

FINAL COPY OF THE ORDER  
TO  
IMPLEMENT THE PROPOSAL FOR THE RESTRUCTURING  
OF THE  
COUNTY OF FRONTENAC, ITS CONSTITUENT MUNICIPALITIES  
AND  
THE CITY OF KINGSTON

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boards are dissolved and a new township to be named The Corporation of the Township of South Frontenac is incorporated.

3.2(3)(b) The new Township shall include the entire geographic area of the four former municipalities referred to in paragraph 3.2(3)(a).

3.2(3)(c) Despite paragraph (a) the North Frontenac Arena Board is continued on January 1, 1998 as a board of The Corporations of the Townships of South Frontenac and the United Municipality of Central Frontenac.

3.2(4)(a) On the first day of January, 1998 the Corporations of the Townships of Howe Island and Wolfe Island and their local boards are dissolved and a new township to be named The Corporation of the Township of Frontenac Islands is incorporated.

3.2(4)(b) The new Township shall include the entire geographic area of the two former municipalities referred to in paragraph 3.2(4)(a).

### 3.3 The Frontenac Management Board-

3.3(a) On January 1, 1998 The Corporation of the County of Frontenac and its local boards are dissolved and replaced by the Frontenac Management Board (the "Board").

3.3(b) The geographic area of the Board shall be the limit of the external boundaries of the new Townships described in paragraphs 3.2(1)(b), 3.2(2)(b), 3.2(3)(b) and 3.2(4)(b).

3.3(c) Despite paragraph 3.3(a) the county library board is continued on January 1, 1998 but it is renamed and the composition is established in accordance with paragraph 6.3(c) of this Order.

### 3.4 Procedure to Change the Name of a new Township or the Frontenac Management Board-

3.4 (a) The name of a new Township or the Frontenac Board of Management as set out in this Order may be changed in 1998 subject to the following:

- (i) in the case of a new Township, upon a request from the council of the Township to the Minister, or
- (ii) in the case of the Board, upon a request from the Board which is accompanied by resolutions in support of the change, from a majority of the councils of the new Townships which have more than half of the electors of all the Townships.

4.0 Elections- The 1997 regular election shall be conducted as if the former municipalities and their local boards were dissolved and the new City, the new Townships and their local boards are incorporated or continued as of January 8, 1997.

4.1 Term of Council- The term of the councils and members of local boards of the former municipalities is extended to December 31, 1997 and the term of the new councils and members of local boards elected in the regular election in 1997 shall commence on January 1, 1998, this includes the members who are appointed by virtue of their office to the Frontenac Management Board.

5.0 Composition of Council, Voting and Other Matters- The new City council, its Hydro-Electric Commission, the new Township councils and the Frontenac Management Board shall be composed of the members either elected or appointed in accordance with sections 5.1 to 5.6

### 5.1 The Corporation of the City of Kingston-

5.1(a) The council of the new City shall have 17 members composed of:

- i) a head of Council elected at large;
- ii) four controllers elected at large; and

iii) twelve members, one elected from each of the twelve Electoral District.

5.1(b) Each member of council shall have one vote.

5.1(c) At the beginning of each term of council, a Deputy Mayor who is a member of the Board of Control receiving the greatest number of votes in the regular election immediately preceding the new term of council, shall be appointed.

5.1(d) i) The council, in accordance with subsection 64(1) of the *Municipal Act*, will have a Board of Control (the "Board") consisting of the head of council and four controllers;

ii) The Board is subject to the provisions of the *Municipal Act* except in the following ways:

1. the Board may be dissolved without the approval of the Ontario Municipal Board and with a minimum affirmative vote of 13 of the members of the council present at the meeting.
2. council may authorize an appropriation or expenditure of a sum not provided for in the estimates or a special or supplementary estimate subject to the provisions under subsection 68(3) of the Act, if at least 14 days notice of the vote has been given. If less than 14 days notice of the vote is given then, despite subsection 68(3), an affirmative vote of 13 members of the council present is required.
3. council may, with an affirmative vote of two-thirds of the members of council present, assign other duties to the Board.

5.1(e) The new City shall have twelve Electoral Districts as described in Schedule "I".

5.1(f) The Hydro-Electric Commission for the new Corporation of the City of Kingston shall have three members, including the head of council and two other members selected from among the members of council.

### 5.2 The Corporation of the Township of North Frontenac-

5.2(a) The Council of The Corporation of the Township of North Frontenac shall have seven members composed of:

- i) a head of council elected at large; and
- ii) six councillors, two elected from each of the three Electoral Districts.

5.2(b) Each member of council shall have one vote.

5.2(c) The new Township's first procedural by-law shall provide for the appointment of a Deputy Mayor to act in place of the Mayor when the Mayor is absent through illness, absent from the municipality or the office is vacant.

5.2(d) The new Township shall have three Electoral Districts with the following boundaries:

- i) Electoral District No. 1 shall be composed of the entire former Township of Barrie;
- ii) Electoral District No. 2 shall be composed of the entire former Township of Clarendon and Miller; and
- iii) Electoral District No. 3 shall be composed of the entire former Township of Palmerston, North and South Canoto.

**5.3 The Corporation of the Township of the United Municipality of Central Frontenac-**

5.3(a) The council of The Corporation of the Township of the United Municipality of Central Frontenac shall have nine members composed of:

- i) a head of council elected at large; and
- ii) eight councillors, two elected from each of four Electoral Districts.

5.3(b) Each member of council shall have one vote.

5.3(c) The new Township's first procedural by-law shall provide for the appointment of a Deputy Mayor to act in place of the Mayor when the Mayor is absent through illness, absent from the municipality or the office is vacant.

5.3(d) The new Township shall have four Electoral Districts with the following boundaries:

- i) Electoral District No. 1 shall be composed of the entire former Township of Kennebec;
- ii) Electoral District No. 2 shall be composed of the entire former Township of Olden;
- iii) Electoral District No. 3 shall be composed of the entire former Township of Oso; and
- iv) Electoral District No. 4 shall be composed of the entire former Township of Hinchinbrooke.

**5.4 The Corporation of the Township of South Frontenac-**

5.4(a) The council of The Corporation of the Township of South Frontenac shall have nine members composed of:

- i) a head of council elected at large; and
- ii) eight councillors, two elected from each of four Electoral Districts.

5.4(b) Each member of council shall have one vote.

5.4(c) The new Township's first procedural by-law shall provide for the appointment of a Deputy Mayor to act in place of the Mayor when the Mayor is absent through illness, absent from the municipality or the office is vacant.

5.4(d) The new Township shall have four Electoral Districts with the following boundaries:

- i) Electoral District No. 1 shall be composed of the entire former Township of Bedford;
- ii) Electoral District No. 2 shall be composed of the entire former Township of Portland;
- iii) Electoral District No. 3 shall be composed of the entire former Township of Loughborough; and
- iv) Electoral District No. 4 shall be composed of the entire former Township of Storrington.

**5.5 The Corporation of the Township of Frontenac Islands-**

5.5(a) The council of The Corporation of the Township of Frontenac Islands shall have seven members composed of:

- i) a head of council, elected at large; and
- ii) six councillors, three from each of the two Electoral Districts.

5.5(b) Each member of council shall have one vote.

5.5(c) The new Township's first procedural by-law shall provide for the appointment of a Deputy Mayor to act in place of the Mayor when the Mayor is absent through illness, absent from the municipality or the office is vacant, subject to the following rules:

- i) the Deputy Mayor shall reside in a different Electoral District than the Mayor; or
- ii) where the Mayor does not reside in one of the Township's Electoral Districts, the Deputy Mayor shall reside in an Electoral District other than the one in which the Mayor elected to qualify as an elector.

5.5(d) The new Township shall have two Electoral Districts with the following boundaries:

- i) Electoral District No. 1 shall be composed of the entire former Township of Howe Island; and
- ii) Electoral District No. 2 shall be composed of the entire former Township of Wolfe Island.

**5.6 Frontenac Management Board-**

5.6(a) The Frontenac Management Board (the "Board") which is established on January 1, 1998 is a body corporate.

5.6(b) The Board shall have four members composed of the Mayors from each of the Corporations of the Townships of North Frontenac, United Municipality of Central Frontenac, South Frontenac and Frontenac Islands.

5.6(c) A chair shall be elected from among the members of Board at its first meeting following each regular election.

5.6(d) Each member shall have one vote.

5.6(e) The Board shall provide in its procedural by-law for the selection of a deputy chair who will act in place of the chair when the chair is absent through illness or absent from the geographical area in which the Board operates or when the office is vacant.

**6.0 Powers and duties of the Frontenac Management Board-**

6.1(a) The Frontenac Management Board (the "Board") shall be deemed to be a county and the members of the Board shall be deemed to be the council of a county.

6.1(b) The Board shall have for all purposes the powers, responsibilities and duties of a county and the council of a county, including but not limited to those powers, duties and responsibilities listed in section 6.3.

6.1(c) The new Townships shall be deemed to be part of the county for municipal purposes, including but not limited to those purposes listed in section 6.3.

6.2 Despite paragraph 6.1(a) the Board is not deemed to be a county for road purposes and shall not own, maintain, repair or construct roads.

**6.3(a) Fairmount Home for the Aged-**

6.3(a) i) The Board shall be responsible for the management of the Fairmount Home for the Aged and the Board shall be deemed to constitute the committee of management for purposes of the *Homes for the Aged and Rest Homes Act*.

ii) The annual cost of operating the Home shall be apportioned as follows:

- 1. The new City shall be responsible for seventy four percent of the cost; and

2. the new Townships and the Board shall be responsible for twenty six percent of the cost.

iii) The percentage apportionment of costs set out in clause (ii) may be changed to reflect a proportionate change in household growth in the new City and in the new Townships.

iv) Subject to the requirements of the *Homes for the Aged and Rest Homes Act*, if the Frontenac Management Board and new City agree to the sale or privatization of the Home, any resulting profit or proceeds from such action will be apportioned among the new City and the new Townships in accordance with the cost sharing formulae set out in clauses (ii) and (iii).

#### 6.3(b) General Welfare Administration-

6.3(b) i) The Board shall be responsible for the running and operation of the general welfare administration within the new Townships;

ii) The Board shall contract with the new City for the computer technology required to run the general welfare system.

#### 6.3(c) Library-

6.3(c) i) The county library board referred to in paragraph (c) of section 3.3 is, on January 1, 1998, renamed the Kingston - Frontenac Library Board.

ii) The composition of the library board shall be in accordance with subsection 9(5) of the *Public Libraries Act* but is fixed at no less than 9 members and no more than eleven members who shall be appointed as follows:

1. six to eight members appointed by the new City; and
2. three members appointed by the Board.

iii) The annual cost of operating the library shall be apportioned as follows:

1. The new City shall be responsible for eighty seven percent of the cost; and
2. the new Townships and the Board shall be responsible for thirteen percent of the cost.

iv) The percentage apportionment of costs set out in clause iii) may be changed to reflect a proportionate change in household growth in the new City and in the new Townships.

6.3(d) **Planning-** The Board shall be deemed to have delegated under subsection 54(1) of the *Planning Act*, consent granting authority under section 53 of the Act to the each of the new Townships on January 1, 1998.

6.3(e) **Appointments by the Board-** The Board, as a deemed county council may appoint members to local boards, including:

1. the Children's Aid Society of the County of Frontenac;
2. the Kingston, Frontenac, Lennox and Addington Board of Health; and
3. the Kingston, Frontenac, Lennox and Addington District Health Council.

6.3(f) **Payments to Boards-** The Board shall be responsible for paying its share of the operating costs for the Children's Aid Society of the County of Frontenac and the Kingston, Frontenac, Lennox and Addington Board of Health.

6.3(g) **Howe Island Ferry-** The Board shall continue, on January 1, 1998 to be responsible for the operation of the Howe Island Ferry operated by the county on December 31, 1997.

6.3(h) **Allocation of Road Payments-** The Board shall be responsible for the allocation of the payments made under section 7.2.

## 7.0 General Financial Matters-

### 7.1 Area Rating-

7.1(a) A new Township may provide for a special mill rate adjustment to apply to the taxpayers of all or part of a former Township for the purposes of debts and deficits created prior to January 1, 1998 by that former Township which now forms part of the new Township.

7.1(b) A new Township may provide for a special mill rate adjustment to apply to the taxpayers of all or part of a former Township for the purposes of ferry, parks or road services if that service was delivered on December 31, 1997 by a former Township which on January 1, 1998 forms part of the new Township, or in the case of ferry service, which was delivered by the Province on December 31, 1997.

### 7.2 Compensation-

7.2(a) Subject to paragraph 7.2(b) the new City shall pay to the Frontenac Management Board \$575,000 each year in two instalments, one payment of \$300,000 payable on March 1, and a second payment of \$275,000 payable on September 1, in each year, commencing on March 1, 1998. The funds are for use in the reconstruction, resurfacing and other capital expenditures related the arterial roads set out in Schedule "2" of this Order.

7.2(b) The payments referred to in paragraph (a) shall be increased annually by the percentage change in household growth.

7.2(c) The Frontenac Management Board shall allocate the funds referred to in paragraph (a) to the appropriate Township in the current year.

7.2(d) Where the boundary of the new City is adjusted, if such an adjustment affects the kilometres of arterial roads listed in Schedule "2" located in the new Townships, the annual contribution referred to in paragraph (a) shall be adjusted on a pro rata basis.

7.2(e) The council of the new City and the Frontenac Management Board shall, on or after January 1, 2013, reconsider the annual contribution in paragraph (a).

### 7.3 Assets and Liabilities-

7.3(a) All assets, liabilities, obligations and responsibilities of The Corporation of the City of Kingston and The Corporations of the Townships of Pittsburgh and Kingston and their local boards are transferred to the new Corporation of the City of Kingston on January 1, 1998, without compensation.

7.3(b) All assets, liabilities, obligations and responsibilities of The Corporations of the Townships of Barrie, Clarendon and Miller, and Palmerston, North and South Canonto and their local boards are transferred to The Corporation of the Township of North Frontenac on January 1, 1998, without compensation.

7.3(c) All assets, liabilities, obligations and responsibilities of The Corporations of the Townships of Kennebec, Olden, Oso and Hinchinbrooke and their local boards are transferred to The Corporation of the Township of the United Municipality of Central Frontenac on January 1, 1998, without compensation.

7.3(d) All assets, liabilities, obligations and responsibilities of The Corporations of the Townships of Bedford, Loughborough, Portland and Storrington and their local boards are transferred to The Corporation of the Township of South Frontenac on January 1, 1998, without compensation.

7.3(e) All assets, liabilities, obligations and responsibilities of The Corporations of the Townships of Wolfe Island and Howe Island and their local boards are transferred to The Corporation of the Township of Frontenac Islands on January 1, 1998, without compensation.

7.3(f) All assets, liabilities, obligations and responsibilities of The Corporation of the County of Frontenac and its local boards are transferred, without compensation, to the new City, the new Townships, or the Frontenac Management Board on January 1, 1998 in accordance with the provisions of Section 10.4.

#### 7.4 Restrictions on Reserves and Reserve Funds-

7.4(a) The new City shall use the \$4,700,000 in the reserves of the former Corporation of the Township of Pittsburgh existing on January 8, 1997, which have been used for rate stabilization in the past, for the benefit of the residents in the area of the former Township of Pittsburgh.

7.4(b) In 1997, the former Corporation of the Township of Kingston may use \$4,000,000 of its reserve funds to construct, equip and operate a library located within the area of the former Township.

7.4(c) Reserves and reserve funds of the former municipalities, transferred on January 1, 1998 to the new City, new Townships or Frontenac Management Board shall be maintained and used for the purposes for which they were designated on December 31, 1997 by the former municipalities.

#### 7.5 Restrictions on 1998 Budgets:

##### 7.5(a) New City-

- i) The 1998 budget of the new City and its local boards shall be less than the combined 1996 budgets of the former Corporation of the City Kingston and the former Corporations of The Townships of Pittsburgh and Kingston and their local boards in 1996.
- ii) The new City's reduction in its 1998 budget as set out in clause (i) shall be the greater of:
  1. 15 percent of the discretionary expenditures in 1996 for each of the former municipalities constituting the new City, or
  2. a minimum of \$7,000,000.
- iii) The savings realized as a result of clause ii shall be applied to the following:
  1. Transitional costs arising as a result of this Order and the incorporation of the new City;
  2. once the transitional costs are paid, any outstanding amount resulting from the savings will be paid into a reserve fund for an improved linkage to the area of the former Township of Pittsburgh; and
  3. any remaining amount resulting from the savings will be used to reduce the impact of tax increases resulting from the incorporation of the new City.

##### 7.5(b) New Townships-

- i) The 1998 budgets of each of the new Townships shall be less than the combined 1996 budgets of the former townships which constitute each of the new Townships.
- ii) The new Townships' reductions in their 1998 budgets, as set out in clause i), shall be a minimum of five percent of the discretionary expenditures in 1996 of each of the former Townships which constitute the new Township.
- iii) The savings realized as a result of clause ii) shall be applied to the following:

1. transitional costs arising as a result of this Order and the incorporation of the new Township;
2. any remaining amount resulting from the savings will be used to reduce the impact of tax increases resulting from the incorporation of the new Township.

##### 7.5(c) The Frontenac Management Board-

- i) The 1998 budget of the Board shall not exceed the 1996 budget of the former Corporation of the County of Frontenac.
- ii) The 1998 budget of the Board shall be reduced by a minimum of five percent of the County's discretionary expenditures in 1996.

7.6(1) **Phase-In of Tax Increases Resulting from This Order-** Any municipal tax increase that would occur solely as a result of the incorporation of the new City, the new Townships, the Frontenac Management Board or their boards, after application of the savings referred to in subclauses 7.5(a)(ii) and 7.5(b)(ii) shall be limited to three percent per year of the real property tax bill.

7.6(2) **Financing the Tax Phase-Ins-** The three percent limitation on municipal tax increases referred to in subsection 7.6(1) will be financed by reducing tax decreases that would occur solely as a result of the Order and the incorporation of the new City, the new Townships, the Frontenac Management Board and their local boards in order to finance the limitation.

#### 8.0 By-laws-

8.1(1)(a) On January 1, 1998 every by-law and resolution of the former municipalities and their local boards shall become by-laws and resolutions of the new City, the new Townships, the Frontenac Management Board and their local boards in which the area of the former municipalities is located.

8.1(1)(b) The by-laws and resolutions referred to in paragraph (a) shall remain in force until amended or repealed.

8.1(2)(a) Despite subsection 8.1(1) on January 1, 1998 any by-laws or official plans of the former municipalities passed under section 34 or approved, respectively, under the *Planning Act* shall be continued as the by-laws or official plans covering the area of the former municipality now forming part of the new City, the new Township or the Frontenac Management Board.

8.1(2)(b) The by-laws and official plans referred to in paragraph (a) shall remain in force until amended or repealed under the *Planning Act*.

8.1(3) A by-law or resolution of the former municipalities or their local boards, which could not have been lawfully repealed by the council or local board of a former municipality shall remain in force as a by-law or resolution of the new City, the new Township, the Frontenac Management Board or their local boards in which the area of the former municipality is located.

#### 9.0 Municipal Services

9.1 **Fire Departments-** The separate fire departments of the former municipalities as they existed on December 31, 1997 may be continued within the new City and the new Townships. The continuation of the existing fire departments includes the continuation of a fire chief for each of the fire departments.

9.2 **Restriction on Payments for Municipal Services-** In the event that the cost of operating the Wolfe Island Ferry becomes the responsibility of The Corporation of the Township of Frontenac Islands none of the new City, the other new Townships or the Frontenac Management Board shall be required to contribute to the operation of the ferry.

#### 10.0 Transition Provisions

10.1 **Staff Complement-** In 1998 the new City, the new Townships and the Frontenac Management Board and their local boards shall restrict their maximum staff complements to the combined totals that existed in each of the former municipalities and their local boards on June 22, 1996 which form part of the new City, the new Township or the Frontenac Management Board and their local boards.

## 10.2 Transition Boards-

10.2(1) **Definition-** For the purposes of sections 10.2, 10.3 and 10.4 "new municipalities" means the new City, the new Townships and the Frontenac Management Board.

10.2(2) **Establishment of Transition Boards-** On January 8, 1997 a Transition Board (the "Board") and an Assets and Liabilities Transition Board, which are bodies corporate, are established for the each new municipality, and the Boards will cease to exist as of January 1, 1998.

### 10.2(3) Composition-

10.2(3)(a) The Board for the New Corporation of the City of Kingston shall be composed of the heads of council of the former Corporation of the City of Kingston, the former Corporations of the Townships of Kingston and Pittsburgh.

10.2(3)(b) The Board for the new Corporation of the Township of North Frontenac shall be composed of the heads of council of the former Corporations of the Townships of Barrie, Clarendon and Miller and Palmerston, North and South Canoto.

10.2(3)(c) The Board for the new Corporation of the Township of the United Municipality of Central Frontenac shall be composed of the heads of council of the former Corporations of the Townships of Hinchinbrooke, Kennebec, Olden and Oso.

10.2(3)(d) The Board for the new Corporation of the Township of South Frontenac shall be composed of the heads of council of the former Corporations of the Townships of Bedford, Loughborough, Portland and Storrington.

10.2(3)(e) The Board for the new Corporation of the Township of Frontenac Islands shall be composed of the heads of council of the former Corporations of the Townships of Howe Island and Wolfe Island and any number of additional councillors selected by those heads of council.

10.2(3)(f) i) The Board for the Frontenac Management Board shall be composed of the heads of council of the former Corporations of the Townships of Barrie, Clarendon and Miller, Palmerston, North and South Canoto, Hinchinbrooke, Kennebec, Olden, Oso, Bedford, Loughborough, Portland, Storrington, Howe Island and Wolfe Island.

ii) The Board shall establish an executive committee comprised of four members from those heads of council listed in clause i) of paragraph (f) who shall be responsible for representing the Board in any inter-municipal discussions with the Board which represents the new Corporation of the City of Kingston.

10.2(4) **Procedural Rules-** Each Board as soon as practicable, but no later than February 15, 1997 shall adopt procedural rules and systems of controls to govern its activities.

## 10.3 Powers of the Transition Boards-

10.3(1) For the purposes of this section and section 10.4 each Transition Board and Assets and Liabilities Transition Board:

(a) may exercise the powers of the existing councils of the former municipalities which form part of the Board, only to the extent that those powers are specified and apply to each Board in this section and section 10.4.

(b) may require that the existing councils of the former municipalities forming each Board shall not exercise certain powers, only to the extent those powers are specified and apply to each Board in sections 10.3 and 10.4, without first obtaining the approval of the Board.

10.3(2) During the term of the Boards, each Board may exercise the powers which the councils of the new municipalities will have when they are incorporated, only to the extent that those powers are specified in section 10.3.

10.3(3) Specified Powers of the Transition Boards-Each Board may exercise the following powers of council:

(a) adopt transition plans for 1997, including budgets;

(b) conduct studies, research and consultations regarding municipal functions, organizations, staffing, standards and performance;

(c) require the production of financial and other data, information and statistics from each of the former municipalities and their local boards;

(d) establish organizational structures, administrative and management systems, positions, preliminary job definitions, job descriptions, policies, adopt by-laws and budgets and other documents for the new municipalities;

(e) establish fully operational municipal organizations which shall, on January 1, 1998, become the new municipalities;

(f) approve those expenditures, execute such contracts and act as the employer for each of the former municipalities which constitute part of the Board, where necessary for transitional purposes;

(g) purchase, lease or dispose of any assets of each former municipality which constitutes part of that Board or require the approval of the Board before a former municipality purchases, leases or disposes of any asset;

(h) offer, or require the approval of the Board before a former municipality constituting part of the Board offers, employees of the former municipalities employment with the new municipalities and this may include appointments to the new municipalities, inducements to terminate employment, severance allowances, training assistance or such other benefits as are necessary to fill the positions in the new municipalities or to meet the requirements of the budgets of the new municipalities for 1998;

(i) may give notices of layoff, or provide for severance or compensation in lieu of notice or both notice and compensation, as required;

(j) establish mechanisms for identifying, selecting and appointing employees to the new municipalities;

(k) ensure that appointments to positions with the new municipalities and their local boards are made from among those employees who have been employed by the former municipalities and their local boards since at least June 22, 1996.

(l) negotiate and enter into agreements with employees and groups of employees of the former and new municipalities, or require the Board's approval before a former municipality which constitutes part of the Board negotiates and enters into a contract with its employees or groups of employees;

- (m) with the assistance of a human resource advisory committee, establish uniform policies relating to offers of employment or termination of employment, and ensure their fair application;
- (n) establish the positions and offices necessary for transitional purposes for interim municipal administration;
- (o) despite paragraph (k), may appoint, in 1997, interim employees to positions with the new municipalities for a period not exceeding 12 months for the purpose of organizing and implementing the new municipalities;
- (p) shall provide that employees who held non-bargaining unit positions with a former municipality or its local boards, who are offered employment with and will be employed by the new City, a new Township, the Frontenac Management Board or their local boards, in a bargaining unit position, be credited with seniority at a rate of one hundred percent for the employee's length of service with the former municipality or its local boards as if the position or positions held with the former municipality or its local boards would have been a bargaining unit position with the new City, new Township, Frontenac Management Board or their local boards;
- (q) may retain employees, officers and advisors of the transition boards and incur expenses on behalf of the transition boards and their employees and agents;
- (r) establish electronic or manual information systems, records and books of accounts for the new municipalities and for the operation of the Board;
- (s) establish and implement communication plans for employees and the public;
- (t) attribute costs for transitional activities including direct and indirect costs for the operation of the Board, new municipalities, employee voluntary exit payments and severance payments made in 1997 to the former municipalities according to each municipality's share of the costs except where the Board determines that a cost has been incurred to benefit one or more of the new municipalities solely, in which case costs shall be attributed, as determined by the Board, on a proportional basis to the benefitting municipalities;
- (u) issue debentures on behalf of the former municipalities or require the approval of the Board before a former municipality constituting part of the Board issues debentures for some or all transitional costs, for a period which shall not exceed ten years;
- (v) may despite paragraph (u) cause some or all of the transitional costs allocated to a former municipality to be borne in 1997 and reduce the debt repayment and service costs attributable to the ratepayers of that area forming part of the new municipality to retire a transitional cost debenture; and
- (w) determine the amount of the discretionary expenditures for the purposes of 1998 budgets of the new municipalities.

#### 10.4 Assets and Liabilities Transition Boards-

10.4(1) An Assets and Liabilities Transition Board or Boards, composed of treasurers from each of the former municipalities shall be established in January of 1997.

10.4(2) The first meeting of the Board or Boards will be called and chaired by staff selected by the Minister from the Ministry of Municipal Affairs and Housing Regional Operations Branch.

10.4(3) The Boards shall on or before December 31, 1997 make a determination as to the final adjustment of assets and liabilities to take effect on January 1, 1998.

10.4(4) The Boards will forward their determination of the final adjustments to the new municipalities and the Frontenac Management Board within 30 days of the final adjustments referred to in subsection (1) and any dispute will be settled in accordance with section 13.1.

10.4(5)(a) Each Board shall review and approve all financial transactions of the former municipalities, in excess of \$10,000 that are not included in the approved municipal capital budgets for 1997.

10.4(5)(b) Each Board shall review and approve expenditures of the former municipalities, during 1997, from reserve and reserve funds, financial commitments which extend beyond December 31, 1997 and the acceleration of any project originally scheduled to commence after December 31, 1997.

10.4(5)(c) Each Board shall review and approve any increase in salary or wages that are not as a result of the former municipality's job evaluation process or a promotion or increase within the salary or wage grid of the former municipality in place as of December 31, 1995.

10.4(6) In the event that a treasurer on the Board is unable to approve any matter referred to in paragraphs (a) to (c) of subsection 10.4(5) the matter shall be resolved in accordance with section 13.2.

#### 11.0 Advisory Committees

##### 11.1 Rural/Urban Liaison Committee-

11.1(1) A rural/urban liaison advisory committee shall be established prior to February 1, 1998 and shall be comprised of:

- i) The head of council and two members of the Board of Control of the new City; and
- ii) the Chair and two members of Frontenac Management Board.

11.1(2) The Committee shall meet at least quarterly with the Chief Administrative Officers of the new City and the Frontenac Management Board for the purposes of:

- i) Discussing issues arising from joint agreements; and
- ii) recommending solutions to matters of common concern.

11.1(3) The location of the Committee's meetings shall alternate between municipal offices and the chair of the meeting shall be the head of council or Chair of the Frontenac Management Board hosting the meeting.

##### 12.0 Restrictions on Further Boundary Adjustments-

12.1(1) The new City shall not propose the annexation of lands from the Township of Frontenac Islands or the Township of South Frontenac by making a restructuring proposal under section 25.2 of the *Municipal Act*, or requesting a commission under section 25.3 of the Act, nor shall it enter into an agreement which could be implemented in accordance with the *Municipal Boundary Negotiations Act* unless all the new Townships and the Frontenac Management Board agree, by resolution, to such an annexation.

12.1(2) Despite subsection 12.1(1) the new City may seek to annex lands by making a restructuring proposal, requesting a commission or entering into an agreement under the *Municipal Boundary Negotiation Act* if the circumstances described in one of paragraphs (a), (b), or (c) exist after January 1, 1998:

- (a) i) where the lands are located within any of the new Townships;

- ii) those lands are within 1000 metres of the boundary of the new City;
  - iii) final approval for residential development has been given for a development on those lands of more than nineteen lots or dwelling units either by way of plan of subdivision or consent on less than 8.1 hectares; and
  - iv) the new City is requested by the Township in which the land is located or is required by law to provide municipal water or sewer services to that development.
- (b) i) where the lands are located within any of the new Townships:
- ii) the lands are within 500 metres of the boundary of the new City and are not separated by a natural barrier; and
  - iii) construction of a commercial development, with a gross floor area exceeding 1,860 square metres on two or more adjacent lots is completed.
- (c) i) where lands are located within any of the new Townships:
- ii) the lands are within 500 metres of the boundary of the new City and are not separated by a natural barrier; and
  - iii) construction of an industrial development on more than 4 hectares of land on one or more adjacent lots is underway.

12.1(3) If any lands which meet the conditions set out in paragraphs (a), (b) or (c) of subsection 12.1(2) are proposed to be annexed by the new City, the new City may also include in the proposal, request for a commission or agreement, such additional lands as are reasonably necessary to provide for an appropriate boundary between the new City and the new Township in which the lands proposed for annexation are located.

12.1(4) The new City, all the new Townships and the Frontenac Management Board may agree that the City will not propose to annex, by making a restructuring proposal, requesting a commission or entering into an agreement, any lands meeting the conditions set out in any of paragraphs (a), (b) or (c) of subsection 12.1(2) for a specified period of time.

### 13.0 Dispute Resolution-

13.1 If after the December 31, 1997 adjustment of assets and liabilities, by the Boards established pursuant to section 10.4 of this Order, there is any dispute as to the adjustment the municipality or local board affected by the adjustment, may within 30 days after receiving notice of the final adjustment, appeal the decision by filing a notice of appeal, with reasons, with the Minister of Municipal Affairs and Housing. The Minister shall appoint a board of arbitrators and the dispute shall be resolved in accordance with the provisions of the *Arbitrations Act*.

13.2 Where a matter under paragraphs (a) through (c) of subsection 10.4(5) is not resolved the matter shall be referred to the council of the former municipality which the dissenting treasurer represents and if the council does not deal with the matter within 30 days of the referral the matter shall be considered to be approved.

13.3 A dispute arising under paragraph (p) of subsection 10.3(3) may be resolved as if the dispute were one concerning the interpretation, application or administration of a collective agreement.

13.4 Any other dispute, other than those referred to in sections 13.1 and 13.2, arising out of the interpretation of this Order may be settled by any of the following means:

- i) any of the new municipalities may retain a mediator, at the cost of that municipality, to assist in the resolution of a dispute arising out of the interpretation of this Order; or
- ii) in accordance with the provisions of the *Arbitrations Act*; or
- iii) the matter may be referred to the councils of the new municipalities for resolution.

AL LEACH  
Minister of Municipal Affairs and Housing

Dated at Toronto on January 7th, 1997.

## SCHEDULE "1"

### ELECTORAL DISTRICT NO. 1

The boundaries are described as:

- . to the North - the boundaries of the former Townships of Kingston and Pittsburgh;
- . to the East - the boundary line of the Township of the Rear of Leeds and Lansdowne;
- . to the South - Highway 401 and Collins Creek & Taylor Kidd Boulevard; and
- . to the West - the boundary of the former Township of Kingston.

### ELECTORAL DISTRICT NO. 2

The boundaries are described as:

- . to the North - Highway 401, in the former Township of Kingston;
- . to the East - Gardiner's Road (Hwy. 38), in the former Township of Kingston;
- . to the South - Taylor Kidd Boulevard, in the former Township of Kingston; and
- . to the West - Collins Creek, in the former Township of Kingston.

### ELECTORAL DISTRICT NO. 3

The boundaries are described as:

- . to the North - Taylor Kidd Boulevard, in the former Township of Kingston;
- . to the East - Gardiner's Road, in the former Township of Kingston;
- . to the South - Bath Road (County Road #33), in the former Township of Kingston; and
- . to the West - Coronation Boulevard.

### ELECTORAL DISTRICT NO. 4

The boundaries are described as:

- . to the North - Bath Road, in the former Township of Kingston;
- . to the East - Little Cataraqui Creek, in the former Township of Kingston;
- . to the South - Waterfront of Lake Ontario (Horsey Bay, Everett Point and Sand Bay), in the former Township of Kingston; and

. to the West - Waterfront at Collins Bay (Lemoine Point), in the former Township of Kingston.

**ELECTORAL DISTRICT NO. 5**

The boundaries are described as:

- . to the North - Bath Road (County Road #33), in the former City of Kingston;
- . to the East - Sir John A. Macdonald Boulevard, in the former City of Kingston;
- . to the South - Lake Ontario, in the former City of Kingston; and
- . to the West - Little Cataraqui Creek, in the former City of Kingston.

**ELECTORAL DISTRICT NO. 6**

The boundaries described as:

- . to the North - Princess Street (Highway #2);
- . to the East - Princess Street;
- . to the South - Bath Road (County Road #33); and
- . to the West - Gardiner's Road.

**ELECTORAL DISTRICT NO. 7**

The boundaries are described as:

- . to the North - Highway #401;
- . to the East - the midpoint of Great Cataraqui River between the former City of Kingston and former Township of Pittsburgh;
- . to the South - Princess Street, Counter Street, Division Street, and Railway Street as projected to the Great Cataraqui River; and
- . to the West - Gardiner's Road.

**ELECTORAL DISTRICT NO. 8**

The boundaries are described as:

- . to the North - Counter Street, in the former City of Kingston;
- . to the East - Division Street, in the former City of Kingston;
- . to the South - Concession Street, in the former City of Kingston; and
- . to the West - Princess Street, in the former City of Kingston.

**ELECTORAL DISTRICT NO. 9**

The boundaries are described as:

- . to the North - Concession Street/Bath Road, in the former City of Kingston;
- . to the East - Division Street, in the former City of Kingston;
- . to the South - Johnson Street, in the former City of Kingston; and
- . to the West - Sir John A. Macdonald Boulevard, in the former City of Kingston.

**ELECTORAL DISTRICT NO. 10**

The boundaries are described as:

- . to the North - Johnson & William Streets, in the former City of Kingston;
- . to the East - the midpoint of Kingston Harbour between the former City of Kingston and the former Township of Pittsburgh;
- . to the South - Lake Ontario (Kingston Harbour), in the former City of Kingston; and
- . to the West - Sir John A. Macdonald Boulevard, in the former City of Kingston.

**ELECTORAL DISTRICT NO. 11**

The boundaries are described as:

- . to the North - Railway Street as projected
- . to the East - Great Cataraqui River, in the former City of Kingston;
- . to the South - the midpoint of the Great Cataraqui River between the former City of Kingston and the former Township of Kingston; and
- . to the West - Division Street, in the former City of Kingston.

**ELECTORAL DISTRICT NO. 12**

The boundaries are described as:

- . to the North - Highway No. 401, in the former Township of Pittsburgh;
- . to the East - the boundary Line of the Township of the Rear of Leeds and Lansdowne;
- . to the South - the St. Lawrence River, in the former Township of Pittsburgh; and
- . to the West - the midpoint of the Great Cataraqui River between the former City of Kingston and former Township of Pittsburgh.

**SCHEDULE "2"**

ARTERIAL ROAD NEEDS			
Road	Total Length (KM)	KT/PT Length (KM)	Net Length (KM)
Perth	41.6	7.8	33.8
Battersea	33.3	8.0	25.3
Sydenham	18.6	10.0	8.6
Bellrock	10.0		10.0
Harrowsmith	15.7		15.7
Howe Island Drive and associated costs	15.7		15.7
<b>TOTAL</b>			<b>109.1</b>