar program included the following:

Bruce and Denise Wright - Applicants

Martin Burger - Applicants Engineer

Scott Whyte - Neighbouring Property Owner

Alain Shooner - Neighbouring Property Owner

Claire Dodds Director of Development Services spoke to her report based on Township and County Official Plans and Zoning By-laws as well as the comments received from the various agencies regarding this application.

Denise Wright provided a background on their family and their search for the property on Loughborough Lake. She spoke to the landscape of the lot, terrain and hardwood maple and ash and cedar trees but looked at minimizing more tree cutting. They met with Trees Ontario about planting trees in the south field. She felt they had followed all the rules and purchased a civic number, the location of the driveway was approved by the Public Services Department. It was the Building Inspector who first informed them of the original Environmental Impact Study conducted in 2007 and this was the first time they had seen this study. They were told that applying to change the by-law and to provide a registered engineers report to state that the septic system would not be detrimental to the lake and that this was the only way they could obtain a building permit, even though the MOE and CRCA and the Health Unit had already allowed the lot to be created. They had granted approval in the south location as they failed to realize that was a basin for collecting water in the spring and fall during heavy rains. They hired an engineer and applied to change the by-law. The three agencies proposed that the ideal location for a septic system is on the southwest corner but this would mean they would have to decimate mature trees that stand in the direct line where the trench would have to be located and she felt this would be the natural habitat of many birds and animals. She acknowledged the status of Loughborough Lake as being "lake trout" sensitive but felt the proposed north location would have less impact on the mature trees and that a tertiary septic system approved by MOE for sensitive areas. Mrs. Wright noted the comments from Whyte's regarding protecting of snakes and indicated that they have never seen any on their property. With respect to the proposed dome, they bought this property for retirement enjoyment and there will be no commercial use as soon as house is built, it will be used to house their tractor, RV, boat and recreational toys and they are intending on painting it dark green to blend in. They had understood that they only had to provide an acceptable solution to the septic system. She felt that the scientific data from a licensed engineer is being ignored. They do not want conflict with anyone and they just want to build their house and begin to enjoy their retirement on this beautiful part of the province.

Martin Burger, Groundwork Engineering was hired to conduct a terrain analysis

in support of this amendment. He spoke to his experience with installation and design of onsite wastewater treatments around this lake for over 20 years and felt that he has a very good understanding of the issues and challenges around the lake. This lot was created on the premise that a system could be located greater than 300 metres from the lake however it was determined that there was no location on the lot greater than 300 metres and felt it was not the applicants fault that a lot was created under false conditions that could not be met in the first place. This site has its own unique characteristics with a ridge line running east to west the home is proposed on the narrow side of the ridge and the surface water and subsurface water south of the ridge flows west to an existing drainage swale. If the septic system were to be built on the south end (near the neighbours septic) the extent of the mantle which is the end of the bed eventually makes contact and allows contact of the effluent would be within 50 metres of exposed kars like topography that provides an unique environmental creates a direct path for groundwater to the lake. He further explained that the soil north of the ridge where they are proposing the placement of the septic system is a former shoreline and consists of the sandy loam and chemical testing of this soil has found to have very good phosphorous retention. The soils south of the ridge line are compromised are heavy clay deposited by glacial melt and have no phosphorous retention, these heavy clays will also slow infiltration of sewage system effluent and cause it to move horizontally and vertically. He noted the evolving waste water treatments over the year and the standard leaching bed has no capability (similar to the one on the neighbours lot have) for phosphorous removal. Mr. Burger proposes for his clients a Level 4 treatment system in accordance with the Ontario Building code must achieve effluent criteria that produces cleaner effluent with specific add on components to reduce phosphorous. the MOE report indicated that the use of add on units does not provide low enough phosphorous removal and he concurred with that. The site located north of the ridge line has sandy loam soil that has phosphorous retention capabilities, the soil has been tested. He applauded the agencies who have visited the site and noted that all proposals should be considered when reviewing this application. The type of soil that is predominant of the proposed system provides a much better treatment of the effluent that comes from an on site waste water system. Groundwork Engineering looks at the optimum location for a system considering the environment, the lot, groundwater implications as well as distance from the water body. He reiterated that this lot was created on premise of 300 metres and he believes a solution has been provided that will ensure the lake is not affected.

Scott Whyte, referred to his written submission and stands behind this. He indicated that there is evidence of rat snakes in the area and and that the area has been designated by the MNR and there are restrictions from building within 100 feet.

Alain Shooner had no further comments and was only listening into the public meeting.

Bruce Wright invited all Council members to the property to see the layout of the property for a better understanding of the site.

Resolution No. 2020-15-04

Moved by Councillor Roberts

Seconded by Councillor Barr

That South Frontenac Council defer making a decision on application Z-20-03 to consider agency and public comments and direct Development Services staff to bring forward a report at the July 14, 2020 Council meeting providing a further recommendation and bringing forward a by-law for Council's consideration

Carried

c) **Resolution - Close Public Meeting**

Resolution No. 2020-15-05
Moved by Councillor Sleeth
Seconded by Councillor Morey
That having provided an opportunity for input on planning matters, the public meeting be closed.

Carried

8. Approval of Minutes

a) **June 2, 2020 Council Meeting**

Resolution No. 2020-15-06
Moved by Deputy Mayor Sutherland
Seconded by Councillor Ruttan
That the minutes of the June 2, 2020 Council meeting be approved.

Carried

9. Business Arising from the Minutes

a) **Assumption of Responsibilities under Part 8 of the Ontario Building Code**

Resolution No. 2020-15-07
Moved by Councillor Ruttan
Seconded by Councillor Revill
That Council approve the assumption of Part 8 Building Code Inspection services from Kingston Frontenac Lennox & Addington Public Health (KFLAPH) no later than December 1, 2020, and

That Council approve the creation of a Deputy Chief Building Official position and associated overhead costs within the Development Services Department to support the assumption of Part 8 service delivery.

Carried

b) **Notice of Motion - Speed Limit Reduction**

Council was supportive of a "friendly" amendment to the resolution to include "speeding".

Resolution No. 2020-15-08
Moved by Councillor Roberts
Seconded by Councillor Leonard
That Council direct the Director of Public Services to provide a report on addressing speed limit reductions and speeding throughout the Township.

Carried.

10. Reports Requiring Action

a) **Price Increase for Blue Boxes and Composters**

A recorded vote was conducted. Councillors Barr, Leonard and Sleeth voted in favour of the motion with the remaining Council members voted against. The motion was defeated.

Resolution No. 2020-15-09
Moved by Councillor Morey
Seconded by Councillor Sleeth
That Council approve an increase in price for recycling (Blue) boxes from \$6.00 to \$7.00 and for composters from \$35.00 to \$40.00.

Defeated

b) **City of Kingston inclusion in 2020 Crack Sealing Program**

Resolution No. 2020-15-10

Moved by Councillor Barr

Seconded by Deputy Mayor Sutherland

That Council approve adding the City of Kingston to the Township's Crack Sealing Tender by way of Purchase Order; and,

That Council approve an increase in the budget for the 2020 Crack Sealing tender of \$53,175 + HST, being the additional work to be provided to and paid for by the City of Kingston.

Carried

c) **Tender PS-2020-21 Resurfacing of Centennial & Gerald Ball Netsports Courts**

Resolution No. 2020-15-11

Moved by Councillor Leonard

Seconded by Councillor Roberts

That Council accept the single bid of Bourassa Sport Technologies for Tender PS-2020-21, Resurfacing of Netsports Courts, in the amount of \$95,800 plus HST; and,

That the unbudgeted amount of \$11,913 for this project be funded from the Parkland Reserve.

Carried

11. Committee Meeting Minutes - not applicable

12. By-laws - not applicable

13. Reports for Information

a) **Accounts Payable and Payroll Listing**

b) **Proposed 2020 Construction and Maintenance Schedule**

c) **Tender No. PS-2020-20: 2020-2022 Screened Winter Sand**

14. Information Items

a) Township of Puslinch - Review of Farm Property Class Tax Rate Program

b) Request to MNRF to review practices/procedures when designating Provincially Significant Wetlands

c) Support for Conservation Authorities

15. Notice of Motions

a) **Waive Procedural By-law**

Resolution No. 2020-15-12

Moved by Councillor Sleeth

Seconded by Councillor Leonard

That Council waives the provisions outlined in the Procedural By-law 2017-76 regarding the process for filing a notice of motion and allow for members of Council to table a notice of motion and for the matter to be dealt with at the June 16, 2020 Council meeting.

Carried

- b) Councillor Revill served a notice of motion regarding the removal of a private dock on Desert Lake Causeway. He provided a photo of the watercraft and dock associated with the notice.

Resolution No. 2020-15-13

Moved by Councillor Revill

Seconded by Councillor Leonard

That Council directs staff to notify the owner that the private dock and watercraft situated on the north side of Desert Lake Causeway be removed immediately from the municipal property.

Carried

- c) **Rescinding of By-law 2020-16**

Mayor Vandewal removed himself as Chair to serve a notice of motion. Deputy Mayor Sutherland directed the vote on Mayor Vandewal's motion.

Mayor Vandewal felt the delegated authority by-law put in place during the COVID-19 pandemic and state of emergency could be rescinded as the township is now operating in full capacity and Council is meeting regularly again.

Resolution No. 2020-15-14

Moved by Mayor Vandewal

Seconded by Councillor Sleeth

That By-law 2020-16 be rescinded.

Carried

- d) Deputy Mayor Sutherland served a notice of motion regarding the developing of a by-law for docks on public property.

16. Announcements/Statements by Councillors

- a) Mayor Vandewal noted that the offices will re-open to the public on June 22 with protocols in place to address the physical distancing requirements. He commended staff for their efforts in carrying on business and service to residents during these challenging times. He thanked Council as well for supporting all of the processes and decisions made during the time that offices were closed to the public.

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

- a) **COVID-19 Questions from the Community**

18. Closed Session (not applicable)

19. Confirmatory By-law

- a) **By-law 2020-31**

Resolution No. 2020-15-15

Moved by Councillor Morey

Seconded by Councillor Sleeth

That By-law 2020-31, 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 16 day of June, 2020.

Carried

Resolution No. 2020-15-16

Moved by Councillor Revill

Seconded by Councillor Ruttan

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That By-law 2020-31, being the confirmatory by-law, be given third reading,
signed and sealed this 16 day of June, 2020.

Carried

20. Adjournment

a) **Resolution**

Resolution No. 2020-15-17

Moved by Deputy Mayor Sutherland

Seconded by Councillor Barr

That the Council meeting of June 16, 2020 be adjourned at 8:20 pm.

Carried

Ron Vandewal, Mayor

Angela Maddocks, Clerk

Natural, Vibrant and Growing - a Progressive Rural Leader