

Minutes of Council
March, 8, 2022

Time: 7:00 PM

Location: Electronic Participation



Meeting # 13

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

Staff Present in Council Chambers: Louise Fragnito - Interim Chief Administrative Officer, Angela Maddocks - Clerk, Claire Dodds - Director of Development Services, Troy Dunlop - Manager of Technical Services and Infrastructure.

Staff Present via Electronic Participation: Christine Woods - Senior Planner

1. Call to Order and Roll Call

a) **Resolution**

Resolution No. 2022-13-01

Moved by Councillor Sleeth

Seconded by Councillor Morey

That the Council meeting of March 8, 2022 be called to order at 7:00 p.m.

Carried

b) The Clerk conducted the roll call as outlined in the attendance noted above.

2. Declaration of pecuniary interest and the general nature thereof

a) There were no declarations.

3. Approval of Agenda

a) **Resolution**

Resolution No. 2022-13-02

Moved by Councillor Ruttan

Seconded by Councillor Leonard

That Council suspend the rules of the procedural by-law and allow for a combined Committee of the Whole and Council meeting in order to move items forward at the March 8, 2022 meeting; and

That Council approve the agenda as presented including the addition of Agenda Item 9 e) Funding for Doctor Recruitment.

Carried

4. Scheduled Closed Session - at the end of the agenda

5. Delegations - none

6. Public Meeting - not applicable

7. Approval of Minutes - none

8. Business Arising from the Minutes

a) **Notice of Motion - Request to Dissolve the Ontario Land Tribunal**

Councillor Sutherland filed a notice of motion to request the Government of Ontario to dissolve the Ontario Land Tribunal immediately; thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario.

It was pointed out that the Ontario Land Tribunal provides adjudicative services for more than just planning matters and therefore a friendly amendment was proposed to the motion and the text is underlined that was changed and approved by Council.

Resolution No. 2022-13-03

Moved by Councillor Sutherland

Seconded by Councillor Ruttan

WHEREAS Municipalities across this province collectively spend millions of dollars of taxpayer money and municipal resources developing Official Plans that meet current Provincial Planning Policy; and

WHEREAS an Official Plan is developed through months of public consultation to ensure, “that future planning and development will meet the specific needs of (our) community”; and

WHEREAS we are updating our Official Plan to include policies to encourage development of “gentle density”, such as additional dwelling units, to meet the need for attainable housing in our community; and

WHEREAS it is within the legislative purview of Municipal Council to approve Official Plan amendments or Zoning By-law changes that better the community; and

WHEREAS it is also within the legislative purview of Municipal Council to deny Official Plan amendments or Zoning By-law changes that do not better the community; and

WHEREAS municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or “OMB”), an unelected, appointed body that is not accountable to the residents of South Frontenac; and

WHEREAS the OLT has the authority to make a final decision on planning matters based on a “best planning outcome” and not whether the proposed development is in compliance with approved official plans or consistent with provincial plans and policy; and

WHEREAS all decisions—save planning decisions—made by Municipal Council are similarly only subject to appeal by judicial review and such appeals are limited to questions of law; and

WHEREAS Ontario is the only province in Canada that empowers a separate adjudicative tribunal to review and overrule local decisions applying provincially approved plans; and

WHEREAS towns and cities across this province are repeatedly forced to spend millions of dollars defending Official Plans in expensive, time consuming and ultimately futile OLT hearings; and

WHEREAS lengthy, costly OLT hearings act as a barrier to the development of attainable housing.

NOW THEREFORE BE IT HEREBY RESOLVED THAT South Frontenac Council requests the Government of Ontario remove planning matter from the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario;

BE IT FURTHER RESOLVED THAT a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and Housing, the Leader of the Opposition, the Leaders of the Liberal and Green Party, all MPPs in the Province of Ontario; the Large Urban Mayors' Caucus of Ontario, the Small Urban GTHA Mayors and Regional Chairs of Ontario; and

BE IT FURTHER RESOLVED THAT a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Carried

9. Reports Requiring Action

a) **Sydenham Water Treatment Plant - 2021 Annual Report**

Council was asked to receive the 2021 Annual Report on the Sydenham Water Treatment Plant

Resolution No. 2022-13-04

Moved by Councillor Sutherland

Seconded by Councillor Ruttan

That the Council of the Township of South Frontenac receives the Utilities Kingston 2021 Annual Report for the Sydenham Water Treatment System.

Carried

b) **Storrington Centre Upgrades/Grant**

This report updated Council on the Storrington Centre upgrades along with the outcome of our grant submission under the Canada Community Revitalization Fund (CCRF)

Resolution No. 2022-13-05

Moved by Councillor Roberts

Seconded by Councillor Sleeth

That Council authorize the Mayor and Clerk to sign a contribution agreement with the Federal Government for funding under the Canada Community Revitalization Fund (CCRF).

Carried

c) **Cataraqui Source Protection Committee - Municipal Appointments**

This report asked Council for their input on a "municipal" appointee for the Central Area of the Cataraqui Source Protection Committee to fill a vacancy.

Resolution No. 2022-13-06

Moved by Councillor Roberts

Seconded by Councillor Leonard

That the Council of the Township of South Frontenac endorse the nomination of the candidate who receives the most votes as the candidate for the Central Area of the Cataraqui Source Water Protection Committee for a three-year term.

Carried

d) **Conservation Authorities - Inventory of Programs and Services**

Under Ontario Regulation 687/21, Section 21.1.2 every Conservation Authority was to develop a "Programs and Service Inventory" before February 28, 2022 and to share this information with participating municipalities.

Resolution No. 2022-13-07

Moved by Councillor Roberts

Seconded by Councillor McDougall

WHEREAS Ontario Regulation 687/21 requires Conservation Authorities to prepare an inventory of the programs and services offered to our participating municipalities.

AND WHEREAS, the Programs and Services Inventory must be submitted to all participating municipalities within the jurisdiction of each Conservation Authority and to the Ministry of the Environment, Conservation and Parks no later than February 28th, 2022.

AND WHEREAS, the Conservation Executive Boards have approved the Programs and Services Inventory as required;

THEREFORE BE IT RESOLVED THAT the Township of South Frontenac hereby acknowledges receipt of the Cataraqui Conservation, Quinte Conservation and Rideau Valley Conservation Programs and Services Inventory at the meeting held March 8, 2022.

Carried

e) **Funding for Doctor Recruitment**

Resolution No. 2022-13-08

Moved by Councillor Morey

Seconded by Councillor Ruttan

Whereas South Frontenac Council recognizes the family doctor crisis for rural areas including the Sharbot Lake Medical Centre, Sydenham Medical Centre and the Verona Medical Centre;

And whereas it is recognized there are 3 pending retirements in the next 3 to 5 years at local clinics:

Now therefore be it resolved that South Frontenac Council approves a \$1000.00 expenditure for the Sharbot Lake Medical Team, as a recruiting team, to attend the upcoming Society of Rural Physicians Conference in Ottawa from April 20 - 23, 2022 and that this be funded from the operating budget under line under community grants.

Carried

10. Reports Requiring Direction

a) **Resolution - Revert to Committee of the Whole**

Resolution No. 2022-13-09

Moved by Councillor Sutherland

Seconded by Councillor McDougall

That Council move into "Committee of the Whole" to allow for discussion on # 10 - Reports Requiring Direction.

Carried

b) **Lifting of State of Emergency - Changes to Procedural By-law and Conduct of Meetings**

Staff were seeking Council direction on changes to the Procedural By-law 2017-76, as amended, given the State of Emergency that has been in place since April 2020 was lifted on March 3, 2022.

Resolution No. 2022-13-10

Moved by Councillor McDougall

Seconded by Councillor Ruttan

That Council direct staff to prepare an amendment to the Procedural By-law 2017-76, that confirms the electronic participation of Council and Committees of council to ensure quorum is met now that a state of emergency no longer exists; and

That Council provide direction to staff to continue with electronic participation as the primary form of participation for members of the public and delegations for Council and Committee meetings, and that this being re-evaluated in threemonths.

Carried

c) **Resolution** - Revert to Council Meeting

Resolution No. 2022-13-11

Moved by Councillor Roberts

Seconded by Councillor Leonard

That Council revert from Committee of the Whole Council, to Council.

Carried

11. Committee Meeting Minutes - none

12. By-laws

a) **Zoning By-law Amendment Application - Z-21-08 - Wiliam Powis - 2623 Green Bay Road - By-law 2022-22**

This report recommended that Council pass a by-law to change the zone on the subject property to permit a second dwelling unit in a detached accessory building.

Resolution No. 2022-13-12

Moved by Councillor McDougall

Seconded by Deputy Mayor Revill

That By-law 2022-22, being a amend By-law 2003-75, as amended to rezone land from Rural (RU) to Rural Special Provision (RU_66) on lands described as 2623 Green Bay Road, Part 3 on Reference Plan 13R12293, Part of Lot 20, Concession 2, Bedford District, be given first and second reading.

Carried

Resolution No. 2022-13-13

Moved by Councillor Leonard

Seconded by Councillor Ruttan

That By-law 2022-22 be given third reading, signed and sealed.

Carried

13. Reports for Information

a) **Tender # PS-2022-08 - Buck Bay Road Bridge Replacement**

This report provides background on the budget and award of contract for the Buck Bay Bridge Replacement (20-ROI) located 200m north of Westport Road.

b) **Development Services - 2022 Sewage System Seminars**

14. Information Items

- a) **Mayor Arie Hoogenboom, re: Thank you from Rideau Lakes for assistance during recent loss of Fire Hall**
- b) **Ministry of Northern Development, Mines, Natural Resources and Forestry, re: Seeking input about the use of floating accommodations on waterways over Ontario's public lands**

15. Notice of Motions

- a) Deputy Mayor Revill served a notice of motion and asked for staff to provide a report for Council to outline what Department staff will be involved in monitoring and enforcing the site plans and any other condominium conditions for Johnston Point and further to assess our staff capacity to carry out those duties not only for Johnston Point, but other ongoing development work.
- b) Councillor Sutherland served a notice of motion to include a climate change/adaptation assessment section to be incorporated within the staff reports.

16. Announcements/Statements by Councillors

- a) Councillor Sutherland asked about insurance coverage for non-township organized events like the recent ice fishing derby on Sydenham Lake.

Louise Fragnito indicated she would bring back a report on various scenarios and possible options.

- b) Mayor Vandewal asked about the Office Expansion Feasibility Study and timelines.

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

- a) There were no questions.

18. Closed Session

- a) **Resolution:** Council will move into a closed session as permitted by the Municipal Act, Section 239.2 (b) personal matters about an identifiable individual, including municipal or local board employees, related to applications to the Heritage Committee and (c) a proposed or pending acquisition or disposition of land by the municipality or local board, related to property on Battersea Road and Bunker Hill Road.

Resolution No. 2022-13-14

Moved by Councillor Morey

Seconded by Councillor Roberts

That Council move into a closed session as permitted by the Municipal Act, Section 239.2 (b) personal matters about an identifiable individual, including municipal or local board employees, related to applications to the Heritage Committee and (c) a proposed or pending acquisition or disposition of land by the municipality or local board, related to property on Battersea Road and Bunker Hill Road.

Carried

- b) **Property Acquisition - Bunker Hill Road**
- c) **Property Acquisition - Battersea Road**
- d) **Applications for the Heritage Committee**

- e) **Resolution** - move out of closed session.

Resolution No. 2022-13-18
Moved by Councillor Morey
Seconded by Councillor Sleeth
That Council move out of closed session.

Carried

19. Rise and Report from Closed Session

- a) **Resolution** - Appointment to Heritage Committee

Resolution No. 2022-13-19
Moved by Councillor Leonard
Seconded by Councillor Roberts
That Council direct staff to amend Schedule A to By-law 2019-05 and confirm that Brandi Teeple be appointed to the Heritage Committee for the remainder of this Council term.

Carried

20. Confirmatory By-law

- a) **By-law 2022-23**

Resolution No. 2022-13-20
Moved by Councillor Roberts
Seconded by Councillor Leonard
That By-law 2022-23, being a by-law to confirm generally all actions and proceedings of the Council of the Township of South Frontenac, be given first and second reading this 8 day of March 2022.

Carried

Resolution No. 2022-13-21
Moved by Councillor Sutherland
Seconded by Councillor McDougall
That By-law 2022-23, being the confirmatory by-law, be given third reading, signed and sealed.

Carried

21. Adjournment

- a) **Resolution**

Resolution No. 2022-13-22
Moved by Councillor Sleeth
Seconded by Councillor Morey
That the Council meeting of March 8, 2022 be adjourned at 8:23 p.m.

Carried

Ron Vandewal, Mayor

Angela Maddocks, Clerk