

AGENDA
UNITED COUNTIES OF STORMONT, DUNDAS & GLENGARRY
Virtual Meeting, Broadcast live in YouTube
Monday, June 7, 2021 9:00 AM

	Page	Link to Strategic Priorities (if any)
1. Call Meeting to Order by Resolution		
2. Adoption of Agenda		
3. Disclosure of Pecuniary Interest and General Nature Thereof		
4. Delegations		
a) MP Eric Duncan, Stormont, Dundas, South Glengarry - Member of Parliament Update		
5. Action Requests		
a) Corporate Services		
b) Financial Services		
c) Transportation		
i. Streetside Patio Fees for 2021 Action Request TS	3 - 12	
ii. Portable at Summerstown Forest Action Request TS	13 - 15	
d) Planning		
e) Court Services		
f) County Library		
g) IT Services		
6. Tenders and Quotations		
a) Culvert Lining	16 - 17	

	<u>Action Request TS</u>	
b)	<u>Winchester CP Overpass</u> <u>Action Request TS</u>	18 - 19
c)	<u>St. Andrews West Urban Reconstruction</u> <u>Action Request TS</u>	20 - 22
d)	<u>Warden's House Repairs</u> <u>Action Request TS</u>	23 - 26
e)	<u>Morrisburg Roundabout and Streetscaping</u> <u>Action Request TS</u>	27 - 31
7.	By-laws	
8.	Key Information	
a)	<u>TRANSPORTATION SERVICES - Draft Signage By-Law Update</u>	32 - 47
9.	Motions and Notices of Motions	
10.	Miscellaneous Business	
11.	Unfinished Business Summary	
12.	Closed Session	
a)	Pursuant to Section 239(2)(b) of the Municipal Act, 2001 - personal matters about an identifiable individual, including municipal or local board employees, and (f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose:	
	- Human Resources Matters	
	- By-Law Enforcement Matter	
13.	Ratification By-law	
a)	<u>By-Law No. 5296</u>	48 - 49
14.	Adjournment by Resolution	



**UNITED COUNTIES OF
STORMONT, DUNDAS & GLENGARRY**

ACTION REQUEST – TS	
To:	Warden and Members of Council
Date of Meeting:	June 7, 2021
Subject:	Streetside Patio Fees for 2021

RECOMMENDATION(S):

THAT the Council of the United Counties of Stormont, Dundas and Glengarry support waiving the County application fee for streetside patios through 2021.

EXECUTIVE SUMMARY:

With the continued negative impact of the pandemic on SDG's local restaurants, staff are recommending that Council support waiving the application fees for streetside patios this season. Although the application fee is not a substantial expense (\$130) relative to the cost of installing a streetside patio, the gesture will undoubtedly be appreciated given that streetside patios may be the only way to open this summer.

Although the 'Fees and Charges' by-law (by-law 5249) does provide the Transportation Director with the authority to waive a fee when it is deemed unreasonable, impractical or not in the best interest of the Corporation, given that this is a blanket request for all applications this season, Council's support is being sought.

OPTIONS AND DISCUSSION:

1. **Support waiving the application fee for streetside patios (Recommended).**
2. **Do not support waiving the application fee (Not recommended).**

FINANCIAL ANALYSIS:

The application fee for streetside patios is based on a cost-recovery model. The fee encompasses the internal costs associated with reviewing the plans, inspecting the site pre and post construction and the internal time associated with administering and issuing the permit.

Although waiving these fees will not create major savings for restaurants and will result in some unrecovered costs for Transportation Services; with the pandemic and continued pressures on this sector, staff contend it is in the best interest of our local restaurants to provide this support.

LOCAL MUNICIPAL IMPACT:

All local municipalities.

RELEVANCE TO STRATEGIC PRIORITIES:

The waiving of streetside patio application fees aligns with strategic priority no. 4, **Community Sustainability – A Place Where you Want to Be**. Supporting local restaurants helps to encourage vibrant and thriving local communities during this difficult time.

OTHERS CONSULTED:

SDG Manager of Economic Development and Tourism.

ATTACHMENTS:

Streetside Patio Application and By-law (for reference)

RECOMMENDED BY:



Benjamin de Haan, P. Eng
County Engineer

REVIEWED & APPROVED BY:



T.J. Simpson, CAO



DEPARTMENT OF TRANSPORTATION AND PLANNING SERVICES

26 Pitt Street, Suite 223, Cornwall, Ontario K6J 3P2
Tel: 613-932-1515 • Fax: 613-936-2913 • Email: permits@sdgcounties.ca

FOR OFFICE USE ONLY

Permit No: _____

• www.sdgcounties.ca

APPLICATION FOR STREET-SIDE PATIO (SDG BY-LAW 5152)

Prior to submitting this application, owners **must pre-consult** with the County and local Municipality and provide an acceptable sketch.

- Application Fee: Approved CIP Project (No fee)
 Standard Application Fee (\$130.00)

OWNER:	
AUTHORIZED APPLICANT (if applicable):	
MAILING ADDRESS:	
PHONE:	FAX:
CELL:	EMAIL:

PURPOSE OF APPPLICATION: _____

COUNTY ROAD #: _____ **CIVIC #:** _____ **MUNICIPALITY:** _____

BUSINESS NAME: _____

Items to be included with application:

- Payment form;
- Detailed site plan which includes all requirements from By-law 5152 Section 3.1;
- Description of materials to be used in construction and operation of the patio; and
- Signed letter from property owner permitting the use of a street-side patio (if applicable).

I/we hereby apply to the corporation of the United Counties of Stormont, Dundas & Glengarry for permission to construct, install, and maintain a street-side patio as described in the attached site plan and do hereby agree to conform to the Counties' conditions, standards and specifications governing street-side patios if a permit is granted.

I declare that I understand the contents of the attached copy of By-Law 5152:

SIGNATURE _____

DATED _____

PERMIT VALID BETWEEN MAY 15TH AND OCTOBER 15TH OF EACH YEAR
A PERMIT IS REQUIRED FOR EACH SEASON THAT THE APPLICANT WISHES TO PLACE A PATIO ON THE HIGHWAY



**DEPARTMENT OF TRANSPORTATION
AND PLANNING SERVICES**

26 Pitt Street, Suite 223, Cornwall, Ontario K6J 3P2

STORMONT - DUNDAS - GLENGARRY

Tel: 613-932-1515, Ext. 3 • Fax: 613-936-2913 • www.sdgcounties.ca

**PLEASE INCLUDE AND SUBMIT WITH COMPLETED APPLICATION
VEUILLEZ INCLURE ET SOUMETTRE AVEC VOTRE DEMANDE COMPLÉTÉE**

Company/Entreprise (if/si applicable) : _____

Name/Nom: _____

Permit Requested/Permis exigé: _____

Visa

MasterCard

Amex

Card Number:

Numéro de la carte:

Expiry/Date d'échéance: /

Security Code/Code de sécurité: _____

(3 digits on back of card)
(3 chiffres à l'envers de la carte)

Amount/Montant: _____

Cardholder Name:

Nom du (de la) détenteur (détentrice) de la carte: _____

Cardholder Signature:

Signature du (de la) détenteur (détentrice) de la carte: _____

Telephone/Téléphone:

 - -

Note: Amount to be paid is noted on application form
Le montant à payer est noté sur le formulaire de demande

THE CORPORATION OF THE UNITED COUNTIES
OF STORMONT, DUNDAS AND GLENGARRY
BY-LAW NO. 5152

A **BY-LAW** to regulate street-side patios on County Roads.

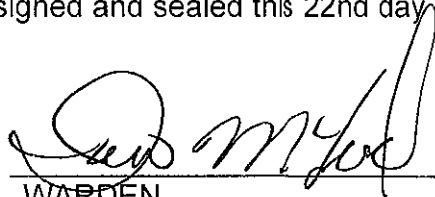
WHEREAS Section 9 (3) and Section 11 (1) of *the Municipal Act, 2001, S.O.2001*, authorize municipalities to enact by-laws with respect to their highways, including by-laws to regulate or prohibit respecting matters; to require persons to do things; to provide for a system of permits; and to impose conditions as a requirement of obtaining; continuing to hold or renewing a permit.

AND WHEREAS the United Counties of Stormont, Dundas and Glengarry deems it necessary to regulate street-side patios on County Roads.


NOW THEREFORE THE COUNCIL OF THE UNITED COUNTIES OF STORMONT, DUNDAS AND GLENGARRY ENACTS AS FOLLOWS;

1. No person shall allow, permit, construct, erect, use, alter or maintain any street-side patio, upon or over a County Road unless such person has obtained a Street-Side Permit in conformity with the terms, conditions and specifications outlined in Schedule "A" to this by-law.
2. That this By-law is effective upon the final passing thereof.

READ and passed in Open Council, signed and sealed this 22nd day of May, 2018.



WARDEN



CLERK

Schedule 'A' to By-law No. 5152

Street-side Patios

1. DEFINITIONS: In this by-law

"Boulevard" means the area between the roadway and sidewalk and serves primarily as a safety separation and utility corridor;

"Building" means a structure occupying an area greater than ten square metres that consists of a wall, roof and floor;

"County" means The Corporation of the United Counties of Stormont, Dundas and Glengarry;

"County Council" means the Council of the United Counties of Stormont, Dundas and Glengarry;

"Director of Transportation and Planning" means the Director of Transportation and Planning, his or her designate or;

"Highway" means a common and public highway or portion of a common and public highway under the ownership, control or authority of the County and includes any street, lane, road allowance, bridge, trestle, viaduct or structure that forms part of a highway and all lands between the lateral boundaries of a highway and includes the space from the ground to the sky within the lateral boundary of the highway and has the same corresponding meaning as **"Municipal Property"**;

"Local Municipality" means a lower tier municipality of the United Counties of Stormont, Dundas and Glengarry.

"Owner" means the person(s) who is the registered owner of a property, or the duly authorized agent of the owner;

"Pedestrian" means any individual who is on foot or any individual with a disability who is using a wheelchair or other remedial appliance or device;

"Roadway" means the portion of a *highway* that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder;

"Right of Way (R.O.W.)" means the corridor of land reserved for highway improvements and under the jurisdiction of the municipality consisting of the road surface and roadside;

"Sidewalk" means the portion of a *highway* between the roadway and the lateral boundary of the *highway* that is set aside for the use of pedestrians;

"Street-side Patio" means a temporary lateral projection from outside of a building or other structure of a restaurant, café, or similar business into the adjoining right of way, boulevard, or parallel parking space that can be used

as additional space for street furniture, landscaping, outdoor cafés and other pedestrian-related amenities.

“Shoulder” means that portion of the roadway between the edge of the travelled surface and the top inside edge of the ditch or fill slope;

2. General Application

This by-law pertains to private business street-side patios which are prohibited encroachments that can only be approved through a permitting process.

3. Street-side Patio Requirements

The following general requirements apply:

1. Prior to submitting an application, owners must pre-consult with the County and Local Municipality and provide:
 - a. Detailed site plan including the area within 5.0 m of the proposed street-side patio showing existing and proposed conditions (dimensions of the proposed patio) as well as the location of all street furniture, landscaping, encroachments, and utilities;
 - b. A description of the proposed street-side patio materials to be used in the construction and operation of the patio, including all appurtenances, including, but not limited to:
 - i. canopies, umbrellas, planters, tables and chairs, and perimeter barriers or railings; and,
 - c. Measured distances between the proposed patio and the location of the street and sidewalk, side property lines, fire hydrants, trees, and other permanent objects on the street must be included.
2. Once the plans have been conceptually approved, owners will be required to complete the permit application and pay the applicable fees. The fees will be waived where the street-side patio is being funded through a Community Improvement Plan (CIP) program.
3. The County will assess the proposed location based on operational, accessibility and safety considerations.
4. Street-side patios shall not:
 - a. Exceed the width of the abutting on-street parking stalls;
 - b. Direct patrons to access or egress the patio into traffic;
 - c. Impede the flow of curbside drainage;
 - d. Be located or constructed in a way that impedes sightlines for intersections or driveways;
 - e. Be constructed above a fire hydrant, shut-off valve, over utility or manhole covers, or interfere with drainage; or,
 - f. Be fastened to the street or sidewalk.
5. Street-side patios shall:
 - a. Meet all local municipal requirements;

- b. Be installed no earlier than May 15th of each year (unless otherwise permitted in writing by the County);
 - c. Be removed by October 15th of each year;
 - d. Be setback from the travelled lane by 0.5 meters;
 - e. Be designed for easy removal;
 - f. Be of sturdy construction;
 - g. Allow access to the street underneath the platform for emergency maintenance by any utility through access panels, or removable pavers;
 - h. Be kept free of debris. The area beneath the street-side patio must be cleaned upon removal in the fall;
 - i. Be located on a street with a speed limit of 50 km/hr or less;
 - j. Be compliant with the Accessibility for Ontarians with Disabilities Act (AODA); and,
6. Street-side patios may require additional traffic barriers (i.e. paving stones, large planters, etc.) to ensure the safety of the street-side patio users – dependent on the design submitted.
 7. Applicants must provide evidence of insurance, satisfactory to the Director of Transportation and Planning, as described in section 4 of this by-law.
 8. An applicant shall apply for a street-side patio permit for each season that the applicant wishes to place a patio on the highway.

4. Insurance

The Permit Holder shall, at all times, maintain Commercial General Liability issued on an occurrence basis for an amount of not less than \$5,000,000 per occurrence / \$5,000,000 annual aggregate for any negligent acts or omissions. Such insurance shall include but is not limited to bodily injury and property damage including loss of use; personal injury; contractual liability; liquor liability; premises, property and operations; non-owned automobile; broad form property damage; broad form completed operations; owners and contractors protective; occurrence property damage; products; employees as additional Insured(s); contingent employers liability; cross liability and severability of interest clause.

Such insurance shall add the County and local municipality as Additional Insured subject to a waiver of subrogation. This insurance shall be non-contributing with and apply as primary and not as excess of any insurance available to the County and local municipality.

Any deductible applicable to the above noted insurance shall be the sole responsibility of the Permit Holder and the County / local municipality shall bear no cost toward such deductible.

The Permit Holder shall be responsible for any damage to their assets and the County / local municipality shall bear no responsibility for any damage.

The Permit Holder shall provide the County / local municipality with a certificate of insurance evidencing the above coverage. The certificate shall include a 30-day notice of cancellation to the County / local municipality. The Permit Holder shall provide a certificate to the County / local municipality at each renewal of the policy for the duration of this agreement.

In addition to the General insurance, the Permit Holder shall provide evidence of valid WSIB or its equivalent.

The County reserves the right to assess exposures and add additional insurance requirements where deemed necessary.

5. Indemnification

The Permit Holder shall defend, indemnify and save harmless the County and local municipality, their elected officials, officers, employees and agents from and against any and all claims, actions, losses, expenses, fines, costs (including legal costs), interest or damages of every nature and kind whatsoever, including but not limited to bodily injury or to damage to or destruction of tangible property including loss of revenue arising out of or allegedly attributable to the negligence, acts, errors, omissions, whether willful or otherwise by Permit Holder, their officers, employees, agents, or others who the Permit Holder is legally responsible. This indemnity shall be in addition to and not in lieu of any insurance to be provided by the County / local municipality in accordance with this agreement and shall survive this agreement.

6. Removal

With due notice, the County reserves the right to revoke the street-side patio permit at any time in the following circumstances:

1. The street-side patio is not in compliance with all applicable federal, provincial, County, or local municipal regulations or by-laws.
 - a. The County or a public utility wishes to make use of that part of the highway on which the street-side patio is situated.
 - b. The applicant fails to maintain the street-side patio and keep in proper repair.

2. The applicant shall have no claim against the County for any loss or damage arising from the cancellation of the permit.
3. In all cases where a permit has been revoked, the street-side patio shall be removed within the time stipulated by the Director of Transportation and Planning or their delegate. If not removed, the County shall reserve the right to remove all structures and appurtenances at the applicant's expense.



**UNITED COUNTIES OF
STORMONT, DUNDAS & GLENGARRY**

ACTION REQUEST – TS	
To:	Warden and Members of Council
Date of Meeting:	June 7, 2021
Subject:	Portable at Summerstown Forest

RECOMMENDATION:

THAT the Council of the United Counties of Stormont, Dundas and Glengarry support the installation of a permanent structure (portable) at the Summerstown Forest and assume its technical ownership.

EXECUTIVE SUMMARY

The Friends of the Summerstown Forest Trails (FOTST) were presented with an opportunity to purchase a 24 foot by 32 foot portable. A building has been envisioned as a long-term solution to support FOTST volunteering efforts at the forest. Because portables are considered ‘permanent structures’ once placed, connected to utilities and occupied; establishing its formal ownership is necessary. For simplicity, staff are recommending that the County assume its technical ownership and work with FOTST to create a detailed agreement on how this building is managed.

BACKGROUND:

Annually, the Friends of the Summerstown Forest Trails (FOTST) rent a large site trailer as an indoor workspace to support the myriad of recreational opportunities they offer and support within the forest. This trailer is rented at an expense to FOTST, impacting their ability to deliver more diverse services to forest users. Recall, all the trails are groomed/maintained at no cost to visitors – the only paid activities at the Summerstown Forest are equipment rental fees or participation in lessons or special events offered by FOTST. Visitors can donate to FOTST as a non-profit volunteer organization.

Our region has immensely benefitted from the relationship between SDG, FOTST and South Glengarry, and, since 2013 the County and FOTST have been working towards a long-term goal of installing a permanent ‘office’ onsite.

The first phase of this goal was the construction of the parking lot adjacent to SDG 27, including the installation of an electrical service (completed in fall 2017). The popularity of the forest has steadily increased with the new parking lot and addition of fat bike trails, and it was evident after the winter of 2019/2020 that a further expansion of the parking lot was necessary to support both the future building and parking needed to accommodate the daily forest visitors.

In the spring/summer of 2020 Council approved an Environmental Impact Study (EIS) to help identify and mitigate against any negative environmental impact that could result from the expansion of the parking lot. A wetland evaluation was also necessary to secure a future building permit from the Township of South Glengarry for the construction/installation of a permanent structure onsite. This spring the County completed the parking lot expansion and is working on the wetland delineation.

The proposed approach with the permanent building was that FOTST would lead the fundraising for the purchase of the structure and SDG would potentially assume technical ownership of the building for liability, insurance and permitting purposes. Fortunately, this spring, FOTST has been able to purchase a school portable for a very reasonable price (with no financial support needed from SDG). The decision to purchase the structure was completed in a very short timeframe and was a result of a favorable opportunity presented to FOTST through the Upper Canada District School Board. The portable can be delivered to the parking lot this summer (in a temporary state) and its 'permanency' would only be established after the wetland boundary is delineated and a building permit is issued. South Glengarry has indicated that they are happy to work with FOTST and SDG as this process continues. The only utility which will be connected to the building is the electrical service (no washrooms are proposed).

Staff are seeking Council's approval to accept technical ownership of the portable once delivered to site and work with South Glengarry to secure the appropriate permits to allow it to remain. Staff and FOTST will also begin working on a long-term agreement between our parties for the ongoing management and administration of this building.

OPTIONS AND DISCUSSION:

1. **Assume technical ownership of the portable once delivered to site (Recommended).** As noted above, for administrative purposes, staff are recommending that SDG accept technical ownership of the portable once delivered to site. Staff and FOTST will work together to create a binding agreement to address its future maintenance and capital improvements. It is further recommended that the building agreement be completed and approved by Council in advance of SDG formally applying for a building permit.
2. **Do not support the assumption of technical ownership (Not recommended).** Should Council wish to remain disengaged from the ownership of this structure, staff could alternatively prepare an agreement between the parties to allow the structure to stay without accepting responsibility or ownership for it. This approach would be undesirable given that this building would be 'permanently' located on County property.

FINANCIAL ANALYSIS:

SDG has made no financial commitment towards the portable; FOTST have taken full responsibility for the purchase and delivery to site. Aside from some staff time associated with working with FOTST to create an agreement and the update to the County's insurance policy, there are no other financial obligations at the present time.

With respect to the agreement, staff are seeking input from Council on what, if any terms, responsibilities, or scope they would like included.

LOCAL MUNICIPAL IMPACT:

Although located in South Glengarry, the Summerstown Forest attracts visitors from across SDG, the City of Cornwall and outside our region. The permanent structure will support and enhance the work of FOTST.

RELEVANCE TO STRATEGIC PRIORITIES:

The work with FOTST aligns with both strategic priority no. 1 ***Service Delivery – A Smarter Approach*** and strategic priority no. 4 ***Community Sustainability – A Place Where you Want to Be***. The ongoing partnership with FOTST is a mutually beneficial way to deliver recreational opportunities in the County Forest, enhancing our community and region.

OTHERS CONSULTED:

Halpenny Insurance Brokers

ATTACHMENTS:

RECOMMENDED BY:



Benjamin de Haan, P. Eng
County Engineer

REVIEWED & APPROVED BY:



T.J. Simpson, CAO



**The
UNITED COUNTIES OF
STORMONT, DUNDAS & GLENGARRY**

ACTION REQUEST – TS

To:	Warden and Members of Council
Date of Meeting:	June 7, 2021
Subject:	Culvert Lining

RECOMMENDATION:

THAT the Council of the United Counties of Stormont, Dundas and Glengarry accept the tender from Aqua Drain Sewer Services Inc. for Culvert Lining for \$164,089.00 plus HST and authorize the Director of Transportation Services to sign all necessary documents to give effect to the contract.

EXECUTIVE SUMMARY

Culvert lining work is an annual budgeted item and incorporated in the 2021 budget.

BACKGROUND:

The culvert lining contract includes cured-in-place lining for thirteen pipes at various locations in SDG. The liners that have been specified are designed to be standalone new pipes – the old pipes being lined simply act as a conduit. Staff anticipates a 50-year service life with these liners.

This type of trenchless rehabilitation is becoming more common because of the low impact on road users and pricing when compared to conventional culvert replacement.

A summary of the bids is as follows (excluding H.S.T.):

Table 1: Bid Summary

Company	Tendered Price
Aqua Drain Sewer Services Inc.	\$164,089.00
Clean Water Works Inc.	\$197,325.00
Clearwater Structures Inc.	\$206,750.00
Services Infraspac Inc.	\$215,000.00
Edgewater Sewer Services Inc.	\$229,895.00

OPTIONS AND DISCUSSION:

1. **Approve the Contract (Recommended).** This work is part of the County’s asset management strategy and will ensure that the existing conduits remain in-service for many more years. This option is recommended.
2. **Do not approve the contract.** Not recommended.

FINANCIAL ANALYSIS:

Conventional replacement of culverts cost approximately \$45,000 - \$80,000 depending on the size of pipe, depth of pipe, watercourse and road conditions. The County has budgeted \$850,000 in 2021 for the lining and replacement of various cross culverts. The average price to line the pipes was approximately \$15,000 per pipe.

The lining tender represents a portion of the overall cost of the County’s culvert replacement work. The work will be completed within the globally approved budget.

LOCAL MUNICIPAL IMPACT:

This contract was discussed as a joint tender with all local municipalities.

RELEVANCE TO STRATEGIC PRIORITIES:

Investments in infrastructure (both capital and maintenance) align with Council’s strategic priority of providing **Community Sustainability – A Place Where You Want to Be.**

OTHERS CONSULTED:

- Local Municipalities in SDG (joint tender option)
- Conservation Authorities (secure permits)

ATTACHMENTS:

- N/A

RECOMMENDED BY:



Benjamin de Haan, P. Eng
County Engineer

REVIEWED & APPROVED BY:



T.J. Simpson, CAO



**UNITED COUNTIES OF
STORMONT, DUNDAS & GLENGARRY**

ACTION REQUEST – TS

To:	Warden and Members of Council
Date of Meeting:	June 7, 2021
Subject:	Winchester CP Overpass

RERCOMMENDATIONS:

THAT the Council of the United Counties of Stormont, Dundas and Glengarry accept the tender from Dalcon Constructors Ltd. for the rehabilitation of the Winchester CP Overpass at their unit prices totaling \$973,000 plus H.S.T.;

AND THAT the Director of Transportation be authorized to sign all documents to give effect to the contract

EXECUTIVE SUMMARY:

This tender is for the rehabilitation of the Winchester CP overpass, a project identified as a priority within the County's asset management plan.

BACKGROUND:

The proposed rehabilitation of the Winchester CP Overpass includes temporary railway track protection, barrier wall replacement, concrete patching on the deck, abutment refacing, semi-integral conversion, temporary supports, asphalt removal, waterproofing and paving, steel beam guiderail and miscellaneous approach works.

A summary of the bids received are as follows:

Table 1: Summary of Bids

COMPANY NAME	AMOUNT OF BID
Dalcon Constructors Ltd.	\$ 973,000.00
Louis W. Bray Construction Limited	\$ 1,176,586.00
Clearwater Structures Inc.	\$ 1,263,643.00
UrbanLink Civil Ltd.	\$ 1,445,000.00
Coco Paving Inc.	\$ 1,523,588.50
R.W. Tomlinson Limited	\$ 1,991,404.27

OPTIONS AND DISCUSSION:

1. **Approve the work (Recommended).** The bridge has reached a point in its service life where it will benefit from a rehabilitation. This option is recommended.
2. **Do not approve the work (Not recommended).**

FINANCIAL ANALYSIS:

The County budgeted \$1,450,000 in 2021 for this project. Once inspection, track protection costs, design, contract administration and geotechnical work is considered, staff are projecting that this project will be completed under budget.

LOCAL MUNICIPAL IMPACT:

The work will take place with staged construction, meaning that there will be traffic delays, but no closures. Staff will advise the public and emergency services of this project. Over-dimensional traffic which commonly use SDG 31 will be re-routed on SDG 3 and SDG 38.

RELEVANCE TO STRATEGIC PRIORITIES:

Investments in infrastructure (both capital and maintenance) align with Council's strategic priority of providing ***Community Sustainability – A Place Where You Want to Be.*** Well managed infrastructure assets are the cornerstone of sustainability of our region.

OTHERS CONSULTED:

- Township of North Dundas
- WSP (Design Engineers)
- Canadian Pacific Rail
- Emergency Services (once schedule is finalized)

ATTACHMENTS:

- N/A

RECOMMENDED BY:


Benjamin de Haan, P. Eng
County Engineer

REVIEWED & APPROVED BY:


T.J. Simpson, CAO



**UNITED COUNTIES OF
STORMONT, DUNDAS & GLENGARRY**

ACTION REQUEST – TS	
To:	Warden and Members of Council
Date of Meeting:	June 7, 2021
Subject:	St. Andrews West Urban Reconstruction

RECOMMENDATION(S):

THAT the Council of the United Counties of Stormont, Dundas and Glengarry waive the requirements of Policy 1-12, and that the Director of Transportation be authorized to procure goods and services necessary for the reconstruction of SDG 18 (St. Andrews West) via competitive quotation.

EXECUTIVE SUMMARY:

The reconstruction of St. Andrews West will be designed and built with in-house resources, relying on various sub-contractors and suppliers to support the work. To efficiently deliver this project, staff require some flexibility from the County's existing procurement policy to be able to buy goods and services necessary for the successful completion of this project.

BACKGROUND:

Council authorized the reconstruction of St. Andrews West (urban area east of Highway 138) in collaboration with the Township of South Stormont. The project consists of the reconstruction of the existing pedestrian sidewalk, asphalt resurfacing, ditch filling and repair/replacement of storm infrastructure. Staff are completing the design and the St. Andrews Patrol intends to lead the reconstruction efforts using in-house resources, rented equipment and coordinated sub-trades. The work is scheduled to begin in mid-July.

The County's purchasing policy is a comprehensive document that provides transparency and accountability for our procurement needs. Currently, the purchasing policy requires that the purchase of any goods or services over \$50,000 to be done via a formal tender and the work must be awarded by Council (there are several exemptions to this process).

Although this procurement method works well for a majority of the work completed by Transportation Services, as a result of the increasing cost of goods and services, the \$50,000 threshold can create some procurement inefficiencies for various projects like the St. Andrews West reconstruction. In lieu of preparing and issuing the multiple tenders for the goods and services that are necessary to deliver the St. Andrews project, staff are requesting Council provide approval to obtain written quotations and award the work to the lowest bidder that can meet

the requirements of the quotation. Examples of the goods and services that will be procured via competitive quotation include:

- Equipment rental (e.g. excavator, dozer, compactor);
- Curbing/Concrete;
- Purchase of pipes and culverts;
- Purchase of catchbasins;
- Supply and delivery of granulars;
- Topsoil and seeding/ sodding

It should be noted that the value of the items listed above would not all necessarily exceed \$50,000; however, because the design is still in progress and final quantities are not established, staff wish to highlight the major expenses for transparency.

The pulverizing will be completed through the Township of South Stormont's "Surface Treatment" contract. The asphalt resurfacing will be included as an item within the SDG 8/18 tender, which is planned to be awarded at the July meeting.

OPTIONS AND DISCUSSION:

1. **Waive the requirements of Policy 1-12 and authorize the Director of Transportation to procure goods and services necessary for the reconstruction of SDG 18 (St. Andrews West) via competitive quotation (Recommended).** To efficiently deliver this project on time and on budget, staff require additional flexibility to procure the goods and services for this project. It should be noted that all the purchasing associated with this project will be done in a competitive manner. This option is recommended.
2. **Do not authorize the Director to procure goods and services valued at or above \$50,000 via quotation (Not recommended)**

FINANCIAL ANALYSIS:

The approved budget for this project is estimated at \$880,000. Completing the work with in-house resources provides SDG with the flexibility to make field adjustments to the design within this constrained urban environment. Staff have no concerns that the work can be completed within the approved budget.

LOCAL MUNICIPAL IMPACT:

Staff are working closely with the Township of South Stormont as several aspects of the project are their responsibility.

RELEVANCE TO STRATEGIC PRIORITIES:

Investments in infrastructure (both capital and maintenance) align with Council's strategic priority of providing **Community Sustainability – A Place Where You Want to Be**. Well managed infrastructure assets are the cornerstone of sustainability of our region

OTHERS CONSULTED:

- Township of South Stormont
- Ministry of Transportation, Ontario

ATTACHMENTS:

N/A

RECOMMENDED BY:



Benjamin de Haan, P. Eng
County Engineer

REVIEWED & APPROVED BY:



T.J. Simpson, CAO



**UNITED COUNTIES OF
STORMONT, DUNDAS & GLENGARRY**

ACTION REQUEST – TS	
To:	Warden and Members of Council
Date of Meeting:	June 7, 2021
Subject:	Warden's House Repairs

RECOMMENDATIONS:

THAT the Council of the United Counties of Stormont, Dundas and Glengarry authorize staff to prepare a variety of quotations to complete the repairs to the Warden’s House;

AND THAT the requirements of policy 1-12 be waived for any quotation awarded that is in excess of \$50,000 in total value;

AND THAT the global budget for the repairs to the Warden’s House be set at a maximum of \$200,000 inclusive of all costs;

AND THAT any unfunded costs that cannot be attributed to COVID relief funding or COVID grants be taken from the building reserve;

AND THAT staff provide monthly updates on the progress and committed costs.

EXECUTIVE SUMMARY:

Staff are seeking Council’s authorization to proceed with the repairs to the Warden’s House through competitive quotations rather than a formal tender. Council’s approval is necessary in the event that a quotation value exceeds \$50,000.

BACKGROUND:

Further to Council’s previous discussions on this topic, staff are seeking authorization to proceed with organizing the repairs to the Warden’s House. The work itself includes some joist reinforcement in the basement, load bearing wall replacement and the removal of the holding cell and half-wall reception space on the main floor. This work is intended to improve the functionality of this entire workspace and will create 3 new workspaces (plus improve the 3 existing workspaces). The ultimate goal is to move a department or work unit(s) into this area, which will relieve the physical constraints staff face within the existing Administration building.

The following is a summary of the constraints faced by each Department within the existing building:

Corporate Services

- Manager of Economic Development does not have a permanent office (currently being housed accommodated in former law library office)
- No space for students

Court and Financial Services

- Staff are spread out over several floors
- Functions as the main reception for the entire building
- Ministry of the Attorney General (MAG) spacing requirements remain uncertain for when court reopens to the public
- No waiting area – patrons need to use the common hallway as a reception/waiting room

Planning Services

- There is no reception area - a personal workspace being used when administration staff meet with the public
- No office for the Director of Planning (shared workspace)
- Planning summer student workstation is located in the print room, which is shared with another student and the main photocopier.

Transportation Services

- Two Transportation staff no longer have workstations (offices/workstations are being used by IT staff)
- Transportation Administration student workstation is located in the print room, which is shared with another student and the main photocopier.
- No workstation for inspection students (with acceptable physical distancing)
- No workstation for GIS student (with acceptable physical distancing)

Library Services

- Lack of suitable storage space for supplies
- Hallway is used to store in-transit books
- No workspaces for students

IT Services

- No dedicated area within the building - existing staff relocated to other Departments areas (IT Director near Corporate Services, Tech support staff are located in former Transportation and Financial Service areas)
- One additional support position approved by Council – no suitable workspace within the building
- County servers are located in basement in back corner of building (IT storage area) - ideally the servers should be relocated to a more secure and less vulnerable area

This project had been previously tendered as a complete project; however, with the busy construction environment and lack of interested general contractors, it

was identified that the preferred approach to complete this work was to break the project into specific subtrades (e.g. electrical, structural, finishes etc.).

OPTIONS AND DISCUSSION:

1. **Authorize staff to proceed (Recommended).** With Council's support, staff are prepared to split up the project and solicit prices from various trades in order to complete the work. Staff have further identified a maximum upset limit within the Council resolution to assurances on the total upset cost. The work is intended to improve the overall functionality of this existing office space.
2. **Do not authorize staff to proceed (Not recommended).** If Council does not wish to proceed with the repairs, staff will abandon this project and the CAO/Directors will make office arrangement decisions based on the existing available workspaces within the structure.

FINANCIAL ANALYSIS:

The County is expecting that we will be successful within the Canada Infrastructure Program (ICIP) COVID-19 Resilience Infrastructure funding program, which will offset the majority of the costs associated with this project. Staff additionally expect that some, if not all, of the 'unfunded' portions of this repair will qualify for other COVID-19 relief funding that the County has previously received.

Any unfunded repairs that cannot be attributed to COVID relief money can be accommodated within the existing building reserve (estimated 2021 year-end balance is \$561,000)

LOCAL MUNICIPAL IMPACT:

N/A

RELEVANCE TO STRATEGIC PRIORITIES:

Investments the County's building assets align with Council's strategic priority of providing ***Community Sustainability – A Place Where You Want to Be*** as well managed assets are the cornerstone of sustainability.

OTHERS CONSULTED:

- CAO and all County Directors

ATTACHMENTS:

- N/A

RECOMMENDED BY:



Benjamin de Haan, P. Eng
County Engineer

REVIEWED & APPROVED BY:



T.J. Simpson, CAO



**UNITED COUNTIES OF
STORMONT, DUNDAS & GLENGARRY**

ACTION REQUEST – TS	
To:	Warden and Members of Council
Date of Meeting:	June 7, 2021
Subject:	Morrisburg Roundabout and Streetscaping

RECOMMENDATION:

THAT the Council of the United Counties of Stormont, Dundas and Glengarry accept the tender from Coco Paving Inc. at their bid price totaling \$4,981,136.75 plus H.S.T., and that the Director of Transportation Services be authorized to sign all necessary documents to give effect to the contract;

AND THAT the Director of Transportation Services and Manager of Infrastructure be directed to begin discussions with Coco Paving to realize additional cost-savings within this contract.

EXECUTIVE SUMMARY:

Per Council’s direction at the January meeting, staff have worked with our consultant to prepare and tender a redesigned Morrisburg Roundabout and Streetscaping project which pared down the original work to the greatest extent possible while still meeting all elements of the approved Provincial and Federal funding.

Unfortunately, the project remains over-budget; however, staff are of the view that there are several cost-saving opportunities that can be explored in collaboration with Coco Paving Inc. to mitigate the projected budget shortfall.

BACKGROUND:

This project was originally tendered in December 2020 with the intent to secure pricing and a contractor well in advance of the 2021 construction season. Although there were four bids received when originally tendered, the prices were significantly over both South Dundas’ and SDG’s approved budget (low bid was \$6,120,000). Council rejected the bids and directed staff to coordinate the redesign of the project to find as many cost savings as possible while still maintaining the intent of the project.

Staff from South Dundas and SDG have worked closely with our consultant over the past several months, making the following design changes:

- Some pedestrian elements have been made provisional and/or removed from the tender (at South Dundas’ direction)

- Dividing medians were removed outside of the roundabout and the road cross-section was simplified
- The storm sewer has been converted to “open ditch” when and where possible
- The landscaping elements have been reduced

Although these above design changes have improved the final price, the project still remains over-budget for both South Dundas and SDG.

A summary of the bid received is as follows:

Table 1: Summary of Bids

Company	Total Tendered Price
Coco Paving Inc.	\$4,981,136.75

OPTIONS AND DISCUSSION:

1. **Accept the bid and award the tender (Recommended).** As noted in the financial analysis, although over-budget, there are significant elements of the contract that are ‘provisional’, and not necessarily a cost to be incurred by SDG or South Dundas. Additionally, staff believe that by working closely with this contractor, the County and Municipality will be able to realize some additional cost savings which will mitigate the projected budget shortfall. Because the County has the financial capacity to award the project, staff are recommending the bid be accepted.

2. **Reject the tender and not award the contract (Not Recommended).** As noted in the financial analysis, the bid received was above the expected price. Council may decide to not award the tender.

FINANCIAL ANALYSIS:

General Commentary

Although staff were disappointed that only one contractor submitted a bid, a detailed review of the prices compared to the original tender suggests that the bid received by Coco Paving Inc. was competitive and should be seriously considered by Council. Coco Paving Inc. was the original low bid when the previous tender was closed this past winter.

Some general comments on the pricing within the construction industry are as follows:

- There is a high demand for electrical components (copper wire, circuit breakers etc., which is reflected in the overall cost of the Morrisburg project
- The cost of plastics has also increased, impacting pipe costs within this project

- Although there is capacity in the bridge construction industry, heavy civil contractors appear to be very busy, resulting in fewer bidders.

The County's project costs are summarized as follows:

Table 2: County Project Costs

Item	Cost
Design	\$50,000
Construction (total including provisional)	\$3,950,000
Geotechnical, Admin, Contingency ¹	\$250,000
Value of All Provisional Items ¹	(\$330,000)
ICIP Funding to SDG ²	(\$2,120,000)
Total Project Costs (excluding provisional)	\$1,800,000
Total Budget (SDG)	\$1,360,000
Shortfall	\$440,000

¹ See note below for additional details on Contingency and Provisional Items

² Prorated between SDG and South Dundas based on value of work attributed to each party. Subject to change based on final costs.

Provisional Items

The provisional items that were built into the bid price included work such as temporary asphalt (to mitigate against construction impacts), test pits (to resolve utility conflicts), managing contaminated soils, imported subgrade, sod, hydro excavation, water trucks, portable lighting and a sweeper. It is reasonable to expect that during the course of the project, some of these provisional items would be necessary; however, given the financial challenges associated with the final price, inspection staff would be instructed to take a very conservative approach in using any provisional item within the contract. The construction contingency is \$200,000, which would only be necessary if unexpected additional work is required.

Other Cost Saving Measures

Staff are further recommending that, on tender award, we immediately meet with the contractor to review certain aspects of the project and establish if they can be completed at greater value (savings). For example, in lieu of asphalt recycling, there may be some cost-savings opportunities realized through pulverizing and resurfacing. Also, it may be more cost effective to open cut some utilities ducts rather than installing via directional drilling.

On previous work, Coco Paving has demonstrated that they are willing to work with SDG to deliver a successful project, and staff are confident that they would be willing to engage with SDG and South Dundas to minimize the project shortfall.

Impact to South Dundas

South Dundas is an important project partner, and unfortunately, they will also be facing a budget shortfall. South Dundas has several options to consider:

- Award the work as tendered
- Award the work and collaborate with SDG and the contractor to remain within, or close-to budget (e.g. delete their provisional items)
- Not participate in this project

Based on the current cost apportioning, the County is responsible for approximately 84% of the project costs and South Dundas is responsible for 16% of project costs. Generally, South Dundas is responsible for all costs associated with pedestrian facilities, half of the cost of the landscaping elements and centre roundabout features, the incremental costs associated with the decorative light fixtures and all costs for the lighting/electrical elements solely benefitting the pedestrian facilities.

Because the County is the major contributor to the work, regardless of South Dundas' decision, the County is in a position where it can proceed in 2021 (with blessing from Federal and Provincial funding partners). Should South Dundas decide not to participate in the project, SDG will work with the contractor and designer to revise the design and contractually delete the local municipal infrastructure from the project scope. Major items which would be deleted or revised include:

- Sidewalks, cross walks and multi-use paths
- Decorative light standards
- Receptacles
- Some landscaping elements

Staff believe that the provincial and federal funding would remain available for this project regardless of South Dundas' ultimate decision. In the event that SDG approves the work and South Dundas does not wish to proceed, staff will confirm the above before starting construction.

SDG's Budget Shortfall

As noted above, the SDG's budget shortfall is currently estimated at \$440,000, which includes \$200,000 in project contingencies, but does not include the potential cost of some provisional items which would be necessary to complete the work.

Fortunately, the County is projecting a \$790,000 budget surplus within the 2021 hot mix program. Staff recommend that this surplus be used to offset the projected shortfall of this project.

Next Steps

County and South Dundas staff are confident that detailed consideration and implementation of the items above will assist us in achieving a reasonable project which balances both cost and value. With County Council’s approval of the tender, staff will begin discussions with Coco to identify project cost savings. These savings will be contractually captured via change order (e.g. credit), and staff would report back to Council on updated project costs.

LOCAL MUNICIPAL IMPACT:

South Dundas is a key partner in this project and are also faced with a decision on how to move forward. County staff are available to support them as they determine their next steps.

RELEVANCE TO STRATEGIC PRIORITIES:

The plan outlined in this report conforms with both *Strategic Priority No. 1 Service Delivery – A Smarter Approach* and *Strategic Priority No. 4 Community Sustainability – A Place where you want to be*. The partnership between SDG and South Dundas will result in a transformational project for Morrisburg.

OTHERS CONSULTED:

- Municipality of South Dundas
- Director of Financial Services
- Robinson Consulting Inc.

ATTACHMENTS:

RECOMMENDED BY:



Benjamin de Haan, P. Eng
County Engineer

REVIEWED & APPROVED BY:



T.J. Simpson, CAO



KEY INFORMATION REPORT

TRANSPORTATION SERVICES

June 7, 2021

SUBJECT: Draft Signage By-Law Update

BACKGROUND:

Staff are proposing modifications to the existing signage by-law in order to strengthen some of the provisions and address other minor issues. The draft by-law has been reviewed by the County's solicitor.

A summary of the major modifications are as follows

- Some sections and text has been reorganized to improve the readability and interpretation of the by-law
- Definitions have been added/modified:
 - The by-law includes a definition for 'digital sign'
 - The by-law includes a definition for a 'residential area' based on local zoning by-laws and references residential areas within the operation of digital signs
 - The definition of 'sign' has been expanded to include all aspects of a sign (e.g. foundations, posts, display faces, supporting members)
 - The by-law includes the definition of 'visual nuisance'
- Clarified that signs that encroach in the right of way require an encroachment permit (aerial encroachments as well)
- Strengthened the provisions regarding the operation of digital signs, specifically by requiring all digital signs to
 - Not be a visual nuisance
 - Dim to one-quarter of their brightness between sunset and 10:00 pm when they can be seen from a residential area (to eliminate visual nuisances)
 - Turn off between 10:00pm and 7:00am when they can be seen from a residential area (to eliminate visual nuisances)
- Clarified that grandfathering associated with billboard spacing
- Added that signs needed to be installed within 6 months of issuance or permit is expired
- Added a provision about revoking a permit and the impact of such a revocation
- Noted that permit fees are exempt when signs are being re-faced or undergoing minor repairs

COMMENTS/OBSERVATIONS:

Staff welcome any comments of this draft by-law from Council and/or the public. The revised by-law will be presented to Council for formal adoption at the June 21 meeting subject to questions, concerns and/or comments received.

Respectfully Submitted.

Attach

- Draft Sign By-law
- Sign By-law 5264 (current in-effect)

**The Corporation of the United Counties
Of Stormont, Dundas, Glengarry**

**Draft By-law _____
2021**

Signage By-law

[insert recitals and implementing language]

**Read and passed in open Council, signed
and sealed this ____ day of _____, 2021**

Warden

Clerk

Schedule 'A' to By-law No. _____ Signage Requirements

Section 1: Definitions

“Billboard Sign”

means any sign with a display area greater than 11m²

“County”

means the United Counties of Stormont, Dundas and Glengarry.

“County Road”

means a road under the jurisdiction of the United Counties of Stormont, Dundas and Glengarry.

“Complex Visual Animation”

means an animation which shows a series of images creating the illusion of movement (e.g. video clips etc. as would typically be displayed on television screens or computer monitors). Complex visual animation does not include basic animations typically shown on scrolling LED signboards.

“Digital Sign”

means an electronic sign used to convey images and information through the use of incandescent lamps, neon halogen or any other gas based light sources, LCD, LED, or illuminated projection screens and technology.

“Local Municipality”

means a lower tier municipality of the United Counties of Stormont, Dundas and Glengarry.

“Official Sign”

means a sign placed by or under the jurisdiction of the Transportation Department, or under the authority of a statute, by-law, or provincial or federal authority.

“Owner”

means any person: described on a sign; whose name, address, or telephone number appears on a sign; who installed a sign; who is in lawful control of a sign; or who benefits from the message on a sign. For the purposes of this By-law there may be more than one owner of a sign.

“Residential Area(s)”

means any area that is zoned under a local municipal zoning by-law which permits residential uses.



“Road Allowance”

means a County road allowance and includes all lands and structures contained within the outer limits of the allowance including grassed areas, ditches, curbs, gutters, sidewalks and other structures and includes a “Highway” as defined under the Highway Traffic Act (Ontario) that is under the jurisdiction of the County.

“Sign”

means any device, object or thing that is designed to convey a message for the purpose of advertising, identifying, announcing, directing, or promoting any idea, event, activity, product, service or facility, or conveying any other type of message. For the purpose of this by-law a ‘sign’ includes either the display face, posts, foundation, supporting members or a combination of any or all of the above elements (the “Sign Elements”). A Sign shall include any attachment to any of the Sign Elements.

“Temporary Sign”

means a sign that is less than 3m², freestanding, and mounted on light breakaway support systems.

“Transportation Department”

means the County Engineer or designate.

“Visual Nuisance”

means a visual display of any type which is causing intrusive impact, abnormal lighting conditions, an unreasonable inconvenience, annoyance or discomfort, to a third party, as determined in the sole discretion of the County Engineer.

Section 2: General

2.1 The following signs shall be permitted within the road allowance:

- a) Signs erected by any municipal authority for the regulation, safety or guidance of traffic, or to provide public information (i.e. community groups, service clubs or sport or leisure trails). The location and size of signs erected by any municipality must be approved by the Transportation Department. No advertising, sponsorship or business identification will be allowed on permanent signs. Those erecting permanent signage within the County right of way shall be required to provide a certificate of insurance to indemnify the County against any liability with coverage limits as recommended by the County insurer.
- b) Temporary signs, including but not limited to:
 - i. signs identifying recognized service clubs and community groups
 - ii. event signs (i.e. community functions)
 - iii. election signs
 - iv. commercial signs
 - v. real estate signs



All temporary signage located within the County right-of-way is installed at the owner's risk and is subject to be removed without notice by the County.

- c) Privately owned signs with a valid encroachment permit issued by the County (including partial/ full encroachments aerial or otherwise within the right-of-way). The cost to install privately owned signs within the right of way will be borne by the individual or agency requiring the sign.

2.2 Signs shall not:

- a) Be accompanied with a device that creates noise, or that resembles an official light not used for the purpose of controlling traffic or for the safety of workers under any Act.
- b) Resemble an Official Sign or a traffic control signal.
- c) Be illuminated, reflectorized, create direct or indirect glare, or display electronic messaging in a manner which is deemed to be a safety hazard in the sole discretion of the Transportation Department.
- d) Be permitted when they do not comply with the provisions of a local Zoning By-law, Building Code, Electrical Safety Code, the Occupational Health and Safety Act, the Construction Safety Act, or any other applicable government regulation.
- e) Promote violence, hatred or discrimination on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, sex, sexual orientation, age, marital status, family status, disability or contempt against any identifiable group. The message, logos, graphics displayed on any sign must not be disrespectful or contain profanity, obscenity, or promote unlawful activity.

2.3 Temporary Signs shall not:

- a) Be located within a roadway, shoulder, median, planting bed, drain, ditch or watercourse.
- b) Impact the function of a County Road by:
 - i. Creating a safety hazard;
 - ii. Impeding or obstructing municipal maintenance or construction operations;
 - iii. Impeding access to or obstructing a fire hydrant;
 - iv. Impeding or obstructing the passage of pedestrians where they are reasonably expected to walk; or
 - v. Impairing or obstructing the visibility of vehicular or pedestrian traffic or a railway crossing.



- c) Obscure or detract from the visibility or effectiveness of an official sign or a traffic control signal.
- d) Be powered with electrical wiring.
- e) Be painted onto, affixed by an adhesive, taped or wired onto:
 - i. A tree, shrub or any other natural object;
 - ii. A utility box, traffic signal control box, bridge, guiderail or any other road structure;
 - iii. An official sign; or
 - iv. The support of a luminaire, Official Sign, or any other traffic control device.

2.4 Digital Signs shall not:

- a) Have a dwell time of less than 30 seconds, display complex visual animations or have transitions which are distracting, all as determined in the sole discretion of the Transportation Department.
- b) Fail to eliminate any Visual Nuisances associated with the Digital Sign.
- c) Fail to be turned off between 10:00 p.m. and 7:00 a.m. when they are within direct sightline of a Residential Area so as to eliminate any Visual Nuisances associated with the sign.
- d) Fail to be dimmed to one quarter of the usual day time lux of the Digital Sign in question, between sunset and 10:00 p.m. when they are within direct sightline of a Residential Area.
- e) Fail to be dimmed or turned off when directed by an official of the Transportation Department acting in accordance with the requirements of subsection 2.4.
- f) Section 2.4 (a) to (e) applies to all electronic displays except for animated displays located within storefronts that are intended for pedestrians and that cannot easily be seen by passing vehicles or Residential Areas.

Section 3: Existing Signs

- 3.1 Every person who erects, displays, alters or repairs a sign within the County, and every owner of a place upon which a sign is erected, displayed, altered or repaired, shall ensure that such sign is erected, displayed, altered, or repaired in compliance with the provisions of this by-law.



3.2 Interpretation and Exception

- a) Without limiting the generality of section 3.1, section 3.1 shall be interpreted as requiring every owner of a place upon which a sign was erected or displayed prior to the coming into force of this by-law to ensure that such sign is and operates in compliance with the provisions of this by-law or bring the sign into compliance with the provisions of this by-law within 15 days of the coming into force of this by-law.
- b) The only exception to subsection 3.2(a) is with respect to an existing Billboard that has all its governmental permits and is lawfully placed that contravenes, at the time of this by-law coming into force, subsection 4.2 iii.

Section 4: New Signage Requirements – Size, Location and Orientation

4.1 Signs within 45m of the centreline of a County Road shall require a permit. Signs greater than 45m from the centreline of the road and temporary signs do not require a permit provided the owner complies with the provisions of Section 2 and Section 4 as applicable.

4.2 All signs installed in rural areas shall not:

- i. exceed 7.5m in height above the ground;
- ii. exceed 30m² in display area (per side);
- iii. (if a billboard) be placed within 200m of another billboard sign (per direction);
- iv. be affixed to, mounted upon, or be made to form part of a fence
- v. be placed in, or be allowed to overhang, a daylighting area, or;
- vi. be placed in any area that in the opinion of the Transportation Department will constitute any other hazard to vehicular traffic.

4.3 All signs installed in urban areas shall not:

- i. exceed 7.5m in height;
- ii. exceed 30m² in area (per side);
- iii. be placed in, or be allowed to overhang, a daylighting area, or;
- iv. be placed in any area that in the opinion of the Transportation Department will constitute any other hazard to vehicular traffic.

4.4 Freestanding signs shall be installed at either 45 degrees or greater to the centreline of a County Road. When signs have been installed to be viewed on the left-hand side of the road, no additional billboard signs will be permitted within the spacing requirements on the opposite side of the road.



Section 5: Administration

- 5.1 The Transportation Department is responsible for the administration of this By-law.
- 5.2 Every application for a permit under this By-law shall be made on the form provided by the Transportation Department, and shall be accompanied by any plans, drawings, and other information prescribed on the application, including local Municipal sign-off, which confirms that they have no objections to the proposed sign.
- 5.3 Every person applying for a permit shall pay the application fee approved by County Council. Sign permit application fees are in accordance with the County's User Fee By-law, as amended from time to time. There shall be no permit fee for signs installed onto existing buildings, signs installed as part of an approved Community Improvement Project, when signs are being refaced or undergoing minor repairs or modifications (in the sole discretion of the County Engineer) or for signs installed between 30m to 45m from the centreline of a County Road.
- 5.4 Signs must be installed within 6 months of the date of issuance of the permit or the permit will have deemed to expire and a new application is required.
- 5.5 A sign permit may be revoked by the County Engineer, or when directed by County Council, if the sign is not being or has not been installed in accordance with the approved permit or when the sign is operating contrary to the provisions of this by-law.
- 5.6 County Council may authorize a minor variance from the requirements of this By-law. The fee to make a request for a sign minor variance shall be in accordance with the County's User Fee By-law, as amended from time to time.
- 5.7 Nothing in this by-law exempts a person from complying with any other by-law or requirement of a local municipality, government, or agency having the authority to deal with a matter related to a sign.

Section 6: Enforcement

- 6.1 This By-law may be enforced by the Transportation Department, a municipal by-law enforcement officer, or a police officer.
- 6.2 Any owner who operates, places, or permits to be placed or operated, a sign that does not comply with this By-law is required, upon receipt of an order of the Transportation Department or notice of revocation of their permit, to either modify the sign to comply with the By-law, or remove the sign forthwith and restore the sign location to a condition satisfactory to the Transportation Department.
- 6.3 If the owner is required, by order of the Transportation Department, to modify or remove a sign and fails to do so, then the Transportation Department, a municipal by-



law enforcement officer, or a police officer may immediately remove it, without notice or compensation to, and at the risk, of its owner.

- 6.4 The County assumes no liability for any signage, and may at any time, when acting under authority of this bylaw, remove, relocate, dismantle or destroy any Sign or Temporary Sign without notice. The County has no obligation to maintain non-compliant signage, nor has any obligation to return non-compliant signage to the owner if removed.
- 6.5 Every person or owner who contravenes a provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.
- 6.6 The County and a local municipality may recover expenses for the removal, transportation and disposal of a Sign or Temporary Sign, and for the restoration of any Sign location from the owner by court action, or in like manner as municipal taxes.

DRAFT

THE CORPORATION OF THE UNITED COUNTIES
OF STORMONT, DUNDAS AND GLENGARRY
BY-LAW NUMBER NO. 5264

A BY-LAW to regulate the location and size of signage within and adjacent to the County right-of-way.


WHEREAS Section 5 (3) of the *Municipal Act, 2001 S. O. 2001*, provides that a municipal power, including a municipality's capacity, rights, powers and privileges shall be exercised by by-law unless the municipality is specifically authorized to do otherwise.

AND WHEREAS the United Counties of Stormont, Dundas and Glengarry wishes to regulate the location and size of signage within and adjacent to the County right-of-way.

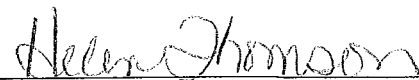
NOW THEREFORE THE COUNCIL FOR THE UNITED COUNTIES OF STORMONT, DUNDAS AND GLENGARRY ENACTS AS FOLLOWS:

1. That the location and size of signage within and adjacent to the County right-of-way shall be in conformity with the terms, conditions and specifications as outlined within Schedule "A" to this by-law.
2. That By-law No. 5073 is hereby repealed in its entirety.

READ and passed in Open Council, signed and sealed this 19th day of October, 2020.



WARDEN



CLERK

Schedule 'A' to By-law No. 5264 Signage Requirements

Section 1: Definitions

“Billboard Sign”

means any sign with a display area greater than 11m²

“County”

means the United Counties of Stormont, Dundas and Glengarry.

“County Road”

means a road under the jurisdiction of the United Counties of Stormont, Dundas and Glengarry.

“Complex Visual Animation”

means an animation which shows a series of images creating the illusion of movement (e.g. video clips etc. as would typically be displayed on television screens or computer monitors). Complex visual animation does not include basic animations typically shown on scrolling LED signboards.

“Local Municipality”

means a lower tier municipality of the United Counties of Stormont, Dundas and Glengarry.

“Official Sign”

means a sign placed by or under the jurisdiction of the Transportation Department, or under the authority of a statute, by-law, or provincial or federal authority.

“Owner”

means any person: described on a sign; whose name, address, or telephone number appears on a sign; who installed a sign; who is in lawful control of a sign; or who benefits from the message on a sign. For the purposes of this By-law there may be more than one owner of a sign.

“Road Allowance”

means a County road allowance and includes all lands and structures contained within the outer limits of the allowance including grassed areas, ditches, curbs, gutters, sidewalks and other structures and includes a “Highway” as defined under the Highway Traffic Act (Ontario) that is under the jurisdiction of the County.

“Transportation Department”

means the County Engineer or designate.

“Sign”

means any device, object or thing that is designed to convey a message for the purpose of advertising, identifying, announcing, directing, or promoting any idea, event, activity, product, service or facility, or conveying any other type of message.

“Temporary Sign”

means a sign that is less than 3m², freestanding, and mounted on light breakaway support systems.

Section 2: General

2.1 The following signs shall be permitted within the road allowance:

- a) Signs erected by any municipal authority for the regulation, safety or guidance of traffic, or to provide public information (i.e. community groups, service clubs or sport or leisure trails). The location and size of signs erected by any municipality must be approved by the Transportation Department. No advertising, sponsorship or business identification will be allowed on permanent signs. Those erecting permanent signage within the County right of way shall be required to provide a certificate of insurance to indemnify the County against any liability with coverage limits as recommended by the County insurer.
- b) Temporary signs, including but not limited to:
 - i. Identifying recognized service clubs and community groups
 - ii. event signs (i.e. community functions)
 - iii. election signs
 - iv. commercial signs
 - v. real estate signs

2.2 No permanent signage within a road allowance shall be privately owned unless has an associated County Encroachment Permit. The erection of signage that is not required for County purposes will be borne by the individual or agency requiring the sign at full cost recovery.

2.3 Temporary signage located within the County right-of-way is installed at the owner's risk.

2.4 Signs shall not:

- a) Be accompanied with a device that creates noise, or that resembles an official light not used for the purpose of controlling traffic or for the safety of workers under any Act.
- b) Be illuminated, reflectorized, create direct or indirect glare, or display electronic messaging in a manner which is deemed to be a safety hazard in the sole discretion of the Transportation Department.
- c) Be permitted when they do not comply with the provisions of a local Zoning By-law, Building Code, Electrical Safety Code, the Occupational Health and Safety Act, the Construction Safety Act, or any other applicable government regulation.

- d) Have a dwell time of less than 30 seconds, display complex visual animations or have transitions which are distracting in the sole discretion of the Transportation Department. This prohibition applies to all electronic displays except for animated displays located within storefronts that are intended for pedestrians and cannot easily be seen by passing vehicles.

2.5 Temporary Signs shall not:

- a) Be located within a roadway, shoulder, median, planting bed, drain, ditch or watercourse.
- b) Resemble an official sign or a traffic control signal.
- c) Impact the function of a County Road by:
 - i. Creating a safety hazard;
 - ii. Impeding or obstructing municipal maintenance or construction operations;
 - iii. Impeding access to or obstructing a fire hydrant;
 - iv. Impeding or obstructing the passage of pedestrians where they are reasonably expected to walk; or
 - v. Impairing or obstructing the visibility of vehicular or pedestrian traffic or a railway crossing.
- d) Obscure or detract from the visibility or effectiveness of an official sign or a traffic control signal.
- e) Be powered with electrical wiring.
- f) Be painted onto, affixed by an adhesive, taped or wired onto:
 - i. A tree, shrub or any other natural object;
 - ii. A utility box, traffic signal control box, bridge, guiderail or any other road structure;
 - iii. An official sign; or
 - iv. The support of a luminaire, official sign, or any other traffic control device.

Section 3: Existing Signs

3.1 Notwithstanding section 2.4, this By-law does not apply to existing signage that has been lawfully placed on the day this By-law comes into force.

3.2 Clause 3.1 only applies if the existing sign has not been altered in any way. Routine maintenance (e.g. replacing wording) and/or repair to such signage shall not be considered an alteration.

Section 4: New Signage Requirements

4.1 All permanent signage within 45m of the centreline of a County Road shall require a permit unless it is part of an approved Community Improvement Plan (CIP) project within an urban area. CIP signage in urban areas shall be reviewed and approved by the Transportation Department. Any temporary signs which comply with Section 2, as well as signage beyond 45m from centreline, shall not require a permit from the Transportation Department provided the owner complies with section 4.

4.2 All permanent signs installed in rural areas shall not:

- i. exceed 7.5m in height above the ground;
- ii. exceed 30m² in display area (per side);
- iii. (if a billboard) be placed within 200m of another billboard sign (per direction);
- iv. be affixed to, mounted upon, or be made to form part of a fence
- v. be placed in, or be allowed to overhang, a daylighting area, or;
- vi. be placed in any area that in the opinion of the Transportation Department will constitute any other hazard to vehicular traffic.

4.3 All permanent signs installed in urban areas shall not:

- i. exceed 7.5m in height;
- ii. exceed 30m² in area (per side);
- iii. be placed in, or be allowed to overhang, a daylighting area, or;
- iv. be placed in any area that in the opinion of the Transportation Department will constitute any other hazard to vehicular traffic.

4.4 Freestanding signs shall be installed at either 45 degrees or greater to the centreline of a County Road. When signs have been installed to be viewed on the left hand side of the road, no additional billboard signs will be permitted within the spacing requirements on the opposite side of the road.

4.5 No sign will be permitted that promotes violence, hatred or discrimination on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status, disability or contempt against any identifiable group. The message, logos, graphics displayed on any sign must not be disrespectful or contain profanity, obscenity, or promote unlawful activity.

Section 5: Administration

5.1 The Transportation Department is responsible for the administration of this By-law.

5.2 Every application for a permit under this By-law shall be made on the form provided by the Transportation Department, and shall be accompanied by any plans, drawings, and other information prescribed on the application, including local Municipal sign-off, which confirms that they have no objections to the proposed sign.

- 5.3 Every person applying for a permit shall pay the application fee approved by County Council. Sign permit application fees are in accordance with the County's User Fee By-law, as amended from time to time. There shall be no permit fee for signs installed onto existing buildings, or for signs installed between 30m to 45m from the centreline of a County Road.
- 5.4 County Council may authorize a minor variance from the requirements of this By-law. The fee to make a request for a sign minor variance shall be in accordance with the County's User Fee By-law, as amended from time to time.
- 5.5 Nothing in this by-law exempts a person from complying with any other by-law or requirement of a local municipality, government, or agency having the authority to deal with a matter related to a sign.

Section 6: Enforcement

- 6.1 This By-law may be enforced by the Transportation Department, a municipal by-law enforcement officer, or a police officer.
- 6.2 Any owner who places, or permits to be placed, a sign that does not comply with this By-law is required to modify the sign to comply with the By-law, or remove the sign forthwith and restore the sign location to a condition satisfactory to the Transportation Department.
- 6.3 If the owner is required to modify or remove a sign and fails to do so, then the Transportation Department, a municipal by-law enforcement officer, or a police officer may immediately remove it, without notice or compensation to and at the risk of its owner.
- 6.4 The County assumes no liability for the signage, and may at any time remove, relocate, dismantle or destroy any temporary signage without notice. The County has no obligation to maintain non-compliant signage, nor has any obligation to return non-compliant signage to the owner if removed.
- 6.5 Every person or owner who contravenes a provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.
- 6.6 The County and a local municipality may recover expenses for the removal, transportation and disposal of a sign, and for the restoration of the sign location from the owner by court action, or in like manner as municipal taxes.

THE CORPORATION OF THE UNITED COUNTIES
OF STORMONT, DUNDAS AND GLENGARRY

BY-LAW NO. 5296

A BY-LAW of the Corporation of the United Counties of Stormont, Dundas and Glengarry to adopt, confirm and ratify matters dealt with by resolution.

WHEREAS Section 5(3) of the *Municipal Act, 2001, S. O. 2001, Chapter 25*, as amended, provides that the powers of the Corporation of the United Counties of Stormont, Dundas and Glengarry, shall be exercised by by-law.

AND WHEREAS in many cases, action which is taken or authorized to be taken by the United Counties of Stormont, Dundas and Glengarry does not lend itself to the passage of an individual by-law.

NOW THEREFORE THE COUNCIL OF THE UNITED COUNTIES OF STORMONT, DUNDAS AND GLENGARRY ENACTS AS FOLLOWS;

1. That the actions of the United Counties of Stormont, Dundas and Glengarry, at its Special meeting held on June 7, 2021, in respect of each motion, resolution and other action taken by the United Counties of Stormont, Dundas and Glengarry at its meetings are, except where the prior approval of the Ontario Land Tribunal or other authority is required by law, hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this by-law.
2. That where no individual by-law has been or is passed with respect to the taking of any action authorized in or by the above-mentioned minutes or with respect to the exercise of any powers by the United Counties of Stormont, Dundas and Glengarry in the above-mentioned minutes, then this by-law shall be deemed for all purposes to be the by-law required for approving and authorizing and taking of any action authorized therein and thereby or required for the exercise of any powers therein by the United Counties of Stormont, Dundas and Glengarry.
3. That the Warden and Members of Council of the United Counties of Stormont, Dundas and Glengarry are hereby authorized and directed to do all things necessary to give effect to the said action of the United Counties of Stormont, Dundas and Glengarry to obtain approvals where required and except as otherwise provided, the Warden or Clerk are hereby directed to execute all documents necessary on behalf of the United Counties of Stormont, Dundas and Glengarry.

By-law No. 5296

READ and passed in Open Council, signed and sealed this 7th day of June, 2021

WARDEN

CLERK