

Minutes of Council  
November, 2, 2021

Time: 7:00 PM

Location: Council Chambers & Electronic Participation



## Meeting # 31

**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/Deputy Clerk, Claire Dodds - Director of Development Services, Jamie Brash - Manager of Facilities and Solid Waste, Christine Woods - Senior Planner

### 1. Call to Order and Roll Call

- a) Neil Carbone, Chief Administrative Officer/Deputy Clerk conducted the roll call as outlined in the attendance noted above.

Due to the absence of the Clerk, Mr. Carbone assumed the Clerk role for the purposes of this meeting.

Resolution No. 2021-31-01

Moved by Councillor Ruttan

Seconded by Councillor Revill

That the Council meeting of November 2, 2021 be called to order at 7:00 p.m.

Carried

### 2. Declaration of Office - Deputy Mayor

- a) Councillor Revill recited the Declaration of Office for Deputy Mayor for the term ending May 31, 2022.

### 3. Declaration of pecuniary interest and the general nature thereof

- a) Councillor Morey declared a pecuniary interest with respect to Agenda Item #19 b) and removed himself from the Chambers when Council moved into the Closed Session.

### 4. Approval of Agenda

- a) **Resolution**

Resolution No. 2021-31-02

Moved by Councillor Sutherland

Seconded by Councillor Roberts

That the agenda for the November 2, 2021 Council meeting be approved as presented.

Carried

### 5. Introduction of new Staff Sergeant - OPP Frontenac Detachment

- a) Councillor Sleeth introduced Staff Sergeant Marty McConnell and provided a brief background on the recruitment process. He noted that Staff Sergeant McConnell's has 21 years of experience in policing in eastern Ontario. with roots in Sydenham. He is a family man with two children who prides himself in being involved in the community.

Staff Sergeant McConnell thanked Council for the opportunity to introduce himself. He shared his career background and personal background (originally from Aylmer, Ontario) and has come to the Frontenac OPP Detachment from Lanark County as the Staff Sergeant there. He noted that he is comfortable with the media and speaking with Council.

Mayor Vandewal thanked Staff Sergeant McDonnell for attending and noted that Council and staff are looking forward to working with him in his new role.

6. Scheduled Closed Session (at the end of the meeting)

7. Delegations

- a) **Preliminary Cataraqui Trail Survey Results**

Presented by: Heather Keeling, Anna Majury and Ian Howard

Heather Keeling spoke to the presentation included in the agenda regarding the preliminary Cataraqui Trail survey. She explained who the "Friends of the Cataraqui Trail" are and provided data on the survey objective and the preliminary results of their survey.

Ms. Keeling provided a summary of their requests to Council that included the following:

- for those walking and biking - tick concerns as well as suggestions for resurfacing/mowing and removal of invasive species
- more garbage cans around Sydenham, emptying garbage cans more frequently and benches and washrooms
- lower the speed limit at Perth Road to 60 kms north and south of the trail with more parking at access points.
- as an expanded use, pave the trail near higher populated areas for baby strollers, roller blades and skateboards.

Anna Majury thanked Mayor and Council for the opportunity to speak. She emphasized the importance of the trail that physically connects all in a natural setting and she cautioned commercializing the trail.

Councillor Sutherland indicated the survey has been very well received and he noted that there will be a secondary survey to define the users.

Mayor Vandewal thanked the presenters.

- b) **Short Term Rentals**

Presented by Rick Ottenhof and Gabor Solymar

Rick Ottenhof and Gabor Solymar provided a presentation on "Short Term Rentals - A Neighbor's Perspective". Both spoke of their concerns about this industry in this region and their specific experience with short term rentals on Howes Lake involving absent hosts (no onsite supervision of guests). They presented data on how fast the industry is growing specifically in rural areas and outlined behavioral concerns of guests. A petition will also be forthcoming to Council at a later date. They asked that Council consider a registration process as South Frontenac residents are in constant fear of such events such as fires, intoxicated strangers on their property.. They asked that Council study

existing data and systems put in place by other townships for licensing inspection, monitoring and enforcement of short term rentals.

Councillor Sutherland asked if the presenters found some good examples of STR by-laws.

Mr. Solymar referred to the Prince Edward County By-law that had a good fee structure however some of the regulations would not be feasible for South Frontenac. Things to be considered include the limiting of the number of people at one time or only on your primary residence.

Councillor Roberts asked if there was data on existing short term rentals in South Frontenac.

Mr. Solymar indicated that there 243 in August of 2021 advertised as an AirBnB. There is an expectation of more rapid growth when things open up from COVID.

Councillor Sleeth acknowledged the growth in the past five years and that it is an ongoing issue that needs to be addressed.

Councillor Ruttan provided an example of one of his neighbour's renting the "short term rental" next to their property just to have some peace and quiet for a week. He also has a concern about enforcement part with the penalty equalling the crime. He noted that he does have a property that he rents out but that he is a "present" owner/host.

Councillor Roberts also asked about data on the age group using the short term rentals. The presenters indicated it was mostly younger people, however this is not always the case.

Mayor Vandewal recognizes that this is an issue but clarified that resources are not in place to do the proper research to have a by-law in place before the next rental season. He did not want to present false hope to those impacted but wanted to acknowledge the reality of the work load.

Deputy Mayor Revill appreciated the scope of the task but suggested some provisions of the Noise By-law could be amended to address some of the concerns.

Councillor Sutherland suggested some community consultation and felt a staff report in a couple of months would be a start.

Councillor Ruttan commented on the ongoing staffing capacity.

Neil Carbone provided an overview of his experience in Prince Edward County that involved an intensive two year turnaround, recognizing some of the same issues and different challenges. He suggested that staff could bring back a very high level report on what can be done and what is involved in the process.

Mayor Vandewal asked Mr. Ottenhof about the data collected in Huntsville and did that resolve the issue entirely, however this could not be confirmed.

8. Public Meeting

a) **Resolution and Public Meeting Statement**

Resolution No. 2021-31-03  
Moved by Councillor Morey  
Seconded by Councillor Sleeth

That a public meeting be held to allow for input on a Road Closing Application Z-21-04 for a portion of an unopened road allowance between Concessions 10 and 11, District of Storrington.

Carried

b) **RC-21-05 - Application to stop up, close and transfer a portion of an unopened road allowance between Concessions 10 and 11, District of Storrington**

Claire Dodds provided the background on this request noting that this application initially came before Council for consideration on August 17, 2021. Council directed staff to move forward with the process to stop up, close and transfer a portion of unopened road allowance. The first step of the process is to hold a public meeting to hear comments and concerns from the public as she outlined to those present.

She explained that the road allowance is aligned east to west, running over the lands between Cranes Nest Lake and Little Cranberry Lake and is situated between Concessions 10 and 11, District of Storrington. The most westerly portion of the road allowance has previously been stopped up, closed and transferred to properties addressed on Hogans Point Lane. The middle portion of the road allowance encompasses Burnt Point Road. Some portions of the road allowance have been widened to more than 20 metres to accommodate the travelled portion of Burnt Hills Road. Approximately 380 metres before Little Cranberry Lake, Burnt Hills Road curves to the south and no longer follows the subject road allowance, at the same point Rideau Road begins and follows the road allowance for approximately 200 metres before it curves to the north and no longer follows the subject road allowance. The most easterly portion of the road allowance is unopened and measures approximately 160 metres in length, this portion appears to be 10 metres in width. The benefiting property, municipally known as 572 Burnt Hills Road is undersized, approximately 0.3 acres in size, and is comprised of two parcels split by the road allowance. The house and attached garage are located on the northern parcel, a portion of the sewage disposal system and driveway are located on a portion of the road allowance and the remaining portion of the sewage system is located on the southerly parcel. Ms. Dodds noted that this closure will address the long standing property issues in terms of being able to transfer title into the Land Titles system and for the DeGroots to move ahead or replace their sewage system over the long term. From a staff perspective the entire parcel, including the road allowance is being utilized as one parcel.

As discussed in the August 17th report to Council, previous owners of this land had applied to stop up, close and transfer this portion of the road allowance because the sewage system was historically constructed over this portion of road allowance, and the parcel of land is split in two by the road allowance. At the time of the previous application, Council denied the request based on policy to not sell road allowances that lead to bodies of water.

Planning staff and Public Services staff visited the site on June 1, 2021. Public Services staff advised that they have no issues with selling the road allowance as there is very little chance that a public road or boat launch will ever be feasible at this location, and because the sewage disposal system has been constructed in this location with no other viable option on the lands.

Planning staff have received a few inquiries via email and telephone for additional information about the location and intent of the application due to the notice provided in the Frontenac News. There have been no concerns or requests from the public to purchase a portion of the road allowance to date. Mary McMaster of 570 Burnt Hills Road has indicated that she and her husband support this application. Ms. Dodds noted that as per the Notice By-law requirements, the notice was circulated in the Frontenac News and on the township website for a period of four weeks.

Councillor Sleeth noted that he has reviewed this proposal and felt that this application cleans up a parcel that should have been done years ago. This property is entirely landlocked with steep cliffs to the waters edge. He was supportive of closing this parcel and selling it to the applicant.

Councillor Sutherland agreed that this was not a piece of usable road allowance. He asked about the remaining piece of road allowance.

Ms Dodds explained that staff look at everything comprehensively. If other property owners are not interested it is challenging to deal with these types of situations.

Deputy Mayor Revill agreed that there is a very steep embankment to the water and supported the applicant.

Mayor Vandewal did have another resident inquire about whether or not they would be required to buy a piece of the road allowance and he confirmed that it is not required and that their access remains the same.

There were no comments from the public.

c) **Resolution - Close Public Meeting**

Resolution No. 2021-31-04

Moved by Councillor Sleeth

Seconded by Councillor Morey

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

Carried

9. Approval of Minutes

a) **October 12, 2021 Council Meeting**

Resolution No. 2021-31-05

Moved by Councillor Revill

Seconded by Councillor Ruttan

That the minutes of the October 12, 2021 Council meeting be approved.

Carried

b) **October 19, 2021 Council Meeting**

Resolution No. 2021-31-06

Moved by Councillor Roberts

Seconded by Councillor Sutherland

That the minutes of the October 19, 2021 Council meeting be approved.

Carried

10. Business Arising from the Minutes

a) **Notice of Motion - Commemoration for Late Councillor Barr**

Resolution No. 2021-31-07

Moved by Deputy Mayor Revill

Seconded by Councillor Leonard

That Council approve and direct staff to commemorate the dedicated community service of the late Councillor Pat Barr through a commemorative bench to be placed at Glendower Hall

Carried

11. Reports Requiring Action

a) **January 2022 Meeting Schedule**

Resolution No. 2021-31-08

Moved by Councillor Morey

Seconded by Councillor Sleeth

That Council suspend the rules of the Procedural By-law 2017-76 and schedule the January 2022 Council Meetings for January 11 and January 25 and the Committee of the Whole meeting for January 18, 2022.

Carried

b) **Restoration and Preservation of the Bellrock Mill**

Resolution No. 2021-31-09

Moved by Councillor Leonard

Seconded by Councillor Morey

That Council approve \$20,000 from the Working Fund reserve, to complete an initial engineering review on the feasibility of preserving and restoring the historic Bellrock Mill.

Carried

c) **Committee of Adjustment Vacancy (Councillor)**

Resolution No. 2021-31-10

Moved by Councillor Sleeth Seconded by Councillor Morey

That Schedule A to By-law 2020-01 be amended to appoint Councillor Revill to Committee of Adjustment for the remainder of 2021.

Carried

d) **Communal Services Business Case**

Resolution No. 2021-31-11

Moved by Councillor Sutherland

Seconded by Councillor Roberts

That Council submit feedback, as recommended by staff in this report, to the County's Communal Services Committee for consideration prior to the publishing of the Draft Frontenac Municipal Services Corporation Business Case Study for public review and comment;

(Amendment)

And that Council request a subsequent meeting and responses to some of the questions posed in the feedback and by staff prior to the business case being published.

Carried

12. Committee Meeting Minutes

a) **Bellrock Community Hall Committee meeting held October 6, 2021**

Mayor Vandewal provided a reminder that the community is celebrating the 160th anniversary of Bellrock Hall on November 6, 2021 from 2 :00 to 5:00 pm.

Resolution No. 2021-31-12

Moved by Councillor Sleeth

Seconded by Councillor Sutherland

That Council receive for information the minutes of the Bellrock Community Hall Committee meeting held October 6, 2021.

Carried

13. By-laws

a) **First and Second Reading**

Resolution No. 2021-31-13

Moved by Councillor Roberts

Seconded by Councillor Sleeth

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

- By-law 2021-60
- By-law 2021-61
- By-law 2021-62
- By-law 2021-63
- By-law 2021-64
- By-law 2021-65

Carried

b) **By-law 2021-60 - Speed Limit reduction on Davidson Road**

Resolution No. 2021-31-14

Moved by Councillor Sleeth

Seconded by Councillor Revill

That By-law 2021-60, being a by-law to amend By-law 2000-01, being a by-law to regulate the use of traffic, parking and stopping on highways and bridges in the Township of South Frontenac, to regulate speeds as outlined in Schedule "A" be given third reading, signed and sealed.

Carried

c) **By-law 2021-61 - Zoning By-law Amendment - Davidson Road/Mowoods Lane (Brice)**

Resolution No. 2021-31-15

Moved by Councillor Ruttan

Seconded by Councillor Roberts

That By-law 2021-61, being a by-law to amend By-law 2003-75 as amended, to rezone land from Open Space-Private-Special Provision (OSP-5) to Limited Service Residential-Waterfront-Special Provision (RLSW-130) on lands described as Part Block 39 on Plan 13M-3 and Parts 7 to 9 on Reference Plan 13R18283, Part of Lots 11 and 12, Concession 1 and Part of Lots 11 and 12, Concession 2, District of Storrington, be given third reading, signed and sealed.

Carried

d) **By-law 2021-62 - Rezone Concession 1, Part of Lots 18 and 19 District of Storrington District (Kot/Bovey)**

Resolution No. 2021-31-16

Moved by Councillor Roberts

Seconded by Councillor Sleeth

That By-law 2021-62, being a by-law to amend By-law 2003-75, as amended, to rezone land from Rural (RU) to Urban Commercial - Special Provision (UC-28) on lands described as Part of Lots 18 and 19, part of road allowance, Concession 1, District of Storrington, be given third reading, signed and sealed.

Carried

e) **By-law 2021-63 - Rezone Concession 11, Part of Lots 6, 7 and 8, District of Portland (Allan)**

Resolution No. 2021-31-17

Moved by Councillor Morey

Seconded by Councillor Leonard

That By-law 2021-63, being a by-law to amend By-law 2003-75, as amended to rezone land from Rural (RU) to Limited Service Residential-Waterfront (RLSW) on lands described as Part of Lots 6, 7 and 8, Concession 11, District of Portland, be given third reading, signed and sealed.

Carried

f) **By-law 2021-64 - Authorize the use of alternative voting methods for the 2022 Municipal Election**

Resolution No. 2021-31-18

Moved by Councillor Sutherland

Seconded by Deputy Mayor Revill

That By-law 2021-64, being a by-law to authorize the use of alternative voting methods for the 2022 Municipal Election be given third reading, signed and sealed.

Carried

g) **By-law 2021-65 - Dedicate and assume as common and public highway, certain lands (Lyons Landing)**

Resolution No. 2021-31-19

Moved by Councillor Sutherland

Seconded by Deputy Mayor Revill

That By-law 2021-65, being a by-law to dedicate and assume as common and public highway, certain lands in the Township of South Frontenac pursuant to Section 26, 28 and 31 (6) of the Municipal Act, 20021, be given third reading, signed and sealed.

Carried

14. Reports for Information - not applicable

15. Information Items

a) **Leslie and Tom Olvet - Short Term Rental Regulations**

- this also appears as an attachment to the delegation portion - see 7a)

b) **Frank B. Edwards - Short Term Rental Regulations**

c) **CUPE - Call for Independent Review of OMERS Investment Performance**

16. Notice of Motions

a) Councillor Sutherland served a notice of motion to support the CUPE call for review of OMERS Investment Performance.

b) Councillor Sutherland served a notice of motion on short term rentals.

17. Announcements/Statements by Councillors

a) Mayor Vandewal commended staff for reopening Hinchinbrooke Road to traffic for the winter season.

b) Councillor Sutherland inquired about the status of opening up Council meetings for the public to attend in person again.

Neil Carbone explained that the Emergency Control Group will be bringing a recommendation back to Council.

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

- a) Wilma Kenny wanted to know if Council will be streaming to Facebook the "Rise and Report" out of closed session.

It was confirmed that the meeting will reconnect to Facebook Live after the closed session.

19. Closed Session

- a) Resolution

Councillor Morey left the Council Chambers for the Closed Session and did not take part in the discussion with respect to Item 19 b) applications for the Harrowsmith Beautification Committee.

Resolution No. 2021-31-20

Moved by Councillor Ruttan

Seconded by Councillor Roberts

That Council will move into a Closed Session as permitted by the Municipal Act, Section 239.2 (b) to discuss personal matters about identifiable individual, including a municipal or local board employee with regard to applications submitted for the Harrowsmith Beautification Committee and to discuss developer issues and item (d) labour relations or employee negotiations with regard to the recruitment of a Director of Public Services.

Carried

- b) **Harrowsmith Beautification Committee - Applications**
- c) **Recruitment of Director of Public Services**
- d) **Developer Issues - Verbal Report from the CAO**
- e) **Resolution - Move out of Closed Session**

Resolution No. 2021-31-21

Moved by Councillor Leonard

Seconded by Councillor Sutherland

That Council move out of closed session.

Carried

20. Rise and Report from Closed Session

- a) Harrowsmith Beautification Committee Appointments

Resolution No. 2021-31-22

Moved by Councillor Leonard

Seconded by Councillor Ruttan

That Schedule A to By-law 2019-05, be amended to confirm the following appointments to the Harrowsmith Beautification Committee:

- Adele Hamelin
- Brenda Taylor
- Aimanda Dirksen
- Sean Irish
- Lindsey Morey
- Greg Hamelin

Carried

21. Confirmatory By-law

a) **By-law 2021-66**

Resolution No. 2021-31-23

Moved by Councillor Sleeth

Seconded by Councillor Sutherland

That By-law 2021-66, being a by-law to confirm generally all actions of the Council of the Corporation of the Township of South Frontenac, be given first and second reading this 2 day of November 2021.

Carried

Resolution No. 2021-31-24

Moved by Councillor Roberts

Seconded by Councillor Leonard

That By-law 2021-66, being the confirmatory by-law, be given third reading, signed and sealed this 2 day of November 2021.

Carried

22. Adjournment

a) Resolution

Resolution No. 2021-31-25

Moved by Councillor Ruttan

Seconded by Councillor Revill

That the Council meeting of November 2, 2021 be adjourned at 9:20 p.m.

Carried

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Ron Vandewal, Mayor

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Neil Carbone, Chief Administrative  
Officer/Deputy Clerk