

Minutes of Council
January, 12, 2021

Time: 7:00 PM

Location: Electronic Participation



Meeting # 2

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, Claire Dodds - Director of Development Services, Mark Segsworth - Director of Public Services, Louise Fragnito - Director of Corporate Services and Treasurer, Angela Maddocks - Clerk.

Staff Present via Electronic Participation: Darcy Knott - Director of Fire and Emergency Services, Christine Woods - Planner.

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

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

Resolution No. 2021-2-01

Moved by Councillor Barr

Seconded by Councillor Sutherland

That the Council meeting of January 12, 2021 be called to order at 7:02 p.m.

Carried

2. Declaration of pecuniary interest and the general nature thereof
- a) Councillor Ruttan declared a pecuniary interest with respect to Agenda Item 8 d) and left the Council Chambers during this portion of the meeting.

3. Approval of Agenda
- a) Resolution

An addition to the agenda, Item 11 e) was added after the first version of the agenda was published.

Resolution No. 2021-2-02

Moved by Councillor Ruttan

Seconded by Councillor Revill

That the agenda for the January 12, 2021 Council meeting be adopted as amended.

Carried

4. Rise and Report from Special Committee of the Whole
- a) Resolutions - LPAT Appeals (File #'s S-34-19-S and S-35-19-S, MV-34-20-B) and WTC Broadband Support Opportunity

Resolution No. 2021-2-03

Moved by Councillor Morey

Seconded by Councillor Sleeth

That the Township of South Frontenac support the WTC's application to the Universal Broadband Fund Rapid Response Stream for expansion of Fibre to the Home (FTTH) and Fixed Wireless 50/10 broadband service to additional homes in South Frontenac;

And that no financial commitment be made at this time.

Carried

Resolution No. 2021-2-04

Moved by Councillor Sleeth

Seconded by Councillor Morey

That Council direct their solicitor not to defend the Committee of Adjustment's decisions in the LPAT appeals of consent applications S-34-19-S and S-35-19-S, and instead seek a settlement on the basis that both consents would be approved by LPAT;

And that the Township solicitor be directed to defend the Committee of Adjustment's decision on the LPAT appeal regarding Minor Variance MV-34-20-B.

Carried

5. Scheduled Closed Session - not applicable

6. ***Recess*** - not applicable

7. Delegations - 2021 Budget

a) South Frontenac Museum Association - John McDougall & Bob Brown, re: 1) Budget allocation for preservation, landscaping & signage of publicly owned buildings of historical significance, 2) Save the Bellrock & Petworth Mill Projects

John McDougall and Bob Brown from the South Frontenac Museum Committee requested that funding be included in the 2021 budget for preservation, landscaping and signage of publicly owned buildings of historical significance in the township with specific focus on stabilization of the stonework at Petworth Mill and clearance of unnecessary brush and trees. Eventually they would like to see a small picnic area established for the public.

b) Mary Rae - 14 Island Lake Association

Mary Rae, President of the 14 Island Lake and Mink Lakes Association attended "virtually" to request that funding be included in the 2021 budget. The funding request was for a \$5000 capital contribution to the necessary construction project and \$10,000 of "in-kind" services to provide access to the dam from Willy's Lane as it is in fair to poor condition based on the assessment made by the Quinte Conservation Authority.

c) Julie Servant, Executive Director - Frontenac Arch Biosphere Network

Julie Servant, Executive Director of the Frontenac Arch Biosphere Network requested that Council consider including funding in the amount of \$5200.00 as South Frontenac's share to continue community relationship building, program development and new project initiatives. This amount is based on a per-capital contribution of the total requirement.

d) Steve Lapp - Budget Allocation for Climate Change Adaptation & Mitigation

Steve Lapp had no budget request but rather commended Council for their consideration towards climate adaptation and mitigation that is included in the 2021 budget in the amount of \$100,000.00.

e) Donna Garland, Fermoy Hall Committee - 2021 Budget Submission

Donna Garland, representing the Fermoy Hall Committee requested that budget consideration be given towards establishing a broadband /internet service hub at Fermoy Hall with part of the funding to be used to complete the renovations for seasonal occupancy. She presented a three year approach to delivering on the internet service hub at this location.

8. Public Meeting

a) Resolution & Public Meeting Statement

The Clerk provided direction on obtaining decisions made with respect to the applications being heard as well as the process for appealing any decision.

Resolution No. 2021-2-05

Moved by Councillor Morey

Seconded by Councillor Sleeth

That a public meeting be held to allow for input in to planning applications related to the following:

- Road Closing Application RC-20-01 - Christel Lane - 2290998 Ontario Inc
- Road Closing Application RC-20-02 - Concession 2 & 3, Lot 17 - Beam
- Zoning By-law Amendment Application Z-20-14 - 1024 Hidden Valley Lane
- Zoning By-law Amendment Application Z-20-15 - Mowoods Lane

Carried

b) Road Closing Application - RC-20-01 - Concessions 9 & 10, Lot 20, Christel Lane, 2290998 Ontario Inc (Storrington)

Claire Dodds, Director of Development Services, provided an overview of this road closing application that will apportion the road allowance to a number of property owners, between Concession 9 and 10, Part Lot 20 on Christel Lane. The original proposal made by the applicant was presented to Council on July 14, 2020, however Council chose to defer the request due to the concern that this transfer may result in the creation of stranded portions of Township road allowance. Council recommended that adjacent property owners be contacted about purchasing a portion of the road allowance to explore whether the transfer of the road allowance can be addressed in a joint fashion and a rational division of the road allowance be achieved. Ms. Dodds reviewed the proposed allocation of all six parts of the road allocation, this particular applicant is associated with Parts 4 and 5.

Councillor Sleeth commented that this will benefit all of the land owners and will clean up some of the issues where there are buildings constructed on part of the road allowance.

Bob Volpe was connected virtually but had no comments.

Susan Keefe was connected virtually but had no comments.

c) Road Closing Application RC-20-02 - Concessions 2 & 3, Lot 17, Beam (Bedford)

Claire Dodds, Director of Development Services reviewed the application to

close a portion of the road allowance between Concession 2 and 3, Lot 17. This road allowance runs from north to south across the peninsula on Bob's Lake. Previously other portions of the road allowance have been stopped up closed and transferred to abutting properties which has resulted in some jutting in and out of the remaining road allowance. There is a steep slope towards the lake on the subject property and the applicants have been traversing these lands for number of years. This closure would help to provide some reasonable access to the waterfront. There would still be a small piece of the road allowance that would be left and staff have been in conversation with the applicant about including this piece if no other abutting owners are interested. The area in question is primarily a wooded/scrub brush land.

Councillor Revill was familiar with the site and indicated that he had no problem with the request to close this portion of the road allowance.

Mayor Vandewal asked if this would be closing off the whole road allowance. Claire Dodds confirmed that it would only be closing the southern portion.

Councillor Sutherland requested clarity on the stranded piece. Claire Dodds noted that the applicant only wishes to have the portion that extends to the most northerly portion and parallel to their property but that it could be configured at an angle if that was the direction of Council.

Mayor Vandewal noted the township policy that generally we do not close road allowances leading to water and asked for clarity from Councillor Revill if he had any concerns about closing this particular portion.

Councillor Revill was not concerned about selling this portion however encouraged Council to consider developing a broader policy on how the township could develop sections of unopened road allowances going forward. He noted that no one from the public would have ever found this particular piece of unopened road allowance.

Councillor Sutherland had the same concern about this particular property and met with two property owners who have some type of arrangement to use an existing boat ramp where there is a good access to the lake. He felt this property (road allowance) was not easily accessible.

Blair Leeman was connected virtually and did not express any objection, he noted that the mapping provided clarity to him on this application.

Mr. Beam, the applicant was on the line but had no comments, he appreciated the presentation made by staff.

d) Rezoning Application Z-20-14 - 1024 Hidden Valley Lane, (Loughborough)
Ruttan

Councillor Ruttan left the Council Chambers at this time.

Christine Woods, Planner provided the background to this application for rezoning. She explained that the subject property is 29 hectares (72 acres) in area with frontage on Hidden Valley Road and on Buck Lake. Hidden Valley Lane runs through the property providing access to the uses on the property as well as to approximately thirty waterfront properties.

The lands consist of swamp interspersed with forested rocky knolls. The property has frontage on Buck Lake in four locations, three of which are swamps. The fourth location is connected with Hidden Valley Park, which is a tourist establishment consisting of ten trailer sites. The lands associated with the tourist establishment are zoned Recreational Resort Commercial – Special

Provision (RRC-57).

In addition to the tourist establishment, the property contains two dwellings and two accessory detached garages. The dwellings and accessory detached garages are located at the south end of the property, on the east (non-waterfront) side of Hidden Valley Lane and opposite the tourist establishment. These buildings are located on lands that are zoned Rural (RU).

Ms. Woods noted that Scott Meskis who resides at 1071 Shadow Lane) indicated that he has no objection to recognizing the two existing houses on the property. However, he does not want more development on the property as the neighbourhood and Buck Lake are overdeveloped. He suggested that the zoning include wording that would not allow more development on the property, and to not allow replacement houses in different locations on the property.

This application is consistent with the direction of the Provincial Policy Statement and consistent with the County Official Plan. The Township Official Plan does not provide specific direction on how many dwellings or dwelling units on a property and therefore Planning staff look at the PPs for direction.

Ms. Woods noted that typically, it is preferred that the multiple dwellings or dwelling units on a property be serviced by one well and septic system and be accessed from the one driveway. In this situation, it is acknowledged that the topography and the location of the existing buildings and structures preclude the dwellings sharing a septic system. Staff support the proposal to construct a separate driveway farther to the north off the private lane for the cottage given the intensity of activity at this location. This location includes the driveway for the house and cottage, the entrance to the tourist establishment, and a secondary private lane. The wording of the proposed by-law would require the dwellings to share a well, septic system or driveway, in order to maintain the intent of the amendment to legally recognize the two existing dwellings and to not facilitate redevelopment of one or both of the dwellings in other locations on the property.

Mayor Vandewal questioned the terminology of house and cottage as both had been referenced in the report. Ms. Woods confirmed that this does not change anything with respect to the rezoning.

Suzanne Ruttan was in attendance virtually, but did not have any comments.

Councillor Ruttan returned to the Council Chambers at this time.

e) Rezoning Application - Z-20-15 - Davidson Road at Mowoods Lane, Brice (Storrington)

Christine Woods provided an over view of the subject property that is 10 hectares (24.64 acres) in area, has frontage on Davidson Road but is accessed by Mowoods Lane. The property also has frontage on the West Basin of Loughborough Lake. Approximately half the property consists of an old farm field that slopes gently from Davidson Road towards the northwest. The other half of the property consists of a predominately cedar forest. The lands within approximately 45 metres of the shoreline consist of a high, steep slope. The shoreline consists of an approximately 2 metre high vertical limestone cliff.

There has been extensive site alteration and tree clearing on the property within 100 metres of the shoreline, in anticipation of development. A portion of the shoreline is developed with a boat slip. The boat slip was permitted by Cataraqui Conservation under Ontario Regulation 148/06. The proposed dwelling is proposed to be located 45 metres from the high water mark, at the

top of the high, steep slope.

The subject property is part of a block in the Loughborough Shores Plan of Subdivision. At the time the subdivision was developed, an Open Space zone with special provisions was established on the block in order to prohibit development until such time as a source of potable water was identified to the satisfaction of the municipality. This requirement relates to the findings of the hydrogeological assessments for the subdivision. The hydrogeological assessments identified non-potable water on the subject lands. The block is also subject to a drainage easement in favour of the Municipality. The easement and an associated agreement are registered on title.

The Owner has requested a zoning by-law amendment to change the Open Space – Private – Special Provision (OSP-5) zone on the subject lands to Limited Service Residential – Waterfront – Special Provision to facilitate the construction of a single detached dwelling on the property. The RLSW zone is applicable to residential properties that have frontage on a private lane, or are accessed via a private lane, and have frontage on a navigable waterway. While the subject property has frontage on Davidson Road, the applicant intends to use Mowoods Lane for access. The special provision is requested to require a dwelling to be located at least 45 metres from the highwater mark of Loughborough Lake, and a sewage system to be located at least 90 metres from the highwater mark. The setbacks, which are greater than the minimum 30 metre setback required in the Zoning By-law, are proposed to minimize the impact of a dwelling and septic system on the water quality of the lake. The West Basin of Loughborough Lake is an at-capacity lake trout lake.

A planning justification report, hydrogeological study and terrain analysis, an environmental site evaluation, as well as a drainage brief were submitted in support of the application. Ms. Woods provided a review of the supporting studies associated with this application with specific focus on the environmental site evaluation requirements. The hydrogeological study and the terrain analysis have been forwarded to the township's peer review consultants and these results will be shared with Council.

Ms. Woods indicated that an email had been received from Phil and Francois Bates earlier in the day about water quantity and quality. She noted that she is not qualified to speak to the potential impact on existing wells. He questioned the access to a small road that runs along the south-western edge of the lot that links Davidson Road with end of Four Seasons Drive. Ms. Woods confirmed that this small road has always been a private road and remains as is. In response to the Bates questions regarding speed control, Ms. Woods noted that the answers to these questions are general questions that can be answered by Public Services and do not affect the application specifically and she will follow up later. The hydrogeological study (to be peer reviewed) has indicated that the well is capable of providing an adequate supply of water, at least 4.5 gallons per minute that is required for new lots created.

Councillor Revill asked if the request for native landscaping restoration is a reflection of an over zealous site preparations and questioned how this would be protected through the site plan control especially since this lake is a lake trout sensitive lake. Ms. Woods explained that this requirement is a result of the clearing already done on this property therefore sediment control requirements and re-vegetation will take place over time.

Councillor Morey noted the original challenge of finding potable water in this area and wondered how they managed to find it now - had fracking been undertaken? He also noted that there is a plan of subdivision on this subject land and wondered what this might mean for the development of this particular parcel, should this be zoned Limited Service Residential Waterfront.

Ms. Woods explained that it had been proposed to be part of a subdivision however the hydrogeological assessments done at that time indicated that a large band of non-potable water existed. Some of it was related to quantity and some of it was related to quality - high in sodium, therefore a subdivision was not created. A residential well was drilled outside of that band with suitable quality and quantity characteristics. This property had had three residential lots severed from it in the past along Davidson Road so there is no opportunity to create more lots through the consent process.

Mayor Vandewal inquired about the clear cutting and when it had been done and whether a bank stability slope study will be required. Ms. Woods indicated that CRCA will advise staff on whether this will be required. With respect to drainage, Mayor Vandewal asked if they will have to create ponds, or will the drainage go directly to the lake. Ms. Woods indicated that there is a swale and a storm water pond in the easement and the pond has approval from the Ministry of the Environment. Mayor Vandewal suggested that a drainage study be done at the developers expense. Ms. Woods indicated that the applicant constructed a road and boat slip on the swale and redirected to the creek and so they are proposing to move the swale on the downstream side of the pond so that it will access the lake and not go to the boat slip. The design work has been done and reviewed by a consulting engineer.

Mayor Vandewal thought that if a lot had lake access a well was not required. He was very concerned about the drainage and all the work that has been done prior to the application being made. Councillor Sleeth concurred with the Mayor in that the developer should incur the costs for drainage.

Mike Keene agreed that this is a complicated application and there is no question that the applicant will be bearing the costs associated with changes to the drainage. With respect to the removal of vegetation, Mr. Keene felt that a lot of the work was done when the boat slip was constructed under the conservation authority permit. The site plan control will address all of the concerns identified.

Kathy Doak indicated she had no problems with the application.

Philip Bates indicated he looked forward to the two remaining answers to his questions.

f) Resolution - Close Public Meeting

Resolution No. 2021-2-06

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) November 17, 2020 Council Meeting

b) November 24, 2020 Special Council Meeting (6:45 pm)

c) November 24, 2020 Committee of the Whole

d) November 24, 2020 - Special Council Meeting (9:00 pm)

Resolution No. 2021-2-07

Moved by Councillor Ruttan

Seconded by Councillor Revill

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That the minutes of the following November 2020 meetings be approved:

- November 17, 2020 Council
- November 24, 2020 Special Council (6:45 pm)
- November 24, 2020 Committee of the Whole
- November 24, 2020 Special Council (9:00 pm)

Carried

- e) December 1, 2020 - Council Meeting
- f) December 8, 2020 Committee of the Whole
- g) December 15, 2020 Council Meeting

Resolution No. 2021-2-08

Moved by Councillor Roberts

Seconded by Deputy Mayor Leonard

That the minutes of the following December meetings be approved:

- December 1, 2020 Council
- December 8, 2020 Committee of the Whole
- December 15, 2020 Council

Carried

- 10. Business Arising from the Minutes - not applicable
- 11. Reports Requiring Action
 - a) Declare Land Surplus: Property at Craig and Mustard Roads - Addendum to October 2020 Report

Resolution No. 2021-2-09

Moved by Councillor Morey

Seconded by Deputy Mayor Leonard

That Council declare the parcel of real property, identified as PT LT 8 CON 14 PORTLAND PT 1, 13R11450; SOUTH FRONTENAC (PIN 36149-0291, Roll Number 102908005026700) surplus to the needs of the Township for the purpose of divestiture.

Carried

- b) Application for Extension of Draft Plan Approval - Ouellette Plan of Subdivision - 10CD-2011/002

Resolution No. 2021-2-10

Moved by Councillor Ruttan

Seconded by Councillor Revill

That South Frontenac Council has no objection to the County of Frontenac extending draft plan approval for a period of one year for application 10T-2011/002, subject to the conditions approved by County Council on July 17, 2013 and direct the Clerk to forward this resolution to the County Clerk.

Carried

- c) Application for Extension of Draft Plan Approval - Cranberry Cove Plan of Condominium - 10CD-2012/002

Claire Dodds, Director of Development Services reported that since the writing of this report that the County of Frontenac has issued final approval on January 8, 2021.

- d) Application for Extension of Draft Plan Approval - Johnston Point Plan of Condominium - 10CD-2014/001

Resolution No. 2021-2-11

Moved by Councillor Roberts

Seconded by Deputy Mayor Leonard

That South Frontenac Council has no objection to the County of Frontenac extending draft plan approval for application 10CD-2014/001 for a short period of time in order to allow the remaining outstanding administrative items to be completed on this application, and to direct the Clerk to forward this resolution to the County Clerk.

(Withdrawn)

Resolution No. 2021-2-12

Moved by Councillor Revill

Seconded by _____

That this resolution be deferred.

Resolution No. 2021-2-13

Moved by Councillor Revill

Seconded by Councillor Ruttan

That Council provide no comment on County File 10CD-2014/001.

Carried

- e) Vaccination roll out for Long Term Care Home Employees

This item was added to the agenda after it was originally published. Council agreed to approve the agenda as amended and to include this report and resolution in this meeting.

Resolution No. 2021-2-14

Moved by Councillor Morey

Seconded by Councillor Sleeth

That the Township of South Frontenac requests that Kingston Health Sciences Centre (KHSC) and KFL&A Public Health work with local municipalities to implement local options for the delivery of vaccinations to front line workers and the community; and,

That the Township of South Frontenac express its sincere thanks to KHSC and KFL&A Public Health for their leadership on the delivery of COVID-19 vaccinations in the region and pledge support for the program.

Carried

12. Committee Meeting Minutes - none

13. By-laws - none

14. Reports for Information

a) Growth Projections 2016 to 2046

15. Information Items

a) Closed Meeting Investigation Report

b) Rideau Valley Conservation Authority - 2021 Proposed Budget and Levy

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16. Notice of Motions - not applicable
17. Announcements/Statements by Councillors - none
18. Question of Clarity (from the public on outcome of agenda items)
 - a) For those individuals still connected virtually, no one indicated that they had any questions of clarity.

19. Closed Session

- a) In accordance with Section 239.2 (b) of the Municipal Act, Council will move into closed session to discuss personal matters about identifiable individuals, including municipal or local board employees **related to the Township's organizational structure.** (Verbal Report)

Resolution No. 2021-2-15

Moved by Councillor Roberts

Seconded by Councillor Ruttan

That Council move into Closed Session in accordance with Section 239.2 (b) of the Municipal Act, to discuss personal matters about identifiable individuals, including municipal or local board employees related to the Township's organizational structure.

Carried

- b) Personal Matters about Identifiable Individuals/Organizational Structure
- c) Resolution

Resolution No. 2021-2-16

Moved by Deputy Mayor Leonard

Seconded by Councillor Sleeth

That Council move out of closed session.

Carried

20. Confirmatory By-law

- a) By-law 2021-01

Resolution No. 2021-2-17

Moved by Councillor Sleeth

Seconded by Councillor Morey

That By-law 2021-01, 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 12 day of January 2021.

Carried

Resolution No. 2021-2-18

Moved by Councillor Sutherland

Seconded by Councillor Roberts

That By-law 2021-01, being the confirmatory by-law, be given third reading, signed and sealed this 12 day of January 2021.

Carried

21. Adjournment

- a) Resolution

Resolution No. 2021-2-19

Moved by Councillor Ruttan

Seconded by Councillor Sleeth

That the Council meeting of January 12, 2021 be adjourned at 10:22 p.m.

Carried

Ron Vandewal, Mayor

Angela Maddocks, Clerk