

Minutes of Council  
March, 16, 2021

Time: 7:00 PM

Location: Electronic Participation/Council Chambers



### Meeting #13

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

**Council Present via Electronic Participation:** Pat Barr (left the meeting at 7:30 pm)

**Staff Present in Council Chambers:** Louise Fragnito - Acting CAO/Director of Corporate Services and Treasurer, Angela Maddocks - Clerk, Claire Dodds - Director of Development Services, Christine Woods - Senior Planner.

1. Call to Order & Roll Call

a) Resolution

Resolution No. 2021-13-01

Moved by Councillor Morey

Seconded by Councillor Sleeth

That the Council meeting of March 16, 2021 be called to order at 7:00 p.m.

Carried

2. Declaration of pecuniary interest and the general nature thereof

a) Deputy Mayor Leonard declared a pecuniary interest with respect to the Accounts Payable and Payroll Listing - Agenda Item 13 a).

3. Approval of Agenda

a) Resolution

Resolution No. 2021-13-02

Moved by Councillor Ruttan

Seconded by Councillor Revill

That the agenda for the March 16, 2021 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) Resolution - Open Public Meeting

Resolution No. 2021-13-03

Moved by Councillor Revill

Seconded by Councillor Morey

That a public meeting be held to allow for input on Road Closing Application RC-20-03, Plan 1316, Lots 16-20, (part of Rideau Crescent).

b) Road Closing Application RC-20-03 - Plan 1316, Lots 16-20

Claire Dodds, Director of Development Services explained that the road allowance is aligned from southwest to northeast running through a peninsula in Little Cranberry Lake and is part of a former Plan of Subdivision for properties along Rideau Road and Rideau Crescent Lane, being Subdivision Plan 1316. The portion of road allowance subject to this application is accessed over Rideau Crescent Lane. The road allowance does not lead to water, however the benefitting property located at 30 Rideau Crescent Lane is a waterfront property. The subject road allowance is partially cleared and used as parking and access to the property with a scrub brush area furthest away from benefitting lands.

The owners of the lands municipally known as 30 Rideau Crescent Lane, Jordan Cunningham and Madeline King, have filed this road closing application requesting Council stop up, close and transfer an approximately 20 metres by 30.5 metres of unopened road allowance being part of Rideau Crescent on Plan 1316, District of Storrington.

30 Rideau Crescent Lane is a waterfront parcel of land located southeast of the unopened road allowance. The lands are developed with a home, outbuildings, a bridge and a dock. The parcel to be enlarged is approximately 0.52 acres in size, being an undersized, legal non-complying parcel. By adding the road allowance to this property, the parcel would be closer to conforming to the current Comprehensive Zoning By-Law 2003-75 provisions and will enable the applicants to enlarge their home away from the lake.

Although this portion of the unopened road allowance remains under Township ownership, a portion of road allowance to the north east has previously been stopped up, closed and transferred to the abutting property municipally known as 5508 Rideau Road.

Ms. Dodds noted that Public Services staff advised that they have no issues with selling the road allowance and that consistent with the requirements of the Municipal Act, a Notice of Road Closing was posted on the Township website on February 4, 2020 and advertised in the Frontenac News for 4 weeks beginning February 4, 2021. Notice was also sent by mail to all other land owners abutting the relevant portion of the road allowance.

Planning Staff received a reply to the Public Notice from adjacent land owners, Stanly and Muriel Prunster on February 19, 2021. The Prunster's own 5508 Rideau Road and the land between the unopened road allowance and Rideau Road, to the west of the portion of the unopened road allowance that has requested to be purchased. Planning Staff have since received written and verbal correspondence from the neighbours and on March 5, 2021 planning staff received an application from Mr. and Mrs. Prunster to stop up, close and purchase 50% of the road allowance proposed to be purchased by Jordan Cunningham and Madeline King.

Road Closing application RC-21-02 by Mr. and Mrs. Prunster, proposes to purchase a portion of the unopened road allowance as it would enable them to widen their driveway, improve drainage, provide more parking and allow for proper and safe snow removal on their own property. As the Township has now received two applications to close and transfer the same portion of unopened road allowance, staff have asked the parties to attempt to come to mutual agreement regarding the apportionment of the property prior to bringing a recommendation forward to Council to stop up, close and transfer the property.

Should the parties be unable to come to mutual agreement on the

apportionment, staff would make a recommendation to Council regarding the transfer, based on best planning principles.

Councillor Sleeth asked if the Prunster's would have to make a separate application and pay the relevant fees for this process. Ms. Dodds confirmed that they have paid the relevant fees, however there would not be a need for a separate public meeting for the Prunster's application. Councillor Sleeth asked if there has been any indication received that both parties will agree to this. At this time, Ms. Dodds confirmed that staff have not received any decision.

Councillor Sutherland indicated that he had visited the site earlier in the day and tried to figure out if there was a way to drive down the road allowance to the Prunster property. Councillor Sleeth noted that originally they had accessed the property via the road allowance but this has not been the case for a number of years.

Councillor Sutherland felt it was a very rough and piece of land to provide the intended use that the applicants are seeking, despite this, he did not have a problem with the closing of the road allowance.

Councillor Revill stated that the original intent of the applicant was to ensure they have enough space to enlarge their residence and that this proposal is workable.

Madeline King (in attendance virtually) confirmed that they have come to a mutual agreement with the Prunster's in the division of the road allowance. This would still allow them to meet the setbacks for their proposed addition and provide additional parking space.

Muriel Prunster (in attendance virtually) confirmed the agreement with Jordan Cunningham and Madeline King which will assist them with their snow removal and drainage and narrow driveway. They did not want to impact the applicants ability to increase their structure. She acknowledged the associated costs for survey and administration fees involved with this process.

c) Resolution - Close Public Meeting

Resolution No. 2021-13-04

Moved by Councillor Ruttan

Seconded by Councillor Sleeth

That having provided an opportunity for public input on Road Closing Application RC-20-03, the public meeting be closed

Carried

8. Approval of Minutes

a) Committee of the Whole Meeting - February 9, 2021

Councillor Sutherland requested that the minutes be amended to reflect the compliance with the "human rights" aspect of changes to group homes. Council was supportive of this amendment.

b) Council Meeting - February 16, 2021

c) Special Committee of the Whole Meeting - February 23, 2021

d) Committee of the Whole Meeting - March 2, 2021

Resolution No. 2021-13-05

Moved by Councillor Ruttan  
Seconded by Councillor Sleeth

That the following Committee of the Whole minutes be approved:

- Committee of the Whole meeting of February 9, 2021 (as amended)
- Special Committee of the Whole meeting of February 23, 2021
- Committee of the Whole meeting of March 9, 2021

Carried

e) Council Meeting - March 2, 2021

Resolution No. 2021-13-06

Moved by Councillor Roberts  
Seconded by Councillor Sutherland

That the following Council meeting minutes be approved:

- Council meeting of February 16, 2021
- Council meeting of March 2, 2021

Carried

9. Business Arising from the Minutes

a) Notice of Motion - Randy Hillier, MPP - Lanark-Frontenac-Kingston - Disregard for Pandemic Restrictions/Regulations

Resolution No. 2021-13-07

Moved by Councillor Sleeth  
Seconded by Councillor Morey

That Council inform the Premier of Ontario and the Ontario Legislature that the conduct of Lanark-Frontenac-Kingston, MPP Randy Hillier is in no way condoned or supported by the Council of the Township of South Frontenac; and,

That this resolution be forwarded to all other municipalities within the riding.

Carried

b) Anticipated Residential Development in Verona and the Use of the K & P Trail between Bellrock Road and Craig Road

Councillor Revill proposed an amendment to the motion (see 2021-03-09- as the proposed amendment) that was presented in the report. Councillor Morey, as the seconder of the motion approved the amendment.

Resolution No. 2021-13-08

Moved by Councillor Revill  
Seconded by Councillor Morey

That South Frontenac Council oppose the extension of the trial period for ATV access to the K&P Trail between Bellrock and Craig Road in Verona due to the anticipated residential growth and development in that area; and,

That staff be directed to provide a copy of this motion to County Council in advance of their regular meeting on March 17th, 2021.

(Original Motion included in the report)

Resolution No. 2021-13-09

Moved by Councillor Revill  
Seconded by Councillor Morey

That Council oppose the permanent ATV access to the K&P Trail between Bellrock and Craig Road in Verona, at this time, due to the anticipated residential growth and development in that area; and,

That Council support the extension of the trial period for ATV access to the K&P Trail between Bellrock and Craig Road in Verona to be reviewed between the Township and the County once further information is available on the anticipated housing development in Verona; and,

That staff be directed to provide a copy of this motion to County Council in advance of their regular meeting on March 17th, 2021.

Carried (as amended)

10. Reports Requiring Action

a) Desert Lake Resort - Noise By-law Exemption Request

Resolution No. 2021-13-10

Moved by Councillor Sutherland

Seconded by Councillor Revill

That Council grant an exemption to the Noise Bylaw for the Desert Lake Resort for June 26, July 3, July 31 and September 4, 2021 between the hours of 7:30 pm and 10:30 pm, for the purpose of amplified musical events;

And that a copy of this resolution is circulated to Public Health to ensure that they are aware of these gatherings and to have Desert Lake Resort owners coordinate/discuss with Public Health a strategy to meet the current COVID regulations in effect (for each of the dates requested) in order to ensure that public health is protected.

Carried

b) Awarding the Request for Proposal - South Frontenac Official Plan

Resolution No. 2021-13-11

Moved by Councillor Roberts

Seconded by Councillor Ruttan

That Council award the contract for consulting services for the preparation of a new South Frontenac Official Plan project to Dillon Consulting in the amount of \$132,562 + HST.

Carried

c) 2021 Crack Sealing Program

Resolution No. 2021-13-12

Moved by Councillor Morey

Seconded by Councillor Sleeth

That Council approves the extension of the Township's agreement with Roadlast Asphalt and Sealing Maintenance for the provision of crack sealing services in 2021 based on the vendor holding its 2020 rate for that service.

Carried

d) MFOA Request for Extension of Asset Management Deadlines

Resolution No. 2021-13-13

Moved by Councillor Sutherland

Seconded by Councillor Morey

WHEREAS the COVID-19 pandemic has had significant financial and operational impacts on Ontario municipalities;

AND WHEREAS municipalities have had to divert resources towards addressing the immediate needs of the pandemic and maintaining service delivery standards despite evolving restrictions and limited funds;

AND WHEREAS the Government of Ontario has delayed timelines with respect to several pieces of legislation;

AND WHEREAS the Government of Ontario has regulated municipal asset management through O. Reg. 588/17: Asset Management Planning for Municipal Infrastructure under the *Infrastructure for Jobs and Prosperity Act, 2015*;

AND WHEREAS O. Reg. 588/17 mandates that every municipality shall prepare an asset management plan in respect of its core municipal infrastructure assets by July 1, 2021, and in respect of all of its other municipal infrastructure assets by July 1, 2023;

AND WHEREAS the key components of an asset management plan as required by the regulation are:

1. Infrastructure asset inventory
2. Levels of service
3. Lifecycle management and financial strategy

AND WHEREAS there is a concern amongst Municipal Finance Officers' Association of Ontario (MFOA) members and their municipalities that current capacity challenges will result in limitations for purposeful asset management planning;

AND WHEREAS Ontario municipalities do not anticipate the current capacity challenges to be resolved in the short-term;

NOW THEREFORE BE IT RESOLVED that the Township of South Frontenac supports MFOA's letter to the Ministry of Infrastructure requesting a one-year extension of deadlines in O. Reg. 588/17: Asset Management Planning for Municipal Infrastructure under the *Infrastructure for Jobs and Prosperity Act, 2015*; so that all municipalities can focus on the immediate needs of the pandemic and engage in municipal asset management planning when capacity challenges are resolved.

Carried

- e) Zoning By-law Amendment Z-20-12 - Concession VIII, Part Lot 10 (Loughborough) 1012 Hill Lane

Christine Woods informed Council that there was a setback omitted from the version of the by-law that was included in the agenda regarding the setback for a sewage system. The by-law should require any sewage system to be setback a minimum of 12.2 metres from the top of bank.

- f) Site Plan Control Application - SP-09-20-L - Robert Blasko - 1024 Hill Lane

Council discussed Councillor Sutherland's concern about the gazebo on this property as there is not an existing building permit on file or to be found for it. The gazebo overhangs the top of the bank and is well within the setback from the shoreline. Also, there were concerns about legalizing the gazebo by approving the site plan as presented. This was addressed in the "By-law" section of the agenda.

- g) Zoning By-law Amendment Z-21-02 - Concession 9, Part of Lot 7 - 4679 Noble Lane

See By-law 2021-12

11. Committee Meeting Minutes - not applicable

12. By-laws

- a) By-law 2021-10 - Rezone Concession VIII, Part of Lot 10 (Loughborough) 1012 Hill Lane (deferred)

Resolution No. 2021-13-14

Moved by Councillor Sleeth

Seconded by Councillor Morey

That Council defer By-laws 2021-10 and 2021-11 to allow time for staff to work with the applicants to address concerns about the existing gazebo located at 1012 Hill Lane.

Carried

- b) By-law 2021-11 - Site Plan Agreement with Robert Blasko - 1012 Hill Lane (deferred)
- c) By-law 2021-12 - Rezone Concession 9, Part Lot 7 (Storrington) - 4679 Noble Lane

Resolution No. 2021-13-15

Moved by Councillor Sleeth

Seconded by Councillor Sutherland

That By-law 2021-12 be given first and second reading.

Carried

Resolution No. 2021-13-16

Moved by Councillor Ruttan

Seconded by Councillor Sleeth

That By-law 2021-12, being a by-law to amend By-law 2003-75 as amended, to rezone land from Urban Residential First Density (UR1) to Limited Service Residential- Waterfront (RLSW) on lands described as 4679 Noble Lane, Part of Lot 17, Concession 9, District of Storrington, be given third reading signed and sealed.

Carried

13. Reports for Information

- a) Accounts Payable and Payroll Listing
- b) Council Remuneration & Expenses - 2020
- c) Investment Update
- d) 2020 Development Charges Reporting

14. Information Items - not applicable

15. Notice of Motions - none

16. Announcements/Statements by Councillors

- a) Councillor Sutherland stated his concern about the Ministerial Zoning Orders from the province with respect to overriding environmental protection initiatives and whether it's worthwhile to go through the Official Plan review.

17. Question of Clarity (from the public on outcome of agenda items) - none

18. Closed Session - not applicable

19. Confirmatory By-law

- a) By-law 2021-13

Resolution No. 2021-13-17

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Moved by Councillor Morey

Seconded by Councillor Sutherland

That By-law 2021-13, 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 March, 2021.

Carried

Resolution No. 2021-13-18

Moved by Councillor Sleeth

Seconded by Deputy Mayor Leonard

That By-law 2021-13, being the confirmatory by-law, be given third reading, signed and sealed this 16 day of March, 2021.

Carried

20. Adjournment

a) Resolution

Resolution No. 2021-13-19

Moved by Councillor Sutherland

Seconded by Deputy Mayor Leonard

That the Council meeting of March 16, 2021 be adjourned at 8:02 p.m.

Carried

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Ron Vandewal, Mayor

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Angela Maddocks, Clerk