

**TOWNSHIP OF SOUTH FRONTENAC
COUNCIL MEETING
AGENDA**



**Audio Broadcast to the Township's Facebook page
<https://www.facebook.com/SouthFrontenacTwp>**

TIME: 7:00 PM,
DATE: Tuesday, October 12, 2021
PLACE: Electronic Participation.

1. Call to Order and Roll Call
- a) Resolution
2. Recognition of the passing of Councillor Barr
- a) 4 - 11
3. Declaration of pecuniary interest and the general nature thereof
4. Approval of Agenda
- a) Resolution
5. Scheduled Closed Session (at the end of the agenda)
6. Delegations - none
7. Public Meeting - not applicable
8. Approval of Minutes
- a) September 21, 2021 12 - 19
9. Business Arising from the Minutes
10. Reports Requiring Action
- a) Municipal Modernization Program - Intake 3 (Carried over from October 5, 2021 agenda) 20 - 23
- b) Speed Reduction Request - Davidson Road (Latimer Road to Holmes Road) (Carried over from October 5, 2021 agenda) 24 - 28
- c) Site Plan Control Application - SP-05-21-S - 2290998 Ontario Inc - Christel Lane (Carried over from October 5, 2021 agenda) See By-laws 2021-55 and By-law 2021-56 29 - 46
- d) Request for closure of unopened road allowance RC-21-06 - Between Concessions 10 & 11, District of Portland (Allan) (Carried over from October 5, 2021 agenda) 47 - 61

11. Committee Meeting Minutes
- a) Police Services Board Meeting Minutes - July 22, 2021 (Carried over from October 5, 2021 agenda) 62 - 65
12. By-laws
- a) First and Second Readings of By-laws
- b) By-law 2021-55 - Site Plan Control Application - SP-05-21-S 2290998 Ontario Inc. (Severed Parcel on Christel Lane) 66
- c) By-law 2021-56 - Site Plan Control Application - SP-05-21-S 2290998 Ontario Inc. (Retained Parcel on Christel Lane) 67
13. Reports for Information
- a) Communal Services Draft Business Case Study (Carried forward from October 5, 2021 agenda) 68 - 95
- b) Ombudsman Report - Closed Meeting Investigation of the July 13, 2021 Committee of the Whole Meeting (Carried forward from the October 5, 2021 agenda) 96 - 98
- c) 2021 Third Quarter Planning Department Report 99 - 105
- d) 2021 Third Quarter Building Department Report 106 - 111
14. Information Items
- a) Naming of Petworth Bridge (Carried forward from the October 5, 2021 agenda) 112 - 122
- b) Gary Beach, re: RC-20-01 (2290998 Ontario Inc) Road Allowance Closure and Purchase, Parts 13 and 15 13R-22455 123
- c) Aird Berlis - Integrity Commissioner Services 124 - 125
15. Notice of Motions
16. Announcements/Statements by Councillors
17. Question of Clarity (from the public on outcome of agenda items)
18. Closed Session
- a) Council will move into a closed session as permitted by the Municipal Act, Section 239.2 c) to discuss two (2) items related to the proposed or pending acquisition of land by the municipality or local board (Carried forward from the October 5, 2021 agenda)
- b) Hinchinbrooke Road - Pending Property Acquisition
- c) Potential Road 38 Land Acquisition - Verbal report
- d) Resolution - Move out of Closed Session

19. Confirmatory By-law

a) By-law 2021-57

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20. Adjournment

a) Resolution

Natural, Vibrant and Growing - A Progressive Rural Leader



**SOUTH
FRONTENAC**

Remembering Pat Barr

Bedford District Councillor
June 2013 – October 2021

Patricia Barr

July 5, 1950 –
October 5, 2021





A strong advocate for Bedford District with an abundance of knowledge in its history.











Minutes of Council
September, 21, 2021

Time: 7:00 PM

Location: Electronic Participation



Meeting # 28

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

Staff Present in Council Chambers: Neil Carbone - Chief Administrative Officer, Angela Maddocks - Clerk, Claire Dodds - Director of Development Services, Troy Dunlop - Manager of Technical Services and Infrastructure, Christine Woods - Senior Planner.

1. Call to Order and Roll Call

a) Resolution

Resolution No. 2021-28-01

Moved by Councillor Sleeth

Seconded by Councillor Morey

That the Council meeting of September 21, 2021 be called to order at 7.00 p.m.

Carried

2. Declaration of pecuniary interest and the general nature thereof

a) There were no declarations.

3. Approval of Agenda

a) Resolution

Resolution No. 2021-28-02

Moved by Councillor Revill

Seconded by Councillor Ruttan

That the agenda for the September 21, 2021 Council meeting be approved as presented.

Carried

4. Scheduled Closed Session - not applicable

5. Public Meeting

a) Resolution and Public Meeting Statement

The Clerk provided direction to members of the public on being notified of the decision on this application and the appeal process.

Resolution No. 2021-28-03

Moved by Councillor Sutherland

Seconded by Deputy Mayor Barr

That a public meeting be held to allow for input on planning matters related to Zoning By-law Amendment Application Z-21-17, Concession 11, Part Lots 6, 7 and 8 on Hinchinbrooke Road, Portland District.

Carried

- b) Zoning By-law Amendment Application Z-21-17 - Concession 11, Part Lots 6, 7 and 8 - Portland District (Allan)

Christine Woods, Senior Planner explained that the subject property is located east of Verona on Hinchinbrooke Road. The 30 hectare (76.3 acre) property consists of forest and wetlands. The subject property has frontage on Little Mud Lake and Hardwood Creek. There are a number of lanes that all run through the subject property. Multiple residential waterfront properties are accessed from these lanes. The subject property be changed from Rural (RU) to Limited Service Residential – Waterfront (RLSW). The effect would be to acknowledge that although the property has frontage on Hinchinbrooke Road, it is accessed from Silver Rock Lane. Essentially, the property's frontage is the intersection of the road and the lane. The RLSW zone is applicable to waterfront properties that are accessed from a private lane, such as Silver Rock Lane. The request is also being made in anticipation of provisional approval of multiple consent applications that are currently under review by the Township and identified in the mapping included in the presentation. Rezoning portions of the subject lands would be a condition of any consent approval. Consent applications S-31-21-P and S-32-21-P were for lot additions to two existing, developed, limited service residential waterfront properties and the provisional approval of the consent applications was granted subject to conditions by the Director of Development Services on August 6, 2021 as these consent applications met the criteria of an undisputed consent based on Delegation By-law 2020-27. Condition 10 requires the severed parcels (lot additions) to be rezoned to RLSW. The new zoning would bring the enlarged parcels into conformity with the Zoning By-law by placing it in one zone. Consent application S-67-21-P is also for a lot addition to an existing, developed, limited service residential waterfront property. Consent application S-51-21-P is for the creation of one new limited service residential waterfront property. These applications are currently under review by the Township.

The subject lands are also subject to road allowance closure application RC-21-06. According to application RC-21-06, the road allowance closure is being requested to facilitate a future lot addition trade with the landowner on the south side of the road allowance. Staff note that any future lot additions would be subject to consent applications. Ms. Woods noted that application RC-21-06 has not come before Council yet and she confirmed that a change in zoning on the subject property would not impact or obligate Council to consider the road closing any differently than through the normal road closing process.

Comments have not yet been received from the Building Department (Sewage System Review) or from Quinte Conservation on this yet, however they will provide comments on the rezoning through their review of the consent applications. To date there have not been any public comments received on this application.

With respect to the preliminary planning analysis, Ms. Woods explained that there are two main policy themes that apply to the proposed rezoning. These themes are (1) limited service residential development, and (2) protecting natural heritage resources for long-term use.

Although the property has frontage on Hinchinbrooke Road, it is accessed from Silver Rock Lane, essentially, the property's frontage is the intersection of the road and the lane. The RLSW zone is applicable to waterfront properties that are accessed from a private lane, such as Silver Rock Lane. For this reason, it is appropriate to consider this rezoning application for the entire parcel regardless of the outcome of any decision on the additional consent applications (i.e. S-51-21-P and S-67-21-P). Ms. Woods indicated that staff anticipate that consent application S-67-21-P, being a lot addition to an existing developed limited service residential waterfront property, will be an undisputed

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consent. However, staff note that special zoning considerations may arise through the review of consent application S-51-21-P when the proposed severed and retained parcels are assessed for appropriate building envelopes and conditions of development. For example, a requirement for greater than 30 metre minimum building setbacks from the highwater mark and wetlands could be recommended by an agency.

It is generally Township practice to rezone land following a conditional approval of a consent application. However, in this instance it makes sense to rezone the entire parcel knowing there are two additional, active consent applications that would require a rezoning as a condition of approval. It would not be efficient to require a separate additional rezoning application to address any special zoning considerations associated with a potential conditional approval of application S-51-21-P. As such, staff would only bring a report with a recommendation on application Z-21-17 to a future Council meeting after a decision has been made on application S-51-21-P.

Councillor Morey asked for clarification on the collective rezoning of parcels and Ms. Woods indicated that staff anticipate all parcels will be required to be rezoned and this is the most efficient approach to take.

There were no comments from the public.

c) Resolution - Close Public Meeting

Resolution No. 2021-28-04

Moved by Councillor Morey

Seconded by Councillor Sleeth

That having provided an opportunity for input on planning matters, the public meeting be closed.

Carried

6. Delegations

a) Brad McNevin, CAO, Quinte Conservation, re: Capital Reserve Account for Water and Erosion Control Projects

Mr. McNevin joined the meeting virtually to address questions from Council with regard to the 10-year Capital Reserve Account for Water and Erosion Control Projects and the scope of work required to properly maintain the structure and ensure the safe operations, public safety and longevity of dams within South Frontenac. Mr. McNevin indicated he would provide a listing of structures that would be part of this projects within South Frontenac.

b) Nicki Gowdy and Louise Moody, Frontenac Transportation - Review of Services

Nicki Gowdy and Louise Moody presented data on the user pay transportation service provided 7 days a week throughout Frontenac County. They noted that the provincial and federal governments have a definition of public transportation; rural communities that fall outside of urban boundaries have not been eligible to receive funding for their rural transportation programs which has limited the ability of rural municipalities to access funding to ensure residents are able to fully participate in society.

7. Approval of Minutes

a) August 13, 2021 Council Meeting

Resolution No. 2021-28-05

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Moved by Councillor Ruttan
Seconded by Councillor Roberts
That the minutes of the August 13, 2021 Council meeting be approved as presented.

Carried

b) September 7, 2021 Council Meeting

Resolution No. 2021-28-06
Moved by Councillor Roberts
Seconded by Councillor Sleeth
That the minutes of the September 7, 2021 Council meeting be approved.

Carried

8. Business Arising from the Minutes - not applicable

9. Reports Requiring Action

a) Road Needs Study and Expanded Asset Data Collection

Resolution No. 2021-28-07
Moved by Councillor Sleeth
Seconded by Councillor Revill
That Council approve the Terms of Reference for a Gravel Roads Needs Study as contained in Table 1 of the report from Troy Dunlop, Manager of Technical Services and Infrastructure dated September 21, 2021; and,

That Council approve the expenditure of up to \$150,000 from the Township's Municipal Modernization Funding for the completion of the Gravel Roads Needs Study in 2022.

Resolution No. 2021-28-08
Moved by Councillor Sutherland
Seconded by Councillor Ruttan
First Amendment to 2021-28-07
That the "tax base" consideration be removed from the "expanded AMP data proposed" column of the report.

Carried

Resolution No. 2021-28-09
Moved by Councillor Sleeth
Seconded by Councillor Morey
Second Amendment proposed to to 2021-28-07
That the study includes the distinction between the approximate number of permanent and seasonal residents.

Carried

Resolution No. 2021-28-10
Moved by Councillor Sleeth
Seconded by Councillor Revill
That Council approve the Terms of Reference for a Gravel Roads Needs Study as contained in Table 1 of this report; and,

That Council approve the expenditure of up to \$150,000 from the Township's Municipal Modernization Funding for the completion of the Gravel Roads Needs Study in 2022 as amended by Resolutions 2021-28-08 and 2021-28-09.

Carried

b) PS-2021-26 Pump House Building Upgrades at Wilmer Park

Resolution No. 2021-28-11

Moved by Councillor Sutherland

Seconded by Councillor Ruttan

That Council approve the reallocation of unused funds from the Bowes Park Washrooms Renovations in the amount of \$30,000.00 to the Wilmer Pump House Upgrade project; and

That Council accept the bid from Ubcon Construction Limited in the amount of \$43,971.00, excluding HST, for the upgrades to the Pump House Building at Wilmer Ball Park.

Carried

c) 2021 Community Grants - Intake 2 Recommendations

Resolution No. 2021-28-12

Moved by Councillor Roberts

Seconded by Deputy Mayor Barr

That Council approve the three (3) Community Grant applications included in the Director of Corporate Services and Treasurer's Report totalling \$10,000; and,

That any remaining 2021 community grant funds be carried forward to the 2022 budget.

Carried

d) 2021 COVID-19 Community Grants - Intake 2 Recommendations

Resolution No. 2021-28-13

Moved by Councillor Sutherland

Seconded by Councillor Roberts

That Council approve the staff recommended COVID-19 Community Grant included in this report in the amount of \$5,000 and

That the balance of unspent funds from the Community Grant and Program Funding Streams, estimated at \$100,000, be returned to the Township's Working Reserve.

Carried

e) 2022 Budget Schedule & Public Consultation

Resolution No. 2021-28-14

Moved by Councillor Morey

Seconded by Councillor Roberts

That Council adopt the recommended 2022 budget cycle as presented in the report prepared by Louise Fragnito, Director of Corporate Services and Treasurer dated September 21, 2021 and

That Council support the recommended changes to the public consultation process for the 2022 budget, including the addition of a community survey and the rescheduling of budget delegations as outlined in the report.

Carried

f) Z-21-18 - Rezone from Quarry B Special Provision (QB-2) to Community Facility (CF-7) 4057 Milburn Road

See By-law 2021-51

Resolution No. 2021-28-15

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Moved by Councillor Roberts
Seconded by Councillor Morey

That Council confirms that there be no further notice of any changes made to By-law 2021-51 since the public meeting, pursuant to Section 34 (17) of the Planning Act.

Carried

- g) Z-21-19 - Application to remove Holding Zone - Cranberry Cove Plan of Condominium

See By-law 2021-52

- h) Amend By-law 2021-44 - Administrative Monetary Penalties

See By-law 2021-53

10. Committee Meeting Minutes

- a) Heritage Committee Meeting held April 1, 2021

- b) Police Services Board Meeting held April 22, 2021

- c) Lake Ecosystem Advisory Committee Meeting held May 19, 2021

Resolution No. 2021-28-16

Moved by Deputy Mayor Barr

Seconded by Councillor Ruttan

That Council receives for information the minutes of the following committee meetings:

- Heritage Committee meeting held April 1, 2021
- Police Services Board Meeting held April 22, 2021
- Lake Ecosystem Advisory Committee meeting held May 22, 2021

Carried

11. By-laws

- a) First and Second Readings of By-laws

Resolution No. 2021-28-17

Moved by Councillor Sleeth

Seconded by Councillor Roberts

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

- By-law 2021-51
- By-law 2021-52
- By-law 2021-53

Carried

- b) By-law 2021-51 - Rezone from Quarry B Special Provision to Community Facility - 4057 Milburn Road

Resolution No. 2021-28-18

Moved by Councillor Roberts

Seconded by Councillor Sleeth

That By-law 2021-51, being a by-law to amend By-law 2003-75, as amended, to rezone land from Quarry "B" - Special Provision (QB-2) to Community Facility (CF-7), 4057 Milburn Road, be given third reading, signed and sealed.

Carried

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September, 21, 2021

- c) By-law 2021-52 - Remove the Holding "H" Symbol for Vacant Land Plan of Condominium - Cranberry Cove

Resolution No. 2021-28-19

Moved by Councillor Roberts

Seconded by Councillor Sleeth

That By-law 2021-52, being a by-law to remove the holding "H" symbol from the zoning map of Zoning By-law 2003-75 as amended, on units 1, 3 to 13 inclusive, Parts 1, 6 & 7 Plan 13R8978, except parts 1-5, Plan 13R18799 and Part 1, Plan 13R-19396, Vacant Land of Condominium # 83, Cranberry Cove, be given third reading, signed and sealed.

Carried

- d) By-law 2021-53 - Amend By-law 2021-44 - Administrative Monetary Penalties

Resolution No. 2021-28-20

Moved by Deputy Mayor Barr

Seconded by Councillor Roberts

That By-law 2021-53, being a by-law to amend By-law 2021-44 (to impose Administrative Monetary Penalties) be given third reading, signed and sealed.

Carried

12. Reports for Information

- a) PS-2021-27 Accessible Washroom Upgrades - Bowes Ball Park
- b) New Staff Report Templates
- c) Accounts Payable and Payroll Listing

13. Information Items - not applicable

14. Notice of Motions - none

15. Announcements/Statements by Councillors

- a) Councillor Sleeth inquired about the docks at the boat launch in Battersea given that the boating season is almost over. He noted the limited timing due to fish spawning.

Mayor Vandewal reported that the docks are being constructed. He indicated that there will be some rehabilitation needed to the wall and the parking area. The CAO indicated that he would follow up with Public Services staff about the timing of the installation and didn't think there would be any piers required to be installed.

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

- a) There were no questions of clarity.

17. Closed Session (if requested)

18. Confirmatory By-law

- a) By-law 2021-54

Resolution No. 2021-28-21

Moved by Councillor Revill

Seconded by Councillor Ruttan

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September, 21, 2021

That By-law 2021-54, being a by-law to confirm generally all actions and proceedings of the Council of the Corporation of the Township of South Frontenac on September 21, 2021 be given first and second reading.

Carried

Resolution No. 2021-28-22

Moved by Councillor Roberts

Seconded by Councillor Morey

That By-law 2021-54, being the confirmatory by-law, be given third reading, signed and sealed this 21 day of September 2021.

Carried

19. Adjournment

a) Resolution

Resolution No. 2021-28-23

Moved by Councillor Sleeth

Seconded by Councillor Sutherland

That the Council meeting of September 21, 2021 be adjourned at 8:15 pm.

Carried

Ron Vandewal, Mayor

Angela Maddocks , Clerk

Township of South Frontenac Staff Report



To: Council

Prepared by: Corporate Services Department

Date of Meeting: October 5, 2021

Subject: **Municipal Modernization Program – Intake 3**

Summary

The Municipal Modernization Program now has a third intake available which focuses on more efficient and modernized service delivery for small and rural municipalities. Staff are recommending an application to this intake for records digitization and process/content automation with a total cost of \$150,000, requiring a municipal contribution of \$52,500.

Recommendation

That Council support the submission of an expression of interest for intake 3 of the Municipal Modernization Program based on the projects identified in this report; and,

That Council approve funding the Township share of the projects in the amount of \$52,500 to be allocated from Working Funds if the submission is successful; and,

That authorization be given to the Mayor and Clerk to sign a transfer payment agreement with the Province for the funding if the submission is successful.

Background

The Municipal Modernization Program (MMP) is a funding program offered by the Province of Ontario which began in early 2019. The program provides funds to small and rural municipalities to improve the delivery of program and services. Under the first intake, a joint Service Delivery Review with the other Frontenac municipalities was approved and has since been completed. Under the second intake, a joint application was submitted with Central Frontenac for a Joint Fire Hall and Fleet Location Study, which was also approved.

The MMP now has a third intake available. Expressions of interest must be submitted by October 19, 2021 and projects must be completed by February 28, 2023. Decisions on the Expression of Interests will be announced in January 2022.

Priority may be given to projects that address one or more of the following:

- Digital modernization
- Service Integration
- Streamlined Development Approvals
- Shared Services/Alternative Service Delivery Models

The project submitted must demonstrate evidence of savings or efficiencies to be realized through the project.

Discussion/Analysis

The submission of a joint application with another municipality within the Frontenacs was considered by the Treasurers of both Central and North Frontenac but no current projects were felt could be submitted jointly at this stage.

The Frontenac CAOs also discussed a joint application and are investigating a joint submission with the County for funding to support the implementation of LiDAR data to supplement the County's GIS system, in partnership with Eastern Ontario Conservation Authorities.

South Frontenac Application

Staff are recommending a South Frontenac submission to this intake which incorporates:

- the digitizing of tax roll records along with building permit records
- the creation of a filing and retention structure for these digital records
- updates to the current digital accounts payable invoice approval/payment process
- creation of an intranet portal for staff access to forms and policies

The project would require:

- the hiring of temporary staff to scan current paper records into a newly created digital filing system for both tax roll and building permit records, estimated at \$75,000
- the purchase of enterprise content management and business process automation software, estimated at \$50,000
- Purchase of equipment such as computers at public services yards to provide access for employees who do not have a dedicated computer, estimated at \$25,000

The digitizing of tax roll records and historical building permits would make available two rooms to be repurposed while providing easy access to these records from any location in a structured and consistent way. This will create efficiencies in staff's time.

The update to the accounts payable invoice approval and payment process will create efficiencies and automations in the current process where scanned vendor invoices are automatically directed to the responsible manager for approval and easy to review workflows where reminders can automatically be sent for invoices that are unapproved after a certain time period as well as better tracking of current invoice status. The software used for this update provides many other features including the creation of an intranet site that would allow staff secure easy centralized access to forms and policies regardless of their location.

Staff is recommending the submission of an expression of interest under digital modernization in the amount of \$150,000. The program supports 65% of the cost leaving the municipal share of the project at 35% or \$52,500.

Financial Implications

This project will only move forward if the expression of interest is successful. If successful, the Township share of the project is \$52,500. It is recommended that this be funded from the Working Funds Reserve.

Relationship to Strategic Plans

- Not applicable to this report.
- This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.
 - **Priority: 3. Ensure the organizational capacity to deliver cost-effective services in a changing world.**

Notice/Consultation

- Claire Dodds, Director of Development Services
- Kelly Watkins, North Frontenac Township Treasurer
- Michael McGovern, Central Frontenac Township Treasurer

Attachments

None.

Approvals

Submitted By:



Louise Fragnito,
Director of Corporate Services and Treasurer

Approved By:



Neil Carbone
Chief Administrative Officer

Township of South Frontenac Staff Report



To: Council

Prepared by: Public Services Department

Date of Meeting: October 5, 2021

Subject: **Speed Reduction Request – Davidson Road (Latimer Road to Holmes Road)**

Summary

This report summarizes the outcomes of a speed limit review that was carried out by staff in response to a petition received relating to a 2.8km section of Davidson Road between Latimer Road and Holmes Road, and recommends a reduce speed in that area as a result.

Recommendation

That Council approve the staff recommendation for the implementation of a 60km/hr speed limit on a 2.8km section of Davidson Road between Latimer Road and Holmes Road;

And that Council direct staff to prepare an amendment to Roads, Traffic and Parking Bylaw 2001-01 to incorporate the proposed 60km/hr speed limit change on Davidson Road.

Background

On March 9th, 2021, Mr. Harold Parsons submitted a petition on behalf of nine (9) local residents seeking to have a review of a speed limit reduction on Davidson Road between the west end of Latimer Road and Holmes Road. This 2.8km section of rural road is not currently posted and as such carries a default speed limit of 80km/hr according to Section 128 of the Ontario Highway Traffic Act.

Details included with the petition had identified that the combination of the narrow road width and the frequent blind corners were a serious concern for the families and young children that actively walk and cycle along the roadway in the area. Further reports of excessive speeding and aggressive driving were also provided.

On July 23, 2021, staff met on site with Mr. Parsons to learn more about the details of the local concerns and to share information regarding the technical review process and the legislated steps to be followed prior to consideration of any speed limit changes. At the conclusion of the meeting a joint action plan was developed that would see the Town carry

out the technical assessments in the month of August and report the associated findings and recommendations back in September. It was also reported that subject to the findings, a y-law would ultimately have to be passed to authorize any posted speed limit changes.

Discussion/Analysis

The Township of South Frontenac does not currently have an established policy for the management of posted speed limits however speed limit changes have traditionally followed the Canadian Guidelines for Establishing Posted Speed Limits by the Transportation Association of Canada (TAC), 2009. This policy is similar to that used by the City of Kingston's traffic division as part of its Guidelines for Establishing Posted Speed Limits.

The TAC guideline is an assessment tool that looks at eleven (11) characteristics of a roadway and assigns an overall risk score based on an "objective and measurable" review of the characteristics of any roadway corridor. Items included within the TAC assessment tool are listed as follows:

- Geometry (Horizontal)
- Geometry (Vertical)
- Average Lane Width
- Roadside Hazards
- Pedestrian Exposure
- Cyclist Exposure
- Pavement Surface
- Number of Intersections
- Number of Private Access Driveways
- Number of Interchanges
- On-Street Parking

Staff broke the traffic review into two distinct study areas (see attached plan) with the understanding that the overall segment was quite long at 2.8km. Study area A included the 1.3km section of Davidson Road from Latimer Road to Mowoods Lane which was a relatively straight section of roadway. Study area B included the 1.5km winding section of Davidson Road that connected Mowoods Lane to Holmes Road. Both of the study areas were reviewed in the field in August and were subjected to the TAC review tool in early September.

Township of South Frontenac

Staff Report - Speed Reduction Request – Davidson Road (Latimer Road to Holmes Road)

At the conclusion of the technical review, the TAC assessment tool had identified the following risk scores and outcomes:

Segment	Road Class (TAC)	Length (km)	Total Risk Score	Current Speed Limit	TAC Recommended Speed Limit
Segment A – Davidson Rd Latimer Rd to Mowoods Ln	Rural Local	1.3	27	80	60
Segment B – Davidson Rd Mowoods Ln to Homes Rd	Rural Local	1.5	30	80	60

Based on the outcomes, the TAC assessment tool recommends that the maximum speed limit of 60km/hr be posted on the 2.8km rural section of Davidson Road. In addition, staff intend to install some additional warning signage at the location of significant curves.

On September 24th, the detailed results of the speed assessment were shared with Mr. Harold Parsons (petition lead) and the outcomes were both accepted and supported. Staff are therefore recommending that Council approve the implementation of a 60km/hr zone in this rural residential area and that staff be directed to prepare the necessary amendments to the Roads, Traffic and Parking Bylaw 2001-01.

Financial Implications

The process of carrying out the speed reviews under this petition included an estimated fifteen hours of work when considering background research, correspondence, site meetings, site evaluations, and preparation of final reports. We estimate the internal administration costs for the review to be in the order of \$975.

The estimated costs for labour and material to supply and install four new speed limit signs along Davidson Road is expected to be approximately \$370 which will be covered under the operating budget for roads.

Relationship to Strategic Plans

Not applicable to this report.

This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.

- Priority: Choose an item.
- Action Item (if applicable):

Township of South Frontenac

Staff Report - Speed Reduction Request – Davidson Road (Latimer Road to Holmes Road)

Notice/Consultation

- Petition Holder
- Manager of Fleet and Operations

Attachments

- Location Map and Area Speed Zones

Approvals

Submitted By:

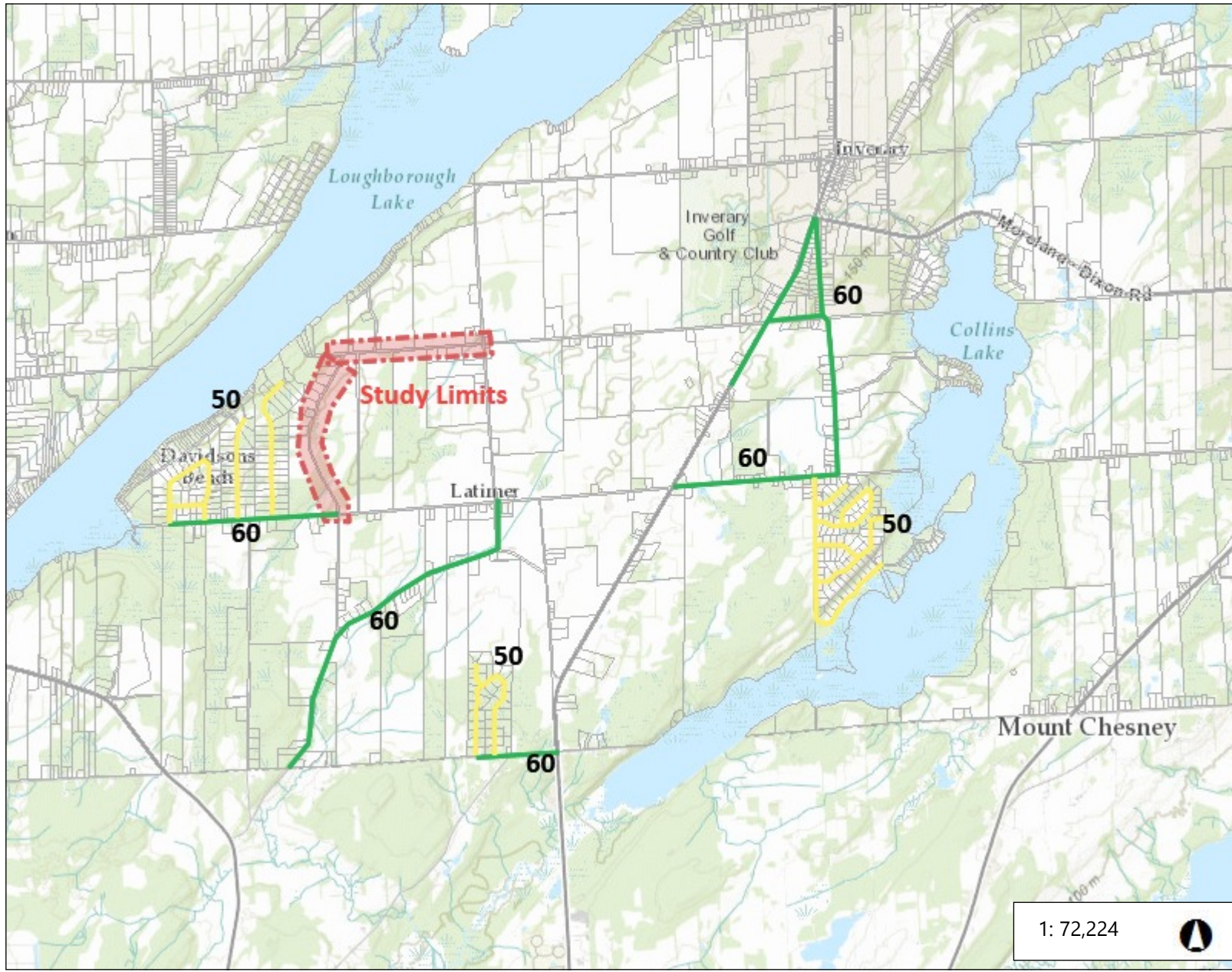


W. Troy Dunlop, C.E.T.
Manager of Technical Services and Infrastructure

Approved By:



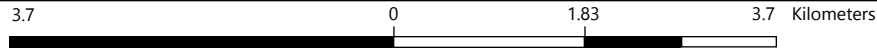
Neil Carbone
Chief Administrative Officer



Legend

- Assessment Parcels
- Citations

1: 72,224



WGS_1984_Web_Mercator_Auxiliary_Sphere
Includes Material © 2019 of the Queen's Printer for Ontario. All Rights Reserved.

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

YELLOW = 50km/hr
GREEN = 60km/hr

Township of South Frontenac Staff Report



To: Council

Prepared by: Development Services Department

Date of Meeting: October 5, 2021

Subject: **Site Plan Control Application SP-05-21-S, 2290998 Ontario Inc., Christel Lane**

Summary

This report recommends that Council pass by-laws to approve Site Plan Control agreements for two (2) properties on Christel Lane (Storrington District) resulting from a severance. Site Plan Control is a requirement to ensure that the Township's development and environmental standards will be met on new properties.

Recommendation

THAT By-law 2021-55 to authorize the Mayor and Clerk to enter into Site Plan Agreements with the Owner, 2290998 Ontario Inc., for the severed parcel from Consent Application S-02-20-S on Parts 4 to 14 on Plan 13R22179, Part of Lot 20, Concession 9, Geographic Township of Pittsburgh, District of Storrington, Township of South Frontenac be passed.

AND THAT By-law 2021-56 to authorize the Mayor and Clerk to enter into Site Plan Agreements with the Owner, 2290998 Ontario Inc., for the retained parcel from Consent Application S-02-20-S on Parts 4 to 14 on Plan 13R22179, Part of Lot 20, Concession 9, Geographic Township of Pittsburgh, District of Storrington, Township of South Frontenac be passed.

Background

The subject lands are subject consent application S-02-20-S to create one residential lot. Provisional approval of the consent application was granted subject to conditions by the Director of Development Services on May 17, 2021 as this consent application met the criteria of an undisputed consent based on Delegation By-law 2020-27. Condition 9 requires the Owner to enter into a site plan agreement with the Municipality to be registered on title to the severed parcel to address the development of the lot. A site plan agreement is also required for the retained parcel under Site Plan Control By-law 2003-25.

On September 7, 2021, Council passed By-law 2021-47 to rezone the retained parcel from Rural (RU) to Limited Service Residential – Waterfront (RLSW), and to rezone the severed parcel from Rural (RU) to Limited Service Residential – Waterfront – Special Provision (RLSW-129). The RLSW-129 zone requires all buildings and structures to be setback a minimum of 40 metres from the highwater mark of the northern shoreline.

Discussion/Analysis

Site plan control is required for the subject lands to address the development of the severed and retained parcels and environmental standards of the Township. Separate site plans and site plan agreements were prepared for the severed parcel and the retained parcel. The site plans and site plan agreements reserve areas for sewage systems, identify building envelopes that meet all applicable zone provisions, require runoff control, and require maintaining natural vegetation buffers. They also incorporate all recommendations of the Hutchinson Analysis to Determine Shoreline Setbacks (Ecological Services, March 18, 2021) and the Species at Risk EIA (Ecological Services, August 22, 2021), which were prepared in support of the consent and rezoning applications.

Site plan control is being applied to the subject lands in advance of a specific development proposal. As such, the site plans and site plan agreements identify building envelopes rather than specific footprints and dimensions to provide flexibility for the final placement and size of dwellings. The Owner will need to confirm that the placement of all buildings and structures complies with the site plan and site plan agreement at the building permit application stage. This would be done as part of the required lot grading and drainage plan prepared by an Ontario Land Surveyor or Professional Engineer.

The Owner would need to apply to the Municipality to have the applicable site plan agreement amended to reflect any deviation from the approved site plan. Any amended agreement would be brought to Council for approval.

The site plan agreements bind current and future owners of the subject property and will be registered on the title of the lands by the Owner's solicitor.

The Owner has reviewed the site plan agreements and indicated their concurrence.

Original signed copies of the agreements will be provided to the Township prior to Council passing a by-law.

Financial Implications

Not applicable.

Relationship to Strategic Plans

Not applicable to this report.

This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.

- Priority: Choose an item.
- Action Item (if applicable):

Notice/Consultation

The site plan agreements and site plan drawings incorporate comments received from Building Services, Public Services and the Rideau Waterway Development Review Team (Catarauqui Conservation and Parks Canada) through consent application S-02-20-S.

Attachments

1. Site Plan Drawing
2. Site Plan Agreements
3. Site Plan By-laws (under By-law section of agenda)

Approvals

Report Prepared By:

Christine Woods, MCIP, RPP, Senior Planner

Submitted By:



Claire Dodds, MCIP, RPP

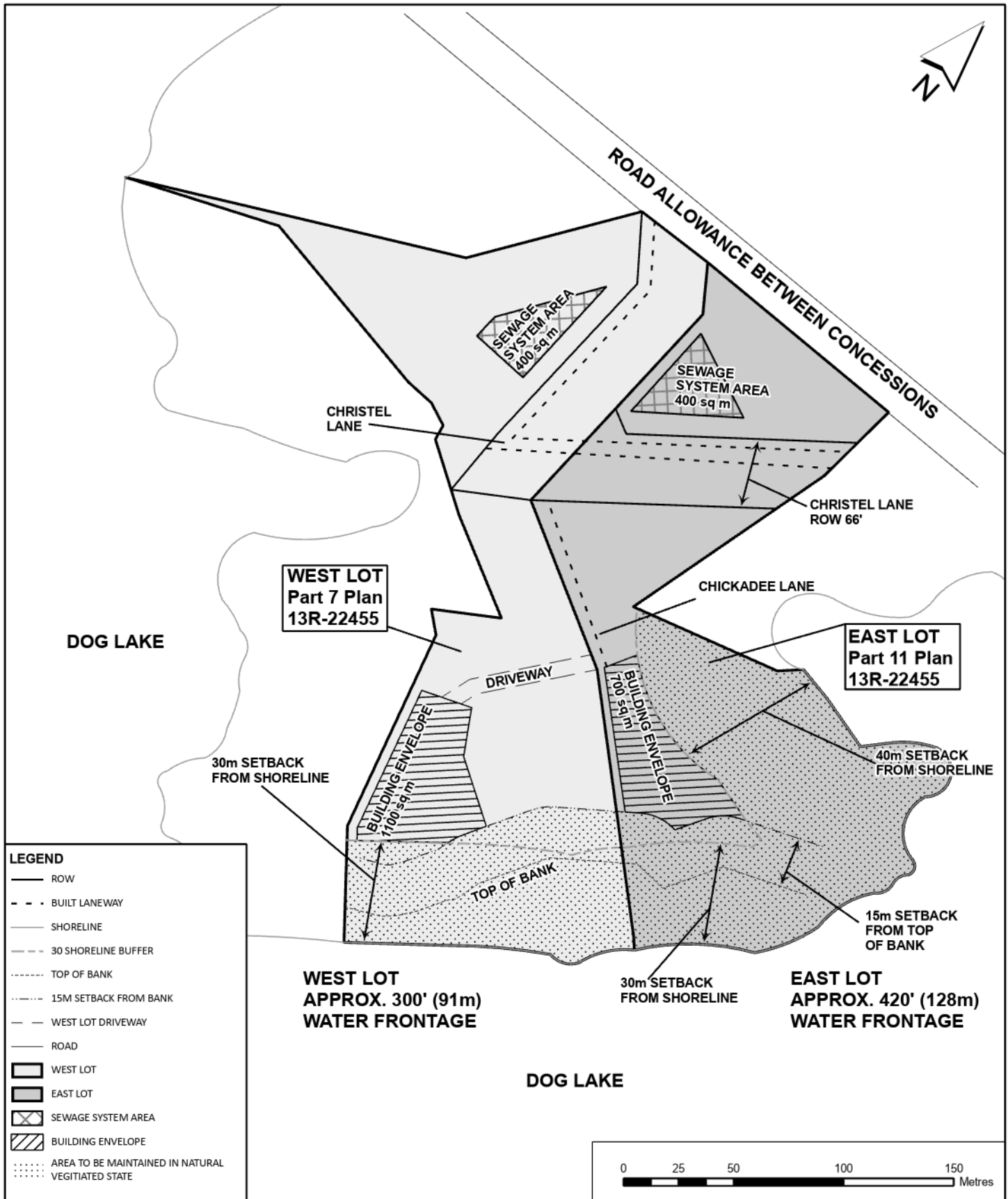
Director of Development Services

Approved By:



Neil Carbone

Chief Administrative Officer



PROJECT NAME:		SITE PLAN		
CLIENT NAME:		2290898 ONTARIO INC.		
PROJECT LOCATION:		DOG LAKE, BATTERSEA, ONTARIO		
FIGURE NAME:		KEY MAP		FIGURE NUMBER
PROJECT NUMBER:	SCALE:	DRAWN BY:	REVIEWED BY:	DATE:
296185	AS SHOWN	PKM	PT	SEPTEMBER 2021
				1

SITE PLAN CONTROL AGREEMENT

THIS AGREEMENT made in triplicate this ____ day of _____, 2021.

BETWEEN:

2290998 ONTARIO INC.

hereinafter referred to as the "OWNER"

OF THE FIRST PART

- and -

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

hereinafter referred to as the "Municipality"

OF THE SECOND PART

WHEREAS the Owner is the registered owner in fee simple of certain lands located in the Township of South Frontenac (the "Lands");

AND WHEREAS it was a condition of provisional approval of consent application S-02-20-S that the Owner enter into this site plan agreement with the Municipality on the terms set out;

AND WHEREAS the Municipality is authorized to enter into this agreement and register it against the title to the Lands pursuant to section 41 of the Planning Act;

NOW THEREFORE WITNESSETH that in consideration of the mutual covenants and agreements contained herein, the parties agree each with the other as follows:

1. The Owner covenants that the Owner is the Owner in fee simple of the Lands described in Schedule "A" attached hereto.
2. The Owner covenants and agrees with the Municipality as follows:
 - 2.1 General
 - 2.1.1 That development shall be in accordance with the Site Plan Drawing, attached hereto in Schedule "B".
 - 2.1.2 That the uses on the subject property are limited to a single detached dwelling and accessory buildings and structures.
 - 2.1.3 That a single detached dwelling shall be located within the Building Envelope shown on the Site Plan Drawing.

- 2.1.4 That any accessory buildings and structures shall not be placed within the required front yard and setback from the highwater mark.
 - 2.1.5 That regarding the sewage disposal system:
 - 2.1.5.1 The area of the sewage disposal system shown on the Site Plan Drawing shall be expressly reserved for a sewage disposal system.
 - 2.1.5.2 The sewage disposal system shall be designed by a Professional Engineer with expertise in the field, due to the complexity of the property and distance between the building envelope and location of the sewage disposal system.
 - 2.1.5.3 Any deviation to the location of the sewage disposal system shall be supported by a Professional Engineer with expertise in the field, and approved by the Chief Building Official.
 - 2.1.5.4 Any deviation to the location of the sewage disposal system shall require the Owner to apply for, and enter into an amended agreement to be registered against the title of the Lands.
 - 2.1.6 That the Owner shall comply with any amendments, additions or deletions to the Site Plan Drawing that the Municipality may reasonably require after the date of this Agreement in order to better ensure the proper and orderly development of the Owner's Lands and the construction of the works and facilities required by this Agreement. The Director of Development Services shall confer with the Chief Administrative Officer, Senior Planner, Chief Building Official, and Conservation Authority before considering any minor amendment to the site plan drawings and/or terms of this agreement.
 - 2.1.7 That the Owner agrees to take all reasonable precautions to reduce dust, noise and other nuisances and to ensure public safety during the development of the Owner's Lands and construction of the works and facilities required by this Agreement.
 - 2.1.8 That the Owner may be required to obtain a permit from Cataraqui Conservation for any development or site alteration proposed from the lake to within 15 metres of the top of bank, as per the Ontario Regulation 148/06 Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses.
 - 2.1.9 That a dock may be permitted subject to all applicable approvals.
 - 2.1.10 That construction and maintenance of a dock shall occur outside of the timeframe when fish are spawning.
- 2.2 Environmental Protection
- 2.2.1 That the land between the shoreline and the dwelling must be maintained as a natural buffer with no alteration of soil mantle or vegetation cover, except for a maximum 1.5 metre wide path. There shall be no cutting of trees within the natural buffer area except for safety reasons or for the removal of dead trees. Any structure (e.g. staircase) required to access the shoreline shall be designed by a qualified professional to ensure that the installation and use of the structure will not create or aggravate an erosion

hazard on the slope. Such structures may be permitted subject to all applicable approvals.

- 2.2.2 That erosion control measures (e.g. silt fence, straw bales) will be used during any construction and will remain in place until any ground cover disturbed during construction has been re-established. Ground cover will be re-established as soon as possible upon completion of construction.
- 2.2.3 That runoff from the Building Envelope shown on the Site Plan Drawing shall be directed to the west and into a pipe along the side of the driveway and lane towards a natural depression to the north, per the Hutchinson Analysis to Determine Shoreline Setbacks: Christel Lane Severance attached hereto in Schedule "B".
- 2.2.4 That there shall be no filling or false grading of excavated materials within 40 metres of the highwater mark. The exception will be for allowance for landscaping materials for the final grade next to the dwelling.
- 2.2.5 That the Owner is responsible to comply with the provisions of the Endangered Species Act, 2007. Sections 9 and 10 of the Endangered Species Act provide protection for individual members of a species and their habitat if that species is listed on the Species at Risk in Ontario list as extirpated, endangered or threatened. If an activity may cause adverse impacts to a species at risk and/or their habitat, authorization under the ESA may be required prior to conducting the activity.
- 2.2.6 That there shall be no tree clearing during the breeding bird season (April 15 to August 15), unless it has been confirmed by a qualified biologist that birds are not nesting in the trees that need to be removed. This is to avoid a possible contravention of the Migratory Birds Convention Act.
- 2.2.7 That there shall be no tree clearing, and especially clearing of dead trees, during the bat roosting season (April 15 to Sept. 15), unless it has been confirmed by a qualified biologist using either exit surveys or acoustic surveys that bats are not roosting in the trees that need to be removed. This is to avoid a possible contravention of the Endangered Species Act.

2.3 Lot Grading and Drainage

- 2.3.1 That prior to the Municipality issuing a building permit for the construction of a single detached dwelling and sewage disposal system on the Lands, the Owner shall provide a Grading and Drainage Plan prepared by a licensed Ontario Land Surveyor or a Professional Engineer that addresses at a minimum and without limitation, locations of building(s), well and sewage disposal system, as well as existing and proposed grades and drainage patterns, to the satisfaction of the Municipal Engineer.
- 2.3.2 That the Owner is required to submit a grading security (deposit) in the amount of \$3,000 prior to the issuance of a building permit. The security shall be released upon the approval of a certificate stamped by the Owner's Engineer confirming that grading generally conforms to the Grading and Drainage Plan. If the Municipal Engineer rejects a lot grading certificate, the cost for any further review shall be deducted from the deposit.

2.4 Limited Services

- 2.4.1 That the Municipality does not maintain or repair and will have no obligation to maintain or repair the private lane that provides access to the Lands or to perform or provide any other municipal services normally associated with public highways within the Municipality.
 - 2.4.2 That the Municipality shall not be responsible for providing fire, ambulance and other emergency services to the Lands if the operator of the emergency vehicle, having made reasonable efforts in the circumstances, determines that the condition of the private lanes or driveways as constructed or maintained at the time, prevents the vehicle from being operated properly or safely in order to access or exit the Lands.
 - 2.4.3 That the Owner hereby agrees to indemnify and save harmless the Municipality against all actions, causes of action, suits, claims, demands and costs whatsoever arising by reason of any matter under this Agreement, including without limitation any actions, causes of action, suits, claims, demands or costs directly or indirectly related to the construction, use, operation or maintenance of the private lane, including the inability to operate an emergency vehicle properly or safely in order to access or exit the Lands due in whole or in part to the condition of the private lanes or driveways at the time.
- 3.0 This agreement shall be registered against the title to the Lands by the Owner and the Municipality shall be entitled to enforce its provisions against the Owner and any or all subsequent owners of the Lands.
- 4.0 If the Owner fails or refuses for any reason to comply with any requirements of this agreement, the Owner shall be in default and the Municipality may, on fifteen (15) days' notice, require the Owner to remedy the default, failing which the Municipality may, without further notice and without prejudice to any other rights and remedies available to it, do such things and perform such work as is necessary to rectify the default.
- 5.0 Any account rendered by the Municipality for work done shall be paid by the Owner within thirty (30) days of the day of billing, and, if the Owner fails to pay, interest shall be charged on the amount outstanding at the rate of one and one quarter (1.25%) per months (15% per annum) on the first day of each calendar month following the date the account was due. Any payments received on accounts rendered shall be applied first to any outstanding interest, which may have accrued, and the balance shall be applied to reduce the principal amount outstanding.
- 6.0 If the Municipality incurs any expense arising out of the terms of this Agreement, the Municipality may recover the amount in like manner as municipal taxes or by action, pursuant to Section 42.7 of the Municipal Act.
- 7.0 All costs necessary to fulfill any condition of this agreement, and all costs incurred by the Municipality in connection with the preparation, execution, registration or enforcement of this Agreement shall be paid by the Owner.
- 8.0 This Agreement shall enure to the benefit of and be binding upon the personal representatives, successors and assigns of the parties.

IN WITNESS WHEREOF the parties hereto have by the hands and seals executed this agreement as of the first date set out above.

SIGNED, SEALED AND DELIVERED:

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

Ron Vandewal - Mayor

Angela Maddocks - Clerk

We have authority to bind the Corporation

2290998 ONTARIO INC.

Martha Beach – President

I have authority to bind the Corporation

SCHEDULE "A"

OWNER'S LANDS

Legal Description: (to be updated before registration)

Parts 4 to 14 on Plan 13R22179, Part of Lot 20, Concession 9, Geographic Township of Pittsburgh, District of Storrington, Township of South Frontenac, County of Frontenac

SCHEDULE "B"**DRAWING AND REPORT LIST**

Site Plan Drawing	Title of drawing to be added once complete
Report	Hutchinson Analysis to Determine Shoreline Setbacks: Christel Lane Severance, prepared by Ecological Services, dated March 18, 2021
Report	Species at Risk EIA, Christel Lane Severances on Dog Lake, prepared by Ecological Services, dated August 22, 2021

THE ORIGINAL OF ALL PLANS LISTED IN THIS SCHEDULE AND INCORPORATED BY REFERENCE INTO THIS AGREEMENT ARE ON FILE IN THE OFFICE OF THE SOUTH FRONTENAC DEVELOPMENT SERVICES DEPARTMENT AND SHALL GOVERN IN THE EVENT OF ANY DISPUTE.

SITE PLAN CONTROL AGREEMENT

THIS AGREEMENT made in triplicate this ____ day of _____, 2021.

BETWEEN:

2290998 ONTARIO INC.

hereinafter referred to as the "OWNER"

OF THE FIRST PART

- and -

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

hereinafter referred to as the "Municipality"

OF THE SECOND PART

WHEREAS the Owner is the registered owner in fee simple of certain lands located in the Township of South Frontenac (the "Lands");

AND WHEREAS Site Plan Control By-law 2003-25 applies to lands within 90 metres of a waterbody and requires that the Owner enter into this site plan agreement with the Municipality on the terms set out.

AND WHEREAS the Municipality is authorized to enter into this agreement and register it against the title to the Lands pursuant to section 41 of the Planning Act;

NOW THEREFORE WITNESSETH that in consideration of the mutual covenants and agreements contained herein, the parties agree each with the other as follows:

1. The Owner covenants that the Owner is the Owner in fee simple of the Lands described in Schedule "A" attached hereto.
2. The Owner covenants and agrees with the Municipality as follows:

2.1 General

- 2.1.1 That development shall be in accordance with the Site Plan Drawing, attached hereto in Schedule "B".
- 2.1.2 That the uses on the subject property are limited to a single detached dwelling and accessory buildings and structures.
- 2.1.3 That a single detached dwelling shall be located within the Building Envelope shown on the Site Plan Drawing.

- 2.1.4 That any accessory buildings and structures shall not be placed within the required front yard and setback from the highwater mark.
- 2.1.5 That regarding the sewage disposal system:
- 2.1.5.1 The area of the sewage disposal system shown on the Site Plan Drawing shall be expressly reserved for a sewage disposal system.
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- 2.2.1 That the land between the shoreline and the dwelling must be maintained as a natural buffer with no alteration of soil mantle or vegetation cover, except for a maximum 1.5 metre wide path. There shall be no cutting of

trees within the natural buffer area except for safety reasons or for the removal of dead trees. Any structure (e.g. staircase) required to access the shoreline shall be designed by a qualified professional to ensure that the installation and use of the structure will not create or aggravate an erosion hazard on the slope. Such structures may be permitted subject to all applicable approvals.

- 2.2.2 That erosion control measures (e.g. silt fence, straw bales) will be used during any construction and will remain in place until any ground cover disturbed during construction has been re-established. Ground cover will be re-established as soon as possible upon completion of construction.
- 2.2.3 That runoff from the Building Envelope shown on the Site Plan Drawing shall be directed to the west into a natural depression per the Hutchinson Analysis to Determine Shoreline Setbacks: Christel Lane Severance attached hereto in Schedule "B".
- 2.2.4 That there shall be no filling or false grading of excavated materials within 30 metres of the highwater mark. The exception will be for allowance for landscaping materials for the final grade next to the dwelling.
- 2.2.5 That the Owner is responsible to comply with the provisions of the Endangered Species Act, 2007. Sections 9 and 10 of the Endangered Species Act provide protection for individual members of a species and their habitat if that species is listed on the Species at Risk in Ontario list as extirpated, endangered or threatened. If an activity may cause adverse impacts to a species at risk and/or their habitat, authorization under the ESA may be required prior to conducting the activity.
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2.3 Lot Grading and Drainage

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- 2.3.2 That the Owner is required to submit a grading security (deposit) in the amount of \$3,000 prior to the issuance of a building permit. The security shall be released upon the approval of a certificate stamped by the Owner's Engineer confirming that grading generally conforms to the Grading and

Drainage Plan. If the Municipal Engineer rejects a lot grading certificate, the cost for any further review shall be deducted from the deposit.

2.4 Limited Services

- 2.4.1 That the Municipality does not maintain or repair and will have no obligation to maintain or repair the private lane that provides access to the Lands or to perform or provide any other municipal services normally associated with public highways within the Municipality.
- 2.4.2 That the Municipality shall not be responsible for providing fire, ambulance and other emergency services to the Lands if the operator of the emergency vehicle, having made reasonable efforts in the circumstances, determines that the condition of the private lanes or driveways as constructed or maintained at the time, prevents the vehicle from being operated properly or safely in order to access or exit the Lands.
- 2.4.3 That the Owner hereby agrees to indemnify and save harmless the Municipality against all actions, causes of action, suits, claims, demands and costs whatsoever arising by reason of any matter under this Agreement, including without limitation any actions, causes of action, suits, claims, demands or costs directly or indirectly related to the construction, use, operation or maintenance of the private lane, including the inability to operate an emergency vehicle properly or safely in order to access or exit the Lands due in whole or in part to the condition of the private lanes or driveways at the time.

- 3.0 This agreement shall be registered against the title to the Lands by the Owner and the Municipality shall be entitled to enforce its provisions against the Owner and any or all subsequent owners of the Lands.
- 4.0 If the Owner fails or refuses for any reason to comply with any requirements of this agreement, the Owner shall be in default and the Municipality may, on fifteen (15) days' notice, require the Owner to remedy the default, failing which the Municipality may, without further notice and without prejudice to any other rights and remedies available to it, do such things and perform such work as is necessary to rectify the default.
- 5.0 Any account rendered by the Municipality for work done shall be paid by the Owner within thirty (30) days of the day of billing, and, if the Owner fails to pay, interest shall be charged on the amount outstanding at the rate of one and one quarter (1.25%) per months (15% per annum) on the first day of each calendar month following the date the account was due. Any payments received on accounts rendered shall be applied first to any outstanding interest, which may have accrued, and the balance shall be applied to reduce the principal amount outstanding.
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- 7.0 All costs necessary to fulfill any condition of this agreement, and all costs incurred by the Municipality in connection with the preparation, execution, registration or enforcement of this Agreement shall be paid by the Owner.

8.0 This Agreement shall enure to the benefit of and be binding upon the personal representatives, successors and assigns of the parties.

IN WITNESS WHEREOF the parties hereto have by the hands and seals executed this agreement as of the first date set out above.

SIGNED, SEALED AND DELIVERED:

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

Ron Vandewal - Mayor

Angela Maddocks - Clerk

We have authority to bind the Corporation

2290998 ONTARIO INC.

Martha Beach – President

I have authority to bind the Corporation

SCHEDULE "A"

OWNER'S LANDS

Legal Description: (to be updated before registration)

Parts 4 to 14 on Plan 13R22179, Part of Lot 20, Concession 9, Geographic Township of Pittsburgh, District of Storrington, Township of South Frontenac, County of Frontenac

SCHEDULE "B"

DRAWING AND REPORT LIST

Site Plan Drawing	Title of drawing to be added once complete
Report	Hutchinson Analysis to Determine Shoreline Setbacks: Christel Lane Severance, prepared by Ecological Services, dated March 18, 2021
Report	Species at Risk EIA, Christel Lane Severances on Dog Lake, prepared by Ecological Services, dated August 22, 2021

THE ORIGINAL OF ALL PLANS LISTED IN THIS SCHEDULE AND INCORPORATED BY REFERENCE INTO THIS AGREEMENT ARE ON FILE IN THE OFFICE OF THE SOUTH FRONTENAC DEVELOPMENT SERVICES DEPARTMENT AND SHALL GOVERN IN THE EVENT OF ANY DISPUTE.

Township of South Frontenac

Staff Report



To: Council

Prepared by: Development Services Department

Date of Meeting: October 5, 2021

Subject: **RC-21-06 (Allan) – Request to stop up, close and transfer an unopened road allowance**

Summary

This report seeks Council approval to *consider* an application to stop up, close and transfer a portion of unopened road allowance. The Township's current process requires Council approval *before* proceeding to a statutory public meeting. Council is not considering the closure or transfer of the road allowance at this meeting.

Recommendation

That Council direct staff to move forward with the process of closing and transferring ownership of a 20 metre (66 foot) by approximately 241.64 metre (793 foot) portion of unopened road allowance located between Concessions 10 & 11, lying west of Part 2, Plan 13R5315 and east of Hardwood Creek, district of Portland, to enlarge an adjacent parcel of land owned by the applicant.

Background

Staff have received an application requesting part of the road allowance between Concessions 10 & 11, lying west of Part 2, Plan 13R5315 and east of Hardwood Creek, district of Portland be stopped up, closed and transferred to the abutting property owner, shown in Attachment #1. The applicant has indicated on the Application that the transfer of this portion of the road allowance will facilitate a future lot addition application that will allow for a land swap and proposed land assembly as shown in Attachment #2.

The road allowance is aligned from east to west across a large peninsula surrounded by Hambly Lake on the east side and Hardwood Creek on the west side. The property to the north will be the benefitting lands and is accessed by Silver Rock Lane, it is currently vacant and is also subject to planning applications S-31-21-P (lot addition), S-32-21-P (lot addition), S-51-21-P (new lot creation) and S-67-21-P (lot addition), shown in Attachment #3. The property to the south is accessed by Cedarwoods Lane and pending approval of

the road closing, there will be a lot addition application that will be received from each property owner to facilitate a property swap as shown in Attachment #2.

The benefitting property is currently approximately 76 acres in size. Following the decisions on the proposed planning applications the benefitting property will be approximately 40 acres in size with waterfrontage along Hardwood Creek and Little Mud Lake.

The road allowance proposed to be stopped up, closed and transferred is a remnant parcel from the original road allowance that stretched across the entire peninsula. The road allowance has previously been stopped up, closed and transferred in three portions and added to abutting lands. The first closure was in 1985, the property municipally known as 2098 Hambly Lane applied to the Portland Township Council and a by-law was passed to stop up close and transfer Part 2 on Reference Plan 13R6286. 2098 Hambly Lane is shown on Attachment #1. The by-law and minutes for this matter are Attachment #4. The second parcel to stop-up close and transfer a portion of the road allowance was in 1990/1991, the property municipally known as 2097 Hambly Lane applied to Portland Township Council and a by-law was passed to stop-up, close and transfer Part 2 on Plan 13R9824, (Attachment #5). The final closure was in 2000, the property municipally known as 2245 Silver Rock Lane applied to Portland Township Council and a by-law was passed to stop up, close and transfer Part 2 Plan 13R5315 (Attachment #6).

Discussion/Analysis

Planning Staff and Public Services staff visited the site on September 15, 2021. Public Services staff advised the road allowance offers very little practical use due to topography, lack of connectivity and the low quality of waterfront for recreational water access. Planning staff have reviewed the property assembly in this location and view this application as an opportunity to clean up a small, stranded parcel of unopened road allowance.

The portion of road allowance that is being proposed to be stopped up, closed and purchased is a remnant piece that can only be accessed by private property and a wetland.

Due to the wetland involved in this matter, it is recommended that Quinte Conservation be circulated as part of the Public Notice process for their comments with respect to the wetland.

Based on Township policy, the purchase price for the first 300 x 66 foot portion that abuts Hardwood Creek (the benefitting lands waterfront) would be charged at \$2.41 per square foot (66 x 300 = 19,800 square feet @ \$2.41 per square foot = \$47,718.00). The remaining portion that lies outside 300 feet of the waterfront would be charged at \$0.21 per square foot (66 x 492.78 = 32,523.5 square feet @ \$0.21 per square foot = \$6,830.00), the sale price of the road allowance would be approximately \$54,548.00 plus HST(13%).

Staff is seeking direction as to whether Council has any objections or concerns with the closure and transfer of this unopened portion of road allowance to facilitate the enlargement of lands. If Council approves, staff will begin the process to stop up and close the portion of the unopened road allowance between Concessions 10 & 11, District of Portland, Township of South Frontenac.

Financial Implications

The application fee and legal deposit has been paid by the applicant to process this road closing application. In the event that the closing and transfer is approved, a final purchase price would be determined once the surveyor has completed a survey of the pertinent section of the road allowance. Fees to survey the portion to be transferred would be paid by the applicant.

Relationship to Strategic Plans

- Not applicable to this report.
- This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.
 - Priority: Choose an item.
 - Action Item (if applicable):

Notice/Consultation

- Public Services Department

Further public consultation will occur should Council provide direction to staff to move forward with this application.

Attachments

- Attachment #1 – Location Map
- Attachment #2 – Land Swap Sketch
- Attachment #3 – Current Planning Application Map
- Attachment #4 – Minutes & By-Law for 2098 Hambly Lane
- Attachment #5 – Minutes & By-Law for 2097 Hambly Lane
- Attachment #6 – Minutes & By-Law for 2245 Silver Rock Lane

Approvals

Report author:

Michelle Hannah, Planning Assistant

Township of South Frontenac

Staff Report - RC-21-06 (Allan) – Request to stop up, close and transfer an unopened road allowance

Submitted By:



Claire Dodds

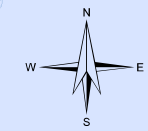
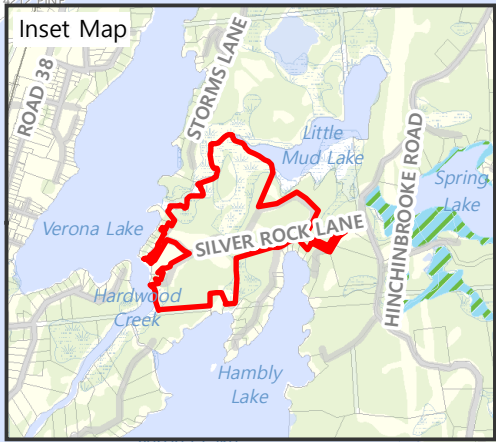
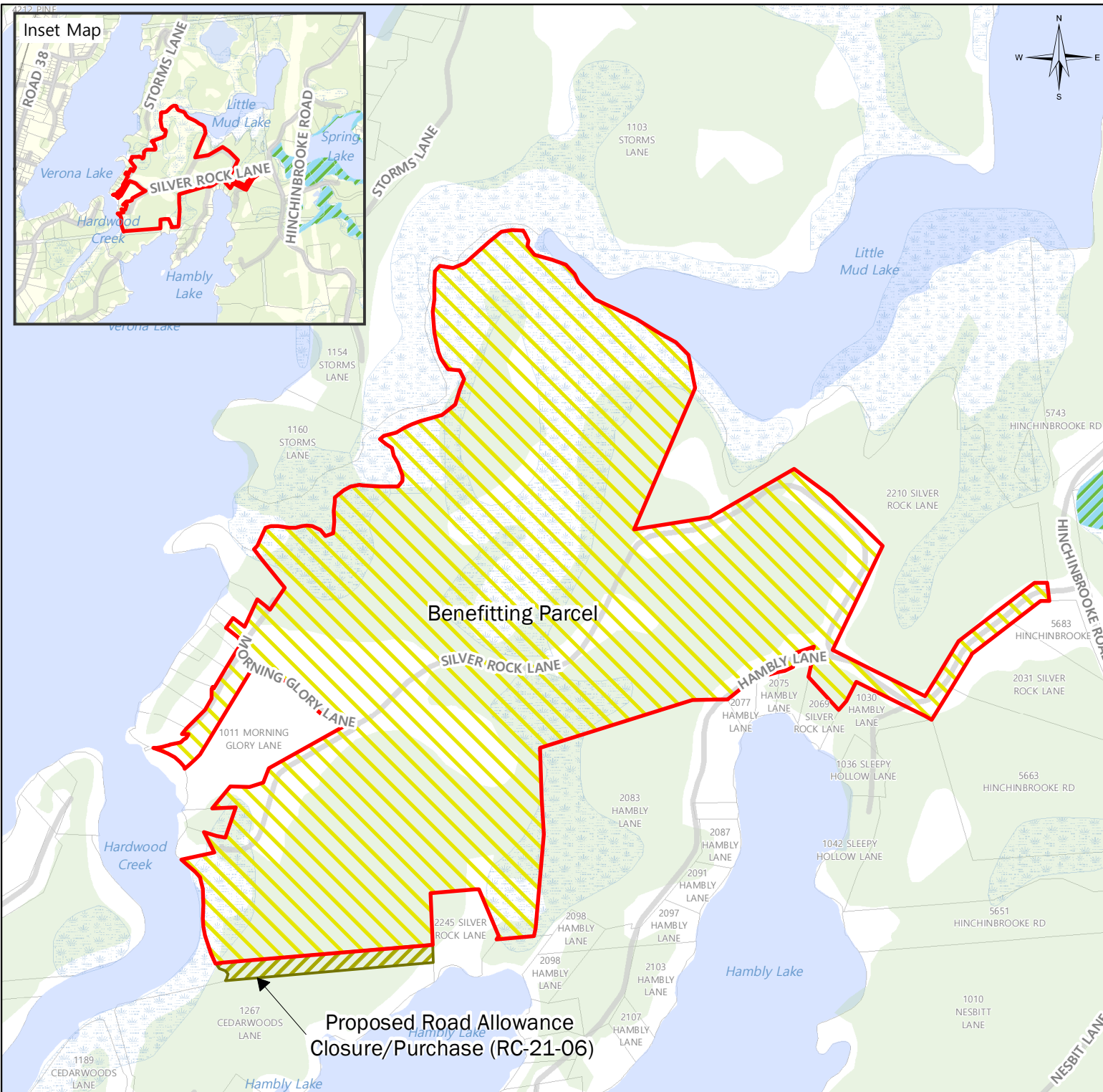
Director of Development Services

Approved By:



Neil Carbone

Chief Administrative Officer



SOUTH FRONTENAC

RC-21-06

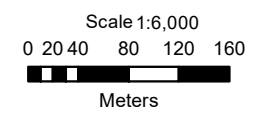
(ALLAN) HINCHINBROOKE ROAD

Legend

- Subject Property
- Benefitting Parcel
- Proposed Road Allowance Closure/Purchase
- Provincially Significant Wetlands
- Wetland
- Wooded Area
- Water
- Assessment Parcel
- Road
- Railway

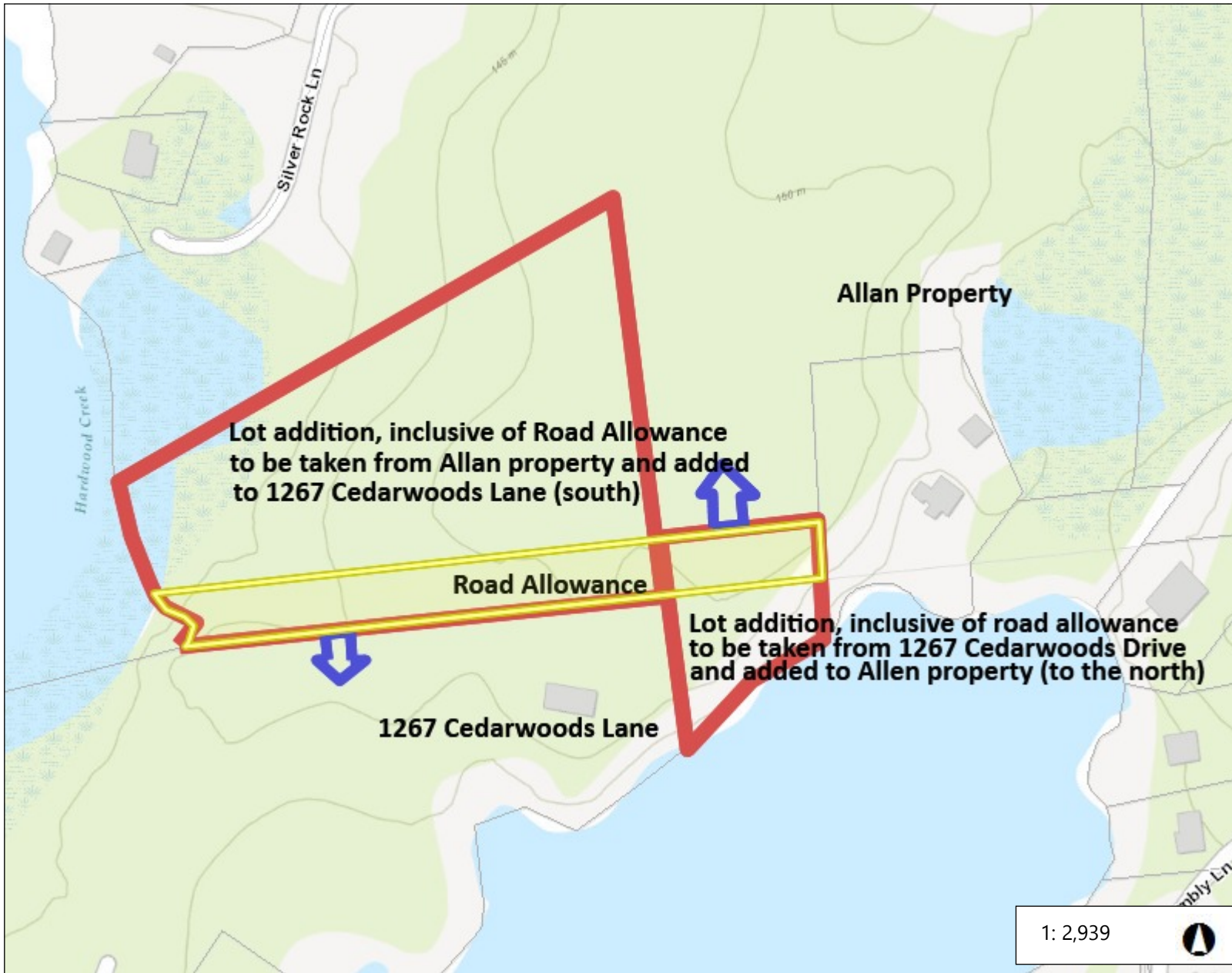
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UTM Zone 18 NAD 83

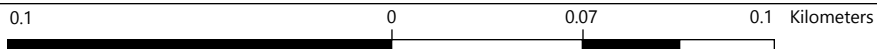
Date: 2021-09-28



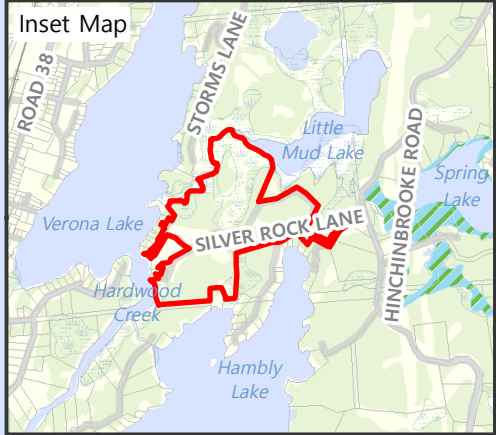
Legend

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

1: 2,939



Notes

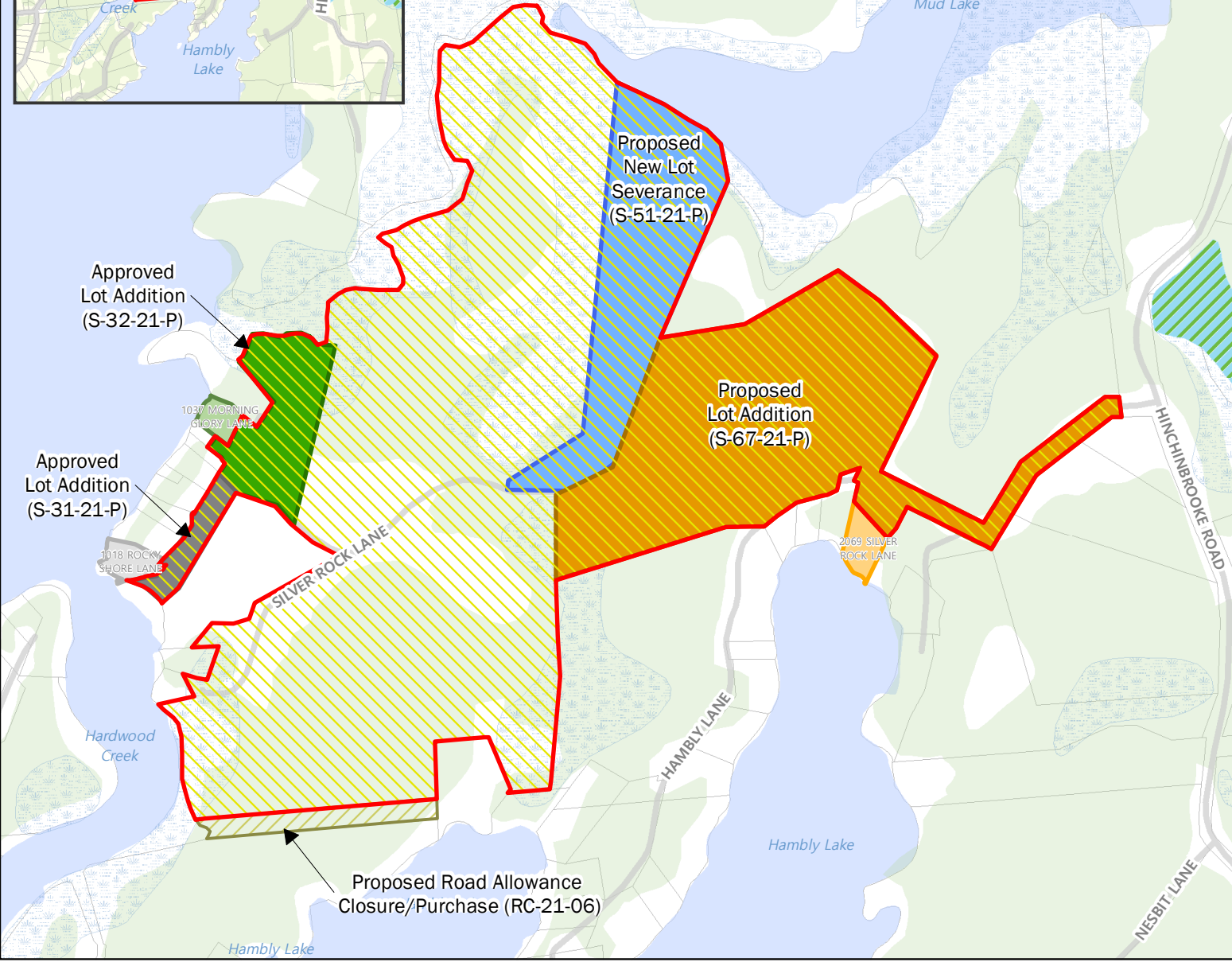


SOUTH FRONTENAC

S-31-21-P, S-32-21-P, S-51-21-P, S-67-21-P & RC-21-06 (ALLAN) HINCHINBROOKE ROAD

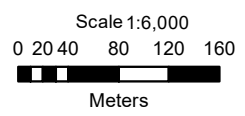
Legend

- Subject Property
- RC-21-06**
- Benefiting Parcel
- Proposed Road Allowance Closure/Purchase
- S-31-21-P**
- Approved Lot Addition Severance
- Benefiting Parcel
- S-32-21-P**
- Approved Lot Addition Severance
- Benefiting Parcel
- S-67-21-P**
- Proposed Lot Addition Severance
- Benefiting Parcel (S-67-21-P)
- S-51-21-P**
- Proposed New Lot Severance
- Provincially Significant Wetlands
- Wetland
- Wooded Area
- Water
- Assessment Parcel
- Road
- Railway



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UTM Zone 18 NAD 83

Date: 2021-09-12



Document General

Form 4 - Land Registration Reform Act, 1984

D

<p style="writing-mode: vertical-rl; transform: rotate(180deg); font-size: small;">FOR OFFICE USE ONLY</p> <p style="text-align: center; font-size: large; font-weight: bold;">419318</p> <p style="text-align: center;">CERTIFICATE OF REGISTRATION</p> <p style="text-align: center;">NO. 10462 DEC 17 1985</p> <p style="text-align: center;">Frontenac No. 13 Kingston</p> <p style="text-align: center;"><i>W. D. Robertson</i> Land Registrar</p> <p style="font-size: small;">New Property Identifiers</p> <p style="font-size: small;">Executions</p>	(1) Registry <input checked="" type="checkbox"/> Land Titles <input type="checkbox"/>	(2) Page 1 of 3 pages			
	(3) Property Identifier(s)	Block	Property	Additional: See Schedule <input type="checkbox"/>	
	(4) Nature of Document				
	BY-LAW NUMBER 85-11				
	(5) Consideration				
	NIL ----- Dollars \$				
(6) Description					
See Schedule attached					
(7) This Document Contains:		(a) Redescription New Easement Plan/Sketch <input type="checkbox"/>		(b) Schedule for: Description <input checked="" type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/>	
Additional: See Schedule <input type="checkbox"/>		Additional: See Schedule <input type="checkbox"/>		Additional: See Schedule <input type="checkbox"/>	

(8) This Document provides as follows:

A BY-LAW to stop up, close and sell a portion of the Original Road Allowance between Concession 10 and 11 in Lot 7, in the Township of Portland.

Continued on Schedule

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)

Name(s)	Signature(s)	Date of Signature
		Y M D
THE CORPORATION OF THE TOWNSHIP OF PORTLAND	<i>Robert A. Little</i>	1985 12 16
by its Solicitor Robert A. Little		

(11) Address for Service: Hartington, Ontario

(12) Party(ies) (Set out Status or Interest)

Name(s)	Signature(s)	Date of Signature
		Y M D

(13) Address for Service

(14) Municipal Address of Property	(15) Document Prepared by: Robert A. Little, Q.C. Barrister & Solicitor 259 King Street, East Kingston, Ontario K7L 4W6	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="font-size: small;">Fees and Tax</th> </tr> </thead> <tbody> <tr> <td style="font-size: small;">Registration Fee</td> <td style="text-align: center;">16.00</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td>Total</td> <td> </td> </tr> </tbody> </table>	Fees and Tax		Registration Fee	16.00					Total	
Fees and Tax												
Registration Fee	16.00											
Total												

TOWNSHIP OF PORTLAND

BY-LAW NUMBER 85-11

A BY-LAW TO STOP UP, CLOSE AND SELL A PORTION OF THE ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSION 10 and 11 in LOT 7 IN THE TOWNSHIP OF PORTLAND.

WHEREAS it is deemed expedient in the interest of the Municipal Corporation of the Township of Portland, hereinafter called the Corporation, that pursuant to Section 298 (1(c)) and (3) of the Municipal Act, R.S.O. 1980 that original unopened road allowance set out and described in Schedule "A" attached hereto be closed and stopped up; and the land sold to the adjoining land owners.

NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF PORTLAND ENACTS AS FOLLOWS:

1. That upon and after the passing of this By-Law all that portion of the 66 foot allowance for the road set out and described in Schedule "A" attached hereto, be and the same is hereby closed and stopped up.
2. All that part of the said unopened road allowance herein before described and stopped up shall be sold to Emily Boles, owner on both sides of the road allowance.
3. The Reeve and Clerk of the Corporation of the Township of Portland are hereby authorized to sign or execute such deeds or other documents as may be necessary to effect conveyance of that part of the said unopened road allowance herein before described and which has been stopped up and closed.

READ A FIRST AND SECOND TIME THIS 2ND DAY OF JULY, 1985.

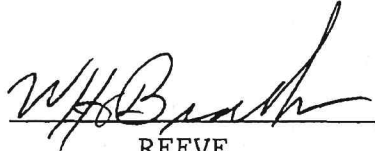


REEVE



CLERK

READ A THIRD TIME AND FINALLY PASSED THIS 17TH DAY OF SEPTEMBER, 1985.



REEVE



CLERK

CERTIFIED TRUE COPY.

CLERK

SCHEDULE "A"

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Portland, in the County of Frontenac and Province of Ontario, and being composed of part of the original allowance for road between Concessions 10 and 11, adjoining Lot 7 in the said Concessions and in said Township, which is more particularly described as Part 2 on Reference Plan 13-R-6286.



Document General
Form 4 — Land Registration Reform Act, 1984

D

FOR OFFICE USE ONLY

554509
NO. 940
CERTIFICATE OF REGISTRATION
JUN 25 1991
Frontenac
No. 13 ss. sep. Land Registra.
Kingston

(1) Registry <input type="checkbox"/>	Land Titles <input type="checkbox"/>	(2) Page 1 of pages
(3) Property Identifier(s) Block Property		Additional: See Schedule <input type="checkbox"/>
(4) Nature of Document BY-LAW NUMBER 90-39		
(5) Consideration -----n/a----- Dollars \$		
(6) Description Township of Portland, County of Frontenac, being composed of part of the original allowance for road between Concessions 10 and 11, adjoining Lot 7 in said Township, which is more particularly described as Part 2 on Reference Plan 13R9824.		
(7) This Document Contains: <input type="checkbox"/>	(a) Redescription New Easement Plan/Sketch <input type="checkbox"/>	(b) Schedule for: Description <input type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/>

New Property Identifiers Additional: See Schedule

Executions Additional: See Schedule

(8) This Document provides as follows:

see schedule for By-Law

Continued on Schedule

(9) This Document relates to Instrument number(s)

(10) Party(ies) (Set out Status or Interest)
Name(s) Signature(s) Date of Signature Y M D
THE CORPORATION OF THE TOWNSHIP OF PORTLAND
by its solicitors, Cunningham, Swan, Carty, Per: Robert P. Tchegus
Little & Bonham, 1991 06 25

(11) Address for Service 259 King St. E. Kingston, Ontario. K7L 4W6

(12) Party(ies) (Set out Status or Interest)
Name(s) Signature(s) Date of Signature Y M D

(13) Address for Service

(14) Municipal Address of Property

(15) Document Prepared by:
CUNNINGHAM, SWAN, CARTY,
LITTLE & BONHAM
BARRISTERS & SOLICITORS
259 King St. E.
Kingston, Ontario.

Fees and Tax	
Registration Fee	
Total	

3

CORPORATION OF THE TOWNSHIP OF PORTLAND
BY-LAW NUMBER 90-39
SCHEDULE "A"

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Portland, in the County of Frontenac and Province of Ontario, and being composed of part of the original allowance for road between Concessions 10 and 11, adjoining Lot 7 in said Township, which is more particularly described as Part 2 on Reference Plan 13R-9824.

CORPORATION OF THE TOWNSHIP OF PORTLAND

BY-LAW NUMBER 90-39

A BY-LAW TO STOP UP, CLOSE AND SELL A PORTION OF THE ORIGINAL UNOPENED ROAD ALLOWANCE BETWEEN CONCESSIONS 10 AND 11 ADJOINING LOT 7 IN THE TOWNSHIP OF PORTLAND.

AND WHEREAS it is deemed expedient in the interest of the Municipal Corporation of the Township of Portland, hereinafter called the Corporation, that pursuant to Section 298 (1(c)) and (3) of the Municipal Act, R.S.O. 1980 that original unopened road allowance set out and described in Schedule "A" attached hereto be closed and stopped up; and the land sold to the adjoining land owner;

AND WHEREAS Mrs. Judy Wheeler, the property owner on the south side of the road allowance has waived her rights pursuant to Section 316(2) of the Municipal Act to purchase half the road allowance;

AND WHEREAS pursuant to Section 301 of the Municipal Act a Public Hearing was held Tuesday, December 18, 1990, duly advertised in the Kingston Whig-Standard November 17th, 24th, and December 1st and 8th, 1990 and by the posting of notices in six public places;

AND WHEREAS pursuant to Section 316(2) of the Municipal Act, R.S.O. 1980, the Council shall by by-law set the sale price of the land sold.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PORTLAND ENACTS AS FOLLOWS:

1. That upon and after the passing of this By-Law all that portion of the allowance for the road set out and described in Schedule "A" attached hereto, be and the same is hereby closed and stopped up.
2. All that part of the said unopened road allowance herein before described and stopped up shall be sold to Helen and Craig Hoyt for a price of \$1,000.00 plus all costs incurred by the municipality in closing and selling the afore-mentioned road allowance.
3. The Reeve and Clerk of the Corporation of the Township of Portland are hereby authorized to sign or execute such deeds or other documents as may be necessary to effect conveyance of that part of the said unopened road allowance herein before described and which has been stopped up and closed.

READ A FIRST AND SECOND TIME THIS 18TH DAY OF DECEMBER, 1990.


REEVE

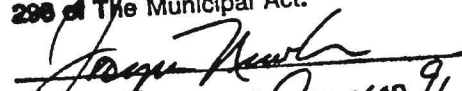

CLERK

READ A THIRD TIME AND FINALLY PASSED THIS 16TH DAY OF APRIL, 1991.


REEVE


CLERK

Approved under subsection 3 of section
298 of The Municipal Act.


This 5 day of June 19 91

Joseph P. Newton
Manager
Plans Administration Branch
North and East
Ministry of Municipal Affairs

TOWNSHIP OF SOUTH FRONTENAC

BY-LAW 2000- 87

BEING A BY-LAW TO STOP UP, CLOSE AND SELL THAT PORTION OF THE ORIGINAL ROAD ALLOWANCE LYING IN LOTS 7 & 8, BETWEEN CONCESSIONS X AND XI, described as Part 2, Plan 13R-5315, within the former Township of Portland, WITHIN THE TOWNSHIP OF SOUTH FRONTENAC, IN THE COUNTY OF FRONTENAC (Wagar-Baldwin).

WHEREAS The Council of the Corporation of the Township of South Frontenac has been petitioned by Mrs. Frances E. Scott to stop up, close and sell the above described Road Allowance.

AND WHEREAS The Corporation of the Township of South Frontenac may pass a By-law to stop up and sell any highway or part thereof pursuant to the Municipal Act R.S.O. Chapter M45, Section 297(1).

AND WHEREAS, pursuant to THE MUNICIPAL ACT R.S.O. 1990, Chapter M.45, Section 300, the Corporation of the Township of South Frontenac caused to be published in the Whig Standard Newspaper on August 12th, August 19th, August 26th, and September 2nd, 2000, and caused to be posted up in six conspicuous places near the said road allowance to be closed, a public notice that Council proposed to pass a By-law to close the said road allowance;

AND WHEREAS the said road allowance, as laid out on the Township Plan, has not been used as a road nor has any money been spent on it.

NOW THEREFORE the Council of the Township of South Frontenac enacts as follows:

1. That portion of the original Road Allowance lying in LOTS 7 & 8, BETWEEN CONCESSION X & XI, in the former Township of Portland, WITHIN THE TOWNSHIP OF SOUTH FRONTENAC, Part 2, Plan 13R-5315, and described on Schedule A attached to this By-law, shall be stopped up.
2. That the said Road Allowance after being stopped up and completely closed shall be sold to the abutting owners, Teri Wagar & Bruce Baldwin, in accordance with the provisions of the Said Municipal Act.
3. That the Mayor and Clerk/Administrator are hereby authorized and directed to execute such documents as are required.
4. This By-law shall come into force and take effect upon registration of this By-law.

READ A FIRST AND SECOND TIME AND SIGNED THIS

19th DAY OF *SEPTEMBER* 2000

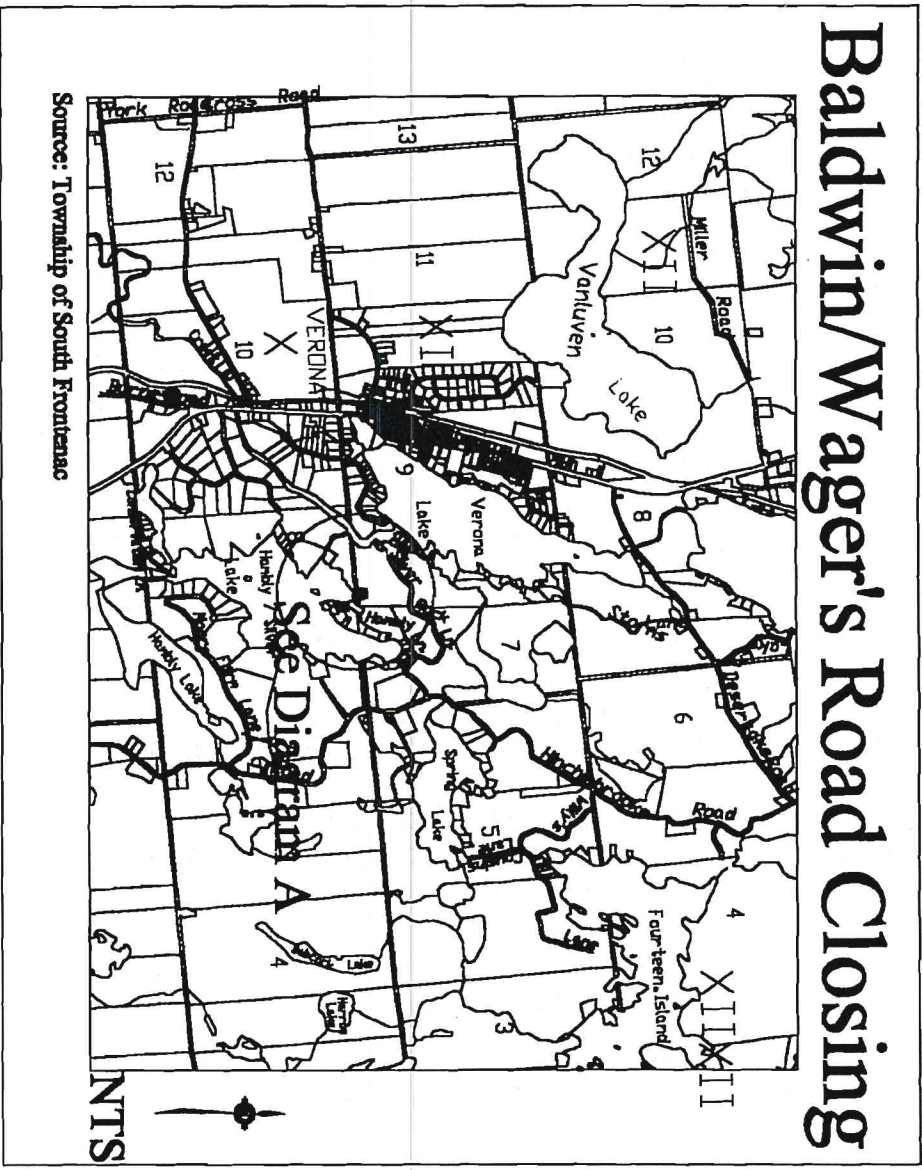
READ A THIRD TIME AND SIGNED THIS

19th DAY OF *SEPTEMBER* 2000

.....
Mayor

.....
Clerk/Administrator

Baldwin/Wager's Road Closing



Source: Township of South Frontenac

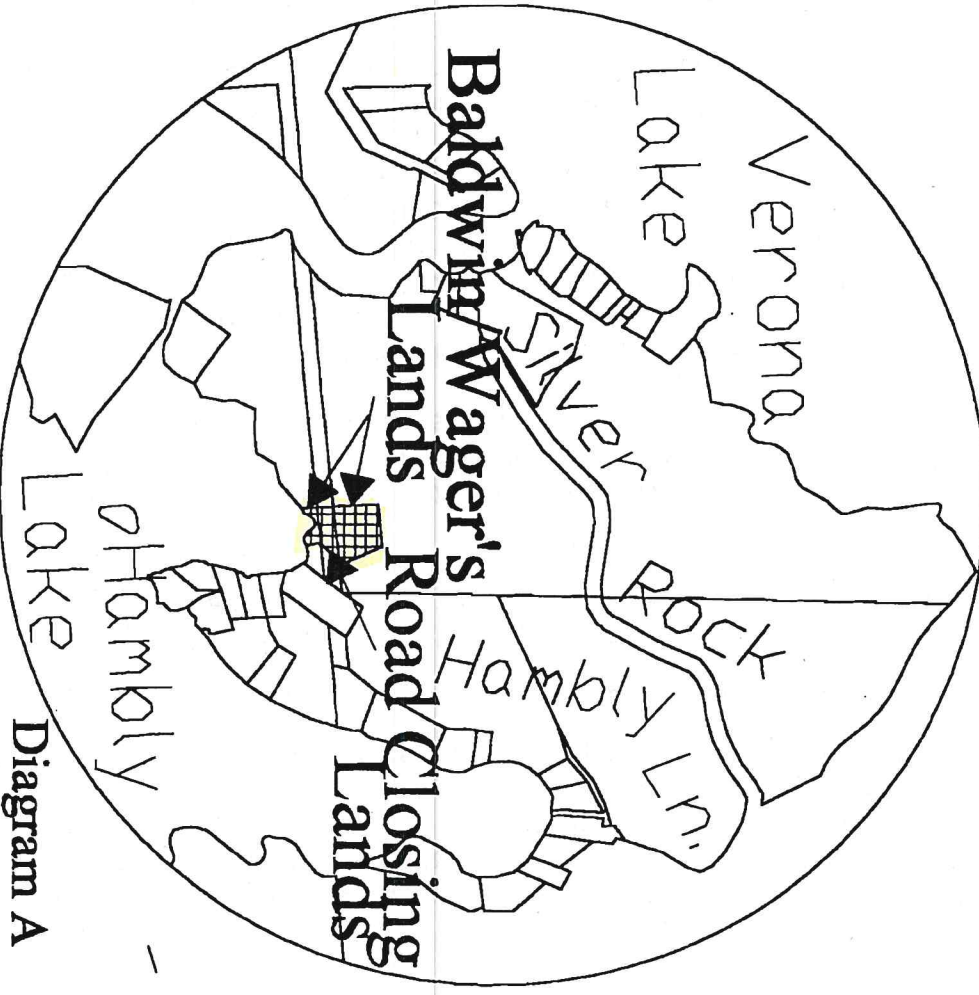


Diagram A

Minutes of Police Services Board
July, 22, 2021

Time: 9:00 AM

Location: Council Chambers



Present: Councillor Ron Sleeth, Mike Nolan, Ken Gilpin.

Frontenac OPP Staff: Jeremy Doolan, Staff Sergeant and Interim Detachment Commander

Staff: Neil Carbone, Chief Administrative Officer, Emily Caird, Executive Assistant & Communications Officer

1. Call to Order
2. Attendance
 - a) The Executive Assistant conducted the roll call as outlined in the attendance noted above.
3. Declaration of pecuniary interest and the general nature thereof
 - a) There were no declarations of pecuniary interest.
4. Swearing in of Provincial Appointee
 - a) Welcome Kenneth J. Gilpin - 2021-2024 Provincial Appointee

The Chair welcomed Mr. Ken Gilpin to the Committee and asked that he read his Oath of Office.

Ken Gilpin proceeded with reading the Oath of Office before the Committee. It was noted that while Mr. Gilpin read it at the meeting, he was officially sworn in before a Commissioner of Oaths the day before due to the virtual nature of the July 22 Police Services Board meeting.

5. Approval of Agenda
 - a) The agenda was adopted as presented.

Resolution No. 2021-PSB-07/22-01

Moved by Ken Gilpin

Seconded by Mike Nolan

THAT the agenda be adopted as presented.

Carried

6. Presentations/Delegations - n/a
7. Correspondence
 - a) OAPSB Message to the Zone 2 Membership - Re: 2021 Meetings
 - b) Date for Provincial Communications Centre Smiths Falls Decommissioning

Staff Sgt. Jeremy Doolan explained that the decommissioning of the Smiths Falls location has been delayed five (5) months in order to better accommodate those staff and families directly impacted by the closure. He noted that the OPP wanted to give those individuals as much time as possible to adjust and transition.

- c) Prince Edward County Police Services Board Strategic Plan 2021-2024

The CAO noted this document was circulated to all of the police services boards in the region. He explained that if South Frontenac were to look at implementing a Police Services Board Strategic Plan, it would make more sense to wait until the new Police Services Detachment Boards are established.

- d) OAPSB Executive Director Moving On

8. Approval of Minutes

- a) The minutes of the April 22, 2021 meeting were adopted as presented.

It was noted that while the Committee as a whole adopted these minutes, no voting members aside from the Chair, were present at the April 22, 2021 meeting.

Resolution No. 2021-PSB-07/22-02

Moved by Mike Nolan

Seconded by Ken Gilpin

THAT the minutes of the April 22, 2021 meeting were adopted as presented.

Carried

9. Financial - n/a

10. Detachment Commanders Report

- a) Police Services Board Quarterly Reports: January - March 2021

Staff Sgt. Doolan noted that there was not many staffing updates at the detachment in the first quarter other than one new recruit was hired in the winter and arrived at the detachment in June 2021. Staff Sgt. Doolan explained that there were two (2) public complaint in Q1 - both were minor and were resolved informally.

Collision Report

Staff Sgt. Doolan explained that there were two (2) collision related fatalities in the first quarter - one of which involved a snowmobile while the other was speed related and occurred on Highway 401. Overall collisions were down by 18% compared to this time last year.

Calls for Service

Staff Sgt. Doolan explained that there was an increase in the assaults and fraud categories in comparison to last year. He noted that the number of violent assaults hasn't necessarily increased, but the number of assaults that have led to charges has increased. Staff Sgt. Doolan explained that the numbers are not overly shocking due to the close proximity in which people have been living during the pandemic.

There was also an increase in neighbourly disputes, to which the Chair inquired if this was just occurring locally or all over. Staff Sgt. Doolan noted that it is a pattern that all areas are seeing an increase in across the province.

Detailed Billing

Year to year, there was a 4% increase in calls for service. Other notable statistics included zero thefts from motor vehicles compared to 19.5 hours spent last year.

Minutes of Police Services Board
July, 22, 2021

The Chair inquired if there had been any uptick in cottage break and enters or thefts, specifically in relation to seasonal properties owned American residents that have not been able to visit their properties during the pandemic. Staff Sgt. Doolan noted that there was a small increase from 4 to 9 reported in South Frontenac in the first quarter. He noted that there may be an increase in the second quarter of the year as residents reopen their cottages for the season.

Mike Noolan inquired about OPP practices in relation to monitoring Perth Road (also known as County Rd 10). He explained that he has received inquiries about the perceived lack of OPP presence there and complaints about speeding and erratic driving. Staff Sgt. Doolan explained that he would be happy to go back and pull some numbers and mapping on where tickets are being issued and take a look specifically at Perth Rd. Ken Gilpin noted that he has seen an increase in OPP presence on Perth Road compared to previous years.

The CAO asked if they have access to mapping of where OPP responded to bylaw enforcement related calls, such as noise and nuisance incidents. He noted that the Township is reviewing its bylaw enforcement needs, and mapping would be an asset.

The CAO also made a comment about speeding and noted that the Township's Public Services staff are reviewing the approach to identifying issues and setting speed limits. Staff Sgt. Doolan noted that he has a fair amount of experience working with the traffic department in Lennox and Addington and could offer some advice on gathering speeding data.

11. Committee Reports

a) OPP Station Lease Renewal - Verbal update from Neil Carbone, CAO

The CAO explained that the OPP Station lease renewal contained fairly consistent terms in relation to the previous agreement, as well as similar termination requirements. He also noted that the renewal included a reasonable rent increase and negotiations with the OPP went well.

b) Detachment Board Submission - Verbal update from Neil Carbone, CAO

The CAO explained that the deadline for the submission of detachment board composition was June 7, 2021. He noted that this location appears to be one of the least contentious, as other areas are having challenging coming up with a composition. The CAO then gave a brief overview of the proposal submitted and explained that the Township is waiting to be advised of timelines and how the new appointment process will work.

12. Other Business

a) Brief Overview of Detachment Commander Recruitment Process - Verbal update from Staff Sgt. & Interim Detachment Commander Jeremy Doolan

Staff Sgt. Doolan provided an overview of the recruitment process and explained that he was selected to be the Interim Detachment Commander at the Frontenac detachment to ensure a smooth transition as he was not an applicant.

He explained that applications were due at the beginning of July, with scoring to take place afterwards. He also noted that the Superintendent will be reaching out to the board for a representative, with an interview panel to potentially take place in August. Staff Sgt. Doolan noted that he anticipated a lot of interest due to the detachment area and attractiveness of the community

Minutes of Police Services Board
July, 22, 2021

profile. He noted that he would forward on the board's contact information to Superintendent Craig Adams.

The CAO noted that the Community Safety & Wellbeing Plan was adopted by all Frontenac Councils and has been added to the website. He also explained that the 2022 budget will review the CSWB plan initiatives.

13. Public Discussion - n/a
14. Date & Time of Next Meeting:
 - a) Thursday September 23, 2021 at 9:00 am
15. In Camera (if requested) - n/a
16. Adjournment
 - a) The meeting was adjourned at 9:36 am.

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2021-55**

**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 2290998 ONTARIO INC. FOR
THE SEVERED PARCEL, CONSENT APPLICATION S-02-20-S**

WHEREAS a Site Plan and Site Plan Agreement have been prepared to the satisfaction of the Township of South Frontenac;

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

1. THAT the Mayor and the Clerk are hereby authorized to execute a Site Plan Agreement between the Corporation of the Township of South Frontenac and 2290998 Ontario Inc. for the severed parcel from Consent Application S-02-20-S, a copy of which is attached hereto forming part of this By-law.
2. THAT the Agreement shall be registered on title of the property described as for Parts 4 to 14 on Plan 13R22179, Part of Lot 20, Concession 9, Geographic Township of Pittsburgh, District of Storrington, Township of South Frontenac. The agreement shall be carried forward on the lands that form the severed parcel from Consent Application S-02-20-S upon registration of the new lot.
3. THIS By-law shall come into force and effect in accordance with Section 41 of the Planning Act 1990, either upon the date of passage or as otherwise provided by the said Section 41.

Dated at the Township of South Frontenac this 12th day of October, 2021.

Read a first and second time this 12th day of October, 2021.

Read a third time and finally passed this 12th day of October, 2021.

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

Ron Vandewal, Mayor

Angela Maddocks, Clerk

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2021-56**

**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 2290998 ONTARIO INC. FOR
THE RETAINED PARCEL, CONSENT APPLICATION S-02-20-S**

WHEREAS a Site Plan and Site Plan Agreement have been prepared to the satisfaction of the Township of South Frontenac;

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

1. THAT the Mayor and the Clerk are hereby authorized to execute a Site Plan Agreement between the Corporation of the Township of South Frontenac and 2290998 Ontario Inc. for the retained parcel from Consent Application S-02-20-S, a copy of which is attached hereto forming part of this By-law.
2. THAT the Agreement shall be registered on title of the property described as for Parts 4 to 14 on Plan 13R22179, Part of Lot 20, Concession 9, Geographic Township of Pittsburgh, District of Storrington, Township of South Frontenac. The agreement shall be maintained on the lands that form the retained parcel from Consent Application S-02-20-S.
3. THIS By-law shall come into force and effect in accordance with Section 41 of the Planning Act 1990, either upon the date of passage or as otherwise provided by the said Section 41.

Dated at the Township of South Frontenac this 12th day of October, 2021.

Read a first and second time this 12th day of October, 2021.

Read a third time and finally passed this 12th day of October, 2021.

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

Ron Vandewal, Mayor

Angela Maddocks, Clerk

Frontenac Municipal Services Corporation

Business Case Study

FINAL DRAFT

For Discussion Purposes Only

September 15, 2021

The Shareholders:

The Township of North Frontenac
The Township of Central Frontenac
The Township of South Frontenac
The Township of Frontenac Islands
The County of Frontenac

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- Members of the Communal Services Governance Committee
 - Deputy Warden Denis Doyle (Chair), Mayor of the Township of Frontenac Islands
 - Warden Ron Vandewal, Mayor of the Township of South Frontenac
 - Councillor Frances Smith, Mayor of the Township of Central Frontenac
 - Councillor Ron Higgins, Mayor of the Township of North Frontenac
 - Ms. Gwen Glover, Citizen Appointee
 - Mr. Michael Keene, Citizen Appointee
 - Mr. Wayne Robinson, Citizen Appointee
 - Mr. Jim McIntosh, Citizen Appointee
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- The Councils and staff from the participating municipalities

Numerous members of the Frontenac development community contributed to the background and technical aspects of the various reports and meetings leading up to this Business Case Study. Their participation helped keep the process grounded in the reality of construction and development in Frontenac.

The WSP team completed a best practice review of five similar municipal or joint services organizations. We are appreciative of their time and contribution to our project. Thank you to:

- The Township of Oro-Medonte
- Lakeland Holding Co.
- Grand Bend Area Joint Sewage Board
- Edwardsburgh/Cardinal & Prescott Joint Board
- Union Water Supply System

Terminology & Abbreviations

Abbreviation	Full Name	Definition/Description
MSC	Municipal Services Corporation	The generic reference to a service corporation established under the Municipal Act, S.O. 2001 and Ontario Regulation 599/06.
FMSC	Frontenac Municipal Services Corporation	Frontenac Municipal Services Corporation – the holding company anticipated by this Business Plan
FCSC	Frontenac Communal Services Corporation	Frontenac Communal Services Corporation – the operating company anticipated by this Business Plan
Frontenac	Frontenac	The geographic region encompassed by the municipalities, the County of Frontenac and the four constituent municipalities of the Township of North Frontenac, Township of Central Frontenac, Township of South Frontenac, and the Township of Frontenac Islands.
NF	Township of North Frontenac	The Lower Tier corporate entity operating under the Municipal Act, S.O. 2001.
CF	Township of Central Frontenac	The Lower Tier corporate entity operating under the Municipal Act, S.O. 2001.
SF	Township of South Frontenac	The Lower Tier corporate entity operating under the Municipal Act, S.O. 2001.
FI	Township of Frontenac Islands	The Lower Tier corporate entity operating under the Municipal Act, S.O. 2001.
CofF	County of Frontenac	The Upper Tier corporate entity operating under the Municipal Act, S.O. 2001.
Twp	Townships	The collective lower tier municipalities, namely, North Frontenac, Central Frontenac, South Frontenac and Frontenac Islands
PM	Participating Municipalities	The municipalities participating in the development of this business plan and the anticipated Municipal Service Corporation. <ul style="list-style-type: none"> • Township of North Frontenac • Township of Central Frontenac • Township of South Frontenac • Township of Frontenac Islands • County of Frontenac
CS	Communal Services	The broad descriptor for centralized water and wastewater services provided to a group of homes or businesses.
MA	Municipal Act, S.O. 2001	The legislative framework for the creation and operation of Ontario municipalities.
BCS or Study	Business Case	The formal requirement under the Municipal

Abbreviation	Full Name	Definition/Description
	Study	Act, S.O. 2001 and Ontario regulation 599/06 as a precursor to the establishment of a Municipal Services Corporation. [Link to Regulation]
MRA	Municipal Responsibility Agreements	The D-5-2 requirements of the Ministry of the Environment where private ownership of a communal service is established.
CSGC	Communal Services Governance Committee	The Committee established by Frontenac County to examine potential governance models for the implementation of a regional entity to oversee the operation of communal services in Frontenac

Introduction

This report has two primary objectives:

1. Provided to the citizens of Frontenac to complete the requirement of the Business Case Study as required under the Municipal Act, S.O. 2001 and Ontario Regulation 599/06.
2. Confirm the substantive elements of the Municipal Services Corporation for the partner Municipalities.

Links to the legislation are provided as follows:

Municipal Act – [Link]

Ontario Regulation 599/06 – [Link]

The BCS will focus on the guiding principles for the establishment of a Municipal Services Corporation with a mandate to own and/or operate communal services in Frontenac.

The geographic region of Frontenac includes the upper tier municipality of the County of Frontenac. The County is an upper tier municipality established under the MA covering a jurisdiction from Lake Ontario in the south to north of Provincial Highway #7, including the lower tier municipalities of:

Township of North Frontenac
Township of Central Frontenac
Township of South Frontenac
Township of Frontenac Islands.

Below, **Figure One** is a map of the area covered by this BCS and the proposed Municipal Services Corporation.

<https://www.frontenacounty.ca/en/living/living.aspx>

Figure One – Area Covered by the Proposed MSC

Background Documents

In preparation for this Study, the parties engaged the services of WSP Canada Inc. to complete two (2) studies examining the potential for using communal services as an alternative to individual or full services in Frontenac. This study will rely upon the findings of these two reports but will not attempt to reiterate all the salient points of the reports. The reader is advised to refer to the source documents for further clarification of the more technical aspects of CS, or the governance aspects of this issue. Citations in the BCS to the WSP documents will be referenced as Report #1 and Report #2.

Where there is a conflict between this document and Reports #1 and 2, this document shall take precedence.

Table of Contents and links to the two reports are provided below:

WSP Report #1 – County of Frontenac – Communal Services Study
 WSP Canada Inc. June 2019 [Link to WSP Report - 2019]
 226 Pages

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Legislative and Regulatory Implications for Communal Servicing

4. Existing Local Planning Context

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A Federal and Provincial Regulatory Framework

B County and Townships Planning Context

C Draft Official Plan Policies

D Engineering Best Practices

E Engineering Best Practices – Attachments

F Financial Model Sample Outputs

As part of this report, the parties were provided with a comprehensive financial model that will allow for the modeling of expenditures, revenues and commodity pricing for installation and operation of communal services. County of Frontenac senior financial staff were provided with training on the model.

WSP Report #2 – Communal Services Governance Model – Final Report
 WSP Canada Inc. 03 March 2021 [Link to WSP Report - 2021]
 52 Pages

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 - Next Steps for Implementation
 - Implementation Recommendations
 - Financial Considerations of Implementation and Return
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 - A Engagement Summary
 - B Governance Model Cost Estimates

Definition of Communal Services

For the purposes of the BCS, the WSP¹ definition of communal services has been adopted. That definition is as follows:

In principle, communal water and wastewater systems function similarly to centralized municipal services in terms of development of sewer connections to central sewage treatment and disposal facilities and/or to a communal well or water source and water-treatment facility for drinking water. Systems generally serve small-to-moderate development sizes with typical ranges between 10 to 300 units within each settlement area², while the Ministry of the Environment, Conservation, and Parks (MECP) defines them as those serving a minimum of five units in a development. Communal systems are typically synonymous with “decentralized systems” and the terms are used interchangeably throughout this report.

Within the above descriptions, the following communal water and wastewater system definitions apply:

- Communal Water Systems: shared potable water systems, including collection from groundwater or freshwater sources and treatment to drinking-water quality standards that are part of a communal service development.
- Communal Wastewater Systems: shared facilities for the collection, treatment, and disposal of sewage that are part of a communal service development.

Frontenac Readiness for Communal Servicing

Frontenac has also taken numerous steps to be ready for residential and commercial growth that will benefit from communal services. **Table One** below provides an overview of the efforts to date.

Table One – Summary of Frontenac Readiness for Communal Servicing

Municipality	Current Status
Frontenac Islands	<ul style="list-style-type: none"> • Currently completing a Secondary Plan for the village of Marysville on Wolfe Island. Study completion will be in parallel to this report. Secondary Plan will set parameters for communal services. • Expansion of the Wolfe Island Ferry and the doubling of ferry capacity to the Island will be completed in 2022. This will further exacerbate development pressures as Wolfe Island will become a reasonable “bedroom” community option for the City of Kingston • Timelines: Communal servicing pressure anticipated in 2021-22.

¹ Report #2, Section 1.1.1, page 15

² For the purposes of the Business Case Study, the use of the term “settlement area” refers to the cluster of units connected to the communal service and is not intended to be limited to existing settlement areas.

South Frontenac	<ul style="list-style-type: none"> • Current Official Plan policies discourage communal services • Official Plan and settlement area boundary studies to commence in 2021. • Completed a community strategic plan that identifies regional leadership and community building as goals for the municipality. • Water quantity/quality issues exist in several areas and will require hydro-geological work in order to identify potential development areas (and likely eliminate others). • Development/growth pressures from Kingston will increase development demand. Current “strip” development will not sustain growth • Several settlement areas, namely Inverary, Battersea, Sydenham, Harrowsmith and Verona could see significant benefit from communal services • Timelines: Development pressure is ongoing – Official plan, settlement boundary rationalization and hydro-geological work will likely mean that the first communal service projects will be in the approval process in the 2022-23 time frame.
Central Frontenac	<ul style="list-style-type: none"> • The Township Official Plan was approved by Council on July 13/21. The new O.P. will encourage communal services • Waterfront policies in the new O.P. will encourage communal servicing in rural/lake front properties which will open up waterfront development potential for the community • The Township has purchased a former school site in downtown Sharbot Lake with a view towards a mixed use communal service project. Planning for the project may include connections to other municipal facilities or business in the downtown core. Funding has been received to commence the engineering feasibility component of this project. • Timelines: Current
North Frontenac	<ul style="list-style-type: none"> • Official Plan and Zoning By-laws complete in 2017. Recognize communal servicing option • Waterfront policies in the new O.P. and Zoning By-law encourage communal servicing in rural/lake front properties which will open up waterfront development potential for the community • Timelines: Current

County	<ul style="list-style-type: none"> • Regional Planning Framework: <ul style="list-style-type: none"> ○ County Official Plan approved in 2016, update to commence in 2022. ○ Completed a Regional Roads Study in 2018 in order to permit a more expansive range of development options on non-municipal roads. ○ Population projections update complete. • Completed a strategic plan in 2019 that emphasis continued economic growth and regional cooperation • Completed a trail connection from the City of Kingston boundary to Clarendon (the K&P Trail), with the commitment to make the connection to the United States and Lanark County. Trail will be extended an additional 14 km north in 2021-22 effectively creating a regional trail corridor that is encouraging rural residential and commercial growth. • In 2016 completed a “regional brand” for Frontenac and implemented the first regional economic development strategy. The brand roll out included a business ambassador program that has been successful in bringing nearly 200 businesses on board with the regional brand. The economic development strategy is anticipated to be refreshed in 2021 • The County has participated and invested in regional broadband and cellular expansion in the area through the Eastern Ontario Regional Network (EORN). • Selected as the preferred vendor by EORN, Rogers Communications has initiated the process of providing 5G cell to the County • The County has participated and invested in the establishment of the Eastern Ontario Leadership Council and region wide economic development initiatives, including workforce development, innovation and transportation. • The County is recognized as a regional leader in Continuous Improvement, utilizing Lean principles to drive efficiency. • Timelines: Current
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Preferred Operational Model

WSP Report Number #2 was supported by the Communal Servicing Governance Committee composed of the four Township Mayors and three citizen appointees. Together with WSP they completed a best practice review of five (5) existing service providers and three (3) governance structures including:

- A Municipal Services Corporation
- A Joint Municipal Board
- County Level Governance

The recommendation of WSP and the CSGC to the member municipalities was to initiate a process to develop a BCS for the implementation of a Municipal Services Corporation. This recommendation was subsequently endorsed by the Councils of the five participating municipalities.

Governance and Corporate Structure

The recommended governance structure for the Corporation³ was detailed by WSP and endorsed by the CSGC as a two MSCs:

1. A Holding MSC – for the purposes of this report, named the Frontenac Municipal Services Corporation (FMSC)
2. An Operating MSC – for the purposes of this report, named the Frontenac Communal Services Corporation (FCSC)

All shares in the Operating MSC will be owned by FMSC.

WSP describes the benefits to this structure as providing the ability to:

- a) Establish additional operating MSCs in the future that are held by the Holding MSC; and
- b) Extend service and/or ownership to other municipalities by limiting purchasing and voting powers to Holding MSC shares only.

Guiding Principles

The following guiding principles have been established for the Business Case Study and the Frontenac Municipal Services Corporation:

1. The establishment of the FMSC will not impinge upon the planning authority of any participating municipality, but rather will provide guidance and/or pre-approval for communal systems that will either be owned/operated or operated by the MSC that will lead to faster approvals by the respective planning authorities and reduce costs for developers and eventually purchases/owners of serviced units
2. One of the primary drivers for the establishment of a MSC for the ownership and operation of communal services is the ability to spread risk by

³ Report #2, Section 3.2.1, page 23

- aggregating assets. As such, the partners agree that the MSC will be the owner/operator for communal services
3. It is recognized that the operational aspects of the MSC will evolve slowly as units are constructed and that it may take several years to reach critical mass. It is understood that the Operating Board will be responsible for determining the best operating model and that it is likely that at the outset contracted operating services will be the predominant model
 4. The existing Water Treatment and distribution system in the Village of Sydenham, Township of South Frontenac will remain under the ownership and control of the Township and will not be transferred to FMSC upon incorporation. There will be no mechanism or expectation that the system will be transferred to the FMSC. Only the Township of South Frontenac Council will be able to make such a determination.
 5. The County of Frontenac would be a non-voting shareholder in the MSC.

Steps for Implementation

WSP Report #2 (page 7), sets out the necessary steps for the establishment of the MSC. **Table Two** below sets the seven steps.

Table Two – Steps for Implementation

#	Step	Status
1.	Formally Confirm MSC Selection	Complete
2.	Undertake a Business Case Study	This Document
3.	Hold Public Consultations	Pending
4.	Adopt of the Business Case by Council(s)	Pending
5.	Draft, Approve and Pass Necessary Agreements & Documents	Pending
6.	Develop and Adopt an Asset Transfer Policy	Pending
7.	Appoint MSC Boards, Officer/Directors, and Transfer Assets	Pending

Benefits of Communal Servicing

Within Frontenac, the use of private services dominates the residential and commercial landscape. Except for the Village of Sydenham water system, servicing largely consists of individual wells and septic systems. While this is efficient on a single home or business basis, it creates a number of issues for communities that are resolved or lessened by the installation of communal services, namely:

- **Risk:** manages and spreads risk
- **Environmental Protection and Aquifer Integrity:** fewer wells drilled into an aquifer, thereby reducing the potential for ground water contamination from surface runoff
- **Monitoring and Environmental Protection:** communal services have stricter testing and reporting requirements than individual services

- **Increased density:** thereby reducing the cost of municipal service delivery and improving community sustainability
- **Efficient Land Use:** Traditional rural pattern development results in approximately 0.57 residential units/hectare⁴, while the same site on communal services could result in 2.23 units/hectare⁵, or approximately 3.9 more residential units/hectare, thereby creating a more efficient use of land.
- **Community Sustainability:**
 - Residential units can be clustered to take advantage of access to recreation corridors such as the K&P or Cataraqui Trails or provide walkable communities that can help sustain rural communities and businesses
 - Existing communities can be serviced in a manner that will assist with rural community sustainability
 - Greater opportunity for main street development and redevelopment, including higher density and upper floor residential development
 - Communal service can be constructed in a scalable manner, thereby aligning costs with revenues for the developer and more reflective of the scale and pace of rural development
 - Business and/or industrial parks can be established utilizing a scalable communal services model, thereby making serviced employment an attractive option in a rural setting.

Municipal Responsibility Agreements

For a full discussion of MRAs, please refer to Report #2 by WSP.

It is the intention of partners that the majority of the communal services constructed moving forward will be owned and operated by the MSC, thereby negating the necessity for an MRA.

It is recommended that each partner municipality enter into an Indemnity Agreement with the MSC to limit future liabilities.

As a condition of a Subdivision or Condominium agreement, communal services would be the responsibility of the developer for a period to be determined by the MSC to establish a viable system, at which time ownership would transfer to the MSC.

In the rare instances where an MRA is contemplated, the WSP reports provide various methods to reduce risk and limit liability. These same tools can be utilized by the MSC to guide the assumption of communal service assets.

⁴ Report #1, page 10, Figure 1-3

⁵ Report #1, page 11, Figure 1-4

Risk Management

The ability to manage and mitigate risk is an important element of the ownership and operation of communal services for municipalities. The establishment of a MSC provides the partner municipalities with the ability to pool and share risk. By aggregating risk, we mean the ability to spread risk across a portfolio of installations. The analogy is the provision of car insurance. Without a pooled model whereby, risk is spread across all insured drivers, each individual owner would be required to hold substantial savings in the event of an accident. By pooling the risk, the cost to any one individual is minimized and costs are lowered to the consumer. Similarly, the risk for one individual communal service failure requires far greater securities to protect the developer, homeowner, and municipality than if the risk is spread across ten installations. This approach has the added benefit of lowering development costs and improving home affordability, both at the time of purchase and for ongoing operating costs.

For a more detailed discussion of the tools available to the MSC to mitigate risk, refer to Report #2⁶.

Asset Transfer Policy

At incorporation, FMSC will not hold any capital assets. Non-capital assets in the form of cash, will be transferred to the corporation in accordance with the financial contribution described in this document and detailed in Report #2⁷.

For clarity, this Policy does not apply to the transfer of communal service assets to the MSC by a developer under the terms of Subdivision or Condominium Agreement.

For the capital assets other than noted above, four (4) options are provided. They are outlined as follows:

Scenario #1 – Transfer of Assets between Partnering Municipalities and the MSC with a Value Under \$100,000

Where the parties agree that an asset contemplated for transfer is valued at under \$100,000, a transfer may be completed by motion of the shareholders of the FMSC and a motion of the appropriate shareholder municipality. Such a sale will be at a cash value agreed to between the parties. No option exists for such a transfer to involve the transfer of shares.

The parties may agree to conduct the transfer of an asset under this limit, utilizing the terms and conditions described Option #2.

⁶ Report #2, Page 19-21

⁷ Report #2, Page 37-39

It is understood that under Option #1:

- either party may elect to initiate such a process, but that both parties will base any final decision in their own interest without undue influence from the other party
- that the above option may be initiated in the reverse (i.e., the transfer of an asset from the MSC to a shareholder municipality)
- the sole authority for the MSC will be a vote of the shareholders and for the municipality, the Council of the municipality disposing or acquiring the asset.

Scenario #2 – Transfer of Assets between Partnering Municipalities and the MSC with a Value Over \$100,000.

A shareholder municipality may solely elect to transfer an asset to initiate the process of transferring a municipal asset to the MSC. The FMSC (i.e., the holding company), acting in consultation with the MSC operating arm, may elect to accept the transfer and elect to compensate the municipality based on one of the following:

1. A cash payment based upon the average of two (2) independent appraisals. One completed and paid for by the MSC and a second completed and paid for by the municipality. Both independent appraisals must be accompanied by:
 - a. A statement that the company/individual is qualified and competent to make such an appraisal
 - b. A statement that the company/individual is not in a position of conflict
2. A payment of equivalent share in FMSC base upon the average of two (2) independent appraisals. One completed and paid for by the MSC and a second completed and paid for by the municipality. Both independent appraisals must be accompanied by:
 - a. A statement that the company/individual is qualified and competent to make such an appraisal
 - b. A statement that the company/individual is not in a position of conflict
3. A combination of option 1 and option 2 above (i.e., x% cash payment and y% shares, where $x + y = 100\%$ of the appraised value)

It is understood that under Option #2:

- either party may elect to initiate such a process, but that both parties will base any final decision in their own interest without undue influence from the other party
- that the above option may be initiated in the reverse (i.e., the transfer of an asset from the MSC to a shareholder municipality)
- the sole authority for the MSC will be a vote of the shareholders and for the municipality, the Council of the municipality disposing or acquiring the asset.

Scenario #3 – Transfer of Assets Between the MSC and a Non-Shareholder Municipality Valued at Under \$100,000

Where an asset is proposed to be transferred between the MSC and a non-shareholder municipality and the parties agree that the value of the asset is less than \$100,000, the parties may agree to a cash transaction at an agreed to fair market value.

Scenario #4 – Transfer of Assets Between the MSC and a Non-Shareholder Municipality Valued at Over \$100,000.

A non-shareholder municipality may elect to transfer an asset to initiate the process of transferring a municipal asset to the MSC. FMSC may elect to accept the transfer and elect to compensate the municipality based on one of the following:

1. A cash payment based upon the average of two (2) independent appraisals. One completed and paid for by the MSC and a second completed and paid for by the municipality. Both independent appraisals must be accompanied by:
 - a. A statement that the company/individual is qualified and competent to make such an appraisal
 - b. A statement that the company/individual is not in a position of conflict
2. A payment of equivalent share in FMSC based upon the average of two (2) independent appraisals. One completed and paid for by the MSC and a second completed and paid for by the municipality. Both independent appraisals must be accompanied by:
 - a. A statement that the company/individual is qualified and competent to make such an appraisal
 - b. A statement that the company/individual is not in a position of conflict
3. A combination of option 1 and option 2 above (i.e., x% cash payment and y% shares, where $x + y = 100\%$ of the appraised value)

Scenario #5 – Transfer of Assets Between the MSC and a Private/For Profit Entity or Individual

The transfer of any asset considered to be integral to the operation of a communal water or sewer system, may not be transferred to a private/for profit entity under any circumstance.

Non-operationally integral capital assets valued at under \$100,000 (e.g., a vehicle) may be transferred at an agreed upon fair market price, with a motion of the MSC Operational Board.

Non-operationally integral capital assets valued at over \$100,000 (e.g., a surplus property or equipment) may be transferred at an agreed upon fair market price, with a motion of the FMSC.

Scenario #6 – Transfer of Assets Between the MSC and a Not-For-Profit/or Charitable Entity

The transfer of any asset considered to be integral to the operation of a communal water or sewer system, may not be transferred to a Not-For-Profit/or Charitable Entity under any circumstances.

Non-operationally integral capital assets valued at under \$100,000 (e.g., a vehicle) may be transferred at an agreed upon fair market price, with a motion of the MSC Operational Board.

Non-operationally integral capital assets valued at over \$100,000 (e.g., a surplus property) may be transferred at an agreed upon fair market price, with a motion of the FMSC Board.

The parties agree that the monetary limits presented may be amended from time to time by a majority vote the shareholders.

Financial Considerations

Report #2⁸ examined four options for the start-up of the MSC and the distribution of shares, namely:

1. Weighted Tax Assessment
2. Equal Allocation
3. Weighted Population
4. Hybrid Allocation

Under all four options, the County of Frontenac would provide a 20% financial (non-voting) contribution, resulting in the remaining 80% being divided between the four remaining partner municipalities.

At the recommendation of the CSGC, the partners endorsed the option of utilizing weighted tax assessment for the distribution. The weighted assessment share will be determined based upon the percent share allocation as determined from assessment data provided by the Municipal Property Assessment Corporation (MPAC) on the date that incorporation of the MSC is received.

The anticipated five (5) year requirement of the MSC is \$696,800⁹. The partners will budget for the total amount of their share in the year of incorporation. A total of 20% of the allocated amount will be transferred to the MSC with thirty (30) days of

⁸ Report #2, pages 37-39

⁹ Report #2, page 39

incorporation. It is anticipated that the MSC will “draw” against the remaining budgeted amount over a five-year period based upon the needs of the Corporation and a majority vote of the shareholders.

For clarity purposes, the draw may be accelerated if development and installation of communal services is accelerated, or conversely, delayed if development is slowed. In any case, the total amount will be held in a designated reserve by the member municipality and will be transferred to the MSC with thirty (30) days of receiving notice to do so. The reserve may be held in an interest-bearing account by the partner municipality. Accrued interest will remain with the municipality and will not accumulate for the benefit of the MSC.

Borrowing from a Shareholder

While a primary benefit of establishing a MSC is the ability to borrow without affecting the Annual Repayment Limit (ARL) of a municipality, from time-to-time it may be prudent for a shareholder municipality to borrow on behalf of the MSC, or to provide such terms of borrowing from internal resources (i.e., reserves) as may be deemed expedient. Such borrowing shall be at fair market terms and rates as determined by the parties. Any such borrowing under \$100,000 may be negotiated between the parties without the approval of the shareholders. Borrowing over \$100,000 will be subject to a vote by the shareholders. A reciprocal arrangement (i.e., a shareholder municipality borrowing from the MSC) will be subject to a vote of the shareholders under all circumstances.

Prior to borrowing being required under this provision, the MSC will establish a borrowing policy that identifies borrowing limits under this provision. Such policy will require the approval of the majority of shareholders.

Under no circumstances will the MSC borrow from a non-shareholder municipality.

Ownership, Share Allocation and Voting

As structured, the shareholders would be represented by one (1) representative from each of the four (4) lower tier partner municipalities. With votes be weighted based upon the value of their shares at incorporation.

For voting on any motion/by-law placed before the shareholders will be deemed to be carried if a minimum of two (2) shareholders, representing more than 50% of the shares votes in favour¹⁰. No single municipality can outvote the remainder of the shareholders.

As noted above, the County will be a contributing, non-voting shareholder. **Table Two** below summarizes the ownership, share allocation and voting that will be utilized by the FMSC.

Table Two – Summary of Ownership, Share Allocation and Voting

Partner	Owner¹¹	Voting on All Matters	Distribution of Assets
----------------	---------------------------	------------------------------	-------------------------------

¹⁰ Report #2, page 36

Partner	Owner¹¹	Voting on All Matters	Distribution of Assets
NF	Yes	Yes	Yes
CF	Yes	Yes	Yes
SF	Yes	Yes	Yes
FI	Yes	Yes	Yes
CoF	Yes	No ¹²	Yes

Restrictions Regarding a Shareholder Dividend or Community Benefit Policy

A MSC can provide a dividend, or community benefit, to owners on a basis to be determined by the shareholders. As a matter of policy and practicality, the Frontenac MSC will not be in the financial position to distribute until such times as sufficient reserves and/or securities are accumulated to minimize the risk to shareholders. While this option is not a requirement, it is in the interest of the partners to establish the conditions under which such a policy may be considered.

It shall be the policy of the MSC that no dividend or community benefit will be distributed to the owners unless the following conditions are met:

1. A minimum of seven (7) years from the date of incorporation
2. A statement from the auditing firm appointed by the MSC that the risk associated with the ownership and management of the communal services has been substantially ameliorated by a combination of accumulation of reserves, insurance, and/or securities
3. A majority vote of the shareholders¹³

Should the above conditions be met, the shareholders will have three options for the use of a community benefit:

Scenario #1 – Unrestricted Dividend Policy

Community benefit can be used in any manner deemed appropriate to the shareholder municipality.

Scenario #2 – Restricted Community Benefit Policy

Community benefit can be used in a manner determined by the shareholders in a restricted manner. Potential examples include:

- Pre-engineering and/or feasibility studies for the expansion of services to an un-serviced area or employment lands

¹¹ The percent ownership will be determined based upon the percentage dollar contribution as determined on the date of incorporation

¹² Report #2, page 39 – Allocated to Lower Tier Municipalities based on weighted assessment on the date of incorporation

¹³ As currently structured, the Township of South Frontenac would have a veto over any the implementation of a dividend/community benefit policy. At the same time, SF plus the affirmative vote of one other municipality would be required in order to approve a policy.

- In conjunction with local improvement charges, utilized for the expansion of communal services in a serviced or un-serviced hamlet or subdivision. Such a policy could benefit all residents served by the MSC by expanding the risk pool, increasing density, and decreasing costs for users
- To be utilized for a specific community enhancement project that will benefit the entire region, for example recreation facilities

Under no circumstances will the MSC provide a community benefit that will place the ongoing viability of the MSC in jeopardy.

Scenario #3 – Retained by the MSC for Investment in Projects Approved by the Shareholders

To be utilized in a manner that will support or expand communal services or expand business opportunities.

MSC Duty to the Shareholders

The MSC will at a minimum, provide the shareholders with a detailed financial update at the Annual General Meeting of the Corporation, including a presentation of the audited financial statements of the MSC and the opportunity to question the Auditor.

Within nine (9) months of incorporation, the MSC will present to the shareholders a business plan and five (5) year pro-forma budget to the shareholders for consideration and input. The plan will be revised by the Corporation annually and reviewed with the shareholders.

A majority vote of the shareholders will require a full meeting of the MSC. The vote must state the purpose and general nature of the requirement for the meeting.

The MSC will at all times have in place appropriate levels of insurance that covers the actions and decisions of the corporation and indemnifies the shareholders.

Bankruptcy or Insolvency

The MSC will make every reasonable effort to operate in a manner that will ensure the ongoing viability of the corporate entity, subject to annual audit opinions provided to the shareholders. As a corporate entity, bankruptcy would not result in any financial obligations accruing the shareholder municipalities.

New MSC Shareholders

The MSC may consider expansion of the shareholders by a two-thirds percentage vote of the shareholders. Such a vote will be supported by a business case study and, if applicable, an asset valuation as described in the Asset Transfer policy, plus a public meeting or meetings as determined by the shareholders.

New shareholders must be a municipal entity.

Should a new shareholder be approved, the shares in the corporation will be recalibrated based upon the weighted assessment on the date of approval, with the County of Frontenac shares being re-calculated accordingly.

Shareholder Withdrawal from the MSC

A municipality wishing to withdraw from the MSC will be required to provide notice to the MSC prior to September 1st in any given calendar year, with an effective date of December 31st of the subsequent year. A 16 month minimum notice period will ensure sufficient time for the MSC and the remaining shareholders to resolve the requisite legal and personnel matters.

Any municipality exercising their option to withdraw from the MSC will not be entitled to any assets of the corporation and will be required to pay their own legal expenses and the MSC.

Dissolving of the MSC

Where the Councils of all shareholder municipalities vote to dissolve the MSC, the non-cash assets of the corporation shall be valued by an independent third party. Each party will be entitled to receive proceeds from the dissolution as follows:

1. Communal Services physical assets located within the boundaries of their municipality
2. Physical assets not related to the direct operation of communal services (e.g., rolling stock, office space, or maintenance operations) will be sold and the proceeds divided based upon the shareholder's ownership stake on the date of dissolution.
 - a. A shareholder may purchase such assets from the MSC for the appraised value. Where more than one shareholder expresses an interest in purchasing the asset, the successful shareholder will be randomly selected
3. Net of all costs required to wind down the MSC, cash assets and liabilities will be divided based upon shareholder value on the date of dissolution.

The parties may agree to appoint a mutually agreeable independent party to handle the disposition of assets for points 2 and 3 above. The costs of the independent party will either be deducted from the assets or apportioned to the shareholder based upon the value of their shares on the date of dissolution.

All parties will be responsible for their own costs related to the dissolution.

Public Input

This document will be posted publicly on the Frontenac public engagement channel (www.engagefrontenac.ca) for a period of thirty (30) days, commencing on XXXX xx, 2021.

Citizens of Frontenac are invited to provide written comments through the engagement site or by attending a virtual public meeting to be held on XXXX xx, 2021.

The social media channels of the partner municipalities may also be utilized to direct individuals to the engagement site or provide notice of the virtual public meeting. Please

note that comments received through social media channels will not be considered as part of the public input phase component of the BCS.

Respectfully Submitted

On behalf of the Partner Municipalities

This xx day of XXXX month, 2021.

1. Under Asset Transfer Policy section, change the word options to scenarios
2. Under Community Benefit and Dividends section, change the word options to scenarios
3. Under MSC Duty to the Shareholders section, second paragraph, insert the words “by the Corporation” before to the word annually in the last sentence.
4. On the title page add the words The Shareholders above the 5 municipalities listed.

And Further That the DRAFT Business Case Study dated September 9, 2021, as amended, be provided to the member municipalities for their review and input prior to the end of October 2021.

Carried

Enclosed for your consideration is a copy of the Communal Services DRAFT Business Case Study dated September 9, 2021. In addition, I would respectfully request that any comments from the Township be forwarded to the County of Frontenac prior to the end of October, 2021.

I trust you will find this in order; however should you have any questions or concerns, please do not hesitate to contact me at 613-548-9400, ext. 302 or via email at jamini@frontenacounty.ca.

Yours Truly,



Jannette Amini, Dipl.M.M., M.A. CMO
Manager of Legislative Services/Clerk

Copy: Kelly Pender, Chief Administrative Officer
Joe Gallivan, Director of Planning and Economic Development

2069 Battersea Road, Glenburnie, ON K0H 1S0

T: 613.548.9400 | F: 613.548.8460 | frontenacounty.ca



BY EMAIL

September 29, 2021

Council for the Township of South Frontenac
c/o Angela Maddocks, Clerk
4432 George Street, PO Box 100
Sydenham, ON K0H 2T0

Dear Council for the Township of South Frontenac:

Re: Closed Meeting Complaint

My Office received a complaint about a closed meeting held by council for the Township of South Frontenac (the “Township”) on July 13, 2021. The complaint alleged that the topic discussed by council did not fit within the closed meeting exception cited by the municipality under the *Municipal Act, 2001* (the “Act”).

I am writing to share the outcome of my review.

Ombudsman’s role and authority

As of January 1, 2008, the Act gives anyone the right to request an investigation into whether a municipality has complied with the Act in closing a meeting to the public.¹ Municipalities may appoint their own investigator. The Act designates the Ombudsman as the default investigator for municipalities that have not appointed their own. My Office is the closed meeting investigator for the Township.

My Office has investigated hundreds of closed meetings since 2008. To assist municipal councils, staff, and the public, we have developed an online digest of open meeting cases. This searchable repository was created to provide easy access to the Ombudsman’s decisions on, and interpretations of, the open meeting rules. Council members and staff can consult the digest to inform their discussions and decisions on whether certain matters can or should be discussed in closed session, as well as issues related to open meeting procedures. Summaries of the Ombudsman’s previous decisions can be found in the digest: www.ombudsman.on.ca/digest.

¹ *Municipal Act, 2001*, SO 2001 c 25, s 239.1.

Review

My Office reviewed documentation related to the July 13, 2021 closed meeting, including a PowerPoint presentation delivered during the meeting, the meeting agenda, and the draft minutes. We also reviewed relevant portions of the Township's procedural by-law and spoke with the Clerk and Mayor.

At 6:00 p.m. on July 13, 2021, council held a Special Committee of the Whole meeting.

Council passed a resolution to go into closed session to discuss the Johnston Point Development, citing the exception for solicitor-client privilege. The exception for personal matters was also cited with respect to a different subject, which was not the focus of our review.

According to information we reviewed, the Township's solicitor attended the meeting and delivered a presentation about the development project. Following the presentation, the solicitor responded to council members' questions in relation to confidential matters. Council did not pass any resolutions pertaining to the development or provide any direction to staff on the matter.

Council approved minutes from a previous closed session meeting and passed a resolution to rise from closed session at 7:02 p.m.

Applicability of the exception for advice subject to solicitor-client privilege

Per s. 239(2)(f) of the Act, a meeting or part of a meeting may be closed to the public if the subject matter being considered is advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

This exception covers discussions that include communications between the Township and its solicitor in seeking or receiving legal advice intended to be confidential.² The purpose of the exception is to ensure that municipal officials can speak freely about legal advice without fear of disclosure.

In this case, the Mayor told us that the objective of the meeting was to advise council of the Township's legal obligations around the Johnston Point Development. During the meeting, the Township's solicitor actively participated in the discussion, providing confidential legal advice and responding to questions posed by council. Accordingly, council's discussion fit within the exception for solicitor-client privilege.

The complaint to my Office suggested that the discussion did not fit within the exception, as the presentation included information about the project that was not confidential. However, the courts have found that it is unrealistic to expect council to parse its discussion where it would

² *Timmins (City of) (Re)*, 2017 ONOMBUD 4 at para 28, online: <<https://canlii.ca/t/h4rwt>>.

detract from free and uninterrupted discussion.³ Here, it was not possible for council to separate the confidential legal advice from the general information about the development project. The topics were entwined in such a way that it would not have been realistic to expect council to parse them.

Conclusion

Council for the Township did not contravene the open meeting requirements on July 13, 2021, when meeting in closed session to discuss the Johnston Point Development. The discussion fit within the exception in s. 239(2)(f) for advice subject to solicitor-client privilege.

I would like to thank the Township of South Frontenac for its co-operation during my review. We request that this letter be provided to council and made available to the public no later than the next meeting of council.

Sincerely,



Paul Dubé
Ombudsman of Ontario

Cc: Angela Maddocks, Clerk, Township of South Frontenac

³ *St. Catharines (City) v. IPCO*, 2011 ONSC 2346 at para 43.

Township of South Frontenac

Staff Report



To:	Council
Prepared by:	Development Services Department
Date of Meeting:	October 12, 2021
Subject:	3rd Quarter 2021 – Planning Services Report

Summary

This report documents the delivery of Planning Services between July 1, 2021 and September 30, 2021 (3rd Quarter, 2021). In summary:

- 65 new lots were created in the Township between January 1 and September 30, 2021 (Q1-3, 2021):
 - 28 new residential units have been created through approval of Cranberry Cove and Johnston Point Plans of Condominium.
 - 37 lots have been created by consent in 2021.
- In Q3 of 2021 – Consents, Minor Variances and Zoning By-law Amendments continue to be the most frequently submitted planning applications.
- The number of consent and zoning by-law amendment applications submitted between January 1 and September 30, 2021 (Q1-Q3) have exceeded the annual total of applications for 2019 and 2020.

Recommendation

This report is for information only.

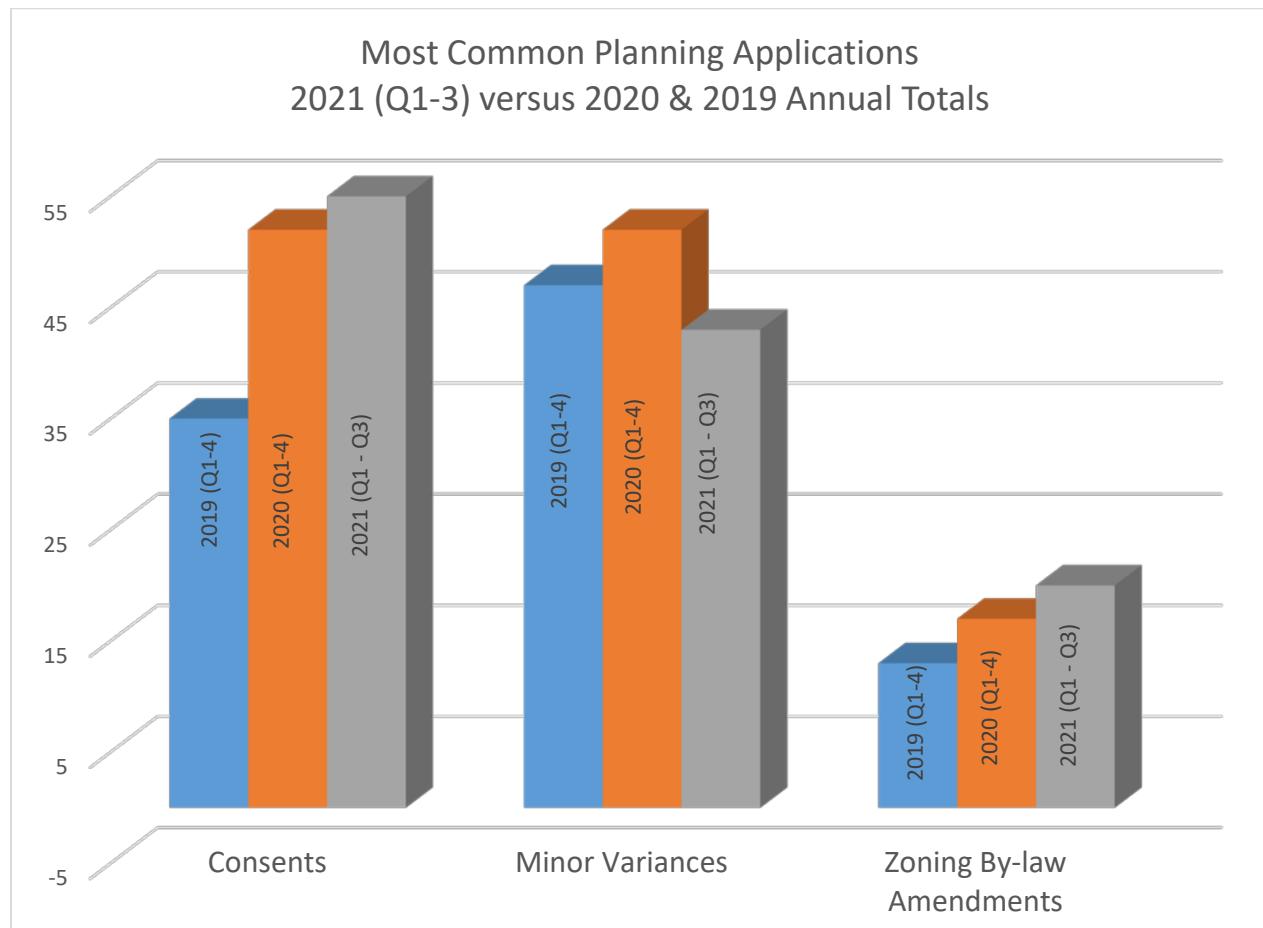
Background

Each quarter, the Development Services Department reports publicly on the number of development and permit applications (Building and Planning) being received and processed by the Township. This information serves as a gauge for growth and informs current and future resource allocation.

Township of South Frontenac
Staff Report – Q3 2021 Report – Planning Services

Following earlier office closures and mandated work from home arrangements, staff in the Development Services Department were able to work in-office for the 3rd Quarter of 2021.

Discussion/Analysis



Below sections of this report break out planning activities by application type and compare the 2021 applications to the 2020 and 2019 application numbers.

Pre-consultation Meetings

	Number of Meetings
2021 – 3 rd Quarter Total	75
2021 – 2 nd Quarter Total	110
2021 – 1 st Quarter Total	104
2021 – Year to Date Total	289
2020 – Annual Total	287
2019 – Annual Total	261

Township of South Frontenac
Staff Report – Q3 2021 Report – Planning Services

Consent Applications

	Complete Applications Submitted
2021 – 3 rd Quarter Total	17
2021 – 2 nd Quarter Total	32
2021 – 1 st Quarter Total	16
2021– Year to Date Total	65
2020 – Annual Total	52
2019 – Annual Total	35

Consent Applications – Approvals by Delegated Approval and Applications Heard by Committee of Adjustment

	Undisputed Consents Approved by Director	Disputed Consents Heard by Committee of Adjustment
2021 – 3 rd Quarter Total	17	0
2021 – 2 nd Quarter Total	17	3
2021 – 1 st Quarter Total	6	0
2021 – Total	40	3
2020 – 3 rd Quarter Total	6	0
2020 –Total (May to Dec 2020)	24	4

Minor Variance Applications

	Complete Applications Submitted
2021 – 3 rd Quarter Total	14
2021 – 2 nd Quarter Total	18
2021 – 1 st Quarter Total	11
2021 – Year to Date Total	43
2020 – Annual Total	52
2019 – Annual Total	47

Township of South Frontenac
Staff Report – Q3 2021 Report – Planning Services

Zoning By-law Amendment Applications

	Complete Applications Submitted
2021 – 3 rd Quarter Total	4
2021 – 2 nd Quarter Total	12
2021 – 1 st Quarter Total	4
2021 – Year to Date Total	20
2020 – Annual Total	17
2019 – Annual Total	13

Site Plan Control Applications

- 3 site plan control application were submitted in Q3 of 2021.
- **7 site plan control applications have been received to date in 2021.**
- 10 site plan control applications were submitted in 2020.
- 6 site plan control applications were submitted in 2019.

Development Agreements

- 16 development agreements were prepared in Q3 of 2021.
- **71 development agreements have been prepared to date in 2021.**
- 53 development agreements were prepared in 2020.
- 59 development agreements were prepared in 2019.

Certificates of Official Issued (Finalizing Consent Applications)

- 15 consent applications were finalized in Q3 of 2021.
- **37 consent applications have been finalized to date in 2021.**
- 20 consent applications were finalized in 2020.

Road Closings

- 2 road closing applications were received in Q3 of 2021.
- **7 Road closing applications have been received year to date in 2021.**
- 3 Road closing applications were received in 2020.
- 6 Road closing applications were received in 2020.

Township of South Frontenac
Staff Report – Q3 2021 Report – Planning Services

License Agreements

- 0 license agreements application were submitted in Q3 of 2021.
- **1 license agreement application has been submitted year to date in 2021.**
- 1 license agreement was processed in 2020.

Plans of Subdivision & Condominiums

- A 31-lot residential plan of subdivision in Sunbury was submitted to the County in April 2020. The County held a public open house in July 2020. A second round of technical comments were provided to the developer in June 2021. These comments have been reviewed with the developer and consultants and they will be preparing a third submission for staff review.
- The County issued draft plan approval for Willowbrook Phase II Plan of Subdivision application (9 lots) in September 2021. Staff anticipate work will begin on the subdivision agreement in the next few months.
- Johnston Point Plan of Condominium received Final Approval by the County of Frontenac on June 30, 2021. Township staff is working with the developer on the Master Site Plan and several unit owners on Individual Site Plans in Johnston Point.
- Staff are reviewing the third technical engineering submission for the Hartington Plan of Subdivision. Staff have contacted the appraiser to determine the Cash-in-lieu of parkland amount. The Municipal Drainage Engineer has begun work on the Section 65(1) report to support the change of land use in the Pleasant Valley Drain. The developer for the Hartington Subdivision has submitted an application for extension of draft plan of approval for a further 2 years.
- Work is on-going with Ainley and Associates and the developer of the ValleyView to address outstanding re-grading work required within the plan of subdivision. Field work was undertaken in May 2021 to support re-grading of the developed hillside lots in the subdivision. This work is anticipated to be completed in fall 2021.
- Development Services & Public Services staff are working with the developers of Lyons Landing and Sandstone Shores subdivisions to ensure the terms of the

Township of South Frontenac
Staff Report – Q3 2021 Report – Planning Services

subdivision agreement have been met in order to consider preliminary assumption of roads within these subdivisions.

Financial Implications

During the 3rd Quarter of 2021, \$43,939 was paid to the Township in the form of application fees. Year to date, the Township has collected \$153,008 in planning application fees.

Relationship to Strategic Plans

Not applicable to this report.

This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.

- Priority: **3. Ensure the organizational capacity to deliver cost-effective services in a changing world.**

Notice/Consultation

The following internal staff were consulted in developing the report:

- Michelle Hannah, Planning Assistant
- Anna Geladi, Planner
- Christine Woods, Senior Planner

Attachments

None.

Approvals

Prepared by:



Claire Dodds, Director of Development Services

Township of South Frontenac
Staff Report – Q3 2021 Report – Planning Services

Approved By:



Neil Carbone, Chief Administrative Officer

Township of South Frontenac

Staff Report



To:	Council
Prepared by:	Development Services Department
Date of Meeting:	October 12, 2021
Subject:	3rd Quarter 2021 – Building Services Report

Summary

This report documents the delivery of Building Services within the Development Services Department between July 1, 2021 and September 30, 2021 (3rd Quarter, 2021).

Year to date, for 2021 (Q1 - Q3) Building Services has processed 926 files. These include South Frontenac building permits, as well as all Part 8 permits and other types of applications related to the delivery of Part 8 services across all four Frontenac Townships.

Recommendation

This report is for information only.

Background

Each quarter, the Development Services Department reports publicly on the number of development and permit applications (Building and Planning) being received and processed by the Township. For Building Services, this includes the delivery of Part 8 services on behalf of all four (4) of the Frontenac Townships. This information serves as a gauge for growth and informs current and future resource allocation.

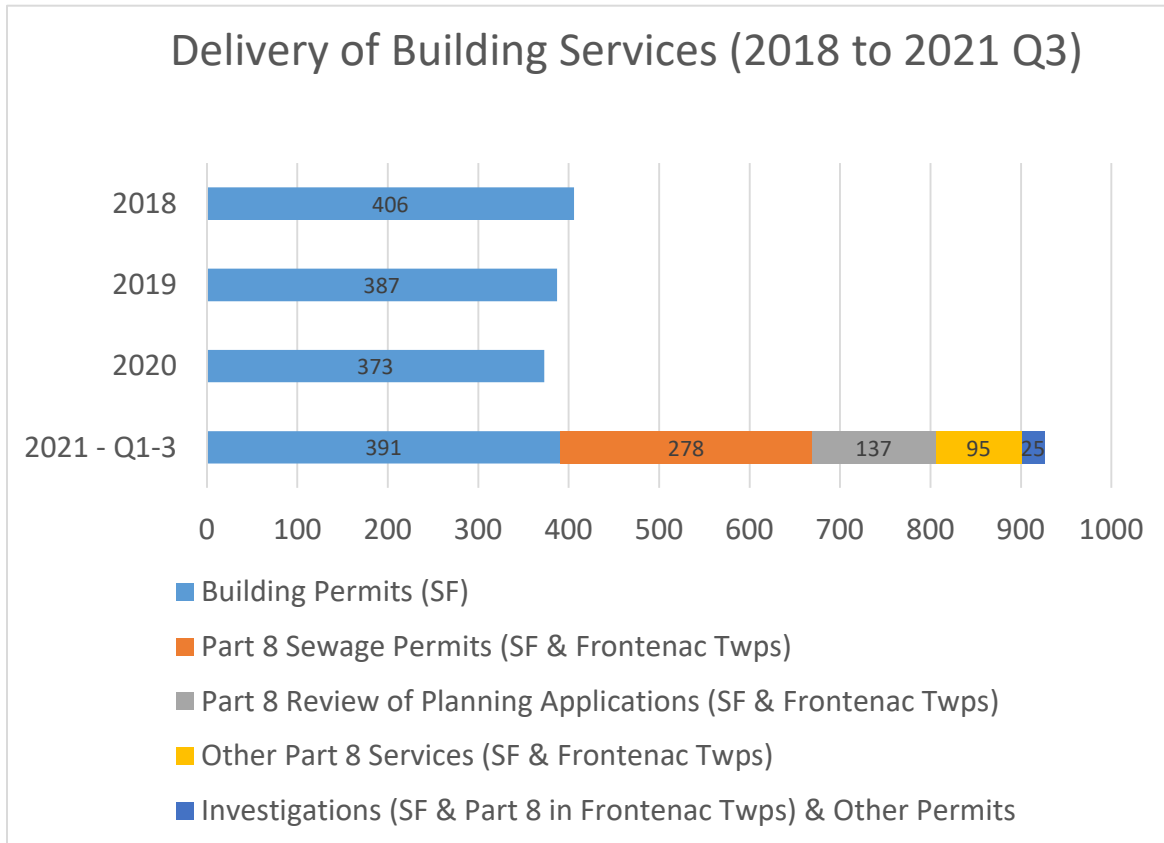
This report details Quarterly Construction Values from 2018 to present, as well as types of construction that have occurred, Building Permits that have been issued and closed, and Part 8 services that were delivered in 2021.

Discussion/Analysis

Year to date, for 2021 (Q1 - Q3) Building Services has processed 926 files. These files include South Frontenac building permits and Part 8 Sewage System permits under the Building Code, as well as other types of applications related to the delivery of Part 8 services including the review of planning applications from a Part 8 perspective in all four Frontenac Townships.

Township of South Frontenac
Staff Report – Q3 2021 Report – Building Services

Prior to the addition of Part 8 services, the Township received approximately 400 building permit applications annually in each of the past three (3) years.



South Frontenac Building Permits Issued:

Year to date, 465 building permits have been issued in South Frontenac. 120 of those permits were for sewage systems.

175 building permits were issued in the 3rd quarter of 2021. 44 of those permits were issued for sewage systems in South Frontenac.

Year to date, the most frequent type of permit issued in South Frontenac is for a sewage system under Part 8 of the Building Code. Permits for garages, accessory buildings and decks (87) and additions and renovations (48) represent the next largest category of permits. Year to date 49 permits have been issued for new single detached dwellings. The following chart provides a breakdown by permit type by quarter in 2021 exclusively for South Frontenac.

Township of South Frontenac
Staff Report – Q3 2021 Report – Building Services

Type of Construction	JAN-MAR	APR-JUNE	JULY-SEPT	OCT-DEC	YTD
Single Family Dwellings	7	30	12		49
Seasonal Dwellings	3	3	7		13
Additions & Renovations	12	23	13		48
Garage, Accessory Bldgs, Decks	18	36	33		87
Sewage Systems	16	60	44		120
Woodstove/Pellet/Chimney	8	5	11		24
Agricultural Buildings	2	3	5		10
New ICI/Multi-Res Bldgs.	0	0	0		0
Reno/Additions to ICI/Multi-Res Bldgs.	7	7	1		15
Demolitions	10	18	16		44
Pool enclosure	7	6	25		38
Other (Signs, Solar Panels, Investigations)	5	4	8		17
TOTAL PERMITS	95	195	175	0	465

Quarterly Construction Values for all South Frontenac projects:

	2018		2019		2020		2021		
	CONSTRUCTION VALUE	PERMITS ISSUED	CONSTRUCTION VALUE	PERMITS ISSUED	CONSTRUCTION VALUE	PERMITS ISSUED	CONSTRUCTION VALUE	PERMITS ISSUED	PART 8 ISSUED
January-March	\$2,990,962.00	57	\$2,211,814.00	44	\$2,130,500.00	38	\$5,322,701.00	79	16
April-June	\$13,050,757.00	146	\$14,794,702.00	142	\$8,141,000.00	103	\$17,287,756.00	135	60
July-September	\$10,174,862.00	126	\$11,678,813.00	134	\$10,938,758.00	146	\$10,327,767.00	131	44
October-December	\$5,501,998.00	77	\$7,112,000.00	67	\$9,442,065.00	86			
Totals	\$31,718,579.00	406	\$35,797,329.00	387	\$30,652,323.00	373	\$32,938,224.00	345	120

The total value of construction in South Frontenac for the first three quarters of 2021 is just under \$33 million dollars. The number of permits issued (excluding Part 8 permits) and construction value for 2021 is forecast to exceed the annual total in each of the last three years.

No construction value has been assigned to sewage systems that have been approved under Part 8 of the Building Code as it is considered to be servicing infrastructure.

Township of South Frontenac
Staff Report – Q3 2021 Report – Building Services

South Frontenac Building Permits Closed:

Type of Construction	JAN-MAR	APR-JUN	JUL-SEP	OCT-DEC	YTD
Single Family Dwellings	3	11	9		23
Seasonal Dwellings	0	2	4		6
Additions & Renovations	12	11	11		34
Garage, Accessory Bldgs, Decks	16	18	33		67
Sewage Systems	3	2	15		20
Woodstove/Pellet/Chimney	6	2	3		11
Agricultural Buildings	0	0	0		0
New ICI/Multi-Res Bldgs.	0	1	0		1
Reno/Additions to ICI/Multi-Res Bldgs.	7	0	0		7
Demolitions	5	11	2		18
Pool enclosure	1	8	20		29
Other (Signs, Solar Panels, Investigations)	1	3	6		10
TOTALS	54	69	103	0	226

Building services has closed 226 permits in the first three quarters of 2021 in South Frontenac.

Delivery of Part 8 Services for Frontenac County:

Part 8 Services	North Frontenac		Central Frontenac		Frontenac Islands		South Frontenac	
		Total Fee	#	Total Fee	#	Total Fee	#	Total Fee
Sewage System Permits	27	\$25,673.00	22	\$19,935.00	3	\$2,407.00	44	\$40,794.00
Performance Reviews	3	\$1,545.00	2	\$772.00	0	\$0.00	7	\$3,605.00
Septic Review - Consents	8	\$4,120.00	10	\$5,150.00	1	\$515.00	15	\$7,725.00
Septic Review - Minor Variances	2	\$1,183.00	3	\$2,623.00	1	\$463.00	5	\$3,376.00
Sewage System Record Search	2	\$206.00	4	\$412.00	0	\$0.00	10	\$1,030.00
TOTALS	42	\$32,727.00	41	\$28,892.00	5	\$3,385.00	81	\$56,530.00

From July 1st to September 30th, 2021, South Frontenac Building Services processed a total of 169 applications under Part 8 of the Ontario Building Code and commented on planning applications from a Part 8 perspective across Frontenac County.

Township of South Frontenac
Staff Report – Q3 2021 Report – Building Services

Financial Implications

Building Fees

The revenue collected for all South Frontenac Building Permits, excluding Part 8 applications, for the first three quarters of 2021 was \$561,341.

Part 8 Fees

The total revenue collected in fees for Part 8 services in Q3 2021 was \$121,534. Revenue for all Part 8 services for the first three quarters of 2021 is \$403,788 from a total of 510 chargeable Part 8-related services (all Townships).

This is in contrast to the estimated *annual* revenue of \$346,200 and 546 chargeable services from all Townships, on which South Frontenac had based its assumption of County-wide Part 8 service delivery.

Since fees for Part 8 services mirrored those of KFLAPH, these figures represent a greater demand for Part 8 services than had been expected and warrants careful monitoring to ensure sufficient resources are available to properly manage this workload in the future.

Relationship to Strategic Plans

Not applicable to this report.

This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.

- Priority: **3. Ensure the organizational capacity to deliver cost-effective services in a changing world.**

Notice/Consultation

- Director of Development Services
- Director of Corporate Services
- Chief Administrative Officer

Attachments

None.

Township of South Frontenac
Staff Report – Q3 2021 Report – Building Services

Approvals

Prepared by:



Claire Dodds, Director of Development Services

Approved By:

Neil Carbone, Chief Administrative Officer

September 17, 2021

Mayor Ron Vandewal,
South Frontenac Township
4432 George St.
Sydenham, ON.
K0H 2T0

Re: Naming of Petworth Road single Lane Bridge

Your Worship,

It is with great honour that I write to you representing all of the residents of the historic Village of Petworth in making our request that Council officially name the single lane steel bridge over the Napanee River within our village in memory of Corporal David Ira Boyce, 20 Battalion, Canadian Army.

I have attached our formal petition signed by 53 residents of the Village of Petworth requesting that Council name the bridge in memory of Corporal David Ira Boyce who was born in the Village on April 4th, 1887.

I have further attached a copy of the military record of his killed in action death on November 10th 1918 tragically the day before the end of the war, as well of his burial location in Belgium.

I have spoken with his great nephew Mr. Allan Boyce, a Township resident who fully supports our request.

We respectfully request that appropriate signage be erected at the east and west entrances of the bridge with a Royal Canadian Legion Poppy emblem, Corporal David Ira Boyce, 10 November 1918, on the signs.

It would be fitting if we could have the signs unveiled on the 103rd anniversary of his death which would not interfere with local Remembrance Day ceremonies on November 11th.

Respectfully Submitted,



David Brown
5453 Petworth Road,
Harrowsmith On
K0M1V0

Celtictimber@gmail.com
613-893-6186

Petition

We the residents of the Village of Petworth petition the Council of South Frontenac Township to name the single lane bridge over the Napanee River on Petworth Road in the Village of Petworth in memory of Corporal David Ira Boyce. KIA November 10th, 1918.







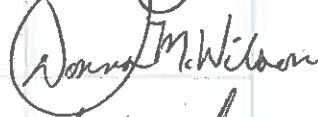







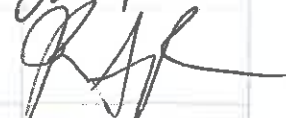

David Ira Boyce was born on April 4th, 1887 in Petworth, Frontenac County to Mrs. Eliza (Smith) Boyce and Mr. George W. Boyce. Mrs. Boyce's father was Ira Smith the blacksmith in the village of Petworth and the first school teacher in the village. (Both the blacksmith shop and the school house remain in the village today.)

David enlisted in the Canadian army on December 9th, 1915 in Kingston along with other area men. He was assigned to the Central Ontario Regiment within the 20th Battalion.

On the 10th of November 1918, the Battalion was advancing from Frameries to St. Symphorien in Belgium, when David was struck in the head with shrapnel. He died at the scene shortly have being hit.

David is the only known war veteran killed in action from the Village of Petworth, and to properly remember his sacrifice we ask that Township Council officially name the bridge in his memory in time for this year's Remembrance Day.

We the undersigned residents support this petition.

	Name	Address	Signature
1	Sherron Brown	5453 Petworth Rd	
2	Amanda Coulter	5440 Petworth Rd	
3	Grant Coulter	5440 Petworth Rd	
4	JAMIE SMITH	5432 PETWORTH RD	
5	Sheena Smith	5432 Petworth Rd	
6	JOHN ANDROS	10 GREENBROOK LANE	
7	Donna M. Wilson	5246 Petworth Rd.	
8	ROBERT WARD	5303 Petworth Rd	
9	Brendan Mulhern	4781 German Rd	
10	Brittany Mulhern	4781 Germ Rd	
11	Jamie Diaz	4709 Camden Portland Boundary Rd	
12	Jerry Diaz	4709 Camden Portland Boundary Rd	
13	Scott Burns	4706 Camden Portland Boundary Rd.	
14	JACK & FRONA	4684 Camden Portland Rd	
15	Joanne Fred Hemmler	4680 Camden-Portland Bdry Road	
16	Christine LeBlanc	4676 Camden Portland	

18	Art Stoughton	4672 Camden Brady	C. Stoughton
19	Marc MATHIS	4671 Camden Parkway	
20	Judy Banner	4683 Camden Inland	Banner
21	Jim Banner	4683 Camden Portland	
22	Nick Power	4695 Camden Portland	
23	Sam Maffei	4695 Camden Portland	
24	Pepero Withskri	5420 Petworth Rd	Withskri
25	Sam Maffei	5435 Petworth Rd	
26	Frank Kern	5081 German Rd.	Kern
27	Sue Dickey	5081 German Rd	DD
28	Carol Hayes	5081 German Rd	CH
29	Carol Hayes	5011 German Rd	
30	Lois-Ann Hayes	5011 German Rd.	Lois-Ann Hayes
31	Brian Battella Collins	4787 German Rd.	
32	Mary Battella Collins	84787 German Rd.	M. Collins
33	Scott Mathis Plan T	4759 German Rd	
34	Bever Lot	4743 German Rd	
35	Scott Shewitt	4736 German Rd	

59	David Brown	5453 Petworth Rd	
58	Sharon Peters	5425 Petworth Rd 122	
57	Heim-Gentland Schirza		
50	Concannon Shupe	4719 Camden Portland Bridge Rd	
49	Ronda Hawley	4648 Garrison Ct	
48	KYLIANZ ASORON	4642 Garrison Ct	
47	MARIE ASORON	4642 Garrison Ct	
46	David Metz	4638 Garrison Ct	
45	Julia Atherton	4638 Garrison Ct	
44	Paul Ruppel	4632 Garrison Ct	
43	Fred Roorda	4632 GARRISON CT	
42	KAREN BEMISH	4678 GARRISON CT	
41	CARLE BEMISH	4678 GARRISON CT	
40	Liz Aughsan	4677 Garrison Ct	
39	Don Aughsan	4677 Garrison Ct	
38	Tim Hill	4689 Garrison Ct	
37	Don Beer	4705 Garrison Ct	
36	CINDY MITCHELL-SHEMITH	4736 GERMANT RD	

copy
B.C.R.

DUPLICATE

ATTESTATION PAPER.

No. 234 021
Folio.

CANADIAN OVER-SEAS EXPEDITIONARY FORCE

14871 BN

QUESTIONS TO BE PUT BEFORE ATTESTATION.

(ANSWERS).

- 1. What is your surname? Boyce
- 1a. What are your Christian names? David
- 1b. What is your present address? Harrowsmith
- 2. In what Town, Township or Parish, and in what Country were you born? Petworth, Frontenac Co.
- 3. What is the name of your next-of-kin? Velva Boyce
- 4. What is the address of your next-of-kin? Harrowsmith
- 4a. What is the relationship of your next-of-kin? Sister
- 5. What is the date of your birth? April 4th, 1887
- 6. What is your Trade or Calling? Handyman
- 7. Are you married? No
- 8. Are you willing to be vaccinated or re-vaccinated and inoculated? No
- 9. Do you now belong to the Active Militia? No
- 10. Have you ever served in any Military Force? At camp with 47th Regiment
If so, state particulars of former service.
- 11. Do you understand the nature and terms of your engagement? Yes
- 12. Are you willing to be attested to serve in the CANADIAN OVER-SEAS EXPEDITIONARY FORCE? Yes

DECLARATION TO BE MADE BY MAN ON ATTESTATION.

I, David Boyce, do solemnly declare that the above answers made by me to the above questions and that they are true, and that I am willing to fulfil the engagements by me now made, and I hereby engage and agree to serve in the Canadian Over-Seas Expeditionary Force, and to be attached to any arm of the service therein, for the term of one year, or during the war now existing between Great Britain and Germany should that war last longer than one year, and for six months after the termination of that war provided His Majesty should so long require my services, or until legally discharged.

Date: Dec 6th 1915
David Boyce (Signature of Recruit)
A. Munnick (Signature of Witness)

OATH TO BE TAKEN BY MAN ON ATTESTATION.

I, David Boyce, do make Oath, that I will be faithful and bear true Allegiance to His Majesty King George the Fifth, His Heirs and Successors, and that I will as in duty bound honestly and faithfully defend His Majesty, His Heirs and Successors, in Person, Crown and Dignity, against all enemies, and will observe and obey all orders of His Majesty, His Heirs and Successors, and of all the Generals and Officers set over me. So help me God.

Date: Dec. 6 1915
David Boyce (Signature of Recruit)
A. Munnick (Signature of Witness)

CERTIFICATE OF MAGISTRATE.

The Recruit above-named was cautioned by me that if he made any false answer to any of the above questions he would be liable to be punished as provided in the Army Act. The above questions were then read to the Recruit in my presence.

I have taken care that he understands each question, and that his answer to each question has been duly entered as replied to, and the said Recruit has made and signed this declaration and taken the oath

before me at 4.30 O'Clock this 9th day of December 1915.
W. H. Gillespie (Signature of Justice)
Major (Signature of Justice)
Commissioner

14871

Description of David Boyce, on Enlistment.

Apparent Age 28 years.....months.
(To be determined according to the instructions given in the Regulations for Army Medical Services.)

Height..... 5 ft. 5 ins.

Chest measured expanded { Girth when fully expanded..... 37 ins.
 Range of expansion..... 4 ins.

Complexion..... Fair/
Blus,

Eyes.....
Brown,

Hair.....

Religious denominations { Church of England.....
 Presbyterian.....
 Methodist..... Yes,
 Baptist or Congregationalist.....
 Roman Catholic.....
 Jewish.....
 Other Denominations.....
(Denomination to be stated)

Distinctive marks, and marks indicating congenital peculiarities or previous disease.

(Should the Medical Officer be of opinion that the recruit has served before, he will, unless the man acknowledges to any previous service, attach a slip to that effect, for the information of the Approving Officer.)

CERTIFICATE OF MEDICAL EXAMINATION.

I have examined the above-named Recruit and find that he does not present any of the causes of rejection specified in the Regulations for Army Medical Services.

He can see at the required distance with either eye; his heart and lungs are healthy; he has the free use of his joints and limbs, and declares that he is not subject to fits of any description.

I consider him*..... fit..... for the Canadian Over-Seas Expeditionary Force.

Date..... December 7th,..... 1915.

Place..... Kingston.

William H. [Signature]
 Medical Officer.

* Insert here "fit" or "unfit."

NOTE.—Should the Medical Officer consider the Recruit unfit, he will fill in the foregoing Certificate only in the case of those who have been attested, and will briefly state below the cause of unfitness.—

CERTIFICATE OF OFFICER COMMANDING UNIT.

David Boyce..... having been finally approved and inspected by me this day, and his Name, Age, Date of Enlistment, and every prescribed particular having been recorded, I certify that I am satisfied with the correctness of this attestation.

[Signature]..... (Signature of Officer)

Date..... December 9th..... 1915.

1. NO.	2. GRADE OR RATING	3. SURNAME	4. CHRISTIAN NAME
67027	Corporal	BOYCE	David
5. UNIT OR SER.	6. DATE OF CASUALTY	7. H.Q. FILE NO.	8. BRANCH
20th Battalion	10-11-18	649-E-19284	Not stated
9. CIRCUMSTANCES OF CASUALTY	10. NAME, RELATIONSHIP AND ADDRESS OF NEXT OF KIN		
<p>"Killed in Action"</p> <p>This soldier was seriously wounded in the head by shrapnel, a comrade went to assist him but he died shortly afterwards.</p>			
11. LOCATION OF UNIT AT TIME OF CASUALTY			
Advance from Franeries to St.Symphorien-Mons Road.			
NOTE: Entries 12 and 14 are not to be completed until grave is positively located.			
12. CEMETERY	13. LOCATION OF CEMETERY	14. GRAVE LOCATION	15. REGISTERED NO. OF GRAVE
Spiannes (Lusehyard)			
16. PHOTOGRAPH OF GRAVE THRU	17. EXPOSURE NO.	18. PHOTOGRAPH OF GRAVE AND CEMETERY STERILIZED TO	
19. FURTHER PARTICULARS ON REVERSE SIDE OF SHEET.			

H. E. W. 502
 L. 10. 11. 18
 H. O. 11. 18
 L. 11. 18

BT.



835027 CORPORAL
D. BOYCE, MM.
20TH BN. CANADIAN INF.
10TH NOVEMBER 1918



2290998 Ontario Inc.
c/o G. & M. Beach
1035 Sweetfern Lane
Inverary, ON K0H 1X0

October 7, 2021

South Frontenac Township Council
George St., Sydenham, ON

Re: RC-20-01 (2290998 Ontario Inc.) Road Allowance Closure and Purchase, Parts 13, and 15, 13R-22455

Councillors & Mayor,

I represent 2290998 Ontario Inc. and am the individual who brought the Road Allowance Closure Application forward to Council.

When Ms. Dodds shared with me the Bylaw for passage the only take away, I gathered from her Report was that our company was agreeing to buy both Parts 13 & 15, and that the total cost for both parts would be \$10, 553.47 with taxes in.

Reading her report, I did not take away any message that both pieces had to be purchase together and at the same time, rather only that I was agreeing to the buy both parts at the given price.

Additionally, there was no time frame for when these pieces had to be acquired, other than Part 13 was necessary to finalize the consent, S-02-20-S.

I should also note that Part 14, has not been conveyed yet, nor has the also attached piece east of Part 15. I'm sure there is no fixed time date requirement for those 2 additional and separate pieces of Road Allowance to be conveyed either.

My request is that the Bylaw and Report of Aug17, 2021, be understood to state that there isn't a time requirement to purchase these pieces of Road Allowance and that there is no requirement to close both pieces at the same time.

We'd like to close Part 13 in the next day or so, and close Part 15 in the next 6 – 8 weeks.

Please confirm we can proceed as outlined.

Thank-you.

Respectfully submitted,

Gary Beach
For 2290998 Ontario Inc.

AIRD BERLIS

John Mascarin
Direct: 416.865.7721
E-mail: jmascarin@airdberlis.com

October 7, 2021

Our File No.: 147091

Angela Maddocks
Clerk
The Corporation of the Township of South Frontenac
4432 George Street
Sydenham, ON K0H 2T0

Dear Ms. Maddocks:

Re: Integrity Commissioner Services

We greatly appreciated the opportunity to attend at your municipality and provide a training and education session for your Council and staff.

Please find attached in Appendix "A" our updated professional rates for each member on our team, which will become effective as of January 1, 2022 for our Integrity Commissioner services to the Township. We have also expanded our roster of accountability professionals who are available to assist with our Integrity Commissioner services to the Township.

We note that our contract for Integrity Commissioner services with the Township expires in early 2023. We would be interested in discussing a possible re-appointment as Integrity Commissioner and any plans the Township may have for training or orientation purposes for the new members of Council following the 2022 municipal elections.

Thank you for your trust and continuing support in us.

If you have any questions or comments, please do not hesitate to contact me.

Yours truly,

AIRD & BERLIS LLP



John Mascarin
Partner

JM

October 7, 2021
Page 2

APPENDIX "A"

Lawyer, Title, Year of Call	Hourly Rate
John Mascarin, Partner, 1989	\$750.00
Meghan Cowan, Partner, 2013	\$525.00
Laura Dean, Associate, 2015	\$460.00
Meaghan Barrett, Associate, 2016	\$445.00
Daria Peregoudova, Associate, 2017	\$410.00
John Pappas, Associate, 2020	\$375.00
Amelia McLeod, Associate, 2021	\$340.00

Notes:

1. The foregoing rates will be reviewed and adjusted on an annual basis.
2. The foregoing rates do not include taxes or disbursements.

46127354.1

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2021-57**

**A BY-LAW TO CONFIRM GENERALLY ALL ACTIONS AND PROCEEDINGS OF
THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTH
FRONTENAC ON OCTOBER 12, 2021.**

Whereas Section 8 of the *Municipal Act*, S.O. 2001 c. 25 and amendments thereto provides that a municipality has the capacity, rights powers and privileges of a natural person for the purpose of exercising its authority under the *Municipal Act* of any other *Act*; and;

Whereas Subsection 2 of Section 11 of the *Municipal Act* S.O. 2001, c. 25 and amendments thereto provides that a lower-tier municipality and an upper-tier municipality may pass by-laws respecting matters within the spheres of the jurisdiction described in the Table to Subsection 2, subject to certain provisions, and;

Whereas Section 5 of the *Municipal Act*, S.O 2001 c. 25 and amendments thereto provides that a municipal power, including a municipality's capacity, rights, powers and privileges under Section 8 shall be exercised by its council and by by-law unless the municipality is specifically authorized to do otherwise, and

Whereas the Council of the Township of South Frontenac deems it expedient to confirm its actions and proceedings;

**NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL CORPORATION OF
THE TOWNSHIP OF SOUTH FRONTENAC, HEREBY ENACTS AS FOLLOWS:**

1. The all actions and proceedings of the Council of the Corporation of the Township of South Frontenac taken at its regular meeting held on October 12, 2021 be confirmed as actions for which the municipality has the capacity, rights, powers and privileges of a natural person.
2. That all actions and proceedings of the Council of the Corporation of the Township of South Frontenac held October 12, 2021 be confirmed as being matters within the spheres of jurisdiction described in Subsection 2 of Section 11 of the *Municipal Act*, S.O. 2001, c.25 and amendments thereto.
3. That all actions and proceedings of the Council of the Corporation of the Township of South Frontenac taken at its regular meeting held on October 12, 2021 except those taken by by-law and those required by bylaw to be done by resolution are hereby sanctioned, ratified and confirmed as though set out within and forming part of this by-law.
4. 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.
5. This By-law shall come into force and take effect on the date of its passage.

Read a first and second time this 12 day of October, 2021.

Read a third time and finally passed this 12 day of October, 2021.

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

Ron Vandewal, Mayor

Angela Maddocks, Clerk