TOWNSHIP OF SOUTH FRONTENAC
Council Meeting Agenda

Meeting Number 31

TIME: 7:00 PM,
DATE: Tuesday, September 6, 2022
PLACE: VirtualCouncil Chambers.

1. *Call to Order and Roll Call*

a) Resolution

2. *Declaration of pecuniary interest and the general nature thereof*

3. *Approval of Agenda*

a) Resolution

4. *Scheduled Closed Session (at end of agenda)*

5. *Delegations - none*

6. *Public Meeting - not applicable*

7. *Approval of Minutes*

a) Resolution 5 - 13

8. *Business Arising from the Minutes*

9. *Reports Requiring Action*

a) **Council Chamber Furniture Upgrades** 14 - 23
- This report provides information on Council Chamber furniture and seeks approval for the allocation of additional funds towards the project and reallocation and the funding envelope.

b) **Next Generation 9-1-1 Agreement** 24 - 45
- This report provides information on the Next Generation 9-1-1(NG9-1-1) system and seeks authorization to enter into a service agreement with Bell Canada in order to meet the **r**egulatory framework to modernize emergency services communications.

c) **Commercial Card Policy** 46 - 59
- The report provides a proposed Commercial Card Policy which will replace the Township's current credit card policy.

d) **2022 Community Grants - Intake 2** 60 - 66
- The report provides a summary of Community Grants submissions received and the staff recommended allocation for Council approval

e) **Communal Services Governance - Business Case Study** 67 - 86
- This report provides information on the public meeting on the Communal Services Business Case and seeks approval for next steps

f) **Heritage Grant Program** 87 - 108

- This report recommends that Council approve the Heritage Grant Program. The Heritage Grant Program is intended to encourage and assist owners of designated heritage properties under the Ontario Heritage Act with the maintenance, conservation, restoration, and care of heritage properties. The goal of the program is to enhance heritage designation of buildings, recognize and promote the cultural heritage of the Township.

10. *Committee Meeting Minutes*

a) **Bellrock Community Hall Committee meeting held July 20, 2022** 109

11. *By-laws*

a) **By-law 2022-77 - Zoning By-law Amendment Application - 38 Phoebe Lane** 110 - 119
- This report recommends that Council pass a by-law to change the zone on the subject lands from Limited Service Residential - Waterfront (RLSW) to a property specific Limited Service Residential - Waterfront zone (RLSW-133) to permit the second storey of an accessory, detached garage to be used for human habitation similar to a sleeping cabin (i.e. sleeping accommodation only) and to permit this building to exceed the maximum building height permitted in the RLSW zone, and to have a reduced setback from the top of bank.

b) **By-law 2022-78 - Zoning By-law Amendment Application - 1466 Devil Lake Road** 120 - 126
- This report recommends that council pass a by-law to change the zone on a portion of the subject lands from Rural (RU) to Waterfront Residential (RW) to permit residential development on two waterfront properties that are accessed from a public road and also to limit the permitted uses to either a seasonal dwelling or a single detached dwelling.

c) **By-law 2022-79 - Zoning By-law Amendment Application - 73 Mill Bay Lane** 127 - 136
- This report recommends that Council pass a by-law to change the zone on the subject lands from Limited Service Residential - Waterfront (RLSW) to a property specific Limited Service Residential - Waterfront zone (RLSW-134) to permit the principal building to have a maximum of 12.4% lot coverage and to be setback 9.5 metres from the top of bank, and to prohibit accessory buildings and structures on the property.

d) **By-law 2022-80 - Stop up, close and sell a portion of an unopened Road Allowance between Concession 9 & 10 - Storrington** 137 - 142
- An application has been received by Development Services Staff to request tos top up, close and transfer a portion of an unopened road allowance.

e) **By-law 2022-81 and By-law 2022-82 - Implementation of Administrative Monetary Penalties – Noise By-law** 143 - 152
- The purpose of the Report is to provide Council with information regarding the proposed expansion of the application of Administrative Monetary Penalties (AMPs) to deter actions prohibited under By-law 2015-41, A By-law to

Prohibit and Regulate Noise Within the Township of South Frontenac.

f) **By-law 2022-83 - Hartington Equipment - Site Plan Control Application** 153 - 176
- This report recommends that Council pass a by-law to approve a Site Plan Control agreement for PIN 36142-0089, Part of Lot 6, Concession 7, District of Portland, South Frontenac. By-law 2022-58 requires site plan control to ensure that the Township's development standards will be met on the subject property.

g) **By-law 2022-84 - Zoning By-law Amendment Application - Battersea Road** 177 - 184
- This report recommends that Council pass a by-law to change the zone on the subject property to permit a single detached dwelling with a minimum 37 metre front yard setback

h) **By-law 2022-85 - Compliance Audit Committee – 2022 Municipal Elections** 185 - 195
- Council is asked to support the appointment of representatives of South Frontenac to the Joint Frontenac Compliance Audit Committee for the purposes of the 2022 Municipal Election and pass By-law 2022-85.

i) **By-law 2022-86 - Amendments to Dog Control By-law - Order to Muzzle** 196 - 201
- The purpose of the report is to provide Council with information regarding proposed amendments to the Dog Control By-law (By-law 2001-66) to permit an animal control officer to issue an order to muzzle in prescribed situations.

12. *Reports for Information*

a) **Investment Update** 202 - 204
- This report provides an investment update to June 30, 2022

b) **2022 Year to Date Financial Report to June 30, 2022** 205 - 212
- The report provides a summary of the year-to-date financials to June 30, 2022, with a comparison to the year-to-date 2022 budget.

c) **Building Services – Review of Timeframes to Issue Permits** 213 - 234
- This report responds to questions and concerns raised by Council at the August 9th, 2022 meeting regarding the timelines associated with processing building permits.

13. *Information Items*

a) **Ontario Sheep Farmers - Livestock Guardian Dogs and Municipal Dog Control By-laws** 235 - 238

14. *Notice of Motions*

15. *Announcements/Statements by Councillors*

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

17. *Closed Session*

a) **Resolution -** Council will move into a closed session as permitted by the Municipal Act, Section 239.2 (d) labour relations or employee negotiations, including municipal or local board employees, regarding organizational recruitment and to approve closed session minutes.

b) **Closed Meeting Minutes from January February and March, 2022**

c) **Closed Meeting Minutes from April and May 2022**

d) **Closed Meeting Minutes from June and July 2022**

e) **Organizational Recruitment Update**

f) **Resolution -** Move out of Closed Session

18. *Confirmatory By-law*

a) Resolution 239

19. *Adjournment*

a) Resolution

TOWNSHIP OF SOUTH FRONTENAC
Council Meeting Minutes

Meeting #30

Time: 6:00 PM
Location: Council Chambers & Electronic Participation

Present: Mayor Ron Vandewal, Ray Leonard, John McDougall, Alan Revill, Norm Roberts, Randy Ruttan, Ron Sleeth

Staff Present in Council Chambers: Louise Fragnito - Chief Administrative Officer, Angela Maddocks - Clerk, James Thompson - Deputy Clerk, Kyle Bolton - Director of Public Services, Claire Dodds - Director of Development Services, Shelley Stedall - Director of Corporate Services and Treasurer, Troy Dunlop - Manager of Technical Services and Infrastructure, Tim Laprade - Recreation and Arena Manager, Michelle Hannah - Planning Assistant.

Staff Present via Electronic Participation: Anna Geladi - Planner, Christine Woods - Senior Planner

1. Call to Order and Roll Call

a) **Resolution**

Resolution No. 2022-30-01
Moved by Councillor Revill
Seconded by Councillor Ruttan
That the Council meeting of August 9, 2022 be called to order at 6:00 p.m.

Carried

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

2. Declaration of pecuniary interest and the general nature thereof

a) There were no declarations reported.

3. Approval of Agenda

a) Resoltuion

Resolution No. 2022-30-02
Moved by Councillor Ruttan
Seconded by Councillor Sleeth
That the rules of the Procedural By-law 2017-76 be suspended to allow for a 6:00 pm start time and to move directly to the "Public Meeting" portion of the agenda at 7:00 pm to accommodate input on planning matters; and

That the agenda items identified be approved, recognizing the format is subject to adjustment based on timing.

Carried

4. Scheduled Closed Session (at end of agenda)

5. Delegations - none

6. Approval of Minutes

a) **July 12, 2022 Council Meeting**

Resolution No. 2022-30-03
Moved by Councillor Sleeth
Seconded by Deputy Mayor Leonard
That the minutes of the July 12, 2022 Council meeting be approved as presented.

Carried

7. Business Arising from the Minutes - none

8. Reports Requiring Action

a) **Project Award: Centennial Multipurpose Facility Roof Structure**

- This report provided information on awarding the contract for the Centennial Multipurpose Roof Structure

Resolution No. 2022-30-04
Moved by Councillor Sleeth
Seconded by Deputy Mayor Leonard
That Council approves the bid submission from Ubcon Construction Limited in the amount of $334,000 in relation to the Tender for PS-2022-14 - Centennial Multipurpose Facility Roof Structure; and

That Council authorize the Clerk and Mayor to enter into an agreement with Ubcon Construction Limited; and

That an additional $74,878 be allocated from the Infrastructure reserve to support the project.

Carried

b) **Conservation Signage - Devil Lake Boat Launch**

- The purpose of this report to provide Council with background on a request from the Devil Lake Association for the installation of privately funded educational and conservation signage at the Devil Lake boat launch on Perth Road

Resolution No. 2022-30-05
Moved by Councillor Roberts
Seconded by Councillor Revill
That Council support the request from the Devil Lake Association (DLA) for the installation of privately funded educational and conservation signage on public lands at the Devil Lake boat launch on Perth Road

Carried

9. Committee Meeting Minutes

a) Harrowsmith Beautification Committee meeting held July 6, 2022

Resolution No. 2022-30-06
Moved by Deputy Mayor Leonard
Seconded by Councillor Sleeth
That Council receives for information, the minutes of the Harrowsmith Beautification Committee meeting held July 6, 2022.

Carried

10. By-laws

a) **By-law 2022-70, 202-71. 2022-72 - Implementation of Administrative Monetary Penalties – Municipal By-law Enforcement**

- The Report provided Council with information regarding the proposed expansion of the application of Administrative Monetary Penalties (AMPs) to two Township of South Frontenac by-laws. The expanded use of AMPs will assist the Township of South Frontenac in deterring behaviours prohibited under the Trailer License By-law (By-law 2004-93) and the Safe Property By-law (By-law 2007-13).

Resolution No. 2022-30-07
Moved by Deputy Mayor Leonard
Seconded by Councillor Sleeth
That By-law 2022-71, being a by-law to amend By-law 2004-93 (The Trailer Licensing By-law) be given first and second reading.

Carried

Resolution No. 2022-30-08
Moved by Councillor Roberts
Seconded by Councillor McDougall
That By-law 2022-71, being a by-law to amend By-law 2004-93, be given third reading, signed and sealed.

Carried

Resolution No. 2022-30-09
Moved by Councillor Ruttan
Seconded by Councillor Revill
That By-law 2022-72, being a by-law to amend By-law 2007-13 (The Safe Properties By-law), be given first and second reading.

Carried

Resolution No. 2022-30-10
Moved by Councillor Roberts
Seconded by Councillor McDougall
That By-law 2022-72, being a by-law to amend By-law 2007-13, be given third reading, signed and sealed.

Carried

Resolution No. 2022-30-11
Moved by Councillor Roberts
Seconded by Councillor Sleeth
That By-law 2022-70, being a by-law to impose Administrative Monetary Penalties on violations of municipal by-laws, be given first and second reading.

Carried

Resolution No. 2022-30-12
Moved by Councillor Roberts
Seconded by Councillor McDougall
That By-law 2022-70, being a by-law to impose Administrative Monetary Penalties on violation on municipal by-laws, be given third reading signed and sealed.

Carried

b) **By-law 2022-73 - Site Plan Control Application - PL-SPR-2022-0078 - Shelly and Michael Lacelle (applicant); ZanderPlan Inc. (agent) - Unit 3, Johnston Point Plan of Condominium**

This report recommended that Council approve the individual site plan control application for Unit 3 in Johnston Point. This Unit is located on the west side of Hinterland Lane and is proposed to be developed with a single detached dwelling and a pool.

Resolution No. 2022-30-13
Moved by Councillor Roberts
Seconded by Deputy Mayor Leonard
That By-law 2022-73, 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 Shelly and Michael Lacelle, be given first and second reading.

Carried

Resolution No. 2022-30-14
Moved by Councillor Sleeth
Seconded by Councillor McDougall
That By-law 2022-73, be given third reading, signed and sealed.

Carried

c) **By-law 2022-74 - Site Plan Control Application - PL-SPR-2022-0069 - Brenda MacDonald & Dave Dobing (applicant); Unit 7, Johnston Point Plan of Condominium**

This report recommended that Council approve the individual site plan control application for Unit 7 in Johnston Point. This Unit is located on the west side of Hinterland Lane and is proposed to be developed with a single detached dwelling with attached garage.

Resolution No. 2022-30-15
Moved by Councillor McDougall
Seconded by Councillor Sleeth
That By-law 2022-74, 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 Brenda MacDonald and Dave Dobing, be given first and second reading.

Carried

Resolution No. 2022-30-16
Moved by Councillor Sleeth
Seconded by Councillor Revill
That By-law 2022-74, be given third reading, signed and sealed.

Carried

d) **By-law 2022-75 - Site Plan Control Application PL-SPR-2022-0077 - David and Ashley Logan (applicant); ZanderPlan Inc. (agent) - Unit 10, Johnston Point Plan of Condominium**

The report recommended that Council approve the individual site plan control application for Unit 10 in Johnston Point. This Unit is located on the east side of Hinterland Lane and is proposed to be developed with a single detached dwelling with an attached garage.

Resolution No. 2022-30-17
Moved by Councillor Roberts
Seconded by Councillor McDougall
That By-law 202-75, 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 David and Ashley Logan, be given first and second reading.

Carried

Resolution No. 2022-30-18
Moved by Councillor McDougall
Seconded by Deputy mayor Leonard
That By-law 2022-75, be given third reading, signed and sealed.

Carried

11. Reports for Information

a) **Quarterly Report - Capital Works Program**
The report to provided Council with the first of a series of new quarterly reports that will be issued going forward on the status of capital works projects within the Public Services Department

b) **2nd Quarter 2022- Planning Services Report**
This report documents the delivery of Planning Services within the Development Services Department between April 1, 2022 and April 30, 2022

c) **2nd Quarter 2022 - Building Services Report**
This report documents the delivery of Building Services within the Development Services Department between April 1, 2022, and June 30, 2022

12. Information Items

a) **2022 Q2 Update from Frontenac County Economic Development**

13. Notice of Motions

14. Announcements/Statements by Councillors

15. Public Meeting (7:00 pm)

a) **Resolutio**n - Public Meeting Statement for Zoning Applications

The Clerk noted that the first application in the public meeting is being held under the Municipal Act for the unopened road allowance application RC-21-03 to hear comments on the application as presented. The public meeting for this application was advertised in accordance with the Township's Notice By-law.

Resolution No. 2022-30-19
Moved by Councillor McDougall
Seconded by Councillor Ruttan
That a pubic meeting be held to allow for input on planning matters related to:

- Road Closing application RC-21-03 and

Zoning By-law Amendment Applications:

- PL-ZBA-2022-50
- PL-ZBA-2022-88
- PL-ZBA-2022-96
- PL-ZBA-2022-97

Carried

b) RC-21-03 (5006755 Ontario Ltd.) (Beach - Agent) – Application to stop up, close and transfer a portion of unopened road allowance between former Townships Portland and Loughborough

Ms. Hannah conducted a PowerPoint presentation regarding Application RC-21-03.

Councillor Sleeth noted that he has visited the site on four occasions over the past year. He expressed concern regarding the Council approving the application. He stated that the application should be denied.

Councillor Revill commented that he would consider closing a portion of the unopened road allowance to allow for clear title of the property line associated

with the building. He indicated that it is not in the interest of the public to close the right-of-way.

Councillor Ruttan stated that he is in agreement with the previous two speakers and mentioned that there is no reason to approve the application.

Deputy Mayor Leonard noted that he is in agreement with the previous speakers. He commented that approving the application would create hardship to other residents.

Councillor Roberts mentioned that he is in agreement with the previous speakers.

Councillor McDougall stated that he is supportive of the statements offered by other members of Council. He commented that the application is a divisive issue. He noted that he does not support the application.

In response to a question from the Mayor, Ms. Hannah provided additional clarification regarding license agreements and background information regarding additional access considerations. She spoke to the process associated with surveying and deeding a right-of-way. The Mayor sought further explanation regarding an encroachment agreement. Ms. Hannah responded that an encroachment agreement is not registered on title.

Mayor Vandewal indicated that he does not support the approval of the application. He commented that he would consider the suggestion proposed by Councillor Revill.

Mayor Vandewal afforded members of the public with an opportunity to provide comment.

Mr. Beach, Agent commented that many of the problems could be addressed if the unopened road allowance was closed and deeded to adjacent owners. He stated that currently there are not any agreements in place. He was of the opinion that it is the responsibility of the Township to maintain access. He stated that the applicant would be willing to permit a right-of-way to the north-west of the road allowance in question. He indicated that there has been some bad history and indicated that there is a need to resolve the problems and do the right thing. He stated that the practical solution is a surveyed private lane.

The Mayor noted that correspondence regarding this mater has been circulated to members of Council.

c) Zoning By-law Amendment Application - PL-ZBA-2022-0050 (Huehn)(Fotenn) – 38 Phoebe Lane

The Clerk provided direction on receiving notification of decisions made with respect to these applications for rezoning and the process to appeal a decision.

Ms. Geladi conducted a PowerPoint presentation regarding the application.

Councillor Revill stated that he is supportive of the application. He commented that secondary suites will eventually be permitted in the Township once the new Official Plan is approved. He indicated that this type of growth is supported by the Planning Act.

In response to a question from the Mayor, Ms. Dodds confirmed that the proposed structure will be required to conform to the Ontario Building Code.

Councillor Ruttan commented that in the past this type of application has been denied and stated that this type of development is now supported by the Planning Act. Ms. Dodds provided additional clarification regarding the application. She noted that the site is constrained and as such there is not the necessary space to accommodate a separate sleeping cabin and a detached garage. She explained that the zoning by-law amendment is drafted in such a way that the property owner is prohibited from building another sleeping cabin. She spoke to secondary suites in relation to the Planning Act and the new Official Plan.

The Chair afforded members of the public with an opportunity to provide comment.

Members of the public did not provide comment.

d) Zoning By-law Amendment Application - PL-ZBA-2022-0088 (Prikker) – 1466 Devil Lake Road

Ms. Geladi conducted a PowerPoint presentation regarding the application.

Councillor Revill indicated that he is supportive of the application.

The Chair afforded members of the public with an opportunity to provide comment.

Members of the public did not provide comment.

e) Zoning By-law Amendment Application - PL-ZBA-2022-0096, Battersea Road (102906003011515)

Ms. Woods conducted a PowerPoint presentation regarding the application.

Councillor Sleeth indicated that he is supportive of the application.

Councillor Roberts stated that he is supportive of the application.

In response to questions from Councillor McDougall and the Mayor, Ms. Woods provided clarification regarding the application in relation to the use of the nearby quarry.

Mayor Vandewal indicated that he is supportive of the application.

The Chair afforded members of the public with an opportunity to provide comment.

Members of the public did not provide comment.

f) Zoning By-law Amendment Application PL-ZBA-2022-0097 (Klassen) – 73 Mill Bay Lane

Ms. Geladi conducted a PowerPoint presentation regarding the application.

Mayor Vandewal commented that he is supportive of the application before Council.

Councillor Ruttan indicated that the application is mutually beneficial and as such he is supportive of the proposal.

Councillor Revill commended staff for the quality report and stated that he is supportive of the application.

The Chair afforded members of the public with an opportunity to provide comment.

Members of the public did not provide comment.

g) **Resolution** to Close Public Meeting

Resolution No. 2022-30-20
Moved by Councillor Roberts
Seconded by Councillor Ruttan
That having provided an opportunity for input, the public meeting be closed.

Carried

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

17. Closed Session

a) **Resolution**

Resolution No. 2022-30-21
Moved by Councillor Revill
Seconded by Councillor McDougall
That Council move into a closed session as permitted by the Municipal Act, Section 239.2 (d) labour relations or employee negotiations, including municipal or local board employees, regarding the organizational requirements for Human Resources.

Carried

b) **Human Resources Requirements**

c) **Resolution** - Move out of Closed Session

Resolution No. 2022-30-23
Moved by Deputy Mayor Leonard
Seconded by Councillor Sleeth
That Council move out of closed session.

Carried

18. Rise & Report

a) **Resolution**

Resolution No. 2022-30-24
Moved by Councillor McDougall
Seconded by Councillor Roberts
That Council approve the creation of the position of Manager of Human Resources.

Carried

19. Confirmatory By-law

a) By-law 2022-76

Resolution No. 2022-30-25

Moved by Councillor Roberts
Seconded by Deputy Mayor Leonard
That By-law 2022-76, being a by-law to confirm generally all actions and proceedings of the Council of the Township of South Frontenac be given first and second reading this 9 day of August, 2022.

Carried

Resolution No. 2022-30-26
Moved by Councillor Ruttan
Seconded by Councillor McDougall
That By-law 2022- 76, being the confirmatory by-law, be given third reading, signed and sealed this 9 day of August 2022.

Carried

20. Adjournment

a) **Resolution**

Resolution No. 2022-30-27
Moved by Deputy Mayor Leonard
Seconded by Councillor Roberts
That the Council meeting of August 9, 2022 be adjourned at 8:00 p.m.

Carried

Angela Maddocks, Clerk

Ron Vandewal, Mayor

Township of South Frontenac
Staff Report

To:	Council
Prepared by:	Office of the Chief Administrative Officer
Date of Meeting:	September 6, 2022
Subject:	**Council Chamber Furniture Upgrades**

Summary

This report provides information on Council Chamber furniture and seeks approval for the allocation of additional funds towards the project and reallocation and the funding envelope.

Recommendation

That Council support an increase in the budget allocation for Council Chamber furniture from $15,000 to $25,000

And further, that both the original budgeted expense along with the requested additional funds totalling $25,000 be funded from the COVID-19 Safe Restart Reserve.

Background

In the 2021 budget, Council approved an allocation of $15,000 towards upgrades to Council Chamber furniture. The upgrades are targeted to recognize the growing use of Council Chambers as an alternative meeting space as well as provide flexibility in table configuration in Council Chambers to support Council and staff attending meeting but also provide for public in-person access to meetings.

Discussion/Analysis

In it's current state, Council Chambers provides little to no space availability for public access.

Although most COVID-19 restrictions have been lifted, the various required changes throughout the pandemic highlighted the lack of flexibility and accommodations available with the current furniture in this space.

Working with an external consultant the CAO and Clerk were provide with the attached drawings for proposed layouts within Council Chambers with new furniture. The proposed layout includes the installation of permanent workspaces at the front of the room which would provide seating for the Mayor, CAO, Clerk and Deputy Clerk (page 2 of drawings attached). This upgrade to Council Chambers will provide a prominence reflective of its use

as a Council Chamber. The remaining furniture provides complete flexibility in its locations and storage with tables that are 30" wide to provide individual workspaces while increasing options for configuration.

From the included drawings, options presented under page 3 and 5 are the preferred configurations with page 5 providing the most space to accommodate public seating.

Along with the upgrades to Council Chambers, staff have also been reviewing upgrades to the existing microphone system in Council Chambers. The Director of Corporate Services has been in discussions with the County and Central Frontenac for the joint procurement of an upgraded system that will meet our current needs included a system that is portable so it can be set up at any site along with improved audio quality. A separate report will be provided to Council in the near future with an update on this project.

Financial Implications

The included drawings provide for upgrades to Council Chambers that include a permanent desk configuration as well as tables and chairs. Based on the consultants estimate, staff are seeking approval for an increased budget from $15,000 to $25,000.

Further, the original budget was being funded from reserves. However, the Township has remaining COVID-19 Safe Restart funding from the province that can be allocated to this project. It is staff's recommendation that the funding source be changed to the COVID-19 Safe Restart 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.

Climate Considerations

☒ Not applicable to this report.

☐ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change.

Notice/Consultation

Angela Maddocks, Clerk

Attachments

1. 2021 Capital Budget Sheet
2. Council Chamber Layouts

Approvals

Approved By:



Louise Fragnito
Chief Administrative Officer

SOUTH FRONTENAC

Capital Project Detail Sheet

Project Information

Project Name: **Council Chambers Furniture Upgrades**

Type of Project: **Other Capital**

Project Number: **21-34**

Basis for Activty: **Other**

Department: **CAO/Clerk**

Relationship to Strategic Plan: **N/A**

Description: New modular boardrom tables (staff/meetings) Includes Council configuration with revised COVID-19 setup/spacing
New ergonomic chairs x 4
(4 x $250, 14 x Tables $1,000)

Rationale: Recognize growing use of Council Chambers as alternative meeting space due to size-related capacity issues of other spaces as a result of covid; provides flexible meeting/board table configuration and staff table configuration for Council meetings.

Staff Contact: Neil Carbone, CAO

Project Finances

Operating Impacts: Budget Year(s) | Exp/(Rev) | FTE

Explanation:

Current (2021) Year Cost: $15,000

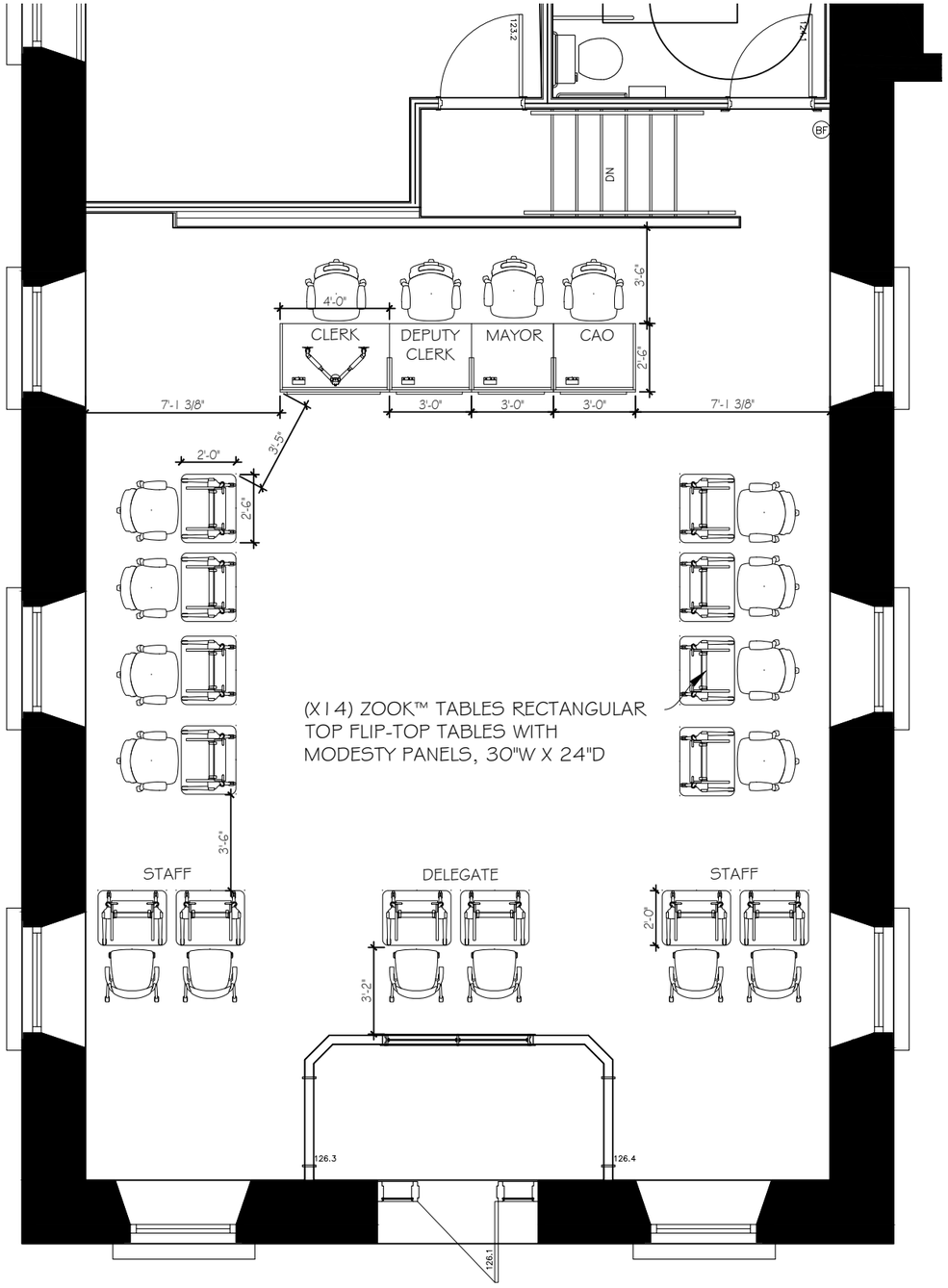
Prior Expensed to Date: $0

Total Project Cost: **$15,000**

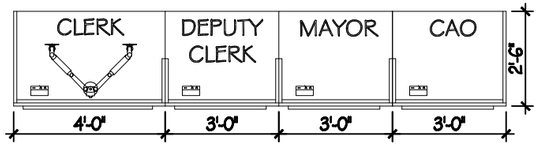
Phase(s)	Prior Approved	2021	2022	2023	2024	2025
Purchase	-	15,000	-	-	-	-
Design	-	-	-	-	-	-
Construction	-	-	-	-	-	-
Other	-	-	-	-	-	-
	-	-	-	-	-	-
Funding Source(s)						
Government Funding	-	-	-	-	-	-
Donations	-	-	-	-	-	-
Working Fund Reserve	-	7,500	-	-	-	-
User Fees	-	-	-	-	-	-
Taxation	-	7,500	-	-	-	-

TOWNSHIP OF SOUTH FRONTENAC

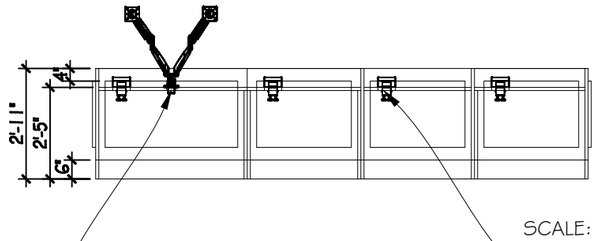
COUNCIL CHAMBERS | OPTION



SCALE: 3/16"= 1'-0"

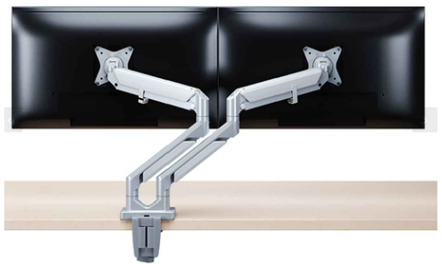


SCALE: 1/4"= 1'-0"



SCALE: 1/4"= 1'-0"

PLEASE INCLUDE GROMMET HOLE CUTOUT IN WORKSURFACE (X1) FOR WORKRITE JIBE DUAL MONITOR ARM (CLAMP MOUNT)



JIBE DUAL MONITOR ARM:
SPACE SAVING OVERLAP ARM DESIGN
SUPPORTS TWO 5–20 LB MONITORS
MAXIMUM MONITOR HEIGHT: 20.27"
ARTICULATION RANGE: 12.60"
FORWARD REACH: 22.67"
STOWED DEPTH: 3.55"
MONITOR:
TILT: +/- 40 DEGREES
PIVOT: +/- 90 DEGREES
ROTATION: +/- 90 DEGREES
STANDARD VESA (75 & 100 MM)
AVAILABLE IN SILVER, BLACK, & WHITE
INCLUDES C-CLAMP & GROMMET MOUNT OPTIONS
OPTIONAL USB KIT

PLEASE INCLUDE GROMMET HOLE CUTOUTS IN WORKSURFACES (X4) FOR WORKRITE CLAMP MOUNT POWER MODULE



ABOVE DESK CLAMP MOUNT POWER MODULE:
-TWO TAMPER-RESISTANT POWER RECEPTACLES
-TWO 5 V USB CHARGES—2.1 A EACH
-ELECTRICAL RATING: 125 V, 60 HZ, 15 A
-10' POWER CORD
-UNIT CLAMPS ABOVE WORK SURFACE
-AVAILABLE IN WHITE (W) OR BLACK (B) FINISH

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Client Approval:

Signature: _____

Date: _____

Rev.:	Date:	By:
X6	X6	X6
X5	X5	X5
X4	X4	X4
X3	X3	X3
2	8/3/2022	S. WILSON
1	7/22/2022	S. WILSON

WORKSPACE Interiors by GRAND&TOY

Client:
TOWNSHIP OF SOUTH FRONTENAC

Project:
COUNCIL CHAMBERS

Address:
4432 George St. Box 100
Sydenham ON, K0H 2T0

Title:
PROPOSED LAYOUT

Consultant:
RUNDEEP BAJWA

Drawn by:
S. WILSON

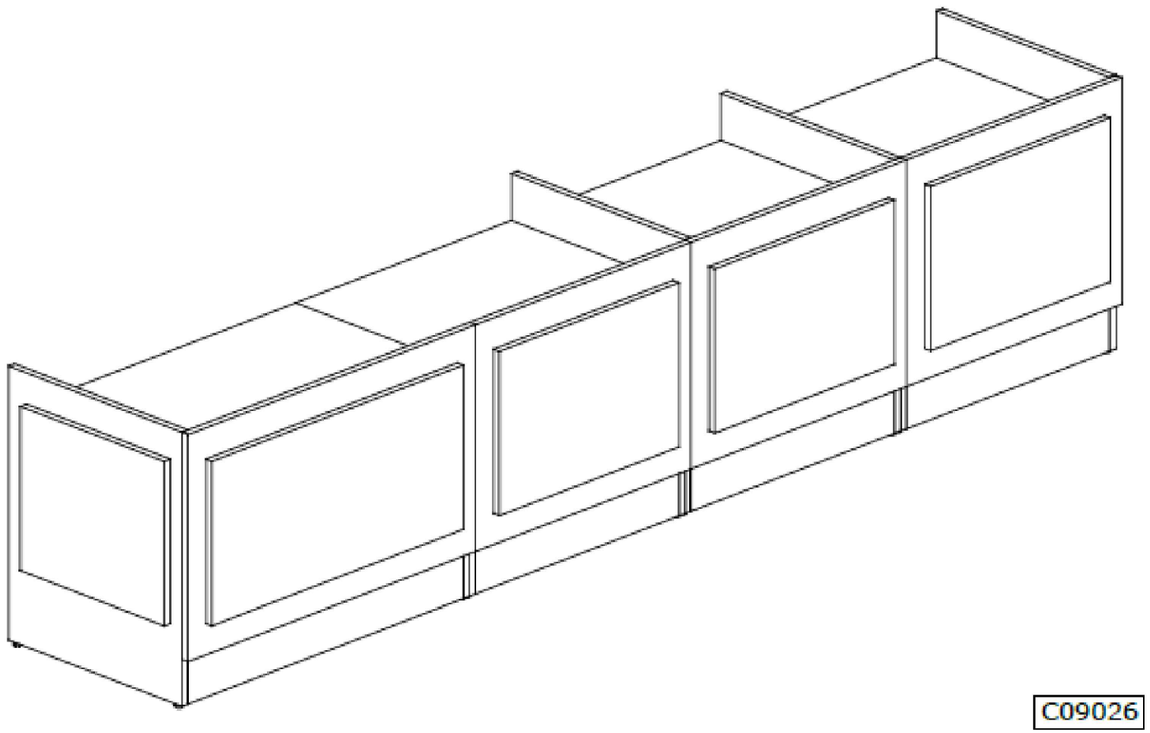
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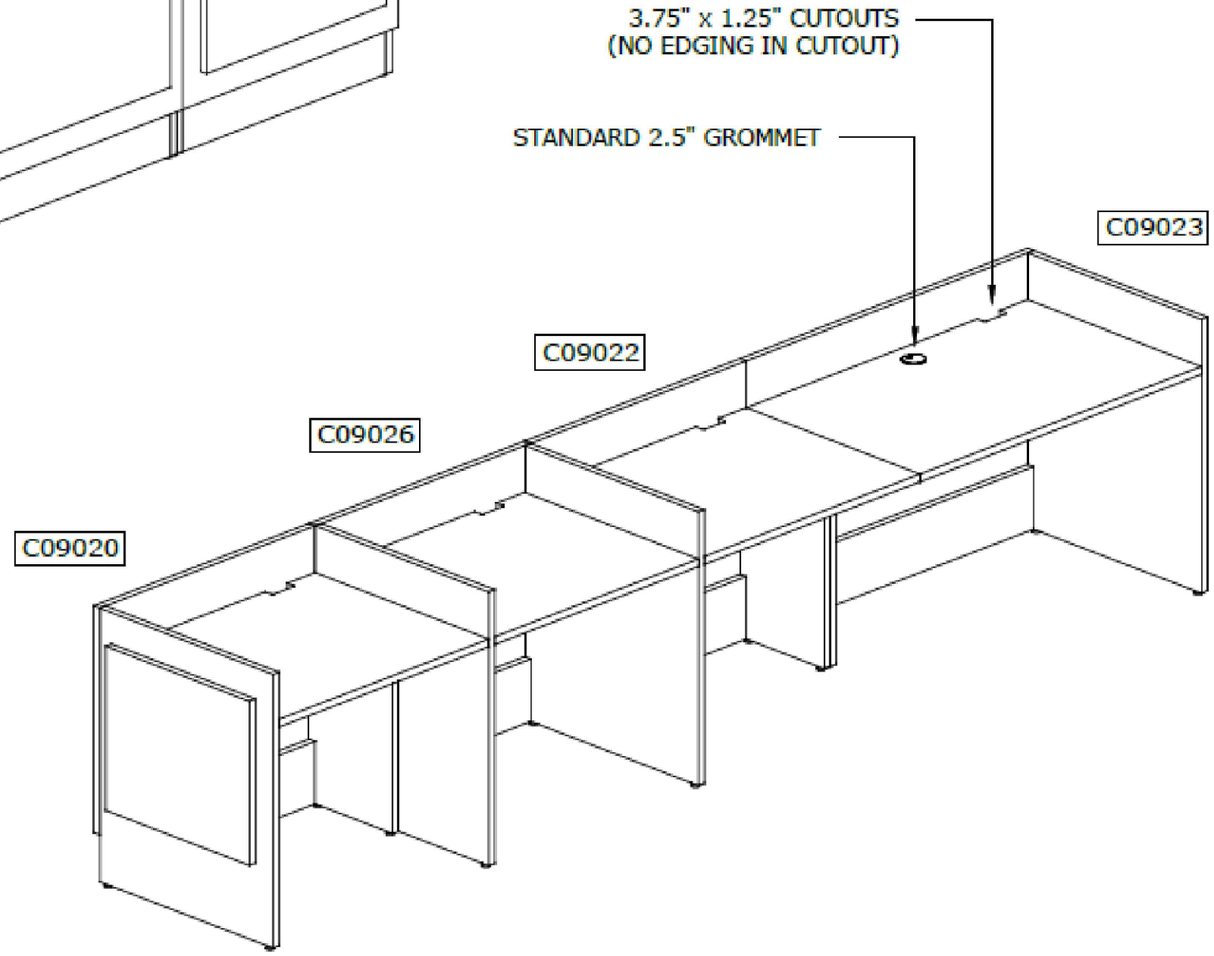
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TOWNSHIP OF SOUTH FRONTENAC

COUNCIL CHAMBERS | DESKS ISOMETRIC VIEW

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WORKSPACE Interiors by GRAND&TOY

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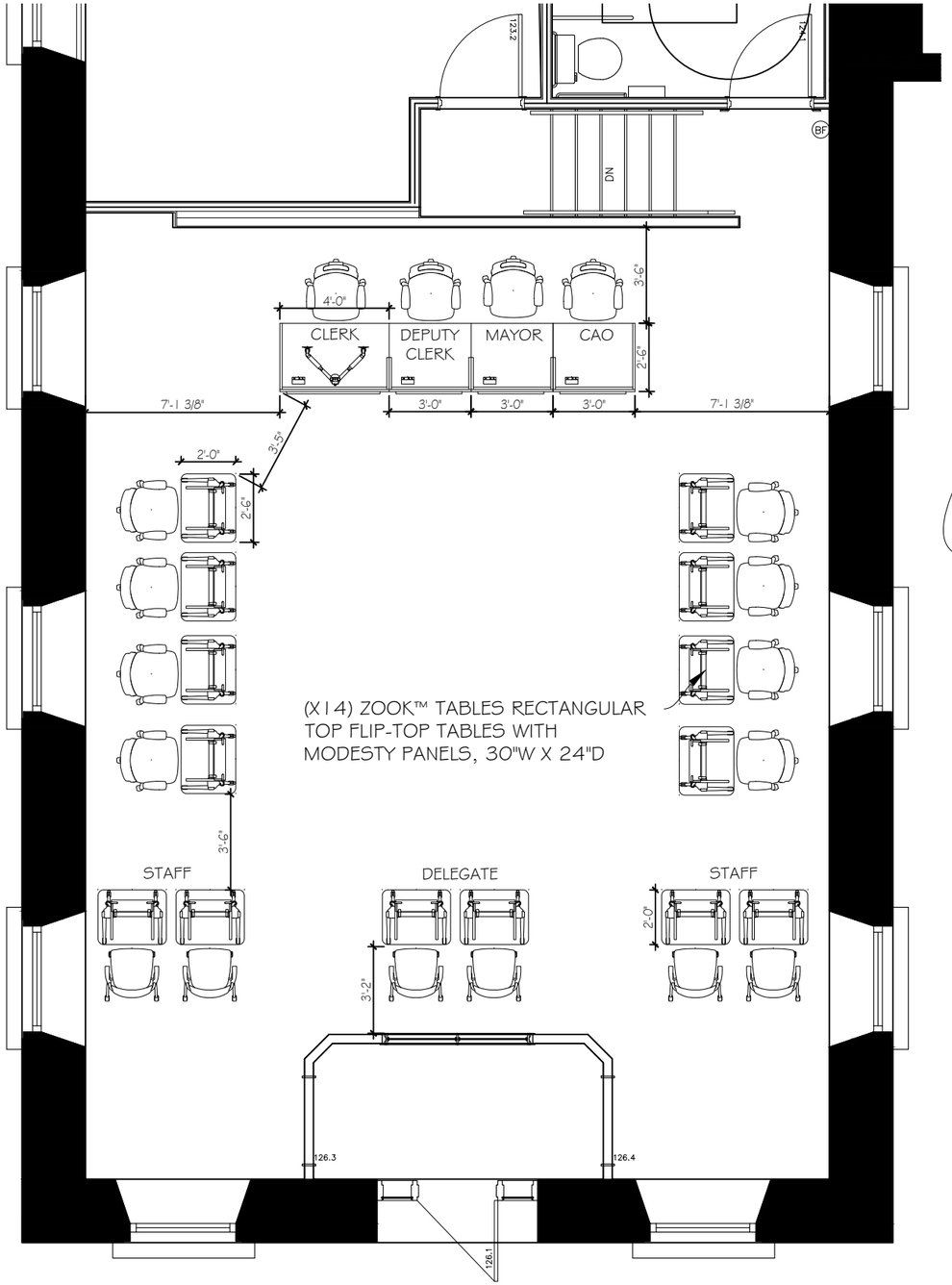
Drawn by:
S. WILSON

Date: 7/11/2022 | Folder: 13797

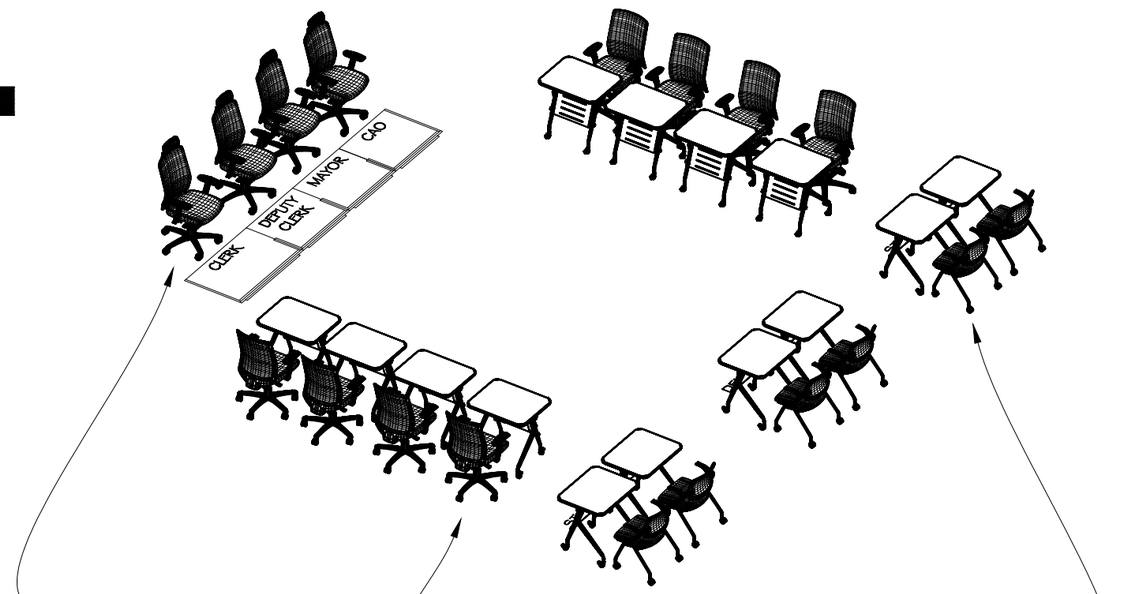
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TOWNSHIP OF SOUTH FRONTENAC

COUNCIL CHAMBERS | OPTION



SCALE: 3/16"= 1'-0"



(X4) SPRITZ™ WEIGHT SENSING SYNCHRO-TILTER WITH ADJUSTABLE HEADREST



(X8) SPRITZ™ WEIGHT SENSING SYNCHRO-TILTER



(X6) SPRITZ™ FLIP SEAT NESTING ARMCHAIR, CASTERS







(X14) ZOOK™ TABLES RECTANGULAR TOP FLIP-TOP TABLES WITH MODESTY PANELS, 30"W X 24"D

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2	8/3/2022	S. WILSON
1	7/22/2022	S. WILSON

WORKSPACE Interiors by GRAND&TOY

Client: TOWNSHIP OF SOUTH FRONTENAC

Project: COUNCIL CHAMBERS

Address: 4432 George St. Box 100 Sydenham ON, K0H 2T0

Title: PROPOSED LAYOUT

Consultant: RUNDEEP BAJWA

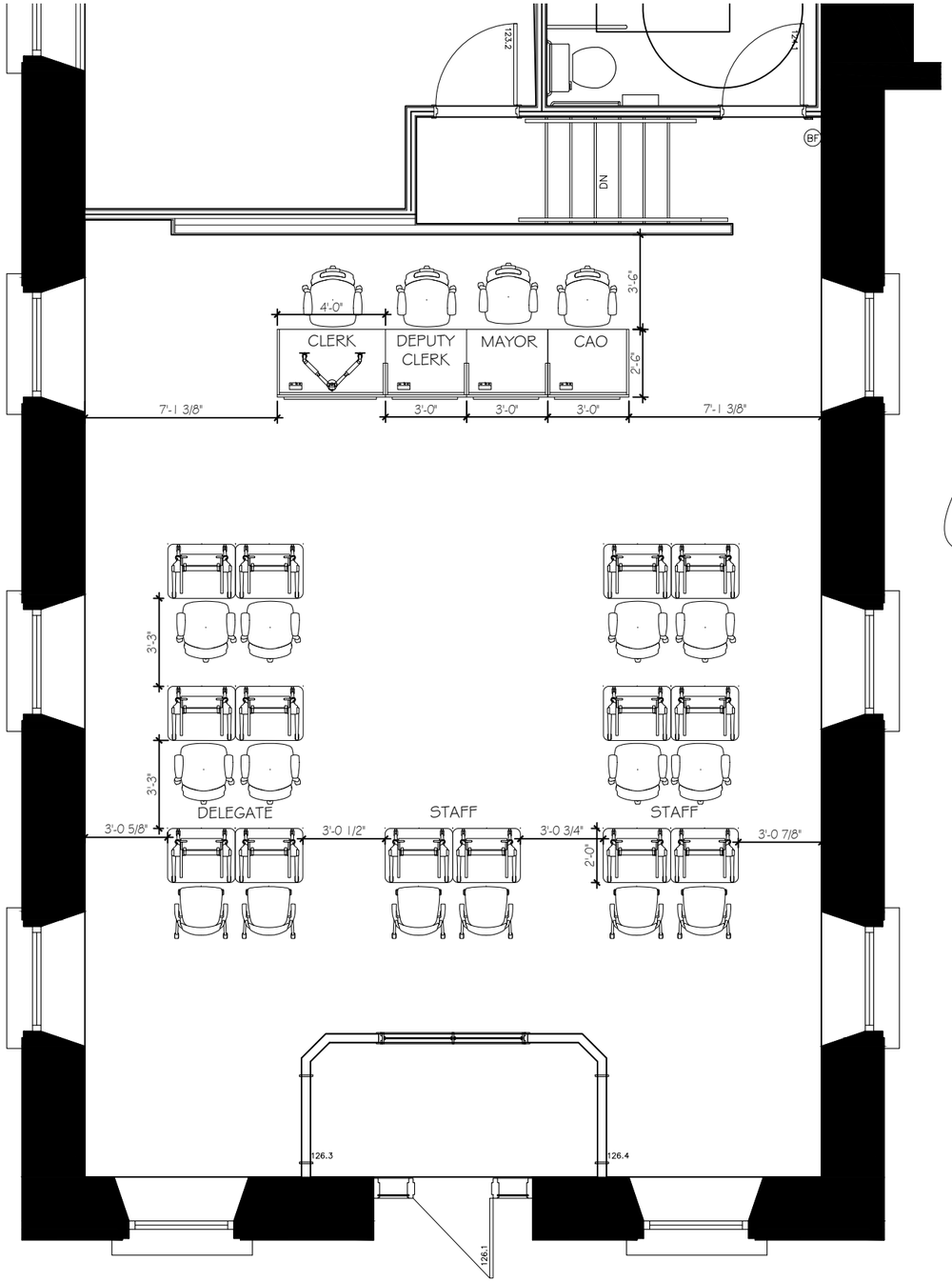
Drawn by: S. WILSON

Date: 7/11/2022 | Folder: 13797

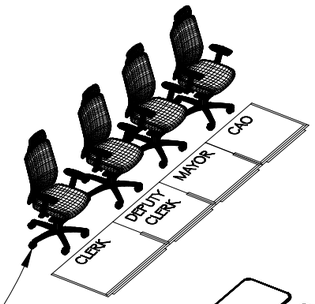
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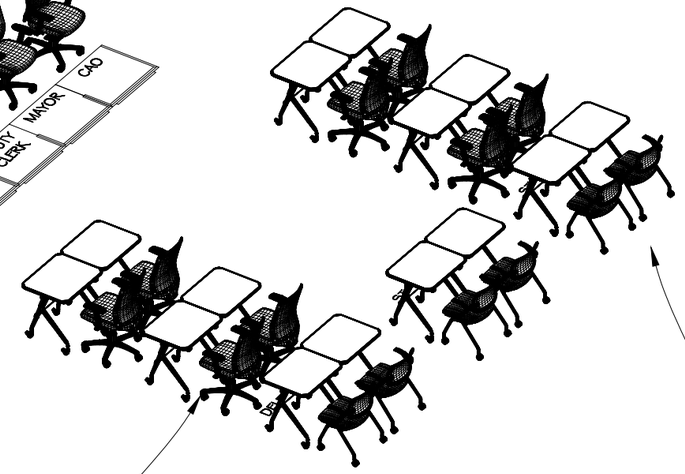
TOWNSHIP OF SOUTH FRONTENAC

COUNCIL CHAMBERS | CLASSROOM TYPICAL LAYOUT



SCALE: 3/16"= 1'-0"





(X4) SPRITZ™ WEIGHT SENSING SYNCHRO-TILTER WITH ADJUSTABLE HEADREST



(X8) SPRITZ™ WEIGHT SENSING SYNCHRO-TILTER



(X6) SPRITZ™ FLIP SEAT NESTING ARMCHAIR, CASTERS







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X5	X5	X5
X4	X4	X4
X3	X3	X3
2	8/3/2022	S. WILSON
1	7/22/2022	S. WILSON

WORKSPACE Interiors by GRAND&TOY

Client: TOWNSHIP OF SOUTH FRONTENAC

Project: COUNCIL CHAMBERS

Address: 4432 George St. Box 100 Sydenham ON, K0H 2T0

Title: PROPOSED LAYOUT

Consultant: RUNDEEP BAJWA

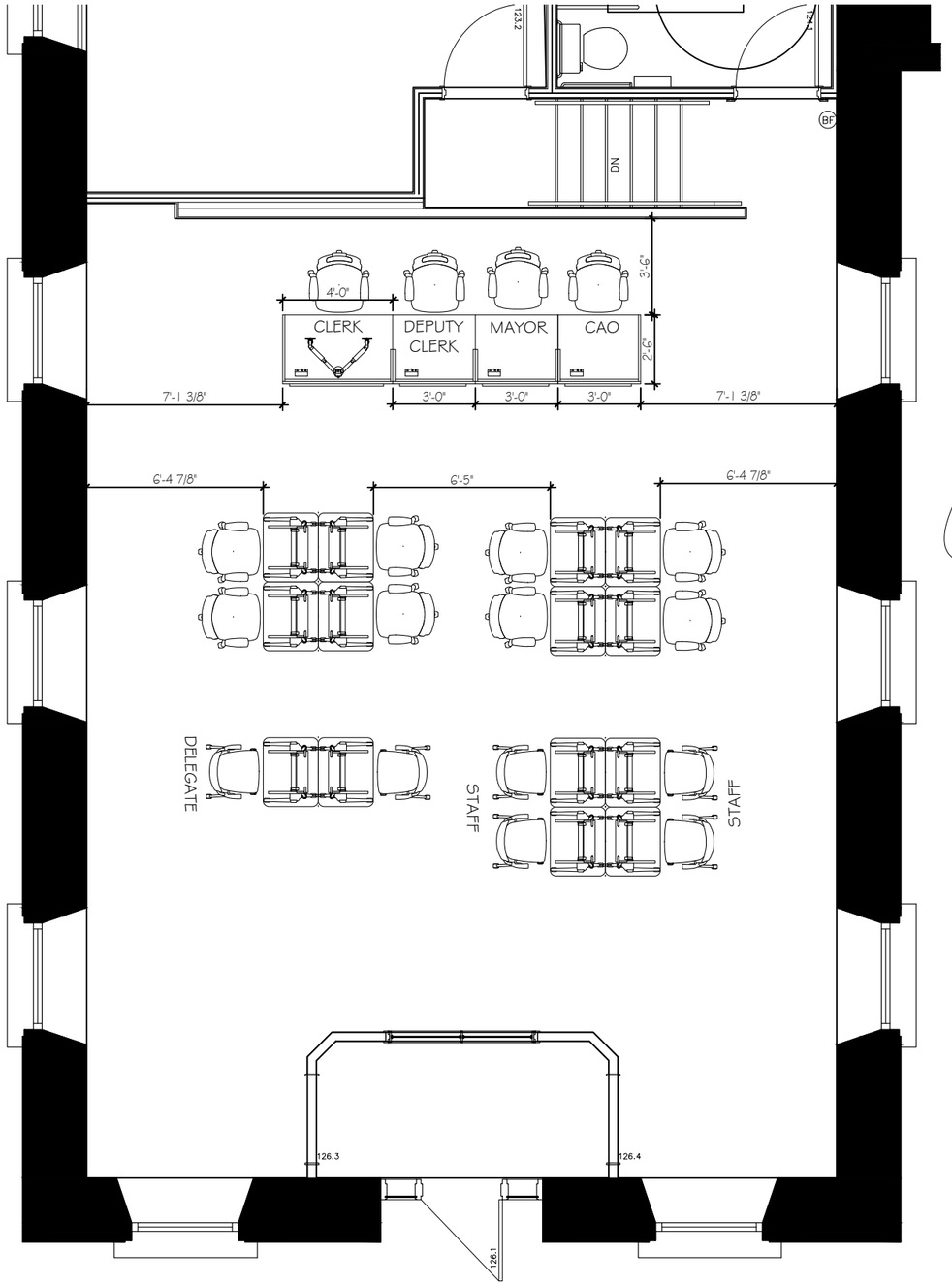
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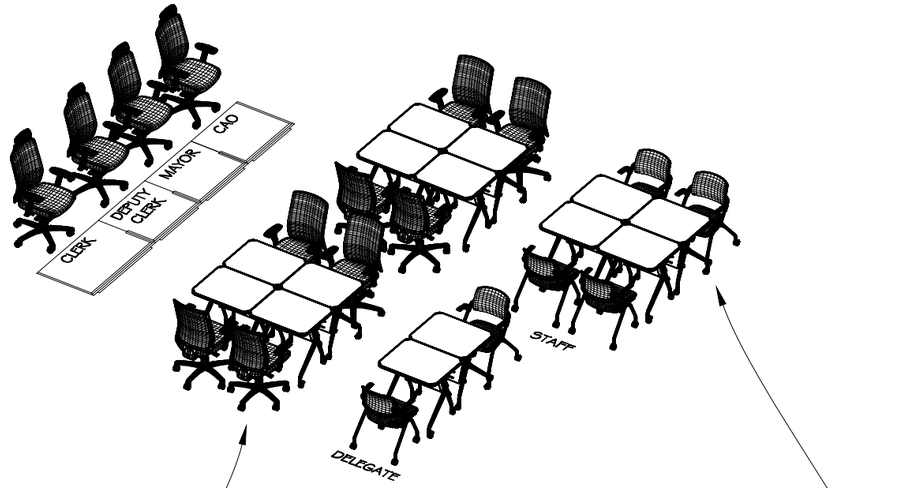
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TOWNSHIP OF SOUTH FRONTENAC

COUNCIL CHAMBERS | BREAKOUT TYPICAL LAYOUT



SCALE: 3/16"= 1'-0"



(X4) SPRITZ™ WEIGHT SENSING SYNCHRO-TILTER WITH ADJUSTABLE HEADREST



(X8) SPRITZ™ WEIGHT SENSING SYNCHRO-TILTER



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X3	X3	X3
2	8/3/2022	S. WILSON
1	7/22/2022	S. WILSON

WORKSPACE Interiors by S&T GRAND&TOY

Client:
TOWNSHIP OF SOUTH FRONTENAC

Project:
COUNCIL CHAMBERS

Address:
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Sydenham ON, K0H 2T0

Title:
PROPOSED LAYOUT

Consultant:
RUNDEEP BAJWA

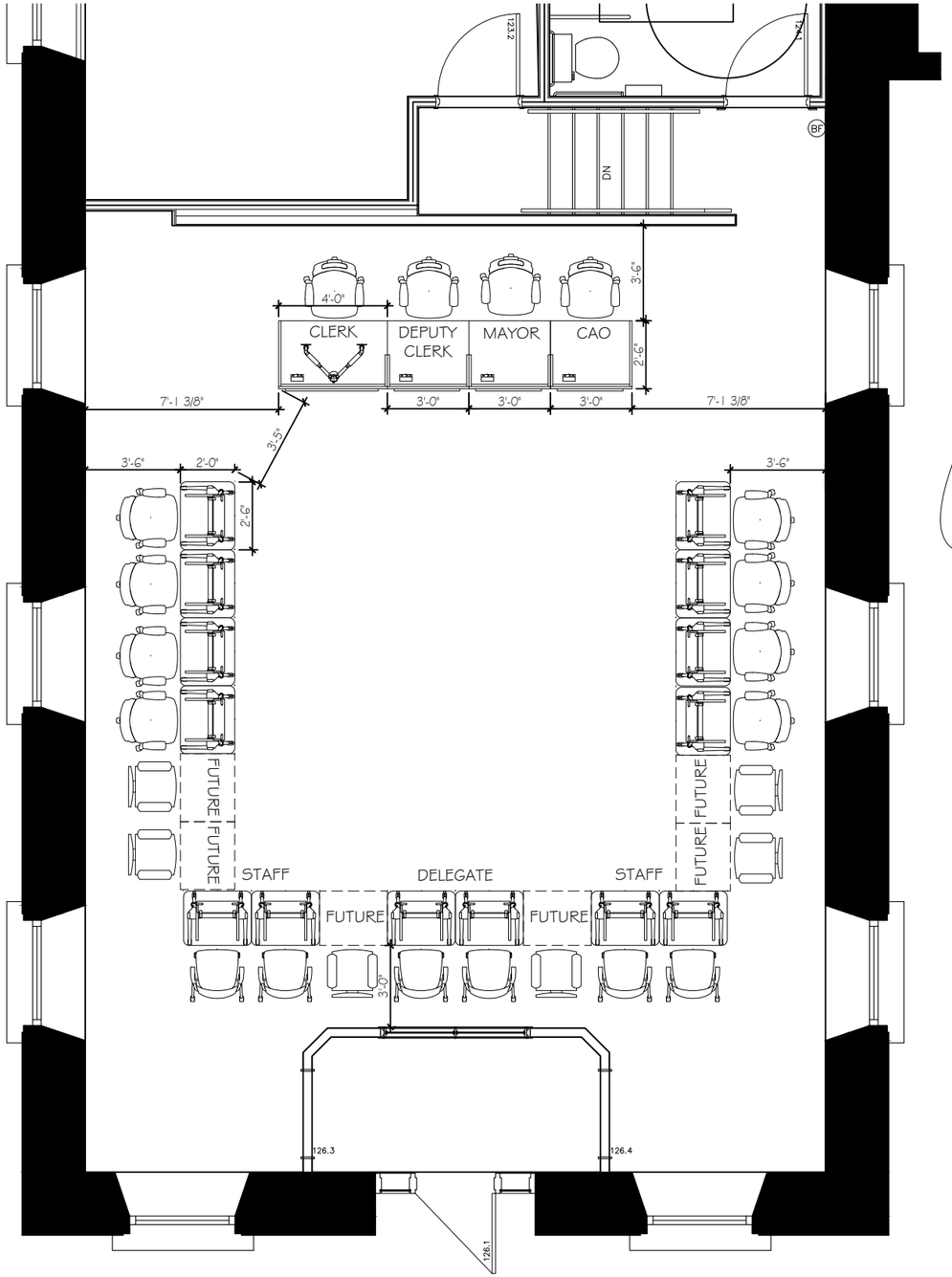
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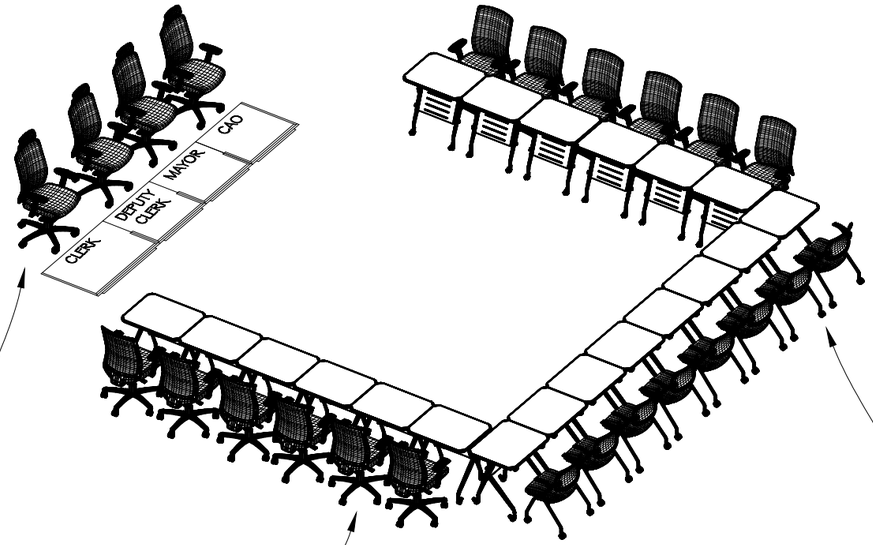
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TOWNSHIP OF SOUTH FRONTENAC

COUNCIL CHAMBERS | FUTURE GROWTH TYPICAL LAYOUT



SCALE: 3/16"= 1'-0"



(X4) SPRITZ™ WEIGHT SENSING SYNCHRO-TILTER WITH ADJUSTABLE HEADREST



QTY TBD
SPRITZ™ WEIGHT SENSING SYNCHRO-TILTER



QTY TBD
SPRITZ™ FLIP SEAT NESTING ARMCHAIR, CASTERS







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WORKSPACE Interiors by GRAND&TOY

Client: TOWNSHIP OF SOUTH FRONTENAC

Project: COUNCIL CHAMBERS

Address: 4432 George St. Box 100 Sydenham ON, K0H 2T0

Title: PROPOSED LAYOUT

Consultant: RUNDEEP BAJWA

Drawn by: S. WILSON

Date: 7/11/2022 | Folder: 13797

Scale: VARIES | Page: 7/7

Township of South Frontenac
Staff Report

To:	Council
Prepared by:	Office of the Chief Administrative Officer
Date of Meeting:	September 6, 2022
Subject:	**Next Generation 9-1-1 Agreement**

Summary

This report provides information on the Next Generation 9-1-1(NG9-1-1) system and seeks authorization to enter into a service agreement with Bell Canada in order to meet the regulatory framework to modernize emergency services communications.

Recommendation

That Council authorize the Mayor and the Clerk to sign the Next Generation 9-1-1 Authority Service Agreement on behalf of the Township.

Background

In 2017, the Canadian Radio-television and Telecommunications Commission (CRTC) released a regulatory framework for Next Generation 9-1-1 (NG9-1-1) across Canada. This mandates that all telephone companies update their networks to be ready for NG9-1-1 voice and text messaging. NG9-1-1 will modernize emergency service communications.

Bell Canada, the NG9-1-1 service provider in Ontario, has provided a NG9-1-1 Authority Service Agreement. This new Agreement is required to be signed between Bell and municipal 9-1-1 Authorities and will replace all existing 9-1-1 agreements.

Discussion/Analysis

The 9-1-1 Municipal Authority plays a critical role in advancing NG-9-1-1 forward. Public Safety Answering Points (PSAPs) are unable to migrate to NG-9-1-1 until the new agreements have been signed.

The County of Frontenac is working on transition requirements, including:

- review and comparison of existing road naming and civic addressing by-laws, to identify similarities, differences, and inconsistencies between the documents.

- drafting a policy and procedures document to standardize the process(es) across the County. The County will be seeking input from Township staff to help establish this document.
- continue to validate address points across the region. With the help of a student, the County anticipate major progress this summer. To date, 75% of the civic address point have been verified.

A copy of the NG9-1-1 agreement is attached. Details specific to South Frontenac Township will be completed and Frontenac County GIS will be listed in Schedule G as the GIS aggregator / provider.

Financial Implications

In 2021, the County added an additional GIS specialist to be dedicated to upgrade the County's current 9-1-1 data to meet the requirements under NG9-1-1. South Frontenac provides a proportionate share of the associated costs of this position which is included within the GIS service agreement with the County.

No other financial implications are anticipated.

The different PSAPs serving the region will incur costs to upgrade their systems and equipment in preparation for NG9-1-1. (For Example: The City of Kingston provides dispatch for Fire Services.)

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.

Climate Considerations

☒ Not applicable to this report.

Attachments

NG9-1-1 Agreement

Approvals

Approved By:



Louise Fragnito
Chief Administrative Officer

NEXT GENERATION 9-1-1 AUTHORITY SERVICE AGREEMENT

This Agreement is between

[INSERT 9-1-1 AUTHORITY NAME], a municipality, local service board, first nation, province or other authorized signing authority located at **[INSERT ADDRESS]** (the "**9-1-1 Authority**")

AND

BELL CANADA, a company incorporated under the laws of Canada, and located at 1 carrefour Alexander Graham Bell, Building A7, Verdun, Quebec H3E 3B3 ("**Bell**")

WHEREAS Next Generation 9-1-1 Service (as defined below) is a service that replaces Enhanced 9-1-1 ("**E9-1-1**") service and is based on Internet Protocol (IP) technologies and supports 9-1-1 Calls natively IP end-to-end;

AND WHEREAS the Canadian Radio-television and Telecommunications Commission ("**CRTC**") determined in Telecom Decision CRTC 2015-531 that Canada's NG9-1-1 system should use the National Emergency Number Association standard ("**NENA i3**") as the baseline reference architecture;

AND WHEREAS in June 2017, the CRTC rendered Telecom Regulatory Policy CRTC 2017-182, which, among other things, directed all Incumbent Local Exchange Carriers ("**ILEC**"s) to establish Next Generation 9-1-1 networks by 9-1-1 network service providers;

AND WHEREAS Bell operates and manages a Next Generation 9-1-1 System serving the provinces where it is the ILEC and where requested by a Small Incumbent Local Exchange Carrier ("**SILEC**") to operate as the SILEC's NG9-1-1 network provider, including in the territory in which the 9-1-1 Authority operates.

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. DEFINITIONS

In this Agreement, in addition to those terms which are parenthetically defined, capitalized terms shall have the meanings ascribed to them in Schedule "A" (Definitions).

2. SCOPE OF AGREEMENT

(a) **Agreement:** The 9-1-1 Authority requests and Bell will provide to the 9-1-1 Authority the Next Generation 9-1-1 services (the "**NG9-1-1 Service**") described below and in the schedules attached to, and forming part of, this agreement (each a "**Schedule**") in accordance with the terms and conditions of this agreement. Altogether, the Tariffs (as defined in Section 2(b), the terms and conditions set out in this agreement, and the applicable Schedules form the "**Agreement**".

(b) **Tariffed Services and CRTC Approval:** The NG9-1-1 Service is regulated by the CRTC and shall only be provided in compliance with the applicable tariffs including CRTC 7400, Bell Canada National Services Tariff Item 601 – Next Generation 9-1-1 (NG9-1-1) Service (together with all applicable decisions, directions and orders of the CRTC, are referred to herein as the "**Tariffs**"), and the Tariffs, which form part of this Agreement, shall prevail in the event of a conflict with the terms and conditions set out herein.

(c) **Service Description:** The NG9-1-1 Service provides a managed, private, dedicated IP network referred to as the Emergency Services Internet Protocol network ("**ESInet**"). The ESInet provides the transport and interconnectivity for all i3-PSAPs within the Serving Area as well as Originating Service Provider networks supporting 9-1-1 Calls over IP-based networks and devices. For i3-PSAPs, the ESInet is delivered to the PSAP operations premise using Bell's IP VPN service to the PSAPs authorized by the 9-1-1 Authority. The NG9-1-1 Service also provides a series of applications and service interfaces known as NG9-1-1 Core Services ("**NGCS**") and may include other

third party applications from trusted entities as may be requested by the 9-1-1 Authority and agreed to by Bell. Bell provided NG9-1-1 Service features are described in the User-to-Network Interface ("**UNI**") and in Schedule 'B" (NG9-1-1 Network Features). 9-1-1 Authority agrees that Bell is not responsible nor liable for damages arising from 9-1-1 Authority's use of third party applications in conjunction with the NG9-1-1 Service.

(i) In accordance with CRTC 7400, Bell Canada National Services Tariff Item 601, Bell agrees to:

A. Provide NG9-1-1 Service to the 9-1-1 Authority within the Serving Area;

B. Provide ESInet IP connection with redundant and, dependent upon availability, diverse facilities to PSAP locations designated by the 9-1-1 Authority and as listed in Schedule "C" (PSAP Designations & Locations);

C. Selectively route and enable selective transfer of 9-1-1 Calls to the Primary-PSAP, Secondary-PSAPs and Dispatch Agency according to policy routing rules crafted to the needs of the 9-1-1 Authority, including those described in PSAP Contingency Plans;

D. Transmit geodetic and/or civic location information, call back number of the 9-1-1 Caller and any additional available data elements as made available by the Originating Network Provider ("**ONP**");

E. Receive, aggregate and maintain into a single dataset representative of Bell's entire serving area, mapping and addressing information provided by the 9-1-1 Authority or to its designee;

F. Perform Quality Assurance and Quality Control (QA/QC) on the aggregated dataset and provide mapping and addressing discrepancy / errors reporting back to the 9-1-1 Authorities or to their designees;

G. Maintain a dedicated 24X7 9-1-1 Control Centre to support the NG9-1-1 Service;

H. Maintain a Basic 9-1-1 Final Routing Alternative involving a third-party call centre, such as those used for nomadic VoIP calls; and

I. Enable access to location information when provided by-reference by the ONP with the original NG9-1-1 call;

J. Enable access to the additional data repositories provided by trusted entities as defined by the CRTC.

(ii) The 9-1-1 Authority agrees to:

A. Designate Primary PSAPs, Secondary PSAPs and Back-Up PSAPs to answer and dispatch 9-1-1 Calls in the Serving Area;

B. Where not otherwise defined by applicable provincial legislation and absent a provincial body that acts as a GIS data aggregator, create, maintain and update all boundaries, addressing and mapping information according to applicable standards (MSAG and GIS) and perform quality assurance and control on the data prior to submission. If a third party is to provide the GIS data on behalf of the 9-1-1 authority, such party shall be identified in Schedule "G", and that 9-1-1 specific GIS data layers must be provided directly to Bell in a secure manner without transiting through any shared open platform;

C. Take responsibility for changes to the 9-1-1 call routing resulting from submitted GIS data.

D. Ensure that all designated PSAPs are compliant with specifications and guidelines outlined in Schedule “D” (Specifications & Guidelines);

E. Ensure, all PSAPs in the Serving Area are compliant with the deployment criteria listed in Schedule “E” (Deployment Criteria);

F. Ensure all PSAPs in the Serving Area have secure 9-1-1 data and systems which security includes physical security, network security, cybersecurity and all other considerations within the PSAPs domains;

G. Ensure all PSAPs in the Serving Area have and maintain current contact information and make it available as per the NENA i3 standard;

H. Ensure the Primary PSAP accepts specific planned test calls from the public;

I. Ensure the Primary PSAP implements a call handling solution that includes a test call interface and automaton as described in NENA i3;

J. Resolve mapping and addressing discrepancies / errors reported to the GIS Authorities by Bell in a timely manner or as otherwise specified in the discrepancy report;

K. Provide supporting technical and operational documentation as listed in Schedule “D” (Specifications & Guidelines) on the Bell 9-1-1 Flex Portal; and

L. Ensure Bell is provided in writing the information listed in Schedule F where the 9-1-1 Authority is a Government Provincial PSAP and ensure such information is current at all times.

(iii) The NG9-1-1 Authority acknowledges and agrees that NG9-1-1 Service resiliency, reliability and security depends upon the following:

A. The type and capabilities of the Originating Service Provider and the technology from which 9-1-1 Calls originate;

B. The accuracy of the data provided by the various NG9-1-1 stakeholders including the 9-1-1 Authority, PSAP and Originating Service Providers and other trusted entities;

C. The use of encryption and appropriate security protocols as described in Schedule E of this Agreement and as may be further developed over time; and

D. The availability of entrance diversity configuration, and physical attributes including the distance between entry points and power diversity of the PSAP Location,

and agrees that ensuring the foregoing elements are the best available will improve its experience with the NG9-1-1 Service.

(iv) Bell and 9-1-1 Authority agree that the implementation of Next Generation 9-1-1 Service within the Serving Area shall be carried out pursuant to the User-to-Network Interface (UNI) Technical Specification Document and the requirements established by the CRTC, and the Parties agree to update this Agreement as the CRTC requirements evolve.

(v) The NG9-1-1 Service allows for many new feature possibilities with regards to types of data that can be transmitted. The availability of these features may require upgrades to software and or hardware by the PSAP.

(vi) The NG9-1-1 Service will require security updates on an ongoing basis. To ensure the security of the NG9-1-1 Service, the NG9-1-1 Authority commits to ensure the PSAPs selected to serve its inhabitants, apply security updates (including any security patches) promptly. In the event of a PSAP failure to apply security updates Bell may, in its sole discretion, remove the PSAP from Bell's ESInet.

(vii) In the event a PSAP is removed from Bell's ESInet, 9-1-1 Calls destined for the PSAP will be rerouted in accordance with the PSAP's defined Policy Routing Rules.

(d) **Bell Providers:** Bell may perform its obligations under this Agreement through its affiliates (as defined in the *Canada Business Corporations Act*) (an "**Affiliate**"), agents, suppliers or subcontractors (the "**Bell Providers**"), but Bell shall not be relieved of its obligations by using the Bell Providers.

3. FEES

The CRTC approved Tariffs set out certain rates, fees, and charges and capital, development or installation costs (if any) (the "**Fees**") applicable to the NG9-1-1 Services. The 9-1-1 Authority shall pay Fees that are specified in the Tariffs. For services related to the NG9-1-1 Services but not specified or included in the Tariffs, such as expenses related to additional sites or circuits the 9-1-1 Authority may require beyond those provided for by the Tariff, the 9-1-1 Authority shall pay the fees as agreed to by the Parties. The 9-1-1 Authority shall also pay applicable taxes levied or assessed by taxing authorities or imposed by third-party providers in the rendering of services required by the 9-1-1 Authority, if any, (collectively "**Taxes**"). The 9-1-1 Authority shall pay Fees and Taxes within 30 days of the invoice date. Fees and Taxes are subject to a late payment charge ("**Late Payment Charge**") at the rate specified in the invoice, which rate may vary from time to time, calculated from the invoice date, if Fees and Taxes are not paid within 30 days of the invoice date. For clarity, a 9-1-1 authority may arrange for their designated PSAP to pay applicable Fees and Taxes on their behalf and request that invoices for services rendered with respect to the NG9-1-1 services be sent directly to the designated PSAP.

4. TERM AND TERMINATION

(a) **Term:** The term of this Agreement (the "**Initial Term**") will begin on the date it is signed by the 9-1-1 Authority (the "**Effective Date**") and it will expire or terminate after ten (10) years unless otherwise terminated under the terms of this Agreement.

(b) **Renewal Term(s):** If permitted under the relevant Tariffs, upon expiry of the Initial Term the Agreement shall be automatically renewed for successive periods of five (5) years each unless one party gives to the other at least six (6) months written notice of termination prior to the end of the initial term or any renewal period (in each case, a "**Renewal Term**"). The Initial Term and any Renewal Term(s) are collectively referred to as the "**Term**".

(c) **Termination or Suspension of a Service:** Bell may immediately suspend the entirety or a portion of the NG9-1-1 Service where Bell has reasonable cause to believe that the 9-1-1 Authority's traffic is compromised or otherwise poses a risk to the NG9-1-1 Service. For any reason other than the integrity of NG9-1-1 Service, the 9-1-1 Authority may terminate the NG9-1-1 Service, or Bell may terminate or suspend the NG9-1-1 Service, in accordance with the terms of the relevant Tariffs with six (6) months prior written notice.

5. LIMITATION OF LIABILITY

(a) Bell's liability for the performance of its obligations pursuant to this Agreement shall be subject to and governed by Bell's Tariffs.

(b) The 9-1-1 Authority and Bell shall, during the Term, maintain sufficient insurance to cover their respective obligations under this Agreement and shall provide evidence of same to the other party or, if either the 9-1-1 Authority or Bell is self-insured, provide to the other party evidence that is satisfactory to that party that the 9-1-1

Authority and/or Bell, as the case may be, is and will be, at all relevant times, in a position to face successfully its monetary obligations stemming from liability under this Agreement.

6. CONFIDENTIAL INFORMATION

(a) **"Confidential Information**" means any data, documentation or other information of a proprietary or confidential nature of a party, or its Affiliates, or which is treated as confidential by a party or its Affiliates, whether or not identified as being confidential or proprietary, which is disclosed or made available to the other party in connection with the negotiation, preparation or performance of this Agreement. The design, installation, delivery or implementation of the Services, including pricing information, service levels and network design specifications shall constitute Confidential Information of Bell. Confidential Information excludes the 9-1-1 Authority's name, address and listed telephone number and any data, documentation or other information which is (i) in the public domain, (ii) known to the receiving party prior to receipt thereof from the disclosing party, or (iii) available to the receiving party on a non-confidential basis from a source other than the disclosing party , if that source or its source is not in breach of any obligations of confidentiality to the disclosing party ; or (iv) the receiving party can show to have been developed independently by the receiving party without using the Confidential Information of the disclosing party. The receiving party agrees to take such care to protect the confidentiality of the Confidential Information as would be taken by a reasonable party to protect its own Confidential Information from disclosure subject to the exceptions set out below.

(b) Except as: (i) permitted or required by law, regulation or lawful request or to carry out its obligations; and (ii) required to receive or provide the Services under this Agreement, as applicable, the receiving party agrees not to use or disclose the Confidential Information without disclosing party's prior written consent. For clarity, any information exchanged between Bell and the 9-1-1 Authority, their employees, servants, agents and/or co-contractors pertaining to the design, the development, the implementation, the operation and the maintenance of the NG9-1-1 Service is confidential, and shall be provided only to such persons who have a need to know for the purposes of this Agreement.

(c) The 9-1-1 Authority consents to Bell disclosing 9-1-1 Authority information to the CRTC as required for the CRTC to approve any regulatory filings or CRTC requests for information related to the Services. Additionally, 9-1-1 information that is available with a 9-1-1 Call is provided on a confidential basis pursuant to CRTC 7400, Bell Canada National Services Tariff Item 601 as an exception to Item 10 Article 11 of the Bell Canada General Tariff and shall be used for the sole purpose of answering and dispatching 9-1-1 Calls

(d) In the event that Bell is provided with access to the 9-1-1 Authority's End Users' information ("**End User Data**"), 9-1-1 Authority shall ensure that it has all the requisite consents for Bell to use such End User Data in the manner contemplated under this Agreement. The 9-1-1 Authority acknowledges and agrees that in the event that the 9-1-1 Authority provides Bell with access to End User Data where Bell is not required to have such access, Bell shall not be liable for any loss, unauthorized access to, or any other act or omission in relation to the End User Data.

(e) The 9-1-1 Authority and Bell agree to abide by all applicable legislation with respect to the protection of privacy in effect from time to time.

(f) The 9-1-1 Authority shall ensure their PSAPs comply with the terms of this Section 6. Bell shall only share Confidential Information pertaining to this Agreement with the PSAPs identified in Schedule "B" (PSAP Designations & Locations).

7. FORCE MAJEURE

(a) If there is a default or delay in a party's performance of its obligations under this Agreement (except for the obligation to make any payments under this Agreement), and the default or delay is caused by circumstances beyond the reasonable control of that party including fire, flood, earthquake, elements of nature, acts of God, epidemic, pandemic, explosion, power failure, third party caused damage to network infrastructure (e.g., a cable cut), war, terrorism, cyber terrorism/warfare, revolution, civil commotion, cyber terrorism/warfare, acts of public enemies, law, order, regulation, ordinance or requirement of any government or legal body having jurisdiction, or

labour unrest such as strikes, slowdowns, picketing or boycotts (each an "**Event of Force Majeure**"), then that party shall not be liable for that default or delay, and shall be excused from further performance of the affected obligations on a day-by-day basis, if that party uses commercially reasonable efforts to expeditiously remove the causes of such default or delay in its performance.

(b) Bell and the 9-1-1 Authority agree that in the Event of a Force Majeure the parties will co-operate and make all reasonable efforts to provide a temporary replacement service until the NG9-1-1 Service is restored. The costs required to provide temporary replacement service shall be borne as between Bell and the 9-1-1 Authority in accordance with the Parties' respective obligations as described in Sections 2(c)(i) & (ii) of this Agreement.

8. GENERAL PROVISIONS

(a) **No Resale:** The 9-1-1 Authority shall not resell or remarket any Service for commercial purposes under the terms and conditions of this Agreement.

(b) **Entire Agreement and Amendment:** This Agreement is the entire agreement between the 9-1-1 Authority and Bell with respect to the subject matter, and supersedes all prior agreements, understandings, commitments, undertakings, proposals, representations, negotiations and discussions on the subject matter, whether written or oral. There are no, and Bell shall not be liable for, conditions, agreements, representations, warranties or other provisions, express or implied (including through course of dealing), collateral or otherwise, relating to the subject matter of this Agreement, which induced either party to enter into this Agreement or on which either party places any reliance, other than those set forth in this Agreement. This Agreement shall not be amended other than by an instrument in writing signed by both parties and stating that the parties intend to amend this Agreement.

(c) **Assignment:**

(i) This Agreement shall bind and enure to the benefit of Bell and the 9-1-1 Authority and their respective successors and permitted assigns. Neither party may assign this Agreement in whole or in part, including any Schedule, without the prior written consent of the other party, not to be unreasonably withheld. However, without the other party's consent, subject to Paragraph (ii) below, a party may assign all or part of its benefits, rights or obligations under this Agreement to an Affiliate or to an entity in connection with any transaction or series of transactions pursuant to which all or a substantial part of the assigning party's business is assigned to or otherwise results in forming all or part of the business of such entity (including a present or future affiliate, whether by way of reorganization, consolidation, amalgamation, arrangement, merger, transfer, sale, change in control or otherwise, and, provided such entity, as assignee, agrees to be bound by this Agreement and assumes the obligations assigned under this Agreement pursuant to this Subsection, on and after the effective date of such assignment.

(ii) Bell's prior written consent shall be required in the event of a proposed assignment by 9-1-1 Authority if, in Bell's determination, the 9-1-1 Authority's proposed assignee is deemed to be (A) not credit worthy; (B) a competitor of Bell; or (C) non-compliant with any eligibility criteria for the Services. Bell may also assign any receivable that arises under this Agreement, any right to receive payment related to that receivable and any interest in that receivable or right to receive payment.

(d) **Governing Law:** This Agreement shall be governed by and interpreted according to the laws of Ontario unless the 9-1-1 Authority's head office is situated in Quebec. If the 9-1-1 Authority's head office is situated in Quebec, this Agreement shall be governed by and interpreted according to the laws of Quebec. The applicable governing law shall be determined as noted above without regard to any conflicts of law rules that might apply the laws of any other jurisdiction. The parties attorn to the exclusive jurisdiction of the courts of Toronto unless the 9-1-1 Authority's head office is situated in Quebec, in which case the Parties attorn to the exclusive jurisdiction of the courts of Montreal in respect of all matters arising out of or in connection with this Agreement except CRTC regulatory matters. For CRTC regulatory matters the parties attorn to the exclusive jurisdiction of the federal courts or tribunals of Canada.

(e) **Interpretation:** In this Agreement, the headings are for convenience of reference only and shall not affect its construction or interpretation. If there is any conflict between the terms of the main body of this Agreement and a

Tariff, if applicable to the Service in dispute, the terms of the applicable Tariff shall govern. If there is any conflict between the terms of the main body of this Agreement and the Schedules, the terms of the main body of the Agreement shall govern unless otherwise expressly provided in writing in a Schedule.

(f) **Waivers:** No waiver of any provision of this Agreement shall bind a party unless consented to in writing by that party. No waiver of any provision of this Agreement shall be a waiver of any other provisions, nor shall any waiver be a continuing waiver, unless otherwise expressly provided in the waiver.

(g) **Notice:** All notices and consents provided for shall be given in writing and delivered by personal delivery, prepaid first class registered or certified mail, by facsimile, by regular mail or e-mail. Notices delivered by facsimile shall be considered to have been received upon the sender obtaining a bona fide confirmation of such delivery. Notices delivered by e-mail shall include the following, and shall only be effective if the recipient provides by e-mail a confirmation of delivery and the date of acceptance of the delivery: (i) sender's name, address, telephone number, fax number and e-mail address; (ii) date and time of the transmission; and (iii) the name and telephone number of a person to contact in the event of transmission problems. Delivery of notices after 4:00 p.m. at the address being served constitutes delivery the following day. Notices delivered by regular mail shall be deemed received on the fifth day after the notice has been mailed. The address for notice shall be:

For the **9-1-1 Authority**,

_____

_____

_____; and

For **Bell**,

c/o 9-1-1 Service Team
930 d'Aiguillon, B320
Quebec, G1R 5M9

Email: signatures.911@bell.ca

With a copy to,

c/o Corporate Secretary
1 Carrefour Alexander Graham Bell, Building A, 4th Floor
Verdun, Québec H3E 3B3.

Facsimile: (514) 766-8161

The 9-1-1 Authority shall notify Bell of a change in its billing address and any change in its corporate name or any business or trade name used in connection with the Services.

(h) **Severability:** If any provision of this Agreement is found by a court of competent jurisdiction to be invalid, illegal or unenforceable, the other provisions of this Agreement shall not be affected or impaired, and the offending provision shall automatically be modified to the least extent necessary in order to be valid, legal and enforceable.

(i) **Survival:** The following Sections of this Agreement shall survive termination or expiration of this Agreement: Sections 3 (Fees), 4(c) (Termination or Suspension of a Service), 5 (Limitation of Liability), 6 (Confidential Information), and this Section 8 (General Provisions).

(j) **Counterparts:** This Agreement may be signed in one or more counterparts (including through electronic signatures), each of which shall be considered an original and all of which, taken together, shall constitute one and the same instrument.

(k) **Language:** The parties have requested that this Agreement and all correspondence and all documentation relating to this Agreement be written in the English language. Les parties aux présentes ont exigé que la présente entente, de même que toute la correspondance et la documentation relative à cette entente, soient rédigées en langue anglaise.

(l) **No Partnership and Third-Party Beneficiaries:** Bell is an independent contractor of the 9-1-1 Authority. The Agreement shall not be construed to and does not create a relationship of agency, partnership, employment or joint venture. Nothing in this Agreement, express or implied, shall or is intended to confer on any other person, firm or enterprise, any rights, benefits, remedies, obligations or liabilities of this Agreement, other than the parties, their respective successors or permitted assigns.

[9-1-1 AUTHORITY NAME]	**BELL CANADA**
SIGNATURE: _____	SIGNATURE: _____
NAME: _____	NAME: _____
TITLE: _____	TITLE: _____
I am authorized to bind the 9-1-1 Authority to the terms and conditions of this Service Schedule.	I am authorized to bind Bell Canada to the terms and conditions of this Service Schedule.
DATE: _____	DATE: _____

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Schedule "A"

DEFINITIONS

In this Agreement, in addition to those terms which are parenthetically defined, capitalized terms shall have the meanings ascribed to them in this Schedule "A" and where not otherwise defined in this Agreement, as ascribed in the current Network Interconnection (UNI) Document.

"**9-1-1 Authority**" means the municipality, local service board, first nation, province or any other authorized signing authority responsible for 9-1-1 service operations pursuant to the Bell Canada National Services Tariff Item 601 – Next Generation 9-1-1 (NG9-1-1) Service, and defined as the 9-1-1 Authority party to this Agreement;

"**9-1-1 Call**" means a request for public safety assistance signalled by a 9-1-1 Caller using a device and communications service supporting 9-1-1 dialling, and delivered through the NG9-1-1 Service, regardless of the media (e.g., voice, video, text, other) used to make that request;

"**9-1-1 Caller**" means end user dialing 9-1-1;

"**9-1-1 Control Centre**" means a dedicated 9-1-1 24/7 support, maintenance and surveillance centre;

"**Agreement**" has the meaning ascribed to it in Section 2(a);

"**Back-Up PSAP**" or "**Back-Up Public Safety Answering Point**" means the back-up PSAP as identified by the 9-1-1 Authority in Schedule "C";

"**Basic 9-1-1 Final Routing Alternative**" means the designated last resort routing destination involving a third-party call centre, such as those used for nomadic VoIP calls;

"**Bell 9-1-1 Flex Portal**" means a secure Web site accessible from the public Internet for Customers to access information pertaining to its NG9-1-1 Services.

"CEE" means Customer Edge Equipment and refers to the peering equipment provided by the customer, facing the Bell Customer Edge router;

"**CRTC**" or "**Canadian Radio-Television and Telecommunications Commission"** has the meaning ascribed to it in the preamble to this Agreement;

"**Effective Date**" has the meaning ascribed to it in Section 4(a);

"**End User Data**" has the meaning ascribed to it in Section 6(d);

"**Event of Force Majeure**" has the meaning ascribed to it in Section 7(a);

"**ESInet**" has the meaning ascribed to it in Section 2(c)(i);

"**GIS Authority**" means a body that has control over and the power to make decisions about the source addressing and GIS data which is responsible for providing aggregated GIS/addressing data on behalf of the 9-1-1 Authority to the NG9-1-1 Service Provider for the purpose of NG9-1-1 Service;

"**GIS Data Provider**" means an entity that assigns addresses, creates, collects, maintains and shares spatial datasets. It may include addressing authorities (e.g. local, provincial and territorial governments, First Nations), 9-1-1 Authorities, and data aggregators;

"GIS" and "**Geographic Information System**" Means a system for capturing, storing, displaying, analyzing and managing data and associated attributes which are spatially referenced;

"**i3-PSAP**" means a Public Safety Answering Point (PSAP) conformant to the NENA i3 standard (NENA-STA-010), which is capable of receiving IP-based signaling and media for delivery of emergency calls;
"**Initial Term**" has the meaning ascribed to it in Section 4(a);

"**ILEC**" and "**Incumbent Local Exchange Carrier**" means the existing telephone companies, prior to the introduction of local competition;

"**Late Payment Charges**" has the meaning ascribed in Section 3;

"**Local Registration Authority**" have the meaning ascribed to them in CRTC Decision 2019-353;

"**MSAG**" or "**Master Street Address Guide**" means the database that contains street names and house number ranges within their associated communities defining Emergency Service Zones (ESZs) and their associated Emergency Service Numbers (ESNs) to enable proper selective routing and selective transfer of 9-1-1 calls in the legacy E9-1-1 environment;

"**NENA i3**" has the meaning ascribed to it in the preamble of the Agreement;

"**NG9-1-1**" means a secure, IP-based, open-standards based system comprised of hardware, software, data, and operational policies and procedures that (a) provides standardized interfaces from emergency call and message services to support emergency communications, (2) processes all types of emergency calls, including voice, text, data, and multimedia information, (3) acquires and integrates additional emergency call data useful to call routing and handling, (4) delivers the emergency calls, messages and data to the appropriate PSAP and other appropriate emergency entities based on the location of the caller, (5) supports data, video, and other communications needs for coordinated incident response and management and (6) interoperates with services and networks used by first responders to facilitate emergency response;

"**NG9-1-1 Network Provider**" means the CRTC mandated ILEC providing the ESInet/NGCS;

"**NG9-1-1 Service**" has the meaning ascribed to it in Section 2(c)(i);

"**NGCS**" and "**Next Generation 9-1-1 Core Services**" means the base set of services needed to process a 9-1-1 call on an ESInet. NGCS includes the Emergency Service Routing Proxy (ESRP), Emergency Call Routing Function (ECRF), Location Validation Function (LVF), Border Control Function (BCF), Bridge, Policy Store, Logging Services and typical IP services such as Domain Name System (DNS). The term NGCS includes the services and not the network on which they operate (i.e., the ESInet);

"**Offnet Agency**" means an agency outside of the NG9-1-1 network, such as a poison control centre or an hospital, which may be designated by the 9-1-1 Authority to be able to receive PSTN calls transferred by a designated PSAP;

"ONP" and **"Originating Network Provider"** means a CRTC-approved trusted entity service provider that allows its subscribers to originate 9-1-1 dialled voice or non-voice calls from the public to PSAPs, including but not limited to wireline, wireless, and fixed/native voice over internet protocol (VoIP) services.

"**PRR**" and "**Policy Routing Rule**" means the criteria which determines how 9-1-1 Calls are routed under stated conditions such as when a target PSAP is unable to take 9-1-1 Calls;

"**PSAP**" or "**Public Safety Answering Point**" means an entity responsible for receiving 9-1-1 Calls and processing those 9-1-1 Calls according to a specific operational policy - a Primary Public Safety Point, Secondary Public Safety Point, and Back-Up Public Safety Point as identified by the 9-1-1 Authority in Schedule "C" (PSAP Designations & Locations);

"**PSAP Contingency Plans**" means a plan in case of a disaster;

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"**PSAP Credentialing Agency**" and "**PCA**" have the meaning ascribed to them in CRTC Decision 2019-353;

"**PSAP Locations**" means the locations of the PSAPs as identified in Schedule "C" (PSAP Designations & Locations);

"**P-PSAP**" or "**Primary Public Safety Answering Point**" means a communication centre which is the first point of contact for 9-1-1 Calls as identified by the 9-1-1 Authority in Schedule "C" (PSAP Designations & Locations);

"**Renewal Term**" has the meaning ascribed to it in Section 4(b);

"**S-PSAP**" or "**Secondary Public Safety Answering Point**" means a communication centre to which 9-1-1 Calls are transferred from a P-PSAP, typically the fire, police or ambulance agency responsible for dispatching emergency personnel as identified by the 9-1-1 Authority in Schedule "C" (PSAP Designations & Locations);

"**Schedule**" has the meaning ascribed to it in Section 2(a);

"**Serving Area**" means the geographic area, as determined by the 9-1-1 Authority from which 9-1-1 Calls will be directed to a particular P-PSAP;

"**Subscriber**" means an entity that contracted with a service provider for the provision of a voice telecommunications service;

"**Selective Routing**" means the process by which 9-1-1 Calls are routed to the appropriate PSAP or other designated destination, based on the 9-1-1 Caller's location information, and may also be impacted by other factors, such as time of day, call type, etc. Location may be provided in a specified format such as an MSAG-valid civic address or in the form of geo coordinates (longitude and latitude);

"**Taxes**" has the meaning ascribed to it in Section 3;

"**Term**" has the meaning ascribed to it in Section 4(b); and

"**User-to-Network Interface (UNI) Technical Specifications Document**" means the authoritative document which sets the technical specifications an i3-PSAP must comply with.

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Schedule “B”

NG9-1-1 FEATURES

The NG9-1-1 Service offers features as provided in CRTC 7400, Bell Canada National Services Tariff Item 601.

If a PSAP chooses to forgo utilizing one or more of the NG9-1-1 Service features provided by the NG9-1-1 Service network provider as described in the UNI, the PSAP does so at its own risk and assume all liabilities including prolonged restoration times in the event of an outage.

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Schedule "C"

PSAP DESIGNATIONS & LOCATIONS

PSAP Type	Name	Location (full address)	Connected to ESInet (Y/N)
Primary PSAP (*1 & *2)	ORILLIA OPP	1 HURTUBISE ORILLIA	Y
Secondary PSAP Police (*1 & *2)	ORILLIA OPP	1 HURTUBISE ORILLIA	Y
Secondary PSAP Fire (*1 & *2)	KINGSTON FIRE	500 O'CONNOR DR KINGSTON	Y
Secondary PSAP Ambulance (*1 & *2)	KINGSTON AMBULANCE	1473 JOHN COUNTER BOULEVARD KINGSTON	Y
Additional Offnet Agency if required (*1 & *2& *3) i.e. Poison control			N
Designated Provincial or Territorial default i3 PSAPs (*4)			

Notes:
*1 – 9-1-1 Authority shall ensure all PSAPs connected to ESInet meet the NG9-1-1 requirements.
*2 – 9-1-1 Authority shall ensure that if a PSAP changes during the Term, the replacement is aware of the 9-1-1 Authority obligations re: PSAPs under this Agreement, and Bell is notified of the change.
*3 – "Offnet" Agencies are not connected to the ESInet over an IP-UNI and call transfers to such agencies are the responsibility of the PSAP's Call Handling System
*4 – This PSAP is only required if there is a PSAP designated as a safety net for a specific Province or Territory.

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Schedule 'D'

SPECIFICATIONS & GUIDELINES

The specifications, templates and guidelines for the NG9-1-1 Service are found at https://911flex.bell.ca/Login.html, under the title "NG9-1-1 Onboarding Documentation".

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Schedule "E"

DEPLOYMENT CRITERIA

PSAPs utilizing networks to process and deliver NG9-1-1 Calls outside of the ESInet do so at their own risk and assume all liabilities including prolonged restoration times in the event of an outage.

In order to ensure reliability, resiliency and security of the NG9-1-1 Service, the 9-1-1 Authority shall ensure that all of the PSAPs meet the following mandatory requirements without which the PSAPs will not be permitted to interconnect with the production NG9-1-1 network:

1. IP VPN ESInet Interconnection

All i3-PSAP types, Primary and Secondary, are entitled to a single Back-Up location.

All IP VPN ESInet demarcation locations (Primary, Secondary and Back-Up PSAPs) are provided with two (2) redundant data paths and must make use of both. PSAPs must make use of all available in-house diversity (cable entrance, power, etc.).

ESInet physical demarcation locations must be geographically located within the Bell Canada NG9-1-1 Serving region.

PSAPs are expressly forbidden to establish private VPN tunnels over the ESInet, through the provided IP VPN circuits.

2. ESInet Interconnection of Non-designated PSAP facilities

For those PSAP sites not listed in Schedule "C", if the 9-1-1 Authority requires additional circuits, these arrangements may be provided by Bell for a fee;

3. PSAP CEE Interconnection Requirement

a. All PSAPs shall employ a NENA i3 compliant Border Control Function ("**BCF**") as defined in the Bell NG9-1-1 UNI technical specification as a mandatory condition of interconnection with the NG9-1-1 network. The BCF must be comprised of a minimum of both a firewall and session border controller function. The BCF must be deployed in a manner which prevents single points of failure.

b. PSAPs shall ensure their local network infrastructure (i.e., Local Area Network [LAN] and/or private Wide Area Network [WAN]) is sized appropriately to support the bandwidth of all NG9-1-1 traffic as calculated and provisioned by the NG9-1-1 Network Provider, in addition to their own in-house network requirements;

4. i3 Call Handling CODEC requirement

All PSAPs shall implement the mandatory list of CODECs as defined in Telecom Decision CRTC 2019-353 (https://crtc.gc.ca/eng/archive/2019/2019-353.htm) and make necessary changes as updates become approved by CRTC.

5. IP Network protocol support

All PSAPs shall deploy Dual Stack as the method for simultaneous use of IPv4 & IPv6 address spaces, or to individually perform Network Address Translation - Protocol Translation ("**NAT-PT**") for their Network Domain as defined in the Bell NG9-1-1 UNI technical specification. This is a mandatory condition to interconnect to the NG9-1-1 Service Network;

6. End-to-End Encryption

All PSAPs shall support encryption of traffic from and towards the ESInet as defined in the Bell NG9-1-1 UNI technical specification;

7. QoS Support

All PSAPs shall implement the QoS requirements as defined in the Bell NG9-1-1 UNI technical specification;

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8. PSAP Credentialing Agency – NG9-1-1 Network Provider service

All PSAPs shall utilize the Bell PSAP Credentialing Agency service. PSAPs shall identify to Bell as part of the onboarding process the individual or group responsible for acting as the Local Registration Authority ("**LRA**"). The LRA agreement and the roles and responsibilities can be found in Schedule H. For clarity, the LRA agreement is attached for reference purposes. There is no expectation that the NG9-1-1 Authority will sign the LRA agreement itself but the NG9-1-1 Authority will ensure that the selected PSAPs will execute such agreement.

9. Contingency Routing

PSAPs shall communicate all 9-1-1 contingency arrangements to Bell including agreements and arrangements with other agencies in order to design and implement Policy Routing Rules accordingly. PSAP's defined Policy Routing Rules must contain at a minimum one Policy Routing Rule specifying a partner third party PSAP to act as backup in the event the PSAP is not able to respond to 9-1-1 Calls.

10. Domain Name Service (DNS) – NG9-1-1 Network Provider service

PSAPs must utilize the Bell NGCS-based DNS service to ensure resiliency of DNS functions and seamless PCA functionality.

The 9-1-1 Authority is requested to encourage PSAPs to utilize the following NGCS provided functions to further enhance network reliability, resiliency and security of the NG9-1-1 Service:

1. Network Time Protocol (NTP) – NG9-1-1 Network Provider Service

PSAPs are encouraged to utilize the Bell NGCS-based NTP service to ensure accurate time synchronization with all ESInet interconnected elements and as an additional time source within their Local Area Network (LAN).

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Schedule "F"

MULTIPLE REGION PSAPs

This Schedule must be filled out by PSAPs covering multiple regions and managed by a provincial or federal authority (e,g., Ontario Ministry of Health, Sureté du Québec, Ontario Provincial Police etc.

Sites	Official Name	9-1-1 authority (municipalities, counties, etc.)

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Schedule "G"

NG9-1-1 GIS REQUIREMENTS

Municipality, County or Other Government Entity name	**GIS Data Provider or *Provincial/ Territorial Designated Data Aggregator name**	**Provincial \ Territorial Legislation (Y/N)**

- In the absence of Provincial or Territorial legislation defining a Data Aggregator body, by default the NG9-1-1 Network Provider will be the defined GIS and addressing Data Aggregator (Telecom Decision CRTC 2020-150 | CRTC)

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Schedule “H”

Local Registration Authority Agreement

Township of South Frontenac
Staff Report

To:	Council
Prepared by:	Corporate Services Department
Date of Meeting:	September 6, 2022
Subject:	**Commercial Card Policy**

Summary
The report provides a proposed Commercial Card Policy which will replace the Township's current credit card policy.

Recommendation
That Council adopt the Commercial Card policy as presented by the Director of Corporate Services/Treasurer;

And that the previous Credit Card policy be rescinded and all eligible Business Cards (VISA cards) previously held by employees be cancelled;

And that the Chief Administrative Officer and the Director of Corporate Services/Treasurer be designated the Lead Program Administrator for the program and authorized to complete the Master Client Agreement for Business Clients with the Royal Bank of Canada.

Background
Township staff and the Township's bank are recommending that the current credit card policy be rescinded and a Commercial Card policy be adopted and further that an agreement with the Royal Bank of Canada (RBC) be entered into.

The commercial card program will help provide more flexibility to administer credit cards, while providing more control over the use of the cards. With the program being proposed there will be some savings in bank fees.

Discussion/Analysis
The Township currently has a credit card policy in place which provides controls on who has the use of credit cards along with credit card limits and acceptable use policies. The intent of replacing the policy with a Commercial Card program is to allow more flexibility in the administration of the purchase cards.

Commercial cards are similar to credit cards, however the administration in the background of the cards is completed by the Township rather than the Township banker. This allows for more flexibility and better control to oversee transactions. The current policy provides for primarily only the CAO and directors to have credit cards. The Commercial Card program

will expand the use to more township staff so that they are able to make purchases, if they are given approval, and this will expedite the receipt of goods and services. All purchases are still made under the under the Township Purchasing Policy.

Some of the advantages of the use of the Commercial Card system are:

- More timely issuance of purchase cards to new employees. Over the course of the past few months there have been changes in staff who hold credit cards and delays in cancelling, ordering new cards as well as having gaps in persons in those positions has caused delay in ability to make necessary purchases in a timely manner. The ability to expand those holding the cards, with appropriate restrictions, will reduce delays.
- More flexibility to adjust credit limits, depending on purchases needed.
- Reduced costs for credit purchases as the proposed system provides a cash back option which will provide funds to cover the cost of the cards. Currently, the Township experiences costs related to annual user fees and overlimit fees, but with no cash back program, there is no recovery of these costs.
- Improved reporting for users of the cards and management to review purchases, limits, available funds and fees. Reporting is available at anytime by logging into the commercial card site. The current visa system only provides monthly statements, which is not timely information when making purchases.

changes in processes of many companies over the past number of years and more specifically with the pandemic restrictions, charges that can be made using credit cards has become the preferred model. The Township itself has moved to this form of payment for recreation and planning departments, for example, providing a faster method for the Township clients to make payments.

The RBC Commercial Card Program being recommended at this time id for a cash back card on purchases at 0.5%, no cap, to offset business expenses. The cost is $30 per card for the first year and $60 per year for the second year and thereafter. There is an option to use virtual cards, however at this time this option is not being recommended.

It is being recommended that the lead Program Administrators will be the Chief Administrative Officer and the Director of Corporate Services/Treasurer. They will be able to increase or decrease authorization limits and approve which positions will be eligible for holding a Commercial card. The cumulative limit on all cards will be $75,000.

Financial Implications

The proposed Commercial Card system will reduce banking fees related to credit card purchases.

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.

Climate Considerations

☒ Not applicable to this report.

Attachments

Appendix A - Commercial Card Policy 2022 South Frontenac

Approvals

Prepared and Submitted By:



Shelley Stedall
Director of Corporate Services & Treasurer

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

Commercial Card Policy

1.1 Purpose and Scope

The purpose of this policy is to ensure that responsibilities are clearly defined, and appropriate authority is delegated within an outline of procedures for the use and control of the Township of South Frontenac Commercial Card Program (CCP)

The CCP is established as a method of making small dollar value Township purchases and online purchases; in accordance with the purchasing policy of the Township of South Frontenac.

Charges are processed when the card is submitted for payment and suppliers are paid within their established terms with the Royal Bank of Canada.

1.2 Background

Department employees, who occupy positions with delegated purchasing authority by the CAO, are authorized to use the Commercial Card to purchase goods and services (amount on each card determined by thresholds established by CAO and Director of Corporate Services/Treasurer) in support of sound business practices, with a monthly limit to be determined for each card holder.

The intended benefits of the Commercial Card are: reduce the costs of procurement and supplier payment; improved ease and expediency of government purchasing; improve the timeliness of supplier payments; improve control over department purchasing; more time to work on value added acquisitions and improve management reporting on department purchasing.

1.3 Authority

Directors have the authority to empower employees within their departments or areas of responsibility with the approval of the CAO.

2. **POLICY**

2.1 Administration

A. The Director of Corporate Services/Treasurer is responsible for the administration of the Commercial Card Program, with the Chief Administrative Officer as backup, within the Township of South Frontenac.

B. Each Commercial Card will have a unique number, and will be issued in the name of the Township of South Frontenac and the name of the employee who has been authorized to use that Card. **The card is not transferable to any other employee, even if that other employee is also authorized to use a Commercial**

Card on behalf of the Township of South Frontenac. Improper card use will result in the cancellation of the employee's card.

C. The Commercial Card will be issued to employees who occupy positions with delegated purchasing authority, on the approval of the CAO.

2.2 Limited Restrictions

a) The limit for individual card purchases is restricted by the dollar amount established by the CAO.

b) The monthly credit card limit, which is the maximum monthly amount chargeable to each Commercial Card, is restricted to the maximum dollar limit established by the CAO. Under no circumstances will a transaction be "split" into two or more transactions to bypass the single transaction dollar limit.

c) The Director of Corporate Services/Treasurer and CAO, will manage any changes of transaction or spending limits.

2.3 Prohibitions

Commercial Cards **will not be used in** the following circumstances:

a) When the cost of the goods or services would be significantly increased as a result of using the Card and an alternative method of payment is available (i.e. a discount is provided by the supplier as a result of not using the Card);

b) When the supplier does not take a credit card as a means of payment;

c) For personal use vehicle operating and maintenance expenses including vehicle repairs, fuel, oil etc;

d) For personal purchases;

e) To obtain cash advances.

2.4 Revoking of Card Privilege

Cardholders who do not adhere to the limits and prohibitions set out above will have their card privileges revoked. The Director of Corporate Services/Treasurer will consult with the CAO who will advise the employee of this discipline.

2.5 Refunds

No cardholder may accept cash or a cheque from a supplier who is making a refund pertaining to a transaction previously charged to a Commercial Card account. The supplier in all cases must issue a credit voucher against the Commercial Card account.

2.6 Liability

a) Every cardholder shall be informed in writing of his or her responsibilities and restrictions regarding the use of the Commercial Card by reading and understanding this policy and shall acknowledge understanding by signing Appendix A.

b) Cardholders will be held liable for any misuse or willful disregard of policies or operating procedures that result in a loss of money, fraud or collusion.

c) The liability for authorized charges on the Commercial Cards rests with the Township of South Frontenac, not the individual cardholder.

d) The maximum Township liability for unauthorized use of the Card following loss or theft of the Card shall be $50.00.

2.7 Unauthorized Use

Unauthorized use means a use that did not benefit the Township and was made by someone other than the cardholder. The Township is not liable for any unauthorized use of the Card which occurs after notification of loss, theft or cancellation has been received by the Royal Bank of Canada Canada, however, if the loss or theft of the Card is not reported immediately, the Township may be liable for all unauthorized purchases charged to the account.

2.8 Statement Cycle

a) The statement cycle period ends on the 27th of each month (or on the next business day if the 27th is on a weekend). The spending limit balances on each card are reset to zero at this time.

Expectations:

- Cardholders will be advised that their card activity statement is available for viewing and reconciliation on the desktop through Access Direct on the 28th of each month giving them the option to reconcile daily
- Cardholders have five (5) working days after receipt of the statement to allocate costs to accounts; if they are absent, a delegated person should reconcile the cardholder's statement.
- Cardholders will print the reconciliation after account costing
- Cardholders will have their immediate supervisor sign off on the statement and forward the original copy to Finance Department (Accounts Payable) accompanied by **ORIGINAL** receipts – with detail - for each transaction
- Lost receipts **MUST be requested from the supplier by the cardholder**.
- The approved print out or statement must be received by Accounts Payable no later than the 5th of each month

2.9 Payments

To avoid the payment of interest, payments to the Royal Bank of Canada Canada shall be made within 14 days following the monthly statement date (also refer to 4.10.5 and 4.12).

The Township will arrange with Royal Bank of Canada and through the Royal Bank of Canada to have automatic payment made for the Corporate account to avoid late payment charge.

2.10 International Purchases

Purchases made outside Canada will be converted to Canadian funds at a rate established by Visa International Inc.

3. RESPONSIBILITIES

3.1 **The Cardholder** is responsible for:

a) Adhering to all conditions and restriction imposed on the Commercial Card by the Township of South Frontenac and Royal Bank of Canada Canada;

b) submitting the Employee Acknowledgment of Responsibilities and Obligations form to the Director of Corporate Services / Treasurer acknowledging, signing and submitting that they have read, understood and accept the conditions (Appendix A);

c) Ensuring that the Commercial Card, copies of monthly statements and other documents bearing the Card number are kept in a secure location with controlled access;

d) Immediately follow appropriate procedures as outlined in item 4.4 with regard to lost or stolen Commercial Cards;

e) Returning the Card to the Director of Corporate Services / Treasurer for cancellation as appropriate;

f) Providing a signed, reconciled card activity statement to Treasury Department (Accounts Payable) on a monthly basis for all purchases made with the card

g) Verifying the amount of HST paid to allow for accurate rebates;

h) Resolving disputed charges;

i) Keeping supporting documentation (i.e. sales slips, cash register and credit card receipts, supplier notices etc.) related to all purchases made with the Card for reconciliation, account verification and audit purposes; and

3.2 **The Directors and Chief Administrative Officer (CAO)**

The CAO or Directors (or his/her designate) are responsible for:

a) Assessing the need for Commercial Cards in cooperation with the Director of Corporate Services / Treasurer based on operational requirements;

b) Identifying the employee(s) who will be authorized to make purchases through the use of a Commercial Card;

c) Establishing the monthly credit limit for each cardholder in cooperation with the Director of Corporate Services / Treasurer.

d) Specifying the types of items to be purchased with the Card, or identify any merchant blocking necessary;

e) informing the Director of Corporate Services / Treasurer of the need for issuance of new cards, cancellation of existing cards, increases or decreases to credit limits, change in department or area of responsibility of the Cardholder;

f) Monitoring and controlling the utilization of Commercial Cards within their department or area of responsibility;

g) Reviewing on a regular basis, the Card activity statement for all purchases charged to their budgets;

h) Ensure immediate supervisors are approving statement reconciliations for their employees.

3.3 **Director of Corporate Services / Treasurer**

The Director of Corporate Services / Treasurer or his/her designate is responsible for:

a) Collecting the reconciled activity statements from the cardholders;

b) Developing corporate policies and procedures with regard to the use of Commercial Cards

c) Ensuring that all purchasing activity is done in accordance with approved Purchasing policies and procedures, and implementing corrective activities when warranted;

d) Ensuring that each cardholder is informed of his or her responsibilities regarding the use of the Commercial Card;

e) Ensuring that the use of Commercial Cards conforms to departmental and corporate policy and procedures;

f) Authorizing the issuance or withdrawal of Commercial Cards with the Royal Bank of Canada in conjunction with CAO;

g) Processing increases or decreases to credit limits in cooperation with Directors as approved by CAO;

h) Processing bank forms with respect to changes of address and changes of department or area of responsibility, in cooperation with Directors;

i) Providing coordination with respect to monitoring the overall utilization of Commercial Cards within the Township of South Frontenac;

j) Compiling and reporting Commercial Card data to the CAO as required;

k) Ongoing staff training

4. PROCEDURES

4.1 Requests for Commercial Cards

4.1.1 The Employee Information portion of the application form must be completed and signed by the employee and approved by the CAO for each Card requested.

4.1.2 The CAO, in coordination with the Director of Corporate Services/Treasurer will complete the “monthly credit limit and single transaction limit” of the Employee Information section.

4.1.3 The CAO must send the approved application form to the Director of Corporate Services/Treasurer for transmittal to the Royal Bank of Canada.

4.1.4 Personal credit information may be required from the employee in order to appropriately identify the individual if contacting the bank for lost or stolen cards. The personal information is for identification purposes only and will remain confidential.

4.1.5 Commercial Cards are expected to be issued within ten (10) working days from the date that the application form is received by the Royal Bank of Canada. The Cards will be sent directly to the Director of Corporate Services/Treasurer at the address indicated on the Bank Application Form.

4.2 Issuance of Commercial Cards

4.2.1 Upon receipt of the Cards from the Royal Bank of Canada, the cardholder must ensure that all information on the card is correct. Any inaccuracies are to be reported immediately to the Royal Bank of Canada Commercial Card Centre by the Director of Corporate Services/Treasurer.

4.2.2 The Director of Corporate Services/Treasurer will inform the cardholder of the responsibilities and restriction regarding the use of the Commercial Card and obtain a written Acknowledgment of Responsibilities and Obligations form from each cardholder before issuing the card (refer to Appendix A)

4.2.3 The Director of Corporate Services / Treasurer will retain the Acknowledgment of Responsibilities and Obligations form for safekeeping.

4.2.4 The cardholder must sign the Commercial Card and store it in a secure place when not in use.

4.2.5 The cardholder must activate the Commercial Card by calling the Royal Bank of Canada as per the telephone number on the Commercial Card.

4.3 Cancellation of Commercial Cards

The cardholder must return the Card cut in half to the Director of Corporate Services / Treasurer for cancellation when:

a) Specifically requested to return the Card by the Director of Corporate Services / Treasurer or Chief Administrative Officer;

b) Upon termination of employment with the Township of South Frontenac; or

c) Upon an employee taking a leave through a secondment.

The Director of Corporate Services / Treasurer will complete the necessary change form and monitor the appropriate cancellation of the Commercial Cards.

4.4 Lost or Stolen Commercial Cards

4.4.1 The cardholder must **immediately** notify the Royal Bank of Canada of any loss or theft of the commercial card. Lost or stolen Cards can be reported 24 hours a day, seven days a week. The cardholder must also advise the Director who shall confirm the loss or theft in writing to the Director of Corporate Services / Treasurer. The Director of Corporate Services/Treasurer will complete the necessary paperwork. If the card is stolen, the police must be notified and a police report requested by the Director.

4.4.2 If the lost or stolen Card should eventually be recovered or found, it must be cut in half and returned to the Director of Corporate Services / Treasurer directly or through the Director.

4.5 Change of Department or Area of Responsibility

4.5.1 If the cardholder will no longer require use of the card as a result of a change in department or area of responsibility, the Card will be cancelled. The Director of Corporate Services/Treasurer will complete and submit the necessary paperwork to the Royal Bank of Canada – or complete online through the administrator account.

4.5.2 The change is expected to be made within three (3) working days from the date that the request by manual form or online is received by the Royal Bank of Canada Commercial Card Centre.

4.5.3 The card shall be returned to the Director of Corporate Services / Treasurer cut in half.

4.6 Modification of Credit Limit

4.6.1 The CAO will coordinate with the Director of Corporate Services / Treasurer, for any change in credit limit as approved by the CAO. The Director of Corporate Services/Treasurer will complete and submit the necessary paperwork to Royal Bank of Canada.

4.6.2 Credit limit changes will be made within three (3) working days from the date that the bank receives the form.

4.7 Disputed Charges

4.7.1 Items charged on monthly statements of accounts that do not accurately reflect the transactions made by the cardholder (i.e. bank errors such as wrong amount,

incorrect account number, multiple postings of the same item, etc.) are considered to be disputed items.

4.7.2 The cardholder must notify Royal Bank of Canada and advise the Director of Corporate Services/Treasurer of the items disputed. Disputed items reported by cardholders will be credited on the individual statement the following month (provided they are legitimate). The amount indicated on the statement is the amount that should be paid to the Royal Bank of Canada Commercial Card Centre.

4.7.3 The cardholder shall provide information and assistance to the Royal Bank of Canada to settle the disputed item(s) as required.

4.7.4 It the questionable item is not a bank error but a supplier error (i.e. late delivery, defective goods, wrong price, quantity difference, returned goods, etc.) the matter must be settled directly with the supplier by the cardholder. Such matters must be drawn to the supplier's attention immediately so as to minimize the delay in obtaining a credit to the Commercial Card account. When the amount in dispute is of an insignificant dollar value, notices to suppliers should be confirmed in writing even though settlement may be accomplished through telephone calls. Copies of the notices to suppliers should be attached to the monthly reconciliation activity statement. Items under dispute with suppliers must not be deducted from the monthly statement of account.

4.7.5 Disputed charges must be identified and the Royal Bank of Canada notified within 30 days of the statement date.

4.8 Purchase of Goods and Services

4.8.1 Record of purchases made with Commercial Cards must be submitted to the Director of Corporate Services/Treasurer's designate (Accounts Payable Clerk) by cardholders together with sales slips, credit vouchers, notices to suppliers with the printed card activity statement. All purchases must be within approved budgets.

4.8.2 The appropriate taxes are to be paid where applicable.

4.8.3 For over-the-counter transactions or for services rendered, the cardholder will certify that the goods have been received; when goods are shipped, the cardholder must ensure that the goods received match the order or sales slip.

4.8.4 For telephone orders, the cardholder should have the supplier fax or email a copy of the receipt or instruct the supplier to supply a copy of the receipt with the shipment.

4.8.6 For Internet orders, the cardholder may either print the order from the computer or attach the receipt provided by the supplier once the order arrives.

4.9 RBC NextLogic Software

4.9.1 The RBC NextLogic web page is designed for individual cardholder use. It is provided as a delivery vehicle for the monthly statement to allow cardholders the ability to download the monthly statements.

4.9.2 Cardholders will use the webpage to:

- Receive an electronic daily or monthly statement and print it
- Review transactions on their monthly statement
- Electronically deliver revised monthly statements to Purchasing

4.9.3 Each cardholder will be provided with the internet address to verify and reconcile their statements daily or monthly where applicable.

4.9.4 For cardholders that do not have access to use of a desktop computer, their director will make arrangements for an alternate who will be assigned, that has access to a desktop computer for reconciliation of the card activity statement.

4.10 Payment of Monthly Statements

4.10.1 The statement of account will be issued on a specified day of the month and will be sent directly to the Accounts Payable who will distribute with other regular invoices to appropriate department for coding and approval for payment. The statement will be downloaded from the Royal Bank of Canada site by the Accounts Payable Clerk.

4.10.2 The following documentation must be sent to Finance Department (Accounts Payable) for payment purposes:

- A digital monthly card activity statement as reconciled approved by the cardholder.
- A digital copy of the detailed purchases listed on the statement must match the charges shown on the monthly statement with adjusting entries shown, as need be, for disputed items (bank errors) as well as the Appropriate Signing authorizations on the statement.

4.10.3 Monthly reconciliation must include sales slips; credit vouchers etc., and be sent to Accounts Payable who will review and enter the data into the financial accounting system. Any items that are questionable will be forwarded to the Finance Supervisor or the Deputy Treasurer to ask for further authentication of the amount and authorized signature.

4.10.4 No cardholder shall have the authority to approve their own statement of account – all statements must be reviewed by the cardholders Director or the CAO and signed as reviewed. The summary for review shall be prepared by the Accounts Payable Clerk.

4.10.5 In order to avoid the payment of interest, the approved monthly statement with backup documentation must be sent to Finance Department (Accounts Payable) for payment on or before the 5th day of each month.

5. Refunds from Suppliers

When merchandise is returned or other adjustments to accounts are necessary, credit vouchers will be issued by suppliers. No cardholder may accept cash or a cheque from a supplier who is making a refund pertaining to a transaction previously charged

to a Commercial Card account. This supplier in all cases must issue a credit voucher. Such credits must be issued against the same Commercial Card that the original transaction was charged to.

6. Payment and Calculation of Interest

In accordance with the terms of the agreement between the Royal Bank of Canada and the Township of South Frontenac, the payment of interest to the Royal Bank of Canada is based on a 14-day payment period. Where the Township is responsible for the delay, interest will be automatically calculated and paid on overdue accounts.

7. Card Renewal

Each Commercial Card is issued for a period of three (3) years starting with the month in which the Card is issued. Cards will be automatically renewed unless the Township advises the Royal Bank of Canada otherwise.

8. Reoccurring Charges

The Commercial Card will not be used to pay for regular reoccurring charges unless authorized by the CAO. Annual or Monthly charges that are from the same vendor should be approved prior to the time of payment required, not on automatic payments programs. An exception to this policy may be waived if the automatic payment is authorized by the CAO if the automatic payment is seen as an expenditure that, if not paid on time, will cause a business continuity interruption. (An example is the Microsoft Office Monthly Charge for MS Outlook - the Townships mail client).

APPENDIX "A"
ACKNOWLEDGMENT OF RESPONSIBILITES AND OBLIGATIONS and AGREEMENT TO ACCEPT THE ROYAL BANK COMMERCIAL CREDIT CARD

The Royal Bank of Canada Commercial Card represents the Township of South Frontenac trust in you. You are empowered as a responsible agent to safeguard Township assets. Your signature below is verification that you have read this Commercial Card Policy and further, that you agree to comply with it, as well as the following responsibilities:

1. I understand that the card is for Township approved purchases only, and I agree not to charge personal purchases.
2. **Improper use of this card can be considered misappropriation of Township funds. This may result in disciplinary action, up to and including termination of employment.**
3. If the card is lost or stolen, I will immediately notify Royal Bank of Canada by telephone and the Director of Corporate Services/Treasurer and CAO. I will confirm the telephone call by mail or facsimile with a copy of the notification to the Director of Corporate Services/Treasurer.
4. I agree to surrender the card immediately upon termination of employment, whether for retirement, voluntary or involuntary reasons.
5. The card is issued in my name. I will not allow any other person to use the card. I am considered responsible for any and all charges against the card.
6. All charges will be billed directly to and paid directly by the Township. The bank cannot accept any monies from me directly; therefore any personal charges billed to the Township could be considered misappropriation of Township funds.
7. As the card is Township property, I understand that I will be required to comply with internal control policies designed to protect Municipal assets. This may include being asked to produce the card to validate its existence and account number. I will be asked to produce receipts and statements to audit its use.
8. I will receive a monthly Reconciliation Statement on line, which will report all activity during the statement period. Since I am responsible for all charges (but not for payment) on the card, I will resolve any discrepancies by either contacting the supplier or the bank.
9. I understand that the Commercial Card is not necessarily provided to all employees. Assignment is based on my need to purchase materials for Township business. My card may be revoked based on change of assignment or location. I understand that the card is not an entitlement nor reflective of title or position.

Commercial Card Number Issued		
Employee Signature		Dated:
Employee Printed Name		
Employee Position		
Chief Administrative Officer Approving Signature		Dated:
Chief Administrative Officer Printed Name		
Total Credit Limit on This Card	**$**	
Limitations On Card		
Date Card Returned		
Signature of Person Returning Card (Please Print Name)		
Signature of Person Receiving Returned Card (Please Print Name)		

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Corporate Services Department
Date of Meeting:	September 6, 2022
Subject:	**2022 Community Grants – Intake 2**

Summary

The report provides a summary of Community Grants submissions received and the staff recommended allocation for Council approval.

Recommendation

That Council approve the two (2) Community Grant applications included in this Staff Report totalling $9,000;

AND FURTHER that any unspent balance in 2022 Community Grants be allocated towards the 2023 Community Grant program.

Background

The Township Community Project Grant program is an annual funding program for Community projects with specific guidelines for applicants, as attached in Schedule A. In June 2022, following the first round of applications, the Township was able to provide funding for nine (9) applicants totalling $23,238.04. This left a balance in the Community grant fund of $36,635.29. Council approved that staff advertise a second intake for Community Grants with a deadline of August 12, 2022. Website and newspaper ads were placed soliciting applications.

Discussion/Analysis

Four (4) applications for the Community Grants were received by the deadline of August 12, 2022. The CAO, Treasurer and Financial Analyst reviewed and evaluated the applications against the Community Project Grant Policy.

Three (3) of the four (4) applications, meet the requirements of the grant program and are recommended for funding under various streams, as noted in the table below. One (1) application is pending, based on a need for further review.

The Township also received notice that due to limited volunteer availability the South Frontenac Museum Society will not be utilizing their grant for 2022 and have returned the funds to the Township.

Summary of 2022 Community Grant Applications

Intake 2 Summary of Recommend for Approval and Pending					
Applicant	**Grant Stream**	**Purpose**	**Total Project Cost**	**Eligible Amount**	**Staff Recommended**
Frontenac County Plowmans Association	Sponsorship	2022 Frontenac County Plowing Match activities	$1,500.00	$1,500.00	$1,500.00
Perth Road School	Capital (50% of total to max of $5,000)	Furnace Replacement	$14,684.35 (Requested $10,000)	$5,000.00	$5,000.00
Loughborough Public School	Operating (Expanded Programs)	Teaching Kitchen Redesign and Kitchen operational costs	$5,000.00	$2,500.00	$2,500.00
Bellrock Community Hall *	Capital (50% of total to max of $5,000)	Car Park and Ramp Improvement	$2,500.00	Pending	Pending
Total – Intake 2			**$23,68.35**	**$9,000.00**	**$9,000.00**
Intake 1 Summary – Approved by Council in June 2022					
Applicant	**Grant Stream**	**Purpose**	**Total Project Request**	**Eligible Amount**	**Staff Recommended**
Lions International Club of Verona	Operating (New Program)	Pickleball Courts & Equipment	$2,500.00	$2,500.00	$2,500.00
Inverary Youth Activities Inc.	Capital (50% of total to max of $5,000)	Ken Garrett Memorial Park – LED Lighting for Ball Diamonds	$34,177.00	$5,000.00	$5,000.00
Lakes and Trails Festival	Operating (Expanded Program)	Deployment of 15 signs at the Lakes and Trails Festival	$2,067.90	$2,067.90	$2,067.90
Loughborough Firefighters Association	Sponsorship	Sydenham Santa Claus Parade	$2,000.00	$2,000.00	$2,000.00

South Frontenac Museum Society	Sponsorship	Culture Days – connecting with our Past	Funding Returned by Society		
Sydenham Lake Canoe Club	Operating (Expanded Program)	C15 (15-person canoe) paddles for Canoekids program	$1,670.14	$1,670.14	$1,670.14
Harrowsmith and District Social and Athletic Club	Operating (Expanded Programs)	New line dancing and CPR courses	$2,500.00	$2,500.00	$2,500.00
South Frontenac Stocksport Club	Operating (Expanded Program)	Acquire 8 new stocks for an introduction to youth Stock program.	$2,500.00	$2,500.00	$2,500.00
Battersea Pumpkin Festival	Operating (Expanded Program)	Additional programming and supplies.	$2,500.00	$2,500.00	$2,500.00
Total – Intake 1			**$49,915.04**	**$20,738.04**	**$20,738.04**
Remaining Funds					**$30,388.29**

* The recommendation for the Bellrock Community Centre is pending receipt of quotes for the project.

Financial Implications

The recommendations of this report are for three (3) projects totalling $9,000 to be approved by Council. This would bring the total of 11 projects to be funded in 2022 with Community Grants totalling $29,738.04.

The 2022 budget included an amount of $35,000 in new funding. There was also carryover from 2021 from unallocated funding and returned funds, leaving the total of unspent funds from 2021 being $25,126.33. Pending final resolution on remaining applicant, the Township will have up to $30,388.29 unallocated in Community Grant funds. Staff are recommending that the unspent funds be transferred to a reserve to be utilized for the 2023 Community Grant Program.

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.

Climate Considerations

☒ Not applicable to this report.

Attachments

Policy - Community Grants - 2022

Approvals

Prepared by:



Kyle Griese, Financial Analyst

Submitted By:



Shelley Stedall
Director of Corporate Services & Treasurer

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

Township of South Frontenac
4432 George St, Box 100
Sydenham ON, K0H 2T0
613-376-3027 Ext 4354
communications@southfrontenac.net

Community Grants Policy

1. **Purpose:**

This policy is to establish a grant process that supports and encourages community organizations and events that enrich the quality of life within the Township.

2 . **Policy:**

The Township on a yearly basis will solicit applications from community organizations for projects or events supporting community initiatives. The total amount available within a calendar year will be based on what has been set within the year's operating budget. Individual allocations to organizations will be based on a pre-determined structure. Being approved in one year does not guarantee funding in the following year.

Definitions & Guidelines:

Community organizations: Not for profit including unincorporated groups or registered charitable organizations who:

- operate a business, provide a service or event within the geographic boundaries of the Township of South Frontenac
- have the ability to show the stability or sustainability of the organization/group
- in the previous calendar year, received less than 75% of its operating budget from government grants.
- Submitted financial statements from the previous calendar year with your Letter of Intent along with a list of current officers.

Criteria for All Grant Recipients:

1. Submissions must have a well-defined purpose and take place / be completed within the calendar year of receiving the grant.
2. Submissions must meet the requirements of the application process.
3. The Grant request may be for:
   - a new, improved or expanded community service (including necessary supplies),
   - a community event.
   - an acquisition, improvement or expansion of a facility or its related equipment
   - the acquisition and installation of community assets
4. Final reports from any previous year's funding must have been received in order to be considered for the current year.
5. Unspent funds must be returned to the Township following completion of the project.

Township of South Frontenac
4432 George St, Box 100
Sydenham ON, K0H 2T0
613-376-3027 Ext 4354
communications@southfrontenac.net

6. Applicants cannot be in receipt of other program specific Township funding

Grant Streams:

1. **Operating**
   - Grant up to $2,500
   - Grants will not be given:
     - to cover deficit or retire debt
     - to respond to annual fund raising drives to sustain support
     - to support recurring operating expenses of established organizations or programs

2. **Sponsorship**
   - Grant up to $2,500
   - Sponsorship funds provided must be for a specific purpose of the event (i.e. music, food, sleigh rides, etc.)
   - Township sponsorship must be clearly acknowledged and promoted at the event and in all materials
   - The event must be open to the community and must be free to attend, or as an alternative the proceeds are provided to a local charity

3. **Capital**
   - Grant up to $5,000
   - The applying organization must match the grant dollar for dollar
   - Can be used for the acquisition, improvement or expansion of equipment or facility owned by the applicant
   - Written quotes for the work must be submitted with the application
   - 50% of the approved grant will be released upon approval and the remaining 50% of the grant will be paid out upon submission of paid receipts.

4. **Community Asset**
   - Grant up to $2,500
   - Applicant must be providing further funding or in kind services associated with the project
   - Examples include benches, signs, planter boxes
   - These assets ultimately become property of the Township

Preference will be given to new projects/new groups however previously approved projects/groups may also reapply and be approved for further funding if there is evidence that the program or event is developing successfully.

Township of South Frontenac
4432 George St, Box 100
Sydenham ON, K0H 2T0
613-376-3027 Ext 4354
communications@southfrontenac.net

Schedule 1: Application Process

How to Apply:

1. the Township will advertise on their website and in the local paper to announce the application process. Applications will be received until **Saturday, April 30, 2022.**

2. Download and complete the Letter of Intent form from our website.

3. Deliver or email your Letter of Intent, along with necessary financial statements, in person or by mail to:
   Township of South Frontenac
   P.O. Box 100
   4432 George Street
   Sydenham, ON
   K0H 2T0
   Re: Community Grants

4. All Letter of Intents will be reviewed by staff and presented for Council approval. Grant decisions are anticipated to be announced by mid-August.

Evaluation:

Once all applications have been received, staff will review them and rate them on their impact to the community and the ability to support or improve the quality of life for residents. A pre-determined scoring system will be used by the Township prior to beginning the review process.

Should multiple applicants meet the application requirements and goals of the funding, a fixed amount will be granted to each organization with any remaining funding allocated based on the percentage applied for and the total funding available.

Submissions beyond the scope of this grant process may be presented for separate consideration to council in advance of the next operating budget review.

If you are selected for a grant, you will be asked to sign a grant agreement. Upon completion of your project or event, you are required to complete a Final report. The final report is intended to help you evaluate the initiative and help us evaluate the effectiveness of our grants in supporting and improving the quality of life in our community.

Contact: For further assistance, please contact communications@southfrontenac.net

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Office of the Chief Administrative Officer
Date of Meeting:	September 6, 2022
Subject:	**Communal Services Governance - Business Case Study**

Summary

This report provides information on the public meeting on the Communal Services Business Case and seeks approval for next steps

Recommendation

That Council receive the County of Frontenac's Communal Services Governance - Business Case Study Public Meeting Report for information

And that Council provide support for the Communal Governance - Business Case Study which includes the following amendments:

1. ***That the only municipal contribution will be the start up funding identified in the report and flowing through agreement in next steps***
2. ***That no funding will be raised through taxation***

And that Council direct staff to continue working with the County on next steps, being the drafting of agreements and documents for approval by both County and lower tier Councils.

Background

At its regular meeting on May 4, 2021, Council received a delegation from WSP on behalf of the County's Communal Services Committee regarding progress to date on the Communal Services initiative and the recommendation of a Municipal Services Corporation (MSC) as the desirable governance model to deliver Communal Services.

On June 15, 2021, Council received a report from staff in response to a number of questions that were posed during the WSP presentation (Attachment #1). Council also passed the following motion, endorsing the MSC model in order to progress to the step of developing and publishing a business case as is required by the Municipal Act (and Ontario Regulation 599/6) before an MSC can be established

Resolution No. 2021-22-18

Moved by Councillor Ruttan
Seconded by Councillor Revill

That Council endorse the recommendations of the Communal Service Governance/Operations Committee to create a Municipal Service Corporation (MSC) to manage communal service development across the Frontenac's, with initial municipal ownership based on a weighted assessment model; and,

That Council agree to participate in the next step in the Communal Services initiative being the development of a business case based on the recommendations of the WSP report.

Carried

On September 22, 2021, Council received a letter from the County of Frontenac, requesting comment on an initial draft of the Business Case prior to it being published for public review.

On November 2, 2021, Council received a report from staff in response to Council and staff questions and also recommended that Council provide feedback on the business case as itemized in the report so that the County's Communal Services Committee can consider edits to the business case prior to it being published. Council passed the following motion supporting that feedback to the business case be provided and requesting a subsequent meeting to receive responses to further questions posed during the meeting.

Resolution No. 2021-31-11
Moved by Councillor Sutherland
Seconded by Councillor Roberts

That Council submit feedback, as recommended by staff in this report, to the County's Communal Services Committee for consideration prior to the publishing of the Draft Frontenac Municipal Services Corporation Business Case Study for public review and comment;
(Amendment)
And that Council request a subsequent meeting and responses to some of the questions posed in the feedback and by staff prior to the business case being published.

Carried

On May 17, 2022 Council received a report from staff seeking support for the publishing of the Draft Municipal Services Corporation Business Case Study by the County of Frontenac. The report also provided some answers on questions that were raised since the November 2, 2021 meeting.

Resolution No. 2022-22-08

Moved by Councillor Sutherland
Seconded by Councillor McDougall

That Council support the publishing of the Draft Frontenac Municipal Services Corporation Business Case Study for public review and comment by the County of Frontenac.

Carried

Discussion/Analysis

A public meeting was held by the County of Frontenac on July 20th, 2022 for the Draft Municipal Services Corporation Business Case Study.

Included, under attachment 1, is a Public meeting report from the County of Frontenac providing feedback received at the meeting.

Questions or concerns were raised in relation to site specific developments, how private systems or assets would affect shares or be incorporated in a Municipal Service Corporation.

County Council at it's July 20th, 2022 meeting endorsed the Communal Services Governance – Business Case study and is seeking lower tier approval in order to move to next steps. The resolution included an amendment to the Business Case Study to include:

1. That the only municipal contribution will be the start up funding identified in the report

2. That no funding will be raised through taxation

The following Implementation and Next steps were identified base don WSP's Final repot in April 2021:

1. Townships Vote In/Out & Formally Confirm MSC Selection
2. Undertake a Business Case Study
3. Hold Public (and Developer/Industry, if desired) consultations
4. **Council Adoption of Business Case**
5. *Draft, Approve, and Pass Agreement & Documents*
6. Develop & Adopt Asset Transfer Policy
7. Appoint MSC Boards, Officers/Directors, and Transfer Assets

We are currently on step 4, seeking Council approval for the adoption of the business case. If approved, the next step in the process is for a committee to be formed that would include

both County and other Frontenac Municipalities who supported the business case to work on drafting agreements and documents in relation to the creation of the Municipal Service Corporation for the governance of Communal Services. Council will be provided an opportunity to review and provide final approval on these agreements which will provide information such as required municipal financial commitment, shareholders, community benefits and asset transfer policy.

Financial Implications

None

Relationship to Strategic Plans

☐ Not applicable to this report.

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

- Priority: 2. Promote and support growth than meets the community's needs while maintaining the integrity of our natural environment.

Climate Considerations

☒ Not applicable to this report.

☐ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change.

Attachments

1. County – Public Comment Report
2. County Agenda Report – July 20th, 2022report
3. Staff Report – Communal Services Business Case May 17th,2022

Approvals

Approved By:



Louise Fragnito
Chief Administrative Officer

FRONTENAC

Minutes of the Special Meeting of Council
July 13, 2022

A special public meeting of the Council of the County of Frontenac was held in combination of in person and Virtual Electronic Format at the Township of South Frontenac Council Chamber, 4432 George Street, Sydenham, ON, July 13, 2022 at 6:00 PM

Present:	Warden Denis Doyle, Deputy Warden Ron Higgins, Councillors Fran Smith, Ron Vandewal, Bill MacDonald, Bruce Higgs, Alan Revill and Gerry Martin
Also Present:	**County:** Kelly Pender, Chief Administrative Officer/Deputy Clerk Joe Gallivan, Director of Planning and Economic Development Jannette Amini, Manager of Legislative Services/Clerk Brieanna McEathron, Executive Assistant

Disclosure of Pecuniary Interest and General Nature Thereof

There were none.

Public Meeting

Public Meeting Introduction

Notice of Collection – Personal information collected as a result of this public meeting is collected under the authority of the *Planning Act* and will be used to assist in making a decision on these matters. All names, addresses, opinions and comments may be collected and may form part of the minutes which will be available to the public. Questions regarding this collection should be forwarded to Jannette Amini, Manager of Legislative Services/Clerk.

The following was a public meeting to permit members of the public to allow public consultations and to address any concerns by the community at large regarding the Frontenac Communal Services project. Interested persons are requested to give their name and address for recording in the minutes.

The public meeting report and presentation is provided to inform the public of all relevant information regarding the Communal Services Project and to answer any questions or concerns by the public.

2022-074

Office of the Chief Administrative Officer
Public Meeting Report – Communal Services Draft Business Case Study

Motion #: 112-22 Moved By: Councillor Smith
Seconded By: Councillor Higgs

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

And Further That the matter be referred to the next County Council meeting to consider any changes necessary to the Business Case Study based upon public input.

Carried

Warden Doyle called on the County's Director of Planning and the CAO to explain the purpose of the public meeting. A presentation was provided, a copy of which is attached to the record in the Clerk's Office.

Warden Doyle then invited those who were attending in person to come and speak.

Ms. Kathleen Clayton asked if these systems are only being considered for future development or will they also be available for existing developments and systems, to which Mr. Gallivan gave the example of the Marysville Secondary Plan currently being undertaken now on Wolfe Island which contemplates this is where Township Council may consider allowing existing properties in Marysville to hook up to this system. Mr. Gallivan noted that in this case it would be at the owners expense and there is no obligation for existing homes to connect. In terms of follow up, Mr. Gallivan indicated that generally, the communal services study considered new development rather than existing residential areas.

Warden Doyle then invited those attending virtually to speak.

Ms. Brenda Martin asked, in terms of the Sharbot Lake public school site, how this site will access the lake water given the complex is in the middle of the village, to which Mr. Gallivan noted the intention will be for a pipe that will collect water from the lake and pump it up to the site. This will require environmental approvals from the Ministry of the Environment as well as the Mississippi Conservation Authority. As a follow up, Mr. Gallivan indicated that the pipes would be buried under public roadways and not under private lands.

Ms. Cindy Deachman asked, in terms of the Asset Transfer policy, how the share structures will affect the overall project when assets are transferred in, and would shares be issued in lieu of, and will that dilute the share system as she is concerned with what is initially set up will change over time. Mr. Pender noted that when and if assets are transferred in, such as the municipal water system in Sydenham, this would need to be a decision of the Township of South Frontenac Council and the membership will decide how that happens. All participating municipalities will need to vote on the types of shares. Ms. Deachman followed up by asking if, in 10 years a developer asks that an asset be transferred to the Municipal Service Corporation

(MSC), how would that work, to which Mr. Pender responded that if an asset is coming from a private developer, it would be a direct purchase and sale or a cash deal as a MSC cannot have private shareholders. The developers would transfer the asset to the Corporation, not the municipality and this would be dealt with through a Plan of Subdivision agreement.

Ms. Darlene Plumley asked if this affects a municipalities current Asset Management Plan to which Mr. Pender responded no as a MSC is a separate corporate entity.

Ms. Cindy Deachman noted that the February 2021 report speaks about the viability of this system and asked what the scope of the conversation was with developers as smaller rural communities do not have large developments. Mr. Gallivan noted that this question had also come up during public sessions in Marysville and the answer is that the demand for new housing – and mixed housing - is going to be there. In terms of consultations with developers, there was one meeting with five developers as part of the 2019 study and each developer was positive about setting up a utility and indicated that it would make it easier for developers to create business plans and sell this to potential home buyers.

Warden Doyle then invited any other persons wishing to make comments on or ask questions about communal services, to speak

To questions raised by Councillor Revill regarding liability on the municipality should a catastrophe happen, Mr. Pender noted that the legal opinion from the County's lawyers indicates there is no liability to municipalities and were a catastrophe to happen, the MSC could borrow. Council Revill noted the reports indicated there is a financial ask from all municipalities to set up the MSC and provide seed funding until the MSC had the ability to set this up, to which Mr. Pender noted that there is no ability for a MSC to ask for additional money from municipalities and the seed money is only to set up the MSC.

Councillor Ron Vandewal asked if the municipality has to contribute seed money or just a letter indicating that if something were to happen it could support this, to which Mr. Pender responded that the initial contribution as laid out in report #2. Beyond that, any financial contribution is strictly voluntary. The entire system is set up similar to assuming a municipal road. The business case sets out the financial commitment over 5 years.

Councillor Gerry Martin noted that there are two existing systems in North Frontenac and asked if we allow these private systems to become part of the MSC, to which Mr. Gallivan noted that there is the possibility if they asked to become part of this but the utility would need to inspect the existing system and would require the private system be brought up to standards prior to transfer; however this would be the utility and not the municipality taking on the private system.

Deputy Warden Higgins asked why an MRA doubles the cost for developers, to which Mr. Gallivan noted the requirement that a municipality enter into an agreement should the developer go bankrupt, which then puts the municipality on the hook to fix it should something go wrong. As such, based on research, no rural municipality will take that risk on without requiring the developer to put up the money and set up a trust fund, which doubles the cost of development. The utility takes this out as there will be no need for a

municipal agreement as the structure is owned by the utility. This can be done through Plan of Subdivision agreements. In addition, the utility would not need to take the system over right away as if the system were to fail, it generally happens in the first few years.

Deputy Warden Higgins noted the consultant had indicated in the report that communal services cannot be privately owned and this is incorrect and asked that this be reviewed again when discussed at Council. Mr. Pender noted that in Ontario, you cannot privatize municipal water systems. You can however do this with communal systems. If this MSC comes into being, it cannot sell those assets and that is what is referenced in the study. It doesn't mean you can't have one. Deputy Warden Higgins asked what would happen if we go with a MSC and a Township decides to opt out. Mr. Pender noted that the key point is that this is your Townships decision, and you can opt out. If you are outside of the MSC, the MSC cannot do work within your municipality in terms of water.

The public meeting concluded at 7:07 p.m.

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

First and Second Reading

Motion #: 113-22	Moved By:	Councillor Vandewal
	Seconded By:	Councillor Martin

Resolved That leave be given the mover to introduce by-law a) that has been circulated to all Members of County Council and that by-law a) be read a first and second time.

Carried

Third Reading

Motion #: 114-22	Moved By:	Councillor Vandewal
	Seconded By:	Councillor Martin

Resolved That by-law a) be read a third time, signed, sealed and finally passed.

Carried

By-Laws

To confirm all actions and proceedings of County Council on July 13, 2022

[Proposed By-law No. 2022-0019]

Adjournment

Motion #: 115-22	Moved By:	Councillor MacDonald
	Seconded By:	Councillor Revill

That the meeting hereby adjourn at 7:09 p.m.

Carried

Denis Doyle, Warden

Jannette Amini, Clerk

Report 2022-090

Council Recommend Report

To:	Warden and Council
From:	Kelly Pender, Chief Administrative Officer
Prepared by:	Kelly Pender, Chief Administrative Officer Jannette Amini, Manager of Legislative Services/Clerk Joe Gallivan, Director of Planning and Economic Development
Date of meeting:	July 20, 2022
Re:	**Office of the Chief Administrative Officer – Public Meeting Report and next steps regarding Communal Services Draft Business Case Study**

Recommendation

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

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

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

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

Background

Prior to final consideration of the creation of a Municipal Service Corporation (MSC), a municipality must prepare a Business Case Study (BSC) and receive public input.

In June, 2019, County Council formally endorsed the Frontenac Communal Services Study.

As part of that endorsement, County Council also directed staff to "investigate financial models and utility models that can be used to significantly reduce the municipal financial risk of approving development on communal services and entering into a Municipal Responsibility Agreement (MRA) and report back to Council."

Subsequently, in June, 2020, Council passed a motion to create a 'Communal Services Governance/Operations Review Committee' to review different governance models to manage communal systems.

The Committee is comprised of the four Mayors of the Townships as well as four citizens that have expertise in land development, civil engineering, financing, and governance. Also, representatives from the Ministry of Environment, Conservation and Parks and the Ministry of Municipal Affairs have attended the sessions to assist with any questions with respect to the *Municipal Act*, the *Planning Act*, and the *Water Resources Ac*t. A consulting firm was retained to report directly to the Committee and to assist in the following:

- Conducting a review of governance and management structure best practices and governance structures in Ontario;
- Developing a set of governance models to be considered; and
- Recommending a preferred governance model for the Frontenac region.

Since August, 2020, the committee has held six meetings to review the options for how best to manage communal systems.

The consultants delivered a final report to the governance committee at their meeting held on April 7, 2021, which recommended the use of the Municipal Service Corporation (MSC) as the preferred model, in part for the following reasons:

- MSC allows for a consistent governance and management model that can be applied to all municipalities;
- Services remain in 100% public ownership with the participating municipalities as shareholders.
- MSC operates separately from municipalities with separate financials and objectives.
- MSC can be set up to help promote future land use planning objectives in the local Official Plans.
- Allows for dividends for municipal shareholders and joint risk sharing.

Following the work of the Communal Services Committee, Council, at its regular meeting held April 21, 2021 received Report 2021-036 and subsequently passed the following resolution, being Recommend Reports from the Chief Administrative Officer clause e):

e) 2021-036
Planning and Economic Development

Communal Service Governance/Operations Model Review Committee – Creation of a Municipal Services Corporation

Motion #: 73-21 Moved By: Councillor Smith
Seconded By: Councillor Higgs

Resolved That the Council of the County of Frontenac receive and approve the 'Communal Services Governance Model – Final Report' (03 March 2021) prepared by WSP consulting;

And Further That Council endorse the recommendations of the Communal Service Governance/Operations Committee to create a Municipal Service Corporation (MSC) to manage communal service development across Frontenac, and that each Township invest in the MSC using a weighted assessment model;

And Further That Council send this recommendation to each Township for consideration in May, 2021.

Carried As Amended

At its regular meeting held January 19, 2022, through a Councillor Report presented by Deputy Warden Higgins, it was felt that a public meeting to address residents concerns should be held. As such the following motion was passed, being Motions, Notice of Which has Been Given, clause a):

Motions, Notice of Which has Been Given

a) Proposed Public Meeting and Consultation regarding the Communal Services project

Motion #: 13-22 Moved By: Deputy Warden Higgins
Seconded By: Councillor Martin

That the County Planning Department schedule a Communal Services Public Meeting, in addition to public consultations, to address any concerns by the community at large;

And Further That all Township Councils be invited to said meeting.

Carried

Since Resolution73-21 was passed by Council on April 21, 2021, all four Townships have reviewed and supported the publishing of the Draft Frontenac Municipal Services Corporation Business Case Study for public review, with the Township of South Frontenac being the final municipality to support the project at their meeting held May 17, 2022. As a result, at its June 15, 2022 regular meeting, County Council passed a resolution to host a Public Meeting in combination of in person and virtual on Wednesday, July 13, 2022 at 6:00 p.m. in the Township of South Frontenac.

Comment

The Public Meeting held on July 13, 2022 saw four (4) members of the public attend in person and fourteen (14) attended virtually. Four members of the public raised questions and concerns regarding either site specific

developments or how private systems or assets would affect shares in a MSC.

Members of Council also raised questions again regarding how private assets would be incorporated into a MSC and the effects on municipalities.

One comment was made by Deputy Warden Higgins that the consultant had indicated in the report that communal services cannot be privately owned and stated that this is incorrect and asked that this be reviewed again when discussed at Council.

A copy of the minutes of the public meeting are attached to this report as Appendix A.

Implementation and Next Steps

Following receipt of the WSP Final Report in April 2021, the following Implementation and Next steps were identified:

1. Townships Vote In/Out & Formally Confirm MSC Selection
2. Undertake a Business Case Study
3. Hold Public (and Developer/Industry, if desired) consultations
4. Council Adoption of Business Case
5. Draft, Approve, and Pass Agreement & Documents
6. Develop & Adopt Asset Transfer Policy
7. Appoint MSC Boards, Officers/Directors, and Transfer Assets

In terms of Steps 1 and 2, as noted above, all four Townships have reviewed and supported the publishing of the Draft Frontenac Municipal Services Corporation Business Case Study for public review.

In terms of step 3, section 8 of O.Reg 599/06 sets out the following criteria in terms of public participation on the adoption of a business case study:

> **Public participation**
>
> **8.** Before establishing a corporation under section 3, a municipality shall consult with the public about the proposal to establish the corporation.

As noted, the regulation is silent on how a municipality is required to consult with the public. To date, the County of Frontenac has provided the opportunity for the public to understand the project and provide feedback on the County's engagefrontenac.ca site under the Learn about the advantages of communal water and wastewater services project as per the requirements of the motion 179-21 passed by County Council at its November 17, 2021 meeting. Both the EngageFrontenac.ca and the County's social media channels have been used to engage and consult with the public.

In addition to the EngageFrontenac.ca site a public meeting was held on Wednesday, July 13, 2022 as noted above to permit citizens, businesses and other Frontenac stakeholders to come to Council to learn about and provide input into the Business Case Study on Communal Services for the Frontenacs.

At its meeting held November 17, 2021, Council passed the following resolution, being Recommend Reports from the Chief Administrative Officer, clause d):

d) 2021-104
Office of the Chief Administrative Officer
Communal Services – Draft Business Case – Review of Comments

Motion #: 179-21 Moved By: Councillor Higgs
Seconded By: Councillor MacDonald

Be it Resolved that the Council of the County of Frontenac receive the report, Communal Services – Draft Business Case – Review of Comments for information;

And Further That the County of Frontenac approve the minor technical amendments to the Municipal Service Corporation – Draft Business Case Study based upon the input received from the Township of South Frontenac;

And Further That the revised draft and question responses provided in the report be provided to the Townships of South Frontenac, Frontenac Islands, Central Frontenac and North Frontenac;

And Further That the revised Business Case Study be posted on the Engage Frontenac web site early in 2022 for a period of thirty (30) days.

Carried

Now that all Townships have provided comment and support the draft Business Case Study, and all public comments have been received, with no opposition but more site-specific concerns, the next step for Council is to formally adopt the Business Case Study and direct staff to proceed to step 5, being to draft agreements and documents for approval by all Councils.

Strategic Priority Implications

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

Financial Implications

There are no financial implications at this point.

Organizations, Departments and Individuals Consulted and/or Affected

Council and Senior Staff – Member Municipalities

Township of South Frontenac
Staff Report

To:	Committee of the Whole
Prepared by:	Corporate Services Department
Date of Meeting:	May 17, 2022
Subject:	**Communal Services Governance – Business Case Study**

Summary

This report recommends that Council provide support for the County's Frontenac Municipal Services Corporation (MSC) Business Case Study Final Draft release for public comment as required under the Municipal Act.

Recommendation

That Council support the publishing of the Draft Frontenac Municipal Services Corporation Business Case Study by the County of Frontenac for public review and comment.

Background

At its regular meeting on May 4, 2021, Council received a delegation from WSP on behalf of the County's Communal Services Committee regarding progress to date on the Communal Services initiative and the recommendation of a Municipal Services Corporation (MSC) as the desirable governance model to deliver Communal Services.

On June 15, 2021, Council received a report from staff in response to a number of questions that were posed during the WSP presentation (Attachment #1). Council also passed the following motion, endorsing the MSC model in order to progress to the step of developing and publishing a business case as is required by the Municipal Act (and Ontario Regulation 599/6) before an MSC can be established

> *Resolution No. 2021-22-18*
> *Moved by Councillor Ruttan*
> *Seconded by Councillor Revill*
>
> *That Council endorse the recommendations of the Communal Service Governance/Operations Committee to create a Municipal Service Corporation (MSC) to manage communal service development across the Frontenac's, with initial municipal ownership based on a weighted assessment model; and,*

That Council agree to participate in the next step in the Communal Services initiative being the development of a business case based on the recommendations of the WSP report.

Carried

On September 22, 2021, Council received a letter from the County of Frontenac, requesting comment on an initial draft of the Business Case prior to it being published for public review.

On November 2, 2021, Council received a report from staff in response to Council and staff questions and also recommended that Council provide feedback on the business case as itemized in the report so that the County's Communal Services Committee can consider edits to the business case prior to it being published. Council passed the following motion supporting that feedback to the business case be provided and requesting a subsequent meeting to receive responses to further questions posed during the meeting.

Resolution No. 2021-31-11
Moved by Councillor Sutherland
Seconded by Councillor Roberts

That Council submit feedback, as recommended by staff in this report, to the County's Communal Services Committee for consideration prior to the publishing of the Draft Frontenac Municipal Services Corporation Business Case Study for public review and comment;
(Amendment)
And that Council request a subsequent meeting and responses to some of the questions posed in the feedback and by staff prior to the business case being published.

Carried

Discussion/Analysis

South Frontenac staff have been in regular contact with County staff regarding the draft Frontenac Municipal Services Corporation Business Case Study.

The feedback provided by Council and staff from the November 2, 2021 meeting will be included with the feedback provided through the public consultations and provided to the County's Communal Services Committee to incorporate into a final draft of the Frontenac Municipal Services Corporation Business Case Study to be presented for adoption.

From the November 2, 2021 meeting, the following questions were posed requesting additional information:

1. **The Business Case confirms that the MSC's liabilities would not accrue to the shareholders (Townships) in the event of insolvency; however, it doesn't speak to the need for an MRA or other mechanism should MECP order any of**

the shareholders to assume ownership of the systems should the MSC dissolve. How is this addressed?
Under the MSC structure, there would be no requirement for an MRA as the communal system would be assumed as part of an agreement (e.g. Subdivision Agreement), similar to Township Roads, however the assumption would be taken on by the MSC rather than the Township. The MSC is regarded as a municipal entity and as such so would the communal system. An MRA is not required when a municipal entity assumes ownership of a communal system. Should the MSC become insolvent, and the Township had to assume ownership, ownership would be transferred from the MSC to the Township without the need for an MRA. The business case provides for this transfer under the Asset Transfer Policy, scenario #2 on page 20.

2. **What are the Source Water Protection implications (for Townships and/or the MSC) of communal ground water systems?**
   There would be no differences in the application of Source Water Protection legislation under the MSC or the Township. Both would be required to identify a source water protection zone for construction of 5 or more units. An amendment to the regional Source Water Protection plan would be required for a well or surface water intake serving 5 or more units. Regional Source Protection staff recommended Source Water protection requirements also be applied to any private project that requires an MRA.

3. **Can the County or its consultant provide a more detailed breakdown of the annual operating cost estimates?**

   The County has provided the following breakdown of operating cost estimates per household based on 8 communities of various sizes throughout Ontario operating communal water and wastewater systems:

Community Size	Wastewater and Drinking Water-cost per home (monthly)	Wastewater and Drinking Water-cost per home (yearly)
35-130 homes	**$161.34**	**$1,936**
150-340 homes	**$114.60**	**$1,375**

As additional information, links to the County's WSP reports are included (Link– Report #1) (Link – Report #2). A copy of the draft business case study is attached. The draft business case study is intended to be read in conjunction with the two prior WSP reports. Where a conflict exists, the business case study takes precedence.

Further, a copy of the previous staff reports from June 15, 2021 and November 2, 2021 are attached.

It is staff's recommendation that support be provided to publish the Draft Frontenac Municipal Services Corporation Business Case Study for public review and comment by the County of Frontenac.

Support for the business case does not bind the Township to ownership in an MSC but it is a required next step to move the process forward. Once the public review closes, a revised business case would be updated by the County's Communal Services Committee and circulated to the Township for feedback and approval.

Staff have requested from the County to provide a summary, in the post-public consultation version of the business case, the elements that apply in relation to the MSC that is proposed. For example, removing components that no longer apply such as the levying of taxes to the public or issuing a levy to the shareholder municipalities as revenue mechanisms and confirming components such as the required municipal contribution at infancy and estimates on the affordability of rates.

Financial Implications

None.

Relationship to Strategic Plans

☐ Not applicable to this report.

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

- Priority: 2. Promote and support growth than meets the community's needs while maintaining the integrity of our natural environment.

Climate Considerations

☒ Not applicable to this report.

☐ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change.

Notice/Consultation

-Kelly Pender, Chief Administrative Officer, County of Frontenac
-Joe Gallivan, Director of Planning and Economic Development, County of Frontenac
-Claire Dodds, Director of Development Services

Attachments

1. Staff Report, Communal Services – Approval to Conduct Business Case, June 15, 2021
2. Staff Report, Communal Services – Recommendation to provide feedback to the Business Case, November 2, 2021
3. Frontenac Municipal Services Corporation Business Case Study – Final Draft, September 9, 2021 (annotated comments)

Approvals

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

Township of South Frontenac
Staff Report

To:	Council
Prepared by:	Development Services Department
Date of Meeting:	September 6, 2022
Subject:	**Heritage Grant Program**

Summary

This report recommends that Council approve the Heritage Grant Program. The Heritage Grant Program is intended to encourage and assist owners of designated heritage properties under the Ontario Heritage Act with the maintenance, conservation, restoration, and care of heritage properties. The goal of the program is to enhance heritage designation of buildings, recognize and promote the cultural heritage of the Township.

Recommendation

That South Frontenac Council approve the Heritage Grant Program Policy as attached to this report.

Background

The Township of South Frontenac has a rich and diverse heritage. The Township of South Frontenac 2019-2022 Strategic Plan's mission is to preserve and leverage the community's natural assets, history and rural lifestyle. Accordingly, the Township of South Frontenac Heritage Committee made it one of their goals to establish a Heritage Grant Program to support preserving cultural heritage assets such as buildings that already exist in the Township.

Council allocated $15,000 in the 2022 operating budget for this grant program.

Council established the Heritage Committee in 2018 to advise and assist Council on matters relating to the conservation of properties and/or cultural heritage value or interest as defined under the *Ontario Heritage Act*. One of the purposes of the Committee as outlined in the terms of reference which were approved by Council in May 2018 is to explore financial assistance programs related to the conservation of heritage properties and features.

As one of its activities in 2022, this Committee's goal was to develop a Heritage Grant Program to offer financial assistance on a cost sharing basis to owners of designated

heritage buildings, in collaboration with Township Staff. The Hertiage Grant Program Policy is now coming forward for Council's endorsement and approval.

Discussion/Analysis

The *Planning Act, R.S.O., 1990*, and related *Provincial Policy Statement* include a number of provisions relating to heritage conservation. With respect to Cultural Heritage, Section 2(d) of the *Planning Act* identifies the conservation of features of significant architectural, cultural, historical, archaeological or scientific interests as matters of provincial interest. The *Planning Act* enables municipalities to adopt Official Plan objectives, policies and procedures related to the conservation of cultural heritage resources.

The Township of South Frontenac Heritage Committee has been in place for over five years. This Committee, appointed by Council, functions under the guidelines of the *Ontario Heritage Act* and is expected to advise Council on heritage matters. The *Ontario Heritage Act* is the primary legislation for the protection, designation and conservation of cultural heritage in Ontario. It defines the municipal and provincial roles in heritage conservation including that of the Ontario Heritage Trust which conserves and protects significant built, cultural, and natural sites in Ontario.

The Heritage Committee developed the Heritage Grant Program Policy over the last 8 months (Attachment 1). They recommend that the scope of the grant program take into consideration all designated structures in the Township and that support be provided to projects that would have positive impact on preserving the cultural heritage of the Township.

The recommended Heritage Grant Program was modeled after the Township's successful Community Grant Program and neighbouring municipalities already established heritage grant programs. The Heritage Grant Program would support and encourage the preservation, restoration and care of heritage structures within the Township. This may include, homes, barns, commercial buildings, churches and any structure that is designated as a heritage structure under Part IV of the *Ontario Heritage Act*. It places priority on projects that conserve and/or restore elements of the designated heritage property as cited attributes of cultural heritage value or interest in the property's designation by-law.

The grant program would fund 50% of project costs up to a maximum dollar amount of $5,000. The grant must be matched by contribution from the owner and is based on the owner's actual expenditures verified by invoice.

The Committee also developed criteria for evaluating applications and eligible costs that would be covered under the grant. These can be found in Section 4 of the Heritage Grant Program Policy.

The submissions would be reviewed by a subcommittee of the Heritage Committee, plus a non-voting Township Staff member. Staff would assist the Committee in reviewing the applications which would then recommend a list of grant recipients to Council for final

approval, similar to the Community Grants, Lake Ecosystem Grants and Private Lane Assistance Grant Processes. There would be annual reporting to Council summarizing the results and outcomes of these projects.

Financial Implications

The total amount available for Heritage Grant Program within a calendar year will be based on what Council sets within the annual operating budget. In 2022, $15,000 was allocated by Council to fund this program.

Staff time is required to administer the Heritage Grant Program and to provide support to the Heritage Committee.

Relationship to Strategic Plans

☐ Not applicable to this report.

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

- Priority: 2. Promote and support growth that meets the community's needs while maintaining the integrity of our natural environment.
- Action Item (if applicable): *Create Heritage Grant Program*

Climate Considerations

☒ Not applicable to this report.

☐ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change.

Notice/Consultation

Heritage Committee

Attachments

1. Heritage Grant Program Policy

Approvals

Prepared by: Anna Geladi, MCIP, RPP, Planner

Submitted By:



Claire Dodds, MCIP RPP, Director of Development Services

Approved By:

Louise Fragnito, CPA, Chief Administrative Officer

Township of South Frontenac

Heritage Grant Program

Policy 2022

SOUTH FRONTENAC

This program is administered under the provision of this Policy to establish a Heritage Grant Program.

Section 1 : Heritage Grant Program – Introduction

Purpose of Grant Program

The Heritage Grant Program is intended to encourage and assist Owner(s) with the maintenance, conservation, restoration, and care of heritage properties that are designated under the *Ontario Heritage Act*. The purpose of the program is to offer financial assistance on a cost sharing basis to owners of designated heritage structures.

The Role of the Heritage Committee

The South Frontenac Heritage Committee is a committee of the Township of South Frontenac Council and is responsible for reviewing applications in accordance with the Heritage Grant Program. The South Frontenac Heritage Committee consists of volunteers from the community, appointed by Council because of their knowledge or interest in heritage, architecture, history, construction, law, or first-hand experience with building restoration. The Committee is supported by the Development Services Department.

Section 2: Definitions

'Act' means the Ontario Heritage Act, R.S.O. 1990, c O.18, as amended from time to time.

'Applicant' means the Owner of the property applying for a grant, or their agent, if such agent is authorized in writing by the Owner to act as agent for making the application.

'Application form' shall mean the application form attached as Appendix A to this Policy as may be amended from time to time.

'Conservation' shall mean maintenance and the act or process of applying measures necessary to look after, sustain and maintain the existing form, integrity, materials and details of a heritage property. Conservation is appropriate when the existing heritage attributes and features are unharmed.

'Council' shall mean the elected Council of the Township of South Frontenac.

'Designated Heritage Property' shall mean real property including all buildings, structures and landscape elements thereon located in the Township of South Frontenac that have been designated by municipal by-law as being of cultural heritage value or interest pursuant to Part IV of the Ontario Heritage Act or located in Heritage Conservation District designated under Part V of the Ontario Heritage Act.

'Eligible Heritage Property' means real property, including all buildings and structures thereon located in the Township of South Frontenac, that has either been designated under Part IV of the Act or is within a heritage conservation district designated under Part V of the Act and

which has been identified in a Heritage Conservation District Plan as being of cultural heritage value or interest. It is described in section 4 of this policy.

‘Eligible Conservation Work’ means that which is described in section 5 of this policy.

‘Guidelines’ means the Township’s Heritage Grant Program as may be amended from time to time.

‘Heritage Attributes’ means principal external or internal features, characteristics, context and appearance that contribute to the cultural heritage significance of an eligible property.

‘Heritage Committee’ means the South Frontenac Heritage Committee.

‘Heritage Value’ shall mean the aesthetic, historic, scientific, cultural, social or spiritual importance or significance for past, present, or future generations. The heritage value of an historic place is embodied in its character-defining materials, forms, location, spatial configurations, uses and cultural associates or meanings.

‘Maintenance’ shall mean routine, cyclical, non-destructive actions necessary to slow the deterioration of a historic place. Maintenance entails: periodic inspection; routine, cyclical, non-destructive cleaning; minor repair and refinishing operations; and/or replacement of damaged or deteriorated materials that are impractical to save.

‘Owner’ shall mean the person registered on title in the land registry office as owner of the Designated Heritage Property.

‘Restoration’ shall mean the process of accurately recovering, replicating or representing the state of a heritage property at a particular period in its history, while still protecting the cultural heritage value of the property. Restoration is appropriate when the significance of the property during a particular period in its history far outweighs the potential loss of existing materials and other attributes. Restorations are usually considered when the heritage integrity and significance of a property has diminished over time. Restoration should focus on accurately replicating decayed and missing elements, revealing intact elements that are hidden or obscured; and on removing inappropriate finishes and features that diminish the heritage value of the property. The merit of a restoration project should be determined using appropriate documentary sources and should not be influenced by current design trends.

Section 3: Grant Details

Priority will be given to projects that conserve and/or restore elements of the Designated Heritage Property cited as attributes of cultural heritage value or interest in the property’s designation by-law.

Grants will not be awarded retroactively for work already completed and the Heritage Committee may include conditions with their grant recommendation for approval.

Amount of Grant Assistance

- All Designated Heritage Properties are eligible to apply.
- The grant amount is one half (50%) of eligible project costs (refer to section 5) up to a maximum of $5,000 subject to available funding per calendar year.
- The grant must be matched by contribution from the owner and is based on the owner's actual expenditures verified by invoices. Donated labour and materials are not considered part of the costs or part of the owner's matching contributions.
- The grant is paid upon satisfactory project completion.

Application Deadline

The municipality will accept applications for the Heritage Grant Program between January 1 and November 30 of the calendar year on a first-come, first-served basis.

Please note: the amount of funding for Heritage Grant Program is determined on an annual basis by Council and may vary from year to year. Grants applied for later in the year may have to wait for the next funding cycle to be considered.

Frequency of Grant

Subject to approval, an eligible property may receive one grant per calendar year. If the grant is over subscribed, priority will be given to applications that have not previously received funding through this grant program.

Completion of Work

The project must be completed within two years of the date the grant is approved. Should the approved project not be completed within the two-year deadline, an (additional) heritage permit application will be required to approve any necessary extensions, up to an additional two years. Should a project not be completed within four years of the grant approval, the grant monies will be null and void and returned to the Heritage Property Grant.

Section 4: Eligibility

Eligible Property

To be eligible, a property must be:

1. Designated heritage property under the Ontario Heritage Act (Council has passed the designating By-law and the designation is registered on title); and
2. Located within South Frontenac; and
3. Used in conformity with the applicable Zoning By-law regulations and other relevant land use planning regulations;

4. Free of property tax arrears at the time of application and throughout the grant period, compliance orders, enforcement orders, Building Code, the Ontario Fire Code and any other outstanding fees, fines, order or statutory violations.

Eligible Applicants

Owners and tenants of an Eligible Heritage Property may apply for assistance. Tenants are required to provide documentation of the property owner's consent to the improvements. Written consent may either be in the form of a lease indicating the lessee's authority for property renovation and repair, or written documentation of the property owner's agreement to the proposed alterations. The owner and/or tenant will need to provide proof that they have paid for the work that is being done. Payment of funds from the grant shall be made payable to the party that undertook and paid for the work to be completed.

Heritage resources owned or used by any level of government are not eligible except where a non-profit community group exists and is responsible for maintenance of the building. In these cases, the owner of the Designated Heritage Property shall make an application for the grant and authorize the non-profit community group to submit and speak to the request.

Eligible Costs

Eligible work would include the costs of labour, materials and equipment, provided proof of such costs can be verified by invoices and receipts. Donated labour and materials are not considered part of the costs or part of the owner's matching contribution.

Professional fees for work directly related to completing eligible projects are eligible for funding. For instance, eligible fees might be related to:

- preparation of drawings for reconstructed or restored elements such as porches, windows and doors, for which the appearance for the individual property can be clearly determined from documentary evidence
- solution of structural problems (foundation repairs)
- preparation of specifications of masonry repair

Determination of what is considered of Eligible Conservation Work is at the discretion of the Township of South Frontenac in consultation with the Township of South Frontenac Heritage Committee.

Section 5: Eligible Projects

Any conservation work, which directly and appropriately preserves, restores and/or enhances the heritage attributes as identified and described in the property's Heritage Designation By-law is deemed eligible. All work must be completed in such a manner that does not reduce

from or diminish the cultural heritage value of the property. Where a Designated Heritage Property contains non-heritage additions, or elements, or the proposed work involves new additions, only the Heritage Attributes of the property will be eligible for the grant.

Priority will be given to projects that conserve, re-construct or restore elements that are identified as heritage attributes in the Designation By-law. Projects that are submitted for the heritage grant should meet acceptable standards of conservation i.e., Standards for the Conservation of Historic Places in Canada.

Eligible projects fall into four general categories:

1) **Conservation**

The conservation of existing architectural attributes which are significant to the cultural heritage value of the property. This would include for instance, repair of deteriorated original elements such as doors and windows, siding and roofing materials, and any other attributes as described in the Designation By-law. This money cannot be used to renovate or conserve parts of the structure that are not designated nor contribute to preserving the designation or heritage attributes.

2) **Reconstruction**

The reconstruction of existing architectural features which are beyond conservation or repair. The reconstruction of significant architectural features which have been lost, but for which the appearance can clearly be determined from documentary sources will also be considered. This would include only accurate reconstructions of the original attributes, using materials, sizes and configurations which match the original. Appropriate evidence must be retained and submitted after the project, accurately documenting the original material, evidence of age, dimensions, fasteners, surface treatment, etc. of the attributes reconstructed.

3) **Restoration**

The restoration of significant architectural attributes which have been lost, but for which the appearance can be clearly determined from documentary sources.

4) **New signage on an individually designated property**

The signage would identify the designated property and provide information on why it is culturally significant.

Examples of Eligible Work:

The following is a list of typical conservation projects that would be considered for funding. It is not an exhaustive list but intended to be used as a guide for what would be considered eligible:

- Any work necessary to restore the building to structural soundness including the correction of serious structural faults which threaten the building's survival (e.g., introduction of supporting beams, alterations to correct a failing foundation), but not routine maintenance.
- Any work which directly and appropriately preserves, restores and enhances specific heritage attributes associated with historic cemeteries and their features such as mausolea, dead houses, stone walls, wrought iron gates and fences which are part of the original design, but not specific grave markers, tombs or monuments.
- Repair or replace original masonry, stucco, siding, exterior cladding, and stonework;
- Roofing may include the repair or replacement of the roof deck with materials matching the original;
- Repair, cleaning and re-pointing of masonry and stone to match the original texture, composition, colour and profile;
- Conserve or restore or replace porches, verandahs, cupolas, columns, brackets, soffits, fascia, and other architectural elements where these features can be documented and reproduced in original materials;
- Repair or replace a chimney based upon archival evidence of the original feature;
- Conserve or restore windows, doors and other structural openings;
- Conserve or restore decorative architectural detailing, millwork and trim;
- Chemical or physical treatments, if appropriate, undertaken using the gentlest means possible (treatments that cause damage to historic materials will not be eligible);
- Removal of non-heritage siding and detailing and any inappropriate modern materials;
- Mitigation of insect infestations that have or may cause damage to the properties wooden structural members;
- Preservation or restoration of interior heritage attributes, features, materials and finishes if they contribute to the cultural heritage value of the property; interior work of this nature usually focuses on period wallpaper and paint, woodwork, hardwood floors, wall murals, stained and leaded glass, etc.;
- Preparation and introduction of period paint colour scheme; painting of surfaces, based on documentary evidence or original colours. The cost of a paint analysis may be an eligible cost;
- Architectural and engineering services, feasibility studies, cost estimates, preparation of drawings;
- Conservation of any other features or character defining element on the property that is cited and described as a cultural heritage attribute in the Heritage Designation By-law and/or statement of reason for heritage designation report.

Grants for exterior painting

Applicants applying for a grant for exterior painting of a heritage property need to include in their application:

- Colour scheme and paint colour samples;
- Estimate for cost if work is to be done by the owner (up to 100% for materials only)
- Two estimates if work is to be done by a contractor;
- This is a one time only grant per property. After the initial grant, it is expected that paint maintenance will be the owner's responsibility. This would not preclude the property owner from submitting a future grant application for other eligible works.

Section 6: Ineligible Conservation Work

Ineligible work includes any work or projects that are non-heritage in nature, works that focus on non-heritage attributes, additions or finishes or any works that might diminish the cultural heritage value of the property.

Examples of Ineligible Conservation Work:

- Projects that do not contribute to the conservation of heritage attributes of the property, such as the introduction of new features or additions;
- Projects that may be considered routine or short-term maintenance such as the repair of a broken window or repair of siding or roofing through patching;
- The replacement of original roofing materials, such as slate or cedar shakes;
- Synthetic stone;
- Power washing, sandblasting, and cleaning of masonry surfaces will not be eligible unless it can be proven that the cleaning of the masonry is necessary for the conservation of the structure;
- Repairs and upgrades ordered as a result of non-compliance with applicable By-law, regulations and legislation;
- Re-insulating, installation of new heating or cooling systems or other energy efficiency upgrades;
- Construction of new additions or accessory structures that are not based on historical research and that do not incorporate historically appropriate forms, finishes, elements and materials;
- Removal of mould or other contaminates;
- Driveway paving and repairs;
- Improvements to mechanical or electrical systems;
- Any work completed or started before a grant has been formally approved;
- Exterior painting not based on historical research and not using appropriate period paint colour schemes;
- Non-heritage signage – heritage signage that provides information about the cultural heritage of the structure may be considered;
- Moving of structures;

- Works focusing on non-heritage additions or items not specifically identified as heritage attributes;
- New fencing or landscaping that is not based on historical research and that do not incorporate historically appropriate forms, finishes, elements and materials.

Section 7: Supporting Documentation for the Heritage Grant Submission

The owners are encouraged to submit as much relevant information and supporting documentation as necessary to describe the proposed project and demonstrate its merits. The Township may request additional information.

The following types of information must be included with each submission:

1. Completed Heritage Grant Application form, including a detailed project description.
2. Photographs of the project site and of the features showing what and where the work will take place.
3. Historical photographs, illustrations, or other forms of historical documentation of the property (if available). If not available, general historical references and graphical material that helps illustrate what is proposed and why it is historically appropriate.
4. Drawings (as necessary) that adequately illustrate the scope and type of work and location that is being proposed;
5. At least two (2) competitive cost estimates for all labour and materials involved in the proposed work, unless there is only one specialized supplier of a particular product, trade of service in the area. Although not mandatory, owners who want to apply are encouraged to select suppliers, contractors and/or trades people that have demonstrated experience with heritage properties. Cost estimates must be sufficiently detailed so that they indicate the scope and nature of the work. If the proposed project includes both eligible and non-eligible work, the cost estimates must clearly differentiate between the two.
6. A brief summary of the overall project budget.
7. A statement detailing other grants or funding sought for the proposed work, if applicable.
8. A heritage permit application may be required in addition to a Heritage Grant Program Application. Development Services Staff will determine heritage permit requirements with the applicant. They may be applied for in advance of the grant application or concurrently with the grant application.

Section 8: Process

Heritage grant applications shall be reviewed on a first-come, first-served basis within each year. Please note that not all heritage grant applications may be successful. The grants are

subject to available funding and based on the quality of the application at the discretion of the Township of South Frontenac.

To apply for and be awarded a heritage grant, the following steps must be followed:

1) The owner must undertake a pre-consultation meeting with the Township of South Frontenac Development Services Department to discuss the project and determine eligibility.
2) Once a complete application is received by the Township, the owner will meet with the Township Heritage Committee for review of the application.
3) A site visit will be conducted by Heritage Committee and Township Staff.
4) A report to Council will be written by the Heritage Committee and Township Staff with a recommendation regarding the application.
5) Council will consider the recommendation and determine whether the heritage grant should be awarded.
6) The applicant is required to enter into a letter of understanding with the Township. This document establishes a formal agreement between the applicant and the Township and outlines the amount of the grant and the project completion date. The letter of understanding must be signed and returned to the Township.
7) If an application is unsuccessful, a letter will be sent confirming that a grant will not be issued.

The applications should be received by the Township at least eight (8) weeks before the anticipated project launch.

Works and projects under consideration with a heritage grant submission shall not commence before receiving written confirmation from the Township that a heritage property grant has been awarded and the signed letter of agreement provided. The application may be granted funding either with or without certain conditions and/or other restrictions.

The property owner is responsible for overseeing the work and ensuring that the contractor is aware of the heritage requirements for the project. The property owner is responsible to obtain all permits required under the Ontario Building Code from the Township. It is the property owner who is responsible for booking all required building inspections. The Township of South Frontenac Development Services Department is to be advised when the work is completed and the project will then be inspected to ensure conformity to the grant and heritage permit application submitted.

Section 9: Application Review & Decision

The owner who applied for the heritage property grant will permit a Township Staff and/or Heritage Committee Member to assess and photograph the property to document the condition of the building before, during, and after the construction work. In addition, the owner

who applied will allow Township Staff and/or Heritage Committee Member to enter and inspect the completed project to ensure conformity to the proposal submitted.

The grantee is required to contact the Township concerning any changes to the project which are proposed during the course of the work. The grantee must submit copies of all final paid invoices once the work has been completed and inspected.

When the Township confirms the project has met all conditions of the grant, staff will issue a cheque to the grantee for up to one half of the approved actual eligible project costs.

Assessment of Applications

The following considerations will apply to the review of all applications for a grant:

- Preference will be given to applications where the integrity of the eligible heritage property may be threatened if the proposed conservation work is not undertaken.
- Preference will be given to applications proposing work visible to the general public.
- The project should comply with acknowledged heritage conservation principles, policies and guidelines including but not limited to, specific South Frontenac Heritage conservation district plans, policies of the Ontario Ministry of Culture, and the Standards and Guidelines for the Conservation of Historic Places in Canada.
- The scope of work is clear, logical, and demonstrates that maximum retention of the historic fabric and heritage attributes.
- Compatibility and consistency with the architectural, historical, and contextual significant of the property.
- Serves to rehabilitate the building or property by stabilizing and protecting existing architectural heritage attributes and/or other character defining elements.
- Serves to help restore the building or property by replicating lost or damaged architectural heritage attributes and/or other character defining attributes that were once part of the building or property. This work must not compromise existing heritage attributes in the process and must be justified using appropriate research and documentation methods
- Serves to improve and strengthen the streetscape, neighbourhood or area in which it is located.
- Consistency with Township policy as outlined in the Township Official Plan.
- Consistency with Township By-laws, policies, codes as well as relevant provincial and federal regulations.
- The overall cultural heritage value of the property as determined by the Township's criteria for assessing cultural heritage value or interest, as defined by the *Ontario Heritage Act*.
- Documentation that indicates the suppliers of a product, trade, or service have sufficient experience working with heritage properties, if applicable.

- The use of historically appropriate materials and finishes as warranted.
- The availability of funds within the program budget.

Issuing the Grant

Before the heritage grant is paid by the Township, the following must happen:

- The work as approved by Council, must be completed to the satisfaction of Development Services Staff.
- The work must be completely paid for by the owners or tenants, and written documentation (invoice, receipts and other documents) must be provided to the Township to verify such payment.
- The work must be completed within two (2) years of the date of approval of the heritage grant by Council.

The Township will pay 100% of the grant to the property owner within twenty (20) working days of successful completion of the approved work and upon signing the Agreement form and submitting all required documentation.

Section 10: Remedial Actions

Should, in the opinion of Township Staff, the heritage grant recipient fail to comply with the requirements of the Heritage Grant Program as outlined in this guideline, or supplied false information, the owner or tenant who applied for the heritage grant shall either not be paid the grant by the Township, or if the heritage grant has already been paid, the owner will be required to repay the entire heritage property grant amount to the Township.

Failing immediate repayment upon notice from the Township, the grant shall be deemed a loan, for which the amount of the loan together with interest (at the Prime Interest Rate as set out by the Bank of Canada as of the date of notice from the Township, plus 2%) may be added by the Township Clerk and collected in a manner as municipal taxes over a period fixed by Council.

For further information please contact:

Development Services
heritage@southfrontenac.net

APPLICATION FORM **Application No: _____**

Heritage Grant Program

The accuracy and completeness of this application is the responsibility of the applicant. The issuance of a Heritage Permit must precede or happen at the same time as any other required municipal approval.

Submit this application with a Heritage Permit Application and with all required information outlined in the checklist below:

Deliver your completed application to:
- 4432 George Street, Box 100, Sydenham, ON, K0H 2T0 Attn: Development Services
- Email: heritage@southfrontenac.net

Checklist	Included? Mark YES or NO
1. Completed Heritage Permit Application form, including a detailed project description	
2. A professionally prepared and scaled drawing of the proposed work, including any specific details as may be required.	
3. A minimum of two costs estimates. The estimates must clearly itemize labour and material costs	
4. Recent photographs and digital images that provide an overview of the building's exterior	
5. Recent photographs and digital images of the specific area for the proposed project	
6. Confirmation that the property taxes are in good standing with no outstanding work orders (e.g., receipt of paid taxes or current tax certificate from the Township)	
7. Any relevant historical images of the project area	
8. Samples of the proposed materials or colours, and any product information, dimensions, mortar mixes, cleaning chemicals, ect.	
9. Any relevant plans, documentation or studies	
10. Timeline indicating when the work will begin and the expected completion date	
11. Owner's Authorization Form (if submitted by an agent)	

1. Applicant Information

Name: _____ Telephone Number:_____

E-mail: _____

Mailing Address: _____

2. Owner of Property ___ Same as applicant. If not, please complete the section below.

Name: _____ Telephone Number:_____

E-mail: _____

Mailing Address: _____

3. Property for which application is being made
Civic Address: _____

Lot Description (Lot, Concession, & RPlan) _____

Roll Number: _____ PIN: _____

4. Use of Structure (eg. Residential, Multi-Residential, Commercial)

_____

5. Under which part of the Ontario Heritage Act is the property Designated?

Part IV _____ (Individual Property Designation) Part V ____ (Heritage District)

6. Have you previously received a Designation Property Grant for this property?

No:____ Yes: ____ (If “yes”, give date and amount) Date:_____ Amount:_____

7. Is this property the subject of any Township By-law contraventions, work orders, penalties, fees, arrears of taxes, fines, or other outstanding municipal requirements as of the date of application?

No:____ Yes: ____ (If “yes”, please explain in separate document).

8. Enclose all drawings, photos and/or other material necessary for a complete understanding of the proposed work (use additional sheets as required). Please include any available historic photographs.

9. Provide a description of the project proposal. Include details such as materials to be used, sizes, mortar mixes, etc. You may wish to use a separate sheet.

_____

_____

_____

_____

_____

10. Outline how the proposed project would preserve, restore and/or enhance specific heritage attributes:

11. Briefly outline the conservation methods, materials, and techniques to be applied to the proposed project:

12. Cost Estimate Summary (Enclose at least 2 estimates)

Company	**Details**	**Estimate**
Name: Address:		$
Name: Address:		$
Name: Address:		$

13. Total Project Costs (to the nearest dollar)

Sources	**Details**	**Amounts**
Amount of Grant Requested from Township of South Frontenac		$
Owner's Contribution		$
Other Sources (if any)		$
Total Project Costs		$

14. Declaration

1. I, the undersigned, certify that to the best of my knowledge the information provided in this application is accurate and complete, and I agree to the terms and conditions of the Heritage Grant Program as outlined in the policy document.

2. I am the owner of/or the authorized agent of the owner, named in the above application and hereby apply for a grant under the Heritage Grant Program (provide a registered owner's authorization form).

3. I understand that the final amount of the grant will be determined and that this application will be completed following:
    a. A site inspection of the property and assessments of impacts on existing designated heritage attributes by the Heritage Committee and Development Services Staff
    b. Owner provided drawings, and/or specifications, costs estimates and photographs
    c. Assessment of the merits of the application by the Heritage Committee
    d. Formal approval of application by the Township of South Frontenac Council
    e. Substantiation of the completed work by invoices provided and;
    f. Completion of work within two (2) years of the date of approval of the grant

4. The undersigned hereby certify that no works eligible for heritage grant assistance and/or which would require permission to alter under the Ontario Heritage Act, have commenced as of this date, or will commence prior to approval of this application.

_____ _____

date Owner Signature

Personal information on this form is collected under the authority of the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990 m c.M.56 for the purpose of providing information for a Heritage Grant Program application for the above listed property. Questions about this collection should be directed to the Township of Development Services Staff at heritage@southfrontenac.net

Township Staff – OFFICE USE ONLY

Application Received by: _____ Date: _____

Date of Referral to Heritage Committee: _____

Project _____ Accepted (Conditions) _____

_____

_____ Not Accepted (reasons) _____

_____

Council Meeting Date: _____

Project _____ Accepted (Conditions) _____

_____

_____ Not Accepted (reasons) _____

_____

Attachments Received:

Item Received?	Yes / No
All Bills and Invoices for labour and/or materials marked Paid in Full	
Date of Work Completed:	
Final Inspection / Site Visit	

MEETING BELLROCK HALL July 20 2022

Present: Debbie Twiddy, Celine Hayes, Carmel Orr, Doug Morey
Upcoming Rentals: July 9 rental was cancelled: family emergency. To be re-booked.

Proposed Rentals: Sjoujke has not gotten back to us yet about the proposal to rent the hall this winter that Ben told us about at the last meeting.

Water Testing: Next test is due July 26, 2022 but the water system needs to be shocked again after pump repairs. Eurofin is closed for part of the summer so we can't re-test until they re-open. Will have to put up boil-water notices until we get re-tested.

Trespassers: 4-wheelers are damaging the septic bed and orchard. Suggestions: get signs posting the property, use a trail camera to capture license plates, call the police.

Treasurer: Petty cash as of July 20 2022 Balance: $228.92

Expenses. Outside lights replaced, parts for the water pump.(was leaking, fixed by Howard and Derek)

SF chequing account---We are awaiting information from the new treasurer whose name we still don't know since Trevor left. Have left numerous requests for an update. Celine will try to contact Angela Maddocks, Stacey Stedhall, or Louise Fragnito to try to get this information.

Insurance: Carmel investigated "Under Our |Wing", an insurance company that caters to non-profit groups to see what they could do for us. Best possibility could be their "Office Package" insurance. We need to find answers to a few questions: 1

1. Are we part of "Volunteer Canada" organisation and
2. What is their definition of "board of directors" and how does this apply to our situation?

Insurance rates could be considerably lower than what we are paying now. Carmel to inquire further and report back to us.

Village road safety: Celine contacted Troy from the township about the traffic speed in the village. Also children driving 4-wheelers and dirt bikes on the roads. Sight lines by the bridge due to un-trimmed foliage.

Speed signs will be put up in the village (50 kph). Foliagehas now been trimmed by the bridge. Township may put radar-electronic sign up to discourage speeding. Petition and/or parkette status of the the playground could be factors useful to change the speed limit.

Upcoming events:

Verona Car show: Aug 7, 2022.

Debbie attended a meeting of the organisers for the car show as a representative. We have 6-7 volunteers for the event and we will be manning the raffle and 50/50 ticket sales. Debbie to contact the volunteers with details.

Chef dinner, Puppetry/storytelling : Still waiting to hear back from Karen. Will let the committee know when more information is available and perhaps a decision can be made before the next meeting.

Increasing rental rates: Discuss later and decide before next year's season.

Grant application has been made to United Way Kingston . Nothing heard yet. Might hear by October.

BellRock Community(street) Party: Date to be determined. Details to be worked out—probably at next meeting.

Next meeting Wed Aug 17 at 6pm.

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Development Services Department
Date of Meeting:	September 6, 2022
Subject:	**Zoning By-law Amendment Application PL-ZBA-2022-0050 (Huehn)(Fotenn) – 38 Phoebe Lane**

Summary

This report recommends that Council pass a by-law to change the zone on the subject lands from Limited Service Residential - Waterfront (RLSW) to a property specific Limited Service Residential - Waterfront zone (RLSW-133) to permit the second storey of an accessory, detached garage to be used for human habitation similar to a sleeping cabin (i.e. sleeping accommodation only) and to permit this building to exceed the maximum building height permitted in the RLSW zone, and to have a reduced setback from the top of bank.

Recommendation

THAT By-law 2022-77 to amend the zoning on lands in Part 4 on Plan 13R11606, Part of Lot 5, Concession 14, District of Loughborough, Township of South Frontenac be passed.

Background

Council held a virtual public meeting under the *Planning Act* on August 9, 2022, on the proposed amendment to Zoning By-law No. 2003-75. This application is being brought forward to Council for a decision.

Discussion/Analysis

Summary of Application

The proposal is to change the zone on the property from Limited Service Residential - Waterfront (RLSW) to a property specific Limited Service Residential Waterfront zone (RLSW-133) to allow the second storey of an accessory, detached garage to be used for human habitation similar to a sleeping cabin (i.e. sleeping accommodation only). The zone would permit this building to exceed the maximum building height permitted in the RLSW zone, and to have a reduced setback from the top of bank.

Property Description

The subject lands are located at the end of Phoebe Lane, which is accessed off Rose Lane, off Desert Lake Road.

The subject lands have an area of approximately 0.55 hectares (1.37 acres) with water frontage on Desert Lake. The property consists of a small peninsula with a steeply sloping shoreline The property rises steeply from Desert Lake and then continues to rise gradually towards Phoebe Lane. The lands are generally level in the area of the developed portion of the property.

The property is developed with a single detached dwelling and a holding tank. The dwelling is setback 5.74 metres from the top of bank and the highwater mark. The dwelling is one storey with a height of 5.5 metres. The floor area of the dwelling is 128 square metres (1378 square feet).

Supporting Documentation – Planning Justification Report

A Planning Justification Report (Fotenn, March 30, 2022) was submitted in support of the rezoning application. The Planning Justification Report includes a description of the area, a site plan drawing as well as elevation and floor plan drawings of the proposed building. The report assesses the appropriateness of the proposed zoning by-law amendment in the context of the surrounding area as well as its conformity to applicable policy and regulatory framework. The Planning Justification Report focuses on the definition of sleeping cabin, specifically the maximum footprint that is permitted. The report proposes a new revised definition for a sleeping cabin to allow the proposed development. It is the opinion of Township Staff that the application is about allowing habitable space in an accessory building that is not a dwelling and that does not meet the definition of a sleeping cabin.

The report is available for review in the Township's Civic Web Document Centre (https://southfrontenac.civicweb.net/filepro/documents/87239/).

Department, Agency Comments

Cataraqui Conservation provided comments on May 25, 2022. Cataraqui Conservation staff noted that the proposed building (detached garage) and the septic bed will be located at least 30 metres from the highwater mark and more than 6 metres from the top of bank. They have no objections to the application. They note that development within 15 metres of the top of bank will require a permit under O. Reg. 148/06.

Building Services provided comments on June 15, 2022. They note that a site specific location as identified in the preliminary plan of Survey 2021-0056 GNDC POS by Hopkins Chitty Land Surveyors Inc, dated May 14, 2021 is acceptable for the installation of a new Class 4 Sewage System which will serve the proposed development.

Public Comments

A virtual public meeting was held under the Planning Act on August 9, 2022. No comments were received from members of the public at the meeting.

Mayor Vandewal, Councilor Revill, Councillor Ruttan spoke in support of this application.

Planning Analysis

The proposed rezoning by-law amendment was assessed against the applicable policies of the Provincial Policy Statement 2020 (PPS), County of Frontenac Official Plan, and Township of South Frontenac Official Plan, as well as the provisions of Zoning By-law No. 2003-75.

Accessory Buildings and Uses

The PPS and the County Official Plan speak to permitting resource-based recreational uses and development that is sensitive to the surroundings.

The subject lands are designated Rural in the Township Official Plan. The Township Official Plan suggests that the type and amount of development on 'Rural' lands must maintain the rural character, natural heritage, and cultural landscape in the Township. The Official Plan permits some limited service residential development in the form of single detached dwellings and seasonal dwellings on waterfront properties accessed from a private road. Residential land uses may include accessory buildings and structures.

The lands are zoned Limited Service Residential - Waterfront (RLSW). The RLSW zone permits accessory buildings including one sleeping cabin where there is a dwelling on a property. The subject property has an existing dwelling.

An accessory building may not be used for human habitation unless it is expressly permitted in the Zoning By-law. A sleeping cabin is a permitted use, but it must be single storey with a maximum footprint of 27.9 square metres (300 square feet) designed as sleeping accommodation only. It may contain plumbing or a bathroom, but not a kitchen. It cannot be used for the temporary accommodation of members of the public for a fee.

As an undersized waterfront property, there are limited options for the placement of accessory buildings. The applicants are proposing to combine the two uses in one building in order to minimize physical impacts such as site alteration and vegetation removal. The second floor of the building would actually have a lesser area due to the proposed roofline.

It will have an area of 33.4 square metres (360 square feet). The second floor would have a bathroom but no kitchen. No dwelling unit would be permitted.

The by-law amendment limits the use of the second floor of the garage to human habitation for consistent with the Zoning By-law definition of a sleeping cabin, and specifies a maximum floor area. The by-law also prohibits the establishment of a separate sleeping cabin on the property.

Accessory buildings in the RLSW zone are permitted to have a maximum height of 6 metres. The proposed garage will have building height of 8 metres to accommodate the second storey. This height is typical for a two-storey detached garage. The proposed design of the building will also minimize visual impacts. The structure will be located on a higher point on the ground. Being located on a peninsula and the elevation difference provides buffering from the shoreline. A new dwelling is being constructed on a different property to the north of the proposed location, approximately 100 metres from the structure. The proposed garage/sleeping cabin is located in such a way that it is not anticipated to prevent views of the water for the adjacent property.

Staff consider this proposal appropriate development for the lands. Incorporating a sleeping cabin-type use into a second storey on the proposed garage and prohibiting a standalone sleeping cabin will reduce the footprint of buildings on the subject property, preserving not only the character of the waterfront property, but the vegetation and natural landscape of the property. Staff note that the proposed floor area of the human habitation maintains the intent of the sleeping cabin provision of the Zoning By-law.

Natural Hazards

The shoreline of the property rises steeply from the lake. The Township Official Plan, consistent with the PPS, directs development away from lands that might be subject to shoreline erosion hazards. As per section 5.8.2(b) of the Township Zoning By-law, no building or structure including the septic tank installation shall be located within 15 metres from the top of bank if the slopes is greater than 30%. A review of the subject lands revealed that portion of the subject property contain steep slopes of 30% or more. Cataraqui Conservation indicated that the extent of potential erosion hazards on the property is 6 metres from the stable top of bank.

The proposed building will be setback 9.2 metres from the top of the steep slope (top of bank). This is reflected in the by-law. The sewage system will be setback 10.9 metres from the top of bank. Planning approval is not required for the replacement sewage system per section 6.10.4 of the Township Official Plan. The proposed building and sewage system are located as far back from the top of bank as possible on the subject property. The new sewage system represents an improvement to the property and is located farther from the lake than the existing holding tank. Cataraqui Conservation has no concerns with the proposal from a natural hazards perspective.

Any indirect impacts associated with stormwater runoff during construction should be minimal, especially with proper erosion and sediment control tools used.

Conclusion
It is the opinion of staff that the proposed zoning by-law amendment is consistent and conforms to the Provincial Policy Statement 2020, the County of Frontenac Official Plan, and the South Frontenac Official Plan, and represents good planning for the subject property.

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.

Climate Considerations

☒ Not applicable to this report.

Notice/Consultation

Council held a virtual public meeting under the *Planning Act* on August 9, 2022.

Attachments

1. By-law 2022-77
2. Survey Sketch

Approvals

Report Prepared By:
Anna Geladi, MCIP, RPP, Planner

Report Reviewed By:
Christine Woods, MCIP, RPP, Senior Planner

Submitted By:



Claire Dodds, MCIP, RPP
Director of Development Services

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-77

BEING A BY-LAW TO AMEND BY-LAW 2003-75, AS AMENDED, TO REZONE LAND FROM LIMITED SERVICE RESIDENTIAL – WATERFRONT (RLSW) TO LIMITED SERVICE RESIDENTIAL – WATERFRONT – SPECIAL PROVISION (RLSW-133) ON LANDS DESCRIBED AS 38 PHOEBE LANE, PART 4 ON PLAN 13R11606, PART OF LOT 5, CONCESSION 14, DISTRICT OF LOUGHBOROUGH: HUEHN

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

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

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

AND that there be no further notice pursuant to Section 34 (17) of the *Planning Act*;

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

1. **THAT** Schedule “B”, to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning from Limited Service Residential – Waterfront (RLSW) to Limited Service Residential – Waterfront – Special Provision (RLSW-133) on the lands shown on Schedule “1”.

2. **THAT** Zoning By-law Number 2003-75 as amended is hereby further amended by adding a new section RLSW-133 (Huehn, Part 4 on Plan 13R11606, Part of Lot 5, Concession 14, District of Loughborough) immediately after the last Limited Service Residential – Waterfront – Special Provision section to read as follows:

   RLSW-133 (Part of Part 4 on Plan 13R11606, Lot 5, Concession 14, District of Loughborough; Huehn)

   Notwithstanding the provisions of section 10.3.2 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential – Waterfront (RLSW-133), the following provisions shall apply:

   - *An accessory building is permitted to have a second storey used for human habitation. The following provisions shall apply to an accessory building that contains human habitation:*
     - *Human habitation is permitted in accordance with the range of uses permitted under the sleeping cabin definition of this by-law.*
     - *No use shall be established that meets the definition of a dwelling unit in this by-law.*
     - *The area used for human habitation is permitted to have a maximum floor area of 33.4 square metres (360 square feet) and is limited to the second floor of the building.*
     - *Building height (maximum)* — *8.0 metres (26.5 feet)*
     - *Top of Bank setback (minimum)* — *9.2 metres (30 feet)*

   No additional accessory building that meets the definition of a sleeping cabin is permitted to be established on the lands zoned RLSW-133.

   All other provisions of this by-law shall apply.

3. THIS BY-LAW shall come into force in accordance with Section 34 of the Planning Act, 1990, as amended, either upon the date of passage or as otherwise provided by said Section 34.

Dated at the Township of South Frontenac this 6th day of September, 2022.

Read a first and second time this 6th day of September, 2022.

Read a third time and finally passed this 6th day of September, 2022.

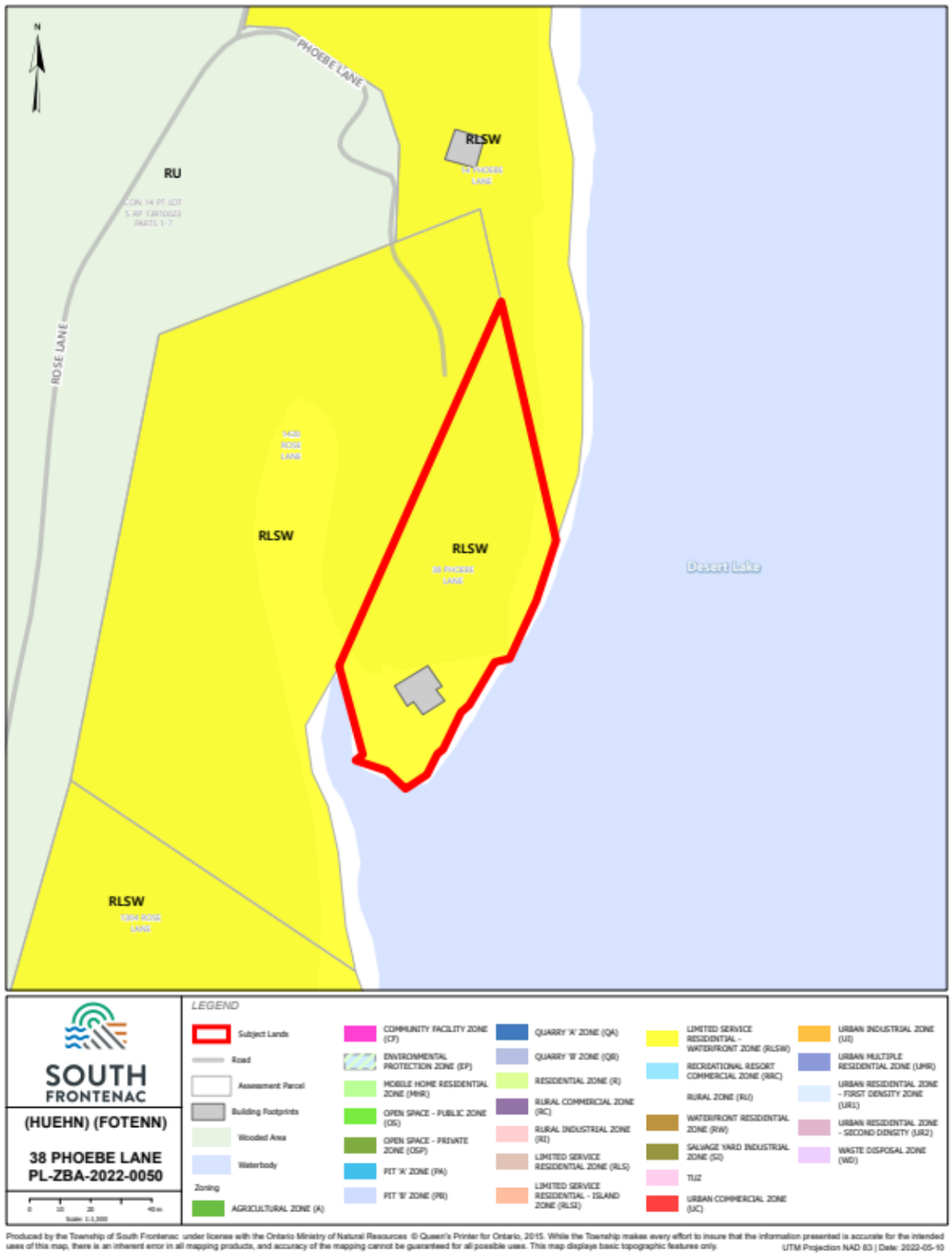
THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC

_____
Ron Vandewal, Mayor

_____
Angela Maddocks, Clerk

Schedule 1

This is Schedule “1” to By-law No. 2022- 77.



Passed this 6th day of September, 2022

_____

Ron Vandewal, Mayor

_____

Angela Maddocks, Clerk

PLAN OF SURVEY
OF PART OF LOT 5
CONCESSION 14
TOWNSHIP OF SOUTH FRONTENAC
(GEOGRAPHIC TOWNSHIP OF LOUGHBOROUGH)
COUNTY OF FRONTENAC

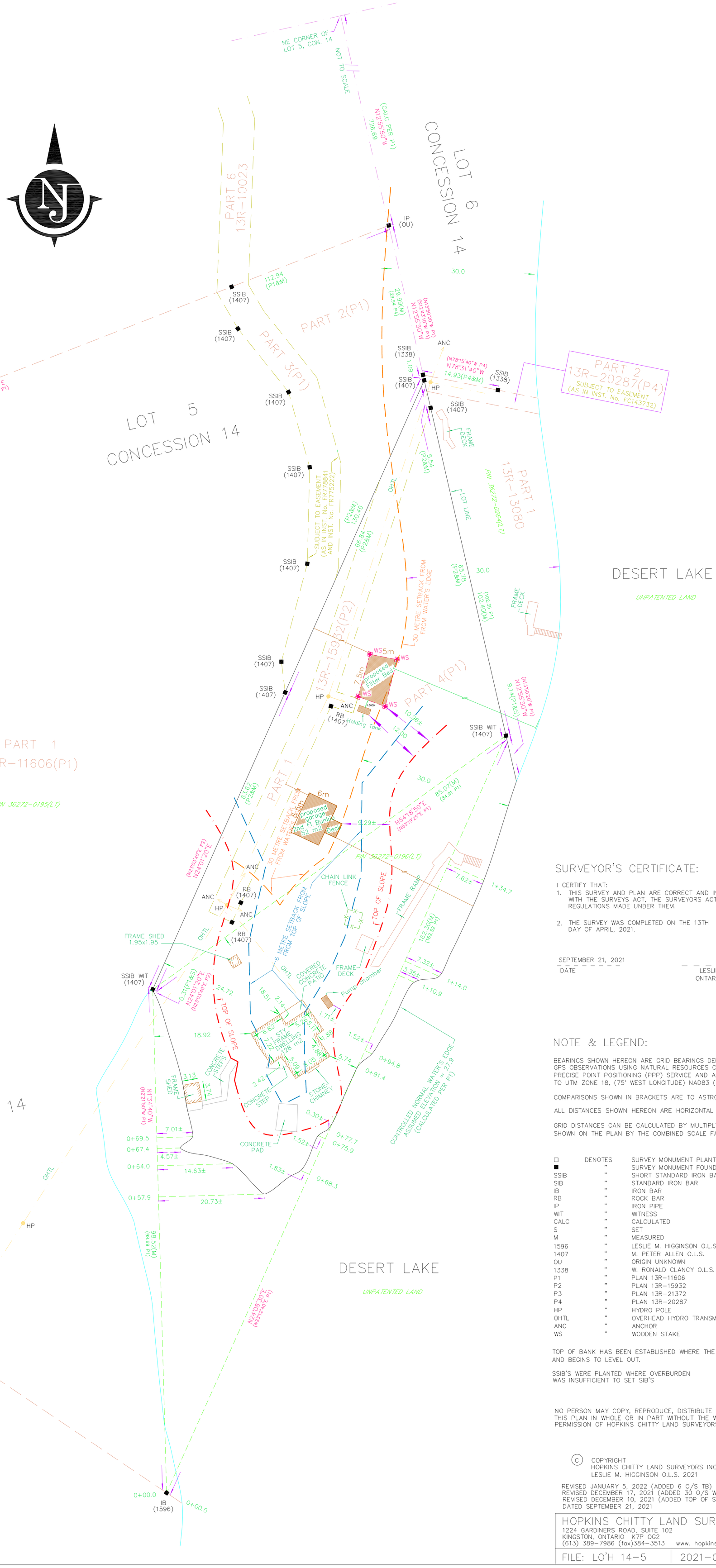
SCALE: 1 : 400

10m 0 10 20 30 metres

METRIC
DISTANCES & COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

HOPKINS CHITTY LAND SURVEYORS INC.
2021

THIS REPORT WAS PREPARED FOR LINDA HUEHN – PETER KUSKE & THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES



SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 13TH DAY OF APRIL, 2021.

SEPTEMBER 21, 2021
DATE

LESLIE M. HIGGINSON
ONTARIO LAND SURVEYOR

NOTE & LEGEND:

BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM GPS OBSERVATIONS USING NATURAL RESOURCES CANADA (NRCAN) PRECISE POINT POSITIONING (PPP) SERVICE AND ARE RELATED TO UTM ZONE 18, (75° WEST LONGITUDE) NAD83 (CSRS) (2010).

COMPARISONS SHOWN IN BRACKETS ARE TO ASTRONOMIC BEARINGS

ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES.

GRID DISTANCES CAN BE CALCULATED BY MULTIPLYING THE GROUND DISTANCES SHOWN ON THE PLAN BY THE COMBINED SCALE FACTOR OF 0.99978027.

□	DENOTES	SURVEY MONUMENT PLANTED
■	"	SURVEY MONUMENT FOUND
SSIB	"	SHORT STANDARD IRON BAR
SIB	"	STANDARD IRON BAR
IB	"	IRON BAR
RB	"	ROCK BAR
IP	"	IRON PIPE
WIT	"	WITNESS
CALC	"	CALCULATED
S	"	SET
M	"	MEASURED
1596	"	LESLIE M. HIGGINSON O.L.S.
1407	"	M. PETER ALLEN O.L.S.
OU	"	ORIGIN UNKNOWN
1338	"	W. RONALD CLANCY O.L.S.
P1	"	PLAN 13R–11606
P2	"	PLAN 13R–15932
P3	"	PLAN 13R–21372
P4	"	PLAN 13R–20287
HP	"	HYDRO POLE
OHTL	"	OVERHEAD HYDRO TRANSMISSION LINE
ANC	"	ANCHOR
WS	"	WOODEN STAKE

TOP OF BANK HAS BEEN ESTABLISHED WHERE THE SLOPE BREAKS AND BEGINS TO LEVEL OUT.

SSIB'S WERE PLANTED WHERE OVERBURDEN WAS INSUFFICIENT TO SET SIB'S

NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF HOPKINS CHITTY LAND SURVEYORS INC.

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HOPKINS CHITTY LAND SURVEYORS INC.
LESLIE M. HIGGINSON O.L.S. 2021

"THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED WITH A SEAL"

REVISED JANUARY 5, 2022 (ADDED 6 O/S TB)
REVISED DECEMBER 17, 2021 (ADDED 30 O/S WE)
REVISED DECEMBER 10, 2021 (ADDED TOP OF SLOPE)
DATED SEPTEMBER 21, 2021

HOPKINS CHITTY LAND SURVEYORS INC.
1224 GARDINERS ROAD, SUITE 102
KINGSTON, ONTARIO K7P 0G2
(613) 389–7986 (fax)384–3513 www. hopkinschitty.com

FILE: LO'H 14–5 | 2021–0056 GNDC POS

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Development Services Department
Date of Meeting:	September 6, 2022
Subject:	**Zoning By-law Amendment Application PL-ZBA-2022-0088 (Prikker) – 1466 Devil Lake Road**

Summary

This report recommends that Council pass a by-law to change the zone on a portion of the subject lands from Rural (RU) to Waterfront Residential (RW) to permit residential development on two waterfront properties that are accessed from a public road and also to limit the permitted uses to either a seasonal dwelling or a single detached dwelling.

Recommendation

THAT By-law 2022-78 to amend the zoning on part of lands described as 1466 Devil Lake Road, Part Lots 12, 13 and 14, Concession 11, District of Bedford, Township of South Frontenac be passed.

Background

Council held a virtual public meeting under the Planning Act on August 9, 2022, on the proposed amendment to Zoning By-law 2003-75. This application is being brought forward to Council for a decision.

Discussion/Analysis

Summary of Application

The proposal is to change the zone on the subject lands from Rural (RU) to Waterfront Residential (RW) to fulfill a condition of provisional approval of consent applications S-65-21-B and S-66-21-B. The RW zone would acknowledge that the waterfront properties have frontage on and are accessed by a public road and also limit the permitted uses to either a seasonal dwelling or a single detached dwelling.

Property Description

The subject property is located on the north side of Devil Lake Road and has water frontage on Christie Lake. The subject lands consist of large pockets of wetlands, ponds and large forested areas. There is a right-of-way which provides access to Christie Lake for a separate property located to the east the subject property. The subject property is surrounded by large rural landholdings and residential development along Devil Lake Road.

Lot 1, one of the severed parcels to be rezoned, (S-65-21-B) is located on the west-most side of the subject property. It consists of 1.04 ha (2.57 acres) of land with 99 metres (325 feet) of road frontage on Devil Lake Road and 171 metres (561 feet) of water frontage on Christie Lake. The severed parcel consists of vacant land and is forested.

Lot 2, the second severed parcel to be rezoned (S-66-21-B) is located to the east of Lot 1 and to the west of the retained parcel. The severed parcel contains a dwelling. The dwelling is located on the south-west side of the property, close to Devil Lake Road. It is located within the 30 metre setback from the highwater mark of Christie Lake.

The retained parcel is approximately 179.4 hectares (443.4 acres) of land with 92 metres (301 feet) of road frontage on Devil Lake Road and 1276 metres (4186 feet) of water frontage on Christie Lake. The retained parcel contains pockets of wetlands and ponds, and is forested. The retained parcel is not proposed to be rezoned.

Department, Agency and Public Comments

Public Services, Building Services and the Cataraqui Conservation did not provide comments on the rezoning application as they had no objections to the consent application.

Public Comments

A virtual public meeting was held under the Planning Act on August 9, 2022. No comments were received from members of the public at the meeting.

Councilor Revill was supportive of the application.

Planning Analysis

The proposed rezoning was assessed against the applicable policies of the Provincial Policy Statement 2020, County of Frontenac Official Plan, and Township of South Frontenac Official Plan, as well as the provisions of Zoning By-law No. 2003-75.

The Provincial Policy Statement (2020) allows growth and development to be directed to rural lands, including locally appropriate residential lot creation (section 1.1.5). The County of Frontenac Official Plan and the Township of South Frontenac Official Plan also permit residential development in the Rural designation.

The Director of Development Services had consideration for the 2020 PPS as well as the County and Township Official Plans in the decision to grant provisional approval to the consent applications for two new residential lots.

The subject property is zoned Rural (RU). A condition of the consent approvals was to change the zone on the severed parcels to Waterfront Residential (RW). The RW zone contains more stringent provisions that are applicable to waterfront properties with a frontage on a public road (e.g. minimum lot area, maximum lot coverage), and also limits the permitted uses to either a seasonal dwelling or a single detached dwelling. The RW zone will ensure that zoning provisions can be properly applied should the owner propose to make modifications to the existing dwelling on Lot 2 or to construct any new buildings in the future.

Staff note that the retained parcel is large, roughly 179 ha (440 acres) of land. The retained parcel, although it also has frontage on a public road and frontage on Christie Lake is not required to be re-zoned due to the large area and the environmental features (wetlands and ponds) present on the retained parcel. The retained parcel will continue to function as a rural property.

It is the opinion of staff that the proposed zoning by-law amendment is consistent and conforms to the Provincial Policy Statement 2020, the County of Frontenac Official Plan, and the South Frontenac Official Plan, and represents good planning for the subject property.

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): N/A

Climate Considerations

☒ Not applicable to this report.

☐ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change.

Notice/Consultation

Council held a virtual public meeting under the *Planning Act* on August 9, 2022.

Attachments

1. By-law 2022-78
2. Location Map

Approvals

Report Prepared By:

Anne (Anna) Geladi, MCIP, RPP, Planner

Reviewed By:

Christine Woods, MCIP, RPP, Senior Planner

Submitted By:



Claire Dodds, MCIP, RPP
Director of Development Services

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-78

BEING A BY-LAW TO AMEND BY-LAW 2003-75, AS AMENDED, TO REZONE LAND FROM RURAL (RU) TO WATERFRONT RESIDENTIAL(RW) ON PART OF LANDS DESCRIBED AS 1466 DEVIL LAKE ROAD, PART LOTS 12, 13, 14, CONCESSION 11, DISTRICT OF BEDFORD; PRIKKER

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

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

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

AND that there be no further notice pursuant to Section 34 (17) of the *Planning Act*;

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

1. **THAT** Schedule “D”, to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning from Rural (RU) to Waterfront Residential (RW) for the lands shown on Schedule “1”.

2. THIS BY-LAW shall come into force in accordance with Section 34 of the Planning Act, 1990, as amended, either upon the date of passage or as otherwise provided by said Section 34.

Dated at the Township of South Frontenac this 6th day of September, 2022.

Read a first and second time this 6th day of September, 2022.

Read a third time and finally passed this 6th day of September, 2022.

THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC

_____
Ron Vandewal, Mayor

_____
Angela Maddocks, Clerk

Schedule 1

This is Schedule "1" to By-law No. 2022-78.



Passed this 6th day of September, 2022

_____

Ron Vandewal, Mayor

_____

Angela Maddocks, Clerk



SOUTH FRONTENAC

(PRIKKER)

DEVIL LAKE ROAD
PL-ZBA-2022-0088

0 15 30 60 m
Scale: 1:2,800

LEGEND

- Subject Lands
- Road
- Assessment Parcel
- Building Footprints
- Wooded Area
- Waterbody

Zoning

- AGRICULTURAL ZONE (A)
- COMMUNITY FACILITY ZONE (CF)
- ENVIRONMENTAL PROTECTION ZONE (EP)
- MOBILE HOME RESIDENTIAL ZONE (MHR)
- OPEN SPACE - PUBLIC ZONE (OS)
- OPEN SPACE - PRIVATE ZONE (OSP)
- PIT 'A' ZONE (PA)
- PIT 'B' ZONE (PB)
- QUARRY 'A' ZONE (QA)
- QUARRY 'B' ZONE (QB)
- RESIDENTIAL ZONE (R)
- RURAL COMMERCIAL ZONE (RC)
- RURAL INDUSTRIAL ZONE (RI)
- LIMITED SERVICE RESIDENTIAL ZONE (RLS)
- LIMITED SERVICE RESIDENTIAL - ISLAND ZONE (RLSI)
- LIMITED SERVICE RESIDENTIAL - WATERFRONT ZONE (RLSW)
- RECREATIONAL RESORT COMMERCIAL ZONE (RRC)
- RURAL ZONE (RU)
- WATERFRONT RESIDENTIAL ZONE (RW)
- SALVAGE YARD INDUSTRIAL ZONE (SI)
- TUZ
- URBAN COMMERCIAL ZONE (UC)
- URBAN INDUSTRIAL ZONE (UI)
- URBAN MULTIPLE RESIDENTIAL ZONE (UMR)
- URBAN RESIDENTIAL ZONE - FIRST DENSITY ZONE (UR1)
- URBAN RESIDENTIAL ZONE - SECOND DENSITY (UR2)
- WASTE DISPOSAL ZONE (WD)

Produced by the Township of South Frontenac under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2015. While the Township makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

UTM Projection NAD 83 | Date: 2022-07-11

Township of South Frontenac
Staff Report

To:	Council
Prepared by:	Development Services Department
Date of Meeting:	September 6, 2022
Subject:	**Zoning By-law Amendment Application PL-ZBA-2022-0097 (Klassen) – 73 Mill Bay Lane, District of Bedford**

Summary

This report recommends that Council pass a by-law to change the zone on the subject lands from Limited Service Residential - Waterfront (RLSW) to a property specific Limited Service Residential - Waterfront zone (RLSW-134) to permit the principal building to have a maximum of 12.4% lot coverage and to be setback 9.5 metres from the top of bank, and to prohibit accessory buildings and structures on the property.

Recommendation

THAT By-law 2022-79 to amend the zoning on lands described as 73 Mill Bay Lane, Part 18 on Plan 13R167, Lot 33 to 34, Concession 7, District of Bedford, Township of South Frontenac.

Background

Council held a virtual public meeting under the *Planning Act* on August 9, 2022, on the proposed amendment to Zoning By-law 2003-75. This application is being brought forward to Council for a decision.

Discussion/Analysis

Summary of Application

The proposal is to change the zone on the property from Limited Service Residential - Waterfront zone (RLSW) to a property specific Limited Service Residential - Waterfront zone (RLSW-134) to permit a maximum of 12.4% lot coverage for the principal building and to prohibit accessory buildings and structures on the property. The site-specific zone would also permit the principal building to be setback 9.5 metres from the top of bank.

The applicant is proposing to demolish the existing dwelling, attached deck and shed and to build a new dwelling with an attached garage on the same general footprint. The new dwelling with attached garage will be one storey with a height of 6.4 metres (21 feet) and have a ground floor area of 264.95 square metres (2,851.89 square feet). It would have a

slab-on-grade foundation. There will not be an attached deck. It will be setback 30 metres from the highwater mark of Bob's Lake and 9.5 metres from the top of bank. The new dwelling with attached garage will be larger than the existing dwelling and will result in an increase of lot coverage for a total of 12.4%.

The applicant is also installing a new sewage system on the property because the existing system is substandard. The new sewage system will be located more than 30 metres from the highwater mark, between the dwelling and the lane, to the east of the driveway. The old system will need to be removed and the site will need to be restored.

Property Description

The subject property is located at 73 Mill Bay Lane and has an area of approximately 0.2 hectares (0.53 acres) with frontage on Bobs Lake. The subject property is located on the north side of Mill Bay Lane.

The property contains a single detached dwelling with attached deck and a small shed. The property rises steeply from the shoreline of Bobs Lake to a flat area where the existing dwelling is located. The property drops steeply from the location of the existing dwelling towards the lane. The area between the shoreline and the flat area consists of bedrock and is predominately forested. The land between the flat area and the lane is also treed.

The existing dwelling is one storey and has an attached deck located on the north side. The building has a height of 6 metres and a ground floor area of 77.6 square metres (835 square feet). The total footprint of the dwelling and deck is 127 square metres (1367 square feet). The dwelling and deck are setback more than 30 metres from the highwater mark, except for the landing for the deck stairs, which is setback 29 metres (96 feet). The dwelling and deck are setback 10 metres from the top of bank, at the closest point. The lot coverage of the existing dwelling and deck is 5.9%.

The shed is located to the south of the dwelling, 21 metres (70 feet) from the highwater mark of Bobs Lake. It has a footprint of 8 square metres (90 square feet). The shed has a lot coverage of 0.3%.

A sewage system is located south of the dwelling, between the dwelling and the neighbouring property to the south. The property is in an area of similarly developed waterfront residential properties.

Supporting Documentation – Slope Stability Study

The applicant submitted a Slope Stability Study in support of the proposal (Malroz Engineering Inc, dated April 28, 2022) which speaks to assessing construction near the steep slope to ensure that any slope stability or erosion hazard risks would be addressed. This was required as the proposed reconstruction would encroach on the required 15 metre

setback from the top of bank. The study concluded that the slope is stable and that the proposed dwelling is suitable to be constructed at the existing setback of 9.3 metres.

Department and Agency Comments

Rideau Valley Conservation Authority provided comments in a letter dated May 20, 2022 indicating that the proposed setback of 9.5 metres to the new dwelling from the top of the slope is acceptable. RVCA recommends that the lands within 6 metres of the top of the slope be left natural and not be disturbed. They confirmed by e-mail on July 28, 2022 that they have no objections to the application. They note that the development proposed in the application will not require a permit from RVCA because it does not include any site alteration within the area they regulate.

Building Services has no objections to the location of the sewage system and noted that the installer will need to provide a revised design advanced treatment Eljen system due to site constraints.

Public Comments

A virtual public meeting was held under the Planning Act on August 9, 2022. No comments were received from members of the public at the meeting.

Mayor Vandewal, Councillor Ruttan and Councillor Revill spoke in support of the re-zoning application.

Planning Analysis

The proposed rezoning was assessed against the applicable policies of the Provincial Policy Statement 2020 (PPS), County of Frontenac Official Plan, and Township of South Frontenac Official Plan, as well as the provisions of Zoning By-law No. 2003-75.

The PPS and the County Official Plan sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. They speak to permitting resource-based recreational uses and development that is sensitive to the surroundings.

Waterfront Residential Development

The subject lands are designated Rural in the Township Official Plan. The Township Official Plan suggests that the type and amount of development on ‘Rural’ lands must maintain the rural character, natural heritage, and cultural landscape in the Township. The Official Plan permits some limited service residential development in the form of single detached dwellings and seasonal dwellings on waterfront properties accessed from a private road. Residential land uses may include accessory buildings and structures.

The Township of South Frontenac Official Plan's housing goal encourages residential development which is affordable, of high quality and capable of meeting the changing and diverse needs of the rural community. The proposed dwelling with attached garage is consistent with the permitted residential use of the property and will contribute to improved housing in the Township.

The policies of the Township Official Plan intend to protect and strengthen the character of the waterfront areas, while taking into consideration changing lifestyles and accessibility throughout the municipality and the transition from a more seasonal dwelling to more permanent dwellings in the area. As pressures amount to permit higher density development, there is a need protect the Township's waterfront areas, unique natural and environmental character. Two of the ways that these policies are implemented through the Zoning By-law are minimum setbacks and maximum lot coverage provisions.
Maximum lot coverage provisions are intended to control the scale and density of development on a parcel, avoid an overdeveloped appearance of a lot and shoreline, ensure there is adequate landscaped space, and to minimize site disturbance and vegetation removal. They can also provide for consistent building envelopes on lots in a neighbourhood and maintain compatible mass and scale of new construction.

The Mill Bay Lane community is characterized by predominately small single detached dwellings with waterfront view or access to the shoreline. From an aerial analysis as well as MPAC data obtained from Frontenac Maps, properties along Mill Bay Lane are all undersized waterfront lots developed with single detached dwellings. The average lot coverage for a dwelling on properties similar in size to the subject property is 7%.
The subject lands are currently zoned Limited Service Residential - Waterfront (RLSW). The RLSW zone permits a dwelling and accessory buildings. The proposed dwelling meets all required zoning setbacks, except from the top of bank, and will maintain sufficient space between adjacent buildings, lot lines and the highwater mark.

The proposed dwelling will be on the same general footprint as the existing dwelling where it will have minimal visual impact on surrounding the lake and neighbouring properties. Building on the same footprint will cause minimal disturbance to the natural features on the subject property. There is not anticipated to be any visual impacts from the lane due to the change in elevation (e.g. the dwelling would be several metres above the lane). Similarly, the proposed dwelling is setback more than 30 metres from the highwater mark and several metres above the lake. The proposal allows for the maintenance of the existing natural treed buffer between the dwelling and the steep cliff to the water.

The RLSW zone permits a maximum 5% lot coverage for the dwelling. The General Provisions Section 5.24.1 permits an additional maximum 5% lot coverage for accessory buildings and structures. The existing dwelling on the subject property accounts for 5.9% lot coverage. The proposed dwelling will result in 12.4% lot coverage.

If the proposed building is broken down into components, the dwelling is roughly 8.4% and the attached garage is roughly 4%. The dwelling component will have a similar lot coverage to other properties on the lane. The garage component will be consistent with the 5% permitted for accessory buildings and structures.

One way to reduce the lot coverage of the principal building to be more in keeping with the average lot coverage in the neighbourhood would be to detach the garage from the dwelling. However, the applicants are proposing to build a dwelling with an attached garage to allow for easier movement between the garage and the house as the applicants age in their home.

The proposed increase in lot coverage is best addressed through a re-zoning application. A minor variance application would not have any mechanism to stop the current or subsequent landowners from obtaining a building permit for accessory buildings on their property in a location that is compliant with the RLSW zone, thereby further increasing lot coverage on the subject property beyond what is intended by the Zoning By-law.

This zoning by-law amendment establishes a maximum lot coverage for the principal building and prohibits the construction of any additional accessory buildings and structures. Limiting the construction of any additional accessory buildings and allocating the lot coverage that would normally be permitted for detached accessory buildings to the principal building is the best approach to staff would maintain the intent of the Township Official Plan and Zoning By-law for development of this property.

Natural Hazards

The Township Official Plan, consistent with the PPS, directs development away from lands that might be subject to shoreline erosion hazards. The Zoning By-law requires a minimum 15 metre setback from the top of bank in order to implement this policy. The Slope Stability Study (Malroz Engineering Inc, dated April 28, 2022) confirmed that the proposed dwelling is not expected to be subject to an erosion hazard, and supports a 9.5 metre setback from the top of bank.

The by-law permits a maximum of 12.4% lot coverage for the principal building and prohibit accessory buildings and structures. It also permits a 9.5 metre setback from the top of bank.

It is the opinion of staff that the proposed zoning by-law amendment is consistent and conforms to the Provincial Policy Statement 2020, the County of Frontenac Official Plan, and the South Frontenac Official Plan, and represents good planning for the subject property.

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): *N/A*

Climate Considerations

☒ Not applicable to this report.

☐ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change.

Notice/Consultation

Council held a virtual public meeting under the *Planning Act* on August 9, 2022.

Attachments

1. By-law 2022-79
2. Location sketch

Approvals

Report Prepared By:
Anna Geladi, MCIP, RPP, Planner

Report Reviewed By:
Christine Woods, MCIP, RPP, Senior Planner

Submitted By:



Claire Dodds, MCIP RPP,
Director of Development Services

Approved By:



Louise Fragnito
Chief Administrative Officer

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-79

BEING A BY-LAW TO AMEND BY-LAW 2003-75, AS AMENDED, TO REZONE LAND FROM LIMITED SERVICE RESIDENTIAL – WATERFRONT (RLSW) TO LIMITED SERVICE RESIDENTIAL – WATERFRONT – SPECIAL PROVISION (RLSW-134) ON LANDS DESCRIBED AS 73 MILL BAY LANE, PART 18 ON PLAN 13R167, LOT 33 TO 34, CONCESSION 7, DISTRICT OF BEDFORD: KLASSEN

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

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

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

AND that there be no further notice pursuant to Section 34 (17) of the *Planning Act*;

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

1. **THAT** Schedule “D”, to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning from Limited Service Residential – Waterfront to Limited Service Residential – Waterfront – Special Provision (RLSW-134) on the lands as shown on Schedule “1”.

2. **THAT** Zoning By-law Number 2003-75 as amended is hereby further amended by adding a new section RLSW-134 (73 Mill Bay Lane, Part 18 On Plan 13R167, Lot 33 to 34, Concession 7, District of Bedford: Klassen) immediately after the last Limited Service Residential – Waterfront – Special Provision section to read as follows:

   RLSW-134 (73 Mill Bay Lane, Part 18 On Plan 13R167, Lot 33 to 34, Concession 7, District of Bedford: Klassen)

   Notwithstanding the provisions of section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential – Waterfront (RLSW-134), the following provision shall apply:

   - *For the Principal Dwelling:*
     a) Lot Coverage (Maximum) 12.4%
     b) Top of Bank setback (Minimum) 9.5 metres (31 feet)

   - *No accessory buildings and structures are permitted.*

   All other provisions of this by-law shall apply.

3. THIS BY-LAW shall come into force in accordance with Section 34 of the Planning Act, 1990, as amended, either upon the date of passage or as otherwise provided by said Section 34.

Dated at the Township of South Frontenac this 6th day of September, 2022.

Read a first and second time this 6th day of September, 2022.

Read a third time and finally passed this 6th day of September, 2022.

THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC

_____

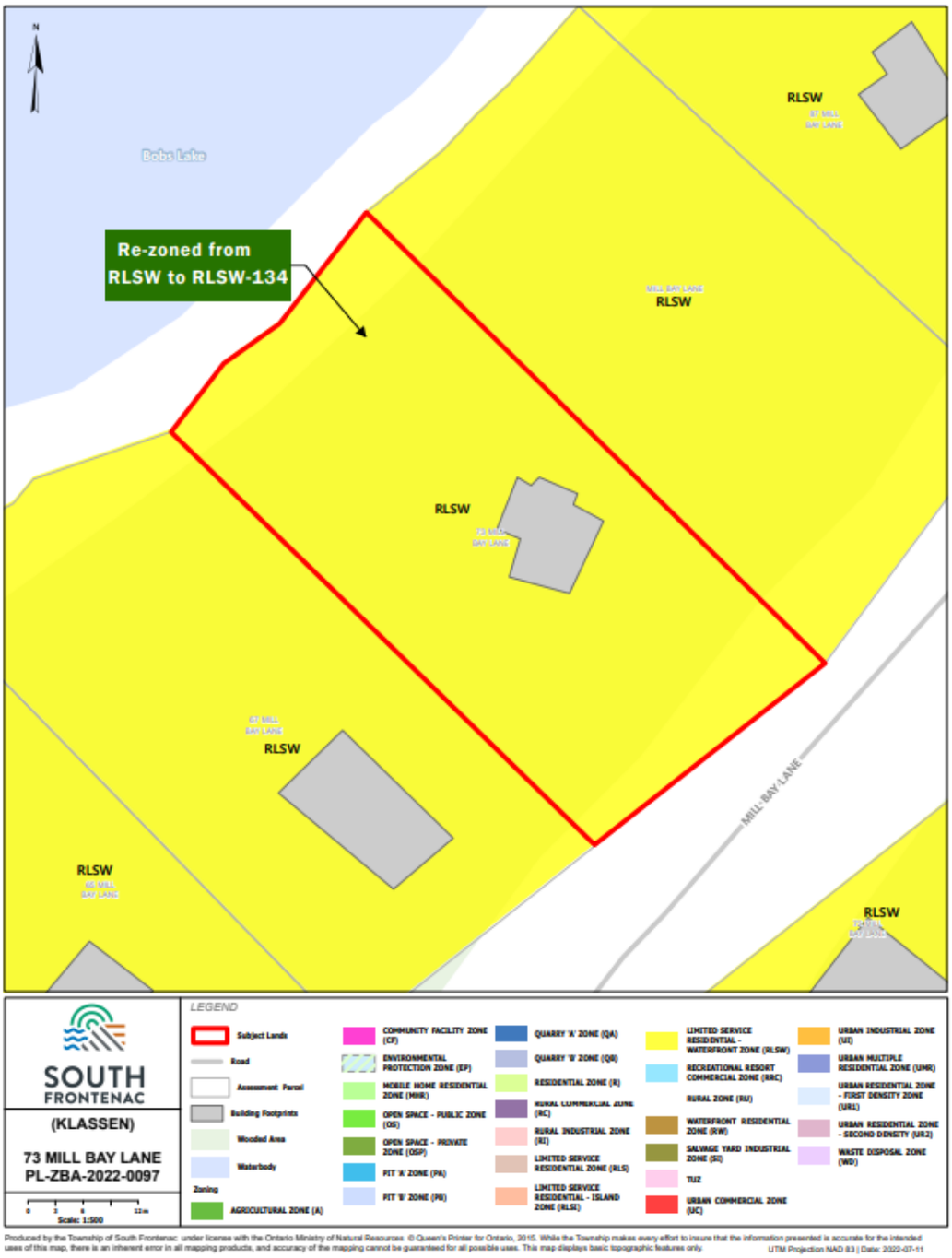
Ron Vandewal, Mayor

_____

Angela Maddocks, Clerk

Schedule 1

This is Schedule “1” to By-law No. 2022- 79



Passed this 6th day of September, 2022.

_____

Ron Vandewal, Mayor

_____

Angela Maddocks, Clerk

TOPOGRAPHIC PLAN OF SURVEY OF PART OF LOT 34 CONCESSION 7 GEOGRAPHIC TOWNSHIP OF BEDFORD TOWNSHIP OF SOUTH FRONTENAC COUNTY OF FRONTENAC

SCALE = 1 : 200

0 1 2 3 4 5 10 15m

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ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
2175411

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR
In accordance with Regulation 1026, Section 29(3).

CONTROLLED HIGH WATER MARK (AS PER PLAN 13R 167)

BOB'S LAKE

CURRENT HIGH WATER MARK- SEPTEMBER 16, 2021

(N045°08'09"E P1)
N 45°01'52" E
32.004
165.08

IB (981) 0+000
0+8.6
6.6
4.4±
6.2±
BOLT WITH CAP (OU)

PIN 36239 - 0172 (LT)

PART 18

PLAN 13 R 167

LOT CONCESSION 7 34

56.590 (56.638 P1)
60.073

30.53 m

9.57M from top of bank. Aproximate slope to new grade 5%. Slope to existing grade 12% Slope is less than 30% listed in By-Law 5.8.2.2

9.57 m

PS PATIO

STEEP SLOPE

CONCRETE BLOCK RETAINING WALL

Shed to be demolished after main building completion

VINYL SHED

64.6±
70.1±

W/S

30 METER SETBACK FROM CURRENT HIGH WATER MARK

FRAME DECK AND STEPS

1 STOREY VINYL DWELLING #73

264.95 sq m

11.66
4.14
12.41
15.16
3.08

SITE BENCHMARK: NAIL IN TREE ELEV: 180.92m

PIN 36239 - 0171 (LT)

PART 17

PLAN 13 R 167

Approximate location of Neighbours septic

APPROXIMATE SEPTIC AREA

SEPTIC TANK

GRAVEL PARKING

Proposed new well location

18.16 m

Neighbours well on opposite side of property.

GRAVEL DRIVE

18.56

O/H HYDRO LINES

N 46°06'30" W

N 45°51'51" W

New Septic location per Site visit from Septic installer and Inspector Chris Beeg

10'-0"

SIB (981) ORP-1

(29.718 P1)
29.764
N 51°18'09" E (REFERENCE BEARING)

SSIB (981)

(32.004 P1)
31.970

61.734

SSIB (981) ORP-2

PIN 36239 - 0182 (LT)

O/H HYDRO LINE

POLE

PART "A"
PLAN 13 R 167
(KNOWN AS MILL BAY LANE)

PART 38

PART 37
PLAN 13 R 167

PART 36

PIN 36239 - 0173 (LT)

19

PLAN 13 R 167

EMPTY LOT

GRID NORTH

Legend:

- Stone Patio
- New Building Footprint
- Demo Existing

SURVEY INTEGRATION NOTES:

1. THE INFORMATION PROVIDED ON THIS SURVEY COMPLIES WITH SECTION 14(1) & (2) SUCH THAT THE COORDINATES ARE ACCURATE, AT THE 95% CONFIDENCE LEVEL, TO 0.2 METRES IN RURAL AREAS.
2. COORDINATES HAVE BEEN DIRECTLY OBSERVED USING GPS;
   - REAL TIME NETWORK (RTN) COORDINATES FROM TOPCON NETWORK
3. DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE COMBINED SCALE FACTOR OF 0.99976621

SURVEY NOTES:

1. BEARINGS ARE UTM GRID DERIVED FROM GPS - REAL TIME NETWORK (RTN) OBSERVATIONS ON MONUMENTS ORP-1 AND ORP-2, HAVING A GRID BEARING OF N51°18'09"E, NAD83 (CSRS 1997.0) AND ARE REFERRED TO THE CENTRAL MERIDIAN IN UTM ZONE 18 (75°W).
2. DISTANCES AND COORDINATES ILLUSTRATED ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
3. THE HIGH WATER MARK IS CONTROLLED BY A DAM AT THE OUTLET OF BOB'S LAKE

SITE BENCHMARK

1. SITE BENCHMARK IS A NAIL IN TREE HAVING A GEODETIC ELEVATION OF 180.92m
2. ELEVATIONS ARE GEODETIC AND HAVE BEEN DERIVED USING GPS, CGVD-1928 DATUM

BEARINGS ARE UTM GRID DERIVED FROM GPS - REAL TIME NETWORK (RTN) OBSERVATIONS. FOR BEARING COMPARISONS A ROTATION FACTOR WAS APPLIED TO CONVERT TO UTM BEARINGS, AS NOTED BELOW.

PLAN ID.	BEARING ROTATION	DIRECTION
P1	01°05'09"	CLOCKWISE

ALL COORDINATES ARE IN METRES, ARE RELATED TO UTM ZONE 18 (75°W LONGITUDE) NAD83 CSRS AND HAVE A RELATIVE ACCURACY TO MEET THE REQUIREMENTS OF A RURAL AREA AT A 95% CONFIDENCE LEVEL. OBSERVED REFERENCE POINT (ORP) OR SPECIFIED CONTROL POINT (SCP)

POINT ID.	POINT DESC.	NORTHING (N)	EASTING (E)
ORP-1	SIB (981)	4 953 250.7	375 928.4
ORP-2	SSIB (981)	4 953 289.3	375 976.6

THE COORDINATE(S) ILLUSTRATED CANNOT, THEMSELVES, BE USED TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

LEGEND

□	DENOTES PLANTED MONUMENT	RB	DENOTES ROCK BAR
■	DENOTES FOUND MONUMENT	CC	DENOTES CUT CROSS
SIB	DENOTES STANDARD IRON BAR	IP	DENOTES IRON PIPE
SSIB	DENOTES SHORT STANDARD IRON BAR	WIT	DENOTES WITNESS
IB	DENOTES IRON BAR	FN	DENOTES FIELD NOTES
RIB	DENOTES ROUND IRON BAR	-x-x-	DENOTES FENCE
CM	DENOTES CONCRETE MONUMENT	-TB-	DENOTES TOP OF BANK
(N)	DENOTES DIRECTION (NORTH, EAST, SOUTH & WEST)	-BB-	DENOTES BOTTOM OF BANK
P1	DENOTES PLAN 13R 167	W/S	DENOTES WOODEN STAKE
(981)	DENOTES L.U. MAUGHAN, O.L.S	IPS	DENOTES INTERLOCKING PAVING STONES
(OU)	DENOTES ORIGIN UNKNOWN	GW	DENOTES GUY WIRE
		⊕	DENOTES SITE BENCHMARK

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 16TH DAY OF SEPTEMBER, 2021.

OCTOBER 26, 2021.

W. B. COLLETT
ONTARIO LAND SURVEYOR

ENGINEERING + SURVEYING
SUITE #205, 51 KING ST. E. - BROCKVILLE, ONTARIO - K6V 1A8
TEL. 613-342-2611 OR 1-800-267-4433
E-MAIL : info@ineng.ca
www.inengineering.ca

THIS PLAN IS NOT A VALID COPY UNLESS EMBOSSED WITH SURVEYOR'S SEAL

MAP CHECK	PTY. CH.	DRN. BY	FILE NO.
J.Mc.	M.S.	J.Mc.	10831 MT

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Development Services Department
Date of Meeting:	September 6, 2022
Subject:	**RC-21-10 (Keefe) – Application to request to stop up, close and transfer a portion of an Unopened Road Allowance between Concessions 9 & 10, Lot 20, Storrington**

Summary

An application has been received by Development Services Staff to request to stop up, close and transfer a portion of unopened road allowance.

Recommendation

That Council pass by-law 2022-80 to stop up, close and transfer ownership of Part 2 Plan 13R22605 being a portion of unopened road allowance to the adjacent property municipally known as 131 Christel Lane, PIN 36288-0503.

Background

An application was submitted to the Development Service Department to stop up, close and transfer a portion of unopened road allowance between Concessions 9 & 10, District of Storrington. Attachment #1 provides a location map.

The applicant owns property that is split by the unopened road allowance. The applicant intends to merge the portion of unopened road allowance with the two parcels known as 131 Christel Lane. The property is developed with a frame cottage, sewage system and accessory buildings. Part of the frame cottage, part of the shower room and part of the sewage system were historically developed on the unopened road allowance. The benefitting lands have been surveyed as Parts 1 and 3 on Plan 13R22605, Part 2 Plan 13R22605 is the unopened road allowance. All three parts will merge on title following the closure and transfer of the road allowance which will clean up historic title issues. Attachment #2 provides the registered survey 13R22605.

The application came before Council for consideration originally as a larger piece that was proposed to be purchased by numbered company 2290998 Ontario Inc (Beach) to facilitate a severance and give proper legal title of a portion of Christel Lane. This application came to staff following the Public Meeting for the aforementioned file, however, in anticipation of the receipt of additional applications, the Public Meeting was for the entirety of the unopened road allowance and was held on January 12, 2021.

Discussion/Analysis

Planning staff and Public Services staff visited the site in 2021. Public Services staff advised that they have no issues with selling the road allowance as a majority of it is developed with structures and only accessible by a private lane.

The application was heard again by Council at the request of the applicant to discuss the purchase price. Council passed a motion on May 24, 2022, that a purchase price of $3,000 plus HST would be applied to this portion of the unopened road allowance.

The purchase price has been paid by the applicant.

Planning staff have received and reviewed Survey 13R22605. Part 2 is the portion of unopened road allowance to be purchased and transferred to the applicant.

Financial Implications

The application fee and legal deposit has been paid by the applicant to process this road closing application. The final purchase price is noted above and has been paid. Fees to survey the portion to be transferred have been 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.

Climate Considerations

☒ Not applicable to this report.

☐ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change.

Notice/Consultation

- Public Services staff
- Notice to the Public was circulated in the Frontenac News
- Notice was sent by mail to all abutting property owners

Attachments

Attachment #1 – Location map

Attachment #2 – Survey 13R22605

Attachment #4 – By-Law 2022-80

Approvals

Report author:

Michelle Hannah, Planning Assistant

Submitted By:



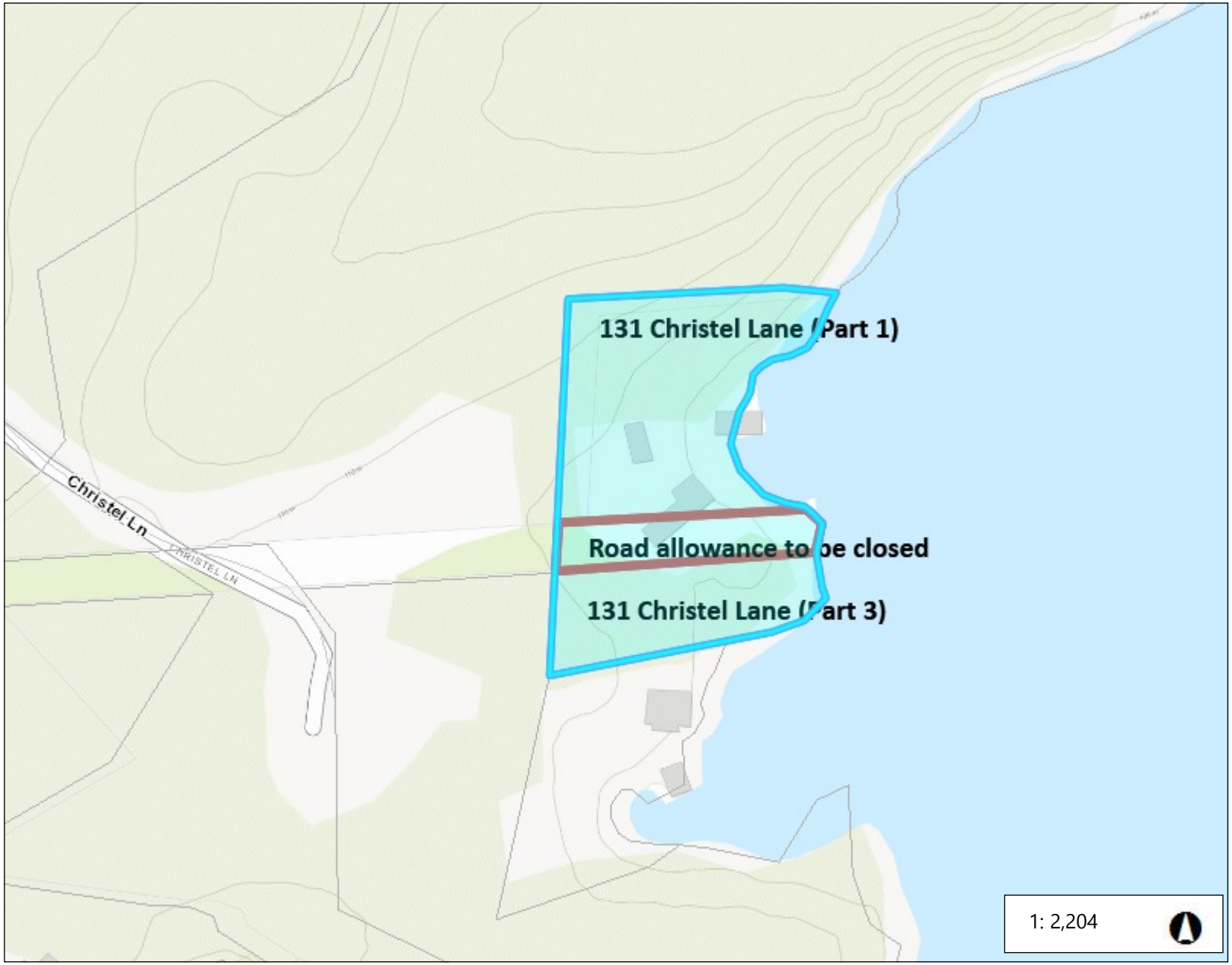
Claire Dodds, MCIP, RPP
Director of Development Services

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

FRONTENAC | Map Title





Legend

Road
- Highway
- Major Road
- Secondary Road
- Ferry Route

Assessment Parcels

Citations

1: 2,204

Notes

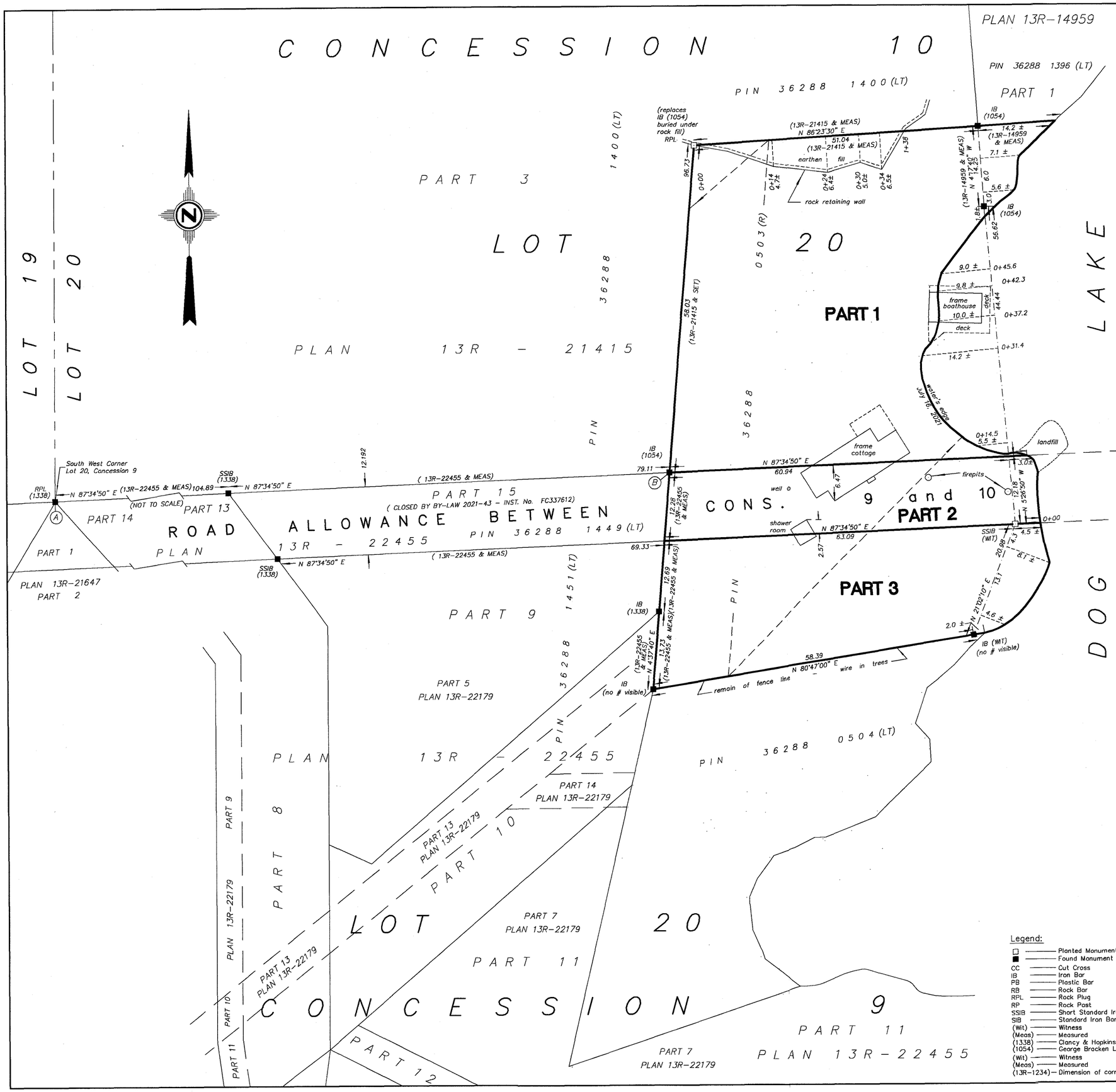
0.1 0 0.06 0.1 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere

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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



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE REGISTRY ACT.

DATE NOVEMBER 24, 2021

W. Ronald Clancy

W. RONALD CLANCY
ONTARIO LAND SURVEYOR

PLAN 13R-22605

RECEIVED AND DEPOSITED

DATE February 24 2022

Sandra Altpot

REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE REGISTY ACT DIVISION OF FRONTENAC (No. 13)

METRIC

DISTANCES and COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

SCHEDULE

PART	PART of LOT	LOCATION	PIN
1	20	CONCESSION 10	36288 0503 (R)
2	ROAD ALLOWANCE BETWEEN CONCESSION 9 and 10		
3	20	CONCESSION 9	

PARTS 1, 2 and 3 consist of ALL of PIN 36288 0503 (R)
PART 2 -- no closing By-Law

PLAN OF SURVEY
of PART of LOT 20, Concession 9 and of PART of LOT 20, CONCESSION 10 and of PART of the ROAD ALLOWANCE BETWEEN CONCESSIONS 9 and 10

(Closed by BY-LAW 2021-43 - Inst. No. FC337612)
Geographic Township of Pittsburgh
(formerly Township of Storrington)
Township of South Frontenac
County of Frontenac

SCALE 1 : 500

0 10 20 30 40 50 (METRES)

CLANCY & HOPKINS SURVEYING LTD.
ONTARIO LAND SURVEYORS
NAPANEE, ONTARIO
-2021-

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A and B BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 18, NAD83(CSRS)(1997.0)

FOR BEARING COMPARISON, A ROTATION OF 0°56'20" COUNTER-CLOCKWISE MUST BE APPLIED TO CONVERT BEARINGS FROM GRID TO ASTRONOMIC.

DISTANCES ARE GROUND and CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999772

OBSERVED REFERENCE POINTS (ORP's), UTM ZONE 18, NAD83 (CSRS) (1997.0) COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP A	4 921 773.05	393 460.71
ORP B	4 921 780.25	393 632.94

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

Legend:

- Planted Monument
- Found Monument
- CC — Cut Cross
- IB — Iron Bar
- PB — Plastic Bar
- RB — Rock Bar
- RPL — Rock Plug
- RP — Rock Post
- SSIB — Short Standard Iron Bar
- SIB — Standard Iron Bar
- (Wit) — Witness
- (Meas) — Measured
- (1338) — Clancy & Hopkins Surveying Ltd.
- (1054) — George Bracken Ltd.
- (Wit) — Witness
- (Meas) — Measured
- (13R-1234) — Dimension of corresponding plan

FIELD WORK BY : J. Reynolds D. Craven

PLAN DRAWN BY : W.R.C.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 20th DAY OF OCTOBER, 2021

CLANCY & HOPKINS SURVEYING LTD.

NOVEMBER 24, 2021

W. Ronald Clancy

W. RONALD CLANCY
ONTARIO LAND SURVEYOR

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW NUMBER 2022-80

BEING A BY-LAW TO STOP UP, CLOSE AND SELL A PORTION OF AN UNOPENED ROAD ALLOWANCE BEING PART 2 PLAN 13R22605, PART OF ROAD ALLOWANCE BETWEEN CONCESSION 9 & 10, DISTRICT OF STORRINGTON; Keefe

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WHEREAS, the Municipal Council of the Township of South Frontenac may pass a by-law to stop up, close and sell any highway or part thereof pursuant to the *Municipal Act*, section 34(1):

AND WHEREAS pursuant to the Township of South Frontenac's Notice By-law No. 2016-73, the Corporation of the Township of South Frontenac caused to be advertised the proposal to close portions of the said road allowance:

AND WHEREAS the said road allowance is not used as a publically travelled road:

AND WHEREAS no objections have been received to the road closing:

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

1. **THAT** the portion of road allowance being Part 2 Plan 13R22605, Part of the Road Allowance between Concession 9 & 10, District of Storrington, Township of South Frontenac, shall be stopped up and closed and ownership transferred to the abutting property owner of Part Lot 20, Concession 9 & 10, Part 1 & 3 on 13R22605, District of Storrington, being all of PIN 36288-0503, municipally known as 131 Christel Lane.

2. **THAT** the Mayor and Clerk are hereby authorized and directed to execute such documents as are required; and

3. **THAT** this By-law shall come into force and take effect upon registration of this By-law.

Dated at the Township of South Frontenac this 6th day of September, 2022.

Read a first and second time this 6th day of September, 2022.

Read a third time and finally passed this 6th day of September, 2022.

THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC

_____
Ron Vandewal, Mayor

_____
Angela Maddocks, Clerk

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Office of the Clerk
Date of Meeting:	September 6, 2022
Subject:	**Implementation of Administrative Monetary Penalties – Noise By-law**

Summary

The purpose of the Report is to provide Council with information regarding the proposed expansion of the application of Administrative Monetary Penalties (AMPs) to deter actions prohibited under By-law 2015-41, A By-law to Prohibit and Regulate Noise Within the Township of South Frontenac.

Recommendation

That Council recommend as follows:

a) **That** By-law 2022-81 attached as Exhibit A, being 'By-law to Amend By-law 2022-70, 'A By-Law to Impose Administrative Monetary Penalties on Violations Of Municipal By-Laws', be given first and second reading.

b) **That** By-law 2022-81 attached as Exhibit A, being "A By-law to Amend By-law 2022-70, 'A By-Law to Impose Administrative Monetary Penalties on Violations Of Municipal By-Laws', be given third reading, signed and sealed.

c) **That** By-law 2022-82 attached as Exhibit B, being "A By-Law to Amend By-Law 2015-41, 'A By-law to Prohibit and Regulate Noise Within the Township of South Frontenac', be given first and second reading.

d) **That** By-law 2022-82 attached as Exhibit B, being "A By-Law to Amend By-Law 2015-41, 'A By-law to Prohibit and Regulate Noise Within the Township of South Frontenac', be given third reading, signed and sealed.

Background

On August 9, 2022, Council enacted By-law 2022-70, A By-law to Impose Administrative Monetary Penalties on Violations of Municipal By-laws (Administrative Monetary Penalties By-law). The approval of By-law 2022-70 enables the Township of South Frontenac to apply AMPs to address violations under Trailer License By-law (By-law 2004-93) and the Safe Property By-law (By-law 2007-13).

Discussion/Analysis

With the exception of violations related to the Trailer License By-law and Safe Property By-law, the only recourse in which the Township of South Frontenac can seek prosecution with respect to a municipal by-law violation is under the *Provincial Offences Act.* Traditionally, prosecution under the *Provincial Offences Act* involves an often lengthy and costly process. Due to continued delays stemming from court closures during the pandemic, it is reasonable to expect a delay of several years before a case is heard by the provincial court system. As such, it has become commonplace for municipalities to adjudicate by-law offences through the administration of AMPs. This process is much more cost effective and efficient than seeking prosecution under the *Provincial Offences Act*. Furthermore, unpaid AMPs can be assigned to the property tax roll. It is in this light that it is recommended that the Administrative Monetary Penalties By-law be expanded to permit the application of AMPs to the Noise By-law, By-law 2015-41.

To facilitate the application of AMPs under the Noise By-law several administrative amendments are required to the Administrative Monetary Penalties By-law (Exhibit A) and the Noise By-law (Exhibit B). Additional amendments to the Noise By-law are not proposed at this time.

It is inherent to note that the amendments outlined in the Report will not alter the by-law enforcement strategy within the Township of South Frontenac. By-law violations will continue to be investigated only on a complaint basis.

The following provides a detail summary of the proposed amendments.

Summary of Administrative Amendments to the Administrative Monetary Penalties By-law (Exhibit A):

a) By-law 2022-70

No amendments are proposed to the By-law at this time with the exception of the following amendments to Schedule A and Schedule B.

b) By-law 2022-70, Schedule A

In order for a Township of South Frontenac by-law to be subject to administrative monetary penalties it must form part of Schedule A of the Administrative Monetary Penalties By-law. As such, it is recommended that Schedule A of By-law 2022-70 be amended to include the following:

"3. Township of South Frontenac, By-law 2015-41, A By-law to Prohibit and Regulate Noise Within the Township of South Frontenac, as amended from time to time."

c) By-law 2022-70, Schedule B

i. Township of South Frontenac, By-Law Number 2015-41, A By-Law to Provide For The Safety Of Properties In The Township of South Frontenac

It is recommended that the following administrative monetary penalties be implemented to discourage situations which negatively impact residents from extended periods of noise or noise during prohibited times to ensure peace in the community.

The proposed range of AMPs is between $100.00 and $400.00.

By-Law Section	Short Wording	Penalty Amount
2. a.	Racing a motor vehicle other than in a racing event regulated by by-law	$100.00
2. b.	The operation of a motor vehicle in such a way that the tires squeal	$100.00
2. c.	The operation of a combustion engine, pneumatic device or construction equipment without an effective exhaust or intake muffling device in good working order and in constant operation	$100.00
2. d.	The operation of a motor vehicle resulting in banging, clanking, squealing or other like sounds	$100.00
2. e.	The operation of an engine or motor in, or on, any motor vehicle or item of attached auxiliary equipment for a continuous period exceeding five minutes, while such vehicle is stationary in a Residential Area unless: i. The original equipment manufacturer specifically recommends a stronger idling period for normal and efficient operation of the motor vehicle in which case such recommended period shall not be exceeded; ii. The operation of such engine or motor is essential to a basic function of the vehicle or equipment, including but not limited to operation of a ready-mix concrete truck, lift platforms, or refuse compactors and heat exchange systems normal operation; iii. Weather conditions justify the use of heating or refrigerating systems powered by the motor or engine for the safety and welfare of the operator, passengers or animals, or the preservation of perishable cargo; iv. Prevailing low temperatures make longer idling periods necessary immediately after starting the motor or engine;	$100.00

	v. The idling is for the purpose of cleaning and flushing the radiator and associated circulation system for seasonal change of antifreeze, cleaning of the fuel system, carburetor or the like, when such work is performed other than for profit	
2. f.	The operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro-mechanical transducers, and intended for the production, reproduction or amplification of sound in such a manner as to disturb the peace and comfort of a person or persons at the point of reception	$100.00
2. g.	The sounding of any bell, steam or air whistle, horn, siren or signal device on or off a vehicle	$100.00
2. h.	The selling or advertising by shouting, or loud speaking	$100.00
2. i.	The keeping of any animal or bird	$100.00
(Schedule 1) 1.	The operation of any construction equipment in connection with construction during a prohibited period of time.	$250.00
(Schedule 1) 2.	The operation of any powered or non-powered tool for domestic purpose other than snow removal during a prohibited period of time.	$250.00
(Schedule 1) 3.	The operation of a solid waste bulk lift or refuse compacting equipment during a prohibited period of time.	$400.00
(Schedule 1) 4.	The take-off or landing of a power assisted hang glider, parafoil or aircraft of any type during a prohibited period of time.	$400.00
(Schedule 1) 5.	The operation of a pit or quarry during a prohibited period of time.	$400.00
(Schedule 1) 6.	Yelling, shouting, hooting, whistling or singing during a prohibited period of time.	$250.00
(Schedule 1) 7.	The discharge of fireworks (except as permitted by the Municipality) during a prohibited period of time.	$400.00

The proposed penalties are within the range of fines ($75.00 to $400.00) levied by other municipalities to address similar offenses. It is important to note that as per the *Municipal*

Act, 2001, the fine amount of an AMP may not be punitive in nature and shall not exceed the amount reasonably required to promote compliance with a by-law.

Summary of Administrative Amendments to the Noise By-law (Exhibit B):

By-law 2022-82 attached to the Report as Exhibit B outlines amendments to the Noise By-law which are required for the administration of administrative monetary penalties.

To permit administrative monetary penalties to be applied to violations under the Noise By-law, it is recommended that By-law 2015-41 be further amended to include the following clause:

"5.a. Every Person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the By-Law to Impose Administrative Monetary Penalties On Violations Of Municipal By-Laws 2022-70, be liable to pay to the Township an Administrative Monetary Penalty in accordance with By-Law Number 2022-70."

To address obstruction of Provincial Offences Officers while undertaking their duties, it is recommended that By-law 2015-41 be amended to include the following clause:

"6.a. No person shall obstruct or hinder or attempt to obstruct or hinder a Provincial Offences Officer or other authorized employee or agent of the Township in the exercise of a power or the performance of a duty under this by-law. Without limiting the generality of the foregoing, for purposes of this By-law, any person who fails to provide proof of identification satisfactory to the Provincial Offences Officer when requested to do so by the Provincial Offences Officer is deemed to obstruct an Officer under this By-Law."

Next Steps:

As outlined at the June 21, 2022 Council meeting and reiterated at the August 9, 2022 Council meeting, staff remain committed to conducting public consultation in the form of a survey to receive additional information regarding enforcement concerns. Furthermore, staff will report back to Council to provide a comprehensive review of enforcement by-laws as outlined in the aforementioned reports.

Conclusion:

Due to the identification of an immediate need to address municipal by-law offences, staff are recommending that Council approve the expansion of the application of administrative monetary penalties to the Noise By-law. As demonstrated in other municipalities, AMPs have proven to be effective in improving compliance in an efficient fashion.

Financial Implications

Revenue stemming from administrative monetary penalties and estimated revenues in future years will be included as part of the by-law enforcement section of the budget.

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.

Climate Considerations

☒ Not applicable to this report.

Notice/Consultation

- Frontenac Municipal Law Enforcement
- Municipal Solicitor

Attachments

Exhibit A – By-law 2022-81 - A By-law to Amend By-law 2022-70, 'A By-Law to Impose Administrative Monetary Penalties on Violations Of Municipal By-Laws'

Exhibit B – By-law 2022-82 - A By-Law to Amend By-Law 2015-41, 'A By-law to Prohibit and Regulate Noise Within the Township of South Frontenac'

Approvals

Prepared by:

James Thompson, Deputy Clerk

Submitted By:



Angela Maddocks
Clerk

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-81

A BY-LAW TO AMEND BY-LAW 2022-70, A BY-LAW TO IMPOSE ADMINISTRATIVE MONETARY PENALTIES ON VIOLATIONS OF MUNICIPAL BY-LAWS

WHEREAS Council desires to update By-law 2022-70;

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

1. By-law 2022-70, "A By-Law to Impose Administrative Monetary Penalties on Violations Of Municipal By-Laws", is hereby amended as follows:

   Schedule A is amended by adding Clause 3. to read as follows:

   "3. Township of South Frontenac, By-law 2015-41, A By-law to Prohibit and Regulate Noise Within the Township of South Frontenac, as amended from time to time."

   Schedule B is amended to include following Administrative Monetary Penalties related to By-law 2015-41:

By-law 2015-41, A By-law to Prohibit and Regulate Noise Within the Township of South Frontenac		
By-Law Section	**Short Wording**	**Penalty Amount**
2. a.	Racing a motor vehicle other than in a racing event regulated by by-law	$100.00
2. b.	The operation of a motor vehicle in such a way that the tires squeal	$100.00
2. c.	The operation of a combustion engine, pneumatic device or construction equipment without an effective exhaust or intake muffling device in good working order and in constant operation	$100.00
2. d.	The operation of a motor vehicle resulting in banging, clanking, squealing or other like sounds	$100.00
2. e.	The operation of an engine or motor in, or on, any motor vehicle or item of attached auxiliary equipment for a continuous period exceeding five minutes, while such vehicle is stationary in a Residential Area unless: i. The original equipment manufacturer specifically recommends a stronger idling period for normal and efficient operation of the motor vehicle in which case such recommended period shall not be exceeded; ii. The operation of such engine or motor is essential to a basic function of the vehicle or equipment, including but not limited to operation of a ready-mix concrete truck, lift platforms, or refuse compactors and heat exchange systems normal operation; iii. Weather conditions justify the use of heating or refrigerating systems powered by the motor or engine for the safety and welfare of the operator, passengers or animals, or the preservation of perishable cargo; iv. Prevailing low temperatures make longer idling periods necessary immediately after starting the motor or engine; v. The idling is for the purpose of cleaning and flushing the radiator and associated circulation system for seasonal change of antifreeze, cleaning of the fuel system, carburetor or the like, when such work is performed other than for profit.	$100.00
2. f.	The operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro-mechanical transducers, and intended for the production, reproduction or	$100.00

	amplification of sound in such a manner as to disturb the peace and comfort of a person or persons at the point of reception	
2. g.	The sounding of any bell, steam or air whistle, horn, siren or signal device on or off a vehicle	$100.00
2. h.	The selling or advertising by shouting or loud speaking	$100.00
2. i.	The keeping of any animal or bird	$100.00
(Schedule 1) 1.	The operation of any construction equipment in connection with construction during a prohibited period of time.	$250.00
(Schedule 1) 2.	The operation of any powered or non-powered tool for domestic purpose other than snow removal during a prohibited period of time.	$250.00
(Schedule 1) 3.	The operation of a solid waste bulk lift or refuse compacting equipment during a prohibited period of time.	$400.00
(Schedule 1) 4.	The take-off or landing of a power assisted hang glider, parafoil or aircraft of any type during a prohibited period of time.	$400.00
(Schedule 1) 5.	The operation of a pit or quarry during a prohibited period of time.	$400.00
(Schedule 1) 6.	Yelling, shouting, hooting, whistling or singing during a prohibited period of time.	$250.00
(Schedule 1) 7.	The discharge of fireworks (except as permitted by the Municipality) during a prohibited period of time.	$400.00
6. a.	Obstruct an Officer	$500.00
	Continued failure to remedy an order. (AMP may be issued once in every seven-day period when compliance is not achieved by prescribed date)	$500.00
	Administrative Penalty Fee – Failing to pay the AMP by the date on which it is due.	$ 50.00
	Administrative Penalty Fee – Failing to appear for a hearing before the Hearings Officer.	$100.00
	Screening Officer Appeal Fee	$ 50.00
	Hearing Officer Appeal Fee	$200.00

2. This By-law will come into force and take effect on the date of its passing.

Given First and Second Readings: September 6, 2022

Given Third Reading signed and sealed September 6, 2022

THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC

_____
Ron Vandewal, Mayor

_____
Angela Maddocks, Clerk

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-82

A BY-LAW TO AMEND BY-LAW 2015-41, A BY-LAW TO PROHIBIT AND REGULATE NOISE WITHIN THE TOWNSHIP OF SOUTH FRONTENAC

WHEREAS Council desires to update By-law 2015-41;

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

1. By-law 2015-41, "A By-law to Prohibit and Regulate Noise Within the Township of South Frontenac", is hereby amended as follows:

   Section 5. is amended by adding Clause 5.a. to read as follows:

   "5. a. Every Person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the By-Law to Impose Administrative Monetary Penalties On Violations Of Municipal By-Laws 2022-70, be liable to pay to the Township an Administrative Monetary Penalty in accordance with By-Law Number 2022-70."

   Section 6 is amended by adding Section 6.a. to read as follows:

   "6.a. No person shall obstruct or hinder or attempt to obstruct or hinder a Provincial Offences Officer or other authorized employee or agent of the Township in the exercise of a power or the performance of a duty under this by-law. Without limiting the generality of the foregoing, for purposes of this By-law, any person who fails to provide proof of identification satisfactory to the Provincial Offences Officer when requested to do so by the Provincial Offences Officer is deemed to obstruct an Officer under this By-Law."

2. This By-law will come into force and take effect on the date of its passing.

Given First and Second Readings: September 6, 2022

Given Third Reading signed and sealed September 6, 2022

THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC

_____
Ron Vandewal, Mayor

_____
Angela Maddocks, Clerk

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Development Services Department
Date of Meeting:	September 6, 2022
Subject:	**Site Plan Control Application PL-SPC-2022-0036, R D Equipment & Rental Inc. Hartington Equipment, Road 38**

Summary

This report recommends that Council pass a by-law to approve a Site Plan Control agreement for PIN 36142-0089, Part of Lot 6, Concession 7, District of Portland, South Frontenac. By-law 2022-58 requires site plan control to ensure that the Township's development standards will be met on the subject property.

Recommendation

THAT By-law 2022-83 to authorize the Mayor and Clerk to enter into a Site Plan Agreement with the Owner, R D equipment & Rental Inc., for PIN 36142-0089, Part of Lot 6, Concession 7, District of Portland, South Frontenac that accommodates the proposed development, be passed.

Background

The subject property is located on Road 38, just south of Hartington. The property is zoned Agriculture – Special Provision (A-2). The A-2 zone permits the construction of a farm implement dealer, including the sale and service of lawn and garden equipment. It also permits an agricultural equipment supply and repair outlet.

The Owner proposes to construct a farm implement dealership, with associated sales and service of lawn and garden equipment on a 7.23 acre portion of the subject property. The remaining 22 acres of the subject property will remain in agricultural production.

The land is currently vacant and is being prepared for construction. The portion of the site being developed will obtain direct access from Road 38. A commercial entrance will be installed to

The owner is proposing to construct a new Kubota Dealership that would provide sales and service of implements and equipment to service the farm and rural community in the region. The proposed site plan would see a new sales and service building constructed with two large cover-all type buildings being placed at the rear of the property for storage of goods and implements. The site plan includes an area for outdoor display of equipment and

parking for staff and customers. The development is serviced by a private well and sewage system.

The site plan was considered complete prior to July 1, 2022 when Bill 109 amended the Planning Act to delegate authority on site plans to staff. As it was a complete application prior to July 1, 2022, Council retains the authority to make a decision on this site plan control application.

Discussion/Analysis

The site plan drawing was reviewed by Planning Services, Building Services and Public Services staff with consideration for Zoning By-law No. 2003-75, the Ontario Building Code, and the Township's Site Plan Control Guidelines.

Staff are satisfied that the site plan drawing and agreement meet the requirements of the Agricultural Special Provision Zone, A-2, and general provisions (e.g. required number of parking spaces) of Zoning By-law No. 2003-75. The site is able to be serviced by a sewage system under Part 8 of the Ontario Building Code. It also satisfies the Township's Site Plan Control Guidelines (e.g. grading, amenity space).

Public Services staff reviewed the supporting traffic study and stormwater management report. Staff are satisfied that the site plan addresses recommendations of the traffic study and stormwater management report. The drainage outlet shall be constructed in accordance with the approved site plan. The Owners will be required to obtain an entrance permit from the Township and develop the entrance to commercial standards. Lighting will be directed away from Road 38 to avoid glare for passing motorists, as well as away from surrounding residential properties.

Building staff are working with the applicant's agents to classify the building under the Building Code. Building staff have no concerns with the site plan being approved – but note that depending on how the building is classified under the Ontario Building Code may impact the location of the proposed fire route around the dealership building. The site plan agreement acknowledged there may need to be an adjustment in location of the fire route, dependent on the outcome of Building Code Review. The agreement recognizes that the Director of Development Services (or their designate), in consultation with the Chief Building Official has the authority to amend the site plan to incorporate the new location of the fire route. The fire route will be signed in accordance with the requirements of the Ontario Building Code.

The agreement also acknowledges that the Owner has applied for a consent application to establish a drainage easement over two adjacent properties south of the proposed

dealership to provide a legal outlet for stormwater management drainage from the property. The application to establish the easement has been circulated to adjacent neighbours and agencies. No comments or objections have been received on that application. It is anticipated to be approved as a delegated consent application by staff. The agreement acknowledges that the easement must be legally registered on the title of these lands within 6 months of the occupancy permit being granted for the dealership building.

The site plan agreement binds current and future owners of the subject property and will be registered on the title of the lands by the Township's solicitor.

The Owner has reviewed the site plan agreement and indicated their concurrence by signing the agreement. The Owner has provided the Township with the required security payment to staff.

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): N/A

Climate Considerations

☒ Not applicable to this report.

☐ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change.

Notice/Consultation

The site plan drawing was reviewed by Planning Services, Building Services and Public Services staff. Cataraqui Conservation staff were circulated this site plan and had no concerns or objections to the proposed development. No permits are required from Cataraqui Conservation for this proposed development.

Attachments

1. Site Plan Drawings
2. Site Plan – Location of Easement
3. Site Plan Agreement
4. Site Plan By-law 2022-83

Approvals

Report Prepared and submitted By:



Claire Dodds, MCIP, RPP
Director of Development Services

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

TOWNSHIP OF SOUTH FRONTENAC

HARTINGTON KUBOTA DEALERSHIP

LIST OF DRAWINGS

C0	COVER
C1	SITE PLAN
C2	SITE PLAN 1:750
C3	DETAILS AND NOTES

THE GREER GALLOWAY GROUP INC.
ENGINEERS PLANNERS

PETERBOROUGH
BELLEVILLE
KINGSTON

640 CATARAQUI WOODS DRIVE, UNIT 2A
KINGSTON, ONTARIO K7P 2Y5
PHONE: (613) 536-5420

CAD OPERATOR-Adore

CAD FILE: P:\Kingston Project\2000 - Building Services\2152742 - Hartington Kubota Dealership\Drawings\Civil\Hartington Site Plan Application Drawing.dwg

PLOT SCALE: AS NOTED

DATE PLOTTED: DD/MM/YYYY

CGC-A1

SITE DATA CHART

Clause	Zoning Provision	Required	Provided
17.3.1	Total Lot Area	8000m²	28230m²
17.3.1	Minimum Frontage	76.0m	189.299m
17.3.1	Minimum Front Yard	20.0m	21.0m
17.3.1	Minimum Rear Yard	8.0m	53.5m
17.3.1	Minimum Exterior Side Yard	8.0m	N/A
17.3.1	Minimum Interior Side Yard	3.0m	61m
17.3.1	Lot Coverage	40%	12.71%
17.3.1	Building Height	11m	7.3m
	Zoning Provisions for Accessory Buildings		
17.3.2	Minimum Rear Yard	3m	9.1m
17.3.2	Minimum Interior Yard	3m	45.0m
17.3.2	Minimum Exterior Yard	8m	65.2m
17.3.2	Maximum Building Height	11m	7.3m

HARTINGTON EQUIPMENT

LEGAL DESCRIPTION	PART OF LOT 6, CONCESSION 7 GEOGRAPHIC TOWNSHIP OF PORTLAND NOW IN THE MUNICIPALITY OF SOUTH FRONTENAC COUNTRY OF FRONTENAC
MUNICIPAL ADDRESS	5474 ROAD 38, HARROWSMITH, ON K0H 1V0
REGISTERED OWNERS	HARTINGTON EQUIPMENT
NUMBER OF STORIES	1 STOREY
FACING STREETS	ROAD 38
ZONING	RC

PROPOSED ASPHALT ENTRANCE AND PARKING LOT
= 300 MM OF GRANULAR B TYPE "II"
150 MM OF GRANULAR A
60 MM OF HL8
40 MM OF HL3

PROPOSED GRAVEL LOT
= 300 MM OF GRANULAR B TYPE "II"
150 MM OF GRANULAR A

(METRIC SCALE – ALL DIMS IN METERS UNLESS OTHERWISE SPECIFIED)

THE GREER GALLOWAY GROUP INC.
ENGINEERS & PLANNERS
PETERBOROUGH
BELLEVILLE
KINGSTON
640 CATARAQUI WOODS DRIVE #2A
KINGSTON, ONTARIO, K7P 2Y5
PHONE: 613-536-5420
FAX: 613-548-3793

NOTES:
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A / B — A DETAIL NO. / B DRAWING NO. – WHERE DETAILED

LEGEND
- PROPERTY LINE
- SETBACK LINE
- PROPOSED BUILDING
- PROPOSED SPETIC
- EDGE OF GRAVEL
- EDGE OF PAVEMENT
- 20m SETBACK
- DITCH INLET
- EXISTING 500ø CSP CULVERT
- PROPOSED 450ø CSP CULVERT
- LIGHT DUTY SILT FENCE
- 100.56 EXISTING ELEVATIONS
- 100.29 PROPOSED ELEVATIONS
- 1.8% SLOPE LABEL
- (6.8%) DITCH SLOPE LABEL
- STRAW BALE CHECK DAM
- ROCK FLOW CHECK DAM
- EXISTING TREES

NORTH

STAMP: LICENSED PROFESSIONAL ENGINEER — K. T. HAWLEY — 100149851 — 22/8/22 — PROVINCE OF ONTARIO

PROJECT
HARTINGTON EQUIPMENT

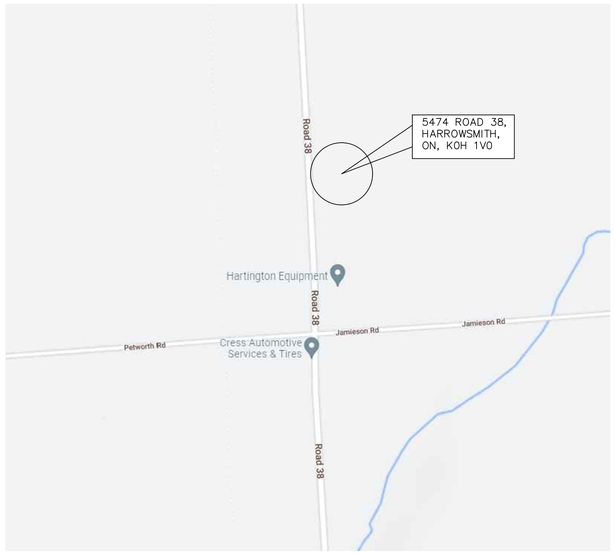
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HARTINGTON, KOH 1W0

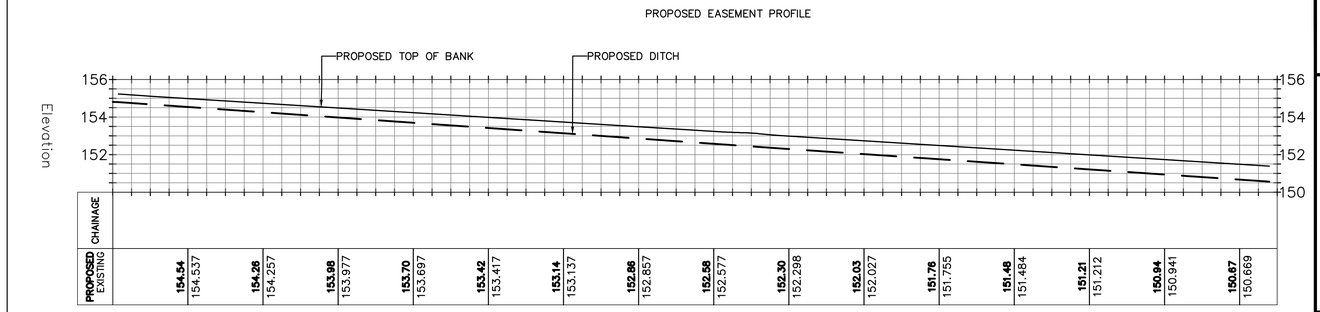
SOUTH FRONTENAC, ON

DRAWING TITLE
SITE PLAN

05		
04	ISSUED FOR SITE PLAN CONTROL	22/8/22
03	ISSUED FOR REVIEW	6/6/22
02	SITE PLAN COMMENTS REVISIONS#2	24/05/22
01	SITE PLAN COMMENTS REVISION#1	29/03/22
REVISION		DATE

DESIGNED BY: K. HAWLEY
DRAWN BY: H. KHAN
REVIEWED BY: K. HAWLEY
APPROVED BY: K. HAWLEYy
PROJECT DATE: 07/13/2022 (DD/MM/YYYY)
PROJECT # 21-5-2742
SCALE HOR: 1:300 VER: NTS
DRAWING # C1





THE GREER GALLOWAY GROUP INC.
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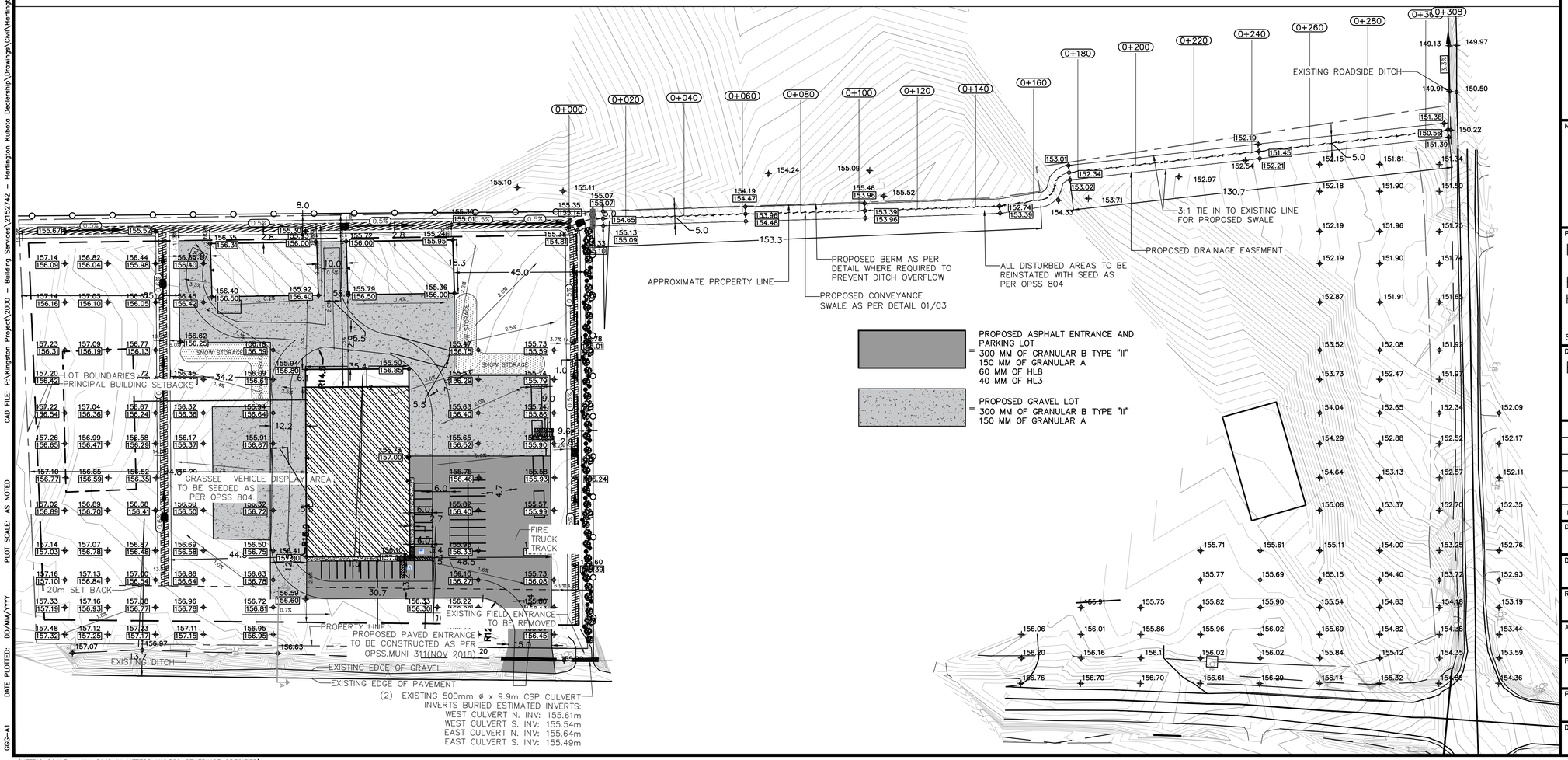
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- ROCK FLOW CHECK DAM
- EXISTING TREES


0+000
0+020
0+040
0+060
0+080
0+100
0+120
0+140
0+160
0+180
0+200
0+220
0+240
0+260
0+280
0+300
0+308
EXISTING ROADSIDE DITCH
149.13
149.97
149.91
150.50
151.38
150.56
150.22
151.39
152.19
151.45
152.54
152.21
152.15
5.0
151.81
151.34
152.97
130.7
152.18
151.90
151.50
3:1 TIE IN TO EXISTING LINE FOR PROPOSED SWALE
PROPOSED DRAINAGE EASEMENT
152.19
151.96
151.75
152.19
151.90
151.74
152.87
151.91
151.65
153.52
152.08
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153.73
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CAD OPERATOR:Adore
CAD FILE: P:\Kingston Project\2000 – Building Services\215274 – Hartington Kubota Dealership\Drawings\Civil\Hartington Site Plan Application Drawing.dwg
PLOT SCALE: AS NOTED
DATE PLOTTED: DD/MM/YYYY
GGS-A1

GENERAL
1. All works to be installed in accordance with current South Frontenac Township Guidelines, Ontario Building Code and, Ontario Provincial Standard Specifications and Drawings unless specified otherwise.
2. Prior to construction, Contractor to verify all dimensions, sewer inverts and utility locates and identify possible conflicts.
3. All environmental protection measures are the responsibility of the contractor.
4. Any traffic signs or information signs removed/damaged during construction are to be replaced at the contractors costs.
5. All utility poles to be braced as necessary.
6. The location of utilities is approximate only, and the exact location should be determined by consulting the municipal authorities and utility companies concerned. The contractor shall prove the location of utilities and shall be responsible for adequate protection from damage during construction.

TRAFFIC CONTROL
1. All traffic control/pedestrian signing as per OTM.

GRADING
1. Finished surfaces shall be at a minimum grade of 2% unless otherwise noted.
2. Slopes in landscaped areas shall not exceed 3:1.
3. All existing elevations and grades are to be verified by the contractor prior to grading
4. Utilities are to be located prior to construction
5. All ground surfaces shall be graded to prevent ponding and without low areas except where approved swale or catchbasin outlets are provided.
6. The contractor is responsible for reviewing proposed grades with conflicts regarding the proposed structures.
7. Sub-grade shall be graded at a minimum of 3%, until a lower ditch is encountered an existing surface that has postive drainage away from the roadway.

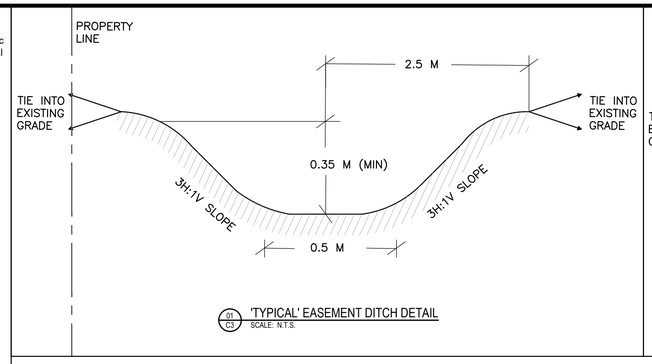
SITE WORKS
1. Where in earth subgrade compacted granular depths to be 150 mm Granular A and 500mm Granular B. Provide 2% crossfall on subgrade.
2. All disturbed areas to be remediated with 100 mm topsoil and seed as per OPSS 802 & OPSS 804.

REMOVE & REINSTATE
1. Driveway removals- limits to be marked in field with contract administrator at property line. The contractor is responsible for the disposal of all excess materials as per OPSS.MUNI 510 (NOV 2018).

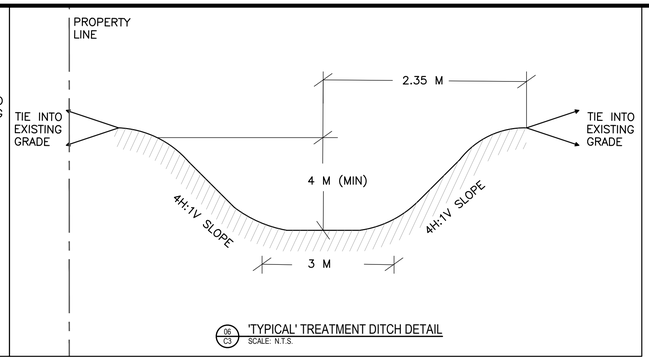
SEDIMENT AND EROSION CONTROL NOTES
1. All erosion and sediment controls shall be installed prior to construction and monitored and maintained by the Contractor throughout the construction process, until all disturbed areas have been re-vegetated then the temporary sediment and erosion control measures must be removed once the site has been stabilized/completed of site works.
2. All erosion and sediment control measures shall be inspected after prior to and after each rainfall to the satisfaction of the Contract Administrator.
3. Any disturbed areas not scheduled for further construction within forty-five (45) days will be provided with a suitable temporary mulch and seed cover within seven (7) days of completion.
4. Regardless of site specific items detailed on the plans, the Contractor shall install erosion control measures to suit the proposed work methods to control sediment from running off the site prior to any disturbance.
5. Following construction, disturbed areas, as well as proposed grassed and vegetated surfaces, shall be reinstated as sooon as practical.
6. All roads used to access the site shall be kept clean to the satisfaction of the Director of Public Works.

ENVIRONMENTAL
1. While undertaking clearing, demolition, excavation or construction the contractor shall be vigilant for the potential presence of underground oil tanks, contaminated soil or groundwater, buried wastes or abandoned water wells. If any of the above are encountered or suspected, the owner shall ensure that: any wastes generated by site clean-ups are managed in accordance with applicable laws and standards.
2. Construction wastes are not to be buried within the property that is the subject of this agreement, and that the owner and their contractors report all spills to the ministry of the environment's spills action center (1-800-268-6060) and to the township (613-376-0327) forthwith.

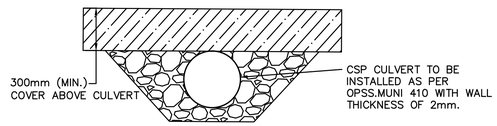
SEWER
1. Sanitary laterals locations are approximate only (contractor to verify exact location).
2. Bedding material shall be Granular 'A' and conform to requirements of OPSD 802. The minimum depth of cover shall normally be 1.5m. Services with less than 1.0 metres of cover are not permitted.
3. Manhole and catch basin frames and covers to conform to CSA B70.1-03
4. All new storm manholes & catch basins to have a 300mm sump.
5. All new sanitary manholes are to be factory benched.
6. 100mm ø minimum size PVC material (must be labelled CAN/CSA-b182-2) or equivalent for single family homes. Multiple units will require design approval from the engineer.
7. Coupling at connection point shall be to the manufacturer's specifications and/or same material as pipe.
8. Sewer laterals exceeding the length of 30 metres from the building to the sewermain require an additional clean out installed at the property line and capped off 0.6m below the finished grade.
9. Sweeps to be installed. No bends or modifications will be approved.
10. No sewer lateral service shall be located above the water service.
11. Minimum slope for the building sewer lateral is 1%.
12. Bell end of pipe shall be upstream towards building.
13. Backfilling of service trench shall be of material which does not contain rocks or boulders of 150mm or larger in one direction, and be free of organic material.
14. OGS will be installed for the floor drain located within the warehouse area of the proposed building.
15. All sanitary laterals shall be in compliance with loyalist standard drawing w-11.



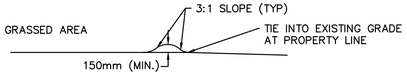
01 C3 'TYPICAL' EASEMENT DITCH DETAIL
SCALE: N.T.S.



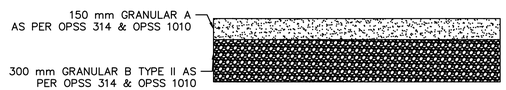
06 C3 'TYPICAL' TREATMENT DITCH DETAIL
SCALE: N.T.S.



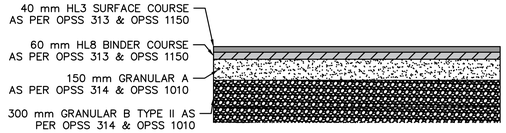
02 C3 "TYPICAL" CULVERT CROSSECTION
SCALE: N.T.S.



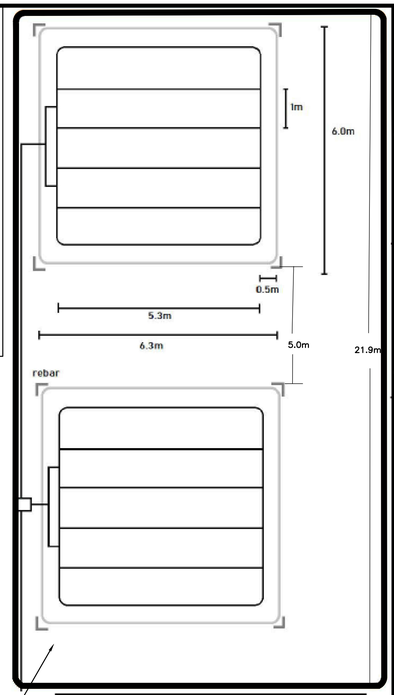
03 C3 "EXAMPLE" BERM DETAIL
SCALE: N.T.S.



04 C3 GRAVEL LOT CONSTRUCTION DETAIL
SCALE: N.T.S.

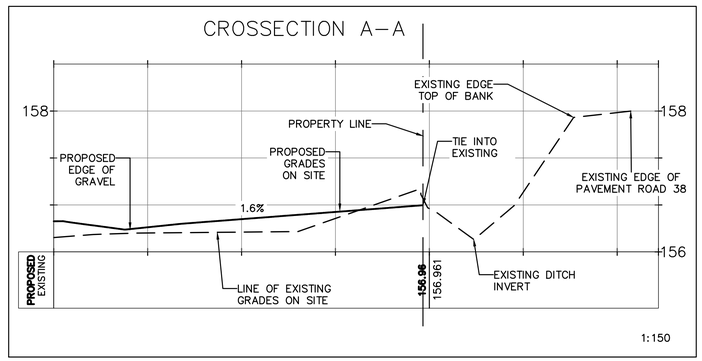


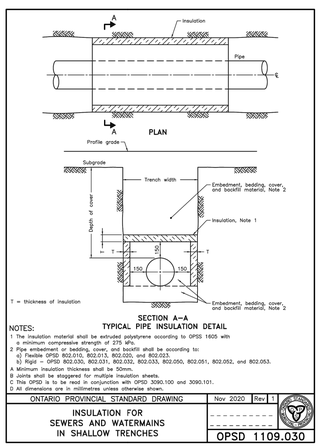
05 C3 ASPHALT PARKING AND ENTRANCE CONSTRUCTION DETAIL
SCALE: N.T.S.



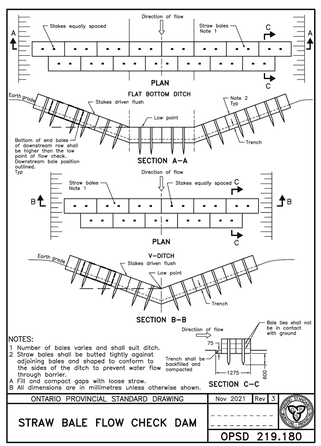
SEPTIC SYSTEM DESIGN

Raised Filter Beds
Q=3718.39L/day
Loading Area = Q/50 = 74.37m^2
Contact Area = QT/850 = 218.73m^2
Total Loading Area (loading rate) = Q/4 = 929.6m^2

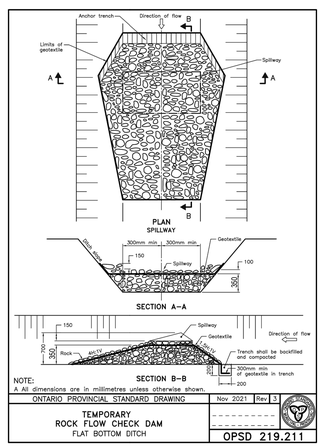




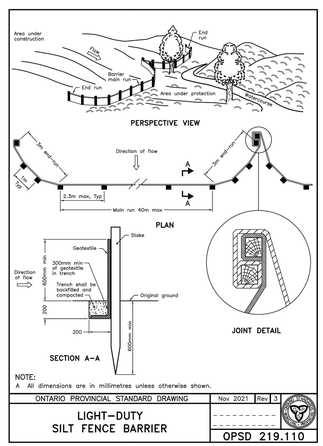
ONTARIO PROVINCIAL STANDARD DRAWING	Nov 2020	Rev 1
INSULATION FOR SEWERS AND WATERMAINS IN SHALLOW TRENCHES		OPSD 1109.030



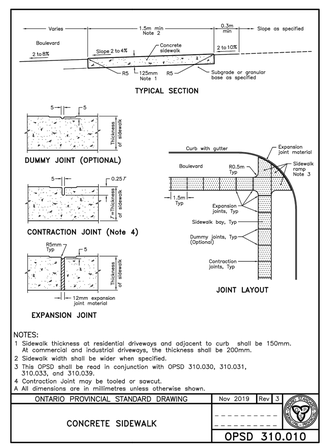
ONTARIO PROVINCIAL STANDARD DRAWING	Nov 2021	Rev 3
STRAW BALE FLOW CHECK DAM		OPSD 219.180



ONTARIO PROVINCIAL STANDARD DRAWING	Nov 2021	Rev 3
TEMPORARY ROCK FLOW CHECK DAM FLAT BOTTOM DITCH		OPSD 219.211



ONTARIO PROVINCIAL STANDARD DRAWING	Nov 2021	Rev 3
LIGHT–DUTY SILT FENCE BARRIER		OPSD 219.110



ONTARIO PROVINCIAL STANDARD DRAWING	Nov 2019	Rev 3
CONCRETE SIDEWALK		OPSD 310.010

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B DRAWING NO. – WHERE DETAILED

LEGEND

NORTH

STAMP
LICENSED PROFESSIONAL ENGINEER
K. T. HAWLEY
100149851
22/8/22
PROVINCE OF ONTARIO

PROJECT
HARTINGTON EQUIPMENT
ROAD 38
HARTINGTON, KOH 1W0
SOUTH FRONTENAC, ON

DRAWING TITLE
DETAILS

REVISION		DATE
05		
04	ISSUED FOR SITE PLAN CONTROL	22/8/22
03	ISSUED FOR REVIEW	6/6/22
02	SITE PLAN COMMENTS REVISION#2	25/05/22
01	SITE PLAN COMMENT REVISION#1	29/03/22

DESIGNED BY K. HAWLEY
DRAWN BY H. KHAN
REVIEWED BY K. HAWLEY
APPROVED BY K. HAWLEY
PROJECT DATE 24/05/2022 (DD/MM/YYYY)
PROJECT # 21–5–2742
SCALE HOR: NTS VER: NTS
DRAWING # C3

(METRIC SCALE – ALL DIMS IN METERS UNLESS OTHERWISE SPECIFIED)

CAD OPERATOR:Docslicon

CAD FILE: P:\Kingston Project\2000 - Building Services\21527742 - Hartington Kubota Dealership\Drawings\Civil\Hartington Permit Consent Application Drawing 2.0.dwg

PLOT SCALE: AS NOTED

DATE PLOTTED: DD/MM/YYYY

CSG-A1

CON 7 E PT LOT 6

CONSESSION 7 PT LOT 6

CON 7 PT LOT 6
13R16482 PART;1

EXISTING ROADSIDE DITCH

5.0

3:1 TIE IN TO EXISTING LINE FOR PROPOSED SWALE

PROPOSED DRAINAGE EASEMENT

ALL DISTURBED AREAS TO BE REINSTATED WITH SEED AS PER OPSS 804

APPROXIMATE PROPERTY LINE

PROPOSED BERM AS PER DETAIL WHERE REQUIRED TO PREVENT DITCH OVERFLOW

PROPOSED CONVEYANCE SWALE AS PER DETAIL 01/C3

PORTLAND CON 7
PART LOT 6
RP;13R19162 PART 2

PORTLAND CON 7
PART LOT 6
RP;13R19162 PART 1

7.8

7.8

(METRIC SCALE – ALL DIMS IN METERS UNLESS OTHERWISE SPECIFIED)

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3. ALL EQUIPMENT SHALL BE INSTALLED AS SPECIFIED OR APPROVED EQUIVALENT.
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5. CONTRACTOR MUST REPORT ANY DISCREPANCIES TO ENGINEER FOR RESOLUTION BEFORE COMMENCING THE WORK.
6. ANY CHANGES MUST BE APPROVED BY THE ENGINEER.

A/B — A DETAIL NO. / B DRAWING NO. – WHERE DETAILED

LEGEND

- PROPERTY LINE
- SETBACK LINE
- PROPOSED BUILDING
- PROPOSED SPETIC
- EDGE OF GRAVEL
- EDGE OF PAVEMENT
- 20m SETBACK
- DITCH INLET
- EXISTING 500ø CSP CULVERT
- PROPOSED 450ø CSP CULVERT
- LIGHT DUTY SILT FENCE
- 100.56 EXISTING ELEVATIONS
- 100.29 PROPOSED ELEVATIONS
- 1.8% SLOPE LABEL
- 6.8% DITCH SLOPE LABEL
- STRAW BALE CHECK DAM
- ROCK FLOW CHECK DAM
- EXISTING TREES

NORTH

STAMP

LICENSED PROFESSIONAL ENGINEER
K.T. HAWLEY
100149851
PROVINCE OF ONTARIO

PROJECT
HARTINGTON EQUIPMENT

ROAD 38
HARTINGTON, KOH 1W0

SOUTH FRONTENAC, ON

DRAWING TITLE
EASEMENT

REVISION		DATE
05		
04		
03	ISSUED FOR REVIEW	6/6/2022
02	SITE PLAN COMMENTS REVISION#2	24/05/22
01	SITE PLAN COMMENTS REVISION#1	29/03/22

DESIGNED BY: K. HAWLEY
DRAWN BY: H. KHAN
REVIEWED BY: K. HAWLEY
APPROVED BY: K. HAWLEY
PROJECT DATE: 24/05/2022 (DD/MM/YYYY)
PROJECT #: 21-5-2742
SCALE: HOR: 1:750 VER: NTS
DRAWING #: C2

SITE PLAN CONTROL AGREEMENT

THIS AGREEMENT made in triplicate this _____ day of , 2022.

BETWEEN:

R D EQUIPMENT & RENTALS 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 has made an application to the Municipality for permission to develop those lands more particularly described on Schedule "A" attached hereto (the "Owner's Lands");

AND WHEREAS the Council of The Corporation of the Township of South Frontenac passed Site Plan Control Area By-law No. 2022-58 for the approval of site plans and designating commercial properties as a Site Plan Control Area pursuant to the Planning Act, as amended;

AND WHEREAS the Council of The Corporation of South Frontenac has approved those plans for the development of the Owner's Lands set out in Schedule "C" to this Agreement (the "Site Plan Drawings"), subject to the Owner entering into a Site Plan Control Agreement with the Municipality;

AND WHEREAS the Corporation of the Township of South Frontenac 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 shall, at its sole risk and expense and to the satisfaction of the Municipality, develop the Owner's Lands in accordance with the Site Plan Drawings, and shall construct, use, and maintain those facilities and works set out in the Site Plan Drawings in accordance with the terms of this Agreement. The Site Plan Drawings listed in Schedule "C" are hereby incorporated into this Agreement. The originals of the Site Plan Drawings are on file in the offices of the Municipality and shall govern in the event of any dispute.

2) The following Schedules are attached to and form part of this Agreement:

Schedule "A"	-	Description of Lands
Schedule "B"	-	Security for Works
Schedule "C"	-	Site Plan Drawings
Schedule "D"		Grants of Easement and Other Public Lands
Schedule "E"	-	Municipal Conditions
Schedule "F"	-	Specification of Commercial/Industrial Entrance
Schedule "G"	-	Approving Authorities and Agencies

3) The Owner shall comply with any amendments, additions or deletions to the Site Plan Drawings 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. Any amendments to the site plan or agreement shall be approved by staff in accordance with delegated authority under By-law 2022-58.

4) Without limiting the generality of the Owner's obligations set out in clause 1 of this Agreement, the Owner covenants and agrees to develop the Owner's Lands in accordance with those municipal conditions set out in Schedule "E" to this Agreement.

5) Prior to the commencement of any construction, the Owner agrees to obtain all other permits and approvals required by any other agency or authority having jurisdiction, including, without limiting its generality, those agencies and authorities set out in Schedule "G" to this Agreement.

6) The Owner shall deliver to the Municipality those deeds or grants of easement or rights-of-way set out on Schedule "D".

7) The Municipality acknowledges and agrees that a cash-in-lieu of parkland payment is not required for this development.

8) As security for the performance of the Owner's obligations under this Agreement, the Owner shall deposit with the Treasurer of the Municipality an irrevocable letter of credit of a Canadian chartered bank or other financial security in a form satisfactory to the Municipality in accordance with the requirements in Schedule "B". The Municipality shall not draw down on the letter of credit or other security unless the Owner is in default in the performance of an obligation under this Agreement and such default continues for more than fifteen (15) days after the Municipality delivers written notice to the Owner requiring the Owner to remedy the default.

9) Upon completion of all works and facilities and prior to the release of any securities, the Owner shall deliver to the Municipality the certificate of a consulting engineer licensed under the Professional Engineers Act (Ontario) confirming that all works and facilities, including stormwater management facilities, have been installed in accordance with this Agreement.

10) Except as may otherwise be provided for in this Agreement, the Owner shall complete the construction of all works and facilities within six (6) months of the date of occupancy of the building; but in cases of undue hardship, the Municipality may extend in writing any time for completion required by this Agreement.

11) If any lien is claimed pursuant to the Construction Lien Act for the supply of services or material in connection with the construction or maintenance of any portion of the works or facilities located on a public street or highway or any lands owned by the Municipality or any other public authority, the Owner shall be considered in default

under this Agreement and shall continue to be in default until all liens are discharged, and the Municipality may, in its absolute discretion, use the security deposited by the Owner to pay into court any amounts required to discharge all liens plus costs.

12) If any portion of the Works or facilities will be located on a public street or highway or any lands owned by the Municipality or any other public authority, the Owner shall, as a condition of this Agreement, keep in force until such works or facilities have been approved by the Municipal Engineer a comprehensive plan of public liability and property damage insurance acceptable to the Municipality that provides insurance coverage in respect of any one occurrence to the limit of at least five million dollars ($5,000,000) exclusive of interest and costs, against loss or damage resulting from bodily injury to, or death of one or more persons and loss of or damage to property. The policy shall name the Municipality as a named insured.

13) The policy shall provide coverage against all claims for all damages or injury including death to any person or persons or damage to any property of the Municipality or any other public or private property resulting from or arising out of any act or omission on the part of the Owner or any of its servants or agents during the construction or maintenance of the works. The policy shall include completed operations coverage liability, blanket written contractual liability with respect to non-owned licensed vehicles and shall have no exclusion pertaining to shoring, blasting (unless a separate certificate of insurance for blasting is provided prior to the start of blasting), excavating, underpinning, demolition, pile driving, caisson work and work below ground surface including tunnelling and grading. The issuance of a policy of insurance shall not be construed as relieving the Owner from responsibility for other or larger claims, if any, for which the Municipality may be held responsible.

14) The Owner shall provide the Municipality with a Certificate of insurance in a form satisfactory to the Municipality together with such proof as the Municipality may require that all premiums on the policies of insurance have been paid and that they are in full force and effect. If the Owner fails to pay premiums or otherwise keep the policies in force, the Municipality may pay premiums or take out additional policies as it considers necessary and the Owner shall pay all costs.

15) In the event the Owner is in default in the performance of any obligation under this Agreement and such default continues more than fifteen (15) days after the Municipality delivers written notice to the Owner requiring the Owner to remedy the default, the Municipality may, without further notice to the Owner, do such thing at the Municipality's expense as it may reasonably require necessary to remedy the default, and the Municipality may recover the expense incurred in doing such thing by action or the same may be recovered in like manner as municipal taxes in accordance with the provisions of Section 446 of the Municipal Act, 2001, S.O., 2001, C. 25, as amended.

16) Time shall be of the essence of this Agreement and of any extension of time that may be agreed upon by the parties.

17) The Municipality will make reasonable efforts with the number of personnel available to it to inspect the works and facilities to be constructed in accordance with the Site Plan Drawings and this Agreement, but the Owner shall indemnify and save harmless the Municipality, its servants, agents and contractors from any responsibility or liability arising directly or indirectly from any failure or delay in completing such inspections.

18) The Owner hereby grants to the Municipality, its servants and contractors, a licence to enter the Owner's Lands during normal operating hours for the purpose of inspecting the works and facilities and to perform any work arising from or the result of any default by the Owner under this Agreement.

19) It is the intent of this Agreement that the Municipality shall not incur any expense for the development of the Owner's Lands and every obligation of the Owner under this Agreement shall be deemed to include the words "at the expense of the Owner", unless specifically stated otherwise.

20) The Owner agrees to pay the legal, engineering, landscape architectural, planning and administrative costs incurred by the Municipality to process the Site Plan Drawings, including but not limited to, the preparation of this Agreement and all plans and specifications, and the supervision and inspection of the Works.

21) All invoices, costs and expenses received or incurred by the Municipality and payable by the Owner shall be paid within thirty (30) days of the Municipality's invoice or demand for payment to the Owner, failing which the Owner shall be in default under this agreement and shall continue in default until payment plus all accrued interest is made in full.

22) Interest shall be paid by the Owner on all overdue amounts at the same rate per annum and calculated in the same manner as the Municipality charges on overdue municipal taxes and any payments received shall be applied first on account of accumulated interest and then on the outstanding amount.

23) The Owner consents to the registration by the Municipality at the Owner's expense of this Agreement against the title to the Owner's Lands and, in accordance with s. 41(10) of the Planning Act, all of the terms and conditions of this Agreement may be enforced against the Owner and any and all subsequent owners of the Owner's Lands.

24) The Owner shall ensure that the requirements of this Agreement and the Site Plan Drawings are brought to the attention of its contractors, employees and workers prior to the start of any construction.

25) All covenants in this Agreement shall be construed as being joint and several and that, when the context so requires or permits, the singular number shall be read as if the plural were expressed, and the masculine gender as if the feminine or neuter gender, as the case may be, were expressed.

26) Notwithstanding any other provision to the contrary, this Agreement shall, at the option of the Municipality, lapse and be of no further force and effect if the building permit expires or is revoked, or if construction of the building shown on the Site Plan Drawings is not commenced within two (2) years of the date of this Agreement.

27) The Owner covenants and agrees that nothing in this Agreement releases the Owner from the obligation to comply with the provisions of all other by-laws of the Municipality that may now or in future be in effect.

28) Any dispute between the parties with respect to this Agreement shall, at the request of a party, be submitted to arbitration pursuant to the Arbitrations Act and the decision of the arbitrator or, if more than one, the decision of a majority shall be final and binding on the parties.

29) Each party shall pay its own costs of the arbitration and shall share equally the costs of the arbitrator(s).

30) The Owner agrees that if any section, clause or provision of this Agreement, is for any reason declared by a Court of competent jurisdiction to be invalid the same shall not affect the validity of the Agreement as a whole or any part thereof, other than the section, clause, or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this Agreement shall remain in full force and effect, notwithstanding that one or more provisions thereof shall be declared to be invalid.

31) This Agreement shall enure to and be binding upon the parties hereto, and their respective successors and assigns.

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:

R D Equipment & Rentals Inc.



Dustin Pritchard, Vice-President

I have authority to bind the Corporation

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

Ron Vandewal - Mayor

Angela Maddocks - Clerk

We have authority to bind the Corporation

SCHEDULE "A"

DESCRIPTION OF LANDS

Legal Description: Part of Lot 6, Concession 7, District of Portland, Township of South Frontenac, County of Frontenac

PIN: 361420089

Civic Address: NOT YET ASSIGNED – Road 38

SCHEDULE "B"

SECURITY FOR WORKS

In accordance with clause 8 of this Agreement, the Owner shall deposit with the Treasurer of the Municipality at the time of entering this Agreement a letter of credit or other security acceptable to the Municipality in the amount $159,323.91 as security for the performance of all the Owner's obligations under this Agreement.

The parties acknowledge and agree that the amount of the security is based on the Site Works – Hartington Equipment Securities, dated August 18, 2022 prepared by Greer Galloway, which forms part of this Schedule.

Upon completion to the satisfaction of the Municipality of the works and facilities to be constructed in accordance with this agreement and the performance by the Owner of all other obligations under this Agreement, and upon receipt of the certificate of the consulting engineer required by clause 9 of this Agreement, the security or any balance thereof remaining shall be returned to the Owner.

Hartington Equipment - Securities									
Item#	Item Description	Unit	Unit Price	Private		Municipal		Total	
1	Supply and Place Seed	m2	$2.50	1275.77	$ 3,189.41	450	$ 1,125.00	1725.77	$ 4,314.41
2	Environmental Protection	LS	$1,500.00	1.00	$ 1,500.00		$ 500.00	1.00	$ 1,500.00
3	Removal and Excavation of Existing Soils	m3	$22.00	1883.94	$ 41,446.58	79.34	$ 1,745.39	1963.27	$ 43,191.97
4	Ditching	m	$35.00	755.21	$ 26,432.39		$ -	755.21	$ 26,432.39
5	150mm Ganular A Base	Tonne	$19.00	3048.51	$ 57,921.60	55.74	$ 1,059.00	3104.24	$ 58,980.60
6	300 Granular B Base	Tonne	$17.50	6097.01	$ 106,697.68	111.47	$ 1,950.80	6208.48	$ 108,648.48
7	Asphalt	m2	$120.00	157.78	$ 18,933.45	41.47	$ 4,976.52	199.25	$ 23,909.97
8	Site Grading	LS	$20,000.00	1.00	$ 20,000.00		$ -	1.00	$ 20,000.00
9	Sidewalk and Concrete pad	m3	$105.00	134.00	$ 14,070.00		$ -	134.00	$ 14,070.00
10	Supply and Install of 500mm CSP Culvert	m	$450.00		$ -	38.00	$ 17,100.00	38.00	$ 17,100.00
Total				$	290,191.10	$	28,456.71	$	318,147.81

SCHEDULE "C"

SITE PLAN DRAWINGS

Drawing C1, Site Plan, Greer Galloway Group Inc., dated 22-08-2022, , Professional Engineer stamped by Kevin Hawley, scale 1:750

Drawing C2, Easement, Greer Galloway Group Inc., dated 22-08-2022, Professional Engineer stamped by Kevin Hawley, scale 1:750

Drawing C3, Details and Notes, Greer Galloway Group Inc., dated 22-08-2022, Professional Engineer stamped by Kevin Hawley, scale 1:750+

Drawing – Elevations and Signage, Pride Signs, dated 06-04-2022, Drawn by S. Hill

See copies attached.

The original of all plans listed in this schedule are on file in the office of the South Frontenac Development Services Department and shall govern in the event of any dispute.

SCHEDULE "D"

GRANTS OF EASEMENT AND OTHER PUBLIC LANDS

None required.

SCHEDULE "E"

MUNICIPAL CONDITIONS

The Owner further covenants and agrees to develop the Owner's Lands in accordance with the following Municipal Conditions:

1. The fire route shall be located in accordance with the Ontario Building Code requirements. The site plan referred to in Schedule "C" of the agreement shall be updated to reflect any change in location of the fire route. Any modification to the site plan specified on Schedule "C" shall be an administrative change that shall be approved by the Director of Development Services (or their designate) in consultation with the Chief Building Official.

   The fire route shall remain unobstructed and shall be signed in accordance with the requirements under the Ontario Building Code.

2. The access onto Road 38 is to be constructed and maintained to Township specifications for commercial/industrial entrances as shown on Schedule "F".

3. The Owner shall ensure that all exterior lighting and signs shall be installed in accordance with the Site Plan Drawings and direct any light emitted from them downwards and away from adjacent uses or streets in accordance with the approved plans. Any proposed lighting on site shall be reviewed by the Manager of Technical Services and Infrastructure to ensure that lighting will be designed in such a way to ensure that there is no glare caused on Road 38 that may impact traffic or impact neighbouring residential properties.

4. An easement for the purpose of creating a legal outlet for drainage shall be established within six months of the occupancy permit being issued for the dealership building shown on the site plan referred to in Schedule "C".

5. All exterior garbage storage areas shall be screened and constructed to be visually screened from Road 38 and any surrounding residential properties.

6. The Owner shall ensure that any snow removed from the parking lot areas shall be stored in a designated area that is located at the rear of the property, away from Road 38 and adjacent residential properties. Should the designated areas be insufficient, any additional snow shall be disposed of off-site and not in designated parking areas.

7. All works and facilities shall be constructed in a good and workmanlike manner and, where applicable, according to the Municipality's normal standards and specifications.

8. The Owner shall 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;

9. The Owner shall complete all landscaping and amenity areas within six months of obtaining an occupancy permit from the Chief Building Official.

10. The Owner shall be responsible for installing and maintaining all sediment and erosion controls in accordance with best management practices prior to and during construction activities.

11. The Owner agrees to obtain the approval of Hydro One Networks Inc prior to connecting to or relocating existing hydro services.

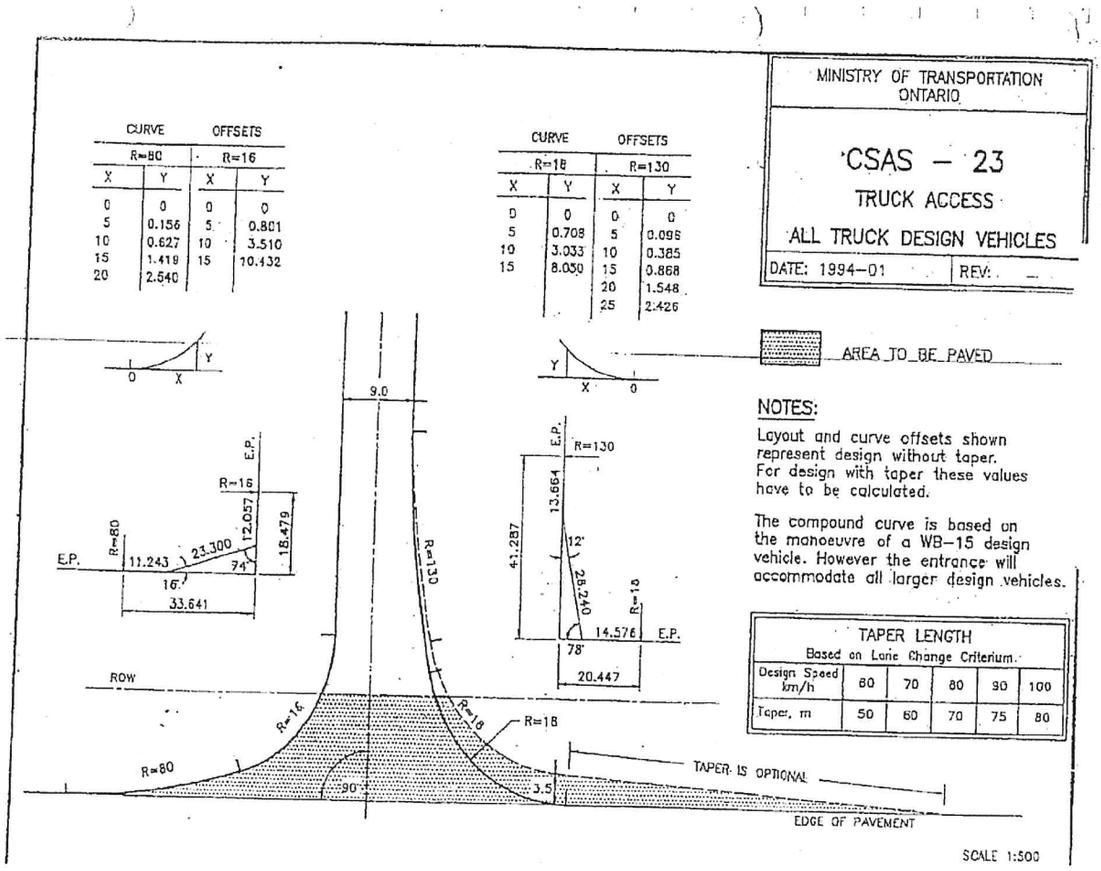
11. The Owner shall develop the Owner's Lands generally in accordance with the Municipality's site plan control guidelines in effect on the date of this agreement, a copy of which the owner hereby acknowledges receiving.

12. The Owner is required to obtain a permit for construction of the buildings and the sewage system from the Municipality.

15. The Owner is required to ensure that the parking lot and all site plan requirements are completed prior to the release of securities.

SCHEDULE "F"

SPECIFICATION OF COMMERCIAL/INDUSTRIAL ENTRANCE



SCHEDULE "G"

APPROVING AUTHORITIES AND AGENCIES

The Owner shall be responsible for obtaining all permits and approvals required for the development of the Owner's Lands from all applicable agencies and authorities having jurisdiction, including but not limited to the following:

APPLICABLE LAW		AGENCY
1.	The Ontario Building Code	The Township of South Frontenac Building Department 4432 George Street, PO Box 100 Sydenham, ON K0H 2T0 Phone: (613) 376-3027
2.	Sign Permit	The Township of South Frontenac Building Department 4432 George Street, PO Box 100 Sydenham, ON K0H 2T0 Phone: (613) 376-3027
3.	Entrance Permit	The Township of South Frontenac Public Services Department 2490 Keeley Road, PO Box 100 Sydenham, ON K0H 2T0 Phone: (613) 376-3027
4.	O. Reg. 148/06 Permit for Works in Regulated Areas	Cataraqui Conservation 1641 Perth Road, PO Box 160 Glenburnie, ON K0H 1S0 Phone: (613) 546-4228
5.	Labour Approvals	Ministry of Labour 51 Heakes Lane Kingston, ON K7M 9B1 Phone: (613) 545-0989
6.	Public Water Connection Approvals	Utilities Kingston 85 Lappan Lane, P.O. Box 790 Kingston, ON K7L 4X7 Phone: (613) 546-0000
7.	Ontario Hydro	Ontario Hydro 1037 Sydenham Road, P.O. Box 910 Kingston, ON K7L 4Y1 Phone: (800) 369-7536

8.	Bell Canada	Bell Canada 450 Princess Street Floor 2, PO Box 460 Kingston, ON K7L 1C2 Phone: (613) 389-4000
9.	Cable	TVCOGECO Kingston 170 Colborne Street Kingston, ON K7L 5M7 Phone: (613) 544-6311

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-83

BEING A BY-LAW TO AUTHORIZE THE MAYOR AND THE CLERK TO EXECUTE DOCUMENTS TO EXECUTE A SITE PLAN AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC AND R D EQUIPMENT & RENTAL INC.

WHEREAS a Site Plan and Site Plan Agreement have been prepared to the satisfaction of the Township of South Frontenac, in accordance with by-law 2022-58;

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 R D Equipment & Rental Inc., 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 PIN 361420089, Part of Lot 6, Concession 7, District of Portland, Township of South Frontenac, County of Frontenac

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 6th day of September, 2022.

Read a first and second time this 6th day of September, 2022.

Read a third time and finally passed this 6th day of September, 2022.

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

_____

Ron Vandewal, Mayor

_____

Angela Maddocks, Clerk

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Development Services Department
Date of Meeting:	September 6, 2022
Subject:	**Zoning By-law Amendment Application PL-ZBA-2022-0096, Battersea Road (102906003011515)**

Summary

This report recommends that Council pass a by-law to change the zone on the subject property to permit a single detached dwelling with a minimum 37 metre front yard setback.

Recommendation

THAT By-law 2022-84 to amend the zoning on lands known as Part 2 on Reference Plan 13R9022, Part Lot 39, Concession 7, District of Storrington, Township of South Frontenac be passed.

Background

Council held a virtual public meeting under the Planning Act on August 9, 2022, on the proposed amendment to Zoning By-law 2003-75. This application is being brought forward to Council for a decision.

Discussion/Analysis

Summary of Application

The subject property is near two active quarries. The Zoning By-law does not allow new houses within 300 metres of a quarry. The purpose of the by-law is to permit a house on the property, approximately 67 metres from the nearest quarry. The zone on the property would change from Rural (RU) to Rural - Special Provision (RU-67) to establish a minimum 37 metre front yard setback for any dwelling. This is equivalent to being setback 67 metres from the nearest quarry, which is the quarry immediately to the south. The effect of the by-law is to allow a building permit to be issued for a house on the property.

Property Description

The subject property is located on Battersea Road between McGarvey Road and Bear Creek Road. The property is 0.4 hectares (1 acre) in area and has approximately 45 metres of road frontage. There are developed, residential lots to the west and to the east of the property. There is a quarry immediately across from the property on the south side of Battersea Road. There are also quarries to the north and to the southeast.

The subject lands are slightly lower in elevation than Battersea Road. Approximately half the property is a lawn. The other half is a wide area of trees and tall shrubs beside the road.

Related Applications

The subject property is not subject to any other applications under the *Planning Act*.

Supporting Documentation – Mineral Aggregate Land Use Compatibility Report

A Mineral Aggregate Land Use Compatibility Report (Pro-Inspect, July 11, 2022) was submitted in support of the rezoning application. The report is available for review in the Township's Civic Web Document Centre (https://southfrontenac.civicweb.net/filepro/documents/87266/).

The Report assessed the compatibility of the proposed dwelling with the existing mineral aggregate operations in the surrounding area. The Report also assessed the proposal's conformity with the applicable policy and regulatory framework.

The subject property was created more than 30 years ago for residential use. The Mulrooney Quarry, immediately south of the property, was in operation at that time. It was identified that this crushed stone quarry operation is nearing depletion and that there is up to three years of reserves remaining. The current excavation is 8 metres deep. The depth of the excavation minimizes noise and dust from the crushing/screening plant on the quarry floor. Any blasting must meet Provincial guidelines for noise and vibration. Rehabilitation by backfilling is underway at the north end of the excavation area, nearest the subject property.

The Rideauview Contracts Quarry is a building stone quarry located southeast of the subject property. This quarry was licensed under the Aggregate Resources Act (ARA) in 2011 (e.g. 11 years ago). There would have been consideration for the subject property through the licensing process. A building stone quarry is less impactful than a crushed stone operation as the use of mechanical equipment is limited, there is no drilling or blasting and no processing in the form of crushing or screening.

The Report included letters of support from the operators of the two mineral aggregate operations.

The Report concluded that rezoning the subject property to allow a residential use would not result in any incompatibility with the mineral aggregate operations that would not be addressed through the ARA licenses, and the operation characteristics and control that currently exist.

Department and Agency Comments

Public Services confirmed that the property can be safely accessed at the present driveway location. They noted that noise and dust can be an issue for residential uses near quarries.

Public Comments

A virtual public meeting was held under the Planning Act on August 9, 2022. No members of the public spoke to this application at the meeting, and no comments have been received to date. The Mayor and several Councilors spoke in favour of the application.

Planning Analysis

The proposed zoning by-law amendment was assessed against the applicable policies of the Provincial Policy Statement 2020 (PPS), County of Frontenac Official Plan, and Township of South Frontenac Official Plan, as well as the provisions of Zoning By-law No. 2003-75.

The PPS requires mineral aggregate resources to be protected for long-term use (section 2.5). The PPS also requires mineral aggregate operations to be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

The County Official Plan contains policies that are consistent with the PPS. Local official plans are required to identify mineral aggregate resources, protect them from incompatible uses so their future use is ensured and establish buffer areas where incompatible development is not permitted.

The Township Official Plan recognizes the concept of an influence area as a means of protecting mineral aggregates and existing quarries from incompatible land uses. For this reason, the Official Plan prohibits residential land uses within 300 metres of an existing or proposed quarry and may prevent other incompatible land uses within this area as well as within a further 200 metre influence area. The Zoning By-law implements this policy by prohibiting residential land uses (houses) within 300 metres of an existing or proposed

quarry. The subject property is not within an identified mineral aggregate resource reserve. However, it is within 300 metres of two existing quarries.

The Official Plan and Zoning By-law do not provide exceptions from this requirement for vacant properties that were created before the Official Plan was adopted. A building permit cannot be issued for a building that would be in violation of the Zoning By-law. A zoning by-law amendment is required to allow a house to be constructed on the subject property closer than 300 metres to the nearest quarry. It was determined that an Official Plan Amendment was not required as numbers in the Official Plan are not fixed or rigid. The zoning by-law amendment was determined to meet the general intent of the Official Plan.

The Mineral Aggregate Land Use Compatibility Report (Pro-Inspect, July 11, 2022) highlighted that the Township's prohibition on residential land uses within 300 metres of an existing quarry is not a universal practice across Eastern Ontario municipalities. The influence area concept is commonly accepted not as a strict setback area in which development is prohibited, but rather an area where impacts may occur, and that development may occur subject to a technical assessment. Typically, municipalities also do not prohibit the development of residential uses on lots of record. In addition, the Aggregate Resources Act applies an influence area concept for development and does not require strict setback areas.

The Mineral Aggregate Land Use Compatibility Report demonstrated that the proposed dwelling on the subject property should not be impacted by the existing quarries, and that the quarries should not be impacted by the dwelling. The consultant's conclusion was based on their knowledge of both the quarry operations and the regulatory framework under which they operation. The letters of support from the quarry operators also indicate that a dwelling on this property should not impact the quarry operations, and that the quarries should not impact the dwelling.

The by-law will permit a single detached dwelling with a minimum 37 metre front yard setback on the property. This measurement was based on the submitted plot plan. A 37 metre front yard is equivalent to 67 metres from the nearest quarry, which is the quarry to the south. The dwelling on the property would be generally in line with the dwelling to the east. It will be farther from the road than the dwelling to the west but separated from that dwelling by more than 30 metres. A building permit can be issued for a dwelling after the by-law is passed by Council and if no appeals are received before the 20-day appeal period ends.

Township staff note that maintaining the existing vegetated buffer between the dwelling and the road would help to mitigate noise and dust impacts from the quarry operations.

It is the opinion of staff that the proposed zoning by-law amendment is consistent and conforms to the Provincial Policy Statement 2020, the County of Frontenac Official Plan,

and the South Frontenac Official Plan, and represents good planning for the subject property.

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.

Climate Considerations

☒ Not applicable to this report.

Notice/Consultation

Council held a virtual public meeting under the *Planning Act* on August 9, 2022.

Attachments

1. By-law 2022-84
2. Location Map

Approvals

Report Prepared By:

Christine Woods, MCIP, RPP, Senior Planner

Submitted By:



Claire Dodds, MCIP, RPP, Director of Development Services

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-84

BEING A BY-LAW TO AMEND BY-LAW 2003-75, AS AMENDED, TO REZONE LAND FROM RURAL (RU) TO RURAL – SPECIAL PROVISION (RU-67) ON LANDS DESCRIBED AS PART 2 ON REFERENCE PLAN 13R9022, PART LOT 39, CONCESSION 7, DISTRICT OF STORRINGTON

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

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

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

AND that there be no further notice pursuant to Section 34 (17) of the *Planning Act*;

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

1. **THAT** Schedule “C” to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning from Rural (RU) to Rural – Special Provision (RU-67) for the lands shown on Schedule “1”.

2. **THAT** Zoning By-law Number 2003-75 as amended is hereby further amended by adding a new section RU-67 (Part 2 on Reference Plan 13R9022, Part Lot 39, Concession 7, District of Storrington) immediately after the last Rural – Special Provision section to read as follows:

   RU-67 (Part 2 on Reference Plan 13R9022, Part Lot 39, Concession 7, District of Storrington)

   Notwithstanding the provisions of Section 7 or any other provision of this By-law to the contrary, on the lands zoned Special Rural (RU-67), the following provisions apply to any dwelling:

   - *Front Yard (Minimum)* *37 Metres (121 ft.)*

   All other provisions of this by-law shall apply.

3. THIS BY-LAW shall come into force in accordance with Section 34 of the Planning Act, 1990, as amended, either upon the date of passage or as otherwise provided by said Section 34.

Dated at the Township of South Frontenac this 6th day of September, 2022.

Read a first and second time this 6th day of September, 2022.

Read a third time and finally passed this 6th day of September, 2022.

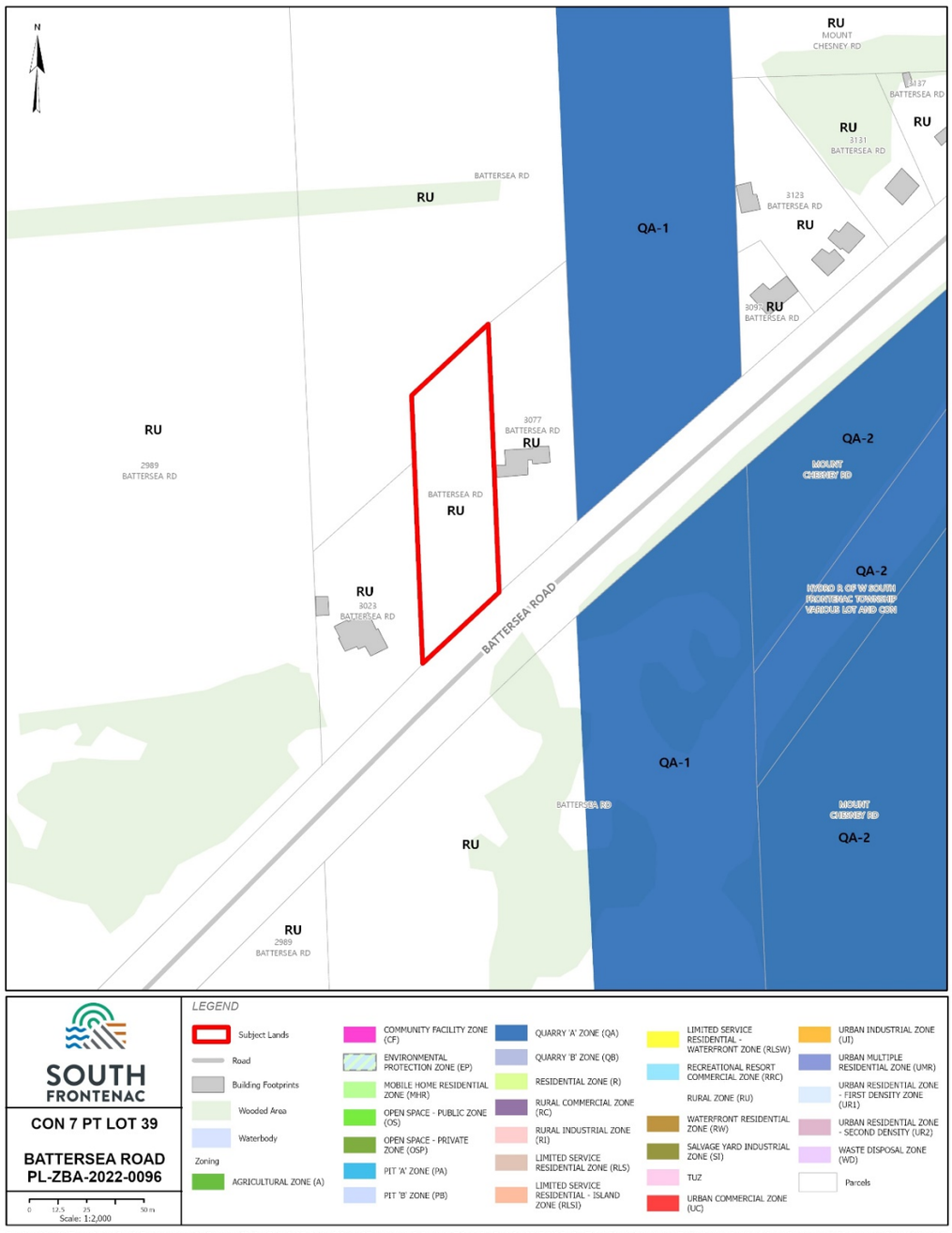
THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC

_____
Ron Vandewal, Mayor

_____
Angela Maddocks, Clerk

Schedule 1

This is Schedule “1” to By-law No. 2022-84.



Passed this 6th day of September, 2022

_____

Ron Vandewal, Mayor

_____

Angela Maddocks, Clerk

FRONTENAC | Attachment 1. Location Map





Legend

- Authorized Aggregate Site - Ac
- Sand and Gravel
  - Primary
  - Secondary
  - Tertiary
- Road
  - Highway
  - Major Road
  - Secondary Road
  - Ferry Route
- Assessment Parcels
- City of Kingston

Notes

PL-ZBA-2022-0096

0.9 0 0.46 0.9 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere

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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

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Office of the Clerk
Date of Meeting:	September 6, 2022
Subject:	**Compliance Audit Committee – 2022 Municipal Elections**

Summary

Council is asked to support the appointment of representatives of South Frontenac to the Joint Frontenac Compliance Audit Committee for the purposes of the 2022 Municipal Election and pass By-law 2022-85.

Recommendation

That Council appoint Pat Player as the South Frontenac representative to the Joint Frontenac Compliance Audit Committee for the purposes of the 2022 Municipal Election,

And that By-law 2022-85, being a by-law to establish the 2022 Election Joint Compliance Audit Committee for the Townships of Central Frontenac, Frontenac Islands, North Frontenac and South Frontenac and the Limestone District School Board be supported.

Background

In accordance with Section 88.37 (1) of the Municipal Elections Act, 1996, all municipal Councils shall establish a Compliance Audit Committee before October 1 of an election year to consider compliance audit requests. As per Section 88.33(1), if an eligible elector has reasonable grounds to believe that a Candidate who ran for office has contravened the Municipal Elections Act with respect to municipal campaign finances, the elector may apply to have an audit of the Candidate's campaign finances.

As per Section 88.35(1), if an eligible elector has reasonable grounds to believe that a Registered Third Party has contravened the Municipal Elections Act with respect to municipal campaign finances, the elector may apply to have an audit of the Registered Third Party's campaign finances in relation to third party advertisements.

Per Sections 88.33(2) and 88.35(2), an application for a compliance audit shall be made to the Clerk of the municipality in which the registered third party was registered, it shall be made in writing and shall set out the reasons for the elector's belief.

Per Section, 88.37(2), the Committee shall be composed of not fewer than three and not more than seven members. Municipal employees or officers of the municipality, members of Council or local board; any Candidates; or any persons who are Registered Third Parties in the 2022 Municipal election, are ineligible to be appointed as a member of the Committee.

In considering members to be appointed to the Committee, the Clerk's group looked for members from the following groups:

a. Accounting and audit – accountants or auditors with experience in preparing or auditing the financial statements of municipal candidates.
b. Legal.
c. Professionals who in the course of their duties are required to adhere to codes or standards of their profession which may be enforced by disciplinary tribunals; and/or
d. Other individuals with knowledge of the campaign financing rules of the *Municipal Elections Act, 1996.*

Ideal candidates would be familiar with legal, municipal, election and finance matters, specifically the requirement of the *Municipal Elections Act, 1996* regarding election financing.

It should be noted that Craig Young, Superintendent of Business and Treasurer for the Limestone District School Board has requested on behalf of the Board to join the Frontenac's Compliance Audit Committee. They have acknowledged that there may be expenses associated with forming and utilizing the committee and are prepared to share those expenses. It is anticipated that there is no issue with any of the other Frontenac Township's to include the Board at this time and for this Council term.

The Committee will be comprised of three (3) voting members, with one (1) alternate member to assume all rights and privileges of a voting member if called upon. The alternate member will be called upon to replace a member of the Committee who has resigned or if a voting member is unavailable to hear the Application. The following individuals were requested to be members due to their expertise and have agreed to sit on the Joint Committee:

- Stephen Duggan
- Wayne Robinson
- Pat Player
- Sam Arraj (alternate)

The Clerk of the Township which receives the Application shall act as the Secretary to the Committee. As per Section 88.37(6), the Clerk of the Municipality shall establish administrative practices and procedures for the Committee and shall carry out any other duties required under the Municipal Election Act to implement the Committee's decisions. This will be the responsibility of the Clerk who receives the Application.

An Appointing By-law, including Terms of Reference has been attached for Council's consideration (Attachment #1).

Discussion/Analysis

Similar to the 2018 Municipal Election, the Clerk's of Frontenac County have met several times to prepare for the upcoming election.

The purpose of this Joint Compliance Audit Committee is to review campaign finance concerns raised by an elector.

While intended to respond to major concerns that tend to develop in the larger municipalities, South Frontenac is required to establish a committee before October 1. The workload of this committee is unpredictable and therefore it is difficult to find skilled and interested candidates. In a continued collaborative approach, the Clerk's are once again recommending a Joint Compliance Audit Committee with balanced representation.

Pat Player was the representative appointed to this committee for the current term of Council (ending November 14, 2022). Staff have reached out to Ms. Player about this role for the next term of Council and she has confirmed that she is willing to let her name stand for this appointment. Ms. Player is the owner of Accounted IV in Hartington and has operated this business for many years.

Financial Implications

To be determined based on the issues that may be brought forward.

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.

Climate Considerations

☒ Not applicable to this report.

Notice/Consultation

- *Other Frontenac Clerks*
- *Craig Young, LDSB*

Attachments

By-law 2022-85

Approvals

Submitted By:



Angela Maddocks
Clerk

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-85

BEING A BY-LAW TO ESTABLISH THE 2022 ELECTION JOINT COMPLIANCE AUDIT COMMITTEE FOR THE TOWNSHIPS OF SOUTH FRONTENAC, CENTRAL FRONTENAC, NORTH FRONTENAC AND FRONTENAC ISLANDS AND LIMESTONE DISTRICT SCHOOL BOARD

Whereas the Municipal Elections Act, 1996, S.O. 1996, c. 32, Section 88.37(1) as amended, requires municipalities to establish a Compliance Audit Committee;

And Whereas the Townships of South Frontenac, Central Frontenac, North Frontenac and Frontenac Islands and the Limestone District School Board deem it expedient to establish a Joint Compliance Audit Committee;

Therefore Be It Resolved That the Council of the Corporation of the Township of Soutth Frontenac deems it expedient to enact as follows:

1. **That** the Township of South Frontenac, Township of Central Frontenac, Township of North Frontenac and Township of Frontenac Island, Limestone District School Board - 2022 Election Joint Compliance Audit Committee be established for the period November 15, 2022 to November 14, 2026;

2. **That** the Terms of Reference for the Committee, attached hereto as Schedule “A” shall form part of this By-law;

3. **That** the following persons be appointed to the Committee;
   (i) Stephen Duggan
   (ii) Pat Player
   (iii) Wayne Robinson
   (iv) Sam Arraj

4. **That** should the appointment of an alternate member(s) be required (in the absence of two or more of the aforementioned appointees) such an appointment(s) may be made by Resolution by all participating municipalities;

5. **That** all resolutions, by-laws or parts of by-laws, which are contrary to or inconsistent with this by-law, are hereby repealed;

6. **That** the provisions of this by-law shall come into force and take effect upon the passing thereof.

Read a first and second time this 6th day of September, 2022

Read a third time, signed and sealed this 6th day of September, 2022

CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC

_____
Ron Vandewal, Mayor

_____
Angela Maddocks, Clerk

Schedule 'A' to
By-law 2022-85

Township of South Frontenac, Township of Central Frontenac, Township of North Frontenac and Frontenac Islands and Limestone District School Board
2022 Joint Compliance Audit Committee

Terms of Reference

1. Name
   The Name of the Committee is the "Township of Frontenac Islands, South Frontenac, Central Frontenac and North Frontenac and Limestone District School Board - Joint 2022 Election Compliance Audit Committee (Committee)".

2. Background
   The *Municipal Elections Act, 1996, as amended* requires Council to establish a Compliance Audit Committee to consider Applications and reports with respect to Candidate campaign finances or Registered Third Party campaign finances for the Municipal Election.

3. Mandate
   The powers and functions of the Committee are set out in Sections 88.33 to 88.37 of the *Municipal Elections Act, 1996, as amended*. The Committee will perform the functions relating to the Compliance Audit Application process as outlined in the Act. These functions include:
   Candidate Contravention
   a) Within 30 days of receiving a Compliance Audit Application, consider the Application and decide whether it should be granted or rejected.
   b) A copy of the decision including the reasons for the decision shall be provided to the Candidate, the Clerk, the Secretary of the Board (if applicable) and the Applicant.
      a. If the Application is granted, appoint a licensed Auditor.
      b. Receive the Auditor's report.
      c. Within 30 days receipt of the Auditor's report, consider the report.
      d. If the report concludes that the Candidate appears to have contravened a provision of the Act relating to election campaign finances, the Committee shall determine whether to commence legal proceedings against the Candidate for the apparent contravention.
      e. A copy of the decision, including the reasons for the decision, shall be provided to the Candidate, the Clerk, and the Applicant.
   Candidate Contributor Contravention
      a. Within 30 days of receiving a report identifying each contributor to a Candidate(s) for office on a Council who appears to have contravened any of the contribution limits, consider the report and

decide whether to commence a legal proceeding against the contributor for an apparent contravention.

b. A copy of the decision, including the reasons for the decision, shall be provided to the contributor and the Clerk.

Registered Third Party Contravention

a. Within 30 days of receiving a Compliance Audit Application, consider the Application and decide whether it should be granted or rejected.
b. A copy of the decision including the reasons for the decision shall be provided to the Registered Third Party, the Clerk, the Secretary of the Board (if applicable) and the Applicant.
c. If the Application is granted, appoint a licensed Auditor to conduct a Compliance Audit of the Registered Third Party's campaign finances.
d. Receive the Auditor's report from the Clerk.
e. Within 30 days receipt of the Auditor's report, consider the report.
f. If the report concludes that the Registered Third Party appears to have contravened a provision of the Act relating to election campaign finances, the Committee shall determine whether to commence legal proceedings against the Registered Third Party for the apparent contravention.
g. After reviewing the Auditor's report, give to the Registered Third Party, the Clerk, and the Applicant the decision of the Committee and brief written reasons for the decision.

Registered Third Party Contributor Contravention

a. Within 30 days of receiving a report identifying each contributor to a registered third party who appears to have contravened any of the contribution limits, consider the report and decide whether to commence a legal proceeding against the contributor for an apparent contravention.
b. A copy of the decision, including the reasons for the decision shall be provided to the contributor and the Clerk.

4. Auditor Selection
   If the Committee decides to grant the Application, it shall appoint an Auditor licensed under the Public Accounting Act, 2004 to conduct a Compliance Audit of the Candidate's or Registered Third Party's election campaign finances.

   The selection process will be coordinated through the Clerk of the respective Municipality.

5. Membership

The Committee will be composed of three (3) voting members, with one (1) alternate member that would assume all rights and privileges of a voting member if called upon. Alternate members will be called upon to replace a voting member that has resigned from the Committee or if a voting member is unavailable to consider the Application.

The composition of the Committee will be based on the Municipality with the Compliance Audit request. Membership will be drawn from the following groups:

a. Accounting and audit – Accountants or Auditors with experience in preparing or auditing the financial statements of municipal Candidates.
b. Legal.
c. Professionals who in the course of their duties are required to adhere to codes or standards of their profession which may be enforced by disciplinary tribunals; and/or
d. Other individuals with knowledge of the campaign financing rules of the *Municipal Elections Act, 1996*

Municipal employees or officers of the Municipality, members of Council or the local board; any Candidates or any persons who are Registered Third Parties in the 2022 Municipal Election or in any by-election during the term of Council for any member Municipality, are ineligible to be appointed as a member of the Committee pursuant to subsection 88.37 (2) of the *Municipal Elections Act, 1996*.

If an application is received, Members will be required to participate in an orientation session with the applicable Township Clerk prior to reviewing the Application.

6. Conflict of Interest
   The principles of the *Municipal Conflict of Interest Act*, apply to this Committee. Failure to adhere to this requirement will result in the individual being removed from the Committee.

   To avoid a conflict, any person appointed to the Committee must agree in writing not to prepare or audit the election financial statements of any Candidate or Registered Third Party for office for any of the member municipalities in the 2022 Municipal Election. Failure to adhere to this requirement will result in the individual being removed from the Committee.

7. Chair
   The Committee will select a Chair from amongst its members at its first meeting when a Compliance Audit Application is received.

   The Chair is the liaison between the members and the Secretary of the Committee on matters of policy and process.

The Chair shall enforce the observance of order and decorum among the Committee members and the public at all meetings.

When the Chair is absent, the Committee may appoint another member as an Acting Chair. While presiding, the Acting Chair shall have all the powers of the Chair.

8. Staffing and Funding
   The Clerk and/or designate from the applicable member Municipality shall function as Secretary to the Committee.

   The member Municipality requiring the services of the Committee shall be responsible for all associated expenses.

   Remuneration for the Committee Member(s) will be in line with the respective Municipality's Council Resolution regarding per diem and mileage for Committees.

9. Meetings
   Per Section 88.33(5.1) The meetings of the Committee under this section shall be open to the public, but the Committee may deliberate in private through a Closed Session at a Committee meeting.

   Timing of Meeting
   Meetings shall be called by the Clerk of the member Municipality when required. The date and time of the meeting will be determined by the Clerk and communicated directly to the Committee members. Subsequent meetings will be held at the call of the Chair in consultation with the Clerk. All time frames established in the *Municipal Elections Act, 1996* and Regulations shall be adhered to.

   Committee activity shall be determined primarily by the number and complexity of Applications for Compliance Audits that may be received. The frequency and duration of meetings will be determined by the Committee in consultation with the Clerk.

   Meeting Location

   The Committee shall meet at the location determined by the Clerk of the member Municipality.

   Meeting Notices, Agendas and Minutes

   The agenda shall constitute notice. The Clerk of the member Municipality requiring the services of the Committee shall cause notice of the meeting(s) to be provided to members of the Committee a minimum of three (3) business days prior to the date of each meeting, not including weekends or holidays.

Notice of the meeting shall be provided to:

- For Application by Elector for Candidate Contravention - Members of the Committee, Candidate, and the Public.
- For Candidate Contribution Contravention Report - Members of the Committee, Contributor, Candidate, and the Public.
- For Application by Elector for Registered Third Party Contravention – Members of the Committee, Registered Third Party, and the Public.
- For Registered Third Party Contravention Report - Members of the Committee, Contributor, Registered Third Party, and the Public.

The agendas of meetings shall be posted on the member Municipality's website a minimum of two (2) business days prior to each meeting.

Minutes of each meeting shall outline the general deliberations and specific actions and recommendations that result. The Minutes of meetings shall be posted on the member Municipality's website within two (2) business days of being approved at a Meeting by the Committee. At the final meeting of the Committee, a Motion will be introduced to adopt the Minutes of that meeting as read aloud by the Clerk. At this time, the Clerk will read the Motions passed during this meeting aloud.

Agenda Format

1. Call to Order
2. Disclosure of Pecuniary Interest and General Nature Thereof
3. Consideration of Compliance Audit Application *or* Auditor's Report
4. Adjournment

Quorum

Quorum for meetings shall consist of a majority of the members of the Committee.

If no quorum is present after thirty (30) minutes after the time appointed for the meeting, the Clerk shall record the names of the member present and the meeting shall stand adjourned until the date of the next meeting.

Meeting Attendance

Any member of the Committee, who misses three (3) consecutive meetings, without being excused by the Committee, may be removed from the Committee. The Committee must make recommendations, by a report to Council for the removal of any member.

Motions & Voting

A Motion shall only need to be formally moved before the Chair can put the question or a Motion can be recorded in the minutes.

A Motion shall be written by the Secretary and shall be signed by the Chair.

Every Member present shall be deemed to vote against the Motion if they decline or abstain from voting, unless disqualified from voting by reason of a declared pecuniary interest.

In the case of a tie vote, the Motion shall be considered to have been lost.

The manner of determining the vote on a Motion shall be by a show of hands.

The Chair shall announce the result of every vote.

10. Administrative Practices

The Terms of Reference constitute the Administrative Practices and Procedures of the Committee. Any responsibilities not clearly identified within these Terms of Reference shall be in accordance with Section 88.33 to 88.37 of the *Municipal Elections Act, 1996*.

The Clerk at any time has the right to develop additional administrative practices and procedures.

Township of South Frontenac
Staff Report

To:	Council
Prepared by:	Office of the Clerk
Date of Meeting:	September 6, 2022
Subject:	**Amendments to Dog Control By-law - Order to Muzzle**

Summary

The purpose of the report is to provide Council with information regarding proposed amendments to the Dog Control By-law (By-law 2001-66) to permit an animal control officer to issue an order to muzzle in prescribed situations.

Recommendation

That Council recommend as follows:

a) **That** By-law 2022-86 attached as Exhibit A, being 'A By-law to Amend By-law 2001-66, 'A By-Law To License Dogs, And For Regulating The Running At Large Of Dogs Within The Corporation Of The Township Of South Frontenac', be given first and second reading.

b) **That** By-law 2022-86 attached as Exhibit A, being 'A By-law to Amend By-law 2001-66, 'A By-Law To License Dogs, And For Regulating The Running At Large Of Dogs Within The Corporation Of The Township Of South Frontenac', be given third reading, signed and sealed.

Background

On November 20, 2001, Council enacted By-law 2001-66. Subsequently, the Dog Control By-law was amended via By-law 2013-73 and By-law 2018-53. In its current form, the By-law outlines dog licensing requirements, prohibits dogs running at large or nuisance behavior, specifies rules related to the Centennial Park off-leash dog park as well as defines enforcement practices and penalties.

Discussion/Analysis

Frontenac Municipal Law Enforcement approached the Township of South Frontenac to request that the Dog Control By-law be amended to include provisions which would permit an animal control officer to require a vicious dog be muzzled and securely confined in specific situations.

It is proposed that the By-law would define a vicious dog as a dog that has bitten or attempted to bite a person or other animal, attacked a person or other animal, or that has

demonstrated a propensity, tendency or disposition to do so. Additionally, the By-law would define a muzzle as a humane fastening or covering device over the mouth of a dog that is of adequate strength to prevent it from biting.

An order to muzzle is an enforcement tool utilized by enforcement bodies across the province of Ontario to address situations related to dangerous (vicious) dogs.

To preserve procedural justice, staff have recommended that the By-law define the Director of Corporate Services as the position responsible for the administration of an appeal process rather than the Clerk as the Clerk's Department is directly involved with the administration of by-law enforcement.

Summary of Amendments to the Dog Control By-law (Exhibit A)

By-law 2022-86 attached to the Report as Exhibit A outlines amendments to the Dog Control By-law (By-law 2001-66) required to permit an animal control officer to issue an order to muzzle.

It is inherent to note that no additional amendments to By-law 2011-66 are proposed at this time.

a) Amendments to Definition Section of the Dog Control By-law

It is recommended that the Definition Section of By-law 2001-66 be amended to include the following terms:

j) "MUZZLE" shall mean to place a humane fastening or covering device over the mouth of a dog that is of adequate strength to prevent it from biting; and

k) "VICIOUS DOG" shall mean a dog that has bitten or attempted to bite a person or other animal, attacked a person or other animal, or that has demonstrated a propensity, tendency or disposition to do so.

b) Amendments to Section 4 of the Dog Control By-law

Additionally, it is recommended that Section 4 of By-law 2001-66 be amended to include the clause p), q) and r) to read as follows:

p) No owner, possessor or harbourer of a Vicious Dog shall permit the Vicious Dog to be on any streets or in any public place or any other place that is not owned or controlled by that person unless the dog is muzzled to prevent it from biting another animal or human.

q) Every owner, possessor or harbourer of a Vicious Dog shall, at all times while the Vicious Dog is on the premises owned or controlled by such person, keep the dog securely confined either indoors or in an enclosed pen or other

structure capable of preventing the entry of any children and adequately constructed to prevent the dog from escaping.

r) Every owner, possessor or harbourer of a Vicious Dog must notify the Clerk of the Township of South Frontenac within forty-eight hours after the ownership of the dog is transferred to another person or municipality, any changes to the residency of the dog or should the dog be destroyed or dies of natural causes.

c) Amendments to Section 6 of the Dog Control By-law

Furthermore, it is recommended that Section 6 of By-law 2001-66 be amended to include the clause c), d) e) and f) to read as follows:

c) An Animal Control Officer may issue an Order to Muzzle to an owner whose dog is alleged to have bitten or attacked a person or animal, or that has demonstrated a propensity, tendency or disposition to do so, requiring the owner to muzzle the dog. Upon issuance of an Order to Muzzle the dog is deemed a vicious dog as per the By-law.

d) An owner may appeal an Order to Muzzle his or her dog to the Director of Corporate Services but an appeal shall not act as a stay of the muzzling order. On an appeal under this Sub-section, the Director of Corporate Services shall hear the evidence and submissions of the owner and all relevant witnesses as determined in the sole discretion of the Director, and may uphold, modify or revoke the Order to Muzzle.

e) Where a proceeding has been commenced by the Township under the *Dog Owner's Liability Act* against an owner whose dog is alleged to have bitten or attacked a person or domestic animal, the owner shall be required to muzzle the dog until a determination of the matter has been made by the court.

f) Where a dog is declared a Vicious Dog, the animal control officer shall deliver or send by registered mail an Order to Muzzle to the owner of the vicious dog requiring that the dog be muzzled and restrained pursuant to the provisions of this By-law. Such notice that has been served by registered mail shall be deemed to have been received by the person to whom it is addressed on the third day after the day it is mailed.

Staff are recommending that the proposed amendments to By-law 2001-66 be approved. Providing Frontenac Municipal Law Enforcement with the ability to issue an order to muzzle will assist in preventing or limiting situations where humans and/or animals are facing harm or have been harmed from a dangerous (vicious) dog.

Financial Implications

None

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.

Climate Considerations

☒ Not applicable to this report.

Notice/Consultation

- Director of Corporate Services
- Frontenac Municipal Law Enforcement
- Municipal Solicitor

Attachments

Exhibit A – By-law 2022-86 - A By-Law To Amend By-Law 2001-66, 'A By-Law To License Dogs, And For Regulating The Running At Large Of Dogs Within The Corporation Of The Township Of South Frontenac'

Approvals

Prepared by James Thompson, Deputy Clerk

Submitted By:

Angela Maddocks
Clerk

Approved By:

Louise Fragnito, CPA, CGA
Chief Administrative Officer

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-86

A BY-LAW TO AMEND BY-LAW 2001-66, 'A BY-LAW TO LICENSE DOGS, AND FOR REGULATING THE RUNNING AT LARGE OF DOGS WITHIN THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC'

WHEREAS Council desires to update By-law 2001-66;

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

1. By-law 2001-66, "A By-Law To License Dogs, And For Regulating The Running At Large Of Dogs Within The Corporation Of The Township Of South Frontenac", is hereby amended as follows:

Definitions is amended to include the following terms and read as follows:

j) "MUZZLE" shall mean to place a humane fastening or covering device over the mouth of a dog that is of adequate strength to prevent it from biting, and "muzzled" has corresponding meanings; and

k) "VICIOUS DOG" shall mean a dog that has bitten or attempted to bite a person or other animal, attacked a person or other animal, or that has demonstrated a propensity, tendency or disposition to do so.;

Section 4 is amended by adding Sections 4 p), q) and r) to read as follows:

"4. p) No owner, possessor or harbourer of a Vicious Dog shall permit the Vicious Dog to be on any streets or in any public place or any other place that is not owned or controlled by that person unless the dog is muzzled to prevent it from biting another animal or human.

q) Every owner, possessor or harbourer of a Vicious Dog shall, at all times while the Vicious Dog is on the premises owned or controlled by such person, keep the dog securely confined either indoors or in an enclosed pen or other structure capable of preventing the entry of any children and adequately constructed to prevent the dog from escaping.

r) Every owner, possessor or harbourer of a Vicious Dog must notify the Clerk of the Township of South Frontenac within forty-eight hours after the ownership of the dog is transferred to another person or municipality, any changes to the residency of the dog or should the dog be destroyed or dies of natural causes."

Section 6 is amended by adding Sections 6 c), d), e) and f) to read as follows:

"6. c) An Animal Control Officer may issue an Order to Muzzle to an owner whose dog is alleged to have bitten or attacked a person or animal, or that has demonstrated a propensity, tendency or disposition to do so, requiring the owner to muzzle the dog. Upon issuance of an Order to Muzzle the dog is deemed a vicious dog as per the By-law.

d) An owner may appeal an Order to Muzzle his or her dog to the Director of Corporate Services but an appeal shall not act as a stay of the muzzling order. On an appeal under this Sub-section, the Director of Corporate Services shall hear the evidence and submissions of the owner and all relevant witnesses as determined in the sole discretion of the Director, and may uphold, modify or revoke the Order to Muzzle.

e) Where a proceeding has been commenced by the Township under the *Dog Owner's Liability Act* against an owner whose dog is alleged to have bitten or attacked a person or domestic animal, the owner shall be required to muzzle the dog until a determination of the matter has been made by the court.

f) Where a dog is declared a Vicious Dog, the animal control officer shall deliver or send by registered mail an Order to Muzzle to the owner of the vicious dog requiring that the dog be muzzled and restrained pursuant to the provisions of this By-law. Such notice that has been served by registered mail shall be deemed to have been received by the person to whom it is addressed on the third day after the day it is mailed.

2. This By-law will come into force and take effect on the date of its passing.

Given First and Second Readings: September 6, 2022

Given Third Reading signed and sealed September 6, 2022

THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC

_____
Ron Vandewal, Mayor

_____
Angela Maddocks, Clerk

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Corporate Services Department
Date of Meeting:	September 6, 2022
Subject:	**Investment Update**

Summary

The report provides an investment update to June 30, 2022.

Recommendation

This report is for information only.

Background

Legislative Requirements

Ontario Regulation 373/11 requires a municipality to report to Council at least annually if it has invested in securities prescribed under the Regulation. The main requirements of the annual report are outlined below:

- A statement of performance of the portfolio in the period covered in the report.
- Details of the proportion of total investments held in the municipality's own securities.
  A statement by the Treasurer that investments made were consistent with the Township's investment policy.
- Under the Township's policy, we have established reporting to Council twice a year.

Investment Policy

The Township's Investment Policy specifies the types of investments the Township can make to balance the optimal utilization of cash resources while balancing the need to maintain liquidity and reduce risk. The basic objectives of the investment policy are, in order of priority, as follows:

a) Security of principal;
b) Liquidity requirements;
c) Rate of return;

Discussion/Analysis

The market has seen fluctuations in 2022 partly due to COVID-19 and other external factors. As of July, staff have started to see markets to adjust showing positive increases.

Staff have been working with the Investment team at Wood Gundy as well as with the Township's Bank in order to improve earnings returns before the end of 2022.

Financial Implications

As of June 30th, the net change in investment value for 2022 was -$512,779.65 compared to an estimated RBC interest calculation of $89,231.68.

Overall, to date, since the original investment, our investments have had a net increase of $865,826.51 compared to interest that would have been earned our bank account at $605,861.13. A difference of + $259,965.38.

Relationship to Strategic Plans

☒ Not applicable to this report.

Climate Considerations

☒ Not applicable to this report.

Notice/Consultation

- Louise Fragnito, Chief Administrative Officer

Attachments

- Investments as of June 30th, 2022

Approvals

Prepared By:

Kyle Griese

Kyle Griese
Financial Analyst

Submitted By:

Shelley Stedall
Director of Corporate Services & Treasurer

Approved By:

Louise Fragnito, CPA, CGA
Chief Administrative Officer

Year 2022 only

	Deposit Amended July 2018	Deposit Amended Jan-19	Deposit Amended May-20	Deposit Amended Jun-21	Interest	Market Value Adj	Redemption/ Purchase	Net Change	Balance June 30/2022	%
Equity	893,750.00	893,750.00	893,750.00	893,750.00	0.00	-204,995.43	0.00	-204,995.43	1,332,522.40	-22.94%
HISA	0.00	5,000,000.00	0.00	0.00	3.78	0.00	0.00	3.78	785.29	0.00%
JJM	4,764,250.00	4,764,250.00	14,044,700.00	13,135,471.49	256,274.40	-564,062.40	0.00	-307,788.00	13,031,646.00	-2.34%
Total	**5,658,000.00**	**10,658,000.00**	**14,938,450.00**	**14,029,221.49**	**256,278.18**	**-769,057.83**	**0.00**	**-512,779.65**	**14,364,953.69**	**-3.66%**

Net of Deposit/Purchase	**- 512,779.65**
Royal Bank Interest Calculation (Est)	**89,231.68**

Life- to-date August 2016 to June 2022

	Deposit Amended July 2018	Deposit Amended Jan-19	Deposit Amended May-20	Deposit Amended Jun-21	Interest	Market Value Adj	Redemption/ Purchase	Net Change	Balance June 30/2022	%
Bond	0.00	0.00	0.00	0.00	135,171.03	-156,868.89	-3,373,102.14	-3,394,800.00	0.00	-0.64%
UCB	0.00	0.00	0.00	0.00	53,121.56	-71,706.82	-1,239,264.74	-1,257,850.00	0.00	-1.48%
Equity	893,750.00	893,750.00	893,750.00	893,750.00	862.34	456,718.79	-130,408.73	327,172.40	1,332,522.40	51.20%
HISA	0.00	5,000,000.00	0.00	0.00	162,119.92	0.00	-161,334.63	785.29	785.29	0.00%
JJM	4,764,250.00	4,764,250.00	13,764,250.00	13,135,471.49	809,836.87	-523,428.29	12,745,237.42	13,031,646.00	13,031,646.00	2.18%
Total	**5,658,000.00**	**10,658,000.00**	**14,658,000.00**	**14,029,221.49**	**1,161,111.72**	**-295,285.21**	**8,760,019.85**	**9,625,846.36**	**14,364,953.69**	**6.17%**

Net of Deposit/Purchase	**865,826.51**
Royal Bank Interest Calculation (Est)	**605,861.13**

In 2022, our investments have had a net decrease of $512,779.65 compared to interest that would have been earned in our bank account at $89,231.68. A difference of -602,011.33

Overall, to date our investments have had a net increase of $865,826.51 compared to interest that would have been earned in our bank account at $605,861.13. A difference of +259,965.38.

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Corporate Services Department
Date of Meeting:	September 6, 2022
Subject:	**2022 Year to Date Financial Report to June 30, 2022**

Summary

The report provides a summary of the year-to-date financials to June 30, 2022, with a comparison to the year-to-date 2022 budget.

Recommendation

This report is for information only.

Background

Attached in Appendix A are the year-to-date financials showing revenues and operating expenses with a comparison to year-to-date budget as well as a column which reflects the total 2022 budget. Also attached in Appendix B is a summary of the variances for the 2022 capital budget.

Discussion/Analysis

Operations

Year to date revenues totalling $23,515,147 are $691,621 under budget while year to date expenses total $14,280,273 and are $180,587 over budget. The comparison to budget is based on the year-to-date budget to June 30th, 2022.

Some of the variances within the Revenues can be attributed to:

- Taxation is lower than expected for this report as the Supplementary tax bills and Payment in Lieu of taxation have not yet been issued but will be prior to end of the next quarter and are expected to meet budget expectations.
- User Charges, Penalties and Interest on taxes and Government grant revenues show that they are lower than expected at this time, however they are anticipated to meet budget expectations as this is a timing issue as to when the revenues are actually realized.
- Licences, Permits and Rents are higher than expected and are anticipated to be higher at year end due to increase in building permit revenues.
- Investment income is lower than budgeted as the market expected rates of return have been poor in the first half of 2022. Rates of return on GIC's are increasing for the later part of 2022 which may improve year end results.

- Donations and other revenues are higher than expected as this is the result of sale of land and vehicles.

Some of the variances within the Operating Expenses can be attributed to:

- Roadway maintenance - Hardtop, dust layer and gravel are higher than expected because of material supply costs being higher in 2022, than in previous years.
- Winter Control – Costs have been higher than expected due to inclement weather and higher material costs.
- Quinte Conservation Authority levy actual is more than budgeted. The QCA budget was adopted after the Township budget and their final adopted budget for general requirements was higher than anticipated. The QCA also implemented a new budget allocation towards capital reserves for water and erosion control projects totalling $15,231.
- Heating expenses for facilities are higher than expected and anticipated to be overbudget due to the increased costs of fuel in 2022.
- Solid Waste costs are higher than budgeted as quantities being accepted at the landfill continues to be high. This trend increased drastically during COVID and remains to see high levels in 2022. There are also increased costs for fuel, which is tied into contracts.
- Parks, Recreation, and Cemeteries – Cost for new activity guides were higher than expected.
- Planning, Building and General Government operational costs are underbudget due to wage gapping. It is anticipated these amounts will be under to the end of the year.
- Funding for Climate change costs, Community Grants and Election costs have not been allocated or spent to June 30th and therefore attribute to the amount that is showing underspent, however they are expected to be in line with budget for the end of 2022.
- The remaining differences in the year-to-date budget and year to date actuals can be attributed to in year timing.

Capital

Capital expenses spent to August 18, 2022, total $4,391,141. The variance is primarily driven by the timing of projects. A separate quarterly report was received by Council on August 9th from Public Services with updates to the status of capital works projects.

All projects are underway, and more expenses will be included in the next quarterly financial reports. Projects will be reviewed in the final quarter of 2022 to assess whether they will be completed in 2022 or carried over to 2023.

Financial Implications

The 2022-year end financial projections, based on the first half of the year indicate that overall, the Township of South Frontenac net revenue and expenditures will be on target with the 2022 budget overall. Staff continue to monitor financial status of all operational and capital budgets on an ongoing basis and report to Council with updates.

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.

Climate Considerations

☒ Not applicable to this report.

Attachments

Appendix 1 INC STATEMENT BvA-Council June 30, 2022
Appendix 2 Council - Financials - Capital to Aug 18, 2022

Approvals

Prepared By:

Kyle Griese

Kyle Griese
Financial Analyst

Submitted By:

Shelley Stedall
Director of Corporate Services & Treasurer

Approved By:

Louise Fragnito, CPA, CGA
Chief Administrative Officer

TOWNSHIP OF SOUTH FRONTENAC
For the Six Months Ending June 30, 2022

	2022 Year Budget	2022 YTD Budget	2022 YTD Actuals	YTD Actual vs YTD Budget Variance
REVENUE				
Property Taxation	21,442,349	21,362,849	21,188,087	(174,762)
User Charges	1,225,255	625,127	563,954	(61,173)
Licenses, Permits and Rents	1,492,520	709,760	985,770	276,010
Government Grants	1,990,395	998,581	952,752	(45,830)
Investment Income	353,000	176,500	(350,033)	(526,533)
Penalties and Interest on taxes	370,000	185,000	128,630	(56,370)
Donations	3,000	2,000	15,320	13,320
Other	0	0	30,668	30,668
Transfer from Reserves/Reserve Funds	291,300	146,950	0	(146,950)
Total Revenues	**27,167,820**	**24,206,767**	**23,515,147**	**(691,621)**
OPERATING EXPENSE				
General Government	***5,718,800***	***4,216,318***	***3,985,417***	***(230,901)***
Protection to Persons and Property				
Fire	1,907,239	1,220,504	1,258,662	38,157
Police	2,931,316	1,466,542	1,458,756	(7,786)
Conservation Authorities	258,872	257,872	274,203	16,331
Protective Inspections and Control	132,752	69,435	45,571	(23,864)
Emergency Measures	2,730	1,365	109	(1,256)
Building Department	1,165,650	541,299	514,840	(26,459)
Transportation Services				
Roadway Maintenance	4,695,578	2,335,785	2,625,474	289,689
Winter Control	2,318,869	1,391,320	1,539,876	148,555
Environmental Services				
Water System	403,353	144,714	132,192	(12,521)
Solid Waste Management	2,938,196	1,519,647	1,603,704	84,057
Parks, Recreation and Cemeteries	***1,005,341***	***592,271***	***564,427***	***(27,843)***
Planning and Development	***678,205***	***342,613***	***277,041***	***(65,573)***
Total Expenses	**24,156,900**	**14,099,686**	**14,280,273**	**180,587**
TOTAL	**(3,010,920)**	**(10,107,082)**	**(9,234,874)**	**872,208**

	2022 BUDGET (REVISED WITH CARRYOVERS)	2022 ACTUALS TO Aug 18, 2022	VARIANCE
GENERAL GOVERNMENT			
Corporate Services			
Carryovers			
Server Upgrade	46,819	45,863	-956
Asset Management Software & Document Update	50,479	0	-50,479
Budgeting software incl reporting, self serve and metrics	5,830	0	-5,830
Council Chambers Furniture Upgrades	15,000	954	-14,046
Verona Master Plan	2,111	10,302	8,191
New Projects			
Gateway Signage	60,000	0	-60,000
Electronic Portable Sign	10,000	0	-10,000
LiDar Imagery	16,000	0	-16,000
Digital Modernization & Workflow Improvements	125,000	0	-125,000
Senior & Affordable Housing - Project Design & Management	175,000	0	-175,000
Payroll Digitization (Net zero with Provincial Funding)	0.00	0.00	0
Total - Corporate Services	506,238	57,119	-449,119
PROTECTIVE SERVICES			
Building			
New Projects			
Building/Planning Software & Support	0	3,129	3,129
Sub-total	0	3,129	3,129
Fire			
Carryovers			
Firehall Study	46,428	46,428	0
Tanker - Station 4	432,477	432,299	-178
Rapid Response Unit x 5 -2021(2) & 2022(3)	373,286	126,361	-246,925
Extractor/Dryer - Station 4 Hartington	9,454	2,071	-7,383
Wildland Firefighting Suits (100)	38,000	33,010	-4,990
New Projects			
16ft 40HP Aluminum - Marine Unit	75,000	0	-75,000
Bunker Gear - 10 Sets	25,000	24,467	-533
Hoses & Appliances	18,000	8,515	-9,485
Hydraulic Pump - Extrication Tools - Replacement	8,000	6,223	-1,777
x4 Floater Pumps - Wildland FF	19,200	18,760	-440
x4 Thermal Imaging Camera	18,000	16,269	-1,731
Station 8 Compressor - SCBA Bottle Filling Station	35,000	34,393	-607
x2 Electric / Battery Blower Fans	13,000	10,476	-2,524
Sub-total	1,110,846	759,273	-351,572
Total - Protection Services	1,110,846	762,402	-348,443
TRANSPORTATION DEPARTMENT			
Carryovers			
Tandem Dump Truck	300,000	0	-300,000
Half Ton Truck	40,000	0	-40,000
Tractors - Mowers x 2 (for 2022 delivery)	460,000	0	-460,000
Tri-axle	400,000	0	-400,000
New Projects			

	2022 BUDGET	2022 ACTUALS	VARIANCE
Preorder Two Tandems (2023)	600,000	0	-600,000
Half Ton Truck	42,500	0	-42,500
3/4 Ton Truck	69,000	0	-69,000
2 Ton Truck	120,000	30,801	-89,199
Sub-total	2,031,500	30,801	-2,000,699

Linear Asset Construction Schedule

Carryovers			
Perth Road Intersection (cancel)	38,242	0	-38,242
Buck Bay Road Bridge	818,900	6,698	-812,202
Bunker Hill Road Bridge	81,486	0	-81,486
Fish Creek Road Bridge	1,502,297	0	-1,502,297
Hinchinbrooke Road North Culvert	1,018	1,018	0
Perth Road at Buck Lake - Design	49,562	0	-49,562
Stars Corner/Yarker Road and Wilton Road Intersection	59,343	19,526	-39,817
New Projects			0
Carrying Place Road	16,000	0	-16,000
Bunker Hill/Deyos Road	112,200	15,895	-96,305
Hinchinbrooke Road	110,150	5,597	-104,553
Hinchinbrooke Emergency Repairs	176,371	107,484	-68,887
Battersea Road	3,553,610	11,987	-3,541,622
North Shore Road Culvert	361,141	0	-361,141
Battersea - New Sidewalks	100,000	4,620	-95,380
Guiderail Upgrades	66,307	57,332	-8,976
Streetlights (includes 18-17/19-14/20-20)	113,184	0	-113,184
Arterial Reserve (Road 38)	550,000	550,000	0
New Projects			
12th Con Bridge (B32) Repair	50,000	0	-50,000
Eagle Creek Culvert (B31) Design	50,000	0	-50,000
Opinicon Road Culvert (C12) Replacement	50,000	0	-50,000
Burego Lane Culverts (B6) Replacement	78,000	0	-78,000
Culvert Replacement - Westport Rd Culvert (Burridge)	22,500	0	-22,500
Culvert Replacement - Westport Rd Culvert (Burts Creek)	150,000	31,406	-118,594
Culvert Replacement - Bellrock Rd Culvert (East of Church)	22,500	0	-22,500
Microsurfacing - Perth Road	350,000	0	-350,000
Bellrock Rd Reconstruction	970,000	10,791	-959,209
Westport Road Reconstruction	1,000,000	252,409	-747,591
Hard Surfacing Preservation	742,813	437,340	-305,473
Lower Round Lake Rd Reconstruction	822,000	312,593	-509,407
Alton Road West (Design - Local Rds)	27,000	4,274	-22,726
Intersection Traffic Counts	18,500	8,637	-9,863
Deferred Linear Capital Works	167,825	0	-167,825
Roads Needs Study	150,000	29,724	-120,276
Total Linear Assets	**12,380,948**	**1,867,330**	**-10,513,618**
Total Transportation Department	14,412,448	1,898,131	-12,514,317

ENVIRONMENTAL SERVICES

SYDENHAM WATER

Carryovers

Water Hauling Station & Mill Pond Drinking Station	13,708	0	-13,708

	2022 BUDGET	2022 ACTUALS	VARIANCE
Mechanical, instrumentation and eletrical upgrades (Utilites Kington recommended)	50,000	0	-50,000
Total	63,708	0	-63,708
Sanitation-Disposal			
Carryovers			
Loughborough Waste Site - Grouond Penetrating Radar - Required for MOE Approval (Complete)	6,400	0	-6,400
Salem WDS - Vegetation & Benthic Monitoring (Complete)	8,500	0	-8,500
Green Bay WDS - Additional Monitoring Wells	20,000	0	-20,000
Sub-total	34,900	0	-34,900
Total Environmental Services	98,608	0	-98,608
TOWNSHIP FACILITIES MANAGEMENT			
Carryovers			
Energy Retrofits	10,036	9,695	-341
Town Hall - Main Floor washroom upgrades	5,000	2,870	-2,130
Sydenham - Station 5 - Front Eavesthrough/ asbestos tile	8,500	0	-8,500
Verona Medical Clinic - Design 2nd floor accessible	5,000	0	-5,000
Keeley Road Garage - Communications Tower Relocation	79,135	65,312	-13,824
Town Hall - Accessible Entrance Ramp & Front Step	298,735	4,783	-293,952
New Firehall - replacing Station 8	3,466,917	1,028,837	-2,438,080
Burridge Fire Hall - Siteworks	20,000	0	-20,000
Portland Garage - Door Operators	20,000	11,347	-8,653
OPP Building - HVAC/Garage Doors	27,000	27,469	469
Bedford Sand Dome	63,000	61,624	-1,376
Bradshaw Fire Hall - Lighting Retrofit/ Interior Wall	9,738	0	-9,738
Storrington Fire Hall - Lighting Retrofit	2,046	1,847	-200
Admin Office Location Expansion Feasibility Study	68,528	0	-68,528
Petworth Mill Improvements*	69,247	766	-68,481
Bellrock Mill Improvements	65,003	1,169	-63,834
New Projects			
New Monitoring Wells & Land / Water Rights Purchase	150,000	5,088	-144,912
Storrington Yard - Fabric Replacement on Sand Dome	35,000	10,972	-24,028
Princess Anne Bldg - Oil Tank Replacement	5,000	3,548	-1,452
New Docks - Battersea Village	20,000	3,262	-16,739
Inverary Cemetery Fencing	10,000	0	-10,000
Portable Soccer Nets	12,600	11,341	-1,259
Cen SW Fence Repairs	18,000	15,717	-2,283
Fabric Roof Panel - Keeley Road Sand/Salt Dome	35,000	13,295	-21,705
Total	4,503,486	1,278,943	-3,224,543
RECREATION			
Carryovers			
Davidson Beach - Access Road to swim area	50,000	0	-50,000
Boat Launch Upgrades - Shipyards	8,272	0	-8,272
Recreation Master Plan	700	6,289	5,589
Wilmer Park Pumphouse Repairs	43,176	45,159	1,983
Storrington Centre Upgrades	351,527	180,973	-170,554
Playground Rubberized Surfaces	64,741	49,272	-15,469
Bowes Park - Accessible Washrooms	47,380	47,880	500
Bowes/Centennial/Inverary/Point Ball Diamonds	23,803	4,761	-19,041

	2022 BUDGET	2022 ACTUALS	VARIANCE
Battersea Park Gates	10,000	0	-10,000
New Projects			
McMullen - Verona Court Project	350,000	1,649	-348,351
Centennial Multipurpose Facility Two Cover / Roof	364,878	1,425	-363,453
Consulting Fee - User Fee & Facility Allocation Policy	25,000	0	-25,000
Recreation Software	25,000	10,583	-14,417
Total - Recreation	1,364,476	347,990	-1,016,486
PLANNING			
New Projects			
Official Plan	93,508	46,556	-46,953
Development of Subdivision /Condo Standards	15,000	-	-15,000
Servicing Options Study	100,000	-	-100,000
Total - Planning	208,508	46,556	-161,953
TOTALS	**22,204,611**	**4,391,141**	**-17,813,470**

Township of South Frontenac

Staff Report

To:	Council
Prepared by:	Development Services Department
Date of Meeting:	September 6, 2022
Subject:	**Building Services – Review of Timeframes to Issue Permits**

Summary

This report responds to questions and concerns raised by Council at the August 9th, 2022 meeting regarding the timelines associated with processing building permits.

Recommendation

This report is for information only.

Background

At the August 9th, 2022 meeting of Council, several Councillors expressed concerns about the timelines associated with Building Services processing building permit applications.

Council provided direction to the CAO and the Director of Development Services to bring back a report and schedule a special meeting to discuss why building permits are taking so long to issue.

Discussion/Analysis

Q2 – 2022

The second quarter (April to June 2022) report highlighted a number of trends. Overall the South Frontenac Building Services Department is processing an equal proportion of applications for construction in South Frontenac (53%) and applications for Part 8 Services across Frontenac County (47%), including South Frontenac.

This report identified Q2-2022 as having the highest construction value (over $24.5 million dollars) of any quarter reported in the last 4 years. This construction value was generated in part due to large construction projects occurring in the Township, including the Battersea Fire Hall, McMullen Manor, the Storrington Centre renovations and several commercial projects, in addition to 25 new single detached dwellings. It also reflects the increased cost of construction at the current time.

The Q2-2022 report also reported a new statistic which is the average number of business days it took to issue permits in Q2-2022. This statistic included the time from when the applicant first submits their application until when the permit was ready to be issued.

On average in Q2-2022 it took 32 business days to issue a permit for a single detached dwelling from the time an applicant first dropped off their application until the permit was ready to issue.

As the Township does not turn away incomplete applications, this statistic includes:

- time the applicant may take to provide all required supporting information
- time for Building Services staff to receive, review and input the application into the building permitting software system (CityView)
- time for the inspector to complete the zoning compliance review
- time for the inspector to review the permit for Building Code compliance
- time for the applicant or their agent to make changes to their application to achieve Code compliance
- time for any subsequent Code reviews to be completed by the inspector prior to the issuance of the permit

Attachment 1 documents the workflow of the Building Permit process within the South Frontenac Building Services. It identifies which activities are completed by the applicant and by Building Services staff.

During Q2-2022, Part 8 Sewage Services were restructured to provide more focused staffing to the delivery of Part 8 Sewage Services to improve timelines and coverage across Frontenac County. 2021 was the first year the Department delivered Part 8 Services. A review of the delivery of Part 8 Services was completed at the end of 2021 and it was determined that the volume of Part 8 applications and travel time for one inspector to cover the three Frontenac Townships was much higher than forecasted.

It was also determined that the delivery of Part 8 Services for South Frontenac being split among the remaining 4 inspectors was leading to inefficiencies in service delivery to the Sewage Installers in the area. It was recognized by building staff that these services are better delivered by an inspector with specialized knowledge and experience with sewage systems. For the delivery of Part 8 Services in 2021, Building staff observed that having sewage permits in the queue with regular building permits for construction slowed down the delivery of Part 8 services.

In Q2 – 2022, two full-time inspectors were assigned to deliver Part 8 Services – with one inspector covering Central and North Frontenac and the other inspector covering South Frontenac and Frontenac Islands. The operational decision to focus Part 8 Services in two specialized inspectors was intended to provide better service delivery to the sewage installers across Frontenac County. This change was implemented in the second quarter as it is typically the busiest quarter for sewage applications.

As it took until the end of May 2022 to fill the inspector position included in the 2022 budget, the remaining three inspectors (CBO, Deputy CBO and 1 Building Inspector) processed the

bulk of building permits for construction in South Frontenac during Q2-2022. In comparison to 2021, the volume of permits remained comparable but these were processed with a lower staffing completement due to the staff reallocation to Part 8 in Q2-2022.

It was noted in the Q2 report that with filling this Building Inspector position – it was anticipated that the average processing time for building permits would be lower in Q3 than Q2-2022. The preliminary statistics to date from Q3 (July & August 2022) demonstrate the timeframes to process permits have come down from Q2-2022.

Q3 – 2022 July & August 2022

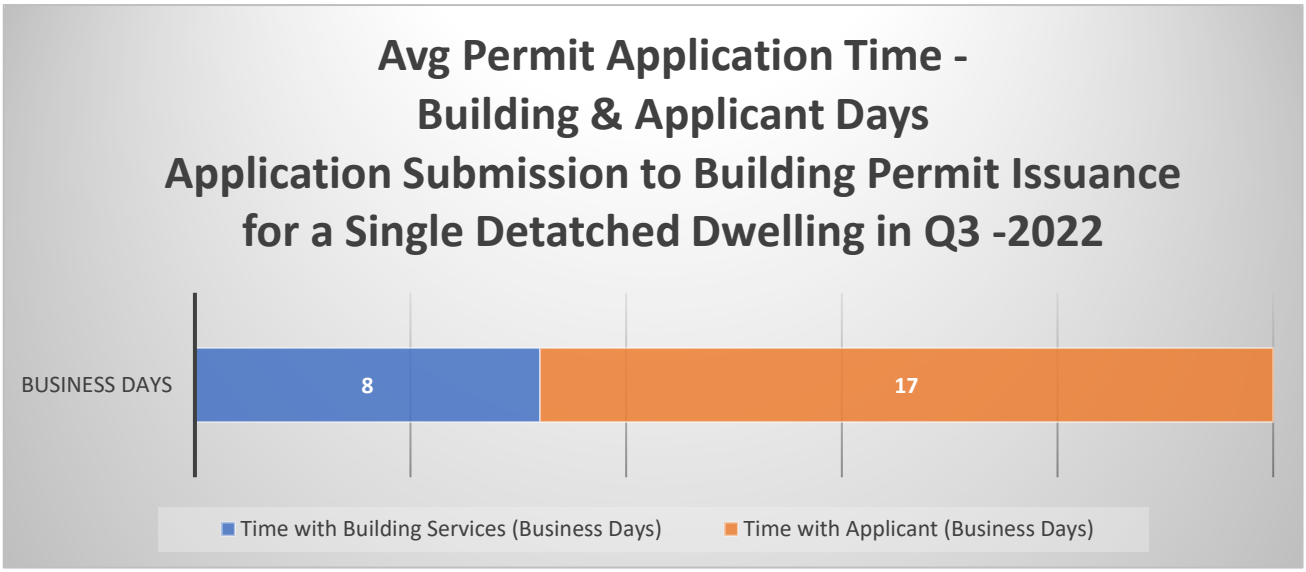
For permits that have been issued to date in Q3-2022 (between July 2nd, 2022 and August 24th, 2022) the average processing time across all building permits from the time an applicant submits the application to the time a permit is ready for issuance is 9 business days. In Q2-2022, this timeframe was 16 days.

While reduced from Q2-2022, the time to issue building permits for single detached dwellings continues to take the longest of all building permit types. In Q3-2022 the time from submission of an application until the issuance of a building permit was 25 business days. In Q2-2022, that timeframe was 32 business days.

Based on Council's concerns relating to the timeframe required to process and issue building permits for single detached dwellings, a detailed review of each building permit issued for a single detached dwelling in Q3 - 2022 was completed by the Director of Development Services.

This review also included the permit timelines being broken down between days under the control of the applicant versus the control of Building Services staff.

The below chart summarizes the average time permit applications were under the control Building Services staff versus the time it was under the control of the applicant for Single Detached Dwelling in Q3:



- On average, applications were under the control of the applicant for 17 business days of the 25 business days it took to issue the permit.

- Reasons why the applications were with the applicant for this length of time include:
  - On average it took applicants 8 business days to provide all required information.
  - Applications had deficiencies based on Code Review. Applicants had to engage their professionals to make changes to their application and drawings and re-submit these changes to the inspector.
  - Applicants had to arrange for test holes to be dug and call to book inspections.
  - Applications submitted prior to obtaining planning approval (site plan control, consent, minor variance, or rezoning)

- On average, the permit was directly under the control of Building Services (inputting application, conducting zoning and code review) for 8 business days.

Building Services recognize that the process to obtain a building permit, especially for a single detached dwelling, is a complex and iterative process. There is often back and forth communication between applicants and Building Services staff to answer questions and provide guidance through the process. Timeframes to process an application from submission to issuance, also relies on the time and availability of the applicant, their professionals and the completeness of their initial submission.

Building Services continues to review and make improvements to communication materials on the Township website and at the front counter to assist applicants on what is required to submit all required information at the time of application.

Building Code Timeframe to Issue Permits

The Director of Development Services consulted with the Township solicitor regarding the Township's legal obligation to process permits within the timeframes set out in the Building Code.

The Building Code establishes a set of timelines for when permits must be issued or refused, dependent on the type of construction applied for (table 1.3.1.3 of Division C). While the Code establishes a range of timeframes for different types of construction – the most referenced timeframe is that the CBO shall issue or refuse a permit within 10 business days.

The Township solicitor advised that: *"even though these timelines are drafted as mandatory – the CBO "shall" issue a permit or refuse within the timelines - the courts have considered this issue and determined that the language is "directory" and not "mandatory". The distinction is important as mandatory language means that failure to comply with the timeline makes the decision void. Because the language is directory, it is not fatal to fail to comply with the timelines."* The Township solicitor is not aware of any reported case where a court has imposed a consequence for failure to comply with the permit issuing deadline.

"As a practical matter this makes perfect sense – you could not have builders taking the position that because a permit was not issued in 10 days (for example) that they are free to build without a permit – or without inspections."

Under the Building Code, the 10-day timeframe only applies from the time the application is considered completed. An application is only complete when all necessary information is provided to the building department that allows them to conduct the plan review. Until that information is provided, the application is incomplete. An area that creates confusion in relation to the timeframe is that when the application comes into the Department, staff need to review to identify whether it is complete. Based on the language of the Building Code, this timeframe is outside of the 10-day period. There is a risk that the permit review will take longer than the statutory time frame when an incomplete permit application due to the number of days to have the application considered complete.

Comparison to Neighbouring Municipalities

As part of the 2022 budget, Council requested information about comparable Building Departments and their resources. During budget deliberations staff provided 2021 data and staff resourcing from a number of surrounding municipalities. This information, with some additions, is presented below. Of note, the staff complements document the number of Building Inspectors, including CBOs and Deputy CBOs. It does not include Department Directors or Administrative Assistants.

2021 Permit Volumes and Resourcing by Municipality

Municipality	Perm. Pop. (2021)	Geographic Size	2021 Total Building Permits	Building Inspector Complement	Applications per inspector
South Frontenac	20,188	948 km²	742 (Construction & SF Part 8 Applications)	4	185.5
South Frontenac - Delivery of Part 8 Services across Frontenac County	29,255	3,337 km²	377 (other 3 Frontenac Townships Part 8 Applications)	1	377
Prince Edward County	25,704	1,050 km²	1,076	8	134.5
Loyalist Township	17,943	342 km²	462	4	115.5
Stone Mills	7,826	709 km²	260	*1.5	173

** A compliance coordinator started in May 2021 in Stone Mills and focuses primarily on Part 8 Sewage Applications. For 2022, Stone Mills has 2 staff positions processing permits (CBO and compliance coordinator).*

It is difficult to find exact comparable jurisdictions due to differences in the types of development, servicing, geography, development patterns, etc.; however, given South Frontenac's rural development pattern, geographic size, lack of traditional subdivisions or

servicing, and travel distances, inspections would, on average, require more time in South Frontenac than in the comparators noted above.

In conversation with CBOs throughout the region – generally the right level of resourcing is for each inspector to average about 125 permits per year. Each South Frontenac inspector resourced more than 185 permits in 2021. The Part 8 Inspector handled over 375 permits and applications. While the 2022 permit numbers year-to-date are a little less than the volume experienced in 2021, 2022 permit volumes have not returned to a pre-COVID level and are not anticipated to do so.

Pressures on Service Delivery in 2022

During COVID and continuing through 2022, there has been a surge of building activity occurring through the region. Growth and development throughout the region has been at record highs with building and planning applications more than doubling in volume over the past few years.

Every associated industry, including engineers, contractors and surveyors, have all been impacted by the demand for construction services. In conversation with engineers, contractors and surveyors throughout the region, they are routinely turning away business as they are not resourced to handle the volumes experienced over the past few years.

The lack of private sector resources to meet the area demand for construction services has slowed down many aspects of the building process. For example, it is standard across municipal Building Departments to request setbacks to be verified by a surveyor where a minor variance was approved for a reduced waterfront setback. In Q2 of 2022, it was taking upwards of 16 weeks to have a surveyor come out to verify and stake the setback. What was a standard request in pre-COVID times that may have taken a week to complete, became an unreasonable request for an applicant in 2022 due to increase in time it was taking for surveyors to complete this work. The unreasonableness of this type of request was often directed at Building Services staff, not at the private sector industry who wasn't able to deliver services within reasonable timeframes. These timelines can impact the timeframes associated with reviewing and issuing building permits.

As volumes begin to level out and private sector companies grow to meet the demand in the area for construction related services, it is anticipated that turn around times from external services such as surveyors will return to more normal service levels.

Areas for Review to Streamline Building Service Delivery

Several efficiencies have been identified by Building Services staff over the short and longer timeframe to improve the turn around time on issuing building permits.

Return of Incomplete Applications

Building Services staff have seen a rise in the number of incomplete applications being submitted to the Department. Many applicants are managing their own application process and may not be familiar with the types of documents, drawings and forms required.

Applicants are often submitting building applications prior to obtaining or completing their planning applications. In many instances, applicants are often not aware that they may require a clearance letter from the Conservation Authority under their permitting authority (Section 28 of the Conservation Authorities Act) if they are waterfront property or if they have a natural heritage or hazard feature on their property. This requirement impacts many properties across the Township.

To improve communication between applicants and building services staff, the building permit application was updated several years ago to include a page at the beginning of the permit application that includes a checklist of documents required. Staff are available at the counter, by phone and email to answer applicants' questions prior to an application being submitted. There are additional opportunities available to work with the Township Communications Officer to be more proactive with messaging about submitting complete applications in the lead up to the 2023 building season.

It has been South Frontenac's practice to receive incomplete applications rather than return materials to the applicant until such time that applications are complete with all supporting documentation.

While Building Services staff perceive receiving incomplete applications as a higher level of service than the municipalities who turn away incomplete applications, it does add administrative burden to the Department. The Permit Intake Coordinator regularly follows up with applicants who have not completed their applications and submitted all materials. The coordinator also corresponds with applicants to provide guidance on how to obtain missing information and provide links to documents, and provide contact information for Conservation Authority staff.

Accepting incomplete applications also skews the timeframe reported for processing applications by adding days to the reported timeline that are under the applicant's control to complete an application. It is recommended on a go forward basis that the timeframes associated with reporting Building Services will only reflect timeframes beginning on the day a complete application is received.

By receiving incomplete applications there is a possibility that applicants perceive that the 10-day review timeframe under the Ontario Building Code starts from the day they submit their application, when in actual fact the application is not considered complete until all supporting documents are received, and the application meets the requirements of all applicable law (e.g. Conservation Authorities Act, Zoning By-law, Building Code).

Many municipalities are moving to online portals to have applications processed digitally (e.g. CityView Portal, DASH, Cloudpermit) which will not allow applications into the system until all required supporting information is attached to their digital application.

While South Frontenac staff perceive a higher level of service is provided by accepting incomplete applications, turning incomplete applications away is one where an administrative change could be made immediately. Being firmer with receiving complete applications would assist in reducing the turn around time for building permit applications.

Other Efficiencies

Several other efficiencies could be achieved by considering options for staffing and structuring reviews to optimize the review time of Building Inspectors in the Department. Two possible staffing options are outlined below. Staff will continue to monitor the trends and volumes in Q3 and Q4-2022 and may bring recommendations to Council as part of the 2023 budget process.

Zoning Compliance Review

Building Inspectors must review each permit application to confirm the project meets all Applicable Law (defined in the Building Code) which includes zoning. If the use will not meet zoning or the location does not meet performance standards (setbacks for example) the permit cannot be issued. Building inspectors review for zoning compliance as part of their review of the building permit application. Zoning compliance is not reviewed until after the application has been passed on to the inspector from the permit intake coordinator. Waiting until the permit application is in the hands of the Inspector has the potential to slow down re-directing applications that have zoning deficiencies over to Planning Services. It also requires the Inspectors' time to review an application for which they may not be able to issue a building permit.

One area for efficiency is to create a position that shifts the review of zoning from the Building Inspectors to a new Zoning Compliance Officer position. Many municipalities who are dealing with large volumes of building permits have a specialized position which provides building with a clearance that the application complies with zoning and all relevant planning regulations (e.g. development agreement, site plan control, etc.). Often this position is resourced by a planning technician or a staff member who has a strong planning background and understands the impact of legal agreements. Existing planning staff do not have the capacity to undertake this review, especially with the pressures that the fee refund schedule that takes effect under Bill 109 in January 1, 2022.

A new Zoning Compliance Officer position would identify zoning compliance issues at the time the application is submitted in parallel with the review being completed by the Permit Intake Coordinator.

Bringing the zoning review of the permit application earlier in the process provides better customer service to applicants by identifying where there may be deficiencies sooner and directing those applicants to planning staff earlier to address planning issues. It also frees up the Building Inspectors time to focus on building code review. It is anticipated that this position could free up 10-15% of the time that each Building Inspectors requires in reviewing applications.

A zoning compliance officer position would also assist with the enforcement of the zoning by-law and other duties such as road closings and title searches for agreements, to support Building Services.

Viability of this type of position could be assessed as part of the 2023 budget process.

Building Inspectors

The above chart identifies that South Frontenac Building Inspectors are processing the highest volume of permits per inspector of the municipalities surveyed. Should Council wish to see the processing timelines of permits be reduced, consideration should be given to increasing the Inspector complement. Although an additional inspector was approved in the 2022 budget, the overall complement assigned to building permits did not increase as there was a need to assign an additional dedicated staff to Part 8 services. Staff continue to monitor the demands and its impact on staffing and resourcing of Building Services. Application volumes for Part 8 services continue to exceed the forecasted service levels identified by KFL&A Public Health and building permits levels have remained consistently high over the last few years.

Building continues to be a fee for service that does not impact the municipal tax levy. Building Services continues to bring in revenues that routinely exceeds the cost of delivering services. The Township maintains these revenues in a separate building reserve separate from the general tax levy. The volumes and timelines to issue permits should be monitored over the balance of Q3 and Q4-2022. Consideration of hiring an additional Inspector should be considered through the 2023 budget process.

Relationship to Strategic Plans

☒ 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.

Climate Considerations

☒ Not applicable to this report.

Notice/Consultation

- Tom Berriault, Chief Building Official
- Rebecca Roy, Deputy-Chief Building Official

Attachments

Attachment 1 - Building Permit Workflow – South Frontenac Building Services

Approvals

Submitted by:

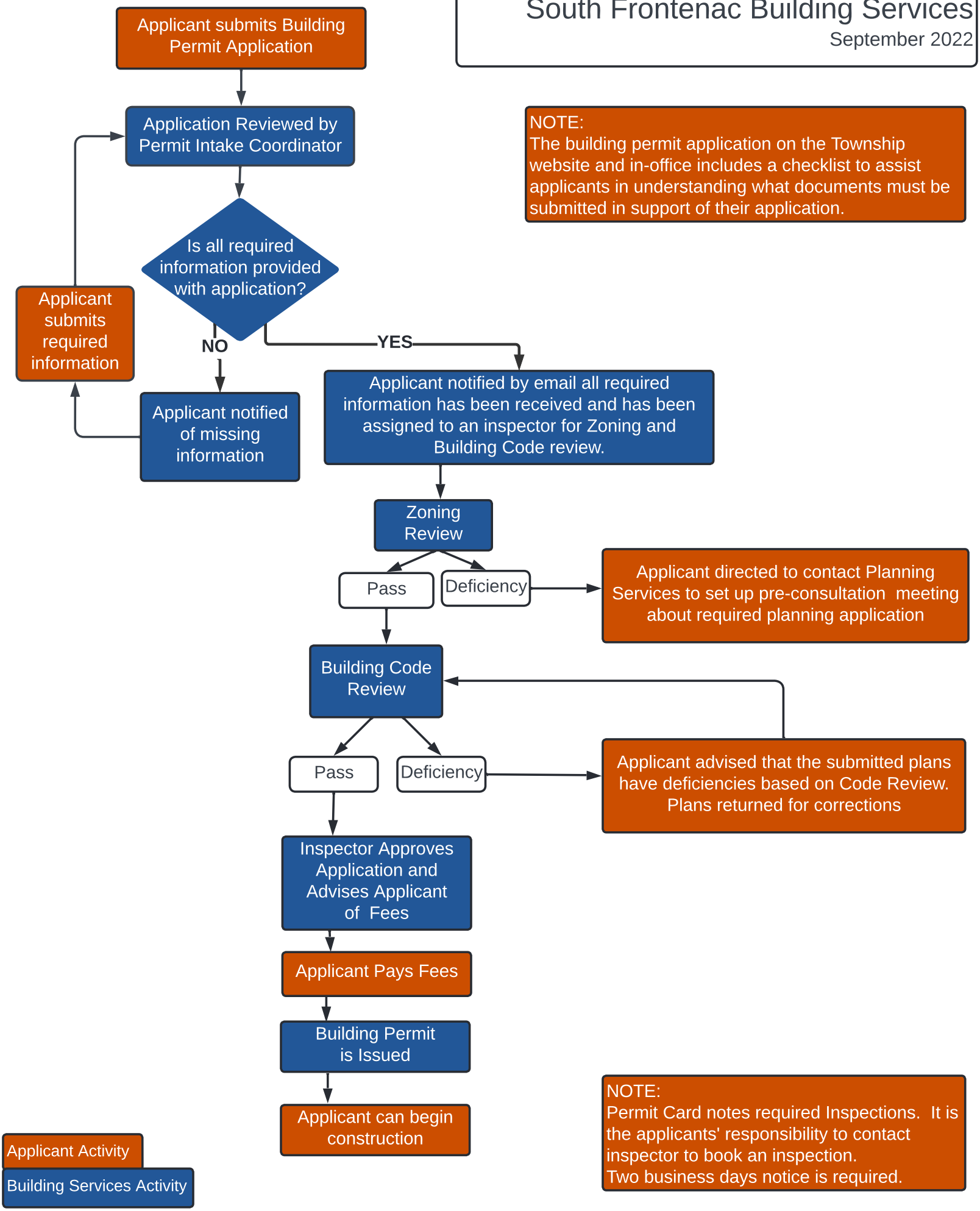
Claire Dodds, MCIP, RPP
Director of Development Services

Approved by:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

Building Permit Workflow
South Frontenac Building Services
September 2022



Building Services
Review of Timeframes to Issue Permits

Presentation to Council

September 6, 2022

Q2 – 2022 Highlights from Building Services

- Permit volumes in 2022 remain similar to 2021 volumes
- Processing equal numbers of applications for construction in South Frontenac (53%) and applications for Part 8 Sewage Services (47%)
- Q2-2022 had highest construction value (over $24.5 million dollars) of any quarter in past 4 years
- Q2-2022 construction value was generated due to permits issued for:
  - Large projects - Battersea Fire Hall, McMullen Manor, the Storrington Centre renovations
  - Several commercial projects
  - 25 new single detached dwellings
  - Reflective of increased cost of construction

Q2 – 2022 Highlights from Building Services

- On average in Q2-2022 it took 32 business days to issue a permit for a single detached dwelling from the time an applicant submitted their application until the permit was ready to issue.
- As the Township does not turn away incomplete applications, this statistic includes time for:
    - applicant to provide all required supporting information
    - Building Services staff to receive, review and input the application into the building permitting software system (CityView)
    - relying on third-party reviewers to review lot grading and drainage plans
    - inspector to complete the zoning compliance review
    - inspector to review the permit for Building Code compliance
    - applicant or their agent to make changes to their application to achieve Code compliance
    - any subsequent Code reviews by the inspector prior to the issuance of the permit

SOUTH FRONTENAC

Challenges in Q2-2022

- 2 full-time inspectors were assigned to deliver Part 8 Services in Q2-2022
    - 1 inspector covering Central and North Frontenac
    - 1 inspector covering South Frontenac and Frontenac Islands
- Took until end of May 2022 to fill the inspector position included in the 2022 budget
- 3 inspectors (CBO, Deputy CBO and 1 Building Inspector) processed the bulk of building permits for construction in South Frontenac during Q2-2022. Part 8 for South Frontenac focused in 1 inspector.
- Volume of permits comparable to 2021 volumes but these were processed with a lower staffing completement due to the staff reallocation to Part 8 in Q2-2022
- Demand for private construction-related services remained high through Q2-2022. Timelines for responses from engineers, contractors and surveyors continue to be longer than usual based on demand outstripping supply of services in the area.

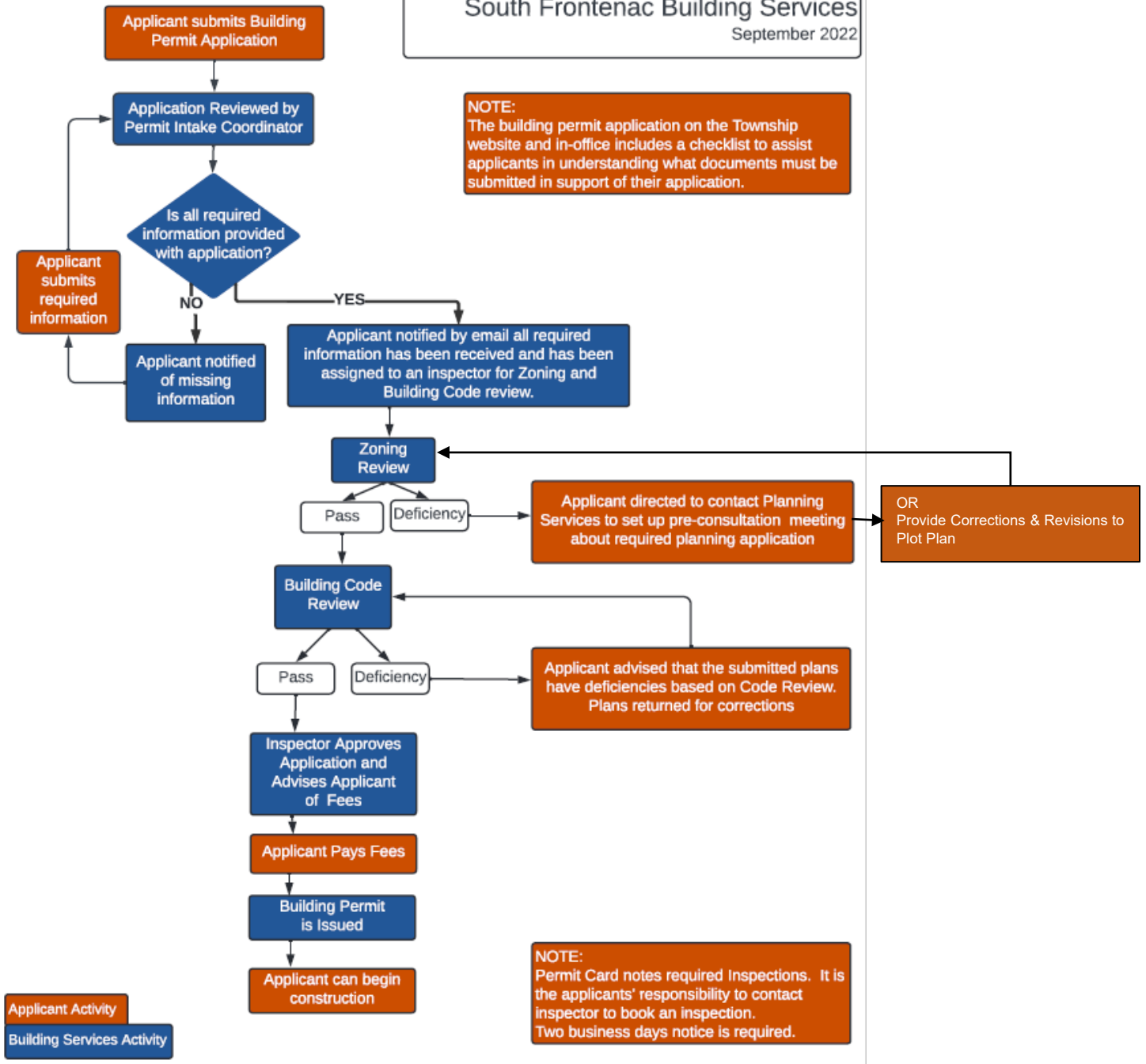
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Q3-2022 to date (July & August) Statistics

- Preliminary statistics to date from Q3 (July & August 2022) demonstrate the timeframes to process permits have come down from Q2-2022
- Average processing timeframe from submission of application to issuance for building permits for all applications in Q3-2022 = 9 business days
    - In Q2-2022, this timeframe was 16 business days
- Average processing timeframe from submission of application to issuance for building permits for single detached dwellings in Q3-2022 = 25 business days
    - In Q2-2022, this timeframe was 32 business days.

SOUTH FRONTENAC

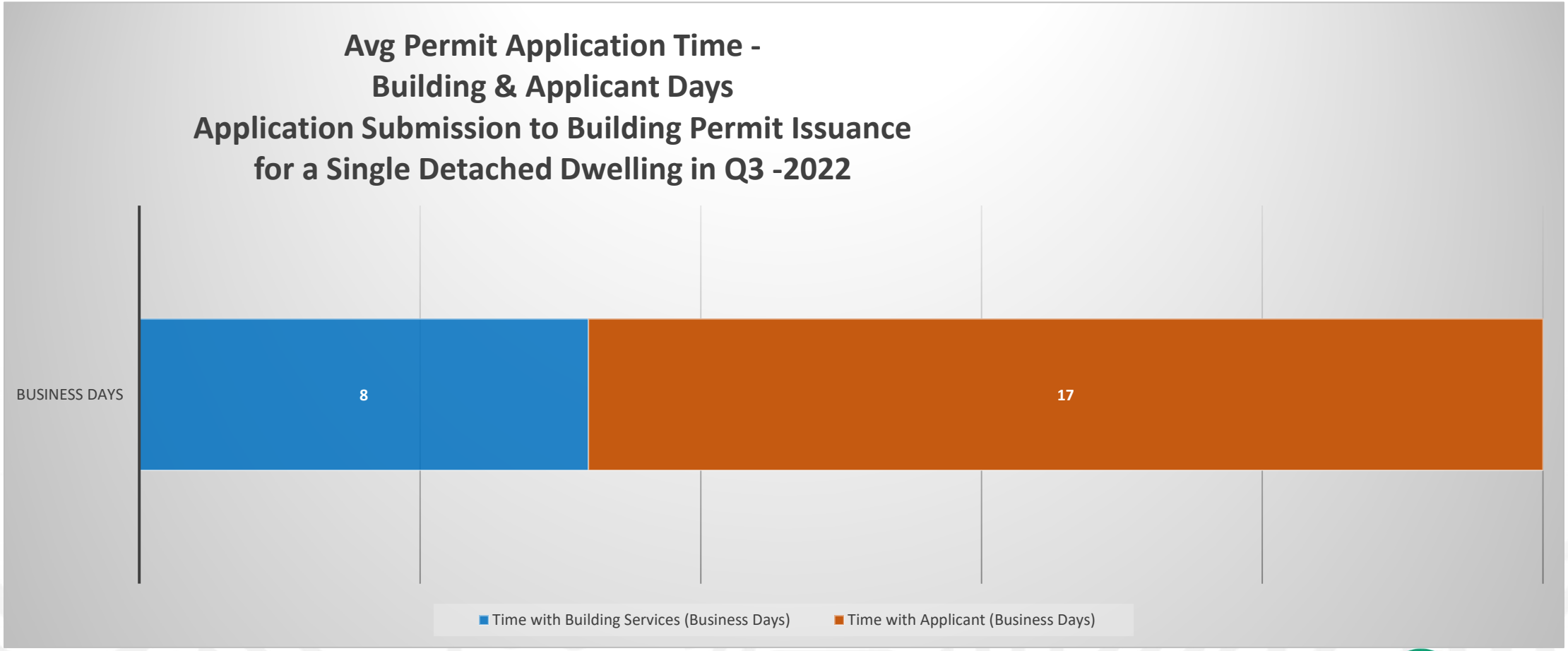
Building Permit Workflow
South Frontenac Building Services
September 2022



NOTE:
The building permit application on the Township website and in-office includes a checklist to assist applicants in understanding what documents must be submitted in support of their application.

NOTE:
Permit Card notes required Inspections. It is the applicants' responsibility to contact inspector to book an inspection.
Two business days notice is required.

Average Time to Issue Single Detached Dwelling Permit - Q3-2022 (July & August)



Timeline to Review Applications Under the Building Code

- The Township solicitor advised that:

  "even though these timelines are drafted as mandatory – the CBO "shall" issue a permit or refuse within the timelines - the courts have considered this issue and determined that the language is "directory" and not "mandatory". The distinction is important as mandatory language means that failure to comply with the timeline makes the decision void. Because the language is directory, it is not fatal to fail to comply with the timelines."

  "As a practical matter this makes perfect sense – you could not have builders taking the position that because a permit was not issued in 10 days (for example) that they are free to build without a permit – or without inspections."

2021 Permit Volumes and Resourcing by Area Municipality

Municipality	Perm. Pop. (2021)	Geographic Size	2021 Total Building Permits	Building Inspector Complement	Applications per inspector
South Frontenac	20,188	948 km²	742 (Construction & SF Part 8 Applications)	4	185.5
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Areas for Review – Incomplete Applications

- South Frontenac's practice to receive incomplete applications
- Change could be made immediately to stop receiving incomplete applications
- Receiving incomplete applications is perceived by staff as delivering a higher level of service than the municipalities who turn away incomplete applications but it has implications on service delivery:
    1. Adds administrative burden to the Department including:
        - Follow up with applicants to obtain information required to complete applications
        - Provide guidance on how to obtain missing information
    2. By receiving incomplete applications applicants may perceive that the 10-day review timeframe under the Ontario Building Code starts when application is submitted, rather than when Building Services has all required information to complete a review
- Reporting on a go-forward basis will only report timeframes from receipt of a complete application to more accurately reflect timelines where applications are under direct control of Building Services staff

Areas for Review – Staffing Resources

As part of the 2023 Budget Discussions consider the following positions:

- Zoning Compliance Officer:
  - A specialized position to review zoning and planning regulations for all building permits applications
  - Shifts zoning review from Building Inspectors to allow Inspectors to focus on Code Review
  - Zoning compliance issues identified at the time the application is submitted in parallel with the review being completed by the Permit Intake Coordinator
  - Provide better customer service by identifying deficiencies sooner and directing applicants to planning staff earlier in the building process to address planning issues
  - Assist with other duties such as road closings, zoning by-law enforcement, agreements
- Building Inspector:
  - Adding an additional building inspector position will speed up timelines to process permit applications

SOUTH FRONTENAC

OntarioSheep
FARMERS

On behalf of Ontario's 2700 sheep farmers, I am reaching out to begin a dialogue with your municipality on the increasing challenge livestock farmers face in dealing with problem predators, and the role that Livestock Guardian Dogs (LGD) and your municipal dog control bylaws play in helping our farmers protect their sheep.

Problem predators are an increasing challenge and cost for Ontario livestock farmers requiring considerable effort and resources on the part of farmers and the Ontario Sheep Farmers (OSF). The financial cost of predation not only costs farmers, in terms of preventative measures, such as fencing and LGD; it also costs Ontario taxpayers, with the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) paying farmers over $717,000 in the 2021 FY for losses of livestock caused by wildlife. This cost does not include the cost borne by municipalities and OMAFRA in sending investigators out to farms and administering the program. Nor does this cover the costs of veterinarians to help those maimed by predators to recover, the production losses of animals who are stressed from predation and the mental health toll predation takes on the farmer. Without being able to properly protect livestock from predation, taxpayers should expect to see an increased incidence of predation and increased costs.

Livestock guardian animals are one of the most common forms of predation prevention control used by Ontario sheep producers. These include Livestock Guardian Dogs (LGDs), donkeys, and llamas, with LGD being the most popular choice. However, there are instances when municipal by-laws hinder the efficient use of LGDs on farming operations as the by-laws are intended primarily for dogs kept for companionship, breeding, or non-working purposes. We have reviewed work done by several Ontario municipalities where LGDs have been specifically addressed when creating or revising existing by-laws. Below are some of the primary areas of concern and suggested options for consideration by your municipality.

Add Definition of Livestock Guardian Dogs (LGDs) and Herding Dogs to by-laws
We propose that:
"Livestock Guardian Dog" (LGD) be defined as a dog that works and/or lives with domestic farm animals (e.g. cattle, sheep, poultry) to protect them while repelling predators and is used exclusively for that purpose.

"Herding Dog" means a dog that has been trained and is actively being used in a bona fide farming operation for the purposes of controlling livestock on the farm.

There are different breeds of LGDs of which the most popular breeds in Ontario include Great Pyrenees, Akbash, Kuvasz, Maremma and Anatolian Shepherd and crosses between these breeds. Although not an exhaustive list, dogs generally used for herding include Border Collies, Australian Shepherds, Blue & Red Heelers and Huntaways.

OntarioSheep.org
130 Malcolm Road, Guelph, Ontario N1K 1B1 T 519.836.0043 E admin@ontariosheep.org

Dog Registration/Licensing Requirements
Paying annual dog registration/license fees for numerous working farm dogs can become a significant cost for sheep producers. We would encourage municipalities to exempt LGDs and herding dogs from annual license fees as is done in many jurisdictions for assistance/service dogs and working police dogs. The definition of

Requirement for Dogs to Wear a Collar and Tag
LGDs' instincts are to guard and follow the flock, sleeping and working outdoors in all kinds of weather. Collars can become snagged on branches or fences and become a skin irritant in hot or wet weather. We suggest that municipal by-laws allow owners to remove the collar and license tag (if applicable) from a guardian or herding dog while the dog is being actively used in farming practices provided that the owner uses an alternative means of identification linking the animal to the name and address of the owner, e.g. either a tattoo or microchip containing the required information.

Requirements for Kennel Licensing and/or Limitation on Number of Dogs Kept
In some areas bylaw requires a person with more than three dogs at the same premises to secure a kennel license. Coyotes are very smart and will lure the dogs away while the remaining coyotes kill the sheep or lambs from behind or will attack the dogs directly. It is not uncommon for farmers to have more than two LGDs, especially when they are training younger dogs. This is especially true in areas where there is heavy predation. As well, larger sheep flocks in Ontario (several over 1500 animals), require numerous dogs to provide adequate protection especially where higher numbers of predators are present.

We would propose for your consideration that a person may keep more than three dogs at a premise without obtaining a kennel license provided:

- the person is keeping sheep (or other livestock) upon the same premises.
- the premises is on land that is zoned rural and agricultural.
- the person provides proof of producer registration issued in the name recorded by the Ontario Sheep Farmers, Beef Farmers of Ontario, Ontario Goat,
- the dogs are registered/licensed annually in accordance with relevant municipal by-laws (if required)
- and that the dogs are LGDs and or herding dogs.

Running At Large
A dog shall not be running at large if it is a LGD and is on their leased or owned property.

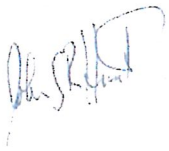
Barking Restrictions
LGD are exempt from barking restrictions if actively engaged in guarding livestock against predators. Under the Farming and Food Production Protection Act farmers are protected from nuisance complaints made by neighbours provided they are following normal farming practices. The use of LGD on sheep farms is a widely used practice in Ontario and other sheep producing jurisdictions.

Aggressive/ Dangerous Dog designation
LGD act aggressively and show aggression towards things they view as a threat to the livestock they are protecting. As such, an exemption, like that for police dogs should be considered.

OSF wishes to work cooperatively with you to ensure that municipal bylaws take into consideration the use of LGD when developing their bylaws. We would be pleased to communicate with the appropriate municipal officials to review with you Ontario sheep producers' needs and concerns in this area.

Thank you for your attention to this matter and we look forward to working with you.

Sincerely,



John Hemsted,
Chair

OntarioSheep
FARMERS

Livestock Guardian Dog use in Ontario

Predation is a significant cost and ongoing threat to sheep flocks in Ontario. Preventative measures are the first line of defense for producers. Livestock Guardian Dogs are one of the most effective preventative measures available because they are actively protecting the flock 24 hours a day, 7 days a week.

Livestock Guardian Dogs have been used in Ontario since the 1960's. Their use has increased in the past 40 years as the province's coyote population has increased and expanded throughout the entire province. Livestock Guardian Dog are now used by a great majority of sheep producers in Ontario to protect their flocks from predation by (primarily) coyotes, but also wolves, bears and other wildlife.

Livestock Guardian Dogs live with the sheep flock.

They provide protection to the flock by patrolling pastures, marking the perimeter of their territory. They also bark, run at, and try to intimidate any threats to the livestock they are protecting, which in this case is sheep.

Barking is one of the primary means by which livestock guardian dogs provide protection to the sheep flock. It is their way of communicating with other canines, and the guarding bark warns predators to avoid the area. Because dogs' sense of smell and hearing are many times more acute than that of humans, they often appear to be "barking" at nothing, when in fact, they hear, or smell something that humans are not able to.

Except perhaps for sheep flocks totally confined to barns with no access to outdoors, very few sheep flocks would survive predation attacks if it weren't for the effectiveness of livestock guardian dogs.

Ontario Sheep Farmers (OSF) considers the use of livestock guardian dogs to provide protection to livestock against predation as a normal farm practice.

The Farm and Food Production Protection Act (administered by Ontario Ministry of Agriculture, Food and Rural Affairs) defines normal farm practice as a farming practice which:

- is consistent with proper, acceptable customs and standards of similar operations; or
- uses innovative technology according to proper, advanced farm management practices.

The Farm and Food Production Protection Act was established to promote and protect agricultural uses and normal farm practices in agricultural areas, in a way that balances the needs of the agricultural community with provincial health, safety and environmental concerns.

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2022-87

A BY-LAW TO CONFIRM GENERALLY ALL ACTIONS AND PROCEEDINGS OF THE SPECIAL COUNCIL MEETING OF THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC ON SEPTEMBER 6, 2022

Whereas Section 8 of the *Municipal Act*, S.O. 2001 c. 25 and amendments thereto provides that a municipality has the capacity, rights powers and privileges of a natural person for the purpose of exercising its authority under the *Municipal Act* 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 September 6, 2022 be confirmed as actions for which the municipality has the capacity, rights, powers and privileges of a natural person.

2. That all actions and proceedings of the Council of the Corporation of the Township of South Frontenac held September 6, 2022 be confirmed as being matters within the spheres of jurisdiction described in Subsection 2 of Section 11 of the *Municipal Act*, S.O. 2001, c.25 and amendments thereto.

3. That all actions and proceedings of the Council of the Corporation of the Township of South Frontenac taken at its regular meeting held on September 6, 2022 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 6 day of September 2022.

Read a third time and finally passed this 6 day of September, 2022.

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

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Ron Vandewal, Mayor

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Angela Maddocks, Clerk