

**TOWNSHIP OF SOUTH FRONTENAC
COUNCIL MEETING
AGENDA**



TIME: 7:00 PM,
DATE: Tuesday, June 4, 2019
PLACE: Council Chambers.

1. Call to Order
 - a) Resolution
2. Declaration of pecuniary interest and the general nature thereof
3. Approval of Agenda
4. Scheduled Closed Session - n/a
5. ***Recess*** - 7:00 p.m.
6. Delegations
 - a) Tracy Zander, ZanderPlan Inc and Gavin Marshall, Magenta Waterfront Development Corp, re: Draft Plan Extension for Cranberry Cove and Johnston Point Developments
 - b) Gary Beach, re: Draft Plan Extensions
7. Public Meeting - n/a
8. Approval of Minutes
 - a) May 21, 2019 Council Meeting 4 - 10
9. Business Arising from the Minutes
 - a) Private Shooting Range - Cowboy Mounted Shooting 11 - 12
 - b) Z-19-07-B - Rezone from RU to RW, Con 7, Part Lot 23 & 24 - Fanning - See By-law 2019-30 13 - 14
10. Reports Requiring Action
 - a) South Frontenac Official Plan Review 15 - 19
 - b) Application for Extension of Draft Plan Approval for the Johnston Point Plan of Condominium 20 - 36
 - c) Application for Extension of Draft Plan Approval for the Cranberry Cove Plan of Condominium 37 - 46
 - d) Application for Extension of Draft Plan Approval for the Ouellette Plan of Subdivision 47 - 59

e)	Premier's Letter to Heads of Council - See Agenda Item 14 (d).	60 - 61
11.	<u>Committee Meeting Minutes</u>	
a)	Bellrock Hall Committee meeting held April 17, 2019	62
b)	Development Services Committee meeting held April 29, 2019	63 - 65
12.	<u>By-laws</u>	
a)	By-law 2019-30 - Rezone Concession 7, Part Lot 23 & 24, Bedford (Third reading)	66 - 67
13.	<u>Reports for Information</u>	
a)	Accounts Payable and Payroll Listing	68 - 75
b)	Tender #PW-2019-06 - 19,500 LB GVWR Truck	76
c)	Tender #PW-2019-20 Structural Tunnel - Plate Liner Replacement of Burnt Hills Road Culvert	77
d)	County of Frontenac - Notice of Decision with Respect to a Draft Plan of Vacant Land Condominium under Section 51 (37) of the Planning Act - Shield Shores	78 - 86
e)	Annual meeting with Lake Association Representatives	87
14.	<u>Information Items</u>	
a)	Joanne Glaser, Cornerstones Management Solutions, re: CAO Recruitment	88
b)	Harold and Lynn Snider, re: Obstruction of Noise By-law 2001-66	89 - 90
c)	Petrolia Town Council Resolution, re: Re-establishment of combined OGRA & ROMA Conference	91
d)	Honourable Doug Ford, Premier of Ontario, re: Getting Ontario back on track and addressing provincial deficit	92 - 93
e)	Town of Grimsby, re: Opposition to Bill 108	94 - 95
f)	Donna Campbell, Assistant to the Chair and General Manager, CRCA, re: Comments on Government of Ontario proposals (May 2019)	96 - 105
g)	Watson & Associates Economists Ltd, re: Submission to the Province with respect to Bill 108	106 - 114

- h) Township of Central Frontenac - Resolution for Regional Roads 115

- 15. Notice of Motions
- 16. Announcements/Statements by Councillors
- 17. Question of Clarity (from the public on outcome of agenda items)
- 18. Closed Session (if requested)
- 19. Confirmatory By-law
- a) By-law 2019-38 116

- 20. Adjournment

Minutes of Council
May, 21, 2019

Time: 7:00 PM

Location: Council Chambers



Meeting #

Present: Mayor Ron Vandewal, Pat Barr, Doug Morey, Ray Leonard, Alan Revill, Norm Roberts, Randy Ruttan, Ron Sleeth, Ross Sutherland

Staff: Wayne Orr, Chief Administrative Officer, Trudy Gravel, Planner, Claire Dodds, Director of Development Services, Mark Segsworth, Director of Public Services, Louise Fragnito, Director of Corporate Services/Treasurer, Emily Caird, Executive Assistant

1. Call to Order

a) Resolution

Resolution No. 2019-14-1
Moved by Councillor Leonard
Seconded by Councillor Roberts

That the Council meeting of May 21, 2019 be called to order at 7:00 p.m.

Carried

2. Declaration of pecuniary interest and the general nature thereof

a) Councillor Barr declared a pecuniary interest with respect to Agenda Item 13.a) the Accounts Payable and Payroll Listing.

3. Approval of Agenda

a) Resolution

Resolution No. 2019-14-2
Moved by Councillor Roberts
Seconded by Councillor Leonard

That the Agenda be adopted as presented.

Carried

4. Scheduled Closed Session - n/a

5. ***Recess*** - n/a

6. Public Meeting

a) Resolution

Resolution No. 2019-14-3
Moved by Councillor Leonard
Seconded by Councillor Roberts

That a Public meeting be held to discuss planning matters related to application Z-19-07-B -Rezoning of Concession 7, Part Lot 23 & 24 - 184 Burr ridge Rd.

Carried

b) Z-19-07-B - Rezoning of Concession 7, Part Lot 23 & 24 - 184 Burr ridge Rd

Trudy Gravel gave Council and the public an overview of the application.

Mayor Vandewal then called for questions from Council, to which there were none. He then called for input or questions of clarification from the public three times, to which there was also none.

Resolution No. 2019-14-4
Moved by Councillor Roberts
Seconded by Councillor Leonard

That having had the opportunity for public input, the public meeting be closed.

Carried

7. Delegations

a) Howard A. Allan, Allan and Partners, re: 2018 Draft Financial Statements

Howard Allan gave an overview of the draft financials that were presented to Council. His overall comment was that the Township was in good shape and he commended staff for their great financial management.

Resolution No. 2019-14-5
Moved by Councillor Leonard
Seconded by Councillor Roberts

That Council accept the audited financial statements as presented.

Carried

b) Norm Massie, re: Valleyview Subdivision

Mr. Massie presented his deputation to Council with the support of Mr. Fox.

Mayor Vandewal confirmed that Claire Dodds will be bringing a report to Council in the near future with the intention of addressing the presented issues.

Councillor Sutherland inquired if there was a mechanism that would notify residents of when the subdivision received final approval . Claire Dodds noted that this could be a discussion topic for the Development Services Committee to address with the input of staff.

Deputy Mayor Sleeth inquired if the subdivision agreement had been provided to the residents by their lawyer at the time of purchase. Mr. Massie indicated that he had spoken with most of the residents and all but one were not made aware of the agreement when they purchased.

8. Approval of Minutes

a) May 7, 2019 Council meeting

Resolution No. 2019-14-6
Moved by Councillor Leonard
Seconded by Councillor Roberts

That Council approves the minutes of the May 7, 2019 Council meeting.

Carried

b) May 11, 2019 Special Committee of the Whole

c) May 14, 2019 Committee of the Whole

Councillor Sutherland requested that an amendment be made to the section about the shooting range to include the stipulation that no live ammunition be used as part of the sport within the shooting range perimeters

Resolution No. 2019-14-7
Moved by Councillor Roberts
Seconded by Councillor Leonard

That Council approves the minutes of the Special Committee of the Whole meeting held May 11, 2019 and the May 14, 2019 Committee of the Whole meeting, as amended.

Carried

9. Business Arising from the Minutes

a) Notice of Motion - Bill 108

Resolution No. 2019-14-8
Moved by Councillor Sutherland
Seconded by Councillor Barr

That Council adopt the recommendation as outlined in the report dated May 21, 2019 regarding the impact of Bill 108.

Carried

10. Reports Requiring Action

a) Subdivision Compliance

Resolution No. 2019-14-9
Moved by Councillor Barr
Seconded by Councillor Sutherland

That Council adopt the recommendation from the Development Services Committee that Development Services staff work through Public Services to contract a professional engineering firm in accordance with the Township procurement policy, that can assist with providing short term and on-going engineering services to support Township staff with subdivision and condominium compliance.

Carried

b) Lot Grading & Drainage for New Lots Created by Severance

Resolution No. 2019-14-10
Moved by Councillor Sutherland
Seconded by Councillor Barr

That Council adopt the recommendation of the Development Services Committee and recommend that the Committee of Adjustment impose conditions requiring the preparation of lot grading and drainage plans, and related agreements, for the creation of new lots and to direct staff to contract services of an engineering firm to peer review the grading plans for the purpose of clearing conditions.

Carried

c) Request for Road Closure & Transfer - Concession 8, Pt Lot 23, Bedford - 642 Burrige Rd

Mayor Vandewal called on Trudy Gravel to provide a synopsis of her report.

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Trudy Gravel gave Council an overview and explained that Staff were looking to Council for direction on the size of the road allowance to be sold.

Councillor Revill asked for clarification on the concept of orderly development as present by Trudy Gravel. Trudy Gravel explained that the main point of concern is how the remainder of the road allowance would be used and maintained should the Township sell less than the 1000 ft.

Council came to a consensus that in order to avoid issues in the future, it would be in the Townships best interest to sell the full 1000 ft road allowance.

The CAO confirmed that the Development Services Department should proceed with the notification process.

- d) Site Plan Agreement - Concession 7, Part Lots 27 & 28 - 688 Dewitt Lane - See By-law 2019-35
- e) Road and Property Exchange - Norman Road at Perth Road (Spicer/ Postma) - See By-laws 2019-31, 2019-32 and 2019-36.

Councillor Sutherland inquired if the Township would be responsible for the assumed portion of the road. Claire Dodds noted that Norman Ln is a privately owned lane that is in alignment with Norman Rd. She explained that the municipality's solicitor recommend that the Township dedicate it as Township owned property, but do not assume it for maintenance.

- f) 911 Contract Renewal - See By-law 2019-29
- g) Appointment of Acting Deputy Treasurer - See By-law 2019-34
- 11. Committee Meeting Minutes - n/a
- 12. By-laws
- a) By-law 2019-29 - 911 Contract Renewal

Resolution No. 2019-14-11
Moved by Councillor Barr
Seconded by Councillor Sutherland

That the following by-laws be given first and second reading:

- By-law 2019-29
- By-law 2019-30
- By-law 2019-31
- By-law 2019-32
- By-law 2019-33
- By-law 2019-34
- By-law 2019-35

Carried

Resolution No. 2019-14-12
Moved by Councillor Barr
Seconded by Councillor Sutherland

That By-law 2019-29, being a by-law to authorize the Mayor and Chief Administrative Officer to execute an agreement with the Queen, as presented by the Ministry of Community Safety and Correction Services on behalf of the Ontario Provincial Police for the Provision of 9-1-1 Services, be given third reading, signed and sealed.

Carried

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- b) By-law 2019-30 - Rezone Concession 7, Part Lot 23 & 24 Bedford District

It is anticipated that third reading will be given at the June 4th, 2019 Council meeting.

- c) By-law 2019-31 - Purchase property in Concession 14, Pt Lot 25, Loughborough

Resolution No. 2019-14-13
Moved by Councillor Revill
Seconded by Councillor Ruttan

That By-law 2019-31, being a by-law to purchase property being Part 2, 13R21964, Part of Lot 25, Concession 14 in the District of Loughborough, be given third reading, signed and sealed.

Carried

- d) By-law 2019-32 - Assume as common and public highway - Concession 14, Part of Lot 25

Resolution No. 2019-14-14
Moved by Councillor Ruttan
Seconded by Councillor Revill

That By-law 2019-32, being a by-law to dedicate as common and public highway certain lands in the Township of south Frontenac pursuant to Section 31(6) of the Municipal Act, 2001, be given third reading, signed and sealed.

Carried

- e) By-law 2019-33 - Appointment of Chief Administrative Officer

Mayor Vandewal took the opportunity to introduce and welcome the future CAO of the Township. He announced that Mr. Neil Carbone would commence his role on July 15, 2019 - two weeks in advance of the retirement of the current CAO, Wayne Orr.

Resolution No. 2019-14-15
Moved by Councillor Ruttan
Seconded by Councillor Revill

That By-law 2019-33, being a by-law to appoint a Chief Administrative Officer-Deputy Clerk, be given third reading, signed and sealed.

Carried

- f) By-law 2019-34 - Appoint a Deputy Treasurer

Resolution No. 2019-14-16
Moved by Deputy Mayor Sleeth
Seconded by Councillor Morey

That By-law 2019-34, being a by-law to appoint a Deputy Treasurer, be given third reading signed and sealed.

Carried

- g) By-law 2019-35 - Site Plan Agreement with Trevor Tucker

Resolution No. 2019-14-17

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Moved by Deputy Mayor Sleeth
Seconded by Councillor Morey

That By-law 2019-35, being a by-law to authorize the Mayor and the Clerk to execute a site plan agreement between the Corporation of the Township of south Frontenac and Trevor Tucker, be given third reading, signed and sealed.

Carried

- h) By-law 2019-36 - To Stop up, close, and sell a portion of Norman Road, Plan No. 1451, Pt 1 of RP 13R21964, Spicer.

Resolution No. 2019-14-18
Moved by Deputy Mayor Sleeth
Seconded by Councillor Morey

That By-law 2019-36, being a By-law to stop up, close, and sell a portion of Norman Road, Registered Plan No. 1451, being Part 1 of Reference Plan 13R21964, geographic Township of Loughborough, Spicer, be given third reading, signed and sealed this 21 day of May, 2019.

Carried

13. Reports for Information

- a) Accounts Payable and Payroll Listing
- b) PW-2019-22 - Supply and Install Accessible Entrance at Bradshaw School House
- c) Application for Extension of Draft Plan Approval for Johnston Point and Cranberry Cove Plans of Condominium

Councillor Sutherland inquired if the Plan of Condominium Agreement had been signed by the owners of Johnston Point yet. Claire Dodds confirmed that it had not been signed as of yet with the recent change of ownership.

Councillor Sutherland noted that he felt the Township should strongly oppose an extension on the Johnston Point Agreement until they sign the municipality's agreement. He also expressed a desire to see the clear cutting of brush within the 30 m setbacks stop prior to an extension being permitted. Claire Dodds explained that the County has the approval authority for the extension agreement, but the Township would like to provide input as well.

Councillor Revill noted that he would also not be in favour without being able to see the site first. Claire Dodds noted that the County and Township Staff will be doing a site visit at both locations on May 29, 2019.

14. Information Items

- a) Meela Melnik-Proud, re: Impact of Bill 108 - More Homes, More Choices Act

15. Notice of Motions - n/a

16. Announcements/Statements by Councillors

- a) Mayor Vandewal made an announcement about the Long Service Luncheon that is to take place on Thursday May 23 at Public Works facility on Keeley Rd.

17. Question of Clarity (from the public on outcome of agenda items) - n/a

18. Closed Session (if requested) - n/a

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19. Confirmatory By-law

a) By-law 2019-37

Resolution No. 2019-14-19
Moved by Councillor Morey
Seconded by Deputy Mayor Sleeth

That By-law 2019-37 being a by-law to confirm generally previous actions of the Council of the Township of South Frontenac, be given third reading, signed and sealed this 21 day of May, 2019.

Carried

Resolution No. 2019-14-20
Moved by Councillor Morey
Seconded by Deputy Mayor Sleeth

That By-law 2019-37, being a by-law to confirm generally previous actions of the Council of the Township of South Frontenac, be given third reading, signed and sealed this 21 day of May, 2019.

Carried

20. Adjournment

a) Resolution

Resolution No. 2019-14-21
Moved by Councillor Revill
Seconded by Councillor Ruttan

That the Council meeting of May 21, 2019 be adjourned at 8:07 p.m.

Carried

Ron Vandewal, Mayor

Angela Maddocks, Clerk



REPORT TO COUNCIL CLERK'S DEPARTMENT



AGENDA DATE: June 4, 2019

SUBJECT: Private Shooting Range

RECOMMENDATION:

That Council direct staff to issue a letter of “no objection” to the private shooting range proposed by Phillip Smith and Jamie Lloyd for the purpose of Cowboy Mounted Shooting, subject to both Phillip Smith and Jamie Lloyd entering into an agreement with the Township as outlined in the report of May 29, 2019.

And that the CAO be authorized to enter into such agreement on behalf of the Township with Phillip Smith and Jamie Lloyd.

BACKGROUND:

Phillip Smith and Jamie Lloyd appeared as a delegation before Council on May 14 and explained their request for a letter of “no objection” from the Township in support of their application to the Chief Firearms Officer for approval for a private gun range to allow Cowboy Mounted Shooting.

At the time Council expressed the following conditions for such an operation:

- That shooting would only take place one day per weekend;
- That the range be operated between the hours of 10:00 am and 8:00 pm with a maximum of four hours of firearms discharge per weekend;
- That no guests be allowed to discharge firearms on the approved range;
- That no live ammunition be discharged on the approved range;
- That the surface of the range shall be constructed of a non-combustible material;
- That the owners of the private shooting range notify the Clerk in writing when the range is approved and becomes operational and
- That this support is granted on a trial basis of 6 months of operation once the range is approved and constructed and will be subject to renewal upon evaluation.

The land is zoned Rural (RU) in the Comprehensive Zoning By-law permitting a number of uses including agriculture and a single detached dwelling. Although not included in the list of permitted uses, a shooting range is federally permitted and regulated under the Firearms Act under the Ministry of Community Safety and Correctional Services.

Specifically, the proposal is for a private shooting range (i.e. not commercial) and, thus, there is nothing in the Township’s by-laws or the provincial Planning Act that would prevent the use.

It is within Council’s jurisdiction to offer an opinion, by way of a resolution, as to whether Council has an objection to a private shooting range being used within the municipality. How the Chief Firearms Officer applies the opinion of Council in its approval process is the jurisdiction of the Chief Firearms Officer.

The current Noise Bylaw does not apply to the discharge of firearms. The only bylaw that may be applicable is the comprehensive zoning bylaw; if the operations were determined to be of a commercial nature.



REPORT TO COUNCIL CLERK'S DEPARTMENT



From the Firearms Act and Regulations:

- No person shall operate a shooting club or shooting range except under approval of the provincial minister for the province in which the premises of the shooting club or shooting range are located
- shooting club means a non-profit organization whose activities include target practice or target shooting competitions using restricted firearms or prohibited handguns at an identified approved shooting range
- shooting range means a place that is designed or intended for the safe discharge, on a regular and structured basis, of firearms for the purpose of target practice or target shooting competitions
- No person may use a restricted firearm or prohibited handgun at a shooting range unless the person is
 - a) A member or an officer of an approved shooting club;
 - b) A guest of a person referred to in paragraph (a); or
 - c) An individual who ordinarily resides outside of Canada who is either a member of a recognized shooting organization or a guest described in paragraph (b)

In past conversation with a representative from the office of the Chief Firearms Officer, staff have been informed that:

- Further to the Firearms Act and its Regulations, Ontario has a policy that allows for a "Private Shooting Range", where ONLY the owner, spouse and children living there are permitted to discharge restricted firearms, provided they are a member of an approved shooting club.
- Every five years the applicant has to resubmit the evidence needed to apply for approval.
- The Township could establish limits to the operations of a shooting range or club and the office of the Chief Firearms Officer would respect those restrictions.

FINANCIAL/STAFFING IMPLICATIONS:

None anticipated.

ATTACHMENTS:

None

Submitted/approved by:

Wayne Orr

Prepared by:

Wayne Orr



Report to Council

Development Services - Planning



Public Meeting Report – Zoning Bylaw Amendment

Report Date:	May 29, 2019
Application No:	Z-19-07-B
Owner:	Fanning (Capes)
Location of Property:	Part Lot 23 & 24, Concession 7, District of Bedford, Township of South Frontenac, municipally known as Burr ridge Lake Road and 184 Burr ridge Road
Purpose of Application:	Rezone land from Rural (RU) Zone, to the Waterfront Residential (RW) Zone as a condition of consent application S-90-18-B for a lot addition and to rezone the entire benefitting lands from Limited Services Residential (RLS) Zone and Limited Services Residential – Waterfront (RLSW) Zone to Waterfront Residential (RW) Zone
Date of Public Meeting:	May 21, 2019

Recommendation

It is recommended that the by-law rezoning Part Lot 23 & 24, Concession 7, District of Bedford, Township of South Frontenac, municipally known as Burr ridge Lake Road and 184 Burr ridge Road **be passed**.

Proposal

An application has been submitted to amend the Township of South Frontenac Comprehensive Zoning Bylaw 2003-75 to rezone the subject property owned by John and Christine Fanning for the severed lands to be merged with the lands owned by Victoria and Adrian Capes from Rural (RU) Zone to Waterfront Residential (RW) Zone as a condition of a consent application S-90-18-B. The rezoning is required in order to fulfill condition 8 of the consent application for the benefitting lands to one consistent zone to recognize the enlarged property as one consistent zone. The consent application was processed by the Township in November 2018. The benefitting lands will also be rezoned from Limited Service Residential (RLS) Zone and Limited Services Residential – Waterfront (RLWS) Zone to the Waterfront Residential (RW) Zone so the complete parcel will be one zone.

Background

The subject property has received provisional consent approval for application S-90-18-B for a lot addition from an existing property at Part Lot 23 & 24, Concession 7, District of Bedford, municipally known as 184 Burr ridge Lake Road. The severed lands will consist of approximately 3.0 acres of land with no frontage to a developed lot municipally known as 264 Burr ridge Lake Road. The retained lands will consist of approximately 195 acres with over 200 metres of frontage along Burr ridge Lake Road and will remain in the Rural (RU) Zone. No further development is proposed for the benefitting lands. No development is proposed for the retained lands, although there is sufficient area for development on the lot in the future.

The proposed zoning by-law amendment will bring the benefitting lands into compliance with the current provisions for waterfront residential lots.

Public Meeting

A public meeting was held under the *Planning Act* on May 21, 2019. No comments were provided from Council or members of the public.



Report to Council Development Services - Planning



Summary

A comprehensive report reviewing this zoning by-law amendment against the policies of the Provincial Policy Statement, 2014, the County of Frontenac Official Plan and the South Frontenac Official Plan was provided to Council in advance of the May 21, 2019 public meeting.

As this rezoning is consistent and conforms to the Provincial Policy Statement, 2014, the County of Frontenac Official Plan and the South Frontenac Official Plan and Zoning By-law, it is recommended Council approve this application by **passing** the attached by-law.

Submitted by:

Trudy Gravel, CPT, AMCT, Planner, Township of South Frontenac

Approved by:

Claire Dodds, MCIP, RPP, Director of Development Services, Township of South Frontenac

Attachments:

1. Zoning By-law 2019-30



REPORT TO COUNCIL

DEVELOPMENT SERVICES DEPARTMENT



AGENDA DATE: June 4, 2019
REPORT DATE: May 30, 2019
SUBJECT: South Frontenac Official Plan Review

RECOMMENDATIONS:

Recommendation #1

That Council adopt the recommendation from the Development Services Committee and that By-law 2015-48 (Official Plan Amendment # 23) be repealed and that staff commence with the process to prepare a new Official Plan.

Recommendation #2

That Council adopt the recommendation from the Development Services Committee and schedule the required Section 26 meeting under the Planning Act for August 6, 2019.

BACKGROUND:

At the May 27, 2019 Development Services Committee meeting a request to provide input to staff on the proposed activities related to the Official Plan review and the Growth Management Study was reviewed and the committee made recommendations for Council to consider.

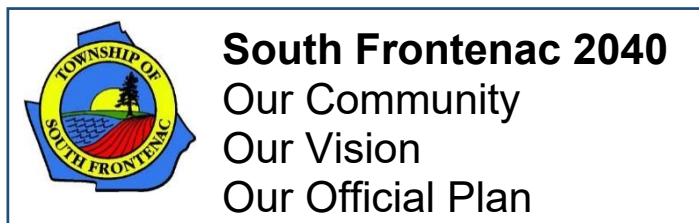
See the attached report for further information on the topics discussed that include:

Growth Management Study – Director to obtain a quote from Watson & Associates for the study.

Section 26 Meeting – Special Meeting to consider Revisions to the Official Plan – recommended for August 6, 2019

Open Houses – Staff were directed to schedule meetings at three neutral spaces with an introductory portion and breakout sessions to allow for input on lakes and natural environment, rural lands and economy, settlement areas and community. One of the meetings is to be scheduled for a Saturday.

Branding the Official Plan Review – see below – approved by the committee



FINANCIAL/STAFFING IMPLICATIONS:

None. The Official Plan Update & Growth Management Study are already budgeted items in the approved 2019 budget.



REPORT TO COUNCIL

DEVELOPMENT SERVICES DEPARTMENT



ATTACHMENTS:

Report to Development Services Committee for May 27, 2019 meeting.

Submitted/approved by:
Claire Dodds, Director of Development Services

Prepared by:
Angela Maddocks, Clerk



REPORT TO DEVELOPMENT SERVICES COMMITTEE



DEVELOPMENT SERVICES DEPARTMENT

AGENDA DATE: May 27, 2019
REPORT DATE: May 23, 2019
SUBJECT: South Frontenac Official Plan Review

RECOMMENDATION:

THAT the Development Services Committee provide input to staff on the proposed activities related to the Official Plan review and the Growth Management Study.

BACKGROUND:

Repeal By-law 2015-48 – Previous Update to the Township of South Frontenac Official Plan (OPA 23)

On September 15, 2015 South Frontenac Council approved by-law 2015-48 (OPA 23) to update the South Frontenac Official Plan. Official Plan Amendment 23 was forwarded to the Ministry of Municipal Affairs for approval. About the same time the Ministry delegated the approval authority function to the County of Frontenac. Frontenac County then undertook a new County Official Plan. OPA 23 is now nearly 5 years old. There has been several major changes to the Planning Act (Bill 73 & Bill 139) since its adoption and significant guidance material developed that assists municipalities in the implementation of the 2014 Provincial Policy Statement since that time. There is also a significant emphasis in the Planning Act on Official Plan updates including provincial plan conformity exercises and consultation with the upper tier approval authority. It is anticipated that there are further changes to the Planning Act and Provincial Policy Statement in 2019/2020. None of these changes were incorporated into OPA 23 and would need to be modified into the amendment prior to approval.

The modifications that the County would require to make OPA 23 conform to the current policy framework would occur in the absence of public consultation and potentially Township involvement. The County It is on this basis that the County does not wish to modify and approve OPA 23. Rather, there is a mutual interest from Township and County planning staff to consult and engage on developing a new Official Plan for South Frontenac with an emphasis on community engagement.

While OPA 23 was adopted by the Township by by-law, no decision has been made by the approval authority (the County) and no decision is anticipated. It would be beneficial early in the new Official Plan development process to pass a by-law to revoke the previous adoption of the Official Plan Amendment and to direct staff to prepare a new Official Plan.

Growth Management Study

Staff are seeking direction about the possibility of sole sourcing Watson and Associates to complete the Growth Management Study for South Frontenac. Watson has been retained to update the County population projections that will impact the allocation of growth to the Township over the next 20 year period. Watsons has also been working with South Frontenac on population projections for our Development Charges. Watson has also been working with the City of Kingston on population projections and growth management.



REPORT TO DEVELOPMENT SERVICES COMMITTEE



DEVELOPMENT SERVICES DEPARTMENT

Under the procurement by-law, with Council direction, staff can sole source a project. Planning staff are in discussions with Watson to prepare a quote and outline the services they can provide to complete the Growth Management Study for consideration by Township staff and Council. At this time staff wish to have input from Development Services Committee as to whether sole sourcing this project is a consideration that should be pursued or if we should prepare an RFP for broad release.

This is a budgeted 2019 study and it is anticipated to award this project by the end of July 2019.

Section 26 Meeting – Special Meeting to consider Revisions to the Official Plan

Section 26 & 27 of the Planning Act requires that Council:

- Ensure that the Official Plan conforms with provincial plans, has regard for matters of provincial interest and is consistent with the Provincial Policy Statement
- Bring the local Official Plan into conformity with the County of Frontenac Official Plan
- Revise the Official Plan every 5 years
- Before revising the Official Plan hold a special meeting of Council.
- Consult with the approval authority and the prescribed bodies (e.g. MMAH, Conservation Authorities, school boards, etc.) to discuss the revisions that may be required.

The Official Plan review and update is also an opportunity to:

- implement studies, initiatives and strategic vision
- ensure the Official Plan reflects community needs and aspirations
- enhance, clarify and update the policy framework

The Planning Act requires that notice of the special meeting be published at least once a week in each of 2 separate weeks, and the last publication be 30 days before the public meeting is held.

Staff are proposing Council hold the Section 26 special meeting at the August 6th, 2019 Council meeting.

Staff are requesting direction to advertise this date for the special meeting. Advertising would be via the website, social media and in the newspaper. Notice would need to be published in the June 27th & July 4th editions of Frontenac News to meet the requirements of the Planning Act.

Open Houses

Staff are proposing that 3 open houses in late summer/early Fall 2019 to get early public input on the vision and community needs to form a basis for developing policy. It is recommended they be themed open houses to engage residents in the area of the Township that reflects their interests. The proposed themed open houses include:

• Lakes and Natural Environment	August 2019
• Rural Lands and Economy	September 2019
• Settlement Areas and Community	October 2019



REPORT TO DEVELOPMENT SERVICES COMMITTEE



DEVELOPMENT SERVICES DEPARTMENT

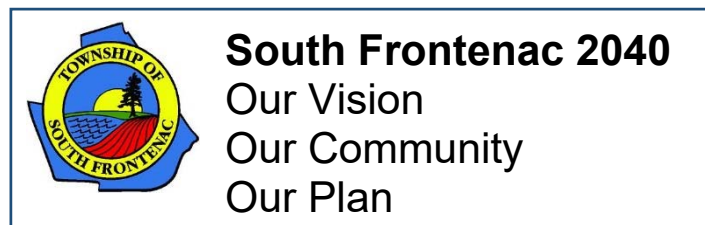
Staff are requesting the Committee’s input on the location, venue and dates for these open houses.

Branding the Official Plan Review

Staff are seeking input on the possibility of branding the Official Plan Review process with a consistent logo and tag line for this project.

Some examples could include:

- South Frontenac – Vision 2040
- South Frontenac 2040. Our vision. Our Community
- South Frontenac 2040 – Community Official Plan



FINANCIAL/STAFFING IMPLICATIONS:

None. The Official Plan Update & Growth Management Study are already budgeted items in the approved 2019 budget.

ATTACHMENTS:

None

Submitted/approved by:

Claire Dodds, Director of Development Services



REPORT TO COUNCIL DEVELOPMENT SERVICES DEPARTMENT



AGENDA DATE: June 4, 2019
REPORT DATE: May 30, 2019

SUBJECT: Application for Extension of Draft Plan Approval for the
Johnston Point Plan of Condominium
10CD-2014/001

Owners: Magenta Waterfront Development Corporation
and 1324789 Ontario Inc.
Applicant: Magenta Waterfront Development Corporation,
Gavin Marshall
Planning Consultant: Tracy Zander, Zanderplan

RECOMMENDATION:

THAT South Frontenac Council recommend the County of Frontenac extend draft plan approval for a period of one year for application 10CD-2014/001, subject to the conditions outlined by the OMB decision dated June 28, 2016 and direct the Clerk to forward this resolution to the County Clerk.

BACKGROUND:

The Township received notice on May 13, 2019 that the County of Frontenac has received an application to extend draft plan approval for both the Johnston Point (10CD-2014/001) plan of condominium.

While the County has the full responsibility/authority to make the decision regarding the extension of draft plan approval, the Township has the opportunity to make a recommendation to County Council regarding the extension of draft plan approval.

Johnston Point Plan of Condominium received draft plan approval from the Ontario Municipal Board on June 28, 2016 with a 3 year lapsing condition. Draft Plan approval is set to lapse on June 28, 2019.

Under the Planning Act, the Owner has the right to apply to the approval authority, in this instance the County of Frontenac, to extend draft plan approval.

Reason for Draft Plan Extension:

Magenta Waterfront Development is now responsible to project manage the Johnston Point Plan of Condominium. Tracy Zander of Zanderplan has been hired as the Project Manager on this file.

The application to extend draft plan approval for Johnston Point lists the reasons why conditions of draft approval have not been completed to date. The reason stated in the application is:

“The owner was required to execute an Overall Benefit Permit with MNRF to ensure protection of some species at risk habitat on the site. This is an important element of the project to define protective measures for habitat. This Permit was required prior to registration of the subdivision and has only recently been issued. In addition, as a result of an ongoing legal dispute between the previous project manager and Magenta Waterfront Development Corporation, the owner was delayed in their ability to clear the other draft Plan



REPORT TO COUNCIL DEVELOPMENT SERVICES DEPARTMENT



conditions and register the Condominium. That legal dispute has been resolved and ZanderPlan has been retained as project manager to complete the registration”.

The application provides the applicant the opportunity to list additional reasons why County Council should consider extending draft plan approval. It states “The registration of this condominium project brings many economic benefits to the Township. The implementation of the recommendations in the supporting studies and the Overall Benefit Permit will serve to protect the natural heritage and Species at Risk Habitat.”

Review of Request for Draft Plan Extension:

The Johnston Point plan of condominium has outstanding conditions that are unable to be fulfilled by the June 28, 2019 lapsing date for draft plan approval.

The conditions of draft plan approval were issued by the Ontario Municipal Board on June 28, 2016.

A significant item that prevents staff from being in a position to clear conditions is the ability for Township staff to review the Benefit Permit.

The MNRF issued the Benefit Permit for the Johnston Point project on November 14, 2018. The permit was issued to the proponent of the project. MNRF issued the permit to the proponent and is unable to share the permit with Township or County. The County has filed a Freedom of Information and Protection of Privacy Act request to obtain a copy of the Benefit permit that will be shared with the Township. To date – the County has not received a copy of the Permit. The Project Manager is also in the process of obtaining a copy of the Benefit Permit.

Township Council authorized the Mayor and Clerk to enter into a condominium agreement with Magenta Waterfront Development Corporation and 1324789 Ontario Inc. on June 5, 2018. The condominium agreement undertakes to fulfill many of the condition of draft plan approval for the plan of condominium. To date, the agreement that was prepared by the Township has not been signed or registered.

Condition 5D of the draft plan approval states that:

The owner shall confirm that MNRF has been consulted on all species at risk issues and that the Declaration and the Vacant Land Condominium Agreement shall incorporate all recommendations from the MNRF included in any Benefit Permit, if issued, related to Gray Rat Snakes and Blandings Turtles or any other species at risk identified.

As Township staff are aware that a Benefit Permit has been issued for Johnston Point, it is imperative that it is reviewed to ensure all recommendations are included in the condominium agreement and to confirm that there is no conflict with any other condition of draft plan approval before the Township can issue its clearance letter for final approval.

In order to provide the Project Manager, Township and County staff the opportunity to obtain the Benefit Permit, and to allow Township staff to ensure all Township conditions have been cleared, it is recommended that South Frontenac Council recommend the County of Frontenac extend draft plan approval by one year, subject to the same conditions imposed by the Ontario Municipal Board.



REPORT TO COUNCIL DEVELOPMENT SERVICES DEPARTMENT



Extending draft plan extension for only one year helps keep momentum for all parties to work actively to move this file towards final approval. Under the Planning Act, the maximum extension period is 3 years.

Next Steps

The resolution of South Frontenac Council will be forwarded to the County Clerk for consideration at the June 19, 2019 County Council meeting where the application to extend draft plan approval for Johnston Point will be considered.

FINANCIAL/STAFFING IMPLICATIONS:

None

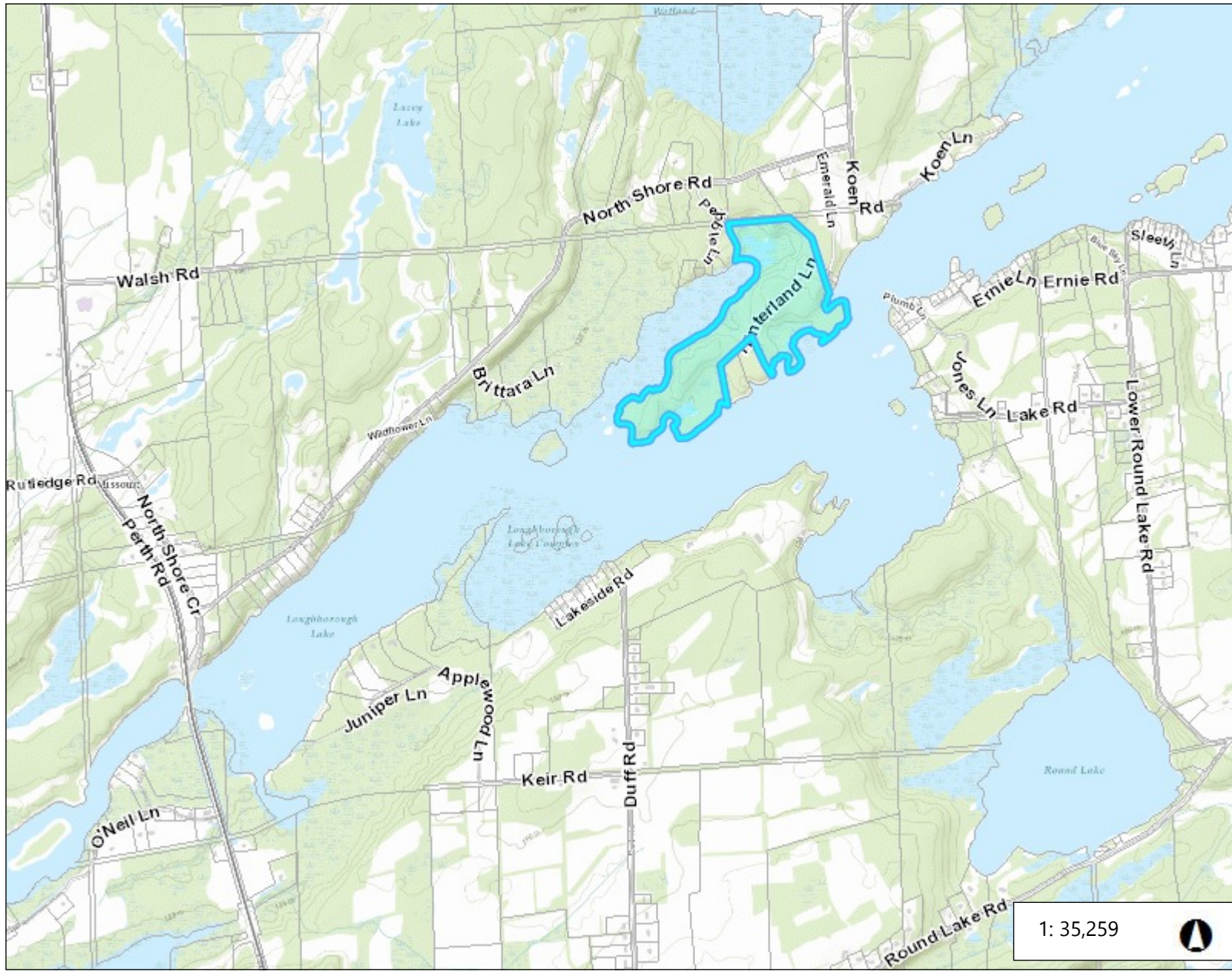
ATTACHMENTS:

Attachment 1: Location Map of Johnston Point Plan of Condominium


Attachment 2: Draft Plan Conditions of Johnston Point Plan of Condominium –
10CD-2014/001

Submitted/approved by: Wayne Orr, Chief Administrative Officer

Prepared by: Claire Dodds, Director of Development Services



- Legend**
- Road
 - Highway
 - Major Road
 - Secondary Road
 - Ferry Route
 - Assessment Parcels
 - Citations

1: 35,259 



WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

CONDITIONS TO APPROVAL

The conditions of approval for the draft plan of condominium are as follows:

1. **Approved Draft Plan:**

That this conditional approval applies to the Draft Plan of Vacant Land Condominium, dated February 26, 2016, last revised March 31, 2016, prepared by FOTENN Consultants Inc. and certified by Ronald Clancy, Ontario Land Surveyor comprising a total of 15 Residential Units and 4 blocks subject to the following:

- I. The locations of proposed dwellings and septic locations on Unit 7 and 15 shall be evaluated by a qualified environmental consultant and an addendum to the EIS prepared to confirm the locations and any conditions necessary for construction.
- II. The boundaries of the common element open space shall ensure that a 5m buffer between any units and the wetland boundary within the common element open space is established, consistent with the drawing attached as Attachment "A".

2. **Condominium Agreement:**

- A. That the owners of the subject land enter into a vacant land condominium agreement with the municipality, prepared to the satisfaction of the municipality, to be registered on title of the subject land.
- B. That the Vacant Land Condominium Agreement include a clause stating that 911 civic addressing and locations of all entrances to the units, including the construction and locations of any entrance culverts, shall be shown on a plan prepared to the Townships satisfaction prior to any development of the property.

3. **Financial Requirements:**

- A. That the owner agree in writing to satisfy all the requirements, financial and otherwise of the municipality concerning the provision of private lanes and upgrading of roads, installation of services and drainage, in accordance with the municipality's standards and procedures.
- B. That the Owner shall reimburse the Township of South Frontenac and County of Frontenac for all legal, engineering, planning, administrative expenses and permit fees including the cost of any peer review that the Township of South Frontenac or County of Frontenac may require in relation to the condominium.

4. **Access**

- A. That the private roads included in this draft plan identified as 'Blocks 16 and 17 shall be constructed to Township standards for new private lanes. Final approval of the constructed road will be required by the Township Public Works Manager.
- B. That the private roads included in this draft plan identified as 'Blocks 16 and 17 shall be located a minimum of 30 metres from the nearest point of any wetland or waterbody.
- C. All driveway construction for each Unit shall require Site Plan approval. All driveways shall require engineering design by a qualified Engineer to ensure mitigative measures are applied to direct stormwater runoff and reduce erosion. Following construction, inspection and approval of the Township Public Works Manager shall be required.

- D. That traffic counts be undertaken at North Shore Road and that the entrance location at the road be constructed to a standard acceptable to the Township, particularly in regards to safe sight lines and any requirements of the municipality related to traffic counts.
- E. That the private roads identified as 'Blocks 16 and 17 to be created as 'Common Element', including the "Existing Roadway Easement Over Private Lands", be named to the satisfaction of the municipality.
- F. That a 0.3 metre reserve be identified by survey along the road allowance of North Shore Road where it abuts proposed Unit 12, which 0.3 metre reserve shall be conveyed to and held in trust by the municipality for the purpose of denying additional access onto North Shore Road.
- G. That legal access to proposed Units 1, 2, 3, 4, 5 and 14 be obtained over the abutting portion of the existing lane that is on other private lands, and that the vacant land condominium agreement contain wording to permit this access. This wording must also acknowledge that the existing residential lots' access over the lane will be maintained all the way back to the public road.

5. Environment and Natural Heritage

- A. That the vacant land condominium agreement contains wording applying to all of the proposed units setting out the municipality's limited service policies to recognize that there is no commitment or requirement by the municipality to assume responsibility for ownership or maintenance of the private lane within the plan. In addition, the vacant land condominium agreement applying to all the waterfront units shall set out the municipality's environmental protection policies requiring that the area within 30 metres of the highwater mark of a waterbody or wetland shall be maintained in a natural state for soil and vegetation. This 30 metre environmental protection area is identified as Attachment "B".
- B. That the wetland area within the boundary of proposed Unit 14 be surveyed by the Owner prior to construction of any driveway within the Unit. The driveway shall be surveyed prior to construction to ensure that the driveway is constructed a minimum of 30m from the boundary of the surveyed wetland. The driveway shall be constructed by the Owner as a condition of sale of the Unit. This condition shall be included in the condominium agreement with the Township and the agreement of purchase and sale for Unit 14.
- C. That all conditions outlined in the letter dated November 12, 2014 from the Cataraqui Region Conservation Authority to the County of Frontenac, be included in the vacant land condominium Agreement with the Township, including that all driveways be placed a minimum of 30 metres from any waterbody and that all recommendations of the stormwater management plan be implemented.
- D. The owner shall confirm that MNRF have been consulted on all species at risk issues and that the Declaration and the Vacant Land Condominium Agreement shall incorporate all recommendations from the MNRF included in any Benefit Permit, if issued, related to Gray Rat Snakes and Blandings Turtles or any other species at risk identified.
- E. That the Owner shall complete Whip Poor Will surveys to determine if they are present at the site and submit this information to the MNRF.

6. Declaration, Easements and Joint Use Agreement

That the Declaration contain, at a minimum, clauses addressing the following to the satisfaction of the municipality, which clauses shall also form part of the Vacant Land Condominium Agreement:

- i. all access roads and driveways shall be set back a minimum of 30 m from all wetlands and water bodies;
- ii. silt barriers between all construction areas and wetlands or other water bodies shall be installed and maintained throughout the construction process until all disturbed areas have been revegetated;

- iii. all building envelopes and septic beds shall be located at the top of slope, complying with the setback distances established in Attachment "C" to these Draft Plan Conditions;
- iv. subject only to condition 6 (v), (vii), all living trees greater than 4 inches diameter at breast height within 40 m of any water body shall not be removed, with the exception of trees knocked over naturally;
- v. subject only to condition 6 and (vii), all vegetation, with the exception of invasive species, shall be retained and maintained in their natural state within 30 m of all water bodies;
- vi. An Ecological Committee shall be set up as part of the Condominium Board whose mandate would be to promote environmental stewardship initiatives on Johnston Point.
- vii. Notwithstanding sub-paragraphs 6(iv) and (v) above, the owner of a Unit, with the exception of Units 7, 9, 12, 13 and 15, may construct a walkway to the water provided that the walkway is no wider than 1.5m and provided that the walkway is constructed in the locations set out in the drawing attached to these Conditions of Draft Approval as Attachment 'A'. Any deviation from these prescribed locations may only be considered if in consultation with a qualified environmental professional to the satisfaction of the Township;
- viii. The Owner shall construct the walkways to the water as a condition of sale of the Units where a walkway is permitted. This condition shall be included in the condominium agreement with the Township and the agreement of purchase and sale for all Units where a walkway is permitted;
- ix. The existing Butternut tree at Unit 8 shall be retained and no development shall be permitted within 25 m of the tree;
- x. Signage shall be installed at the PSW boundary to ensure residents do not alter, fill or negatively impact the PSW, which signage shall be worded to the satisfaction of the municipality and the CRCA;
- xi. Docks may only be constructed on units 1, 2, 3, 4, 5, 6 (Unit 6 is subject to obtaining access in accordance with these conditions), 8, 10, 11 and 14 provided that the following restrictions are complied with:
 - 1. docks may only be constructed at the general locations identified on Attachment "A" to these Conditions of Draft Plan Approval;
 - 2. The joint use docks may only be constructed in accordance with all applicable approvals issued by the Cataraqui Region Conservation Authority and/or the Ministry of Natural Resources and Forestry;
 - 3. docks must be floating or pole docks;
 - 4. no aquatic vegetation shall be removed during construction, use or maintenance of any dock;
 - 5. the surface area of any dock located in Long Bay shall not exceed 15 m² and its length shall not exceed 8 m;
 - 6. subject to 6(xii), the surface area of any dock not located in Long Bay may not exceed 20 m² and its length shall not exceed 8 m;
 - 7. the Owner shall work with any purchaser of any Unit to determine their preference and docking needs and shall construct all docks as a condition of sale of the Units where a dock is permitted. As per condition 6 xi.(2), dock location and construction shall only occur following CRCA and/or MNRF permit issuance. This condition shall be included in the condominium agreement with the Township and the agreement of purchase and sale for all Units where a dock is permitted.
- xii. Joint use docks may be constructed on Unit 10 to provide shared docking for the owners of Units 7, 9, 12, 13 and 15, subject to the following restrictions:
 - 1. The Owner's qualified environmental professional, in cooperation with the Cataraqui Region Conservation Authority, will identify a low/no impact 1.5 metre walkway to the joint use docking facility through the vegetated buffer on lot 10 generally in the location identified on Attachment "A" to the water's edge. The walkway shall be constructed a minimum of 3m from the adjacent wetland

- boundary and be delineated by a page wire fence. The Owner shall construct the joint use docks as a condition of sale of the first Unit that is permitted to use the joint use docks. This condition shall be included in the condominium agreement with the Township and the agreement of purchase and sale for all Units that are permitted to use the joint use dock;
2. The joint use docks may only be constructed in accordance with an approval provider;
 3. The joint use docks must be floating, cantilever, or pole docks;
 4. No aquatic vegetation shall be removed during construction, use or maintenance of any dock;
 5. The owners of Units 7, 9, 12, 13 and 15 will have exclusive use of the 0.31 ha small island located south of and between units 8 & 9, and held in ownership by the Condominium Corporation;
 6. Development on this small island will comply with Clause 6(v). The old corduroy road/path to the island shall be removed in accordance with the recommendations of a qualified environmental professional. The location of the dock shall be limited to the east side of the island. Permanent exclusionary fencing and signage shall be installed limiting access to the west side of the island. Signage will explain why no access to the west side of the island is permitted. Any deviation from these prescribed locations on Attachment 'A' may only be considered if in consultation with a qualified environmental professional to the satisfaction of the Township;
 7. The owners of Units 7, 9, 12, 13 and 15 will be permitted additional shared docking on this small island. All joint use docking on the island shall conform to the requirements of this condition;
 8. The joint use docks shall be constructed so that they do not interfere with navigation and shall conform with the applicable zoning for docks.
- B.** The Common Element Open Space shall be governed by Condominium Rules to, at a minimum and without limitation, prohibit the removal of any vegetation within this area and to prohibit the creation of walkways and structures. Use of the Common Element Open Space shall be restricted to "passive recreational uses" as defined in Condition 9A.

7. On-Site Sewage Disposal and Water Systems:

- A.** That the recommendations outlined in the letter dated September 3, 2014 from KFL&A Public Health to the County of Frontenac, be addressed to the satisfaction of the municipality.

8. Dock and Deck Access

- A.** Subject to Condition 6(xi), that any dock that is placed at Unit 2 shall be located on the western shore of Unit 2 so that the dock is not located in Long Bay, but is on the open water of Loughborough Lake. Only one (1) dock shall be permitted to service Unit 2, all other existing docks shall be removed as a condition of site plan approval for the Unit.
- B.** Subject to Condition 6(xi), only one (1) dock shall be permitted to service Unit 1, all other existing docks shall be removed as a condition of site plan approval for the Unit.
- C.** That, in recognition that access to the open water of Long Bay from proposed Unit 6 is by way of an island within a wetland, a walking bridge be installed under the supervision of the Cataraqui Region Conservation Authority to provide this access to Long Bay. Such walking bridge must be installed to the satisfaction of the CRCA and the Township prior to registration of the Description and vacant land condominium Agreement.

9. Parkland Dedication:

- A. That Block 18, Common Element Parkland, be renamed a Common Element Open Space. The Common Element Open Space shall be governed by Condominium Rules to, at a minimum and without limitation, prohibit the removal of any vegetation within this area and to prohibit the creation of walkways and structures. Use of the Common Element Open Space shall be restricted to passive recreational uses and all motorized vehicles shall be prohibited. For the purposes of this section, “passive recreational uses” shall not include trails, hunting, motor boating, or use of any motorized vehicle. An overlook/viewing area shall be permitted in this Block; such overlook to be located adjacent to the private road and be subject to Site Plan Approval.
- B. That the owner convey up to five percent of the land included in the plan to the municipality for public park purposes. Alternatively, the municipality may require cash-in-lieu for all or a portion of the conveyance.

10. Stormwater

- A. That the recommendations contained in the ‘Stormwater Management Brief for the Johnston Point Condominium Development’, undated, by Asterisk Engineering Corporation and associated drawings related to site drainage design, construction and maintenance, including construction of ditches and culverts, be included in the Vacant Land Condominium Agreement and that they be complied with to the satisfaction of the municipality.
- B. That all requirements and recommendations specified in the ‘Hydrogeological Assessment at Johnston’s Point’ report, dated June 2014 from WESA, and all associated drawings be included in the Vacant Land Condominium Agreement and that they be complied with to the satisfaction of the municipality.

Human Remains:

The condominium agreement shall contain a clause providing that any Owner(s) be advised, and also that a notice be placed in the purchase and sale agreement alerting any prospective purchasers that in the event that human remains are discovered during construction or site development of a lot, that the property owner shall immediately contact the OPP, the Ministry of Tourism, Culture and Sport and the Registrar or Deputy Registrar of the Cemeteries Unit of the Ministry of Consumer Services (or the applicable agencies at the time of final approval).

11. Archaeological Resources:

- A. That all recommendations of the Archaeological Assessment (Stage 1-4) Report by Abacus Archaeological Services be implemented to the satisfaction of the Township.
- B. That the applicant provide clearance letters for the Stage 1-4 Archaeological Assessments from the Ministry of Tourism, Culture, and Sport.
- C. That if during the process of development any archaeological resources or human remains of Aboriginal interest are encountered, the Algonquins of Ontario Consultation Office will be contacted immediately at:

Algonquins of Ontario Consultation Office
 31 Riverside Drive, Suite 101
 Pembroke, Ontario K8A 8R6
 Telephone: (613) 735-3759
 Fax: (613) 735-6307
 email: algonquins@nrtco.net

12. Utilities and On-Site Works

- A. The following mitigation measures shall be implemented:

- i. The private road shall be posted with a 30 km/h speed limit placed to the satisfaction of the municipality;
 - ii. a turtle crossing and education sign developed to the satisfaction of the municipality shall be installed on the private road near the southern end of lot 13;
 - iii. the private road shall be maintained as a gravel surface only; for clarity, no future hard surface paving shall be permitted without additional environmental impact analysis;
 - iv. a land owner education program and environmental sensitivity information package shall be developed and provided to every owner of a Unit and the clause shall be included in all agreements of purchase and sale for any unit enclosing the education information package; and
 - v. a permanent exclusion fence shall be constructed on both sides of the private road along the frontage of lots 6 and 8, to the satisfaction of the municipality.
- B.** That, prior to final approval, the portion of the unopened road allowance identified on the Plan through Units 12 and 13 and Block 17, be closed and the ownership transferred to the owner of the subject lands.
- C.** That, prior to final approval, a garbage collection facility be installed at the entrance to the development near North Shore Road to the satisfaction of the Township.
- D.** That, prior to final approval, any required Canada Post box be installed on the right-of-way for the lane near the entrance to the development at North Shore Road.
- E.** That, prior to final approval, street lighting shall be installed to the Township's satisfaction at the location for the Canada Post boxes and garbage collection area near North Shore Road.
- F.** That, prior to final approval, street signage shall be installed according to Township standards and to the satisfaction of the municipality.
- G.** Speed limit signs shall be erected at the water at the entrance to Long Bay advising that all watercraft shall adhere to a maximum 10 km/h speed limit
- H.** That, prior to final approval, the municipality be satisfied that all servicing issues are resolved such as private lane construction and any required upgrades to North Shore Road.

13. Site Plan Control

That the development of all Units shall be subject to site plan control approval. Site Plan Control applications shall be circulated to Cataraqui Region Conservation Authority for review and comment prior to Township approval. Prior to applying for any building permit the owner of any Unit shall obtain site plan control approval and enter into a site plan control agreement with the Township, which agreement shall include, but not be limited to, the following:

- i. An approved site plan showing the location of all structures, including the septic disposal system and well, consistent with the recommendations of the EIS;
- ii. A location for the alternate septic disposal system location, which location shall not be developed;
- iii. The location of any walkway to the water, where such walkway is permitted;
- iv. The location of any dock, where a dock is permitted;
- v. The location of any driveway; and
- vi. Notwithstanding condition 6 (iv), all living trees on each Unit greater than 4 inches diameter at breast height shall be maintained unless approved for removal as part of Site Plan review.

14. Revisions to Draft Plan:

- A. That Prior to Final Condominium Approval, the Owner shall submit a revised Block Plan, if required, to reflect any significant alterations caused from this Draft Plan Approval.
- B. That where final engineering design(s) result in minor variations to the Plan (e.g., in the configuration of lots, etc.), these may be reflected in the Final Plan subject to the satisfaction of the Township of South Frontenac and the County of Frontenac.

15. General conditions:

- A. That when requesting final Approval from the County of Frontenac, the Owner shall accompany such request with the required number of originals and copies of the Final Plan, together with a surveyor's certificate stating that the lots/blocks thereon conform to the frontage and area requirements of the Zoning By-Law.
- B. That prior to final approval, the County of Frontenac is to be advised by the municipality that this proposed subdivision conforms to the Zoning By-law in effect of the Township of South Frontenac including that the zoning is satisfactory to the Cataraqui Region Conservation Authority.
- C. That the Owner submit a draft Vacant Land Condominium Declaration for approval by the Township and County to ensure all conditions of approval will be satisfied

16. Clearance Letters:

- A. That prior to final approval, the County of Frontenac is to be advised by the municipality that this proposed development conforms to the Zoning By-law in effect of the Township of South Frontenac including that the zoning is satisfactory to the Cataraqui Region Conservation Authority.
- B. That Prior to Final Condominium Approval, the County is to be advised in writing by the Township of South Frontenac the method by which conditions 1 to 14 have been satisfied.
- C. That Prior to Final Condominium Approval, the County is to be advised in writing by KFL&A Public Health the method by which condition 6A has been satisfied.
- D. That Prior to Final Condominium Approval, the County is to be advised in writing by the Cataraqui Region Conservation Authority the method by which conditions 7 and 8 have been satisfied.

17. Lapsing Provisions:

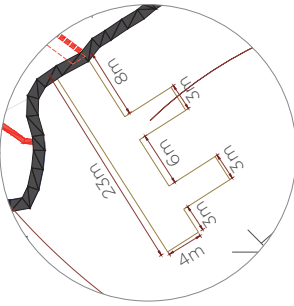
- A. That pursuant to Section 51(32) of the Planning Act, this Draft Plan Approval shall lapse at the expiration of three (3) years from the date of issuance of Draft Plan Approval if final approval has not been given, unless an extension is requested by the Owner and, subject to review, granted by the approval authority.
- B. That pursuant to Section 51(33) of the Planning Act, the Owner may submit a request to the approval authority for an extension of the Draft Plan Approval. The extension period shall be for a maximum of three (3) years and must be submitted prior to the lapsing of Draft Plan Approval. Further extensions may be considered at the discretion of the Township and the County.

Attachment "A"
Conceptual Site Plan
Unit, Path and Dock Locations

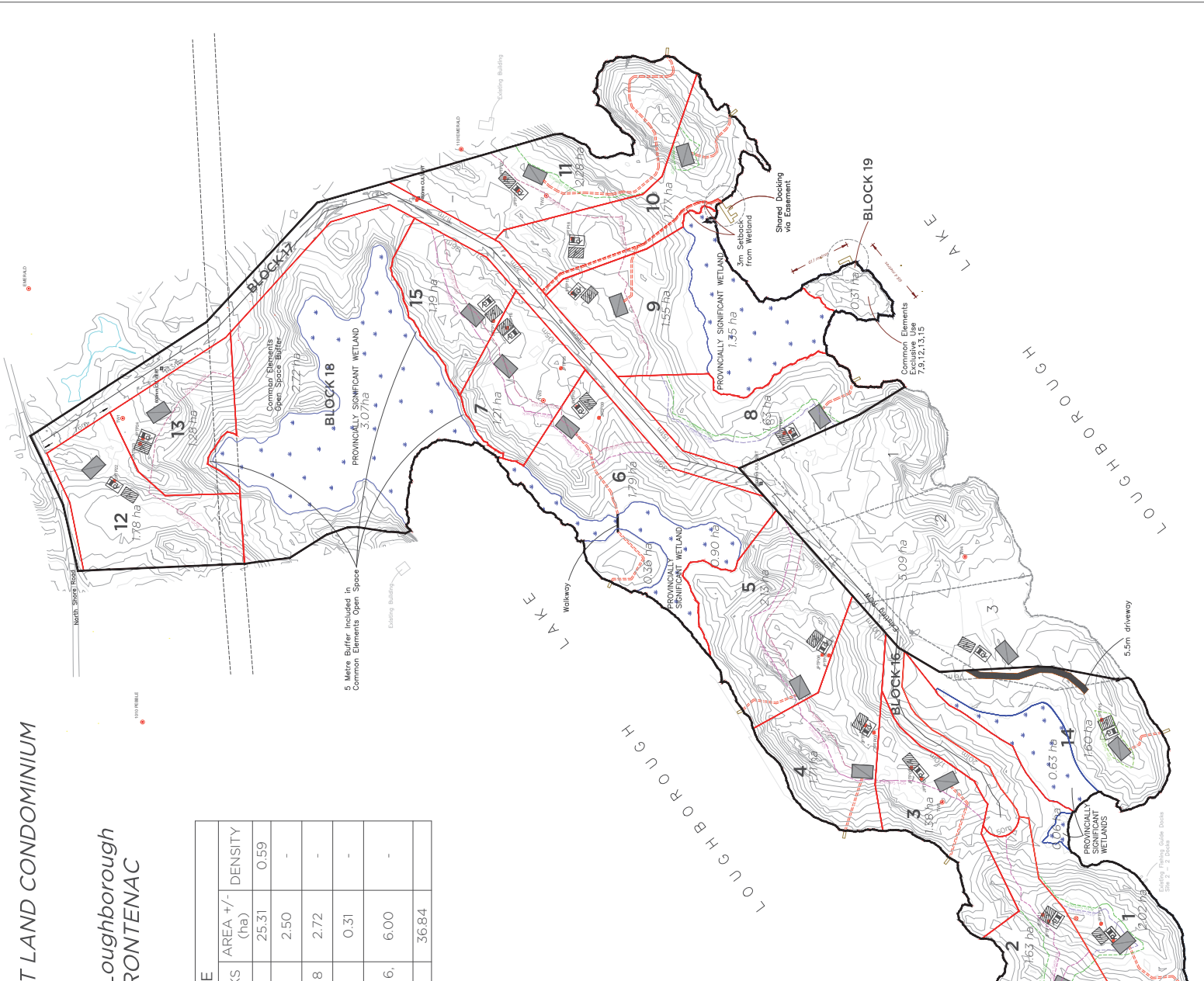
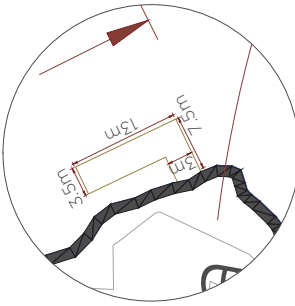
DRAFT PLAN OF VACANT LAND CONDOMINIUM
 Part of LOTS 23 and 24
 CONCESSIONS 6 and 7
 Geographic Township of Loughborough
 TOWNSHIP OF SOUTH FRONTENAC
 County of Frontenac

LAND USE TABLE			
LAND USE	UNITS/BLOCKS	AREA +/- (ha)	DENSITY
RESIDENTIAL	Units 1-15	25.31	0.59
ROADS/STREETS	Blocks 16-17	2.50	-
OPEN SPACE/PARKLAND	Part of Block 18	2.72	-
EXCLUSIVE USE	Block 19	0.31	-
PROVINCIAALLY SIGNIFICANT WETLAND	Part of Units/Blocks 1, 6, 9, 14 and 18	6.00	-
TOTAL SITE AREA		36.84	

COMMUNAL DOCK AT UNIT 9/10 BOUNDARY



DOCKING AT SHARED ISLAND (BLOCK 19)



ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51.17 (A-L) OF THE PLANNING ACT:

- a) Shown on Draft Plan
- b) Shown on Draft Plan
- c) All adjacent lands owned, or in which the applicants have an interest are shown on the Key Plan
- d) Residential: Single Dwelling Units
- e) Residential: Rural / Single Dwelling Units
- f) Shown on Draft Plan
- g) Shown on Existing Conditions and Proposed Condominium Plan
- h) Private Wells
- i) Loam - shallow phase, loam, rock outcrop, shallow monteele sandy loam, muck and peat
- j) Shown on Draft Plan
- k) Garbage collection, Telephone, Cable, Electricity
- l) Restrictive Covenants, Utility Easements

OWNER'S CERTIFICATE

I, _____ HERBY AUTHORIZE TO PREPARE AND SUBMIT THIS PLAN TO THE COUNTY OF FRONTENAC FOR REVIEW AND APPROVAL.

SIGNED: _____ DATE: _____

SURVEYOR'S CERTIFICATE

I CERTIFY THAT: PROPERTY PERIMETER IS BASED ON THE FOLLOWING UNDERLYING SURVEY: 13R-13844

DATE: JUNE 12, 2014 _____ O.L.S

No.	REVISION	DATE	BY
3	5m buffer, land use table	Mar 31 2016	YLD
2	Paths	Mar 23 2016	YLD
1	Docks	Mar 21 2016	YLD

CLIENT
MAGENTA WATERFRONT DEVELOPMENT LIMITED
PROJECT
JOHNSTON POINT PLAN OF CONDOMINIUM
DRAWING
CONCEPTUAL SITE PLAN

FOTENN PLANNING + DESIGN
 108-6 Cataragui Street Kingston ON K7K 1Z7
 Tel: 613 542 5454 Fax: 613 730 1136
 www.fotenn.com

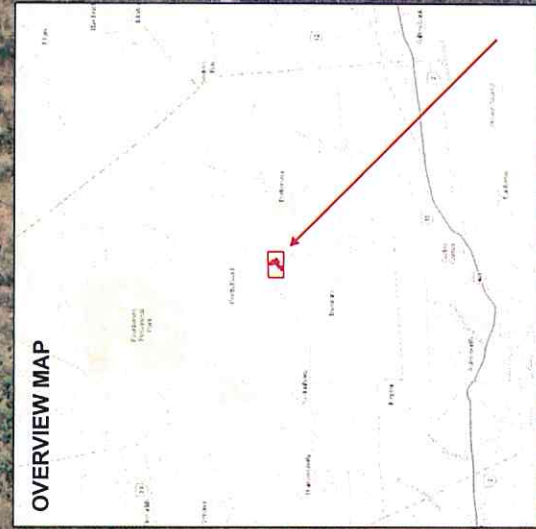
DRAWN BY YL
 REVIEWED BY MK
 DATE 2016.02.29
 SCALE 1:1400

Attachment "B"
30 Metre Environmental Protection Area

688

JOHNSTON POINT CONDOMINIUM

COUNTY OF
Frontenac



Legend

- Johnston Point Wetland
- Johnston Point Lots
- 30 Metre Buffer from Water/Wetland
- Parcel Fabric

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Attachment "C"
Site Plan Matrix

Johnston Point Site Plan Matrix												
Unit No.	waterfrontage long bay	waterfrontage main lake	individual dock permitted	maximum dock size	shared dock w/ easement on unit 10	shared 0.31 ha island	3 meter path to water	1.5 m bridge to island	building setback from wetland/lake	septic setback from wetland/lake	Site Plan Control	details in APS
1	no	yes	yes	20m2	no	no	yes	no	40	45	yes	yes
2	yes	yes	yes	20m2	no	no	yes	no	40	50	yes	yes
3	yes	no	yes	15m2	no	no	yes	no	50	50	yes	yes
4	yes	no	yes	15m2	no	no	yes	no	50	60	yes	yes
5	yes	no	yes	15m2	no	no	yes	no	50	60	yes	yes
6	yes	no	yes	15m2	no	no	yes	yes	50	60	yes	yes
7	no	no	no	n/a	yes	yes	no	no	50	60	yes	yes
8	no	yes	yes	20m2	no	no	yes	no	40	45	yes	yes
9	no	no	no	n/a	yes	yes	no	no	60	60	yes	yes
10	no	yes	yes	20m2	no	no	yes	no	40	60	yes	yes
11	no	yes	yes	20m2	no	no	yes	no	40	60	yes	yes
12	no	no	no	n/a	yes	yes	no	no	60	60	yes	yes
13	no	no	no	n/a	yes	yes	no	no	60	60	yes	yes
14	no	yes	yes	20m2	no	no	yes	no	35	35	yes	yes
15	no	no	no	n/a	yes	yes	no	no	50	60	yes	yes



REPORT TO COUNCIL DEVELOPMENT SERVICES DEPARTMENT



AGENDA DATE: June 4, 2019

REPORT DATE: May 30, 2019

SUBJECT: Application for Extension of Draft Plan Approval for the Cranberry Cove Plan of Condominium
10CD-2012/002

Owner: Magenta Waterfront Development Corporation

Applicant: Magenta Waterfront Development Corporation,
Gavin Marshall

Planning Consultant: Tracy Zander, Zanderplan

RECOMMENDATION:

THAT South Frontenac Council recommend the County of Frontenac extend draft plan approval for a period of one year for application 10CD-2012/002, subject to the conditions approved by County Council on July 16, 2014 and direct the Clerk to forward this resolution to the County Clerk.

BACKGROUND:

The Township received notice on May 13, 2019 that the County of Frontenac has received an application to extend draft plan approval for the Cranberry Cove (10CD-2012/002) plan of condominium.

The County has the full responsibility/authority to make the decision regarding the extension of draft plan approval. Township Council has the opportunity to provide a recommendation to County Council regarding the extension of draft plan approval.

Cranberry Cove Plan of Condominium is due to lapse on July 16, 2019. Cranberry Cove Plan of Condominium received draft plan approval from the County in 2014 and had a 1 year extension to draft plan approval granted in 2017 and in 2018.

Reason for Draft Plan Extension:

Under the Planning Act, the Owner has the right to apply to the approval authority, in this instance the County of Frontenac, to extend draft plan approval.

Magenta Waterfront Development Corporation is the owner of the Cranberry Cove Plan of Condominium.

The application to extend draft plan approval for Cranberry Cove lists the “ongoing legal dispute between the previous project manager and Magenta Waterfront Development Corporation, the owner was delayed in their ability to clear the Draft plan conditions and register the Condominium. The legal dispute has been resolved and Zander Plan (Tracy Zander) has been retained as project manager to complete the registration”.

The application lists additional reasons why Council should consider extending draft plan approval. It states “The registration of this project will bring numerous economic benefits to the Township. Final details required to complete the registration of the Condominium are legal and administrative in nature and we are confident that these can be completed in a timely manner now that the legal dispute has been resolved.”



REPORT TO COUNCIL DEVELOPMENT SERVICES DEPARTMENT



Review of Request for Draft Plan Extension:

Staff review of the Cranberry Cove Plan of Condominium indicates that the majority of conditions have been fulfilled. A report prepared by Forbes Simon, the former Manager of Development Services with South Frontenac, dated June 15, 2017, indicated to Council that most of the conditions had been satisfied.

As with most developments, the majority of the conditions of draft plan approval are satisfied through the plan of condominium agreement. The Township prepared a condominium agreement and authorized the Mayor and Clerk to enter into the agreement with the Owner on June 20, 2017. At that time, there were still a few items outstanding in the draft condominium agreement that needed to be finalized before the Township could finalize the agreement and send a clearance letter to the County. Those items included the final approval of the Stormwater Management Brief from CRCA and establishing securities for Works to be undertaken within the plan of condominium. Due to these outstanding items in the condominium agreement, records indicate that the Township did not provide a clearance letter for final approval to the County in 2017.

Recent staff review of the file and consultation with the County and Agencies determined that the CRCA review of the stormwater management brief was completed in October 2017. CRCA staff have provided updated language to be incorporated into the condominium agreement in order to clear their condition of draft plan approval. Based on the review of the CRCA comments the condominium agreement will need to be updated and brought back before South Frontenac Council before Magenta can enter into it. Staff have also communicated to the Project Manager that the estimate of Works needs to be provided to the Township for review and inclusion in the condominium agreement. Due to staff changes and changes in project managers, these changes are unable to occur prior to the lapsing period expiring on the current draft plan approval (July 16, 2019).

As the majority of conditions have been fulfilled and the remaining outstanding conditions to be fulfilled are administrative and relatively minor in nature, it is recommended that Township Council recommend the County extend draft plan approval for Cranberry Cove Plan of Condominium for one year. This extension allows the project manager to work with Township staff to make the amendments to the condominium agreement and bring it back before Council in a reasonable timeframe.

Next Steps

The resolution of South Frontenac Council will be forwarded to the County Clerk for consideration at the June 19, 2019 County Council meeting where the application to extend draft plan approval for Johnston Point will be considered.

FINANCIAL/STAFFING IMPLICATIONS:

None

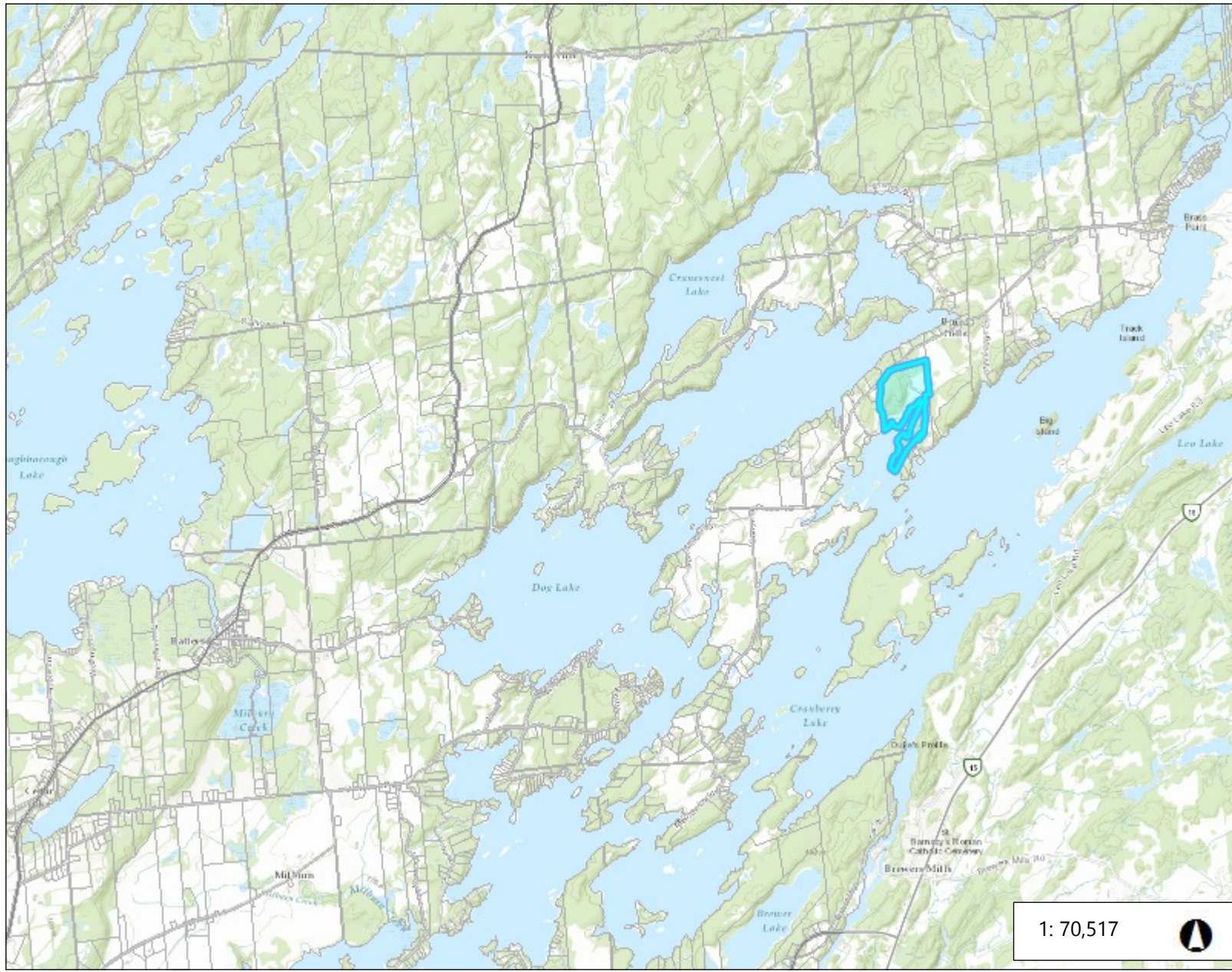
ATTACHMENTS:

Attachment 1: Location Map of Cranberry Cove Plan of Condominium

Attachment 2: Draft Plan Conditions for Cranberry Cove – 10CD-2012-002

Submitted/approved by: Wayne Orr, Chief Administrative Officer

Prepared by: Claire Dodds, Director of Development Services



Legend

- Road
 - Highway
 - Major Road
 - Secondary Road
 - Ferry Route
- Assessment Parcels
- Citations

1: 70,517 

3.6 0 1.79 3.6 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Applicant/Agent: Gary Thomson	Owner: 1412713 Ontario Limited
File No.: 10CD-2012/002	Date of Decision: July 16, 2014
Municipality: Township of South Frontenac, County of Frontenac	Date of Notice: July 30, 2014
Subject Lands: Parts 1, 6 & 7 Plan 13R-8978, Except Parts 1-5, Plan 13R-18799, and Part 1, Plan 13R-19396, Part of Lot, Concession 10, Geographic Township of Pittsburgh, Township of South Frontenac, County of Frontenac	Last Date of Appeal: August 19, 2014

CONDITIONS TO APPROVAL

The conditions of approval for the draft plan of condominium are as follows:

1. Approved Draft Plan:

That this conditional approval applies to the Draft Plan of Vacant Land Condominium, dated 01/04/12, revised May 30, 2014 prepared and certified by Clancy and Hopkins Surveying Limited, OLS, which shows the following:

- 13 units for single detached dwellings (Units 1-13);
- 1 storage garage (Unit 14)
- 1 parking area (Unit 15)
- Three road blocks (Blocks 16-18)
- One common element open space block (Block 19)
- One easement block (Block 20)
- Two 0.3 m reserves (Blocks 21 & 22)

2. Condominium Agreement:

That the owners of the subject land enter into a plan of vacant land condominium agreement with the municipality, prepared to the satisfaction of the municipality, to be registered on title of the subject land.

3. Financial Requirements:

- A.** That the owner agree in writing to satisfy all the requirements, financial and otherwise of the municipality concerning the provision/upgrading of roads, installation of services and drainage, in accordance with the municipality's standards and procedures.
- B.** That the Owner shall reimburse the Township of South Frontenac and County of Frontenac for all legal, engineering, planning, administrative expenses and permit fees including the cost of any peer review that the Township of South Frontenac or County of Frontenac may require in relation to the condominium.

4. Access

- A.** That the road allowances included in this draft plan identified as Block 16 Common Element', 'Block 17 Common Element' and 'Block 18 Common Element' shall be shown and constructed to Township standards for new private lanes.
- B.** That a portion of Carrying Place Road from the existing fire hall on the road to the entranceway to the development (approximately 712 metres) be surface treated to the satisfaction of the Township.

Applicant/Agent: Gary Thomson	Owner: 1412713 Ontario Limited
File No.: 10CD-2012/002	Date of Decision: July 16, 2014
Municipality: Township of South Frontenac, County of Frontenac	Date of Notice: July 30, 2014
Subject Lands: Parts 1, 6 & 7 Plan 13R-8978, Except Parts 1-5, Plan 13R-18799, and Part 1, Plan 13R-19396, Part of Lot, Concession 10, Geographic Township of Pittsburgh, Township of South Frontenac, County of Frontenac	Last Date of Appeal: August 19, 2014

- C. That the new lanes identified as 'Block 17 Common Element' and Block 18 Common Element' shall be named to the satisfaction of the municipality.
- D. That 0.3 metre reserves be identified by survey along the road allowance of Carrying Place Road where it abuts proposed units 6, 9, and 10 to be conveyed to and held in trust by the municipality for the purpose of denying additional access onto Carrying Place Road.
- E. That, prior to final approval, street signage shall be installed according to Township standards and to the satisfaction of the municipality.

5. Declaration, Easements and Joint Use Agreement

- A. That the easements referred to in the August 19, 2013 letter from Soloway Wright to the County of Frontenac be created within the declaration of a condominium, with the proposed additional access from the island located at Part 2, Plan 13R-8978 being subject to confirmation that the proposed easement is to the Township's satisfaction
- B. That Cranberry Cove Lane be subject to a joint use agreement (or other similar legal agreement), to be registered on title, between the condominium corporation/declarant and the properties listed in the August 19, 2013 letter from Soloway Wright to the County of Frontenac to the satisfaction of the Township.

6. On-Site Sewage Disposal and Water Systems:

- A. That the recommendations outlined in the letter dated January 10, 2014 from KFL&A Public Health to the County of Frontenac, be addressed to the satisfaction of the municipality and KFL&A Public Health
- B. That all requirements and recommendations specified in the Hydrogeology, Terrain Analysis and Nitrate Impact Assessment Report, revised dated April 9, 2013, from Lissom Soil and Water Inc., and 'Cranberry Cove Nitrate Attenuation Calculations' from Greer Galloway Group Inc., dated November 12, 2013, and project letter dated March 15, 2014 and all associated drawings and peer review recommendations be complied with.
- C. That any existing wells and or septic systems that may be present on the site and are not to be used as part of the plan of condominium be decommissioned as per applicable regulations.

7. Environment

- A. That the recommendations of the Environmental Impact Statement (EIS) dated January 12, 2012 prepared by Ecological Services, be implemented including the requirement that all development be set back a minimum of 35 metres from the high water mark of Cranberry Lake and inland ponds.

Applicant/Agent: Gary Thomson	Owner: 1412713 Ontario Limited
File No.: 10CD-2012/002	Date of Decision: July 16, 2014
Municipality: Township of South Frontenac, County of Frontenac	Date of Notice: July 30, 2014
Subject Lands: Parts 1, 6 & 7 Plan 13R-8978, Except Parts 1-5, Plan 13R-18799, and Part 1, Plan 13R-19396, Part of Lot, Concession 10, Geographic Township of Pittsburgh, Township of South Frontenac, County of Frontenac	Last Date of Appeal: August 19, 2014

- B.** That all conditions and issues outlined in the letters dated November 26, 2012, December 12, 2013, and July 14, 2014 from the Cataraqui Region Conservation Authority/Rideau Waterway Development Review Team to the County of Frontenac, be addressed to the satisfaction of the municipality and Rideau Waterway Development Review Team.
- C.** That a practical building envelope in compliance with the Zoning By-law and EIS be identified to the Township's satisfaction on Unit 2
- D.** That the area on 'Block 19 Common Element' near Unit 14 at the narrowest point between the lane and the water's edge be vegetated with natural species of shrubs and trees as identified in the Township's Site Plan Guidelines and to the satisfaction of the Township.
- E.** That the Condominium Agreement include text to the satisfaction of the Township and the CRCA notifying the Owner that permission will be required under Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses prior to commencing rough grading, stockpiling, road construction, etc. within 30 metres of the wetland, within 30 m of all watercourses and ponds and within 15 m of the 98.86 m GSC flood elevation on the subject property.
- F.** That the Condominium Agreement include text to the satisfaction of the Township and the CRCA to provide notice to purchasers of Units 1 to 5 and 10 to 13 inclusive and Block 18 (based on May 30, 2014 Draft Plan revision) that site alteration and construction (including but not limited to buildings, structures, filling and grading) on these lots may require permission under Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses prior to commencing these activities.
- G.** That notice be provided to future purchasers advising them of any other applicable CRCA and Parks Canada regulations, and any other particular environmental restrictions on individual lots, in wording and in a manner to the satisfaction of the Rideau Waterway Development Team and the Township
- H.** That an agreement be registered on the subject land applying to all of the proposed units to deal with setting out the municipality's limited service policies to recognize that there is no commitment or requirement by the municipality to assume responsibility for ownership or maintenance of the private lanes within the plan. In addition, the agreement applying to Units 1-5 shall set out the municipality's standard environmental protection policies requiring that the area within 35 metres of the highwater mark of the lake be maintained in a natural state for soil and vegetation.

Applicant/Agent: Gary Thomson	Owner: 1412713 Ontario Limited
File No.: 10CD-2012/002	Date of Decision: July 16, 2014
Municipality: Township of South Frontenac, County of Frontenac	Date of Notice: July 30, 2014
Subject Lands: Parts 1, 6 & 7 Plan 13R-8978, Except Parts 1-5, Plan 13R-18799, and Part 1, Plan 13R-19396, Part of Lot, Concession 10, Geographic Township of Pittsburgh, Township of South Frontenac, County of Frontenac	Last Date of Appeal: August 19, 2014

8. Stormwater

- A. That a lot grading and drainage plan and a sediment and erosion control plan be completed and approved to the satisfaction of the Township of South Frontenac and the Cataraqui Region Conservation Authority ('CRCA'), and be included in the Condominium Agreement between the Owner and the Township.
- B. That a final stormwater management plan be prepared by a qualified Professional Engineer and approved to the satisfaction of the Township and the CRCA, and that appropriate text to implement its findings be included in the Condominium Agreement.
- C. That, prior to final approval, the Township shall be satisfied that all servicing issues are resolved such as lane construction; stormwater drainage, design, and maintenance; and the construction and design of ditches and culverts.

9. Parkland Dedication:

That the owner convey up to five percent of the value of the land in the form of cash-in-lieu of parkland.

10. Human Remains:

The condominium agreement shall contain a clause providing that any Owner(s) be advised, and also that a notice be placed in the purchase and sale agreement alerting any prospective purchasers that in the event that human remains are discovered during construction or site development of a lot, that the property owner shall immediately contact the OPP, the Ministry of Tourism, Culture and Sport and the Registrar or Deputy Registrar of the Cemeteries Unit of the Ministry of Consumer Services (or the applicable agencies at the time of final approval).

11. Archaeological Resources:

- A. That all recommendations of the Archaeological Assessment (Stage 1-2 & Stage 3) Report, dated June 4, 2010 by Adams Heritage and further revised May 2013 be implemented to the satisfaction of the Township.
- B. That if during the process of development any archaeological resources or human remains of Aboriginal interest are encountered, the Algonquins of Ontario Consultation Office will be contacted immediately at:

Algonquins of Ontario Consultation Office
31 Riverside Drive, Suite 101
Pembroke, Ontario K8A 8R6
Telephone: (613) 735-3759

Applicant/Agent: Gary Thomson	Owner: 1412713 Ontario Limited
File No.: 10CD-2012/002	Date of Decision: July 16, 2014
Municipality: Township of South Frontenac, County of Frontenac	Date of Notice: July 30, 2014
Subject Lands: Parts 1, 6 & 7 Plan 13R-8978, Except Parts 1-5, Plan 13R-18799, and Part 1, Plan 13R-19396, Part of Lot, Concession 10, Geographic Township of Pittsburgh, Township of South Frontenac, County of Frontenac	Last Date of Appeal: August 19, 2014

Fax: (613) 735-6307
email: algonquins@nrtco.net

12. Utilities and On-Site Works

- A. That a garbage pick-up area be included on the plan at a location near Carrying Place Road and to the satisfaction of the Township.
- B. That an easement be included and a dry fire hydrant shall be constructed at a location to be determined to provide for a Dry Hydrant - this hydrant and the access to it shall be left unobstructed and accessed by the Township for inspection anytime year round and shall be maintained 100 percent, twelve months per year by the Corporation which requirement shall be incorporated into the final condominium agreement. Construction of the hydrant and all maintenance costs shall be borne by the developer/condominium corporation and shall be to the satisfaction of the Township
- C. That, subject to the requirements of Canada Post, any mail boxes shall be placed at a location near the entrance to the development near Carrying Place Road and to the satisfaction of the Township.
- D. That prior to final approval, the Owner satisfy the Township that public utilities, including without limitation Bell Canada, Hydro One, etc., are adequate to service the proposed development.
- E. That, prior to final approval, street lighting shall be installed at the entrance to the development at Carrying Place Road such lighting to also illuminate any garbage pick-up area and mail box location.

13. Revisions to Draft Plan:

- A. That Prior to Final Condominium Approval, the Owner shall submit a revised Block Plan, if required, to reflect any significant alterations caused from this Draft Plan Approval.
- B. That where final engineering design(s) result in minor variations to the Plan (e.g., in the configuration of lots, etc.), these may be reflected in the Final Plan subject to the satisfaction of the Township of South Frontenac and the County of Frontenac.

14. General conditions:

- A. That when requesting final Approval from the County of Frontenac, the Owner shall accompany such request with the required number of originals and copies of the Final Plan, together with a surveyor's certificate stating that the lots/blocks thereon conform to the frontage and area requirements of the Zoning By-Law.

Applicant/Agent: Gary Thomson	Owner: 1412713 Ontario Limited
File No.: 10CD-2012/002	Date of Decision: July 16, 2014
Municipality: Township of South Frontenac, County of Frontenac	Date of Notice: July 30, 2014
Subject Lands: Parts 1, 6 & 7 Plan 13R-8978, Except Parts 1-5, Plan 13R-18799, and Part 1, Plan 13R-19396, Part of Lot, Concession 10, Geographic Township of Pittsburgh, Township of South Frontenac, County of Frontenac	Last Date of Appeal: August 19, 2014

- B. That prior to final approval, the County of Frontenac is to be advised by the municipality that this proposed subdivision conforms to the Zoning By-law in effect of the Township of South Frontenac including that the zoning is satisfactory to the Cataraqui Region Conservation Authority.
- C. That the Owner submit a draft Vacant Land Condominium Declaration for approval by the Township and County to ensure all conditions of approval will be satisfied

15. Clearance Letters:

- A. That Prior to Final Condominium Approval, the County of Frontenac shall be advised that all Conditions of Draft Plan Approval have been satisfied; the clearance memorandum shall include a brief statement detailing how each Condition has been met.
- B. That Prior to Final Condominium Approval, the County is to be advised in writing by the Township of South Frontenac the method by which conditions 1 to 14 have been satisfied.
- C. That Prior to Final Condominium Approval, the County is to be advised in writing by KFL&A Public Health the method by which condition 6A has been satisfied.
- D. That Prior to Final Condominium Approval, the County is to be advised in writing by the Cataraqui Region Conservation Authority/Rideau Waterway Development Review Team the method by which conditions 7 and 8 have been satisfied.

16. Lapsing Provisions:

- A. That pursuant to Section 51(32) of the Planning Act, this Draft Plan Approval shall lapse at the expiration of three (3) years from the date of issuance of Draft Plan Approval if final approval has not been given, unless an extension is requested by the Owner and, subject to review, granted by the approval authority.
- B. That pursuant to Section 51(33) of the Planning Act, the Owner may submit a request to the approval authority for an extension of the Draft Plan Approval. The extension period shall be for a maximum of three (3) years and must be submitted prior to the lapsing of Draft Plan Approval. Further extensions may be considered at the discretion of the Township and the County.

Applicant/Agent: Gary Thomson	Owner: 1412713 Ontario Limited
File No.: 10CD-2012/002	Date of Decision: July 16, 2014
Municipality: Township of South Frontenac, County of Frontenac	Date of Notice: July 30, 2014
Subject Lands: Parts 1, 6 & 7 Plan 13R-8978, Except Parts 1-5, Plan 13R-18799, and Part 1, Plan 13R-19396, Part of Lot, Concession 10, Geographic Township of Pittsburgh, Township of South Frontenac, County of Frontenac	Last Date of Appeal: August 19, 2014

NOTES TO DRAFT APPROVAL

1. It is the applicant's responsibility to fulfill the foregoing Conditions of Draft Plan Approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the County of Frontenac.
2. When requesting Final Approval, the applicant will submit an account of how each Condition of Draft Approval has been satisfied along with the appropriate clearance letter from the Agency, Ministry or body requesting the condition.
3. Prior to Final Condominium Approval, the applicant shall submit to the County of Frontenac for review draft digital copies of all applicable Reference Plans, Surveys and, the M-Plan.
4. When requesting final approval, such a request must be directed to the Clerk, and be accompanied with:
 - Five (5) mylars and five (5) paper prints of the completed Final M-Plan;
 - Four (4) copies of all Reference Plans and (4) copies of all Conveyance Documents for all easements and lands being conveyed to the Municipality;
 - A copy of the condominium agreement and the condominium declaration
 - A Surveyor's Certificate to the effect that the lots and blocks on the Plan conform to the Zoning By-Law with respect to lot area and lot frontage;
 - A digital file in AutoCad format; and,
 - An application fee in accordance with the County's applicable fee by-law.
5. All measurements in condominium final plans must be presented in metric units.
6. The Final Plan approved by the County of Frontenac must be registered within thirty (30) days or the County of Frontenac may, under Subsection 51(59) of the *Planning Act*, withdraw it approval.
7. Clearances are required from the following agencies:
 - Township of South Frontenac
 - KFL&A Public Health
 - Cataraqui Region Conservation Authority/Rideau Waterway Development Team



REPORT TO COUNCIL DEVELOPMENT SERVICES DEPARTMENT



AGENDA DATE: June 4, 2019

REPORT DATE: May 30, 2019

SUBJECT: Application for Extension of Draft Plan Approval for the Ouellette Plan of Subdivision
10CD-2011/002

Owner: Roberta Ouellette

Applicant: Mike Keene, FOTENN Consultants

Planning Consultant: Mike Keene, FOTENN Consultants

RECOMMENDATION:

THAT South Frontenac Council recommend the County of Frontenac extend draft plan approval for a period of one year for application 10T-2011/002, subject to the conditions approved by County Council on July 17, 2013 and direct the Clerk to forward this resolution to the County Clerk.

BACKGROUND:

The Township received notice on May 27, 2019 that the County of Frontenac has received an application to extend draft plan approval for the Ouellette Plan of Subdivision at 2292 Sands Road in Battersea (10T-2011/002).

The County has the full responsibility/authority to make the decision regarding the extension of draft plan approval. Township Council has the opportunity to provide a recommendation to County Council regarding the extension of draft plan approval.

The Ouellette Plan of Subdivision is due to lapse on July 17, 2019. Ouellette Plan of Subdivision received draft plan approval from the County in 2013 and had a one year extension to draft plan approval granted in 2016, 2017, and 2018.

Reason for Draft Plan Extension:

Under the Planning Act, the Owner has the right to apply to the approval authority, in this instance the County of Frontenac, to extend draft plan approval.

The reason stated on the application as to why draft plan extension is required is outlined below:

“Since obtaining draft subdivision approval, one of the two owners, Roger Ouellette, regrettably passed away. His wife, Roberta Ouellette, is not in a position to satisfy draft conditions and is therefore attempting to sell the lands. A one year extension was granted in 2016, 2017 and again in 2018; however, Ms. Ouellette has not been successful in selling the property. An additional one year extension is being requested to allow the owner to sell the lands before draft plan approval expires.”

The application notes that this Plan of Subdivision is located within a settlement area where development is most desired from a planning perspective.



REPORT TO COUNCIL DEVELOPMENT SERVICES DEPARTMENT



Review of Request for Draft Plan Extension:

Staff have no concerns with the County granting a further one year extension to draft plan approval to allow Mrs. Ouellette the opportunity to sell the property located at 2292 Sands Road with the draft plan approval in place.

Next Steps

The resolution of South Frontenac Council will be forwarded to the County Clerk for consideration at the June 19, 2019 County Council meeting where the application to extend draft plan approval for Johnston Point will be considered.

FINANCIAL/STAFFING IMPLICATIONS:

None

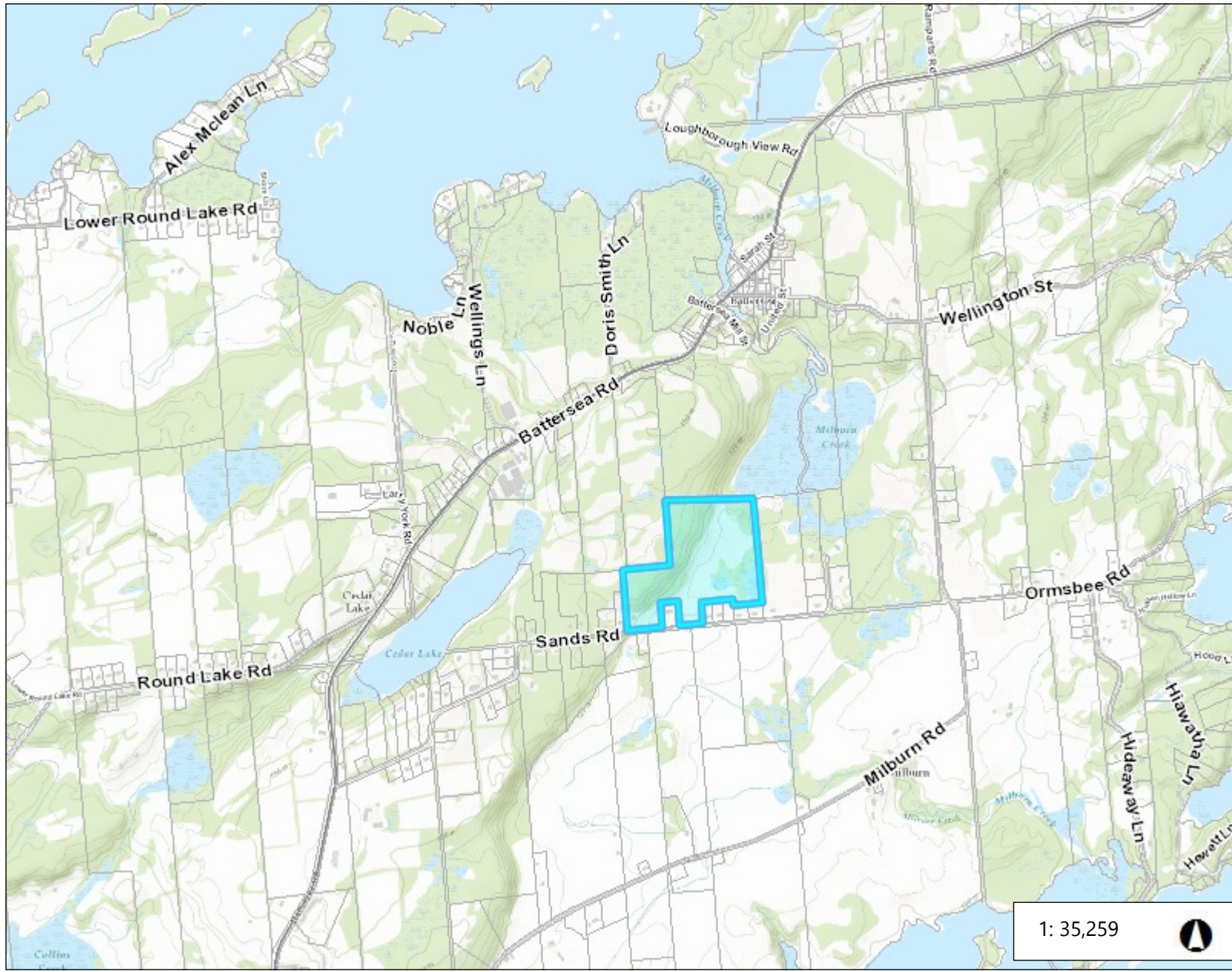
ATTACHMENTS:

Attachment 1: Location Map of Ouellette Plan of Subdivision

Attachment 2: Draft Plan Conditions for Ouellette Plan of Subdivision 10T-2011/002


Submitted/approved by: Wayne Orr, Chief Administrative Officer

Prepared by: Claire Dodds, Director of Development Services



Legend

- Road
 - Highway
 - Major Road
 - Secondary Road
 - Ferry Route
- Assessment Parcels
- Citations

1: 35,259 



WGS_1984_Web_Mercator_Auxiliary_Sphere
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Applicant/Agent: FoTenn Consultants Inc.	Owner: Roger and Roberta Ouellette
File No.: 10T-2008/002	Date of Decision: July 17, 2013
Municipality: Township of South Frontenac, County of Frontenac	Date of Notice: July 19, 2013
Subject Lands: 2292 Sands Road, Battersea	Last Date of Appeal: August 8, 2013

NOTICE OF DECISION

THE CORPORATION OF THE COUNTY OF FRONTENAC

with respect to an Application for Approval of Draft Plan of Subdivision
Subsection 51(37) of the Planning Act

TAKE NOTICE that the Council of The Corporation of the County of Frontenac approved a Draft Plan of Subdivision Application, in respect of the subject lands noted above, on July 17, 2013, under Section 51 of the *Planning Act, R.S.O. 1990, as amended*.

When and How to File an Appeal

Notice to Appeal the Decision to the Ontario Municipal Board must be filed with the Clerk of the County of Frontenac no later than August 8, 2013 as shown above as the Last Date of Appeal. An appeal form is available from the County office or the OMB website.

The notice of appeal should be sent to the attention of the Clerk, and it must:

1. Set out the reasons for the appeal,
2. Indicate the name and address of the appellant;
3. Be sent to the address shown below, and
4. Be accompanied by a fee payment in the amount of \$125.00 payable by certified cheque or money order to the Minister of Finance, Province of Ontario.

Who Can File an Appeal

At any time before the approval of the final plan of subdivision, the following may appeal any of the conditions imposed by the County of Frontenac to the Ontario Municipal Board by filing a notice of appeal with the Clerk of the County of Frontenac:

- (i) the applicant;
 - (ii) any public body that, before the approval authority made its decision, made oral submission at a public meeting or written submission to the approval authority;
 - (iii) the Minister; or
 - (iv) the Municipality in which the subject land is located may.
- i. Only individuals, corporations or public bodies may appeal the Decision of the Council of The Corporation of the County of Frontenac in respect of the proposed plan of subdivision to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.
 - ii. No person or public body shall be added as a party to the hearing of the appeal of the Decision of the Council of The Corporation of the County of Frontenac, including the lapsing provisions or the conditions, unless the person or public body, before the Decision of the Council of The Corporation of the County of Frontenac, made oral submissions at a public

Applicant/Agent: FoTenn Consultants Inc.	Owner: Roger and Roberta Ouellette
File No.: 10T-2008/002	Date of Decision: July 17, 2013
Municipality: Township of South Frontenac, County of Frontenac	Date of Notice: July 19, 2013
Subject Lands: 2292 Sands Road, Battersea	Last Date of Appeal: August 8, 2013

meeting or written submissions to the Council or, in the Ontario Municipal Board's opinion, there are reasonable grounds to add the person or public body as a party.

How to Receive Notice of Changed Conditions

The conditions of an approval of Draft Plan of Subdivision may be changed at any time before the Final Approval is given.

- i. You will be entitled to receive notice of any changes to the conditions of approval of the proposed plan of subdivision if you have made a written request to be notified of changes to the conditions.
- ii. No person or public body shall be added as a party to the hearing of an appeal regarding any changes to the conditions of approval unless the person or public body, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority, or made a written request to be notified of the changes to the conditions.

Additional Information

Additional Information about the application is available for public inspection during regular office hours at the County of Frontenac office by contacting:

Peter Young, Community Planner
 County of Frontenac
 2069 Battersea Road, Glenburnie, ON K0H 1S0

or phone (613) 548-9400 during regular business hours.

Mailing Address for Filing a Notice of Appeal

The appeal must be sent to:
 K. Elizabeth Savill, CAO/Clerk
 County of Frontenac
 2069 Battersea Road, Glenburnie, ON K0H 1S0
 Tel: (613) 548-9400
 Fax: (613) 548-8460

Applicant/Agent: FoTenn Consultants Inc.	Owner: Roger and Roberta Ouellette
File No.: 10T-2008/002	Date of Decision: July 17, 2013
Municipality: Township of South Frontenac, County of Frontenac	Date of Notice: July 19, 2013
Subject Lands: 2292 Sands Road, Battersea	Last Date of Appeal: August 8, 2013

CONDITIONS TO DRAFT APPROVAL

The conditions of approval for the draft plan of subdivision are as follows:

1. Approved Draft Plan:

That this conditional approval applies to the Draft Plan of Subdivision, dated April 26, 2013, prepared and certified by Hopkins, Cormier, and Chitty Surveying Consultants Inc OLS. which shows the following:

- 15 lots for single detached dwellings (Lots 1-15);
- Two stormwater blocks (Blocks 16 and 17)
- 1 block for an existing single detached dwelling (Block 18)
- One public road (Street A)
- One future road allowance (Street B)

2. Subdivision Agreement:

That the owners of the subject land enter into a subdivision agreement with the municipality, prepared to the satisfaction of the municipality, to be registered on title of the subject land.

3. Financial Requirements:

- A.** That the owner agree in writing to satisfy all the requirements, financial and otherwise of the municipality concerning the provision of roads, installation of services and drainage, in accordance with the municipality's standards and procedures.
- B.** That the Owner shall reimburse the Township of South Frontenac and County of Frontenac for all legal, engineering, planning, administrative expenses and permit fees including the cost of any peer review that the Township of South Frontenac or County of Frontenac may require in relation to the subdivision.

4. Access:

- A.** That the road allowance included in this draft plan as 'Street A' shall be shown and constructed to Township standards for public roads with paved asphalt surfacing and that the road be dedicated as a public highway.
- B.** That visual screening in the form of fencing and/or earthen berms and/or trees may be required to be constructed along the east and west side of the new road allowance where it abuts the existing neighbouring property and Lot 15 at Sands Road. After final grading of the new road is completed, the Township will determine the extent of buffering required based on providing an adequate measure of privacy for Lot 15 and the existing property-owner who could be negatively affected by the traffic on the new street.
- C.** That the street shall be named to the satisfaction of the municipality.
- D.** That any dead ends and open sides of road allowance created by this plan of subdivision shall be terminated in 0.3 metre reserves to be conveyed to and held

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in trust by the municipality and that 'Street B' which is a 20 metre wide area of land, be dedicated to the Township extending north from the new street and ending at the northern limit of the subject land to be for the purpose of providing a future road access to the north.

- E.** That a 1.5 metre wide concrete sidewalk be constructed to a standard satisfactory to the Township along the southeast side of the road allowance from Sands Road in the south and terminating at the cul-de-sac in the north and that the technical drawings prepared by EXP services Inc. be revised to show this sidewalk in relation to ditching and stormwater flows. The Township acknowledges that the 20 metre wide road allowance may be required to be further widened to accommodate this construction.

5. On-Site Sewage Disposal and Water Systems:

- A.** That the recommendations outlined in the letter dated November 14, 2012 and July 5, 2013 from KFL&A Public Health to the County of Frontenac, be addressed to the satisfaction of the municipality.
- B.** That all requirements and recommendations specified in the Hydrogeology, Terrain Analysis and Nitrate Impact Assessment Report, revised dated April 9, 2013, from EXP Services Inc., and associated drawings be complied with.
- C.** That any existing wells and or septic systems that may be present on the site and are not to be used as part of the plan of subdivision be decommissioned as per applicable regulations.

6. Environment

- A.** That all conditions outlined in the letters dated October 29, 2012 and May 29, 2013 from the Cataraqui Region Conservation Authority to the County of Frontenac, be addressed to the satisfaction of the municipality.
- B.** That the 30 metre setback from the wetland as illustrated by a grey dashed line on the 'Site and Existing Conditions Plan C-01', by EXP Services Inc, revision date 13/04/17, be identified on Lots 6 through 14 with a line of shrubs with a minimum height of 0.5 metres to be installed by the developer and maintained by each future Lot-owner for the purpose of defining a no-build area on each of these lots.
- C.** That a development agreement be entered into and registered on the title of Lots 6 through 14 which would require each Lot-owner to maintain a line of shrubs defining the 30 metre setback from the wetland and which would impose prohibitions on development within the area of each Lot that lies within the 30 metre setback from the wetland in accordance with the recommendations of the Environmental Impact Statement, dated March 5, 2011, from Ecological Services, and the Township's environmental protection policies.
- D.** That recommendation number two of the EIS (Ecological Services, March 5, 2011) regarding the maintenance of a 15 m no disturbance area adjacent to the

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swamp areas be implemented through site plan control, development agreements, or other such means as deemed appropriate by the Township.

- E.** That prior to final approval, the County of Frontenac is to be advised by the municipality that this proposed subdivision conforms to the Zoning By-law in effect of the Township of South Frontenac including that the wetland within Lots 6 through 14 be zoned Environmental Protection (EP) Zone and that the zoning is satisfactory to the Cataraqui Region Conservation Authority.
- F.** That the recommendations of the Environmental Impact Statement (EIS) dated March 5, 2011, be implemented including the recommendation to complete a 'Woodland Preservation Plan' prepared by a qualified professional to maintain the ecological integrity of the woodlands on the high-ground in the northwest portion of the property and to ensure that it is not fragmented in accordance with the specifications presented in the EIS.
- G.** That the recommendations of the 'Woodland Preservation Plan' for preserving the woodlands on the high ground on the northwest portion of the subdivision be incorporated into an agreement to be entered into and registered on the title of Lots 2 through 7. The agreement shall require each Lot-owner to maintain the trees as specified in the Plan.
- H.** That the Subdivision Agreement include text to the satisfaction of the Township and the CRCA to provide notice to purchasers of Lots 5 to 14 inclusive and Blocks 16 and 17 that site alteration and construction (including but not limited to buildings, structures, filling and grading) on these lots will require permission under Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses prior to commencing these activities.
- I.** That the Subdivision Agreement include text to the satisfaction of the Township and the CRCA notifying the Owner that permission will be required under Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses prior to commencing rough grading, stockpiling, etc. associated with this subdivision.

7. Stormwater

- A.** That a lot grading and drainage plan and a sediment and erosion control plan be completed and approved to the satisfaction of the Township of South Frontenac and the Cataraqui Region Conservation Authority ('CRCA'), and be included in the Subdivision Agreement between the Owner and the Township.
- B.** That a stormwater management plan be prepared by a qualified Professional Engineer and approved to the satisfaction of the Township and the CRCA, and that appropriate text to implement its findings be included in the Subdivision Agreement.
- C.** That site drainage design, construction and maintenance be in accordance with the recommendations contained in the 'Stormwater Management Report for the Sands Road Residential Development', revised dated April, 2013 by EXP Services Inc., and associated drawings including the construction of ditches,

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culverts and stormwater management facilities designed and constructed to the satisfaction of the municipality on Blocks '16' and '17' and that such facilities be dedicated to the Township of South Frontenac.

- D.** That the blocks to be dedicated to the Township for the two stormwater management ponds be designed with a minimum of 10 metres of frontage on the new street to provide direct access for drainage and maintenance of the stormwater management facilities.

8. Parkland Dedication:

That the owner convey up to five percent of the land included in the plan to the municipality for park purposes. Alternatively, the municipality may require cash-in-lieu for all or a portion of the conveyance.

9. Human Remains:

The subdivision agreement shall contain a clause providing that any Owner(s) be advised, and also that a notice be placed in the purchase and sale agreement alerting any prospective purchasers that in the event that human remains are discovered during construction or site development of a lot, that the property owner shall immediately contact the OPP, the Ministry of Tourism, Culture and Sport and the Registrar or Deputy Registrar of the Cemeteries Unit of the Ministry of Consumer Services.

10. Archaeological Resources:

- A.** That the subdivision agreement include all recommendations contained in the Stage 1 Archaeological Assessment Report dated June 2011, from Golder Associates Ltd.
- B.** That the archaeological resource identified in the Stage 2 Archaeological Assessment Report, dated October 11, 2011 by Abacus Archaeological Services on Lot 4 in the subdivision and further noted in the letter dated October 10, 2012 from the Ministry of Tourism, Culture and Sport, be protected by way of special zoning on Lot 4 and that any required future measures to protect the feature be implemented to the satisfaction of the Township.

11. On-Site Works

- A.** That all entrances to the lots including entrance culverts be located and constructed to the satisfaction of the Township.
- B.** That all servicing including Bell, Hydro etc. be installed underground.
- C.** That, prior to final approval, the municipality shall be satisfied that all servicing issues are resolved such as road and sidewalk construction, Canada Post, Bell Canada, and stormwater pond construction.
- D.** That, the subdivision agreement include a requirement that one tree be planted in the front yard of each of the fifteen lots in the subdivision of a size, type and location specified in the Township's Site Plan Guidelines.

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- E. That, prior to final approval, street lighting shall be installed according to Township standards and to the satisfaction of the municipality.
- F. That, prior to final approval, street signage shall be installed according to Township standards and to the satisfaction of the municipality.

12. Revisions to Draft Plan:

- A. That Prior to Final Subdivision Approval, the Owner shall submit a revised Block Plan, if required, to reflect any significant alterations caused from this Draft Plan Approval.
- B. That where final engineering design(s) result in minor variations to the Plan (e.g., in the configuration of lots, etc.), these may be reflected in the Final Plan subject to the satisfaction of the Township of South Frontenac and the County of Frontenac.

13. Community Mailboxes:

- A. That Prior to Final Plan Approval, the Owner shall, in consultation with and to the satisfaction of Canada Post, identify the method of mail delivery. If community mailboxes are required, the location of the community mailboxes within the Plan shall be identified on drawings for approval by the Township. The locations of these community mailboxes shall be identified in the notice to future purchasers of the lots within the Subdivision.
- B. The Owner shall, if required, provide detailed design plans for the community mailboxes including a landscape plan.
- C. If required, the Owner shall provide a suitable temporary community mailbox location to the satisfaction of the Township.

14. Bell Canada

- A. The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the Municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).

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- B. The Owner shall agree in the Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the owner/developer shall be responsible for the relocation of such facilities or easements.
- C. The Owner shall be required to enter into an agreement (Letter of Understanding) with Bell Canada complying with any underground servicing conditions imposed by the Municipality, and if no such conditions are imposed the owner shall advise the municipality of the arrangement made for such servicing.

15. General conditions:

- A. That when requesting final Approval from the County of Frontenac, the Owner shall accompany such request with the required number of originals and copies of the Final Plan, together with a surveyor's certificate stating that the lots/blocks thereon conform to the frontage and area requirements of the Zoning By-Law.
- B. That the lands within this Draft Plan shall be appropriately zoned by a Zoning By-Law which has come into effect in accordance with the provisions of the Planning Act.

16. Clearance Letters:

- A. That Prior to Final Subdivision Approval, the County of Frontenac shall be advised that all Conditions of Draft Plan Approval have been satisfied; the clearance memorandum shall include a brief statement detailing how each Condition has been met.
- B. That Prior to Final Subdivision Approval, the County is to be advised in writing by the Township of South Frontenac the method by which conditions 1 to 15 have been satisfied.
- C. That Prior to Final Subdivision Approval, the County is to be advised in writing by KFL&A Public Health the method by which conditions 5 A and B have been satisfied.
- D. That Prior to Final Subdivision Approval, the County is to be advised in writing by the Cataraqui Region Conservation Authority the method by which conditions 6) and 7) A to C have been satisfied.
- E. That Prior to Final Subdivision Approval, the County is to be advised in writing by Canada Post the method by which condition 13 has been satisfied.
- F. That Prior to Final Subdivision Approval, the County is to be advised in writing by Bell Canada the method by which condition 14 has been satisfied.

17. Lapsing Provisions:

- A. That pursuant to Section 51(32) of the *Planning Act*, this Draft Plan Approval shall lapse at the expiration of three (3) years from the date of issuance of Draft

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Plan Approval if final approval has not been given, unless an extension is requested by the Owner and, subject to review, granted by the approval authority.

- B.** That pursuant to Section 51(33) of the *Planning Act*, the Owner may submit a request to the approval authority for an extension of the Draft Plan Approval. The extension period shall be for a maximum of three (3) years and must be submitted prior to the lapsing of Draft Plan Approval. Further extensions may be considered at the discretion of the Township and the County.

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NOTES TO DRAFT APPROVAL

1. It is the applicant's responsibility to fulfill the foregoing Conditions of Draft Plan Approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the County of Frontenac.
2. When requesting Final Approval, the applicant will submit an account of how each Condition of Draft Approval has been satisfied along with the appropriate clearance letter from the Agency, Ministry or body requesting the condition.
3. Prior to Final Subdivision Approval, the applicant shall submit to the County of Frontenac for review four (4) draft copies of all Reference Plans and Surveys and three (3) draft copies of the Final M-Plan.
4. When requesting final approval, such a request must be directed to the Deputy Clerk, and be accompanied with:
 - Eight (8) mylars and four (4) paper prints of the completed Final M-Plan;
 - Four (4) copies of all Reference Plans and (4) copies of all Conveyance Documents for all easements and lands being conveyed to the Municipality; and,
 - A Surveyor's Certificate to the effect that the lots and blocks on the Plan conform to the Zoning By-Law with respect to lot area and lot frontage.
 - A digital file in AutoCad format.
5. All measurements in subdivision final plans must be presented in metric units.
6. The Final Plan approved by the County of Frontenac must be registered within thirty (30) days or the County of Frontenac may, under Subsection 51(59) of the *Planning Act*, withdraw its approval.
7. Clearances are required from the following agencies:
 - Township of South Frontenac
 - KFL&A Public Health
 - Cataraqui Region Conservation Authority
 - Canada Post
 - Bell Canada



Report to Council OFFICE OF C.A.O.



AGENDA DATE: June 4, 2019

SUBJECT: Premier's Letter to Heads of Council

RECOMMENDATION:

OPEN

BACKGROUND:

Later in the June 4 Agenda, Council will find a letter from the Premier of Ontario received electronically on May 27.

Beyond granting a reprieve on the in-year retroactive funding cuts previously announced, this letter suggests that municipal governments, as partners with the Province, should work together to find efficiencies to transform critical services. Furthermore the Province has given municipalities money to help modernize and find savings.

I do not believe for a moment that South Frontenac is wasteful or over staffed. Rather we deliver exceptional services with the resources we have and have taken steps towards being self-sufficient rather than relying upon grants in order to meet expectations.

I do acknowledge that there could be different processes, but caution that they may come at a cost to service delivery, access to services and programs or staff morale and retention.

Efforts to identify potential efficiencies and / or savings are best focused on the big picture items rather than looking at how much is spent on office supplies, how many paint brushes we buy a year or how much we pay for rust proofing etc.

For example at a local level:

- Council could set policy on standards for facilities and parks. Is staff time, contract and capital dollars best spent on maintaining facilities in close proximity to each other? For example Fermoy and Glendower Halls or ball fields at Wilmer and Sydenham or soccer pitches in Verona and Harrowsmith.
- Are better decisions made and staff time best utilized with the structures we have put in place. For example four District Recreation Committees as well as a Central Committee.
- Is there a better way to achieve the level of service we have set for winter control that meets the competing demands for clear roads and minimum impact on the surrounding environment?
- Is our procurement bylaw causing wasted staff time in preparing and processing RFP/RFQs given the relatively low thresholds?
- Is the information we obtain by tracking all costs to a facility, vehicle or road out strip the benefits of the time needed to record and enter the information? Could an electronic card swipe process simplify the process? Would we lose the information we need to make better decisions?
- Is the sub-committee structure (PSC/DSC/CSC) along with COW and Council duplicating work for staff and consuming time that could be spent on front line service? Do we get better outcomes and more timely decisions as a result?
- Should we be going above the legislative requirements for consultation? Is this the best use of resources?
- Is Council too large? What about Committee of Adjustment?

Our strength is our community.



Report to Council OFFICE OF C.A.O.



- Does the Township need to be a landlord in Seniors Housing if we are looking at offering units at market rents? Will the market place take care of this?
- Are we recovering enough for our facility rentals? For swim and day camp programs? For photocopies, severance applications, tax certificates, entrance permits, pool fences, dog tags etc..... do we nickel and dime our residents with fees or provide services through property taxes?
- Do we need to own and maintain a medical facility in Verona when the marketplace built a new one in Sydenham?
- Do we need to spend more up front in planning and designing projects with the hope that this will lead to more predictable project delivery? Will this always lead to savings?

If Council wants to go down this road they have to be prepared to take the time to consider all facets and then make difficult decisions that will have ramifications on service. The Strategic Planning process needs to firmly and clearly establish the priorities of Council and the principles that will be the basis for future decision making.

FINANCIAL / STAFFING IMPLICATIONS

ATTACHMENTS:

Submitted/approved by:

Wayne Orr, CAO

Prepared by:

Wayne Orr, CAO

BELLROCK HALL MEETING APRIL 17, 2019

Present: Gina Ritchie, Cynthia Champman, Terry Sauve, Ray Leonard, Debbie Twiddy.

Treasurer: No new information at this point. Some significant donations this month from various events. No major expenses, just the usual. Report to be submitted next month.

Minutes Mar 21, 2019: Reviewed via email, approved by Debbie/Cynthia.

Old Business: Hall Insulation, lights: Lights received, ready to be installed. Terry still waiting to hear from Kevin Smith. Probably when weather improves.

Water testing: Water is to be tested March 27. And failed. Terry retested April 3 and it passed.

Upcoming fund-raisers/community events:

Authors' night—Celine not here to report

Terry's Band (Porch Pilots): Cynthia will look into LLBO application. Hasn't yet applied for it yet. Date set for Saturday June 22nd, 7pm to 11 pm.

Fish Fry: Terry contacted Muddy Waters. They are interested in doing something for us. Menu choice could be wings instead; approved. Terry to get a price structure from Denise.

Variety Show: Drummers/Choir/Harpist/Flute trio. Debbie has contacted them again for a fall concert. All have replied and are interested. October date to be determined.

Paint night: Cynthia still hasn't heard back. Terry may get some info from another paint-night organiser. Possibly combine with alcohol service.....

S. Frontenac grant application (due date Apr 15)—Internet access, composters and community gardens. Celine has submitted the grant application for all of these projects. Total of \$2500 requested. Many thanks to Celine for the considerable amount of work researching and submitting this application.

New Business:

Repair Cafe: Approved to accept freewill offering split 50/50 with the Repair Cafe association. Posters, FaceBook, newspapers, websites—after we get details we can do some advertising. Maybe serving snacks, drinks as extra fund-raiser effort (for the hall only).

UPCOMING BOOKINGS:

Apr 20 Rental (Laurie Howes)

Apr 27 Rental (bridal shower)

May 11 Bridal shower

May 24 weekend Sparks.

June 22 Dance and Concert with the Porch Pilots

June 23 Repair cafe

Next meeting date: May 16, 2019.

Minutes of Development Services
April, 29, 2019

Time: 8:30 AM

Location: Council Chambers



Present: Chair Councillor Sutherland, Councillor Norm Roberts, Councillor Randy Ruttan, Mayor Ron Vandewal

Staff: Claire Dodds, Director of Development Services, Wayne Orr, Chief Administrative Officer, Angela Maddocks, Clerk, Mark Segsworth, Director of Public Services

1. Call to Order
 - a) The Chair, Councillor Ross Sutherland, called the meeting to order at 8:30 am.
2. Declaration of pecuniary interest and the general nature thereof
 - a) There were no declarations.
3. Approval of Minutes
 - a) March 25, 2019

Resolution No. DSC-2019-04/29-01

Moved by Councillor Roberts

Seconded by Mayor Vandewal

That the minutes of the March 25, 2019 Development Services meeting be approved.

Carried

4. Business Arising from the Minutes - n/a
5. New Business
 - a) Development Charges - Draft Local Service Policy

Claire Dodds provided an overview on the draft "Local Service Policy" that is written to accommodate for forms of development that may not yet be present in the township in order to be flexible to accommodate future growth. With the implementation of Bill 73 in 2017, it is now more important to have a policy that delineates the costs that developers will bare as part of the development process. Such a policy considers items such as collector and arterial roads, intersection improvement and traffic signals, streetlights and sidewalks, noise abatement measures, land dedications/easements, natural heritage features and servicing and stormwater.

Councillor Sutherland asked if a Transportation Master Plan would help with identifying where additional capacity is required.

The Committee questioned whether there would be a distinction in the policy between development in the hamlets and outside of hamlets. Claire Dodds confirmed that the wording would be generic enough to cover both.

Concerns were discussed about street lighting requirements as there has not been a consistency in subdivision agreements specifically and it is recognized that this needs to be included in future agreements. Consideration to "light

Minutes of Development Services
April, 29, 2019

pollution" is also important.

It was clarified that the Development Charge fee itself is a flat rate and is not connected to the value of construction.

With regard to the parkland development section, Mayor Vandewal questioned who would be paying for playground structures and would there be a minimum standard requirement. This should also be defined in subdivision agreements going forward.

In Section 1.7, Natural Heritage System, it was noted that staff are looking into options for tree planting. Rideau Valley Conservation Authority has a great planting program in place.

The Committee was supportive of the draft policy and including it as an appendix in the updated Development Charges By-law.

b) Lot Grading & Drainage for New Lots Created by Severance

Currently there is no professional review of lot grading when new lots are created which creates some liability for the township. There are not staffing resources to address lot grading and drainage and by having this requirement built into the consent approval process it protects the future homeowners from potential flood damage.

Resolution No. DSC-2019-04/29-02

Moved by Councillor Ruttan

Seconded by Councillor Roberts

That the Development Services Committee recommend to Council that the Committee of Adjustment impose conditions requiring the preparation of lot grading and drainage plans, and related agreements, for the creation of new lots and to direct staff to contract services of an engineering firm to peer review the grading plans for the purpose of clearing conditions.

Carried

c) Subdivision Agreement Compliance

The committee discussed the need to provide the tools and compliance deadlines to ensure that staff have clout to enforce subdivision compliance. Concerns were expressed about developers who haven't dealt with all the terms of an existing subdivision but move onto new development projects. Council is aware of the public frustration with developers who do not complete all of the criteria set out in subdivision agreements. The benefit of contracted staff versus a full time engineer was discussed and the consensus was that staff would assess and review the associated costs at budget time.

Resolution No. DSC-2019-04/29-03

Moved by Councillor Ruttan

Seconded by Mayor Vandewal

That the Development Services Committee recommend to Council that Development Services staff work through Public Services to contract a professional engineering firm in accordance with the Township procurement policy, that can assist with providing short term and on-going engineering services to support Township staff with subdivision and condominium compliance.

Carried

6. Next Meeting: May 27, 2019

7. Adjournment

Minutes of Development Services
April, 29, 2019

a) Motion

Resolution No. DSC-2019-04/29-04

Moved by Councillor Ruttan

Seconded by Councillor Roberts

That the Development Services Committee meeting be adjourned at 10:00 a.m.

Carried

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2019-30**

Being a by-law to amend By-law 2003-75, as amended, to rezone land from Rural (RU) Zone, Limited Services Residential (RLS) Zone and Limited Services Residential – Waterfront (RLSW) Zone to the Waterfront Residential (RW) Zone, Part Lot 23 & 24, Concession 7, District of Bedford, Fanning (Capes)

WHEREAS pursuant to the provisions of the Section 34 of the *Planning Act*, RSO 1990 as amended, the Council of a Municipality may enact by-laws regulating the use of land and the erection, location and use of buildings and structures thereon;

AND WHEREAS By-law 2003-75 being the Zoning By-law regulates the use of land and the erection, location and use of buildings and structures within the Township of South Frontenac;

AND WHEREAS the Council of the Corporation of the Township of South Frontenac considered all written and oral submissions received on this application, the effect of which helped Council make an informed decision;

NOW THEREFORE, the Council of the Corporation of the Township of South Frontenac by its Council, hereby enacts as follows:

1. This by-law shall apply to the severed lands being a lot addition created through consent application S-90-18-B and the retained lands at 184 Burrigge Road. The lands are located in Part Lot 23 & 24, Concession 7, District of Bedford, Township of South Frontenac, municipally known as 184 Burrigge Road.
2. That Schedule "D", to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning from Rural (RU) Zone, Limited Services Residential (RLS) Zone and Limited Services Residential – Waterfront (RLSW) Zone to the Residential Waterfront (RW) Zone for those lands shown on the attached map designated as Schedule "1".
3. This By-law shall come into force in accordance with Section 34 of the Planning Act, 1990, as amended, either upon the date of passage or as otherwise provided by said section 34.

Dated at the Township of South Frontenac this 4th day of June, 2019.

Read a first and second time this 21st day of May, 2019.

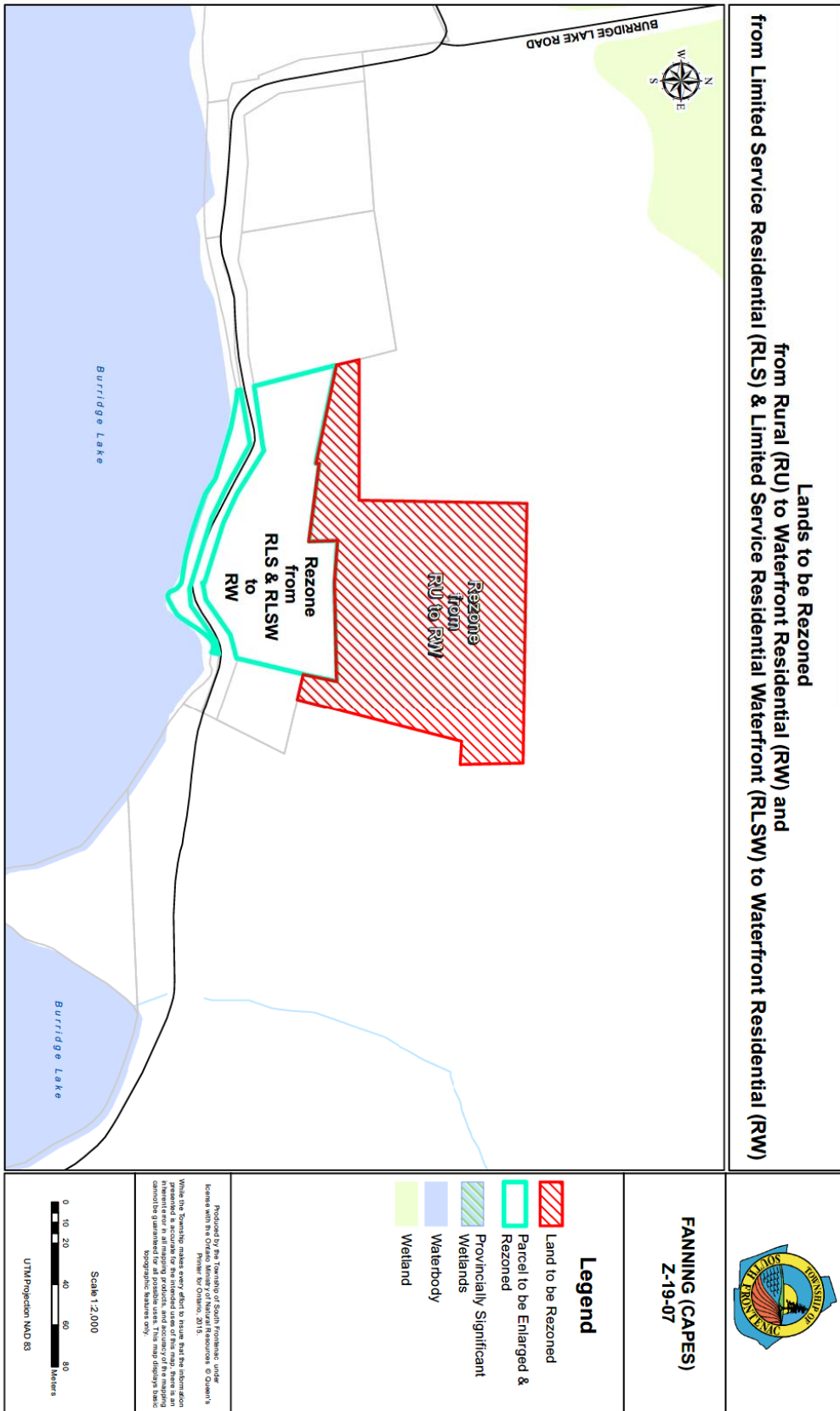
Read a third time and finally passed this 4th day of June, 2019.

**THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC**

Ron Vandewal, Mayor

Angela Maddocks, Clerk

Schedule 1



This is Schedule "1" to By-law No. 2019-30

Passed this 4th day of June, 2019

JUNIOR _____

CLERK _____



Payment Listing
For the period of May 22, 2019 to June 4, 2019

Accounts Payable Payment Listing: 305,851.87
For the period of May 22, 2019 to June 4, 2019

Payroll Payment Listing:

Pay Period #19-11 Pay date May 22, 2019 99,852.25
For the period of May 5, 2019 to May 18, 2019

Special Pay Pay date May 24th, 2019 921.60

Council Honorarium: Pay date May 31, 2019 14,161.65
For the period of May 1, 2019 to May 31, 2019

Total Payments \$ 420,787.37

RECOMMENDATION:

1. It is recommended that Council receive for information the listing of the Accounts Payable and Payroll for the period ending June 4, 2019 in the amount of
\$ 420,787.37

Submitted by:

Mark Foster - Accounting Clerk

Approved by:

Tracey Pritchard - Acting Deputy Treasurer

**Township of South Frontenac
 CHEQUE DISTRIBUTION REPORT**

Ranges: From: To: Distribution Types Included:
Cheque Date: 2019-05-22 2019-06-04 PURCH, MISC

10 GG

1100 Counc

Cheque	Date	Inv #	Vendor	Description	Amount
070217	2019-05-22		CASEMENT, JOYCE		
		19/05/14		Staff Recognition Lunch	\$1,425.00
Total 070217					\$1,425.00
070226	2019-06-04		FRONTENAC 4-H ASSOCIATION		
		2019 COMMUNITY GRANT		2019 COMMUNITY GRANT	\$1,500.00
Total 070226					\$1,500.00
070227	2019-06-04		FRONTENAC FURY		
		2019 COMMUNITY GRANT		2019 COMMUNITY GRANT	\$2,500.00
Total 070227					\$2,500.00
070237	2019-06-04		SYDENHAM WOMEN'S INSTITUTE		
		2019 COMMUNITY GRANT		2019 COMMUNITY GRANT	\$2,500.00
Total 070237					\$2,500.00
070240	2019-06-04		VERONA LIONS CLUB		
		2019 COMMUNITY GRANT		2019 COMMUNITY GRANT	\$1,492.00
Total 070240					\$1,492.00
070245	2019-06-04		FOURTEEN ISLAND NORTH FEEDER LAKE ASSOCIATION		
		2019 COMMUNITY GRANT		2019 COMMUNITY GRANT	\$500.00
Total 070245					\$500.00
EFT000000011374	2019-06-04		NEW LEAF LINK		
		2019 COMMUNITY GRANT		2019 COMMUNITY GRANT	\$4,000.00
Total EFT000000011374					\$4,000.00
Total Counc					\$13,917.00

1250 Clk

Cheque	Date	Inv #	Vendor	Description	Amount
EFT000000011390	2019-06-04		TROUSDALE'S FOODLAND		
		5024		Coffee+Cream+Milk	\$35.14
Total EFT000000011390					\$35.14
EFT000000011391	2019-06-04		TROUSDALE'S HOME HARDWARE		
		92544		Coffee Filters	\$7.10
Total EFT000000011391					\$7.10
Total Clk					\$42.24

1300 Elec

Cheque	Date	Inv #	Vendor	Description	Amount
070242	2019-06-04		ARCHAMBAULT, PHIL		
		2018 REFUND OF NOM		2018 Refund of Nom	\$200.00
Total 070242					\$200.00
Total Elec					\$200.00

Total GG

\$14,159.24

20 PP&P

2100 Fire

Cheque	Date	Inv #	Vendor	Description	Amount
070231	2019-06-04		MINISTER OF FINANCE-MIN NAT RESOURCE		
		130105191019082		2019 Forest Protection Fees	\$150.08
Total 070231					\$150.08
EFT000000011344	2019-06-04		AJ STONE COMPANY LIMITED		
		146109		Fireade Foam	\$4,273.92
		146108		25X Hoods	\$915.84
		146110		12X Facepieces	\$5,495.04
		146110		Shipping Costs Fire Equipment	\$322.89
		146107		25X Gloves	\$2,671.20
		146107		5X Gloves	\$534.24
		146111		3X Helmets	\$973.84
		146112		6X Ice Rescue Suits	\$5,189.76
		146318		20X O-Rings	\$83.76
		146373		17X Boots	\$2,473.62
Total EFT000000011344					\$22,934.11
EFT000000011345	2019-06-04		ASSELSTINE HARDWARE		
		6247		Canada Flag	\$40.69
Total EFT000000011345					\$40.69
EFT000000011347	2019-06-04		CAMERON MECHANICAL		
		2156		3X Ball valve kits	\$2,037.23
Total EFT000000011347					\$2,037.23
EFT000000011355	2019-06-04		FIRE MARSHAL'S PUBLIC FIRE		
		IN153993		30X Fire Fighting Textbook	\$3,112.60
Total EFT000000011355					\$3,112.60
EFT000000011356	2019-06-04		FISHER'S REGALIA & UNIFORM		
		43021		Epaulette+ Insignia	\$89.07
Total EFT000000011356					\$89.07
EFT000000011361	2019-06-04		GRAND & TOY LIMITED		
		N776818		Magnetic Wipe Board	\$62.45
Total EFT000000011361					\$62.45
EFT000000011365	2019-06-04		JODY CAMPBELL'S SEPTIC SERVICE		

Township of South Frontenac CHEQUE DISTRIBUTION REPORT

	13934	Portable Toilet Rental	\$101.76
Total EFT000000011365			\$101.76
EFT000000011368	2019-06-04	KENWORTH ONTARIO - KINGSTON	
	KS25158	Replaced Battery+ Diagnosed	\$754.99
Total EFT000000011368			\$754.99
EFT000000011370	2019-06-04	LEONARD FUELS	
	3935-993346	499.7L @.901	\$458.15
	4896-993066	416.9L @.920	\$390.30
	4896-996261	485.6L @.907	\$448.19
	1060-989292	363.2L @.909	\$335.96
	0647-996262	942.3L @.904	\$866.83
	0647-995439	1286.0L @.920	\$1,203.94
	0647-990007	186.8L @.922	\$175.26
	0647-59476	Replaced Thermostat	\$189.03
	2706-989294	591.7L @.919	\$553.34
	2706-994851	351.7L @.909	\$325.33
	1057-996177	70.00L @1.0699	\$74.78
	1057-1000893	94.16L @1.0699	\$100.60
	1057-996897	555.1L@.895	\$505.55
	1057-993041	870.4L @.917	\$812.21
	4896-1000114	494.4L @.9417	\$473.77
	1057-999459	603.3L @.897	\$550.68
	1057-1004250	92.93L @1.1142	\$103.48
	1057-1004259	94.39L @1.0876	\$102.53
	1057-1005324	109.77L @1.0876	\$119.24
	1057-1007241	53.73L @1.1142	\$59.83
	1057-1007575	47.00L @1.15	\$54.03
	1057-1007587	86.09L @1.1142	\$95.86
	1057-1010302	46.65L @1.1673	\$54.46
	1057-1010304	LUBES	\$5.23
	1057-1006246	957.4L @.915	\$890.53
	1057-1003030	79.07L @1.0611	\$83.76
Total EFT000000011370			\$9,032.87
EFT000000011373	2019-06-04	M&L SUPPLY, FIRE & SAFETY	
	155108	10X Fire Hoses	\$1,551.84
Total EFT000000011373			\$1,551.84
EFT000000011375	2019-06-04	NORTHWAY HARDWARE	
	16534	Screws+ Hasp+ Flusher	\$15.74
Total EFT000000011375			\$15.74
EFT000000011377	2019-06-04	ONTARIO ASSOCIATION OF FIRE CHIEFS	
	57756	Job Posting- Assistant Chief	\$330.72
Total EFT000000011377			\$330.72
EFT000000011389	2019-06-04	TOWN AND COUNTRY AUTO SUPPLY	
	6083-545112	Cole Hersee Switch	\$137.91
	6083-544177	Battery Disconnect Switch	\$44.83
Total EFT000000011389			\$182.74
EFT000000011390	2019-06-04	TROUSDALE'S FOODLAND	
	8842	Water	\$19.76
Total EFT000000011390			\$19.76
Total Fire			\$40,416.65

2105 Pub Ed

Cheque	Date	Inv #	Vendor	Description	Amount
070234	2019-06-04		PROVIX INC		
		N16465		Handheld Thermal Unit	\$1,011.13
Total 070234					\$1,011.13
Total Pub Ed					\$1,011.13

2605 Build

Cheque	Date	Inv #	Vendor	Description	Amount
070248	2019-06-04		SMITH CUSTOM HOMES & CONST. LTD		
		NSF FEE		NSF FEE	\$48.00
Total 070248					\$48.00
EFT000000011361	2019-06-04		GRAND & TOY LIMITED		
		N772370		Paper- Yellow	\$15.02
Total EFT000000011361					\$15.02
Total Build					\$63.02

2620 Anml Ctl

Cheque	Date	Inv #	Vendor	Description	Amount
EFT000000011340	2019-05-30		FRONTENAC MUNICIPAL LAW		
		SF-AC-2019-MAY		19/05 ANIMAL CONTROL	\$3,256.19
Total EFT000000011340					\$3,256.19
Total Anml Ctl					\$3,256.19

2625 Lvstck

Cheque	Date	Inv #	Vendor	Description	Amount
EFT000000011382	2019-06-04		REDDEN, JOSEPH		
		956260		Livestock-Green	\$50.00
		956260		Livestock-Green	\$25.46
		956260		Livestock-Green	\$3.20
Total EFT000000011382					\$78.66
Total Lvstck					\$78.66

Township of South Frontenac CHEQUE DISTRIBUTION REPORT

2640 Bylaw enf

Cheque	Date	Inv #	Vendor	Description	Amount
EFT000000011340	2019-05-30		FRONTENAC MUNICIPAL LAW		
		SF-P-2019-MAY		19/05- PARKING BYLAW	\$457.92
		SF-P-2019-MAY		19/05- PARKING BYLAW	\$634.98
Total EFT000000011340					\$1,092.90
EFT000000011358	2019-06-04		FRONTENAC MUNICIPAL LAW		
		SF-B-2019-MARCH		19/03 Bylaw Enforcement	\$646.58
Total EFT000000011358					\$646.58
Total Bylaw enf					\$1,739.48
Total PP&P					\$46,565.13

30 Trans

3010

Cheque	Date	Inv #	Vendor	Description	Amount
070225	2019-06-04		CLEAR DENT		
		6316		Improve C/Box	\$203.52
Total 070225					\$203.52
070229	2019-06-04		KINGSTON AUTO GLASS		
		21319		Install Windshield	\$152.64
		21298		Supply/Install Windshield	\$488.45
Total 070229					\$641.09
070238	2019-06-04		TRUDEAU TRAILERS		
		2375		Slipper Equalizer	\$39.58
Total 070238					\$39.58
EFT000000011343	2019-06-04		AIR LIQUIDE CANADA INC.		
		69860060		Oxygen	\$34.19
Total EFT000000011343					\$34.19
EFT000000011346	2019-06-04		BATTLEFIELD EQUIPMENT RENTALS		
		24227691		2X Camlock+ Hole Strainer	\$62.77
		24227472		Hole Strainer+ Suction Hose	\$238.05
		24227597		Suction Hose+ V-Touch Pad	\$3,528.02
Total EFT000000011346					\$3,828.84
EFT000000011350	2019-06-04		CINTAS		
		884257088		Uniform	\$11.93
		884257088		Cleaning Supplies	\$59.91
		884257087		Uniform	\$16.85
		884257087		Cleaning Supplies	\$304.64
Total EFT000000011350					\$393.33
EFT000000011359	2019-06-04		GANANOQUE CHEVROLET BUICK GMC		
		334945		6X Wipers	\$12.61
Total EFT000000011359					\$12.61
EFT000000011360	2019-06-04		GIN-COR INDUSTRIES INC		
		54913		Tarp	\$184.58
Total EFT000000011360					\$184.58
EFT000000011362	2019-06-04		GREER GALLOWAY CONSULTING ENGINEERS		
		21863		Petworth Bridge Review	\$3,307.20
Total EFT000000011362					\$3,307.20
EFT000000011364	2019-06-04		HARTINGTON EQUIPMENT LIMITED		
		IV56718		Filters	\$99.83
Total EFT000000011364					\$99.83
EFT000000011366	2019-06-04		JOE JOHNSON EQUIPMENT INC.		
		P31315		Broom Core	\$1,372.86
Total EFT000000011366					\$1,372.86
EFT000000011367	2019-06-04		KENT AUTOMOTIVE		
		9306698641		Assorted Parts	\$336.52
		9306698640		Assorted Parts	\$968.74
Total EFT000000011367					\$1,305.26
EFT000000011370	2019-06-04		LEONARD FUELS		
		4185-993065		359.1 L @.904	\$330.34
Total EFT000000011370					\$330.34
EFT000000011371	2019-06-04		LIEBHERR CANADA LTD		
		DAR21102409		Assorted Parts	\$1,382.00
Total EFT000000011371					\$1,382.00
EFT000000011372	2019-06-04		MESSER CANADA INC.		
		2100699782		Gases	\$276.44
Total EFT000000011372					\$276.44
EFT000000011376	2019-06-04		NORTRAX		
		1208845		Reseal Manifold	\$2,993.71
		1214017		Replace Pedal+Service	\$4,610.74
Total EFT000000011376					\$7,604.45
EFT000000011380	2019-06-04		PETRIE FORD		
		271365		2X Lamp Markers	\$4.58
		271365		4X 5" Clamps	\$36.06
		271365		Oil	\$101.47
		271673		5" Clamp	\$9.02
Total EFT000000011380					\$151.13
EFT000000011381	2019-06-04		PREMIER TRUCK GROUP		
		86413495		ABS Module	\$3,787.74
Total EFT000000011381					\$3,787.74
EFT000000011388	2019-06-04		RUSH TRUCK CENTRES		
		352075KI		Wiper Arm	\$50.98
		351735KI		Compressor	\$702.39
Total EFT000000011388					\$753.37
EFT000000011389	2019-06-04		TOWN AND COUNTRY AUTO SUPPLY		
		6083-545561		2X Rotor+Brake Pad set	\$376.35

Township of South Frontenac CHEQUE DISTRIBUTION REPORT

	6083-545782		Caliper		\$215.22
	6083-544892		Oil		\$47.51
	6083-544892		Filters		\$39.39
Total EFT000000011389					\$678.47
EFT000000011390	2019-06-04		TROUSDALE'S FOODLAND		
		92815	Weed Barrier		\$51.87
Total EFT000000011390					\$51.87
EFT000000011391	2019-06-04		TROUSDALE'S HOME HARDWARE		
		221934	U Bolt+Nuts		\$6.68
Total EFT000000011391					\$6.68
EFT000000011395	2019-06-04		UNIVERSAL SUPPLY GROUP		
		173-234183	Starter Delco		\$346.97
		173-232703	28" Orange Markers		\$115.94
		173-232045	Hitch		\$73.24
Total EFT000000011395					\$536.15
EFT000000011399	2019-06-04		MILLER PAVING LIMITED		
		SU-150-2019-1003-HB	Pulverizing-HB		\$91.55
		SU-150-2019-1003-HB	Pulverizing-HB		\$54.18
		SU-150-2019-1003-HB	Pulverizing-HB		\$205.07
Total EFT000000011399					\$350.80
Total					\$27,332.33

3215 Drainage

Cheque	Date	Inv #	Vendor	Description	Amount
070224	2019-06-04		ATKINSON HOME BUILDING CENTRE		
		203651		Sealant	\$7.62
Total 070224					\$7.62
070230	2019-06-04		LAFARGE CANADA INC		
		710515179		Gabion Stone	\$321.05
Total 070230					\$321.05
EFT000000011351	2019-06-04		COCO PROPERTIES CORP		
		202816		Gravel	\$179.95
		205164		Gravel	\$194.15
		207988		Gravel	\$1,686.31
		206218		Gravel	\$282.91
		204510		Gravel	\$275.83
Total EFT000000011351					\$2,619.15
Total Drainage					\$2,947.82

3220 Ctc,Cb>r

Cheque	Date	Inv #	Vendor	Description	Amount
EFT000000011354	2019-06-04		ENVIRONMENTALL CONTRACTING SERV		
		30042019-45		Clean out Catchbasins	\$2,160.16
Total EFT000000011354					\$2,160.16
Total Ctc,Cb&gtr					\$2,160.16

3310 Hardtop Patching

Cheque	Date	Inv #	Vendor	Description	Amount
070235	2019-06-04		SNIDER, PERCY		
		19/05/06-47		Patching	\$992.55
		19/05/07-48		Patching	\$992.55
		19/05/07-49		Patching	\$1,050.93
		19/05/08-50		Patching	\$934.16
		19/05/08-01		Patching	\$1,050.93
		19/05/09-02		Patching	\$1,050.93
Total 070235					\$6,072.05
EFT000000011378	2019-06-04		O. BETTSCHEN		
		42336		Cold Patch	\$15,141.69
Total EFT000000011378					\$15,141.69
EFT000000011393	2019-06-04		TW PATCHING		
		988311		Patching	\$10,796.74
Total EFT000000011393					\$10,796.74
Total Hardtop Patching					\$32,010.48

3320 should maint

Cheque	Date	Inv #	Vendor	Description	Amount
EFT000000011351	2019-06-04		COCO PROPERTIES CORP		
		202214		Gravel	\$1,818.41
		201927		Gravel	\$417.01
Total EFT000000011351					\$2,235.42
EFT000000011378	2019-06-04		O. BETTSCHEN		
		42285		Gravel	\$623.67
Total EFT000000011378					\$623.67
EFT000000011387	2019-06-04		SWEET'S SAND & GRAVEL		
		S-0058698		Gravel	\$720.55
Total EFT000000011387					\$720.55
Total should maint					\$3,579.64

3405 Washout

Cheque	Date	Inv #	Vendor	Description	Amount
EFT000000011351	2019-06-04		COCO PROPERTIES CORP		
		202214		Gravel	\$308.42
		202816		Gravel	\$410.79
		204510		Gravel	\$1,239.31

Township of South Frontenac CHEQUE DISTRIBUTION REPORT

Total EFT000000011351					\$1,958.52
EFT000000011378	2019-06-04		O. BETTSCHEN		
		42245		Gravel	\$799.96
		42245		Gravel	\$272.09
Total EFT000000011378					\$1,072.05
EFT000000011387	2019-06-04		SWEET'S SAND & GRAVEL		
		S-0058698		Gravel	\$4,879.54
		S-0058822		Gravel	\$3,387.67
		S-0058821		Gravel	\$1,073.22
Total EFT000000011387					\$9,340.43
Total Washout					\$12,371.00

3425 Gradng & Grvl resurf

Cheque	Date	Inv #	Vendor	Description	Amount
EFT000000011378	2019-06-04		O. BETTSCHEN		
		42245		Gravel	\$1,759.39
		42285		Gravel	\$102.58
Total EFT000000011378					\$1,861.97
EFT000000011399	2019-06-04		MILLER PAVING LIMITED		
		SU-150-2019-1003-HB		Pulverizing-HB	\$14.41
Total EFT000000011399					\$14.41
Total Gradng & Grvl resurf					\$1,876.38

3505 Snw Plwng

Cheque	Date	Inv #	Vendor	Description	Amount
EFT000000011396	2019-06-04		WHITE'S WEARPARTS LTD		
		128832		Nordic Studded Alloy Chains	\$454.93
		128832		Nordic Studded Alloy Chains	\$454.93
Total EFT000000011396					\$909.86
Total Snw Plwng					\$909.86

3615 Street signs

Cheque	Date	Inv #	Vendor	Description	Amount
EFT000000011384	2019-06-04		SIGNS PLUS		
		3134		30" Fingerboard Signs	\$188.00
Total EFT000000011384					\$188.00
Total Street signs					\$188.00

Total Trans

\$83,375.67

40 Env

5005 SW & Fac OH

Cheque	Date	Inv #	Vendor	Description	Amount
EFT000000011392	2019-06-04		TRUE ELECTRIC		
		6886		Lighting Retrofit	\$11,485.46
Total EFT000000011392					\$11,485.46
Total SW & Fac OH					\$11,485.46

5105 Garb coll

Cheque	Date	Inv #	Vendor	Description	Amount
070221	2019-05-30		SNIDER, PERCY		
		19/05 DISPOSAL		19/05 DISPOSAL	\$11,940.74
		19/05 DISPOSAL		19/05 DISPOSAL	\$9,856.55
		19/05 DISPOSAL -FUEL		19/05 DISPOSAL Fuel Adj	\$147.58
		19/05 DISPOSAL -FUEL		19/05 DISPOSAL Fuel Adj	\$121.81
Total 070221					\$22,066.68
EFT000000011338	2019-05-30		BOULTON SEPTIC/LARMON'S		
		COLLECTION 19/05		COLLECTION 19/05	\$12,197.80
		COLLECTION19/05-FUEL		COLLECTION 19/05- Fuel Adj.	\$150.76
Total EFT000000011338					\$12,348.56
Total Garb coll					\$34,415.24

5110 Gab disp

Cheque	Date	Inv #	Vendor	Description	Amount
EFT000000011342	2019-05-30		WHALEY, GEORGE		
		19/05 DISPOSAL		19/05 DISPOSAL	\$1,935.80
Total EFT000000011342					\$1,935.80
Total Gab disp					\$1,935.80

5205 Recyc Coll

Cheque	Date	Inv #	Vendor	Description	Amount
070221	2019-05-30		SNIDER, PERCY		
		19/05 DISPOSAL		19/05 DISPOSAL	\$12,881.10
		19/05 DISPOSAL		19/05 DISPOSAL	\$11,232.19
		19/05 DISPOSAL		19/05 DISPOSAL	\$11,989.49
		19/05 DISPOSAL -FUEL		19/05 DISPOSAL Fuel Adj	\$159.20
		19/05 DISPOSAL -FUEL		19/05 DISPOSAL Fuel Adj	\$138.82
		19/05 DISPOSAL -FUEL		19/05 DISPOSAL Fuel Adj	\$148.18
Total 070221					\$36,548.98
EFT000000011338	2019-05-30		BOULTON SEPTIC/LARMON'S		
		COLLECTION 19/05		COLLECTION 19/05	\$10,492.73
		COLLECTION19/05-FUEL		COLLECTION 19/05- Fuel Adj.	\$129.68

Township of South Frontenac CHEQUE DISTRIBUTION REPORT

Total EFT000000011338	\$10,622.41
Total Recyc Coll	\$47,171.39
Total Env	\$95,007.89

70 Cem

7000 Health

Cheque	Date	Inv #	Vendor	Description	Amount
EFT000000011339	2019-05-30		D G YOUNGE CONCRETE BURIAL VAULTS	SERVICES 19/05	\$875.14

Total EFT000000011339	\$875.14
Total Health	\$875.14

Total Cem

\$875.14

80 Rec

8000 Rec

Cheque	Date	Inv #	Vendor	Description	Amount
070239	2019-06-04		VANKOUGHNETT, RANDY	2019 Parking Space Rental	\$450.00

Total 070239	\$450.00
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070243	2019-06-04		CARTER, HANNAH	Hall Rental Refund	\$140.00
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Total 070243	\$140.00
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EFT000000011341	2019-05-30		LEONARD, ELIZABETH	19/05 MAINTENANCE	\$142.50
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Total EFT000000011341	\$142.50
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EFT000000011348	2019-06-04		CAMPBELL, ANNIE	19/05/13-STORR REC	\$32.47
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Total EFT000000011348	\$32.47
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EFT000000011357	2019-06-04		FOX, KEVIN	19/05/13-STORR REC	\$32.47
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Total EFT000000011357	\$32.47
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EFT000000011369	2019-06-04		KOT, JOHN	19/05/13-STORR REC	\$32.47
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Total EFT000000011369	\$32.47
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EFT000000011379	2019-06-04		PANTREY, AMANDA	19/05/13-STORR REC	\$65.00
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Total EFT000000011379	\$65.00
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EFT000000011385	2019-06-04		SMITH, ROBERTA	19/05/13-STORR REC	\$32.47
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Total EFT000000011385	\$32.47
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EFT000000011391	2019-06-04		TROUSDALE'S HOME HARDWARE		
		404402		4" Moulding	\$91.57
		91098		Moulding+Nails+Painters Tape	\$76.24
		90970		Spackle+Primer+Paint	\$145.19
		404403		Tile+Trowel+Adhesive	\$116.04
		91057		Doorknob Set	\$16.78
		303607		Paint+ Trim Paint	\$198.36

Total EFT000000011391	\$644.18
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EFT000000011397	2019-06-04		WOOD, ALVIN	19/05/13-STORR REC	\$32.47
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Total EFT000000011397	\$32.47
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EFT000000011398	2019-06-04		XCG CONSULTANTS LTD.		
		55154		Drinking Water Sampling	\$118.72
		55154		Drinking Water Sampling	\$118.72
		55154		Drinking Water Sampling	\$118.72
		55154		Drinking Water Sampling	\$118.72
		55154		Drinking Water Sampling	\$118.73
		55154		Drinking Water Sampling	\$118.73

Total EFT000000011398	\$712.34
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Total Rec	\$2,316.37
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8020 Swim

Cheque	Date	Inv #	Vendor	Description	Amount
EFT000000011349	2019-06-04		CANADIAN RED CROSS SOCIETY		
		CRC-F-043011		WS Annual Fee	\$50.00
		CRC-F-043011		WS Annual Fee	\$50.00
		CRC-F-043011		WS Annual Fee	\$50.00

Total EFT000000011349	\$150.00
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Total Swim	\$150.00
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8030 Cda Day

Cheque	Date	Inv #	Vendor	Description	Amount
070232	2019-06-04		NORTH STAR FIREWORKS ENTERTAINMENT INC		
		13182		Canada Day Fireworks	\$10,079.64
		13182		Canada Day Fireworks	\$5,956.10
		13182		Canada Day Fireworks	\$7,330.32

Total 070232	\$23,366.06
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Total Cda Day	\$23,366.06
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8240 Comm Caring

Cheque	Date	Inv #	Vendor	Description	Amount
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Township of South Frontenac CHEQUE DISTRIBUTION REPORT

070222	2019-06-04	ALMOST HOME KINGSTON		
		19/05 PCC DONATION	19/05 PCC DONATION	\$1,000.00
Total 070222				\$1,000.00
070223	2019-06-04	AMHS-KFLA- VERONA RURAL OUTREACH PROGRAM		
		19/05 PCC DONATION	19/05 PCC DONATION	\$2,000.00
Total 070223				\$2,000.00
070228	2019-06-04	HOME BASE HOUSING		
		19/05 PCC DONATION	19/05 PCC DONATION	\$1,000.00
Total 070228				\$1,000.00
070236	2019-06-04	SOUTH FRONTENAC FOOD BANK		
		19/05 PCC DONATION	19/05 PCC DONATION	\$2,000.00
Total 070236				\$2,000.00
EFT000000011363	2019-06-04	HARROWSMITH & DIST S & A CLUB		
		19/05 PCC DONATION	19/05 PCC DONATION	\$1,500.00
Total EFT000000011363				\$1,500.00
EFT000000011386	2019-06-04	SOUTHERN FRONTENAC COMMUNITY		
		19/05 PCC DONATION	19/05 PCC DONATION	\$2,000.00
Total EFT000000011386				\$2,000.00
Total Comm Caring				\$9,500.00

8405 Ver&Dis Hist

Cheque	Date	Inv #	Vendor	Description	Amount
070220	2019-05-22		REGION 9 REGIONAL TOURISM ORGANIZATION		
		19/05/03		Partnership Fund Program	\$4,500.00
Total 070220					\$4,500.00
Total Ver&Dis Hist					\$4,500.00

Total Rec

\$39,832.43

90 Plan

9000 Plan

Cheque	Date	Inv #	Vendor	Description	Amount
070241	2019-06-04		WATSON & ASSOCIATES ECONOMISTS LTD		
		25212		Background Study and Bylaw	\$8,252.18
Total 070241					\$8,252.18
EFT000000011352	2019-06-04		CUNNINGHAM SWAN CARTY		
		157449		Legal Fees	\$106.33
		157447		Legal Fees	\$172.74
Total EFT000000011352					\$279.07
Total Plan					\$8,531.25

Total Plan

\$8,531.25

99

9999

Cheque	Date	Inv #	Vendor	Description	Amount
070219	2019-05-22		FRANCIS, THE ESTATE OF WILLIAM		
			STUB PAYOUT	Stub Period Payout- W.F.	\$921.60
Total 070219					\$921.60
070240	2019-06-04		VERONA LIONS CLUB		
		19/08/13		Hall Rental- Strategic Mgmt.	\$110.00
Total 070240					\$110.00
070249	2019-06-04		MAGENTA WATERFRONT DEVELOPMENT		
		CRADJ5111-1		Tax Refund	\$291.37
Total 070249					\$291.37
070250	2019-06-04		VAILLANCOURT PAUL		
		CRADJ5519-1		Tax Refund	\$306.23
Total 070250					\$306.23
EFT000000011383	2019-06-04		ROSEN ENERGY GROUP		
		634385		B 2785.3L CLR @1.0587	\$3,000.70
		634469		SUN 237.9L CLR @1.0587	\$256.29
		634465		F 2327.1L @1.0587	\$2,507.06
		634466		F 1812.6L MKD @.9177	\$1,692.69
		634464		F 1915.0L GAS @1.0826	\$2,109.67
		634569		359.1 L @.904	\$251.76
		634568		F 2283.9L CLR @1.0517	\$2,444.25
		634567		F 1330.8L GAS @1.0722	\$1,451.99
		634565		F 1330.8L GAS @1.0722	\$1,593.01
		634566		P 608.1L MKD@.9187	\$568.50
Total EFT000000011383					\$15,875.92

Total

\$17,505.12

Total

\$17,505.12

Total

\$305,851.87



**INFORMATION REPORT TO
COUNCIL**
PUBLIC SERVICES DEPARTMENT



AGENDA DATE: June 4, 2019

SUBJECT: Tender No. PW-2019-06 19,500 LB GVWR Truck

RECOMMENDATION:

This report is for Information only.

BACKGROUND:

The Public Services Department budgeted for One (1) 2019 Model, 19,500 LB GVWR, 4X4, crew cab truck with an aluminum dump body and plow equipment. The Tender was prepared and advertised on the Municipal website, on Biddingo, as well as in the local newspaper. This tender closed on Wednesday, May 8th, 2019 and one bid was received.

The submission is as follows:

<u>Supplier</u>	<u>Sub-Total</u>	<u>(Incl. non-rebatable HST)</u>
Petrie Ford Sales <i>(Ford F-550)</i>	\$96,162.00	\$97,854.64

The submission of the lone bidder has been evaluated and was found to be accurate and complete. Petrie Ford Sales is a reputable supplier who has provided the township with equipment in the past.

For these reasons, and also because their price, with the rebatable HST removed, was \$2,145.36 below budget; the Public Works Department, under delegated authority, has awarded the tender to Petrie Ford Sales for \$97,854.64, including Non-Rebatable HST.

FINANCIAL/STAFFING IMPLICATIONS:

An amount of \$100,000.00 was approved in the 2019 Capital Budget for the purchase of a current model year 19,500 lb GVWR truck w/ aluminum dump body.

Submitted/approved by:

**Mark Segsworth, P. Eng.
Public Works Manager**

Prepared By:

**David Holliday, CET
Area Supervisor**



**INFORMATION REPORT TO
COUNCIL**
PUBLIC SERVICES DEPARTMENT



AGENDA DATE: June 4, 2019

SUBJECT: Tender No. PW-2019-20, Structural Tunnel-Plate Liner
Replacement of Burnt Hills Road Culvert

RECOMMENDATION:

For Information only.

BACKGROUND:

The tender for the Structural Liner for Burnt Hills Road Culvert was prepared and advertised on the Municipal website, on Biddingo, and in the local newspaper. This tender closed on May 29th, 2019.

The results, in ascending order, were as follows:

<u>Contractor</u>	<u>Price (Incl. HST)</u>
Louis W. Bray Construction Ltd.	\$445,462.95
Clearwater Structures Inc.	\$729,264.71
R.W. Tomlinson Ltd.	\$859,455.40

The submission of the low bidder has been evaluated and was found to be accurate and complete. Well Louis W. Bray Construction has never worked with South Frontenac directly, they have provided documentation with many years of experience and come highly recommended from our consulting engineers.

For these reasons, and also because their price was \$283,801.76 lower than the second lowest bidder Clearwater Structures Inc., the Public Services Department, under delegated authority, has awarded the tender to Louis W. Bray Construction Ltd., for \$445,462.95, including HST.

FINANCIAL/STAFFING IMPLICATIONS:

An amount of \$700,000.00 inclusive of engineering fees was approved in the 2019 Capital Budget.

Submitted/approved by:

Mark Segsworth, P. Eng.
Director of Public Services

Prepared By:

Aaron Hatton, CET
Technical Assistant



Notice of Decision with Respect to a Draft Plan of Vacant Land Condominium under Section 51(37) of the *Planning Act*

Applicant: Fotenn Consultants Inc. (Owner: Barry Campbell)

Date of Decision: May 15, 2019

Date of Notice: May 15, 2019

Last Date of Appeal: June 4, 2019

File No: 10CD-2016-001 (Shield Shores)

Subject Lands: Part of Lots 15, 16 & 17, Concession 9, Geographic Township of Storrington, Township of South Frontenac, County of Frontenac

Draft Plan of Vacant Land Condominium approval has been granted by the Council of the Corporation of the County of Frontenac for the above-noted property. The Draft Plan of Vacant Land Condominium is to develop 18 residential units, accessed through individual entrances off the proposed private lanes. Each lot will be privately serviced with individual private septic and water services. Draft Plan approval is subject to the conditions attached.

Explanation of the Effect of Written and Oral Submissions Had on the Decision: Submissions and comments received were considered by the County of Frontenac with respect to the potential impact on the water quality of Dog Lake, and concern for narrow waterbody and shallow waters. Concerns were addressed by the applicant to the satisfaction of commenting agencies.

When and How to File an Appeal:

Notice to appeal the decision to the Local Planning Appeal Tribunal (LPAT), formally the Ontario Municipal Board (OMB), must be filed no later than 20 days from the date of this notice as shown above as the last date of appeal.

The notice of appeal should be sent to the person and address shown below and it must:

- (1) be filed with the approval authority;
- (2) set out the reasons for the appeal; and
- (3) be accompanied by the fee required by the Tribunal.

Contact for Appeal: Jannette Amini, Manager of Legislative Services/Clerk
County of Frontenac
2069 Battersea Road
Glenburnie, Ontario
K0H 1S0

Who Can File an Appeal?

At any time before the approval of the final plan, the following may appeal any of the conditions imposed by the Council of the Corporation of the County of Frontenac by filing a notice of appeal with the approval authority:

- (1) the applicant;
- (2) any public body that, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority;
- (3) the Minister; or
- (4) the Municipality in which the subject land is located.

Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of condominium to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal of the decision of the approval authority, including the lapsing provisions or the conditions, unless the person or public body, before the decision of the approval authority, made oral submissions at a public meeting or written submissions to the council, or made a written request to be notified of changes to the conditions or, in the Local Planning Appeal Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

How to Receive Notice of Changed Conditions:

The conditions of an approval of draft plan of condominium may be changed at any time before the final approval is given.

You will be entitled to receive notice of any changes to the conditions of approval of the proposed plan of condominium if you have made a written request to be notified of changes to the conditions.

No person or public body shall be added as a party to the hearing of an appeal regarding any changes to the conditions of approval unless the person or public body, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority, or made a written request to be notified of the changes to the conditions or, in the Local Planning Appeal Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

Other Related Applications:

A Zoning By-law Amendment has been submitted to the Township of South Frontenac as a condition of approval.

Additional Information:

Additional information about the application is available for public inspection during the regular office hours at the County of Frontenac Planning and Economic Development Department at the address noted above.

Dated at Glenburnie, Ontario this 15th day of May, 2019.

Jannette Amini, Manager of Legislative Services/Clerk
County of Frontenac
2069 Battersea Road
Glenburnie, Ontario
K0H 1S0

Attachment: Approved Draft Conditions for File No. 10CD-2016-001



**10CD-2016/001 (Shield Shores)
Plan of Vacant Land Condominium
Conditions of Draft Approval**

Date of Decision: May 15, 2019

Amended Conditions: N/A

Conditions of Draft Plan Approval

The conditions of approval for the draft plan of vacant land condominium are as follows:

1. That this approval applies to the Draft Plan of Vacant Land Condominium dated December 10, 2018, showing a total of 18 residential Units, 5 Blocks and two private lanes, prepared and certified by Leslie M. Higginson (surveyor).
2. That the Owner shall agree to enter into a condominium agreement with the Township of South Frontenac, to the satisfaction of the Township and to be registered on title of the subject land.
3. That the Owner shall agree in writing to satisfy all the requirements, financial or otherwise to the Township of South Frontenac concerning the provision/upgrade of roads, installation of services, drainage works, utilities and all other required works in accordance with the Township's Design Criteria and Guidelines. Further, that the development, construction and use of the lands in this condominium shall be in accordance with the following reports submitted with the application for draft approval, unless otherwise amended, modified, or directed in writing by the Township and as secured in the condominium agreement:
 - Fotenn Consultants Inc., Planning Report, Shield Shores Residential Development, February 25, 2016;
 - Mary Alice Snetsinger, Environmental Impact Statement for Campbell Property, January 10, 2016, technical addendum August 24, 2016;
 - Ecological Services, Gray Ratsnake Surveys, June 1, 2016;
 - Ecological Services, Shallow Waterbody Submission, April 4, 2018;
 - BluMetric Environmental, Hydrogeological Assessment and Terrain Analysis for Proposed Development of Con 9, Part Lots 15, 16 and 17, Dog Lake Township of South Frontenac, February 2016, technical response August 8, 2016 and May 4, 2017;
 - Josselyn Engineering Inc, Traffic Impact Assessment Report, Shield Shores Condominium, November 25, 2016, updated August 22, 2017;
 - Josselyn Engineering Inc. Analysis of Stormwater Management Requirements for Dog Lake Subdivision, February 4, 2016 and Analysis of Stormwater Management Requirements dated May 1, 2017; and
 - Adams Heritage, Archaeological Assessment (Stages 1 & 2), Dog Lake Ridge, May 12, 2015.
4. That the Owner shall reimburse the Township of South Frontenac and the County of Frontenac for all legal, engineering, planning, administrative expenses and permit

fees, including the cost of any peer review that the Township or the County may require in relation to the development and the fulfillment of conditions.

5. That the two proposed private lanes shown in the draft plan (Block 23 and Block 24) be designed and constructed, at a minimum, in accordance with Township Design Criteria and Standards and Private Lane Standards for new private lanes.
6. That the Owner agrees in writing that any easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
7. That 0.3 metre reserves be established along the boundaries of any blocks and units, other than the condominium road, which abut the Wellington Street road allowance to the satisfaction of the Township. Any 0.3 metre reserves shall be deeded to the Township for the purpose of controlling additional access to the plan of condominium.
8. That the Owner agrees that any dock at Block 19 be located at the open water end of the Block (i.e., southeast portion of the Block) and not in the narrow bay at the southwest side of the Block.
9. That the Owner shall agree in writing to install and power street lighting to the satisfaction of the Township and in accordance with Township Design Criteria and Guidelines.
10. That the Owner shall agree in writing to name the street in accordance with Township 9-1-1 Civic Addressing policy for the Township and shall install signage to the satisfaction of the Township and in accordance with Township Design Criteria and Standards.
11. That the Owner shall agree in writing to install garbage and recycling depot in a location to the satisfaction of the Township and in accordance to Township Design Criteria and Standards.
12. That the Owner shall agree to update and revise the traffic impact report entitled Josselyn Engineering Inc., Traffic Impact Assessment Report, Shield Shores Condominium, August 22, 2017 to the satisfaction of the Township and in accordance to Township Design Criteria and Standards.
13. That the Owner agrees in writing to pay cash-in-lieu of parkland in accordance with approved Township policies.

14. That the Owner agrees in writing that the Township may implement whatever measures it deems necessary to ensure orderly development of the plan of condominium, including but not limited to the requirement of separate condominium agreements, imposition of “h” holding zoning or 0.3 metre reserves.
15. That the Owner agrees to deposit with the Township, securities in the form of a letter of credit, representing 100% of the estimated cost of the works to be provided with respect to the condominium. The letter of credit shall be reduced, in accordance with the terms and conditions of the Condominium Agreement.
16. That the Owner agrees for the condominium agreement to contain a provision requiring the Owner to pay development charges, in place at the time of the issuance of the building permit, prior to the issuance of the building permit and to acknowledge and agree that the Township will not issue any building permit until the development charges have been paid in full.
17. That the Owner shall agree in writing to obtain permits or approvals as may be required from any federal, provincial, municipal or local authority and to file copies thereof with the Township.
18. That the Owner shall agree in writing that the natural soil and vegetation within the 30 metres setback area from Dog Lake is not to be disturbed and is to be left in its natural state as of the date of draft approval. The condominium agreement and condominium declaration include provisions that would require unit owners to provide protection of natural vegetation within the 30 metre setback area. This shall not prevent the establishment of a 1.5m wide (maximum) pathway to the lake or the removal of noxious weeds or invasive species.
19. That prior to final approval, the County of Frontenac is to be advised by the Township of South Frontenac that this proposed condominium conforms to the Zoning By-law in effect for the Township.
20. That the Owner shall agree in writing that a Canada Post Centralized Community Mail Boxes, be installed, if deemed necessary by Canada Post, at a location to the satisfaction of Canada Post and the Township.
21. That the following conditions from KFL&A Public Health, be addressed to the satisfaction of the Township and KFL&A Public Health:
 - (a) The site servicing plan showing the location of the house, well, sewage system envelopes (primary and alternate), taking into consideration site topography be

- prepared and provided to all future purchasers through the condominium declaration.
- (b) Primary and alternate sewage system locations be reserved and maintained solely for that purpose. No constructions of wells, homes, driveways, pools, garages or other structures is to take place in the primary or alternate area.
 - (c) Existing soil conditions will necessitate the importation of suitable fill for the installation of sewage systems, resulting in fully raised sewage systems. Some units will require additional fill or extensive site grading to deal with saturated conditions.
 - (d) Deviations from the locations on the updated site servicing plan may require the submission of an engineering report/design and terrain analysis supporting the proposed changes (including potential impact on adjoining properties).
22. That all requirements and recommendations specified in the hydrogeology report entitled BluMetric Environmental, Hydrogeological Assessment and Terrain Analysis for Proposed Development of Con 9, Part Lots 15, 16 and 17, Dog Lake Township of South Frontenac, February 2016 and all associated drawings be addressed to the satisfaction of the Township, KFL&A Public Health and Cataraqui Region Conservation Authority.
23. That any existing wells and/or septic systems that may be present on the site and which are not planned to be used as part of the condominium development be decommissioned as per applicable regulations.
24. That the recommendations of the environmental impact statement, entitled Mary Alice Snetsinger, Environmental Impact Statement for Campbell Property, January 10, 2016 be addressed to the satisfaction of the Township and Cataraqui Region Conservation Authority.
25. That a final detailed stormwater management plan be prepared by a qualified Professional Engineer and approved to the satisfaction of the Township and the Cataraqui Region Conservation Authority, and that appropriate text to implement its findings be included in the Condominium Agreement.
26. That a lot grading and drainage plan, and a sediment and erosion control plan be completed to the satisfaction of the Township and the Cataraqui Region Conservation Authority and be included in the Condominium agreement.
27. That the Condominium Agreement contain a provision that any proposed development (e.g. construction, filling, and site alteration) within 15 metres of the flood plain or top of bank of the watercourses and Dog Lake will require prior written

authorization from the Cataraqui Region Conservation Authority under Ontario Regulation 148/06 made pursuant to Section 28 of the Conservation Authorities Act.

28. All in-water and shoreline works, including but not limited to docks, including the joint use dock at Block 19, may only be constructed in accordance with applicable approvals issued by Parks Canada.
29. That the Owner agree in writing all recommendations of the archaeological report entitled Adams Heritage, Archaeological Assessment (Stages 1 & 2), Dog Lake Ridge, May 12, 2015 be implemented to the satisfaction of the Township.
30. That the Owner prepare a vegetative planting plan to the satisfaction of the Township and the Cataraqui Region Conservation Authority, the purpose of which is to enhance the natural vegetative buffer within 30 metres of the high water mark.
31. The Owner agree in writing for the condominium agreement to contain a clause providing that any purchaser be advised, and also that a notice be placed in the purchase and sale agreement, alerting a prospective purchasers that, in the event that human remains are discovered during construction or site development of a unit, the property owner shall immediately contact the OPP, the Ministry of Tourism, Culture and Sport and the Registrar or Deputy Registrar of the Cemeteries Unit of the Ministry of Consumer Services (or the applicable agencies at the time of final approval).
32. That Owner agree in writing that if, during the process of development, any archaeological resources or human remains of Aboriginal interest are encountered, the Algonquins of Ontario Consultation Office will be contacted immediately at:

Algonquins of Ontario Consultation Office
31 Riverside Drive, Suite 101
Pembroke Ontario K8A 8R6
Telephone 613-735-3759
Fax 613-735-6307
E-mail: algonquins@tanakiwin.com
33. That Owner agree in writing that public utilities, including without limitation Bell Canada (or alternative provider for telecommunication and cable), Hydro One, etc. are adequate to service the proposed development and installed to the satisfaction of the Township.
34. That prior to Final Condominium Approval, the Owner shall submit a revised Plan, if required, to reflect any significant alterations caused from this Draft Plan Approval.

Where final engineering design(s) result in minor variations to the Plan (e.g. in the configuration of units, etc.), these may be reflected in the Final Plan subject to the satisfaction of the Township and the County.

35. That when requesting Final Approval from the County of Frontenac, the Owner shall accompany such request with the required number of originals and copies of the Final Plan, together with a surveyor's certificate stating that the units/blocks thereon conform to the frontage and area requirements of the zoning by-law.
36. That prior to Final Condominium Approval, the County of Frontenac shall be advised by the Township of South Frontenac that all Conditions of Draft Plan Approval requested by the Township have been satisfied; the clearance memorandum shall include a brief statement detailing how each Condition has been met.
37. That prior to Final Condominium Approval, the County is to be advised in writing by KFL&A Public Health of the method by which its conditions have been addressed.
38. That, prior to Final Condominium Approval, the County is to be advised in writing by the Cataraqui Region Conservation Authority of the method by which its conditions have been addressed.
39. That pursuant to section 51 (32) of the Planning Act, this Draft Plan Approval is granted for three years from the decision date. The Owner may request the County issue an extension of Draft Approval should that be needed. The County shall notify the Township of any request to extend Draft Approval.
40. Clearance Letters:
 - a. That prior to Final Subdivision Approval, the County of Frontenac shall be advised that all Conditions of Draft Plan Approval have been satisfied; the clearance memorandum shall include a brief statement detailing how each condition has been met and shall be prepared by the Planning Consultant.
 - b. That prior to Final Subdivision Approval, the County is to be advised in writing by the Township of South Frontenac of the method by which its conditions have been addressed.
 - c. That prior to Final Submission Approval, the County is to be advised in writing by KFL&A Public Health of the method by which its conditions have been addressed.
 - d. That prior to Final Subdivision Approval, the County is to be advised in writing by Rideau Waterway Development Review Team of the method by which its conditions have been addressed.

Notes of Draft Approval:

- This draft approval is for a period of three (3) years. The Owner is advised that they are to apply for any extension at least sixty (60) days prior to lapsing date or in accordance with the County of Frontenac Plan of Subdivision and Condominium Guidelines. This approval may be extended pursuant to Subsection 51(33) of the Planning Act, but no extension can be granted once the approval has lapsed.
- If final approval is not given to this plan within three (3) years of the draft approval date, and no extensions have been granted, draft approval will lapse under Section 51(32) of the Planning Act, R.S.O. 1990.
- It is the applicant's/owner's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Approval Authority, quoting file number 10CD-2016/001 (Shield Shores).
- All measurements in the final plans must be presented in metric units.
- Please note that an updated review of the plan, and revision of the conditions of approval, may be necessary if an extension is to be granted.
- Please consult the County of Frontenac Plan of Subdivision and Condominium Guidelines and Planning Department for submission requirements for final approval including number of copies required, requirements for review of the M-Plan, and, submission timelines.



REPORT TO COUNCIL CLERKS DEPARTMENT



AGENDA DATE: June 4, 2019

SUBJECT: Annual Meeting with Lake Association Representatives

RECOMMENDATION

For information only.

BACKGROUND

Since 2012, Council and senior staff have coordinated an annual meeting with representatives from the various lake associations in South Frontenac. This has been an opportunity to share information about development, services, road construction, by-law enforcement and general municipal updates.

For this year, the meeting is scheduled for Thursday, August 22, 2019 at 7:00 pm in the Council Chambers. Email invitations will be sent to the contacts we have on file in late July.

ATTACHMENTS - n/a

Submitted/approved by:

Angela Maddocks
Clerk



May 21, 2019

Mayor Vandewal
Township of South Frontenac
Box 100, Sydenham ON K0H 2T0

Dear Mayor Vandewal,

It has been a pleasure working with you, the rest of Council, and staff at the Township. Our journey to find and hire a new Chief Administrative Officer started in March. We established a relatively tight project plan. Not only were we able to achieve milestones, we completed the recruitment process ahead of our targeted completion date of May 31, 2019.

This would not have occurred without the exceptional effort of every member of the Project Team. The current CAO, Wayne Orr, anticipated the work to be done, provided advice, and ensured timely delivery and support at every step. Similarly, Emily Caird, Executive Assistant, also provided what appeared to be effortless, and I am sure it was not, support with items such as advertising, applicant tracking, candidate follow-up, scheduling, site preparation and minute taking. Recruitment Committee members were prepared for meetings, provided thoughtful commentary and healthy dialogue as we worked our way through this important process. Similarly, when we presented to Full Council, Councilors were engaged and actively participated in the process and decision-making.

Finally, your leadership enabled us to stay the course and reach the best outcome. You always made yourself available and provided all of your attention even when you were dealing with 35+ cows at various stages of giving birth! You remained positive and communicated key messages timely. You are focused on how to best serve the Township's future!

It has truly been a pleasure working with the Township of South Frontenac and I wish you the very best as the Township embarks on the next phase of its evolution.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Glaser", written in a cursive style.

Joanne Glaser

Harold & Lynn Snider
3240 Latimer Road
Elginburg, ONT
K0H 1M0

May 22, 2019

Mr. Wayne Orr
Chief Administrative Officer
Township of South Frontenac
Box 100, Sydenham Ontario
K0H 2T0

Dear Mr. Orr,

Re: Obstruction of Noise By - Law 2001-66

It is with dismay that we are having to write to your office, yet again, regarding the issue of continuous and persistent barking and howling of dogs at Ben Acres Kennels at 3235 Latimer Road, Elginburg, Ontario.

Since the construction of Ben Acre Kennels we have been denied enjoyment and ability to live in a peaceful rural community - which was the case when we purchased our home in 2002.

As you are aware we have made several complaints in 2017 and 2018 regarding excessive dogs barking and howling, wherein a charge under By-Law 2001-66 was laid. This charge was submitted to Ontario Court of Justice, Provincial Offences Court and subsequently withdrawn upon the direction of the CAO and Township Council.

Now that spring has arrived and we are outdoors regularly, our enjoyment has been eliminated another year, due to the barking dogs at Ben Acres Kennels.

From the documentation received as a result of our Freedom of Information request, it appears that the owners of Ben Acres purchased and installed a fence that is purported to be a "sound barrier fence" that was to address the issue. It was also noted in the documentation that the By-Law enforcement officers in 2017 and 2018, recommended that the owners **keep all dogs inside with the windows closed for all drop off and pick up times.** This has definitely not been the case. It appears that the owners choose not to try and minimize the noise and choose to allow all dogs (up to 50 dogs) to go into full barking mode in their open kennel area during these pick up and drop off times. Ben Acres Kennels website states they have "4 large play yards for dogs to exercise and socialize - is it not logical that dogs will bark when they are around other dogs not known to them? Why should we as tax paying residents of the Township have to put up with this? Do we not have any status in this Township regarding our enjoyment of our own property?"

It is also fascinating to note in the documentation received, that the Council and Mayor ever became involved in this situation. It is interesting to note that a person can be charged and

then have it withdrawn because the Township Council feel that the Owners of the Kennels have spent enough money in the fencing supposedly to soundproof the noise. However, no consultation or consideration of our position was ever considered by Council or the Mayor or the CAO.

It is also extremely interesting to note that no noise level testing was ever completed as indicated in an email from you, Mr. Orr to Lianne Ruttan dated May 15, 2018. Therefore, no one can definitively confirm the extensive barking and howling of dogs has been rectified, as no one has conducted a test - plus the By-Law Enforcement Offices have been directed NOT to respond to our calls. This would be a very interesting case for the Ombudsman Office not to mention law enforcement to investigate

I would like to understand what authority does the Township Council have over By-law Enforcement matters including those that have been submitted to court? In the Association of Municipalities of Ontario website, it states "*Municipalities are governed by municipal councils. The job of municipal councils is to make decisions about municipal **financing and services***". How does intervening on a By-Law matter that resulted in a Charge laid in the Ontario Court of Justice and then directing the withdrawal of this charge - a matter relating to the municipal financing and services? In our mind, this is likened to a provincial politician with authority granted to them by the province, interfering with a Police Officer/Police Force to exert pressure on the laying or withdrawal of charges under the governing laws of the province and Canada. How is this legal - not to mention ethical?

We request immediate action on this matter with consideration and consultation of our position. We bought our home in South Frontenac as it has been our home Township the majority of our lives. We now have to live without the ability to enjoy our property, not able to entertain our friends due to constant dog barking morning and evening - not to mention the value of our house has declined significantly due to barking and howling from a large volume of dogs at the Kennel across the road from our home.

Our frustration level with this ongoing issue together with the unethical and illegal actions of this Council regarding their involvement is not acceptable.

We expect a prompt response to our questions and this issue.

Harold and Lynn Snider



**Petrolia Town Council
Resolution Form**

Date: May 13, 2019

Resolution #: C-32 - 05/13/2019

Moved By: Councillor Field

Seconded by: *Grant Purdy*

WHEREAS on the May 13, 2019 regular council agenda, correspondence item 12 q) was received from the Ontario Good Roads Association;

AND WHEREAS as during the 2019 OGRA conference AGM a resolution was passed regarding the re-establishment of an annual combined conference for both OGRA & ROMA;

AND WHEREAS as a past attendee of the combined conferences, it makes great sense for the OGRA & ROMA conferences to be returned to a combined conference effort each February, not only financially for the municipality but also for availability for participation of members of Council and staff;

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Petrolia support the original resolution passed at the OGRA AGM to re-establish a combined OGRA & ROMA conference;

AND FURTHERMORE that a letter be sent to the ROMA Board of Directors, outlining our support for a collaborative OGRA ROMA annual combined conference, and that this letter of support be circulated to the Ontario Municipalities, and the OGRA Board of Directors;

Carried	<input checked="" type="checkbox"/>
Deferred	<input type="checkbox"/>
Defeated	<input type="checkbox"/>

Clerk's Signature: *[Signature]*

Recorded Vote if called:

Council	Yea	Nay
Loosley, Brad		
Deighton, Wade		
Field, Joel		
O'Hara, Ross		
Purdy, Grant		
Souch, Marty		
Welten, Donald		

Declaration of Conflict of Interest

_____ declared their interest, abstained from the discussion and did not vote on the matter.



Premier of Ontario
Premier ministre
de l'Ontario

Legislative Building
Queen's Park
Toronto, Ontario
M7A 1A1
Édifice de l'Assemblée législative
Queen's Park
Toronto (Ontario)
M7A 1A1

Dear Heads of Council:

Our government was elected to clean up Ontario's financial nightmare that was created by 15 years of mismanagement and irresponsible actions on the part of the Liberals. The \$15 billion annual deficit and \$347 billion long-term debt they left to our children and grandchildren is a direct threat to critical public services the people of Ontario rely on. The interest payments on our debt alone amount to \$1 billion a month, not one cent of which goes to hiring more front line-emergency workers, lowering taxes or paying down the debt.

Getting Ontario back on a path to balance is essential for protecting important government services, long-term prosperity, attracting investment and creating good-paying jobs.

And we also believe that every government needs to step up and do its part; there is only one taxpayer, and the job of finding savings while protecting core services rests with every elected official in Ontario.

Having spent time at the city level I also understand that, with municipal budgets already set for the 2019-20 fiscal year, our partners need to have flexibility to achieve those savings.

After listening to the concerns of our partners and following the advice of my Minister of Municipal Affairs and Housing, Steve Clark, our government has made the decision to maintain the in-year cost sharing adjustments for land ambulance, public health and child care services.

Minister Clark has advised us to take this approach on the understanding that, as partners, Ontario's municipalities will use the additional time to work with the Government of Ontario to transform critical shared public services and find the efficiencies that will ensure their sustainability.

Our commitment to provide \$7.35 million, through the Audit and Accountability Fund, to help large municipalities find four cents on every dollar will support these efforts. And the \$200 million we have committed to small and rural municipalities to modernize services will also play an important part in meeting these objectives.

- 2 -

Our government was elected to protect public services for future generations, and a big part of that is by balancing the budget in a responsible way – that was our commitment. It is reassuring for me to hear that municipalities understand the fiscal challenges we face, but more importantly they understand that we face these challenges together. I look forward to working collaboratively with you to find savings, strengthen front-line services and protect what matters most to the people of Ontario. Sincerely,

The Hon. Doug Ford
Premier of Ontario



**Town of Grimsby
Administration**

Office of the Town Clerk

160 Livingston Avenue, P.O. Box 159, Grimsby, ON L3M 4G3

Phone: 905-945-9634 Ext. 2015 | **Fax:** 905-945-5010

Email: skim@grimsby.ca

File No: C-19-167

Hon. Doug Ford, Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

SENT VIA EMAIL

RE: Opposition to Bill 108

Please be advised the Council of the Corporation of the Town of Grimsby at its regular Council meeting held on May 21, 2019 approved the following resolution:

WHEREAS the legislation that abolished the OMB and replaced it with LPAT received unanimous – all party support; and

WHEREAS All parties recognized that local governments should have the authority to uphold their provincially approved Official Plans; to uphold their community driven planning; and

WHEREAS Bill 108 will once again allow an unelected, unaccountable body make decisions on how our communities evolve and grow; and

WHEREAS On August 21, 2018 Minister Clark once again signed the MOU with the Association of Municipalities of Ontario and entered into "...a legally binding agreement recognizing Ontario Municipalities as a mature, accountable order of government."; and

WHEREAS This MOU is "enshrined in law as part of the Municipal Act". And recognizes that as "...public policy issues are complex and thus require coordinated responses...the Province endorses the principle of regular consultation between Ontario and municipalities in relation to matters of mutual interest"; and

WHEREAS By signing this agreement, the Province made "...a commitment to cooperating with its municipal governments in considering new legislation or regulations that will have a municipal impact"; and

WHEREAS Bill 108 will impact 15 different Acts - Cannabis Control Act, 2017, Conservation Authorities Act, Development Charges Act, Education Act, Endangered Species Act, 2007, Environmental Assessment Act, Environmental Protection Act, Labour Relations Act, 1995, Local Planning Appeal Tribunal Act, 2017, Municipal Act, 2001, Occupational Health and Safety Act,



**Town of Grimsby
Administration**

Office of the Town Clerk
160 Livingston Avenue, P.O. Box 159, Grimsby, ON L3M 4G3
Phone: 905-945-9634 Ext. 2015 | **Fax:** 905-945-5010
Email: skim@grimsby.ca

Ontario Heritage Act, Ontario Water Resources Act, Planning Act, Workplace Safety and Insurance Act, 1997.

Now Therefore Be it Hereby Resolved That Town of Grimsby oppose Bill 108 which in its current state will have negative consequences on community building and proper planning; and

Be it further resolved that Town of Grimsby call upon the Government of Ontario to halt the legislative advancement of Bill 108 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision making for housing growth that meets local needs will be reasonably achieved; and

Be It Further Resolved That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Deputy Premier, the Honourable Steve Clark, Minister of Municipal Affairs, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and

Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Yours sincerely,

Sarah Kim
Acting Town Clerk

Cc: Hon. Christine Elliott, Deputy Premier
Hon. Steve Clark, Minister of Municipal Affairs
Hon. Andrea Horwath, Leader of the New Democratic Party
All MPPs in the Province of Ontario
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities

Subject: Cataraqui Region Conservation Authority comments on Government of Ontario proposals (May 2019)

Municipal CAOs and Clerks, Cataraqui Region,

Cataraqui Region Conservation Authority (CRCA) staff are writing with regard to proposed amendments to the *Conservation Authorities Act* and implementing regulations.

The proposals were outlined by the Government of Ontario in two postings on the Environmental Registry:

- Posting 013-4992, Focusing conservation authority development permits on the protection of people and property
<https://ero.ontario.ca/search?search=013-4992&date%5Bmin%5D=&date%5Bmax%5D>
- Posting 013-5018, Modernizing conservation authority operations - Conservation Authorities Act
<https://ero.ontario.ca/search?search=013-5018&date%5Bmin%5D=&date%5Bmax%5D>

The proposed changes to the legislation are further outlined by Schedule '2' to Bill 108 (*More Homes, More Choice Act, 2019*): <https://www.ola.org/en/legislative-business/bills/parliament-42/session-1/bill-108>.

CRCA provided comments to the Government on these proposals during the Environmental Registry comment period (two PDF letters are attached). The comments were endorsed by the CRCA Board on May 22, 2019. CRCA has requested additional information from the Government about the proposals, and has requested opportunities to provide input to forthcoming regulations. Staff will provide further updates as information is made available.

If you have any questions or comments, please contact Rob McRae, MCIP, RPP, Manager, Corporate Services, at rmcrae@crca.ca or 613-546-4228 ext. 224.

Thanks,
Donna

bcc: CRCA Board Members



Donna Campbell

Assistant, Chair and General Manager

Cataraqui Region Conservation Authority

1641 Perth Road, PO Box 160, Glenburnie ON, K0H 1S0

Phone: (613) 546-4228 ext. 229 - Fax: (613) 547-6474

Toll Free for Area code (613): 1-877-956-2722

**CATARAQUI REGION CONSERVATION AUTHORITY**

1641 Perth Road, P.O. Box 160 Glenburnie, Ontario K0H 1S0
Phone: (613) 546-4228 Toll Free (613 area code): 1-877-956-CRCA
Fax: (613) 547-6474 E-mail: info@crca.ca
Websites: www.crca.ca & www.cleanwatercataraqui.ca



May 17, 2019

Mr. Alex McLeod
Natural Resources Conservation Policy Branch
Ontario Ministry of Natural Resources and Forestry
300 Water Street
Peterborough, ON K9J 8M5
mnrwaterpolicy@ontario.ca

Dear Mr. McLeod,

RE: CATARAQUI REGION CONSERVATION AUTHORITY COMMENTS ON ENVIRONMENTAL REGISTRY POSTING 013-4992: FOCUSING CONSERVATION AUTHORITY DEVELOPMENT PERMITS ON THE PROTECTION OF PEOPLE AND PROPERTY

Cataraqui Region Conservation Authority (CRCA) staff are writing to provide comments on the above-noted Environmental Registry posting for consideration by the Ontario Ministry of Natural Resources and Forestry (MNR). These comments have been prepared in consultation with the CRCA Board.

Summary of Posting

The Ontario government seeks to introduce a new regulation under Section 28 of the *Conservation Authorities Act* to indicate how conservation authorities (CAs) may regulate development activities in areas subject to natural hazards such as flooding and erosion. CRCA staff understand that the new regulation would: (1) replace the existing development regulations that are specific to individual CAs; (2) focus the CA development permitting process on natural hazards management (rather than ecological health or water quality), (3) enable CAs to exempt low-risk activities from approvals, and (4) direct CAs to implement the regulation in accordance with publicly-reviewed policies, mapping and service delivery standards.

The Ministry has also indicated that relevant sections of the *Conservation Authorities Act* that were introduced in 2017 but remain un-proclaimed will be brought into effect.

CRCA Comments

– General comments:

- CRCA staff support in-principle the proposal to consolidate and harmonize the existing 36 individual conservation authority regulations under Section 28 of the *Conservation Authorities Act* into one regulation approved by the Minister of Natural Resources and Forestry.
 - The regulation should be prepared with consideration for Ontario's diverse geography (i.e. headwaters, rivers, inland lakes, Great Lakes, wetlands) and geology (e.g. Karst topography). A strength of conservation authorities is their ability to tailor programs to the specific natural hazards of a local area, in a manner that addresses the needs of local communities. The new regulation should support this approach and not diminish it.
- The posting indicates that definitions for key terms such as “conservation of land” and “wetland” would be added or updated via the new regulation. CRCA staff request that the Ministry confer with Conservation Ontario when preparing draft definitions for the regulation and refer to the relevant experience of CAs and case law.
- The scope and purpose of the Ministry proposal to “Reduce regulatory restrictions between 30m and 120m of a wetland and where a hydrological connection has been severed” is unclear. CRCA staff request that the Ministry provide additional information about this proposal when consulting on the draft regulation.
- CRCA staff understand that the Ministry intends to focus CA regulatory efforts under Section 28 of the *Conservation Authorities Act* on natural hazards management. However, there is a need to ensure that an appropriate regulatory framework is in place in Ontario to conserve natural features and functions that fall outside of this scope.

- For example, there is a need to consider wetlands from a broader perspective that acknowledges their ecological and climate change benefits and ensures their conservation. The Wetland Conservation Strategy for Ontario 2017–2030 (MNRF 2017) indicates that the Ministry should “Review provincial laws, regulations and policies, with the goal of strengthening Ontario’s wetland policies.”
- CRCA staff support the proposed enactment of the “Part VII – Enforcement and Offences” section of the *Conservation Authorities Act*.
- Regarding the extent of regulated areas:
 - CRCA staff request an opportunity to provide input to the Ministry about the section or schedule of the new regulation that would define the extent of regulated areas in the Cataraqui Region.
 - The extent of the regulated area should be defined primarily via text, and supported by mapping of flooding and erosion hazards where it has been prepared.
 - Additional mapping of flooding and erosion hazards should be prepared, and existing maps should be updated to reflect changing environmental conditions. The costs to prepare and update this information are more than CAs and their participating municipalities can reasonably sustain on their own. Provincial funding support will be required for tools such as floodplain mapping.
 - CAs regulate areas along the shorelines of the Great Lakes and refer to 1 in 100-year water levels for the Lakes when defining the extent of the flooding hazard. Those water levels were identified by the Ministry over 30 years ago (Great Lakes System Flood Levels and Water Related Hazards, 1989). The record-breaking water levels experienced on the Great Lakes in 2017 and 2019 suggest that a comprehensive review of the 1 in 100-year water levels is warranted.

Regarding exemptions for low-risk activities:

- There are some development activities that by their nature will have minimal impact on the control of flooding, erosion, dynamic beaches, pollution or the conservation of land. Therefore, CRCA approves some minor works (e.g. marine railways, agricultural tile drainage outlets) through a streamlined 'letter of permission' process. The Conservation Authority also exempts certain activities from the approval process (e.g. floating docks, maintenance of roadside ditches).
- CRCA's use of letters of permission and exemptions resulted from a comprehensive review of its implementation guidelines in 2017. There may be further opportunities for CRCA to streamline how it addresses low-risk activities in regulated areas, provided that natural hazards are not aggravated by the subject activities, that life and property are not placed at risk, and that climate change impacts are assessed.

Regarding policies, mapping and service delivery standards:

- CRCA staff support these aspects of the proposed regulation, which are in-keeping with existing best practices for conservation authorities.
- Consistent with the proposed regulation, CRCA staff follow Board-approved guidelines (2017) when implementing the development regulation for the Cataraqui Region (Ontario Regulation 148/06). Staff also refer to data and maps that are prepared via public processes, follow service delivery procedures (2018) and enforcement procedures (2018), and provide regular reports to the Board on service performance.

Thank you for your consideration of these comments. If you have any related questions, please contact the undersigned via rmcrae@crca.ca or 613-546-4228 ext. 224.

Yours truly,

A handwritten signature in blue ink, appearing to read 'RM' followed by a flourish and the year '2019'.

Rob McRae, MCIP, RPP
Acting General Manager and Manager, Corporate Services

**CATARAQUI REGION CONSERVATION AUTHORITY**

1641 Perth Road, P.O. Box 160 Glenburnie, Ontario K0H 1S0
Phone: (613) 546-4228 Toll Free (613 area code): 1-877-956-CRCA
Fax: (613) 547-6474 E-mail: info@crca.ca
Websites: www.crc.ca & www.cleanwatercataraqui.ca



May 17, 2019

Ms. Carolyn O'Neill
Great Lakes and Inland Waters Branch
Ontario Ministry of the Environment, Conservation and Parks
40 St Clair Avenue West, Floor 10
Toronto, ON M4V 1M2

Dear Ms. O'Neill,

**RE: CATARAQUI REGION CONSERVATION AUTHORITY COMMENTS ON
ENVIRONMENTAL REGISTRY POSTING 013-5018:
MODERNIZING CONSERVATION AUTHORITY OPERATIONS –
CONSERVATION AUTHORITIES ACT**

Cataraqui Region Conservation Authority (CRCA) staff are writing to provide comments on the above-noted Environmental Registry posting, along with Schedule '2' to Bill 108, for consideration by the Ontario Ministry of the Environment, Conservation and Parks. These comments have been prepared in consultation with the CRCA Board.

Summary of Posting

The Ontario government seeks to amend the *Conservation Authorities Act* to: (1) define mandatory programs for conservation authorities (CAs); (2) refine how CAs receive funding from participating municipalities for mandatory and non-mandatory programs; (3) enable the Minister to commission reviews of conservation authority operations; and, (4) clarify that the duty of conservation authority board members is to act in the best interest of the conservation authority.

Proposed amendments to the *Conservation Authorities Act* are outlined in Schedule '2' to Bill 108, which received 1st Reading in the Legislative Assembly of Ontario on May 2, 2019.

CRCA Comments

- CRCA staff support the comments that were submitted by Conservation Ontario regarding this posting on May 10, 2019.

- Regarding the proposed list of mandatory programs:
 - Bill 108 indicates that CA mandatory programs would be defined at Section 21.1 of the *Conservation Authorities Act* as those related to: (1) natural hazards; (2) conservation lands; (3) drinking water source protection; and, (4) other legislation (as prescribed by regulation).

 - With respect to natural hazards, CRCA staff request that CAs be afforded opportunities to contribute to the new task force that will consider the risk of flooding hazards in Ontario. A successful and longstanding partnership between the Province of Ontario, conservation authorities and municipalities has helped communities in CA watersheds to avoid or mitigate flood damages and the high costs of flood response and rebuilding.

 - CRCA staff request that “Conserving Natural Resources” be listed as an additional mandatory program.
 - Conserving natural resources is acknowledged in the Made-in-Ontario Environment Plan (2018) as part of the core mandate of conservation authorities. As described in the comments submitted by Conservation Ontario (May 10, 2019), the 36 CAs offer a range of programs and services, suited to their watersheds and communities, to achieve natural resource conservation and support efforts by community partners.

 - CAs undertake environmental monitoring to understand the present and evolving condition of natural resources on a watershed basis. This foundational knowledge is reported to local communities and partner organizations. It supports decision-making and successful outcomes in the other proposed mandatory programs, contributes to the conservation of natural heritage and water resources, and supports climate change adaptation.

- CAs also work to improve environmental conditions through stewardship initiatives, and share practical knowledge via education programs for people of all ages.
- It is essential that CAs continue to be enabled to deliver programs that conserve natural resources on a consistent, watershed-wide basis.
- The implementing regulations should be prepared in consultation with CAs, municipalities and other stakeholders.
 - There is a need to appropriately define the scope of each mandatory program area in the implementing regulations, while continuing to allow for variations between the CAs that reflect local watershed needs.
 - The effective delivery of the mandatory programs relies upon administrative and corporate services support (e.g. Board, management, accounting, communications, information technology). The scope of the programs should be defined accordingly.
- Regarding funding for conservation authority programs:
 - CRCA staff interpret Bill 108 to mean that CAs could continue to levy municipalities for mandatory programs (Section 21.1) but would need to enter into agreements with municipalities to collect revenues from them for non-mandatory programs (Sections 21.1.1 and 21.1.2).
 - CRCA staff concur with the concerns raised by Conservation Ontario (May 10, 2019) regarding: (1) the administrative burden of the proposed approach; (2) the potential for the inconsistent delivery of non-mandatory programs within CA watershed jurisdictions; and, (3) the loss of financial economies of scale.

- CRCA staff request that the Ontario government continue to provide funding and technical support for CA natural hazard programs.
 - CAs have worked with the Province, municipalities and others to successfully mitigate the impacts of flooding for more than 70 years.
 - The Made-in-Ontario Environment Plan (2018) identifies the increasing risk posed by flooding from extreme weather events. In this context, Provincial funding support and updated technical guidance for tools such as floodplain mapping, flood forecasting and warning, and water control structures will be necessary to protect life and property from harm.
 - The proposed amendments to the *Conservation Authorities Act* would enable CAs to levy municipalities for drinking water source protection program costs. However, sole reliance on municipal funding for this Provincially-mandated program would result in uneven funding across Ontario. Further, if municipalities are compelled to cover the full cost of drinking water source protection, then they may not have funds available for other important but non-mandatory CA programs. CRCA staff request that the Ministry continue to provide funding support for drinking water source protection.
- Regarding a transition period:
- The Environmental Registry posting indicates that there would be a transition period for CAs and municipalities to enter into agreements regarding non-mandatory programs.
 - CRCA staff request that any transition period extend to at least December 2022 to coincide with the current term of municipal councils and allow enough time for related dialogue.

- Regarding Provincial reviews of conservation authority operations:
 - Bill 108 includes proposed additions to Section 23.1 of the *Act* whereby the Minister could appoint an investigator to review the operations of a CA and may require the CA to pay all or part of the related costs.
 - CRCA staff anticipate that such reviews would be uncommon, and that most issues can be resolved through dialogue and information sharing between the Ministry and CA Boards.
 - CRCA staff recommend that the terms “investigator” and “investigation” in Bill 108 be replaced with “auditor” and “audit” (or “review”) to communicate that such reviews would be undertaken in a cooperative manner.

Regarding the duty of Board members:

- Bill 108 proposes to add section 14.1 to the *Act* to require that: “Every member of an authority shall act honestly and in good faith with a view to furthering the objects of the authority.”
 - CRCA passed an Administration By-Law in 2018, pursuant to Section 19.1 of the *Act*, that includes a Code of Conduct for CRCA Board members. The language and intent of the Code of Conduct is consistent with the proposed legislative amendment.

Thank you for your consideration of these comments. If you have any related questions, please contact the undersigned via rmcrae@crca.ca or 613-546-4228 ext. 224.

Yours truly,

A handwritten signature in blue ink, appearing to read 'RM' followed by a flourish and the year '2014'.

Rob McRae, MCIP, RPP
Acting General Manager and Manager, Corporate Services

May 29, 2019

Mr. John Ballantine
Manager, Municipal Finance Policy Branch
Ministry of Municipal Affairs and Housing
13th Floor, 777 Bay Street
Toronto, Ontario
M5G 2E5

Dear Mr. Ballantine:

Re: Bill 108: Potential Changes to the Development Charges Act

On behalf of our many municipal clients, by way of this letter we are summarizing our perspectives on the changes to the *Development Charges Act* (D.C.A.) as proposed by Bill 108.

Watson & Associates Economists Ltd.

Watson & Associates Economists Ltd. is a firm of municipal economists, planners and accountants, which has been in operation since 1982. With a municipal client base of more than 250 Ontario municipalities and utility commissions, the firm is recognized as a leader in the municipal finance/local government field. The firm's Directors have participated extensively as expert witnesses on development charge (D.C.) and municipal finance matters at the Local Planning Appeal Tribunal (formerly known as the Ontario Municipal Board) for over 37 years.

Our background in D.C.s is unprecedented including:

- carrying out over one-half of the consulting work completed in Ontario in the D.C. field during the past decade; and
- providing submissions and participating in discussions with the Province when the D.C.A. was first introduced in 1989 and with each of the amendments undertaken in 1997 and 2015.

Changes to Eligible Services

The Bill proposes to remove “soft services” from the D.C.A. These services will be considered as part of a new “community benefits charge” (discussed below) imposed under the Planning Act. Eligible services that will remain under the D.C.A. include water, wastewater, stormwater, services related to a highway, policing, fire, transit and waste diversion.



As provided below (a detailed summary is provided in Appendix A), Province-wide this change would remove 20% of annual collections from the D.C.A.

Table 1 - Development Charge Collections - 2013 to 2017

Service Category	Total Collections 2013 to 2017	Annual Average Collections	Percentage of Total
Services Continued Within D.C.A.	\$ 8,069,285,661	\$ 1,613,857,132	80%
Services to be Moved to Community Benefits Charge	1,967,192,671	393,438,534	20%
Total	\$10,036,478,333	\$ 2,007,295,667	100%

Since it is unclear as to the potential ability to replace these revenues with the proposed community benefits charge, a number of concerns are raised:

- Many municipalities have constructed facilities for these various services, and the ability to recoup the annual debt charges is in question. This lost revenue may shift the burden directly onto existing taxpayers.
- A number of municipalities enter into agreements to have the developing landowner fund certain services (e.g. parkland development) and provide D.C. credits at the time of building permit issuance. It is unclear how a municipality is to honour these commitments given the new revenue structure.
- Many municipalities have projects for these services in progress. The lost funding may put these projects in jeopardy.
- Many municipalities have borrowed D.C. revenues from another D.C. service to fund these expenditures. Once again, it is unclear how to fund these balances.
- Municipalities have concerns with the potential of the Minister to limit the scope of eligible services for which community benefits charges could be imposed through regulation, particularly as this might relate to future funding plans based on this revenue source.

Waste Diversion

The Bill would remove the mandatory 10% deduction for this service.

This change will be helpful to municipalities in funding this service. Moreover, the ability to forecast the increase in needs over a period longer than 10 years will allow municipalities to better determine the long-term average increase in needs.



Payment in Installments Over Six Years

The Bill proposes that rental housing, non-profit housing and commercial/industrial/institutional developments pay their development charges in six equal annual payments commencing the earlier of the date of issuance of a building permit or occupancy. If payments are not made, interest may be charged (at a prescribed rate) and may be added to the property and collected as taxes.

As the proposed changes to the D.C.A. are to facilitate the Province's affordable housing agenda, it is unclear why these installment payments are to be provided to commercial, industrial and institutional developments. Table 2 presents the number of non-residential building permits issued annually by Ontario municipalities over the period 2012 to 2017. Based on the past six years, municipalities would be managing installment collections on almost half a million building permits.

Table 2 - Non-residential Building Permits Issued - 2012 to 2017

Service	2012	2013	2014	2015	2016	2017	Total
Permits Issued	67,795	75,182	76,189	79,070	86,158	82,640	467,034

Source: Financial Information Returns - 2012 to 2017

Based on the above:

- Administration of this process to undertake annual collections, follow up on delayed payments, and pursue defaulting properties would increase administrative staffing needs significantly. If an ability to recover these administrative costs is not provided, then this would be a direct impact on property taxes.
- It is unclear what security requirements the municipality may impose. As the building permit is most often taken out by the builder, there is a disconnect with the potential owner of the building. We would recommend that the D.C.A. provide the ability to either receive securities or be able to register the outstanding collections on title to the property.
- The delay in receiving the D.C. revenue will impact the D.C. cashflow. As most of these "hard services" must be provided in advance of development occurring, it will require increased debt and borrowing costs. Added interest costs will place upward pressure on the D.C. quantum.

When the D.C. Amount is Determined

The Bill proposes that the D.C. amount for developments proceeding by site plan approval or requiring a zoning by-law amendment, shall be determined based on the D.C. charge in effect on the day of the application for site plan approval or zoning by-law amendment. If the development is not proceeding via these planning approvals,



then the amount is determined the earlier of the date of issuance of a building permit or occupancy.

Based on the above:

- We perceive the potential for abuse with respect to the zoning change requirement. A minor change in a zoning would activate this section of the D.C.A. and lock-in the rates. This would give rise to enhancing the land value of the property as it has potentially lower D.C. payments.
- D.C.s tend to increase in subsequent five-year reviews, because the underlying D.C.A. index does not accurately reflect the actual costs incurred by municipalities. Locking-in the D.C. rates well in advance of the building permit issuance would produce a shortfall in D.C. revenue, as the chargeable rates will not reflect the current rate (and therefore current costs) as of the time the development proceeds to be built. If municipalities are being required to maintain these charges, then the D.C.A. should provide for adjustment to reflect changes in actual costs, allow for ease of amendment between review periods, and index charges based on actual cost experience.
- There should be a time limit established in the D.C.A. as to how long the development takes to move from site plan application, or zoning application, to the issuance of a building permit. There is no financial incentive for the development to move quickly to building permit if this is not provided. Although the D.C.A. indicates that the Minister may regulate this, if no regulation is provided then the rates would be set in perpetuity.

Second Dwelling Units in New Residential Developments or Ancillary to an Existing Dwelling Unit are to be Exempt from Paying Development Charges

We perceive that imposing an immediate exemption for a second unit in a new home will cause considerable problems for existing agreements with developers. Potential impacts could include:

- For existing agreements and in certain circumstances, the developer may not recover the full amount of the agreed-to funding.
- Alternatively, the municipality may have to recognize the potential funding loss. The municipality then must generate the funding even though these expenditures were not planned. This may cause direct impacts on debt levels, tax/use rates or delays in future funding given the added net costs to build the infrastructure.
- The potential arises for the conditions within these agreements to now be challenged in court in light of the provincial regulation changes, giving rise to considerable legal expense, delays in development (given the uncertainty of the outcome) and loss of confidence in negotiating future agreements.



- Note also that, with respect to allocation of capacity for water and wastewater servicing, there may be further impacts given Environmental Assessment approvals for targeted development levels.
- Increasing the number of statutory exemptions also results in a revenue loss for municipalities that have to be funded from non-D.C. funding sources, thus increasing the obligation on property taxes.

Soft Services to be Included in a New Community Benefits Charge Under the Planning Act

It is proposed that a municipality may, by by-law, impose community benefits charges against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies. These services may not include those authorized by the D.C.A. Various provisions are proposed as follows:

- *Before passing a community benefits charge by-law, the municipality shall prepare a community benefits charge strategy that, (a) identifies the facilities, services and matters that will be funded with community benefits charges; and (b) complies with any prescribed requirements.*
- *Land for parkland purposes will be included in this charge.*
- *The amount of a community benefits charge payable shall not exceed an amount equal to the prescribed percentage of the value of the land as of the valuation date.*
- *The valuation date is the day before building permit issuance.*
- *Valuations will be based on the appraised value of land. Various requirements are set out in this regard.*
- *All money received by the municipality under a community benefits charge by-law shall be paid into a special account.*
- *In each calendar year, a municipality shall spend or allocate at least 60 per cent of the monies that are in the special account at the beginning of the year.*
- *Requirements for annual reporting shall be prescribed.*
- *Transitional provisions are set out regarding the D.C. reserve funds and D.C. credits.*

The proposed changes are limited, in that the details are left to be defined by Regulation. As such:

- More information is needed, as there are several key items to be included as part of the regulations; i.e. what items are to be included in community benefits charge strategy and what percentage of the “value of land” is to be eligible for collection.
- Depending on what is to be included in the community benefits charge strategy, this may be undertaken at a similar time as the D.C. background study. As



noted, however, it is unclear as to the prescribed items to be included along with the process required to adopt the strategy and the by-law.

- The potential for future parkland is minimized by including it as part of the charge along with all other “soft services.”
- Concern is raised regarding what prescribed percentage of the land value will be allocated for the charge. If the same percentage is provided for all of Ontario, then a single family lot in Toronto valued at \$2 million will yield 20 times the revenue of a \$100,000 lot in eastern Ontario. Given that building costs for the same facilities may only vary by, say, 15%, the community benefits charge will yield nominal funds to pay for required services for most of Ontario. As such, if prescribed rates are imposed, these should recognize regional, in not area-municipal, distinctions in land values.
- It is unclear how the community benefits charge will be implemented in a two-tier municipal system. Given that both the upper and lower tiers will have needs, there is no guidance on how the percentage of the land value will be allocated or how the process for allocating this would occur. Obviously, land values will vary significantly in urban versus semi-urban communities (e.g. in York Region, land value in Markham is significantly higher than in Georgina), so that the upper tier needs may only take, say, 30% of the allotted value in the urban areas but 75% to 90% of the allotted semi-urban or rural values.
- Given the need for appraisals and the ability of the applicant to challenge the appraisal, a charging system based on land values will be extremely cumbersome and expensive. It is unclear how appraisal costs are recovered and the appraisals may become significant costs on each individual property.

By-laws That Expire After May 2, 2019

The Bill provides in subsection 9.1 (1) that a development charge by-law expiring on or after May 2, 2019 and before the prescribed date shall remain in force as it relates to the soft services being moved to community benefits charges.

Confusion is produced by this section of the Bill. There are many municipal D.C. by-laws (over 70) currently set to expire between May and August of this year. Until the Bill is passed into law, these D.C. by-laws will need to be replaced by new ones. This section of the Bill should be amended to reflect that the new D.C. rates in effect at the time of the new legislation coming into force will continue so as to not present confusion over rates as of May 2, 2019 versus rates passed under these new D.C. by-laws.

Conclusions/Observations

In late 2018/early 2019, the Province invited many sectors to participate in the Province’s Housing Supply Action Plan. This process included specialized Development Charges and Housing Affordability Technical Consultations undertaken to provide input to this Action Plan. From those discussion sessions undertaken with members of the development/building community, it was acknowledged that there are



challenges for the development/building community to address the housing needs for certain sectors of the housing market. Rental housing is one example of an area where the low profit margins and high risks may limit participation by developer/builders; however, there clearly does not appear to be a Province-wide concern with D.C. rates that would warrant a wholesale reduction/elimination of D.C.s for any particular service. Arising from those discussions it was expected that these matters would be the focus of the legislated changes; however, Bill 108 has varied significantly from that target:

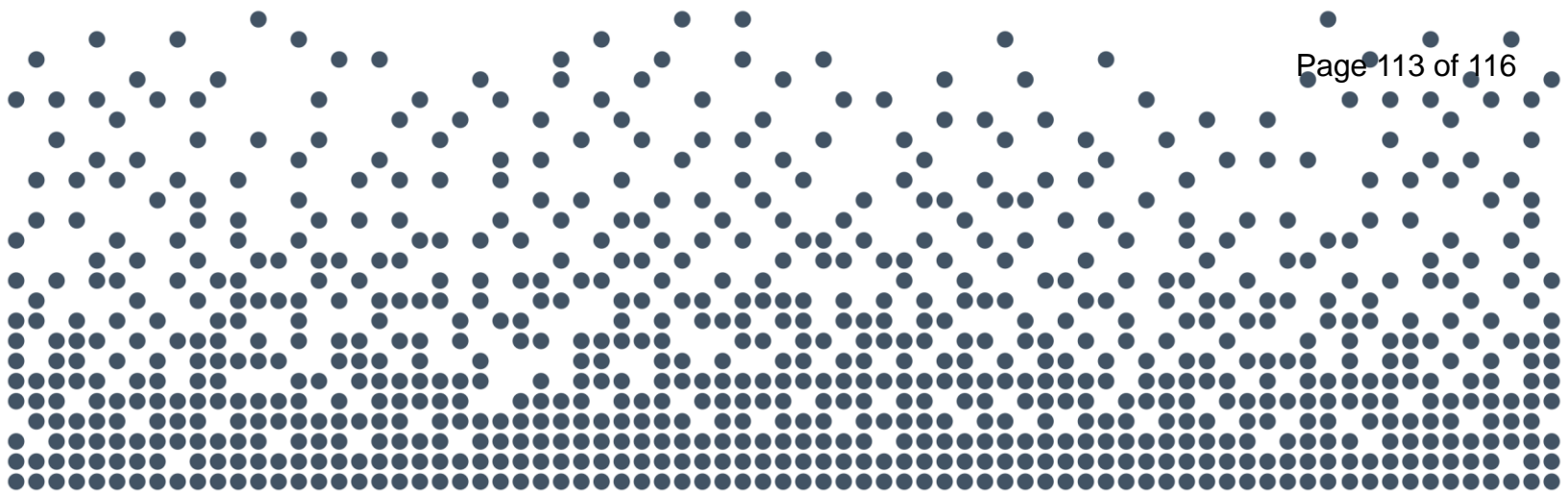
- The Bill makes wholesale changes to the D.C.A. which will restrict revenues collected from all forms (and all prices) of housing. Hence, the target is no longer rental or affordable housing focused. Where municipalities have been developing D.C. policies and programs to address affordable housing needs directly, the loss of D.C. funding will make these programs unaffordable due to the overall revenue lost.
- The Bill has introduced changes to collections and locking in rates, which directly benefit commercial, industrial and institutional developments, that were not part of the Province's Housing Supply Action Plan. It is unclear why this has been introduced. The six-payment plan for this sector is expected to be expensive and cumbersome to administrate.
- Many transitional items have not been addressed and it is unclear whether the developing land owner is responsible for potential revenue losses or whether that will be the responsibility of the municipality. These matters need to be addressed, otherwise time and money will be spent clarifying these matters in the courts.
- The Regulations to define the new community benefits charges have not been circulated with the Bill; hence, the magnitude of the impact cannot be calculated. It is anticipated, however, that a significant amount of revenue will be lost along with additional lands for park purposes. This either places a direct burden onto taxpayers or will reduce service levels significantly for the future.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Gary D. Scandlan, B.A., PLE
Director

Andrew Grunda, MBA, CPA, CMA
Principal



Appendix A

Development Charge Collections 2013 to 2017



Appendix A: Development Charge Collections 2013 to 2017

Development Charge Collections - 2013 to 2017

Service	2013	2014	2015	2016	2017	Total	Average Annual
Services Continued Within D.C.A.							
Development Studies	\$ 6,785,229	\$ 7,539,525	\$ 9,634,244	\$ 9,536,538	\$ 11,607,836	\$ 45,103,372	\$ 9,020,674
Fire Protection	19,100,753	23,624,512	24,765,253	27,313,942	26,978,473	121,782,933	24,356,587
Police Protection	16,473,155	18,511,592	20,652,998	18,378,613	20,548,089	94,564,447	18,912,889
Roads and Structures	459,358,776	612,034,803	690,333,195	779,050,973	719,779,061	3,260,556,808	652,111,362
Transit	76,809,022	132,348,600	130,908,057	132,489,696	136,970,102	609,525,477	121,905,095
Wastewater	226,276,592	326,853,930	366,627,394	442,003,774	377,008,100	1,738,769,790	347,753,958
Stormwater	35,407,598	37,192,646	36,127,040	52,679,456	53,577,620	214,984,360	42,996,872
Water	249,052,732	324,843,966	373,922,202	474,822,033	513,942,477	1,936,583,410	387,316,682
GO Transit	7,594,651	9,005,572	10,515,931	9,837,550	10,461,361	47,415,065	9,483,013
D.C.A. Continued Services	\$ 1,096,858,508	\$ 1,491,955,146	\$ 1,663,486,314	\$ 1,946,112,574	\$ 1,870,873,119	\$ 8,069,285,661	\$ 1,613,857,132
Services to Be Included Within New Section 37 Community Benefits Charge							
Emergency Medical Services	\$ 3,112,736	\$ 4,765,936	\$ 5,128,696	\$ 4,840,840	\$ 5,773,536	\$ 23,621,744	\$ 4,724,349
Homes for the Aged	3,073,247	2,939,550	3,743,039	3,595,331	4,297,427	17,648,594	3,529,719
Daycare	2,499,810	3,301,019	3,088,376	1,760,689	2,473,840	13,123,734	2,624,747
Housing	17,947,287	18,658,790	19,786,738	16,116,747	21,684,247	94,193,809	18,838,762
Parkland Development	64,269,835	88,966,081	84,900,635	73,762,908	87,751,688	399,651,147	79,930,229
Library	28,579,595	33,673,639	32,963,569	33,161,869	34,690,844	163,069,516	32,613,903
Recreation	113,885,296	139,822,233	162,878,471	165,794,581	160,313,825	742,694,406	148,538,881
General Government	12,050,045	12,270,754	12,829,713	21,443,520	8,654,142	67,248,174	13,449,635
Parking	1,906,154	3,594,036	4,821,705	3,986,887	3,947,438	18,256,220	3,651,244
Animal Control	18,224	16,511	44,952	23,839	15,205	118,731	23,746
Municipal Cemeteries	38,942	69,614	55,007	170,736	108,145	442,444	88,489
Other	100,284,812	88,219,453	84,354,637	82,829,254	71,435,996	427,124,152	85,424,830
Services to be Moved to Community Benefits Charge	\$ 347,665,983	\$ 396,297,616	\$ 414,595,538	\$ 407,487,201	\$ 401,146,333	\$ 1,967,192,671	\$ 393,438,534
Total	\$ 1,444,524,491	\$ 1,888,252,762	\$ 2,078,081,852	\$ 2,353,599,776	\$ 2,272,019,452	\$10,036,478,333	\$ 2,007,295,667

Source: Financial Information Returns - 2013 to 2017

#9



Corporation of the Township of Central Frontenac – May 28, 2019

**ADMINISTRATION
81-2019 Regional Roads Report**

Resolution # 197 -2019

Moved by Cindy Kelsey **Seconded by** [Signature]

WHEREAS the County of Frontenac at its joint meeting April 17th 2019 passed Resolution 2019-046 requiring that the lower tier municipalities review and consider the Regional Roads – Overview and Background Report by May 31, 2019;

AND WHEREAS said resolution also requires each lower tier municipality to endorse a petition to the Province to remove Section 6.2 from the 1997 Restructuring Order which prohibited the County from owning, maintaining, repairing or constructing roads;

AND WHEREAS the Township of South Frontenac passed its resolution on May 7, 2019 supporting option 3 on the condition that prior to making a decision to proceed with option 3, there be unanimous consent by the four member councils;

AND WHEREAS the Township of North Frontenac is considering the report at its May 27th council meeting;

AND WHEREAS staff have some reservations about the 1% ownership model and how this ownership model would integrate with the jurisdiction sections of the Municipal Act, and have reached out to Tony Fleming to provide further insight;

NOW THEREFORE BE IT RESOLVED THAT after review of the county's report, that Council defer the decision to move forward on which option it prefers until, we have received confirmation from legal counsel as to how the ownership model would work in practice, and to receive further input from the Public Works Managers once they have meet to discuss the options further.

AND FURTHER THAT a copy of this resolution be provided to the County of Frontenac and all lower tier municipalities in the County.

Carried ✓
Defeated _____

Mayor/Chair [Signature]

Recorded Vote	F. Smith _____	B. Cameron _____	N. Gowdy _____
	C. Kelsey _____	T. Dewey _____	S. Whan _____
	B. MacDonald _____	V. Heese _____	E. Burke _____

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2019-38**

**A BY-LAW TO CONFIRM GENERALLY PREVIOUS ACTIONS OF THE
COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTH
FRONTENAC.**

THEREFORE THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC, BY ITS COUNCIL, HEREBY ENACTS AS FOLLOWS:

1. The actions of the Council of the Corporation of the Township of South Frontenac at its Council Meeting of June 4, 2019 be confirmed.
2. Execution by the Mayor and the Clerk of all Deeds, Instruments and other Documents necessary to give effect to any such Resolution, Motion or other action and the affixing of the Corporate Seal to any such Deed, Instruments or other Documents is hereby authorized and confirmed.
3. This By-law shall come into force and take effect on the date of its passage.

Dated at the Township of South Frontenac this 4 day of June, 2019.

Read a first and second time this 4 day of June, 2019.

Read a third time and finally passed this 4 day of June, 2019.

**THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC**

Ron Vandewal, Mayor

Angela Maddocks, Clerk