



Township of South Frontenac Council Meeting Agenda



TIME: 7:00 PM,
DATE: Tuesday, May 2, 2023
PLACE: Council Chambers/Virtual Via Zoom .

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
5. Recess
6. Public Meeting
7. Delegations
8. Approval of Minutes
 - a) Resolution 6 - 10
9. Business Arising
10. Reports Requiring Action
 - a) Amalgamation – 25 years 11 - 15

Recommendation:

That Council support the wording “Stronger Together” and proposed logo designs to recognize the 25h anniversary of the January 1st, 1998 amalgamation which created South Frontenac as a Township.

- b) Municipal Modernization Fund Reallocation 16 - 18

Recommendation:

That digitization of Development Services Records in the amount of \$51,623 be completed by Image Advantage and that the project be funded from the Municipal Modernization Funds; and

That a new Fuel Management System be implemented with additional costs of up to \$48,603 to be funded from the balance of the Municipal Modernization funds.

- c) Noise By-law Exemption Application 19 - 24

Recommendation:

That the Desert Lake Family Resort be granted an exemption from Section 3. Clause F. of By-law Number 2015-41, As Amended, “A By-Law To Prohibit And Regulate Noise Within The Township Of South Frontenac”, to permit musical events on May 21, July 1, August 6 and September 3 between 7:30 p.m. and 11:00 p.m..

- d) Draft Five Year Plan - Hard Surfaced Roads and Bridges (2023 to 2027) 25 - 34

Recommendation:

That Council receive the Five-Year Plan - Hard Surfaced Roads and Bridges (2023 to 2027) for information;

That Council direct staff to advance the preliminary design work for the hard surfaced roads forecasted for the 2024 year as approved in the 2023 budget (\$45,000); and

That Council consider the Five-Year Plan – Hard Surfaced Roads and Bridges (2023 to 2027) when reviewing capital budget priorities in future years.

- e) Award of Tender # PS-2023-12 – Surface Treatment Program 35 - 42

Recommendation:

That Council accept the bid from Miller Paving Ltd. In the amount of \$1,138,955.21 (net of HST credits) for the 2023 Surface Treatment Program; and

That Council authorize a project budget increase in the amount of \$172,417.85 be funded from the Asset Investment Reserve.

- f) Proposed Bylaw Amendments - Bulk Water Rates 43 - 47

Recommendation:

That Council approve the updated Bulk Water Rates for 2023 in principle; and

That Council direct staff to hold a Public Meeting on June 6, 2023, in accordance with By-law 2016-73, regarding the proposed amendments to the Schedule of Miscellaneous Water Service Charges.

- g) Bylaw Exemption Request for Camping at Centennial Park for the America’s Cup Stocksport Tournament 48 - 50

Recommendation:

That Council approve a by-law exemption to permit overnight camping at members of the America’s Cup Stocksport Tournament at Centennial Park in Harrowsmith as per By-Law 2003-90 from July 21st – July 27th, 2023.

- h) Award of Contract – Half Ton Trucks 51 - 53

Recommendation:

That Council approve the award of contract PS-2023-17 to Petrie Ford Sales Ltd for \$189,591.09 (Inc. Net HST Rebate) for the purchase of three (3) half ton trucks; and

That Council authorize the additional funds required, in the amount of \$57,091.09, to be funded from the Public Services Equipment reserve.

- i) Municipally Significant Event Designation for the Harrowsmith Canada Day Event 54 - 57

Recommendation:

That Council designate the Harrowsmith Canada Day event as municipally significant in support of an Alcohol & Gaming Commission of Ontario Special Occasion Permit Application.

- j) **Reconsideration of Harmonize Service Levels for Centerline Painting – PS-2023-11 Pavement Marking Program** 58 - 65

Recommendation:

That Council direct staff to harmonize service levels for centerline painting on low volume urban and low volume rural roads consistent with the provincial guideline.

11. Advisory Committee Reports or Minutes

12. By-laws

- a) Devil Lake Causeway Loitering By-law – Process Harmonization 66 - 75

Recommendation:

That Council recommend as follows:

a) That By-law 2023-35 attached as Exhibit A, being ‘A By-Law To Prohibit Pedestrians From Standing And/Or Loitering At All Times Along Municipal Highways Within The Confines Of The Devil Lake Causeway On Perth Road’, be given first and second reading.

b) That By-law 2023-35 attached as Exhibit A, being ‘A By-Law To Prohibit Pedestrians From Standing And/Or Loitering At All Times Along Municipal Highways Within The Confines Of The Devil Lake Causeway On Perth Road’, be given third reading, signed and sealed.

c) That By-law 2023-36 attached as Exhibit B, being ‘A By-law to Amend By-law 2022-70, As Amended, A By-Law to Impose Administrative Monetary Penalties on Violations Of Municipal By-Laws’, be given first and second reading.

d) That By-law 2023-36 attached as Exhibit B, being ‘A By-law to Amend By-law 2022-70, As Amended, A By-Law to Impose Administrative Monetary Penalties on Violations Of Municipal By-Laws’, be given third reading, signed and sealed.

- b) Township Initiated Zoning By-law Amendment Application PL-ZBA-2023-0031 on Matters Excluding Additional Dwelling Units 76 - 86

Recommendation:

That By-law 2023-37 being a By-law to amend By-law 2003-075, as amended, to undertake Township-initiated general amendments to Zoning By-law No. 2003-75, as amended, to change the title of the Zoning By-law administrator, to update provisions

related to accessory buildings and structures, and to add provisions relating to model homes and seasonal dwellings in the Rural zone, be given first and second reading; and

That By-law 2023-37 be given third reading, signed and sealed.

- | | | |
|----|---|---------|
| c) | Zoning By-law Amendment Application - PL-ZBA-2023-0035, Lee Dillabough, 151 Barr Lane (1793 Green Bay Road) | 87 - 95 |
|----|---|---------|

Recommendation:

That By-law 2023-38 to amend the zoning on lands known as 1793 Green Bay Road, Part Lot 16 and 17, Concession 3 and 4, District of Bedford, Township of South Frontenac be given first and second reading; and

That By-law 2023-38 be given third reading, signed and sealed.

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| d) | Implementation of Administrative Monetary Penalties – Waste Management By-law | 96 -
118 |
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Recommendation:

That Council recommend as follows:

a) That By-law 2023-39 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 2023-39 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 2023-40 attached as Exhibit B, being “A By-Law to Amend By-Law 2005-98, ‘A By-Law For Providing And Maintaining A System For The Collection, Removal And Disposal Of Garbage And Recyclable Materials, And To Repeal Certain By-Laws From The Former Municipalities That Deal With The Same Subject Matter”, be given first and second reading.

d) That By-law 2023-40 attached as Exhibit B, being “A By-Law to Amend By-Law 2005-98, “A By-Law For Providing And Maintaining A System For The Collection, Removal And Disposal Of Garbage And Recyclable Materials, And To Repeal Certain By-Laws From The Former Municipalities That Deal With The Same Subject Matter”, be given third reading, signed and sealed.

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| e) | Appointment of Interim Director of Emergency Services & Fire Chief and Community Emergency Management Coordinator | 119 -
122 |
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Recommendation:

1. That By-law 2023-41 being a By-law to appoint Alex Bennett as Interim Director of Emergency Services & Fire Chief be given first and second reading.

2. That By-law 2023-41 be given third reading, signed and sealed.

3. That By-law 2023-42 being a By-law to appoint James Thompson as Community Emergency Management Coordinator be given first and second reading.

4. That By-law 2023-42 be given third reading, signed and sealed.

13. Reports for Information

- | | | |
|----|---|-------|
| a) | Award of Tender # PS-2023-10 – Crack Sealing Program | 123 - |
| | • This report provides background on the budget and award of contract for the annual crack sealing program for paved roadways. | 126 |
| b) | Award of Tender # PS-2023-03 – Sunbury Road Phase 1 | 127 - |
| | • This report provides background on the budget and award of contract for the reconstruction of a 4.0km long section of Sunbury Road from Battersea Road to Factory Road. | 131 |

14. Information Items

- | | | |
|----|---|-----|
| a) | Correspondence received from Friends of the Cataraqui Trail, Board of Directors | 132 |
|----|---|-----|

15. Notice of Motions

- | | | |
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| a) | Notice of Motion – Proposed support for Bill 5, Stopping Harassment and Abuse by Local Leaders Act, 2022 | 133 -
139 |
|----|--|--------------|

Recommendation:

That the members of the South Frontenac Council support Bill 5, Stopping Harassment and Abuse by Local Leaders Act, 2022.

16. Announcements/Statements by Councillors

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

18. Closed Session (if requested)

19. Confirmatory By-law

- | | | |
|----|------------|-----|
| a) | Resolution | 140 |
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20. Adjournment

- | | |
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| a) | Resolution |
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Natural, Vibrant and Growing - A Progressive Rural Leader

Minutes of Council
April, 18, 2023



Township of South Frontenac Council Meeting Minutes



Meeting # 19

Time: 7:00 pm

Location: Council Chambers & Virtual via Zoom

Present: Mayor Ron Vandewal, Ray Leonard, Steve Pegrum, Doug Morey, Charlene Godfrey (virtually), Norm Roberts, Randy Ruttan, Ron Sleeth, Scott Trueman

Staff: Louise Fragnito - Chief Administrative Officer, James Thompson - Clerk, Michelle Hannah - Deputy Clerk, Brad Wright - Director of Development Services, Shelley Stedall - Director of Corporate Services and Treasurer, Christine Woods - Senior Planner

1 Call to Order and Roll Call

a) Resolution

Resolution No. 2023-19-01

Moved by Councillor Pegrum

Seconded by Councillor Morey

That the Council meeting of April 18, 2023 be called to order at 7:00 p.m.

Carried

b)

The Deputy Clerk conducted Roll Call

2 Declaration of pecuniary interest and the general nature thereof

a)

Councillor Morey declared an indirect pecuniary interest with respect to the EORN Presentation in closed session at the April 12, 2023 Joint County Council Meeting as he is an employee of Bell Canada.

3 Approval of Agenda

a) Resolution

Resolution No. 2023-19-02

Moved by Councillor Leonard

Seconded by Councillor Roberts

That the agenda be approved, as presented.

Carried

4 Scheduled Closed Session

a)

There was none.

5 Recess

a)

Not applicable.

6 Public Meeting

Minutes of Council
April, 18, 2023

a) Resolution - Public Meeting to Order

Resolution No. 2023-19-03

Moved by Councillor Roberts

Seconded by Councillor Pegrum

That the public meeting regarding a Zoning By-Law Amendment application be called to order.

Carried

b) Notice of Collection

The Deputy Clerk delivered the Notice of Collection and Public Meeting Introduction.

c) **Zoning By-law Amendment Application - PL-ZBA-2023-0035, Lee Dillabough, 1793 Green Bay Road (151 Barr Lane)**

Ms. Woods, Senior Planner provided an overview of the proposal.

The applicant was present in-person at the meeting.

There were no questions or comments from Council.

There were no questions or comments from the public.

The public meeting was closed at 7:10 p.m.

d) Resolution - Close Public Meeting

Resolution No. 2023-19-04

Moved by Councillor Pegrum

Seconded by Councillor Godfrey

That the public meeting be closed.

Carried

7 Delegations

a)

There were none.

8 Approval of Minutes

a) Resolution

Resolution No. 2023-19-05

Moved by Councillor Godfrey

Seconded by Councillor Ruttan

That the minutes of the April 4, 2023 Council meeting and the April 11, 2023 Joint Committee of the Whole-Council meeting, be approved.

Carried

9 Business Arising

a)

There was none.

10 Reports Requiring Action

a) **Strategic Plan RFP**

Minutes of Council
April, 18, 2023

Resolution No. 2023-19-06

Moved by Councillor Leonard

Seconded by Councillor Trueman

That Council support awarding the Strategic Plan consulting services contract in the amount of \$25,438.98 including non-rebatable HST to Strategy Corp, and

That the required additional funding for the project be funded from the Working Funds Reserve.

Carried

11 Advisory Committee Reports or Minutes

a)

There were none

12 By-laws

a) **2023 Final Tax Rate By-law**

Resolution No. 2023-19-07

Moved by Councillor Pegrum

Seconded by Councillor Ruttan

That By-law 2023-31, being the 2023 Final Tax Rate By-law be given first and second reading.

Carried

Resolution No. 2023-19-08

Moved by Councillor Trueman

Seconded by Councillor Godfrey

That By-law 2023-31 be given third reading signed and sealed.

Carried

b) **Zoning By-law Amendment Application PL-ZBA-2023-0026, Carol Bisailon and Daryl Martin, 3185 McGarvey Road**

Resolution No. 2023-19-09

Moved by Councillor Trueman

Seconded by Councillor Ruttan

That By-law 2023-32 being a By-law to amend By-law 2003-075, as amended, to rezone land from Rural (RU) to Rural – Special Provision (RU-70 and RU-71) on lands described as Part Lots 36 and 37, Concession 7, District of Storrington be given first and second reading.

Carried

Resolution No. 2023-19-10

Moved by Councillor Godfrey

Seconded by Councillor Leonard

That By-law 2023-32 be given third reading, signed and sealed.

Carried

c) **Proposed Planning Fee Structure**

Resolution No. 2023-19-11

Moved by Councillor Roberts

Seconded by Councillor Morey

That By-law 2023-33 Being A By-Law to Prescribe a Tariff of Fees for the Processing of Applications Made in Respect of Planning Matters be given first and second reading.

Carried

Resolution No. 2023-19-12

Moved by Councillor Ruttan

Seconded by Councillor Leonard

That By-law 2023-33 be given third reading signed and sealed.

Carried

13 Reports for Information

a) **2022 Development Charges Reporting**

- The report provided a summary of the 2022 Development Charges Reserve including the allocation of funds collected and spent.

14 Information Items

a) **Support for Bill 5**

Councillor Godfrey submitted a notice of motion requesting that Council give consideration to a motion of support regarding Bill 5.

15 Notice of Motions

a) **Notice of Motion – Proposed Reconsideration of Award of Tender # PS-2023-11 – Pavement Marking Program**

Resolution No. 2023-19-13

Moved by Deputy Mayor Sleeth

Seconded by Councillor Pegrum

That Council reconsider the second clause of Resolution Number 2023-17-10, approved at the April 4, 2023 meeting of Council, which reads as follows:

“Moved by Councillor Roberts
Seconded by Councillor Ruttan

That Council accept the bid from Provincial Road Markings Inc. in the amount of \$260,507.63 (net of HST credits) for the 2023 Pavement Marking Program; and

That Council direct staff to harmonize service levels for centerline painting on low volume urban and low volume rural roads consistent with the provincial guideline.”

Carried

b)

Council consented to defer further consideration of this matter to the May 2, 2023 Council meeting in order for staff to bring forward a subsequent report.

16 Announcements/Statements by Councillors

a)

The Mayor provided Council with an overview of his meeting with MPP John Jordan.

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

a)

There were none.

18 Closed Session (if requested)

Minutes of Council
April, 18, 2023

- a) Resolution - That Council resolve itself into the Committee of the Whole "Closed Meeting" to consider the following item:

Resolution No. 2023-19-14

Moved by Councillor Pegrum

Seconded by Councillor Trueman

That Council resolve itself into the Committee of the Whole "Closed Meeting: to consider the following items:

1. Personal matters about an identifiable individual, including municipal or local board employees.

Carried

- b) Resolution - That Council rise from the Committee of the Whole "Closed Meeting" without reporting.

Resolution No. 2023-19-15

Moved by Councillor Morey

Seconded by Councillor Pegrum

That Council rise from the Committee of the Whole "Closed Meeting" without reporting.

Carried

19 Confirmatory By-law

- a) Resolution

Resolution No. 2023-19-16

Moved by Councillor Trueman

Seconded by Councillor Godfrey

That By-law 2023-34, 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.

Carried

Resolution No. 2023-19-17

Moved by Councilor Morey

Seconded by Councillor Ruttan

That By-law 2023-34, being the confirmatory by-law, be given third reading, signed and sealed.

Carried

20 Adjournment

- a) Resolution

Resolution No. 2023-19-18

Moved by Councillor Roberts

Seconded by Councillor Leonard

That the Council meeting of April 18, 2023 be adjourned at 7:58 p.m.

Carried

Ron Vandewal, Mayor

James Thompson, Clerk

Township of South Frontenac Staff Report



To: Council

Prepared by: Office of the Chief Administrative Officer

Date of Meeting: May 3, 2023

Subject: Amalgamation – 25 years

Summary

This report provides information on recognizing the 25th anniversary of the amalgamation that created the Township of South Frontenac.

Recommendation

That Council support the wording “Stronger Together” and proposed logo designs to recognize the 25th anniversary of the January 1st, 1998 amalgamation which created South Frontenac as a Township.

Background

On January 1, 1998, an order was made under Section 25.2 of the Municipal Act, to implement the proposal for the restructuring of the County of Frontenac, its constituent municipalities and the City of Kingston.

Through this order, the former Townships of Bedford, Loughborough, Portland and Storrington amalgamated to form the Corporation of the Township of South Frontenac.

Discussion/Analysis

The year 2023 marks the 25th anniversary of amalgamation. This milestone provides us with the opportunity to not only recognize and honor the origins of our now combined township but also, to celebrate the many significant accomplishments that we have been able to achieve together.

The South Frontenac Museum, Bedford Historical Society along with Councillors Pegrum and Godfrey have met several times to coordinate the recognition of this anniversary including the transportable display of artifacts and itemizing significant events that have occurred. For example, some proposed items include pre-amalgamation artifacts from the four former townships, framed posters with pre/post amalgamation photos of Council, poster highlighting significant achievements since amalgamation and display flags.

It is proposed that the transportable display would be featured in the museums' rotating events at Canada Day, Verona Lion's Garlic Farmer's market, Battersea Pumpkinfest, Lakes and Trail Festival, Music in the Park to name a few.

Engage Frontenac and our regular communications channels (social media, webpage, banner ad) will also be used to highlight and promote this information.

In promoting the 25th anniversary, the motto "Stronger Together" has been suggested to represent the strength of South Frontenac coming together from the 4 pre-amalgamation Townships.

Attachment A provides the proposed logos to be used in promotional materials for the event.

Financial Implications

Sufficient funds exist within the 2023 budget to support this initiative.

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.

Attachment

Appendix A – Proposed logo options

Approvals

Approved By:



Louise Fragnito, CPA, CGA
 Chief Administrative Officer







**SOUTH
FRONTENAC**

25 YEARS

STRONGER
TOGETHER



**SOUTH
FRONTENAC**

25 YEARS

STRONGER
TOGETHER

Township of South Frontenac Staff Report



To: Council

Prepared by: Corporate Services Department

Date of Meeting: May 2, 2023

Subject: **Municipal Modernization Fund Reallocation**

Summary

The report recommends the reallocation of unspent Municipal Modernization Funding to be allocated towards digitization of Development Services records and updated Fuel Management System.

Recommendation

That digitization of Development Services Records in the amount of \$51,623 be completed by Image Advantage and that the project be funded from the Municipal Modernization Funds; and

That a new Fuel Management System be implemented with additional costs of up to \$48,603 to be funded from the balance of the Municipal Modernization funds.

Background

In 2019 the Township received a one-time payment in the amount of \$517,129 from the Ministry of Municipal Affairs and Housing, to support small and rural municipalities efforts to become more efficient and reduce expenditure growth in the longer term.

Since receiving the one-time payment, the Township applied the funding towards various projects including Budgeting software, Building/Planning Software, the Station 8 Firehall, a large format scanner, the Communal Servicing Options Study for the Township, and the Roads Needs Study.

All funds were allocated, however one project, the Roads Needs Study, came in under budget by \$100,226. Staff are recommending that these funds be reallocated towards two projects that have been identified which will contribute to efficiencies and reduce expenditure growth, which is consistent with the funding objectives. The projects are Planning Records Digitization and an updated Fuel Management System.

Discussion/Analysis

Digitization of Development Services Records

It has been determined that digitizing records that are stored onsite at the George Street Township offices will create urgently needed office space. Three quotes were obtained by the Director of Development services to digitize planning records. The following quotes were received to complete scanning of approximately 200 file boxes or 450,000 pages:

AMS Imaging, \$58,500 (\$59,530 net HST)

Iron Mountain, \$100,723 (\$102,496 net HST)

Image Advantage \$50,730.20 (\$51,623 net HST)

Staff are recommending that the quote from Image Advantage be accepted and that the available funds under the Municipal Modernization funding be allocated to this project.

Fuel Management System

The Township has a fuel management system in place, however components of it are failing and the software platform is outdated.

The 2023 budget included \$50,750 for the Storrington Yard Fuel System to be added to the fuel software as it is currently manual. It is recommended that the balance of the Municipal Modernization funds, \$48,603, also be allocated to replace other Public Service yard fuel systems so they are all on the same updated software platform. A further report on this updated system will come forward to Council at a later date.

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.

Attachments

None

Notice/Consultation

- Brad Wright, Director of Development Services
- Kyle Bolton, Director of Public Services

Approvals

Submitted By:



Shelley Stedall, AMCT
Director of Corporate Services & Treasurer

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

Township of South Frontenac Staff Report



To: Council

Prepared by: Office of the Clerk

Date of Meeting: May 2, 2023

Subject: Noise By-law Exemption Application

Summary

The purpose of the Report is to provide Council with background information necessary for consideration of a [Noise By-law](#) exemption application submitted by Desert Lake Family Resort.

Recommendation

That the Desert Lake Family Resort be granted an exemption from Section 3. Clause F. of By-law Number 2015-41, As Amended, "A By-Law To Prohibit And Regulate Noise Within The Township Of South Frontenac", to permit musical events on May 21, July 1, August 6 and September 3 between 7:30 p.m. and 11:00 p.m..

Background

On April 11, 2023, Council approved By-law 2023-29 which amended the Noise By-law to permit any person may submit a Noise By-law Exemption Request Application up to four weeks in advance of the event to the Clerk's Department requesting an exemption from any of the prohibitions described in the General Prohibitions Section of the By-law. Furthermore, the Noise By-law outlines that a Council approved exemption will be in effect for the dates and times specified, and Council may impose any conditions that it considers appropriate. A Council approved exemption shall be invalid if these conditions are contravened.

Discussion/Analysis

Staff received a Noise By-law exemption application from the Desert Lake Family Resort on April 24, 2023.

The application is seeking exemption from Section 3. Clause F. of the Noise By-law which states as follows:

"GENERAL PROHIBITIONS

3. No person shall emit, cause or permit the emission of noise resulting from an act listed herein, and which noise is clearly audible at a point of reception;

- f) The operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electromechanical 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;”

Desert Lake Family Resort has previously hosted similar events. While the applicant has requested an exemption to 11:00 p.m., in previous instances Council approved a Noise By-law exemption to 10:30 p.m.

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.
- Choose an item.

Climate Considerations

- Not applicable to this report.

Notice/Consultation

- Frontenac Municipal Law Enforcement

Attachments

- a) *Exhibit A – Noise By-law Exemption Request*

Approvals

Submitted By:



James Thompson
Clerk

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer



SOUTH FRONTENAC

Noise By-Law Exemption Request

Applicant Information

All fields marked with * are required and must be filled, failure to do so may delay the process or may cause the requested to be denied.

Name*

First Name

Yao

Last Name

Chen

Organization

Desere Lake Family Resort

Address*

Street Address

1009 Chester lane, Hartington

Town

Hartington

Province

ON

Postal Code

[Redacted]

Telephone Number*

[Redacted]

(000)-000-0000

Email*

[Redacted]

example@example.com



SOUTH FRONTENAC

Noise By-Law Exemption Request

Event Details

Event Name* *musical events*

Example: Smith Wedding

Event Address*

Street Address *1009 Chester lane*

Street Address 2

Town *Hartington* Postal Code *K0H 1W0*

Event Date* *May 21st, July 1st, August 6th*

Month *September* Day *3rd* Year *2023*

Event Start/End Time*

7:30 pm until *11:00 pm*
Hour : Minutes AM/PM Hour : Minutes AM/PM

Describe your event and why a noise exemption is required. You may include additional event dates and times and any information you believe is important.*



**SOUTH
FRONTENAC**

Noise By-Law Exemption Request

Notice of Collection

Personal information, as defined in the *Municipal Freedom of Information and Protection of Privacy Act*, is collected under the authority of the *Municipal Act, 2001*, and in accordance with *MFIPPA*. Personal information collected on the application may form part of the publicly available Council meeting agendas and minutes. Questions regarding the collection, use, and disclosure of this personal information may be directed to James Thompson, Clerk at 613-376-3027 extension 2239 or jthompson@southfrontenac.net

Township of South Frontenac

Staff Report



To: Council

Prepared by: Public Services Department

Date of Meeting: May 2, 2023

Subject: **Draft Five Year Plan - Hard Surfaced Roads and Bridges (2023 to 2027)**

Summary

This report provides the draft recommendations for a new five-year plan for hard surfaced roads and bridges program for 2023 to 2027 based on the findings of the 2022 Comprehensive Road Needs Study and the 2021 OSIM Inspection Report.

Recommendation

That Council receive the Five-Year Plan - Hard Surfaced Roads and Bridges (2023 to 2027) for information

That Council direct staff to advance the preliminary design work for the hard surfaced roads forecasted for the 2024 year as approved in the 2023 budget (\$45,000); and

That Council consider the Five-Year Plan – Hard Surfaced Roads and Bridges (2023 to 2027) when reviewing capital budget priorities in future years.

Background

On December 13th, 2022, WSP / Golder carried out a presentation of the 2022 Comprehensive Road Needs Study at a regular meeting of the Committee of the Whole. This study provided a qualitative assessment of the condition of over 800km of Township roadways using Ministry of Transportation approved methodologies. Each of the three classes of asphalt, surface treated, and gravel roads were rated. A summary of the study findings is included in Table 1 below for reference:

Table 1 - Average PCI Ratings

Asset Category	Total Length (km)	Network (%)	Scoring Method	Average PCI Rating	General Rating
Asphalt	162.4	20	MTO SP-022	75	Good
Surface Treated	444.0	56	MTO SP-021	71	Good
Gravel	195.4	24	MTO SP-025	57	Fair

At the conclusion of the meeting staff recommended that the technical report be summarized and made available to the public on the Engage South Frontenac site. These materials were later posted on the Township's website on January 16, 2023. Various forms of information were provided including: a "Road Report Card", slideshow summary, and Q & A forums. The main study document was also made available to the public to access the raw data directly. The website drew significant interest from the public and there were over 247 page visits and 109 downloads in the first three weeks alone.

On February 14th, 2023, staff brought forward the 2022 Comprehensive Roads Needs Study formally to Township Council and the following motion was carried for further action:

That Council receive the 2022 Comprehensive Road Needs Study prepared by WSP/Golder and dated December 8th, 2022, for information

That Council direct staff to develop a new 5-year capital plan for hard surface roads which will be informed by the findings of the WSP Golder Report

That Council direct staff to develop a new capital plan for gravel roads assets which will be informed by the findings of the WSP Golder Report; and

That staff utilize the Gravel Roads Classification Matrix tool when considering upgrading gravel roads to a hard surface.

The purpose of this staff report is to report back to Council on the activities relating to the second task specifically relating to a new five-year plan for hard surfaced roads. Staff are currently working on a similar five-year plan for a new gravel roads program and will be providing a similar report before the third quarter of 2023. That plan is intended to be in place ahead of budget deliberations for 2024. Additional time is needed for the new multi year gravel roads program as there are additional complexities around aspects such as drainage and forced road constraints.

Discussion/Analysis

The Public Services Department has worked for several months on establishing a detailed five-year plan for hard surface roads and bridges that considers the qualitative information included in the 2022 Comprehensive Road Needs Study (WSP / Golder) and the 2021 OSIM Inspection Reports prepared by D. M. Wills. This draft five-year plan was informed by the Pavement Condition Index (PCI) and Bridge Condition Index (BCI) ratings when setting priorities. Other key considerations that staff made in development of the plan included:

- a) Strategic priorities of Council such as the Road 38 Reconstruction project
- b) Scheduling boundary road projects to align with neighbouring municipalities
- c) A sustained commitment to pavement preservation through the five-year term

- d) Recognizing the complexity of work on certain corridors along with the need for additional lead time for design (project scale, potential property acquisition, forced roads, environmental approvals etc.)
- e) Addressing roads that have regular unplanned maintenance (excessive pothole repairs); and
- f) Input from operational staff who perform daily maintenance on the assets

The draft five-year plan currently includes \$36.1M in hard surfaced road investments and \$6.7M in bridge investments through to the end of 2027. Key highlights of the plan include:

- Reconstruction of 19.0km of paved (asphalt) roads
- Rehabilitation of 8.9km of paved (asphalt) roads
- Total investments of 27.9km or 17.2% of all paved (asphalt) assets
- Reconstruction of 40.1km of surface treated roads
- Rehabilitation of 143.6km of surface treated roads
- Total investments of 183.7km or 41.4% of all surface treated assets
- Construction of 24.5 centerline-km of new paved shoulders
- Reconstruction 8 bridges / large culvert structures
- Rehabilitation of 4 bridges / large culvert structures

Overall, the five-year plan takes a two-prong approach to protecting the Township's Road assets by firstly investing in the preservation of its good / fair rated roads and secondly working to reduce the 71.8km deficit of poor rated road assets.

The draft five-year plan is viewed as a living document and as such will be subject to changes as directed from Council from time to time. Future activities such as the new Strategic Plan or the Transportation Master Plan as an example are initiatives that could drive changes in priorities. In addition, changes in the performance or ratings of the assets may also result in change.

Financial Implications

The draft five-year plan presented has been assessed against the Long Term Financial Plan and the funding comparisons are summarized in Table 2 below:

Table 2 – Proposed Spending vs Long Term Financial Plan

Activity	Proposed Plan	LTFP (2023 – 2027)	Net Change
Roads	\$36,149,915	\$36,126,250	+0.1%
Bridges	\$6,746,261	\$5,798,750	+16.3%

The largest pressures on the draft five-year plan will arise in 2025 when the Road 38 project is forecasted to be under major road construction. The Murvale Creek culvert (B12) identified

in the draft plan is currently located in this segment of road. The structure, on its own, was not a rehabilitation priority for 2025 however this creek crossing is expected to require renewal within the lifecycle of the new road. The accelerated timing of this structure places funding pressure on the bridge program which cannot be deferred otherwise. This report is not intended to bind Council to any changes to the Long Term Financial Plan however it is intended to inform discussions and decision making in future budget years.

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):

Climate Considerations

When you examine the full lifecycle of any hard surfaced roadways the reconstructive stage will require the greatest energy demand and will generate the greatest construction cost. The overall effort to strip or pulverize a hard surfaced roadway, import new raw aggregate materials, and place new emulsified asphalt products requires significant labour, equipment, and material resources. This activity also contributes to greenhouse gas emissions through heavy equipment use, aggregate extraction/production, oil demand/refinement and asphalt production.

As part of any climate adaptation strategy the Township should continue to access and utilize available rehabilitation tools to extend the service life of its' roadway assets and therefore collectively reduce the impact of emissions generated by traditional reconstructions. The draft five-year plan includes over 150km of road rehabilitation investment and therefore works well to align with these objectives.

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

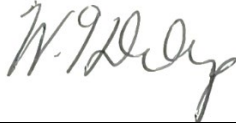
- Director of Corporate Services & Treasurer

Attachments

Attachment A – Hard Surfaced Roads and Bridges Plan 2023 to 2027

Approvals

Submitted By:



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

Reviewed By:



Kyle Bolton, C.E.T.
Director of Public Services

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer



2023 HARD SURFACED ROADS AND BRIDGES PLAN

ASSET ID	ROAD NAME	FROM	TO	FUNCTIONAL CLASS	BOUNDARY ROAD	CROSS SECTION	SURFACE TYPE	LENGTH (m)	AADT	MMS CLASS	PCI (2022)	ACTIVITY	BUDGET ESTIMATE
56635	Sunbury Road	Battersea Road	Factory Road	Minor Arterial	No	Rural	HCB - Asphalt	4000	1600	3	46	Reconstruct	\$ 3,800,000
54910	Road 38	Murton Road	0.5km South of Kingston Road	Minor Arterial	No	Rural	HCB - Asphalt					Preliminary Design	\$ 120,000
54910	Road 38	Murton Road	0.5km South of Kingston Road	Minor Arterial	No	Rural	HCB - Asphalt					Reserves	\$ 270,000
40030	Alton Road	Road 38	Loughborough Portland Boundary Road	Local	No	Rural	LCB - Double Surface Treatment	3700	334	4	30	Reconstruct	\$ 929,400
44665	North Shore Road	Hewlett Packard Road	Convery Lane	Local	No	Rural	LCB - Double Surface Treatment	4000	142	4	42	Reconstruct (Minor)	\$ 636,700
Various	Single Surface Treatment Program						LCB - Double Surface Treatment	27600				Rehabilitation - SST	\$ 800,000
Various	Pre Engineering for 2024 Roads Program											Pre Engineering	\$ 45,000
TOTAL												\$ 6,601,100	
TOTAL LENGTH (KM)								39.3				LTFP TARGET	\$ 6,706,000

ASSET ID	STRUCTURE LOCATION	STRUCTURE NAME	DECSRIPTION	LENGTH (m)	WIDTH (m)	LAST RATING	BCI (2021)	ACTIVITY	BUDGET ESTIMATE
236	Wilmer Road	Wilmer Road Culvert	2.1m diameter SPCSP culvert, 15m long	15.0	2.1	Fair	N/A	Reconstruct	\$ 375,000.00
12-CULV	Opinicon Road	Opinicon Road Culvert (C12)	1.2m diameter CSP culvert, 28m long	28.0	1.2	Very Poor	13.09	Reconstruct	\$ 756,500.00
TOTAL									\$ 1,131,500.00
LTFP TARGET									\$ 1,049,000.00



2024 HARD SURFACED ROADS AND BRIDGES PLAN

ASSET ID	ROAD NAME	FROM	TO	FUNCTIONAL CLASS	BOUNDARY ROAD	CROSS SECTION	SURFACE TYPE	LENGTH (m)	AADT	MMS CLASS	PCI (2022)	ACTIVITY	CLASS "D" ESTIMATE
54910	Road 38	Murton Road	0.5km South of Kingston Road	Minor Arterial	No	Rural	HCB - Asphalt	0	9205	2	60	Reconstruct	\$ 2,450,000
53875	Perth Road	Latimer Road	Loughborough Lake Bridge	Minor Arterial	No	Rural	HCB - Asphalt	440	5540	2	64	Repair S of Bridge	\$ 475,000
51920	Bellrock Road	Bellrock Mill Street	Long Swamp Road	Minor Arterial	No	Rural	HCB - Asphalt	2100	1552	2	90	Rehabilitation - Micro	\$ 183,000
52035	Bellrock Road	Long Swamp Road	Cross Road	Minor Arterial	No	Rural	HCB - Asphalt	3200	1552	3	65	Rehabilitation - Micro	\$ 278,000
51690	Bedford Road	1.0km North of Salmon Lake Road	Desert Lake Road	Minor Arterial	No	Rural	LCB - Double Surface Treatment	3600	147	4	45	Reconstruct	\$ 1,019,700
44920	Orser Road	Stagecoach Road	1.2km East of Stagecoach Road	Local	Yes	Rural	LCB - Double Surface Treatment	1200	982	4	75	Reconstruct (Minor)	\$ 111,240
44905	Orser Road	West End of Road	Stage Coach Road	Local	Yes	Rural	LCB - Double Surface Treatment	1200	712	4	54	Reconstruct (Minor)	\$ 111,240
45945	Spooner Road	0.45km West of Perth Road	Perth Road	Local	Yes	Rural	LCB - Double Surface Treatment	450	770	4	57	Reconstruct	\$ 63,731
44890	Ormsbee Road	Millburn Road	East End of Road	Local	No	Rural	LCB - Double Surface Treatment	2650	578	4	30	Reconstruct	\$ 750,613
42665	Greenfield Road	West End of Road	0.7km West of Perth Road	Local	No	Rural	LCB - Double Surface Treatment	800	214	4	40	Reconstruct	\$ 226,600
43435	Kerr Road	Petworth Road	North End of Road	Local	No	Rural	LCB - Double Surface Treatment	600	71	4	48	Reconstruct (Minor)	\$ 111,240
46240	Tom Watson Road	West End of Road	Watson Road	Local	No	Rural	LCB - Double Surface Treatment	400	49	6	53	Reconstruct (Minor)	\$ 74,160
Various	Single Surface Treatment Program						LCB - Double Surface Treatment	27000				Rehabilitation - SST	\$ 900,000
Various	Pre Engineering for 2025 Roads Program											Pre Engineering	\$ 75,000
												TOTAL	\$ 6,829,524
								TOTAL LENGTH (KM)	43.6			LTFP TARGET	\$ 7,398,000

ASSET ID	STRUCTURE LOCATION	STRUCTURE NAME	DESCRIPTION	LENGTH (m)	WIDTH (m)	LAST RATING	BCI (2021)	ACTIVITY	BUDGET ESTIMATE	
63080	George Street	Sydenham Lake Bridge and Dam (B08)	Rectangular box culvert 8.0m wide, 12.2m long	12.2	8.0	Good	71.2	Rehabilitation	\$ 365,000	
63120	Yarker Road	Bracken Culvert (B13)	Arch culvert 4.4m, 21.0m long	21.0	4.4	Very Poor	38.1	Replace	\$ 459,710	
63360	Shales Road	Shales Road Culvert (B41)	Bridge frame, inclined legs, 5.5m wide, 3.0m long	3.0	5.5	Very Poor	31.9	Replace	\$ 212,535	
63350	Long Swamp Road	Long Swamp Road Bridge (B39)	Closed Bridge - 4.6m wide, 11.9m long	11.9	4.6	CLOSED	0	Study	\$ 35,000	
Various	Pre Engineering for 2025 Structures Program							Pre Engineering	\$ -	
									TOTAL	\$ 1,072,246
									LTFP TARGET	\$ 1,102,000



2025 HARD SURFACED ROADS AND BRIDGES PLAN

ASSET ID	ROAD NAME	FROM	TO	FUNCTIONAL CLASS		CROSS SECTION	SURFACE TYPE	LENGTH (m)	AADT	MMS CLASS	PCI (2022)	ACTIVITY	CLASS "D" ESTIMATE
54910	Road 38	Murton Road	0.5km South of Kingston Road	Minor Arterial	No	Rural	HCB - Asphalt	5350	9205	2	60	Reconstruct	\$ 4,650,000
58015	Westport Road	0.2km East of Burr ridge Road	1.1km East of Lee Road	Minor Arterial	No	Rural	LCB - Double Surface Treatment	2500	371	4	54	Reconstruct	\$ 729,369
41575	Craig Road	Road 38	3.75km North of Road 38	Local	No	Rural	LCB - Double Surface Treatment	3750	325	4	23	Reconstruct	\$ 1,094,053
42235	Florida Road	1.3km South of Henderson Road	Henderson Road	Local	Yes	Rural	LCB - Double Surface Treatment	1300	243	4	33	Reconstruct	\$ 379,272
Various	Single Surface Treatment Program						LCB - Double Surface Treatment	29000				Rehabilitation - SST	\$ 950,000
Various	Pre Engineering for 2026 Roads Program											Pre Engineering	\$ 85,000
TOTAL												\$ 7,802,694	
TOTAL LENGTH (KM)								41.9				LTFP TARGET	\$ 6,983,000

ASSET ID	STRUCTURE LOCATION	STRUCTURE NAME	DESCRIPTION	LENGTH (m)	WIDTH (m)	LAST RATING	BCI (2021)	ACTIVITY	BUDGET ESTIMATE
63290	Bobs Lake Road	Eagle Creek Culvert (B31)	Concrete bridge 5.4m wide, 3.9m long	3.9	5.4	Very Poor	38.5	Replace/Widen	\$ 982,000
63110	Road 38	Murvale Creek Culvert (B12)	Arch culvert 3.7m wide, 29.6m long	3.7	29.6	Fair	60.3	Replace	\$ 796,860
Various	Pre Engineering for 2026 Structures Program								\$ 50,000
TOTAL									\$ 1,778,860
LTFP TARGET									\$ 1,157,000



2026 HARD SURFACED ROADS AND BRIDGES PLAN

ASSET ID	ROAD NAME	FROM	TO	FUNCTIONAL CLASS	CROSS SECTION	SURFACE TYPE	LENGTH (m)	AADT	MMS CLASS	PCI (2022)	ACTIVITY	CLASS "D" ESTIMATE	
56520	Rutledge Road	2.2km East of Sydenham Road	Perth Road 10	Minor Arterial	Rural	HCB - Asphalt	5850	2139	3	55	Reconstruct	\$ 4,155,094	
46360	Walker Street	Verona Street	Road 38	Local	Urban	HCB - Asphalt	100	50	5	41	Reconstruct	\$ 49,173	
42025	Easy Street	West End of Road	Road 38	Local	Rural	HCB - Asphalt	100	49	6	50	Reconstruct (Minor)	\$ 39,338	
52495	Desert Lake Road	Road 38	0.15km West of High Falls Road	Minor Arterial	Rural	LCB - Double Surface Treatment	2950	953	5	37	Reconstruct	\$ 886,475	
45595	Round Lake Road	4.1km East of Latimer Road	Battersea Road	Local	Rural	LCB - Double Surface Treatment	2200	909	4	41	Reconstruct	\$ 661,100	
43975	Loughborough Portland E	Harrowsmith Road	Alton Road	Collector	Rural	LCB - Double Surface Treatment	1400	1055	4	45	Reconstruct	\$ 433,321	
Various	Single Surface Treatment Program					LCB - Double Surface Treatment	30000				Rehabilitation - SST	\$ 1,000,000	
Various	Pre Engineering for 2027 Roads Program										Pre Engineering	\$ 85,000	
							TOTAL LENGTH (KM)	42.6				\$ 7,309,501	
												LTFP TARGET	\$ 7,335,000

ASSET ID	STRUCTURE LOCATION	STRUCTURE NAME	DESCRIPTION	LENGTH (m)	WIDTH (m)	LAST RATING	BCI (2021)	ACTIVITY	BUDGET ESTIMATE		
63550	Burnt Hills Road	Maynard Bridge (B48)	Concrete bridge deck, I-beams, 7.5m wide, 24.6m long	24.6	7.5	Fair	69	Rehabilitate	\$ 752,369		
63190	Perth Road	Bedford Mills Bridge (B21)	Concrete bridge deck, T-Bram, 9.9m wide, 19.1m long	19.1	9.9	Fair	67.5	Rehabilitate	\$ 674,698		
Various	Pre Engineering for 2027 Structures Program								\$ 85,000		
										\$ 1,512,066	
										LTFP TARGET	\$ 1,215,000



2027 HARD SURFACED ROADS AND BRIDGES PLAN

ASSET ID	ROAD NAME	FROM	TO	FUNCTIONAL CLASS	CROSS SECTION	SURFACE TYPE	LENGTH (m)	AADT	MMS CLASS	PCI (2022)	ACTIVITY	CLASS "D" ESTIMATE
56750	Sunbury Road	Factory Road	Hitchcock Drive	Minor Arterial	Rural	HCB - Asphalt	3200	1600	3	62	Reconstruct	\$ 3,421,547
58590	Wilton Road	West Boundary	Yarker Road	Minor Arterial	Rural	HCB - Asphalt	3600	1661	4	80	Rehabilitation - Micro	\$ 320,330
58590	Wilton Road	West Boundary	Yarker Road								New Paved Shoulder	\$ 439,810
43735	Latimer Road	Davidson Road	1.7km West of Perth Road	Local	Rural	LCB - Double Surface Treatment	2900	455	4	46	Reconstruct	\$ 897,593
43030	Holleford Road	New Morin Road	Johnny Martin Road	Local	Rural	LCB - Double Surface Treatment	2900	578	4	44	Reconstruct	\$ 897,593
43045	Holleford Road	Johnny Martin Road	Deer Park Lane	Local	Rural	LCB - Double Surface Treatment	1600	579	4	49	Reconstruct	\$ 495,224
Various	Single Surface Treatment Program					DST	30000				Rehabilitation - SST	\$ 1,050,000
Various	Pre Engineering for 2028 Roads Program										Pre Engineering	\$ 85,000
TOTAL											\$ 7,607,097	
TOTAL LENGTH (KM)							44.2				LTFP TARGET	\$ 7,704,250

ASSET ID	STRUCTURE LOCATION	STRUCTURE NAME	DESCRIPTION	LENGTH (m)	WIDTH (m)	LAST RATING	BCI (2021)	ACTIVITY	BUDGET ESTIMATE
63561	Petworth Road	Petworth Road Bridge (B40)	Through Truss, 4.2m wide, 23.3m long	23.3	4.2	Good	73.2	Rehabilitation - Paint	\$ 256,721
63040	Perth Road	Buck Lake Culvert (B04)	Round Culvert, 3.2m wide, 17.2m long	17.2	3.2	Poor	53.1	Reconstruct	\$ 624,489
63250	Buck Bay Road	Buck Bay Road Bridge - North of White Lake Rd (B52)	Rigid frame bridge, vertical legs, 4.5m wide, 3.8m long	3.8	4.5	Poor	52.4	Reconstruct	\$ 285,378
Various	Pre Engineering for 2029 Roads Program								\$ 85,000
TOTAL									\$ 1,251,589
LTFP TARGET									\$ 1,275,750

Township of South Frontenac

Staff Report



To: Council

Prepared by: Public Services Department

Date of Meeting: May 2, 2023

Subject: Award of Tender # PS-2023-12 – Surface Treatment Program

Summary

This report provides a recommendation for the award of contract for the 2023 road surface treatment program covering 34.7km of roadways,

Recommendation

That Council accept the bid from Miller Paving Ltd. In the amount of \$1,138,955.21 (net of HST credits) for the 2023 Surface Treatment Program; and

That Council authorize a project budget increase in the amount of \$172,417.85 be funded from the Asset Investment Reserve.

Background

In March of 2023, Council approved the 2023 Budget which included hard surfacing preservation activities on approximately 27km of local surface treated roadways. Details of the project involve the placement of a single surface treatment to enhance the service life of existing roadways by an additional 5 to 7 years.

The Township also tendered for the placement of new double surface treatments on in-house road construction activities on an additional 7.7 km of roadways that include: Alton Road and North Shore Road.

A chip seal is a roadway surface treatment that consists of a layer of asphalt binder (hot or emulsion) with a layer of embedded aggregate. Chip seals provide a new skid resistant wear surface, stop raveling, seal minor cracks and slow further deterioration of the existing roadway. Chip seals extend the life of roadways up to 5 to 7 years.

On February 22nd, 2023, the Township released a joint tender for surface activities with Central Frontenac on Bidding and advertised on the Township's website. On March 22nd, 2023, the tender closed with a total of three (3) tender submissions received.

The results of the tender bids (Part A – South Frontenac) were as follows:

Supplier	Total (Inc. Net HST Rebate)
Duncor Enterprises Inc.	\$1,236,142.83
Miller Paving Ltd.	\$1,138,955.21

Two of the tenders were found to be complete and in compliance with the requirements of the procurement bylaw. One of the bid submissions was incomplete and therefore rejected.

Discussion/Analysis

Staff completed a detailed review of the Miller Paving Ltd. bid submission and found their tender bid to be balanced. Unit prices for this year's program have however increased approximately 20 to 21% over the 2022 prices. These increases are also consistent with what is being seen in other municipalities.

Miller Paving Ltd. has successfully completed numerous surface treatment contracts locally over the last several years and has also carried out warranty repairs when and where directed. It is therefore recommended that the low bid from Miller Paving be accepted and that the Township proceeds with the award of contract.

Financial Implications

The 2023 Budget allowance for the overall projects is \$1,200,350 based on the surface treatment (LCB) preservation program and the funding commitments for double surface treatments on Alton Road and North Shore Road. A detailed breakdown of the revised project budget is provided below:

ACTIVITY	COST (\$)
Miller Paving Ltd. (low bid Net HST)	\$1,138,955.21
City of Kingston Tender – Boundary Roads	\$70,112.64
Single Surface Treatment - Patching, Edge Repairs and Prep Work (Town Forces)	\$93,700.00
Contingency	\$70,000.00
Revised Project Cost (Inc. Non-Refundable HST)	\$1,372,767.85
Approved Budget Sources (2023)	
• Surface Treatment (LCB) Preservation - \$800,000	

<ul style="list-style-type: none"> • Double Surface Treatment – Alton Road - \$200,600 • Double Surface Treatment – North Shore Rd - \$199,750 	\$1,200,350.00
Estimated Shortfall	\$172,417.85
Note all costs include Non-Recoverable HST	

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):

Climate Considerations

When you examine the full lifecycle of any hard surfaced roadways the reconstructive stage will require the greatest energy demand and will generate the greatest construction cost. The overall effort to strip or pulverize a hard surfaced roadway, import new raw aggregate materials, and place new emulsified asphalt products requires significant labour, equipment, and material resources. This activity also contributes to greenhouse gas emissions through heavy equipment use, aggregate extraction/production, oil demand/refinement and asphalt production. As part of any climate adaptation strategy the Township must access and utilize available tools to extend the service life of its' roadway assets and therefore collectively reduce the impact of emissions generated by traditional reconstructions.

Based on the research work by the Pavement Preservation & Recycling Alliance (PPRA), single chip seals offer the following environmental benefits over these traditional resurfacing methods:

- reduces lifecycle costs by 48%.
- reduces greenhouse gases by 51% and reduces energy use by 51%.
- reduces raw materials by 49% or more; and
- extends the life of a roadway up to 5 – 7 years.

Overall, the commitment to timely preventative maintenance for roadways is one of the most significant strategies to manage the energy demands and emissions generated by conventional reconstruction. The use of single surface chip seals is therefore considered to be a cost effective and environmentally responsible tool to work towards these objectives.

Notice/Consultation

- Director of Corporate Services & Treasurer
- Manager of Operations and Fleet
- Construction Technologist

Attachments

Attachment A –

- Alton Road Budget Sheet (# 23-41)
- North Shore Road Budget Sheet (# 23-42)
- Surface Treatment (LCB) Preservation Budget Sheet (# 23-43)

Approvals

Submitted By:



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

Reviewed By:



Kyle Bolton, C.E.T.
Director of Public Services

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer



Capital Project Detail Sheet

Project Information

Project Name: Alton Road West (Road 38 to Loughborough Portland Boundary Road)

Type of Project: Local Roadway

Project Number: 23-41

Basis for Activity: Asset Renewal

Department: 3100 - Structures

Relationship to Strategic Plan: N/A

Description: ASSET # 40030

Reconstruction of 3.7km of Alton Road west from Road 38 to Loughborough Portland Boundary. Construction to include full depth reclamation, placement of granular A materials and a double surface treatment (chip seal). Project will also include drainage improvements and replacement of culverts and guiderail systems.

Rationale:

Geotechnical study work has been confirmed that Alton Road West requires a full reconstruction to support the traffic volumes and characteristics of the roadway. Culverts along the section are also in disrepair. Unplanned maintenance levels on this road (cold patching) are growing difficult to keep up to service level requirements.

Staff Contact: Troy Dunlop (tdunlop)

Project Finances

Description	Actuals Expensed to Current Year	Total Project	Prior Approved	Budget				
				2023	2024	2025	2026	2027
50100 - Wages	0	93,000	0	0	0	0	0	0
53310 - Materials	0	288,100	0	288,100	0	0	0	0
55290 - Contracted Services	0	441,400	0	441,400	0	0	0	0
58001 - Internal Equipment	0	106,900	0	106,900	0	0	0	0
Total	0	929,400	0	929,400	0	0	0	0

Capital Project Detail Sheet



Project Information

Project Name: North Shore Road (Hewlett Packard Road to Convery Lane) Type of Project: Local Roadway
 Project Number: 23-42 Basis for Activity: Asset Renewal
 Department: 3100 - Structures Relationship to Strategic Plan: N/A

Description: ASSET # 44665
 Double surface treatment on approximately 4.0km of North Shore Road from Hewlett Packard Road to Convery Lane. Construction to include pulverizing surface, adding and shaping granulars and placing new double surface treatment wear surface (chip seal). Road width will remain at 6m width and only critical drainage repairs will be performed.

Rationale: The unplanned maintenance on this roadway has reached the point where an intervention on the surface is necessary. The road surface has excessive hot/cold patch repairs throughout and places significant demands on road maintenance crews. Public Works has proposed that this road is pulverized, minor gravel added for re-shaping and a new DST surface is applied. Only critical drainage work will be performed.

Staff Contact: Troy Dunlop (tdunlop)

Project Finances

Description	Actuals Expensed to Current Year	Total Project	Prior Approved	Budget				
				2023	2024	2025	2026	2027
50100 - Wages	0	63,700	0	63,700	0	0	0	0
53310 - Materials	0	197,400	0	197,400	0	0	0	0
55290 - Contracted Services	0	302,400	0	302,400	0	0	0	0
58001 - Internal Equipment	0	73,200	0	73,200	0	0	0	0
Total	0	636,700	0	636,700	0	0	0	0



Capital Project Detail Sheet

Project Information

Project Name: Surface Treatment (LCB) Preservation

Project Number: 23-43

Department: 3100 - Structures

Type of Project: Local Roadway

Basis for Activity: Asset Renewal

Relationship to Strategic Plan: N/A


Description: Rehabilitation of approximately 27km of surface treated roadways with localized repairs and application of a final LCB (low class bituminous) single surface treatment chip seal. A priority list has been attached as a project document with additional details on all forecasted roadways.

Rationale: The application of a single surface treatment chip seal is a key maintenance strategy for long term performance of the Township's road network of double surface treated roadways. Single surface treatments can add 5 to 7 years of added service life at a low unit cost and help manage unplanned maintenance expenses (potholes, cracking and edge break up).

Staff Contact: Troy Dunlop (tdunlop)

Project Finances

Description	Actuals Expensed to Current Year	Total Project	Prior Approved	Budget				
				2023	2024	2025	2026	2027
50100 - Wages	0	6,300	0	6,300	0	0	0	0
53310 - Materials	0	78,300	0	78,300	0	0	0	0
55290 - Contracted Services	0	706,300	0	706,300	0	0	0	0
58001 - Internal Equipment	0	9,100	0	9,100	0	0	0	0
Total	0	800,000	0	800,000	0	0	0	0

 TOWNSHIP OF SOUTH FRONTENAC - SURFACE TREATMENT PROGRAM SURFACE TREATMENT - 2023 Preliminary Budget Overview Public Services Department					
2023 Single Surface Treatment Program - Preliminary					
Section ID	Street	From Street	To Street	Length (Km)	PCI
46750	Wolfe Swamp Road	Colebrook Road	Petworth Road	2.9	58
40540	Bracken Road	Yarker Road 4	Mclean Road	1.55	50
44305	Mclean Road	Wallace Road	Colebrook Road	1.35	55
44530	Murton Road	1.35km East of Road 38	Murvale Road	0.9	58
44515	Murton Road	Road 38	1.35km East of Road 38	1.85	55
46270	Trousdale Road	Hinchinbrooke Road	Holleford Road	1.7	55
43015	Holleford Road	Trousdale Road	New Morin Road	1.8	72
42865	Hinchinbrooke Road	0.20km North of Road 38	0.29km North of Trousdale Road	1.6	67
45190	Quinn Road East	Road 38	East End of Road	1.6	67
44635	North Shore Crescent	Perth Road 10	Perth Road 10	1.1	67
43945	Loughborough Drive Road	South End of Road	Sydenham Road	0.5	64
44470	Mount Chesney Road	Battersea Road	Frontenac Road	0.4	81
44485	Mount Chesney Road	Frontenac Road	Beach Nut Road	1.6	77
44455	Mount Chesney Road	West End of Road	Battersea Road	1	76
46510	Wellington Street	United Street	Milburn Road	0.55	74
46525	Wellington Street	Milburn Road	East End of Road	1.7	75
43105	Holmes Road	Silverwood Drive	Davidson Road	0.9	73
40645	Bradshaw Road	Steele Road	East End of Road	1.9	78
57670	Westport Road	2.70km West of Buck Bay Road	Buck Bay Road	2.7	67
Total :				27.6	

* Road section to be completed with the City of Kingstons



Township of South Frontenac Staff Report



To: Council

Prepared by: Public Services Department

Date of Meeting: May 2, 2023

Subject: **Proposed Bylaw Amendments - Bulk Water Rates**

Summary

Public Services staff completed a review of existing bulk water rates in effect in South Frontenac. As part of the fee review, research was undertaken to examine the fees that are currently being charged by other municipalities at bulk water filling stations serving local markets near South Frontenac.

Recommendation

That Council approve the updated Bulk Water Rates for 2023 in principle; and

That Council direct staff to hold a Public Meeting on June 6, 2023, in accordance with By-law 2016-73, regarding the proposed amendments to the Schedule of Miscellaneous Water Service Charges.

Background

In August of 2020, Township Council issued the final budget approvals to support the purchase of a new water filling station at the water tower site in Sydenham. The staff report prepared at that time identified that there is not enough capacity to fill up large water hauler trucks, however the new station would be sufficient for filling smaller totes (typically 1,000L cages) and also for individual 20L jugs.

The report prepared at that time also identified that during the summer of 2020 many users were observed trying to fill the 1,000L totes at local boat launches. The new station was therefore seen as a potential solution to alleviate these situations while offering a new potable water source for replenishing cisterns.

In 2021, the Township purchased a BIRKSCO Aqualoader Bulk Water Filling Station which was similar to other fill station models actively being used in the City of Kingston. The fill station has a cashless interface that is activated by a small FOB and allows users to turn the station on and off during the fill up procedures. Water that is dispensed at the fill station is charged out at a pre-defined rate and automatically deducted from the cash balance on

the individual FOB. The details of the full transaction (date, time, user and volume) are captured through on-board communications and transmitted back to the Operator.

The construction of the station pad, electrical, and communications work are all complete and remaining activities will be focused on the installation of the fill station along with the software installations in support of the new user pay system. The purpose of this report is to discuss the current user fees for bulk water in effect and to make recommendation with respect to new rates recommended for 2023.

Discussion/Analysis

The Township currently establishes the water service charges in South Frontenac through By-Laws 2015-34 and Bylaw 2009-08. Schedule B of Bylaw 2009-08 prescribes the rates for “Miscellaneous Water Service Charges” and sets the current bulk water rates. Refer to Table 1 below:

Table 1 – Current Bulk Water User Charges

Bylaw 2009-08, Schedule B	User Rate
Item 6 – Bulk Water User Charge applicable when customer takes water on a bulk water basis. (includes commercial water hauling operations).	Annual fixed charge \$50 Commodity Charge \$0.25/m ³

The original bulk water rates set under Bylaw 2009-08 were established by the Township in February of 2009, and have remained unchanged since the original date of adoption. Based on discussions with Utilities Kingston, it appears that there have not been any sustained water hauling sales in recent history and this is likely due to water system’s limitations on providing service to large water haulers.

Public Services staff have researched bulk water filling stations in nearby municipalities and have examined the rate structures for similar stations targeted toward customer looking to fill smaller totes (typically 1,000L). A summary of the bulk water charges from nearby municipalities is found in Table 2 below:

Table 2 – Bulk Water Charges (Medium Fill Station) in Nearby Municipalities

*Municipality	Bulk Water Rate
City of Belleville	\$2.75 per cubic meter
City of Kingston	\$2.27 per cubic meter (Note: discussions are ongoing regarding a 2023 increase)
Greater Napanee	\$2.00 per cubic meter

*Note: Other municipalities contacted in the area did not have similar medium scale fill stations.

The new water filling station is considered a low maintenance asset however there will be operating costs for service and maintenance of the station. Some key maintenance activities will include:

- Routine inspections of the equipment to ensure proper operations
- Annual inspection and service of backflow prevention devices included in the station
- Service and maintenance of the internal heating and thermostat systems; and
- Calibration and maintenance of internal metering systems.

Discussions with Utilities Kingston have indicated that operating costs are expected to be low in the initial year however service fees will need to be discussed in part with the 2024 service contract review after observing the initial year of operations. Bulk water revenues are not expected to off-set operating costs until a significant customer base has been established. Staff are therefore recommending that the bulk water rate be set at or below our closest neighbour at the City of Kingston. A copy of the proposed rate structure may be found in Table 3 below:

Table 3 – Proposed Bulk Water Rates (2023)

Item	Current Rate (2009)	Proposed Rate (2023)
Bulk Water User (Commodity) Charge	\$0.25 per cubic meter (1,000L)	\$2.25 per cubic meter (1,000L)
Annual User Fee	\$50.00	(Eliminate fee)
Initial FOB Device Deposit	N/A	\$0
Replacement FOB Device	N/A	\$25.00

Financial Implications

Bulk water sales (and revenues) have not been a part of municipal operations in recent history despite the presence of the fee structure established in 2009. Township staff are currently recommending that the new bulk water station in Sydenham be operated at a rate of \$2.25 per cubic meter, which is reflective of local market conditions.

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):

Climate Considerations

The Township's initiation of a new bulk water program in 2023 will provide new and additional services to the rural residents of South Frontenac. Having potable water sales offered locally, will provide residents, businesses, and farmers with new options to purchase bulk drinking water, for a nominal fee during periods of extended drought or rural water shortages. These initiatives therefore support further efforts to adapt to climate change.

- 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

- Director of Corporate Services & Treasurer
- Utilities Kingston

Attachments

None

Approvals

Submitted By:



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

Reviewed By:



Kyle Bolton, C.E.T.
Director of Public Services

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

Township of South Frontenac Staff Report



To: Council

Prepared by: Public Services Department

Date of Meeting: May 2, 2023

Subject: **By-law Exemption Request for Camping at Centennial Park for the America's Cup Stocksport Tournament**

Summary

This report recommends that Council approve a bylaw exemption to permit overnight camping at members of the America's Cup Stocksport Tournament at Centennial Park in Harrowsmith as per By-Law 2003-90 from July 21st - July 27th, 2023.

Recommendation

That Council approve a bylaw exemption to permit overnight camping at members of the America's Cup Stocksport Tournament at Centennial Park in Harrowsmith as per By-Law 2003-90 from July 21st – July 27th, 2023.

Background

The America's Cup Stocksport Tournament is set to take place at Centennial Park in Harrowsmith from July 21st to July 27th, 2023. Players will be coming from North, Central, and South America to compete in the event as a qualifier for the international tournament typically hosted in Europe later in the year. As a means of lodging and accommodations for the travelling players without transportation, the Stocksport Club is requesting the use of the overflow parking area as a designated overnight camping area for their competitors.

Discussion/Analysis

The Stocksport Club has been working closely with Township Recreation and Facilities Services staff to ensure that all rules, regulations, and laws are followed for the tournament. The Club is attempting to keep the cost of hosting the tournament manageable for the travelling competitors, many of whom must fund their travel, room, and board for the tournament out of their own pocket. This has created a barrier for some athletes. As a means of direct cost reduction to the competitors, camping at the site is being requested.

Some key considerations and limitations have been suggested to mitigate risk associated with camping at the park:

- Only competitors and people directly involved with the tournament will be permitted to camp at the park – Spectators will not be permitted to camp.

- The Club must provide their own means of wastewater disposal. Dumping grey or black water at the park will not be permitted.
- The Club must provide their own water and power utility.
- The Club must provide their own solid waste (garbage and recycling) removal.
- The Township's noise bylaw will be enforced.
- All other park bylaws will be enforced (i.e. no camp fires).

The Stocksport Club has indicated that the approximate number of camper trailers for the duration of the event is a maximum of three.

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: 4. Be a catalyst for the creation of vibrant, complete communities.

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

- None.

Notice/Consultation

- Clerks Department
- South Frontenac Stocksport Club

Approvals

Submitted By:



Amanda Pantrey
 Recreation & Events Coordinator

Reviewed By:



Kyle Bolton, C.E.T.
Director of Public Services

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

Township of South Frontenac

Staff Report



To: Council

Prepared by: Public Services Department

Date of Meeting: May 2, 2023

Subject: Award of Contract – Half Ton Trucks

Summary

The purpose of this report is to seek Council approval to execute a contract for the purchase of three (3) half ton trucks with Petrie Ford Sales Ltd.

Recommendation

That Council approve the award of contract PS-2023-17 to Petrie Ford Sales Ltd for \$189,591.09 (Inc. Net HST Rebate) for the purchase of three (3) half ton trucks; and

That Council authorize the additional funds required, in the amount of \$57,091.09, to be funded from the Public Services Equipment reserve.

Background

The Public Services Department has capital carry over projects from 2021 and 2022 for the purchase of half ton trucks that were not filled due to challenges associated with the COVID pandemic. The carry over projects were combined with the 2023 half ton and tendered in one package to get the fleet replacement schedule back on track.

Discussion/Analysis

Public Services Department issued Request for Tender PS-2023-17 for the purchase of three (3) half ton trucks that closed on April 12, 2023 and three (3) submissions were received.

Vendor	Total (Inc. Net HST Rebate)
Petrie Ford Sales Inc	\$189,591.09
James Braden Ford Ltd.	\$194,707.58
Revell Ford	\$195,165.50

All of the submissions listed a 3 to 6 month delivery time for the trucks.

The total price is over budget for the three combined projects and requires an additional \$57,091.09 to fund the short fall. The previous replacements were estimated at pre-pandemic prices which contributed to the deficit. The fleet replacement plan will be reviewed this year and updated to reflect current market prices.

Financial Implications

The budget for this procurement includes three approved capital projects:

Project 21-19 – \$40,000

Project 22-15 – \$42,500

Project 23-73 – \$50,000

The additional \$57,091.09 will be funded from the Public Services Equipment reserves.

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:

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

- Brian Kirk, Manager of Operations & Fleet
- Shelley Stedall, Director of Corporate Services & Treasurer

Attachments

None.

Approvals

Submitted By:



Kyle Bolton, C.E.T.
Director of Public Services

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

Township of South Frontenac Staff Report



To: Council

Prepared by: Public Services Department

Date of Meeting: May 2, 2023

Subject: **Municipally Significant Event Designation for the Harrowsmith
Canada Day Event**

Summary

This report recommends that Council designate the Harrowsmith Canada Day event as municipally significant as required by the Alcohol & Gaming Commission of Ontario (AGCO) for a Special Occasion Permit (SOP).

Recommendation

That Council designate the Harrowsmith Canada Day event as municipally significant in support of an Alcohol & Gaming Commission of Ontario Special Occasion Permit Application.

Background

The Harrowsmith Social & Athletics Club (S&A Club) is once again hosting the Harrowsmith Canada Day event at Centennial Park. New this year, the S&A Club is also planning a small charity beer garden in the new multi-purpose pad area. The beer garden will run from 11:00 am – 5:00 pm. Funds raised from the sale of alcohol will be used to promote and support local youth sports groups in South Frontenac. This is in alignment with the S&A Club's core mandate. As per the AGCO SOP application processes, public events must be designated as municipally significant to grant the permit.

Discussion/Analysis

The Harrowsmith S&A Club has hosted the Canada Day events at Centennial Park for many years. For the 2023 event, the S&A Club is coordinating activities for the whole family including kid's games, live music, a vendor's market, and intends to have a small beer garden. The fireworks will not be hosted at the park this year, as per the pilot fireworks format.

Each year, the Club works with the Township to ensure all rules and regulations are being followed, and that the event is well run, safe, and fun for families. The event is very well

attended, and the S&A Club's goal is to ensure there is something for everyone. The Club is mindful of the various approvals and permits required to host their event and have always been willing to work with the various governing bodies to ensure their event is aligned with the rules and regulations (i.e. Public Health).

The S&A Club has indicated the following measures to mitigate potential risks for the beer garden:

- At least one designated security person on shift during the event.
- Beer, wine, and coolers will be served in plastic cups. No hard liquors or glass bottles will be permitted.
- The designated/ permitted area will be physically marked with cordons and signs. No alcohol will be permitted outside the area, and no outside alcohol will be permitted on-site.

To secure the proper permits and approvals for a public event, it must be designated as municipally significant by the Township. As a part of the AGCO SOP permitting process, the event host must notify all local emergency services of the event. They must also have security (paid or volunteer) at the event to mitigate risks associated with alcohol consumption. All vendors serving alcohol must have their Ontario Smart Serve Licence and follow the provincial and federal regulations. All other conditions set by the AGCO will also be followed by the event host and vendors.

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

Attachments

Appendix A – S&A Club Beer Garden Request

Township of South Frontenac

Staff Report - Municipally Significant Event Designation for the Harrowsmith Canada Day Event

Notice/Consultation

- Clerks Department
- Harrowsmith Social & Athletics Club

Approvals

Submitted By:



Amanda Pantrey
Recreation & Events Coordinator

Reviewed By:



Kyle Bolton, C.E.T.
Director of Public Services

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

Request for Beer Garden to City and AGCO

Requirements:

- Municipal Resolution to Support AGCO Application as Event of Municipal Importance
- Charity Registration Paperwork

Goal:

- Raise funds to promote youth sports in the community.

Type of Special Occasion Permit:

- Public Event - Charity Event - Sale of Liquor
- A charity event conducted by a charitable organization for the advancement of community objects. (Substantiate possible loss on Canada Day event and profit to youth sports)

Application Information:

- Applicant information: Penny Lloyd
- Responsible Person: Maxim Proulx
- Event Name and Details: Canada Day 2023, Annual Canada Day celebrations at Centennial Park in Harrowsmith hosted by community charity for the Township, Event to celebrate the Canadian culture and heritage, fundraising to support community social and athletic activities.
- Dates and Times of Event: July 1st 2023, 11AM to 11PM.



- One Bartender on Duty At All Time (Maxim Proulx), Substitute Bartenders for Breaks and Emergencies (Jennifer and Paul Laird, Betty Read, Penny Lloyd)
- One Designated Security Person on shit 11AM to 5PM and one from 5PM to 11PM
- Beer, Wine and Coolers to be served to plastic cups. No hard liquors.
- Designated area to be delimited with cordons and signs. No alcohol outside the designated area, no alcohol permitted from the outside, 19+ inside designated area

Township of South Frontenac

Staff Report



To: Council

Prepared by: Public Services Department

Date of Meeting: May 2, 2023

Subject: **Reconsideration of harmonize service levels for centerline painting – PS-2023-11 Pavement Marking Program**

Summary

Reconsideration of Resolution Number 2023-17-10 directing staff to harmonize service levels for centerline painting on low volume urban and low volume rural roads consistent with the provincial guideline.

Recommendation

That Council direct staff to harmonize service levels for centerline painting on low volume urban and low volume rural roads consistent with the provincial guideline.

Background

At the April 18, 2023, Council meeting a notice of motion was passed to reconsider the second clause of resolution number 2023-17-10, approved at the April 4th, 2023 Council meeting which reads:

“That Council direct staff to harmonize service levels for centerline painting on low volume urban and low volume rural roads consistent with the provincial guideline.”

Discussion/Analysis

Award of Tender for PS-2023-11 report listed three options to award the contract with option three being to reduce quantities to harmonize service levels in accordance with Ontario Traffic Manual Book 11 – Pavement, Hazard, and Delineation Markings.

The two options for reconsideration under the notice of motion are:

Option 2 – Award the low bid price at full cost (not recommended)

The current low bid submission (net of HST credits) is currently \$260,507 which is \$82,507 over the Township’s approved new operating budget of \$178,000 for this activity. It is staffs view that adjusting the operating budget to perform the status quo is not likely

considered a sustainable approach over the longer term. This approach is therefore not recommended.

Option 3 – Award the low bid with reduced quantities (recommended)

The Ontario Traffic Manual Book 11 – Pavement, Hazard and Delineation Markings (March 2000) sets the guidelines for consistent application and use of pavement markings across the province. One of the largest costs under the Township’s current contract are highway centerlines (yellow) which make up about 60% of our program costs. It is apparent from the Ontario guidelines that South Frontenac’s application of centerline painting has historically exceeded the provincial guidelines for low volume roadways in urban areas and low volume rural roads. A copy of the guidelines are summarized in Table 1 below.

Table 1 – Book 11 – Directional Dividing Lines (Criteria for Use)

Low Volume Local Roadways in Urban Areas	Two lane, urban roadways which do not fulfill an arterial function, and which have a two-way peak hour volume of less than 500 vehicles may not require a continuous directional dividing line.
Low Volume, Rural Roads	Along their entire length, if 6m wide or more, and carrying a two-way peak hour volume of 200 vehicles or more.
	Along their entire length, if 5.5m to 6m wide, and carrying a two-way peak hour volume of 100 vehicles or more.
	Along their entire length, if 5m to 5.5m wide, and carrying a two-way peak hour volume of 50 vehicles or more.
	Continuous in any area with heavy night traffic or tourist traffic
	Rural roadways, which based on width, do not exceed the volume thresholds outlined above, and which do not exhibit the collision, traffic or climactic conditions outlined need only be marked as specific roadway features.

Under the terms of the contract, the municipality reserves the right to make future changes in the quantity of longitudinal or transverse pavement marking in the schedule of items and prices. The terms governing the addition or deletion of work is governed under the general conditions of contract which are based on the Ontario Provincial Standards and Specifications Municipal Series (Nov 2019). Staff are recommending that the Township adjust the level of service for line painting activities locally. More specifically, it is

Township of South Frontenac

Staff Report - Reconsideration of harmonize service levels for centerline painting – PS-2023-11 Pavement Marking Program

recommended that centerline painting be suspended on select roads that do not meet the provincial criteria outlined in Table 1. In order to make gradual adjustments, staff are recommending that service levels changes be initiated through a staged approach, focusing on low volume urban roads and low volume rural roads (AADT of 200 or less). Such changes would be initiated through change order under the new contract. This approach is expected to yield a minimum of \$25,000 in savings. Under this approach, an additional \$58,000 would be required to fund the remaining program.

Financial Implications

See Exhibit A.

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

Attachments

Exhibit A - Award of Tender # PS-2023-11 – Pavement Marking Program Report

Approvals

Submitted By:



Kyle Bolton

Director of Public Services

Approved By:



Louise Fragnito, CPA, CGA

Chief Administrative Officer

Township of South Frontenac Staff Report



To: Council

Prepared by: Public Services Department

Date of Meeting: April 4, 2023

Subject: Award of Tender # PS-2023-11 – Pavement Marking Program

Summary

This report provides a recommendation for the award of contract for the 2023 Pavement Marking Program

Recommendation

That Council accept the bid from Provincial Road Markings Inc. in the amount of \$260,507.63 (net of HST credits) for the 2023 Pavement Marking Program; and

That Council direct staff to harmonize service levels for centerline painting on low volume urban and low volume rural roads consistent with the provincial guideline.

Background

During the spring of each year, the Township utilizes contracted services support for the placement of roadway painting services across the municipality. These pavement markings and delineations are required to provide an important information and guidance for drivers and other road users. Markings also provide drivers with a preview of upcoming changes in a roadway, including curves, lane drops, lane restrictions, intersections, crosswalks and the beginning and end of passing zones. Pavement markings are also used for the identification of railway crossings, pedestrian crossings, parking, accessible markings and for the efficient management of off-street parking areas.

Road markings often supplement other traffic control devices, such as signs and signals. In Ontario, the guidance for consistent pavement markings is provided through the Ontario Traffic Manual Book 11 – Pavement, Hazard and Delineation Markings (March 2000).

On February 9th, 2023, the Township released a joint tender with North Frontenac and Central Frontenac for the Multi-Year Pavement Marking Program and advertised on the Township's website. This tender was issued for the 2023 year and included an option for two single year extensions. On March 1st, 2023, the tender closed with a total of five (5) tender submissions were received.

The results of the tender bids were as follows:

Vendor	Total (Inc. Net HST Rebate)
956205 Ontario Inc. o/a Online Pavement Markings and Maintenance	\$276,397.66
Almon Equipment Ltd.	\$304,576.74
<i>Provincial Road Markings Inc.</i>	<i>\$260,507.63</i>
Trillium Pavement Marking	\$305,926.53
Upper Canada Road Services Inc.	\$434,054.22

All of the tenders were subsequently found to be complete and in compliance with the requirements of the procurement bylaw.

Discussion/Analysis

Staff completed a detailed review of the Provincial Road Markings Inc. bid and found their tender bid to be fully compliant. Roadway painting prices across the Eastern Ontario Region have seen significant price increases in 2023 and in many cases prices adjacent counties and lower tier municipalities are reporting an increase of 20 – 22% in service costs over the previous years pricing. Cost increases in traffic paints and reflective glass beads used in the application process are being cited as a major driver behind these increases.

Locally, the Township has benefitted from very competitive pricing under the previous four-year contract (2019-2022) and this year's bid submission will see program costs soar well above inflation once all forms of markings and symbols are factored in. Going forward, the Township has several options to consider:

Option 1 – Reject all bids (not recommended)

Under the terms of the tender call, the municipality has the right to reject all bids, however a review of the bid outcomes with adjacent counties and lower tier municipalities suggests that the tender process has yielded competitive pricing that is reflective of the current market rates. If all bids are rejected, the municipality is unlikely to access any new servicing alternatives. The municipality would also be unlikely to see any improved cost outcomes. This option is therefore not recommended.

Option 2 – Award the low bid price at full cost (not recommended)

The current low bid submission (net of HST credits) is currently \$260,507 which is \$82,507 over the Township's approved new operating budget of \$178,000 for this activity. It is staffs view that adjusting the operating budget to perform the status quo is not likely

considered a sustainable approach over the longer term. This approach is therefore not recommended.

Option 3 – Award the low bid with reduced quantities (recommended)

The Ontario Traffic Manual Book 11 – Pavement, Hazard and Delineation Markings (March 2000) sets the guidelines for consistent application and use of pavement markings across the province. One of the largest costs under the Township’s current contract are highway centerlines (yellow) which make up about 60% of our program costs. It is apparent from the Ontario guidelines that South Frontenac’s application of centerline painting has historically exceeded the provincial guidelines for low volume roadways in urban areas and low volume rural roads. A copy of the guidelines are summarized in Table 1 below.

Table 1 – Book 11 – Directional Dividing Lines (Criteria for Use)

Low Volume Local Roadways in Urban Areas	Two lane, urban roadways which do not fulfill an arterial function, and which have a two-way peak hour volume of less than 500 vehicles may not require a continuous directional dividing line.
Low Volume, Rural Roads	Along their entire length, if 6m wide or more, and carrying a two-way peak hour volume of 200 vehicles or more.
	Along their entire length, if 5.5m to 6m wide, and carrying a two-way peak hour volume of 100 vehicles or more.
	Along their entire length, if 5m to 5.5m wide, and carrying a two-way peak hour volume of 50 vehicles or more.
	Continuous in any area with heavy night traffic or tourist traffic
	Rural roadways, which based on width, do not exceed the volume thresholds outlined above, and which do not exhibit the collision, traffic or climactic conditions outlined need only be marked as specific roadway features.

Under the terms of the contract, the municipality reserves the right to make future changes in the quantity of longitudinal or transverse pavement marking in the schedule of items and prices. The terms governing the addition or deletion of work is governed under the general conditions of contract which are based on the Ontario Provincial Standards and Specifications Municipal Series (Nov 2019). Staff are recommending that the Township adjust the level of service for line painting activities locally. More specifically, it is recommended that centerline painting be suspended on select roads that do not meet the

provincial criteria outlined in Table 1. In order to make gradual adjustments, staff are recommending that service levels changes be initiated through a staged approach, focusing on low volume urban roads and low volume rural roads (AADT of 200 or less). Such changes would be initiated through change order under the new contract. This approach is expected to yield a minimum of \$25,000 in savings. Under this approach, an additional \$58,000 would be required to fund the remaining program.

Financial Implications

The 2023 Operating Budget has an approved budget of \$178,000 for line painting this year and falls well short of the low bid of \$260,507. If Option 3 is pursued, the Township will require an additional \$58,000 to fund this program that will be covered in the Public Services operating budget. Off-setting savings will otherwise be explored within the transportation budget to limit these increases. The department will report back to Council later in the year if a short fall is expected in the operating budget.

Relationship to Strategic Plan

- 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):

Climate Considerations

Line painting activities locally will utilize water-borne paint solutions that are considered to have less environmental impact compared to alkyd-based paint alternatives that were heavily used in the industry in the past.

Paints are applied on highways by large service trucks that are diesel powered and are often accompanied by additional smaller passenger pilot vehicles to direct traffic and/or provide additional crew support for roadway marking. Smaller walk behind paint machines used to paint symbols, stop bars and lines in parking lots have small gas-powered engines used to power compressed air systems supporting the spray application process.

Overall line painting activities are essential to support safe and efficient traffic operations however the activity does generate greenhouse gas emissions as part of the process. Municipalities that are looking to reduce environmental impacts (paint) and/or GHG impacts should therefore consider reduction in painting activities where provincial guidelines allow.

- 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

- Director of Corporate Services & Treasurer
- Manager of Operations and Fleet
- Construction Technologist
- Counties of Lennox & Addington, Renfrew County and Lanark County

Attachments

None

Approvals

Submitted By:



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

Reviewed By:



Kyle Bolton, C.E.T.
Director of Public Services

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

Township of South Frontenac

Staff Report



To: Council

Prepared by: Office of the Clerk

Date of Meeting: May 2, 2023

Subject: **Devil Lake Causeway Loitering By-law – Process Harmonization**

Summary

The purpose of the Report is to provide Council with background information regarding proposed process harmonization related to [By-law 2020-25](#), A By-Law To Prohibit Pedestrians From Standing And/Or Loitering At All Times Along Municipal Highways Within The Confines Of The Devil Lake Causeway On Perth Road.

Recommendation

That Council recommend as follows:

- a) **That** By-law 2023-35 attached as Exhibit A, being 'A By-Law To Prohibit Pedestrians From Standing And/Or Loitering At All Times Along Municipal Highways Within The Confines Of The Devil Lake Causeway On Perth Road', be given first and second reading.
- b) **That** By-law 2023-35 attached as Exhibit A, being 'A By-Law To Prohibit Pedestrians From Standing And/Or Loitering At All Times Along Municipal Highways Within The Confines Of The Devil Lake Causeway On Perth Road', be given third reading, signed and sealed.
- c) **That** By-law 2023-36 attached as Exhibit B, being 'A By-law to Amend By-law 2022-70, As Amended, A By-Law to Impose Administrative Monetary Penalties on Violations Of Municipal By-Laws', be given first and second reading.
- d) **That** By-law 2023-36 attached as Exhibit B, being 'A By-law to Amend By-law 2022-70, As Amended, A By-Law to Impose Administrative Monetary Penalties on Violations Of Municipal By-Laws', be given third reading, signed and sealed.

Background

In November 2019, Council received delegations regarding overfishing, disturbing the peace, illegal parking and littering along the Devil Lake Causeway. Following receipt of this information, Council enacted By-law [2019-63](#) which restricted parking along the causeway. Subsequently, on May 19, 2020, Council approved By-law 2020-25, A By-Law To Prohibit Pedestrians From Standing And/Or Loitering At All Times Along Municipal Highways Within

The Confines Of The Devil Lake Causeway On Perth Road. Additional information regarding this matter can be found in the report entitled “[Devil Lake Causeway – Safety Concerns](#)” which was presented to Council on May 19, 2020.

Discussion/Analysis

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 By-law has since been amended on several occasions and now permits the Township of South Frontenac to apply Administrative Monetary Penalties to address violations under the following by-laws; Dog Control By-law, Noise By-law, Safe Property By-law and the Trailer Licensing By-law.

While By-law 2020-25, A By-Law To Prohibit Pedestrians From Standing And/Or Loitering At All Times Along Municipal Highways Within The Confines Of The Devil Lake Causeway On Perth Road includes an administrative monetary penalty mechanism, staff recommend that By-law 2020-25 be repealed and replaced with By-law 2023-35 to allow the process to be administered as outlined in By-law 2022-70, as amended, to ensure process clarity. The proposed process harmonization would ensure that all Township of South Frontenac administrative monetary penalties are administered via By-law 2022-70.

By-law 2023-35 will include the necessary provision to allow the Township of South Frontenac to seek a summons to appear for a Part III Offence under the *Provincial Offences Act*.

The ability to either issue an administrative monetary penalty or seek summons to appear for a Part III Offence will allow the Township of South Frontenac to use the most appropriate tool to address violations of By-law 2023-35.

Summary of By-law 2023-35, A By-Law To Prohibit Pedestrians From Standing And/Or Loitering At All Times Along Municipal Highways Within The Confines Of The Devil Lake Causeway On Perth Road (Exhibit A):

The sole purpose of By-law 2023-35, A By-Law To Prohibit Pedestrians From Standing And/Or Loitering At All Times Along Municipal Highways Within The Confines Of The Devil Lake Causeway On Perth Road is to prohibit standing or loitering on either side of the Devil Lake Causeway as defined in Schedule A of By-law 2023-35.

Additionally, By-law 2023-35 will include provisions related to the obstruction of a Provincial Offences Officer, enforcement and penalties.

Summary of Administrative Amendments to the Administrative Monetary Penalties By-law, As Amended (Exhibit B):

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, As Amended be further amended to include the following:

- “5. Township of South Frontenac, By-law 2023-35, A By-Law To Prohibit Pedestrians From Standing And/Or Loitering At All Times Along Municipal Highways Within The Confines Of The Devil Lake Causeway On Perth Road”

c) By-law 2022-70, Schedule B

- i. Township of South Frontenac, By-law 2023-35, A By-Law To Prohibit Pedestrians From Standing And/Or Loitering At All Times Along Municipal Highways Within The Confines Of The Devil Lake Causeway On Perth Road

It is recommended that the following administrative monetary penalties be implemented to discourage violations of the By-law.

The proposed range of AMPs is between \$300.00 and \$500.00.

By-Law Section	Short Wording	Penalty Amount
1.	No person shall stand or loiter at any time on either side of the Devil Lake Causeway, located on Perth Road 1200 metres south of Tett Crescent southerly 150 metres and further defined in Schedule A of By-law 2023-35.	\$300.00
4. a.	Obstruct an Officer	\$500.00

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.

Conclusion:

The proposal outlined in the Report is in keeping with the original intent of By-law 2020-25. The proposed changes are in place to ensure process effectiveness and clarity. Township

staff will continue to monitor this matter and will reach out to the OPP and Ministry of Natural Resources and Forestry if necessary.

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

Attachments

Exhibit A – By-Law 2023-35 - A By-Law To Prohibit Pedestrians From Standing And/Or Loitering At All Times Along Municipal Highways Within The Confines Of The Devil Lake Causeway On Perth Road

Exhibit B – By-law 2023-36 - A By-law to Amend By-law 2022-70, As Amended, 'A By-Law to Impose Administrative Monetary Penalties on Violations Of Municipal By-Laws'

Approvals

Submitted By:



James Thompson
 Clerk

Township of South Frontenac
Staff Report - Devil Lake Causeway Loitering By-law – Process Harmonization

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2023-35**

A BY-LAW TO PROHIBIT PEDESTRIANS FROM STANDING AND/OR LOITERING AT ALL TIMES ALONG MUNICIPAL HIGHWAYS WITHIN THE CONFINES OF THE DEVIL LAKE CAUSEWAY ON PERTH ROAD

WHEREAS Section 35 of the *Municipal Act* allows the Township to restrict common law right of passage by the public over a highway; and

WHEREAS Section 425 of the *Municipal Act* grants the Township authority to create offences;

WHEREAS Section 429 of the *Municipal Act* allows the Township to establish a system of fines for offences under a by-law of the municipality; and

WHEREAS Section 434.1 of the *Municipal Act* permits the Township to require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality;

THEREFORE BE IT RESOLVED THAT the Corporation of the Township of South Frontenac enacts as follows:

GENERAL PROVISION:

1. No person shall stand or loiter at any time on either side of the Devil Lake Causeway, located on Perth Road 1200 metres south of Tett Crescent southerly 150 metres and further defined in Schedule A attached to this By-law.

PENALTIES:

2. Every person who contravenes any of the provisions of this By-law is guilty of an offence and shall, upon conviction, be liable to a maximum fine of \$5,000 pursuant to the *Provincial Offences Act*.
3. A Person who is convicted of a first offence under this By-law is liable, for each day or part of a day that the offence continues, to a maximum fine of no more than \$5,000. The total of all daily fines imposed for the continuing offence may exceed \$100,000.
4. A person who is convicted of a second or subsequent offence under this By-law is liable, for each day that the second or subsequent offence continues, to a maximum fine of more than \$10,000. The total of all daily fines imposed for the second or subsequent continuing offence may exceed \$100,000.
5. 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, As Amended.
6. If a Person is required to pay an Administrative Penalty under Section 3. In respect of a contravention of this By-law, the Person shall not be charged with an offence in respect of the same contravention.

ENFORCEMENT:

7. This by-law shall be enforced by the by-law enforcement officers of the Municipality.
 - 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.
8. By-law 2020-25 is hereby repealed.
9. This By-law will come into force and take effect on the date of its passing.

Given First and Second Readings: May 2, 2023

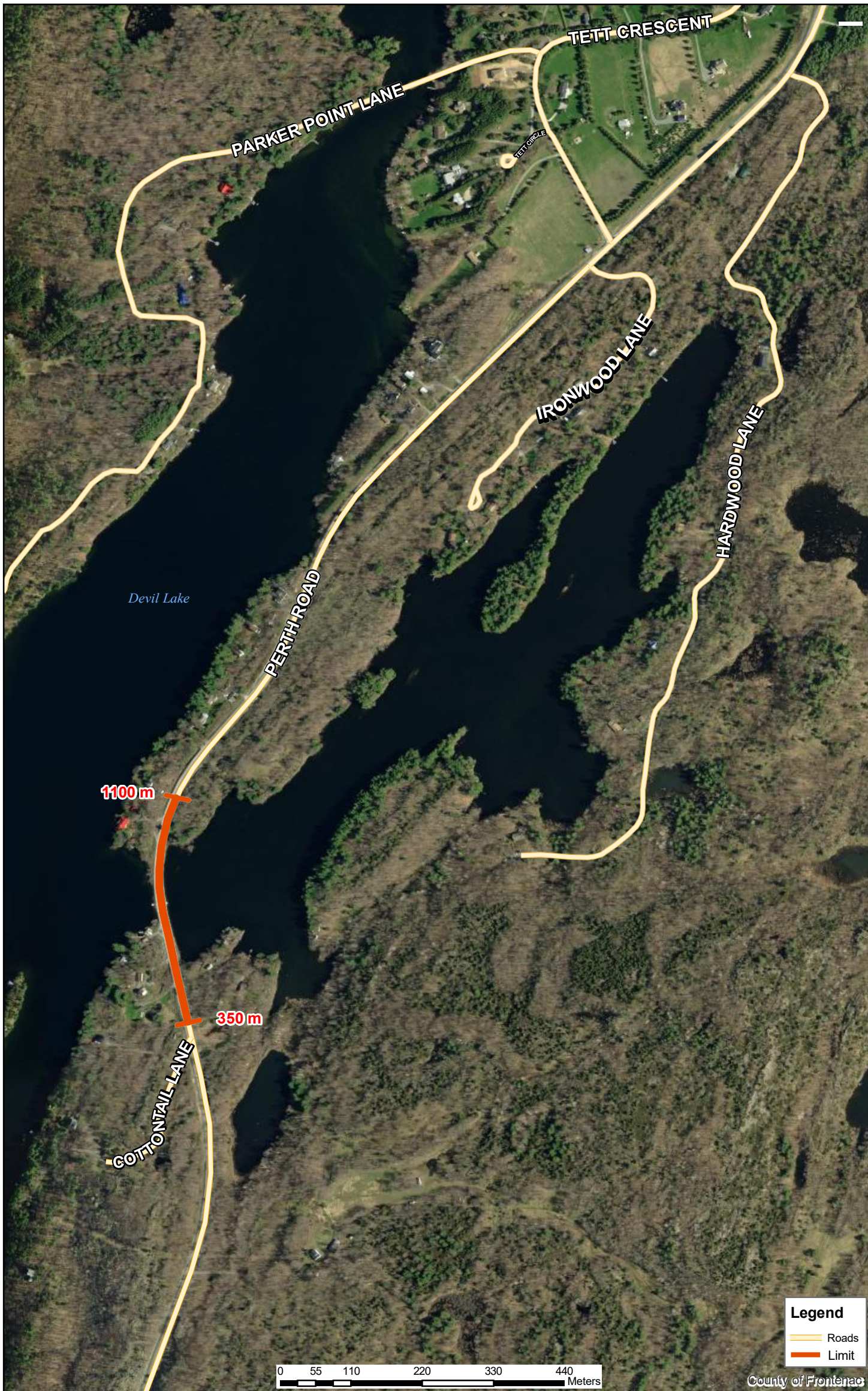
Given Third Reading signed and sealed May 2, 2023

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

Ron Vandewal, Mayor

James Thompson, Clerk

By-law 2023-35 Schedule A Devil Lake Causeway – Perth Road



**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2023-36**

A BY-LAW TO AMEND BY-LAW 2022-70, AS AMENDED, “A BY-LAW TO IMPOSE ADMINISTRATIVE MONETARY PENALTIES ON VIOLATIONS OF MUNICIPAL BY-LAWS”

WHEREAS Council desires to update By-law 2022-70, As Amended;

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

1. By-law 2022-70, As Amended, “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:

“5. Township of South Frontenac, By-Law 2023-35, A By-Law To Prohibit Pedestrians From Standing And/Or Loitering At All Times Along Municipal Highways Within The Confines Of The Devil Lake Causeway On Perth Road.”

Schedule B is amended to include following Administrative Monetary Penalties related to By-law 2023-35:

By-law 2023-35, A BY-LAW TO PROHIBIT PEDESTRIANS FROM STANDING AND/OR LOITERING AT ALL TIMES ALONG MUNICIPAL HIGHWAYS WITHIN THE CONFINES OF THE DEVIL LAKE CAUSEWAY ON PERTH ROAD		
By-Law Section	Short Wording	Penalty Amount
1.	No person shall stand or loiter at any time on either side of the Devil Lake Causeway, located on Perth Road 1200 metres south of Tett Crescent southerly 150 metres and further defined in Schedule A of By-law 2023-35.	\$300.00
4. a.	Obstruct an Officer	\$500.00
	Continued contravention of By-law 2023-35. (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

This By-law will come into force and take effect on the date of its passing.

Given First and Second Readings: May 2, 2023

Given Third Reading signed and sealed May 2, 2023

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

Ron Vandewal, Mayor

James Thompson, Clerk

Township of South Frontenac Staff Report



To: Council

Prepared by: Development Services Department

Date of Meeting: May 2, 2023

Subject: Township Initiated Zoning By-law Amendment Application PL-
ZBA-2023-0031 on Matters Excluding Additional Dwelling
Units

Summary

This report recommends that Council pass a by-law to undertake Township-initiated general amendments to Zoning By-law No. 2003-75, as amended, to change the title of the Zoning By-law administrator, to update provisions related to accessory buildings and structures, and add provisions relating to model homes and seasonal dwellings in the Rural zone.

Recommendation

That By-law 2023-37 being a By-law to amend By-law 2003-075, as amended, to undertake Township-initiated general amendments to Zoning By-law No. 2003-75, as amended, to change the title of the Zoning By-law administrator, to update provisions related to accessory buildings and structures, and to add provisions relating to model homes and seasonal dwellings in the Rural zone, be given first and second reading; and

That By-law 2023-37 be given third reading, signed and sealed.

Background

Council held a public meeting under the Planning Act on April 4, 2023, on a proposed Official Plan Amendment and a proposed amendment to Zoning By-law No. 2003-75. The proposed amendments would include policies regarding additional dwelling units, as well as a number of general amendments related to the zoning administrator, model homes, accessory buildings, and seasonal dwellings.

There were eight members of the public registered for the public meeting. One individual spoke regarding additional dwelling units. Councilors also had questions and comments regarding additional dwelling units. The proposed Official Plan and zoning by-law amendments directly related to additional dwelling units will be brought to Council at a subsequent meeting, once staff have considered the comments, and prepared a terms of reference for hydrogeological studies.

The balance of the proposed zoning by-law amendment (i.e. excluding those related directly to additional dwelling units) is being brought forward to Council for a decision at this time.

Discussion

The Township of South Frontenac Council passed Zoning By-law No. 2003-75 in 2003. There is a need to periodically review the Zoning By-law to consider emerging issues and specific situations that arise through use and implementation of the by-law. Changes are then made to the Zoning By-law through an amending by-law that addresses each proposed change. When these types of amendments are initiated by the Township, they are often informally called a “housekeeping” amendment. These amendments are often general and/or technical changes made to the zoning by-law. The Zoning By-law was revised through Township-initiated amendments in 2007, 2012, 2016 and 2021.

A comprehensive staff report on proposed general amendments to Zoning By-law No. 2003-75 was discussed at the March 21, 2023, meeting of Council, as well as at the statutory public meeting held on April 4, 2023.

The proposed amendments are expected to clarify by-law requirements for staff and applicants, result in fewer Planning Act applications, and streamline the development approval process. Township Official Plan policies are in place to support the proposed amendments.

The following items are addressed through the amendment.

1. Change the title of the Zoning By-law Administrator from the Chief Building Official to the Director of Development Services.

Council approved the creation of a new staff position (Planning Coordinator) to perform zoning compliance reviews in support of the building permit application process. This service will be provided through Planning Services, which specializes in zoning interpretation. This shift in service will occur in the coming months. The administration of the Zoning By-law will be realigned to the Director of Development Services, who can then delegate the role to a staff person such as a Senior Planner, Planner or Planning Coordinator.

2. Add provisions about model homes.

Developers of subdivisions are requesting model home agreements in order to construct a house that would temporarily be used as an office, show room, or sales centre to promote the sale of lots in draft approved plans of subdivision. The Township’s solicitor confirmed

that unless the zoning by-law permits a model home, no building permit can be issued to construct a model home with or without an agreement. This is because a model home is a different classification than a dwelling in the Ontario Building Code.

The amendment will define “model home” and add zoning standards for where and when they are permitted, and how many could be permitted in a plan of subdivision or condominium.

3. Add seasonal dwelling as a permitted use in the Rural zone.

The Township contains a significant number of large rural landholdings, including many which have waterfrontage. These properties are zoned Rural (RU). The RU zone permits a single detached dwelling but not a seasonal dwelling. Staff regularly receive inquiries from individuals who want to construct a seasonal dwelling for a variety of reasons. For example, if it is a waterfront property, and/or there is no access to the electrical grid due to remote location. Some have noted that the Ontario Building Code requirement of an HRV and a high efficiency heating system for a year-round dwelling would translate into an electrical load that is difficult to meet with renewable energy sources.

Both a single detached dwelling and a seasonal dwelling are permitted on lands in the Rural designation in the Official Plan. Staff note that a seasonal dwelling is a permitted use in the Waterfront Residential (RW) and Limited Service Residential (RLSW, RLSI) zones that apply to waterfront residential properties, as well as the RLS zone that apply to non-waterfront properties on private lanes. Permitting a seasonal dwelling on RU zoned lands would allow the desired seasonal and recreational usage of properties while still maintaining the form of low-density residential development that is permitted in the RU zone.

The amendment will permit a seasonal dwelling in the RU zone.

4. Remove the requirement for accessory detached buildings to be located behind the principal building on a property in certain zones and to instead add a minimum front yard for accessory detached buildings in those zones.

Minor variances to locate an accessory building in the front yard of a principal building are a common request to the Committee of Adjustment. Typically, the request is associated with a large property where the principal building is well setback from the front lot line. The Committee granted 34 variances for accessory buildings in the front yard between 2020 and 2023. The setbacks to the front lot line ranged from 20 to 1200 metres.

The amendment will delete the requirement for accessory detached buildings to be located behind the principal building on a property except in the Urban Residential zones and the Residential zone. The current provision would continue to apply in settlement areas and subdivisions where building densities tend to be greater and building setbacks lesser. The amendment will add a standard setback for accessory buildings that is consistent with the

Township of South Frontenac

Staff Report - **Township Initiated Zoning By-law** Amendment Application PL-ZBA-2023-0031 on Matters Excluding Additional Dwelling Units

required minimum front yard of principal buildings in any given zone. For example, the principal building and accessory buildings in the RU zone would all need to be setback a minimum of 20 metres from the front lot line. Specifying a front yard setback acknowledges the significant variation in front yard depths in rural areas across the Township.

5. Increase the maximum building height for accessory buildings and structures.

Minor variances for accessory building height are a common request to the Committee of Adjustment. Typically, it is associated with a larger building footprint which necessitates a higher roof line or it is associated with a loft or second storey for storage to minimize building footprint. The Committee granted 29 variances for accessory building height between 2020 and 2023. The building heights ranged from 6.4 metres to 9.4 metres.

The amendment will increase the maximum building height for an accessory building from 6 metres (19.7 feet) to 8 metres (26.2 feet). Increasing the maximum building height will reduce the number of minor variances heard by the Committee of Adjustment. It will also streamline the approval process for an additional dwelling unit over an accessory building such as a detached garage in those situations where additional dwelling units will be permitted through a subsequent Township-initiated zoning by-law amendment.

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.

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: 2. Promote and support growth than meets the community's needs while maintaining the integrity of our natural environment. and 4. Be a catalyst for the creation of vibrant, complete communities.
- 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 public meeting under the *Planning Act* on April 4, 2023.

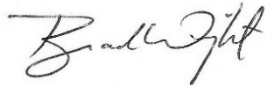
Attachments

1. By-law 2023-37

Approvals

Prepared By: Christine Woods, MCIP, RPP, Senior Planner

Submitted By:



Brad Wright
Director of Development Services

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2023-37**

**BEING A TOWNSHIP-INITIATED BY-LAW TO AMEND BY-LAW 2003-75, AS AMENDED,
TO EFFECT A NUMBER OF CHANGES RELATED TO THE ZONING BY-LAW
ADMINISTRATOR, MODEL HOMES, SEASONAL DWELLINGS IN RURAL ZONE, AND
ACCESSORY BUILDINGS AND STRUCTURES.**

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 Zoning By-law No. 2003-75 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 deems it expedient to amend By-law No. 2003-75 as amended, to undertake general amendments to change the title of the Zoning By-law administrator, add provisions relating to model homes and relating to seasonal dwellings in the Rural zone, and to update provisions related to accessory buildings and structures;

AND WHEREAS the Council of the Corporation of the Township of South Frontenac considered all written and oral submissions received, 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 Section 3 – Definitions is hereby amended by adding a definition for “Model Home” as follows:

“Model Home” shall mean a single detached house, semi-detached house or townhouse used temporarily for the purpose of an office and/or show room and/or sales centre to promote the sale of residential units within a draft approved plan of subdivision under the Planning Act or a description under the Condominium Act, 1998 proposed for registration.

2. THAT Section 4 – Administration, Subsection 4.1 Zoning Administration, is hereby amended by deleting the text and replacing it with the following text:

This By-law shall be administered and enforced by the Director of Development Services or their designate.

3. THAT Section 5 – General Provisions, Subsection 5.4 Holding Zones, is hereby further amended by deleting the subsection in its entirety and replacing it with the following text:

5.4 HOLDING OVERLAYS AND ZONES

5.4.1 Holding Overlays are created by identifying specific lands on Schedules of this By-law and have the effect of restricting the development or use of a lot or building in accordance with the corresponding provisions until this By-law has been amended to remove the lot from the Holding Overlay in accordance with Section 36 of the Planning Act.

5.4.2 A lot that is subject to a Holding Symbol (-H) may only be developed for the following purposes until such time as the Holding Symbol is removed:

5.4.2.1 Uses that legally existed on the date of the passing of this By-law;

5.4.2.2 A model home in accordance with Section 5.48.

4. THAT Section 5 – General Provisions, Subsection 5.24.2, is hereby further amended by deleting the text and replacing it with the following text:

5.24.2 In the Urban Residential zones and the Residential zone, any accessory building which is not part of the principal building shall be erected no closer to the front lot line or exterior lot line than the principal building. Where accessory buildings are located behind the principal building, they shall be located in accordance with the provisions of the particular zone.

5. THAT Section 5 – General Provisions, Subsection 5.24.3, is hereby further amended by adding the following text after “No person shall use an accessory building for human habitation except where a dwelling is permitted as an accessory building” so that it reads:

No person shall use an accessory building for human habitation except where a dwelling is permitted as an accessory building, or where an additional dwelling unit is permitted by this By-law. Accessory buildings and structures are permitted to be used as general living areas, including but not limited to an amenity area, study, den, living room, recreational space, studio, home office or home occupation. For clarity, an accessory building used as a general living area is not considered a bedroom.

6. THAT Section 5 – General Provisions is hereby further amended by deleting Subsection 5.24.6 in its entirety.
7. THAT Section 5 – General Provisions, Subsection 5.25 Frontage on a Street is hereby amended by adding the phrase “or to Model Home(s) where a Model Home Agreement has been executed by the owner and the Township on a lot prior to registration of the

plan of subdivision subject to the regulations of Section 5.48” to the end of Section 5.25.1 so that it reads:

5.25.1 No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected fronts upon a street. For the purposes of this By-law a street does not include an unopened road allowance, a private lane, a right-of-way or an un-assumed road on a Registered Plan which has been deemed not to be a Registered Plan under the Planning Act. The above provisions shall not apply to prohibit the erection of any building on a lot on a registered plan of subdivision where a subdivision agreement has been entered into but the streets will not be assumed until the end of the maintenance period, or to Model Home(s) where a Model Home Agreement has been executed by the owner and the Township on a lot prior to registration of the plan of subdivision subject to the regulations of Section 5.48.

8. THAT Section 5 – General Provisions is further amended by adding a new Section 5.48 Model Homes:

Section 5.48 MODEL HOMES

Where a Model Home Agreement or a Subdivision Agreement permitting the construction of model homes has been executed by the owner and the Township, more than one single detached dwelling, semi-detached dwelling or townhouse may be constructed on a lot prior to registration of the plan of subdivision under the Planning Act or a description under the Condominium Act, 1998, subject to the following provisions:

- 5.48.1 The use must be permitted in the underlying Zone in which the single detached dwelling, semi-detached dwelling or townhouse is to be located;
- 5.48.2 The model home must not be occupied as a dwelling unit prior to the date of the registration of the subdivision plan or condominium plan;
- 5.48.3 The maximum number of model homes within one plan of subdivision under the Planning Act or a description under the Condominium Act, 1998 proposed for registration is equal to 10% of the total number of lots intended for single detached house, semi-detached house or townhouse purposes within the plan or description for registration, to a maximum of 10 model homes;
- 5.48.4 The model home must comply with all other provisions of this By-law, as though constructed on the lot within the registered plan of subdivision under the Planning Act or the description under the Condominium Act, 1998; and

5.48.5 The model home must comply with all applicable terms and conditions of the Model Home Agreement or Subdivision Agreement or Condominium Agreement, as applicable.

9. THAT “Seasonal Dwelling” is hereby added to the list of Permitted Uses in Section 7 – RU – Rural Zone.
10. THAT a minimum front yard for accessory buildings and structures that is the same as the minimum front yard for the principal building is hereby added to the following zones and subsections:

Section 6 Agricultural Zone

6.3.3 For Accessory Buildings Not Attached to the Principal Building

Front Yard (Minimum) 20 Metres (65.6 ft.)

Section 7 Rural Zone

7.3.2 For Single Detached Residential Uses

Front Yard (Minimum) for Accessory Buildings 20 Metres (65.6 ft.)

Section 8 Waterfront Residential Zone

8.3.2 For Accessory Buildings Not Attached To The Principal Building

Front Yard (Minimum) 20 Metres (65.6 ft.)

Section 9 Limited Service Residential zone

9.3.2 For Accessory Buildings Not Attached To The Principal Building

Front Yard (Minimum) 20 Metres (65.6 ft.)

Section 10 Limited Service Residential – Waterfront Zone

10.3.2 For Accessory Buildings Not Attached To The Principal Building

Front Yard (Minimum) 30 metres (98.4 ft.)

Section 11 Limited Service Residential – Island Zone

11.3.2 For Accessory Buildings Not Attached To The Principal Building

Front Yard (Minimum) 30 metres (98.4 ft.)

Section 17 Rural Commercial Zone

17.3.2 For Accessory Buildings Not Attached To The Principal Building

Front Yard (Minimum) 8 Metres (26.2 ft.)

Section 18 Recreational Resort Commercial Zone

18.3.2 For Accessory Buildings Not Attached To The Principal Building
Front Yard (Minimum) 8 Metres (26.2 ft.)

Section 19 Urban Commercial Zone

19.3.3 For Accessory Buildings Not Attached To The Principal Building
Front Yard (Minimum) 6 Metres (19.7 ft.)

Section 21 Rural Industrial Zone

21.3.2 For Accessory Buildings Not Attached To The Principal Building
Front Yard (Minimum) 8 Metres (26.2 ft.)

Section 29 Community Facility Zone

29.3.2 For Accessory Buildings Not Attached To The Principal Building
Front Yard (Minimum) 10 Metres (32.8 ft.)

11. THAT the maximum building height of 6 metres (19.7 feet) that is permitted for accessory buildings and structures to residential land uses be deleted and replaced with "8 metres (26.2 feet)" in the following zones and subsections:

Section 7 Rural Zone

7.3.2 For Single Detached Residential Uses

Section 8 Waterfront Residential Zone

8.3.2 For Accessory Buildings Not Attached to the Principal Building

Section 9 Limited Service Residential Zone

9.3.2 For Accessory Buildings Not Attached to the Principal Building

Section 10 Limited Service Residential – Waterfront Zone

10.3.2 For Accessory Buildings Not Attached to the Principal Building

Section 12 Residential Zone

12.3.2 For Accessory Buildings Not Attached to the Principal Building

Section 14 Urban Residential – First Density Zone

14.3.2 For Accessory Buildings Not Attached to the Principal Building

Section 15 Urban Residential – Second Density Zone

15.3.4 For Accessory Buildings Not Attached to the Principal Building

12. 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 2nd day of May, 2023.

Read a first and second time this 2nd day of May, 2023.

Read a third time and finally passed this 2nd day of May, 2023.

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

Ron Vandewal, Mayor

James Thompson, Clerk

Township of South Frontenac Staff Report



To: Council

Prepared by: Development Services Department

Date of Meeting: May 2, 2023

Zoning By-law Amendment Application

Subject: PL-ZBA-2023-0035, Lee Dillabough, 151 Barr Lane (1793 Green Bay Road)

Summary

This report recommends that Council pass a by-law to change the zone on the subject property to prevent a sewage system from being located within 300 metres of the Green Bay Wetland Complex and to align the zoning of the pit with the current pit license.

Recommendation

That By-law 2023-38 to amend the zoning on lands known as 1793 Green Bay Road, Part Lot 16 and 17, Concession 3 and 4, District of Bedford, Township of South Frontenac be given first and second reading; and

That By-law 2023-38 be given third reading, signed and sealed.

Background

Council held a public meeting under the Planning Act on April 18, 2023, on the proposed amendment to Zoning By-law No. 2003-75. This application is being brought forward to Council for a decision.

Summary of Application

The application is related to consent application PL-BDJ-2022-0152 which was approved by the Committee of Adjustment on February 9, 2023. The consent application severed a 12.2 hectare parcel of land containing an existing licensed mineral resource pit. The purpose of the subject application is to implement condition 7 of the decision for consent application PL-BDJ-2022-0152. The application will rezone the property from Pit 'A' (PA) and Rural (RU) to a Pit 'B' Special Provision (PB-1) zone and Rural Special Provision (RU-72) zone.

The by-law will amend the zoning of the pit lands from a Pit 'A' (PA) zone to a Pit 'B' (PB) zone to reflect the annual extraction limit of the pit license being greater than 20,000 tonnes. The PA zone is intended to apply to pits that have an annual extraction limit of less

than 20,000 tonnes and so is not the appropriate zoning category for the existing pit. The by-law will also adjust the zone boundaries of the pit lands to accurately correspond to the licensed area of the pit.

The special provision of the PB-1 and RU-72 zones will require any future sewage system to be setback a minimum of 300 metres from the highwater mark of the Green Bay Wetland Complex. This wetland is hydrologically connected to Green Bay, which is an at-capacity (highly sensitive) lake trout lake.

Property Description

The subject property is a large rural property located between Buck Bay and Green Bay. To the east of the property is Green Bay Road, Green Bay, and some residential properties. Predominantly vacant land borders the property to the south. Barr Lane extends across the southern portion of the property from Green Bay Road to the west side of the property on Buck Bay. Waterfront residential properties border the property on the west, and are accessed over Barr Lane and also over Passchendaele Lane. The property is bordered on the north by predominantly vacant land. The subject property is primarily forested with some old farm fields. A wetland connected to Green Bay is located in the southeast corner of the property. The existing dwelling and accessory buildings are located in the northeast area of the property near Green Bay Road.

The area to be rezoned includes a mineral resource pit located along the south property line. This area is bordered on the north side by Barr Lane and on the west side by Passchendaele Lane. The pit on the property is licensed by the Ministry of Natural Resources and Forestry (MNR) under the Aggregate Resources Act. The area to be rezoned also includes a small section of land that is not part of the licensed pit area.

Related Applications

The property is subject to consent application PL-BDJ-2022-0152 to sever the existing sand and gravel pit, and to establish a right-of-way over Barr Lane and Passchendaele Lane to the pit.

Department and Agency Comments

The related consent applications were circulated to agencies.

Rideau Valley Conservation Authority had no objection to the consent application.

The Ministry of Environment, Conservation, and Parks (MECP) had no objection to the consent application provided that the zone on the severed parcel was amended to prevent a sewage system from being located within 300 metres of Green Bay and the Green Bay Wetland Complex. This prohibition would maintain the intent of the lot creation policies for lands within 300 metres of an at-capacity lake trout lake.

Public Comments

A public meeting was held under the Planning Act on April 18, 2023. No public comments were made on the application at the meeting and no written submissions have been received from the public on the application.

Discussion/Analysis

The proposed zoning by-law amendment 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.

Mineral Aggregate Resources

The Provincial Policy Statement (PPS) 2020 provides policy direction on matters of Provincial interest pertaining to land use planning and development. Section 3 of the Planning Act requires that the decisions of municipal council “be consistent” with the PPS. The policies of the PPS provide direction to municipalities for the appropriate development of land such that provincial interest regarding matters such as natural resources, public health and safety, and the natural environment, are respected. Municipal councils are to ensure their decisions and policies provide for an efficient pattern of land use, municipal services and transportation infrastructure are available or can be reasonably provided, resources are protected, and that development contributes to the long-term prosperity of the municipality.

The subject property is considered rural lands under the PPS. The management or use of resources, such as the existing pit is a permitted use on rural lands. Section 2.5.2.4 states that mineral aggregate operations shall 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. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the Planning Act.

The County of Frontenac Official Plan contains policies that are consistent with the PPS. The policies recognize that mineral aggregate resources are an important component of the local economy and must be protected for future use.

The severed parcel from PL-BDJ-2022-0153, which is the subject of this application, is primarily designated Mineral Aggregate with a small area of land between the licensed pit area and Barr Lane designated Rural in the Township of South Frontenac Official Plan. In the areas identified as Mineral Aggregate, pits and quarry operations will be permitted together with accessory uses such as crushing facilities, stockpiles, and screening operations. The existing pit is permitted in the Mineral Aggregate designation.

The proposed by-law would align the boundary of the pit to be consistent with the licensed boundary and extraction limits of the pit license. This means that the area zoned as a pit will be slightly larger than the area that is currently zoned for a pit. An Official Plan amendment is not required as the Mineral Aggregate designation corresponds to the licensed pit area.

The Official Plan states that the concept of an influence area is recognized as a means of protecting against incompatible land uses in the vicinity of Mineral Aggregate designations and to protect existing pits and quarries from encroachment from other incompatible land uses. Land use compatibility is not a concern for the existing pit, as there are no sensitive land uses within 150 metres of the licensed pit boundary.

Changing the zone on the pit from PA to PB is to ensure that the zoning aligns with the pit license (e.g. boundary and tonnage) and is consistent with these policies.

Natural Heritage

The subject property contains, and is adjacent to, the provincially significant Green Bay Wetland Complex. The wetland is designated Environmental Protection in the Township Official Plan. Although the severed parcel is within 120 metres of the wetland, it contains an existing, licenced pit. An environmental impact assessment was not required in support of the related consent application as no new negative impacts to the wetland are anticipated.

At-Capacity Lake Trout Lake

The Green Bay Wetland Complex is hydrologically connected to Green Bay of Bobs Lake, which is an at-capacity lake trout lake.

The PPS requires planning authorities to consider environmental lake capacity, and to restrict development and site alteration in and near sensitive surface water features and sensitive groundwater features such that these features and their related hydrologic functions will be protected, improved, or restored. It is our understanding that this policy applies to at-capacity lake trout lakes.

The County Official Plan (section 7.1.4.4) does not permit new lot creation within 300 metres of at-capacity lake trout lakes, but does allow for exceptions such as permitting development on lots of record within 300 metres of the lakes. The Township Official Plan (section 5.2.8) conforms to the County Official Plan policies on at-capacity lake trout lakes.

The severed parcel is within 300 metres of the wetland/lake. However, it is acknowledged that the purpose of the consent application is to sever the existing licenced pit, and to provide it with a right-of-way over the private lanes, so that the pit can continue to operate under different ownership. Establishing a minimum 300 metre setback from the wetland/lake for a sewage system is necessary to maintain the intent of the lot creation policies for lands within 300 metres of an at-capacity lake trout lake, particularly over the long term. This requirement is needed because the existing RU and PA zones, and the

proposed PB zone, permit uses that require use of a sewage system including a single detached dwelling.

The proposed zoning by-law amendment would not restrict the operation of the pit, which is prohibited by the Aggregate Resources Act, but rather would function only to restrict the placement of sewage systems in accordance with the applicable policies that work to protect highly sensitive, at capacity lake trout lakes.

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 Township of 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 public meeting under the *Planning Act* on April 18, 2023.

Attachments

1. By-law 2023-38

Township of South Frontenac

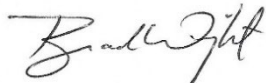
Staff Report - PL-ZBA-2023-0035, Lee Dillabough, 151 Barr Lane (1793 Green Bay Road)

Approvals

Report Prepared By:

Christine Woods, MCIP, RPP, Senior Planner

Submitted By:



Brad Wright

Director of Development Services

Approved By:



Louise Fragnito, CPA, CGA

Chief Administrative Officer

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2023-38**

BEING A BY-LAW TO AMEND BY-LAW 2003-75, AS AMENDED, TO REZONE LANDS FROM PIT 'A' (PA) AND RURAL (RU) TO PIT 'B' SPECIAL EXCEPTION (PB-1) AND RURAL SPECIAL EXCEPTIO (RU-72) ON LANDS DESCRIBED AS 1793 GREEN BAY ROAD, PART LOT 16 AND 17, CONCESSION 3 AND 4, DISTRICT OF BEDFORD: DILLABOUGH

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 Pit 'A' (PA) and Rural (RU) to Pit 'B' Special Exception (PB-1) and Rural Special Exception (RU-72) 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 sections RU-72 (Part Lot 16 and 17 Concession 3 and 4, District of Bedford: Dillabough) immediately after the last Rural Special Exception section to read as follows:

RU-72 (Part Lots 16 and 17, Concession 3 and 4, District of Bedford – Dillabough)

Notwithstanding the provisions of Section 7 or any other position of this By-law to the contrary, on lands zoned Rural Special Exception (RU-72), the following provisions apply:

- For any sewage system
 - a. Setback from highwater mark of
Green Bay Wetland Complex (Minimum) 300 Metres (984.3 ft)

All other provisions of this By-law shall apply.

3. **THAT** Zoning By-law Number 2003-75 as amended is hereby further amended by adding a new section PB-1 (Part Lot 16 and 17 Concession 3 and 4, District of Bedford: Dillabough) at the beginning of Section 23.5 to read as follows:

PB-1 (Part Lots 16 and 17, Concession 3 and 4, District of Bedford – Dillabough)

Notwithstanding the provisions of Section 23 or any other position of this By-law to the contrary, on lands zoned Pit 'B' Special Exception (PB-1), the following provisions apply:

- For any sewage system
 - a. Setback from highwater mark of
Green Bay Wetland Complex (Minimum) 300 Metres (984.3 ft)

All other provisions of this By-law shall apply.

4. 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 2nd day of May, 2023.

Read a first and second time this 2nd day of May, 2023.

Read a third time and finally passed this 2nd day of May, 2023.

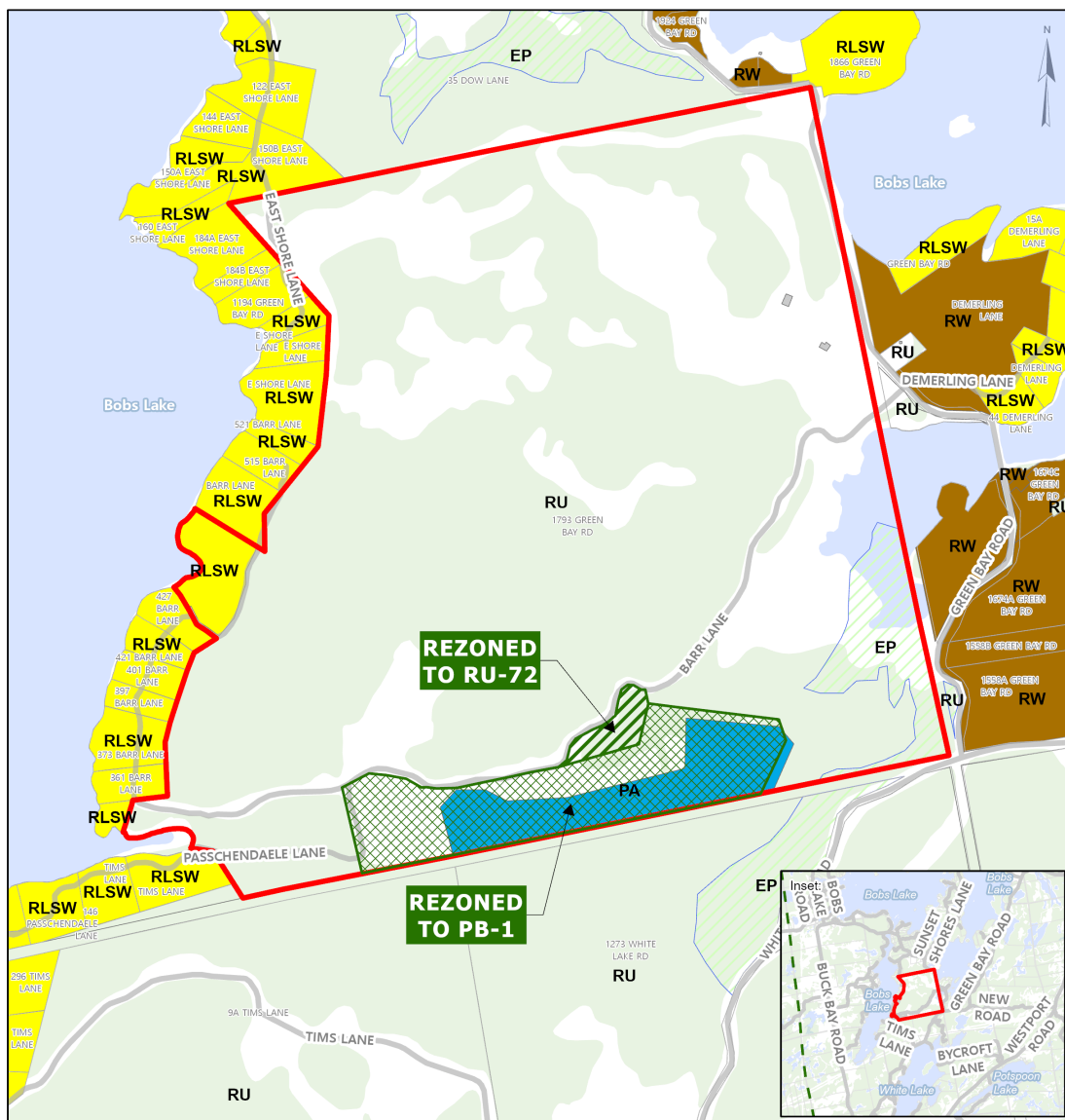
**THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC**

Ron Vandewal, Mayor

James Thompson, Clerk

Schedule 1

This is Schedule "1" to By-law No. 2023-38.



<p>SOUTH FRONTENAC (DILLABOUGH) 151 BARR LANE PL-ZBA-2023-0035</p> <p>Scale: 1:9,375</p>	<p>LEGEND</p>			
	<p> Subject Lands</p> <p> Area to be Rezoned to PB-1</p> <p> Area to be Rezoned RU-72</p> <p> Parcels</p> <p> Building Footprints</p> <p> Wooded Area</p> <p> Waterbody</p> <p> Road</p>	<p>Zoning</p> <p> AGRICULTURAL ZONE (A)</p> <p> COMMUNITY FACILITY ZONE (CF)</p> <p> ENVIRONMENTAL PROTECTION ZONE (EP)</p> <p> MOBILE HOME RESIDENTIAL ZONE (MHR)</p> <p> OPEN SPACE - PUBLIC ZONE (OS)</p> <p> OPEN SPACE - PRIVATE ZONE (OSP)</p> <p> PIT 'A' ZONE (PA)</p>	<p> PIT 'B' ZONE (PB)</p> <p> QUARRY 'A' ZONE (QA)</p> <p> QUARRY 'B' ZONE (QB)</p> <p> RESIDENTIAL ZONE (R)</p> <p> RURAL COMMERCIAL ZONE (RC)</p> <p> RURAL INDUSTRIAL ZONE (RI)</p> <p> LIMITED SERVICE RESIDENTIAL ZONE (RLS)</p>	<p> LIMITED SERVICE RESIDENTIAL - ISLAND ZONE (RLSI)</p> <p> LIMITED SERVICE RESIDENTIAL - WATERFRONT ZONE (RLSW)</p> <p> RECREATIONAL RESORT COMMERCIAL ZONE (RRC)</p> <p> RURAL ZONE (RU)</p> <p> WATERFRONT RESIDENTIAL ZONE (RW)</p> <p> SALVAGE YARD INDUSTRIAL ZONE (SI)</p> <p> TEMPORARY USE ZONE (TUZ)</p>

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Passed this 2nd day of May, 2023

Ron Vandewal, Mayor

James Thompson, Clerk

Township of South Frontenac

Staff Report



To: Council

Prepared by: Office of the Clerk

Date of Meeting: May 2, 2023

Subject: **Implementation of Administrative Monetary Penalties – Waste Management By-law**

Summary

The purpose of the Report is to provide Council with information regarding the proposed expansion of the Administrative Monetary Penalties (AMPs) By-law to deter actions prohibited under [By-law 2005-98](#), the Waste Management By-law (Exhibit C).

Recommendation

That Council recommend as follows:

- a) **That** By-law 2023-39 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 2023-39 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 2023-40 attached as Exhibit B, being “A By-Law to Amend By-Law 2005-98, ‘A By-Law For Providing And Maintaining A System For The Collection, Removal And Disposal Of Garbage And Recyclable Materials, And To Repeal Certain By-Laws From The Former Municipalities That Deal With The Same Subject Matter”, be given first and second reading.
- d) **That** By-law 2023-40 attached as Exhibit B, being “A By-Law to Amend By-Law 2005-98, “A By-Law For Providing And Maintaining A System For The Collection, Removal And Disposal Of Garbage And Recyclable Materials, And To Repeal Certain By-Laws From The Former Municipalities That Deal With The Same Subject Matter”, 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 implementation of the Administrative Monetary Penalties By-law enables the

Township of South Frontenac to apply AMPs to address violations under the Dog Control By-law, Noise By-law, Safe Properties By-law and the Trailer Licensing By-law.

Discussion/Analysis

The Waste Management By-law regulates the administration of waste disposal sites, collection of garbage and allowable recycling, bag tags as well as outlines prohibitions.

Currently, the only recourse in which the Township of South Frontenac can address a violation of the Waste Management By-law is under the *Provincial Offences Act*. Prosecution under the *Provincial Offences Act* involves an often lengthy and costly process. Administrative monetary penalties represent a more cost effective and efficient recourse to a by-law violation 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 Waste Management By-law, By-law 2005-98.

To facilitate the application of AMPs under the Waste Management By-law several administrative amendments are required to the Administrative Monetary Penalties By-law (Exhibit A) and the Waste Management By-law (Exhibit B). Additional amendments to the Waste Management 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:

- “6. Township of South Frontenac, By-law 2005-98, A By-Law For Providing And Maintaining A System For The Collection, Removal And Disposal Of Garbage And Recyclable Materials, And To Repeal Certain By-Laws From The Former Municipalities That Deal With The Same Subject Matter”

Township of South Frontenac

Staff Report - Implementation of Administrative Monetary Penalties – Waste Management By-law

c) By-law 2022-70, Schedule B

It is recommended that Schedule B of By-law 2022-70 be amended to permit the following administrative monetary penalties be implemented to discourage violation of the Waste Management By-law.

The proposed range of AMPs is between \$100.00 and \$500.00.

Township of South Frontenac, By-law 2005-98, A By-Law For Providing And Maintaining A System For The Collection, Removal And Disposal Of Garbage And Recyclable Materials, And To Repeal Certain By-Laws From The Former Municipalities That Deal With The Same Subject Matter		
By-Law Section	Short Wording	Penalty Amount
36.	No owner or Occupier of a Dwelling Unit, Multi-Residential Building, or commercial, industrial, or institutional establishment located within the geographical boundaries of the Municipality, shall permit any waste, refuse or debris to accumulate upon his or her lands or those lands in use by him or her.	\$200.00
38.	No person shall disturb or interfere with any Garbage or Allowable Recyclable Waste set out for Curbside Collection on or about a street, alley, laneway, public or private way, public square, place, private lot or other land located within the geographical boundaries of the Municipality.	\$100.00
39.	No owner or Occupant of a Dwelling Unit, Multi-Residential Building or commercial, industrial or institutional establishment located within the geographical boundaries of the Municipality, shall keep a garbage dump or container for waste material, refuse or debris upon his or her lands, or those lands in use by him or her, in such a condition or in such a location that the same shall be a nuisance or emit foul or offensive odours or harbour or attract rats or other vermin or insects.	\$200.00
40.	No person shall throw, place or deposit waste, refuse, debris, or Garbage on private property or Municipal Property, on any roadway within the boundaries of the Municipality or on any property owned or operated by any local board thereof without the authority of the owner or occupant of such property.	\$500.00

Summary of Administrative Amendments to the Waste Management By-law (Exhibit B):

By-law 2023-40 attached to the Report as Exhibit B outlines amendments to the Waste Management By-law which are required for the administration of administrative monetary penalties.

To address obstruction of Provincial Offences Officers while undertaking their duties, it is recommended that By-law 2005-98 be amended to include the following clause:

- “41.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.”

To permit administrative monetary penalties to be applied to violations under the Waste Management By-law, it is recommended that By-law 2005-98 be further amended to include the following:

- “42.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.”
- b. If a Person is required to pay an Administrative Penalty under Section 3. In respect of a contravention of this By-law, the Person shall not be charged with an offence in respect of the same contravention.

To encourage a property owner to be accountable for their own actions as well as the actions of guests or tenants utilizing their property it is recommended that By-law 2005-98 be further amended to include the following clause after Clause 43 (It being understood that the remaining clauses of the By-law be renumbered thereafter):

“Responsibility of Property Owner

44. Every owner of property and every officer or director of a corporation that owns property within the Township of South Frontenac has a duty to take all reasonable care to prevent occupants and users of their property from breaching the provisions of this By-law;
- (a) Every person who has a duty under this section and who fails to carry out that duty is guilty of an offence.
- (b) A director or officer of a corporation is liable to a conviction under this section whether or not the corporation has been prosecuted or convicted.”

Conclusion:

Due to the continued need to effectively address municipal by-law offences, staff are recommending that Council approve the expansion of the application of administrative

monetary penalties to the Waste Management By-law. As demonstrated, 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 2023-39 - A By-law to Amend By-law 2022-70, As Amended ‘A By-Law to Impose Administrative Monetary Penalties on Violations Of Municipal By-Laws’

Exhibit B – By-law 2023-40 - A By-Law to Amend By-Law 2005-98, ‘A By-Law to Amend By-Law 2005-98, ‘A By-Law For Providing And Maintaining A System For The Collection, Removal And Disposal Of Garbage And Recyclable Materials, And To Repeal Certain By-Laws From The Former Municipalities That Deal With The Same Subject Matter’

Exhibit C – By-law 2005-98

Township of South Frontenac

Staff Report - Implementation of Administrative Monetary Penalties – Waste Management By-law

Approvals

Submitted By:



James Thompson

Clerk

Approved By:



Louise Fragnito, CPA, CGA

Chief Administrative Officer

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2023-39**

A BY-LAW TO AMEND BY-LAW 2022-70, AS AMENDED, “A BY-LAW TO IMPOSE ADMINISTRATIVE MONETARY PENALTIES ON VIOLATIONS OF MUNICIPAL BY-LAWS”

WHEREAS Council desires to update By-law 2022-70, As Amended;

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

1. By-law 2022-70, As Amended, “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:

- “6. Township of South Frontenac, By-law 2005-98, A By-Law For Providing And Maintaining A System For The Collection, Removal And Disposal Of Garbage And Recyclable Materials, And To Repeal Certain By-Laws From The Former Municipalities That Deal With The Same Subject Matter”

Schedule B is amended to include following Administrative Monetary Penalties related to By-law 2005-98:

By-law 2005-98, A By-Law For Providing And Maintaining A System For The Collection, Removal And Disposal Of Garbage And Recyclable Materials, And To Repeal Certain By-Laws From The Former Municipalities That Deal With The Same Subject Matter		
By-Law Section	Short Wording	Penalty Amount
36.	No owner or Occupier of a Dwelling Unit, Multi-Residential Building, or commercial, industrial, or institutional establishment located within the geographical boundaries of the Municipality, shall permit any waste, refuse or debris to accumulate upon his or her lands or those lands in use by him or her.	\$200.00
38.	No person shall disturb or interfere with any Garbage or Allowable Recyclable Waste set out for Curbside Collection on or about a street, alley, laneway, public or private way, public square, place, private lot or other land located within the geographical boundaries of the Municipality.	\$100.00
39.	No owner or Occupant of a Dwelling Unit, Multi-Residential Building or commercial, industrial or institutional establishment located within the geographical boundaries of the Municipality, shall keep a garbage dump or container for waste material, refuse or debris upon his or her lands, or those lands in use by him or her, in such a condition or in such a location that the same shall be a nuisance or emit foul or offensive odours or harbour or attract rats or other vermin or insects.	\$200.00
40.	No person shall throw, place or deposit waste, refuse, debris, or Garbage on private property or Municipal Property, on any roadway within the boundaries of the Municipality or on any property owned or operated by any local board thereof without the authority of the owner or occupant of such property.	\$500.00

2. This By-law will come into force and take effect on the date of its passing.

Given First and Second Readings: May 2, 2023

Given Third Reading signed and sealed May 2, 2023

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

Ron Vandewal, Mayor

James Thompson, Clerk

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2023-40**

A BY-LAW TO AMEND BY-LAW 2005-98, “A BY-LAW FOR PROVIDING AND MAINTAINING A SYSTEM FOR THE COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE AND RECYCLABLE MATERIALS, AND TO REPEAL CERTAIN BY-LAWS FROM THE FORMER MUNICIPALITIES THAT DEAL WITH THE SAME SUBJECT MATTER”

WHEREAS Council desires to update By-law 2005-98;

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

1. By-law 2005-98, “A By-Law For Providing And Maintaining A System For The Collection, Removal And Disposal Of Garbage And Recyclable Materials, And To Repeal Certain By-Laws From The Former Municipalities That Deal With The Same Subject Matter”, is hereby amended as follows:

That Clause 41. be amended by adding Clause 41.a. to read as follows:

- “41. 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.”

That Clause 42. be amended by adding Clause 42.a. to read as follows:

- “42. 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.
- b. If a Person is required to pay an Administrative Penalty under Section 3. In respect of a contravention of this By-law, the Person shall not be charged with an offence in respect of the same contravention.”

That a new clause be inserted following Clause 43. to read as follows:

“Responsibility of Property Owner

44. Every owner of property and every officer or director of a corporation that owns property within the Township of South Frontenac has a duty to take all reasonable care to prevent occupants and users of their property from breaching the provisions of this By-law;
- (a) Every person who has a duty under this section and who fails to carry out that duty is guilty of an offence.

- (b) A director or officer of a corporation is liable to a conviction under this section whether or not the corporation has been prosecuted or convicted.”; and

That the remaining By-law clauses be renumbered thereafter to account for the addition of the “new” Clause 44.

- 2. This By-law will come into force and take effect on the date of its passing.

Given First and Second Readings: May 2, 2023

Given Third Reading signed and sealed May 2, 2023

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

Ron Vandewal, Mayor

James Thompson, Clerk

THE CORPORATION OF TOWNSHIP OF SOUTH FRONTENAC

BY-LAW 2005 - 98

BEING A BY-LAW FOR PROVIDING AND MAINTAINING A SYSTEM FOR THE COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE AND RECYCLABLE MATERIALS, AND TO REPEAL CERTAIN BY-LAWS FROM THE FORMER MUNICIPALITIES THAT DEAL WITH THE SAME SUBJECT MATTER.

WHEREAS Section 208.1 of the Municipal Act, R.S.O. 1990, chapter M.45, as amended, provides that a waste management system means facilities and services owned, operated or controlled by a municipality for the management of waste, including the collection, removal, transfer, processing, storage, reduction, reuse, recycling and disposal of waste;

AND WHEREAS Sections 208.2 and 208.3 of the Act state that the Council of a local municipality may pass bylaws to establish, maintain and operate a waste management system;

AND WHEREAS Section 208.6 of the Act permits a Council to require the separation of any class of waste at the point of collection, to establish fees for the use of any part of the waste management system and to establish different classes of premises, and different classes of waste;

AND WHEREAS Subsection 210(82) of the Act authorizes a Council to pass by-laws for the purposes of prohibiting the throwing, placing or depositing of refuse or debris on private property or on property of the municipality without the authority of the owner or occupant of such property;

AND WHEREAS the Council of The Corporation of the Township of South Frontenac deems it desirable to collect revenues for waste management services in an equitable fashion based on use rather than through the imposition of special rates or an increase in municipal taxes;

AND WHEREAS the Council of The Corporation of the Township of South Frontenac deems it desirable to harmonize waste management services across the Districts of the Township;

AND WHEREAS the Council of The Corporation of the Township of South Frontenac deems it desirable to regulate the disposal of waste at the Municipal landfill sites located in the geographic areas of the Districts of Loughborough, Portland and Bedford

AND WHEREAS the Council of the Corporation of the Township of South Frontenac deems it desirable to make it unlawful to throw, place or deposit refuse or debris on private or municipal property;

NOW THEREFORE BE IT RESOLVED THAT:

Title

1. This By-law shall be entitled the "Waste Management By-law"

Part I – Definitions

2. For the purpose of this by-law:

- a) **“Acceptable Material”** in respect of a particular Waste Disposal Site shall mean material that is not included in Schedule “C” attached to this By-law, and that is not excluded from acceptance for deposit at a Waste Disposal Site pursuant to: (i) any applicable Ontario legislation, including, without limitation, the provisions of R.R.O. 1990, Reg. 347, as amended; and (ii) the terms and conditions contained in the Certificate of Approval issued by the Ministry of the Environment in connection with the operation of such Waste Disposal Site;
- b) **“Allowable Recyclable Waste”** shall mean any waste material designated by the Municipality from time to time as acceptable for collection for recycling purposes,
- c) **“Authorized Distributor”** shall mean the Municipality, or a Business approved by the Municipality that has agreed to sell Bag Tags on such terms and conditions as may be established by the Municipality from time to time;
- d) **“Blue Box”** shall mean the container or other device approved by the Municipality for the collection of Allowable Recyclable Waste;
- e) **“Business”** shall mean an undertaking, trade, business or occupation located within the geographic boundaries of the Municipality and carried on for the purpose of gain or profit, and without limiting the generality of the foregoing, includes the selling or offering for sale of goods or services by retail, but does not include public institutions or any manufacturing activity or industry;
- f) **“Council”** shall mean the Council of the Corporation of the Township of South Frontenac
- g) **“Curb side Collection”** means the collection of Garbage or Allowable Recyclable Waste placed, in accordance with the terms of this By-law, adjacent to, or on the edge of, the travelled portion of any street, road or highway having been assumed by the Municipality;
- h) **“Public Works Manager”** shall mean a person appointed by the Council of the Township of South Frontenac and shall include his or her designates;
- i) **“Dwelling Unit”** shall mean a room or suite of rooms located within the geographical boundaries of the Municipality, generally containing cooking, eating, living, sleeping and sanitary facilities, that is used or intended to be used as a principal residence by one or more persons and, without limiting the generality of the foregoing, shall include a house and a unit within a Multi-Residential Building;
- j) **“Garbage”** shall include and mean all animal, mineral and vegetable matter in any form or state abandoned, discarded or thrown out by an Occupant of any Dwelling Unit or by any owner, operator, employee or agent of a commercial, industrial or institutional establishment located within the geographical boundaries of the Municipality, but shall not include Household Hazardous Waste or any item included under paragraph 22 hereof;
- k) **“Garbage Container”** shall mean a receptacle, other than a Small Bag, for the storage of Garbage designed and suited to prevent the entry of water, flies and animals and the escape of noxious odours that, when filled and placed out for Curb side Collection, shall not exceed a gross weight of 20kg (45 lbs) and shall be comprised only of:
 - (i) a standard size (i.e. having a maximum capacity of approximately 77.2 litres) galvanized metal or plastic waterproof garbage container, being larger at the top than at the bottom, and having two secure carrying handles and a securely attached lid and used only for the placement of plastic garbage bags as defined in k(ii);
 - (ii) a standard opaque polyethylene plastic garbage bag having dimensions of no greater than 75 cm by 95 cm (30” x 38”);

- l) **“Household Hazardous Waste”** shall mean those products identified in Section 9 of Schedule ‘C’ attached hereto;
- m) **“Multi-Residential Building”** shall mean a building containing 2 or more distinct Dwelling Units;
- n) **“Municipality”** means The Corporation of the Township of South Frontenac and includes its agents, employees, representatives and contractors;
- o) **“Municipal Property”** means any land or premises situated within the geographical boundaries of the Municipality that is owned or controlled by the Municipality by lease or otherwise;
- p) **“Occupant”** shall mean the owner, tenant, superintendent or occupier of any Dwelling Unit or Multi-Residential Building as the case may be;
- q) **“Bag Tag”** shall mean an identification marker as authorized by Council and designated for use on Garbage Containers in accordance with Part IV of this By-law;
- r) **“Small Bag”** shall mean either: (i) a bag issued by a supermarket or retail store to its customers for the carriage of groceries or other merchandise purchased at such store; or (ii) a bag intended for indoor transitory storage of Garbage of the type commonly referred to as “kitchen catchers”; or (iii) a bag having dimensions of equal to or less than 51 x 56 cm;
- s) **“Portland District** shall mean the former Township of Portland;
- t) **“Loughborough District** shall mean the former Township of Loughborough;
- u) **“Bedford District”** shall mean the former Township of Bedford; and
- v) **“Storrington District** shall mean the former Township of Storrington
- w) **“Waste Disposal Sites”** shall mean the Loughborough Waste Disposal Site, the Portland Waste Disposal Site, the Massassauga Waste Disposal Site, the Salem Waste Disposal Site, the Bradshaw Waste Disposal Site and the Green Bay Waste Disposal Site.

Part II – Waste Disposal Sites

3. The Waste Disposal Sites will be closed to the public at all times except during those hours detailed in Schedule “A” attached hereto, such hours to be subject to amendment by the Municipality from time to time.
4. No waste, refuse or debris produced, generated or collected outside the geographical boundaries of the Municipality shall be accepted at a Waste Disposal Site without the express approval of Council given in accordance with the terms of that Waste Disposal Site’s Certificate of Approval.
5. Subject to paragraph 6 hereof, Acceptable Material brought to a Waste Disposal Site by or on behalf of a resident of the Municipality, or a commercial, institutional or industrial establishment located within the geographical boundaries of the Municipality, shall be accepted for disposal upon payment of the appropriate tipping fees as detailed in Schedule 'B', which Schedule may from time to time be amended by resolution of Council.
6. The determination of whether material brought to a Waste Disposal Site constitutes Acceptable Material shall be for the Municipality alone, and for the purposes of making such determination, the Municipality may, prior to accepting material for disposal in accordance with paragraph 5 hereof, direct, at the expense of the person in control of such material, such tests to be conducted as it deems necessary in order to ascertain the composition of such material.
7. The Municipality shall have the authority to demand from any person wishing to use a Waste Disposal Site, proof that such person is or is acting on behalf of a resident of the Municipality, or a commercial, institutional or industrial establishment located within the geographical boundaries of the Municipality.

8. Where any person is in default of payment of charges levied under paragraph 5 above, the Municipality's Treasurer is authorized to recover the cost or expense involved by action or the same may be recovered in like manner as municipal taxes.
9. In lieu of the curb side collection of allowable recyclable waste in Bedford District, materials as determined by the Township, shall be accepted for recycling at the Salem Bradshaw, Green Bay, Massassauga Waste Disposal Sites at no charge provided they are first sorted and then placed in the appropriate locations as designated by the Municipality.

Part III – Collection

10. The Municipality shall provide Curbside Collection in the Districts of Storrington, Loughborough and Portland of the Municipality on such days as may be declared and published from time to time.
11. Curbside Collection of Garbage and Allowable Recyclable Waste in Bedford District will not be provided by the Township. Residents of Bedford are responsible to deliver their Garbage and Allowable Recyclable Waste to the Salem, Green Bay, Bradshaw and Massassauga Waste Disposal Sites.
12. No person shall place for Curbside Collection any item identified as Household Hazardous Waste.
13. All Allowable Recyclable Waste placed for Curbside Collection shall be placed in a Blue Box or shall be bundled or otherwise prepared in accordance with any applicable rules and regulations that may be passed by the Municipality from time to time.
14. No person, apart from the Municipality or persons approved by the Municipality, or the person who placed the material out for collection, shall pick over, interfere with, disturb, remove or scatter any Allowable Recyclable Waste, bundle, article or thing placed out for Curbside Collection, during regularly scheduled recycling collection periods,
15. No person, apart from an Occupant of a Dwelling Unit or Multi-Residential Building, or an owner, operator, employee or agent of a commercial, institutional, or industrial establishment within the geographical boundaries of the Municipality, shall set out Garbage or Allowable Recyclable Waste for Curbside Collection.
16. No person shall set out any Garbage or Allowable Recyclable Waste for Curbside Collection except at the Dwelling Unit, Multi-Residential Building, or commercial, institutional, or industrial establishment at which it was generated, except, if the dwelling unit, etc. is located on a private lane, it shall be placed where the private lane meets the public road, or where designated by the Municipality.
17. Garbage and Allowable Recyclable Waste will be picked up once per week in the District of Storrington, or at such other frequency as may be determined by Council from time to time. In the Districts of Loughborough and Portland, Garbage shall be picked up once per week and Allowable Recyclable Waste every other week or at such other frequency as may be determined by the Council from time to time.
18. When a normal Curbside Collection day falls on a statutory holiday and no collection is provided, the Municipality may provide an alternate collection day.
19. Garbage placed for Curbside Collection shall be drained of all liquids.
20. None of the following materials shall be set out for Curbside Collection .
 - a. Hazardous waste, liquids or waste containing free moisture, waste oil, batteries, explosives, sewage sludge, infectious wastes, pesticides, herbicides, paints, preservatives, cleaners, chemistry sets, ammunition, medicines, hairspray, dyes, petroleum products;
 - b. Automobile products including brake fluid, antifreeze, tires or batteries;
 - c. Construction items including drywall, scrap lumber, brush, metal, stone, brick or concrete;
 - d. Electrical appliances including stoves, fridges, freezers or television sets;
 - e. Grass clippings or leaves.
 - f. Dead Animals

21. All garbage and allowable recyclable waste placed out for curb side collection, shall be placed at the location designated by the Municipality and should not be placed so as to impede pedestrian or vehicular traffic.
22. All Garbage and Allowable Recyclable Waste placed for Curbside Collection shall remain the property of the person having so placed it until such time as the Municipality collects it.
23. No person shall set out any Garbage or Allowable Recyclable Waste for Curbside Collection before 6:00 A.M. on the day scheduled for collection, unless it is placed in bins approved by the Township. Garbage and Allowable Recyclable Waste must be placed at roadside no later than 7:00 A.M. on the day of collection to ensure pickup.
24. Any material which is set out for Curbside Collection and which is not Garbage or Allowable Recyclable Waste or has not been properly prepared for collection according to the provisions of this By-law shall not be collected.
25. Any waste which the Municipality declines to collect, and all reusable Garbage Containers, Blue Boxes, garbage bins and recycling receptacles, shall be removed from the curbside or collection site by the owner, operator, or Occupant of the Dwelling Unit, Multi-Residential Building, or commercial, institutional, or industrial establishment by or on whose behalf same was placed for collection, before 8:00 p.m. on the day on which the collection was scheduled to be made.

Part IV –Bag Tags

26. Effective September 1st, 2005, no person shall place any Garbage Container for Curbside Collection without first affixing one Bag Tag on each bag or garbage container positioned so that the South Frontenac Township bag tag is clearly visible.
27. The Township shall supply a “set” number of tags per user on an annual basis.
28. The cost of additional Bag Tags shall be \$3.00 per tag subject to amendment or adjustment by Council from time to time.
29. The general shape and form of the Bag Tags is authorized by Council , and Council. may from time to time change the authorized shape and colour of the Bag Tag.
30. No person shall remove any Bag Tag from a Garbage Container set out for curbside collection.
31. No person shall affix a bag tag that resembles or purports to be a Bag Tag other than a Bag Tag purchased from an Authorized Distributor.
32. No person shall alter an approved Township of South Frontenac issued Bag Tag by cutting or otherwise marking the tag in any manner.
33. No person who is not an Authorized Dealer shall sell Bag Tags without the written authorization of the Municipality.
34. Authorized Distributors must sell Bag Tags to the public at the face value as established by Council from time to time.
35. Authorized Distributors located within the Municipality’s geographical boundaries will receive a commission for the sale of Bag Tags, at a rate as may be established by Council from time to time.

Part VII –Prohibitions

36. No owner or Occupier of a Dwelling Unit, Multi-Residential Building, or commercial, industrial, or institutional establishment located within the geographical boundaries of the Municipality, shall permit any waste, refuse or debris to accumulate upon his or her lands or those lands in use by him or her.
37. Except as may be expressly permitted by this by-law, no person shall place any material out for Curbside Collection within the geographical boundaries of the Municipality.

38. No person shall disturb or interfere with any Garbage or Allowable Recyclable Waste set out for Curbside Collection on or about a street, alley, laneway, public or private way, public square, place, private lot or other land located within the geographical boundaries of the Municipality.
39. No owner or Occupant of a Dwelling Unit, Multi-Residential Building or commercial, industrial or institutional establishment located within the geographical boundaries of the Municipality, shall keep a garbage dump or container for waste material, refuse or debris upon his or her lands, or those lands in use by him or her, in such a condition or in such a location that the same shall be a nuisance or emit foul or offensive odours or harbour or attract rats or other vermin or insects.
40. No person shall throw, place or deposit waste, refuse, debris, or Garbage on private property or Municipal Property, on any roadway within the boundaries of the Municipality or on any property owned or operated by any local board thereof without the authority of the owner or occupant of such property.

Part VIII – Enforcement

41. The Municipality's by-law enforcement officer is hereby authorized and empowered to enforce the provisions of this by-law.
42. Any person who fails to comply with any of the provisions of this by-law shall be guilty of an offence and upon conviction is liable to a fine as set out under the Provincial Offences Act, R.S.O. 1990. c. P. 33, as amended.
43. In the event that any person fails to comply with the requirements or provisions of this by-law, the rectification of such matter may be carried out by the Municipality with the cost thereof being recoverable by the Municipality from that person either by suit, or in like manner as municipal taxes.

Part IX – General

44. If any provision of this by-law is, for any reason, held to be invalid, it is hereby declared to be the intention of Council that all the remaining provisions shall remain in full force and effect until repealed, notwithstanding that such one or more provisions shall have been declared to be invalid.
45. In the event of inconsistency or conflict between the provisions of this by-law and any term or condition of a Certificate of Approval issued in respect of a Waste Disposal Site, the Certificate of Approval shall prevail.
46. Any By-Laws' or parts thereof the Township of South Frontenac or the former Townships of Loughborough, Portland, Bedford or Storrington which conflict with the provisions of this by-law are hereby repealed.
47. This by-law comes into force and takes effect on November 15, 2005

Dated at the Township of South Frontenac this 15th day of November 2005.

Read a first and second time this 15th day of November 2005.

Read a third time and finally passed this 6th day of December 2005.

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

Bill Lake

Bill Lake, Mayor

Gordon Burns

Gordon Burns, Clerk-Administrator

SCHEDULE 'A' TO BY-LAW 2005- 98

Landfill Hours of Operation

All Township sites will be closed on the following holidays:

- Victoria Day
- New Year's Day
- Canada Day
- Good Friday
- Easter Monday
- Civic Holiday (August)
- Labour Day
- Thanksgiving Day
- Christmas Eve at 12:00 noon (Bedford Sites only)
- Christmas Day
- Boxing Day

Portland Waste Disposal Site

Tuesday, Thursday and Saturday from 9:00 a.m. to 4:00 p.m.,

Loughborough Waste Disposal Site

Tuesday, Thursday and Saturday from 8:00 a.m. to 5:00 p.m.

Bedford District Landfill Sites:

Day	Hours	Location
Tues.	8-12, 1-5	Salem
Wed.	8-12, 1-5	Green Bay
Thurs.	8 – 12, 1-5	Bradshaw
Fri.	8-12	Salem
	1-5	Massassauga
Sat.	8-12	Bradshaw
	1-5	Salem

From Victoria Day to Thanksgiving Weekend extra hours are available as follows:

Day	Hours	Location
Sun.	8-12,1-5	Green Bay
Mon.	8-12	Bradshaw
	1-5	Massassauga

Note: Bedford sites will be open on Statutory Holidays during the summer if the Statutory Holiday falls on a day that the site would normally be open to the public.

SCHEDULE 'B' TO BY-LAW 2005-98
As approved under authority of Township By-Law 2005-77
Rates for Disposal of Material
at Township's Landfill Sites

The following disposal fees apply to all Township Waste Disposal Sites except as noted:

ITEM _____	DISPOSAL FEE
- Bag Tags	- \$3.00 each
- Tires on rims	- \$7.00
- Small Tires	- \$5.00
- Large Tires (over 50cm)	- \$30.00
- Appliances (not refrig.)	- \$10.00 (stove, washer, dryer)
- Large Furniture Items	- \$20.00 (couch, beds)
- Small Furniture Items	- \$5.00 (tables, chairs)
- Electronic Items	- \$5.00 (computers, TV's, radios)
- Plumbing Items	- \$5.00 (toilets, sinks, tubs)
- Boats – up to 4.5m	- \$100.00
- Boats – 4.6m to 5.5m	- \$125.00
- Boats – 5.6m to 6.5m	- \$200.00
- Boats – over 6.5m	- \$200.00 + \$25 per each additional 0.5m
- Shingles (where accepted)	- \$100.00 per cubic metre (building permit required)
- Other loose materials	- \$25.00 per cubic metre (approximately equivalent to a level ½ ton truck load)

Please note:

1. Bag tag charges do not apply to Bedford residents.
2. Effective November 1, 2005, brush and leaves are no longer accepted at any of the Sites.
3. Effective November 1, 2005 the hours of operation of the Portland Site will be reduced to Tuesday, Thursday, and Saturday from 9:00 a.m. to 4:00 p.m.

RECYCLING DEPOTS IN PORTLAND & LOUGHBOROUGH DISTRICTS

Effective November 1, 2005 the depots operated at the Portland Site and the Loughborough Stage Coach Road Site will close.

SCHEDULE 'C' TO BY-LAW 2005 - 98**Materials banned for disposal at the
Township Landfill Sites**

1. All allowable recyclable waste as defined by the Township's Recycling Service provider from industrial, institutional or commercial generators except for recyclable material defined in clause 9 of the by-law.
2. Logs, stumps and brush
3. Hazardous Waste as defined by the Township's Household Hazardous Waste service provider and to include:
 - a) Pesticides and Garden Products
 - b) Household Cleaning Products
 - c) Paints and Solvents
 - d) Automotive and Garage Products
 - e) Miscellaneous
 - i) mercury batteries
 - ii) butane lighters & cylinders
 - iii) fluorescent lamp ballast (made before 1978)
 - iv) lighter fluid
 - v) photographic chemicals
 - vi) propane canisters
 - vii) smoke detectors (ionizing type)
 - viii) swimming pool chemicals
4. Medical and dental clinic wastes
5. Lawn and garden waste
6. Dead animals (**unless authorized by the Public Works Manager**)
7. Septic tank wastes
8. Earth and/or rock fill, except when authorized by the Public Works Manager

SCHEDULE "D" TO BY-LAW 2005-98

Disposal of Household Hazardous Wastes

South Frontenac Township has entered into an agreement with the Kingston Area Recycling Centre (KARC) to allow Township residents to make use of KARC's Household Hazardous Waste Depot. Days and Time of operation are set by KARC. Permits must first be purchased at the Township Office and presented at KARC when the material is taken to their site for disposal.

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

PART 1 *Provincial Offences Act*

By-Law #2005-98 Waste Management By-Law

Page # 1

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Offence Creating Provision	COLUMN 3 Set Fine (includes costs)
1	Unlawfully set out garbage for collection prior to 6:00 am on the day as scheduled collection.	Section # 25	\$125.00
2	Unlawfully set out recyclable waste for collection prior to 6:00am on the day of scheduled collection.	Section # 25	\$125.00
3	Fail to remove any garbage container from curbside before 8:00pm on the day scheduled for collection.	Section # 27	\$ 125.00
4	Fail to remove any recycling receptacle from curbside before 8:00pm on the day scheduled for collection.	Section # 27	\$ 125.00
5	Fail to position Bag Tag on bag so that the tag is clearly visible.	Section # 28	\$ 125.00
6	Unlawfully affix a bag tag, which resembles but is not an approved bag tag.	Section # 33	\$ 300.00

NOTE: Penalty provision for the offences indicated above is Section 53 of By-law No. 2005-98, a certified copy which has been filed.

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

PART 1 *Provincial Offences Act*

By-Law #2005-98, Waste Management By-Law

Page # 2

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Offence Creating Provision	COLUMN 3 Set Fine (includes costs)
7	Permit waste to accumulate on private land.	Section # 38	\$ 125.00
8	Unlawfully interfere with any garbage set out for collection.	Section # 40	\$ 125.00
9	Unlawfully deposit garbage on private property.	Section # 42	\$ 300.00
10	Unlawfully deposit garbage on municipal property.	Section # 42	\$ 300.00
11	Failure to place an approved bag tag on each garbage container set out for pick-up	Section # 28	\$300.00

NOTE: Penalty provision for the offences indicated above is Section 53 of By-law No. 2005-98, as amended, a certified copy which has been filed.

Township of South Frontenac Staff Report



To: Council

Prepared by: Office of the Chief Administrative Officer

Date of Meeting: May 2, 2023

Subject: **Appointment of Interim Director of Emergency Services & Fire Chief and Community Emergency Management Coordinator**

Summary

Staff are recommending that Council approve By-law 2023-41 and By-law 2023-42 in order to appoint Alex Bennett as Interim Director of Emergency Services & Fire Chief and James Thompson as Community Emergency Management Coordinator.

Recommendation

1. **That** By-law 2023-41 being a By-law to appoint Alex Bennett as Interim Director of Emergency Services & Fire Chief be given first and second reading.
2. **That** By-law 2023-41 be given third reading, signed and sealed.
3. **That** By-law 2023-42 being a By-law to appoint James Thompson as Community Emergency Management Coordinator be given first and second reading.
4. **That** By-law 2023-42 be given third reading, signed and sealed.

Discussion/Analysis

The Chief Administrative Officer is recommending that Alex Bennett be appointed as Interim Director of Emergency Services & Fire Chief effective May 3, 2023. Mr. Bennett will fulfill the duties of Fire Chief as outlined in *Fire Prevention and Protection Act*.

Additionally, staff are recommending that James Thompson be appointed as Community Emergency Management Coordinator effective May 3, 2023. Mr. Thompson will fulfill the duties of the Emergency Management Program Coordinator as outlined *Emergency Management and Civil Protection Act* and associated regulations.

Financial Implications

None

Township of South Frontenac

Staff Report - Appointment of Interim Director of Emergency Services & Fire Chief and Community

Emergency Management Coordinator

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.

Attachments

By-law 2023-41 – A By-law to Appoint a Fire Chief

By-law 2023- 42 – A By-law to Appoint a Community Emergency Management Coordinator

Approvals

Prepared by James Thompson

Approved By:



Louise Fragnito, CPA, CGA

Chief Administrative Officer-Clerk

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2023-41**

**A BY-LAW TO APPOINT AN INTERIM DIRECTOR OF EMERGENCY
SERVICES & FIRE CHIEF FOR THE TOWNSHIP OF SOUTH FRONTENAC**

WHEREAS the Council of the Township of South Frontenac deems it desirable and expedient to appoint a Township Director of Emergency Services & Fire Chief; and

WHEREAS Section 6 of the Fire Prevention and Protection Act, 1997 authorizes a municipality to appoint a Fire Chief who is responsible to Council for the delivery of Fire Services.

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

1. That Alex Bennett is hereby appointed as Interim Director of Emergency Services & Fire Chief for the Corporation of the Township of South Frontenac.
2. That By-law 2018-20 and any other by-laws or parts thereof conflicting with this by-law hereby repealed.
2. That this By-law shall come into force and take effect on May 3, 2023.

Dated at the Township of South Frontenac this 2 day of May 2023.

Read a first and second time this 2 day of May, 2023.

Read a third time and finally passed this 2 day of May, 2023.

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

Ron Vandewal, Mayor

James Thompson, Clerk

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2023-42**

**A BY-LAW TO APPOINT A COMMUNITY EMERGENCY MANAGEMENT
COORDINATOR FOR THE TOWNSHIP OF SOUTH FRONTENAC**

WHEREAS Section 10. (1) of *Ontario Regulation 380/04 Standards* under the *Emergency Management and Civil Protection Act* requires that every municipality shall designate an employee of the municipality or a member of the council as its emergency management program co-ordinator;

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

1. That James Thompson is hereby appointed as Community Emergency Management Coordinator for the Corporation of the Township of South Frontenac.
2. That this By-law shall come into force and take effect on May 3, 2023.

Dated at the Township of South Frontenac this 2 day of May 2023.

Read a first and second time this 2 day of May, 2023.

Read a third time and finally passed this 2 day of May, 2023.

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

Ron Vandewal, Mayor

James Thompson, Clerk

Township of South Frontenac Staff Report



To: Council

Prepared by: Public Services Department

Date of Meeting: May 2, 2023

Subject: Award of Tender # PS-2023-10 – Crack Sealing Program

Summary

This report provides background on the budget and award of contract for the annual crack sealing program for paved roadways.

Recommendation

This report is for information only.

Background

During the spring of each year, the Township obtains contracted services for the application crack sealing treatments as part of the preventative maintenance program for hard surfaced roadways. Crack sealing helps manage pavement performance by sealing roadway cracks 3mm or larger and reducing entry points for moisture into the road base. These treatments slow pavement deterioration and extend pavement service life up to 5 years. Research through the Pavement Preservation and Recycling Alliance (PPRA) has identified that 75% of unsealed cracks will develop into potholes in less than 3 years while only 1% of sealed cracks will develop potholes over the same period.

As part of this year's program, Public Services included tenders for over 43,000 linear meters of mastic and crack sealing on over 24.5km of hard surfaced roadways in the Township. The primary focus of this year's program is on Harrowsmith Road, Rutledge Road, Yarker Road, Wilton Road and Bellrock Road.

On February 22nd, 2023, the Township released a tender for crack sealing services on Biddingo and advertised on the Township's website. On March 22nd, 2022, the tender closed with a total of six (6) tender submissions received.

The results of the tender bids were as follows:

Supplier	Total (Inc. Net HST Rebate)
Cornell Construction Ltd.	\$93,407.08
Fine Line Markings Inc.	\$99,861.08
Neptune Security Services Inc.	\$126,027.22
Roadlast Asphalt & Sealing Maintenance Inc.	\$82,856.81
Roadmaster Road Construction & Sealing Inc.	\$117,484.54
Upper Canada Road Services Inc.	\$134,637.14

All the tenders were subsequently found to be complete and in compliance with the requirements of the procurement bylaw.

Discussion/Analysis

Staff completed a detailed review of the Roadlast Asphalt & Sealing Maintenance Inc. bid submission and found their tender bid to be balanced. Roadlast Asphalt & Sealing Maintenance is from Kemptville and has successfully completed crack sealing programs in various municipalities in Eastern Ontario and are well resourced to carry out the prescribed work.

This project is within the prescribed budget and has therefore been awarded to Roadlast Asphalt & Sealing Maintenance Inc. under Delegated Authority of the procurement bylaw.

Financial Implications

The 2023 operating budget has allocated \$100,000 in funding towards these preventative maintenance activities. The current contract with Roadlast Asphalt & Sealing Maintenance Inc. will therefore result in a surplus of \$17,143.19.

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):

Climate Considerations

When you examine the full lifecycle of any asphalt pavement the reconstructive stage will require the greatest energy demand and will generate the greatest construction cost. The overall effort to strip or pulverize a paved roadway, import new raw aggregate materials, and place new hot mix asphalt products requires significant labour, equipment, and material resources. This activity also contributes to greenhouse gas emissions through heavy equipment use, aggregate extraction/production, oil demand/refinement and asphalt production. As part of any climate adaptation strategy the Township must access and utilize available tools to extend the service life of its' roadway assets and therefore collectively reduce the impact of emissions generated by traditional reconstructions.

Based on the research work by the Pavement Preservation & Recycling Alliance (PPRA), crack sealing offers the following environmental benefits:

- extends pavement life around 3 to 5 years.
- uses between 13 and 38% times less energy when compared to hot mix paving and uses the least amount of energy per year of extended pavement life at less than 1,000 BTU/yd²-yr.
- one lane mile (1.6km) of sealant saves the equivalent of one barrel of crude oil when compared to hot mix paving; and
- crack sealing saves resources and energy by using post-consumer recycled tire rubber reducing the amount of polymers and chemicals consumed.

Overall, the commitment to timely preventative maintenance for roadways is one of the most significant strategies to manage the energy demands and emissions generated by conventional asphalt paving. The use of crack sealing is therefore considered to be a cost effective and environmentally responsible tool to work towards these objectives.

Notice/Consultation

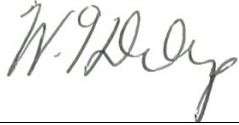
- Director of Corporate Services & Treasurer
- Construction Technologist

Attachments

None

Approvals

Submitted By:



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

Reviewed By:



Kyle Bolton, C.E.T.
Director of Public Services

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

Township of South Frontenac Staff Report



To: Council

Prepared by: Public Services Department

Date of Meeting: May 2, 2023

Subject: Award of Tender # PS-2023-03 – Sunbury Road Phase 1

Summary

This report provides background on the budget and award of contract for the reconstruction of a 4.0km long section of Sunbury Road from Battersea Road to Factory Road.

Recommendation

This report is for information only.

Background

In March of 2023, Council approved the 2023 Budget which included the reconstruction of a 4.0km section of Sunbury Road from Battersea Road to Factory Road. This includes in-place full depth processing of the existing road surface, granular 'A' placement, hot mix paving of 3.5m driving lanes with a 1.2m paved shoulder and culvert replacements. The Sunbury Road Reconstruction is a Schedule "A" project under the Municipal Class Environmental Assessment process and is otherwise considered pre-approved under the provisions of the Ontario Environmental Assessment Act.

The detailed design for this project was finalized in 2022 and involves some construction challenges that include: limited staging areas, proximity to water courses, environmental protection, traffic control (AADT of 1600) and the EDR designation. Terms of the contract require that all work be completed on or before September 29th, 2023.

On February 23rd, 2023, the Township released a tender for the project on Biddingo and advertised on the Township's website. On March 29th, 2023, the tender closed with a total of six (6) tender submissions received.

The results of the tender bids were as follows:

Supplier	Total (Inc. Non-Refundable HST)
Crains Construction Limited	\$3,630,728.11
GIP Paving Inc.	\$3,217,651.20
G. Williams Paving Ltd.	\$3,256,319.49
K. Mulrooney Trucking Ltd.	\$3,417,770.48
Len Corcoran Excavating Ltd.	\$3,819,209.51
R. W. Tomlinson Ltd.	\$3,698,276.40

All the tenders were reviewed and subsequently found to be complete and in compliance with the requirements of the procurement bylaw.

Discussion/Analysis

Staff completed a detailed review of the GIP Paving Inc. bid submission and found their tender bid to be balanced. GIP Paving Inc. has recently acquired Coco Paving and the company has the experiences and resources necessary to successfully perform the project.

This bid submission is within the prescribed budget and has therefore been awarded to GIP Paving Ltd. under Delegated Authority of the procurement bylaw.

Financial Implications

The 2023 capital budget allowance for the overall project is \$3,800,000 based on the original scope (see attached capital detail sheet). A detailed breakdown of the revised project budget is provided below:

Table 1 – Sunbury Road Budget Details

ACTIVITY	COST (\$)
a) GIP Paving Inc.	\$3,162,000
b) Engineering Design/Permits/Inspection / Contract Administration / Quality Assurance Testing / As-built Drawings	\$108,360
c) Allowance – Asphalt Cement Index / Fuel Adjustment	\$110,000
Subtotal	\$3,380,360
Contingency Allowance - 10% of the items a) and b) only	\$327,036
Non-Recoverable HST (1.76%)	\$65,250.17
Revised Project Budget (Inc. Non-Refundable HST)	\$3,772,646.17
Approved Budget (2023)	\$3,800,000
Estimated Surplus	\$27,353.83

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):

Climate Considerations

When you examine the full lifecycle of any hard surfaced roadways the reconstructive stage will require the greatest energy demand and will generate the greatest construction cost. The overall effort to strip or pulverize a hard surfaced roadway, import new raw aggregate materials, and place new emulsified asphalt products requires significant labour, equipment, and material resources. This activity also contributes to greenhouse gas emissions through heavy equipment use, aggregate extraction/production, oil demand/refinement and asphalt production. As part of any climate adaptation strategy the Township should access and utilize available tools to extend the service life of its' roadway assets and therefore collectively reduce the impact of emissions generated by traditional reconstructions.

The Sunbury Road Reconstruction project is currently beyond the stage of rehabilitation at this time and a reconstruction effort is therefore unavoidable at this point. Design approaches used on the project will continue to follow best practices by limiting the volume of excess materials hauled off site.

Notice/Consultation


- Director of Corporate Services & Treasurer
- Construction Technologist

Attachments

Attachment A – Sunbury Road – Capital Budget Sheet Project 23-40

Approvals

Submitted By:



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

Reviewed By:



Kyle Bolton, C.E.T.
Director of Public Services

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

Project Information

Project Name: Sunbury Road (Battersea Rd to Factory Rd)

Type of Project: Arterial Roadway

Project Number: 23-40

Basis for Activity: Asset Renewal

Department: 3100 - Structures

Relationship to Strategic Plan: N/A

Description: ASSETS # 56635 & 56750
 Reconstruction of 4.0km of Sunbury Road from Battersea Road to Factory Road. Construction to include full depth reclamation, placement of granular A materials and three lifts (140mm total) of superpave asphalt materials. Project will also include replacement of culverts, drainage improvements and new guiderail systems.

Rationale: Geotechnical study work has confirmed that Sunbury Road is not currently constructed to support the current traffic volumes and characteristics of the roadway. This section of roadway has sub-standard asphalt thicknesses ranging from 25mm to 70mm. Culverts along the section are also in poor condition and the Township experienced a major structure failure with a major culvert crossing in the spring of 2022.

Staff Contact: Troy Dunlop (tdunlop)

Project Finances

Description		Actuals	Budget						
		Expensed to Current Year	Total Project	Prior Approved	2023	2024	2025	2026	2027
55290 - Contracted Services	Expenses / Expenditure	0	3,685,000	0	3,685,000	0	0	0	0
55330 - Consultant	Expenses / Expenditure	0	115,000	0	115,000	0	0	0	0
Total		0	3,800,000	0	3,800,000	0	0	0	0



Friends
of Cataraqi Trail

March 7, 2023

Ron Vandewal, Mayor
c/o James Thompson, Clerk
Township of South Frontenac
4432 George Street, Box 100
Sydenham, Ontario, K0H 2T0

Dear Mr. ^{Bow}Vandewal,

We would like to invite your Council to appoint a representative of South Frontenac Township to the Friends of the Cataraqi Trail Board of Directors.

The Friends of the Cataraqi Trail is a volunteer organization that supports the Trail. The group organizes community clean ups, encourages discussion among all the users, raises issues of common concern, work with Cataraqi Conservation staff on improving the Trail and advocate for the Trail in the community. Its Board of Directors is made up of 16 representatives of the two snowmobile clubs, the Townships along the Trail and community members. Virtual meetings are held the 4th Thursday of the month starting at 7:00 p.m.

If you require more information on the Friends of the Cataraqi Trail, please visit our website: <https://cataraquitrail.ca/>.

We have recently finished a survey of trail users and would be happy to share our findings and discuss how the Trail can be improved in cooperation with Cataraqi Conservation staff.

South Frontenac Township has always been a wonderful supporter of the Trail providing invaluable assistance to keep the Trail a valuable recreational asset. We hope you will continue the support and look forward to an official representative from your community on the Friend's Board of Directors. Thank you again for all the past assistance from South Frontenac Township.

Respectfully yours,

Ross Sutherland, Chair of the Board of the Cataraqi Trail

CC. Tom Beaubiah, Manager Conservation Lands, Cataraqi Conservation

Friends of Cataraqi Trail

c/o Cataraqi Region Conservation Authority 1641 Perth Road, PO Box 160, Glenburnie ON, K0H 1S0
cataraquitrail.ca

Township of South Frontenac

Staff Report



To: Council

Prepared by: Office of the Clerk

Date of Meeting: May 2, 2023

Subject: **Notice of Motion – Proposed support for Bill 5, *Stopping Harassment and Abuse by Local Leaders Act, 2022***

Summary

Councillor Godfrey filed a notice of motion requesting that Council support The Bill 5, *Stopping Harassment and Abuse by Local Leaders Act, 2022*.

Recommendation

That the members of the South Frontenac Council support Bill 5, *Stopping Harassment and Abuse by Local Leaders Act, 2022*.

Background

At the April 18, 2023, Council meeting, Councillor Godfrey served a notice of motion requesting that Council support Bill 5, *Stopping Harassment and Abuse by Local Leaders Act, 2022*.

Discussion/Analysis

Bill 5, if passed, will amend the *Municipal Act, 2001*. The Bill will require the amendment of the code of conduct for municipal councillors and members of local boards to include a requirement for those councillors and members to comply with workplace violence and harassment policies.

Further, the proposed amendments would also permit municipalities and local boards to direct the integrity commissioner to apply to the court to vacate a member's seat if the commissioner's inquiry determined that the member has contravened the code of conduct by failing to comply with the workplace violence or harassment policies. That member would also be ineligible to stand as a candidate at any subsequent elections regarding the council of the municipality or the local board or be appointed to the council of the municipality for the current and subsequent term of council.

On August 10, 2022, Bill 5 was given first reading, the bill still must go through the second and third reading and be given Royal Assent.

Township of South Frontenac

Staff Report - Notice of Motion – Proposed support for Bill 5, Stopping Harassment and Abuse by Local Leaders Act, 2022

Staff have reviewed the Corporation of the Township of South Frontenac Code of Conduct for Members of Council and Local Boards and confirm that section 9.3 states “A Member shall comply with the Township’s workplace harassment and violence policy”. The Township is already in compliance with the proposed changes and would not have to amend our Code of Conduct.

Should Bill 5 receive Royal Assent, staff will continue to monitor the requirements of the legislation with respect to Township policies.

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.
- Action Item (if applicable): *N/A*

Attachments

Bill 5, An Act to amend various statutes with respect to workplace violence and harassment policies in codes of conduct for councillors and members of local boards.

Approvals

Prepared by:

Submitted By:



Michelle Hannah
Deputy Clerk

Township of South Frontenac

Staff Report - Notice of Motion – Proposed support for Bill 5, Stopping Harassment and Abuse by Local Leaders Act, 2022

Submitted By:



James Thompson
Clerk

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

1ST SESSION, 43RD LEGISLATURE, ONTARIO
71 ELIZABETH II, 2022

Bill 5

**An Act to amend various statutes with respect to
workplace violence and harassment policies in codes of conduct
for councillors and members of local boards**

Mr. S. Blais

Private Member's Bill

1st Reading August 10, 2022

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill amends the *Municipal Act, 2001* and the *City of Toronto Act, 2006*.

The amendments require the code of conduct for municipal councillors and members of local boards to include a requirement for those councillors and members to comply with workplace violence and harassment policies.

The amendments also permit municipalities and local boards to direct the Integrity Commissioner to apply to the court to vacate a member's seat if the Commissioner's inquiry determines that the member has contravened the code of conduct by failing to comply with the workplace violence or harassment policies. These applications may not be made during regular elections. Where a member's seat on the council of a municipality or a local board is vacated, the amendments contemplate restrictions on the member's ability to subsequently stand for election and be reappointed to the council of the municipality or the local board.

Bill 5

2022

**An Act to amend various statutes with respect to
workplace violence and harassment policies in codes of conduct
for councillors and members of local boards**

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Municipal Act, 2001

1 Section 223.2 of the *Municipal Act, 2001* is amended by adding the following subsection:

Required content

(1.1) The codes of conduct for members of the council of the municipality and of its local boards must include a requirement for the members to comply with the policies with respect to workplace violence or harassment that are established by the municipality or its local boards under section 32.0.1 of the *Occupational Health and Safety Act*.

2 Section 223.4 of the Act is amended by adding the following subsection:

Workplace violence or harassment

(6.1) In addition to imposing either of the penalties set out in subsection (5), the municipality or local board may direct the Commissioner to make an application to vacate the member's seat in accordance with section 223.4.0.1 if the Commissioner reports that, in their opinion, the member has contravened the code of conduct by failing to comply with the municipality's or local board's policies with respect to workplace violence or harassment.

3 The Act is amended by adding the following section:

Workplace violence or harassment application

223.4.0.1 (1) If directed to do so by a municipality or local board under subsection 223.4 (6.1), the Commissioner shall apply to a judge of the Superior Court of Justice for a determination of whether a member of the council of the municipality or local board has contravened the municipality's or local board's code of conduct by failing to comply with the municipality's or local board's policies with respect to workplace violence or harassment.

No application during regular election

(2) No application shall be made under this section during the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, and ending on voting day in a regular election, as set out in section 5 of that Act.

Contents of notice of application

(3) The notice of application shall state the grounds for finding that the member contravened the municipality's or local board's code of conduct by failing to comply with the municipality's or local board's policies with respect to workplace violence or harassment.

Penalty

(4) If the judge determines that the member has contravened the code of conduct by failing to comply with the municipality's or local board's policies with respect to workplace violence or harassment, the judge may declare the member's seat vacant.

Same

(5) A member whose seat on the council of a municipality or on a local board has been vacated under subsection (4) is ineligible to stand as a candidate at any subsequent elections respecting the council of the municipality or the local board or to be appointed to the council of the municipality or the local board during the period beginning on the day on which the member's seat is declared vacant and ending on the day of the second subsequent regular election.

City of Toronto Act, 2006

4 Section 157 of the *City of Toronto Act, 2006* is amended by adding the following subsection:

Required content

(1.1) The code of conduct for members of city council and of local boards (restricted definition) must include a requirement for the members to comply with the policies with respect to workplace violence or harassment that are established by the City or local board under section 32.0.1 of the *Occupational Health and Safety Act*.

5 Section 160 of the Act is amended by adding the following subsection:**Workplace violence or harassment**

(6.1) In addition to imposing either of the penalties set out in subsection (5), the City council or local board (restricted definition) may direct the Commissioner to make an application to vacate the member's seat in accordance with section 160.0.1 if the Commissioner reports that, in their opinion, the member has contravened the code of conduct by failing to comply with the City's or local board's policies with respect to workplace violence or harassment.

6 The Act is amended by adding the following section:**Workplace violence or harassment application**

160.0.1 (1) If directed to do so by City council or a local board (restricted definition) under subsection 160 (6.1), the Commissioner shall apply to a judge of the Superior Court of Justice for a determination of whether a member of City Council or of the local board (restricted definition) has contravened the City's or local board's code of conduct by failing to comply with the City's or local board's policies with respect to workplace violence or harassment.

No application during regular election

(2) No application shall be made under this section during the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, and ending on voting day in a regular election, as set out in section 5 of that Act.

Contents of notice of application

(3) The notice of application shall state the grounds for finding that the member contravened the City's or local board's code of conduct by failing to comply with the City's or local board's policies with respect to workplace violence or harassment.

Penalty

(4) If the judge determines that the member has contravened the code of conduct by failing to comply with the City's or local board's policies with respect to workplace violence or harassment, the judge may declare the member's seat vacant.

Same

(5) A member whose seat on city council or on a local board has been vacated under subsection (4) is ineligible to stand as a candidate at any subsequent elections respecting the city council or local board or to be appointed to the city council or the local board during the period beginning on the day on which the member's seat is declared vacant and ending on the day of the second subsequent regular election.

Commencement

7 This Act comes into force on the day it receives Royal Assent.

Short title

8 The short title of this Act is the *Stopping Harassment and Abuse by Local Leaders Act, 2022*.

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2023-43**

**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 May 2, 2023**

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 May 2, 2023 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 May 2, 2023 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 May 2, 2023 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 2 day of May 2023.

Read a third time and finally passed this 2 day of May, 2023

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

Ron Vandewal, Mayor

James Thompson, Clerk