



**Frontenac County Council Meeting
Wednesday, September 21, 2022 – 9:00 a.m.**

**Council will resolve into Closed Meeting
and will reconvene as regular Council at 9:30 a.m.**

Meeting to be held in combination of in person (for members of
Council only)

and Virtual Electronic Format, and live streamed on the
County of Frontenac's YouTube Channel

<https://youtu.be/hBxhwI2XE4c>

Agenda

Page

Call to Order

Closed Session

- a) **Resolved That** Council resolve itself into Committee of the Whole closed session as authorized under Section 239 of The Municipal Act, to consider:

1. Adoption of Closed Minutes of Meetings held July 20, 2022
2. A proposed or pending acquisition or disposition of land by the municipality or local board - as it relates to property acquisition for the K&P Trail

Resolved That Council rise from Committee of the Whole closed session with/without reporting

Approval of Addendum

Disclosure of Pecuniary Interest and General Nature Thereof

Adoption of Minutes

12 - 26

- a) Minutes of Meeting held July 20, 2022

Resolved That the minutes of the regular Council meeting held July 20, 2022 be adopted.

27 - 29

- b) Minutes of Special Meeting held August 3, 2022

Resolved That the minutes of the regular Council special meeting held August 3, 2022 be adopted.

Deputations and/or Presentations

Proclamations

Move into Committee of the Whole

- a) **That** Council adjourn and meet as Committee of the Whole Council, with the Deputy Warden in the Chair.

Briefings

30 - 61

- a) **Mr. Kevin Farrell**, Manager of Continuous Improvement, and **Ms. Lydia Morrow**, GIS Summer Student, will provide County Council with a briefing on the Climate Change Adaptation and Mitigation Strategy [See Information Report from the Chief Administrative Officer, clause c)]

62 - 81

- b) **Mr. Kelly Pender**, Chief Administrative Officer, will provide Council with his monthly CAO briefing.

Unfinished Business

Recommend Reports from the Chief Administrative Officer

82 - 92

- a) **2022-097**
Corporate Services
Establishment of a By-law to Regulate the Howe Island Ferry
Recommendation

Resolved That the Council of the County of Frontenac pass a By-law later in the meeting to Regulate the Use of the Frontenac-Howe Islander Ferry, as per Appendix A to this report;

And Further That the Council of the County of Frontenac pass a by-law later in the meeting to amend By-law 2021-0018, being "A By-Law to Establish a Process for Administrative Penalties," to designate proposed By-law to Regulate the Use of the Frontenac-Howe Islander Ferry as a by-law for which Administrative Penalties can be issued and to set out penalty amounts.

93 - 107

- b) **2022-098**
Office of the Chief Administrative Officer
Approval of an RFP for Consulting Services for the 2023-2026
Council Strategic Plan
Recommendation

Resolved That the Council of the County of Frontenac accept the Office of the Chief Administrative Officer – Approval of an RFP for Consulting Services for the 2023-2026 Council Strategic Plan report for information;

And Further That the Council of the County of Frontenac approves as follows:

1. **That** staff proceed with the issuance of a Request for Proposals (RFP) for a facilitator for the 2023-2026 County strategic plan attached to this report as Appendix A; and
2. **That** the selection process of a consultant to undertake a County Strategic Plan be delegated to the Chief Administrative Officer Performance Appraisal Review Panel;

108 - 123

- c) **2022-101**
Corporate Services
Establishment of a By-law to Regulate the Frontenac K&P Trail
Recommendation

Resolved That the Council of the County of Frontenac pass a By-law later in the meeting to Regulate the Use of the Frontenac K&P Rail, as per Appendix A to this report;

And Further That the Council of the County of Frontenac pass a by-law later in the meeting to amend By-law 2021-0018, being “A By-Law to Establish a Process for Administrative Penalties,” to designate proposed By-law to Regulate the Use of the Frontenac K&P Trail as a by-law for which Administrative Penalties can be issued and to set out penalty amounts.

124 - 127

- d) **2022-102**
Corporate Services
Use of Administrative Monetary Penalties (AMPs) for the Enforcement of the Parking By-law
Recommendation

Resolved That the Council of the County of Frontenac pass a by-law later in the meeting to amend By-law 2021-0018, being “A By-Law to Establish a Process for Administrative Penalties,” to designate By-law 2018-0027 “A by-law to regulate and control the parking of vehicles in the County of Frontenac on County owned lands, as by-laws for which Administrative Penalties can be issued;

And Further That Council pass a by-law later in the meeting, to amend By-Law Number 2018-0027 “A by-law to regulate and control the parking of vehicles in the County of Frontenac on County owned lands,” to permit enforcement of the Parking By-Law through the use of Administrative Penalties.

128 - 129

- e) **2022-103**
Corporate Services
Warden’s Reception 2022
Recommendation:

Be It Resolved That the Corporate Services report – Warden’s Reception 2022 be received;

And Further That the Council of the County of Frontenac confirm that for 2022, the budget for Warden’s Reception be increased to \$10,000, composed of \$5,000 from the existing Warden’s Reception budget line and the balance from the Stabilization Reserve;

And Further That the issue be referred to the 2023 budget for further consideration moving forward.

130 - 132

- f) **2022-104
Office of the CAO
Authorization to Proceed with Abatement of Asbestos in Old House
Renovation**

Recommendation:

Be It Resolved That the Council of the County of Frontenac authorize the change order to proceed with the abatement of asbestos of the plaster ceiling as part of the Old House Renovation;

And Further That the Council of the County of Frontenac authorize the change orders to proceed with the abatement of asbestos in the basement of the Old House and the Bud Clayton Room;

And Finally That County Council authorize the use of \$187,210 from the Capital Replacement Reserve to offset the cost of the asbestos abatement.

133 - 137

- g) **2022-105
Planning and Economic Development
Authorization for use of the Accessibility Reserve to fund the 2022
County Contribution to the Investing in Canada Infrastructure
Program (ICIP)**

Recommendation:

Whereas the County of Frontenac is in the second year of a four year funding agreement with the Investing in Canada Infrastructure Program (ICIP) for making improvements to the K&P Trail; and

Whereas the county portion of funding for the first year (2021-22) included a total of \$66,253.38 from the Accessibility Reserve

Be It Resolved that \$94,677.65 from the accessibility reserve be allocated for the County 2022-23 contribution to this project.

138 - 139

- h) **2022-107**
Corporate Services
Change in Time and Location of the Inaugural County Council Meeting

Recommendation:

Be it Resolved That the November 30, 2022 Inaugural Meeting of County Council be held in the Kingston Frontenac County Court House, 5 Court St, Kingston;

And Further That the start time of November 30, 2022 Inaugural Meeting of County Council be changed from 9:30 a.m. to 7:30 p.m.

140 - 142

- i) **2022-108**
Planning and Economic Development
Request to Declare Lands as Surplus for the Purpose of a Right-of-Way over the Frontenac K&P Trail at PT LT 16-17 CON 1 and PT LT 16 CON 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac

Recommendation:

Be It Resolved That in accordance with By-law Number 17-1995, the Council of the County of Frontenac pass a by-law to declare PT LT 16-17 CON 1 and PT LT 16 CON 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac as noted on Parts 2 and 4 of the attached reference plan (pending Registration No.) surplus for the purpose of granting a right-of-way over part of the K&P Trail right-of-way for the purpose of accessing this newly created lot.

Information Reports from the Chief Administrative Officer

143 - 148

- a) **2022-099**
Corporate Services
History of County of Frontenac Seniors Housing Reserve Funds and Conditions of Funding

149 - 156

- b) **2022-100**
Corporate Services
2022 Second Quarter Financial Summary and Outlook

157 - 159

- c) **2022-109**
Office of the Chief Administrative Officer
Climate Change Adaptation and Mitigation Strategy

Reports from Council Liaison Appointees

160 - 162

- a) Fairmount Home Liaison Report - Councillor Martin

Reports from External Boards and Committees

Reports from Advisory Committees of County Council

Return to Council

- a) **That** Council revert from Committee of the Whole Council, to Council.

Adoption of the Report of the Committee of the Whole Council

- a) **That** the report of the Committee of the Whole Council be adopted and that the necessary actions or by-laws be enacted.

Motions, Notice of Which has Been Given

163 - 166

- a) **Request by the Township of North Frontenac
Re-allocation of Seniors Housing Funds**

The below motion was postponed from the July 20, 2022 regular meeting of County Council pending a report from staff on the history of the seniors housing funds and the conditions of the funding.

[See Information Reports from the Chief Administrative Officer, clause a)]

Moved by: Deputy Warden Higgins
Seconded by: Councillor Martin

That the County transfer the \$337.5K which was previously allocated to a senior housing facility to North Frontenac's Seniors Reserve Fund.

b) **Re-allocation of North Frontenac Seniors Housing Funding to MSC Related Start Up Costs**

[The below motion will be withdrawn should Motions, Notice of Which has Been Given, clause a) be approved by Council]

Moved by: Councillor Smith

Seconded by: Councillor Vandewal

Whereas in 2014 the County of Frontenac established a reserve of \$1,400,000 to further the strategic purpose of “addressing the existing gap in seniors affordable housing stock by leveraging and/or funding the construction of a project in each of the four Frontenac townships”. More particularly, five new affordable seniors units in each Township;

And Whereas all 4 Townships, through the Seniors Housing Task Force, developed Business Plans for a seniors housing development in their respective Townships, all of which were approved by Council;

And Whereas the Township of Frontenac Islands constructed a five-unit seniors housing project on Wolfe Island and recently approved a secondary plan for the community of Marysville;

And Whereas the Township of South Frontenac is planning to develop a seniors housing project in the community of Verona and has completed the necessary background work, including a community master plan;

And Whereas the Township of Central Frontenac is planning to develop a seniors housing project in the community of Sharbot Lake and has completed the necessary background work, including a feasibility study;

And Whereas the three initiatives noted above will be enhanced by the addition of communal services, thereby providing improved access to all seniors in Frontenac County;

And Whereas the Township of North Frontenac has decided not to construct a seniors housing project;

And Whereas the Council of the County of Frontenac has approved a business case study for the incorporation of a Municipal Service Corporation (MSC) owned by the participating municipalities and the County for the purpose of facilitating and coordinating communal services which will greatly enhance housing stock, including affordable seniors housing in the County;

Now Therefore Be It Resolved That the Council of the County of Frontenac allocate the North Frontenac share of the 2014 Seniors Housing reserve (approximately \$337,500) to the start up cost related to the MSC, with the specific intent to provide a full range of housing options for County citizens, including seniors.

Giving Notice of Motion

Communications

That Council consent to the following communications of interest to Council listed below be received and filed:

- a) From the Township of Dubreuilville regarding a resolution of support for Frontenac's Community Schools Alliance Action Plan
[Distributed to Members of County Council July 22, 2022]
- b) From the Township of North Middlesex regarding a resolution of support for Frontenac's Community Schools Alliance Action Plan
[Distributed to Members of County Council July 22, 2022]
- c) From Deputy Warden Higgins providing correspondence the EOTA regarding a OFATV EOTA proposal
[Distributed to Members of County Council August 5, 2022]
- d) From Deputy Warden Higgins providing correspondence the EOTA
[Distributed to Members of County Council August 5, 2022]
- e) From the City of Brantford regarding a resolution on Seeking Prosperity and Partnership with Indigenous Nations and land dispute
[Distributed to Members of County Council August 5, 2022]
- f) From the City of Brantford regarding a resolution on the Potential threat to residential home ownership
[Distributed to Members of County Council August 5, 2022]
- g) From the Town of Aurora regarding a Resolution in support of Private Members Bill C-233, Keiras Law
[Distributed to Members of County Council August 5, 2022]
- h) From Southern Frontenac Community Services providing its quarterly transportation report
[Distributed to Members of County Council August 12, 2022]
- i) From the Town of Englehart regarding a Resolution supporting Frontenac County's Community Schools Alliance resolution
[Distributed to Members of County Council August 12, 2022]
- j) From Kelly Pender regarding Use of Corporate Resources for Elections Purposes
[Distributed to Members of County Council August 12, 2022]

- k) From the Economic Development Office providing an Open Farms 2022 Poster & Map
[Distributed to Members of County Council August 19, 2022]
- l) Letter to Township Councils regarding Open Farms 2022
[Distributed to Members of County Council August 19, 2022]
- m) Postcard carding improvements to the Frontenac County Campus
[Distributed to Members of County Council August 19, 2022]
- n) From Tay Valley Township regarding a resolution on the OMAFRA Ontario Wildlife Damage Compensation Program Administrative Fee
[Distributed to Members of County Council September 2, 2022]
- o) From the Township of McGarry regarding a resolution on the removal of councillors under prescribed circumstances
[Distributed to Members of County Council September 16, 2022]

Other Business

Public Question Period

By-Laws – General By-laws and Confirmatory By-law

- a) First and Second Reading
Resolved That leave be given the mover to introduce by-laws b) through g) that have been circulated to all Members of County Council and that by-laws b) through g) be read a first and second time.
- b) Third Reading
Resolved That by-laws a) through e) and g) be read a third time, signed, sealed and finally passed.

By-Laws

- 167 - 168** a) To declare lands Legally Described number 11344 of instrument number FR204629 (subject to confirmation by legal), Part of Lot 5, Concession 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac Surplus for the Purposes of Correcting a discrepancy in title
[Proposed By-law No. 2022-0024]
- 169 - 174** b) To Regulate the Use of the Frontenac-Howe Islander Ferry
[Proposed By-law No. 2022-0032]
- 175 - 184** c) To Regulate and Govern the Use of the Frontenac K&P Trail
[Proposed By-law No. 2022-0033]

- 185 - 187** d) To amend Parking By-law No. 2018-0027 to include Administrative Monetary Penalties (AMPs)
[Proposed By-law No. 2022-0034]
- 188 - 191** e) To Amend By-law No. 2021-0018, “A By-law to Establish a Process for Administrative Penalties” as it relates to designating By-laws
[Proposed By-law No. 2022-0035]
- 192** f) To declare lands Legally Described as PT LT 16-17 CON 1 and PT LT 16 CON 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac, for the purpose of providing a right of way over the K&P Trail
[Proposed By-law No. 2022-0036]
- 193 - 194** g) To confirm all actions and proceedings of County Council on September 21, 2022
[Proposed By-law No. 2022-0037]

Adjournment



Minutes of the Regular Meeting of Council July 20, 2022

A regular meeting of the Council of the County of Frontenac was held in the Boardroom of the CRCA Offices, 1600 Perth Road, Glenburnie on Wednesday, July 20, 2022, at 9:30 AM

There was a "Closed Meeting" of the Committee of the Whole from 9:00 am to 9:40 am., with regular business commencing at 9:44 am.

Present:	Warden Denis Doyle, Deputy Warden Ron Higgins, Councillors Fran Smith, Ron Vandewal, Bill MacDonald, Bruce Higgs, Alan Revill and Gerry Martin	
Also Present:	County: Richard Allen, Manager of Economic Development Jannette Amini, Manager of Legislative Services/Clerk Susan Brant, Administrator, Fairmount Home Gale Chevalier, Chief/Director of Emergency & Transportation Services Alex Lemieux, Director of Corporate Services/Treasurer Barb McCulloch, Director of Human Resources Brianna McEathron, Executive Assistant Kelly Pender, Chief Administrative Officer	
Closed Session		
Motion #: 116-22	Moved By:	Councillor MacDonald
	Seconded By:	Councillor Revill

Resolved That Council resolve itself into Committee of the Whole closed session as authorized under Section 239 of The Municipal Act, to consider:

1. Adoption of Closed Minutes of Meetings held June 15, 2022
2. Labour relations or employee negotiations - as it relates to negotiations with CUPE 2290; CUPE 109; OSPEU 462
3. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose - as it relates to a request made under the Municipal Freedom of Information and Protection of Privacy Act for legal opinions provided to Council and received by Council in Closed Session

Carried

Motion #: 117-22	Moved By:	Councillor Higgs
	Seconded By:	Councillor Martin

Resolved That Council rise from Closed Session, that the rules of Procedural By-law No. 2013-0020 be waived and the Warden report.

Carried

Motion #: 118-22	Moved By:	Councillor Smith
	Seconded By:	Councillor Vandewal

Be It Resolved That the Council of the County of Frontenac authorize the extension of the temporary Human Resources Coordinator position to December 31, 2024.

Carried

Approval of Addendum
Disclosure of Pecuniary Interest and General Nature Thereof

There were none.

Adoption of Minutes		
a) Minutes of Meeting held June 15, 2022		
Motion #: 119-22	Moved By:	Councillor Revill
	Seconded By:	Councillor MacDonald

Resolved That the minutes of the regular Council meeting held June 15, 2022 be adopted.

Carried

b) Minutes of Special Public Meeting held July 13, 2022		
Motion #: 120-22	Moved By:	Councillor Martin
	Seconded By:	Councillor Higgs

Resolved That the minutes of the Special Public Meeting of Council held July 13, 2022 be adopted.

Carried

Deputations and/or Presentations		
Proclamations		
Move into Committee of the Whole		
Motion #: 121-22	Moved By:	Councillor Vandewal
	Seconded By:	Councillor Smith

That Council adjourn and meet as Committee of the Whole Council, with the Deputy Warden in the Chair.

Carried

Briefings

a)	Mr. Kelly Pender , Chief Administrative Officer, provided Council with his monthly CAO briefing.
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Unfinished Business

Recommend Reports from the Chief Administrative Officer
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clause d) was considered at this time.

(Please refer to page 5)

Motion # 125-22 being clause e) was considered at this time.

(Please refer to page 5)

a)	2022-075 Corporate Services Restricted acts after Nomination Day – Delegation of Authority to Chief Administrative Officer to authorize unbudgeted expenditures in excess of \$50,000 related to the re-development of the County Administration Building and the Paramedic Station at 2069 Battersea Road
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Motion #: 122-22	Moved By:	Councillor MacDonald
	Seconded By:	Councillor Higgs

Be it Resolved That By-law 2016-0006, being by-law to establish a Delegation of Authority Policy and to authorize the delegation of certain powers and duties under the *Municipal Act, 2001*, the *Planning Act* and other Acts, be amended to add Schedule C as follows:

1. **That** in addition to those delegations of authority listed in Schedule B provided to the Chief Administrative Officer, the Chief Administrative Officer, or their delegate, is delegated the authority to:
 - a. approve any expenditures, enter into any agreements and/or other legal documents, and incur any other liability for unbudgeted emergency expenditures related to the re-development of the County Administration Building and the Paramedic Station at 2069 Battersea Road;
2. **That** upon the termination of this delegation of authority, the Chief Administrative Officer shall report to Council of any exercise of a power or duty delegated under this By-Law;
3. **That** the delegation of powers and authority under this By-Law will only take effect and be limited to the time that County Council is subject to the restricted acts under Section 275 of the *Municipal Act*.

Carried

Warden Doyle exited the meeting at 10:37 a.m.

Warden Doyle re-entered the meeting at 10:40

b)	2022-076 Corporate Services Removal of Delegated Authority in absence of Council Authorization
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Motion #: 123-22	Moved By:	Councillor Smith
	Seconded By:	Warden Doyle

Be it Resolved That By-law 2016-0006, being by-law to establish a Delegation of Authority Policy and to authorize the delegation of certain powers and duties under the *Municipal Act, 2001*, the *Planning Act* and other Acts, be amended as follows:

1. **That** Schedule B be amended to remove from the Chief Administrative Officer, or their delegate, the delegated authority to:
 - a. approve any expenditures, enter into any agreements and/or other legal documents and incur any other liabilities which were part of the 2020 Budget;
 - b. approve any expenditures, enter into any agreements and/or other legal documents, and incur any other liability for unbudgeted emergency expenditures related to COVID-19;
 - c. Make changes to Human Resources and Procurement policies and procedures as they pertain to staffing and operations;
 - d. amend due dates for requisition from Townships of Tax levy in consultation with member municipalities and;
 - e. implement matters that Council has approved subject to modification as deemed necessary to address circumstances related to COVID-19.

Carried

c)	2022-078 Corporate Services New Loan Application to Ontario Infrastructure and Lands Corporation
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Motion #: 124-22	Moved By:	Councillor Vandewal
	Seconded By:	Councillor Martin

Be It Resolved That the Corporate Services – New Loan Application to Ontario Infrastructure and Lands Corporation report be received;

And Further That Council of the County of Frontenac pass a by-law later in the meeting authorizing the submission of an application to Ontario Infrastructure and Lands Corporation (“OILC”) for the long-term financing of certain capital work(s) of the Corporation of the County of Frontenac (the “municipality”); and to authorize the entering into of a Rate Offer Letter Agreement pursuant to which the municipality will issue debentures to OILC.

Carried

The below Briefing and Motion #125-22 were considered at the beginning of the Recommend Reports from the Chief Administrative Officer.

d)	<p>Consultant Briefing: Mr. Phil Goodfellow, G architects, provided County Council with a briefing regarding the Fairmount Home Re-Development Project.</p> <p>[See Recommend Reports from the Chief Administrative Officer, clause e)]</p>
e)	<p>2022-077 Fairmount Home Redevelopment Study</p>

Motion #: 125-22	Moved By:	Councillor Revill
	Seconded By:	Councillor MacDonald

Be it Resolved That the Council of the County of Frontenac receive for information the Fairmount Home - Redevelopment Study report prepared by G architects;

And Further That the Council of the County of Frontenac direct staff to incorporate recommendations into the Fairmount Home’s Business Plan and Project Proposals for future consideration by Council.

Carried

f)	<p>2022-079 Planning and Economic Development Request to declare lands as surplus for the purpose of granting a quit claim for a 0.48-acre parcel along the Frontenac K&P trail; Part of Lot 5, Concession 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac</p>
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Motion #: 126-22	Moved By:	Councillor Higgs
	Seconded By:	Councillor Smith

Resolved That the Council of the County of Frontenac receive the Planning and Economic Development report – Request to declare lands as surplus for the purpose of granting a quit claim for a 0.48-acre parcel along the Frontenac K&P trail; Part of Lot 5, Concession 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac;

And Further That in accordance with By-law Number 17-1995, the Council of the County of Frontenac pass a by-law later in the meeting to declare lands legally described as number 11344 of instrument number FR204629 (subject to confirmation by legal), Part of Lot 5, Concession 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac as surplus, for the purpose of granting a quit claim to clear up an overlapping discrepancy in title.

And Further That Council of the County of Frontenac authorize staff to execute the necessary legal agreements to provide the above-noted quit claim subject to the following conditions:

1. All surveying and legal fees be borne by the landowner;
 2. The County maintains a 66-foot right-of-way for the existing K&P trail corridor;
- and,

And Further That the Clerk be directed to give public notice of Council's intention in accordance with By-Law Number 17-1995.

Carried

g)	2022-081 Planning and Economic Development Authorization to use Capital Reserve for Elbow Creek Bridge Replacement
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Motion #: 127-22	Moved By:	Councillor Vandewal
	Seconded By:	Warden Doyle

Be It Resolved That Council direct staff to proceed with the replacement of the Elbow Creek Bridge;

And Further That Council authorize the use of \$300,000 in reserve funds from the Capital Replacement Reserve for the removal and replacement of the Elbow Creek Bridge.

Carried

h)	2022-082 Planning & Economic Development Authorization to enter into a Memorandum of understanding Agreement with the Frontenac Arch Biosphere
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Motion #: 128-22	Moved By:	Councillor Martin
	Seconded By:	Councillor Revill

Be It Resolved That the Council of the County of Frontenac receive the Planning & Economic Development - Authorization to enter into a Memorandum of Understanding Agreement with the Frontenac Arch Biosphere Report;

And Further That County Council authorize staff to enter into a Memorandum of Understanding agreement with Frontenac Arch Biosphere Network to participate in the FABExperiences Program

Carried

i)	2022-083 Planning & Economic Development Authorization to participate in the RTO 9 Drive for Excellence Program
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Motion #: 129-22	Moved By:	Councillor MacDonald
	Seconded By:	Councillor Higgs

Be It Resolved That the Council of the County of Frontenac receive the Planning & Economic Development - Authorization to participate in the RTO 9 Drive for Excellence Program Report;

And Further That County Council authorize staff to enter into a Memorandum of Understanding with Regional Tourism Organization 9 (RTO 9) in order to participate in the Drive for Excellence Program

Carried

j)	2022-084 Planning and Economic Development Request to Declare Lands as Surplus for the Purpose of a Right-of-Way over the Frontenac K&P Trail at PT LT 16-17 CON 1 and PT LT 16 CON 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac
Motion #: 130-22	Moved By: Councillor Smith Seconded By: Warden Doyle

Resolved That the Council of the County of Frontenac receive the Planning and Economic Development report – Request to Declare Lands as Surplus for the Purpose of a Right-of-Way over the Frontenac K&P Trail at PT LT 16-17 CON 1 and PT LT 16 CON 2 in Geographic Township of Hinchinbrooke, Township of Central Frontenac;

And Further That in accordance with By-law Number 17-1995, the Council of the County of Frontenac pass a by-law at a future meeting to declare the subject lands surplus for the purpose of granting a right-of-way over part of the K&P Trail right-of-way for the purpose of accessing this newly created lot.

And Further That Council of the County of Frontenac authorize staff to execute the necessary legal agreements to provide the above-noted legal right-of-way to the adjacent landowner subject to the following conditions:

1. All surveying and legal fees be borne by the landowner;
2. The right-of-way across the K&P Trail shall be surveyed to ensure access from Ball Road to both lots located along the western edge of the K&P Trail, a length of approximately 160 metres, as per the concept drawing included in Appendix A of this report;
3. The crossing location will also provide public access to the K&P Trail from Ball Road, and this access will be reflected in the final agreement. A small parking area will be constructed on County property south of the Ball Road access at a future date, pending appropriate approvals.
4. The trail crossing on County lands will be upgraded, at the expense of the applicant, to the Frontenac County Private Roads (Lanes) Study standards, and in such a way to ensure the trail surface will not be exposed to unnecessary damage or deterioration from the improved crossing. Consideration will also be given to drainage. This work will be completed to the satisfaction of the Manager of Economic Development, or their designate.

Carried

k)	2022-087 Planning and Economic Development Operational Update and requirement for trail passes on the Frontenac K&P Trail
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Motion #: 131-22	Moved By:	Councillor Vandewal
	Seconded By:	Councillor Martin

Be It Resolved That County Council receive Report 2022-087 “Planning and Economic Development – Operational Update and requirement for trail passes on the Frontenac K&P Trail”;

And Further That staff be directed to renegotiate the partnership agreement with the Verona District ATV Club to implement a trail pass requirement in 2023.

Postponed

(See Motion to Postpone below which was Carried)

Motion to Postpone

Motion #: 132-22	Moved By:	Warden Doyle
	Seconded By:	Deputy Warden Higgins

Be It Resolved That Report 2022-087, Operational Update and requirement for trail passes on the Frontenac K&P Trail, be postponed to a later date pending staff negotiating a draft agreement for consideration;

And Further That the same offer be extended to the Eastern Ontario Trials Alliance (EOTA);

And Further That a public meeting may be held at Council's discretion.

Carried

l)	2022-088 Office of the CAO Approval of Proposal for Paramedic Station at 2069 Battersea Road
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Motion #: 133-22	Moved By:	Councillor Revill
	Seconded By:	Councillor MacDonald

Be It Resolved That the Office of the CAO – Approval of Proposal for Paramedic Station at 2069 Battersea Road report be received;

And Further That the Council of the County of Frontenac authorize the Warden and Clerk to enter into an agreement with Wemp & Smith Construction Ltd. for the design and build of a paramedic base at 2069 Battersea Road in the amount of \$2,499,960.

Carried

m)	2022-089 Office of the Chief Administrative Officer Authorization to enter into a Lease Agreement with the Cataraqui Region Conservation Authority (CRCA) for a Joint Administrative Facility
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Motion #: 134-22	Moved By:	Councillor Higgs
	Seconded By:	Councillor Smith

Be It Resolved That the Office of the Chief Administrative Officer – Authorization to enter into a Lease Agreement with the Cataraqui Region Conservation Authority (CRCA) for a Joint Administrative Facility report be received;

And Further That the Council of the County of Frontenac authorize the Warden and Clerk to enter into a Lease Agreement with the Cataraqui Region Conservation Authority (CRCA) for a Joint Administrative Facility located at 2069 Battersea Road, Glenburnie.

Postponed

(See Motion to Postpone below which was Carried)

Motion to Postpone

Motion #: 135-22	Moved By:	Councillor Vandewal
	Seconded By:	Councillor Martin

Be it Resolved That Report 2022-089, Authorization to enter into a Lease Agreement with the Cataraqui Region Conservation Authority (CRCA) for a Joint Administrative Facility, be postponed pending final approval by all parties.

Carried

n)	2022-290 Office of the Chief Administrative Officer Public Meeting Report and next steps regarding Communal Services Draft Business Case Study
----	---

Motion #: 136-22	Moved By:	Councillor Martin
	Seconded By:	Councillor Vandewal

Resolved That the Council of the County of Frontenac receive the Office of the Chief Administrative Officer – Public Meeting Report and next steps regarding Communal Services Draft Business Case report for information

And Further That the Council of the County of Frontenac approve the Business Case Study based on all input from the Townships and the Public;

And Further That the Business Case Study be forwarded to the member municipalities with a request for their consideration prior to August 18, 2022;

And Further That Council direct staff to begin the implementation of step 5, being by drafting agreements and documents for approval by all Councils;

And Further That the Business Case Study be amended to state:

1. That the only municipal contribution will be the start up funding identified in the report
2. That no funding will be raised through taxation

Carried as Amended
(See Motion to Amend below which was Carried)

Motion to Amend

Motion #: 137-22	Moved By:	Councillor Revill
	Seconded By:	Warden Doyle

That the motion be amended to include:

And Further That the Business Case Study be amended to state:

1. That the only municipal contribution will be the start up funding identified in the report
2. That no funding will be raised through taxation

Carried

Council recessed at 11:20 a.m.

Council re-convened at 12:17 p.m.

o)	2022-086 Corporate Services Report of the Procedural By-law Review Committee on the Comprehensive Review of Procedural By-law 2013-0020
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Motion #: 138-22	Moved By:	Councillor Revill
	Seconded By:	Councillor MacDonald

Be It Resolved That the Council of the County of Frontenac receive the Corporate Services – Report of the Procedural By-law Review Committee on the Comprehensive Review of Procedural By-law 2013-0020 report for information;

And Further That the Council of the County of Frontenac approve the draft Procedural By-law;

And Further That the Council of the County of Frontenac authorize the Clerk to bring forward a new Procedural By-law later in the meeting, to take effect November 15, 2022.

Carried
(See Motion to Amend below which was Lost)

Motion to Amend

Motion #: 139-22	Moved By:	Warden Doyle
	Seconded By:	Councillor Vandewal

Be It Resolved That the proposed amendment to Section 5.3 be removed and that only the Mayors be eligible to hold the position of Warden and Deputy Warden

Lost (3:5)
(See Recorded Vote)

A Recorded Vote was requested by Councillor Vandewal

Yeas: Warden Doyle, Deputy Warden Higgins, Councillor Vandewal (3)

Nays: Councillor Higgs, Councillor MacDonald, Councillor Martin, Councillor Revill, Councillor Smith (5)

Information Reports from the Chief Administrative Officer

a)	2022-080 Fairmount Home Quarterly Update Activity Report
b)	2022-085 Office of the Chief Administrative Officer Key Performance Indicators (KPIs) and Balanced Scorecard Update

Reports from Council Liaison Appointees

a)	Report from Fairmount Home Liaison Councillor Gerry Martin
b)	Report from Corporate Services Liaison Councillor Bill MacDonald

Reports from External Boards and Committees

Reports from Advisory Committees of County Council

Return to Council

Motion #: 140-22	Moved By:	Councillor Higgs
	Seconded By:	Councillor Smith

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

Carried

Adoption of the Report of the Committee of the Whole Council

Motion #: 141-22	Moved By:	Deputy Warden Higgins
	Seconded By:	Councillor Vandewal

That the report of the Committee of the Whole Council be adopted and that the necessary actions or by-laws be enacted.

Carried

Motions, Notice of Which has Been Given		
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a)	Request by the Township of North Frontenac Re-allocation of Seniors Housing Funds	
-----------	--	--

Motion #: 142-22	Moved By:	Deputy Warden Higgins
	Seconded By:	Councillor Martin

That the County transfer the \$337.5K which was previously allocated to a senior housing facility to North Frontenac’s Seniors Reserve Fund.

Postponed

(See Motion to Postpone below which was Carried)

Motion to Postpone

Motion #: 143-22	Moved By:	Councillor Smith
	Seconded By:	Councillor Vandewal

That the motion regarding the request from North Frontenac to re-allocate seniors housing funds to North Frontenac’s Seniors Reserve Fund be postponed to the September meeting pending a report from staff on the history of the seniors housing funds and the conditions of the funding.

Carried

Giving Notice of Motion

Communications

That Council consent to the following communications of interest to Council listed below be received and filed:

- | | |
|----|--|
| a) | From the Municipal Engineers Ass. regarding the Retention of Professional Engineers at Ontario Municipalities
[Distributed to Members of County Council June 30, 2022] |
| b) | From the Municipality of Shuniah regarding a resolution to support release of documents on residential schools
[Distributed to Members of County Council June 30, 2022] |
| c) | Invitation to the Verona Trailhead Ribbon Cutting Ceremony
[Distributed to Members of County Council June 30, 2022] |
| d) | From Tay Valley Township regarding Annual Emergency Exercise Exemption
[Distributed to Members of County Council July 8, 2022] |
| e) | From the Town of West Lincoln regarding a resolution on Bill 109 More Homes for Everyone Act
[Distributed to Members of County Council July 8, 2022] |

f)	From the Town of West Lincoln regarding a resolution on Funding Support for Infrastructure [Distributed to Members of County Council July 8, 2022]
g)	From the Township of Grey Highlands regarding a resolution of support regarding the Voter's List [Distributed to Members of County Council July 15, 2022]
h)	From the municipality of Shuniah regarding a resolution on expanding the Amber Alert System [Distributed to Members of County Council July 15, 2022]
i)	From the Municipality of Killarney regarding a resolution on the Community Schools Alliance [Distributed to Members of County Council July 15, 2022]

Other Business

Public Question Period

By-Laws – General By-laws and Confirmatory By-law

a) First and Second Reading

Motion #: 144-22	Moved By:	Councillor Martin
	Seconded By:	Councillor Revill

Resolved That leave be given the mover to introduce by-laws a) through i) and k) that have been circulated to all Members of County Council and that by-laws a) through i) and k) be read a first and second time.

Carried

b) Third Reading

Motion #: 145-22	Moved By:	Councillor Martin
	Seconded By:	Councillor Revill

Resolved That by-laws a) through d) and f) through i) and k) be read a third time, signed, sealed and finally passed.

Carried

By-Laws

a)	To approve the submission of an application to Ontario Infrastructure and Lands Corporation (“OILC”) for the long-term financing of certain capital work(s) of the Corporation of the County of Frontenac (the “municipality”); and to authorize the entering into of a Rate Offer Letter Agreement pursuant to which the municipality will issue debentures to OILC [Proposed By-law No. 2022-0020]
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b)	To amend By-law 2016-0006 to delegate authority under Section 23.1 (1) of the <i>Municipal Act</i> to the Chief Administrative Officer for expenditures related to the re-development of the County Administration Building and the Paramedic Station at 2069 Battersea Road [Proposed By-law No. 2022-0021]
c)	To Authorize the Warden and Clerk to Enter into a Memorandum of Understanding with Regional Tourism Organization 9 (RTO 9) in order to participate in the Drive for Excellence Program [Proposed By-law No. 2022-0022]
d)	To amend By-law 2016-0006 to establish a Delegation of Authority Policy and to authorize the delegation of certain powers and duties under the Municipal Act, 2001, the Planning Act and other Acts as it relates to deleting of the delegation of additional authority to the Chief Administrative Officer during the COVID-19 Pandemic [Proposed By-law No. 2022-0023]
e)	To declare lands Legally Described number 11344 of instrument number FR204629 (subject to confirmation by legal), Part of Lot 5, Concession 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac Surplus for the Purposes of Correcting a discrepancy in title [Proposed By-law No. 2022-0024] First and Second reading only
f)	To Authorize the Warden and Clerk to Enter into a Memorandum of Understanding with agreement with Frontenac Arch Biosphere Network in order to participate FABExperiences Program [Proposed By-law No. 2022-0025]
g)	To govern the proceedings of the Council and its Committees, the Conduct of Members and the Calling of Meetings and to Repeal By-Law Number 2013-0020, Council Procedural By-Law, as Amended, in its Entirety - Short Title: "Procedural By-Law" [Proposed By-law No. 2022-0026]
h)	To Authorize the Warden and Clerk to Enter into an Agreement with Emmons & Mitchell Construction (2000) Ltd for the Renovations & Additions for Joint Admin Facility for the County of Frontenac and Cataraqui Regional Conservation Authority [Proposed By-law No. 2022-0027]
i)	To Authorize the Warden and Clerk to Enter into an Agreement with Wemp & Smith Construction Ltd. for the design and build of a paramedic base at 2069 Battersea Road [Proposed By-law No. 2022-0028]
j)	To Authorize the Warden and Clerk to Enter into a Lease Agreement with the Cataraqui Region Conservation Authority (CRCA) for a Joint Administrative Facility located at 2069 Battersea Road, Glenburnie [Proposed By-law No. 2022-0029] Withdrawn
k)	To confirm all actions and proceedings of County Council on July 20, 2022 [Proposed By-law No. 2022-0030]



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Minutes of the Special Meeting of Council August 3, 2022

A special meeting of the Council of the County of Frontenac was held in virtual format, hosted at County Administrative Offices, 2069 Battersea Road, Glenburnie on Wednesday, August 3, 2022 at 9:30 AM

Present: Warden Denis Doyle, Deputy Warden Ron Higgins, Councillors Fran Smith, Ron Vandewal, Bill MacDonald, Bruce Higgs, Alan Revill and Gerry Martin

Also Present: **County:**
Jannette Amini, Manager of Legislative Services/Clerk
Alex Lemieux, Director of Corporate Services/Treasurer
Brianna McEathron, Executive Assistant
Kelly Pender, Chief Administrative Officer

Disclosure of Pecuniary Interest and General Nature Thereof

There were none

Recommend Reports from the Chief Administrative Officer

- a) **Report 2022-091**
Office of the Chief Administrative Officer
Authorization to Enter into a Lease Agreement with Cataraqui Conservation

Motion #: 147-22 Moved By: Councillor Smith
Seconded By: Councillor Vandewal

Be It Resolved That the Office of the Chief Administrative Officer – Authorization to enter into a Lease Agreement with the Cataraqui Region Conservation Authority (CRCA) for a Joint Administrative Facility report be received;

And Further That the Council of the County of Frontenac authorize the Warden and Clerk to enter into a Lease Agreement with the Cataraqui Region Conservation Authority (CRCA) for a Joint Administrative Facility located at 2069 Battersea Road, Glenburnie.

Carried

Public Question Period



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Climate Change Adaptation and Mitigation

Global Climate Change Plans and Initiatives

The Paris Agreement

- Created in 2015
- international treaty on climate change that is legally binding
- 193 countries including Canada have joined the Paris agreement and have committed to mitigate climate change by reducing carbon emissions
- The goal of the Paris Agreement is to achieve a carbon neutral world by 2050

Canada's 2030 Emissions Reduction Plan

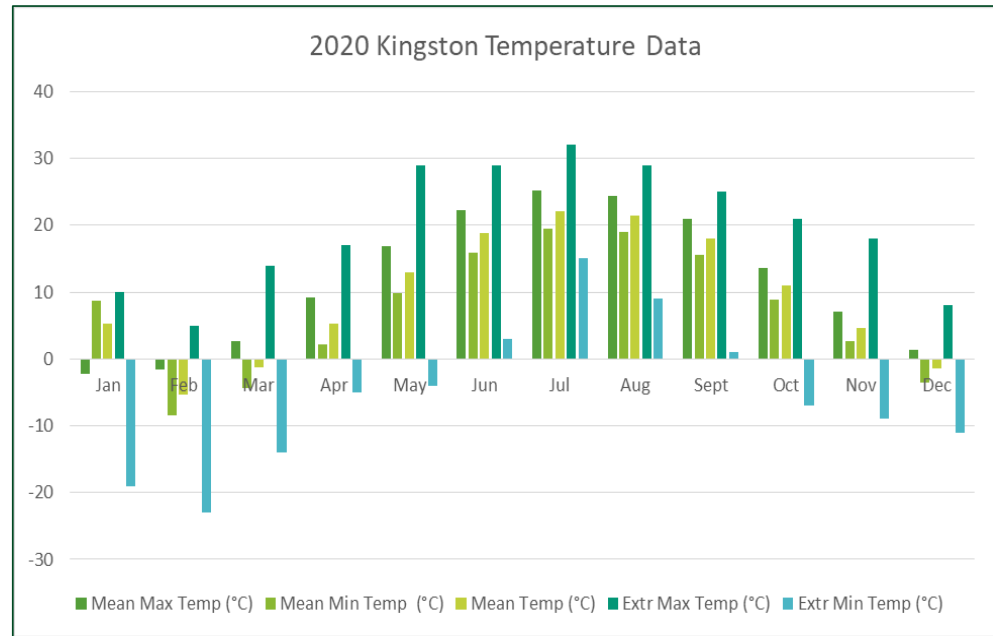
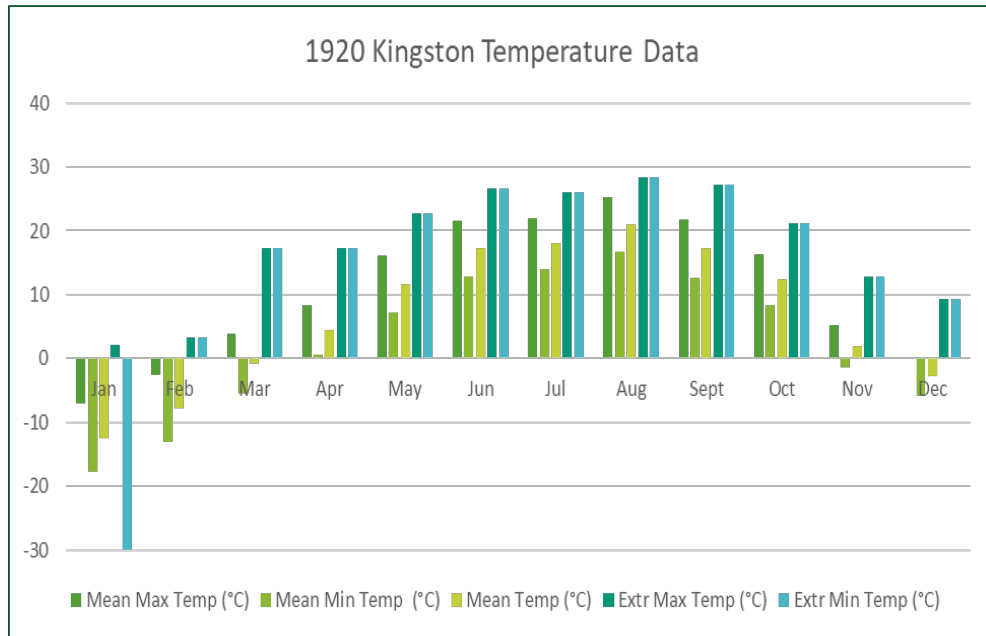
- Canada's Emissions Reduction Plan for 2030 and Pathway to 2050 focuses on 8 core sectors; Buildings, Electricity, Heavy Industry, Oil and Gas, Transportation, Agriculture, Waste and Nature Based Solutions.

“Through local management of buildings, transportation, water, waste and land use, municipalities control or influence over 50% of Canada’s GHG emissions. Municipal governments are also closest to citizens and can readily engage households and businesses to reduce GHG emissions.” (CERP p93).

The Role of the County in Climate Change Mitigation

The County of Frontenac is a region that possesses immense natural beauty. With nearly 4000 square kilometers of land extending from North, Central, and South Frontenac to the Frontenac Islands, Frontenac County serves its local communities and attracts visitors to experience its natural beauty. Climate Change is a pressing issue that stands to affect multiple aspects of life in Frontenac County. Past temperature and precipitation trends demonstrate how climate change has already come.

Climate Change in Frontenac County Rising Temperatures



Consequences of Rising Temperatures

On Human Health

Extremely hot temperatures can result in and increase the severity of many illnesses, compromising our bodies ability to regulate temperature. Heat cramps, heat exhaustion, heatstroke, and hyperthermia are all examples outlined by the World Health Organization that result from high temperatures ([WHO](#)). Some demographics are particularly vulnerable to increased temperatures, people with preexisting health conditions, the elderly, pregnant women, young children, and outdoor and manual workers.

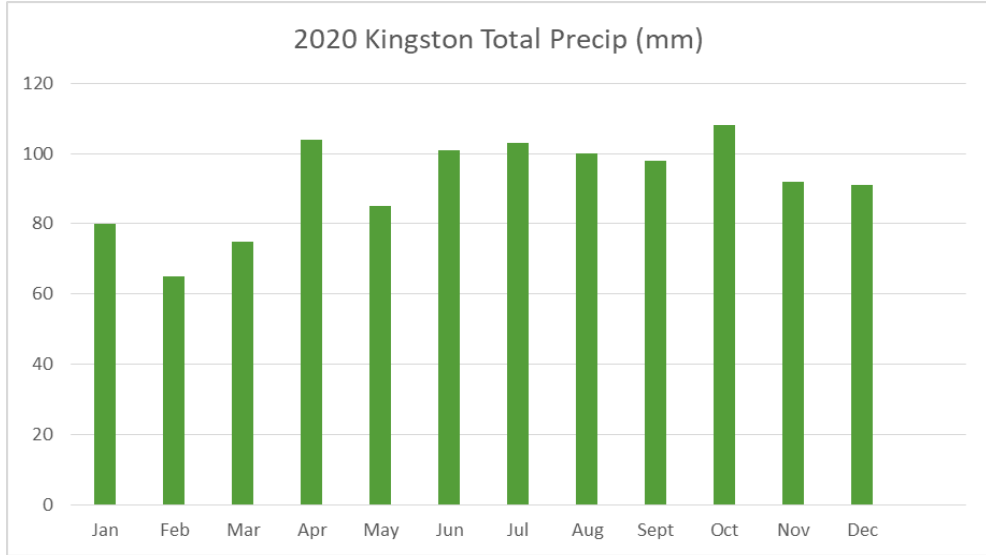
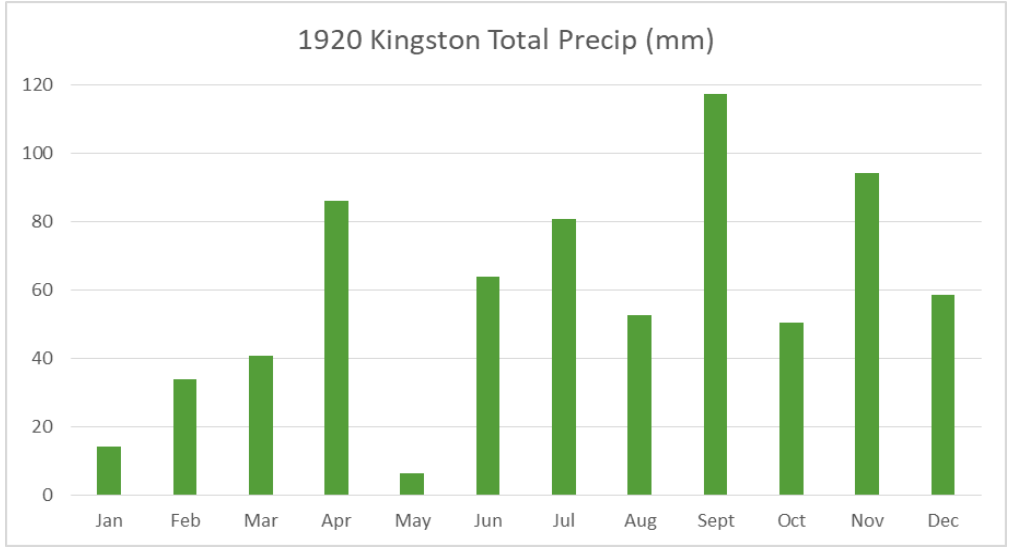
On Budgeting and Economics

Increased temperatures during spring and summer months lead to more use of space cooling and other artificial temperature adjustment methods. This not only has a negative effect on the environment, but it is costly to maintain facilities at appropriate temperatures.

On Recreational Activities

Extreme heat and the increased severity of precipitation due to climate change can greatly affect recreational activities. Golf is an example of a recreational sport popular in Frontenac County that is particularly vulnerable to changing temperatures. Increased storms and floods have detrimental effects on golf courses, requiring more upkeep and driving up the cost of this activity. More extreme weather also detours tourists and community members from enjoying the outdoors. ([GFC](#))

Climate Change in Frontenac County Increased Precipitation





Increased precipitation is one of the many impacts of global climate change. Increased Greenhouse Gas Emissions lead to warmer oceans which increases the amount of water that evaporates into moisture-laden air. When this air converges into storm systems and moves over land, and more intense precipitation occurs ([EPA](#)). Heavy rains pose an increased flooding risk. Floods can heavily damage infrastructure, rendering economic consequences. Other implications of heavy precipitation include soil erosion and crop damage ([EPA](#))

Environmental Protection Agency. (2021). EPA. Retrieved July 25, 2022, from <https://www.epa.gov/climate-indicators/climate-change-indicators-heavy-precipitation#:~:text=The%20potential%20impacts%20of%20heavy,flooding%20related%20effects%20on%20health.>



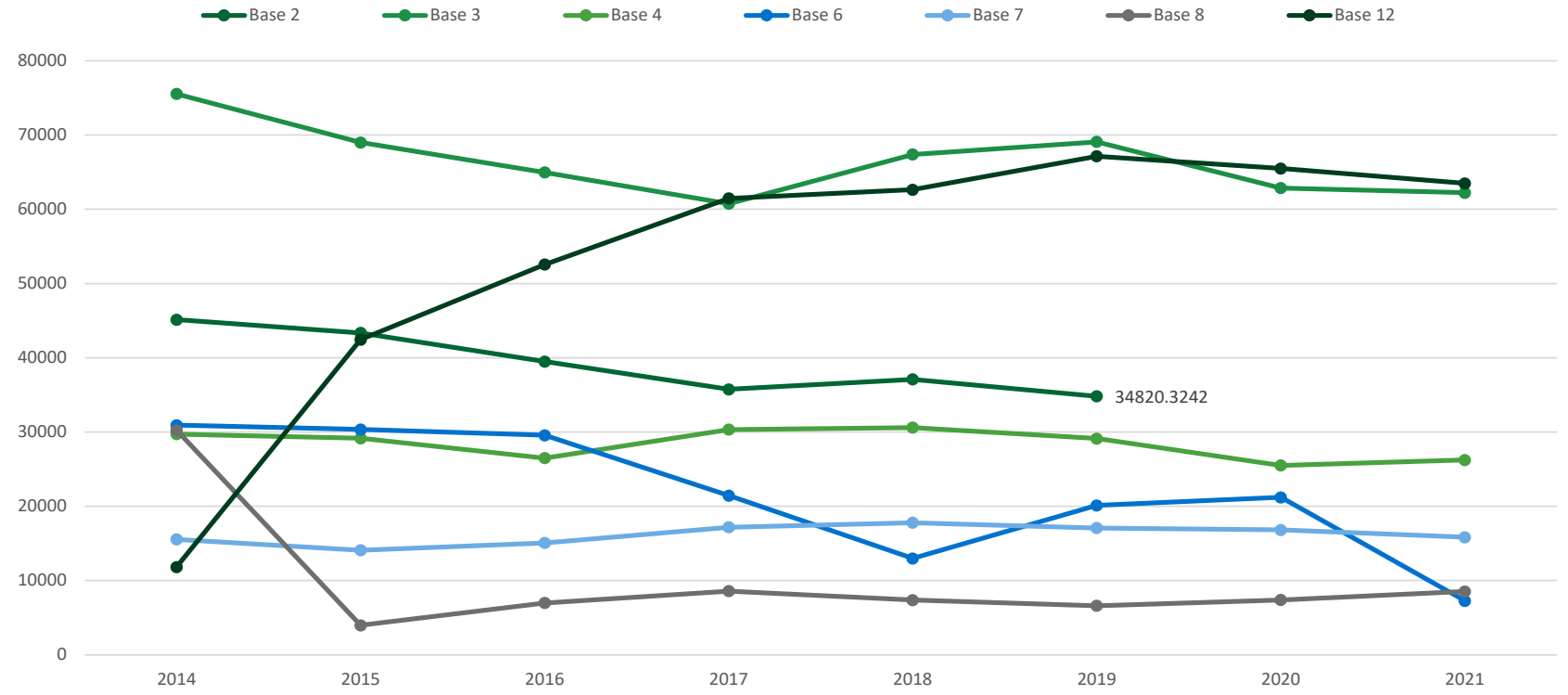
FRONTENAC



The State of the County

Electricity Usage of Frontenac Paramedic Bases

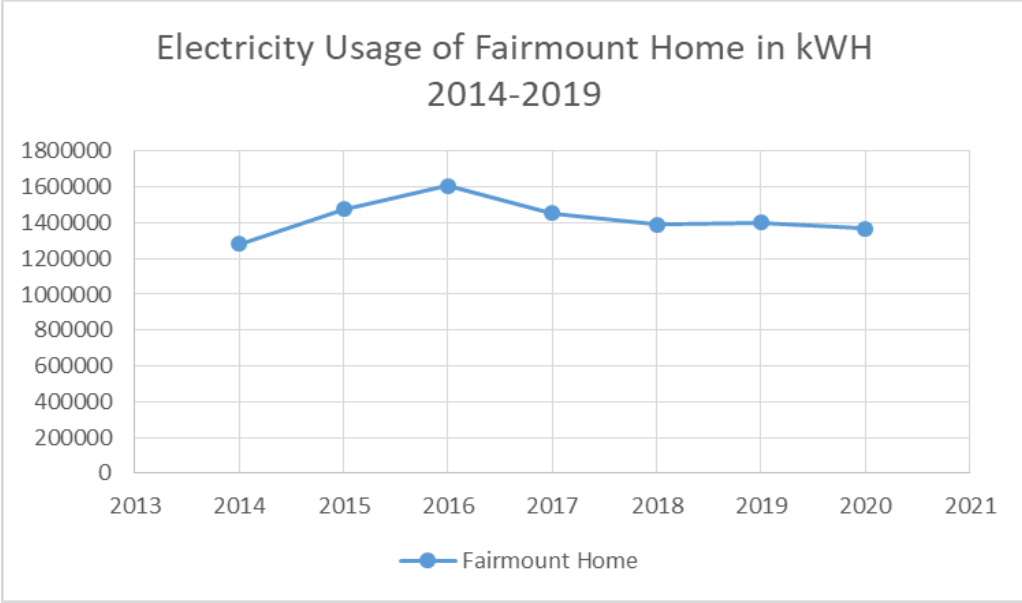
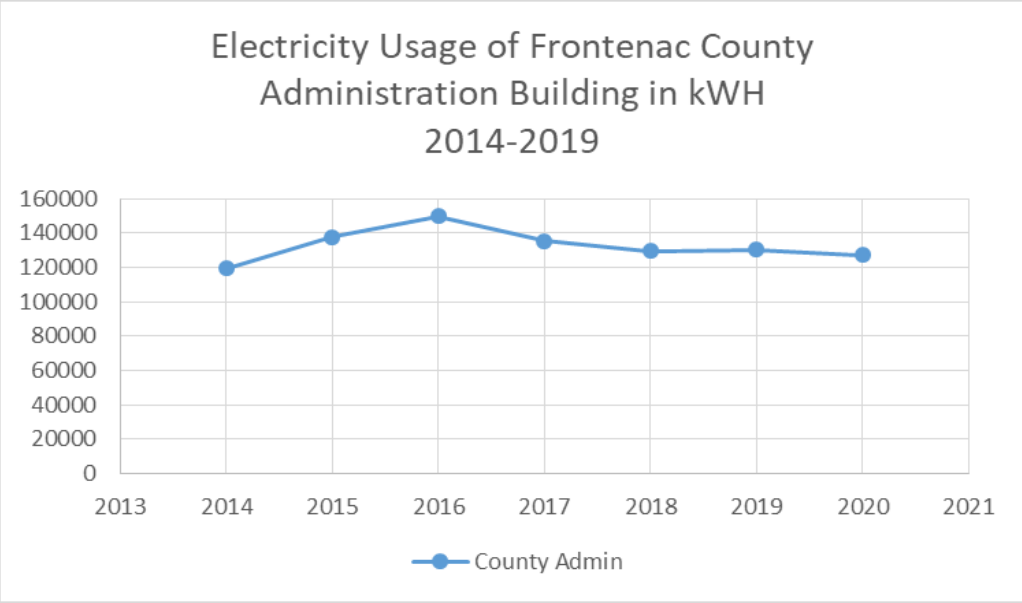
Electricity Usage of Frontenac Paramedic Bases in kWh
2014-2021



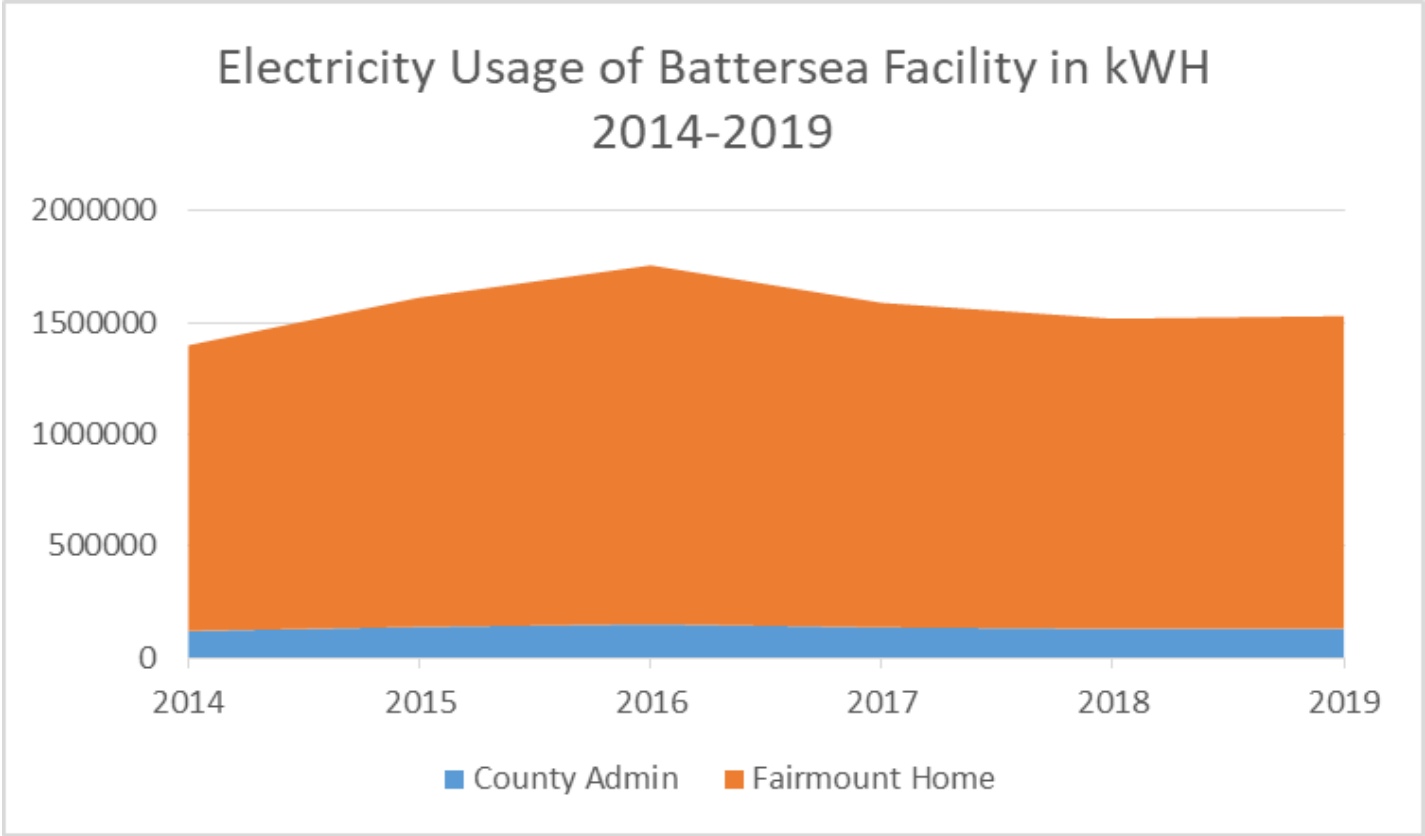
Mr. Kevin Farrell, Manager of Continuous Improvement, and Ms. Lydia Mor...



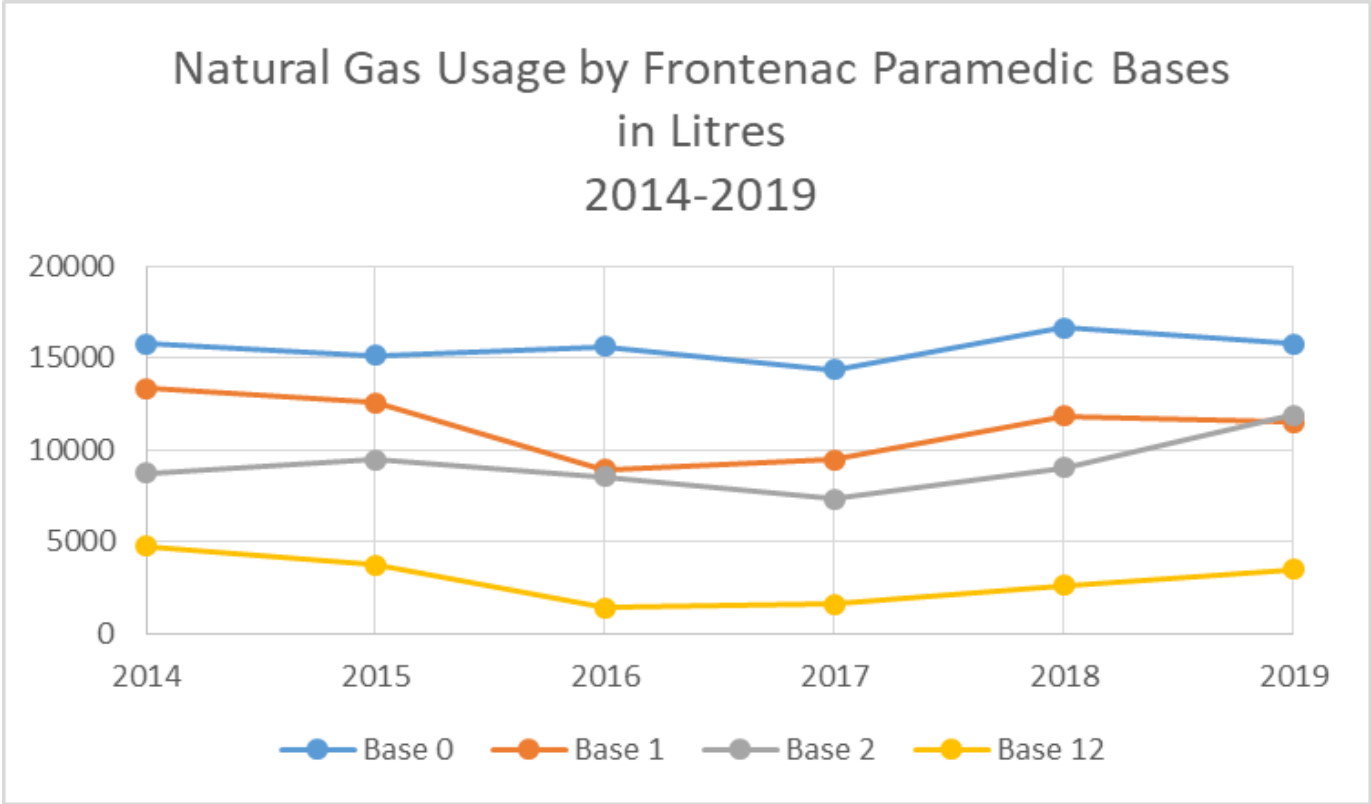
Electricity Usage of Administration Building and Fairmount Home



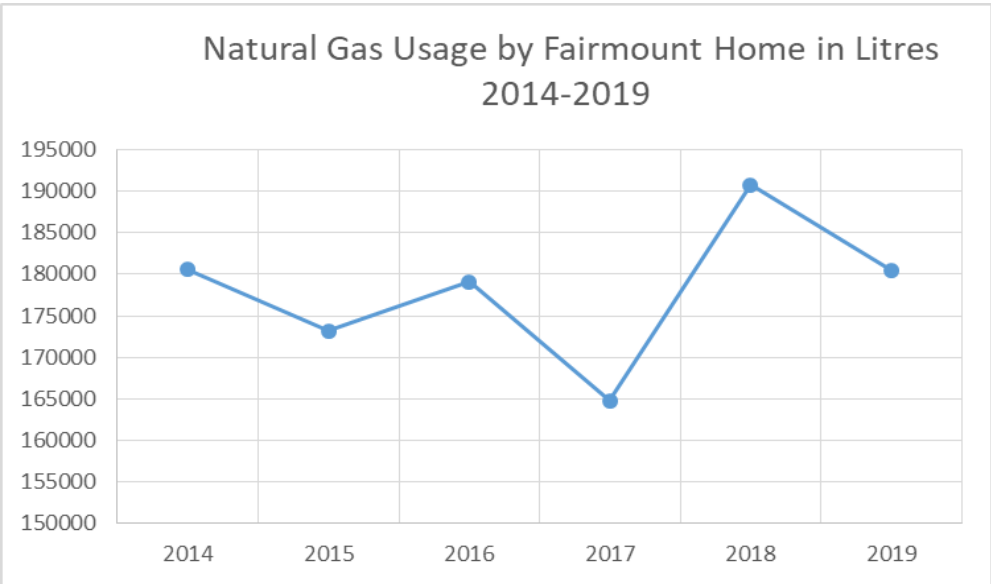
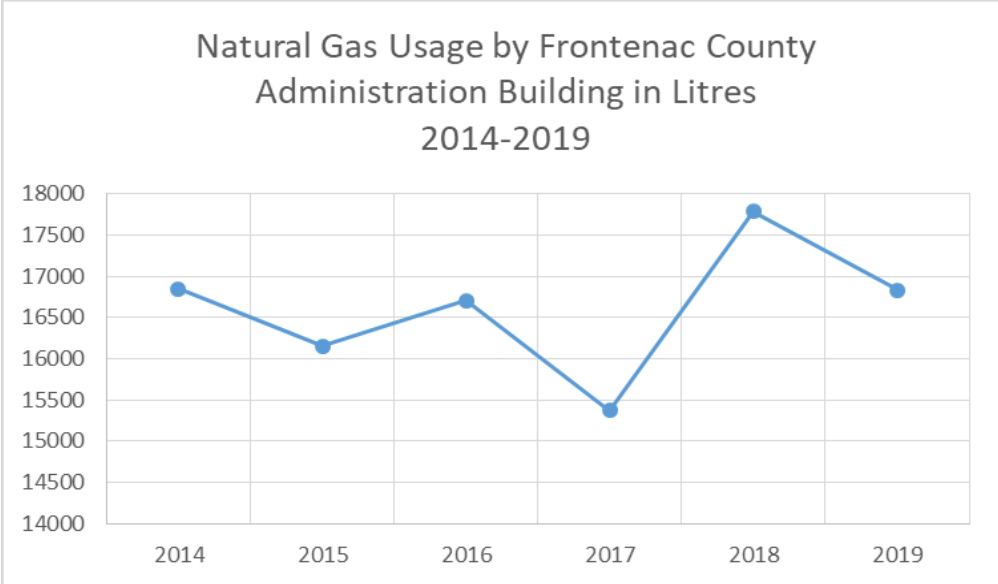
Electricity Usage of Battersea Facility



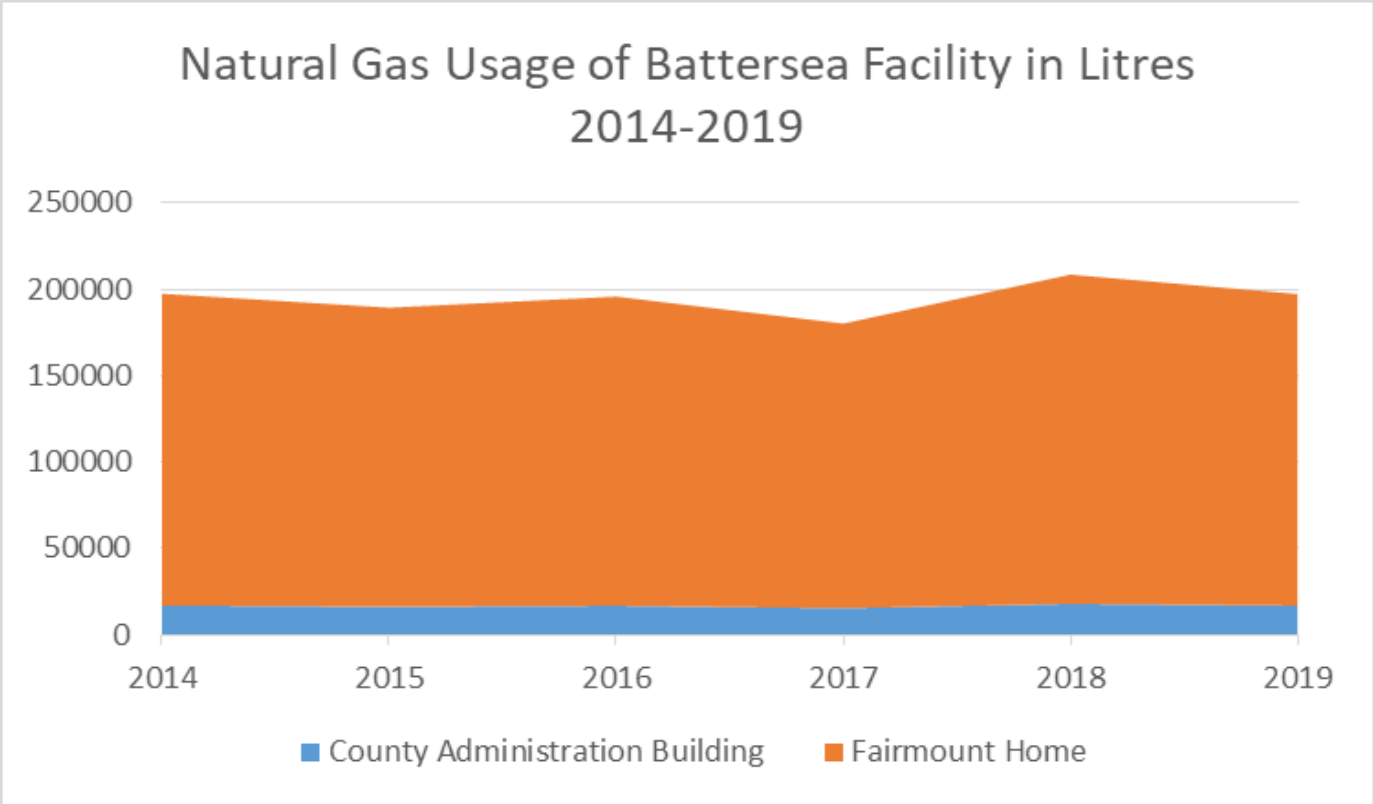
Natural Gas Usage – Frontenac Paramedic Bases



Natural Gas Usage – Administration and Fairmount Home

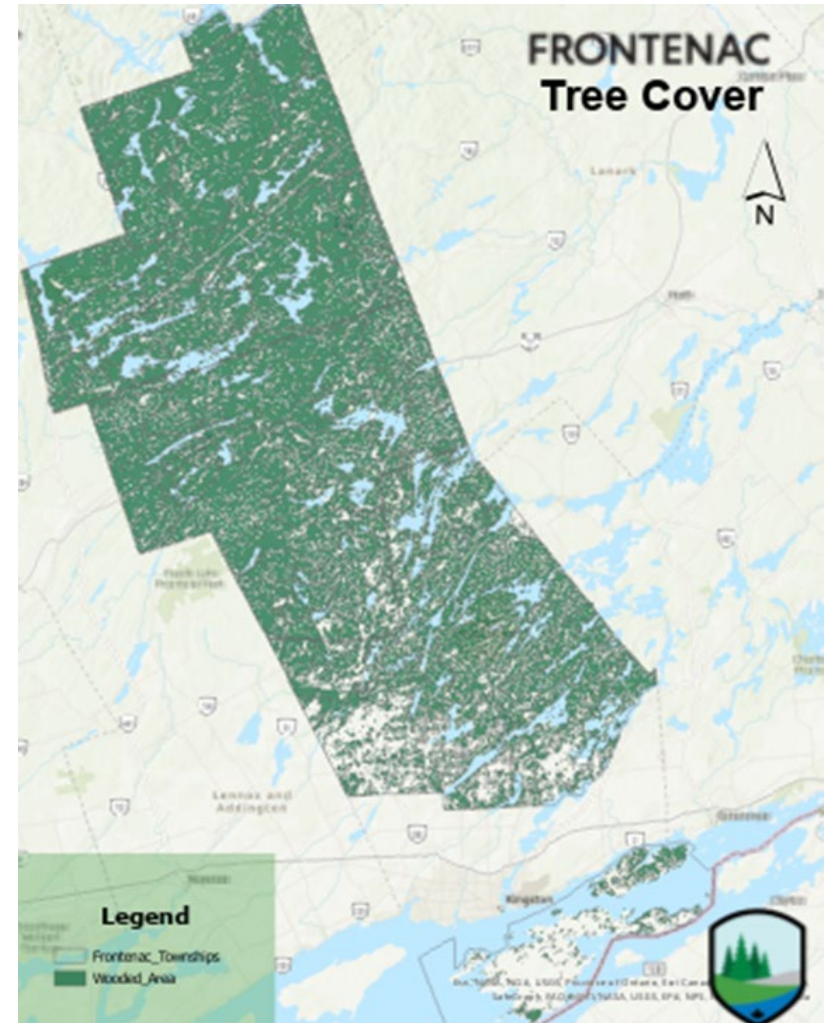


Natural Gas Usage of Battersea Facility



Tree Cover

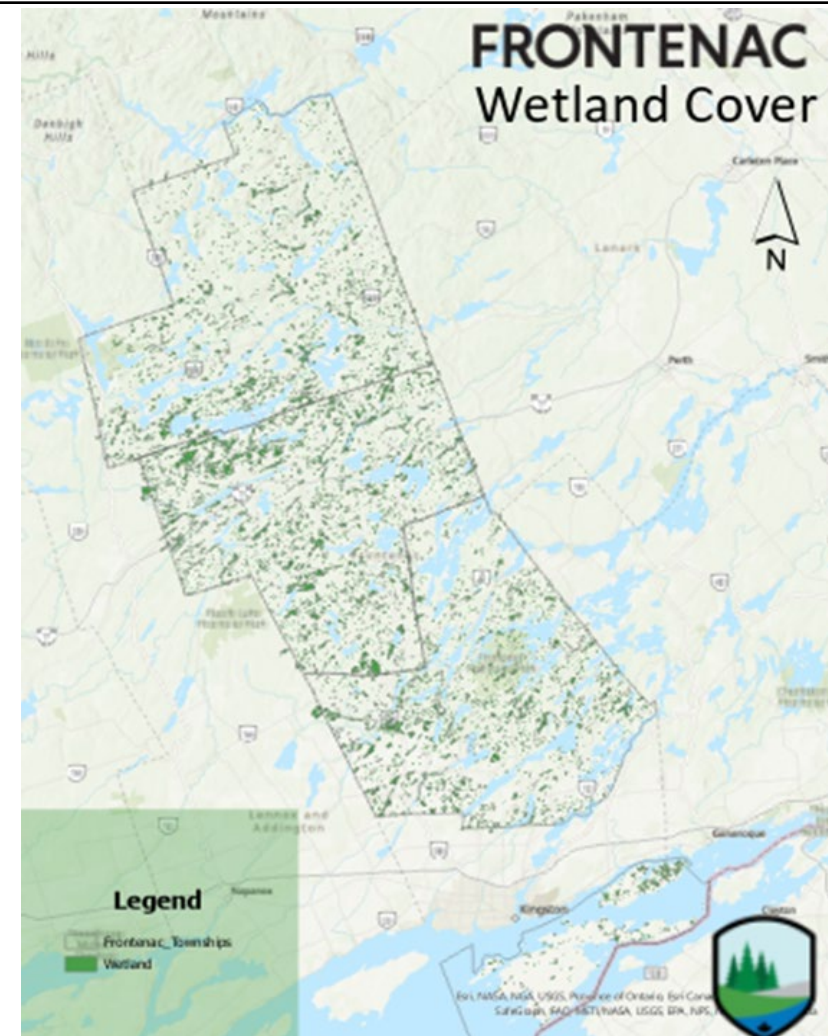
The map to the right shows the tree cover in Frontenac County. Frontenac County has an extremely high tree cover percentage. A dense tree canopy brings many benefits for a region. Some environmental benefits of a high tree cover include controlling wind, improved air quality through carbon dioxide reduction, improved water quality and helps reduce erosion.



The benefits of trees. Canopy. (2018, May 17). Retrieved July 25, 2022, from <https://canopy.org/tree-info/benefits-of-trees/>

Wetland Cover

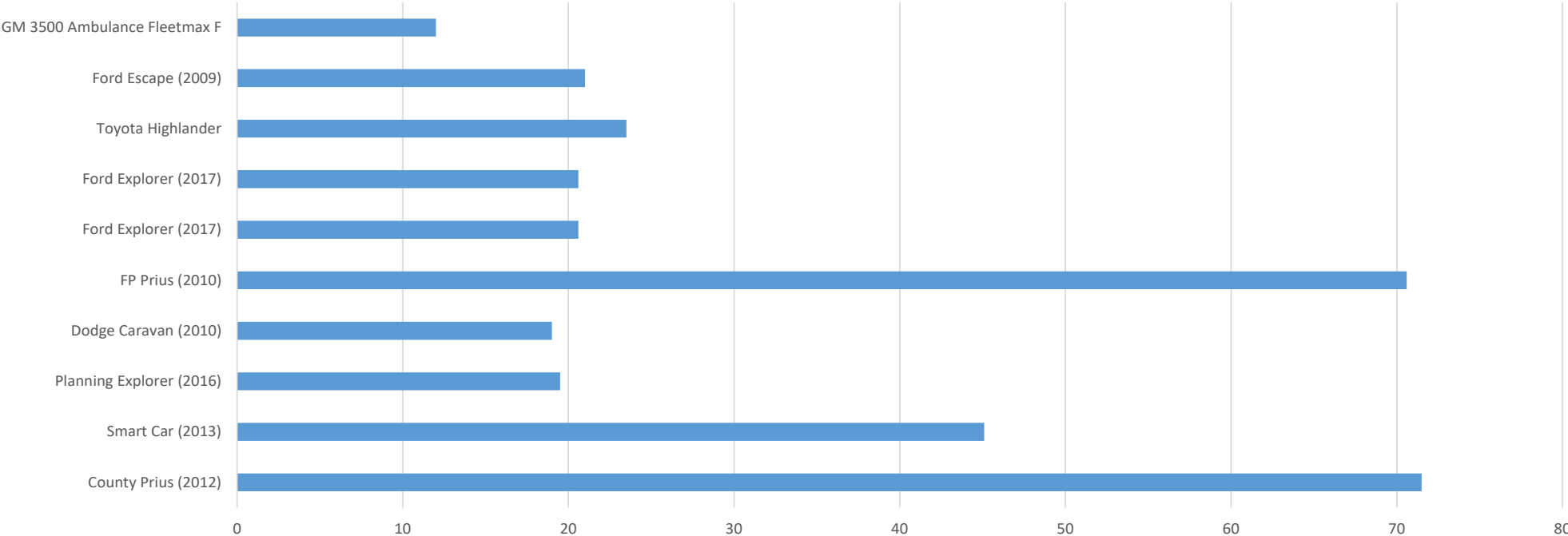
The map to the right shows the wetland cover in Frontenac County. Frontenac County is covered in lakes and wetlands. Some environmental benefits of wetlands includes the protection of endangered species, coastline protection, carbon regulation and the promotion of biodiversity.



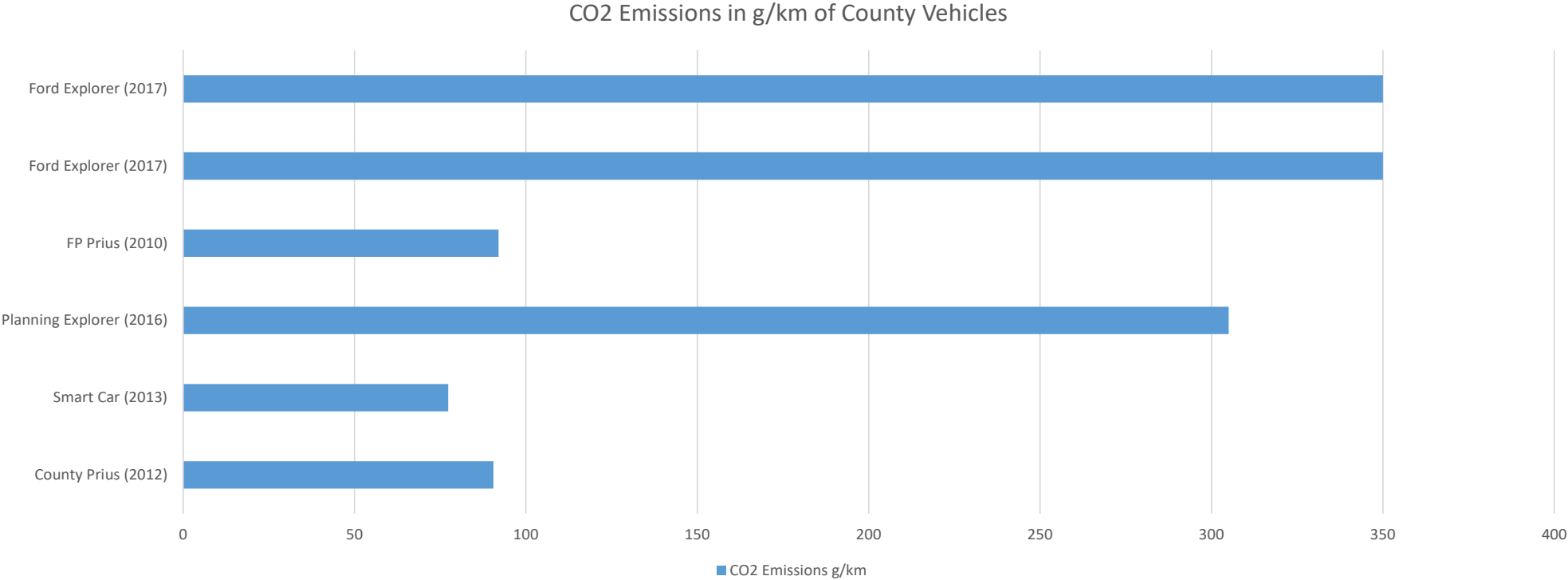
Wetlands. Ducks Unlimited Canada. (2022, July 21). Retrieved July 25, 2022, from <https://www.ducks.ca/our-work/wetlands/#:~:text=They%20protect%20us%20from%20flooding,at%20beaches%2C%20lakes%20and%20rivers.>

County Vehicle Fleet

MPG of County Fleet Vehicles



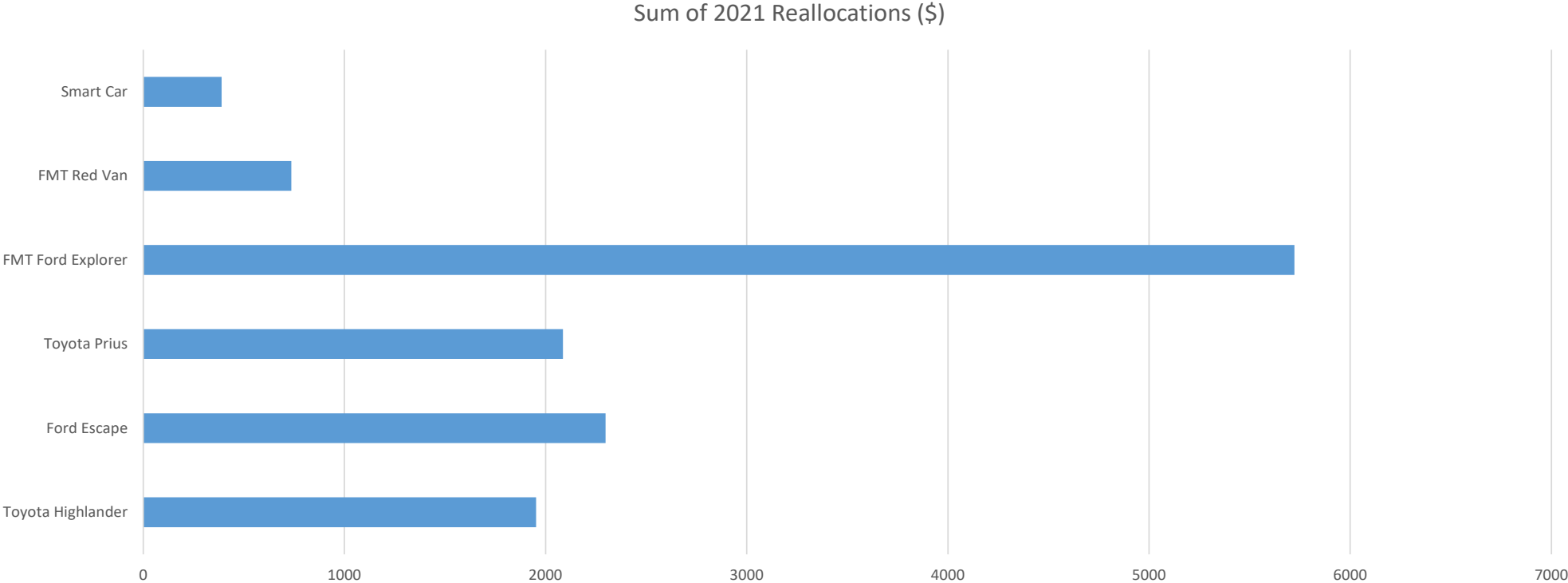
County Vehicle Fleet CO2 Emissions



County Vehicle Fleet – Total KM Reallocations 2021



County Vehicle Fleet – Sum of 2021 Reallocations





Other Considerations

Grant and Incentive Opportunities



There are many grants available to municipalities that encourage sustainable practices within organizations. Most of these grants involve retrofitting municipal buildings in order to reduce GHG emissions. These grants may be of particular interest to the Townships as they own more buildings that house community organizations and events. All of these grants are project specific. They require a planned project proposal as a part of the grant application.

FCM (Federation of Canadian Municipalities) grant opportunities:

- Capital project: GHG impact retrofit ([FCM/retrofit](#))
- Community building recommissioning grant ([FCM/recommissioning](#))
- Community building monitoring and analysis grant ([FCM/analysis](#))
- Pilot project: Energy recovery or district energy ([FCM/energy](#))

Canadian municipal governments and their project partners are eligible to apply. Eligible buildings are owned by the municipality and are for community use. Eligible buildings are described as:

- owned by a municipal government or not-for-profit;
- primarily used for the purposes of providing athletic, recreational, culture and community programs or services to the local community;
- widely accessible to everyone offering services designed to enhance the health and well-being, skills development, and economic development of individuals and communities.”

Incentives for Medium and Heavy-Duty Zero-Emissions Vehicles (iMHZEV)

Transport Canada offers incentives for organizations who buy or lease a zero emissions heavy duty vehicle.

In order to qualify, vehicles must be:

- a medium or heavy-duty vehicle with a gross vehicle weight rating (GVWR) of greater than 8,500 lbs.
 - This includes class 2B to class 8 vehicles, including on-road vocational vehicles falling in those classes
 - Maximum incentive amounts are determined by vehicle class.
 - There is a \$10,000 incentive amount for a class 2B vehicle (Utility van) and up to a \$200,000 amount for a class 7/8 vehicle (example a coach bus).
- Assuming an ambulance is a class 5/6 vehicle, the County could be eligible to receive \$75,000 to \$100,000.

More points about this incentive:

- To be eligible only new ZEV's (Zero Emission Vehicles) can be considered
- As long as a vehicle's full description (the year, make, model, and trim) appears on the list of eligible vehicles, an incentive can be provided
- There is a limit to how many eligible ZEVs Canadian businesses can purchase or lease under the iMHZEV Program. Businesses and provincial/territorial and municipal governments operating fleets are eligible for up to 10 incentives (or a maximum of \$1,000,000) under this Program in a calendar year.

Environmental Advisory Committee

Environmental Advisory Committees can help mobilize climate action in the Frontenacs. An Environmental Advisory Committee could aid in environmental considerations for decisions and operations. There is a wide range of areas that an Environmental Advisory Committee could help with including, supporting citizen projects, monitoring the state of the county, working with economic development, planning, reviewing and applying for grant opportunities.

An Environmental Advisory Committee would have the most impact at the Township level where the majority of services are provided, and whose carbon footprints can be mitigated.

Declaration of Climate Emergency

One step that can be made towards the mitigation of climate change in the County of Frontenac is an official acknowledgement of its existence and impact. According to the Climate Mobilization Organization, *“A Declaration of Climate Emergency is a piece of legislation passed by a governing body such as a city council, a county board of supervisors, a state legislature, or even a national government. It puts the government on record in support of taking emergency action to reverse global warming.”* ([ClimateMobilization.org](https://www.theclimatemobilization.org)).

Frontenac County surrounds one of the leading municipalities in climate mitigation and adaptation: The City of Kingston. Kingston was the first municipality in Ontario to declare a climate emergency on March 6th, 2019. Over 640 municipalities and counties in Canada have declared a climate emergency including Prince Edward County, Hamilton, St. Catharines, Halton Hills, Greater Sudbury, Oakville, Toronto, Ottawa, Whitby, King Township, Barrie, and many more within Ontario alone. Declaring a Climate Emergency would acknowledge the impact climate change has already had on Frontenac County as well as the impact it will continue to have should climate action go unaddressed.



What are others doing?

Communities Exhibiting “Best Practices”

Kingston Ontario

The City of Kingston has exhibited leadership in climate action and mitigation. The City of Kingston has developed a climate leadership plan that builds on their award winning 2014 Climate Action Plan as well as reports from the Working Group on Climate Action. The Kingston Climate Leadership Plan has outlined four goals;

1. Define a clear path to reach corporate and community carbon neutrality.
2. Engage the most influential local stakeholders who can make the biggest GHG reductions.
3. Identify climate adaptation priorities.
4. Consider solutions that demonstrate economic development and prosperity

Communities Exhibiting “Best Practices” cont.

Town of Huntsville

The town of Huntsville is another municipality that has exemplified outstanding strategies for the mitigation and adaptation of climate change. In 2015 Huntsville published a Sustainability Report, outlining the region’s plan to a more sustainable future. Aspects of Huntsville’s Sustainability Report include energy reporting, energy conservation plans, community outreach, commitment to a corporate culture of sustainability and education on sustainable practices.

Read the Sustainability Report here:

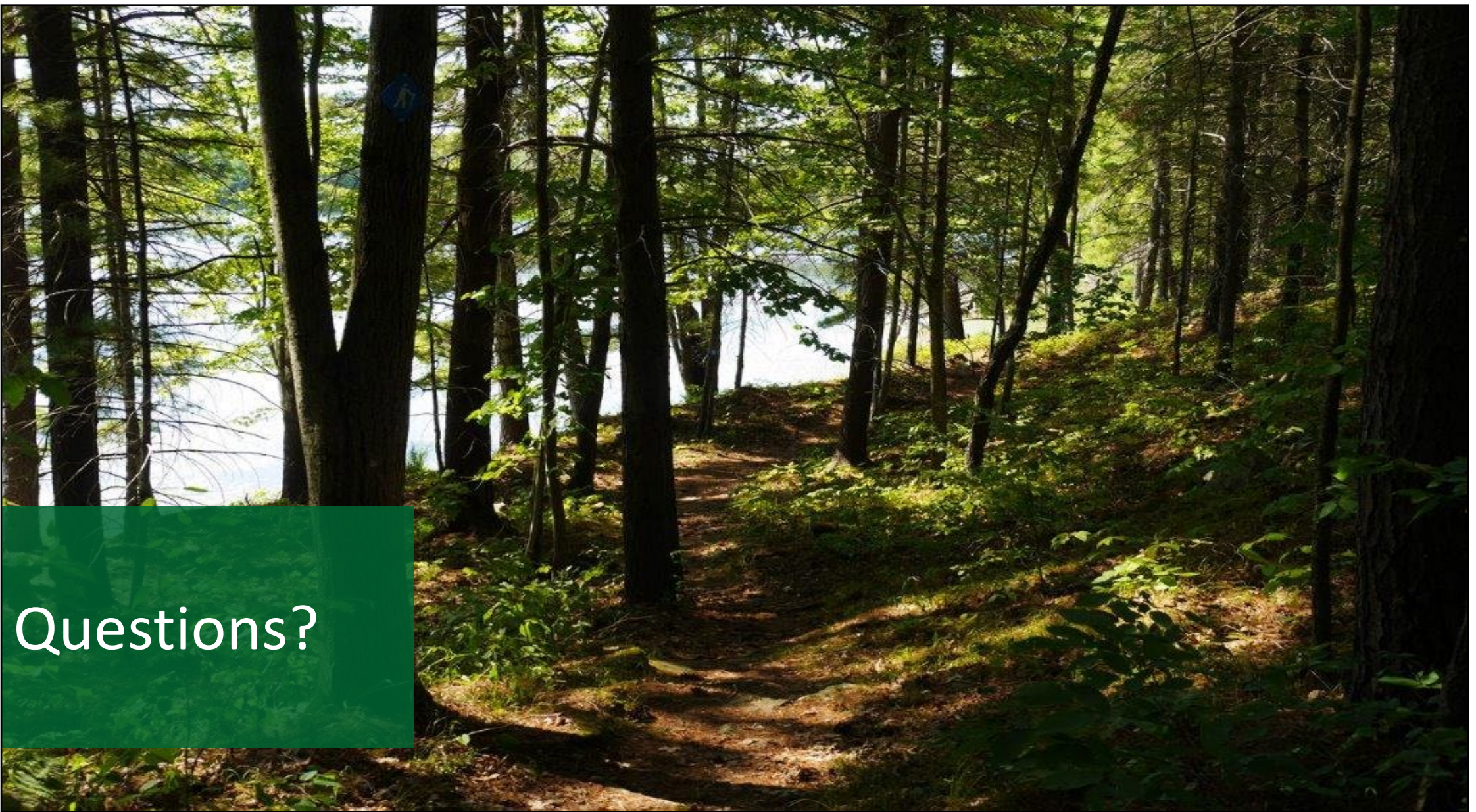
https://www.huntsville.ca/en/business-and-growth/resources/PlansAndStudies/SustainabilityReport_2015_PlansStudies.pdf



Next Steps

Next Steps

- Ongoing tracking of energy usage and emissions
 - Buildings and vehicle fleet(s)
 - Internal staff resources / engaging with Sustainable Kingston
- Explore future funding opportunities
 - FCM Grants
 - Other Incentives
- Explore the possibility of a Climate Action Reserve
 - Matching funding when applying for grants
 - Bring future recommendations and opportunities before Council
- Share information and collaborate with Township initiatives



Questions?

Administrative Report

September 21, 2022

Report 2022-08



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CAO Schedule – September

- EOLC Meeting September 6
- EOLC Board Meeting September 7
- Frontenac Paramedic Departmental Budget Meeting September 7
- Planning Departmental Budget Meeting September 7
- Emergency Management Annual Training September 8
- FLAOHT Partnership meeting September 8
- United Way Kick-Off Breakfast September 9
- EOWC CAOs Meetings September 15 & 16
- EOLC Meeting September 20
- FLAOHT Partnership meeting September 20
- County Council September 21
- County Administration/ Planning and Economic Development Management Meeting September 22
- EOWC Strategic Planning Meeting September 30



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Update – EOWC and EOLC

- EOWC
 - CAO's Planning Meeting**
September 15 & 16, Prescott and Russell
 - Strategic Planning Committee Meeting**
September 30, Virtual
- EOLC
 - Board Meeting**
September 7 Virtual



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Bill 3, *Strong Mayors, Building Homes Act, 2022*

On September 8th Bill 3, Strong Mayors, Building Homes Act, 2022 (Bill 3) received Royal Assent. The bill will provide new powers to the mayor of the City of Toronto and mayors of other “designated municipalities,”.

As a result of these proposed changes, the mayors of Toronto and Ottawa would have additional powers, including the following:

- Proposing a budget for the municipality and presenting it to city council for consideration,
- Determining the organizational structure of the municipality by hiring, dismissing and exercising other prescribed employment powers over municipal department heads, subject to restrictions with respect to specified persons including the Clerk, Fire Chief and the Integrity Commissioner,
- Establishing, dissolving or assigning functions to prescribed committees or committees within a prescribed class of committees, and
- Vetoing bylaws that could potentially interfere with a prescribed “provincial priority” (according to the government’s new release, one such provincial priority will be building new homes and the construction and maintenance of infrastructure that supports new housing).

While it remains to be seen whether mayors of other municipalities in Ontario will see a similar expansion in powers, Bill 3 would provide the Minister of Municipal Affairs and Housing the authority to designate other heads of council as being covered by the amendments.



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AMO Communications

Provincial Matters

- The Ministry of Transportation (MTO) has released [program guidelines](#) for the new regulation on Administrative Penalties (AP) for Vehicle-Based Contraventions Captured by Automated Cameras. Questions can be directed to roadsafety@ontario.ca.
- Applications are being accepted until September 16 for the [Federal Flood Hazard Identification and Mapping Program](#). Up to 50% matched federal funding can be received for eligible flood mapping projects. [Register here](#) for and information webinar on August 30.



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AMO Communications

Eyes on Events

- AMO is continuing to provide training in asset management to municipal staff through the [Municipal Asset Management Program](#), which is delivered by the Federation of Canada Municipalities and funded by the Government of Canada. Contact ccbf@amo.on.ca for more information.



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AMO Conference

- EOWC Meeting with Minister Clark – focused on housing – EOWC to follow up with a regional approach
- Joint meeting with L&A re OHTs and PA Robin Martin
- Joint meeting with SF re Communal Services and Minister Clark



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Administrative Building Redevelopment



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There are exciting improvements underway at Frontenac County Campus at 2069 Battersea Rd. in Glenburnie. Learn all about the projects, plans, and progress and sign-up to receive regular updates at:

EngageFrontenac.ca/County-Campus-Redevelopment



Scan me!

Projects include joint administrative office facility construction in partnership with the Cataraqui Region Conservation Authority, building the new Frontenac Paramedics station, and upgrades to the Fairmount Home HVAC system.

Frontenac is a region of nearly 4,000 square kilometers surrounding the City of Kingston and includes the townships of North Frontenac, Central Frontenac, South Frontenac and Frontenac Islands. Learn more about the demographic characteristics of Frontenac County and the Townships at frontenaccounty.ca.



FRONTENAC

Administrative Building Redevelopment

County Administration staff left the building was on July 15th, and the Construction for the Joint Admin Facility began on July 18, 2022.

Administrative Building Redevelopment update as of August 30, 2022.

A bi-weekly progress meeting between County Administration, Cataraqui Regional Conservation Authority, Colbourne & Kembel, Architects Inc., and Emmons & Mitchell Construction limited representatives to discuss the construction progress.

- **Level 0 – Basement** - Level 0 area has been demolished and we are awaiting permit for sawcutting and commencement of mechanical rough-in and wall framing.
- **Main Building** – Interior of the Main Building has been demolished as per the contract documents, investigative demolition is proceeding in the basement to determine how deep existing walls and piers extend to determine how to lower the slab. Awaiting direction on additional demolition and permit.
- **Additions and Exterior Improvements** – can now begin. Building permit issued.

The construction schedule indicating a total completion date of mid July for Level 0 and the main building does not meet the initial anticipated construction schedule and Emmons and Mitchell will attempt to review; however, it would be unlikely due to material deliveries that the schedule would be changed, and we are currently anticipating an approximate 6-8 week delay.

Level 0 - Basement



Main Building – First Floor



Main Building – Second Floor





FRONTENAC

Human Resources Update

- 2022 – 401 postings as at September 16, 2022
 - Ongoing Health Human Resources crisis
 - Key County Admin positions filled: Temp CDO; 2x Superintendent – Frontenac Paramedics
- Negotiations:
 - OPSEU – July 25, 26 – union cancelled; next dates October 27, 28, Nov 30, Dec 1
 - CUPE 2290 – Nov 14, 15
 - 1 arbitration - OPSEU
- HRIS –payroll and scheduling go-live – Sep 26th
 - Remaining modules by year end
- OMHRA conference
- Policy development – Electronic Monitoring – Bill 88 – implement by Oct 11/22



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Frontenac Paramedics Update

- Preliminary work has begun on new Paramedic station site
- Working with Kingston Fire and Rescue on communications regarding possible co-locations near Division and Elliott and Kingston west
- Fall recruitment for part-time Paramedics
- Community Paramedics and Admin staff working from shared space at CRCA



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Engagement & Communications Update for July-August, 2022



Website Pageviews	
FrontenacCounty.ca	56,682
InFrontenac.ca	53,826
FrontenacMaps.ca	14,023
EngageFrontenac.ca	2,700
Social Media Engagement	
County Facebook & Instagram	3,473
County Twitter	885
County Youtube	732
FPS Twitter	1,115
Visit Frontenac Facebook & Instagram	747
Visit Frontenac Twitter	61
Fairmount Facebook	937
K&P Trail Twitter	97
K&P Trail Facebook Group	3,418
H.I. Ferry Twitter	5,265
Total engagements in Jul-Aug	143,961
Change from May 2022 (Avg)	12%
Change from Jul-Aug 2021	14%



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Around Frontenac in July-August



Our top-performing social post during the summer was one of photos from the Lakes and Trails Festival on July 16.



On the Paramedics side, audiences were engaged by Paramedics participating in the Sirens for Life/Canadian Blood Services blood donation drive through July and August.



From Fairmount, the most engaged-with item was about the Grandfriends program between Fairmount Residents and students at Elginburg District Public School on July 5.



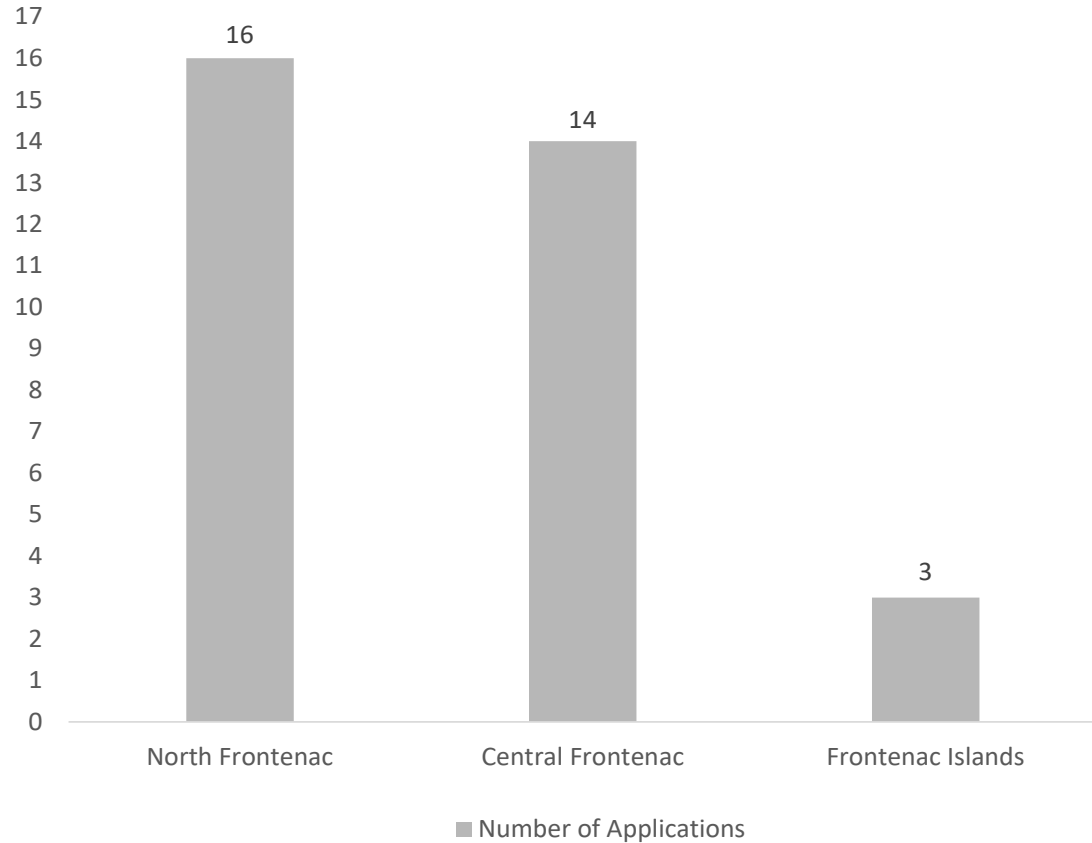
FRONTENAC

Planning Department Update

- **Sharbot Lake School Site Redevelopment – Communal Services Feasibility Study**
 - Work on the feasibility study for redeveloping the former Sharbot Lake school site on communal services is complete. The final report will be presented to township council on September 20.
- **Central Frontenac Zoning By-Law**
 - Central Frontenac is in the middle of the comprehensive review of their zoning by-law. The statutory public meeting is scheduled for October 11th in Sharbot Lake.
- **Marysville Secondary Plan**
 - The final draft of the Official Plan Amendment to implement the secondary plan for the Village of Marysville was approved by township council on September 12. The amendment will be brought to the County's Planning Advisory Committee and County Council in October.

Planning Application Update - Townships

- Applications for North and Central remained high for July and August.
- In terms of new applications submitted in 2022, the percentage of files as of the end of August is 47% of the volume from 2021.
- However, when you add in files that were submitted late in 2021, as well as deferred files that were carried over, the total active application volume is 65% of the 2021 total.





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Economic Development Update

Open Farms

This year's Open Farms event on September 10 & 11 was another success, with ticketed experiences across the County and Kingston to help farms avoid crowds on site. A full report on outcomes will be presented to the Community Development Advisory Committee in October.



Open Farms Harvest October 2

As part of this year's celebration of local food and agriculture, a culinary event will be held at Kingston City Hall featuring chefs and farms from across Frontenac County and the City of Kingston, including Brad Long of Belong Sharbot Lake, Patchwork Gardens, The Rise Farm and others.





FRONTENAC

Staff Updates

- Congratulations Rayna Hachez who started the temporary position of Human Resources Assistant in Corporate Services
- Congratulations to Jason Kervin Community Paramedicine Coordinator – temporarily filling the role of Superintendent, Performance Standards
- Congratulations to Angud Singh, temporary Community Development Officer



Report 2022-097

Council Recommend Report

To: Warden and Council of the County of Frontenac
From: Kelly Pender, Chief Administrative Officer
Prepared by: Jannette Amini, Manager of Legislative Services/Clerk
Date of meeting: September 21, 2022
Re: **Corporate Services – Establishment of a By-law to Regulate the Howe Island Ferry**

Recommendation

Resolved That the Council of the County of Frontenac pass a By-law later in the meeting to Regulate the Use of the Frontenac-Howe Islander Ferry, as per Appendix A to this report;

And Further That the Council of the County of Frontenac pass a by-law later in the meeting to amend By-law 2021-0018, being “A By-Law to Establish a Process for Administrative Penalties,” to designate proposed By-law to Regulate the Use of the Frontenac-Howe Islander Ferry as a by-law for which Administrative Penalties can be issued and to set out penalty amounts.

Background

The Council of the County of Frontenac, through an Agreement with the Ministry of Transportation, is responsible for the operation of the Howe Islander Ferry. Through a Memorandum of Understanding with the Township of Frontenac Islands, the day-to-day administration of the Ferry is directed by the Township’s Public Works Manager

At its regular meeting held April 21, 2021, Council received [Report 2021-034](#), Corporate Services – Direction to proceed with the investigation and implementation of By-laws for the Provision of an Administrative Monetary Penalty Process, which pointed out a number of by-laws and policies that the County has, or is in the process of developing, that place restrictions or require compliance by users, one of which was the issue of motorists boarding the Howe Islander Ferry and then not paying the fare, and at the time, with some refusing to wear a face covering, as mandated by Transport Canada.

In May 2021, Council passed By-Law Number 2021-0018 “A By-Law to Establish a Process for Administrative Penalties”, to enable the County to enforce compliance with its by-laws, when and if required. The by-law provides a means to impose

escalating sanctions, from administrative penalties to significant fines, to address immediate and specific local needs of the County.

Comment

For municipal by-laws to be enforced, they must carry an offence for someone found in contravention of the by-law. The annual By-law to establish a fees and fares schedule for the Frontenac-Howe Islander Ferry does not actually create offences nor identify any enforcement provisions. As a result, staff are recommending that Council pass the proposed By-law to Regulate the Use of the Frontenac-Howe Islander Ferry attached as Appendix A to this report, as well as designate the said By-Law as a by-law for which Administrative Monetary Penalties (AMPs) can be issued. AMPs provides the County with an additional tool to enforce payment for the use of the Howe Islander Ferry, without involving the Provincial Offences Court system.

The proposed By-law has been vetted through the Frontenac Islands Public Works Manager and Chief Administrative Officer/Clerk and has been reviewed by County Solicitor Tony Fleming of Cunningham, Swan, Carty, Little & Bonham LLP with his comments incorporated into the final draft in front of Council today for its consideration.

The Administrative Penalties Process By-Law previously approved by Council created a process to impose administrative penalties and set out several procedural, financial, staffing, and other administrative processes, including the establishment of an administrative scheme to support the imposition of administrative monetary penalties under the Chief Administrative officer.

The Administrative Penalty Process By-Law also includes due process provisions including (i) notice requirements, (ii) review and confirmation or cancellation of penalties by a Screening Officer; and (iii) a right of appeal to an independent Hearings Officer. To fully implement the Administrative Penalty Process By-Law, the Clerk was assigned to carry out the functions of the Screening Officer. The Hearing Officer is to be an impartial person outside of the organization and is appointed by the CAO when required.

Staff are recommending penalty amounts of \$80 per offence as these penalties are meant to enforce compliance and deter future contraventions.

It should be noted that the proposed by-law only applies to the County-run Howe Islander Ferry. The County does not have jurisdiction over the Township ferry; however, through discussions with Township staff, a similar by-law may be presented to Township Council should the same issues of non-compliance arise.

Section 434.2(2) of the *Municipal Act* provides the County with the authority to have any unpaid administrative penalties added to the Frontenac Islands roll.

Staff are recommending the following penalty amounts for offences as these penalties are meant to enforce compliance and deter future contraventions. The fees for the Screening Officer and Hearing Officer Appeals are in line with those charged by the Township of South Frontenac.

By-law Section	Short wording	Penalty Amount
5.3	Parked a car and failed to pay the appropriate ferry fare	\$80.00
5.4	Parked a trailer and failed to pay the appropriate ferry fare	\$80.00
5.5	Parked a bicycle and failed to pay the appropriate ferry fare	\$25
6.2	Obstruct an officer or authorized employee	\$500.00
	Administrative Penalty Fee Failing to pay the AMP by the date on which it is due.	\$25.00
	Screening Officer Appeal Fee	\$50.00
	Hearing Officer Appeal Fee	\$200.00
	Administrative Penalty Fee Failing to appear for a hearing before the Hearings Officer.	\$100.00

Sustainability Implications

As part of the Vision for the County of Frontenac in its 2019-2022 Strategic Plan, it identifies accountability and states:

As a framework for strategic planning, this future vision incorporates goals related to:

- Building the County's organizational capacity in line with its mandate and accountabilities.

Additionally, Other Important and Continuing County Priorities, identifies:

- Continually improve customer and financial services.
- Maintain a strong organization and positive work culture through leadership, human resources, training and development, physical and IT infrastructure, and partnerships.

Financial Implications

There are no financial implications directly associated with this report.

Organizations, Departments and Individuals Consulted and/or Affected

Tony Fleming, County Solicitor, Cunningham, Swan, Carty, Little & Bonham LLP
Darlene Plumley, Chief Administrative Officer/Clerk, Township of Frontenac Islands
Rob Dillabough, Public Works Manager, Township of Frontenac Islands
Dakota Thompson, Manager of Marine Services
Alex Lemieux, Director of Corporate Services/Treasurer
Kevin Farrell, Manager of Continuous Improvement

By-Law No. 2022-0032

of

The Corporation of the County of Frontenac

being a by-law to Regulate the Use of the Frontenac-Howe Islander Ferry

Whereas section 8 of the *Municipal Act* authorizes municipalities to govern their affairs and to enact by-laws as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

And Whereas Section 69(7) of the *Municipal Act, 2001, S.O. 2001, c.25, as amended* authorizes a municipality to exercise its powers in relation to a ferry transportation system in the municipality and between any point within the municipality and any point outside the municipality, including outside Ontario;

And Whereas section 23.2 of the same Act authorizes the delegation of legislative powers of a minor nature to employees of the municipality;

And Whereas the Corporation of the County of Frontenac operates a ferry to and from Howe Island known as the Frontenac-Howe Islander Ferry pursuant to Section 99(2) of the *Public Transportation and highway Improvement Act, R.S.O. 1990, cP.50, as amended*;

And Whereas section 434.1(1) of the *Municipal Act, 2001, as amended* from time to time, provides that a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under this Act;

Now Therefore Be It Resolved That the Council of the County of Frontenac hereby enacts as follows:

1. Title

This By-law shall be known and may be referred to as the County of Frontenac's Ferry By-law

2. Definitions

For the purposes of this By-law, the following definitions shall apply:

- a) **"Administrative Penalty"** means an administrative penalty administered pursuant to "By-law 2021-0018 of the Corporation of the County of Frontenac being "A By-Law to Establish a Process for Administrative Penalties".

- b) **“Bicycle”** means a multi-wheeled steerable machine that is propelled by the rider muscular power.
- c) **“By-law Enforcement Officer”** means a By-law Enforcement Officer of the Corporation of the County of Frontenac and any other officer authorized by the Corporation of the County of Frontenac for the enforcement of By-laws in the County of Frontenac.
- d) **“County”** means the Corporation of the County of Frontenac.
- e) **“Council”** means the Council of the Corporation of the County of Frontenac.
- f) **“Emergency Vehicles”** includes an ambulance, fire department vehicle, vehicle operated by a police officer in the performance of his or her duties, and any other vehicle being used to respond to an emergency by any authorized person.
- g) **“Fee”** means the fees and fares established by County and Township of Frontenac Islands Councils pursuant to the County of Frontenac annual fees and fares schedule for the Frontenac-Howe Islander Ferry operation.
- h) **“Ferry”** includes the Howe Islander Ferry operated by the County of Frontenac.
- i) **“Heavy vehicle”** means a motor vehicle having a weight when unloaded greater than 6,000 kgs and/or a length of 7 metres (23 feet) or more, but does not include a passenger vehicle, an ambulance, an emergency vehicle, a municipal vehicle or a bus.
- j) **“Motor Vehicle”** includes an automobile, motorcycle, motor assisted bicycle, unless otherwise indicated in this by-law, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a motorized snow vehicle, traction engine, farm tractor, self-propelled implement or husbandry or road-building machine within the meaning of the *Highway Traffic Act*, as amended.
- k) **“Park or Parking”**, means the standing of a vehicle, whether occupied or not.
- l) **“Penalty Notice”** means a notice given pursuant to sections 2.2 and 2.4 of “By-law 2021-0018 of the Corporation of the County of Frontenac being “A By-Law to Establish a Process for Administrative Penalties”
- m) **“Provincial Offences Officer”** means a Police Officer, Peace Officer or other person appointed to enforce the by-laws of the Corporation.
- n) **“Township”** means the Corporation of the Township of Frontenac Islands
- o) **“Trailer”** means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, a mobile home, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily draw, propelled or moved upon such highway, and except for a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn.
- p) **“Vehicle”** includes a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power.

3. Administration

- 3.1 The Transportation Services Department or, in the event of organizational changes, another unit designated by County Council to carry out the responsibilities with respect to operations of the Howe Islander Ferry, is responsible for the administration of this by-law.
- 3.2 The authority to establish temporary regulations in accordance with section 5.6 and 5.7 is delegated to the Director of Transportation Services or his or her designate or, in the event of organizational changes, to another employee designated by County Council.
- 3.3 Amendments to this by-law, including changes to regulations, and amendments to ferry fees and fares rates as set out in the annual Fees and Charges, shall not come into effect until the necessary technical changes have been made and, where required, signage has been installed to provide public notice.
- 3.4 Every vehicle parked on the ferry shall be parked at the risk of its owner, and the County is not responsible for any loss or damage to any vehicle or its contents.
- 3.5 All references contained in this by-law to ferry fees and fares are as set out in the Fees and Fares schedule for the Frontenac-Howe Islander Ferry operation By-Law 2021-0029, as amended, or of a successor to that by-law.

4. Interpretation

- 4.1 Unless modified or changed herein, words or expressions used in this by-law have the same meaning as given or used in the *Highway Traffic Act*, as amended.
- 4.2 This by-law applies to the County operated ferry that transports cars from the mainland to Howe Island.
- 4.3 This by-law does not apply to the Simcoe Island Ferry operated by the Township of Frontenac Islands.
- 4.4 The schedules attached to this by-law shall be read with and form part of this by-law.

Should any part, section, subsection or portion of this by-law be repealed or declared by a court of competent jurisdiction to be illegal the same shall not affect the validity of the by-law as a whole or in part thereof, except for that which was declared to be invalid.

5. General Ferry Use Regulations

Lawful Use by a vehicle

- 5.1 No person shall Board the ferry and park a vehicle in contravention of the provisions of this by-law or of signage that provides public notice of ferry regulations.
- 5.2 No person shall Board the ferry and park a trailer in contravention of the provisions of this by-law or of signage that provides public notice of ferry regulations
- 5.3 No person shall park a vehicle on the ferry unless the person has paid the appropriate ferry fare, as set out in the Fees and Fares By-Law 2021-0029, by:
 - a) Purchasing an annual pass for a single vehicle;
 - b) Purchasing a book of tickets and surrendering a ticket for passage of the vehicle;
 - c) Purchasing a ferry ticket from the ferry operator upon request; or
 - d) making sufficient payment through a County-approved mobile payment application for the ferry, as identified by the vehicle's license plate.
- 5.4 No person shall park a trailer on the ferry unless the person has paid the appropriate ferry fare, as set out in the Fees and Fares By-Law 2021-0029, by:
 - e) Purchasing an annual pass for a single vehicle;
 - f) Purchasing a book of tickets and surrendering a ticket for passage of the vehicle;
 - g) Purchasing a ferry ticket from the ferry operator upon request; or
 - h) making sufficient payment through a County-approved mobile payment application for the ferry, as identified by the trailer license plate.
- 5.5 No person shall park a bicycle on the ferry unless the person has paid the appropriate ferry fare, as set out in the Fees and Fares By-Law 2021-0029, by purchasing a ferry ticket from the ferry operator upon request.

Temporary Ferry Regulations

- 5.6 Temporary ferry regulations may be established by the County to permit essential work to be carried out, or to deal with an emergency or other special circumstances.
- 5.7 Temporary ferry regulations may be established from time to time by Transport Canada issued directives and measures.
- 5.8 Temporary ferry regulations established in accordance with section 5.6 and 5.7 take effect when signage has been installed in appropriate locations which provide public notice and cease to be in effect when the signage is removed.
- 5.9 Temporary parking and other regulations established in accordance with sections 5.6 and 5.7 take precedence over the provisions of this by-law in the event of a conflict and all persons shall comply with the temporary regulations.

Ferry Permits

- 5.10 The County and the Township may, upon application, enter into agreements to make available annual passes to provide for long term requirements to persons who meet the eligibility criteria and pay the applicable ferry rates, as set out in the Fees and Fares By-Law 2021-0029.
- 5.11 The County and the Township may, upon application, enter into agreements to make available temporary passes to provide for short term requirements to persons who meet the eligibility criteria and pay the applicable ferry rates, as set out in the Fees and Fares By-Law 2021-0029.
- 5.12 The County may, upon application, enter into agreements to make available discounted tickets to provide to persons who meet the eligibility criteria and pay the applicable ferry rates, as set out in the Fees and Fares By-Law 2021-0029.

6. Offences and Penalty Provisions

- 6.1 Every person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with Administrative Penalty Process By-Law 2021-0018, be liable to pay to the County an Administrative Penalty in accordance with Schedule B of Administrative Penalty Process By-Law 2021-0018.
- 6.2 No person shall obstruct or hinder or attempt to obstruct or hinder a Provincial Offences Officer or other authorized employee or agent of the

County in the exercise of a power or the performance of a duty under this by-law. Without limiting the generality of the foregoing, for purposes of this By-law, any person who fails to provide proof of identification satisfactory to the Provincial Offences Officer when requested to do so by the Provincial Offences Officer is deemed to obstruct an Officer under this By-Law.

- 6.3 Notwithstanding section 6.1 of this By-law, every person, other than a corporation, who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine of not more than \$10,000 for a first offence and \$25,000 for any subsequent offence, as provided for in subsection 429 (2) (c) of the *Municipal Act, 2001*, as amended from time to time.
- 6.4 If a Person is required to pay an Administrative Penalty under section 6.1 in respect of a contravention of this By-Law, the Person shall not be charged with an offence in respect of the same contravention.
- 6.5 In accordance with Section 351 of the *Municipal Act, 2001*, as amended from time to time, the treasurer of the County may add unpaid fees, charges and/or fines issued under this By-Law to the tax roll and collect them in the same manner as property taxes.

7. Validity

- 7.1 If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this by-law that each and every provision of this by-law authorized by law be applied and enforced in accordance with its terms to the extent possible according to law.

8. Commencement

- 8.1 That this by-law shall come into force and take effect on the date of final passing.

Read a first and second time this 21st day of September, 2022.

Read a third time and finally passed this 21st day of September, 2022.

The Corporation of the County of Frontenac

Denis Doyle, Warden

Jannette Amini, Clerk



Report 2022-098

Council Recommend Report

To: Warden and Council of the County of Frontenac
From: Kelly Pender, Chief Administrative Officer
Prepared by: Jannette Amini, Manager of Legislative Services/Clerk
Date of meeting: September 21, 2022
Re: **Office of the Chief Administrative Officer – Approval of an RFP for Consulting Services for the 2023-2026 Council Strategic Plan**

Recommendation

Resolved That the Council of the County of Frontenac accept the Office of the Chief Administrative Officer – Approval of an RFP for Consulting Services for the 2023-2026 Council Strategic Plan report for information;

And Further That the Council of the County of Frontenac approves as follows:

1. **That** staff proceed with the issuance of a Request for Proposals (RFP) for a facilitator for the 2023-2026 County strategic plan attached to this report as Appendix A; and
2. **That** the selection process of a consultant to undertake a County Strategic Plan be delegated to the Chief Administrative Officer Performance Appraisal Review Panel;

Background

At its June 15, 2022 regular meeting, Frontenac County Council passed the following resolution, being Recommend Reports from the Chief Administrative Officer, clause f):

As with all Committees, the Committee selection will be required to go to Council for approval. Staff are recommending that the interviews of short-listed Consultants take place on October 17 and 18, with recommendations going to the October 19 County Council meeting as this will be the last meeting of Council this term.

The proposed schedule for preparation, receipt, and review of proposals and selection of the successful consultant is anticipated to be as follows:

Request for Proposals Issued	September 26, 2022
Deadline for Questions	October 5, 2022
Closing Date and Time for Receipt of Proposals	October 12, 2022
Interviews of Short Listed Consultants	October 17 and 18, 2022
Notification of Award	October 19, 2022
Draft Copy for Council	March 15, 2022
Presenting Final Report to Council	April 19, 2022

Strategic Priorities Implications

Approving a strategic plan that is supported by a public consultation process will help ensure that community priorities are established and that scarce resources are allocated to those priorities.

Financial Implications

As noted in [Report 2022-071](#), staff anticipate the cost of this exercise to be between \$18 and 22K. The resolution passed by County Council directed staff to include in the 2023 County budget for consideration a line item to complete the 2023-2026 County strategic plan process.

Organizations, Departments and Individuals Consulted and/or Affected

Alex Lemieux, Director of Corporate Services/Treasurer
 Kevin Farrell, Manager of Continuous Improvement



2069 Battersea Road
Glenburnie, ON K0H 1S0
Tel. 613-548-9400
Fax 613-548-8460

**Request for Proposals
2022-0xx
County Strategic Plan**

1. Scope of the Request for Proposals (RFP)

The County of Frontenac (hereinafter the "County") requires the services of a consultant to undertake a County Strategic Plan (hereinafter the "Project"). The Project would involve: (1) reviewing relevant strategic and key County documents; (2) public consultations to determine public views and input on the strategic direction of the County (3); leading Council members through a strategic planning session supported by Senior Staff; (4) consulting with the Townships and the public on outcomes of the Council strategic planning session; and (5) presenting a final report to Council by March 15, 2022.

Some of the questions we want to address are as follows:

- What should be Frontenac County's areas of strategic focus?
- What are Frontenac County's current commitments associated with the strategic goals of the 2019-2022 Council?
- What are the long term responsibilities mandated to the County by the province?
- How will the organization deliver on its mandate and defined areas of strategic focus?
- Is the organization able to deliver on its mandate with its current resources (human and financial)?
- Is the organization utilizing its resources (staff, external partners, volunteers/committees and finances) as efficiently and effectively as possible?
- How can the organization maximize and coordinate the efforts of its member municipalities, partners and volunteers/committees to deliver on its mandate and achieve its goals?
- How can the County advance community engagement in order to improve service to citizens?
- Identify strategic initiatives that will promote community engagement and community collaboration.
- What partnerships can/should be developed?
- In line with our organizational culture of continuous improvement, how can County services be delivered more efficiently and more economically?
- Are there new areas of programming/services that should be considered?
- How will funding priorities be set?

Background Information

The County of Frontenac (“County”) is a rural upper tier municipality located in Eastern Ontario extending from the islands south of the City of Kingston to north of Highway 7. The total population of the County is approximately 26,677 with an area of approximately 4,000 square kilometres, and includes the Townships of North Frontenac, Central Frontenac, South Frontenac, and Frontenac Islands. The population density ranges from 19 residents per square kilometre along the urban fringe of the City of Kingston to 1.7 residents per square kilometre in North Frontenac, which is more than 160 km north of the City. The northern part of the County is accessible via Highway 38 from Kingston or via Highway 7 from Ottawa or Peterborough. The southern part of the County has easy access to the 401 and is approximately 250 km from the City of Toronto. The County is also accessible via Highway 41 from the Trans-Canada Highway at Pembroke.

The County manages the operations of Fairmount Home, Frontenac Paramedics and the Frontenac-Howe Islander Ferry. Other services it provides include land use planning, economic development, trail development, public health, libraries, etc. The latter two activities are delivered through KFL&A Public Health and the Kingston Frontenac Public Library respectively. The County also has the responsibility to liaise and work with the City of Kingston for the provision of Social Services, Social Housing, homelessness prevention, Child Care and Provincial Offences in the County. The County employs approximately 400 people under a non-union group and three different union contracts.

The County is governed by an 8-member Council with the Warden being the head of Council. The Council has undertaken several strategic planning exercises since its restructuring in 1998. The first document *Strategic Directions to 2003* is dated October 25, 2000. A second exercise was undertaken through 2005 which included a gathering of all of the municipal councillors and senior staff over two days to consider how best to position themselves for the future.

The resulting reports: *Frontenac County Strategic Planning 2005* followed by *Frontenac County Municipalities Strategic Positioning 2005 Summary Report* and *Frontenac County Municipalities Opportunities for Co-operation and Collaboration* were produced with a 5-year timeframe. Subsequently, the County and Townships’ senior staff met in February 2006 resulting in *A Framework for Frontenac Development*. At the same time, *Strategic Plan 2006-2008 for the County of Frontenac Corporate Offices* was completed in February 2006. Some internal departments of the organization have undertaken strategic planning activities. County Council has also carried in this time, Strategic Planning exercises during each term of Council resulting in Council priorities for each term of Council.

County Council established priorities in March 2019, immediately following the 2018 municipal election. those being:

- 1) **Get behind plans that build community vitality and resilience in times of growth and change.**
 - Provide committed leadership and continuing support to the long-term regional plan to enhance broadband and cell service.

Commented [AL1]: Going off of memory, but is that 29,295 after the 2021 census?

Commented [JA2R2]: I googled the population of each township individually as when you search the County, it includes the City of Kingston

Commented [JA3R2]: I'm wondering though if we should have something in here regarding seasonal residents as I'm guessing they would not be captured in the Census data. How do we address this>

- Refine and invest in efforts to accelerate economic development — to grow businesses, attract more visits and expand the tax base.
- Pursue proactive planning approaches that reflect local concerns and priorities within strategic regional planning policy so as to enhance service levels, manage rising demand for new housing and deal with new types of development.

2) **Explore new funding sources and invest wisely in critical long-term infrastructure.**

- To meet the needs of future capital projects, explore new sources of funding support (current and future programs), cost-sharing options and other potential economies.
- Design a framework, explore options and initiate plans for development of a long-term care facility that will meet Fairmount Home's mandate.
- Develop plans within a changing legislative and service delivery landscape to provide additional facilities for Frontenac Paramedics that will effectively meet steadily growing demand for services and accommodate more paramedic training.
- Finalize plans and financing to replace/construct/renovate aging County buildings now used for administration services (through a shared admin facility if possible).
- Explore a collaborative upper-tier role for the County in securing potential funding and support for township maintenance of roads & bridges in a regional road system.

3) **Champion and coordinate collaborative efforts with partners to resolve complex problems otherwise beyond the reach of individual mandates and jurisdictions.**

- Work with the townships, other municipalities and levels of government on broad infrastructure issues — ranging from environmental concerns to regional transportation strategies for residential, social and economic purposes, and access to funding.
- Play a leadership role on communications to promote shared messaging for all regional initiatives such as economic development, tourism and lifestyle opportunities, and broadband and cell services.
- Continue to pursue collaborative opportunities to achieve service and cost efficiencies and other economies through cost-sharing and shared services.

Other significant planning activities have taken place and continue in Frontenac. The County adopted its first Official Plan which was approved by the Ministry of Municipal Affairs and Housing in January 2016. Other planning studies include (but are not limited to): an initial Homelessness Study; a Housing Strategy completed in 2011 with the City of Kingston (CMSM); and a Seniors Housing Study. Another important report entitled *Population, Housing and Employment Projections for the Frontenacs* was also produced in 2011 and is set to be updated in 2018. In addition, a regional communal servicing study was completed in 2020 and in 2021, Council approved a Draft Business Case which is currently open for public consultation.

Significant Economic Development documents include the Economic Development Charter which was adopted in 2015, and an Accommodation Study that was carried out in 2017. In addition, significant efforts have also been made through the development of the Frontenac Ambassador Program. With the dissolution of the Land O'Lakes Tourism Association in 2017, the County is now taking a lead role in marketing the Frontenac Region to encourage tourists to visit and vacation [#inFrontenac](#).

The County is an active member of the Eastern Ontario Wardens Caucus since its inception. The EOWC continues to focus its 2022 priorities on Building the EORN Cellular and Public Safety Broadband Network and Implementing the Eastern Ontario Economic Development Strategy.

Other significant commitments currently underway by the County include the joint administrative office facility construction in partnership with the Cataraqui Region Conservation Authority and the construction of the new Frontenac Paramedics station, all happening at the Frontenac County Campus at 2069 Battersea Road in Glenburnie.

2. Scope of the Proposal

The Project shall be delivered in a series of reports:

2.1 Background Research

The consultant should comprehensively review the background information identified above as a minimum to ensure an understanding of the community. In addition, an overall appreciation of the provincial and global influences impacting municipalities should be shared. Information should be solicited from participants of the planning session, both elected and appointed, beforehand. All of these findings should be summarized for use at the Planning Session.

2.2 Public Consultation

The consultant will carry out a public consultation process for the 2023-2026 County strategic plan. In order to ensure that seasonal residents are consulted, this should include the use of online tools to allow seasonal residents to participate remotely, with outcomes to be provided to, and included, with the new Council strategic planning session to be held in January/February of 2023.

The consultant will identify the best format for public consultation including alternate means of citizen engagement outside of the traditional public meeting format. The consultant will also

The consultant will identify how it will carry out consultations in an accessible manner for persons with identify communication strategies for making seasonal residents aware of opportunities for engagement, given that many do not reside in Frontenac and their permanent residence is quite a distance outside of the region. disabilities and how it will comply with the Accessibility for Ontarians with Disabilities Act (AODA) and specifically the Information and Communications Standard of the AODA.

2.3 Planning Session

The consultant will recommend a process for strategic planning sessions anticipating outcomes to include: a path for next steps related to corporate strategic planning and a review of operational plans. The County strategic plan should focus on existing service delivery and where service enhancements are recommended, as well as ensure that resourcing (staff and budget) are in place; confirmation of the mission and vision statements, values, goals, objectives, and reporting/monitoring considerations.

2.4 Consultation

The County expects consultation with the Townships' Councils, one meeting in each Township and to have one or more public meetings held across the County to gain additional input from the community prior to the completion of the draft report.

2.5 Deliverables

Based on the work detailed in this document, the consultant will produce the following reports:

- Background Report
 - Draft County Strategic Plan 2023-2026
 - Final County Strategic Plan 2023-2026
- A final strategic plan document must include the following in detail:
- Strategic areas of focus and priorities for the next four years
 - Goals and objectives to meet priorities
 - Partnerships and programs (both current and new) that will support goals, including partnerships with other organizations
 - Suggested additions, deletions or changes to Key Performance Indicators (KPIs) that will permit Council and citizens to track progress related to the Plan
 - Necessary skills for Council, staff and volunteers to carry out the organization's mandate

2.6 Timing

The Project would commence immediately. The Project would be complete by March 15, 2023.

3. Requirements

3.1 Proposal Content Requirements

The County is seeking proposals from proponents who are both interested in and capable of undertaking the Project. The onus is on the proponent to demonstrate its knowledge, understanding and capacity to conduct the Project. The detail and clarity of the written submission will be indicative of the proponent's expertise and competence.

3.2 Proponent Information

The proponent shall provide the following information:

- a) Name, mailing address, phone number, fax number, e-mail address of the organization submitting the proposal
- b) A proposed organizational chart
- c) The name and title of the contact person for the organization

- d) The number of years in operation
- e) A description of the services to be provided
- f) A list of any sub-contractors required to complete the Project, detailing the extent of their involvement and the information identified in a) to e) above for each

3.3 Acknowledgment of Addenda

The proponent shall complete and submit all addenda that have been issued.

3.4 Project Understanding

The proponent shall include a narrative that demonstrates their understanding of the requirements of this RFP.

3.5 Approach/Methodology

The proponent shall provide a detailed approach/methodology of how they would provide services to the County.

3.6 Work Plan

The proponent shall provide a proposed work plan with associated schedules to meet the requirements of the RFP. Included shall be a time/task matrix indicating personnel and hours required to complete key components of the work plan.

3.7 Applicable Expertise and Resources

The proponent shall provide a description of the expertise being offered to complete the Project by outlining both formal and informal training that can be used to implement this Project with specific reference to:

- Extensive experience in strategic planning
- Experience in working on projects with municipal council members
- Experience in effectively facilitating meetings
- Understanding of the context of the County of Frontenac, its local Townships, and the services it provides.
- Demonstrated project management skills and results orientation

3.8 Project Experience

The proponent shall provide examples of recent projects, which are similar in nature and size.

3.9 Project Management and Staff

The proponent shall identify its project manager and all other staff who would be working on the Project through an organizational chart. The proponent shall append curriculum vitae for project team staff.

3.10 Project References

Provide at minimum a list of three references, who may be contacted, complete with telephone numbers and e-mail addresses.

3.11 Budget

A budget summary shall be provided and shall include all costs associated with the project including an estimate for expenses/disbursements.

The budget shall include separate costing for sections 3.2, 3.3 and 3.4:

The budget shall include a maximum amount that cannot be exceeded. The successful candidate will be asked to sign a **Maximum Upset Limit** type contract and will report to the County of Frontenac on a monthly basis to advise on expenditures to date. Hourly charge rates for individuals, which shall apply for the duration of the contract, must be provided as part of the Budget proposal.

3.12 Other Documentation

The following additional pieces of documentation shall be submitted at the time of submission of the proposal:

A Certificate of Clearance from the Workplace Safety & Insurance Board (W.S.I.B.) certifying that the proponent is in good standing with the Board, and confirming that their account is active and up to date) Proof of professional liability insurance with a minimum limit of \$2,000,000

3.13 County Support

The County will provide support to the successful consultant in the follow forms:

- General guidance and direction throughout the completion of the assignment
- The provision of background studies, policies and reports relevant to the completion of the assignment
- Access to the County's digital mapping if desired

4. Proposal Process

4.1 Timeline

The proposed schedule for preparation, receipt, and review of proposals and selection of the successful consultant is anticipated to be as follows:

Request for Proposals Issued	September 26, 2022
Deadline for Questions	October 5, 2022
Closing Date and Time for Receipt of Proposals	October 12, 2022
Interviews of Short Listed Consultants	October 17 and 18, 2022
Notification of Award	October 19, 2022
Draft Copy for Council	March 15, 2022

Although every attempt will be made to meet all dates, the County reserves the right to modify any and/or all dates at its sole discretion

4.2 Date and Place for Receiving Proposals

Facsimile Copies Will Not Be Accepted.

Proposals will be received no later than 3:00 p.m. local time on Wednesday, October 12, 2022

PROPOSALS MAY ONLY BE SUBMITTED VIA EMAIL

and clearly marked:

RFP 2022-xxx County Strategic Plan

Email: ap@frontenacounty.ca

Documents can be sent by email in PDF FORMAT to the attention of Nancy Elliott, Finance Clerk, at ap@frontenacounty.ca. It is the responsibility of the proponent to ensure that the email has been received by Ms. Elliott before the closing time and date. The County server does restrict the receipt of attachments exceeding 5.5 mb.

Files over 5.5mb will be accepted using 2big4email.

Go to www.frontenacounty.ca for application.

Bottom right hand corner, click on 2big4email

Follow instructions on the right hand side.

Please email ap@frontenacounty.ca that you have used this application to send your proposal.

All proposal submissions are appreciated. However, the County will be contacting only those selected for an interview.

4.3 Documentation

- a) The submission must not be more than twenty (20) pages (excluding appendices)
- b) All proposals must be legible and typewritten.
- c) A Certificate of Clearance from the Workplace Safety & Insurance Board (W.S.I.B.) certifying that the proponent is in good standing with the Board, and confirming that their account is active and up to date;
- d) Proof of liability insurance with a minimum limit of \$2,000,000;

4.4 Interview /Presentation

It is anticipated that an interview will be necessary to assist in the evaluation process. Short-listed proponents will be advised and may be required to attend an interview on **October 17, 2022 (or October 18 if required)**

Please ensure your firm is available on October 17, 2022 for a possible interview. It will be conducted electronically.

4.5 Negotiations

In the event that a prepared proposal does not precisely and entirely meet the County of Frontenac’s requirements, the County of Frontenac reserves the right to enter into negotiations with the selected proponent(s) to arrive at a mutually satisfactory arrangement with respect to any modifications to a proposal.

4.6 Communications

All questions related to the Request for Proposal should be emailed to ap@frontenacounty.ca. Responses will be sent to all proponents in a timely manner.

No oral explanation or interpretation shall modify any of the documents or provisions of this Request for Proposal. A written addendum will be issued by the County to all who have been issued Request for Proposal documents, if it is considered that a correction, explanation or interpretation is necessary or desirable. All addenda issued must be acknowledged on the Form of Proposal.

Deadline for questions is: **Wednesday, October 5, 2022 at 2:00 p.m.**

4.7 Withdrawal or Substitution of Submission

A proponent may withdraw or substitute all or part of his/her proposal at any time up to the official closing time by submitting a letter bearing the signature as in the proposal to Brianna McEathron, Executive Assistant, who will mark thereon the time and date of receipt. No telegrams or telephone calls or telephone transmissions by facsimile copies will be considered. The last proposal received shall supersede and invalidate all proposals previously submitted by that proponent for this proposal.

4.8 Alterations or Variations

No alterations or variations of this document shall be valid or binding upon the County unless authorized in writing in accordance with the procedure set out above in Communications 5.6.

4.9 Oral Explanation or Interpretation

No oral explanation or interpretation shall modify any of the documents or provisions of the County’s request for proposal documents.

5. Proposal Evaluation

5.1 Qualification evaluations

Proposals will be evaluated based on the following criteria:

Qualification	Standard	Weighting Factor
Consultant Capability	a) Does the consultant have the support capabilities required?	20%
	b) Does the consultant have previous relevant and positive experience in jobs of this type and	

	scope and success in planning?	
	c) Does the consultant/firm have prior experience working with organizations in the municipal sector?	
Similar project experience	Does the proposal show an understanding of the project objective and results that are desired from the project?	30%
Proposed approach/work plan	a) Can the work be completed in the necessary time? b) Can the target start and completion dates be met? c) Are other qualified personnel available to assist in meeting the project schedule if required? d) Is the project team available to attend meetings as required by the Scope of Work?	40%
Cost factor	a) Do the proposed cost and work hours compare favorably with the committee's estimate? b) Are the work hours presented reasonable for the effort required in each project task or phase? c) Can consultant meet the deadlines and operate within budget?	10%
Total:		100%

Proposals will be evaluated on the basis of all information provided by the proponent(s). Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in the RFP. Failure to comply with these requirements may deem the proposal non-responsive.

The County reserves the right to accept or reject any or all proposals, for any reason whatsoever, and to accept or reject any proposal, if considered best for the interests of the County. The lowest bid or any proposal will not necessarily be accepted.

5.2 Contract

The successful Proponent(s) will be required to enter into a formal contract with the County. The completed Request for Proposal will form part of the Agreement. The County will prepare the Contract document for execution by both parties. The County will not accept a Contract document prepared by the Proponent(s) or a third party.

Failure to execute the contract and to file all documentation, as required herein, within the specified time period shall be just cause for the cancellation of the contract.

The County shall then have the right to award the Contract to any other proponent or re-issue the Request for Proposals.

6. General Conditions

6.1 Confidentiality

The Proposal must not be restricted by any statement, covering letter or alteration by the Proponent(s) in respect of confidential or proprietary information. The County will treat all quotes as confidential. The County will comply with the *Municipal Freedom of Information and Protection of Privacy Act*, and its retention by-law pursuant to the *Municipal Act*, in respect of all quotes.

6.2 Errors and Omissions

The County shall not be held liable for any errors or omissions in any part of this Request for Proposals. While the County has used considerable effort to ensure an accurate representation of information in this Tender, the information contained in the Tender is supplied solely as a guideline for Proponents. The information is not guaranteed or warranted to be accurate by the County, nor is it necessarily comprehensive or exhaustive.

6.3 Acceptance of Tenders

The County is not obliged to accept the lowest or any tender.

6.4 Cancellation of Tenders

The County reserves the right to cancel this bid document at any time up to the award of the contract

6.5 Laws, Notices, Permits and Fees

All Proponents and proposals must comply with any law, including all legislation and regulations, which may be applicable to the services provided subsequent to the RFP.

Please be advised that a condition of the agreement will be a requirement that the successful proponent comply with the applicable laws of Ontario and Canada, including the:

The Accessibility for Ontarians with Disabilities Act (AODA)
Occupational Health and Safety Act (Ontario)
Ontario Human Rights Code
Pay Equity Act (Ontario)

Any agreement that results from this RFP will be subject to the laws of the Province of Ontario and Canada.

6.6 Indemnification

The successful Proponent(s) agrees to indemnify and save harmless the County from and against all actions, claims, and demands of any nature which may be made by any person or entity arising from or in connection with the services provided by the Proponents including all bodily injury, death, property damage, losses, charges, costs and expenses which the County, its employees, officers or agents may incur or be liable

for in consequence of any such claims, demands or actions or in consequence of damages sustained to the County property or facilities.

6.7 Incurred Costs

The County shall not be responsible for any liabilities, costs, expenses, loss or damage incurred, sustained or suffered by any Proponent(s) prior or subsequent to or by reason of the acceptance or non-acceptance by the County of any proposal by reason of any delay in the acceptance of a proposal.



Report 2022-101

Council Recommend Report

To: Warden and Council of the County of Frontenac
From: Kelly Pender, Chief Administrative Officer
Prepared by: Jannette Amini, Manager of Legislative Services/Clerk
Date of meeting: September 21, 2022
Re: **Corporate Services – Establishment of a By-law to Regulate the Frontenac K&P Trail**

Recommendation

Resolved That the Council of the County of Frontenac pass a By-law later in the meeting to Regulate the Use of the Frontenac K&P Rail, as per Appendix A to this report;

And Further That the Council of the County of Frontenac pass a by-law later in the meeting to amend By-law 2021-0018, being “A By-Law to Establish a Process for Administrative Penalties,” to designate proposed By-law to Regulate the Use of the Frontenac K&P Trail as a by-law for which Administrative Penalties can be issued and to set out penalty amounts.

Background

The County of Frontenac has pursued the development of the Frontenac K&P Trail since 2009 following the guidance provided in the Frontenac Trails Master Plan (2009) and the K&P Trail Implementation Plan (2011). Since 2009, the County has re-established 70 kilometres of the former K&P rail corridor and rehabilitated the former railway into a multi-use recreational trail, constructing new infrastructure where necessary.

Once the connection between the City of Kingston and Sharbot Lake was completed in 2019 a significant increase of trail use was observed, creating the demand for increased amenities and policies to ensure a safe and enjoyable experience for users of all ages and abilities. In addition, after a decade of development, it has been observed that certain infrastructure also began to require assessment, repair and renewal.

The 2020 Economic Development Service Delivery Review recommended that the Economic Development Team transition away from activities such as infrastructure management in order to create additional capacity for traditional economic development

activities. As a result, in 2021, staff began the work on a Management Plan that would provide clear expectations of third party partners or contractors who may be utilized as management support.

As a result, at its regular meeting held October 20, 2021, Council passed the following resolution, being Recommend Reports from the Chief Administrative Officer, clause c):

**c) 2021-092
Planning and Economic Development – Frontenac K&P Trail
Management Plan Considerations**

Motion #: 163-21 Moved By: Councillor Higgs
Seconded By: Councillor Fowler

Be It Resolved That County Council approve the amended Frontenac K&P Trail Management Plan dated October 20, 2021 subject to the following further amendments:

1. **That** Section 4.1.4 be amended to delete "Bell Rock Road" and replace with "Craig Road";
2. **That** Section 6.2.3 be amended to remove "north of Bell Rock Road" and replace with "at Craig Road";
3. **That** the number of Section 4 be corrected;
4. **That** the proposed signage be amended to delete "Bell Rock Road" and replace with "Craig Road"

And Further That staff engage with the Township of the Frontenac Islands on Phase 7 of K&P Trail development upon the completion of the Wolfe Island Canal Master Plan;

And Further That staff engage with the Township of South Frontenac regarding motorized use of the K&P Trail in the Village of Verona upon the completion of the Verona Housing Master Plan;

And Further That recommendations for revenue generation, if approved by County Council, be added to the K&P Trail Management Plan after County Council receives the report assigned to Mr. Wayne Robinson;

And Further That staff be directed to create a by-law to implement and enforce management policies on the Frontenac K&P Trail;

And Further That subject to regular review of costs, the Management Plan be utilized as a guide for the development of operations budget and where applicable, contracted services.

Carried As Amended

Comment

As part of the recommendation passed by County Council at its October, 2021 meeting, staff were directed to create a by-law to implement and enforce management policies on the Frontenac K&P Trail.

For municipal by-laws to be enforced, they must carry an offence for someone found in contravention of the by-law. Staff are recommending that Council pass the proposed By-law to Regulate the Use of the Frontenac K&P Trail attached as Appendix A to this report, as well as designate the said By-Law as a by-law for which Administrative Monetary Penalties (AMPs) can be issued. AMPs provides the County with an additional tool to enforce compliance on the K&P Trail, without involving the Provincial Offences Court system.

The proposed By-law mandates certain criteria on the trail to ensure the safety and well being of all trail users, as well as respects and protects the natural environment of trail, and Frontenac in general. Key provisions of the By-law include:

- Limitations on the use of motorized vehicles on the trail;
- Formally establishing prohibited activities on the trail such as littering, not picking up after pets, camping, hunting, discharging a weapon or firearm, starting or feeding a fire, and, disturbing the natural habitat of the trail.
- Ensuring the safety of pedestrians by creating offences regarding interfering with and / or failing to yield to pedestrians
- Establishing speed limits on the trail, including Community Safety Zones through the hamlets and villages, where speed limits are reduced to 20 km/hour

The Administrative Penalties Process By-Law previously approved by Council created a process to impose administrative penalties and set out several procedural, financial, staffing and other administrative processes, including the establishment of an administrative scheme to support the imposition of administrative monetary penalties under the Chief Administrative officer.

The Administrative Penalty Process By-Law also includes due process provisions including (i) notice requirements, (ii) review and confirmation or cancellation of penalties by a Screening Officer; and (iii) a right of appeal to an independent Hearings Officer. To fully implement the Administrative Penalty Process By-Law, the Clerk was assigned to carry out the functions of the Screening Officer. The Hearing Officer is to be an impartial person outside of the organization and is appointed by the CAO when required.

Staff are recommending the following penalty amounts for offences as these penalties are meant to enforce compliance and deter future contraventions.

Council will note that the penalty for speeding in excess of 20 km/hour is double that of speeding in excess of 50 km/hour. This is due to the 20 km/hour zones being designated as Community Safety Zones, in which the *Highway Traffic Act* requires a fine of double the fine of speeding outside of a Community Safety Zone.

The penalties set out under sections 8.2 to 8.5 are substantially higher given that such offences would require the County to incur the cost of potentially rectify the contravention. The fees for the Screening Officer and Hearing Officer Appeals are in line with those charged by the Township of South Frontenac.

By-law Section	Short wording	Penalty Amount
6.1	Permitted a motorized vehicle on the trail –Motorized Vehicles prohibited - Signed	\$100.00
7.3	Speeding in excess of 50 KM - Signed	\$100.00
7.4	Speeding in excess of 20 KM - Signed	\$200.00
7.5	Failed to yield to a pedestrian	\$100.00
8.1a)	Tampered or removed signage	\$200.00
8.1 d)	Failed to pick up after pet	\$50.00
8.1 e)	Fail to control a pet, including dogs and horses	\$100.00
8.1 f)	Camping on the trail	\$100.00
8.1 g)	Hunting on the trail	\$100.00
8.1 j)	Started or fed an open fire	\$200.00
8.1 k)	Disturbed Natural Features without consent	\$200.00
8.1 l)	Operated a dirt bike or motorcycle on the trail	\$250.00
8.2	Created a barrier or obstruction the trail without consent	\$500.00
8.3	Undertook excavation upon the Trail without consent	\$500.00
8.4	Deposited soil, fill, gravel, stone, concrete, asphalt, sod or turf on the Trail without consent	\$500.00
8.5	Dumped or deposited debris or refuse on the Trail	\$500.00
8.6	Operated a business or consignment stand on the Trail/Trail Head without consent	\$100.00

	Administrative Penalty Fee Failing to pay the AMP by the date on which it is due.	\$25.00
	Screening Officer Appeal Fee	\$50.00
	Hearing Officer Appeal Fee	\$200.00
	Administrative Penalty Fee Failing to appear for a hearing before the Hearings Officer.	\$100.00

The By-law is silent on the provision of Trail Permits as Council has yet to make recommendations on this matter. Once Council makes a determination on the requirement of Trail Permits for motorized vehicles, both the Trails By-law and the AMP By-law would need to be amended to captures these new requirements and penalties.

Section 434.2(2) of the *Municipal Act* provides the County with the authority to have any unpaid administrative penalties added to the Township tax rolls should the offender be a resident of Frontenac County.

Sustainability Implications

As part of the Vision for the County of Frontenac in its 2019-2022 Strategic Plan, it identifies accountability and states:

As a framework for strategic planning, this future vision incorporates goals related to:

- Building the County’s organizational capacity in line with its mandate and accountabilities.

Additionally, Other Important and Continuing County Priorities, identifies:

- Continually improve customer and financial services.
- Maintain a strong organization and positive work culture through leadership, human resources, training and development, physical and IT infrastructure, and partnerships.

Financial Implications

There are no financial implications directly associated with this report.

Organizations, Departments and Individuals Consulted and/or Affected

Alex Lemieux, Director of Corporate Services/Treasurer
 Joe Gallivan, Director of Planning and Economic Development

Richard Allen, Manager of Economic Development

By-Law No. 2022-0033

of

The Corporation of the County of Frontenac

A By-Law to Regulate and Govern the Use of the Frontenac K&P Trail

Whereas the County of Frontenac has acquired the former Kingston Pembroke Railway Line from Orser Road at the City of Kingston to Clarendon Road and has determined that the said rail line shall be utilized as a recreational trail; and,

Whereas the County has designated the said former railway line as a recreational trail, within the meaning of the Occupier's Liability Act R.S.O. 1990, c.0.2 under the name "K&P Trail"; and,

Whereas the County of Frontenac has acquired lands adjacent to the trail, designated at Trail Heads, to allow cars and/or trailers to park to access the trail; and,

Whereas, section 9 of the municipal Act, 2001, S.O. 2001, c. 25 as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

Whereas. Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, provides that sections 9 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to enable municipalities to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues; and,

Whereas, Section 11 (3) of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, provides that a municipality is authorized to pass by-laws with respect to matters within the sphere of jurisdiction of culture, parks, recreation and heritage; and,

Whereas section 434.1(1) of the Municipal Act, 2001, as amended from time to time, provides that a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under this Act; and

Whereas, the Corporation of the County of Frontenac has owned, operated and expanded the Frontenac K&P Trail since 2009; and,

Whereas, the Council of the County of Frontenac deems it expedient and in the interest of public safety to regulate and govern the use of the Frontenac K&P Trail; and,

Whereas, the Council of the County of Frontenac has determined that any breach of the provisions of this By-law should be subject to an administrative monetary penalty;

Now Therefore Be It Resolved That the Council of the County of Frontenac hereby enacts as follows:

1. Short Title

This By-law shall be known and may be referred to as the “Trails By-law”.

2. Definitions

For the purposes of this By-law, the following definitions shall apply:

- a) **“Administrative Penalty”** means an administrative penalty administered pursuant to “By-law 2021-0018 of the Corporation of the County of Frontenac being “A By-Law to Establish a Process for Administrative Penalties”.
- b) **“By-law Enforcement Officer”** means a By-law Enforcement Officer of the Corporation of the County of Frontenac and any other officer authorized by the Corporation of the County of Frontenac for the enforcement of By-laws in the County of Frontenac.
- c) **“Camp”** includes the placement of a tent or trailer at any time on the Property or the lodging or staying overnight on the Property.
- d) **“Debris”** includes anything that is not natural to the Property, including refuse, rubbish, junk or disused material of any kind whatsoever and without limiting the generality of the foregoing, includes a vehicle that appears by reason of its age, appearance, mechanical condition or lack of license plates to be inoperative, inoperative mechanical equipment, automotive and mechanical parts, disused furniture, old clothing, garden refuse, earth or rock fill, old or decayed lumber, material from construction or demolition projects and other vehicles, machinery equipment, materials or structures apparently disused in their existing location..
- e) **“Dirt Bike”** means a two-wheel motorized machine used primarily for traveling on land other than registered roadways.
- f) **“E-Bike”** shall mean a motor assisted bicycle within the meaning of the Highway Traffic Act, R.S.O .1990, c.H.8, as amended.
- g) **“Enforcement Officer”** means a Provincial Offences Officer, an Ontario Provincial Police Officer, or any person exercising a power or performing duty under this By-law.
- h) **“Firearm”** includes any type of gun or other firearm including an air gun, spring gun, pellet gun, tranquilizer gun, cross-bow, long-bow or other type of bow, sling shot, or any similar thing.
- i) **“Frontenac County”** means the Municipal Corporation of the County of Frontenac.
- j) **“Licensee”** means an association or club issued a License by the County of Frontenac to use the Trail and allow their members to use the Trail through the issuance of Permits in accordance with an executed License Agreement between the association or club and the County of Frontenac.
- k) **“Litter”** includes the throwing, dumping, placing, depositing of any debris.

- l) **“Motor Vehicle”** means a vehicle used for transportation relying upon a motor for operation including vehicles described as Off-Road Vehicles, Snowmobiles/ Motorized Snow Vehicles, Motorcycles and Dirt Bikes, but does not include an electric mobility aid
- m) **“Natural Features”** means all geology, vegetation, and wildlife pertaining to, existing in or produced by nature throughout the Frontenac K&P Trail. This includes all plant and wildlife species and wetland areas.
- n) **“Off-Road Vehicle”** shall mean an off-road vehicle within the meaning of the Off Road Vehicles Act, R.S.O .1990, c.O. 4, as amended.
- o) **“Frontenac K&P Trail”** means the trail owned, leased and/or managed by the County of Frontenac that includes the former Kingston & Pembroke Rail corridor from Orser Road at the City of Kingston to Clarendon Road, being approximately 70 kilometres in length and as described in Schedule "A".
- p) **“Pedestrian”** means any person travelling on foot or with related foot gear and not requiring the aid of a motor for propulsion.
- q) **“Penalty Notice”** means a notice given pursuant to sections 2.2 and 2.4 of “By- law 2021-0018 of the Corporation of the County of Frontenac “A By-Law to Establish a Process for Administrative Penalties”;
- r) **“Signage”** means postings throughout the Frontenac K&P Trail erected by or authorized by the County of Frontenac.
- s) **“Trail”** refers to the Frontenac K&P Trail
- t) **“Property”** means the property described as the Frontenac K&P Trail in the County of Frontenac.
- u) **“Self-propelled implements of husbandry (SPIH)”** means vehicles manufactured, reconstructed designed, redesigned, or converted for specific use in farming. For example, combines, swathers, harvesters, and sprayers are SPIHs, and a farm tractor is not an SPIH, as defined by the Ontario Federation of Agriculture.
- v) **“Snowmobile/Motorized Snow Vehicle”** means a motorized snow vehicle, within the meaning of the Motorized Snow Vehicles Act, R.S.O. 1990, c.M. 44, as amended.
- w) **“Trail Head”** means a central location where fifteen or more cars and/or trailers can be parked adjacent to the trail.
- x) **“Vandalism”** means the destruction or damage of property, intentional or not, and includes but is not limited to behavior such as breaking benches, slashing tires.

3. Administration

- 3.1 The Planning and Economic Development Department or, in the event of organizational changes, another unit designated by County Council to carry out the responsibilities with respect to the management and operation of the K&P Trail, is responsible for the administration of this by-law.

- 3.2 The authority to establish temporary regulations in accordance with section 10.1 and 10.2 is delegated to the Director of Planning and Economic Development or his or her designate or, in the event of organizational changes, to another employee designated by County Council.
- 3.3 Amendments to this by-law, including changes to regulations, shall not come into effect until the necessary technical changes have been made and, where required, signage has been installed to provide public notice.
- 3.4 Every vehicle parked in a trail head parking lot shall be parked at the risk of its owner, and the County is not responsible for any loss or damage to any vehicle or its contents.
- 3.5 Every motorized vehicle permitted on the trail pursuant to section 5 shall use the trail at the risk of its owner, and the County is not responsible for any loss or damage to any motorized vehicle or its contents

4. Permitted Uses

The following are considered permitted uses of the Frontenac K&P Trail in addition to vehicles permitted under section 5 of this by-law:

- (a) Walking, running, hiking, dog walking;
- (b) Cross country skiing, snowshoeing;
- (c) Orienteering, geocaching;
- (d) Nature appreciation, bird watching, nature study;
- (e) Dog sledding;
- (f) Cycling, including the use of E-bikes;
- (g) Horseback riding;
- (h) Harvesting of non-wood products such as tree seed/cones, mushrooms for personal use;
- (i) Other activities as approved through the execution of a land use agreement or special permission obtained from the County of Frontenac in the case of events, or short-term access.

5. Permitted Motorized Vehicle Use on the K&P Trail

Subject to the provisions of section 7 of this by-law, only the following vehicles may enter upon or utilize the K&P Trail:

- i. Off Road Vehicles operated and with valid permits under the Off Road Vehicles Act, R.S.O. 1990, c 0.4;
- ii. Motorized Snow Vehicles operated and with valid permits under the Motorized Snow Vehicles Act, R.S.O. 1990, c. M.44;
- iii. Electric Bicycles;
- iv. Police and Emergency Vehicles;
- v. Farm Tractors and Self-Propelled Implements of Husbandry.

6. Motorized Vehicles Prohibited Where Authorized Signs Are On Display

- 6.1 Where authorized signs prohibiting motorized vehicles on the trail are on display, no person shall permit any vehicle to enter upon or utilize the Trail or parts thereof named or described in Schedule "1" to this by-law.

7. Regulations regarding motorized vehicle use on the K&P Trail

- 7.1 No person shall permit any vehicle to enter upon or utilize the Trail unless the vehicle in question is a permitted vehicle under section 5.
- 7.2 No person shall permit any vehicle to enter upon or utilize the Trail unless that person is in possession of all such valid certificates of ownership, license and insurance as are required by any applicable law or regulation.
- 7.3 No person shall, at any time, operate any vehicle on the Trail at a speed or speeds in excess of 50 kilometres per hour.
- 7.4 No person shall, at any time, operate any vehicle on the Trail at a speed or speeds in excess of 20 kilometres per hour within the limits of any town, village, or hamlet, identified as Community Safety Zones,
- 7.5 No person shall, while operating a vehicle on the trail, interfere with, impede the use of the Trail by, fail to yield to a Pedestrian or any other person using the Trail

8. Prohibited Activities

- 8.1 No person shall, at any time, carry out the following activities on the Frontenac K&P Trail,
- a) Tamper with or remove any signage
 - b) Disobey Signage posted by the County of Frontenac
 - c) Use the Trail during a closure of the Trail by the County of Frontenac due to extreme weather conditions, maintenance, or other reason at their discretion
 - d) Fail to pick up after pets
 - e) Fail to control a pet, including dogs and horses
 - f) Camp or cause any person to camp
 - g) Hunt or cause any person to hunt
 - h) Discharge or operate a weapon or firearm or cause any person to discharge or operate any weapon or firearm
 - i) Vandalize the Property or cause any person to vandalize the Property
 - j) Start or feed an open air fire
 - k) Remove, destroy, or otherwise disturb any Natural Features without the express written consent of the County of Frontenac
 - l) Operate a dirt bike or motorcycle on the trail
- 8.2 No person shall place any barrier or other material, object or obstruction on the Trail without prior written consent of the County.

- 8.3 No person shall undertake any excavation upon, in or under the Trail without prior written consent of the County.
- 8.4 No person shall deposit any soil, fill, gravel, stone, concrete, asphalt, sod or turf either singly or in combination with other material on the Trail without prior written consent of the County.
- 8.5 No person shall throw, dump, place, deposit or cause or permit to be thrown, dumped, placed or deposited Debris or refuse on the Trail
- 8.6 No person shall operate a business or consignment stand on the Trail or Trail Head without prior written consent of the County

9. Temporary Trail Regulations

- 9.1 Temporary trail regulations may be established by the County to permit essential work to be carried out, or to deal with an emergency or other special circumstances.
- 9.2 Temporary trail regulations may be established from time to time by agencies outside of the County of Frontenac which may affect the use of the trail.
- 9.3 Temporary trail regulations established in accordance with section 10.1 and 10.2 take effect when signage has been installed in appropriate locations which provide public notice and cease to be in effect when the signage is removed
- 9.4 Temporary trail regulations established in accordance with sections 10.1 and 10.2 take precedence over the provisions of this by-law in the event of a conflict and all persons shall comply with the temporary regulations

10. Access to Private Lands

- 10.1 In the event that an existing private driveway or entrance, which has been approved in accordance with any applicable municipal by-laws, or provincial laws and regulations, crosses the Trail, then the driveway or entrance may continue to be used to cross the Trail, by the owner of the private driveway or entrance or persons authorized to do so by the owner.
- 10.2 In the event that an existing private driveway or entrance permitting other vehicles that use the trail to access property (camps, hunting camps, and no other routes exist. There are commercial vehicles who use the trail to harvest wood, etc).

person convicted, and such order shall be in addition to any other penalty imposed by the court on the person convicted.

- 12.7 Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the Provincial Offences Act, R.S.O. 1990, c. P. 33, as may be amended from time to time and to any other applicable penalty.

13. Administrative Penalty

- 13.1 Any person found by an Enforcement Officer to have breached any provision of this By-law including applicable offences in Schedule 'B' may be subject to an Administrative Penalty as follows:
- a. A breach by a Permit Holder or any user of the Trail of any provision of this By-law shall be subject to an Administrative Penalty of \$85.00 or as designated in Schedule "B".
 - b. Upon receipt of a notice of Administrative Monetary Penalty, the Permit Holder or the person or corporation named in the notice shall pay the penalty within seven (7) days to the Municipality.
 - c. An Administrative Monetary Penalty Notice shall include the following information:
 - i. the Administrative Monetary Penalty Notice Date;
 - ii. the date on which the Administrative Monetary Penalty is due and payable;
 - iii. the signature of the issuing Enforcement Officer;
 - iv. particulars of the contravention reasonably sufficient to indicate the nature of the contravention;
 - v. the amount of the Administrative Monetary Penalty; and
 - vi. a statement advising that an unpaid Administrative Monetary Penalty will constitute a debt of the person or corporation to the Municipality.
 - d. An Enforcement Officer may serve the Penalty Notice on a person or corporation by one of the following methods:
 - i. delivering it personally to the person or to the head office of the corporation;
 - ii. sending a copy by registered mail to the last known address of the person or the head office of the corporation; or
 - iii. posting a copy of the notice in a conspicuous place at the site of the contravention and sending a copy by registered mail to the last known address of the person or the head office of the corporation.
 - e. An Administrative Monetary Penalty remaining unpaid after the date when it is due and payable, constitutes a debt to the Municipality owed by the person or corporation named in the notice. The

Municipality may take all steps available in law to collect the unpaid penalty.

- f. An Administrative Monetary Penalty may not be challenged or appealed.

14. Applicability

This By-law does not apply to vehicles or persons:

- 1) of authorized law enforcement, firefighting, emergency medical, or other emergency personnel when carrying out authorized duties, or
- 2) engaged in work on or along the Frontenac K&P Trail on behalf of Frontenac County.

15. Schedules and Severability

- 15.1 The schedules attached to this by-law shall be read with and form part of this by-law
- 15.2 Should any part, section, subsection or portion of this by-law be repealed or declared by a court of competent jurisdiction to be illegal the same shall not affect the validity of the by-law as a whole or in part thereof, except for that which was declared to be invalid

16. Commencement

- 16.1 That this by-law shall come into force and take effect on the date of final passing

Read a first and second time this 21st day of September, 2022.

Read a third time and finally passed this 21st day of September, 2022.

The Corporation of the County of Frontenac

Denis Doyle, Warden

Jannette Amini, Clerk

Corporation of the County of Frontenac
By-Law Number 2022-0033: Trails By-law, as amended
Schedule "1", Subsection 6
Motorized Vehicles Prohibited – Signs on Display

Column 1 Vehicle Type	Column 2 Between	Column 3 To	Amending By-law
Off Road Vehicles operated and with valid permits under the Off Road Vehicles Act, R.S.O. 1990, c 0.4	Orser Road, Township of South Frontenac (K&P Trail KM 21.5)	Bellrock Road, Township of South Frontenac (K&P Trail KM 39)	
Dirt Bikes	Orser Road, Township of South Frontenac (K&P Trail KM 21.5)	Clarendon Road, Township of North Frontenac (K&P Trail KM 89.5)	
Motorcycles	Orser Road, Township of South Frontenac (K&P Trail KM 21.5)	Clarendon Road, Township of North Frontenac (K&P Trail KM 89.5)	



Report 2022-102

Council Recommend Report

To: Warden and Council of the County of Frontenac
From: Kelly Pender, Chief Administrative Officer
Prepared by: Jannette Amini, Manager of Legislative Services/Clerk
Date of meeting: September 21, 2022
Re: **Corporate Services – Use of Administrative Monetary Penalties (AMPs) for the Enforcement of the Parking By-law**

Recommendation

Resolved That the Council of the County of Frontenac pass a by-law later in the meeting to amend By-law 2021-0018, being “A By-Law to Establish a Process for Administrative Penalties,” to designate By-law 2018-0027 “A by-law to regulate and control the parking of vehicles in the County of Frontenac on County owned lands, as by-laws for which Administrative Penalties can be issued;

And Further That Council pass a by-law later in the meeting, to amend By-Law Number 2018-0027 “A by-law to regulate and control the parking of vehicles in the County of Frontenac on County owned lands,” to permit enforcement of the Parking By-Law through the use of Administrative Penalties.

Background

At its regular meeting held June 20, 2018, Council received report 2018-078, Office of the Chief Administrative Officer – Permitted and Restricted Uses of the Verona Trail Head Lands, outlining a number of issues that had arisen at the Verona Trail Head parking lot, such as complaints including the parking of transport trailers, the space being used for commercial activity, and idling which have led to concerns over noise and traffic/pedestrian safety.

At the time, the site was undeveloped, leaving the lot open to interpretation and flexible use. Other uses observed were the use of the site as a car park for carpooling, congregation of vehicles in the evening, use by the farmers market and yard sales.

As a result, Council passed a resolution directing staff to commence the process of bringing forward for Council consideration a By-law to Regulate and Control the Parking of Vehicles on property owned by the County of Frontenac.

At its regular meeting held July 18, 2018, Council passed by-law 2018-0027, being a by-law to regulate and control the parking of vehicles in the County of Frontenac on County owned lands.

Comment

Typically, enforcement of By-Laws is done through Provincial Offences Court system. The authority for municipalities to commence proceedings with respect to parking infractions is found under Part II of the Provincial Offences Act. Section 91.1 (1) of the Act states that the Chief Justice of the Ontario Court of Justice may specify an amount as the set fine for the purpose of proceedings under Part I or II for any offence.

With respect to enforcement, Section 15 (1) of the Provincial Offences Act (POA) requires that a provincial offences officer issue a certificate of parking infraction certifying that a parking infraction has been committed.

At the time, the County of Frontenac had an agreement in place with Ken Gilpin (Municipal Law Enforcement Inc.) as the County Weed Inspector and it was anticipated that tickets could be issued through him; however, since his retirement in 2018, the County has not renewed its contract with Municipal Law Enforcement Inc., now Frontenac Municipal Law Enforcement Inc. as it no longer provides the services of Weed Inspector. To issue parking infractions under the POA would also require the County to invest in ticket books.

AMPs provides the County with an additional tool to enforce its parking by-law without involving the Provincial Offences Court system.

Administrative penalties regarding parking by-laws are authorized under section 102.1 of the *Municipal Act*, as a civil (rather than quasi-criminal, like traditional fines) mechanism for enforcing compliance with regulatory requirements. Ontario Regulation 333/07 sets out the regulations for Administrative Penalties.

The Administrative Penalties Process By-Law previously approved by Council created a process to impose administrative penalties and set out several procedural, financial, staffing and other administrative processes, including the establishment of an administrative scheme to support the imposition of administrative monetary penalties under the Chief Administrative officer.

The Administrative Penalty Process By-Law also includes due process provisions including (i) notice requirements, (ii) review and confirmation or cancellation of penalties by a Screening Officer; and (iii) a right of appeal to an independent Hearings Officer. To fully implement the Administrative Penalty Process By-Law, the Clerk was assigned to carry out the functions of the Screening Officer. The Hearing Officer is to be an impartial person outside of the organization and is appointed by the CAO when required.

Staff are recommending the following penalty amounts for offences as these penalties are meant to enforce compliance and deter future contraventions.

By-law Number 2018-0027, A By-Law to Regulate and Control the Parking of Vehicles in the County of Frontenac on County Owned Lands

By-law Section	Short wording	Penalty Amount
6	Parked heavy vehicles where prohibited	\$150.00
5.v	Parked in a disabled persons parking space without an accessible parking permit	\$350.00
	Administrative Penalty Fee Failing to pay the AMP by the date on which it is due.	\$25.00
	Administrative Penalty Fee Failing to appear for a hearing before the Hearings Officer.	\$100.00
	Administrative Penalty Fee Failing to pay the AMP and Certificate of Default filed	\$150.00

Ontario Regulation 333/07 sets out the enforcement of unpaid Administrative Penalties regarding parking. In addition to adding an Administrative Penalty to a resident's tax bill, should a vehicle parked in contravention of the Parking By-law receive a penalty notice and the notice is not paid within 15 days, the County does have the option to send the notice to Plate Denial. The cost of filing the certificate of default is captured in the offences above. This would assist in the collection of penalties issued to out of county residents. It should be noted that both the By-law to Regulate the Howe Island Ferry and the By-law to Regulate the K&P Trail identify fees the Screening Officer and Hearing Officer Appeals; however section 12(2) O"Reg 333/07 does not permit a municipality to charge a fee in relation to obtaining a review before a screening officer or a hearing officer.

Sustainability Implications

As part of the Vision for the County of Frontenac in its 2019-2022 Strategic Plan, it identifies accountability and states:

As a framework for strategic planning, this future vision incorporates goals related to:

- Building the County's organizational capacity in line with its mandate and accountabilities.

Additionally, Other Important and Continuing County Priorities, identifies:

- Continually improve customer and financial services.

- Maintain a strong organization and positive work culture through leadership, human resources, training and development, physical and IT infrastructure, and partnerships.

Financial Implications

There are no financial implications directly associated with this report.

Organizations, Departments and Individuals Consulted and/or Affected

Alex Lemieux, Director of Corporate Services/Treasurer



Report 2022-103

Council Recommend Information Report

To: Warden and Council

From: Kelly Pender, Chief Administrative Officer

Prepared by: Kelly Pender, Chief Administrative Officer
Jannette Amini, Manager of Legislative Services/Clerk
Brianna McEathron, Executive Assistant

Date of meeting: September 21, 2022

Re: **Corporate Services – Warden’s Reception 2022**

Recommendation

Be It Resolved That the Corporate Services report – Warden’s Reception 2022 be received;

And Further That the Council of the County of Frontenac confirm that for 2022, the budget for Warden’s Reception be increased to \$10,000, composed of \$5,000 from the existing Warden’s Reception budget line and the balance from the Stabilization Reserve;

And Further That the issue be referred to the 2023 budget for further consideration moving forward.

Background

In 2019, the following motion was passed by County Council at their regular meeting held on October 16, 2019:

Whereas municipalities across Ontario, including the County of Frontenac are faced with provincial funding cuts and budget constraints;

And Whereas other important and Continuing County Priorities noted in the County of Frontenac Strategic Priorities include Respect the taxpayer and keep tax increases close to the rate of inflation;

And Whereas the County of Frontenac is facing annual budget increases beyond the rate of inflation:

Now Therefore Be It Resolved That the format of the annual Warden's Reception be changed from a banquet to less formal wine and cheese reception more in line with budget constraints

Carried

Subsequently, the pandemic has resulted in the cancellation of the reception in 2020 and a scaled down luncheon for Council and Access Award winners in 2021 following the December Council meeting.

Comment

Given the end of the Council term, and in discussion with the Warden, it has been suggested that a modest "sit-down" reception may be in order. The current budget of \$5,000 would not be sufficient. Warden Doyle has offered to supplement the budgeted amount with funds re-directed from Council expenses.

The Warden's Reception has traditionally been an opportunity for Council to remember the accomplishments of the Warden's term and celebrate the contribution of committee members and volunteers that have contributed to the success of the County.

The sitting Warden is responsible for selecting the venue, menu and guest list for the reception. Preliminary quotes from staff indicate that a 100 person sit down reception could be possible with a budget of \$10,000. Warden Doyle has suggested that liquor would not be provided at the reception.

Should Council approve the staff recommendation, the issue would be referred to the new Council as part of the 2023 budget process for consideration. At that time, it could be cancelled, remain at \$5,000 or increased depending on the wishes of Council.

Strategic Priority Implications

Respect the taxpayer and keep **tax increases** close to the rate of inflation.

Maintain a strong organization and positive work culture through leadership, human resources, training and development, physical and IT infrastructure, and **partnerships**.

Financial Implications

The budget for Warden's Reception be increased to \$10,000, composed of \$5,000 from the existing Warden's Reception budget line and the balance coming from the Stabilization Reserve.

Organizations, Departments and Individuals Consulted and/or Affected

Alex Lemieux, Director of Corporate Services/Treasurer
Warden Doyle

Recommend Report to Council
Corporate Services – Warden's Reception 2022
September 21, 2022

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Off



Report 2022-104

Council Recommend Report

To: Warden and Council of the County of Frontenac
From: Kelly Pender, Chief Administrative Officer
Prepared by: Kelly Pender, Chief Administrative Officer
Alex Lemieux, Director of Corporate Services/Treasurer
Date of meeting: September 21, 2022
Re: **Office of the CAO – Authorization to Proceed with Abatement of Asbestos in Old House Renovation**

Recommendation

Be It Resolved That the Council of the County of Frontenac authorize the change order to proceed with the abatement of asbestos of the plaster ceiling as part of the Old House Renovation;

And Further That the Council of the County of Frontenac authorize the change orders to proceed with the abatement of asbestos in the basement of the Old House and the Bud Clayton Room;

And Finally That County Council authorize the use of \$187,210 from the Capital Replacement Reserve to offset the cost of the asbestos abatement.

Background

The Request for Proposal issued for the renovation of the Old House provided a Hazardous Building Materials Assessment, with a summary of findings with regards to asbestos present in the building that “[p]otentially-friable smooth plaster, containing chrysotile asbestos in the base layer, is present on ceiling finishes throughout the building, in good condition with the exception of 5 square feet of debris in basement level of the stairwell”. After demolition and further exploratory work occurred, the contractor advised they would be unable to provide a clean finish on the ceiling based on the walls and light fixtures being moved. The asbestos containing plaster cannot be disturbed and this would result in joints and patches showing in the ceiling where the old plaster ceiling meets the new finish.

The recommendation from the contractor to ensure a clean finish would be to remove the asbestos-containing plaster, install new drywall up until the mouldings, and ensure a clean transition using a quarter-round trim.

Two other areas containing asbestos include the basement of the Old House and the Bud Clayton Room. The basement had been identified in the Hazardous Building Materials Assessment, but issues relating to the height of the pipes and the depth available to underpin would require the asbestos to be abated to complete the renovation of the basement. As well, there has been asbestos discovered in the Bud Clayton Room not identified in the Hazardous Building Materials Assessment which would require abatement to complete the addition of the new Council Chambers.

A related consideration to the asbestos abatement is the adoption of PS 3280 – Asset Retirement Obligations which would take effect in 2023. This financial standard would relate to the preparation of financial statements of public entities and apply to legal obligations associated with the retirement of a capital asset resulting from its acquisition, construction, development or normal use. This standard would include the cost to abate or remove asbestos. An entity is not relieved from recognizing the asset retirement obligation if it is able to postpone incurring the retirement costs.

Comments

In other words, for buildings containing asbestos, the expense to recognize the liability would have to be incurred starting in 2023 whether the asbestos was removed or not. This would leave public entities with asbestos containing properties with two options:

1. Incur the expense on the income statement to remove asbestos and carry forward and increase the liability to remove the asbestos until such time as it needs to be removed (i.e. redevelopment or demolition)
2. Incur the expense and pay to have asbestos removed and have no liability for asbestos removal going forward.

The lowest cost and least disruptive time to remove asbestos is when the building has already been vacated. While the space could function as intended without asbestos abatement on the first and second floor ceilings, there is the benefit of an enhanced finished product and no change in the expense recognized moving forward, staff recommend that Council approves the change order to remove the asbestos containing plaster.

The change orders to for asbestos abatement in the basement and the Bud Clayton Room would be required to complete the space as designed.

Financial Implications

The cost provided to remove the asbestos-containing plaster from the first and second floors would be \$116,987. The cost to remove the asbestos from the basement would be \$47,283 and the cost to remove the asbestos from the Bud Clayton room to accommodate the addition would be \$23,010. Since these were pre-existing conditions,

the County would pay 100% of the cost of its removal and the recommendation would be to use funds from the Capital Replacement Reserve.

The quote to finish the exposed ceiling on the first and second floors with new drywall is \$18,927. The cost to finish the ceiling in the basement is \$11,430. These costs as part of the renovation would be subject to the cost sharing formula between CRCA and the County of Frontenac.

Strategic Priorities Implications

Priority 2 Explore new funding sources and invest wisely in critical long-term infrastructure.

- 2.1 To meet the needs of future capital projects, explore new sources of funding support (current and future programs), cost-sharing options and other potential economies.
- 2.4 Finalize plans and financing to replace/construct/renovate aging County buildings now used for administration services (through a shared administrative facility if possible).

Organizations, Departments and Individuals Consulted and/or Affected

Todd Colbourne and Justin Chapman, Architects, Colbourne & Kembel, Architects Inc.



Report 2022-105

Council Recommend Report

To: Warden and Council

From: Kelly Pender, Chief Administrative Officer

Prepared by: Richard Allen, Manager of Economic Development

Date of meeting: September 21, 2022

Re: **Planning and Economic Development – Authorization for use of the Accessibility Reserve to fund the 2022 County Contribution to the Investing in Canada Infrastructure Program (ICIP)**

Recommendation

Whereas the County of Frontenac is in the second year of a four year funding agreement with the Investing in Canada Infrastructure Program (ICIP) for making improvements to the K&P Trail; and

Whereas the county portion of funding for the first year (2021-22) included a total of \$66,253.38 from the Accessibility Reserve

Be It Resolved that \$94,677.65 from the accessibility reserve be allocated for the County 2022-23 contribution to this project.

Background

In 2021, the County of Frontenac was notified that it was successful in its application to the Investing In Canada Infrastructure Program (ICIP) Community, Culture and Recreation (CCR) stream to make accessibility and safety improvements to the K&P Trail.

The project, titled “Accessibility Improvements to the K&P Trail,” consists of several initiatives to be implemented over four years:

- Accessibility upgrades to the Verona Trailhead: This includes leveling, grading and paving of the parking area, installation of benches and picnic tables, improved lighting infrastructure and providing barrier free access to the K&P Trail from the parking area.

- Removal of barriers and construction of accessibility improvements at minor access points: Reconstruction or removal of 26 gate structures and making improvements for improved trail access for users of all abilities by using gravel or paving to ensure slope is kept to an appropriate level easily navigated by users with mobility challenges.
- Road Crossing Improvements: Signage and minor infrastructure changes will be used to improve visibility of trail crossings and trail users.
- Edge Protection: As required by the AODA Design for Public Spaces regulation, edge protection should be installed along the edge of the trail in places where there are steep drop offs or water to prevent trail users of all abilities from injury.
- Park Benches: These areas will be developed throughout the Frontenac K&P Trail, with a focus on settlement areas where seniors and users with mobility challenges are most likely to access and use the Trail. This includes benches and enough off-trail space to support persons using assistive mobility devices. The Frontenac Regional Active Transportation plan recommends placement of benches every 500-1000 meters.
- Trail Counters: In order to provide consistent reporting data over time on the use of the trail, automated trail counting infrastructure will be installed at consistent intervals along the trail and near busy access points.

This project constitutes a total value of \$828,000.00 over four years, with the Federal Government contributing up to \$331,200.00 and the Province of Ontario providing up to \$275,972.40. The County contribution over four years is expected to total \$220,827.60.

Fiscal Year (Apr 1 to Mar 31)	% Project Completion	Federal Funding	Provincial Funding	Frontenac County Contribution	Total
2021-22 (Actual)	30	\$99,367.66	\$82,798.10	\$66,253.38	\$248,419.14
2022-23	30	\$113,432.34	\$94,517.50	\$75,631.02	\$283,580.86
2023-24	20	\$66,240.00	\$55,194.48	\$44,165.52	\$165,600.00
2024-25	20	\$49,680.00	\$41,395.86	\$33,124.14	\$124,200.00

Comment

Project work began in Q3 of 2021, starting with completion of approximately 80% of the planned edge protection work, resulting in a total of 3652 meters were installed at high-risk locations between Sharbot Lake and Hartington. An additional 1200m has been identified south of Harrowsmith as part of this project. The edge protection consists of a post and rail type structure, erected along the edge of the trail to prevent alert users to hazards such as steep cliffs or deep water, as pictured below. From an accessibility

Recommend Report to Council
 Planning and Economic Development – Authorization for use of the Accessibility Reserve to fund the 2022 County Contribution to the Investing in Canada Infrastructure Program (ICIP)
 September 21, 2022

standpoint, it assists users who are visually impaired and helps to prevent falls for those who may be using an assistive device such as wheelchair or walker with wheels.



In addition, significant work was made to improve access and parking, primarily at Hichinbrooke Station, (located near White Lake Road and Road 38) and at the Verona Trailhead in at 6503 Road 38 in Verona. The Verona Trailhead was given a significant upgrade, including curbs and a paved surface to improve at grade access to the trail for users of all ages and abilities. This work was completed in June of this year.



Installations of benches along the K&P Trail will take place later this fall. A total of 35 benches are planned for installation at identified locations. While a total of 65 sites have been identified for installation, some may not have ideal subsurface conditions. Priority locations will be in areas with high pedestrian traffic, as well as in proximity to settlement areas and parking.



Strategic Priority Implications

Priority 2.1: To meet the needs of future capital projects, explore new sources of funding support (current and future programs), cost-sharing options and other potential economies.

The ICIP CCR program will provide 73.33% of project funding for rehabilitate recreational infrastructure to improve safety and accessibility should the application be successful. This will be the first time the County has accessed this funding stream for a strategic project.

Financial Implications

The ICIP program will provide \$607,172.40 towards the access and safety improvements to the Frontenac K&P Trail between Orser Road and Sharbot Lake.

County Council had authorized the use of \$88,331 to be taken from the Accessibility Reserve to use as the matching funds to get started on the project. If fully expended, the County would be required to come up with a total of \$219,173 of own-source funding to match the grants received.

The balance remaining in the Accessibility Reserve is \$94,677 and staff recommend that the full balance be applied as matching funding on the work required for K&P Trail Accessibility Improvements. This would allow for the budgeted work in 2022-23 to be completed as well as a portion of work in 2023-24. Staff will provide a later report providing an update and seeking direction on funding for the work beyond 2024.

Fiscal Year (Apr 1 to Mar 31)	% Project Completion	Federal Funding	Provincial Funding	Frontenac County Contribution	Total
2021-22 (Actual)	30	\$99,367.66	\$82,798.10	\$66,253.38	\$248,419.14
2022-23	30	\$113,432.34	\$94,517.50	\$75,631.02	\$283,580.86
2023-24	20	\$66,240.00	\$55,194.48	\$44,165.52	\$165,600.00
2024-25	20	\$49,680.00	\$41,395.86	\$33,124.14	\$124,200.00

Organizations, Departments and Individuals Consulted and/or Affected

Frontenac County Planning and Economic Development Department
 Alex Lemieux, Director of Corporate Services/Treasurer
 Phil Piasetzki, Deputy Treasurer
 Kathie Shaw, Senior Financial Analyst
 Jannette Amini, Manager of Legislative Services/Clerk



Report 2022-107

Council Recommend Report

To: Warden and Council of the County of Frontenac
From: Kelly Pender, Chief Administrative Officer
Prepared by: Jannette Amini, Manager of Legislative Services/Clerk
Date of meeting: September 21, 2022
Re: **Corporate Services – Change in Time and Location of the Inaugural County Council Meeting**

Recommendation

Be it Resolved That the November 30, 2022 Inaugural Meeting of County Council be held in the Kingston Frontenac County Court House, 5 Court St, Kingston;

And Further That the start time of November 30, 2022 Inaugural Meeting of County Council be changed from 9:30 a.m. to 7:30 p.m.

Background

The time and location of meetings of County Council, including the inaugural meeting, are set out in both the current Procedural By-law 2013-0020 and the new Procedural By-law 2022-0026 which takes effect November 15, 2022.

By-law 2022-0026 is silent in terms of the location of the inaugural meeting; however states that the meeting is held at 9:30 a.m.

Comment

As Council is aware, the County Administrative Building is currently closed due to renovations, and the Auditorium has a number of restrictions on those attending given the ongoing COVID-19 pandemic. These restrictions currently include anyone attending being required to take a COVID test prior to entering, and that all attendees must be in masks, with only staff being permitted to remove their masks when eating or drinking. Visitors are not permitted to eat or drink in the facility.

The Inaugural Council meeting is a ceremonial meeting with invited guests such as local, provincial and federal dignitaries, as well as heavy representation by the Townships. Use of the Auditorium under current restrictions would have its limitations

as an option given the ceremonial nature of the Inaugural Council meeting. As such, staff have identified an alternate space at the Kingston Frontenac County Court House large enough to accommodate both the ceremonial procession of Council, as well as the additional members of the public.

Due to its historical nature and being the seat of Frontenac County Council up until the amalgamation in 1998, staff have sought the option of holding the Inaugural Meeting at the County Court House. Preliminary site visits have occurred to ensure the venue would meet the County's requirements. Staff are looking at Court Room A as the preferred site for the Inaugural Council Meeting which would provide a dignified space that reflects the historical nature of County Council. The space also offers a reception foyer under the historical dome of the Court House that can more than accommodate 100 attendees.

Since legal proceedings are scheduled during the day at the Court House, the time of the Inaugural Council meeting would have to be postponed until the evening. However, holding the inaugural meeting in the evening may allow greater ease for friends and family of the new Council to attend as this would be outside of normal working hours.

Sustainability Implications

Additionally, Other Important and Continuing County Priorities, identifies:

- Continually improve customer and financial services.
- Maintain a strong organization and positive work culture through leadership, human resources, training and development, physical and IT infrastructure, and partnerships.

Financial Implications

There are no financial implications directly associated with this report.

Organizations, Departments and Individuals Consulted and/or Affected

Alex Lemieux, Director of Corporate Services/Treasurer
Brianna McEathron, Executive Assistant to the CAO and Director of Corporate Services
Kevin Farrell, Manager of Continuous Improvement
David Millard, Manager of Frontenac Municipal Information Services
Chris Waters, Service Desk Analyst



Report 2022-108

Council Recommend Report

To: Warden and Council

From: Kelly Pender, Chief Administrative Officer

Prepared by: Richard Allen, Manager of Economic Development

Date of meeting: September 21, 2022

Re: **Planning and Economic Development – Request to Declare Lands as Surplus for the Purpose of a Right-of-Way over the Frontenac K&P Trail at PT LT 16-17 CON 1 and PT LT 16 CON 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac**

Recommendation

Be It Resolved That in accordance with By-law Number 17-1995, the Council of the County of Frontenac pass a by-law to declare PT LT 16-17 CON 1 and PT LT 16 CON 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac as noted on Parts 2 and 4 of the attached reference plan (pending Registration No.) surplus for the purpose of granting a right-of-way over part of the K&P Trail right-of-way for the purpose of accessing this newly created lot.

Background

At its regular meeting on July 20, 2022 County Council received [Report 2022-084](#) and in principle granted approval for an easement across the K&P Trail over the Frontenac K&P Trail at PT LT 16-17 CON 1 and PT LT 16 CON 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac and passed the following motion, being Recommend Reports from the Chief Administrative Officer, clause j):

j)	2022-084 Planning and Economic Development Request to Declare Lands as Surplus for the Purpose of a Right-of-Way over the Frontenac K&P Trail at PT LT 16-17 CON 1 and PT LT 16 CON 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac
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Motion #: 130-22	Moved By:	Councillor Smith
	Seconded By:	Warden Doyle

Resolved That the Council of the County of Frontenac receive the Planning and Economic Development report – Request to Declare Lands as Surplus for the Purpose of a Right-of-Way over the Frontenac K&P Trail at PT LT 16-17 CON 1 and PT LT 16 CON 2 in Geographic Township of Hinchinbrooke, Township of Central Frontenac;

And Further That in accordance with By-law Number 17-1995, the Council of the County of Frontenac pass a by-law at a future meeting to declare the subject lands surplus for the purpose of granting a right-of-way over part of the K&P Trail right-of-way for the purpose of accessing this newly created lot.

And Further That Council of the County of Frontenac authorize staff to execute the necessary legal agreements to provide the above-noted legal right-of-way to the adjacent landowner subject to the following conditions:

1. All surveying and legal fees be borne by the landowner;
2. The right-of-way across the K&P Trail shall be surveyed to ensure access from Ball Road to both lots located along the western edge of the K&P Trail, a length of approximately 160 metres, as per the concept drawing included in Appendix A of this report;
3. The crossing location will also provide public access to the K&P Trail from Ball Road, and this access will be reflected in the final agreement. A small parking area will be constructed on County property south of the Ball Road access at a future date, pending appropriate approvals.
4. The trail crossing on County lands will be upgraded, at the expense of the applicant, to the Frontenac County Private Roads (Lanes) Study standards, and in such a way to ensure the trail surface will not be exposed to unnecessary damage or deterioration from the improved crossing. Consideration will also be given to drainage. This work will be completed to the satisfaction of the Manager of Economic Development, or their designate.

Carried

Comment

Staff are now satisfied that the requirements have been met to proceed with the registration of the proposed easement across the trail. Council may now proceed with the reading of bylaws and providing public notice with respect to declaring the lands surplus.

A survey of the property has been done by J. A. Monahan dated September 9, 2022 and registration is expected within the next week.

Strategic Plan Alignment

Priority 1 Get behind plans that build community vitality and resilience in times of growth and change.

1.2 Refine and invest in efforts to accelerate economic development — to grow businesses, attract more visits and expand the tax base.

Recommend Report to Council
Planning and Economic Development – Authorization to Declare Lands as Surplus for the Purpose of Frontenac K&P Trail Rights-of-Way at PT LT 16-17 CON 1 and PT LT 16 CON 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac
September 21, 2022

Page 2 of 3

- 1.3 Pursue proactive planning approaches that reflect local concerns and priorities within strategic regional planning policy so as to enhance service levels, manage rising demand for new housing and deal with new types of development.

Financial Implications

The applicant will be responsible for all legal fees incurred with respect to the creation of the right-of-way access across the Frontenac K&P Trail. The applicant has already submitted the \$250.00 fee for Citizen Land Use on County Owned Property as noted under Schedule F of User Fee and Charges for Services By-Law Number 2022-0001.

Organizations, Departments and Individuals Consulted and/or Affected

Dmitry Kurylovich, Community Planner
Sonya Bolton, Manager of Community Planning
Jannette Amini, Clerk / Manager of Legislative Services
Township of Central Frontenac

Attachments

Attachment 1 – Draft Reference Plan



Report 2022-099

Council Information Report

To: Warden and Council
From: Kelly Pender, Chief Administrative Officer
Prepared by: Kelly Pender, Chief Administrative Officer
Jannette Amini, Manager of Legislative Services/Clerk
Date of meeting: September 21, 2022
Re: **Corporate Services – History of County of Frontenac Seniors
Housing Reserve Funds and Conditions of Funding**

Recommendation

This report is for information purposes only.

Background

At its regular meeting held July 20, 2022, County Council postponed the below Notice of Motion brought forward by Deputy Warden Higgins to its September meeting pending a report from staff on the history of the seniors housing funds and the conditions of the funding:

Motions, Notice of Which has Been Given

**a) Request by the Township of North Frontenac
Re-allocation of Seniors Housing Funds**

Motion #: 142-22 Moved By: Deputy Warden Higgins
Seconded By: Councillor Martin

That the County transfer the \$337.5K which was previously allocated to a senior housing facility to North Frontenac's Seniors Reserve Fund.

Postponed

The purpose of this report is to provide Council with the history of the seniors housing funds and the conditions of the funding to assist Council in its deliberations and consideration of the motion by Deputy Warden Higgins which was deferred to the September meeting and is on the agenda under Motions, Notice of Which has been Given.

Comment

In early 2013, in response to the County of Frontenac RFP for a Business Plan for Seniors Housing, SHS Consulting, in association with refact Consulting, were retained as the successful proponent, with the purpose of the study being to identify a preferred seniors community housing pilot project for the County of Frontenac by:

- Comprehensively researching seniors' community housing options that are currently in place;
- Assessing seniors' community housing needs in the County of Frontenac;
- Identifying the senior's community housing options that could best address the needs in;
- the County needs and recommending a preferred option; and,
- Proposing the best location within the County to introduce a seniors community housing pilot project.

In summary, the report by the consultants found that the senior population in the County of Frontenac is expected to increase from 15.6% in 2006 to 27.1% in 2036 and this will be especially notable for those aged 75 years and over. It also found that there is a strong desire to enable seniors to age in place but to do this, the growing senior's population will need housing options that are smaller in form, require less maintenance and are more accessible than housing that has been developed to date. This growth will also increase demand for support services, both in-home and in more specialized care environments. Promoting an adequate range of choices throughout the local housing continuum is essential to ensure that seniors can live independently to the greatest degree possible and remain in or close to their own communities for as long as possible.

As a result, in early January of 2014, when Frontenac County Council began working with Performance Concepts to assist with the development of goals for the balance of the 2010-14 term and the 2015-18 term of Councils Strategic Goal Implementation plan, Goal #1 of that Strategic Plan was: Meeting the Aging Tsunami Challenge for Frontenac Seniors by:

- Addressing the existing gap in Seniors Transportation by ensuring 100% of Seniors receive a timely, affordable ride to scheduled medical appointments (when requests received in a timely fashion) – to be accomplished by the end of the 2015-18 term of Council.
- Addressing the existing gap in Seniors Affordable Housing stock by leveraging and/or funding the construction of a project in each of the four Frontenac townships – to be accomplished by the end of the 2015-18 term of Council.

A total of \$1,500,000 was reserved in 2014 for Seniors Issues in accordance with the County's strategic plan. The breakdown was discussed as being \$1,400,000 for Senior Housing which was formalized by Council at its meeting held September 21, 2016 through report [2016-104](#). Since that time, all member municipalities have a Council approved Business Plan, with the Township of Frontenac Islands having completed its 5-unit Seniors Housing complex in late 2017. Both the Townships of South Frontenac and Central Frontenac are currently pursuing their respective Seniors Housing Projects. In December 2019 the County transferred portions of the K&P Trail in Verona to the Township of South Frontenac to aid the Township's development of affordable seniors' housing, with the project itself pending the completion of the Verona Master Plan. The

Township of Central Frontenac is currently investigating the use of the acquired former school site in Sharbot Lake as well as investigating the use of communal services for this project.

The \$1.4M set aside for this goal is to be divided evenly between the four municipalities. Subject to a final accounting of the disbursement, it was anticipated that approximately \$337,500 would be available to each Township, representing approximately one-third the total anticipated investment in housing.

The funding formula approved by Council requires the County to pay the Township based upon the percentage of funds for the total project. Given that each member municipality was to be implementing seniors housing in a manner that reflects local needs and circumstances, the disbursement of the funds to each Township is to be based upon receipts paid by the municipality as a percentage of total project costs as paid by the municipality. For example, if the total project cost is \$1,000,000 as approved by the member municipality, the County would pay to the municipality 33.75% as funds were disbursed as certified by the municipality (i.e., $\$337,500 \div \$1,000,000 = 33.75\%$).

Options for Discussion

In April 2018, North Frontenac made a similar request to Council to allow the funds that have been allocated to North Frontenac for seniors housing to be utilized for:

1. Developing a pilot project to help stabilize seniors in need through the provision of supports that help them maintain independence in their current housing;
2. Pursuing funding opportunities with the City of Kingston (as designated Service Manager) to help support seniors in their homes via assistance with housing costs and home repairs; and
3. Seeking longer term opportunities to add new, affordable housing options for seniors in the township through funding programs and local partnerships

As part of the request, the Township also provided, as supporting documentation, a Seniors Needs Assessment Report and a Summary of Survey Responses which had been prepared by SHS Consulting. The Needs Assessment survey carried out by SHS Consulting in 2018 indicated that if the option were available, 72% of respondents would be interested in renting a low maintenance housing unit, with 36% willing to pay between \$500 and \$750 per month while 32% would pay between \$1,000 and \$1,250 per month

The request from North Frontenac Council is silent on the issue of the two to one matching funds as originally contemplated.

Through report 2018-067, staff offered Council 2 options as follows:

Option One:

Should Council wish to broaden the stated objective of its Strategic Plan with respect to Seniors Housing, the following motion provides Council with the opportunity to amend the wording of their strategic objective to reflect the request from the Township.

That, given that the Township of North Frontenac funding request is not contemplated by the 2014 Strategic Plan (i.e., Addressing the existing gap in Seniors Affordable Housing stock by leveraging and/or funding the construction of a project in each of the four Frontenac township”), that Council amend their strategic objective, as follow:

- That County staff be directed to negotiate a funding agreement with the Township with respect to Option #1, “developing a pilot project to help stabilize seniors in need through the provision of supports that help them maintain independence in their own home” to a maximum of \$50,000 at a 50% funding rate. It being understood that the proposed agreement will reflect the following:
 - That the program development, administration, procurement and audit will be the responsibility of the Township
 - That the agreement will stipulate a term of four (4) years from the date of signing, or the depletion of the funding, whichever comes first
 - That the \$50,000 allocation will reduce the funding available for Option #3
 - At the discretion of the Township, the 50% local share can be achieved through local taxation, reserves, augmentation of an existing program or a grant
 - That the County will pay invoices for this project as submitted by the Township for services completed and paid
- Support in principle the request by the Township regarding Option #2, “in pursuing funding opportunities with the City of Kingston (as designated Service Manager) to help support seniors in their homes via assistance with housing costs and home repairs” at no cost to the County
- Approve the request by the Township to utilize funding for Option #3, “Seeking longer term opportunities to add new, affordable housing options for seniors in the Township through funding programs and local partners” based upon the approved funding formula, less an funding expending in for Option #1

Option Two:

Should Council not wish to consider to broaden the stated objective of its Strategic Plan with respect to Seniors Housing, the following motion would achieve this:

That the Council of the County of Frontenac deny the request by the Township of North Frontenac to broaden the use of funds allocated by the County of Frontenac for Seniors Housing to develop a pilot project to help stabilize seniors in need through the provision of supports that help them maintain independence in their current housing;

And Further That the Council of the County of Frontenac support the request by the Township of North Frontenac in pursuing funding opportunities with the City of Kingston (as designated Service Manager) to help support seniors in their homes via assistance with housing costs and home repairs;

And Further That the Council of the County of Frontenac support the Township of North Frontenac on seeking longer term opportunities to add new, affordable housing options for seniors in the Township through funding programs and local partnerships.

Should Council wish to support the request by North Frontenac, it is recommended that the Township provide additional information as to how the funding would be allocated to existing homeowners such as income limits, ability to pay or if the homeowner would be required to contribute towards a portion of the cost as well as how this type of program would be sustained once County funding has been depleted. The wording in the Option One motion would lead to an agreement with the Township to address these matters.

As was previously noted to Council in Report 2018-067, supports such as rent supplements, housing allowances and home repairs are offered through the City of Kingston as the Municipal Service Manager which help to enhance housing affordability and/or help seniors to stay in their homes. Assistance with home repairs is currently available through the Kingston Frontenac Renovates program.

If Council wishes to continue with the previous Council's strategic goal of increasing seniors housing, and should North Frontenac continue to opt for not developing a seniors housing development in that municipality, Council could consider allocating North Frontenac's portion of the seniors housing funding between South Frontenac and Central Frontenac. This would allow for larger units in each Township, where residents from all three municipalities would be eligible to apply. This would meet Council's goal of increasing affordable seniors housing stock in the County and would ensure that residents from all three Townships have equal access to these units. Larger developments however would bring with them larger costs and Council would need to consider how to address North Frontenac's responsibility in terms of the Townships 2/3 share of the total costs.

Sustainability Implications

The development of a strategic plan tied to a long range financial plan is a key element in ensuring that Council, citizen and staff objectives are aligned.

Financial Implications

There are no financial implications directly associated with this report.

The County has set aside \$1.4M for this project divided evenly between the four municipalities and less funds expended on reports and business plans. Subject to a final accounting of the disbursement, it is anticipated that approximately \$337,500 will be available to each Township. The total investment in housing anticipated as a result of this initiative was to be \$4.2 million, with \$1.4 million coming from the County and \$2.8 million coming from the Townships.

The funding formula approved by Council requires the County to pay the Township based upon the percentage of funds for the total project. For example, for Frontenac Islands, the County share was approximately 35% of the total project. Funds were transferred to the Township as invoices were paid.

Organizations, Departments and Individuals Consulted and/or Affected

Joe Gallivan, Director of Planning and Economic Development
Alex Lemieux, Director of Corporate Services/Treasurer

Report
2022-
100



FRONTENAC



Council

Information Report

To: Warden and Council
From: Kelly J. Pender, Chief Administrative Officer
Prepared by: Alex Lemieux, Director of Corporate Services/Treasurer
Date of meeting: September 21, 2022

Re: Corporate Services – 2022 Second Quarter Financial Summary and Outlook

Recommendation

This report is for information purposes only.

Background

The County of Frontenac financial summary for the second quarter of 2022 is attached.

Comment

The County of Frontenac terminated its state of emergency on July 5, 2022 in response to the COVID-19 pandemic. While the emergency has been undeclared and pressures to curb the spread of COVID-19 have eased from its peak, the County of Frontenac is still responding to significant pressures for infection prevention and expenses on staffing, personal protective equipment, and other safety measures to address the health concerns caused by the pandemic. These pressures are likely to persist in some form through 2022, and revenue and expenses are likely to differ from what has been budgeted.

Looking beyond COVID, we have seen increasing inflation on all items. Materials and Contracted Services prices have seen significant increases in early 2022. As of July 2022, Ontario CPI was 7.6%. It is expected that cost pressures on operating and capital expenses will persist in 2022 and incurred expenses will likely exceed what was budgeted for 2022.

Revenue

The Year-to-Date operating revenue for the second quarter has exceeded budget totals by \$1,104,886.

- Fairmount Home received a \$658,938 prior-year adjustment in envelope funding from the Ministry of Long-Term Care for additional COVID prevention expenses incurred in 2021.
- Fairmount Home and Frontenac Paramedics has continued to receive funding to support COVID-19 prevention and containment expenses in 2022. As of June 2022, the County has received \$651,215 in additional funding to support COVID-19 response. Reporting efforts are ongoing and additional funding could potentially be received should costs continue to be incurred to respond to COVID-19.
- Frontenac Paramedics revenue is favourable to budget due to cost recoveries for the Street Health Clinic (\$117,449). Frontenac Paramedics have contracts to provide staffing for this facility and the revenue received covers the expenses incurred to run this program.
- User fee revenue has been impacted by Ferry pass sales made through debit purchases through the Township of Frontenac Islands. Pass sales are \$40,309 underbudget for the County, though \$37,000 of that has been incurred through the Township. Historically, 100% of pass revenue was collected by the County. Revenue for pass sales for both ferries are pooled and redistributed to match operating expenses at year end, so the reduction in funds collected on pass sales will result in a reduction of the transfer from the County to the Township at year-end.
- Fairmount's resident fees are also under budget by \$210,820 due to eight beds being held to meet the Ministry's mandate to provide isolation rooms. These open beds are being used when self-isolation is required, either for current residents showing possible symptoms, or new residents who have to self-isolate for 14 days upon admission. Although resident admissions now occupy the vacant rooms, ten empty beds had their admissions delayed due to consecutive outbreaks in December.
- Fairmount Home has received \$624,102 in funding to support additional staffing resources in long-term care as the province works to a system-wide average total of 4 hours per resident per day.

Expenses

County expenses for 2022 are \$264,961 over budget through the first six months of the year. The two driving factors are increased staffing and paid absences related to COVID-19 increasing salaries, benefits, contracted services, and the Community Paramedicine Long-Term Care program being under budget by \$631,279 through June with most of the variance hitting materials. The funding received is in excess of the CPLTC program's current capacity, and any excess funding will be reconciled and returned to the Ministry of Long-Term Care at year end.

Aside from expenses for COVID-19 response and the Community Paramedicine program, expenses are largely in line with what has been budgeted, with further context for other discrepancies below:

Salaries and Benefits

- Regular Earnings, which measures the wages worked paid at regular time, are under budget by \$937,674. The under budget is primarily absence driven, as other expense lines are over budget including:
 - Sick Leave is overbudget by \$496,799, though much of this is COVID-related and eligible for recovery through containment and prevention funding
 - Overtime is overbudget by \$303,312
 - Temporary Contracted Services (which is reported under Contracted Services under FIR guidelines but is replacement for salaries not incurred) is \$426,621 over budget. These expenses would relate to replacement of absent staff for Fairmount and would be eligible to be claimed through containment and prevention funding.
- Salaries and Wages for Fairmount Home also includes \$182,449 for the Personal Support Worker (PSW) temporary wage enhancement through the second quarter. This program is fully funded by the Province and had no net impact on the County. This program moved to a permanent basis in April, which will continue to push Salaries and Benefits over the budget with offsetting revenue to be received through the Province.

Materials

- As mentioned above, the Community Paramedicine for Long-Term Care (CPLTC) is \$582,770 under their material budget through June. This program is fully funded through the ministry through \$2,000,000 in transfer payments, and the expenses budgeted match the funding received. Any unspent funding will be returned to the ministry. Based on the current scope of the program, it is unlikely that the amount budgeted will be spent in 2022.
- Through June, \$237,440 has been spent on materials for infection prevention. The expenses incurred are predominantly for personal protective equipment (gowns, masks, googles/shields, etc.). Most of these expenses are eligible to be claimed against the various streams of Containment and Prevention Funding we have received.
- Frontenac Paramedics have had increased costs in clothing and fuel in 2022. Through June, Frontenac Paramedics are \$56,029 over the year-to-date budget on Clothing and have spent \$72,505 more in fuel than in June 2021. Both items will be over budget for 2022.

Contracted Services

- The main driver for Contracted Services being over-budget has been staffing required to fill available shifts at Fairmount Home. \$426,621 has been spent on contracted staff through June 2022. The majority of this incremental expense would be offset by additional COVID funding. The cost to staff a shift through a staffing agency exceeds the cost to staff internally, and Fairmount Home are working on modifying their staffing plan to reduce the reliance on staffing agencies going forward.
- Most of the other variances in Contracted Services can be attributed to timing differences. It is likely that Contracted Services will be near the budgeted amount at year end except for nursing agency staff.

Net Capital Expense

- Capital Spending will be below what was budgeted for 2022. Three major projects, the Admin Building Redevelopment, the Ambulance Base at 2069 Battersea Road, and the Fairmount HVAC Replacement, were all budgeted to be undertaken in complete in 2022. All three projects will continue to incur expenses into 2023.
- Deposits for the delivery of ambulances scheduled for 2022 have been placed, but the delivery date is unknown at this point due to a chassis shortage from the vendor. Delivery and the final expense for ambulance replacement may occur in 2023.
- Purchasing for the Capital programme for 2022 is underway, with Fairmount Home purchasing beds, mattresses and upgrading its fire alarm, and Frontenac Paramedics finalizing their purchases to change tablet providers for their eACRs and purchasing a new Portacount machine.
- The revenue under the capital section relates to the share paid by the City of Kingston which is paid monthly and reconciled against expenses at year end.

2022 Outlook

The two dominant themes in looking forward to how staff will manage the 2022 budget can broadly be split between managing the impact of COVID-19 and dealing with inflationary pressures across the organization. These two distinct challenges will dictate the 2022 financial outlook.

1. Will COVID-19 operating pressures continue to persist in 2022?

It is difficult to answer the question of what the exact financial impact of COVID will be throughout 2022, since the severity of any additional waves or responses through the summer and fall are still unknown. However, the Provincial and Federal governments have been willing to fund the added costs to deal with COVID-19 in health care settings, especially in long-term care. The County of Frontenac also has left over Safe Restart Funding from 2020 and 2021 to address any added costs in 2022 which may no longer be covered by senior levels of government.

Between the funding received in 2022, the potential for additional funding should COVID-19 response worsen, and the funds available in the Safe Restart Reserve, the financial impact of COVID-19 should not adversely impact the County of Frontenac.

2. What will be the impact of cost inflation through 2022?

The financial impact of cost inflation may be more difficult to gauge. As mentioned earlier, Ontario CPI was 6.4% as of March 2022. We have seen five rate hike through June and more recently, another four in July. Historically, higher interest rates have resulted in reduced inflation; however, CPI has continued to increase.

Fuel costs remain higher than expected, although we have seen some pullback from the peak of fuel costs in mid-June. As mentioned in the first quarter report, increases in fuel costs will typically result in increased shipping costs, with those added costs then passed on to the consumer. Reduced costs going forward should reduce the rate at which direct fuel consumption has been over budget and should hopefully see some reductions in shipping costs in the latter part of 2022.

It remains likely that many material costs in 2022 will exceed what was budgeted. The County will look to mitigate the impact using reserves on capital purchases and work within its operational budget to absorb any increases.

Additionally, salaries and benefits are likely to be over budget, both in terms of COVID-19 added costs, and in terms of an increase in WSIB future liability. While the COVID-19 costs were discussed above and should be covered through various funding envelopes, the WSIB future liability costs will be covered through the operational budget. The County received an updated WSIB future liability report in 2021 which affected the final 2021 financial statements, and will impact 2022 and 2023's financials as well. The estimated impact, which was not included in 2022's budget is for \$786,560 for Frontenac Paramedics, \$58,933 for County, and \$176,798 for Marine Services. The impact going forward will be included as part of the 2023 budget.

Strategic Plan Implications

The mission of Frontenac County is "the effective, efficient and sustainable delivery of services to citizens". Increasing demand for services, inflationary, contracted and mandated costs, plus new government policies and regulations, can cause pressure for budget increases. By publishing the quarterly financial report, the County ensures that the council and public is aware of the costs incurred by the County in relationship to the budget at a given point in time during the year. This enables the County to be accountable for its revenues and expenditures and ensures respect for the taxpayer. The quarterly financial report assists with the goal of the Strategic Plan "to anchor the County's activities in the municipality's mission and vision, adapt to the latest evidence and best practices, and respond effectively to circumstances".

Organizations, Departments and Individuals Consulted and/or Affected

Senior Leadership Team
Phil Piassetzki, Deputy Treasurer
Kathie Shaw, Senior Financial Analyst



County of Frontenac

County of Frontenac
For period ending June 30, 2022

	2022	2022	June	YTD	Total Annual
	Budget	YTD Budget	YTD Actual	Variance	Spent
	\$	\$	\$	\$	%
Operating Revenue					
Taxation from Other Governments	50,000				
User Charges	3,607,023	1,889,927	1,680,414	(209,513)	46.59%
Payments in Lieu of Taxes	42,297				
Federal and Provincial	20,703,160	10,203,302	11,502,750	1,299,448	55.56%
Provincial Offences Net Revenue	106,136	53,069	26,417	(26,652)	24.89%
Investment Income	132,000	66,000	58,744	(7,256)	44.50%
Other	936,379	412,738	518,728	105,990	55.40%
Transfers from Obligatory Reserve	896,065				
Transfers from Reserve	416,657	116,561	59,430	(57,131)	14.26%
Total Operating Revenue	26,889,717	12,741,597	13,846,483	1,104,886	(51.49%)
Operating Expense					
Salaries & Benefits	33,895,183	16,760,436	16,995,753	235,317	50.14%
Materials	4,962,403	1,959,057	1,867,503	-91,554	37.63%
Contracted Services	8,597,869	4,339,982	4,634,577	294,595	53.90%
Rents & Financing	231,428	139,709	105,851	-33,858	45.74%
External Transfers	248,799	48,300	24,000	-24,300	9.65%
Other			5,000	5,000	#DIV/0!
Depreciation	1,902,536	932,230	882,859	-49,371	46.40%
Reserve Transfers	2,018,145	22,702	26,834	4,132	1.33%
Unapproved Projects		75,000		-75,000	#DIV/0!
Total Operating Expense	51,856,363	24,277,416	24,542,377	264,961	47.33%
Net Municipal Contribution	24,966,646	11,535,819	10,695,894	-839,925	42.84%
LESS: Depreciation	(1,902,536)	(932,230)	(882,859)	49,371	(46.40%)
Net Municipal Contribution LESS Depreciation	23,064,110	10,603,589	9,813,035	-790,554	42.55%
City of Kingston	-11,794,655	-5,897,328	-5,897,328		50.00%
County Contribution - Operating	11,269,455	4,706,261	3,915,707	-790,554	34.75%
Capital Revenue	9,570,969	1,587,792	78,288	(1,509,504)	0.82%
Capital Expense	9,875,045	2,559,909	108,364	-2,451,545	1.10%
Net Capital Expense	304,076	972,117	30,076	-942,041	9.89%
City of Kingston - Capital	-296,602	-148,310	-148,301	9	(50.00%)
County Contribution - Capital	7,474	823,807	-118,225	-942,032	1,581.82%
County Contribution - Debenture	157,721	-26,513	166,495	193,008	105.56%
Total Requisition	11,434,650	5,503,555	3,963,977	-1,539,578	34.67%



County of Frontenac

Fairmount - County
For period ending June 30, 2022

	2022	2022	June	YTD	Total Annual
	Budget	YTD Budget	YTD Actual	Variance	Spent
	\$	\$	\$	\$	%
Operating Revenue					
User Charges	3,287,923	1,644,460	1,433,055	(211,405)	43.59%
Federal and Provincial	7,778,001	3,861,066	5,676,146	1,815,080	72.98%
Other	104,426	52,221	99,221	47,000	95.02%
Transfers from Reserve	35,000	5,000	35,939	30,939	102.68%
Total Operating Revenue	11,205,350	5,562,747	7,244,361	1,681,614	(64.65%)
Operating Expense					
Salaries & Benefits	12,702,212	6,399,989	5,920,880	-479,109	46.61%
Materials	1,271,488	639,279	755,758	116,479	59.44%
Contracted Services	1,520,819	882,565	1,099,737	217,172	72.31%
Depreciation	603,369	300,534	291,806	-8,728	48.36%
Reserve Transfers	140,195				
Unapproved Projects					#DIV/0!
Total Operating Expense	16,238,083	8,222,367	8,068,181	-154,186	49.69%
Net Municipal Contribution	5,032,733	2,659,620	823,820	-1,835,800	16.37%
LESS: Depreciation	(603,369)	(300,534)	(291,806)	8,728	(48.36%)
Net Municipal Contribution LESS Depreciation	4,429,364	2,359,086	532,014	-1,827,072	12.01%
City of Kingston	-2,956,641	-1,478,322	-1,478,321	1	50.00%
County Contribution - Operating	1,472,723	880,764	-946,307	-1,827,071	64.26%
Capital Revenue	1,618,445	1,487,792	78,288	(1,409,504)	4.84%
Capital Expense	1,914,081	1,705,845	74,407	-1,631,438	3.89%
Net Capital Expense	295,636	218,053	-3,881	-221,934	1.31%
City of Kingston - Capital	-289,876	-144,936	-144,938	-2	(50.00%)
County Contribution - Capital	5,760	73,117	-148,819	-221,936	2,583.66%
County Contribution - Debenture	157,721	-26,513	166,495	193,008	105.56%
Total Requisition	1,636,204	927,368	-928,631	-1,855,999	56.76%



County of Frontenac

FPS - County

For period ending June 30, 2022

	2022	2022	June	YTD	Total Annual
	Budget	YTD Budget	YTD Actual	Variance	Spent
	\$	\$	\$	\$	%
Operating Revenue					
User Charges			25,394	25,394	#DIV/0!
Federal and Provincial	11,909,915	5,833,936	5,465,781	(368,155)	45.89%
Other			37,341	37,341	#DIV/0!
Transfers from Reserve	10,619		10,808	10,808	101.78%
Total Operating Revenue	11,920,534	5,833,936	5,539,324	(294,612)	(46.47%)
Operating Expense					
Salaries & Benefits	17,558,593	8,567,858	9,282,748	714,890	52.87%
Materials	2,455,586	1,107,868	897,484	-210,384	36.55%
Contracted Services	1,863,753	906,752	968,871	62,119	51.98%
Rents & Financing	231,178	139,642	105,624	-34,018	45.69%
Depreciation	897,312	432,023	391,780	-40,243	43.66%
Reserve Transfers	990,979	10,204		-10,204	
Unapproved Projects					#DIV/0!
Total Operating Expense	23,997,401	11,164,347	11,646,507	482,160	48.53%
Net Municipal Contribution	12,076,867	5,330,411	6,107,183	776,772	50.57%
LESS: Depreciation	(897,312)	(432,023)	(391,780)	40,243	(43.66%)
Net Municipal Contribution LESS Depreciation	11,179,555	4,898,388	5,715,403	817,015	51.12%
City of Kingston	-8,838,014	-4,419,006	-4,419,007	-1	50.00%
County Contribution - Operating	2,341,541	479,382	1,296,396	817,014	55.37%
Capital Revenue	2,284,064				
Capital Expense	2,292,504	754,064	33,957	-720,107	1.48%
Net Capital Expense	8,440	754,064	33,957	-720,107	402.33%
City of Kingston - Capital	-6,726	-3,374	-3,363	11	(50.00%)
County Contribution - Capital	1,714	750,690	30,594	-720,096	1,784.95%
County Contribution - Debenture					#DIV/0!
Total Requisition	2,343,255	1,230,072	1,326,990	96,918	56.63%

Comment

Ms. Lydia Morrow was retained by the County as the summer student to carry out this work. Ms. Morrow carried out extensive research including:

- a. Identify what our obligations are with respect to carbon neutrality by 2050
- b. Gather all the existing reports
- c. Establish a “state of the County” report/dashboard
- d. Provide recommendations for next steps.

Research included the Paris Agreement created in 2015 as well as Canada’s 2030 Emissions Reduction Plan and its pathway to 2050.

Climate change in the County of Frontenac over the past 100 years, from 1920 to 2020 identified the shift in rising temperatures and increased precipitation, including the consequences of rising temperatures on human health, budgeting and economics, and on recreational activities.

In terms of the “State of the County” the electricity and gas usage of the paramedic bases as well as the County Administrative Building and Fairmount Home since 2014 were also investigated.

One large positive aspect for the County in terms of its carbon footprint is its large tree canopy which brings many benefits to the region, including controlling wind, improved air quality through carbon dioxide reduction, improved water quality and helps reduce erosion. The County is also covered in lakes and wetlands which has benefits including the protection of endangered species, coastline protection, carbon regulation and the promotion of biodiversity.

Other aspects of the research done by Ms. Morrow include the review of the CO2 emissions by the County’s vehicle fleet, however, did not include the paramedic vehicle fleet.

Next Steps

Staff will continue with the ongoing tracking of energy usage and emissions of the County’s buildings and vehicle fleets which will be done in combination of the use of internal staff resources and possible engagement/training through Sustainable Kingston. It should be noted that Red Squirrel, who carried out the County’s 2019 Energy Conservation and Demand Management Plan, has now merged and become part of Sustainable Kingston.

Staff will explore future funding opportunities through FCM Grants and other opportunities and will also explore the possibility of a Climate Action Reserve which could be used as the County’s portion when matching funding is required when applying for grants.

Once staff have had an opportunity to carry out a complete review of this work, future recommendations and opportunities will be brought before Council and information will be shared with the Townships.

Sustainability Implications

The Strategic Plan identifies “Forces for Change: Highlights from the Situation Analysis”

It states the County is making strategic decisions within a general climate of uncertainty and change — in provincial/federal policy, funding and program expectations; economic and environmental trends; and changes in how we ‘look after ourselves and our neighbours’ as well as having a complete understanding of its revenues and expenditures to ensure County taxpayer interests are respected.

In addition, feedback conveyed a general, pragmatic desire for protection of the natural environment and a sense we should all ‘do our part’ in addressing impacts of climate change.

Priority 3.3 Continue to pursue collaborative opportunities to achieve service and cost efficiencies and other economies.

Financial Implications

There are no financial implications directly associated with this report.

Organizations, Departments and Individuals Consulted and/or Affected

Lydia Morrow, GIS Summer Student
Alex Lemieux, Director of Corporate Services/Treasurer

**Activity Update
September 2022**

**Resident Care,
Nursing & IPAC**

- The installation of the home’s new nurse call system started late August and continues throughout the home. To date, approximately 50% of call points have been updated.
- A training video that highlights the key features of the new nurse call system was developed with the assistance of Matt Mills, Communication Officer. This video will be used to train current and future staff at the home.
- Fairmount’s management team, union executive members, Human Resources, and Financial Services have collaborated again to implement further changes to the trial schedules for the home’s Personal Support Workers (PSW). This trial will officially commence January 9, 2023, and staff members have selected their rotation on September 12th & 13th, 2022. The changes are based on union member feedback, resident care, and operational requirements.

The goals of the new schedule rotations are:

- Elimination of seven (7) consecutive workday stretches
- Allow part time to work every other weekend instead of having only one weekend off in every three-week period
- Increase the ability to provide vacation coverage
- Increase the ability to attract and retain staff
- Reduce the necessity to mandate overtime

Highlights of the revised schedule rotations include:

- Added additional full-time 12-hour rotations
- Added an additional six (6) permanent full-time rotations
- Decreased number of part time rotations that are difficult to fill
- Decreased 8-hour rotations
- All positions (with minor exceptions) will work every other weekend
- With the increase in Ministry of Long-Term Care (MLTC) funding, four additional PSWs will be added to the evening schedule and two additional PSWs will be added to the day schedule beginning in 2023
- The union and the Employer are working together to address registered staff vacancies. Due to a full-time RPN position that remains unfilled, the home will trial a temporary PT8 RPN to assist with filling a portion of the open shifts in this rotation until the full-time position can be filled.
- The home is currently recruiting for twenty-four (24) vacancies including RNs, RPNs, NP, PSWs, Occupational Therapist, Dietary Aides, Cook and Housekeeping Aides.
- Kingston, Frontenac, Lennox, and Addington (KFL&A) Public Health strongly recommend residents residing in long-term care to receive the new

	<p>Bivalent Omicron Covid-19 vaccine as the next booster dose. Residents will be starting to receive this vaccination the week of Sept 12-16th. All staff members have also been offered this vaccine; it is not mandatory but is strongly recommended.</p> <ul style="list-style-type: none"> • KFL&A Public Health has also advised to start preparations for administering the Influenza vaccine to residents and staff, which will take place the end of Sept to first week of October. • Effective August 26, 2022, the MLTC has mandated all long-term care homes to stop holding beds for COVID-19 isolation purposes. However, the MLTC has also mandated that homes must ensure there is a private space where residents can reside for pandemic-related isolations. The management team is preparing resident activity rooms on each home area to be utilized as isolation spaces. Each resident activity room will require the installation of nurse call bells and privacy curtains to support a private area for resident isolation. • The Recreation team is working to increase the quantity/quality of programs for residents. Our Recreation team consists of two (2) full time and two (2) part time staff with the support of the MLTC's Allied Health Professionals Staffing Supplement. • Oral Science will be coming October 6th to provide an education session on oral hygiene for the PSWs. The session will be recorded to train current and future staff.
Environmental Services	<ul style="list-style-type: none"> • Manager of Environmental Services is obtaining pricing for a microfibre floor cleaning system and a list of products needed for a home with 128 residents has been sent to multiple suppliers • Manager of Environmental Services worked with the Administrator on operating and capital budgets for 2023, also working on capital budgets moving forward to 2027 • Portable air conditioners have been installed in all resident rooms as per MLTC directive
Dietary Services	<ul style="list-style-type: none"> • Food Service Manager has been recruiting to fill open dietary aide positions • Recreation and cooks have been facilitating resident BBQ's during lunch throughout the past few months. We have been serving hotdogs and hamburgers with all the fixings, macaroni or potato salad, ice cream, watermelon, and lemonade. • Review of the fall/winter menu cycle has begun and is being adjusted appropriately with what is currently available from our suppliers. We will switch over from the spring/summer menu to the fall/winter menu early October.
Other	<ul style="list-style-type: none"> • Working with The Loomex Group, Fairmount's emergency response plans are being updated. The team will review the draft and meet with the consultant at the end of September to provide feedback on the draft plan. • The Staff Schedulers have dedicated a significant amount of time setting up the new scheduling software StarGarden. They have been required to transfer all staff rotations for 200+ employees. • Fairmount's operating and capital budgets for 2023 – 2027 have been prepared by the management team and presented by the Administrator to

Fairmount Home Update

	<p>the Treasurer and CAO</p> <ul style="list-style-type: none">• The management team continues to conduct periodic audits for compliance with Ministry and home specific policies such as the following examples:<ul style="list-style-type: none">- personal items belonging to residents are labelled and stored in secure locations- consumable goods belonging to staff are not permitted on home areas and medication rooms- nursing report rooms and other areas are secured to prevent inappropriate access
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FRONTENAC

Councillor Report

To: Members of County Council

From: Deputy Warden Higgins
Councillor Martin

Date of Meeting: July 20, 2022

RE: Senior Housing County Funding

Background

The County has provided finances to assist each Township to provide senior housing within the respective jurisdictions. In the case of North Frontenac that funding equals \$337.5K.

Since February 2018 North Frontenac has been assessing how, when and where to build such a facility. To that end we conducted a survey to find out the actual need and the resulting feedback was that most seniors would like to stay in their homes versus moving to senior residence.

On May 16, 2018, North Frontenac requested that the County Council reallocate funds to keeping seniors at home which was rejected.

North Frontenac Council did not want to lose out on the County funding so we embarked on a study to find out what we should build and where. Our options for land and affordability dictated that we were not comfortable to move ahead and decided to approach the County

Since that time, we have been actively trying to identify a solution including partnering with Central Frontenac in their senior housing project, which would also require County Council approval

Research By

Deputy Warden Higgins and Councillor Martin

Comments

Since 2018 North Frontenac Council has been focused on keeping senior residents in their homes for as long as possible based on a survey of our seniors.

North Frontenac has also been trying to identify a senior housing option as well due largely in part the amount of funding (\$337.5K) being provided by the County. After working on this since 2018 North Frontenac Council has looked at many options for a senior housing facility and in the end, we decided not to invest in a facility for the following reasons.

1. Location for a facility is very limited
2. Costs have dramatically increased
3. Only serves up to 5 seniors or couples
4. Does not align with the wishes of our seniors as per our survey

Our options are to either to decline the funds being provided from the County as the current stipulation requires a facility, or another option is to ask County Council one more time to reallocate the funds to allow us to keep our seniors in their homes.

We decided to request reallocation of the County Funds, as much has changed since we asked in 2018.

It is our opinion that as a lower tier municipality we owe it to our residents to comply with their wishes and based on the input received we are moving towards building a Seniors Reserve Fund to accommodate our seniors to stay at home.

Recently, in partnership with the County, we implemented a Paramedicine program to assist our seniors and others that require medical related assistance versus traveling to medical facilities which supports our plan to keep seniors in their homes.

In the County's strategic plan, it states.

Champion and coordinate collaborative efforts with partners to resolve complex problems otherwise beyond the reach of individual mandates and jurisdictions.

Work with the townships, other municipalities and levels of government on broad infrastructure issues — ranging from environmental concerns to regional transportation strategies for residential, social and economic purposes, and access to funding.

In North Frontenac our strategic plan states.

Support opportunities for seniors to stay in their homes

- *Potential partnership with Central Frontenac as part of their senior housing project (We could not reach an agreement)*
- *Identify and communicate services available to seniors (ongoing)*
- *Enhanced paramedicine (completed)*

Deputy Mayor Higgins and Councillor Martin
Senior Housing County Funding
July 20, 2022
Page 2 of 3

North Frontenac has decided that we will focus on keeping seniors at home and not build a senior's residence due to local needs, limited assistance to all seniors in North Frontenac, affordability and trying to do our part to limit the need for seniors to require senior housing or Long-Term Care (LTC).

In addition, the last few years of the Pandemic has shown the risks of senior's congregating in LTC and senior housing facilities from a health perspective. The pandemic has also shown us how valuable it is to care for seniors in the comfort of their own homes and avoid the need for accessing overloaded medical facilities. By providing our seniors with in-home support from simple yard maintenance to Paramedicine allows our seniors to stay together and live in a secure, familiar, and comfortable setting for as long as possible.

To that end, North Frontenac Council will be transferring our \$100K in funds that were allocated to a senior housing facility over to a Seniors Reserve Fund.

We are asking the County Council to consider this report and to approve the transfer of the County related funding allocations of \$337.5K to North Frontenac's Seniors Reserve Fund. This will allow for a well-funded startup Reserve that would be maintained for our seniors through regular top ups to the Reserve by North Frontenac. This program would allow us to assist all of North Frontenac seniors' population versus a select few that would have access to a senior housing facility.

To implement this program North Frontenac Council has invited our local community services organization to attend the July 15th Council Meeting to discuss options for providing home maintenance to seniors in North Frontenac, for Council's consideration on them managing this program on our behalf due to their track record and their experience in dealing with such matters.

To that end we are putting a motion forward (seconded by Councillor Martin) that the County transfer the \$337.5K which was previously allocated to a senior housing facility to North Frontenac's Seniors Reserve Fund.

Enclosures

Deputy Mayor Higgins and Councillor Martin
Senior Housing County Funding
July 20, 2022
Page 3 of 3

Date June 30, 2022



Resolution # 269-22

**Resolution of the Council of the
Corporation of the Township of North Frontenac**

Moved By:

Handwritten signature of the person who moved the resolution.

Seconded By:

Handwritten signature of the person who seconded the resolution.

Be It Resolved That Council receives for information the Mayor's Administrative Report entitled, Senior Housing – County Funds;

And That Council instructs the Mayor and Deputy Mayor, as our County representatives, to submit an Administrative Report to County Council to reconsider the May 2018 decision and that we request a reallocation of the \$337,500 to keep seniors at home;

And That Council reallocates the \$100,000 approved in the 2022 Budget from the Contingency Reserve Fund for Seniors Housing to be placed in a new Seniors Reserve Fund;

And That Council invite Land O'Lakes Community Services to a Council Meeting to discuss options for providing home maintenance to seniors in North Frontenac, for Council's consideration.

Carried

Mayor

Handwritten signature of the Mayor.

By-Law No. 2022-0024

Of

The Corporation of the County of Frontenac

Being a by-law to declare lands Legally Described number 11344 of instrument number FR204629 (subject to confirmation by legal), Part of Lot 5, Concession 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac Surplus for the Purposes of Correcting a discrepancy in title

Whereas pursuant to County of Frontenac By-law No. 17-1995 which establishes procedures governing the sale of real property;

And Whereas Section 2(a) requires that prior to the sale of any real property Council shall pass a by-law or resolution at a meeting open to the public to declare the real property to be surplus;

And Whereas the Council for the Corporation of the County of Frontenac considers it desirable and expedient to declare lands legally described as number 11344 of instrument number FR204629 (subject to confirmation by legal), Part of Lot 5, Concession 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac surplus for the purposes of correcting a discrepancy in title;

Now Therefore Be It Resolved That the Council of the Corporation of the County of Frontenac does hereby declares the following:

1. **That** lands legally described as number 11344 of instrument number FR204629 (subject to confirmation by legal), Part of Lot 5, Concession 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac surplus for the purposes of correcting a discrepancy in title;
2. **That** pursuant to By-law No. 17-1995, third reading of this by-law be given at the September 21, 2022 County Council meeting to accommodate public notice requirements;
3. **That** this by-law shall come into force and take effect upon the date of final passing.

Read a first and second time this 20th day of July, 2022.

Read a third time, signed, sealed and finally passed this 21st day of September 2022.

The Corporation of the County of Frontenac

Denis Doyle, Warden

Jannette Amini, Clerk

By-law No. 2022-0024 – to declare lands Legally Described number 11344 of instrument number FR204629, Part of Lot 5, Concession 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac Surplus for the Purposes of Correcting a discrepancy in title
July 20, 2022

Page 2 of 2

By-Law No. 2022-0032

of

The Corporation of the County of Frontenac

being a by-law to Regulate the Use of the Frontenac-Howe Islander Ferry

Whereas section 8 of the *Municipal Act* authorizes municipalities to govern their affairs and to enact by-laws as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

And Whereas Section 69(7) of the *Municipal Act, 2001, S.O. 2001, c.25, as amended* authorizes a municipality to exercise its powers in relation to a ferry transportation system in the municipality and between any point within the municipality and any point outside the municipality, including outside Ontario;

And Whereas section 23.2 of the same Act authorizes the delegation of legislative powers of a minor nature to employees of the municipality;

And Whereas the Corporation of the County of Frontenac operates a ferry to and from Howe Island known as the Frontenac-Howe Islander Ferry pursuant to Section 99(2) of the *Public Transportation and highway Improvement Act, R.S.O. 1990, cP.50, as amended*;

And Whereas section 434.1(1) of the *Municipal Act, 2001, as amended* from time to time, provides that a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under this Act;

Now Therefore Be It Resolved That the Council of the County of Frontenac hereby enacts as follows:

1. Title

This By-law shall be known and may be referred to as the County of Frontenac's Ferry By-law

2. Definitions

For the purposes of this By-law, the following definitions shall apply:

- a) **"Administrative Penalty"** means an administrative penalty administered pursuant to "By-law 2021-0018 of the Corporation of the County of Frontenac being "A By-Law to Establish a Process for Administrative Penalties".

- b) **“Bicycle”** means a multi-wheeled steerable machine that is propelled by the rider muscular power.
- c) **“By-law Enforcement Officer”** means a By-law Enforcement Officer of the Corporation of the County of Frontenac and any other officer authorized by the Corporation of the County of Frontenac for the enforcement of By-laws in the County of Frontenac.
- d) **“County”** means the Corporation of the County of Frontenac.
- e) **“Council”** means the Council of the Corporation of the County of Frontenac.
- f) **“Emergency Vehicles”** includes an ambulance, fire department vehicle, vehicle operated by a police officer in the performance of his or her duties, and any other vehicle being used to respond to an emergency by any authorized person.
- g) **“Fee”** means the fees and fares established by County and Township of Frontenac Islands Councils pursuant to the County of Frontenac annual fees and fares schedule for the Frontenac-Howe Islander Ferry operation.
- h) **“Ferry”** includes the Howe Islander Ferry operated by the County of Frontenac.
- i) **“Heavy vehicle”** means a motor vehicle having a weight when unloaded greater than 6,000 kgs and/or a length of 7 metres (23 feet) or more, but does not include a passenger vehicle, an ambulance, an emergency vehicle, a municipal vehicle or a bus.
- j) **“Motor Vehicle”** includes an automobile, motorcycle, motor assisted bicycle, unless otherwise indicated in this by-law, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a motorized snow vehicle, traction engine, farm tractor, self-propelled implement or husbandry or road-building machine within the meaning of the *Highway Traffic Act*, as amended.
- k) **“Park or Parking”**, means the standing of a vehicle, whether occupied or not.
- l) **“Penalty Notice”** means a notice given pursuant to sections 2.2 and 2.4 of “By-law 2021-0018 of the Corporation of the County of Frontenac being “A By-Law to Establish a Process for Administrative Penalties”
- m) **“Provincial Offences Officer”** means a Police Officer, Peace Officer or other person appointed to enforce the by-laws of the Corporation.
- n) **“Township”** means the Corporation of the Township of Frontenac Islands
- o) **“Trailer”** means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, a mobile home, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily draw, propelled or moved upon such highway, and except for a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn.
- p) **“Vehicle”** includes a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power.

3. Administration

- 3.1 The Transportation Services Department or, in the event of organizational changes, another unit designated by County Council to carry out the responsibilities with respect to operations of the Howe Islander Ferry, is responsible for the administration of this by-law.
- 3.2 The authority to establish temporary regulations in accordance with section 5.6 and 5.7 is delegated to the Director of Transportation Services or his or her designate or, in the event of organizational changes, to another employee designated by County Council.
- 3.3 Amendments to this by-law, including changes to regulations, and amendments to ferry fees and fares rates as set out in the annual Fees and Charges, shall not come into effect until the necessary technical changes have been made and, where required, signage has been installed to provide public notice.
- 3.4 Every vehicle parked on the ferry shall be parked at the risk of its owner, and the County is not responsible for any loss or damage to any vehicle or its contents.
- 3.5 All references contained in this by-law to ferry fees and fares are as set out in the Fees and Fares schedule for the Frontenac-Howe Islander Ferry operation By-Law 2021-0029, as amended, or of a successor to that by-law.

4. Interpretation

- 4.1 Unless modified or changed herein, words or expressions used in this by-law have the same meaning as given or used in the *Highway Traffic Act*, as amended.
- 4.2 This by-law applies to the County operated ferry that transports cars from the mainland to Howe Island.
- 4.3 This by-law does not apply to the Simcoe Island Ferry operated by the Township of Frontenac Islands.
- 4.4 The schedules attached to this by-law shall be read with and form part of this by-law.

Should any part, section, subsection or portion of this by-law be repealed or declared by a court of competent jurisdiction to be illegal the same shall not affect the validity of the by-law as a whole or in part thereof, except for that which was declared to be invalid.

5. General Ferry Use Regulations

Lawful Use by a vehicle

- 5.1 No person shall Board the ferry and park a vehicle in contravention of the provisions of this by-law or of signage that provides public notice of ferry regulations.
- 5.2 No person shall Board the ferry and park a trailer in contravention of the provisions of this by-law or of signage that provides public notice of ferry regulations
- 5.3 No person shall park a vehicle on the ferry unless the person has paid the appropriate ferry fare, as set out in the Fees and Fares By-Law 2021-0029, by:
 - a) Purchasing an annual pass for a single vehicle;
 - b) Purchasing a book of tickets and surrendering a ticket for passage of the vehicle;
 - c) Purchasing a ferry ticket from the ferry operator upon request; or
 - d) making sufficient payment through a County-approved mobile payment application for the ferry, as identified by the vehicle's license plate.
- 5.4 No person shall park a trailer on the ferry unless the person has paid the appropriate ferry fare, as set out in the Fees and Fares By-Law 2021-0029, by:
 - e) Purchasing an annual pass for a single vehicle;
 - f) Purchasing a book of tickets and surrendering a ticket for passage of the vehicle;
 - g) Purchasing a ferry ticket from the ferry operator upon request; or
 - h) making sufficient payment through a County-approved mobile payment application for the ferry, as identified by the trailer license plate.
- 5.5 No person shall park a bicycle on the ferry unless the person has paid the appropriate ferry fare, as set out in the Fees and Fares By-Law 2021-0029, by purchasing a ferry ticket from the ferry operator upon request.

Temporary Ferry Regulations

- 5.6 Temporary ferry regulations may be established by the County to permit essential work to be carried out, or to deal with an emergency or other special circumstances.
- 5.7 Temporary ferry regulations may be established from time to time by Transport Canada issued directives and measures.
- 5.8 Temporary ferry regulations established in accordance with section 5.6 and 5.7 take effect when signage has been installed in appropriate locations which provide public notice and cease to be in effect when the signage is removed.
- 5.9 Temporary parking and other regulations established in accordance with sections 5.6 and 5.7 take precedence over the provisions of this by-law in the event of a conflict and all persons shall comply with the temporary regulations.

Ferry Permits

- 5.10 The County and the Township may, upon application, enter into agreements to make available annual passes to provide for long term requirements to persons who meet the eligibility criteria and pay the applicable ferry rates, as set out in the Fees and Fares By-Law 2021-0029.
- 5.11 The County and the Township may, upon application, enter into agreements to make available temporary passes to provide for short term requirements to persons who meet the eligibility criteria and pay the applicable ferry rates, as set out in the Fees and Fares By-Law 2021-0029.
- 5.12 The County may, upon application, enter into agreements to make available discounted tickets to provide to persons who meet the eligibility criteria and pay the applicable ferry rates, as set out in the Fees and Fares By-Law 2021-0029.

6. Offences and Penalty Provisions

- 6.1 Every person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with Administrative Penalty Process By-Law 2021-0018, be liable to pay to the County an Administrative Penalty in accordance with Schedule B of Administrative Penalty Process By-Law 2021-0018.
- 6.2 Notwithstanding section 6.1 of this By-law, every person, other than a corporation, who contravenes any provision of this By-law is guilty of an

offence and on conviction is liable to a fine of not more than \$10,000 for a first offence and \$25,000 for any subsequent offence, as provided for in subsection 429 (2) (c) of the *Municipal Act, 2001*, as amended from time to time.

6.3 If a Person is required to pay an Administrative Penalty under section 6.1 in respect of a contravention of this By-Law, the Person shall not be charged with an offence in respect of the same contravention.

6.4 In accordance with Section 351 of the *Municipal Act, 2001*, as amended from time to time, the treasurer of the County may add unpaid fees, charges and/or fines issued under this By-Law to the tax roll and collect them in the same manner as property taxes.

7. Validity

7.1 If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this by-law that each and every provision of this by-law authorized by law be applied and enforced in accordance with its terms to the extent possible according to law.

8. Commencement

8.1 That this by-law shall come into force and take effect on the date of final passing.

Read a first and second time this 21st day of September, 2022.

Read a third time and finally passed this 21st day of September, 2022.

The Corporation of the County of Frontenac

Denis Doyle, Warden

Jannette Amini, Clerk

By-Law No. 2022-0033

of

The Corporation of the County of Frontenac

A By-Law to Regulate and Govern the Use of the Frontenac K&P Trail

Whereas the County of Frontenac has acquired the former Kingston Pembroke Railway Line from Orser Road at the City of Kingston to Clarendon Road and has determined that the said rail line shall be utilized as a recreational trail; and,

Whereas the County has designated the said former railway line as a recreational trail, within the meaning of the Occupier's Liability Act R.S.O. 1990, c.0.2 under the name "K&P Trail"; and,

Whereas the County of Frontenac has acquired lands adjacent to the trail, designated at Trail Heads, to allow cars and/or trailers to park to access the trail; and,

Whereas, section 9 of the municipal Act, 2001, S.O. 2001, c. 25 as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

Whereas. Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, provides that sections 9 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to enable municipalities to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues; and,

Whereas, Section 11 (3) of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, provides that a municipality is authorized to pass by-laws with respect to matters within the sphere of jurisdiction of culture, parks, recreation and heritage; and,

Whereas section 434.1(1) of the Municipal Act, 2001, as amended from time to time, provides that a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under this Act; and

Whereas, the Corporation of the County of Frontenac has owned, operated and expanded the Frontenac K&P Trail since 2009; and,

Whereas, the Council of the County of Frontenac deems it expedient and in the interest of public safety to regulate and govern the use of the Frontenac K&P Trail; and,

Whereas, the Council of the County of Frontenac has determined that any breach of the provisions of this By-law should be subject to an administrative monetary penalty;

Now Therefore Be It Resolved That the Council of the County of Frontenac hereby enacts as follows:

1. Short Title

This By-law shall be known and may be referred to as the “Trails By-law”.

2. Definitions

For the purposes of this By-law, the following definitions shall apply:

- a) **“Administrative Penalty”** means an administrative penalty administered pursuant to “By-law 2021-0018 of the Corporation of the County of Frontenac being “A By-Law to Establish a Process for Administrative Penalties”.
- b) **“By-law Enforcement Officer”** means a By-law Enforcement Officer of the Corporation of the County of Frontenac and any other officer authorized by the Corporation of the County of Frontenac for the enforcement of By-laws in the County of Frontenac.
- c) **“Camp”** includes the placement of a tent or trailer at any time on the Property or the lodging or staying overnight on the Property.
- d) **“Debris”** includes anything that is not natural to the Property, including refuse, rubbish, junk or disused material of any kind whatsoever and without limiting the generality of the foregoing, includes a vehicle that appears by reason of its age, appearance, mechanical condition or lack of license plates to be inoperative, inoperative mechanical equipment, automotive and mechanical parts, disused furniture, old clothing, garden refuse, earth or rock fill, old or decayed lumber, material from construction or demolition projects and other vehicles, machinery equipment, materials or structures apparently disused in their existing location..
- e) **“Dirt Bike”** means a two-wheel motorized machine used primarily for traveling on land other than registered roadways.
- f) **“E-Bike”** shall mean a motor assisted bicycle within the meaning of the Highway Traffic Act, R.S.O .1990, c.H.8, as amended.
- g) **“Enforcement Officer”** means a Provincial Offences Officer, an Ontario Provincial Police Officer, or any person exercising a power or performing duty under this By-law.
- h) **“Firearm”** includes any type of gun or other firearm including an air gun, spring gun, pellet gun, tranquilizer gun, cross-bow, long-bow or other type of bow, sling shot, or any similar thing.
- i) **“Frontenac County”** means the Municipal Corporation of the County of Frontenac.
- j) **“Licensee”** means an association or club issued a License by the County of Frontenac to use the Trail and allow their members to use the Trail through the issuance of Permits in accordance with an executed License Agreement between the association or club and the County of Frontenac.
- k) **“Litter”** includes the throwing, dumping, placing, depositing of any debris.

- l) **“Motor Vehicle”** means a vehicle used for transportation relying upon a motor for operation including vehicles described as Off-Road Vehicles, Snowmobiles/ Motorized Snow Vehicles, Motorcycles and Dirt Bikes, but does not include an electric mobility aid
- m) **“Natural Features”** means all geology, vegetation, and wildlife pertaining to, existing in or produced by nature throughout the Frontenac K&P Trail. This includes all plant and wildlife species and wetland areas.
- n) **“Off-Road Vehicle”** shall mean an off-road vehicle within the meaning of the Off Road Vehicles Act, R.S.O .1990, c.O. 4, as amended.
- o) **“Frontenac K&P Trail”** means the trail owned, leased and/or managed by the County of Frontenac that includes the former Kingston & Pembroke Rail corridor from Orser Road at the City of Kingston to Clarendon Road, being approximately 70 kilometres in length and as described in Schedule "A".
- p) **“Pedestrian”** means any person travelling on foot or with related foot gear and not requiring the aid of a motor for propulsion.
- q) **“Penalty Notice”** means a notice given pursuant to sections 2.2 and 2.4 of “By- law 2021-0018 of the Corporation of the County of Frontenac “A By-Law to Establish a Process for Administrative Penalties”;
- r) **“Signage”** means postings throughout the Frontenac K&P Trail erected by or authorized by the County of Frontenac.
- s) **“Trail”** refers to the Frontenac K&P Trail
- t) **“Property”** means the property described as the Frontenac K&P Trail in the County of Frontenac.
- u) **“Self-propelled implements of husbandry (SPIH)”** means vehicles manufactured, reconstructed designed, redesigned, or converted for specific use in farming. For example, combines, swathers, harvesters, and sprayers are SPIHs, and a farm tractor is not an SPIH, as defined by the Ontario Federation of Agriculture.
- v) **“Snowmobile/Motorized Snow Vehicle”** means a motorized snow vehicle, within the meaning of the Motorized Snow Vehicles Act, R.S.O. 1990, c.M. 44, as amended.
- w) **“Trail Head”** means a central location where fifteen or more cars and/or trailers can be parked adjacent to the trail.
- x) **“Vandalism”** means the destruction or damage of property, intentional or not, and includes but is not limited to behavior such as breaking benches, slashing tires.

3. Administration

- 3.1 The Planning and Economic Development Department or, in the event of organizational changes, another unit designated by County Council to carry out the responsibilities with respect to the management and operation of the K&P Trail, is responsible for the administration of this by-law.

- 3.2 The authority to establish temporary regulations in accordance with section 10.1 and 10.2 is delegated to the Director of Planning and Economic Development or his or her designate or, in the event of organizational changes, to another employee designated by County Council.
- 3.3 Amendments to this by-law, including changes to regulations, shall not come into effect until the necessary technical changes have been made and, where required, signage has been installed to provide public notice.
- 3.4 Every vehicle parked in a trail head parking lot shall be parked at the risk of its owner, and the County is not responsible for any loss or damage to any vehicle or its contents.
- 3.5 Every motorized vehicle permitted on the trail pursuant to section 5 shall use the trail at the risk of its owner, and the County is not responsible for any loss or damage to any motorized vehicle or its contents

4. Permitted Uses

The following are considered permitted uses of the Frontenac K&P Trail in addition to vehicles permitted under section 5 of this by-law:

- (a) Walking, running, hiking, dog walking;
- (b) Cross country skiing, snowshoeing;
- (c) Orienteering, geocaching;
- (d) Nature appreciation, bird watching, nature study;
- (e) Dog sledding;
- (f) Cycling, including the use of E-bikes;
- (g) Horseback riding;
- (h) Harvesting of non-wood products such as tree seed/cones, mushrooms for personal use;
- (i) Other activities as approved through the execution of a land use agreement or special permission obtained from the County of Frontenac in the case of events, or short-term access.

5. Permitted Motorized Vehicle Use on the K&P Trail

Subject to the provisions of section 7 of this by-law, only the following vehicles may enter upon or utilize the K&P Trail:

- i. Off Road Vehicles operated and with valid permits under the Off Road Vehicles Act, R.S.O. 1990, c 0.4;
- ii. Motorized Snow Vehicles operated and with valid permits under the Motorized Snow Vehicles Act, R.S.O. 1990, c. M.44;
- iii. Electric Bicycles;
- iv. Police and Emergency Vehicles;
- v. Farm Tractors and Self-Propelled Implements of Husbandry.

6. Motorized Vehicles Prohibited Where Authorized Signs Are On Display

6.1 Where authorized signs prohibiting motorized vehicles on the trail are on display, no person shall permit any vehicle to enter upon or utilize the Trail or parts thereof named or described in Schedule "1" to this by-law.

7. Regulations regarding motorized vehicle use on the K&P Trail

- 7.1 No person shall permit any vehicle to enter upon or utilize the Trail unless the vehicle in question is a permitted vehicle under section 5.
- 7.2 No person shall permit any vehicle to enter upon or utilize the Trail unless that person is in possession of all such valid certificates of ownership, license and insurance as are required by any applicable law or regulation.
- 7.3 No person shall, at any time, operate any vehicle on the Trail at a speed or speeds in excess of 50 kilometres per hour.
- 7.4 No person shall, at any time, operate any vehicle on the Trail at a speed or speeds in excess of 20 kilometres per hour within the limits of any town, village, or hamlet, identified as Community Safety Zones,
- 7.5 No person shall, while operating a vehicle on the trail, interfere with, impede the use of the Trail by, fail to yield to a Pedestrian or any other person using the Trail

8. Prohibited Activities

- 8.1 No person shall, at any time, carry out the following activities on the Frontenac K&P Trail,
 - a) Tamper with or remove any signage
 - b) Disobey Signage posted by the County of Frontenac
 - c) Use the Trail during a closure of the Trail by the County of Frontenac due to extreme weather conditions, maintenance, or other reason at their discretion
 - d) Fail to pick up after pets
 - e) Fail to control a pet, including dogs and horses
 - f) Camp or cause any person to camp
 - g) Hunt or cause any person to hunt
 - h) Discharge or operate a weapon or firearm or cause any person to discharge or operate any weapon or firearm
 - i) Vandalize the Property or cause any person to vandalize the Property
 - j) Start or feed an open air fire
 - k) Remove, destroy, or otherwise disturb any Natural Features without the express written consent of the County of Frontenac
 - l) Operate a dirt bike or motorcycle on the trail
- 8.2 No person shall place any barrier or other material, object or obstruction on the Trail without prior written consent of the County.

- 8.3 No person shall undertake any excavation upon, in or under the Trail without prior written consent of the County.
- 8.4 No person shall deposit any soil, fill, gravel, stone, concrete, asphalt, sod or turf either singly or in combination with other material on the Trail without prior written consent of the County.
- 8.5 No person shall throw, dump, place, deposit or cause or permit to be thrown, dumped, placed or deposited Debris or refuse on the Trail
- 8.6 No person shall operate a business or consignment stand on the Trail or Trail Head without prior written consent of the County

9. Temporary Trail Regulations

- 9.1 Temporary trail regulations may be established by the County to permit essential work to be carried out, or to deal with an emergency or other special circumstances.
- 9.2 Temporary trail regulations may be established from time to time by agencies outside of the County of Frontenac which may affect the use of the trail.
- 9.3 Temporary trail regulations established in accordance with section 10.1 and 10.2 take effect when signage has been installed in appropriate locations which provide public notice and cease to be in effect when the signage is removed
- 9.4 Temporary trail regulations established in accordance with sections 10.1 and 10.2 take precedence over the provisions of this by-law in the event of a conflict and all persons shall comply with the temporary regulations

10. Access to Private Lands

- 10.1 In the event that an existing private driveway or entrance, which has been approved in accordance with any applicable municipal by-laws, or provincial laws and regulations, crosses the Trail, then the driveway or entrance may continue to be used to cross the Trail, by the owner of the private driveway or entrance or persons authorized to do so by the owner.
- 10.2 In the event that an existing private driveway or entrance permitting other vehicles that use the trail to access property (camps, hunting camps, and no other routes exist. There are commercial vehicles who use the trail to harvest wood, etc).

11. Time of Use

- 11.1 Use of the Trail shall be limited to that time period between 6 a.m. and 10 p.m. during each day from April 1, to November 30 and between 7 a.m. and 10 p.m. during each day from **December 1 to March 30 of any given year.**

12. Offences and Penalties

- 12.1 Every person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with Administrative Penalty Process By-Law 2021-0018, be liable to pay to the County of Frontenac an Administrative Penalty in accordance with Schedule B of Administrative Penalty Process By-Law 2021-0018.
- 12.2 Every person who uses the Trail is subject to all Municipal by-laws and all Provincial and Federal laws and regulations. Any person violating any Municipal by-law or other law may be ordered by Frontenac County or an Enforcement Officer to leave the Trail.
- 12.3 No person shall obstruct or hinder or attempt to obstruct or hinder a Provincial Offences Officer or other authorized employee or agent of the County in the exercise of a power or the performance of a duty under this by-law. Without limiting the generality of the foregoing, for purposes of this By-law, any person who fails to provide proof of identification satisfactory to the Provincial Offences Officer when requested to do so by the Provincial Offences Officer is deemed to obstruct an Officer under this By-Law.
- 12.4 No person shall neglect or refuse to produce any information, identification or thing or to provide any information required by any person acting pursuant to this By-law.
- 12.5 In addition to any other authority they may have, an Enforcement Officer is authorized to enforce the provisions of this By-law and to order any persons believed by such Enforcement Officer to be contravening or who has contravened any provision of this By-law:
- a. To desist from the activity constituting or contributing to such a contravention;
 - b. To remove from the Trail anything owned by or in the control of such person which the Enforcement Officer believes is or was involved in such contravention, and;
 - c. To leave the Trail.
- 12.6 The court in which a conviction has been entered pursuant to this By-law and any other court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the

person convicted, and such order shall be in addition to any other penalty imposed by the court on the person convicted.

- 12.7 Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the Provincial Offences Act, R.S.O. 1990, c. P. 33, as may be amended from time to time and to any other applicable penalty.

13. Administrative Penalty

- 13.1 Any person found by an Enforcement Officer to have breached any provision of this By-law including applicable offences in Schedule 'B' may be subject to an Administrative Penalty as follows:
- a. A breach by a Permit Holder or any user of the Trail of any provision of this By-law shall be subject to an Administrative Penalty of \$85.00 or as designated in Schedule "B".
 - b. Upon receipt of a notice of Administrative Monetary Penalty, the Permit Holder or the person or corporation named in the notice shall pay the penalty within seven (7) days to the Municipality.
 - c. An Administrative Monetary Penalty Notice shall include the following information:
 - i. the Administrative Monetary Penalty Notice Date;
 - ii. the date on which the Administrative Monetary Penalty is due and payable;
 - iii. the signature of the issuing Enforcement Officer;
 - iv. particulars of the contravention reasonably sufficient to indicate the nature of the contravention;
 - v. the amount of the Administrative Monetary Penalty; and
 - vi. a statement advising that an unpaid Administrative Monetary Penalty will constitute a debt of the person or corporation to the Municipality.
 - d. An Enforcement Officer may serve the Penalty Notice on a person or corporation by one of the following methods:
 - i. delivering it personally to the person or to the head office of the corporation;
 - ii. sending a copy by registered mail to the last known address of the person or the head office of the corporation; or
 - iii. posting a copy of the notice in a conspicuous place at the site of the contravention and sending a copy by registered mail to the last known address of the person or the head office of the corporation.
 - e. An Administrative Monetary Penalty remaining unpaid after the date when it is due and payable, constitutes a debt to the Municipality owed by the person or corporation named in the notice. The

Municipality may take all steps available in law to collect the unpaid penalty.

- f. An Administrative Monetary Penalty may not be challenged or appealed.

14. Applicability

This By-law does not apply to vehicles or persons:

- 1) of authorized law enforcement, firefighting, emergency medical, or other emergency personnel when carrying out authorized duties, or
- 2) engaged in work on or along the Frontenac K&P Trail on behalf of Frontenac County.

15. Schedules and Severability

- 15.1 The schedules attached to this by-law shall be read with and form part of this by-law
- 15.2 Should any part, section, subsection or portion of this by-law be repealed or declared by a court of competent jurisdiction to be illegal the same shall not affect the validity of the by-law as a whole or in part thereof, except for that which was declared to be invalid

16. Commencement

- 16.1 That this by-law shall come into force and take effect on the date of final passing

Read a first and second time this 21st day of September, 2022.

Read a third time and finally passed this 21st day of September, 2022.

The Corporation of the County of Frontenac

Denis Doyle, Warden

Jannette Amini, Clerk

**Corporation of the County of Frontenac
 By-Law Number 2022-0033: Trails By-law, as amended
 Schedule “1”, Subsection 6
 Motorized Vehicles Prohibited – Signs on Display**

Column 1 Vehicle Type	Column 2 Between	Column 3 To	Amending By-law
Off Road Vehicles operated and with valid permits under the Off Road Vehicles Act, R.S.O. 1990, c 0.4	Orser Road, Township of South Frontenac (K&P Trail KM 21.5)	Bellrock Road, Township of South Frontenac (K&P Trail KM 39)	
Dirt Bikes	Orser Road, Township of South Frontenac (K&P Trail KM 21.5)	Clarendon Road, Township of North Frontenac (K&P Trail KM 89.5)	
Motorcycles	Orser Road, Township of South Frontenac (K&P Trail KM 21.5)	Clarendon Road, Township of North Frontenac (K&P Trail KM 89.5)	

By-Law Number 2022-0034

of

The Corporation of the County of Frontenac

being a by-law to amend Parking By-law No. 2018-0027 to include Administrative Monetary Penalties (AMPs)

Whereas pursuant to the provisions of subsection 11(11) of the *Municipal Act, 2001* provides an upper-tier municipality with a non-exclusive sphere of jurisdiction to control parking in municipal parking lots and structures; and,

Whereas By-law No. 2018-0027, being a bylaw to regulate and control the parking of vehicles in the County of Frontenac on County owned lands, was adopted by the Council of the Corporation of the County of Frontenac on July 18, 2018;

And Whereas the Corporation of County of Frontenac deems it expedient to amend By-law No. 2018-0027 to include the use of Administrative Monetary Penalties (AMPs);

Now Therefore Be It Resolved That the Council for The Corporation of the County of Frontenac hereby enacts as follows:

1. By-Law Number 2018-0027 of the Corporation of the County of Frontenac entitled “A by-law to regulate and control the parking of vehicles in the County of Frontenac on County owned lands”, as amended, is hereby further amended as follows:

1.1 The “Whereas” clauses are hereby amended by adding an additional clause as the third clause as follows:

And Whereas section 102.1 of the Municipal Act, 2001, and Ontario Regulation 333/07 (the “Regulation”) authorize The Corporation of the County of Frontenac to require a person to pay an administrative penalty for a contravention of any bylaw respecting the parking, standing or stopping of vehicles;

1.2 Section 2 of By-law 2018-0027 is amended by inserting the following definitions to section 2 Definitions in alphabetical order:

“Administrative Penalty” means an administrative penalty administered pursuant to “By-law 2021-0018 of the Corporation of the County of Frontenac being “A By-Law to Establish a Process for Administrative Penalties”.

“Penalty Notice” means a notice given pursuant to sections 2.2 and 2.4 of “By-law 2021-0018 of the Corporation of the County of Frontenac being “A By-Law to Establish a Process for Administrative Penalties”

1.3 Section 8 of By-law 2018-0027 is amended by deleting section 8 in its entirety and replacing with the following:

8. Offence And Penalty Provisions:

- 8.1 Every person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with Administrative Penalty Process By-Law 2021-0018, be liable to pay to the County an Administrative Penalty in accordance with Schedule B of Administrative Penalty Process By-Law 2021-0018
- 8.2 Each day a vehicle is parked, stopped or standing in contravention of this by-law is a separate offence.
- 8.3 The driver of a motor vehicle not being the owner, is liable to any penalty provided by this by-law and the owner of the motor vehicle is also liable to such a penalty unless at the time the offence was committed the motor vehicle was in possession of a person other than the owner without the owner's consent.
- 8.4 Penalty Notices issued with respect to contraventions of this By-law shall display the set fine for the offence charged, and such notice may also display a reduced fine.
- 8.5 Any person may pay a reduced fine (voluntary payment) out of court by presenting a Penalty Notice, issued in respect of an offence under this by-law, along with the payment to the County of Frontenac Administrative Office within seven (7) days of the date of the Penalty Notice. Upon such payment, no further proceeding shall be taken against that person in respect of the offence alleged in the Penalty Notice.
- 8.6 In accordance with Section 351 of the Municipal Act, 2001, as amended from time to time, the treasurer of the County may add unpaid fees, charges and/or fines issued under this By-Law to the tax roll and collect them in the same manner as property taxes.
- 8.7 In accordance with Section 102 of the Municipal Act, 2001 and Ontario Regulation 333/07, if an administrative penalty is not paid within 15 days after the date that it becomes due and payable to the County, the County may notify the Registrar of Motor Vehicles of the default for Plate Denial of the person named in the default notice until the penalty is paid.
- 8.8 In accordance with Section 102 of the Municipal Act, 2001 and Ontario Regulation 333/07 if an administrative penalty is not paid within 15 days after the date that it becomes due and payable to the County, additional Administrative Fees may be charged as follows:
 - i. late payment fees, and

- ii. fees in respect of amounts paid by the municipality to obtain documents or information about the vehicle or the owner of the vehicle

2. This amending by-law shall come into force and take effect on the date of final passing

Read a First and Second Time this 21st day of September, 2022.

Read a Third Time, Signed, Sealed and Finally Passed this 21st day of September, 2022.

The Corporation of the County of Frontenac

Denis Doyle, Warden

Jannette Amini, Clerk

By-Law Number 2022-0035

of

The Corporation of the County of Frontenac

being a by-law to Amend By-law No. 2021-0018, "A By-law to Establish a Process for Administrative Penalties" as it relates to designating By-laws

Whereas Council has authorized the expanded use of Administrative Penalties for the enforcement of the By-laws; and,

Whereas a formal designation from Council is required to Designate By-laws for which Administrative Penalties can be issued;

Therefore Be It Resolved That the Council of the Corporation of the County of Frontenac hereby enacts as follows:

That By-Law Number 2021-0018 of the Corporation of the County of Frontenac entitled "A By-law to Establish a Process for Administrative Penalties" is hereby amended as follows:

1. Schedule A is appended to and forms part of By-Law 2021-0018, and reads as follows:

Schedule A – Designated By-Laws

1. County of Frontenac By-Law Number 2022-0032, being "By-law to Regulate Use of the Frontenac-Howe Islander Ferry"
2. County of Frontenac By-law 2022-0033, being "By-Law to Regulate and Govern the Use of the Frontenac K&P Trail"
3. County of Frontenac By-law 2018-0027, being "By-law to Regulate and Control the Parking of Vehicles in the County of Frontenac on County Owned Lands"

2. Schedule B is appended to and forms part of By-Law 2021-0018, and reads as follows:

Schedule B – Administrative Monetary Penalties

By-law Number 2022-0032, A By-law to Regulate the Use of the Frontenac-Howe Islander Ferry

By-law Section	Short wording	Penalty Amount
5.3	Parked a car and failed to pay the appropriate ferry fare	\$80.00
5.4	Parked a trailer and failed to pay the appropriate ferry fare	\$80.00
5.5	Parked a bicycle and failed to pay the appropriate ferry fare	\$25
6.2	Obstruct an officer or authorized employee	\$500.00
	Administrative Penalty Fee Failing to pay the AMP by the date on which it is due.	\$25.00
	Screening Officer Appeal Fee	\$50.00
	Hearing Officer Appeal Fee	\$200.00
	Administrative Penalty Fee Failing to appear for a hearing before the Hearings Officer.	\$100.00

By-law Number 2022-0033, A By-Law to Regulate and Govern the Use of the Frontenac K&P Trail

By-law Section	Short wording	Penalty Amount
6.1	Permitted a motorized vehicle on the trail –Motorized Vehicles prohibited - Signed	\$100.00
7.3	Speeding in excess of 50 KM - Signed	\$100.00
7.4	Speeding in excess of 20 KM - Signed	\$200.00

7.5	Failed to yield to a pedestrian	\$100.00
8.1 a)	Tampered or removed signage	\$200.00
8.1 d)	Failed to pick up after pet	\$50.00
8.1 e)	Fail to control a pet, including dogs and horses	\$100.00
8.1 f)	Camping on the trail	\$100.00
8.1 g)	Hunting on the trail	\$100.00
8.1 j)	Started or fed an open fire	\$200.00
8.1 k)	Disturbed Natural Features without consent	\$200.00
8.1 l)	Operated a dirt bike or motorcycle on the trail	\$250.00
8.2	Created a barrier or obstruction the trail without consent	\$500.00
8.3	Undertook excavation upon the Trail without consent	\$500.00
8.4	Deposited soil, fill, gravel, stone, concrete, asphalt, sod or turf on the Trail without consent	\$500.00
8.5	Dumped or deposited debris or refuse on the Trail	\$500.00
8.6	Operated a business or consignment stand on the Trail/Trail Head without consent	\$100.00
	Administrative Penalty Fee Failing to pay the AMP by the date on which it is due.	\$25.00
	Screening Officer Appeal Fee	\$50.00
	Hearing Officer Appeal Fee	\$200.00
	Administrative Penalty Fee Failing to appear for a hearing	\$100.00

before the Hearings Officer.

By-law Number 2018-0027, A By-Law to Regulate and Control the Parking of Vehicles in the County of Frontenac on County Owned Lands

By-law Section	Short wording	Penalty Amount
6	Parked heavy vehicles where prohibited	\$150.00
5.v	Parked in a disabled persons parking space without an accessible parking permit	\$350.00
	Administrative Penalty Fee Failing to pay the AMP by the date on which it is due.	\$25.00
	Administrative Penalty Fee Failing to appear for a hearing before the Hearings Officer.	\$100.00
	Administrative Penalty Fee Failing to pay the AMP and Certificate of Default filed	\$150.00

That this By-law shall come into force and take effect upon the date of final passing.

Read a First and Second Time this 21st day of September, 2022.

Read a Third Time, Signed, Sealed and Finally Passed this 21st day of September, 2022.

The Corporation of the County of Frontenac

Denis Doyle, Warden

Jannette Amini Clerk

By-Law No. 2022-0036

Of

The Corporation of the County of Frontenac

Being a by-law to declare lands Legally Described as PT LT 16-17 CON 1 and PT LT 16 CON 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac, for the purpose of providing a right of way over the K&P Trail

Whereas pursuant to County of Frontenac By-law No. 17-1995 which establishes procedures governing the sale of real property;

And Whereas Section 2(a) requires that prior to the sale of any real property Council shall pass a by-law or resolution at a meeting open to the public to declare the real property to be surplus;

And Whereas the Council for the Corporation of the County of Frontenac considers it desirable and expedient to declare lands legally described as PT LT 16-17 CON 1 and PT LT 16 CON 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac, for the purpose of providing a right of way over the K&P Trail;

Now Therefore Be It Resolved That the Council of the Corporation of the County of Frontenac does hereby declares the following:

1. **That** lands legally described as number PT LT 16-17 CON 1 and PT LT 16 CON 2, Geographic Township of Hinchinbrooke, Township of Central Frontenac, be declared surplus for the purpose of providing a right of way over the K&P Trail;
2. **That** pursuant to By-law No. 17-1995, third reading of this by-law be given at the October 19, 2022 County Council meeting to accommodate public notice requirements;
3. **That** this by-law shall come into force and take effect upon the date of final passing.

Read a first and second time this 21st day of September, 2022.

Read a third time, signed, sealed and finally passed this 19th day of October 2022.

The Corporation of the County of Frontenac

Denis Doyle, Warden

Jannette Amini, Clerk

By-Law No. 2022-0037

of

The Corporation of the County OF Frontenac

being a by-law to confirm all actions and proceedings of County Council on
September 21, 2022

Whereas Section 8 of the *Municipal Act, S.O. 2001, c.25* and amendments thereto provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the *Municipal Act* or any other *Act*; and;

Whereas Subsection 2 of Section 11 of the *Municipal Act, S.O. 2001, c.25* and amendments thereto provides that a lower-tier municipality and an upper-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction described in the Table to Subsection 2 subject to certain provisions, and;

Whereas Section 5 of the *Municipal Act, S.O. 2001, c. 25* and amendments thereto provides that a municipal power, including a municipality's capacity, rights, powers and privileges under Section 8 shall be exercised by its council and by by-law unless the municipality is specifically authorized to do otherwise; and;

Whereas the Council of the County of Frontenac deems it expedient to confirm its actions and proceedings;

Now Therefore Be It Resolved That the Council of the Corporation of the County of Frontenac hereby enacts as follows:

1. **That** all actions and proceedings of the Council of the County of Frontenac taken at its regular meeting held on September 21, 2022 be confirmed as actions for which the municipality has the capacity, rights, powers and privileges of a natural person.
2. **That** all actions and proceedings of the Council of the County of Frontenac taken at its regular meeting held on September 21, 2022, be confirmed as being matters within the spheres of jurisdiction described in Subsection 2 of Section 11 of the *Municipal Act, S.O. 2001, c.25* and amendments thereto.
3. **That** all actions and proceedings of the Council of the Corporation of the County of Frontenac taken at its regular meeting held on September 21, 2022 except those taken by by-law and those required by by-law to be done by resolution are hereby sanctioned, ratified and confirmed as though set out within and forming part of this by-law.

4. **That** this by-law shall come into force and take effect as of the final passing thereof.

Read a First and Second Time this 21st day of September, 2022

Read a Third Time and Finally Passed, Signed and Sealed this 21st day of September, 2022.

The Corporation of the County of Frontenac

Denis Doyle, Warden

Jannette Amini, Clerk