



Township of South Frontenac Council Meeting Agenda



TIME: 6:30 PM,
DATE: Tuesday, January 9, 2024
PLACE: Council Chambers/Virtual Via Zoom .

1. Call to Order

- a) That the Council Meeting of January 9, 2024 be called to order at ____ p.m.

2. Declaration of pecuniary interest and the general nature thereof

3. Approval of Agenda

- a) That the agenda be approved.

4. Scheduled Closed Session

- a) Resolution:

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

a) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board - Ontario Land Tribunal

- b) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board - Ontario Land Tribunal

- c) Resolution:

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

5. Recess

6. Declaration of Office - Deputy Mayor Leonard

7. Public Meeting

8. Delegations

9. Briefings

10. Approval of Minutes

- a) That the minutes of the December 19, 2023 Council meeting be approved. 5 - 14

11. Reports Requiring Action

- a) Climate Change Action Plan Consultant Services 15 - 18

That Council approve the award of the consulting services contract for the development of the Township's Climate Change Action Plan to Strategy Corp. in the amount of \$59,122.56 including non-rebatable HST and;

That the required additional funding for the project be funded from the Climate Change Reserve.

- b) Proposed Re-Appointment of Mississippi-Rideau Source Protection Committee (SPC) Representative 19 - 20

That the Council of the Corporation of the Township of South Frontenac recommend to the Mississippi-Rideau Source Protection Committee (SPC) that Eleanor Renaud be re-appointed as the representative of municipalities without drinking water systems for a five-year term.

- c) Appointment of Members of Council to Committee of Adjustment 21 - 23

That the following members of Council be appointed to the Committee of Adjustment for a term concluding December 31, 2024:

- 1. Bedford District Councillor _____ ;*
- 2. Portland District Councillor _____ ;*
- 3. Loughborough District Councillor _____ ; and*
- 4. Storrington District Councillor _____ .*

That Councillor _____ be appointed to the Rideau Valley Conservation Authority Board for the term of Council.

- d) Community Safety and Policing Act – Frontenac OPP Detachment Board Appointment 24 - 27

That Mayor Vandewal and Councillor Pegrum be appointed as the Township of South Frontenac Council Representatives to the Frontenac OPP Detachment Board for the remainder of the term of Council; and

That David Herrington, be appointed as the Township of South Frontenac, Community Representative to the Frontenac OPP Detachment Board for the term of Council; and

That the Township of South Frontenac, Police Services Board be dissolved effective April 1, 2024 and that the Clerk be directed to amend the Committee By-law accordingly.

- e) Vacant Councillor Seat – Bedford District 28 - 30

That Council declare the office of Councillor for Bedford District, held by Charlene Godfrey vacant; and

That staff be directed to bring forward a report outlining options to fill the vacancy for consideration by Council at its meeting scheduled for Tuesday, January 16, 2024.

- f) South Frontenac Fire & Rescue Compensation 31 - 33

That Council provide approval for the South Frontenac Fire & Rescue (SFFR) compensation schedule itemized under Table 1 of the Staff Report to take effect as of January 1, 2024; and

That Council approve the funding stream as itemized under Table 2 of the Staff Report.

12. Advisory Committee Reports or Minutes

13. Reports Requiring Approval of By-laws

- a) Appointment of Director of Emergency Services & Fire Chief 34 - 36

That By-law 2024-02 being a By-law to appoint Del Blakney as Director of Emergency Services & Fire Chief insert text, be given first and second reading; and

That By-law 2024-02 be given third reading, signed and sealed.

- | | | |
|----|--|---------|
| b) | Amendment to By-law 2020-10 (A By-law to Assume Road Widening) | 37 - 41 |
|----|--|---------|

That By-law 2024-03 being a By-law to amend By-law 2020-10, be given first and second reading; and

That By-law 2024-03 be given third reading, signed and sealed.

- | | | |
|----|------------------------------------|---------|
| c) | Proposed Trailer Regulation By-law | 42 - 66 |
|----|------------------------------------|---------|

That Council recommend as follows:

a) That By-law 2024-01 attached as Exhibit A, being “A By-law to Regulate Trailer usage in the Township of South Frontenac” be given first and second reading.

b) That By-law 2024-01 be given third reading, signed and sealed.

c) That By-law 2024-05 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 2024-05 be given third reading, signed and sealed.

- | | | |
|----|---|---------|
| d) | Appointment of Drainage Superintendent under the Drainage Act | 67 - 69 |
|----|---|---------|

That By-law 2024-04 being a By-law to appoint Robinson Consultants Inc. as Drainage Superintendent under the Drainage Act, be given first and second reading; and

That By-law 2024-04 be given third reading, signed, and sealed.

14. Reports for Information

- | | | |
|----|--|---------|
| a) | 2023 Purchase and Sale of Land | 70 - 71 |
| | <ul style="list-style-type: none"> • This report provides a summary of properties sold and purchased from authorization to negotiate received by Council during various Committee of the Whole “Closed Meetings”. | |
| b) | Study Update – Preliminary Design Services for Reconstruction of Road 38 (Murton Road to Kingston Road) | 72 - 75 |
| | <ul style="list-style-type: none"> • This report provides an update on the status of the preliminary design study for the reconstruction of Road 38 including activities completed to date by Safe Roads Engineering Inc. | |

15. Committee of the Whole

16. Information Items

17. Notice of Motions

18. Rise and Report regarding County Council and External Boards

- | | |
|----|-----------------------|
| a) | County Council |
| b) | Police Services Board |

- c) Cataraqui Conservation
- d) Quinte Conservation
- e) Rideau Valley Conservation Authority
- f) Frontenac Community Arena Board

19. Announcements/Statements by Councillors

20. Closed Session (if requested)

- a) Resolution:

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

a) Approval of the December 19, 2023 Committee of the Whole "Closed Meeting" minutes.

b) personal matters about an identifiable individual, including municipal or local board employees - Development Services.

b) *Approval of the December 19, 2023 Committee of the Whole "Closed Meeting" minutes.*

c) *Personal matters about an identifiable individual, including municipal or local board employees - Development Services*

- d) Resolution:

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

21. Confirmatory By-law

- a) 76

That By-Law 2024-06, 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; and

That By-Law 2024-06 be given third reading, signed and sealed.

22. Adjournment

- a) That the Council meeting of January 9, 2024 be adjourned at ____.

Natural, Vibrant and Growing - A Progressive Rural Leader



Township of South Frontenac Council Meeting Minutes



Meeting

Time: 6:30 PM

Location: Council Chambers/Virtual Via Zoom

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

Staff: Louise Fragnito - Chief Administrative Officer, James Thompson - Clerk, Michelle Hannah - Deputy Clerk, Brad Wright - Director of Development Services, Alex Bennett- Acting Director of Fire and Emergency Services, Kyle Bolton - Director of Public Services, Shelley Stedall - Director of Corporate Services and Treasurer, Christine Woods - Senior Planner

1 Call to Order

a) Resolution

Resolution No. 2023:36:01

Moved by Councillor Ruttan

Seconded by Councillor Godfrey

That the Council meeting of December 19, 2023 be called to order at 6:30 p.m.

Carried

2 Declaration of pecuniary interest and the general nature thereof

a) There were none.

3 Approval of Agenda

a) Resolution

Resolution No. 2023:36:02

Moved by Councillor Roberts

Seconded by Councillor Leonard

That the agenda be approved, as presented.

Carried

4 Scheduled Closed Session

a) Resolution:

Resolution No. 2023:36:03

Moved by Councillor Pegrum

Seconded by Deputy Mayor Sleeth

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

a) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality

Carried

b) Resolution:

Resolution No. 2023:36:04

Moved by Councillor Trueman

Seconded by Deputy Mayor Sleeth

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

Carried

5 Recess

6 Public Meeting

a) Resolution - Public Meeting to Order (Proposed Amendments to By-law 2017-76)

- The Council of The Corporation of the Township of South Frontenac held a public meeting on December 19, 2023, at 7 p.m. on proposed amendments to By-law 2017-76 which provides for the governing the proceedings of Council, the conduct of members and the calling of meetings. The amendments are related to proposed changes to allow staff delegated authority to remove holding provisions and to clarify the Notice of Motion process.

Resolution No. 2023:36:05

Moved by Councillor Godfrey

Seconded by Councillor Leonard

The the public meeting for Proposed Amendments to By-Law 2017-76 be called to order.

Carried

b) Notice of Collection

c) Public Meeting - Proposed Amendments to By-law 2017-76.

The Clerk read the Notice of Collection and provided a summary of the proposed changes to the By-law.

Members of Council and members of the public did not provide comment.

d) Resolution - Close Public Meeting

Resolution No. 2023:36:06

Moved by Councillor Godfrey

Seconded by Councillor Roberts

That the Public meeting for Proposed Amendments to By-law 2017-76 be closed.

Carried

e) Resolution - Public Meeting to Order (Zoning By-law Amendments)

The Deputy Clerk read the Notice of Collection and summary of appeal rights.

Resolution No. 2023:36:07

Moved by Councillor Pegrum

Seconded by Councillor Trueman

That the Public Meeting held under the *Planning Act* for Zoning By-Law Amendments PL-ZBA-2023-0133, PL-ZBA-2023-0131, PL-ZBA-2023-0102 and PL-ZBA-2023-0092 be called to order.

Carried

f) Notice of Collection

Minutes of Council
December, 19, 2023

- g) Public Meeting for Zoning By-law Amendment Application - PL-ZBA-2023-0133, Broome and Malloy, 4839 Noble Lane

Christine Woods, Senior Planner provided an overview of the PowerPoint presentation.

There were no questions from Council.

Nancy Meyers, member of the public, advised that she is a property owner in South Frontenac on Devil Lake. Nancy Myers stated that she sympathized with the situation as the previous property owner utilized the existing chicken coop and did not verify the by-laws ahead of time.

She noted that there are some issues that Council should be aware of given media interviews related to this matter are misleading. Nancy Myers commented that there is generally a good reason for the submission of a complaint. Mayor Vandewal requested that Nancy Myers speak directly to the Zoning By-law amendment application.

Nancy Myers stated that in terms of chickens in general they attract pests, vermin and predators. Nancy Myers also advised that municipalities that allow backyard chickens have rules and regulations to protect the health and safety of residents. Nancy Myers also noted that nuisance animals are often re-located and chickens can be considered a nuisance.

Nancy Myers sought further information regarding the rationale for allowing certain chickens, the number of exemptions in place and whether it is known how many more applications could come forward.

Nancy Myers commented that she does not support the application because of the ramifications of the wildlife due to their proximity to the waterfront which could result in the spread of avian flu. Nancy Myers spoke to the spread of the avian flu by migrating waterfowl and the impact of poultry interaction with waterfowl and mammals. Nancy Myers noted that she had sent correspondence to the Senior Planner and the Clerk regarding this matter.

Nancy Myers spoke to the cancellation of pilot programs in other municipalities due to the costs. She commented that it is not as simple as just letting chickens on one property. She suggested that calling a cow or a chicken a pet is subjective and stated Council should consider both sides and when a complaint is received by the Township.

- h) Public Meeting for Zoning By-law Amendment Application - PL-ZBA-2023-0131, AlinkA Group Inc., 41 Bresee Road

Senior Planner, Christine Woods provided an overview of the application.

Councillor Pegrum noted that the application is too broad and suggested that the proposed uses be better defined. Christine Woods advised that there may be an opportunity to narrow or focus the list of permitted uses.

Kim Donovan, applicant spoke to the application and the desire to expand upon the current uses of the property for a learning facility, family and friends use the property. He mentioned that the barns have been renovated for use as art and studio purposes.

Richard Doherty advised that he is a professional planner and does a lot of work regarding environmental and economic development. The property has

Minutes of Council
December, 19, 2023

been used for events, wellness and health, economic and environmental uses and stated that the zoning by-law amendment will permit these uses formally. Richard Doherty advised that the uses on the property that were proposed were already established uses within the Zoning by-law and they can be narrowed down if needed. He also noted that there is neighborhood support for the application.

Mayor Vandewal noted that a list that reflects the actual uses would be more supportable.

Councillor Ruttan added that he would be much more comfortable with a specific list to make it more restrictive, not to tie the current owners hands but to ensure that someone, if the property was sold, does not come in and are able to make the property a large commercial enterprise which he believes is the exact opposite of the intention of the application.

Richard Doherty advised that they want to create an art school and sell the art to offset the cost of the supplies. Richard Doherty advised they wanted to legitimize the uses on the property.

The Mayor reiterated that council would like to see a narrowed down list of uses when it comes back to Council for consideration.

- i) Public Meeting for Zoning By-law Amendment - Application PL-ZBA-2023-0102, SNZ Holdings (Fotenn), 1425 Rutledge Road

Holly Newitt, agent, conducted the presentation of the application.

Senior Planner, Christine Woods also provided an overview of the application and her planning report.

Deputy Mayor Sleeth inquired as to the use, if it will be year-round or seasonal.

Holly Newit advised that the use will be year-round, but it will be a secondary use, an estimate of about 100 nights per year.

Deputy Mayor Sleeth inquired about the current entrance and if Public Services has reviewed this matter.

Christine Woods advised that Public Services reviewed the entrance and it has already been used as such and they have no issues with it.

Councillor Ruttan noted that this application is much more specific and is easier to support when the proposal is narrow and defined as opposed to a very wide scope.

Councillor Trueman inquired if the entrance is the shared driveway to the house.

Mayor Vandewal noted that the entrance runs by the house and barn that are existing down to the new development.

- j) Zoning By-law Amendment Application - PL-ZBA-2023-0092, Itterman, 2348 Sands Road, Storrington District

Senior Planner, Christine Woods provided an overview of the PowerPoint presentation.

Minutes of Council
December, 19, 2023

Mayor Vandewal inquired if there was any consideration for the placement of the new house so as to not have it in the rear yard of the house on the retained parcel.

Christine Woods identified that the parcels of land are large and well treed and therefore that was not considered as there should be sufficient privacy regardless of placement.

There were no further questions or comments from Council or the public.

k) Resolution - Close Public Meeting

Resolution No. 2023:36:08
Moved by Councillor Ruttan
Seconded by Councillor Leonard
That the Public Meeting be closed.

Carried

7 Delegations

- a) There were none.

8 Briefings

- a) There were none.

9 Approval of Minutes

- a) Resolutions

Resolution No. 2023:36:09
Moved by Deputy Mayor Sleeth
Seconded by Councillor Godfrey
That the minutes of the December 12, 2023 Council meeting be approved.

Carried

10 Reports Requiring Action

- a) Drinking Water Quality Management System: Management Review Report and Endorsement of Operational Plan

Heather Roberts, Utilities Kingston provided an overview of the Report.

Resolution No. 2023:36:10
Moved by Councillor Trueman
Seconded by Councillor Pegrum
That Council receive the Sydenham Drinking Water System Management Review Summary Report 2022, Management Review Meeting Minutes and Audit Report; and

That Council re-endorse the Operational Plan for the Sydenham Drinking Water System and authorize the Mayor and Clerk to sign the Owner and Top Management Endorsement of the Operational Plan for Sydenham's Drinking Water Supply Systems document showing Council's endorsement of the plan.

Carried

- b) 2024 Budget

Minutes of Council
December, 19, 2023

Resolution No. 2023:36:11
Moved by Councillor Roberts
Seconded by Councillor Deputy Mayor Sleeth
That Council approve and adopt the combined 2024 Capital and Operating budgets requiring \$22,474,275 to be raised by taxation, as attached.

Carried

c) Asset Retirement Obligations (ARO) Report

Resolution No. 2023:36:12
Moved by Councillor Leonard
Seconded by Councillor Godfrey
That Council approve the Asset Retirement Obligation Policy presented with this report that establishes guidelines to ensure compliance with the new standard PSAB PS 3280.

Carried

d) Cloud Server Migration RFP

Resolution No. 2023:36:13
Moved by Councillor Roberts
Seconded by Councillor Trueman
That Council support awarding the Migration to a Cloud- Hosted Server contract in the amount of \$85,104.74 including non-rebatable HST to IC 360 Solutions Inc.

Carried

e) 2024 Summer Student Compensation Change

Resolution No. 2023:36:14
Moved by Councillor Pegrum
Seconded by Councillor Godfrey
That Council provide approval for the Summer Student Wage Grid for 2024 itemized under Table 1 of the Staff Report.

Carried

f) Request for Speed Limit Reduction – Storrington Public School

Resolution No. 2023:36:15
Moved by Councillor Roberts
Seconded by Deputy Mayor Sleeth
That Council direct staff to advance technical review on the request from Storrington Public School.

Carried

g) Updated Asset Management Plan

Resolution No. 2023:36:16
Moved by Councillor Ruttan
Seconded by Councillor Trueman
That Council approve the 2023 Asset Management Plan as attached in the staff report.

Carried

11 Advisory Committee Reports or Minutes

a)
There were none.

Minutes of Council
December, 19, 2023

12 Reports Requiring Approval of By-laws

a) Dedication of 0.3 metre Reserves Abutting Orser Street, Subdivision Plan 1548

Resolution No. 2023:36:17

Moved by Deputy Mayor Sleeth

Seconded by Councillor Ruttan

That By-law 2023-100 to dedicate portions of the 0.3 metre reserve along Orser Street, Plan 1548, legally described therein, be given first and second reading.

Carried

Resolution No. 2023:36:18

Moved by Councillor Godfrey

Seconded by Councillor Leonard

That By-law 2023-100 be given third reading, signed and sealed.

Carried

b) Proposed Amendments to Council Procedure By-law, By-law 2017-76, As Amended regarding Delegated Authority (holding symbols) and Notice of Motion Process

Resolution No. 2023:36:19

Moved by Councillor Pegrum

Seconded by Councillor Roberts

That By-law 2023-92, being a By-law to amend By-Law 2017-76, As Amended, "A By-Law To Provide For Governing The Proceedings Of The Council, The Conduct Of Members And The Calling Of Meetings", be given first and second reading.

Carried

Resolution No. 2023:36:20

Moved by Deputy Mayor Sleeth

Seconded by Councillor Trueman

That By-law 2023-92 be given third reading, signed and sealed.

Carried

c) Deeming By-law Applications PL-LC-2022-0089 (St. Pierre), PL-LC-2022-0090 (Conn), PL-LC-2022-0151 (Stover), Plan 716

Resolution No. 2023:36:21

Moved by Councillor Godfrey

Seconded by Councillor Roberts

That By-laws 2023-101, 2023-102 and 2023-103 deeming the properties described as Lots 53, 54, and 55, Plan 716, District of Storrington, Township of South Frontenac not be lots in a plan of subdivision, be given first and second reading.

Carried

Resolution No. 2023:36:22

Moved by Councillor Ruttan

Seconded by Councillor Leonard

That By-laws 2023-101, 2023-102 and 2023-103 be given third reading, signed and sealed.

Carried

d) Parkland Dedication By-law Update

Resolution No. 2023:36:23

Minutes of Council
December, 19, 2023

Moved by Councillor Godfrey
Seconded by Councillor Roberts
That the report regarding the new Parkland Dedication By-law be received; and,

That the new Parkland Dedication By-law 2023-104 be given first and second reading.

Carried

Resolution No. 2023:36:24
Moved by Deputy Mayor Sleeth
Seconded by Councillor Trueman
That By-law 2023-104 be given third reading, signed and sealed.

Carried

- e) Zoning By-law Amendment Application - Z-21-29, Estate of Everett Orser (Keith Orser), Part of Lot 3, Concession 8, Loughborough

Resolution No. 2023:36:25
Moved by Deputy Mayor Sleeth
Seconded by Councillor Roberts
That By-law 2023-105 to amend the zoning on the lands at Part of Lot 3, Concession 8, District of Loughborough, Township of South Frontenac be given first and second reading.

Carried

Resolution No. 2023:36:26
Moved by Councillor Godfrey
Seconded by Councillor Pegrum
That By-law 2023-105 be given third reading, signed and sealed.

Carried

- f) Zoning By-law Amendment Application - PL-ZBA-2023-0092, Itterman, 2348 Sands Road, Storrington District

Resolution No. 2023:36:27
Moved by Councillor Roberts
Seconded by Councillor Trueman
That By-law 2023-106 to amend the zoning on lands known as 2348 Sands Road, Part of Lot 8, Concession 9, District of Storrington, Township of South Frontenac be given first and second reading.

Carried

Resolution No. 2023:36:28
Moved by Councillor Ruttan
Seconded by Councillor Trueman
That By-law 2023-106 be given third reading, signed and sealed.

Carried

13 Reports for Information

- a) There were none.

14 Committee of the Whole

- a) Not Applicable.

15 Information Items

Minutes of Council
December, 19, 2023

- a) There were none.

16 Notice of Motions

- a) There were none.

17 Rise and Report regarding County Council and External Boards

- a) County Council

Mayor Vandewal advised the Frontenac County, CAO Recruitment committee met and established the recruitment process which should conclude by the end of January, 2024.

- b) Police Services Board

Councillor Pegrum advised that Scott Underhill has been appointed as the new Detachment Commander for Frontenac.

- c) Cataraqui Conservation

Deputy Mayor Sleeth advised a new General Manager is being recruited following the departure of Katrina Furlanetto and stated that Tom Beaubiah is currently the acting General Manager.

- d) Quinte Conservation

Councillor Roberts advised the next meeting is December 21st.

- e) Rideau Valley Conservation Authority

Not applicable.

- f) Frontenac Community Arena Board

Not applicable.

18 Announcements/Statements by Councillors

- a) Councillor Godfrey announced her resignation from Council effective the conclusion of the December 19, 2023 Council meeting.

19 Closed Session (if requested)

- a) Mayor Vandewal noted that he will declare a pecuniary interest during the Committee of the Whole closed meeting with respect to Business Item 19. B.

- b) Resolution:

Resolution No. 2023:36:29

Moved by Councillor Ruttan

Seconded by Councillor Trueman

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

- a) Approval of the December 5, 2023 Committee of the Whole "Closed Meeting" minutes.

Minutes of Council
December, 19, 2023

- b) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.
- c) Personal matters about an identifiable individual, including municipal or local board employees - Recruitment.

Carried

c) Resolution:

Resolution No. 2023:36:30
Moved by Councillor Trueman
Seconded by Councillor Pegrum
That Council rise from the Committee of the Whole "Closed Meeting" without reporting.

Carried

20 Confirmatory By-law

a) Resolution

Resolution No. 2023:36:31
Moved by Councillor Roberts
Seconded by Councillor Ruttan
That By-Law 2023-107, 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. 2023:36:32
Moved by Councillor Godfrey
Seconded by Deputy Mayor Sleeth
That By-Law 2023-017 be given third reading, signed and sealed.

Carried

21 Adjournment

a) Resolution

Resolution No. 2023:36:33
Moved by Councillor Roberts
Seconded by Councillor Leonard
That the Council meeting of December 19, 2023 be adjourned at 9:12 p.m.

Carried

Ron Vandewal, Mayor

James Thompson, Clerk

Township of South Frontenac

Staff Report



To: Council

From: Office of the Chief Administrative Officer

Date of Meeting: January 9, 2024

Subject: Climate Change Action Plan Consultant Services

Report Number: 2024-009

Summary

This report provides a summary of information provided to date as well as recommended next steps for the development of the Township's Climate Change Action Plan.

Recommendation

That Council approve the award of the consulting services contract for the development of the Township's Climate Change Action Plan to Strategy Corp. in the amount of \$59,122.56 including non-rebatable HST and;

That the required additional funding for the project be funded from the Climate Change Reserve

Background

At the November 7, 2023 meeting, staff brought forward a report on the Climate Change Action Plan consulting services seeking to award the RFP with a scope of work totalling a value of \$97,394.50 including non-rebatable HST. The request was not supported as Council was seeking greater clarification on the purpose of the document as well as wanting to see examples of plans that would be suitable for South Frontenac as there was a concern that such a plan would consider or take a similar approach to the scale and methodology from a City perspective. There was also a concern on the amount being spent through the consultant in wanting to better understand the value being obtained.

Discussion/Analysis

Based on Council's feedback, the CAO investigated next steps to continue to move forward with the development of a Climate Action Plan.

As a first step, Council was provided some examples of suitable or similar Action Plans from Tay Valley and Township of King. Although not identical these are of similar scope and scale to the South Frontenac project.

The CAO also approached the consultant to further refine the scope of the project while ensuring it includes public engagement but which would be focused solely on the Corporate Climate Action plan of the Corporation.

Much like a strategic plan, the Climate Action plan would be driven by the priorities of Council and Staff with input from the public.

A Climate action Plan is a framework document for measuring, tracking, and reducing greenhouse gas emissions and adopting climate adaptation measures. It would provide a baseline inventory of our climate related infrastructure while itemizing projects that have already taken place and setting directions and goals for the future. The development of the Climate Action Plan provides clear Council direction on the priorities of Council and allows for staff to develop a realistic and attainable action plan based on South Frontenac's priorities along with known areas of sensitivities. It is a document that summarizes South Frontenac's commitment and roadmap to do it's part in preserving the environment while also providing a supporting document for grant applications driven to support Climate Change.

Financial Implications

The 2023 budget includes \$25,000 for this project. An additional amount of \$24,122.56 is required to fund the project and is proposed to be funded from the Climate Change Reserve.

Relationship to Strategic Plan

☐ Not applicable to this report.

☒ This initiative adheres to the following strategic pillars and directions of the 2023-2026 Strategic Plan.

- Pillar: Sustainable Long-Term Prosperity
- Values: Environmental Stewardship

Climate Considerations

☒ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change. It will provide the base line document to guide the decision and action plan for the future.

Attachments

Staff Report – November 7, 2023

Approvals

Approved By:



Louise Fragnito, Chief Administrative Officer

Township of South Frontenac

Staff Report



To: Council

Prepared by: Office of the Chief Administrative Officer

Date of Meeting: November 7, 2023

Subject: Climate Change Action Plan RFP

Summary

This report provides information on the results of the procurement process for the Climate Change Action Plan Request for Proposal (RFP) and request support in the award of the contract.

Recommendation

That Council support awarding the Climate Change Action Plan consulting services contract in the amount of \$97,394.50 including non-rebatable HST to Strategy Corp, and

That the required additional funding for the project be funded from the Climate Change Reserve

Background

Climate change is a national and international known priority. Municipalities play a key role in reducing emissions and adapting to extreme climate changes. This can be accomplished through the use of policies such as infrastructure planning or land-use planning. A significant component is also accomplished through the management and type of assets owned by the municipality.

The Township has undertaken various projects over the years to invest in climate change strategies such as the conversion of street lights to LED, lighting retrofits and the solar panel installation at the newest firehall.

The issued RFP and project focuses on the framework widely used in the municipal sector and created by the Federation of Canadian Municipalities (FCM) called Partners for Climate change protection model. The model is based on five milestones. The scope of the RFP focuses on the first three: creating baseline emissions inventory, setting emissions reduction targets and developing a Township-specific climate action plan.

Discussion/Analysis

On August 4, 2023, an RFP was issued to solicit interest in providing consulting services for the development of a Climate Change Action Plan. The RFP closed on September 8, 2023.

Two submissions were received and evaluated by the Climate Change staffing team. The results were as follows:

Name	Score	Price (incl. non-rebatable HST)
Strategy Corp	78.3	97,394.50
Sia	49.8	180,291.25

Strategy Corp provided the strongest proposal and demonstrated their consulting experience and understanding of both the municipal sector and within a rural environment. They are collaborating with Clean Air Partnership on this project to further expand the expertise in the Climate Change sector. The Township has worked with Strategy Corp in the past where they demonstrated their experience and expertise in managing timelines, facilitation discussion while documenting and summarizing information to provide a useful final product.

Financial Implications

The 2023 budget includes \$25,000 for this project. An additional amount of \$72,394.50 is required to fund the project and is proposed to be funded from the Climate Change Reserve.

Relationship to Strategic Plans

- ☐ Not applicable to this report.
- ☒ This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.
- Priority: 2. Promote and support growth than meets the community's needs while maintaining the integrity of our natural environment.

Climate Considerations

- ☒ The development of the Climate Change Action Plan will provide a consistent strategy and approach for the Township to use in its climate change initiatives.

Approvals

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

Township of South Frontenac

Staff Report



To: Council

From: Office of the Clerk

Date of Meeting: January 9, 2024

Subject: Proposed Re-Appointment of Mississippi-Rideau Source Protection Committee (SPC) Representative

Report Number: 2024-003

Summary

The purpose of the Report is to provide Council with background information and recommend approval of the re-appointment of the Mississippi-Rideau Source Protection Committee representative serving municipalities without drinking water systems.

Recommendation

That the Council of the Corporation of the Township of South Frontenac recommend to the Mississippi-Rideau Source Protection Committee (SPC) that Eleanor Renaud be re-appointed as the representative of municipalities without drinking water systems for a five-year term.

Background

The primary functions of the Source Protection Committee are as follows:

- Oversee a science-based planning process to protect municipal drinking water sources in the Mississippi-Rideau Source Protection Region
- Guide the implementation of the Mississippi-Rideau source protection plan, amendments to the plan and assessment reports, and other source protection work in accordance with the Clean Water Act and its regulations.

Further information regarding the mandate of the Mississippi-Rideau Source Protection Committee is outlined in correspondence received from Marika Livingston, Project Manager, Drinking Water Source Protection, Mississippi-Rideau Source Protection Region dated December 13, 2023, attached to the Report as Exhibit A.

Discussion/Analysis

Correspondence received from Eleanor Renaud, dated December 21, 2023 regarding Mississippi-Rideau Source Protection Committee Representative for Municipalities with No Municipal Drinking Water Systems is attached to the Report as Exhibit B.

Alternatively, Township of South Frontenac Council is entitled to recommend an alternate candidate to serve as the SPC representative of municipalities without drinking water systems in accordance with the selection process outlined in Exhibit A.

Financial Implications

None.

Relationship to Strategic Plans

- ☐ Not applicable to this report.
- ☒ This initiative adheres to the following guiding principle of the 2023-2026 Strategic Plan.
- Priority: Environmental Stewardship

Climate Considerations

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

Notice/Consultation

Marika Livingston, Project Manager, Drinking Water Source Protection

Mississippi-Rideau Source Protection Region Attachments

Exhibit A – Correspondence received from Marika Livingston, Project Manager, Drinking Water Source Protection, Mississippi-Rideau Source Protection Region dated December 13, 2023 regarding Selection of Municipal SPC Members

Exhibit B – Correspondence received from Eleanor Renaud, dated December 21, 2023 regarding Mississippi-Rideau Source Protection Committee Representative for Municipalities with No Municipal Drinking Water Systems

Approvals

Submitted By:



James Thompson, Clerk

Approved By:



Louise Fragnito, Chief Administrative Officer

Township of South Frontenac

Staff Report



To: Council

From: Office of the Clerk

Date of Meeting: January 9, 2024

Subject: Appointment of Members of Council to Committee of Adjustment

Report Number: 2024-004

Summary

The purpose of the report is to provide Council with required background information regarding the appointment of members of Council to the Committee of Adjustment for 2024 and appoint a member of Council to the Rideau Valley Conservation Authority Board for the term of Council.

Recommendation

That the following members of Council be appointed to the Committee of Adjustment for a term concluding December 31, 2024:

1. Bedford District Councillor _____ ;
2. Portland District Councillor _____ ;
3. Loughborough District Councillor _____ ; and
4. Storrington District Councillor _____ .

That Councillor _____ be appointed to the Rideau Valley Conservation Authority Board for the term of Council.

Background

In accordance with [Committee By-law 2023-04](#), Council is required to appoint four members of Council to the Committee of Adjustment annually.

Additionally, due to the resignation of Councillor Godfrey, Council is required to appoint a member of Council to the Rideau Valley Conservation Authority Board.

Discussion/Analysis

Detailed information regarding the operation and mandate of committees and boards can be found in the Committee By-law 2023-04.

A high-level summary of the mandate of the boards and committees requiring appointment of members of Council is as follows:

www.southfrontenac.net

South Frontenac is a welcoming and thriving rural community.

Committee of Adjustment:

The Committee of Adjustment is a quasi-judicial body. As legislated by the *Planning Act*, the Committee of Adjustment shall hold public hearings and to make decisions on applications for:

- Minor variances
- Enlargements or extensions of legal non-conforming uses
- Consents (severances)

Conservation Authority Boards:

The Rideau Valley Conservation Authority Boards sets policies and reviews the operations of the Conservation Authority pursuant to the *Conservation Authorities Act* of Ontario.

Financial Implications

Remuneration is paid based on By-law 2007-15, "A By-Law to Provide for the Remuneration for Members of Council". Council remuneration was reviewed and updated under resolution 2018-18-06 and 2019-18-17.

Relationship to Strategic Plans

☒ Not applicable to this report.

☐ This initiative adheres to the following guiding principle of the 2023-2026 Strategic Plan.

- Priority: Choose an item.
- Action Item (If Applicable): Insert Text

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

None.

Attachments

None.

Approvals

Prepared By: Michelle Hannah, Deputy Clerk

Submitted By:



James Thompson, Clerk

Approved By:



Louise Fragnito, Chief Administrative Officer

Township of South Frontenac

Staff Report



To: Council

From: Office of the Clerk

Date of Meeting: January 9, 2024

Subject: *Community Safety and Policing Act – Frontenac OPP Detachment Board Appointment*

Report Number: 2024-005

Summary

The purpose of the Report is to provide Council with background information regarding the upcoming implementation of the [Community Safety and Policing Act, 2019](#). Additionally, the Report recommends approval of the proposed appointment of Township of South Frontenac representation to the Frontenac OPP Detachment Board and that the Township of South Frontenac, Police Services Board be dissolved effective April 1, 2024.

Recommendation

That Mayor Vandewal and Councillor Pegrum be appointed as the Township of South Frontenac Council Representatives to the Frontenac OPP Detachment Board for the remainder of the term of Council; and

That David Herrington, be appointed as the Township of South Frontenac, Community Representative to the Frontenac OPP Detachment Board for the term of Council; and

That the Township of South Frontenac, Police Services Board be dissolved effective April 1, 2024 and that the Clerk be directed to amend the Committee By-law accordingly.

Background

Pending proclamation from the Lieutenant Governor, it is anticipated that effective April 1, 2024, the [Community Safety and Policing Act, 2019](#) will come into force and will replace the existing [Police Services Act](#). The new legislation will result in the changes to the administration and mandate of police services boards in the province of Ontario.

Discussion/Analysis

Currently, the Township of South Frontenac, Police Services Board operates in accordance with the [Police Services Act](#). The current composition of the Township of South Frontenac, Police Services Board includes the following members: Mayor Vandewal, Councillor Pegrum; Chair and David Herrington; member of the public. Additionally, Ken Gilpin has been appointed to the Township of South Frontenac, Police Services Board by the

Lieutenant Governor in Council. Members of the Police Services Board appointed by Council were appointed for the term of Council.

The implementation of the *Community Safety and Policing Act* will result in the Township of South Frontenac, Police Services Board being replaced with the Frontenac OPP Detachment Board.

The Frontenac OPP Detachment Board will be composed of representatives from the following municipalities: Central Frontenac, North Frontenac and South Frontenac townships.

Specifically, the Solicitor General has approved the following as the composition of the Frontenac OPP Detachment Board:

- Council Appointments – Four Representatives allocated as follows:
 - Central Frontenac – 1 Representative
 - North Frontenac – 1 Representative
 - South Frontenac – 2 Representatives
- Community Representative Appointments – Three Representatives allocated as follows:
 - Sharbot Obaadjiwan First Nation – 1 Representative
 - Central and North Frontenac – 1 Representative
 - South Frontenac – 1 Representative
- Provincial Appointments – Two Representatives allocated as follows:
 - Central and North Frontenac – 1 Representative
 - South Frontenac – 1 Representative

Police Services Board members currently serving as a provincial appointment will be invited to continue to serve on their respective OPP detachment board.

Following consultation with the Chief Administrative Officers of Central Frontenac, North Frontenac and South Frontenac townships it has been determined that the Township of South Frontenac Clerk will provide administrative and legislative support to the Frontenac OPP Detachment Board.

Staff recommend that the current members of the Township of South Frontenac, Police Services Board be appointed to the Frontenac OPP Detachment Board for the remainder of the term of Council. It is crucial for the Township of South Frontenac, Council to appoint representatives to the Frontenac OPP Detachment Board in a timely manner to ensure that the individual members can complete mandated training prior to April 1, 2024.

The Township of South Frontenac, Police Services Board will continue to meet until April 1, 2024.

The new Frontenac OPP Detachment Board will operate outside of the traditional Council Procedure By-law and Committee By-law processes. Staff will provide Council with further information regarding the legislated and administrative framework of the Frontenac OPP Detachment Board in the coming months.

A high-level summary of the mandate of the OPP detachment board is as follows:

“68 (1) The O.P.P. detachment board shall,

- (a) consult with the Commissioner regarding the selection of a detachment commander and otherwise participate, in accordance with the regulations, in the selection of the detachment commander;
- (b) determine objectives and priorities for the detachment, not inconsistent with the strategic plan prepared by the Minister, after consultation with the detachment commander or his or her designate;
- (c) advise the detachment commander with respect to policing provided by the detachment;
- (d) monitor the performance of the detachment commander;
- (e) review the reports from the detachment commander regarding policing provided by the detachment; and
- (f) on or before June 30 in each year, provide an annual report to the municipalities and band councils regarding the policing provided by the detachment in their municipalities or First Nation reserves. 2019, c. 1, Sched. 1, s. 68 (1).

69 (1) An O.P.P. detachment board may establish local policies, after consultation with the detachment commander or his or her designate, with respect to policing in the area receiving policing from the detachment.

Local policy requirements

(2) A local policy established under subsection (1) must meet the following requirements:

1. The local policy must not be inconsistent with,
 - i. the strategic plan prepared by the Minister,
 - ii. any policies established by the Minister under section 60,
 - iii. any procedures established by the Commissioner, or
 - iv. the local action plan prepared by the detachment commander.
2. The local policy must not relate to specific investigations, the conduct of specific operations, the management or discipline of specific police officers or other prescribed matters.
3. The local policy must not require a member of the Ontario Provincial Police to do something or refrain from doing something where this would be inconsistent with his or her duties under this Act or the regulations.
4. The local policy must not prohibit a member of the Ontario Provincial Police from attempting to collect information for the purpose of investigating an offence or assisting with the prosecution of an offence.

5. The local policy must not require a member of the Ontario Provincial Police to provide any policing that is not required as a component of adequate and effective policing.
6. The local policy must comply with any prescribed requirements.”

Financial Implications

To be determined at a later date.

Relationship to Strategic Plans

- ☐ Not applicable to this report.
- ☒ This initiative adheres to the following guiding principle of the 2023-2026 Strategic Plan.
 - Priority: Collaboration

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

Not applicable.

Attachments

Not applicable.

Approvals

Submitted By:



James Thompson, Clerk

Approved By:



Louise Fragnito, Chief Administrative Officer

Township of South Frontenac

Staff Report



To: Council

From: Office of the Clerk

Date of Meeting: January 9, 2024

Subject: Vacant Councillor Seat – Bedford District

Report Number: 2024-006

Summary

On December 19, 2023, at the conclusion of the Council meeting that evening, Charlene Godfrey resigned her seat as Councillor for Bedford District for the Township of South Frontenac, effectively immediately by providing written notice to the Township Clerk. In accordance with Section 262(1) of the [Municipal Act](#), Council shall at its next meeting declare the office to be vacant.

Recommendation

That Council declare the office of Councillor for Bedford District, held by Charlene Godfrey vacant; and

That staff be directed to bring forward a report outlining options to fill the vacancy for consideration by Council at its meeting scheduled for Tuesday, January 16, 2024.

Background

Sections 262 and 263 of the *Municipal Act*, states as follows:

“Declaration

262 (1) If the office of a member of a council becomes vacant under section 259, the council shall at its next meeting declare the office to be vacant, except if a vacancy occurs as a result of the death of a member, the declaration may be made at either of its next two meetings. 2001, c. 25, s. 262 (1).

Filling vacancies

263 (1) If a vacancy occurs in the office of a member of council, the municipality shall, subject to this section,

(a) fill the vacancy by appointing a person who has consented to accept the office if appointed; or

(b) require a by-election to be held to fill the vacancy in accordance with the *Municipal Elections Act*, 1996. 2001, c. 25, s. 263 (1).

Rules applying to filling vacancies

(5) The following rules apply to filling vacancies:

1. Within 60 days after the day a declaration of vacancy is made with respect to the vacancy under section 262, the municipality shall,
 - i. appoint a person to fill the vacancy under subsection (1) or (4), or
 - ii. pass a by-law requiring a by-election be held to fill the vacancy under subsection (1).”

Discussion/Analysis

Unless Council provides further direction at the January 9, 2024 Council meeting, the staff report will provide detailed information regarding the following three options to fill the vacancy:

1. Under this option, candidates who ran in the 2022 Municipal election in Bedford District would be given first consideration before moving to another option.
2. That Council approve an appointment process which permits any interested and qualified person to submit an application for appointment to Council; or
3. That Council fill the vacancy by requiring a by-election to be held.

Financial Implications

Not applicable.

Relationship to Strategic Plans

- ☒ Not applicable to this report.
- ☐ This initiative adheres to the following guiding principle of the 2023-2026 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.

Approvals

Submitted By:



James Thompson, Clerk

Approved By:



Louise Fragnito, Chief Administrative Officer

Township of South Frontenac

Staff Report



To: Council

Prepared by: Office of the Chief Administrative Officer

Date of Meeting: January 9, 2024

Subject: **South Frontenac Fire & Rescue Compensation Recommendation**

Summary

This report provides a recommendation for an increase to the South Frontenac Fire & Rescue compensation for implementation in 2024 to 2026.

Recommendation

That Council provide approval for the South Frontenac Fire & Rescue (SFFR) compensation schedule itemized under Table 1 of the Staff Report to take effect as of January 1, 2024.

And further, that Council approve the funding stream as itemized under Table 2 of the Staff Report.

Background

On October 1, 2023, the minimum hourly wage was increased to \$16.55. The current hourly rate of volunteer firefighters at that time was \$16.40. As of October 1st, this was increased to \$16.55 however this prompted a need for the current compensation structure for the volunteer firefighters to be examined.

Administration conducted a compensation review in November-December 2023. Typically, compensation structures are reviewed every five (5) years and the last review for SFFR occurred in 2018.

The following neighbouring municipalities were asked to participate in the review conducted by Human Resources: Central Frontenac, Leeds & the Thousand Islands, Loyalist, North Frontenac, Oro-Mendonte, Rideau Lakes and Stone Mills. All but Oro-Medonte and Rideau Lakes submitted their compensation information.

Discussion/Analysis

In consideration of the review findings and internal comparisons, Administration is recommending an adjustment to the SFFR compensation structure over the next three years to improve equity amongst the employee groups as shown in Table 1 below:

Table 1:

		Proposed Wage Grid (hourly rate)		
	2023	2024	2025	2026
VF	16.55	20.67	21.67	22.35
Captain	18.58 + honorarium \$1,299	26.12	26.64	27.18
Platoon Chief	24.05 + honorarium \$2,598	31.34	31.97	32.61

The change in the compensation structure will move all positions to an hourly rate and remove the current honorarium paid under the captain and platoon chief positions.

Financial Implications

The estimated financial impact has been calculated based on the average number of hours worked in 2022.

To transition the impact of the wage increase, staff are recommending the use of the SFFR Wage Stabilization Fund to offset the budget impacts for the first three years of the increase. The recommended utilization of the Wage Stabilization Fund is shown below:

Table 2:

	Budget	%increase	Tax Levy	Wage Stabilization Reserve Funding (estimated)	Reserve Balance (estimated)
2023	468,927				344,478
2024	497,000	5.99%	28,073	92,204	252,274
2025	541,730	9.00%	44,730	74,665	177,609
2026	590,486	9.00%	48,756	44,714	132,894
2027	643,629	9.00%	53,144	0	132,894

Relationship to Strategic Plans

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

Climate Considerations

- ☒ Not applicable to this report.
- ☐ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change.

Notice/Consultation

- Municipalities with comparable Fire Departments

Approvals

Prepared By:



Jan Minaker
Manager of Human Resources

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

Township of South Frontenac

Staff Report



To: Council

From: Office of the Chief Administrative Officer

Date of Meeting: January 9, 2024

Subject: Appointment of Director of Emergency Services & Fire Chief

Report Number: 2024-001

Summary

Staff are recommending that Council approve By-law 2024-02 in order to appoint Del Blakney as Director of Emergency Services & Fire Chief.

Recommendation

That By-law 2024-02 being a By-law to appoint Del Blakney as Director of Emergency Services & Fire Chief insert text, be given first and second reading; and

That By-law 2024-02 be given third reading, signed and sealed.

Background

Section 6. of the [Fire Protection and Prevention Act, 1997](#) outlines as follows:

“Fire chief, municipalities

6, (1) If a fire department is established for the whole or a part of a municipality or for more than one municipality, the council of the municipality or the councils of the municipalities, as the case may be, shall appoint a fire chief for the fire department.”

Responsibility to council

(3) A fire chief is the person who is ultimately responsible to the council of a municipality that appointed him or her for the delivery of fire protection services.

Powers of fire chief

(5) The fire chief may exercise all the powers assigned to him or her under this Act within the territorial limits of the municipality and within any other area in which the municipality has agreed to provide fire protection services, subject to any conditions specified in the agreement.”

Discussion/Analysis

The Chief Administrative Officer is recommending that Del Blakney be appointed as Director of Emergency Services & Fire Chief effective January 10, 2024. Mr. Blakney will fulfill the duties of Fire Chief as outlined in *Fire Prevention and Protection Act*.

Financial Implications

Not applicable.

Relationship to Strategic Plans

☒ Not applicable to this report.

☐ This initiative adheres to the following guiding principle of the 2023-2026 Strategic Plan.

- Priority: Choose an item.
- Action Item (If Applicable): Insert Text

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

Exhibit A – By-law 2024-02

Approvals

Prepared By:



James Thompson
Clerk

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

By-Law Number 2024-02**A By-Law To Appoint A 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 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 may exercise all the powers assigned to him or her under the Act within the territorial limits of the municipality and within any other area in which the municipality has agreed to provide fire protection services, subject to any conditions specified in the agreement;

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

1. That Del Blakney is hereby appointed as Director of Emergency Services & Fire Chief for the Corporation of the Township of South Frontenac.
2. That By-law 2023-41 and any other By-laws or parts thereof conflicting with this By-law be repealed.
3. That this By-law shall come into force and take effect on January 10, 2024.

Given First and Second Readings: Tuesday, January 9, 2024

Given Third Reading and Passed: Tuesday, January 9, 2024

James Thompson, Clerk

Ron Vandewal, Mayor

Township of South Frontenac

Staff Report



To: Council

From: Office of the Clerk

Date of Meeting: January 9, 2024

Subject: Amendment to By-law 2020-10 (A By-law to Assume Road Widening)

Report Number: 2024-002

Summary

The purpose of this report is to provide information with respect to amending By-law 2020-10 being a By-law to assume road widening in the Township.

Recommendation

That By-law 2024-03 being a By-law to amend By-law 2020-10, be given first and second reading; and

That By-law 2024-03 be given third reading, signed and sealed.

Background

In 2020, Planning Staff brought a report and By-law to Council to facilitate the assumption of road widening, mostly completed through Consent applications.

It was discovered that the By-law was never registered and upon attempting to register the bylaw, minor legal description and PIN errors were discovered in By-law 2020-10.

Discussion/Analysis

Staff are requesting that Council amend By-law 2020-10 with respect to two sections of the By-law being:

#3 on the By-law states that the lands are in Part of Lot 1 and 2, Concession 9, being Part 3, 13R-21806, the PIN says that the land is only part of Lot 1, Concession 9, being Part 3, 13R-21806.

#4 on the By-law indicates that Part Lot 19, Concession 11, being Part 1, 13R-2188. Part 1 is not owned by the Township; it should be Part 2.

Financial Implications

None, as long as the By-law is passed by January 11, 2024 as this is the extension the Land Registry Office has provided to re-register the amended By-law.

Relationship to Strategic Plans

- ☒ Not applicable to this report.
- ☐ This initiative adheres to the following guiding principle of the 2023-2026 Strategic Plan.
- Priority: Choose an item.
 - Action Item (If Applicable): Insert Text

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

Municipal Solicitor

Attachments

Exhibit A – By-law 2020-10 - Original By-law

Exhibit B – By-law 2024-03 - A By-law amendment to 2020-10

Approvals

Prepared By: Michelle Hannah, Deputy Clerk

Submitted By:



James Thompson, Clerk

Approved By:



Lousie Fragnito, Chief Administrative Officer

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2020-10**

**BEING A BY-LAW TO ASSUME AS COMMON AND PUBLIC
HIGHWAY CERTAIN LANDS IN THE TOWNSHIP OF SOUTH
FRONTENAC, PURSUANT TO SECTION 31(6) OF THE
MUNICIPAL ACT, 2001.**

WHEREAS certain lands in the Township of South Frontenac were deeded to the Township of South Frontenac as a condition of consent, for the purpose of dedicating them to public use as common and public highways;

AND WHEREAS Council wishes to enact a by-law for the purpose of assuming the lands as part of the public highways to be maintained by the municipality;

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

Those lands herein described are assumed as common and public highways.

1. **PT LT 22 & 23, CON 7 LOUGHBOROUGH BEING PART 3 ON PLAN 13R-6841, municipally known as North Shore Road.**
2. **PT LT 1, CON 6 STORRINGTON BEING PART 1 ON PLAN 13R-8548, municipally known as Washburn Road.**
3. **PT LT 1 & 2 CON 9 STORRINGTON BEING PT 3 ON PLAN 13R-21806, municipally known as Lower Round Lake Road.**
4. **PT LT 19 CON 11 PORTLAND BEING PT 1 ON PLAN 13R-21889, municipally known as First Lake Road.**
5. **PT LT 20 CON 1, BEDFORD, BEING PT 1-4 ON PLAN 13R-21562 (except mining rights as in BE16542, S/T BE16514, BE16543), municipally known as Fish Creek Road.**
6. **PT LT 7 CON 9, STORRINGTON BEING PT 1 ON PLAN 13R-22039, municipally known as Battersea Road.**
7. **PT LT 22 CON 9 STORRINGTON, BEING PTS 2 & 3 ON PLAN 13R-21985, municipally known as Carrying Place Road.**
8. **PT LT 1 CON 2 LOUGHBOROUGH, BEING PT 2 ON PLAN 13R-21965, municipally known as Forest Road.**
9. **PT LT 13 CON 10 STORRINGTON, BEING PT 2 ON PLAN 13R-22012, municipally known as Ramparts Road.**
10. **PT LT 3 CON 4 LOUGHBOROUGH, BEING PT 2 ON PLAN 13R-21914, municipally known as Campbell Road**
11. **PT LT 24 CON 4 STORRINGTON, BEING PT 4 ON 13R-21844, municipally known as Round Lake Road**
12. **PT LT 21 CON 2 STORRINGTON, BEING PT 3 & 4 ON PLAN 13R-21735, municipally known as Round Lake Road.**

- 13. PT LT B BLK R PLAN 50 LOUGHBOROUGH, BEING PT 3 ON PLAN 13R-21830, municipally known as Bedford Road
- 14. PT LT 15 CON 13 PORTLAND, BEING PT 2 ON PLAN 13R-21967, municipally known as First Lake Road
- 15. PT LT 31 CON 10 BEDFORD, BEING PT 13 ON PLAN 13R-18972, municipally known as Burridge Road.
- 16. PT LT 1-2, CON 8 PORTLAND, BEING PT 2 & 3 ON PLAN 13R-21864, municipally known as New Morin Road.

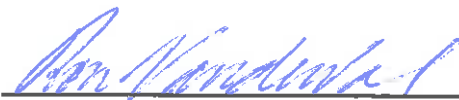
This by-law shall come into force and take effect on the date of registration of this by-law.

Dated at the Township of South Frontenac this 3rd day of March, 2020.

Read a first and second time this 3rd day of March, 2020.

Read a third time and finally passed this 3rd day of March, 2020.

THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC



Ron Vandewal, Mayor



Angela Maddocks, Clerk

By-Law Number 2024-03

A By-Law to Amend By-law 2020-10

Whereas certain lands in the Township of South Frontenac were deeded to the Township of South Frontenac as a condition of consent, for the purpose of dedicating them to public use as a common and public highways; and

Whereas Council wishes to enact a by-law for the purpose of assuming lands as part of the public highways to be maintained by the municipality.

Therefore be it resolved that the Council of the Corporation of the Township of South Frontenac hereby enacts as follows:

1. Sections # 3 and # 4 of by-law 2020-10 be amended to read as follows:

“#3 Part of Lot 1, Concession 9, being Part 3, 13R-21806; and

#4 Part Lot 19, Concession 11, being Part 2, 13R-2188.”

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

Given First and Second Readings: Tuesday, January 9, 2024

Given Third Reading and Passed: Tuesday, January 9, 2024

James Thompson, Clerk

Ron Vandewal, Mayor

Township of South Frontenac

Staff Report



To: Council

Prepared by: Office of the Clerk

Date of Meeting: January 9, 2024

Subject: **Proposed Trailer Regulation By-law**

Summary

The purpose of the Report is to provide Council with background information and recommend approval of the proposed Trailer Regulation By-law which is intended to replace the existing [Trailer Licensing By-law](#), By-law 2004-93, As Amended.

Recommendation

That Council recommend as follows:

- a) **That** By-law 2024-01 attached as Exhibit A, being “A By-law to Regulate Trailer usage in the Township of South Frontenac” be given first and second reading.
- b) **That** By-law 2024-01 be given third reading, signed and sealed.
- c) **That** By-law 2024-05 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 2024-05 be given third reading, signed and sealed.

Background

On October 5, 2004, Council enacted [By-law 2004-93](#), As Amended, A By-law to License Trailers Which Are Lawfully Located in the Municipality, Except Those Located In An Established Trailer Park In The Municipality.

The administration of By-law 2004-93, As Amended, has been influenced by the passage of numerous resolutions and amending by-laws. Most recently, By-law 2004-93 was amended on August 9, 2022 to permit administrative monetary penalties to be issued to address violations of the Trailer Licensing By-law.

To provide further explanation regarding the background of By-law 2004-93, As Amended, it is worthy to note that on March 19, 2019, Council adopted [By-law 2019-18](#) which amended Section 5., Clause 1. of By-law 2004-93, As Amended, which related to license fees for trailers. The amendment resulted in the adjustment of the annual trailer license fee for trailers that are lawfully licensed in the Township from 330.00 per trailer to 385.00 per license, effective January 1, 2020.

Additionally, Resolution [2019-09-11](#), approved by Council on March 19, 2019 which provided clarity with respect to the enforcement expectations of By-law 2004-93. The resolution outlined the following:

- Council extended the compliance date for the prohibition of the use of licensed trailers on private residential property to December 31, 2023;
- Over the period of the extension, By-law Services shall inspect each property to ensure that the trailer currently on site matches the trailer licensed when the By-law was established;
- By-law Services shall continue to enforce the removal of unlicensed trailers should complaints be filed regarding new trailers or if they are discovered during an inspection.

The above information was communicated to licensed trailer owners through a letter from Wayne Orr, Chief Administrative Officer. Furthermore, the correspondence stated the following:

“The original By-law was intended to gradually reduce the number of trailers in use on private residential properties. The change of fees was adopted to reflect the increased cost of administering and enforcing the By-law. Annual trailer license fees will continue to be invoiced as part of the property tax process.”

To provide further historical context it is worthy to note that Resolution 2009-35-09 outlined as follows:

- “...4. All trailers must have been licensed in 2005 and inspected by KFL&A Public Health in order to be covered by this resolution and granted a license;
5. No new trailers are allowed to be situated in the Township of South Frontenac on an ongoing basis unless in an area designated for their use;
6. Trailers (in the licensing program) that are removed from any reason cannot be replaced by another trailer.”

Discussion/Analysis

In July, 2022, the Township of South Frontenac commenced allocating additional resources to the By-law Enforcement Program. Since then, many of the Township of South Frontenac enforcement by-laws have been updated through various by-law amendments.

As the Trailer License By-law has been amended on numerous occasions via resolutions and amending by-laws approved by Council since its enactment on October 5, 2004, staff recommend that By-law 2004-93, As Amended be repealed and replaced with the proposed Trailer Regulation By-law, attached to the Report as Exhibit A to provide clarity.

Current state of enforcement regarding the Trailer License By-law:

Since July, 2022, Frontenac Municipal Law Enforcement has investigated approximately forty complaints regarding the violation of the Trailer License By-law. During this period, approximately fifty administrative monetary penalties have been issued in response to violation of the Trailer License By-law. It is worthy to note that often properties which are in contravention of the Trailer License By-law are in contravention of other enforcement by-laws, such as the By-law to Regulate Open Air Burning, the Noise By-law or Safe Properties By-law. Furthermore, some of the most significant enforcement issues in the Township of South Frontenac involve the violation of the Trailer License By-law.

In November, 2023, Frontenac Municipal Law Enforcement and Clerk's Department staff conducted an audit of the properties in possession of a trailer license.

Based on the results of the audit of the license program, staff recommend that notwithstanding Resolution 2019-09-11, (which required that all trailers in the license program be removed by December 31, 2023) that properties which currently are generally in good standing with the existing license program be permitted to keep the (original) licensed trailer indefinitely on the property provided that the property owner abide by the new proposed regulations outlined in the proposed Trailer Regulation By-law. (The proposed regulations are outlined later in the Report.)

Additionally, staff recommend that the properties which were found to be in contravention of the license program be required to achieve compliance with the proposed Trailer Regulation By-law and other Township of South Frontenac by-laws or the *Ontario Building Code Act*, if applicable, by May 30, 2024.

The Township Solicitor has reviewed this matter and has confirmed that the Township of South Frontenac requiring the removal of trailers which were placed on a property participating in license program post 2005 is defensible. As outlined in the Background Section of the Report, Resolution 2009-35-09 and Resolution 2019-09-11 illustrated that it was the desire of numerous councils that the trailer license program eventually conclude. Furthermore, the resolutions clearly indicate that only grandfathered trailers which were placed on a property by 2005 and properly accounted for in the license program were exempt from the prohibitions outlined in the Trailer License By-law. The resolutions outlined that the licensed trailers were not permitted to be replaced as it was intended that the licensing program would be limited in scope to grant temporary permissions for grandfathered trailers which were permitted under the zoning by-laws of the former townships.

Comparison of By-law 2004-93, As Amended and Proposed Trailer Regulation By-law:

The purpose of the following chart is to provide a comparison between the main elements of both the existing Trailer License By-law (By-law 2004-93, As Amended) and the proposed Trailer Regulation By-law attached to the Report as Exhibit A.

Township of South Frontenac
Staff Report - Proposed Trailer Regulation By-law

By-law Section	By-law 2004-93 (Existing By-law)	By-law Section	Proposed Trailer Regulation By-law
2.3	STORED TRAILER means any trailer located on the property only for the purpose of sale or storage but shall not include any trailer being used at any time for living, sleeping or eating accommodations of persons while located on the property.	Definitions	“Stored Trailer” means any trailer, mobile home or park model trailer located on a property only for the purpose of sale or storage but shall not include any trailer being used at any time for living, sleeping or eating accommodations of persons while located on the property.
3.1	No person shall use and/or keep a trailer on any property within the Township; except in an established Trailer Park, where the use is permitted and conforms to the Township of South Frontenac Comprehensive Zoning By-law.	4.1	4.1 No person shall use and / or keep a trailer on any property within the Municipality with the following exceptions: a. in accordance with this By-law; b. if the use is a permitted use under the Comprehensive Zoning By-Law No. 2003-75 or its successor; or c. in accordance with the terms of a license issued pursuant to this By-law.

By-law Section	By-law 2004-93 (Existing By-law)	By-law Section	Proposed Trailer Regulation By-law
3.2	Where the trailer was legally placed on the property prior to the date of implementation of the initial Zoning By-law of each District, the trailer cannot continue to be occupied without a license. The dates of implementation for each District are; Portland By-law #12-78 - November 7, 1978 Bedford By-law #14-1983 - September 27, 1983 Loughborough By-law #82-8 - June 7, 1982 Storrington By-law #87-04 - January 5, 1987	5.1.	Despite section 5.1, a person may use a trailer for the purposes of temporary habitation only in accordance with the following: a. i. Where a trailer was legally placed on a property prior to the date of the implementation of the Zoning By-law of each former Township as set out below, the trailer may continue to be occupied for purposes of temporary habitation provided the owner of the property obtains a licence for the trailer. The dates of implementation for each District are: Portland By-law #12-78 – November 7, 1978 Bedford By-law #14-1983 – September 27, 1983 Loughborough By-law # 82-8 – June 7, 1982 Storrington By-law # 87-04 – January 5, 1987; and ii. Where a trailer has been legally located on a property prior to the date of the implementation of the Zoning By-law of each former Townships as set out in paragraph 5.1, a licence has been issued and kept in good standing for the trailer, and the licenced trailer has not been replaced after 2005.

By-law Section	By-law 2004-93 (Existing By-law)	By-law Section	Proposed Trailer Regulation By-law
3.3	The owner of land; other than land used as an established Trailer Park within the Township; upon which a legally non-conforming trailer is located, shall be responsible for obtaining a license from the Township Office. No license shall be issued unless the prescribed fee has been paid.	5.1. b. 5.1. c.	The owner of the property shall ensure that the licence is kept in good standing. The Clerk's Department has delegated the authority to administer the issuance of the license and the collection of the annual license fee of \$400.00 to the Treasury Department.
3.4	Where a trailer, that is located on a property in the Township, other than on land used as an established Trailer Park, has been established to a legally non-conforming use and where such trailer has only been used occasionally for living, sleeping or eating accommodation of persons, such trailer shall not be deemed to be a stored trailer as defined in Section 2.3 and shall be subject to a license for the period of time on which it is located on the property.	5.1. 5.1. d. 5.1. e.	See above. Any trailer for which a licence was obtained under a predecessor By-law, but is neither the original trailer that was located on the property prior to the date of the implementation of the Zoning By-law of each former townships or was replaced after 2005, as set out in paragraph 5.1 above, is prohibited. Licensed trailers that are removed for any reason cannot be replaced by another trailer. No additional licences are to be granted as it is understood that as the original trailers reach the end of their useful life they will cease to exist.

By-law Section	By-law 2004-93 (Existing By-law)	By-law Section	Proposed Trailer Regulation By-law
3.4.	See above.	5.1. g.	Every property that has a trailer located thereon which has been issued a licence will be subject to an annual inspection by Township staff or Municipal By-law Enforcement Officer to ensure compliance with this By-law, the Trailer Licence, the Safe Properties By-law, Zoning By-law and <i>Ontario Building Code Act</i> .
		5.1. h.	If at any time the Municipality has reasonable grounds to believe that the holder of a Trailer Licence or Temporary Living Accommodations Agreement is not complying with the Safe Properties By-law, Zoning By-law and <i>Ontario Building Code Act</i> , the Clerk's Department may suspend or revoke the licence.
		5.1. i.	The Clerk's Department may impose such terms or conditions on a licence or Temporary Living Accommodations Agreement as the Clerk's Department consider appropriate.
4.2	Where a building permit for a single family dwelling unit has been issued by the Township's Chief Building Official, and where the Zoning By-law permits such, the permit holder may enter into an agreement for the placement of a trailer on the property where the unit is being constructed or reconstructed solely for the purpose of the construction and only if any applicable fees are paid and the trailer is promptly removed prior to the expiration of the said building permit.	5.1. f.	A person may live, sleep and eat in a trailer on an active building site where a valid building permit has been issued by the Municipality under the Ontario Building Code, and the trailer is necessary for the owners to reside in during construction and the owner has entered into a Temporary Living Accommodations Agreement with the Township of South Frontenac.

The above chart illustrates that the proposed Trailer Regulation By-law generally is in keeping with the existing Trailer License By-law, As Amended.

Summary of new provisions included in the proposed Trailer Regulation By-law:

The clauses included in Section 4.2. and 4.3. of the proposed Trailer Regulation By-law are intended to regulate the parking of trailers. For clarification, the storage of trailers in the rear or interior side yard would not be restricted provided that the trailers were not being stored within thirty metres of a waterbody. Furthermore, the clauses prohibit the indefinite storage of debris in a trailer and the parking of a trailer on municipal property.

The following provides an overview of the proposed Sections 4.2. and 4.3.:

“4.2 The following regulations apply to the keeping of all types of trailers on all properties in the Municipality:

- a. The keeping of a stored trailer, or utility trailer shall only be permitted on properties zoned to permit residential use where the property contains a dwelling, or on properties zoned for commercial or industrial use where the property has a primary use established as defined by the Zoning By-law.
- b. Properties shall not keep more than three (3) stored trailers or utility trailers in the front yard. There shall be no limit regarding the maximum number of trailers that may be located in the interior side yard or rear yard.
- c. Stored trailers or utility trailers exceeding 24 feet in length shall not be kept in the front yard of a property for a period exceeding 21 days and shall not be stored in the front yard for more than a combined total of 42 days annually.
- d. Commercial or industrial trailers shall only be kept on a property zoned for commercial or industrial use in accordance with the Zoning By-law. In all other zones no more than two (2) commercial or industrial trailers may be kept on a property and of those, only one (1) commercial or industrial trailer is permitted to be located in the front yard of the property, the other must be located in the interior side yard or rear yard of the property.
- e. No trailer shall be kept on any part of the municipal road allowance, or where the trailer is likely to impact sight lines.
- f. No trailer shall be permitted to be located or stored within 30 metres of any wetland, waterbody or water course.
- g. No trailer containing waste, refuse or debris shall be stored and open to view from a municipal road, private lane, or adjacent property and shall not be kept on the property for more than 21 calendar days.

- 4.3 No person shall use and / or store a trailer on Municipal property; unless the person has received approval by either Council, the Clerk or Director of Public Services.”

The sections of the By-law related to obstruction and offence and penalty provisions are generally similar to other Township of South Frontenac enforcement by-laws.

However, the language outlined in Sections 7.2. and 7.3. was recommended by the Township Solicitor to allow for the Township to seek larger fines under the *Provincial Offences Act* should there be a serious and continuous contravention of the Trailer Regulation By-law.

The following provides an overview of the proposed Sections 7.2. and 7.3.:

- “7.2 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.
- 7.3 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 no more than \$10,000. The total of all daily fines imposed for the second or subsequent continuing offence may exceed \$100,000.”

Despite the inclusion of Sections 7.2. and 7.3 in the proposed Trailer Regulation By-law, the Township will primarily seek compliance through the issuance of administrative monetary penalties.

Similar to the Noise By-law, the proposed Trailer Regulation By-law includes a provision to ensure that the property owner is responsible for breaches of the By-law. Section 2.2. of the proposed By-law states as follows:

- “2.2 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.”

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:

- “1. Township of South Frontenac, By-law 2024-01, A By-law to Regulate Trailer Usage in the Township of South Frontenac”

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 By-law 2024-01, A By-law to Regulate Trailer Usage in the Township of South Frontenac.

The proposed range of AMPs is between \$100.00 and \$1,000.00.

Township of South Frontenac, By-law 2024-01, A By-law to Regulate Trailer Usage in the Township of South Frontenac		
By-Law Section	Short Wording	Penalty Amount
4.1.	Failure to remedy an order regarding the following: No person shall use and / or keep a trailer on any property within the Municipality with the following exceptions: a. in accordance with this By-law; b. if the use is a permitted use under the Comprehensive Zoning By-Law No. 2003-75 or its successor; or c. in accordance with the terms of a license issued pursuant to this By-law.	\$250.00
4.2. a.	Failure to remedy an order regarding the following: The keeping of a stored trailer, or utility trailer shall only be permitted on properties zoned to permit residential use where the property contains a dwelling, or on properties zoned for commercial or	\$250.00

	industrial use where the property has a primary use established as defined by the Zoning By-law.	
4.2. b.	Failure to remedy an order regarding the following: Properties shall not keep more than three (3) stored trailers or utility trailers in the front yard. There shall be no limit regarding the maximum number of trailers that may be located in the interior side yard or rear yard.	\$100.00
4.2. c.	Failure to remedy an order regarding the following: Stored trailers or utility trailers exceeding 24 feet in length shall not be kept in the front yard of a property for a period exceeding 21 days and shall not be stored in the front yard for more than a combined total of 42 days annually.	\$100.00

By-Law Section	Short Wording	Penalty Amount
4.2. d.	Failure to remedy an order regarding the following: Commercial or industrial trailers shall only be kept on a property zoned for commercial or industrial use in accordance with the Zoning By-law. In all other zones no more than two (2) commercial or industrial trailers may be kept on a property and of those, only one (1) commercial or industrial trailer is permitted to be located in the front yard of the property, the other must be located in the interior side yard or rear yard of the property.	\$100.00
4.2. e.	Failure to remedy an order regarding the following: No trailer shall be kept on any part of the municipal road allowance, or where the trailer is likely to impact sight lines.	\$250.00
4.2. f.	Failure to remedy an order regarding the following: No trailer shall be permitted to be located or stored within 30 metres of any wetland, waterbody or water course.	\$250.00
4.2. g.	Failure to remedy an order regarding the following: No trailer containing waste, refuse or debris shall be stored and open to view from a municipal road, private lane, or adjacent property and shall not be kept on the property for more than 21 calendar days.	\$250.00

4.3.	Failure to remedy an order regarding the following: No person shall use and / or store a trailer on Municipal property; unless the person has received approval by Council.	\$250.00
6.1.	Obstruct an Officer	\$500.00
	Continued failure to remedy an order. (AMP may be issued once in every seven-day period when compliance is not achieved by prescribed date)	\$500.00
	Continued failure to remedy an order for a period of time greater than eight continuous weeks. (AMP may be issued once in every seven-day period when compliance is not achieved by prescribed date)	\$1000.00

Conclusion:

Staff are of the opinion that the Township of South Frontenac would benefit from a new trailer regulation by-law in order to provide clear expectations related to the use of trailers in the municipality and to require greater accountability from an enforcement standpoint.

Financial Implications

Not applicable.

Relationship to Strategic Plans

- ☒ Not applicable to this report.
- ☐ This initiative is supported by the following priorities of the 2019-2022 Strategic Plan.
- Priority: Choose an item.

Climate Considerations

- ☒ Not applicable to this report.

Notice/Consultation

- Deputy Clerk
- Frontenac Municipal Law Enforcement
- Municipal Solicitor

Attachments

Exhibit A – By-law 2024-01 - A By-law to Regulate Trailer usage in the Township of South Frontenac

Exhibit B – By-law 2024-05 - 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

Approved By:



Louise Fragnito, CPA, CGA
Chief Administrative Officer

Township of South Frontenac

By-Law No. 2024-01

A By-law to Regulate Trailer Usage in the Township of South Frontenac

Whereas the Corporation of the Township of South Frontenac wishes to regulate the use and storage of trailers within the Municipality; and

Whereas existing licenced trailers that remained in good standing with By-law 2004-93, As Amended within the Municipality will continue to be licenced through this By-law; and

Whereas the *Municipal Act*, S.O. 2001, Section 164 authorizes a municipality to pass by-laws to prohibit or licence trailers located in the municipality; and

Whereas, Subsection 425(1) of the *Municipal Act*, 2001 provides that a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under the *Municipal Act*, 2001 is guilty of an offence; and

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

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

Section 1: Definitions

1.1 In this By-law:

“Administrative Monetary Penalty” means a fine administered pursuant to the Administrative Monetary Penalties By-Law;

“Administrative Monetary Penalties By-Law” means the Corporation of the Township of South Frontenac By-Law Number 2022-70, “A By-Law to Impose Administrative Monetary Penalties on Violations of Municipal By-Laws”, as amended or replaced from time to time;

“Council” means the Council of the Corporation of the Township of South Frontenac;

“Municipality” means the Corporation of the Township of South Frontenac;

“Municipal By-law Enforcement Officer” means a person, company or organization appointed by the municipality for the purpose of municipal law enforcement including, but not limited to a Building Inspector, By-law Enforcement Officer or a person assigned and authorized by Council with the responsibility for enforcing and administering this By-law.

“Mobile Home” means any dwelling that is designed to be made mobile and is constructed or manufactured in accordance with CSA standards for mobile homes to provide a permanent residence for one or more persons, but does not include a park model trailer or travel trailer.

“Park Model Trailer” means a trailer built on a single chassis mounted on wheels, intended for a permanent or semi-permanent installation and used as a residence in accordance with the Zoning By-Law, as amended.

“Person” means an individual, a corporation, association or a partnership, as applicable.

“Property” means a parcel of land and any buildings or other structures on the land.

“Stored Trailer” means any trailer, mobile home or park model trailer located on a property only for the purpose of sale or storage but shall not include any trailer being used at any time for living, sleeping or eating accommodations of persons while located on the property.

“Temporary Living Accommodations Agreement” means an agreement entered into by a person and the Township of South Frontenac to temporarily have a trailer on their property for the purposes of sleeping, living and eating while constructing a residence and which shall be used until occupancy is granted or the building permit is closed, whichever comes first.

“Trailer” means any vehicle constructed to be attached and propelled by a motor vehicle and that is capable of being used by a person for living, sleeping or eating, even if the vehicle is jacked-up or its running gear is removed. It shall also include a motorized vehicle or trailer that includes living quarters designed for accommodation, tent trailers, mobile homes, park model trailers, commercial or industrial trailers and utility trailers.

“Trailer, Commercial or Industrial” means any trailer that is used or could be used for a commercial or industrial business such as dry van and enclosed trailers, whether attached to the tractor cab or not, standard flatbed trailers 24 feet in length or more, refrigerated trailers (reefers), drop deck / step-deck trailers, double drop / lowboy trailers, removable gooseneck trailers 24 feet in length or more, tanker trailers such as those that carry liquids and similar trailers.

“Trailer Licence or Licensed Trailer” means a licence for a trailer that was granted by the Municipality prior to the conclusion of 2005 that has been kept in good

standing under the predecessor to this By-law for a trailer that has not been replaced following 2005.

“Trailer, Utility” means any vehicle constructed to be attached and propelled by a motor vehicle that is capable of hauling items, goods or refuse. A utility trailer shall include but is not limited to a watercraft trailer, landscaping trailer, ATV or snowmobile trailer, or similar trailer.

“Yard, Front” shall be defined as per the Zoning By-law.

“Yard, Rear” shall be defined as per the Zoning By-law.

Yard, Interior Side” shall be defined as per the Zoning By-law.

“Zoning By-law” means a by-law passed under Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended or replaced from time to time, that restricts the use of land within the Township.

Section 2: Application

- 2.1 Except as otherwise provided, this By-Law applies to all trailers, persons and owners within the geographic boundaries of the Corporation of the Township of South Frontenac;
- 2.2 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.

Section 3: Administration

- 3.1 The Clerk’s Department is responsible for the administration and enforcement of this By-Law.

Section 4: Trailer Keeping Regulations

- 4.1 No person shall use and / or keep a trailer on any property within the Municipality with the following exceptions:
- a. in accordance with this By-law;
 - b. if the use is a permitted use under the Comprehensive Zoning By-Law No. 2003-75 or its successor; or
 - c. in accordance with the terms of a license issued pursuant to this By-law.
- 4.2 The following regulations apply to the keeping of all types of trailers on all properties in the Municipality:
- a. The keeping of a stored trailer, or utility trailer shall only be permitted on properties zoned to permit residential use where the property contains a dwelling, or on properties zoned for commercial or industrial use where the property has a primary use established as defined by the Zoning By-law.
 - b. Properties shall not keep more than three (3) stored trailers or utility trailers in the front yard. There shall be no limit regarding the maximum number of trailers that may be located in the interior side yard or rear yard.
 - c. Stored trailers or utility trailers exceeding 24 feet in length shall not be kept in the front yard of a property for a period exceeding 21 days and shall not be stored in the front yard for more than a combined total of 42 days annually.
 - d. Commercial or industrial trailers shall only be kept on a property zoned for commercial or industrial use in accordance with the Zoning By-law. In all other zones no more than two (2) commercial or industrial trailers may be kept on a property and of those, only one (1) commercial or industrial trailer is permitted to be located in the front yard of the property, the other must be located in the interior side yard or rear yard of the property.
 - e. No trailer shall be kept on any part of the municipal road allowance, or where the trailer is likely to impact sight lines.

- f. No trailer shall be permitted to be located or stored within 30 metres of any wetland, waterbody or water course.
 - g. No trailer containing waste, refuse or debris shall be stored and open to view from a municipal road, private lane, or adjacent property and shall not be kept on the property for more than 21 calendar days.
- 4.3 No person shall use and / or store a trailer on Municipal property; unless the person has received approval by either Council, the Clerk or Director of Public Services.

Section 5: Licence and Agreement Procedures:

- 5.1 Despite section 4.1, a person may use a trailer for the purposes of temporary habitation only in accordance with the following:
- a. i. Where a trailer was legally placed on a property prior to the date of the implementation of the Zoning By-law of each former Township as set out below, the trailer may continue to be occupied for purposes of temporary habitation provided the owner of the property obtains a licence for the trailer. The dates of implementation for each District are:

Portland By-law #12-78 – November 7, 1978

Bedford By-law #14-1983 – September 27, 1983

Loughborough By-law # 82-8 – June 7, 1982

Storrington By-law # 87-04 – January 5, 1987; and
 - ii. Where a trailer has been legally located on a property prior to the date of the implementation of the Zoning By-law of each former Townships as set out in paragraph 5.1. (a. i.), a licence has been issued and kept in good standing for the trailer, and the licenced trailer has not been replaced after 2005.
 - b. The owner of the property shall ensure that the licence is kept in good standing.
 - c. The Clerk's Department has delegated the authority to administer the issuance of the license and the collection of the annual license fee of \$400.00 to the Treasury Department.
 - d. Any trailer for which a licence was obtained under a predecessor By-law, but is neither the original trailer that was located on the property prior to the date of the implementation of the Zoning By-law of each

former townships or was replaced after 2005, as set out in section 5.1 above, is prohibited.

- e. Licensed trailers that are removed for any reason cannot be replaced by another trailer. No additional licences are to be granted as it is understood that as the original trailers reach the end of their useful life they will cease to exist.
- f. A person may live, sleep and eat in a trailer on an active building site where a valid building permit has been issued by the Municipality under the Ontario Building Code, and the trailer is necessary for the owners to reside in during construction and the owner has entered into a Temporary Living Accommodations Agreement with the Township of South Frontenac.
- g. Every property that has a trailer located thereon which has been issued a licence will be subject to an annual inspection by Township staff or Municipal By-law Enforcement Officer to ensure compliance with this By-law, the Trailer Licence, the Safe Properties By-law, Zoning By-law and *Ontario Building Code Act*.
- h. If at any time the Municipality has reasonable grounds to believe that the holder of a Trailer Licence or Temporary Living Accommodations Agreement is not complying with the Safe Properties By-law, Zoning By-law and *Ontario Building Code Act*, the Clerk's Department may suspend or revoke the licence.
- i. The Clerk's Department may impose such terms or conditions on a licence or Temporary Living Accommodations Agreement as the Clerk's Department consider appropriate.

Section 6: Obstruction

- 6.1 No person shall obstruct or hinder or attempt to obstruct or hinder a Municipal By-Law Enforcement 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.
- 6.2 Where a Municipal By-Law Enforcement Officer has reasonable grounds to believe that an offence under this By-law has been or is being committed on a Property, the Municipal By-Law Enforcement Officer and any authorized employee or agent of the Township of South Frontenac may enter the Property at any reasonable time for the purpose of carrying out an inspection to determine whether this By-law is being complied with.

- 6.3 For the purposes of an inspection under section 6.2, a Municipal By-law Enforcement Officer may:
- a. require the production for inspection of documents or things relevant to the inspection;
 - b. inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - c. require the name, address and proof of identity from any person concerning a matter related to the inspection; and
 - d. alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- 6.4 Without limiting the generality of section 6.1, failure to provide proof of identification satisfactory to the Municipal By-law Enforcement Officer when requested to do so pursuant to Subsection 6.3 of this By-law shall constitute obstruction of a Municipal By-law Enforcement Officer under Section 6.1 for the purposes of the inspection.
- 6.5 Despite section 6.2, a Municipal By-law Enforcement Officer shall not enter or remain in any room or place actually being used as a Dwelling except in accordance with section 437 of the *Municipal Act, 2001*.

Section 7: Offence and Penalty Provisions

- 7.1 Every Person who contravenes any provision of this By-law is guilty of an offence, and all offences under this By-law are designated as continuing offences.
- 7.2 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.
- 7.3 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 no more than \$10,000. The total of all daily fines imposed for the second or subsequent continuing offence may exceed \$100,000.

- 7.4 Every Person who contravenes any provision of this By-law shall, upon issuance of a Penalty Notice, be liable to pay to the Township of South Frontenac an Administrative Monetary Penalty, and the Administrative Monetary Penalty By-law applies to each Administrative Monetary Penalty issued pursuant to this By-law.
- 7.5 If a Person is required to pay an Administrative Monetary Penalty under Section 7.4 in respect of a contravention of this By-law, the Person shall not be charged with an offence in respect of the same contravention.
- 7.6 The Treasurer may add unpaid fees, charges and / or fines issued under this By-law to the tax roll and collect them in the same manner as property taxes.
- 7.7 If this By-law is contravened and a conviction entered, the court in which the conviction was entered or any court of competent jurisdiction may, in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the Person convicted.

Section 8: Validity

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

Section 9: Short Title of By-Law

- 9.1 This By-Law may be cited as the "Trailer Regulation By-Law"

Section 10: Commencement

- 10.1 This By-law shall come into force and take effect on the date of its passage.
- 10.2 By-law 2004-93, As Amended and any other by-law, policies, practices or parts thereof conflicting with this By-law be repealed.

Read a first and second time this 9 day of January 2024.

Read a third time and finally passed this 9 day of January 2024.

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

Ron Vandewal, Mayor

James Thompson, Clerk

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2024-05

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 deleting Clause 1. in its entirety and inserting the following to read as follows:

- “1. Township of South Frontenac, By-law 2024-01, A By-law to Regulate Trailer Usage in the Township of South Frontenac”

Schedule B is amended by deleting the following:

By-Law Number 2004-93, A By-Law to License Trailers Which Are Lawfully Located in The Municipality Except Those Located In An Established Trailer Park In The Municipality		
By-Law Section	Short Wording	Penalty Amount
3.1	No person shall use and or keep a trailer on any property within the Township; except in an established Trailer Park, where the use is permitted and conforms to the Township of South Frontenac Comprehensive Zoning By-law.	\$250.00
3.5	Obstruct an Officer	\$500.00
	Continued failure to remedy an order. (AMP may be issued once in every seven-day period when compliance is not achieved by prescribed date)	\$500.00
	Administrative Penalty Fee – Failing to pay the AMP by the date on which it is due.	\$ 50.00
	Administrative Penalty Fee – Failing to appear for a hearing before the Hearings Officer.	\$100.00
	Screening Officer Appeal Fee	\$ 50.00
	Hearing Officer Appeal Fee	\$200.00

Schedule B is further amended to include following Administrative Monetary Penalties related to By-law 2024-01:

Township of South Frontenac, By-law 2024-01, A By-law to Regulate Trailer Usage in the Township of South Frontenac		
By-Law Section	Short Wording	Penalty Amount
4.1.	Failure to remedy an order regarding the following: No person shall use and / or keep a trailer on any property within the Municipality with the following exceptions: a. in accordance with this By-law; b. if the use is a permitted use under the Comprehensive Zoning By-Law No. 2003-75 or its successor; or c. in accordance with the terms of a license issued pursuant to this By-law.	\$250.00

4.2. a.	Failure to remedy an order regarding the following: The keeping of a stored trailer, or utility trailer shall only be permitted on properties zoned to permit residential use where the property contains a dwelling, or on properties zoned for commercial or industrial use where the property has a primary use established as defined by the Zoning By-law.	\$250.00
4.2. b.	Failure to remedy an order regarding the following: Properties shall not keep more than three (3) stored trailers or utility trailers in the front yard. There shall be no limit regarding the maximum number of trailers that may be located in the interior side yard or rear yard.	\$100.00
4.2. c.	Failure to remedy an order regarding the following: Stored trailers or utility trailers exceeding 24 feet in length shall not be kept in the front yard of a property for a period exceeding 21 days and shall not be stored in the front yard for more than a combined total of 42 days annually.	\$100.00
4.2. d.	Failure to remedy an order regarding the following: Commercial or industrial trailers shall only be kept on a property zoned for commercial or industrial use in accordance with the Zoning By-law. In all other zones no more than two (2) commercial or industrial trailers may be kept on a property and of those, only one (1) commercial or industrial trailer is permitted to be located in the front yard of the property, the other must be located in the interior side yard or rear yard of the property.	\$100.00
4.2. e.	Failure to remedy an order regarding the following: No trailer shall be kept on any part of the municipal road allowance, or where the trailer is likely to impact sight lines.	\$250.00
4.2. f.	Failure to remedy an order regarding the following: No trailer shall be permitted to be located or stored within 30 metres of any wetland, waterbody or water course.	\$250.00
4.2. g.	Failure to remedy an order regarding the following: No trailer containing waste, refuse or debris shall be stored and open to view from a municipal road, private lane, or adjacent property and shall not be kept on the property for more than 21 calendar days.	\$250.00
4.3.	Failure to remedy an order regarding the following: No person shall use and / or store a trailer on Municipal property; unless the person has received approval by either Council, the Clerk or Director of Public Services.	\$250.00
6.1.	Obstruct an Officer	\$500.00
	Continued failure to remedy an order. (AMP may be issued once in every seven-day period when compliance is not achieved by prescribed date)	\$500.00
	Continued failure to remedy an order for a period of time greater than eight continuous weeks. (AMP may be issued once in every seven-day period when compliance is not achieved by prescribed date)	\$1000.00
	Administrative Penalty Fee – Failing to pay the AMP by the date on which it is due.	\$50.00
	Administrative Penalty Fee – Failing to appear for a hearing before the Hearings Officer.	\$100.00
	Screening Officer Appeal Fee	\$50.00
	Hearing Officer Appeal Fee	\$200.00

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

Given First and Second Readings: January 9, 2024

Given Third Reading signed and sealed January 9, 2024

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

Ron Vandewal, Mayor

James Thompson, Clerk

Township of South Frontenac

Staff Report



To: Council

From: Director, Public Services

Date of Meeting: January 9, 2024

Subject: Appointment of Drainage Superintendent under the Drainage Act

Report Number: 2024-007

Summary

The purpose of this report is to seek approval from Council to authorize the passing of a by-law to appoint the firm of Robinson Consultants Inc. as Drainage Superintendent under Section 93 of the Drainage Act, RSO 1990.

Recommendation

That By-law 2024-04 being a By-law to appoint Robinson Consultants Inc. as Drainage Superintendent under the Drainage Act, be given first and second reading; and

That By-law 2024-04 be given third reading, signed, and sealed.

Background

On November 14th, 2023, Lorne Franklin from Robinson Consultants Inc. presented the findings of the 2021 Maintenance Report for the Pleasant Valley Municipal Drain along with the Section 65 report entitled “Engineer’s Report for the Subsequent Subdivision of Lands – Pleasant Valley Municipal Drain. The findings of the two reports provided evidence of the need for maintenance on the municipal drain and improvements to be completed prior to the full build-out of the subdivision.

On December 19th, 2023, Council approved the 2024 budget which included the funding for advancing the Pleasant Valley Municipal Drain maintenance project. The next phases of this project will include securing environmental permits, finalizing tender documents and advancing a public meeting with affected owners prior to any work commencing.

Discussion/Analysis

The tendering, contract administration, and inspections services for the maintenance project are the “duty of the Drainage Superintendent” as defined within the Drainage Act. These costs are not recoverable from other benefitting landowners within the drainage area. If the Township passes a by-law to appoint a Drainage Superintendent to perform this work, a grant of 50% of the costs may be available from the Ontario Ministry of Agriculture, Food and Rural Affairs for these services.

It is therefore staff's recommendation to appoint Robinson Consultants Inc. as the Drainage Superintendent to perform the prescribed duties identified under Section 93 of the Drainage Act.

Financial Implications

The passage of a bylaw to appoint Robinson Consultants Inc. as the Drainage Superintendent is a pre-requisite for any application for grant subsidies from the Ontario Ministry of Agriculture, Food and Rural Affairs for these services. An amount of \$17,500 has been carried in the project budget for these activities.

Relationship to Strategic Plans

- ☒ Not applicable to this report.
- ☐ This initiative adheres to the following guiding principle of the 2023-2026 Strategic Plan.
- Priority: Choose an item.
 - Action Item (If Applicable): Insert Text

Climate Considerations

- ☒ Not applicable to this report.

Notice/Consultation

Robinson Consultants Inc.

Attachments

Exhibit A – By-law 2024-04

Approvals

Prepared By: W. Troy Dunlop, C.E.T., Manager of Engineering and Capital Projects

Submitted By:



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

Approved By:



Louise Fragnito, Chief Administrative Officer

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2024-04**

A BY-LAW TO APPOINT A DRAINAGE SUPERINTENDENT PURSUANT TO THE DRAINAGE ACT.

WHEREAS Section 93 of the Drainage Act, RSO 1990 authorizes the Council of a local municipality to appoint a drainage superintendent and provide for his/her remuneration for the purposes and in the matter set out therein.

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

1. That Robinson Consultants Incorporated is hereby appointed Drainage Superintendent for the Township of South Frontenac;
2. That the Drainage Superintendent shall carry out the duties imposed upon him/her pursuant to the Drainage Act and shall submit such reports and carry out such other duties as may be required by the Council in relation to the Pleasant Valley Municipal Drain from time to time;
3. That this by-law shall come into force on the day of its passing;
4. That all previous bylaws appointing Drainage Superintendents under the Drainage Act are hereby repealed.

Dated at the Township of South Frontenac this 9th day of January, 2024.

Read a first and second time this 9th day of January, 2024.

Read a third time and finally passed this 9th day of January, 2024.

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

Ron Vandewal, Mayor

James Thompson, Clerk

Township of South Frontenac

Staff Report



To: Council

From: Office of the Chief Administrative Officer

Date of Meeting: Tuesday, January 9, 2024

Subject: 2023 Purchase and Sale of Land

Report Number: 2024-009

Summary

This report provides a summary of properties sold and purchased from authorization to negotiate received by Council during various Committee of the Whole "Closed Meetings".

Recommendation

This Report is for information purposes only.

Background

During the fall of 2023, the CAO received in closed session the authorization from Council to negotiate the tentative purchase and sale of properties. This report provides a summary of finalized transactions in 2023 from these authorizations.

Discussion/Analysis

The following property transactions were finalized in 2023 from authorization received from Council in closed for the CAO to negotiate property acquisition/disposals. Below is a summary of transactions.

Date	Sale/Purchase	Property Location	Amount	Funding
December 1, 2023	Purchase	2876 Campbell Road	\$425,000	Working Funds
November 28, 2023	Sale	Vacant Land, Colebrook Road (PT LT 1, 2A BLK H PL 96 AS IN FR176557)	\$ 10,000	N/A

Financial Implications

Funding for the purchase of the Campbell Road property was funding from the Working Funds Reserve. The proceeds of the sale of the vacant land on Colebrook Road will be transferred to the Working Funds Reserve.

Relationship to Strategic Plan

- ☒ Not applicable to this report.
- ☐ This initiative adheres to the following strategic pillars and directions of the 2023-2026 Strategic Plan.
- Pillars: Choose an item.
 - Action Item (If Applicable): Insert Text

Climate Considerations

- ☒ Not applicable to this report.

Approvals

Approved By:



Louise Fragnito, Chief Administrative Officer

Township of South Frontenac

Staff Report



To: Council

From: Director, Public Services

Date of Meeting: Tuesday, January 9, 2024

Subject: Study Update – Preliminary Design Services for Reconstruction of Road 38 (Murton Road to Kingston Road)

Report Number: 2024-008

Summary

This report provides an update on the status of the preliminary design study for the reconstruction of Road 38 including activities completed to date by Safe Roads Engineering Inc.

Recommendation

This Report is for information purposes only.

Background

On May 16, 2023, Council awarded Request for Proposal # PS-P01-2023 Preliminary Design Services for the Reconstruction of Road 38 (Murton Road to Kingston Road) to Safe Roads Engineering Inc. for the successful bid of \$98,055.94.

The awarded study was focused on determining the preferred option for the reconstruction of a 5.8km section of Road 38 following Phases 1 and 2 of the Municipal Class EA process. Key activities and deliverables in the assignment included the following:

- Collection and review of background information relating to the study area including topographic surveys, land use and legal boundaries
- Implementation of a stakeholder engagement plan including public meetings
- Initiation of the mandatory Municipal Class Environmental Assessment notice
- Identifying the Problem or Opportunity statement
- Preparation of supporting studies including cultural and natural heritage, geotechnical, archaeological, structure assessments, hydrological assessments, traffic studies, road safety reviews, and utility reviews
- Identification and evaluation of alternative solutions; and
- Recommendation of the preferred reconstruction option

Terms within the original Request for Proposal had requested that the preliminary design study be completed on or before October 31st, 2023.

Discussion/Analysis

Safe Roads Engineering Inc. and their team of sub-consultants have completed most of the reporting assignments identified in the Request for Proposal. A summary of each of the completed activities are listed below:

1. Topographic Survey / Boundary Review – Hopkins Chitty Land Surveyors Inc. have completed topographic surveys for the 5.8km long corridor which will support the review of geometrics as part of the preliminary design. This assignment has also included an evaluation of the legal boundaries of the corridor. Seven areas have been identified that are deficient in the 30m right of way requirement.
2. Assessment of Past Uses Report – Cambium has completed an assessment of past uses report that is required to satisfy the requirements of Ontario Regulation 406/19 as it relates to support the re-use or disposal of excess soils. The Road 38 project is expected to generate soil materials in excess of 2,000 cubic meters and will therefore be subject to the provincial regulation.
3. Geotechnical Investigation – Cambium has completed sub-surface investigations at the site which included the advancement of 13 boreholes along the corridor. These borehole investigations have provided advance design information in support of the design phase for pipe replacements, large culvert work and associated pavement design requirements. Asphalt thicknesses along the corridor currently range from 75mm to 150mm. Options for road reconstruction have been presented within the report to support the next phase of detailed design. Additional boreholes may be required during the detailed design phase to support aspects of staging for the Murvale culvert replacement.
4. Cultural Heritage Screening Report – Parslow Heritage Consultancy Inc. has completed the desktop screening for cultural heritage resources and has identified three locations of interest. No additional heritage assessments will be required if all works remain within the existing right-of-way.
5. Phase 1 Archaeological Assessment – Parslow Heritage Consultancy Inc. has completed the desktop screening for the study area and has identified one location on the east side of Road 38 just south of Quinn Road. Additional phase 2 assessments will only be required if the proposed work extends beyond the limits of disturbance.
6. Natural Heritage and Species at Risk Review – Cambium has completed a desktop screening review for the project limits and has identified species of risk that may be encountered within two kilometers of the project site. Recommendations have been included within the report with respect to habitat potential and mitigation measures have been included to address migratory birds, fish, and species at risk. Further screening will be required at the site once the scope of road alterations is fully defined.

7. Hydraulic Assessment – Resilient Consulting has carried out a hydraulic assessment at the large Murvale culvert crossing. The existing 3.9m circular corrugated steel pipe has been reviewed against the Ministry of Transportation Highway Drainage Design Standards and has identified that the existing structure has the capacity to convey the 50-year storm event however the structure does not meet the minimum 1.0m freeboard requirement. Replacement options for the large structure will need to ensure the hydraulic design standards are satisfied without impacting the navigable opening at the crossing.
8. Traffic Study – Safe Roads Engineering Inc. has submitted the initial draft of the Road 38 Traffic Study. This study examines the current road capacity and forecasts the future capacity of the roadway through the growth period of the new Official Plan. Other elements within the review include: an evaluation of intersections, trail crossings, sight lines, collision history, and evaluations for elements such as passing lanes. Although the initial findings of the traffic study are positive, the Township has requested that Safe Roads Engineering revise the first draft of the traffic study and seek direct feedback from the City of Kingston's transportation group on the corridor findings.

On October 11th, the Township officially launched the Municipal Class EA study and provided advertisements in the Frontenac News. The project has also been actively promoted in social media, weekly newsletters, and on Engage South Frontenac. Property owners fronting on the study area were hand delivered notices for the project area including landowners on Ottawa Street, Railway Street, and Kingston Road.

Safe Roads Engineering has also worked with the Township extensively on stakeholder engagement activities and has issued notices to several provincial agencies, indigenous groups, local conservation authority, Frontenac County, adjacent municipalities, school boards, and emergency services. Responses have been received from the Ministry of the Environment, Cataraqui Conservation Authority, and Alderville First Nation. The Alderville First Nation has specifically requested further information on the study area.

The Preliminary Design Study is currently behind schedule and much of the delays have been attributed to addressing data gaps, contractor availability, and stakeholder engagement. The overall project currently remains on budget, however the forecasted completion date for the project has moved to late February 2024. A public meeting will be scheduled during that month to present the work on the Municipal Class EA and to seek feedback on the general findings.

Financial Implications

The Township has issued payments totalling \$68,593.62 up to the period ending November 30th, 2023. This represents approximately 70% of the total project awarded at \$98,055.94. This project is forecasted to be completed within budget.

Relationship to Strategic Plans

- ☒ Not applicable to this report.
- ☐ This initiative is supported by the following guiding principles of the 2023-2026 Strategic Plan.
- Priority: Choose an item.
 - Action Item (If Applicable):

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

Safe Roads Engineering Inc.

Acting Director of Corporate Services / Treasurer.

Attachments

None.

Approvals

Prepared By: W. Troy Dunlop, C.E.T., Manager of Engineering and Capital Projects

Submitted By:



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

Approved By:



Louise Fragnito, Chief Administrative Officer

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2024-06**

**A BY-LAW TO CONFIRM GENERALLY ALL ACTIONS AND PROCEEDINGS OF
THE COUNCIL MEETING OF THE CORPORATION OF THE TOWNSHIP OF SOUTH
FRONTENAC ON JANUARY 9, 2024**

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 January 9, 2024 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 January 9, 2024 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 January 9, 2024 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 9 day of January 2024.

Read a third time and finally passed this 9 day of January 2024.

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

Ron Vandewal, Mayor

James Thompson, Clerk