Township of South Frontenac
Council Meeting Agenda

TIME: 6:00 PM,
DATE: Tuesday, August 13, 2024
PLACE: Council Chambers/Virtual Via Zoom .

1. *Call to Order*

a) Resolution

That the Council meeting of August 13, 2024 be called to order at 6:00 p.m.

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

3. *Approval of Agenda and Addendum*

a) Resolution 5

That the agenda be amended to withdraw Business Item 4. a., b. and c. and

That the agenda be further amended to give consideration to Business Item 20. a., b. c. and d. as Business Item 4.

b) Resolution

That the agenda, as amended, 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:
k) 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 - Verona Housing

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 - Verona Housing*

c) *Resolution*

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

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

5. *Recess*

6. *Public Meeting*

a) Resolution - Public Meeting to Order

That the public meeting regarding draft Official Plan - Communal Servicing Policy and Unopened Road Allowance Closure Application RC-24-03 be called to order.

b) Notice of Collection

c) Draft New Official Plan – Communal Servicing Policies 6 - 32

d) Public Meeting regarding the Closure and Sale of an Unopened Road Allowance, File No. RC-24-03 (Rahmel) 33 - 47

e) Resolution - Close Public Meeting

That the public meeting be closed.

7. *Delegations*

8. *Briefings*

9. *Approval of Minutes*

a) Resolution 48 - 56

That the minutes of the July 16, 2024 Council meeting be approved.

10. *Reports Requiring Action*

a) Unopened Road Allowance Closure Request RC-24-04 57 - 61

That Council direct staff to proceed with the process of closing, selling and transferring the portion of Unopened Road Allowance shown as Part 4 Plan 13R19516; and

That Council waive the normal process to consider an Unopened Road Allowance closure application to allow the By-law to be considered by Council on the same meeting in which the public meeting is scheduled as the applicant has provided a survey.

b) Noise By-law Exemption Request – 2824 Sunbury Road 62 - 64

That Lesley Alexandra be granted an exemption from Section 4, (Schedule 1, Clause 7.) of By-law Number 2015-41, As Amended, "A By-Law to Prohibit and Regulate Noise Within The Township of South Frontenac", to permit the discharge of consumer fireworks at 2824 Sunbury Road, Inverary on September 7, 2024 between 8:30 p.m. and 10:30 p.m.; it being understood that the exemption to discharge consumer fireworks does not permit the discharge of fireworks should the discharge of consumer fireworks be prohibited by other Township of South Frontenac By-Laws including but not limited to By-Law 2004-107, as amended, Ontario Regulations or Provincial Legislation.

c) Road 38 Reconstruction – Detailed Design Phase 65 - 100

That Council approve an exemption to the Procurement By-Law to allow the Public Services Department to procure submissions through direct invitation for the detailed design phase of the Road 38 Project (Murton Road to Kingston Road) based on the recommended option;

That Public Services extend invitations to each of the eight (8) qualifying firms that submitted proposals under the initial RFP for the Preliminary Design of Road 38; and

That the CAO be authorized to award the detailed design contract to the lowest qualifying bidder within the delegated authority limits similar to traditional tender procurements.

d) Green Bay Waste Disposal Site – Closure Plan 101 -

107

That Council direct staff to proceed with development of a closure plan for the Green Bay Waste Disposal site to be submitted to the Ministry of Environment, Conservation and Parks;

That Council direct staff to submit an application to amend the Environmental Compliance Approval (ECA) to operate the site as a waste transfer site once landfill capacity has been reached; and

That Council approve funding in the amount of $16,500 for the development of the closure plan and ECA Amendment from the Landfill Closure Reserve.

e) Loughborough Waste Disposal Site – Waste Transfer Station 108 - 115

That Council direct staff to submit an application to the Ministry to amend the Environmental Compliance Approval (ECA) for the Loughborough Waste Disposal Site to permit a waste transfer facility once the Phase 2A landfill capacity has been reached.

f) Perth Rd at Buck Lake Accident Update 116 - 118

That Council authorize the Public Services Department to Sole Source the Perth Rd at Buck Lake shoulder and guide rail repairs to the Hughson Group; and

That Council approve a budget with an upset limit of $106,687.16 for this project to be funded from the infrastructure reserve.

g) Unopened Road Allowance Policy 119 - 140

That Council approve the draft Unopened Road Allowance Policy, attached to the Report as Exhibit A, in principle in order for a public meeting to be held, in accordance with By-law 2016-73 regarding the proposed fee schedule attached to the Unopened Road Allowance Policy as Schedule "C".

11. *Advisory Committee Reports or Minutes*

12. *Reports Requiring Approval of By-laws*

a) Speed Limit Changes – Storrington Public School 141 - 144

That By-law 2024-56, being a "By-law to amend By-law 2000-01, and to amend the speed limits on sections of Battersea Road from 650m north of Millburn Road to 205m south of the intersection of Round Lake Road" be given first and second reading; and

That By-law 2024-56 be given third reading, signed and sealed.

b) Lottery Licence By-law 145 - 159

That By-law 2024-57 being a By-law respecting the licensing of lotteries within the Township of South Frontenac, be given first and second reading; and

That By-law 2024-57 be given third reading, signed and sealed

13. *Reports for Information*

a) Investment Update to June 30, 2024 160 - 162

b)	1stQuarter 2024 – Building Services Report	163 - 166
c)	1st Quarter Planning Report - 2024	167 - 170
d)	Seasonal Event Report	171 - 173

14. *Committee of the Whole*

15. *Tabling of Documents*

16. *Communications*

17. *Notice of Motions*

18. *Rise and Report regarding County Council and External Boards*

a) County Council

b) Cataraqui Conservation

c) Quinte Conservation

d) Rideau Valley Conservation Authority

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 item:
a) Approval of the July 16, 2024 Committee of the Whole, Closed Meeting Minutes; and
b) A proposed or pending acquisition or disposition of land by the municipality or local board.

b) A proposed or pending acquisition or disposition of land by the municipality or local board - Loughborough District

c) Approval of the July 16, 2024 Committee of the Whole, Closed Meeting Minutes

d) Resolution

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

21. *Confirmatory By-law*

a) Resolution 174

That By-law 2024-58, 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.

That By-law 2024-58, being the confirmatory by-law, be given third reading, signed and sealed.

22. *Adjournment*

a) Resolution

That the Council meeting of August 13, 2024 be adjourned at ___ p.m.

Office of the Clerk
4432 George St, Box 100
Sydenham ON, K0H 2T0
613-376-3027
jthompson@southfrontenac.net

Addendum – August 13, 2024 Council Meeting

3. Approval of Agenda and Addendum

a) **That** the agenda be amended to withdraw Business Item 4. a., b. and c. and

That the agenda be further amended to give consideration to Business Item 20. a., b. c. and d. as Business Item 4.

b) **That** the agenda, as amended, be approved.

SOUTH FRONTENAC

Draft Official Plan

Draft Communal Servicing Policies

Tuesday, August 13, 2024
7:00 p.m. Council Meeting
Public Meeting

Public Meeting

- We invite and encourage you to comment on the proposed new Official Plan and to engage in the public process with us. Comments may be made by making oral submissions at the Public Meeting or providing written submission to the Township. All comments will be reviewed and will be provided to Council as part of the final recommendation report. Please provide comment on the current draft on or before September 3, 2024. If you wish to be notified of Council's decision regarding the adoption of the proposed new Official Plan, please submit your request in writing to the Township using the information provided.
- Please be advised that your written comment and request to be notified will form part of the public record, and that your communication and any personal information included therein (such as your name and e-mail address) will be made available to the public, unless you expressly request that such information be removed.

Introduction

The Township is in the process of preparing a new Official Plan to guide growth and development of the community over the next 20 years.

A series of public consultation sessions were held over the course of five years. The statutory public meeting was held in May 2023.

At the beginning of the Official Plan review process, communal servicing was only a concept. With the incorporation of the Frontenac Municipal Services Corporation late last year, it became apparent that the new Official Plan would need to include robust policies on communal services to make this type of development a reality in the Township.

This public meeting is being held specifically about the proposed communal servicing policies in the third draft of the Official Plan.

Centralized Full Municipal Services

There are currently no full municipal services for water and sewage (wastewater) in the Township.

The cost of installing full municipal services is cost prohibitive as the Township does not have the tax base or the growth rate of an urban area.

Many Ontario municipalities are making challenging decisions around investing in aging and/or new municipal services infrastructure, while at the same time relying on growth to pay for growth through the collection of development charges.

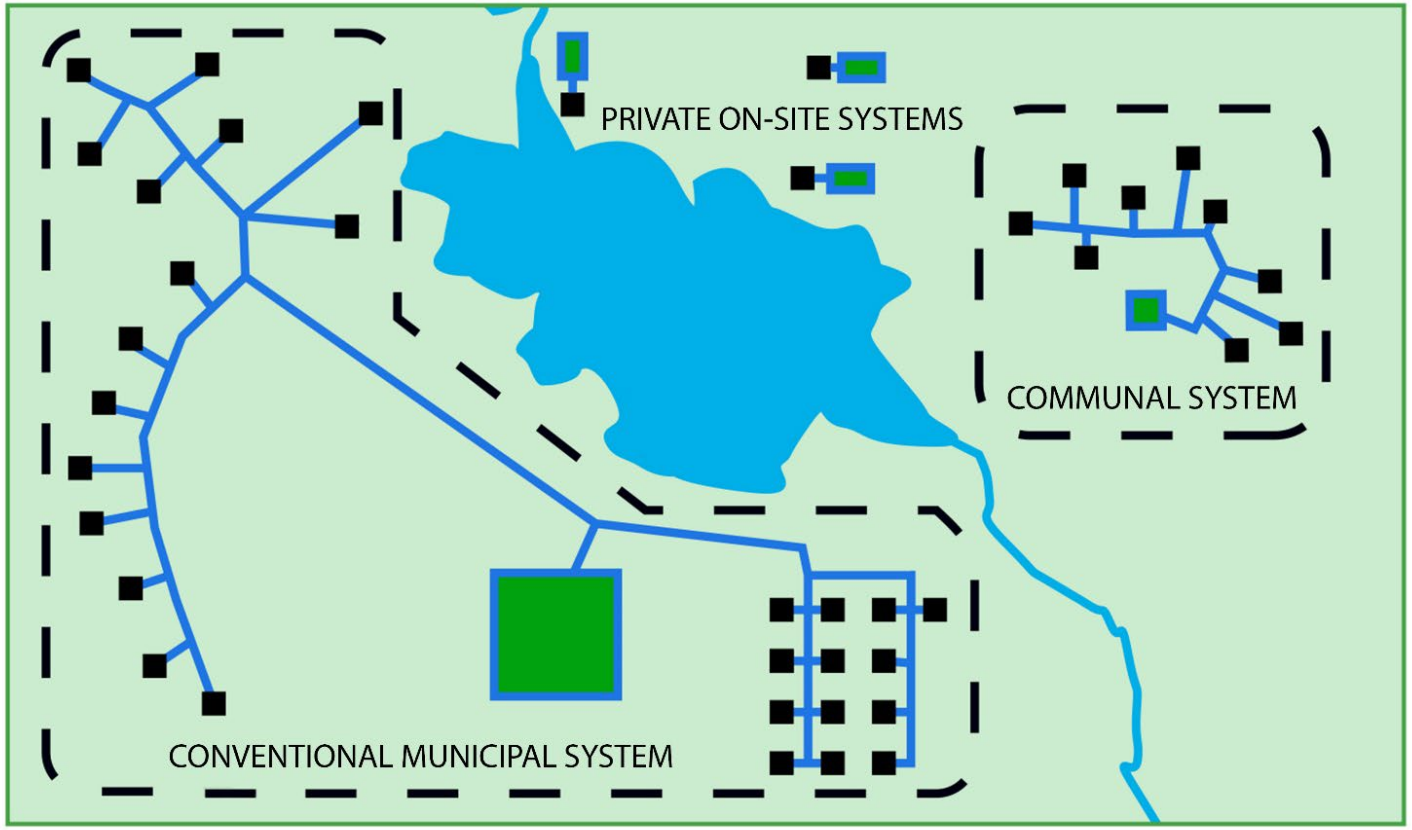
While South Frontenac does not have major infrastructure investments to consider, it does face challenges of an aging demographic, a need to offer residents a greater amount and diverse range of housing options, attracting and retaining businesses, and supporting local employment opportunities.

On-site well and septic

- The smallest lot size permitted is 2 acres whether in the rural area or settlement areas.
- MOE Guideline which stipulates that lots with on-site septic should be no less than 2 acres.
- Part 8 of the Ontario Building Code which discusses the requirements for on-site sewage treatment.
- Could go below the 2-acre minimum by requiring more advanced on-site sewage treatment but then the municipality would be chasing people due to monitoring requirements and enforcement if there were any issues.
- The Township has fractured bedrock or shallow soils over bedrock making nitrate leaching a concern.

Municipal Communal Servicing

- Planning staff have drafted communal servicing policies about where development supported by municipal communal servicing should be located, and what scale, density, and uses should be permitted.



Municipal Services Corporation

- The Township collaborated with the County and the other Frontenac Townships to establish a jointly owned public utility that will assist with the operation of municipal communal water and sewage services within South Frontenac, and across the County as a whole. The Frontenac Municipal Services Corporation was incorporated in November 2023.

Growth Direction

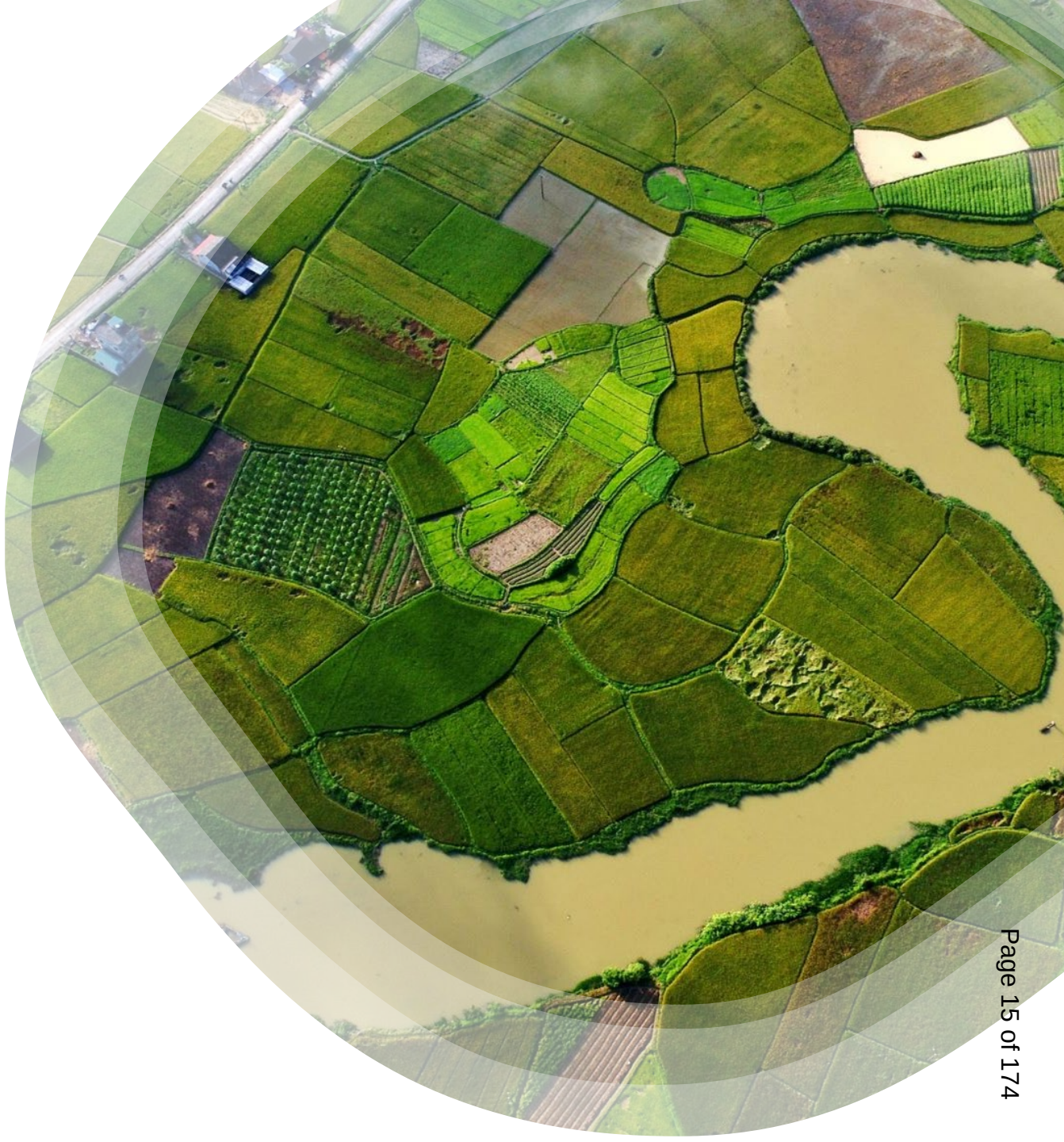
- South Frontenac is anticipated to reach a population of 23,280 by 2039 resulting in an increase of approximately 2,620 persons.
- To address this growth projection, the Township will need to facilitate the development of approximately 100 residential units per year over the next 15 years.
- Planning Services currently facilitating development of approximately 80 residential units per year.

Communal Servicing Policy

- There is a need for the Township to develop communal servicing policy as it relates to where to direct growth supported by communal servicing, and the type, scale, and uses that could be permitted.
- Draft policies have been highlighted in yellow in the draft Official Plan document posted on the Township's website and Engage Frontenac.

Future Secondary Planning Areas

- There is no clear understanding as to whether there are sufficient groundwater resources to support higher density development in existing Settlement Areas.
- Provincial policy direction appears to assume that there are centralized full municipal services within an existing Settlement Area. In many rural municipalities, this is not the case.
- The draft new Official Plan has identified Future Secondary Planning Areas to support communal servicing development.
- The goal is to strike a balance between allowing communal servicing only in Settlement Areas versus allowing communal servicing across the entire Township.

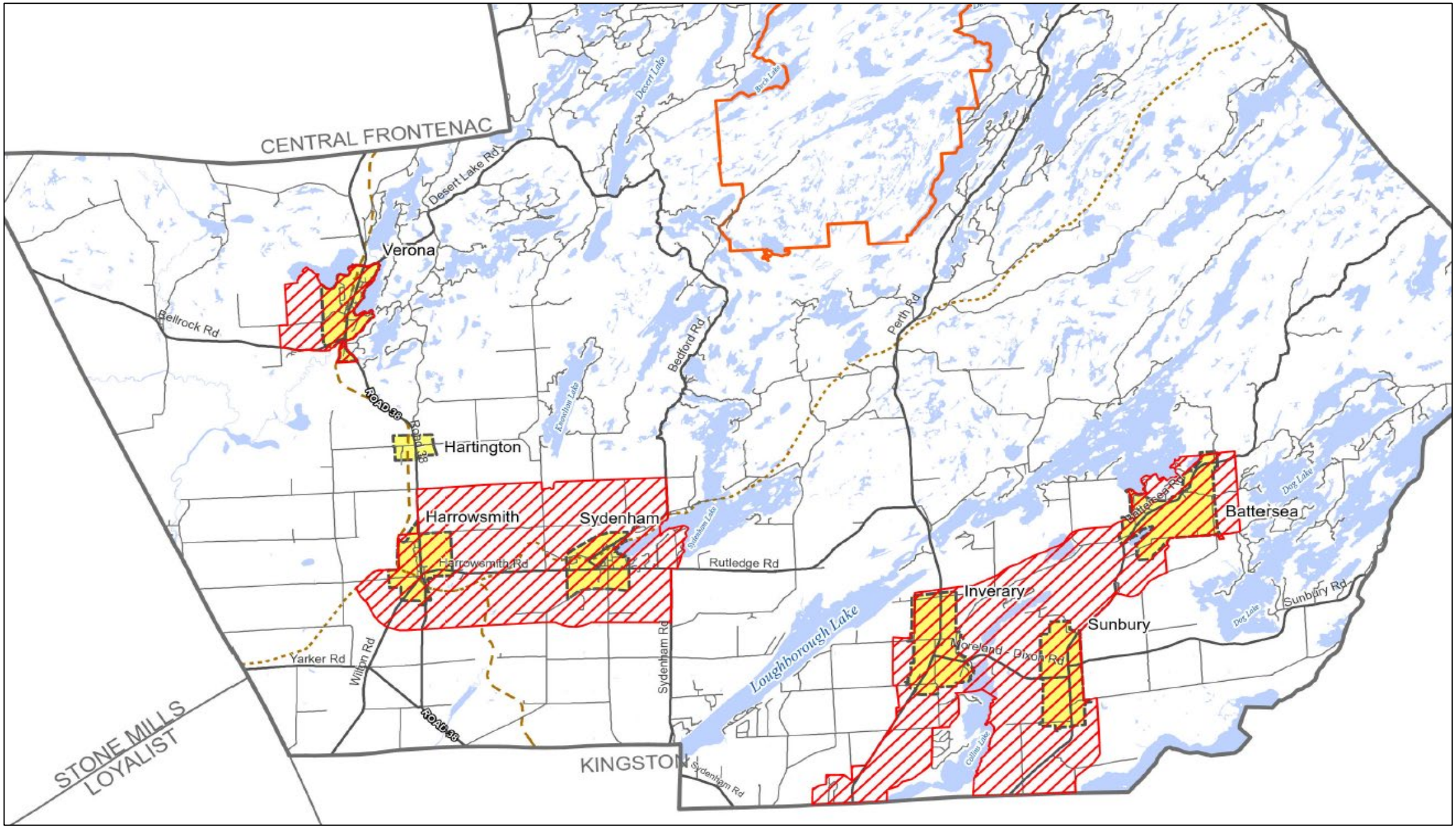


Future Secondary Planning Areas

Communal servicing development directed in or near settlement areas where services and amenities are available to support the development (fire services, garbage collection, schools, grocery stores, etc.).

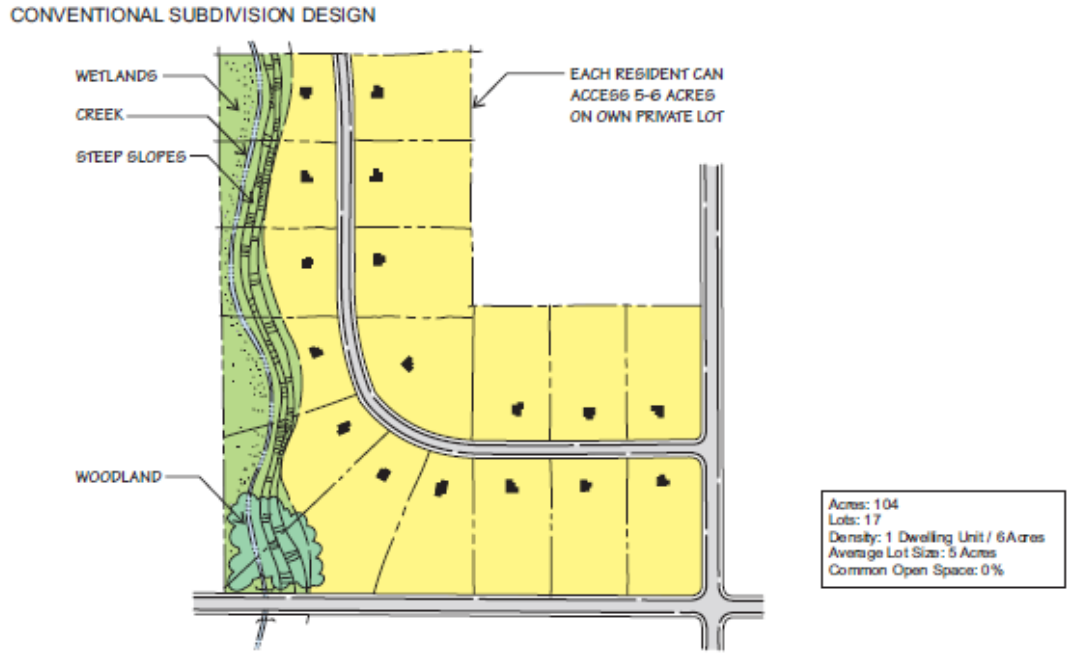
The intent is to support higher density, multi-unit dwelling as well as mixed use developments near existing services.

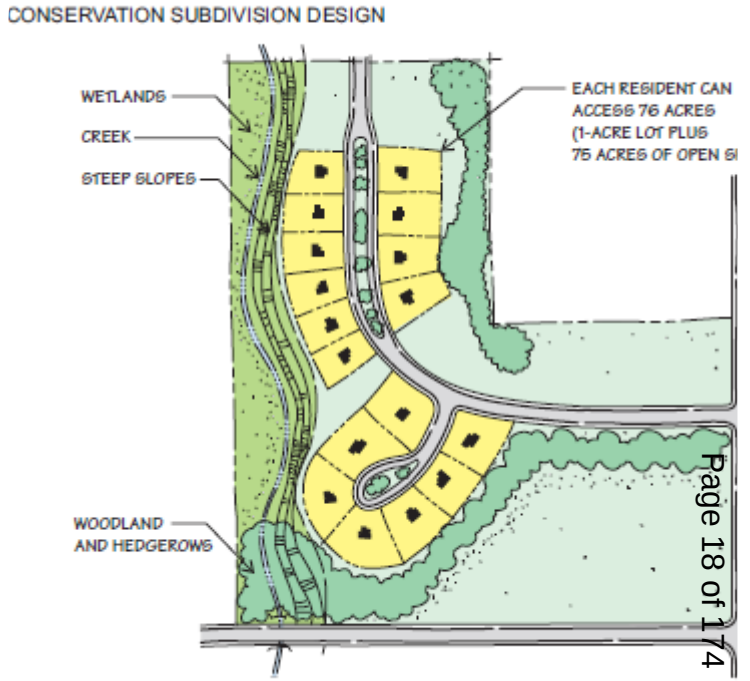
Future Secondary Planning Areas



Subdivision Conservation Design

- Subdivision conservation design are density neutral, cluster housing on a smaller portion of the land area to reduce impacts on the natural environment and rural character.
- Uses municipal communal servicing to help preserve the community's rural character and natural resources while accommodating a reasonable degree of growth and development.
- Conservation design is a flexible approach to laying out rural subdivisions which maximizes the amount of open space preservation without sacrificing the total number of lots created.
- It is a "density-neutral" approach, meaning that it allows the same number of lots to be created as would be produced in a conventional layout.





Subdivision Conservation Design

Conventional

Conservation

Subdivision Conservation Design

- Conservation subdivisions can reduce the infrastructure costs of new developments, in terms of both capital and operating costs.
- Shorter length of streets that must be maintained, saving on winter snow plowing, periodic repairs, and resurfacing.
- Retaining local natural features can also reduce costs associated with grading, drainage, and related “improvements” typically required in a new subdivision.

How to initiate development with communal servicing?

Unknown where water is located to support high density development.

Private developer led. Scale, density, uses are dictated by water quality and quantity by hydrogeologist and peer review.

Municipal led groundwater studies in and around settlement areas as part of a secondary plan to inform how development can proceed.

Conclusion

- Draft policy permits communal servicing for rural areas and waterfront by utilizing subdivision conservation design.
- Higher density communal servicing development to be directed to settlement areas and Future Secondary Plan Study Areas.
- Additional groundwater studies would be considered at a future date with Council support and a budget allocated to secondary plan studies.
- Groundwater studies could be used to support settlement area boundary expansions or to refine the Future Secondary Plan Study Areas mapping.

Next Steps

- Staff anticipate bringing back a final recommendation report in September which will include a summary of how comments were considered/addressed, and an explanation of any other changes to the draft Official Plan document.

Township of South Frontenac
Staff Report

To:	**Council**
From:	**Director, Development Services**
Date of Meeting:	**Tuesday, August 13, 2024**
Subject:	**Draft New Official Plan – Communal Servicing Policies**
Report Number:	**2024-144**

Summary

This report provides a background on communal services and a summary of draft communal servicing policies that have been included in the draft new Official Plan.

Recommendation

This Report is for information purposes only.

Discussion/Analysis

Full centralized municipal services

There are currently no municipal services for water and sewer in the Township, except for the water system in Sydenham that was required to be installed by the Ontario Ministry of Environment. The cost of installing full municipal services is cost prohibitive as the Township does not have the tax base or the growth rate of an urban area.

The Town of Smiths Falls (population: 10,000) is considering an investment of $10 million dollars in a new water tower and $15 million in watermain upgrades. Prince Edward County (population: 25,000) is contemplating investing $105 million dollars in new water and wastewater services. Prince Edward County has applied for $18 million dollars in federal funding, and if received would cover the existing taxpayer portion of the capital investment. The remaining $87 million would be recovered by Development Charges collected on the potential 8,000 new residential units that are planned for the County. However, one housing developer has already cancelled plans for their development project, creating public concerns over the potential financial liability to the County and its residents.

Many Ontario municipalities are making challenging decisions around investing in aging and/or new municipal services infrastructure, while at the same time relying on growth to pay for growth through the collection of development charges. While South Frontenac does not have major infrastructure investments to consider, it does face challenges of an aging demographic, a need to offer residents a greater amount and diverse range of housing options, attracting and retaining businesses, and supporting local employment opportunities.

On-site well and septic

Most homes and businesses in the Township rely on on-site well and septic systems for servicing. Ministry of Environment Guidelines stipulate that lots with on-site septic should be no less than 2 acres. Therefore, the smallest lot size permitted is 2 acres whether in the rural area or settlement areas. This severely restricts the size and variety of development projects which can occur within the Township. In addition, the Township has fractured bedrock or shallow soils over bedrock making nitrate leaching a concern.

To allow for a greater variety of housing types to be constructed, the Township would like to allow for different forms of servicing than the standard on-site well and septic.

Communal Servicing

Communal services are shared drinking water and sewage systems that provide water and wastewater treatment to clusters of residences and businesses. While operating on the same basic principles as conventional municipal services, communal water and wastewater systems are not connected to a single central facility. Instead, 'right-sized' facilities treat water and wastewater close to where it is needed or created. Communal services can be less expensive than centralized municipal services and reduce the need to pipe water or wastewater over long distances. They also have less environmental impact than private on-site well and septic servicing.

The three types of servicing systems are shown in **Figure 1** below.

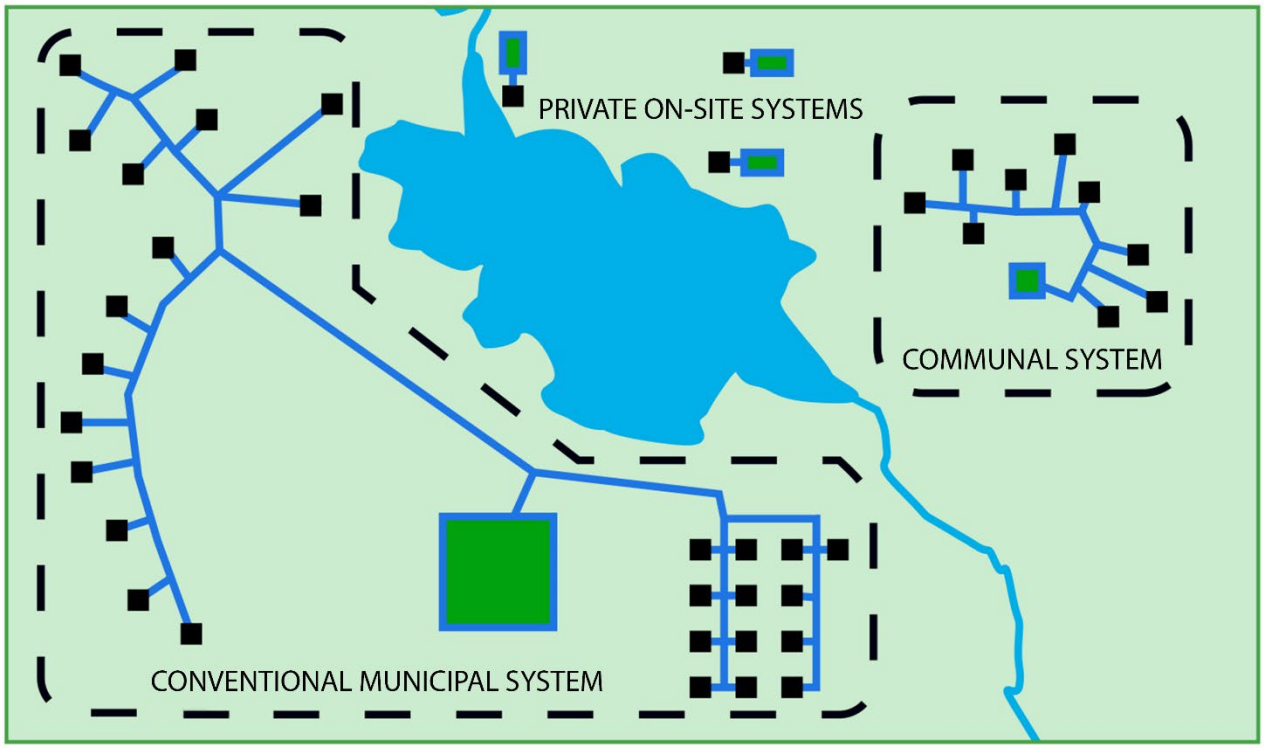


Figure 1: Illustration of conventional, communal and private on-site servicing (County of Frontenac).

Many different options exist within the broad category of communal services. Systems may be municipally- or privately-owned, using several different ownership and operation models.

There is a growing range of treatment technologies that can be used for communal servicing. The distinguishing feature is that communal systems provide for water and wastewater treatment in close proximity to where it is needed.

As part of the draft new Official Plan, municipal communal water and sewage services are intended:

- To become the dominant form of servicing within Settlement Areas during the duration of the Official Plan.
- To support higher density, multi-unit dwellings, as well as mixed use developments in Settlement Areas and in Future Secondary Plan Areas, and conservation design development in the Rural Area.
- To allow the expansion of existing Settlement Areas, where appropriate, so that new development is more compact, reflects the existing lot fabric of settlement areas, and promotes walkable communities.
- To support new commercial, industrial, and business park development.
- To protect lakes by minimizing impacts to water quality.
- To direct growth to areas with water and sewage services.
- To support the upgrade of infrastructure within Settlement Areas for existing residents and businesses, and to encourage appropriate intensification development.
- To ensure that future development in the Rural Area is environmentally responsible and conserves land and important natural resources.

Municipal Services Corporation

While private communal servicing is permitted in provincial policy, there has not been significant uptake due to financial requirements. Due to the liability risk to municipalities, a common requirement is for a developer to sign a Municipal Responsibility Agreement and provide a securities deposit, often for the full replacement cost of the private communal system. Since the security deposit can often be millions of dollars, few developers are willing to forgo this financial burden. Therefore, the intent of developing a municipal services corporation is to alleviate this issue and develop a public utility that would oversee these types of projects and manage risk and liability, and assist with the approvals process.

Frontenac County completed a regional Communal Servicing Study in 2019 to assist the County and its member municipalities with the planning, engineering, and economic development tools necessary to enable redevelopment and new development using communal water and sewage services.

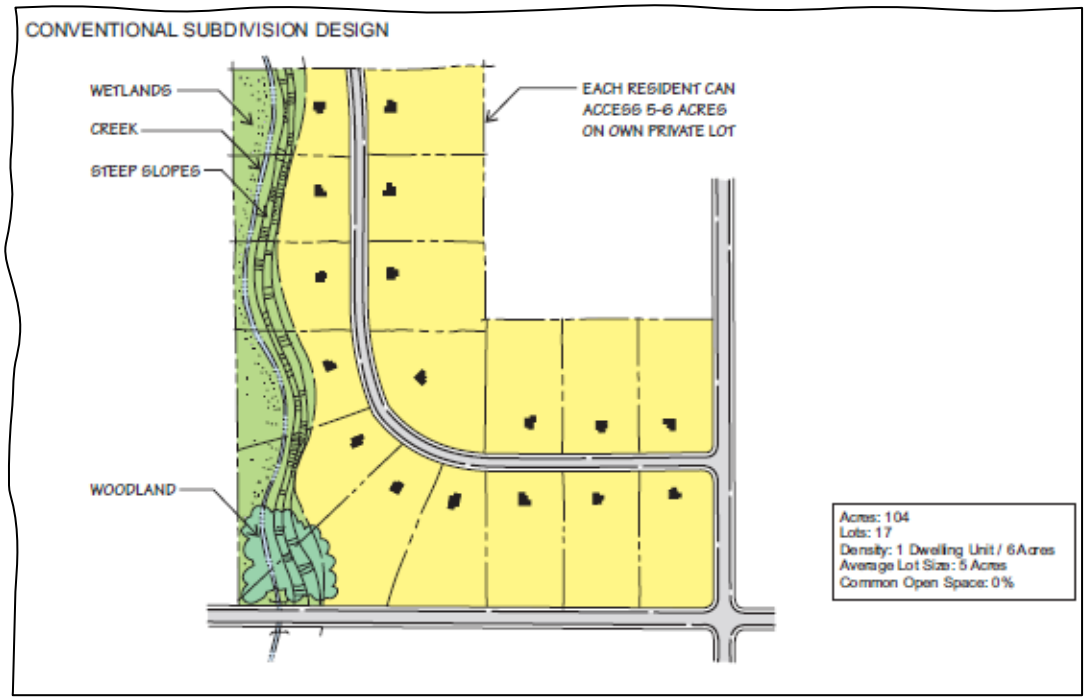
The Township collaborated with the County and the other Frontenac Townships to establish a jointly owned public utility that will assist with the operation of municipal communal water and sewage services within South Frontenac, and across the County as a whole. The Frontenac Municipal Services Corporation was incorporated in November 2023.

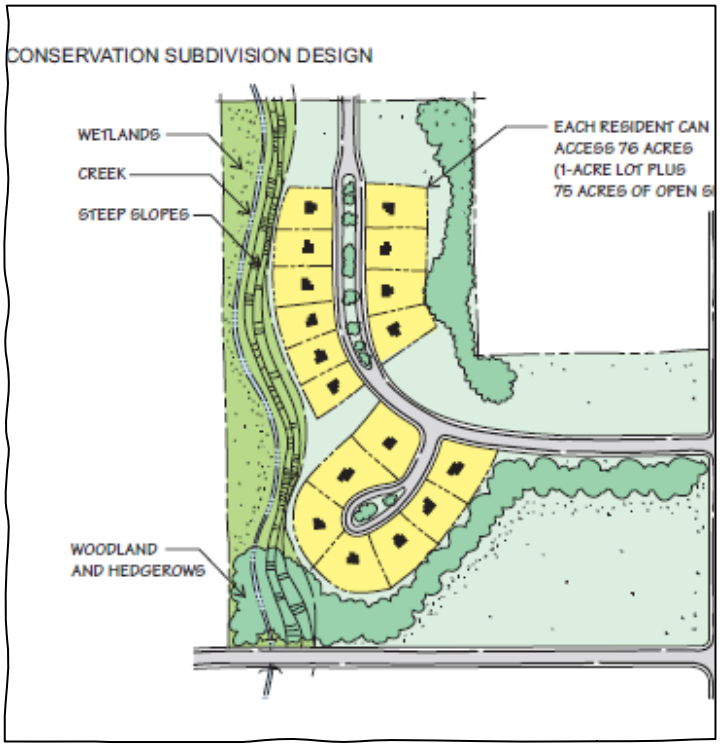
Conservation Design Subdivision

Intended generally for rural areas, conservation design subdivisions or condominiums provide clusters of housing on small lots on a portion of the parcel. This design is intended to accommodate a reasonable degree of growth and development by utilizing municipal communal services in order to preserve the community's rural character and natural

resources, and to maintain larger areas of land preserved for a variety of uses including small-scale agricultural production, recreation, open space, and conservation.

Conservation design subdivisions are generally density neutral, cluster housing on a smaller portion of the land area to reduce impacts on the natural environment and rural character. By utilizing communal servicing, this type of development can help preserve the community's rural character and natural resources while accommodating a reasonable degree of growth and development. The figures below illustrate the lot layout difference between conventional and conservation design subdivisions.





As part of the draft new Official Plan, conservation design development policies include the following:

- Conservation design subdivisions and condominiums will be permitted across the Township where:
  - residential uses are permitted including lands with waterfrontage, and
  - the landholding is at least 4 hectares in size and capable of supporting at least five (5) single detached dwelling units based on conventional individual on-site water and sewage systems.
- The minimum lot area should generally be 0.33 hectares in conservation design developments. Smaller lot sizes may be considered provided that the type of housing is consistent with the rural character of the area.
- Conservation design developments shall utilize municipal communal services.
- Conservation design subdivisions and condominiums are encouraged to identify a conservation theme or themes. This theme shall be identified at the time of the initial application. Conservation themes may include, but are not limited to, forest stewardship, water quality preservation, farmland preservation, natural habitat restoration, viewshed preservation, or archaeological and historic properties preservation.
- A minimum of 50% of the net developable area (i.e. gross area less undevelopable, constrained lands) shall be protected for the feature(s) identified for conservation through the development.
- Mechanisms to guarantee that 50% of the lands will be protected from development will include conservation agreements, dedication to land conservation organizations, land trust, or a corporation or trust owned jointly or in common by the owners of the lots, or similar means deemed acceptable to Council.
- The protected lands will be required to be rezoned to ensure their continued protection from development.

A minimum lot area of 0.33 hectares (0.82 acres) has been selected to assist with incentivizing developers to construct conservation design subdivisions over traditional rural estate lot subdivisions. In the example of a 100-acre (40 hectare) development, a traditional rural estate lot subdivision would accommodate 50 new 2 acre lots. By permitting a minimum lot size of 0.33 hectares (0.82 acres) for conservation design development, this results in lot sizes that are 40% smaller. The result would be a total of 60 new 0.82 acre lots developed on half the net developable lands (60 lots on only 50 acres). Additional cost savings to the developer include site clearing and road infrastructure investment. In the long term, the reduction in road infrastructure results in cost savings to the municipality.

Growth Direction

South Frontenac is anticipated to reach a population of 23,280 by 2039 resulting in an increase of approximately 2,620 persons. In addition to this growth, the total seasonal population is forecasted to increase to 11,400 by 2039. In total, the combined permanent and seasonal population in the Township is expected to reach approximately 34,700 by 2039 (Watson and Associates, 2024).

To address this growth projection, the Township will need to facilitate the development of approximately 100 residential units per year over the next 15 years. With current planning

applications, the Township is currently supporting the development of approximately 80 units per year. This is being achieved with approximately 70 severances per year (in rural and settlement areas), and with approximately 10 lots developed by plan of subdivision/condominium (in rural and settlement areas). To meet the Township's growth projections, the Township would need to facilitate the development of an additional 20 units per year to meet the growth target.

Over the past 25 years, 92% of new lots created have been in rural areas, whereas only 8% has been in settlement areas. There is significant amount of vacant lands in settlement areas, but no incentive to develop these lands. By developing communal servicing policy and directing growth to settlement areas and Future Secondary Planning Areas, while still supporting rural development, it is anticipated that this will assist the Township in achieving its target of 50% of new development in settlement areas as well as achieving growth targets.

Communal Servicing Policy

There is a need for the Township to develop communal servicing policy as it relates to where to direct growth supported by communal servicing, and the type, scale, and uses that could be permitted.

The following policies are intended to direct development supported by municipal communal water and sewage services:

- Development on municipal communal water and sewage services shall be the preferred form of servicing within the Settlement Area designation. In Settlement Areas, the priority shall be for multi-unit/multi-lot development to be on municipal communal services. These developments shall be implemented through plans of subdivision, plans of condominium, and/or site plan control as appropriate.
- Development on municipal communal water and sewage services should be directed in or near Settlement Areas where community services and amenities are available to support increased population.
- Where new multi lot and multi unit development is proposed within a Future Secondary Planning Area before the secondary plan is prepared, the development may be required to use municipal communal water and sewage services, depending on the nature, scale, and density of the development.
- Where development is proposed adjacent a Settlement Area, the Township and proponent will negotiate the possibility of including some of the existing Settlement Area lands in the Environmental Assessment for servicing through the pre-application process.
- The Township shall encourage municipal communal water and sewage services as an alternative to individual wells and sewage systems elsewhere in the Township, where it is deemed feasible by the Township.
- Municipal communal water and sewage services shall be the primary servicing method for new large scale commercial development and industrial/business parks.
- Large scale, high density, and mixed-use development proposals located outside of Settlement Areas and the Future Secondary Planning Areas shall require an amendment to the Official Plan.
- Development proposals utilizing the conservation design subdivision concept and municipal communal services may be permitted outside of Settlement Areas where residential uses are permitted.

- Where lots will be serviced by municipal or communal water and sewage services within a Settlement Area, the lot area should reflect the existing lot fabric of the village or hamlet unless otherwise established in a secondary plan.
- Where lots will be serviced by municipal communal water and sewage services within a Future Secondary Planning Area but outside a Settlement Area, the lot area shall be established in a secondary plan.

Future Secondary Planning Areas

It is anticipated that the scale, density, and housing types supported by communal servicing will be determined by groundwater studies. In other words, development will likely be directed to locations groundwater quality and quantity is available to support larger scale and higher density development.

Furthermore, while provincial policy directs growth to Settlement Areas, there is no clear understanding as to whether there are sufficient groundwater resources to support higher density development in existing Settlement Areas. The provincial policy direction appears to assume that there are centralized full municipal services within an existing Settlement Area. In many rural municipalities, this is not the case.

The draft new Official Plan has identified Future Secondary Planning Areas to support communal servicing development. The goal is to strike a balance between allowing communal servicing only in Settlement Areas versus allowing communal servicing across the entire Township. Without a better understanding of groundwater resources within Settlement Areas, it is difficult for staff to recommend the potential constraining of communal servicing development within Settlement Areas if there is limited groundwater resource availability.

Policy has been added to the draft new Official Plan that states that the municipality will:

- Initiate and lead secondary plan studies for Settlement Areas and Future Secondary Planning Areas to identify areas with suitable water quantity and quality to support development on municipal communal services.

In other words, the Township recognizes the need for a proactive approach to identifying available groundwater resources. In an effort to focus growth and development within Settlement Areas and in proximity to existing services, the Township will initiate future groundwater studies to have a better understanding of groundwater resources and its ability to support communal servicing developments.

As part of the draft Official Plan, Future Secondary Planning Areas have been identified (see **Exhibit A** – Future Secondary Planning Areas Map)

These Future Secondary Planning Areas generally extend one kilometre from settlement area boundaries. They include lands between settlement areas along connecting roads. They exclude lands in the Agricultural designation and Provincially Significant Wetlands. The area extends south along Perth Road and Battersea Road due to the proximity to Glenburnie and the boundary with the City of Kingston.

The Future Secondary Plan Areas have been established in these areas due to their proximity or inclusion in Settlement Areas, as well as their proximity to Kingston, and along main arterial roads to Kingston. With 75% of the working population commuting to Kingston, it is anticipated that future development should be directed to accommodate a

Kingston commuter shed. It is generally understood that the current housing market demand is for housing units that are located within a 30-minute drive to the City of Kingston and/or Highway 401.

It is anticipated that the Future Secondary Planning Areas Map could be amended based on future groundwater studies. For example, if a significant groundwater resource was identified then the Township may consider reducing the overall Future Secondary Planning Area to focus and direct growth to a specific area with a significant groundwater resource.

Financial Implications

There are no financial implications associated with this report.

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: Sustainable Long-Term Prosperity

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

Township and County planning staff

Attachments

Exhibit A – Map H – Future Secondary Plan Study Areas

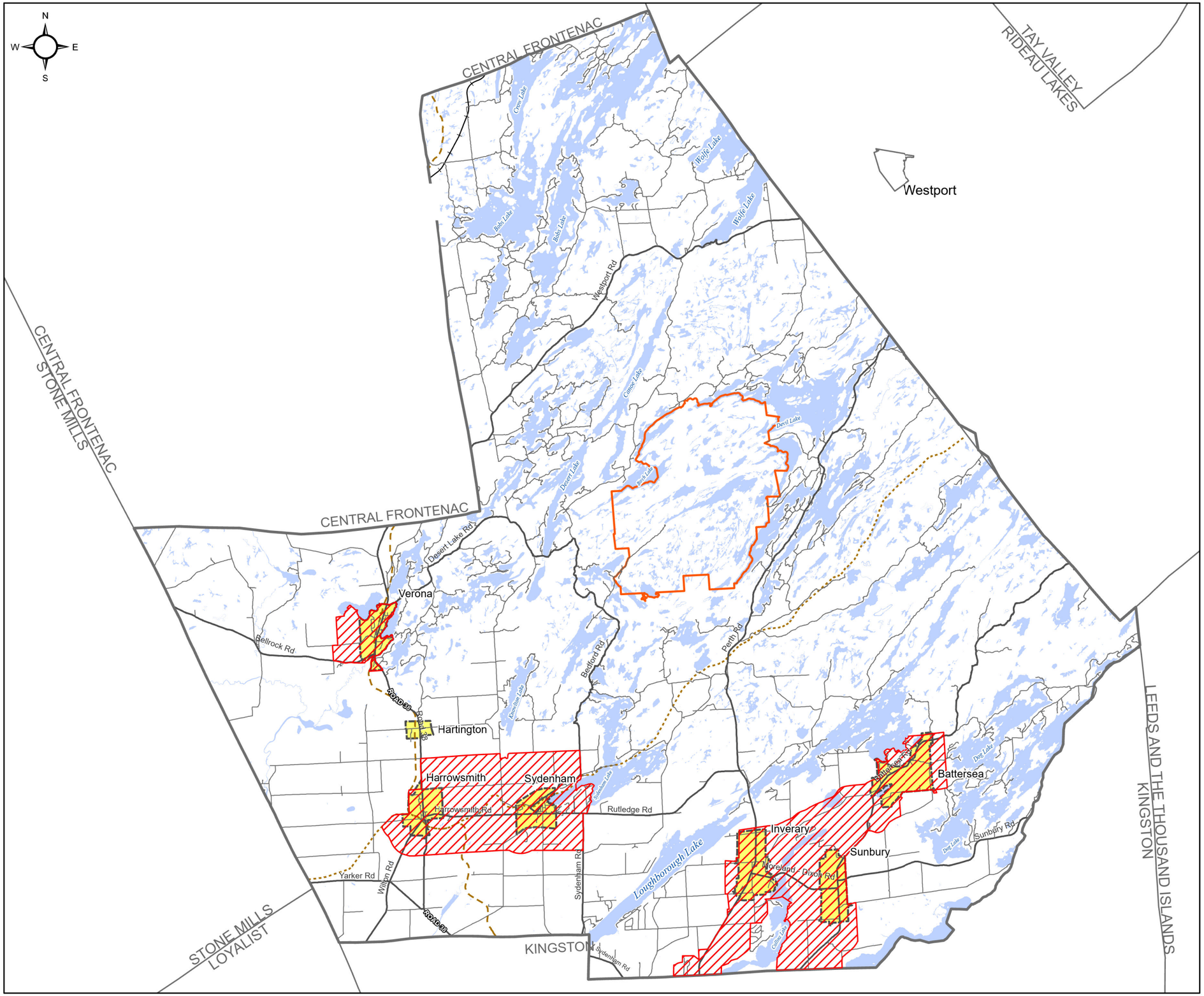
Approvals

Submitted By:

Brad Wright, RPP, MCIP, AICP

Approved By:

Louise Fragnito, CPA, CGA, Chief Administrative Officer



MAP H:

Future Secondary Planning Areas

Legend

- Future Secondary Planning Area
- Settlement Area

Boundaries

- South Frontenac Boundary
- Municipal Boundary
- Frontenac Provincial Park
- Waterbody (EP Designation)

Transportation

- Highway (Controlled Access)
- Major Road (Arterial & Collector)
- Secondary Road (Local & Private)
- Railway
- Cataraqui Trail
- K & P Trail

0 1 2 4 6 8 10 12 km

Coordinate System: NAD 1983 UTM Zone 18N

1:175,000

Revision

DRAFT

2024-07-26

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While the Township makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

Public Meeting

Application for Unopened Road Allowance Purchase

RC-24-03 (Rahmel)

Tuesday, August 13, 2024 7:00 p.m

Council Meeting

SOUTH FRONTENAC

Notice of Collection

- Personal information, as defined by the Municipal Freedom of Information and protection of Privacy Act (MFIPPA), including (but not limited to names, addresses, opinions and comments, is collected under the authority of the Municipal Act, 2001, Planning Act and in accordance with MFIPPA.
- All personal information may form part of the meeting agendas and minutes, and therefore will be made available to members of the public at the meetings, through requests, and through the website of the Corporation of the Township of South Frontenac.
- Questions regarding the collection, use and disclosure of this personal information may be directed to the Township Clerk.

Agenda

- Staff reviews proposal and delivers report
- Questions from Council
- Comments from Applicant/Owner, Agent and the Public
- Comments/Questions from Council
- Close Public Meeting

RC-24-03

Applicant: Berthold & Mary Rahmel
Property: 3062 Washburn Road

Location Map

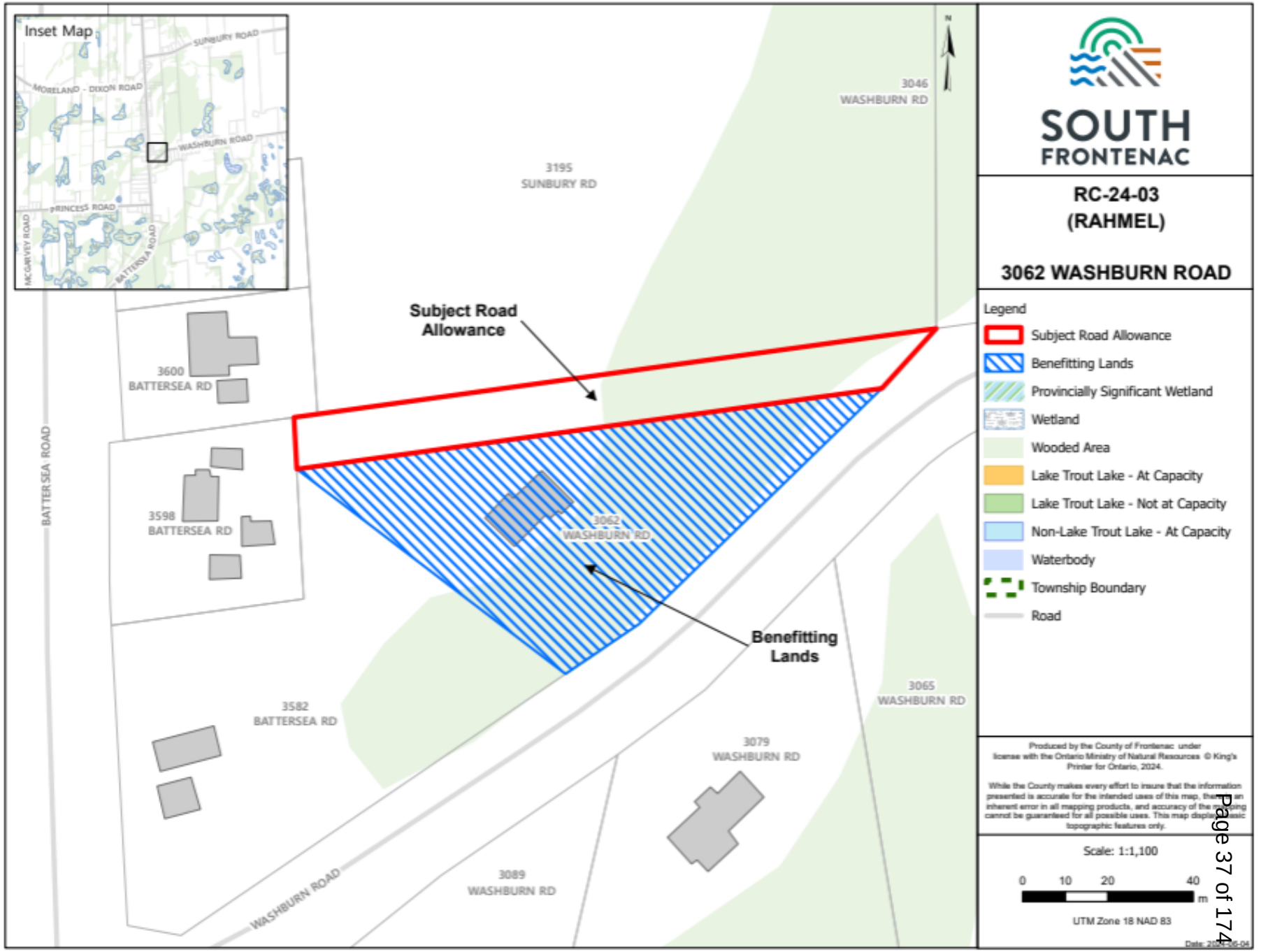


Photo of the Unopened Road Allowance and the slope down to Washburn Road. The road is bey the trees

Photo of the Unopened Road Allowance

Department, Agency and Public Comments

- **Public Services** – do not have any concerns with the application
- **CRCA –** not circulated (no nearby water features)
- **Public comments** – none received
- No requests to purchase other portions of the road allowance have been received

Staff Recommendation

This report was for information purposes only. Pending any comments from the public, Staff will direct the applicant to proceed with the survey of the Unopened Road Allowance and will bring the matter back for consideration of a By-law at a subsequent meeting.

Questions and Comments

- Questions from Council
- Comments from Applicant, Agent and the Public
- Comments/Questions from Council

Close Public Meeting for RC-24-03

Township of South Frontenac
Staff Report

To:	**Council**
From:	**Office of the Clerk**
Date of Meeting:	**Tuesday, August 13, 2024**
Subject:	**Public Meeting regarding the Closure and Sale of an Unopened Road Allowance, File No. RC-24-03 (Rahmel)**
Report Number:	**2024-140**

Summary

This report provides Council with information about Unopened Road Allowance Closing application RC-24-03 which seeks to close and transfer a portion of unopened road allowance between Concession 6 and 7, Storrington/Pittsburgh.

Recommendation

This Report is for information purposes only.

Background

By-law 2016-73 prescribes the manner in which notice shall be provided for an application to stop up, close and transfer an unopened road allowance.

The *Municipal Act* allows Council to consider the stopping up, closing and transferring of lands that are surplus to the needs of the municipality.

It is the practice of Council to hold a public meeting where individuals can provide comments and concerns for consideration by Council.

Discussion/Analysis

Staff have received an application to stop up, close and transfer a portion of unopened road allowance legally described as Part Road Allowance between Concession 6 and 7, Storrington/Pittsburgh Lying West of the Northeast Angle of Part 2, Plan 13R8548 and East of Part 1, Plan 13R5354; South Frontenac. The road allowance is proposed to be added to the abutting property municipally know as 3062 Washburn Road (benefitting lands). Exhibit A attached to this report is a location map outlining the road allowance and the benefitting lands.

As discussed in the Staff Report brought to the June 18, 2024 Council meeting, the westerly portion of the unopened road allowance has historically been closed and transferred to the property municipally known as 3598 Battersea Road. The subject portion

of unopened road allowance runs between 3598 Battersea Road and the travelled portion of road allowance, known as Washburn Road.

The topography of the unopened road allowance travels along a ridge from a farm field that lies to the north of the unopened road allowance. The easterly portion of the road allowance is a steep slope ending at Washburn Road. The benefitting lands, 3062 Washburn Road is developed with a home currently under construction following a total loss fire. There are no plans for further development of the parcel of land. The owners of 3062 Washburn Road have indicated they wish to purchase the unopened road allowance to provide more rear yard space between their home and the rear lot line. It is believed that the well for the property may be on the road allowance, or very close to it. The portion of unopened road allowance under consideration represents the remainder of the unopened road allowance as the other portion of the unopened road allowance was previously closed and transferred to 3598 Battersea Road.

Staff from the Clerk's Department and Public Services performed a site visit to the property on June 9, 2024. Public Services staff have indicated they have no concerns with the unopened road allowance being closed and transferred.

A survey will be required to determine the exact size of the portion of unopened road allowance, and to provide a proper legal description. Once the size of the unopened road allowance is determined, the total purchase price will be calculated at a price per square foot of $0.21.

No public comments or concerns have been received to date.

Financial Implications

The applicant will be required to engage the services of an Ontario Land Surveyor at their own cost.

The application fee and deposit have been paid by the applicant.

The purchase price will be determined once the Survey of the property is available.

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.

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

Notice/Consultation

Public Services staff

Notice to the public in accordance with Notice By-law 2016-73.

Attachments

Exhibit A – Location Map

Approvals

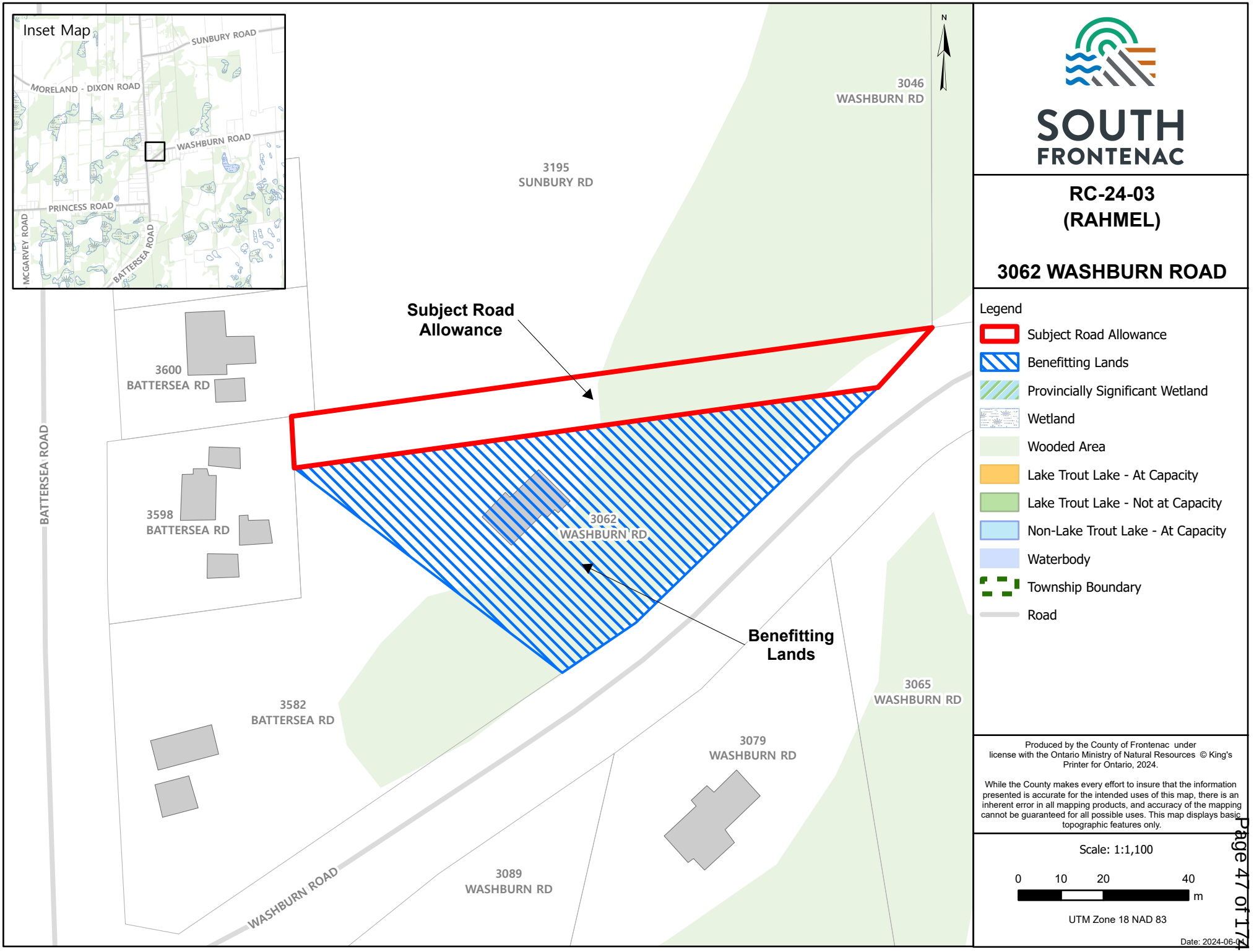
Prepared By: Michelle Hannah, Deputy Clerk

Submitted By:

James Thompson, Clerk

Approved By:

Louise Fragnito, Chief Administrative Officer


Inset Map
SUNBURY ROAD
MORELAND - DIXON ROAD
WASHBURN ROAD
PRINCESS ROAD
MCGARVEY ROAD
BATTERSEA ROAD
N
3046
WASHBURN RD
3195
SUNBURY RD
Subject Road
Allowance
3600
BATTERSEA RD
3598
BATTERSEA RD
BATTERSEA ROAD
3062
WASHBURN RD
Benefitting
Lands
3582
BATTERSEA RD
3065
WASHBURN RD
3079
WASHBURN RD
3089
WASHBURN RD
WASHBURN ROAD
SOUTH
FRONTENAC
RC-24-03
(RAHMEL)
3062 WASHBURN ROAD
Legend
Subject Road Allowance
Benefitting Lands
Provincially Significant Wetland
Wetland
Wooded Area
Lake Trout Lake - At Capacity
Lake Trout Lake - Not at Capacity
Non-Lake Trout Lake - At Capacity
Waterbody
Township Boundary
Road
Produced by the County of Frontenac under
license with the Ontario Ministry of Natural Resources © King's
Printer for Ontario, 2024.
While the County makes every effort to insure that the information
presented is accurate for the intended uses of this map, there is an
inherent error in all mapping products, and accuracy of the mapping
cannot be guaranteed for all possible uses. This map displays basic
topographic features only.
Scale: 1:1,100
0 10 20 40
m
UTM Zone 18 NAD 83
Date: 2024-06-04

Township of South Frontenac
Council Meeting Minutes

Meeting #14

Time: 6:30 p.m.
Location: Council Chambers / virtual via Zoom

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

Staff: Louise Fragnito - Chief Administrative Officer, James Thompson - Clerk, Michelle Hannah - Deputy Clerk, Brad Wright - Director of Development Services, Kyle Bolton - Director of Public Services, Delbert Blakney - Director of Fire and Emergency Services, Troy Dunlop - Manager of Engineering & Capital Projects, Tom Fehr - Planner

1 Call to Order

a) Resolution

Resolution No. 2024:14:01
Moved by Councillor Ruttan
Seconded by Councillor Pegrum
That the Council meeting of July 16, 2024 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 and Addendum

a) Resolution

Resolution No. 2024:14:02
Moved by Councillor Pegrum
Seconded by Councillor Roberts
That the agenda be amended to include the addendum.

Carried

Resolution No. 2024:14:03
Moved by Councillor Roberts
Seconded by Councillor Turcotte
That the agenda, as amended, be approved.

Carried

4 Scheduled Closed Session

a) Resolution

Resolution No. 2024:14:04
Moved by Councillor Sleeth
Seconded by Councillor Roberts

That Council resolve itself into the Committee of the Whole "Closed Meeting" to consider the following item:
k) 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 - Verona Housing

Carried

b) Resolution

Resolution No. 2024:14:05
Moved by Councillor Pegrum
Seconded by Councillor Trueman
That Council rise from the Committee of the Whole “Closed Meeting” without reporting.

Carried

5 Recess

a)

Council recessed for five minutes and resumed at 7:15 p.m.

6 Declaration of Office - Appointment of Councillor Morey as Deputy Mayor

a) Declaration of Office

7 Public Meeting

a) Resolution - Public Meeting to Order

Resolution No. 2024:14:06
Moved by Councillor Leonard
Seconded by Deputy Mayor Morey
That the public meeting regarding Zoning By-law Amendment application PL-ZBA-2024-0063 be called to order.

Carried

b) Notice of Collection

Michelle Hannah provided an overview of the Notice of Collection and Public Meeting Statement.

c) Public Meeting - Zoning By-law Amendment Application PL-ZBA-2024-0063, Rivendell (Harper), 7359 Road 38, Portland District

Tom Fehr provided a summary of the PowerPoint presentation related to the application.

Mayor Vandewal provided an opportunity for questions and comments from Council and Members of the Public.. There were no comments or questions received.

d) Resolution - Close Public Meeting

Resolution No. 2024:14:07
Moved by Councillor Ruttan
Seconded by Councillor Roberts
That the public meeting be closed.

Carried

8 Delegations

a)

There were none.

9 Briefings

a)

There were none.

10 Approval of Minutes

a) *Resolution*

Resolution No. 2024:14:08
Moved by Councillor Sleeth
Seconded by Councillor Leonard
That the Minutes of the June 18th and June 20th, 2024 Council meetings be approved, as amended.

Carried

11 Reports Requiring Action

a) Verona Housing – Environmental Impact Study

Resolution No. 2024:14:09
Moved by Councillor Turcotte
Seconded by Deputy Mayor Morey
That Council approve the award of Environmental Impact Study contract to Cambium Inc. for a total amount of $42,000 including non-rebatable HST.

Carried

b) Communal Services Support - EORN

Resolution No. 2024:14:10
Moved by Councillor Roberts
Seconded by Councillor Trueman
That the Council of the Township of South Frontenac offer its supports for EORN and 2B Developments (Rural Impact), Localizing Communal Servicing Project CMHC Housing Supply Challenge; and

That the Chief Administrative Officer, on behalf of the Township of South Frontenac, be authorized to issue a letter of support.

Carried

c) Verona Housing – Municipal Service Corporation Creation

Resolution No. 2024:14:11
Moved by Councillor Pegrum
Seconded by Councillor Ruttan
That Council approve the award of the contracted services support for the creation of a Municipal Service Corporation for the Verona Housing to the Rural Impact Initiative.

Carried

d) Unopened Road Allowance Closure Request – RC-24-01 (Caivan Properties Holding Corporation)

Resolution No. 2024:14:12

Moved by Councillor Pegrum
Seconded by Councillor Trueman
That Council agree, in principle, to stopping up, closing and selling two portions of unopened road allowance identified as Road Allowance A and Road Allowance B on the Location Map attached as Exhibit A to Report 2024-118, with the understanding that a by-law relating to the above will be brought back to Council to be approved upon the applicant producing an acceptable survey of the lands.

(See Recorded Vote)

Yeas: Councillor Leonard, Councillor Morey, Councillor Pegrum, Councillor Roberts, Councillor Sleeth, Councillor Trueman, Mayor Vandewal (7)

Nays: Councillor Ruttan, Councillor Turcotte (2)

Absent: (0)

Carried

Resolution No. 2024:14:13
Moved by Councillor Pegrum
Seconded by Councillor Trueman
That the Agreement of Purchase and Sale for the unopened road allowance lands (A&B) include a clause requiring the purchaser to revegetate the area of Campground Lane that has been abandoned and is no longer used as part of the access to the Caivan lands by planting and establishing living trees and shrubs that are native to the immediate area, to the satisfaction of Township Staff.

Carried

Resolution No. 2024:14:14
Moved by Councillor Pegrum
Seconded by Councillor Trueman
That Council agree, in principle, to stopping up, closing and selling the portion of unopened road allowance identified as Road Allowance C on the Location Map attached as Exhibit A to Report 2024-118, with the understanding that a by-law relating to the above will be brought back to Council to be approved upon the applicant producing an acceptable survey of the lands.

(See Recorded Vote)

Yeas: Councillor Leonard, Mayor Vandewal (2)

Nays: Councillor Morey, Councillor Pegrum, Councillor, Councillor Roberts, Councillor Ruttan, Councillor Sleeth, Councillor Trueman, Councillor Turcotte (7)

Absent: (0)

Defeated

e) Open Farms Proclamation

Resolution No. 2024:14:15
Moved by Deputy Mayor Morey
Seconded by Councillor Leonard
Whereas the Township of South Frontenac recognizes the importance of agriculture in the region; and,

Whereas both Frontenac County and the Township of South Frontenac believe a strong agricultural economy is essential for enduring communities, for the health

of our residents, and to establish a strong community in support of food security for our citizens as well as our businesses, and organizations; and,

Whereas both Frontenac County and the Township of South Frontenac have a vision of a strong agriculture community that is rooted in the character of Frontenac and its residents: welcoming, natural, healthy, clean, tranquil, entrepreneurial, and rural by choice and conviction; and

Now Therefore Be It Resolved That the Council of the Corporation of the Township of South Frontenac hereby declares August 16 to September 30, 2024, as Open Farm Days in South Frontenac, and reminds individuals of the importance of this six-week celebration which supports local agriculture and food businesses in our communities;

And Further That the Township encourages all residents to support local farms and food businesses by participating in this series of events.

Carried

f) Sale and Serving of Alcohol at Centennial Park – Gear Up for Greatness Event

Resolution No. 2024:14:16
Moved by Councillor Sleeth
Seconded by Councillor Roberts
That Council approve the sale and consumption of alcohol through the Daft Brewing Company Catering Endorsement licence at the Gear Up for Greatness – Youth Sports Drive at Centennial Park on August 24th, 2024, from 10:00 am – 3:30 pm, as per By-Law 2003-90.

Carried

g) Municipally Significant Event Designation for Open Farm Days Launch Event

Resolution No. 2024:14:17
Moved by Councillor Ruttan
Seconded by Councillor Roberts
That Council designate the Open Farm Days Launch Event on August 16th, from 3:00 pm – 7:00 pm at Centennial Park in Harrowsmith as municipally significant in support of the Alcohol & Gaming Commission of Ontario Special Events Permit Application.

Carried

h) Speed Limit Review – Storrington Public School

Resolution No. 2024:14:18
Moved by Councillor Turcotte
Seconded by Deputy Mayor Morey
That Council approve the staff recommendation for the implementation of a new 60km/hr speed limit review on Battersea Road from 650m north of Millburn Road to 205m south of the intersection of Round Lake Road; and

That Council direct staff to prepare an amendment to the Roads, Traffic and Parking Bylaw 2000-01 to incorporate the proposed speed limit change.

Carried

i) Demolition of 4265 Stage Coach Rd

Resolution No. 2024:14:19
Moved by Councillor Sleeth
Seconded by Councillor Pegrum

That Council approve a budget of $100,000 for the demolition and clean up of existing structures on the 4265 Stage Coach Rd property and that the project be funded from Working Funds Reserve.

Carried

12 Advisory Committee Reports or Minutes

a)

There were none.

13 Reports Requiring Approval of By-laws

a) Canada Community Building Fund (CCBF) Agreement Renewal

Resolution No. 2024:14:20
Moved by Councillor Trueman
Seconded by Councillor Leonard
That By-law 2024-52 being a By-law to enter into an agreement to access the CCBF funding, be given first and second reading.

Carried

Resolution No. 2024:14:21
Moved by Councillor Ruttan
Seconded by Councillor Turcotte
That By-law 2024-52 be given third reading, signed and sealed.

Carried

b) 2024 Development Charges Background Study and By-law

Resolution No. 2024:14:22
Moved by Councillor Leonard
Seconded by Councillor Turcotte
That Council approve the Development Charges Background Study attached to Report 2024-119 as Exhibit A, and associated amendments attached to Report 2024-119 as Exhibit B.

Carried

Resolution No. 2024:14:23
Moved by Councillor Roberts
Seconded by Deputy Mayor Morey
That By-law 2024-53 being a By-law to implement a new Development Charges By-law, be given first and second reading.

Carried

Resolution No. 2024:14:24
Moved by Councillor Pegrum
Seconded by Councillor Trueman
That By-law 2024-53 be given third reading, signed and sealed.

Carried

c) Zoning By-law Amendment Application PL-ZBA-2024-0063, Rivendell (Harper), 7359 Road 38, Portland District

Resolution No. 2024:14:25
Moved by Councillor Pegrum
Seconded by Councillor Ruttan
That By-law 2024-54 to amend the zoning regarding application PL-ZBA-2024-0063 be given first and second reading.

Carried

Resolution No. 2024:14:26
Moved by Councillor Turcotte
Seconded by Councillor Pegrum
that By-law 2024-54 be given third reading, signed and sealed.

Carried

14 Reports for Information

a) Public Services Quarterly Update

b) Draft Financials for 2023

c) New DriveON program for Motor Vehicle Inspection Stations

15 Committee of the Whole

a)

There was none.

16 Tabling of Documents

a) EOWC Newsletter, June 2024

b) Rideau Valley Conservation Authority Annual Report

17 Communications

a) Correspondence received from Fred Hahn, President, CUPE Ontario Division, dated June 25, 2024 regarding 24th Annual Child Care Worker and Early Childhood Educator Appreciation Day, October 24, 2024.

b) Correspondence received from various residents dated July 15, 2024 regarding File No. RC-24-01, Caivan Properties Unopened Road Allowance Closure Request.

18 Notice of Motions

a)

There were none.

19 Rise and Report regarding County Council and External Boards

a) County Council

Councillor Leonard provided information regarding the new paramedic station opening at 2069 Battersea Road, Glenburnie as well as the new Paramedic Chief.

b) Rideau Valley Conservation Authority

Councillor Turcotte spoke about the Watershed Tour and the official opening of the accessible boardwalk at Baxter Conservation Area.

20 Announcements/Statements by Councillors

a)

Councillor Ruttan advised the time and date for the Lake Ecosystem Forum will be July 18th at 6:30pm - 8:30pm.

21 Closed Session (if requested)

a) Resolution

Resolution No. 2024:14:27
Moved by Councillor Pegrum
Seconded by Councillor Ruttan
That Council resolve itself into the Committee of the Whole "Closed Meeting" to consider the following item:
a) Approval of the May 7, 2024 Committee of the Whole, Closed Meeting Minutes; and
b) A proposed or pending acquisition or disposition of land by the municipality or local board.

Carried

b) Resolution

Resolution No. 2024:14:28
Moved by Councillor Roberts
Seconded by Councillor Sleeth
That Council rise from the Committee of the Whole “Closed Meeting” without reporting.

Carried

22 Confirmatory By-law

a) Resolution

Resolution No. 2024:14:29
Moved by Councillor Leonard
Seconded by Deputy Mayor Morey
That By-Law 2024-55, 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. 2024:14:30
Moved by Councillor Turcotte
Seconded by Councillor Trueman
That By-Law 2024-55 be given third reading, signed and sealed.

Carried

23 Adjournment

a) Resolution

Resolution No. 2024:14:31
Moved by Councillor Leonard
Seconded by Councillor Sleeth
That the Council meeting of July 16, 2024 adjourn at 8:49p.m.

Carried

Ron Vandewal, Mayor James Thompson, Clerk

SOUTH FRONTENAC

Declaration of Office

Section 232 of the *Municipal Act*, 2001

I, Doug Morey having been appointed to the office of Deputy Mayor for the municipality of the Township of South Frontenac do solemnly promise and declare that:

I will truly, faithfully and impartially exercise this office to the best of my knowledge and ability.

I have not received and will not receive any payment or reward, or promise thereof, for the exercise of this office in a biased, corrupt or in any other improper manner.

I will disclose any pecuniary interest, direct or indirect, in accordance with the *Municipal Conflict of Interest Act.*

I will be faithful and bear true allegiance to His Majesty King Charles the third.

And I make this solemn promise and declaration conscientiously believing it to be true and knowing that it is of the same force and effect as made under oath.

Declared before me)
At the Township of South Frontenac)
.....)
.....)
On the 16th day of July, 2024.)

Doug Morey, Declarant

Michelle Hannah
Commissioner for Taking Oaths

Michelle K. Hannah, a Commissioner, for taking Oaths, Deputy Clerk, The Corporation of the Township of South Frontenac, Section 1 (2) (1), R.S.O. 1990 c.C17.

Township of South Frontenac

Staff Report

To: Council

From: Office of the Clerk

Date of Meeting: August 13, 2024

Subject: Unopened Road Allowance Closure Request RC-24-04

Report Number: 2024-141

Summary

An application has been received by staff requesting the closure and sale of a portion of Unopened Road Allowance between Concession 11 and Concession 12, Part Lot 22, Loughborough, shown as Part 4 on Plan 13R19516.

Recommendation

That Council direct staff to proceed with the process of closing, selling and transferring the portion of Unopened Road Allowance shown as Part 4 Plan 13R19516; and

That Council waive the normal process to consider an Unopened Road Allowance closure application to allow the By-law to be considered by Council on the same meeting in which the public meeting is scheduled as the applicant has provided a survey.

Background

The *Municipal Act*, 2001, allows Council to consider the stopping up, closing and transferring of lands that are surplus to the needs of the municipality.

The Township Notice By-Law, 2016-73 prescribes the manner in which notice is provided for applications requesting to stop up, close and transfer an unopened road allowance.

Discussion/Analysis

Staff have received an application requesting the closing of an Unopened Road Allowance lying between Concession 11 and Concession 12, Lot 22, District of Loughborough. The benefitting lands are a small waterfront property on Buck Lake near the end of Narrows Lane, municipally addressed as 1185 Narrows Lane.

The Unopened Road Allowance is aligned from east to west between Perth Road and Buck Lake. Previously, portions of the Unopened Road Allowance were closed and transferred to the property to the north known as 1173 Narrows Lane.

The Location Map attached to the Report as Exhibit “A” shows Parcels A, B, C and D for clarification. Parcel A is 1173 Narrows Lane, the benefitting lands of a 2008 application to

close and purchase the Unopened Road Allowance. Parcel B is the Unopened Road Allowance that will be retained following the closure of Parcel C which is Part 4 on Plan 13R19516, it is the triangle of unopened road allowance that is being requested to be closed and sold to be added to Parcel D 1185 Narrows Lane. Exhibit “B” to the Report is survey 13R19516.

In 2008 an application to close and transfer a portion of the Unopened Road Allowance to be added to 1173 was received and presented to Council. Council agreed that the portions of unopened road allowance which the cottage and holding tank were located should be closed and sold to the abutting property owner. A portion of the abutting property was transferred to the Township in lieu of some of the purchase price. A portion of the Unopened Road Allowance between 1173 Narrows Lane and 1185 Narrows Lane was left as access to the water. Parcel D (Part 4, Plan 13R 19516) was contemplated for sale to Parcel E but a By-law was never passed and registered. The lands at 1185 Narrows Lane has a cloud on title due to incorrect surveys and much like 1173 Narrows Lane, the legal description for 1185 Narrows Lane incorporated part of the unopened road allowance in the metes and bounds description. A review of the satellite imagery on Frontenac Maps shows that a portion of the cottage on 1185 Narrows Lane may be on or very close to the Unopened Road Allowance.

The applicant is seeking to close and purchase Parcel D to clear the cloud on title which will allow the parcel to be converted from Registry to Land Titles, this will also allow the applicant to have clean title transferred to their name to address an estate matter.

The survey from the 2009 application will suffice as a legal description, all of Part 4 is being proposed to be closed and purchased. The current access between the two properties is already narrow and this closure and transfer will not create a situation prohibiting access.

A surveyor has calculated the area of Part 4 Plan 13R19516 to be 150.5 square metres (1,619.97 square feet). The lands are within 300 of a waterbody and therefore will have a purchase price of $2.41 cents a square foot. The total purchase price will be $3,904.13 plus HST ($507.54) for a total of $4,411.66.

The application details will be circulated in accordance with the Township Notice By-law and to Public Services Staff if Council is amendable to moving forward with the public meeting stage of the application process.

Financial Implications

The applicant has paid the application fee and a deposit for legal costs incurred.

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: 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

Exhibit A – Location Map

Exhibit B – Survey 13R19516

Approvals

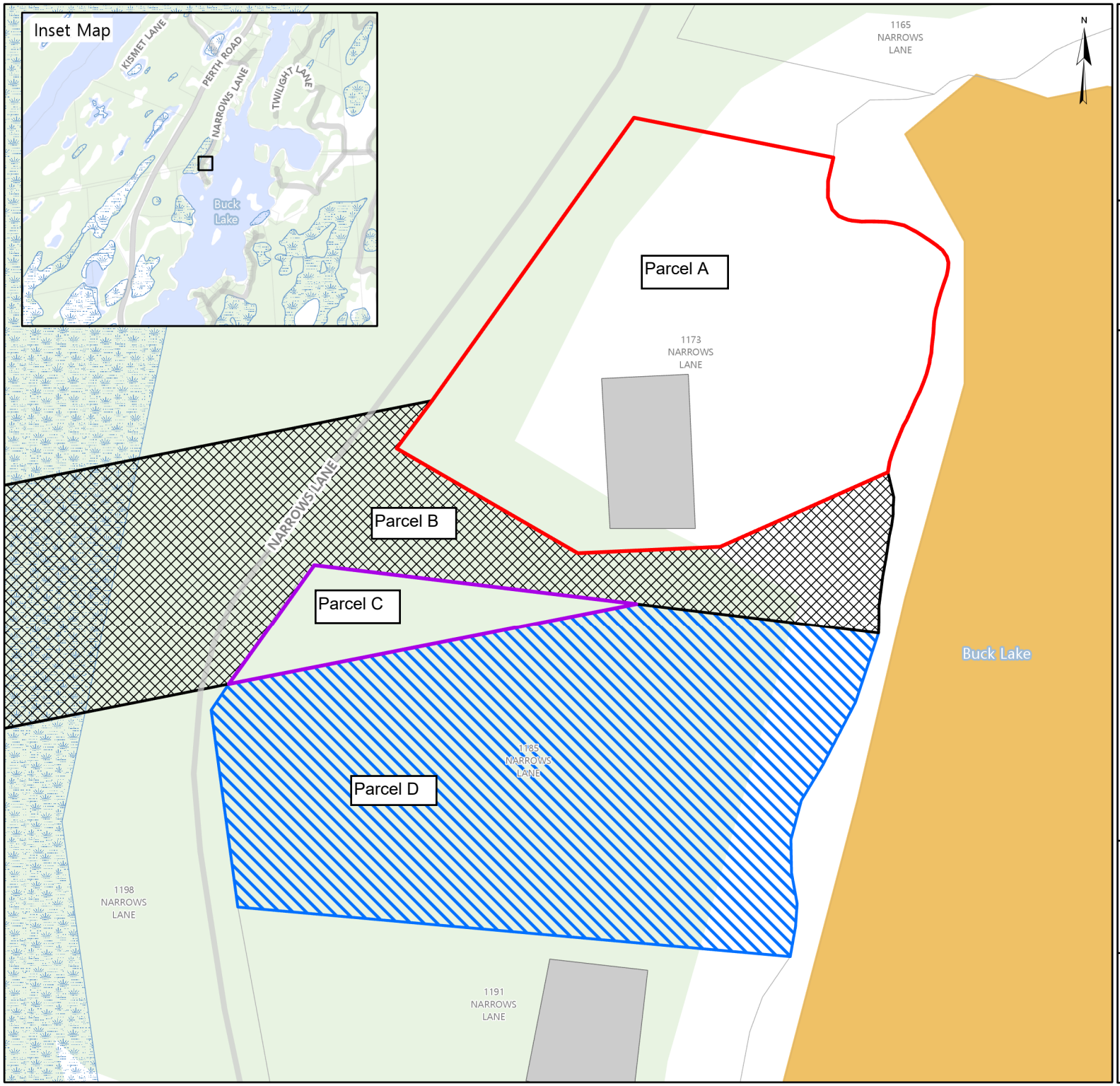
Prepared By: Michelle Hannah, Deputy Clerk

Submitted By:

James Thompson, Clerk

Approved By:

Louise Fragnito, Chief Administrative Officer



SOUTH FRONTENAC

RC-24-04

(HOLMES)
1185 NARROWS LANE

Legend

- Subject Lands
- Benefitting Parcel
- Unopened Road Allowance
- Unopened Road Allowance to be Closed and Transferred
- Provincially Significant Wetland
- Wetland
- Wooded Area
- Lake Trout Lake - At Capacity
- Lake Trout Lake - Not at Capacity
- Non-Lake Trout Lake - At Capacity
- Waterbody
- Township Boundary
- Road

Produced by the County of Frontenac under license with the Ontario Ministry of Natural Resources © King's Printer for Ontario, 2024.

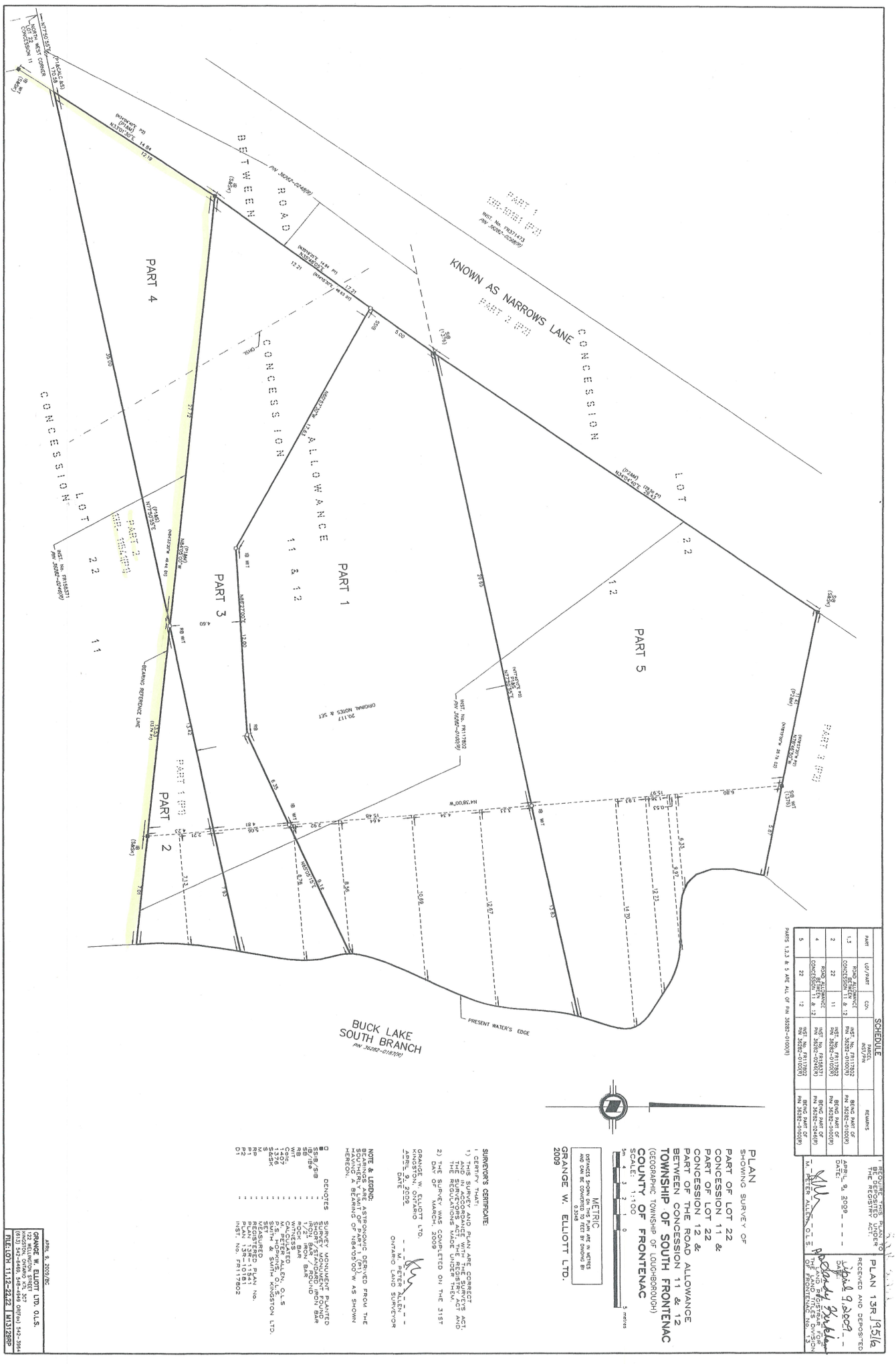
While the County makes every effort to insure that the information presented is accurate for the intended uses of this map, there is an inherent error in all mapping products, and accuracy of the mapping cannot be guaranteed for all possible uses. This map displays basic topographic features only.

Scale: 1:450

0 5 10 20 m

UTM Zone 18 NAD 83

Date: 2024-08-01


PART 1
PART 2
PART 3
PART 4
PART 5
CONCESSION LOT 22 11
CONCESSION ROAD ALLOWANCE BETWEEN 11 & 12
CONCESSION LOT 12 22
KNOWN AS NARROWS LANE
PART 2 (this plan)
PART 1 (this plan)
INST. No. FR371413
PIN 36282-0246(R)
INST. No. FR166371
PIN 36282-0246(R)
INST. No. FR117802
PIN 36282-0100(R)
PIN 36282-0117(R)
PIN 36282-0115(R)
BEARING REFERENCE LINE
ORIGINAL NOTES & SET
BUCK LAKE
SOUTH BRANCH
PIN 36282-0119(R)
PRESENT WATER'S EDGE
IB WIT
RB WIT
RB
IB
SIB
SSIB
N67°27'00"E 12.80
N67°27'00"E 12.83
N14°33'00"W 20.117
N14°33'00"W 4.44 (P2)
N14°33'00"W 4.60
N67°27'00"E 6.78
N67°27'00"E 9.14
N67°27'00"E 8.56
N67°27'00"E 10.68
N67°27'00"E 12.67
N67°27'00"E 13.83
N67°27'00"E 14.70
N14°33'00"W 5.03
N14°33'00"W 5.89
N14°33'00"W 6.33
N14°33'00"W 9.97
N14°33'00"W 12.22
N14°33'00"W 14.84
N14°33'00"W 15.48
N14°33'00"W 15.51
N14°33'00"W 15.53
N14°33'00"W 15.59
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N14°33'00"W 16.00
N14°33'00"W 16.01
N14°33'00"W 16.02
N14°33'00"W 16.03
N14°33'00"W 16.04
N14°33'00"W 16.05
N14°33'00"W 16.06
N14°33'00"W 16.07
N14°33'00"W 16.08
N14°33'00"W

Township of South Frontenac
Staff Report

To:	**Council**
From:	**Office of the Clerk**
Date of Meeting:	**August 13, 2024**
Subject:	**Noise By-law Exemption Request – 2824 Sunbury Road**
Report Number:	**2024-134**

Summary

The purpose of the Report is to provide Council with background information necessary for consideration of a Noise By-law exemption request related to 2824 Sunbury Road, Inverary.

Recommendation

That Lesley Alexandra be granted an exemption from Section 4, (Schedule 1, Clause 7.) of By-law Number 2015-41, As Amended, "A By-Law to Prohibit and Regulate Noise Within The Township of South Frontenac", to permit the discharge of consumer fireworks at 2824 Sunbury Road, Inverary on September 7, 2024 between 8:30 p.m. and 10:30 p.m.; it being understood that the exemption to discharge consumer fireworks does not permit the discharge of fireworks should the discharge of consumer fireworks be prohibited by other Township of South Frontenac By-Laws including but not limited to By-Law 2004-107, as amended, Ontario Regulations or Provincial Legislation.

Background

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

Discussion/Analysis

Staff received a Noise By-law exemption request from Lesley Alexandra, 2824 Sunbury Road, Inverary. The applicant is seeking exemption from Section 4, and more specifically Schedule 1, Clause 7 of the Noise By-law to permit the discharge of fireworks on September 7, 2024, between 8:30 p.m. to 10:30 p.m.

Although the Township of South Frontenac may grant an exemption from By-law 2015-41 to permit the discharge of consumer fireworks as they relate to sound, all other laws, By-laws and Acts must be adhered to, including but not limited to; the Township of South Frontenac Open Air Burning By-Law 2012-68, the *Forest Fires Prevention Act* and O. Reg 207/96: Outdoor Fires.

The following provides as summary of Section 4., Schedule 1, Clause 7 of By-Law 2015-41:

“Section 4:

No person shall emit, cause or permit the emission of noise resulting from any act listed in Schedule 1 – Prohibitions by Time and Place if clearly audible at a point of reception located in an area of the Municipality specified in Schedule 1 within a prohibited time show for such an area.”

“Schedule 1, Clause 7:

The discharge of fireworks (except as permitted by the Municipality) in Residential Areas and other Areas as defined by the Prohibited Periods of Time “G” in By-Law 2015-41:

Prohibited Periods of Time as defined by Schedule 1 “G”:

Any time from January 1st to the Friday of the Victoria Day weekend, and from

the Tuesday following the Victoria Day holiday to June 30 and from July 5 to

December 31.”

Financial Implications

None.

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: 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

Director of Emergency Services / Fire Chief

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:	**Director, Public Services**
Date of Meeting:	**August 13, 2024**
Subject:	**Road 38 Reconstruction – Detailed Design Phase**
Report Number:	**2024-142**

Summary

The purpose of this report is to seek approval to proceed with a request for proposal (RFP) by invitation for the detailed design and tender preparation phase of the Road 38 reconstruction project.

Recommendation

That Council approve an exemption to the Procurement By-Law to allow the Public Services Department to procure submissions through direct invitation for the detailed design phase of the Road 38 Project (Murton Road to Kingston Road) based on the recommended option;

That Public Services extend invitations to each of the eight (8) qualifying firms that submitted proposals under the initial RFP for the Preliminary Design of Road 38; and

That the CAO be authorized to award the detailed design contract to the lowest qualifying bidder within the delegated authority limits similar to traditional tender procurements.

Background

On March 2nd, 2023, the Township released Request for Proposal # PS-P01-2023 to provide professional services for the preliminary design for the reconstruction of Road 38 (Murton Road to Kingston Road). The study launched at that time followed the framework of the Municipal Class EA process with the objective to confirm the applicable EA schedule for the project and to inform the next phase detailed design. Key activities and deliverables in the original assignment included:

a) Collection and review of background information relating to the study area including topographic surveys, land use and legal boundaries
b) Implementation of a stakeholder engagement plan
c) Initiation of the mandatory Municipal Class Environmental Assessment notice

d) Identifying the Problem or Opportunity statement
e) Preparation of supporting studies including cultural and natural heritage, geotechnical, archaeological, structure assessments, hydrological assessments, traffic studies, road safety reviews and utility reviews
f) Identification and evaluation of alternative solutions and
g) Recommendation of the preferred reconstruction option

At the conclusion of the bid period, eight (8) Request for Proposal submissions were received for RFP # PS-P01-2023. All of these submissions were subject to detailed review and scored according to a 100 point merit based point system.

On May 16th, 2023, staff brought forward the results of the scoring for the original RFP and the highest ranking assignment was awarded to Safe Roads Engineering for the total bid of $98,055.94.

Discussion/Analysis

On May 21st, 2024, Safe Roads Engineering (SRE) presented the various studies and tasks completed on the project over the previous year. The team at SRE also provided an overview of the project notices and the public communications used throughout on the project. Feedback received from the public and stakeholders on the early stages of the project was also shared with Council.

Perhaps the most significant finding of the preliminary design phase was the assessment of traffic growth on the corridor from Harrowsmith through to the Highway 401 WB ramps (McIvor Road). The capacity analysis completed for the 2033 and 2046 horizons years indicated that the present lane configurations would meet growth needs while continuing to operate within acceptable levels of service as defined within the Highway Capacity Manual.

The recommended design option was presented which included reconstruction of the corridor with a two-lane road configuration and the addition of two new paved shoulders (11.0m paved surface). Direction was then provided to SRE to advance with a public meeting and to return with final recommendation for detailed design.

On June 26th, 2024, the Township hosted a Public Information Meeting at the Harrowsmith Free Methodist Church. Twenty-two (22) members of the public were in attendance in addition to several members of staff and Council. SRE presented the project findings at the meeting and followed with an extensive question and answer session with attendees (refer to Exhibit A). At the conclusion of the meeting, attendees were encouraged to complete surveys and provide feedback on any concerns. A total of seven (7) written comments were received at the end of the comment period on July 17th. The key themes identified in the consultation process are summarized in Exhibit B. Most, if not all the comments received on the project relate to elements to be followed up within the detailed design.

Based on the outcomes of the preliminary design work, the recommended design for Road 38 project is now classified as an Exempt project under the Municipal Class EA. Staff are

therefore recommending that the Township advance to the detailed design stage for the recommended design alternative. Staff are also recommending that the Township proceed with the procurement for the next phase of the project. Given the time of year, and the delays encountered in the original phase, staff are recommending that the Township issue direct invitations to bid to each of the eight (8) qualified bidders on the initial RFP procurement. If these services were to be obtained through conventional RFP processes, the process could otherwise take 2 to 3 months and impact an early project delivery in 2025.

Financial Implications

An approved budget of $100,000 was carried in the 2024 Budget for the Road 38 Detailed Design. It should be noted that this funding covers all expenses for the detailed design of the 5.8km section of highway, the culvert replacement at Murvale Creek, and the preparation of the associated tender documents in support of planned construction commencing in 2025.

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

Safe Roads Engineering
Director of Corporate Services / Treasurer

Attachments

Exhibit A – Open House Presentation June 26, 2024
Exhibit B - Summary of Public Comments – Road 38 Open House

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, CPA CGA, Chief Administrative Officer

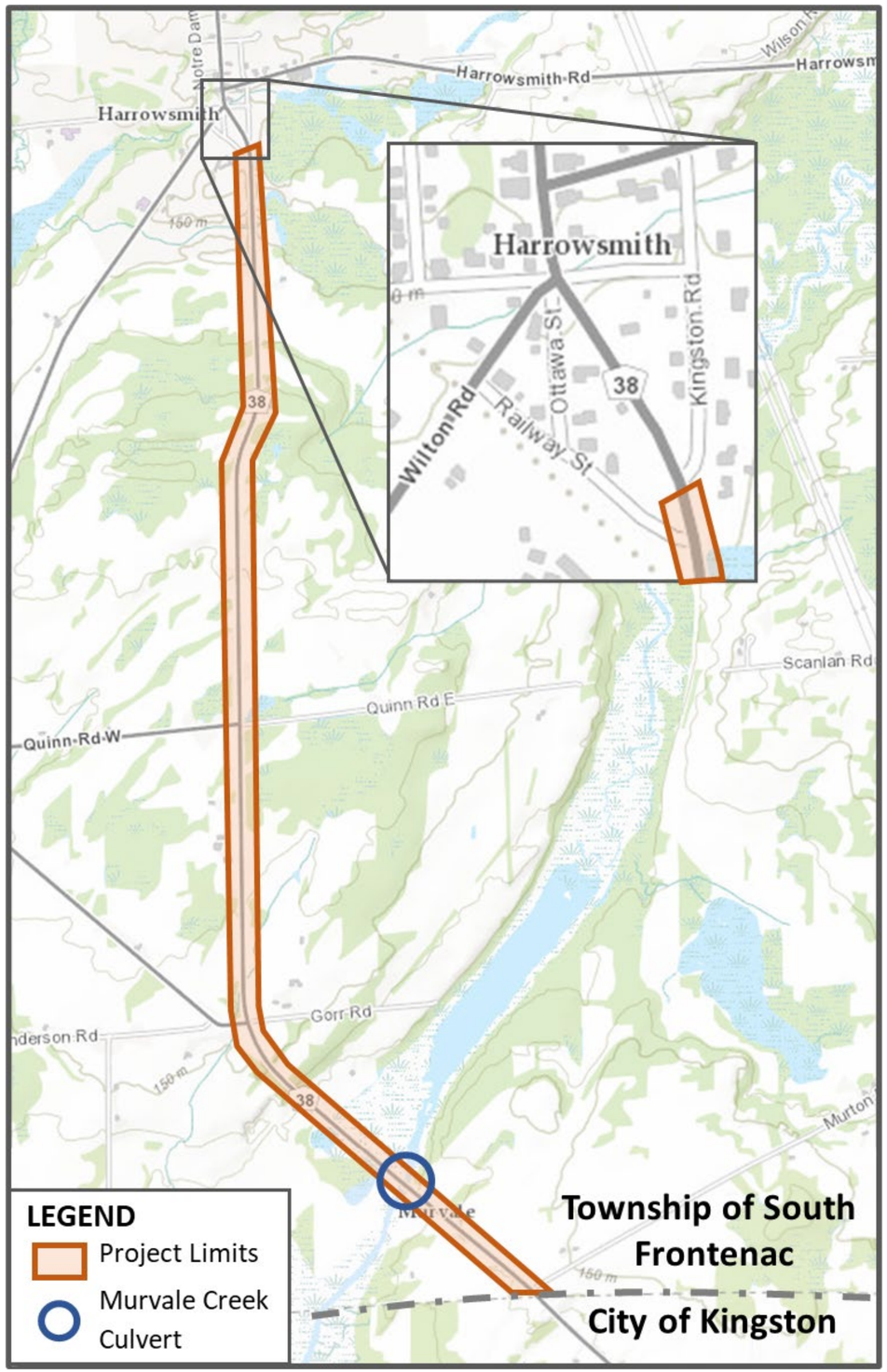
PRELIMINARY DESIGN SERVICES FOR THE RECONSTRUCTION OF ROAD 38 (MURTON ROAD TO KINGSTON ROAD)

PUBLIC MEETING PRESENTATION
JUNE 26, 2024

PROJECT BACKGROUND

- Based on the 2022 Roads Needs Study, this portion of Road 38 has a Pavement Condition Index of 60/100 (Fair)
- Last paved in 1993 based on Township records
- Pavement design typically targets a 25-year service life
- Road surface is now in a state where full replacement is required
- Full pavement replacement generates opportunity to address operational concerns
- Council approved funding for Preliminary Design and Class Environmental Assessment Study for this project in 2023
- For more information, visit [Road 38 | EngageFrontenac.ca]

PROJECT AREA OVERVIEW



EXISTING ROAD 38
Murton Rd to Kingston Rd

- A primary north-south link
- Rural major arterial
- 5.8 kilometres
- 2-Lanes, 3.5 m wide
- Unpaved shoulders, 2.0 m wide
- PCI rating of 60 (2022)

EXISTING MURVALE CREEK CULVERT

- Located 0.7 km north of Murton Road
- Structural Plate Corrugated Steel Pipe
- 29.6 metres long, 3.66 metres dia.
- BCI rating of 60.27 (2021)
- Provincially Significant Wetland
- OSIM Structure/Navigable Crossing

PRELIMINARY ENGINEERING STUDIES & TASKS COMPLETED

- Municipal Class Environmental Assessment
- Topographic Survey & Legal Boundary Review
- Cultural Heritage Screening
- Natural Heritage Resources/Species at risk
- Stage 1 Archaeological Assessment
- Geotechnical Investigation
- Hydraulic/Hydrologic Investigation (Murvale Creek Culvert)
- Traffic Study – including intersection capacity southerly to Hwy 401
- Roadside Safety Assessment
- Utilities review

Municipal Class Environmental Assessment

- Project was initiated as a Schedule ‘B’ under the MCEA process
- Notice of Project Commencement was issued on October 12, 2023 (Frontenac News, Engage South Township website)
- Notice to 55 residents and businesses along the corridor were hand delivered on October 10th and October 16th
- Feedback was received from five residents
- Response received from Alderville First Nation
- Current stage of EA – technical studies have been completed, ready to proceed to public meeting to present findings
- Based on the expected scope of work, this project it would be considered exempt under the MCEA

Cultural Heritage Screening - Summary

- This was a desktop exercise
- Three (3) locations of interest were identified outside of the existing right-of-way
- Should all project impacts be limited to the existing right-of-way, no additional heritage assessment will be required
- Disturbance outside of the existing right-of-way may trigger the need for individual property Cultural Heritage Evaluation Reports and full Heritage Impact Assessment

Thank you to the team at Parslow Heritage Consultancy Inc. for helping us with this study

Natural Heritage & Species at Risk - Summary

- A desktop screening was conducted
- Any Vegetation clearing should occur outside the breeding bird season, between April 1st and August 31st
- No in-field fisheries investigations were completed, however may be required to support the detailed design
- No In-Field investigations were completed for species at risk, however investigations for breeding birds and trees will be required as part of the detailed design

Thank you to the team at Cambium Inc. for helping us with this study

Archaeological Assessment - Summary

- This was a desktop exercise
- Portions of the study area that have undergone previous disturbance are not recommended for further assessment
- Portions of the study area that are considered low and wet are not recommended for further assessment
- Area of Archaeological potential (undisturbed) has been identified from 265 m south of Quinn Road to 620 m south of Quinn Road (approx. 355 m in length) on east side of Rd 38
- Areas within 10 m of the Murvale Cemetery should be subject to mechanical topsoil removal supervised by a licensed archaeologist

Thank you to the team at Parslow Heritage Consultancy Inc. for helping us with this study

Geotechnical Investigation - Summary

- Thirteen (13) boreholes were drilled within the project limits
- Investigation scope was to support future pavement design:
  - Cross culvert bedding
  - Roadway subbase and asphalt pavement structure
  - Environmental sampling for excess soils management
- Murvale Creek Culvert foundation design considerations:
  - Capacity of underlaying soils
  - Dewatering considerations

Thank you to the team at Cambium Inc. for helping us with this study

Hydraulic Analysis - Summary

- A hydraulic analysis of Murvale Creek was executed to provide capacity recommendations for the culvert replacement design
- The analysis was performed to adhere to the MTO Drainage Management Manual (1997) and the MTO Highway Drainage Design Standards (Jan 2008)
- Existing structure conveys the 50-year storm event but does not satisfy all design criteria (1.0 m of freeboard required)
- Replacement of Murvale Creek Culvert is recommended as part of the Road 38 Reconstruction project

Thank you to the team at Resilient Consulting for helping us with this study

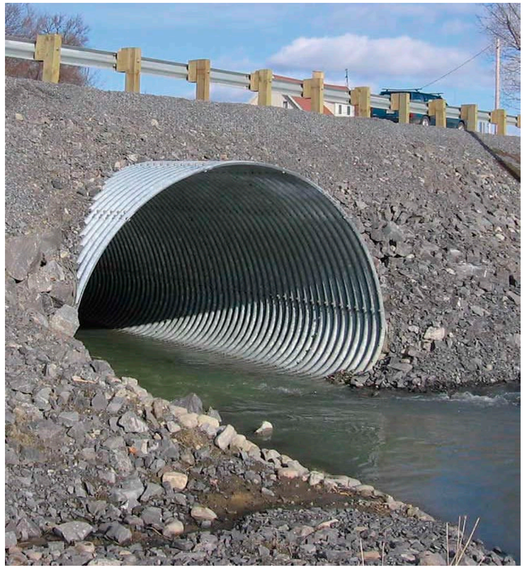
Murvale Creek Culvert

- Existing Structural Plate Corrugated Steel Pipe (SPCSP)
- 1.5m of fill over the culvert
- 2021 OSIM inspection provided an overall Bridge Condition Index (BCI) of 60.27
- Remaining service life less than new pavement service life
    - Recommend replacing as part of the Rd 38 reconstruction

Murvale Creek Culvert - Replacement Options

Structural Plate Corrugated Steel Pipe	
PRO's	**CON's**
reduced depth of sub-excavation	proper dewatering is critical for structure performance and is required for more construction operations
conflicts with overhead utilities can be avoided	high risk to long term structure performance if not installed correctly
Typically more cost effective under ideal conditions	Longer construction period

Concrete Box Culvert	
PRO's	**CON's**
more effective hydraulic opening	greater depth of sub-excavation
structure's performance does not depend on compaction of bedding / backfill	presence of overhead utilities complicates the installation
more available concrete repair options	
dewatering not critical and required for fewer construction operations	
Shorter construction period	



Traffic Study - Summary

The following factors were considered as part of this study:

- Existing Conditions
- Traffic Growth
- Intersection Capacity Analysis (existing and future)
- Active Transportation
- Transit
- Sight Lines
- Passing Lanes
- Collision History
- Trail Crossings

Traffic Study – Methodology

- Methodology of traffic analysis based on industry best practices
- Existing traffic data obtained and assessed
- Traffic volumes were factored based on forecasted Population and Employment forecasts from the South Frontenac's and Kingston's Official Plans
- No background developments were included in the analysis based on discussions with Township Staff
- Traffic volumes were factored to 2033 and 2046 horizons
- Traffic was analyzed from Wilton Road to Highway 401 WB Ramps (McIvor Road)
- Traffic volumes were assessed using the Highways Capacity Manual V. 6 methodologies in Synchro software

Traffic Study – Volumes

- Road 38 has an AADT (Annual Average Daily Traffic) volume of 8,100
- Traffic data for project was collected in 2022 and 2023
- Road 38 generally serves commuter traffic, where traffic travels southbound in the AM peak and northbound in the PM peak
- Traffic analysis includes the following intersections:
  - Wilton Road
  - Quinn Road West/East
  - Yarker Road / Gorr Road
  - Murton Road
  - Orser Road
  - Unity Road
  - Burbrook Road
  - Cordukes Road
  - McIvor Road / Highway 401 WB Ramps

Traffic Study – Capacity Analysis

- Methodology of traffic analysis based on industry best practices
- Existing traffic data obtained and assessed
- Traffic volumes were grown based on forecasted Population and Employment forecasts from the South Frontenac's and Kingston's Official Plans
- No background developments were included in the analysis based on discussions with Township Staff
- Traffic volumes were factored to 2033 and 2046 horizons
- Traffic was analyzed from Wilton Road to Highway 401 WB Ramps (McIvor Road)
- Traffic volumes were assessed using the Highways Capacity Manual V. 6 methodologies in Synchro software

Traffic Study – Capacity Analysis

- Analysis conducted per the Highway's Capacity Manual 6th Edition & Synchro Software
- Two main criteria:
  - ➢ Level of Service (average delay per vehicle)
  - ➢ Volume to Capacity (v/c) Ratio

Table 1 Level of Service Delay Definitions

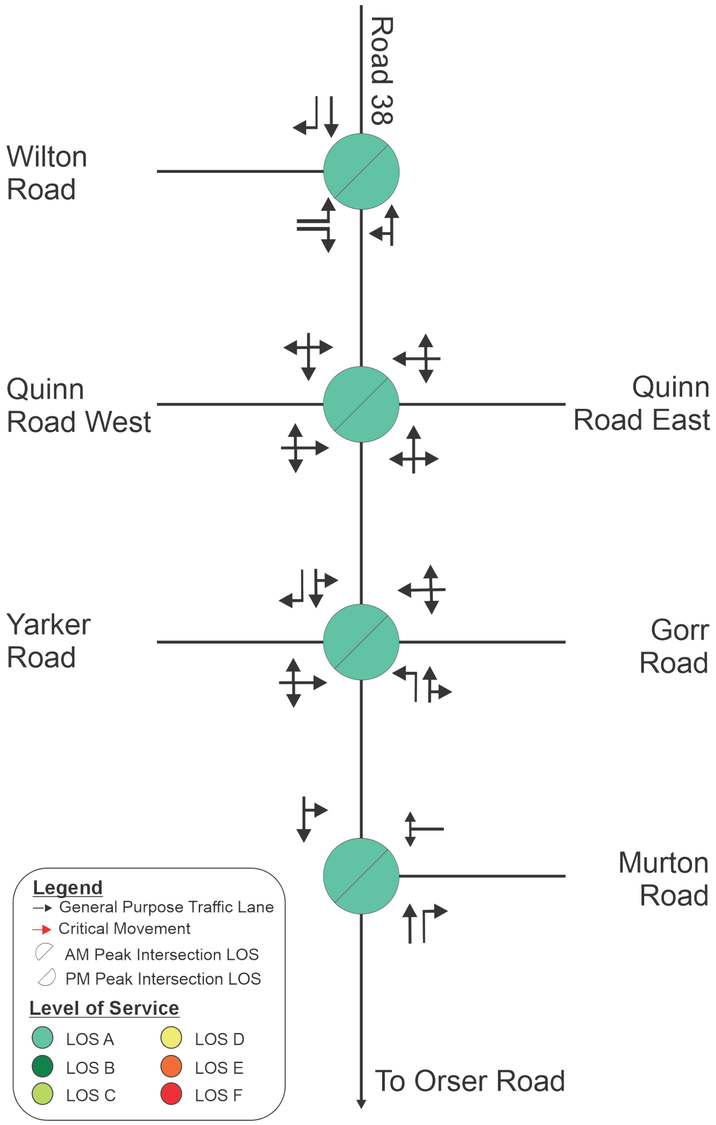
Level of Service	Signalized Intersections	Unsignalized Intersections
A	≤ 10 seconds	≤ 10 seconds
B	10 seconds – 20 seconds	10 seconds – 15 seconds
C	20 seconds – 35 seconds	15 seconds – 25 seconds
D	35 seconds – 55 seconds	25 seconds – 35 seconds
E	55 seconds – 80 seconds	35 seconds – 50 seconds
F	>80 seconds	>50 seconds

- Critical movements (level of service F and volume to capacity (v/c) ratio > 0.85) are identified for mitigation

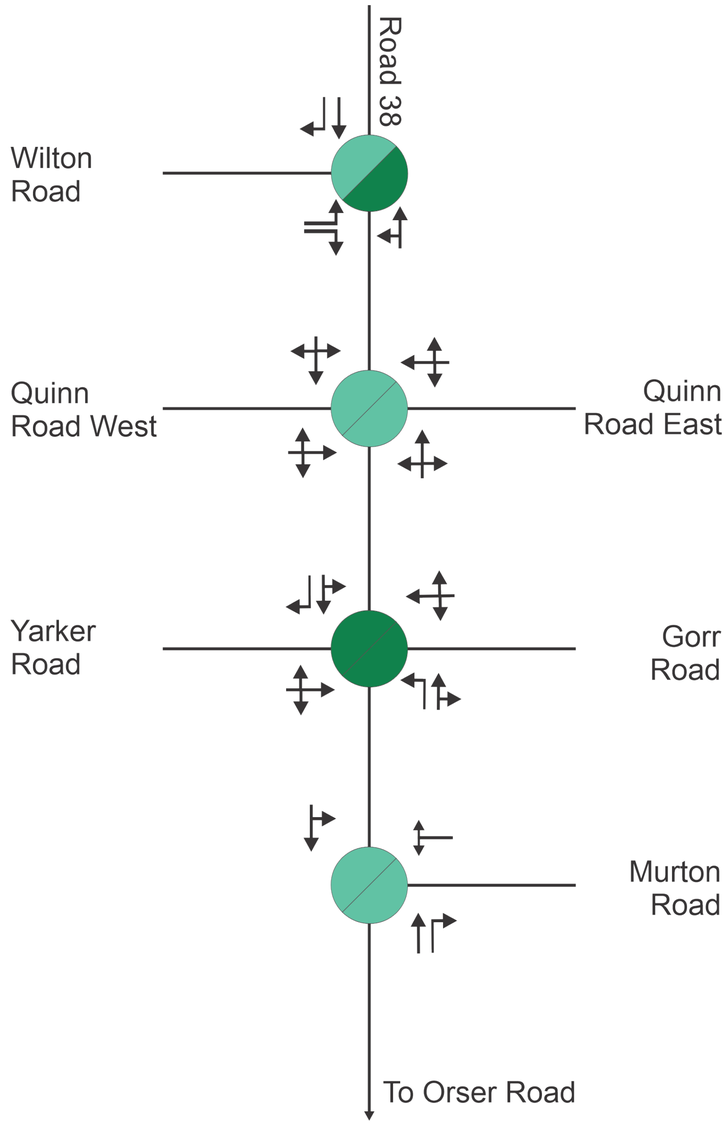
Traffic Study – Capacity Analysis

Intersection	Movement	Existing Condition				2033 Horizon				2046Horizon			
		AM Peak		PM Peak		AM Peak		PM Peak		AM Peak		PM Peak	
		LOS	v/c	LOS	v/c	LOS	v/c	LOS	v/c	LOS	v/c	LOS	v/c
Wilton Road / Road 38 (Signalized)	Overall	A	0.4	A	0.48	A	0.44	A	0.53	B	0.49	B	0.6
Quinn Road / Road 38 (Unsignalized)	EB left-through-right	B	0.03	B	0.03	B	0.03	C	0.03	C	0.044	C	0.048
	WB left-through-right	C	0.01	C	0.01	C	0.01	C	0.01	C	0.018	C	0.013
	NB left-through-right	A	<0.01	A	<0.01	A	<0.01	A	<0.01	A	-	A	<0.01
	SB left-through-right	A	<0.01	A	<0.01	A	<0.01	A	<0.01	A	-	A	-
Yarker Road/Gorr Road / Road 38 (Unsignalized)	EB left-through-right	C	0.49	B	0.14	C	0.59	B	0.16	E	0.767	B	0.222
	WB left-through-right	C	<0.01	D	0.03	C	<0.01	E	0.04	C	<0.01	E	0.073
	NB left	A	0.05	A	0.16	A	0.05	A	0.18	A	0.067	A	0.212
	SB left-through	A	<0.01	A	<0.01	A	<0.01	A	<0.01	A	-	A	-
Murton Road / Road 38 (Unsignalized)	WB left	C	0.17	C	0.1	C	0.22	C	0.13	D	0.302	C	0.179
	SB through-left	A	<0.01	A	0.02	A	<0.01	A	0.02	A	<0.01	B	0.029

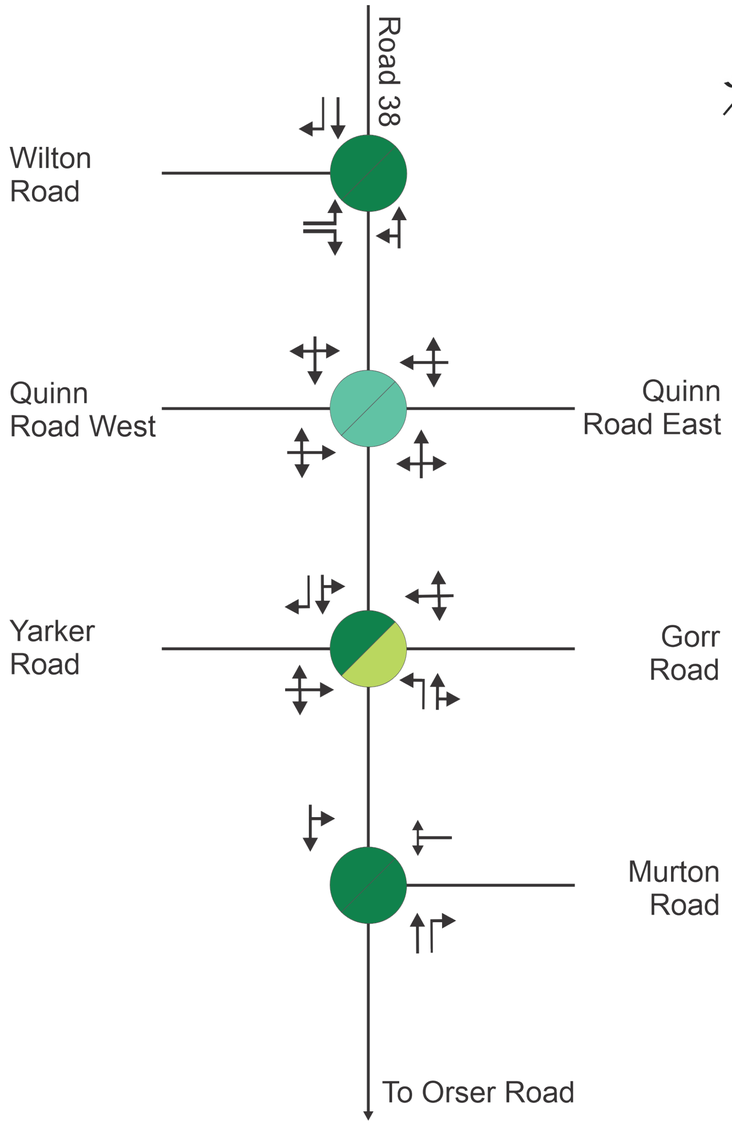
Traffic Study – Capacity Analysis



Existing



2033



2046

Traffic Study – Capacity Analysis

- In 2033:
  - Cordukes Road westbound approach expected to operate at LOS F during AM and PM peak periods
  - WB Off-Ramp right turn expected to operate over-capacity (over 900 vehicles per hour)
- Mitigation would be required to improve these movements

Traffic Study – Passing Lane Warrant

- Analysis conducted per the TAC Geometric Design Guide for Canadian Roads & using Highway Capacity Software (HCS2023)
- Two main criteria:
  - Percentage Time Following
  - Level of Service (Density)

Table 7 High-Speed Level of Service Definition

Level of Service	Followers Density (passenger cars / km / lane)
A	FD ≤ 1.2
B	1.2 < FD ≤ 2.5
C	2.5 < FD ≤ 5
D	5 < FD ≤ 7.5
E	7.5 < FD ≤ 99
F	FD > 99

- Recommended warrant if level of service is a **D** or with a percentage following of **70%** or greater

Traffic Study – Passing Analysis

Segment	Analysis Period	Analysis	Direction					
Wilton Road to Quinn Road	AM Peak		Southbound			Northbound		
			Existing	2033	2046	Existing	2033	2046
		Percent Following (%)	60.1%	62.4%	65.6%	36.7%	38.4%	41.3%
		Level of Service	C	C	D	A	A	B
	PM Peak		Southbound			Northbound		
			Existing	2033	2046	Existing	2033	2046
		Percent Following (%)	51.0%	53.2%	56.4%	64.2%	66.4%	69.7%
		Level of Service	B	C	C	D	D	E
Quinn Road to Yarker Road/Gorr Road	AM Peak		Southbound			Northbound		
			Existing	2033	2046	Existing	2033	2046
		Percent Following (%)	60.1%	62.6%	66.3%	33.1%	35.0%	38.0%
		Level of Service	C	C	D	A	A	A
	PM Peak		Southbound			Northbound		
			Existing	2033	2046	Existing	2033	2046
		Percent Following (%)	39.0%	41.4%	44.3%	60.6%	63.1%	66.8%
		Level of Service	A	A	B	C	C	D
Yarker Road/Gorr Road to Murton Road	AM Peak		Southbound			Northbound		
			Existing	2033	2046	Existing	2033	2046
		Percent Following (%)	57.1%	59.6%	63.8%	37.1%	39.2%	42.1%
		Level of Service	C	D	D	A	A	B
	PM Peak		Southbound			Northbound		
			Existing	2033	2046	Existing	2033	2046
		Percent Following (%)	33.4%	37.7%	41.4%	69.9%	72.4%	75.8%
		Level of Service	A	A	B	D	D	E

Traffic Study – Passing Lane Warrant cont.

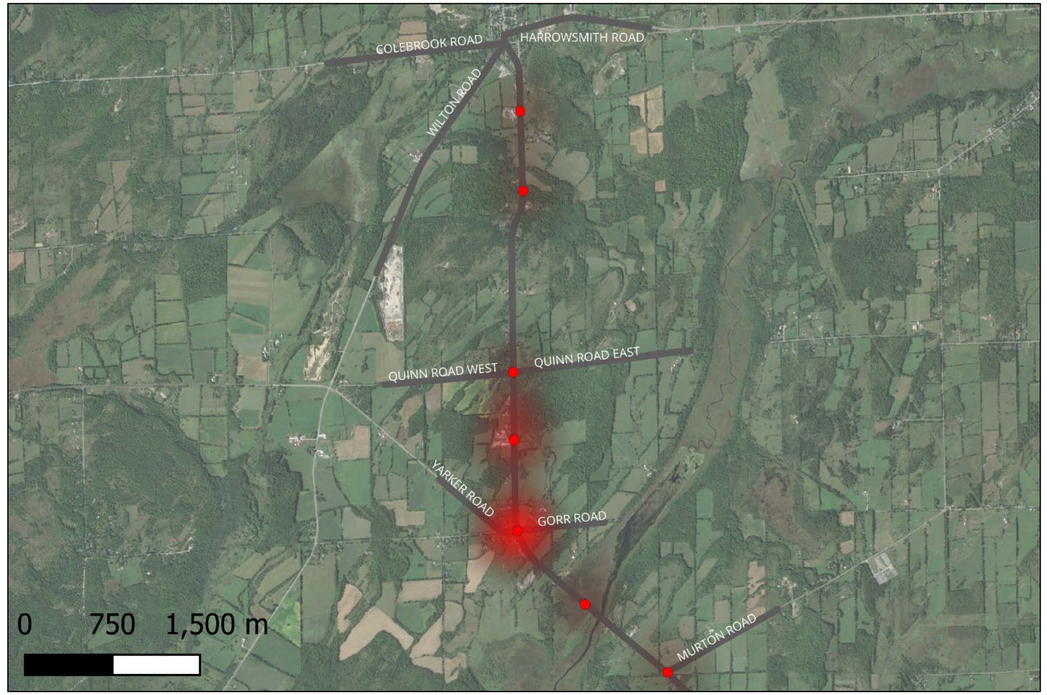
Summary of the Analysis findings:

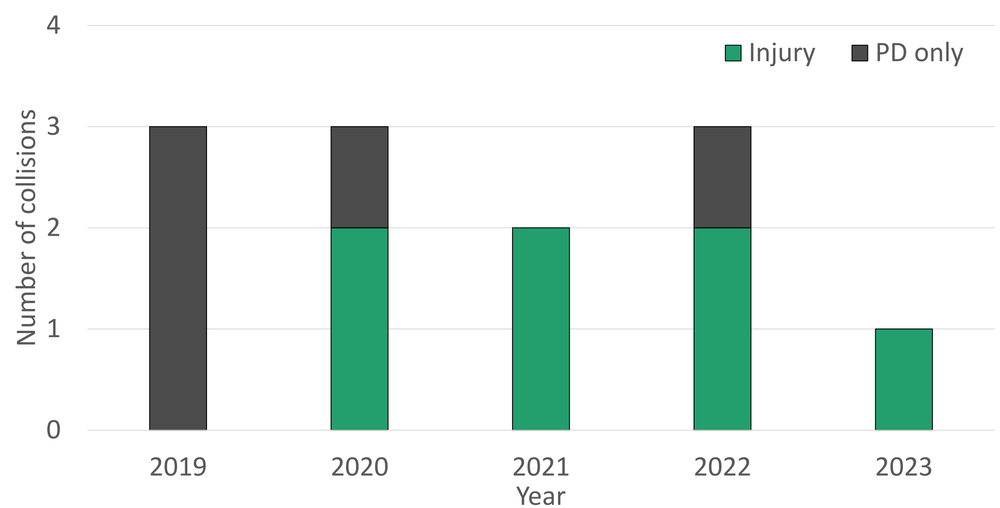
- The results of the passing analysis will change based on changes to upstream and downstream roadway geometry
- Changes in traffic patterns, including increases/decreases of telecommuting and / or increase in autonomous vehicle use, may also change the passing lane analysis results
- It is recommended that the passing analysis be conducted again, closer to the 2046 horizon when the pavement is likely to receive its next major surface rehabilitation

Traffic Study – Collision Summary

A collision analysis was completed with the EMS response data:

- There were a total of 12 collisions reported
- No fatal collisions
- 50% of the collisions were single motor vehicle (SMV)
- 4 collisions occurred at Yarker Rd/Gorr Road / Road 38 intersection
- No common element found pointing to specific causes





Traffic Study – City of Kingston Feedback

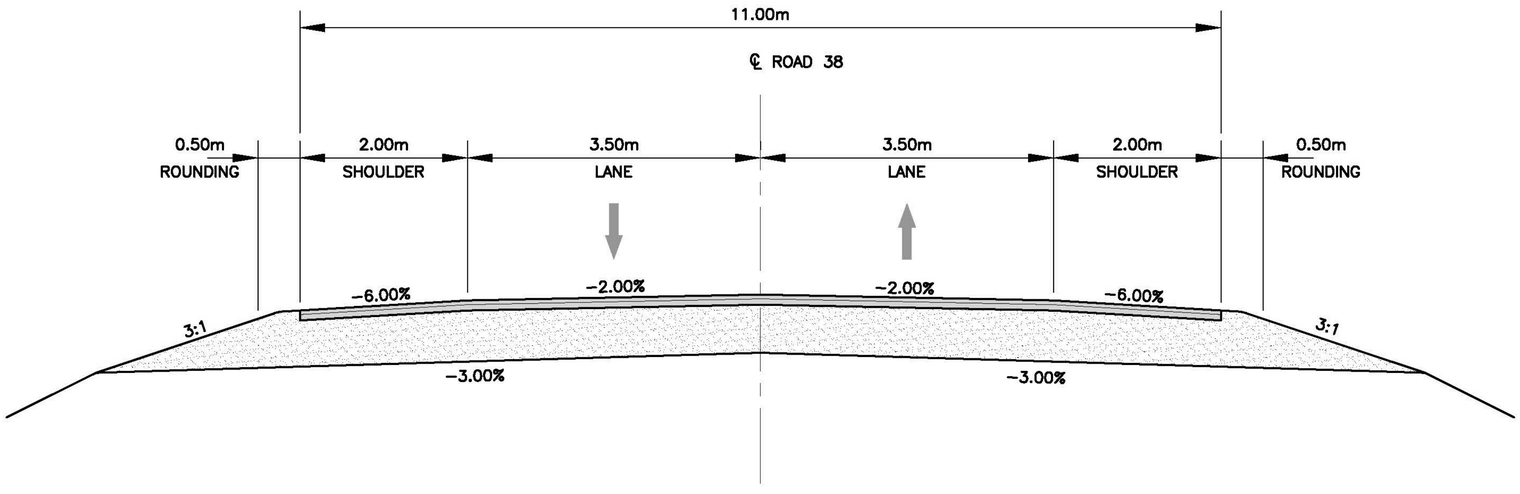
The City of Kingston completed a review of the Traffic Study and offered the following information:

- No current approved capital plans for road rehabilitation on Road 38 (city portion). Consideration for road rehabilitation have been identified in the 10-year capital forecast
- Official Plan and Transportation & Mobility Plan has been initiated with a completion date of June 2026.
- City has confirmed that there are no Active Transportation facilities along Rd 38 as part of the AT Master Plan
- Gardiners, Centennial and Creekford intersections under construction in 2024/2025
- The City will continue to include the Unity and Road 38 intersection as part of future traffic counts to ensure capacity levels are sufficient and timing adjustments are made, as necessary.
- City concurs that traffic operations in the study area generally operate at good/acceptable levels of service in the existing and future 2033 and 2046 horizons

ROAD 38 – Recommended Rehabilitation

The resulting recommendation from the Geotechnical Investigation was:

- Reclaim the existing asphalt into the existing base
- Apply 150 mm of granular ‘A’ leveling material
- Apply 70 mm of binder course asphalt pavement
- Apply 50 mm of surface course asphalt pavement
- Maintain existing lane and shoulder widths, pave the shoulders



ROAD 38 TYPICAL CROSS SECTION

Construction Cost Estimate

The estimated cost for this project can be broken down into two components:

1. Road reconstruction - $5.35M
   - Pulverize and pave with the addition of fully paved shoulders
   - Small culvert replacements
   - Guide rail upgrades
   - Includes 20% Construction Contingency Detailed Design & Engineering
2. Murvale Creek Culvert replacement - $1.76M
   - Includes 20% Construction Contingency Detailed Design & Engineering

Total estimate construction value = **$7.1M**

Municipal Class EA - Next Steps

- Project now considered Exempt based on findings from the assessments completed during this study.
- A Public Meeting is not required for exempt project; however, it is recommended to proceed with a Public Meeting given the significance of the project.
- Once feedback has been received from Public Meeting, staff can proceed with recommendation to Council for final design.

QUESTIONS?

EXHIBIT B

Summary of Public Comments – Road 38

Public Open House (June 26th, 2024)

Themes – Question and Answer Session	Staff Comment or Action Required
Changes in road elevation and driveway tie-ins	Meet with concerned lot owner(s). Address in detailed design phase
Mailboxes relocations / mail delivery service	Addressed at Township's cost during construction phase
Concerns with excessive speeding on corridor	Enforcement concerns to be relayed to OPP
Speed limit changes proposed	No speed limit changes planned – arterial road
How long will the project take (construction)?	Construction will start in 2025 and extend into 2026 (in water work).
How is the project funded?	5yr plan endorsed by Council / $4M already in reserves at end of 2024.
Will there be lane closures? Full closures?	Lane closures are anticipated during construction. No full road closures planned.
Affects on daily commutes	Staging of work will consider peak commuter periods to minimize impact.
Concern with slip lane south of Harrowsmith	Meet with concerned lot owner(s). Address in detailed design phase
Concerns on loss of property / front yards	Meet with concerned lot owner(s). No widenings planned on road platform.
Drainage concerns at individual properties	Meet with concerned lot owner(s). Address in detailed design phase
Tree cutting on corridor – dead ash trees	Inform affected landowners by advance notices where removals are needed.
Will driveway culverts be replaced?	Addressed at Township's cost during construction. Coordinated with lot owner(s)
Pleased to hear there are no passing lanes	No response required.

Post Session / Written Comments	Staff Comment or Action Required
Cut through traffic on Railway Street an issue	Additional technical review / design phase
Sight lines to north at Railway Street	Additional technical review / design phase
Parking issues on highway at gas station	Additional technical review / design phase
Affects on personal commutes	Staging of work will consider peak commuter periods to minimize impact.
Changes in road elevation and driveway tie-ins	Meet with concerned lot owner(s). Address in detailed design phase
Drainage concerns at individual properties	Meet with concerned lot owner(s). Address in detailed design phase
Concern with slip lane south of Harrowsmith	Meet with concerned lot owner(s). Address in detailed design phase
Concerns with excessive speeding on corridor	Enforcement concerns to be relayed to OPP.
Concerns on loss of property / front yards	Meet with concerned lot owner(s). No widenings planned.

Township of South Frontenac

Staff Report

To: Council

From: Director, Public Services

Date of Meeting: August 13, 2024

Subject: Green Bay Waste Disposal Site – Closure Plan

Report Number: 2024-133

Summary

The purpose of this report is to obtain funding approval from Council for the development of a closure plan for the Green Bay Waste Disposal Site and to seek Ministry approval to allow waste transfer operations once landfill capacity has been reached.

Recommendation

That Council direct staff to proceed with development of a closure plan for the Green Bay Waste Disposal site to be submitted to the Ministry of Environment, Conservation and Parks;

That Council direct staff to submit an application to amend the Environmental Compliance Approval (ECA) to operate the site as a waste transfer site once landfill capacity has been reached; and

That Council approve funding in the amount of $16,500 for the development of the closure plan and ECA Amendment from the Landfill Closure Reserve.

Background

On April 9th, 2024, Cambium presented Council with the findings of the 2023 Annual Report for the Township's numerous waste disposal sites. Findings presented that evening had identified that the Green Bay Waste Disposal Site was nearing capacity and that a closure plan should be submitted to the Ministry of the Environment, Conservation and Parks in 2024.

The approved capacity for the Green Bay landfill was 10,000 cubic meters and as of the end of 2023, 9,155 cubic meters of capacity (or 91.5%) have been utilized. Using the average amount of waste landfilled annually at this site it is forecasted to reach capacity within 2 years.

Discussion/Analysis

Ontario Regulation 232/98 - Landfilling Sites require owners to submit a site closure plan at least two years prior to the expected date of closure of landfill operations. The closure

report prescribes all aspects of site closure activities and provides an outline of post-closure care requirements. Key activities included in the closure plan include:

- final contour design
- final cover design
- site design features such as fencing, signage, etc.
- closure/post closure maintenance program
- environmental monitoring & contingency plans for site closure

Additional activities included in the site closure plan process include notification to adjacent residents, completion of an ECA application and payment of the associated fees. Through discussions with Cambium, it has been recommended that the Township submit a parallel application to amend the ECA for the site to permit operation of a waste transfer facility. Once the landfilling operations are completed, the Township would then be permitted to transfer wastes to an alternate waste disposal site. This approach will allow the same waste disposal services to be offered to the public without any interruption in service. The application for the waste transfer facility requires the submission of an operations plan that includes:

- site design features such as fencing, signage, etc.
- environmental monitoring & contingency plans for site closure
- development of site maintenance/control plans
- development of waste handling procedures
- fire control procedures
- transfer station site plan
- vehicle traffic plan

Cambium has recommended that the closure plan and ECA amendment for a waste transfer station be submitted in parallel. This approach would provide for a more streamlined review by the Ministry, and it would otherwise avoid duplication of the ECA application fees.

Financial Implications

The estimated cost for the closure plan and application to operate a future waste transfer facility for the Green Bay Waste Disposal Site is estimated to be $16,500, to be funded from the Landfill Closure Reserve set aside for these purposes.

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

Cambium
Director of Corporate Services / Treasurer

Attachments

Exhibit A – Excerpts Annual Landfill Update 2023

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, CPA CGA, Chief Administrative Officer

Annual Update (2023)
April 9, 2024

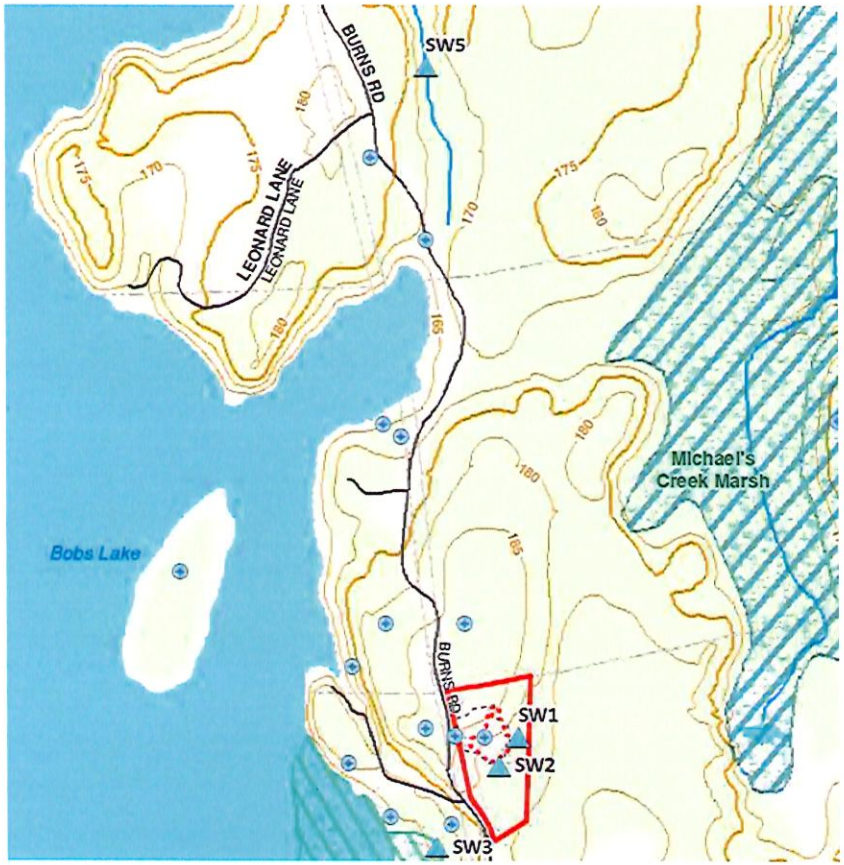
Township of South Frontenac
Waste Disposal Sites

CAMBIUM

Environmental | Geotechnical | Construction Quality Verification | Building Sciences

Green Bay Waste Disposal Site

- Transfer Station, Landfill
- Groundwater and surface water met compliance criteria
- Minor updates required to trigger (background location)
- Minor well repairs required by Cambium in spring
- Operated in compliance with PC of A
- Site is nearing maximum capacity; a Closure Plan should be submitted in 2024
- Closure Plan should update waste limit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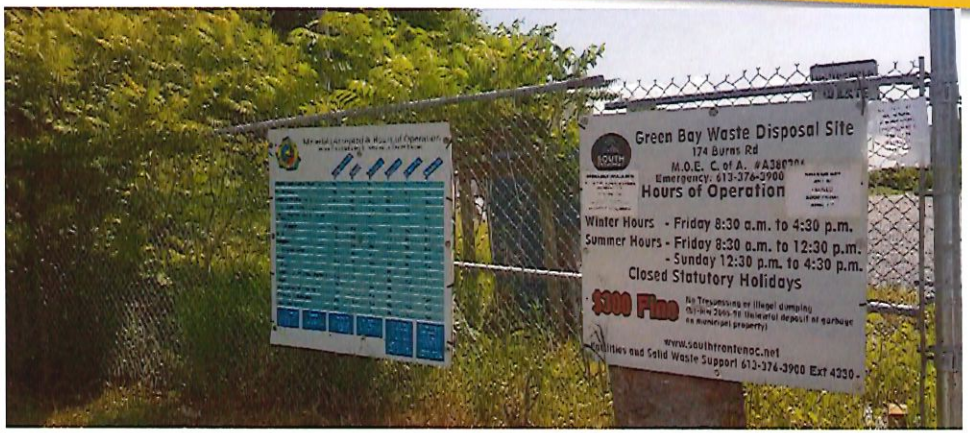
SW5
LEONARD LANE
LEONARD LANE
Michael's
Creek Marsh
Bobs Lake
BURNS RD
SW1
SW2
SW3


Green Bay Waste Disposal Site
174 Burns Rd
Hours of Operation
Winter Hours - Friday 8:30 a.m. to 4:30 p.m.
Summer Hours - Friday 8:30 a.m. to 12:30 p.m.
- Sunday 12:30 p.m. to 4:30 p.m.
Closed Statutory Holidays
$300 Fine
www.southfrontenac.net

Must Be Tagged with
AN OFFICIAL
SOUTH FRONTENAC TAG

CAMBIUM

Landfill Capacity Update

	Loughborough[1]	Portland	Bradshaw	Salem	Green Bay	Municipality
Approved capacity (m^3)	173,400	380,100	16,200	59,000	10,000	638,700
Existing capacity used (m^3)	170,440	230,400	14,225	51,364	9,155	475,584
Capacity Used in 2023 (m^3)	2,115	5,000	80	444	620	8,259
Remaining capacity (m^3)	2,960	149,700	1,975	7,636	845	163,116
Average annual placement (m^3)	2,376	4,369	225	434	424	7,828
Remaining site life (years)	**1.2**	**34**	**8.8**	**18**	**2.0**	**21**
2022 Remaining Site Life	*2.3*	*43*	*8.0*	*13*	*4.6*	*24*

	Municipality			
	2023	***2022***	***2021***	***2020***
Approved waste disposal capacity (m^3)	638,700	*638,700*	*638,700*	*638,700*
Existing volume of capacity used (m^3)	475,584	*467,325*	*460,770*	*451,015*
Annual Volume Used (m^3)	8,259	*6,555*	*10,015*	*8,240*
Remaining volume of capacity (m^3)	163,116	*171,375*	*177,930*	*187,685*
Average annual waste placement (m^3)	7,828	*7,055*	*6,590*	*7,550*
Remaining site life (years)	**21**	***24***	***27***	***25***

Notes:

1. Loughborough total capacity is for Phase 1 and 2A only. Approval of Phase 2B will increase Loughborough site life to about 16 years. Overall Township site life will increase to about 25 years.

CAMBIUM

Township of South Frontenac

Staff Report

To: Council

From: Director, Public Services

Date of Meeting: August 13, 2024

Subject: Loughborough Waste Disposal Site – Waste Transfer Station

Report Number: 2024-137

Summary

The purpose of this report is to obtain approval from Council for the submission of an application to the Ministry for approvals to operate a waste transfer station at the Loughborough Waste Disposal Site. This new facility would go into operations once the Phase 2A landfill capacity has been reached.

Recommendation

That Council direct staff to submit an application to the Ministry to amend the Environmental Compliance Approval (ECA) for the Loughborough Waste Disposal Site to permit a waste transfer facility once the Phase 2A landfill capacity has been reached.

Background

On April 9th, 2024, Cambium presented Council with the findings of the 2023 Annual Report for the Township's numerous waste disposal sites. Findings presented that evening had identified that Phase 2A of the Loughborough Waste Disposal Site was nearing capacity. The Cambium report also identified that the new test well located north/northeast of the active landfill did not comply with the Reasonable Use Concept (RUC) limits in 2023.

The approved capacity for Phases 1 and 2A of the Loughborough landfill was 173,400 m3 and as of the end of 2023, 170,440 m3 of site capacity (or 98.3%) has been utilized. Once the average annual placement activities are considered, Phase 2A of the site is forecasted to reach capacity within 1.2 years.

Discussion/Analysis

The Loughborough landfill is currently operating under the Phase 2A approved operations, and the site has approximately 2,960 m3 of remaining capacity heading into 2024. Based on the historical filling rates of 2,400 m3/year the site has approximately 1.2 years of life remaining in the current phase.

Before moving to the next phase of landfill operations (2B) the municipality will be required to bring the site into compliance with the Reasonable Use Concept (RUC) limits for groundwater. If the RUC is addressed the Township will be able to access an additional 36,100 m3 of capacity in Phase 2B, which would offer an additional 15 years of service to the landfill.

The Township and Cambium are currently working toward options to address the 2023 groundwater monitoring results however issue resolution is expected to take some time. In the interim, Cambium has advised the Township to explore other options to maintain service for the public. A summary of the operations for the landfill has been provided below for the years 2022 and 2023 to better illustrate the services that could potentially be impacted:

Loughborough Waste Site Operational Summary **Mondays (8:30am to 4:30pm)** **Saturdays (8:30am to 4:30pm)**	**2023**	**2022**
Vehicle Count	842 vehicles	889 vehicles
Diverted Bulky Waste (Bin Transfers)	94.24 tonnes	115.63 tonnes
Incoming Waste (Curbside Collection)*	700 tonnes	700 tonnes
Mixed Loads	737 loads	783 loads
Furniture	40 units	72 units
Misc Bulky Items	164 units	210 units
Construction and Demolition Debris	58 loads	37 loads
Capacity Used	**2,115 m3**	**2,750 m3**

**Note: There are no scales at the Loughborough Waste Disposal Site. Incoming waste estimates are estimates only.*

Given the potential for future expansion in Phase 2B, it is recommended that the site continue to remain open, and that the Township move toward a full waste transfer facility in the short term. If the Township were to pursue this option, an application to amend the Environmental Compliance Approval for the site would be required. Details of the application would include the submission of a design and operations plan that outlines the following:

- land use details
- site design features such as topography, drainage, fencing, signage, etc.
- details for the area served (geographic area)
- transfer station site plan
- operational details (site access, security, hours of operation, staffing, maintenance and controls, staff training etc...)
- development of waste handling procedures and record keeping
- fire control procedures
- vehicle traffic plan

The application process would also include the issuance of notification letters to neighbouring properties regarding the intention to establish/use a waste transfer facility at the site. As of the date of this report, staff have not yet determined the preferred diversion options for outgoing waste. Waste could be diverted to other Township facilities, licensed facilities in the City, or potentially a combination of the two. These options will be explored in further detail with our curbside collection contractor and would be brought forward to Council for further discussion at a later date.

Staff are currently recommending that the Township move forward with an application to seek approvals for a waste transfer facility in order to ensure continuity of service at the site.

Financial Implications

The estimated cost for the preparation and submission of an application to operate a future waste transfer facility for the Loughborough Waste Disposal Site is estimated to be $6,500. These costs, although unplanned, will be funded from the 2024 Operations budget for the site. Off-setting savings will be explored where possible however any budget shortfall will be funded from the working reserve.

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

Cambium
Director of Corporate Services / Treasurer

Attachments

Exhibit A – Excerpts Annual Landfill Update Loughborough 2023

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, CPA CGA, Chief Administrative Officer

Annual Update (2023)
April 9, 2024

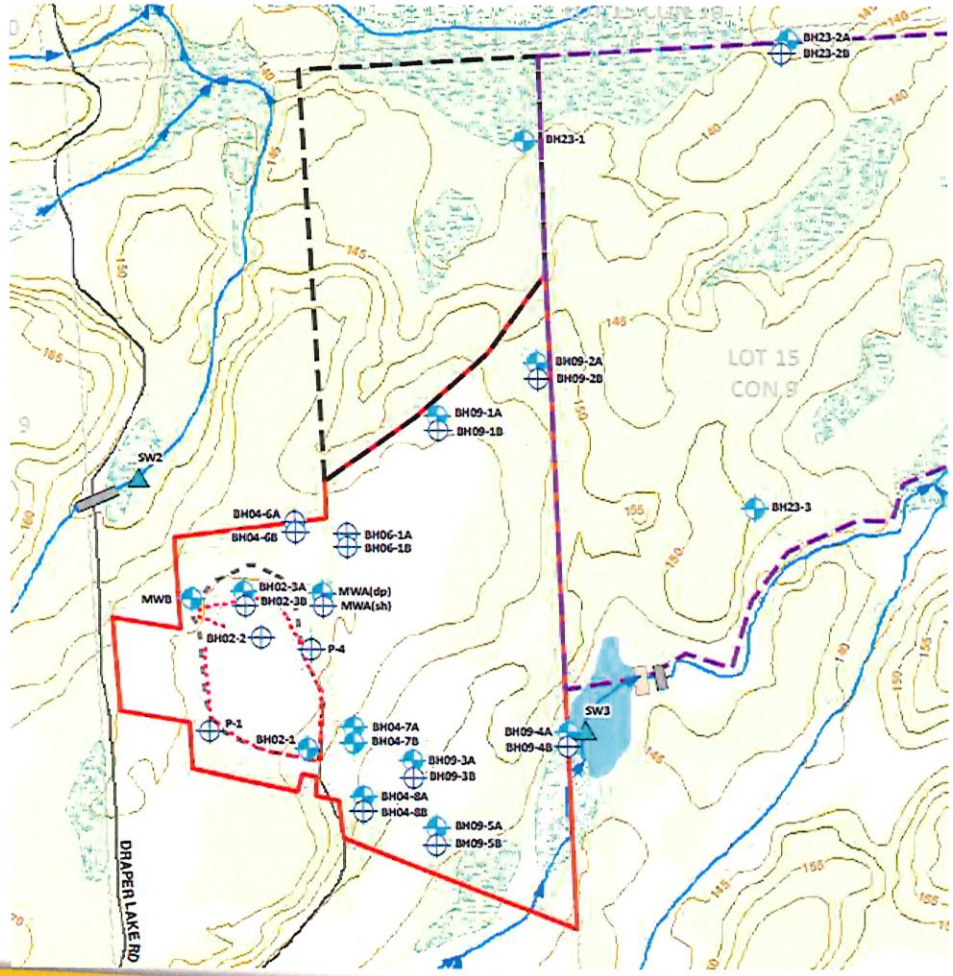
Township of South Frontenac
Waste Disposal Sites

CAMBIUM

Environmental | Geotechnical | Construction Quality Verification | Building Sciences

Loughborough Waste Disposal Site

- Transfer station, landfill
- Groundwater (GW) was not in compliance
  - The Township acquired additional land and GW rights for Contamination Attenuation Zone (CAZ)
  - Three bedrock and one overburden well installed in new CAZ
  - The new well to the north/northeast did not comply with Reasonable Use Concept (RUC) in 2023
- No adverse impacts to surrounding surface water
- Minor well repairs required by Cambium in spring
- Operated in compliance with ECA; not in compliance with RUC and ECA Condition 7.6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P-4
P-1
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BH04-7A
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BH04-8A
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DRAPER LAKE RD

CAMBIUM

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Notes:
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CAMBIUM

Township of South Frontenac

Staff Report

To: Council

From: Director, Public Services

Date of Meeting: August 13, 2024

Subject: Perth Rd at Buck Lake Accident Update

Report Number: 2024-147

Summary

The purpose of this report is to provide Council an update on the repairs required on Perth Rd at Buck Lake from the accident in 2022 and seek authorization to sole source the repairs with the contractor that installed the temporary concrete barriers to secure the site after the accident.

Recommendation

That Council authorize the Public Services Department to Sole Source the Perth Rd at Buck Lake shoulder and guide rail repairs to the Hughson Group; and

That Council approve a budget with an upset limit of $106,687.16 for this project to be funded from the infrastructure reserve.

Background

On October 26, 2022 an accident occurred on Perth Rd at Buck Lake that damaged a significant portion of the west guide rails, gravel shoulder, and slope embankment. Greer Galloway consulting engineers was retained to design a temporary barrier system to make the site safe to traffic on Perth Road.

On November 10, 2022 Hughson Group installed temporary concrete barriers to secure the accident site. The cost to perform this work included rental of the barrier wall for a period of 12 months and the removal of the wall at a later date.

All costs incurred in 2022 and 2023 have been invoiced to the insurance company.

Discussion/Analysis

Greer Galloway completed a slope stability and natural hazard analysis of the area in 2023 and advanced the design for recommended repairs to the site which includes sediment controls, shoulder reinstatement, granular sealing for erosion control, and new steal beam guide rail. It's important to note that the design includes the replacement of an additional 12m of guiderail and a new end treatment on the north/west corner that is not associated

with the accident site but required to properly complete the guide rail system and make it safe to oncoming traffic.

The temporary concrete barriers will need to be removed in conjunction with the repairs and all work will need to be done within the same traffic control zone. Hughson Group installed the temporary concrete barrier and is the local steal beam guide rail contractor. Due to this, the Public Services Department is seeking approval to negotiate with Hughson Group on a quote for the repair work as they were the original contractor on site. Working with one contractor will eliminate the risk of a constructor issue on site and ensure the site is safe during the removal of the temporary barriers and installation of new guide rail.

It is therefore recommended that Council authorize the Public Services Department to sole source the repair work with the Hughson Group with a budget upset limit of $106,687.16.

Financial Implications

The cost estimate for the full scope of the work is estimated to be $106,687.16, which includes the Townships portion on the north end. The costs associated with the accident will be submitted to the insurance adjuster assigned to the claim. The costs are not pre-approved and the portion submitted to insurance could be subject to a reduction after review based on asset condition and depreciation before the accident date.

ACTIVITY	COST ($)
Sub-total of work	$92,771.44
15% Contingency	$13,915.72
Total estimated cost	**$106,687.16**
Townships portion of north guide rail & end treatment	$20,170.00
Potential portion for insurance (sub-total minus Townships portion)	$72,601.44

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: 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

Manager of Engineering and Capital Projects

Director of Corporate Services and Treasurer

Attachments

None.

Approvals

Submitted By:

Kyle Bolton, Director of Public Services

Approved By:

Louise Fragnito, Chief Administrative Officer

Township of South Frontenac
Staff Report

To:	**Council**
From:	**Office of the Clerk**
Date of Meeting:	**August 13, 2024**
Subject:	**Unopened Road Allowance Policy**
Report Number:	**2024-139**

Summary

The purpose of the Report is to provide background information to Council regarding the proposed Unopened Road Allowance Policy. The policy seeks to formalize the practices utilized by both staff and Council with respect to the processing and consideration of applications associated with the closure and sale of Unopened Road Allowances, Licence Agreements and Encroachment Agreements. Additionally, the proposed policy seeks to outline general polices regarding Township owned Unopened Road Allowances.

Recommendation

That Council approve the draft Unopened Road Allowance Policy, attached to the Report as Exhibit A, in principle in order for a public meeting to be held, in accordance with By-law 2016-73 regarding the proposed fee schedule attached to the Unopened Road Allowance Policy as Schedule “C”.

Background

Sections 26, 27, 28, 29 (1) 34 (1) of the *Municipal Act,* 2001 provide that a municipality has jurisdiction of all highways within its boundaries, including all road allowances made by the Crown Surveyors, and allows a municipality to pass by-laws in respect of a highway it has jurisdiction over.

The Council of the Township of South Frontenac has full discretion regarding Unopened Road Allowance use under the *Municipal Act,* 2001 with respect to Unopened Road Allowances under their jurisdiction.

Discussion/Analysis

Currently, the Township of South Frontenac does not have a formal policy administering Unopened Road Allowances. While Unopened Road Allowances are governed by the *Municipal Act,* it is beneficial to implement a streamlined policy that staff, residents and Council can rely upon rather than the high-level legislation offered in the *Municipal Act*. Traditionally, staff and Council have based Unopened Road Allowance application

decisions on past practices and decisions. The proposed policy will ensure consistency and clarity moving forward.

Staff propose that Council adopt the policy attached to the Report as Exhibit A to serve as a guiding document for the processing of applications related to closing and selling Unopened Road Allowances, License Agreements and Encroachment Agreements. The policy (which will form part of a by-law upon the conclusion of this process) will also outline how Unopened Road Allowances can be used by the public in accordance with both the by-law and *Municipal Act.*

The following information is intended to provide a summary of the key sections of the policy and the intention behind the framework.

Section 3 speaks to the use of Unopened Road Allowances by the public. Members of the public have the right to use Unopened Road Allowances, for the purpose of passing only, and further, alterations are not permitted. This section of the policy further defines how an Unopened Road Allowance can be utilized. Additionally, this section of the policy will be helpful when Council members and staff receive inquiries regarding the use of an Unopened Road Allowance instead of having to interpret provincial legislation.

Section 4 outlines the application process with respect to requests for the closure and sale of Unopened Road Allowances.

The current application process is as follows:

1. An initial Council meeting is held where consideration is given to a staff report which requests direction from Council to either move forward with process and hold a public meeting or reject the application prior to holding a public meeting.
2. Should Council direct staff to move the application forward, notification regarding the public meeting will be circulated and a public meeting will be held at a subsequent meeting of Council (no less than four weeks following the issuance of the public meeting notice.)
3. Provided that Council directed staff to hold the public meeting, and Council provides further direction to proceed following the public meeting, a third Report is brought before Council to give consideration to a by-law following the applicant producing a registered survey of the subject road allowance lands.

The proposed application process is as follows:

1. A notice of application will be circulated (20-day circulation period) to the public and agencies requesting comments be submitted in writing. All correspondence received from members of the public related to the application will be included in the initial report as an exhibit.
2. Following the circulation period, staff will evaluate the comments received and will prepare the initial report to be considered by Council. Following the

consideration of the initial report, Council will provide direction to staff to either approve the application in principle or deny the application.

3. Should Council approve the application in principle, the applicant will have a survey of the land completed. Once the survey is registered with the Land Registry Office, the application will return to Council for final approval of the by-law.

The proposed process seeks to streamline the Unopened Road Allowance application process to ensure that Council receives all information from the applicant, the public and the commenting agencies at the first meeting in which the matter is considered by Council.

Further, staff have proposed that the public meeting be removed from the process following consultation with the Township Solicitor. The *Municipal Act* does not prescribe that a public meeting be held. The current process utilized by the Township of South Frontenac to give consideration to an Unopened Road Allowance application is more involved and lengthier than the processes legislated under the *Planning Act* for applications before the Committee of Adjustment or zoning by-law amendment applications.

As outlined in other sections of this Report, notice will continue to be provided on the Township website, in the Frontenac News, posted on the subject property and mailed to abutting landowners. Additionally, staff will circulate notice to Council to ensure that members of Council are aware of pending applications. To elaborate further, the notice will request that residents provide comments in writing within the prescribed period. Additionally, the notice will inquire whether other abutting landowners wish to purchase any portion of the Unopened Road Allowance abutting their land. As outlined above, all comments received from the public will be included in the initial report to Council as an exhibit. Staff will evaluate the comments received and will advise Council accordingly. Staff will also advise Councill if there will be any anticipated additional applications to purchase a portion of the subject road allowance.

Section 5 provides general provisions regarding Unopened Road Allowances. This section provides details regarding Unopened Road Allowances leading to waterbodies directly from a Township owned and maintained road and Unopened Road Allowances within Settlement Areas. It has been the past practice of the Township to not sell these Unopened Road Allowances, except in extreme circumstances, however, this practice has never been written into a policy. This section seeks to provide clear direction regarding these instances.

Section 5 also clarifies that the subject road allowance must abut an existing parcel of land owned by the applicant and it must be added to the benefitting property to ensure that there is no new lot created as a result of the application. Further, Section 5 outlines that the addition of the Unopened Road Allowance should not create an irregular shaped lot such as a “flag” or “panhandle lot” as this would not conform with the general intent of the Township Official Plan and other land use planning policies.

Section 6 speaks to the financial considerations associated with closing and purchasing an Unopened Road Allowance including the fees applicable to submitting the application and fees and costs that may occur throughout the process. Schedule “C” outlines the municipal

fees that will be charged to process each application, it is proposed that the fees be subject to a 2% increase annual increase.

Section 8 outlines the notice requirements of each application.

Section 9 provides information regarding the circulation of applications for comments from internal departments and external agencies. These comments, if any, will be presented in the first Council meeting report for consideration.

Section 10 allows staff to close a file after one (1) year of inactivity. Historically, there are files that have been abandoned. This section will allow staff to close the file if applicant does not take the necessary steps to complete the process in a timely manner.

Section 13 outlines the process for a Licence Agreement application, this process remains the same as the current process.

Section 14 outlines the process for an Encroachment Agreement application, this process remains the same as the current process.

Schedule "B": Purchase Price

In consideration of setting an appropriate purchase price for an Unopened Road Allowance staff undertook a review of past purchase prices of Unopened Road Allowances in the Township of South Frontenac, purchase prices of Unopened Road Allowances in other municipalities, current relevant property prices in the Township of South Frontenac and appraisals completed of Unopened Road Allowances. Additionally, staff met with professional appraiser to review this matter further.

At the conclusion of this exercise, it became apparent that ultimately, the cost of land can be dependent on the several factors including the need an applicant for the parcel of land and the intended use of the land. As such, in order to ensure impartial, fair and transparent transactions, staff propose that a uniform purchase price be utilized for all Unopened Road Allowance transactions.

The current system utilizes five different land classes, each having their own purchase price per square foot associated with the class. The purchase price per square foot of the aforementioned classes ranges from $0.21 to $2.41 per square foot ($2.26 per square metre to $25.94 per square metre or between $9,147.60 per acre to $104,979.60 per acre). Staff are currently required to determine which land classification that the land fall into which can sometimes be controversial or up for debate. To eliminate the ambiguity of this task and based on the overall findings of the investigation of this matter, staff recommend one purchase price which is not subject to negotiation. Staff have also proposed that an amendment of the purchase price is not permitted.

Additionally, it is worthy to note that the current purchase prices per square foot have not been reviewed in many years.

As outlined in the proposed policy, staff recommend that price per square foot of an Unopened Road Allowance be set at $1.50. For context, this equates to $16.15 per square metre or $65,340 per acre. Staff also recommend that the minimum purchase price be increased from $1,000 to $2,500.

Next Steps:

Upon receipt of direction from Council, a public meeting will be held to give consideration the proposed fee schedule attached to the Unopened Road Allowance Policy as Schedule "C".

Additionally, staff will be seeking approval from Council at the same meeting of the formal by-law which will include as a schedule the Unopened Road Allowance Policy attached to the Report as Exhibit A.

Financial Implications

This policy seeks to provide consistency throughout lands sold within the Township. It also seeks to provide updated fees associated with the application process.

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: Municipal Service Excellence
- 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

Consultation with Public Services Department, CAO and the Treasury Department.

Township Solicitor

Attachments

Exhibit A – Draft Unopened Road Allowance Policy

Approvals

Prepared By: Michelle Hannah, Deputy Clerk

Submitted By:

James Thompson, Clerk

Approved By:

Louise Fragnito, Chief Administrative Officer

Township of South Frontenac
Unopened Road Allowance Policy
Schedule “A” to By-Law 2024-XX

1. Purpose

The purpose of this document is to provide a uniform policy with respect to establishing uses of Unopened Road Allowances in the Township of South Frontenac and processing Unopened Road Allowance applications related to the following:

a) Request to close and transfer (purchase).
b) Licence Agreement (as defined herein).
c) Encroachment Agreement (as defined herein).

2. Definitions

“Applicant” means any person or company applying to close and transfer (purchase) an Unopened Road Allowance, or to obtain a Licence Agreement or Encroachment Agreement.

“Council” means the Council of the Township of South Frontenac.

“Ontario Land Surveyor” means a cadastral land surveyor in good standing and registered with the Association of Ontario Land Surveyors.

“Private Lane” means any street that is not maintained by the Township.

“Settlement Area” is any lands defined as such in the Township Official Plan.

“Staff” means Clerk’s Department staff where not specifically defined.

“Township” means the Township of South Frontenac.

“Unopened Road Allowance” means any public highway as defined in the *Municipal Act, 2001*, that has not been opened and assumed for maintenance purposes by the Township. They also include unopened roads on Plans of Subdivision and former municipal roads that are now effectively unmaintained.

3. Unopened Road Allowances – Public Use

3.1 Right of the Public to Use Unopened Road Allowances

Members of the public have a right of access to, over and along unopened road allowances for the purpose of passing and repassing only.

3.2 Motorized Vehicle Use

Motorized vehicle use is prohibited on unopened road allowances except for portions of Private Lanes, the K&P Trail, Cataraqui Trail and Rideau Trail which traverse an Unopened Road Allowance. Where the above-mentioned exemption applies, only the portion of Unopened Road Allowance over which the known lane or marked trail traverses is motor vehicle use permitted, if vehicular use allowed on that portion of Private Lane or Trail.

3.3 Other Uses

The use of unopened road allowances for the storage of materials of any sort is prohibited.

3.4 Alterations of Unopened Road Allowances

No one shall make any alterations to an Unopened Road Allowance.

3.5 Trees on Unopened Road Allowances

The Township owns all trees and other vegetation on Unopened Road Allowances. Trees and other vegetation shall not be altered in any way with the exception of Private Lanes in the Township which traverse an Unopened Road Allowance historically. In this instance, only necessary tree and vegetation removal for safety purposes shall be permitted.

3.6 Improvement of Unopened Road Allowances

The Township may permit persons to make improvements to Unopened Road Allowances for access to their properties. However, the right of access of the public to an Unopened Road Allowance is paramount and therefore the Township shall not ordinarily permit the use or improvement of a road allowance in such way as to restrict public access.

3.7 Obstructing Unopened Road Allowances

No one shall cause any Unopened Road Allowance to be obstructed, including with the use of a fence, gate, chain, parked vehicle or other item.

3.8 Defining the Location of Unopened Road Allowances

The Township has no obligation to determine the location of Unopened Road Allowances in the Township. It is the user's responsibility to ensure

they are on the Unopened Road Allowance and have not deviated onto private property.

Determining the location of any Unopened Road Allowance can only be done by an Ontario Land Surveyor.

4. Application Process - Request to Close and Convey an Unopened Road Allowance

4.1 Pre-consultation with Township Staff

a. Submission of documentation illustrating the proposal; and

b. Attendance at a pre-consultation appointment with staff.

4.2 Submission of a Complete Application

Which application shall include the following:

a. Complete application form (use of metric measurements required).

b. Complete application commissioned by a Commissioner for Taking Oaths.

c. Payment of required fee and deposit.

d. Sketch (or drawing) indicating the estimated length and width of the portion of the Unopened Road Allowance proposed to be closed (use of metric measurements required), and

e. All items on the checklist within the application must be provided.

4.3 Review of Application:

a. A site visit will be scheduled and conducted by Staff.

b. Public notice of application will be in accordance with Section 8 of this policy.

c. Consultation as required.

d. Staff will prepare an initial report to Council regarding the application and a Council Meeting will be held for Council to consider the application and any comments received by the public; and

e. Council will direct staff whether to proceed further with the application, deny the application or offer additional direction.

4.4 Survey and Agreement of Purchase and Sale (Subject to Council direction to proceed following consideration of initial staff report)

a. The applicant shall retain an Ontario Land Surveyor to survey the pertinent portion(s) of the Unopened Road Allowance, the cost of which shall be borne by the Applicant.

b. The Surveyor shall provide a draft survey for review by Staff prior to depositing with the Land Registry Office.

c. Staff will determine the purchase price based on the survey measurements, purchase prices as set out in Schedule “B” and may be revised, from time to time.

d. Staff will prepare an Agreement of Purchase and Sale on the Township’s form attached as Schedule “D”, to be entered into between the Township and the Applicant.

e. Staff will prepare a report and associated By-law for consideration by Council.

4.5 Purchase of the Unopened Road Allowance

a. Following payment of the purchase price in the form of certified funds in accordance with the Agreement of Purchase and Sale, staff will forward all relevant paperwork to the Township Solicitor. The Township Solicitor will contact either the applicant or their solicitor (as advised by the applicant) to execute all necessary documents. Once the executed documents have been returned to the Township Solicitor, registration of the transfer will be completed.

b. The Township Solicitor will register a Parcel Consolidation merging the portion of Unopened Road Allowance with the benefitting lands.

4.6 Legal Fees

a. The legal fee invoice for the work completed by the Township Solicitor will be paid by drawing down from the deposit. Any excess deposit will be held by the Township until all legal invoices have been received and the transaction has been completed. If legal fees exceed the remaining deposit amount, the applicant will be billed directly for the remaining balance. If the remaining balance is not paid within 60 days of the invoice, the outstanding amount will be applied to the tax roll.

b. Once all invoices and fees have been paid, the remainder of the deposit, if any, will be returned by cheque to the applicant.

5. General Provisions

5.1 Road allowances leading to waterbodies directly from a Township owned and maintained road will not generally be considered for closing and transferring. It is the policy of the Township to maintain public access to waterbodies.

5.2 Road allowances in Settlement Areas will not generally be considered for closing and conveyance. It is the policy of the Township to keep road allowances in the Settlement Areas for potential future use as roads, trails, bridges, parking areas etc. as the Township may determine.

5.3 Exceptions to the above provisions 5.1 & 5.2 will only be considered in the specific situation of a structure having been inadvertently built on an Unopened Road Allowance. Evidence of the building must be presented to the satisfaction of staff, the building must have had a building permit, if

applicable and must pre-date the current Zoning By-law (have legal non-complying, legal non-conforming status).

5.4 The Applicant must own property directly abutting the portion of Unopened Road Allowance proposed to be purchased. The Township will only convey to the adjacent landowner, the portion of the Unopened Road Allowance which directly abuts their property. It will be a requirement that the subject portion of unopened road allowance will be merged legally with one or more abutting properties located in the Township, or an abutting Township. For clarity, the closure of an unopened road allowance shall not create a new lot of record but shall only enlarge existing land holdings. The closure and sale of a portion of unopened road allowance shall also not create a “flag” or “panhandle” shaped parcel of land.

5.5 The purchase of an Unopened Road Allowance should not ordinarily result in a remnant piece of Unopened Road Allowance under 250 metres in length.

5.6 An application must not conflict with the Township Official Plan, Zoning By-Law regulations, the Recreation, Parks and Leisure Master Plan or any other Township policies as applicable, failing which the application shall not be processed.

5.7 The portion of Unopened Road Allowance to be closed and purchased shall be determined by an Ontario Land Surveyor prior to Council passing a By-law.

5.8 HST shall be payable in addition to all road allowance purchase prices.

5.9 Council may, as a condition of such conveyance, require any of the following:

- Payment of all costs.
- Exchange of other property (if possible / if applicable).

- The subject lands to be re-zoned under the *Planning Act.*

5.10 Applicants and members of the public may not speak as a delegation in relation to any unopened road allowance closure matters for which an application has been received. All comments must be received, in writing.

6. Financial Considerations:

6.1 The Applicant is responsible for paying all administrative, legal, surveying, advertising and land acquisition costs. In the event the applicant fails to pay any costs incurred through this process within 60 days of the invoice being sent, all outstanding costs will be added to the tax roll and collected in the same manner as taxes pursuant to Section 398 of the *Municipal Act,* 2001, S.O. 2001, as amended.

The application fee and the deposit are payable at the time the application is submitted.

6.2 **Application Fee**: in accordance with Schedule “C”

6.3 **Deposit:** in accordance with Schedule “C”

6.4 **Title search costs**: If a title search of the Unopened Road Allowance is not provided with the application, the Township may have a title search completed and the costs of such will be deducted from the deposit, as well as an administrative fee in accordance with Schedule “C”.

6.5 **Advertising costs:** Advertising costs will be deducted from the deposit.

6.6 **Posting Signage for Notice Requirements:** A fee, in accordance with Schedule “C” will be deducted from the deposit if staff are required to place signage on the benefitting lands.

6.7 **Purchase Price:** The purchase price for road allowances will be as set out in Schedule “B” attached to this policy, as may be amended from time to time.

7. Public Notice

7.1 Following submission of a complete application, information pertaining to the request will be made available on the Township website no less than 20 days prior to the first Council Meeting.

7.2 All landowners abutting the portion of unopened road allowance proposed to be closed and conveyed will be sent a notice by mail to the address on file with the Municipality no less than 20 days before the first Council Meeting.

7.3 Notice of the application will be posted on the benefitting lands no less than 20 days prior to the first Council Meeting.

7.4 A summary of the Notice shall be placed in the Frontenac News at least 20 days before the first Council Meeting.

7.5 Members of Council will receive an email in conjunction with sections 7.1-7.4 notice pertaining to the application and information regarding the matter.

7.6 The notice shall include the legal description of the Unopened Road Allowance and a description of the Benefitting Lands, how to provide comments if it is believed the closure would negatively impact an individual, and the date, time and place of the first Council Meeting where comments will be considered by Council. The abutting owner notice shall include information about the potential for abutting landowners to purchase a portion of the unopened road allowance.

8. Consultation

8.1 Each application will be subject to consultation with the following internal departments:

- Public Services
  - Roads (feasibility of roads, bridges and boat launches in the area).
  - Recreation (feasibility of boat launches, parking amenities, park creation and other recreation considerations).
- Treasury and Corporate Services (property tax for the benefitting property must be up to do date prior to the transfer of the road allowance).
- Development Services
  - Planning (Best planning practice review).
  - Building (Review of any structures including permits known on the Unopened Road Allowance).

8.2 Each application will be subject to consultation with the following external agencies, where applicable, and may be subject to further costs with respect to the consultation, payable to the external agency separately:

- Applicable Conservation Authority (where applicable)
- Ministry of Natural Resources and Forestry (where applicable)
- Parks Canada: ie. Rideau Waterway Development Review Team (where applicable)

Through the above, consultation staff will determine if the road allowance is eligible to be closed and transferred.

9. Application Timeline:

The estimated timeframe for completion of the closure and conveyance of an Unopened Road Allowance is one (1) year, provided that the completion time may increase should complications arise, or additional steps, such as the granting of easements, etc. be required during the process.

Applications will be deemed abandoned if inactive for a period of one (1) year, and any remaining deposit will be returned to the applicant and the file will be closed. A new application will be required, should the original application be deemed abandoned.

10. Legal

The Township Solicitor will act on behalf of the Township with respect to the closure and conveyance of all Unopened Road Allowances.

11. Agreement of Purchase and Sale

An Agreement of Purchase and Sale template to be used for the purposes of conveying an Unopened Road Allowance is attached as Schedule “D”.

12. Licence Agreement

12.1 A Licence Agreement is a legal document entered into with the Municipality authorizing the use of Municipal Property, namely untravelled portions of Unopened Road Allowances. The most common examples of this are Licence Agreements relating to the use of an Unopened Road Allowance as a means of access to that person's property. The specifics of the use are set out in each individual agreement.

12.2 Licence Agreements shall be permitted on Unopened Road Allowances where the continued use requires a Licence Agreement from the Municipality. The Agreement will allow the applicant to use the lands for access to a property or other such reasons. The municipal Council must deem a new use necessary and appropriate. The granting of a new Licence Agreement may be withheld for any reason.

12.3 Process

a) After a pre-consultation with staff an application to request a Licence Agreement is to be submitted accompanied by the applicable fee and a drawing of the Unopened Road Allowance and the current or proposed use such as the private lane, or driveway.

b) Staff will review the application with the pertinent departments and will schedule the matter on a Council meeting Agenda.

c) A survey sketch of the Unopened Road Allowance will be required to be used as a schedule to the Agreement showing the use of the Unopened Road Allowance.

c) If council passes the By-law, the Agreement and By-law will be sent to the Applicant's lawyer to be registered on title to the benefitting lands. No registrations shall occur on the Unopened Road Allowance.

12.4 Fees: Application fee is due with the application.

All legal costs incurred are the responsibility of the applicant.

All costs for improving and maintaining the unopened road allowance in accordance with the Licence Agreement are the sole responsibility of the applicant.

12.5 Each Licence Agreement shall set out the parameters of how the Unopened Road Allowance can be altered and maintained. Each individual property making use of the Unopened Road Allowance will be required to enter into a separate Licence Agreement for the use, development and maintenance of the Unopened Road Allowance. A

singular Agreement may be entered into at the discretion of staff if there are several parties requiring the use of the Unopened Road Allowance.

12.4 The Licence Agreement shall be approved by by-law and shall be registered on the title of the benefitting lands. No registrations shall occur on the title of the Unopened Road Allowance.

12.5 All costs shall be borne by the applicant.

12.6 Licence Agreements shall not run with title but shall be extinguished upon the sale and/or transfer of the property benefitting from the Licence Agreement.

12.7 The annual fee for a Licence Agreement shall be added to the tax roll and collected in the same manner as taxes pursuant to Section 398 of the *Municipal Act,* 2001, S.O. 2001, as amended.

13. Encroachment Agreements

13.1 An Encroachment Agreement recognizes an existing encroachment of a building, driveway or private lane on municipal property.

13.2 Encroachment Agreements shall be permitted on lands where an existing situation is occurring to formalize and legalize the continued encroachment.

13.2 Process

a) After a pre-consultation with staff an application to request an Encroachment Agreement is to be submitted accompanied by the applicable fee and a sketch outlining the existing encroachment.

b) Staff will review the application with the pertinent departments and will schedule the matter on a Council meeting Agenda.

c) The Applicant will be required to produce an acceptable survey of the lands illustrating the encroachment. The sketch will be included in the Agreement as a Schedule.

c) If council passes the By-law, the Agreement and By-law will be sent to the Applicant's lawyer to be registered on title. No registrations shall occur on the Unopened Road Allowance.

13.3 Fees: Application fee is due with the application.

All legal costs incurred are the responsibility of the applicant.

13.4 Each Encroachment Agreement shall set out the parameters of how the encroachment can continue and any stipulations with respect to expanding on the encroachment.

13.5 The Encroachment Agreement shall be approved by By-law and shall be registered on the title of the benefitting lands. No registrations shall occur on the title of the Unopened Road Allowance.

13.6 All costs shall be borne by the applicant.

13.7 Encroachment Agreements shall not run with title but shall be extinguished upon the sale and/or transfer of the property benefitting from the Encroachment Agreement.

Schedule “B”: Purchase Price

The purchase price of every Unopened Road Allowance shall be set at $16.15 per square metre ($1.50 per square foot). All road allowances shall be treated equally in terms of costs for sale purposes.

1 acre of land is 43,560 square feet, therefore the per acreage price of an unopened road allowance shall be $65,340 plus HST.

The minimum purchase price for a parcel of Unopened Road Allowance shall be $2,500.00 plus HST.

The purchase price shall be subject to a 2% increase annually on February 1st.

Schedule “C”: Fees

Application to Close and Purchase Unopened Road Allowance:

Application Fee: $1,000

Deposit: $3,500 to be drawn down from for expenses incurred by the Township.

Administrative Fee: $50 for title searches and other administrative work over and above normal administration of the application.

Posting Signage for Notice Requirements: $100 for staff to post signage.

The application fee and deposit are due at the time the application is submitted.

The deposit is drawn down from in accordance with Section 6 of this policy.

Licence Agreement of Encroachment Agreement Applications:

Application fee: $400

Annual Licence Agreement Fee: $10 * not subject to a yearly increase.

All fees are subject to a 2% increase per year on February 1st and will be rounded up to the next dollar.

Schedule “D”: Agreement of Purchase & Sale

Date: _____

Purchaser(s): _____

Municipality: _____

Legal Description of Lands: _____

_____

Conditions of the Purchase (if applicable):

_____

_____

_____

_____

Purchase Price: _____

HST: _____

Total payable: _____

Signature of Purchaser(s): _____

_____

Signature of Staff member: _____

The closing date of the transaction will be as soon as possible following the payment of the Purchase Price.

Legal Council for the Municipality: Cunningham Swan

Legal Council for Purchaser(s): _____

Township of South Frontenac

Staff Report

To: Council

From: Director, Public Services

Date of Meeting: August 13, 2024

Subject: Speed Limit Changes – Storrington Public School

Report Number: 2024-135

Summary

This report is a follow up to the report presented to Council on July 16th, 2024, relating to proposed speed limit changes on Battersea Road from 650m north of Millburn Road to 205m south of the intersection of Round Lake Road. The purpose of this report is to seek Council approval to pass Bylaw 2024-56 to implement these changes.

Recommendation

That By-law 2024-56, being a “By-law to amend By-law 2000-01, and to amend the speed limits on sections of Battersea Road from 650m north of Millburn Road to 205m south of the intersection of Round Lake Road” be given first and second reading; and

That By-law 2024-56 be given third reading, signed and sealed.

Background

At the July 16th, 2024 meeting of Council, Public Services presented a report that summarized the outcomes of the consultants findings regarding proposed speed limit changes on Battersea Road in the vicinity of Storrington Public School.

Discussion/Analysis

Following the report presented to Council on July 16th, staff were directed to bring forward a by-law to affect the speed limit changes as recommended.

Financial Implications

Not applicable.

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.

☐ 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
Storrington Public School
Tri-Board Student Transportation Services

Attachments

Exhibit A – By-law 2024-56

Approvals

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

Reviewed by:

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

Approved By:

Louise Fragnito, CPA CGA, Chief Administrative Officer

TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2024-56

A BY-LAW TO AMEND BY-LAW 2000-01, BEING A BY-LAW TO REGULATE THE USE OF TRAFFIC, PARKING AND STOPPING ON HIGHWAYS AND BRIDGES IN THE TOWNSHIP OF SOUTH FRONTENAC, TO REGULATE SPEEDS AS OUTLINED IN SCHEDULE "A".

WHEREAS By-law 2000-01 regulates the use of traffic, parking and stopping on highways and bridges under the jurisdiction of the Council of the Corporation of the Township of South Frontenac, pursuant to the Municipal Act, R.S.O. 1990, Ch. 45, as amended and the Municipal Act, 2001, Ch. 25, as amended; and

WHEREAS Council wishes to amend By-law 2000-01 as amended, for the purposes of regulating the speed on a section of Battersea Road.

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

1. That the attached Schedule "A " is hereby added to By-law 2000-01 as amended.

2. This by-law shall come into force and take effect upon the posting of the appropriate speed limit signs.

Dated at the Township of South Frontenac this 13th day of August 2024.

Read a first and second time this 13th day of August 2024.

Read a third time and finally passed this 13th day of August 2024.

THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC

_____
Ron Vandewal, Mayor

_____
James Thompson, Clerk

SCHEDULE "A"
(By-law 2024-56)

Maximum Rate of speed 60 kilometers per hour.

Highway	From	To
Battersea Road Road	650m North of Millburn Road	205m South of Round Lake Road

Township of South Frontenac

Staff Report

To: Council

From: Office of the Clerk

Date of Meeting: August 13, 2024

Subject: Lottery Licence By-law

Report Number: 2024-138

Summary

The purpose of the Report is to provide information to Council regarding the proposed Lottery Licence By-law. The purpose of the update/amendments are to update the delegated authority for the Lottery Officer of the Township, bring the By-law into conformity with legislation changes and update the eligibility questionnaire for organizations wishing to obtain a lottery licence.

Recommendation

That By-law 2024-57 being a By-law respecting the licensing of lotteries within the Township of South Frontenac, be given first and second reading; and

That By-law 2024-57 be given third reading, signed and sealed.

Background

Section 207(1) (b) of the *Criminal Code* R.S.C., 1985, c. C-46 allows for lottery schemes to be conducted and managed by a licenced charitable or religious organization pursuant to a licence issued by a provincial authority.

Order in Council 208/2024 section 2 to 6 outlines the authority and duties the municipal council has with respect to issuing lottery licences to charitable organizations.

Section 23.1 of the *Municipal Act*, S. O. 2001 c. 25 authorizes a municipality to delegate its powers and duties under the *Act* to a person or body.

Township of South Frontenac By-law 2007-81 adopted a delegation of authority policy.

Discussion/Analysis

The Clerk's Department has recently assumed the management of Lottery Licences within the Township in accordance with the Alcohol and Gaming Commission of Ontario (AGCO), *Criminal Code* and Order in Council 208/2024. Municipal councils have the authority under the above noted legislation to issue certain types of lottery licences. In the past, the issuance of lottery licences has been delegated to Treasury Department staff.

The current Lottery Licence By-law is outdated as legislation has been updated and the organizational structure of the Township has evolved. The current By-law delegates Council's authority to review and issue Lottery Licences to the Treasurer, Deputy Treasurer or Clerk. This By-law seeks to delegate the authority to the Deputy Clerk, and in their absence, the Clerk.

Through the implementation of the proposed By-law, all organizations looking to obtain a lottery licence through the Township will be in place in accordance with the AGCO and pertinent legislation. There are very specific rules, qualifications and criteria that must be met by the organizations regarding the lotteries that are held by the organization and requirements regarding bank accounts and the use of funds.

Additionally, the questionnaire required to be completed by each organization will assist staff in determining the eligibility of an organization and the proposed lottery.

The proposed By-law incorporates the current fee structure, staff are not proposing an adjustment to the fee structure at this time. For clarification, the fee for bingos, raffles, bazaars and breakopen tickets is currently 1.5% of the prize value.

Financial Implications

There is no proposed change to the Lottery Licence Fee.

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: Municipal Service Excellence
- 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

Representatives from the Alcohol and Gaming Commission of Ontario

Township Solicitor

Attachments

Exhibit A – By-law 2024-57

Approvals

Prepared By: Michelle Hannah, Deputy Clerk

Submitted By:

James Thompson, Clerk

Approved By:

Louise Fragnito, Chief Administrative Officer

By-Law Number 2024-57

A By-Law respecting the Licensing of Lotteries within the Township of South Frontenac

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Whereas section 207(1) (b) of the *Criminal Code* R.S.C., 1985, c. C-46 allows lottery schemes conducted and managed by a licenced charitable or religious organization pursuant to a licence issued by a provincial authority, provided that the proceeds of the lottery scheme are used for a charitable or religious purpose; and

Whereas the Order in Council 208/2024 section 2 to 6 outlines the authority and duties the municipal council has with respect to issuing lottery licences to charitable organizations, the organizations eligibility and review of such by the municipality, the suspension cancellation, refusal to issue a licence or authorization and terms and conditions that may be attached to the licence; and

Whereas Section 23.1 of the *Municipal Act,* 2001, S. O. 2001, c. 25 (the *Act*) authorizes a municipality to delegate its powers and duties under the *Act* to a person or body subject to the restrictions set out;

Whereas the Council of the Township of Frontenac adopted By-law 2007-81, being a By-law to adopt a delegation of authority policy as per Section 270(1) of the *Act;*

Whereas Section 5(i) of By-law 2007-81 states that all delegations of Council powers, duties or functions shall be by By-law; and

Whereas the Council of the Corporation of the Township of South Frontenac deems it advisable and expedient to delegate the authority for Lottery Licences to the Deputy Clerk or Clerk;

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

1. Definitions

   “Applicant” means any person whose name appears as the applicant on any lottery licence application form received by the Township.

   “By-law” means this By-law and any amendments thereto, including all Schedules forming part of this By-law and any amendments thereto.

   “Charitable Organization” means a corporation, organization, association or partnership which is created primarily for a charitable object or purpose in Ontario, is operated not for profit, and includes a religious organization.

   “Charitable object or purpose” means any object or purpose relating to:

   a) The relief of poverty;

   b) Education;

   c) The advancement of religion; or

   d) Any other purpose deemed beneficial to the community by the Clerk.

   “Clerk” means the Clerk of the Township of South Frontenac.

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

   “Deputy Clerk” means the Deputy Clerk of the Township of South Frontenac.

   “Licence” means a licence issued to an eligible charitable organization under the *Criminal Code* (Canada) by or under the authority of the Lieutenant Governor in Council to conduct and manage a lottery scheme approved by the Registrar.

   “Licensee” means a charitable organization to which a licence is issued.

   “Licensing authority” means the authority specified by the Lieutenant Governor in Council as a licensing authority for the purposes of the *Criminal Code* (Canada).

   “Lottery Licence Policy Manual (LLMP)” means the document prepared and updated and available through the Alcohol and Gaming Commission of Ontario (AGCO), it being understood that is intended to provide a framework to licencing authorities in making consistent decisions with respect to the issuance of lottery licences. And is a key

instrument for communicating regulation changes.

“Report” means a report using the prescribed form from the AGCO website detailing the outcome of a previous lottery licence held by the organization.

“Terms and Conditions” means terms and conditions set out by the AGCO found on the lottery and gaming portion of their website. They apply to all lottery licences issued under the authority of the *Criminal Code* (Canada) and the Terms and Conditions found within this By-law.

“Township” means the Corporation of the Township of South Frontenac.

2. Authority

   i) The Deputy Clerk is hereby appointed as the Lottery Licencing Officer and is delegated the responsibility for regulating and enforcing this By-law, including the authority to issue, refuse, renew, suspend and cancel licences.

   ii) In the absence of the Deputy Clerk, the Clerk may assume responsibilities under this By-law.

3. General Provisions

   i) All Terms and Conditions, Policies and Procedures or other guidelines regarding lottery licencing as set out and established by the Ministry of Public and Business Service Delivery as well as any relevant Order-in-Council, or other legislation, as may be amended from time to time, shall apply to any and all lottery events licenced or to be licenced by the Lottery Licencing Officer for the Township.

   ii) The Licencee shall comply with all terms and conditions of any lottery licence issued by the Township as well as all terms and condtions, policies and procedures or other guidelines established by the Ministry of Public and Business Service Delivery and any relevant Order-in-Court, or other legislation as may be amended from time to time with respect to any lottery licence issued to the licensee.

   iii) No licence shall be issued to an applicant that is in default of any condition or provision of the *Criminal Code* or any Municipal or Provincial regulation as established or amended thereto, or who has outstanding report(s) of the details of a previously licensed lottery event(s).

5. Applications

   i) Applications for a lottery licence shall be made in writing on the prescribed forms to the Deputy Clerk no later than fourteen (14) days prior to the first date on which the lottery event is to commence.

   ii) All organizations who wish to obtain a Lottery Licence from the Township must fill out the questionnaire attached as Schedule A to the By-law in order to prove their eligibility. The Deputy Clerk may require that an organization provide an updated questionnaire at a minimum of every five (5) years or if substantial amendments to Schedule A of the By-law have occurred.

   iii) The applicant shall be required to submit a questionnaire to confirm their eligibility annually.

   iv) The Deputy Clerk may approve or reject any Applicant that does not meet the prescribed eligibility requirements as outlined by the AGCO.

   iv) Nothing in this By-law, Order-in-Council, terms and conditions or the policies and procedures obligate the Deputy Clerk to issue a licence to any applicant.

6. Lotteries

The Deputy Clerk may issue licences to conduct the following lottery schemes:

i) Bingo lottery licences may be issued for a single occasion or a number of occasions during a period not to exceed six (6) consecutive months. The maximum total cash value per event shall not exceed $5,500.00. The lottery must be held in accordance with the AGCO LLMP, Chapter 9.

ii) Media Bingo events where the total cash prize value to be awarded per event does not exceed $5,500.00, to be held in accordance with the AGCO LLMP, Chapter 9.

iii) Raffle lotteries where the total value of the prizes to be awarded does not exceed $50,000.00, to be held in accordance with the AGCO LLMP, Chapter 5.

iv) Break open ticket lotteries in accordance with the AGCO LLMP, Chapter 7.

v) Bazaars, which may include wheels of fortune, bingo raffles and penny auction raffles. The lotteries must be held in accordance with the AGCO LLPM, Chapter 4.

7. Lottery Licence Fees

i) The fee for bingos, raffles, bazaars and breakopen tickets shall be 1.5% of the prize value.

ii) A Lottery Licence will not be issued until the fee is paid to the Township.

8. Terms and Conditions

All Applicants shall comply with the following:

i) Sections 206 and 207 of the *Criminal Code of Canada,* as amended.

ii) The provisions of Order-in-Council 208/2024, as amended or replaced.

iii) All terms and conditions set out on or attached to the licence.

iv) All provincial and municipal laws, policies and procedures applicable to the Licence.

v) The licensee shall conduct or allow to be conducted only the type of lottery event provided in the application and licence under the specified dates and times stated on the application and licence.

vi) A licensee may request an extension of time for the lottery, if no tickets have been sold as of the date of the request. No tickets may be sold after the Licence has expired unless the Deputy Clerk has extended the term of the Licence in writing.

9. Refusal to issue, suspend or cancel a licence.

i) Where the Deputy Clerk determines that the application does not comply with Order-in-Council 208/2024, any regulations, or the provisions of this By-law, the Deputy Clerk will not issue a licence, but shall give notice of the decision to deny issuance of a licence by mail or email to the charitable organization within a reasonable time thereafter.

ii) If a licensee fails to comply with any of the provisions in this By-law, the provisions of Order-in-Council 208/2024 and amendments thereto, the terms and conditions applicable to such licence, or sections 206 and 207 of the *Criminal Code of Canada,* the Deputy Clerk may suspend of cancel such licence. Upon suspension or cancellation of a licence, the Deputy Clerk shall give notice to the licensee by mail or email within a reasonable time thereafter.

10. Repeal

    By-law 2014-0052 shall be repealed.

11. The By-law shall govern the processing of Lottery Licences. Where the By-law is silent on an issue, or there is conflicting information, the terms and conditions set out by the AGCO shall apply.

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

Given First and Second Readings: Tuesday, August 13, 2024

Given Third Reading and Passed: Tuesday, August 13, 2024

_____

James Thompson, Clerk

_____

Ron Vandewal, Mayor

Clerk's Department
4432 George St, Box 100
Sydenham ON, K0H 2T0
613-376-3027

Schedule A to By-law 2024-57

Municipal Lottery Licensing Eligibility Questionnaire

Charitable gaming revenues are a source of funding for a large number of organizations. The *Criminal Code of Canada* allows provincial governments to set gaming regulations. The Alcohol and Gaming Commission of Ontario (AGCO) is responsible for regulating licensed lottery events conducted by charitable organizations to raise funds for their charitable purposes. Order-in-Council 208/2024 and the *Gaming Control Act,* 1992 provide that Municipal Councils may issue lottery licences to charitable organizations on behalf of the Province of Ontario. Municipalities can issue licences for various lottery events such as Bingo and Media Bingo Events with a prize value that does not exceed $5,500.00, Raffle lotteries where the prize value does not exceed $50,000.00 and break-open tickets and bazaars. The AGCO sets Terms and Conditions for each type of lottery event, there are also federal and provincial regulations as set out by the *Criminal Code of Canada* and the Township of South Frontenac has adopted By-law 2024-57 setting out requirements as well.

A Municipal Lottery Licence can only be obtained from your local Municipal Office, the lottery licence must be issued in the municipality in which the lottery is conducted, the charitable or religious organization must have a business address in Ontario and the funds must be used for the benefit of the residents of the municipality. In order for an organization to be issued a Municipal lottery licence, they must first pre-qualify and be registered with the Township of South Frontenac.

Please complete the attached questionnaire should your organization wish to be considered for Municipal lottery licensing.

Pre-requisites

The following pre-requisites are mandatory to be considered eligible for a lottery licence:

- □ Organizations must have been in existence for at least one (1) year before being considered eligible for lottery licences.
- □ An applicant must qualify either as a charitable organization or as a non-profit organization with charitable purposes or objectives.
- □ The Organization must have a place of business in Ontario; demonstrate that it is established to provide charitable services in Ontario; and use proceeds for objects or purposes which benefit Ontario residents.

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- ☐ An organization must also demonstrate that for a minimum of one (1) year it has carried out charitable activities that provide a direct benefit to Ontario residents, which are consistent with their mandate.

Required Supporting Documents

When an organization first applies for a lottery licence, the following documents or information are required so that eligibility can be determined:

- ☐ Incorporation Papers (Letters Patent).
- ☐ Constitution and By-laws.
- ☐ Notification of Charitable Registration, Canada Customs and Revenue Agency (if applicable).
- ☐ The most recent registered Charity Information return and Public Information Return, as submitted to Canada Customs and Revenue Agency (if applicable).
- ☐ Financial Statement for Previous Fiscal Year (audited, where applicable).
- ☐ Detailed outline of all programs and services provided in the previous year and specific costs incurred in delivery.
- ☐ Detailed outline of all programs and services currently provided and specific costs incurred in delivery.
- ☐ The current operating budget.
- ☐ Current listing of the Board of Directors.
- ☐ Any other information that will assist in determining the charitable nature of the objects and purposes. This could include the annual report, correspondence relating to its charitable number for income tax purposes, and confirmation that it meets the reporting requirements of the *Charities Accounting Act.*
- ☐ The proposed use of the proceeds, which must be consistent with the primary objects and purposes of the organization set out in the By-laws and are of a charitable nature consistent with at least one of the four clarifications of charitable purposes.

Lottery Proceeds

Only those costs that relate directly to the delivery of its eligible programs will be approved as eligible uses of lottery proceeds. An organization may also use lottery proceeds to pay some of the administrative expenses of those programs, such as Lottery Licence Fees. An organization cannot use lottery licence proceeds for any purpose that was not approved on the original licence application.

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Use of Lottery Proceeds must meet the following criteria:

- Be, in themselves, charitable and advance the charitable purposes of objects of the organization;
- Be used for the direct delivery of the charitable purposes or objects of the organization; and
- Be directed toward specific segments of the Ontario community or residents of Ontario with a common need.

Charitable Classifications

In order to determine which organizations are eligible for lottery licences, the Alcohol and Gaming Commission of Ontario (AGCO) uses four charitable classifications set out below. In order to qualify for a lottery licence, an organization must demonstrate that it exists to provide services in one of the following charitable classifications:

- Relief of poverty.
- Advancement of education.
- Advancement of religion.
- Oter charitable purposes beneficial to the community.

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Lottery Licence Applicant Qualifying Questionnaire for Organizations

1. Registered name of charitable, not for profit or religious organization (as shown on governing document):

_____

Operating name (if different): _____

Business Address: _____

Telephone number: _____

2. Has the organization been in operation for a minimum of one year? Yes □ No □

If yes, what year was the organization founded? _____

If no, a lottery licence cannot be issued.

3. In general, eligible organizations fall into one of two categories:

a. Charitable organizations: the organization's purposes or objects are all charitable

b. Non-profit organizations with charitable objects – the organization has a mixture of charitable and non-charitable purposes.

Which category does your organization fall under?

_____

4. Is the organization registered with Revenue Canada as a charitable organization? Yes □ No □

If yes, please enclose a copy of the registration.

5. Is the organization incorporated as a non-profit charitable organization by the Ministry of Consumer and Commercial Relations? Yes □ No □

If yes, please enclose a copy of the documentation.

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6. Is the organization properly organized such that it is separate from any other organization, legally, financially, and organizationally? Yes □ No □

7. Please select the classification(s) that your organization best falls under.

- □ Relief of poverty.
- □ Advancement of education.
- □ Advancement of religion.
- □ Other charitable purposes beneficial to the community;
  - Culture and the arts.
  - Health and welfare.
  - Amateur sports organizations.
  - The enhancement of youth.
  - Public safety programs.
  - Community service organizations.

8. Is your organization a church or religious organization? Yes □ No □

If no, what services of public good or welfare are performed by your organization?

_____

_____

_____

_____

_____

Are these services performed without profit? Yes □ No □

9. Is the organization established to provide charitable services in Ontario and use proceeds for objects or purposes which benefit Ontario residents only? Yes □ No □

10. Does a large portion or percentage of the community as a whole benefit by the fund raising of the organization? Yes □ No □

11. Is the charitable benefit to be achieved by the applicant denied to any segment of the community of South Frontenac? Yes □ No □

12. Is there a person who will assume full responsibility for the operation and conduct of the lottery event(s)? Yes □ No □

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_____

If yes, please provide their name _____

13. Is the organization presently licenced for a lottery by any other municipality in Ontario? Yes □ No □

If yes, please detail the municipality, licence number and type of lottery

_____

14. Has the organization been licenced to conduct a lottery of any type in the past?

Yes □ No □

If yes, please indicate the type of event(s): Bingo □ Raffle □ Break Open □ Other _____

When and where did the lottery take place: _____

_____

Declaration of Designated Organization Members

As per the Terms and Conditions set out by the Alcohol and Gaming Commission of Ontario, this questionnaire must be endorsed by two principal officers of the organization.

Name of Organization: _____

We, the undersigned, as two Principal Officers of the above organization , are the applicant herein and are aware that certain information must be obtained in order to process this, and any subsequent application(s).

We acknowledge that the foregoing information may contain personal information as defined under the *Municipal Freedom of Information and Protection of Privacy Act,* 1990, and that such information is required pursuant to the provisions of the *Municipal Act* and will be utilized by the Municipality for the administration of Municipal Lottery Licensing.

We certify the above information to be correct in all respects and we hereby agree to comply with all of the requirements relating to Municipal Lottery Licensing and any requests made by the Deputy Clerk with respect to the Lottery Licence or applications for such.

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Principle Officer	
Title	
Other Position(s) held in the Organization	
Home Address	
Phone Number(s)	
E-mail address	
Date	
Signature	

Principle Officer	
Title	
Other Position(s) held in the Organization	
Home Address	
Phone Number(s)	
E-mail address	
Date	
Signature	

Personal information on this form is collected under the authority of the *Municipal Freedom of Information and Protection of Privacy Act,* R.S.O. 1990 c. M56, as amended. Inquiries about the collection of personal information should be directed to the Municipal Clerk.

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For Office Use Only

Received By: _____

Date Received: _____

Approved: _____ Denied: _____

If denied, reason for denial: _____

_____

_____

_____

Approved/Denied by: _____

Year 2024 only - up to Jun 30, 2024

	Deposit Amended May-20	Deposit Amended Jun-21	Deposit Amended Aug-22	Deposit Amended May-23	Interest	Market Value Adj	Redemption/ Purchase	Net Change	Balance	%
Equity	893,750	893,750	893,750	893,750	0.00	113,224.76	0.00	113,224.76	1,772,395.55	12.67%
HISA	0	0	0	0	23.27	0.00	0.00	23.27	863.02	0.00%
CIBC	14,044,700	13,135,471	13,127,906	14,327,906	258,025.59	102,696.41	0.00	360,722.00	15,570,955.00	2.52%
Total	**14,938,450**	**14,029,221**	**14,021,656**	**15,221,656**	**258,048.86**	**215,921.17**	**0.00**	**473,970.03**	**17,344,213.57**	**3.11%**

Net of Deposit/Purchase	**473,970.03**
Royal Bank Interest Calculation (Est)	**460,834.97**

Life- to-date August 2016 to Jun 30, 2024

	Deposit Amended May-20	Deposit Amended Jun-21	Deposit Amended Aug-22	Deposit Amended May-23	Interest	Market Value Adj	Redemption/ Purchase	Net Change	Balance Dec 31/2023	%
ONE Fund -Equity	893,750	893,750	893,750	893,750	862.34	896,591.94	-130,408.73	767,045.55	1,772,395.55	100.41%
ONE Fund - HISA	0	0	0	0	162,197.65	0.00	-161,334.63	863.02	863.02	0.00%
CIBC	14,044,700	13,135,471	13,127,906	14,327,906	1,668,571.58	-28,158.74	13,930,542.16	15,570,955.00	15,570,955.00	11.45%
Total	**14,938,450**	**14,029,221**	**14,021,656**	**15,221,656**	**1,831,631.57**	**868,433.20**	**13,638,798.80**	**16,338,863.57**	**17,344,213.57**	**17.74%**

Net of Deposit/Purchase	**2,122,557.28**
Royal Bank Interest Calculation (Est)	**2,162,349.10**

For the first six months of 2024, our investments have had a net increase of $473,,970.03 compared to interest that would have been earned in our bank account at $460,834.97
A difference of $13,135.06

Overall, to date our investments have had a net increase of $2,122,557.28 compared to interest that would have been earned in our bank account at $2,162,349.10
A difference of -$39,791.82

Township of South Frontenac
Staff Report

To:	**Council**
From:	**Director, Corporate Services & Treasurer**
Date of Meeting:	**Tuesday, August 13, 2024**
Subject:	**Investment Update to June 30, 2024**
Report Number:	**2024-136**

Summary

This Report provides a summary update on Township Investments as of June 30, 2024.

Recommendation

This Report is for information only.

Background

Legislative Requirements

Ontario Regulation 373/11 requires a municipality to report to Council at least annually if it has invested in securities prescribed under the Regulation. The main requirements of the annual report are outlined below:

• A statement of performance of the portfolio in the period covered in the report.

• Details of the proportion of total investments held in the municipality's own securities.

• A statement by the Treasurer that investments made were consistent with the Township's investment policy.

Under the Township's policy, we have established reporting to Council twice a year.

Investment Policy

The Township's Investment Policy specifies the types of investments the Township can make to achieve the optimal utilization of cash resources while balancing the need to maintain liquidity and reduce risk. The basic objectives of the investment policy are, in order of priority, as follows:

a) Security of principal;
b) Liquidity requirements;
c) Rate of return;

Discussion/Analysis

As of June 30th, the net change in investment value for the six months of 2024 was $473,970. This compares favourably to an estimated interest of $460,834 that would have been received if the funds had simply been in our RBC bank account.

The reports from CIBC and ONE Investment confirm that our investments remain consistent with our investment policy and municipal investment regulations.

Financial Implications

These investments are intended for and should be viewed with a long-term outlook.

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: Sustainable Long-Term Prosperity

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 2024 Investment Summary as at Jun 30th.

Approvals

Prepared By: Kyle Griese, Financial Analyst

Submitted By:

Arundhati Mohile, Director of Corporate Services & Treasurer

Approved By:

Louise Fragnito, Chief Administrative Officer

Township of South Frontenac
Staff Report

To: Council

From: Director, Development Services

Date of Meeting: Tuesday, August 13, 2024

Subject: 1st Quarter 2024 – Building Services Report

Report Number: 2024-145

Summary

This report documents the delivery of Building Services within the Development Services Department between January 1, 2024, and March 31, 2024.

Recommendation

This report is for information purposes only.

Background

Building Services provides a quarterly update report to Council on performance indicators, updated processes and the quantity of building applications received and processed by the Township. Quarterly construction values from 2021 to 2024 are provided, as well as the amount of building permits issued, and files closed.

Discussion/Analysis

During the first quarter of 2024, Building Services received 109 files. These files include a range of applications that are handled within this department. Of those files, 28 were for Part 8 applications and 81 were for regular applications.

These files include building and sewage system applications, civic number applications, pool enclosures, food trucks, investigation files and other Part 8 services for review of planning applications.

With the support of Council, Building Services now has a full complement of staff by filling the open building inspector position in March 2024 with the hire of Shawn Duce. The department has a balance of experience within the industry covering areas such as construction, design, and Building Code experience, which provides well-rounded insight and support for our team. The Township has been divided into five inspector zones to ensure consistent coverage and even workload for staff.

Training & Qualifications

Staff have also been working hard to fit in training, courses, and the mandatory ministry qualifications to ensure they are up to date and meet requirements set by the province. Courses and exams for Legal, HVAC-House, Land Use Planning & Zoning Enforcement, Building Officials and the Law, Plumbing courses and exams were completed by inspectors as well as attending the Ontario On-site Wastewater Association (OOWA) Conference.

Also, the CBO and Deputies attended a Leadership Day held by the OBOA that covered a wide variety of topics including a high-level overview of the harmonized OBC that will come into effect next year.

Staff have been busy working on new processes within the department to streamline the workload and focus on building without permits and investigation files. Inspectors meet regularly to ensure consistency within our department, as well as to learn and grow as individuals within the unique position of enforcing provincial regulations while providing and maintaining a high level of customer service.

South Frontenac Building Permits Issued

The following table provides a breakdown of permits issued by permit type for the 1st quarter of 2024 and provides a comparison of the 1st quarter of the previous years. Additionally, the table now provides a breakdown of the other Part 8 Services that were completed in Q1. During Q1 Building Services opened 7 investigation files and assigned 3 civic numbers to properties as well.

Permits Issued	**Q1-2021**	**Q1-2022**	**Q1-2023**	**Q1-2024**
Accessory Building	13	14	9	11
Deck/Covered Porch	6	6	4	6
Demolition	10	11	4	6
Industrial/Commercial/Institutional	8	7	1	2
Pool Enclosure	7	4	1	0
Renovation/Repair/Addition	13	21	7	12
Seasonal Dwelling	3	5	1	1
Secondary Dwelling Unit	0	0	0	0
Sewage System	19	50	12	12
Single Dwelling	7	11	7	10
Solar, Sign, Tent etc.	2	1	2	0
Woodstove/Fireplace	10	5	9	12
Totals	**98**	**135**	**57**	**72**
Part 8 Services				
Consent Review				4
Minor Variance Review				4
Performance Review				5
Record Search				3
Totals	**-**	**-**	**-**	16

Quarterly Construction Values for all issued permits (includes Part 8)

The total construction value for all Q1 building and sewage permits is over $18.5 million dollars.

Quarterly Construction Values	**Q1**	**Q2**	**Q3**	**Q4**	**Totals**
2021	$ 5,893,036	$19,651,915	$12,118,642	$ 9,327,137	$46,990,730
2022	$16,150,397	$25,241,485	$21,974,324	$17,801,458	$81,167,664
2023	$ 7,116,555	$20,911,418	$18,350,670	$11,411,605	$57,790,248
2024	$18,581,640				$18,581,640

Performance Indicators

The following information provides an overview of the types, quantity and work cycle of files and the overall workload that Building Services completes throughout each quarter.

Intake of Files	**Incomplete Files**	**File Review**	**Re-Review**	**Permits Issued**	**Total Inspections**	**Total Failed Inspections**	**Site Visits**
109	62	76	36	72	490	62	31

Building Application Intake

In Q1, Building Services received 109 files, in person and by email. 62 of these files were deemed incomplete initially, as the required documentation was not provided or not sufficient at time of submission. Out of the 62 incomplete files, 86% did move into the next step of the process within Q1 once staff received the necessary documentation to deem the file adequate for zoning and building review. To note, all building application packages include a checklist to assist the applicant on the required documentation that is to be submitted.

Building Code Review

Once permit applications have all the required documentation, the file is moved to Planning Services for review and approval for zoning compliance. When approved, the Planning Coordinator gives the application to the assigned inspector to start their building code review. In Q1, 76 building and sewage applications were reviewed and commented on, 40% were re-viewed. Often when staff are reviewing building applications, the required documentation provided is missing necessary information to complete a full building code review. This triggers the request for additional information or clarification for our Building Inspectors to be able to complete their review.

When the building code review has been completed, the permit is now ready for issuance. Once fees are paid, the permit is then issued. Due to the number of re-reviews that are required for the building and sewage applications, difficult applications may be pending until all necessary documentation is received.

To note, when reviewing the numbers within the table above, the number of files received may not be the same files issued within the first quarter. Issued permits may be from previous periods due to waiting for necessary documentation for approval and deeming the file ready for issuance.

Inspections & Site Visits

Our inspectors have been busy with inspections and site visits within the first quarter. Inspections and site visits are a large component of the inspector's day-to-day schedule. In Q1, 8% of all inspections completed were not compliant and required a re-inspection to be completed.

Transfer of Permits

Transferring of building permits is becoming a more common occurrence within our department. New homeowners can request to have an existing permit that is still open, transferred to their name. This has become more popular over the last few years due to the quick sale of homes during the pandemic. When a transfer is completed on a building file, it creates additional work within the department. Once the file has been transferred, the new homeowner will often request to have the outstanding inspections completed. It is important to note that inspection requests on older files will require the inspector to familiarize themselves with the existing file to ensure compliance with the appropriate regulations.

Closing Building Files

Closing files has become one of the Departments priorities. Within the industry, many building departments have a high volume of historical building files that have not been completed and closed.

Completing inspections on open historical building files is becoming increasingly common in our first quarter due to the sale of homes with open permits. These types of inspections add a significant workload on the inspectors, as it will require them to review an older file that often lacks necessary documentation, review older regulations, and inspect items that have been in use for several years.

Staff were working to review open permits during the winter months that have had no activity for an extended period to provide a friendly reminder to the applicant of the next required inspections.

Staff have had success with this approach in Q1 and have closed 163 building and sewage permits and resolved/completed 29 other types of Building Services files.

Building Without Permits & Complaints

As an initiative within this department, staff have been busy taking a more hands-on approach to dealing with and following through with building without permit (BWP) files. In Q1, staff opened 7 BWP files with all of them being resolved by permits being issued. This is 10% of the permits issued in Q1.

The new process of dealing with BWP's has been set up similar to our Clerk's Department process to create consistency within the Township. BWP and complaint follows similar

processes, with a site visit, written notices and orders placed on the property if compliance has not been achieved.

BWP's and complaints come from a variety of sources; by mail or email and, illegal construction found by the inspector or planners while travelling or completing inspections on site.

There is now an online form where the public can submit their complaints through our website, and we also accept written complaints; however, the complainant must provide their name and contact information to ensure legitimacy. All complainants are kept anonymous.

Financial Implications

Building Fees and Part 8 Fees

Q1 revenue collected for all South Frontenac issued building permits totaled $128,173.82 of this amount, $19,201.00 was Part 8 services revenue.

Relationship to Strategic Plan

☐ Not applicable to this report.

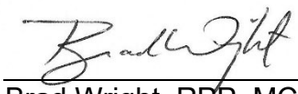
☒ This initiative adheres to the following strategic pillars and directions of the 2023-2026 Strategic Plan.

- Pillars: Municipal Service Excellence

Approvals

Prepared By: Peggy Spafford, Permit Intake Coordinator
Rebecca Roy, Chief Building Official

Submitted By:



Brad Wright, RPP, MCIP, AICP, Director of Development Services

Approved By:

Louise Fragnito, Chief Administrative Officer

Township of South Frontenac

Staff Report

To: Council

From: Director, Development Services

Date of Meeting: Tuesday, July 16, 2024

Subject: 1st Quarter Planning Report - 2024

Report Number: 2023-121

Summary

This report documents the delivery of Planning Services within the Development Services Department between January 1, 2024, and March 31, 2024 (1st Quarter, 2024).

Recommendation

This report is for information purposes only.

Discussion/Analysis

The charts below break out planning activities by application type for Q1 2024 and compares the number to previous 1st quarters over the past four years.

The activities outlined below were completed by the Senior Planner and Planner(s).

Pre-consultation Meetings

	Number of Meetings
2020 – 1st Quarter Total	48
2021 – 1st Quarter Total	104
2022 – 1st Quarter Total	95
2023 – 1st Quarter Total	25
2024 – 1st Quarter Total	**50**

Consent Applications

	Complete Applications Submitted
2020 – 1st Quarter Total	7
2021 – 1st Quarter Total	16
2022 – 1st Quarter Total	15
2023 – 1st Quarter Total	10
2024 – 1st Quarter Total	**14**

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

	Undisputed Consents Approved by Director of Development Services	Disputed Consents Heard by Committee of Adjustment
2020 – 1st Quarter Total	-	-
2021 – 1st Quarter Total	6	0
2022 – 1st Quarter Total	17	0
2023 – 1st Quarter Total	15	2
2024 – 1st Quarter Total	**4**	**4**

Minor Variance Applications

	Complete Applications Submitted
2020 – 1st Quarter Total	10
2021 – 1st Quarter Total	12
2022 – 1st Quarter Total	19
2023 – 1st Quarter Total	14
2023 – 1st Quarter Total	**8**

Zoning By-law Amendment Applications

	Complete Applications Submitted
2020 – 1st Quarter Total	3
2021 – 1st Quarter Total	4
2022 – 1st Quarter Total	2
2023 – 1st Quarter Total	5
2023 – 1st Quarter Total	**10**

Site Plan Control Applications

	Applications Submitted
2020 – 1st Quarter Total	1
2021 – 1st Quarter Total	0
2022 – 1st Quarter Total	3

2023 – 1st Quarter Total	2
2024 – 1st Quarter Total	**2**

Development Agreements

	Agreements Prepared
2020 – 1st Quarter Total	0
2021 – 1st Quarter Total	26
2022 – 1st Quarter Total	22
2023 – 1st Quarter Total	24
2024 – 1st Quarter Total	**15**

Certificates of Official Issued (Finalizing Consent Applications)

	Certificates Issued
2020 – 1st Quarter Total	3
2021 – 1st Quarter Total	10
2022 – 1st Quarter Total	11
2023 – 1st Quarter Total	3
2024 – 1st Quarter Total	**21**

Other

In Q1 of 2024:

- 1 Minimum Distance Separation Calculation were completed.

In general, planning applications continue to be received at a similar pace compared to 1st quarters in previous years. The number of minor variance applications are slightly lower due to Township initiatives housekeeping amendments to the Zoning By-law which has allowed for more development to proceed without requiring a minor variance (ex. Accessory structure in front yard).

Financial Implications

There are no financial implications related to this report.

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.

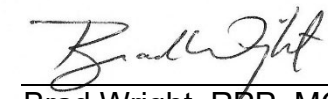
☐ This initiative supports climate change mitigation/adaption efforts in South Frontenac; and/or impacts the Township's resilience to climate change.

Notice/Consultation

Planning Services staff

Approvals

Submitted By:



Brad Wright, RPP, MCIP, AICP, Director of Development Services

Approved By:

Louise Fragnito, Chief Administrative Officer

Township of South Frontenac
Staff Report

To:	**Council**
From:	**Director, Public Services**
Date of Meeting:	**Tuesday, August 13, 2024**
Subject:	**Seasonal Event Report**
Report Number:	**2023-146**

Summary

This report is to provide Council an update on the seasonal municipal events.

Recommendation

This report is for information purposes only.

Background

South Frontenac has hosted several community events in the second and third quarters of 2024. As we come out of the height of the event season, staff are providing an information report to highlight successes and potential opportunities for future years.

Discussion/Analysis

Summer Kickoff Music Festival

The second ever Summer Kickoff Music Festival was hosted on May 25th from 4:00 pm – 10:00 pm. The event was successful despite a rainy start with just over 1,400 people in attendance, six local acts on the bill, 11 sponsors, 13 food and drink vendors, and around 20 volunteers. The community support was very positive and the feedback received indicated a desire for the event to return for 2025. Suggestions for next year include an earlier start time, longer kid zone timeframe due to the popularity with young families, and more variety of drink vendors.

Some feedback received suggested interest in expanding the program to be two days in duration with on-site camping. Staff recommend keeping the program as a one-day event until capacity and momentum grow to the point that a viable business case can be made for a two day program.

Music in the Park

This community event is in its fourth year, and at the time of writing this report, two out of three events have been carried out this season. These smaller-scale, two-hour programs are popular with strong attendance when the weather cooperates. The event includes four

sponsors which enables staff to provide more activities including frozen treats to give away, free face painting, and a pop-up disk golf course. These events are terrific opportunities for promoting other township events and activities and provide an opportunity for community building as they take place across three districts in South Frontenac.

The June Music in the Park was also combined with the Recreation and Parks Month Celebration and regional mayoral disk golf challenge, which provided a great opportunity for collaboration between regional recreation departments.

Staff are recommending that Music in the Park continue for future years, however staff suggest a name change to avoid confusion between this program and the larger Summer Kickoff Music Festival signature event. Staff are suggesting changing the name to Beats by the Beach to further highlight the use of our popular waterfronts. Staff also recommend continuing to find ways to bolster activities at the event, while keeping the program realistic to maintain during the busy event season.

Canada Day

On July 1st, Canada Day events were held around the township once again with daytime activities taking place in Glendower, Harrowsmith, Sydenham, and Sunbury hosted by various community groups and organizations. Events were well attended, and community spirit was high.

For the second year, South Frontenac hosted one firework show, this year taking place at Gerald Ball Park in Sunbury. Ten shuttle buses were contracted to help residents get to and from the show. Ridership for the buses were much higher this year and staff consider the feat a logistic success with many of the challenges learned from 2023 smoothed out. Next year, the fireworks will take place at Centennial Park in Harrowsmith. Staff are recommending hosting a traditional firework show for 2025 and explore the opportunity to host a drone or hybrid drone/firework show for 2026.

Lakes and Trails Festival

For the first time, South Frontenac hosted the Lakes and Trails Festival after a year hiatus. This annual event was traditionally hosted by the South Frontenac Rides Committee, who has seen a decline in committee participation since the pandemic resulting in the loss of capacity to host the event in 2023.

While attendance was a little lower than expected, the connections made and momentum from the core organizers is very promising. For 2025, organizers will try to grow the event in a ‘hub and spoke’ model, with the ‘hub’ taking place at The Point Park, and various off-site ‘spoke’ events happening throughout the township at different lakes and trails (i.e. the K&P Trail, Frontenac Provincial Park, etc.). Staff will bring a recommendation in the 2025 budget that the event have an allocated operating budget to support more marketing and materials and supplies.

Open Farm Days

South Frontenac Township is proud to be working with Frontenac County, the City of Kingston, and the areas local farmers and food-based businesses on the upcoming Open Farm Days events. The launch event for Open Farm Days will take place at the Frontenac

Farmers Market on August 16th from 3pm – 7pm, followed by six weeks of various events that celebrate the community's agricultural businesses.

Financial Implications

None.

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: Community

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

Tim Laprade, Recreation and Facilities Manager

Approvals

Prepared By: Amanda Pantrey, Recreation and Events Coordinator

Submitted By:

Kyle Bolton, Director of Public Services

Approved By:

Louise Fragnito, Chief Administrative Officer

By-Law Number 2024-58

A By-Law to Confirm generally all actions and proceedings of the Council meeting of the corporation of the Township of South Frontenac on August 13, 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;

Therefore, be it resolved that the Council of the 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 August 13, 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 August 13, 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 August 13, 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.

Given First and Second Readings: Tuesday, August 13, 2024

Given Third Reading and Passed: Tuesday, August 13, 2024

_____

James Thompson, Clerk

_____

Ron Vandewal, Mayor