

Committee of the Whole Meeting
September 7th, 2021

Report #C-2021-31
Amanda Mabo, Acting Chief Administrative Officer/Clerk

PROPOSED FOREST TRAIL

STAFF RECOMMENDATION(S)

It is recommended:

“THAT, the Park Plan (Forest Trail) be received for information;

THAT, the Township proceed with Phase 1 of the Forest Trail beginning in the Fall of 2021 with completion in the Summer of 2022 which will provide a fully functioning park that includes:

- installation of an entrance and parking area (10 parking spaces)
- an accessible primary trail
- an accessible fitness trail
- fitness equipment
- benches, picnic tables, a bike rack, a waste/recycling receptacle
- a site identification sign
- a site map/orientation sign and
- fencing between the adjacent residential properties;

THAT, Phase 1 be funded from the COVID-19 Resiliency Infrastructure Stream Grant, COVID Funds, Development Charges, Cash in Lieu of Parkland and Accessibility Reserve;

AND THAT, ongoing maintenance costs be funded from the Northland Solar Farm Reserve.”

BACKGROUND

2012/2013

Solar Farm Agreement

In August 2012, the Township indicated its support for Northland Power Solar North Burgess LP (Northland) to construct, install and operate a 9.0 MV-AC Class 3 solar facility on Narrows Lock Road subject to Northland entering into an agreement with the Township in accordance with the Township’s Solar Farm Fee Policy. The agreement was entered into in March 2013 (available on the Township website).

As part of that agreement, Sections 9 and 10 – Wetland and Woodlot Dedication, Northland was to dedicate to the Township or to a conservation land trust or other similar entity as determined by the Township, the lands surrounding the solar farm. There was then to be a pathway between the woodlot and the wetland areas.

2019/2020

Recreation Master Plan

In 2019 the Township, along with the Townships of Drummond/North Elmsley and Lanark Highlands and the Town of Perth undertook a public consultation process for the development of a Joint Recreation Master Plan, which was approved by Council in 2020.

Trends show the requirement for more outdoor recreation amenities that allow for inclusive and accessible public spaces, ensuring that areas are welcoming and easily navigable for all ages and abilities. Trail systems provide walking for exercise, and community connectivity by supporting individual and public health by promoting active lifestyles. Recommendation #47 was to continue with the development of the Solar Farm Trail (Forest Trail) once the land was acquired. In 2020 the land was transferred to the Township.

2021

Parks Plan (Forest Trail)

In moving forward with the Solar Farm Agreement and the Recreation Master Plan, the “Parks Plan”, which is the process that is currently underway, was included in the 2021 Budget as a project to be funded by development charges and cash-in-lieu of parkland funds – not taxes on residents.

The Parks Plan is essentially a concept and cost estimate of what could be built in the space. A Parks Plan is required in order to obtain grant funding, as it is a check box on most applications. The initial goal of the Parks Plan project is to have the design concept and cost estimate in place so that when funding becomes available the Township could apply. The “Parks Plan” name may be a bit misleading as this space is anticipated to have an accessible trail/pathway loop and is not proposed to be a typical park with open space.

As part of the process for a Parks Plan the Province requires public consultation under the [Accessibility for Ontarians with Disabilities Act, 2005](#), and consultation with Indigenous groups. In addition, in order for the Township to be successful in any grant application this consultation must occur at the Parks Plan stage. A public survey was conducted, and contact was made with the adjacent property owners as part of the Parks Plan process who were afforded an opportunity to speak directly with the project lead (Sierra Consulting) to learn the finer details of the project and to mitigate any concerns that they may have.

Parks Plan Timeline

- April 2021 - Project Start-up and Data Collection, Overview to Council
- May - June 2021 - Community Consultation and Conceptual Options
- June 2021 - Recommended Design Plan, Overview to Council
- August 31st, 2021 - Public Meeting
- September 7th, 2021 – Council Discussion & Decision

Since the June overview to Council, further work was undertaken with regard to archaeological significance, environmental significance of the lands, aquatic and forest animal and plant ecosystems and woodlot inspection. An overview of the Consultant's report, with this additional information, was provided at the August 31st Public Meeting and is available on the Township website - https://ic14.esolg.ca/231100_TayValley/en/discover-tay-valley/proposed-community-park-forest-trail-development.aspx. Clarification from questions asked or statements made by the public at the Public Meeting and listed on the petition are contained as an attachment to this report.

The Design Concept from the Parks Plan for the proposed Forest Trail is attached.

The layout and amenities on this particular site complement the area's existing natural assets with minimal impact to the environment.

Mitigative measures such as fencing will be implemented along the property line shared with neighbouring properties in order to delineate the publicly owned lands.

DISCUSSION

In addition to the Strategic Plan link of servicing young and old alike, there are many other advantages to this project:

Accessibility

This forest trail will be the first fully accessible trail owned and operated by the Township. The only other accessible pathway in Tay Valley is owned by the County and is located behind Lanark Lodge.

Age-Friendly Community Plan

Adopted by Council in 2016, this Plan calls for accessible trails, pathways and parks. Tay Valley's population over 65 is 60% higher than the provincial average. Therefore, the Township need for trails accessible to persons using wheelchairs, walkers, canes, etc. is greater than other municipalities.

Cost

The Forest Trail will be available to the public at no cost to use.

Demand for Trails

- Corner of Scotch Line and Glen Tay Road – The private property at this corner was for many years used by the public to walk in the field and through the forested area until a few years ago when the property changed hands. Members of the public have been asking the Township to provide a public area where there would be an accessible trail/pathway for them to walk, that is not along a roadside.
- Ernest Way – The Township has had calls from the residents of the area stating that people are parking at John Miller Park and are using the dead-end Ernest Way to walk as there is no other available trail/pathway in the area. These individuals have been asking the Township to provide additional public areas where there would be an accessible trail/pathway for them to walk, that is not along a roadside.

- Conservation Authorities - Proposed provincial regulations governing conservation authorities (CAs) will remove visitor amenities such as parking lots and trails from the core mandate of CAs. This will reduce the availability of trails, while at the same time last year MVCA saw a 50% increase in attendance at the Mill of Kintail and Morris Island Conservation Areas due to COVID and it is anticipated that this increased trend will continue for the next few years. The Township does not keep statistics on park use but it is safe to assume this demand for accessible trails in Tay Valley is a reflection of this trend. In addition, existing trails are not accessible and, in most instances, you require a paid parks pass to access.
- The Rideau Trail – is directly in the area but runs along the roadside and in forests within Tay Valley and is not accessible.
- Murphy’s Point – has trails but a day use fee is required and they are not accessible.

Economic Development/Tourism

The proposed forest trail is located on a major cycling route on a County Road. The long-term plan is to promote this as a “stop along the way”. This location along with other initiatives (such as the Maberly Fall River Park) are underway and will tie into the long-term plan to promote the area as a place to live and visit. In addition, this is a great first step in the revitalization of the hamlet of Stanleyville.

Recreation Agreement Cost Reduction

Tay Valley has had an existing agreement with the Town of Perth for their facilities at Conlon Farm, the pool and the arena. As part of this round of negotiations related to the agreement, the Forest Trail will be proposed to be included as a facility that Tay Valley can provide and by doing so, will decrease the cost of the funds paid to the Town by the Township for this agreement.

OPTIONS FOR CONSIDERATION

Option #1 – Proceed with Phase 1

The grant requires that shovels be in the ground this fall with the remainder of the work completed by the end of next summer. It is anticipated that at a minimum the entrance and parking lot would be installed this fall and work on the park name sign and park map/orientation sign would begin, along with the purchase of the exercise equipment, picnic tables, bike rack, benches and garbage bin, with the remainder of the work completed in 2022.

Option #2 – Do Nothing

Most grants now require ‘shovel ready’ projects. This is what the Parks Plan will provide and why it has been broken down into various phases. If Council chooses not to move forward with Phase 1 at this time the Township will have to return the ICIP funds. This may jeopardize future grant applications.

FINANCIAL CONSIDERATIONS

Grant

As part of the Federal and Provincial Government COVID-19 strategy a number of grant opportunities became available to provide public outdoor spaces. The Township applied to the COVID-19 Resiliency Infrastructure Stream (ICIP) for the construction of an accessible

trail/multi-use pathway, an area for educational demonstrations and interpretive signage, areas for accessible park furniture (benches, bike racks, picnic table) and accessible exercise equipment at this location, all of which met the criteria of the grant as the project was outdoors, would assist with mental health and overcoming self-isolation, and was accessible to multiple abilities and ages. The grant was also dependent on the completion of the Parks Plan. The Township has been notified that it was successful in receiving the \$95,000 grant, pending completion of the Parks Plan and that work begin this year.

Project Phasing and Funding

The consulting team and Township staff undertook a cost estimating exercise for the project. These cost estimates are based on the design concepts put forward as part of the Parks Plan report and are reflective of the scale of amenities, lengths and types of trails, their nodes and other features expressed in the proposed design. As such, these cost estimates are subject to change should the design specifics change in any significant way.

Accordingly, the project is broken out into a series of logical phases – five in total. This break-out is based on achieving a logical and progressive development of the forest trail from its inception to enable public access, through to the development of interpretive nodes and boardwalks over time once the trail, its operation and benefit to the community are firmly established in practice. In addition, phasing is further reconciled based on likely funding sources which avoid tax-supported funding.

The entire project costing by phase is contained in the Parks Plan report located on the Township website - https://ic14.esolq.ca/231100_TayValley/en/discover-tay-valley/proposed-community-park-forest-trail-development.aspx.

The attachment to this report shows the capital costs for items that comprise Phase 1 and which can be implemented in the immediate term. The funding sources for this phase are also shown and include:

- COVID-19 Resilience Infrastructure Stream (for accessible trails)
- COVID Funds (a portion can be used for multi-use trails)
- Development Charges (specifically for this project)
- Cash in Lieu of Parklands (can only be used for parkland)
- Accessibility Reserve (can only be used for accessible amenities)
- Possible Donations

A number of these funding sources cannot be used for other items, such as roads. They must be specifically used for parkland/outdoor recreation.

Two community organizations have reached out to the Township, and should this project go forward they are willing to donate funds.

The Nodes are also a great opportunity for sponsorship from various donors (ex. conservation authority, Indigenous groups, Northland Solar, Ducks Unlimited, etc.). If a donor wanted to contribute to a particular Node they would be recognized for their contribution.

Should capital funds become available over and above the amounts from known funding sources, it is possible that phasing will be re-assessed, and the number of phases reduced to enable full build-out of the park earlier. However, at this time, only Phase 1 is being proposed to be completed.

Ongoing Maintenance

As part of the Northland Solar Farm Reserve, \$49,000 has been earmarked to go towards a Community Amenity Contribution (community enhancement, park upgrades, trail development). These funds will be used over the next ten 10+ years to cover the annual operating costs associated with this public space.

STRATEGIC PLAN LINK

Tay Valley's Vision Statement: Tay Valley Township is a rural community that honours our culture and heritage, whose citizens and leaders strive to improve the quality of life for all residents and visitors in a sustainable, adaptable and secure environment.

Recreation and Culture: Our recreation and cultural programs continue to flourish for young and old alike. The Township has a network of interconnected trails, safe cycling routes and paddling routes.

CLIMATE CONSIDERATIONS

Maintaining the land as a forest trail will provide carbon sequestration, flooding and drought mitigation and will contribute to reducing the Township's Green House Gas emissions.

CONCLUSION

This project is the first fully accessible trail/multi-use pathway that will include an area for educational demonstrations and interpretive signage, areas for accessible park furniture (benches, bike racks, picnic tables) and accessible exercise equipment, available at no cost to the public. The first of its kind in Lanark County. This project is also the Township's first major step in creating a healthy, viable community by providing outdoor space that assists with mental health and overcoming self-isolation and is accessible to multiple abilities and ages.

The traditional layout and amenities on this particular site complement the natural area with minimal impact to the natural environment. Interpretive signage related to Indigenous use of plants and animals and land use in the area, as well as signage related to the special habitats in the area (ex. vernal pools, wetlands) will contribute to the park experience.

Mitigative measures such as fencing will be implemented along the back of the neighbouring properties to delineate the publicly owned lands.

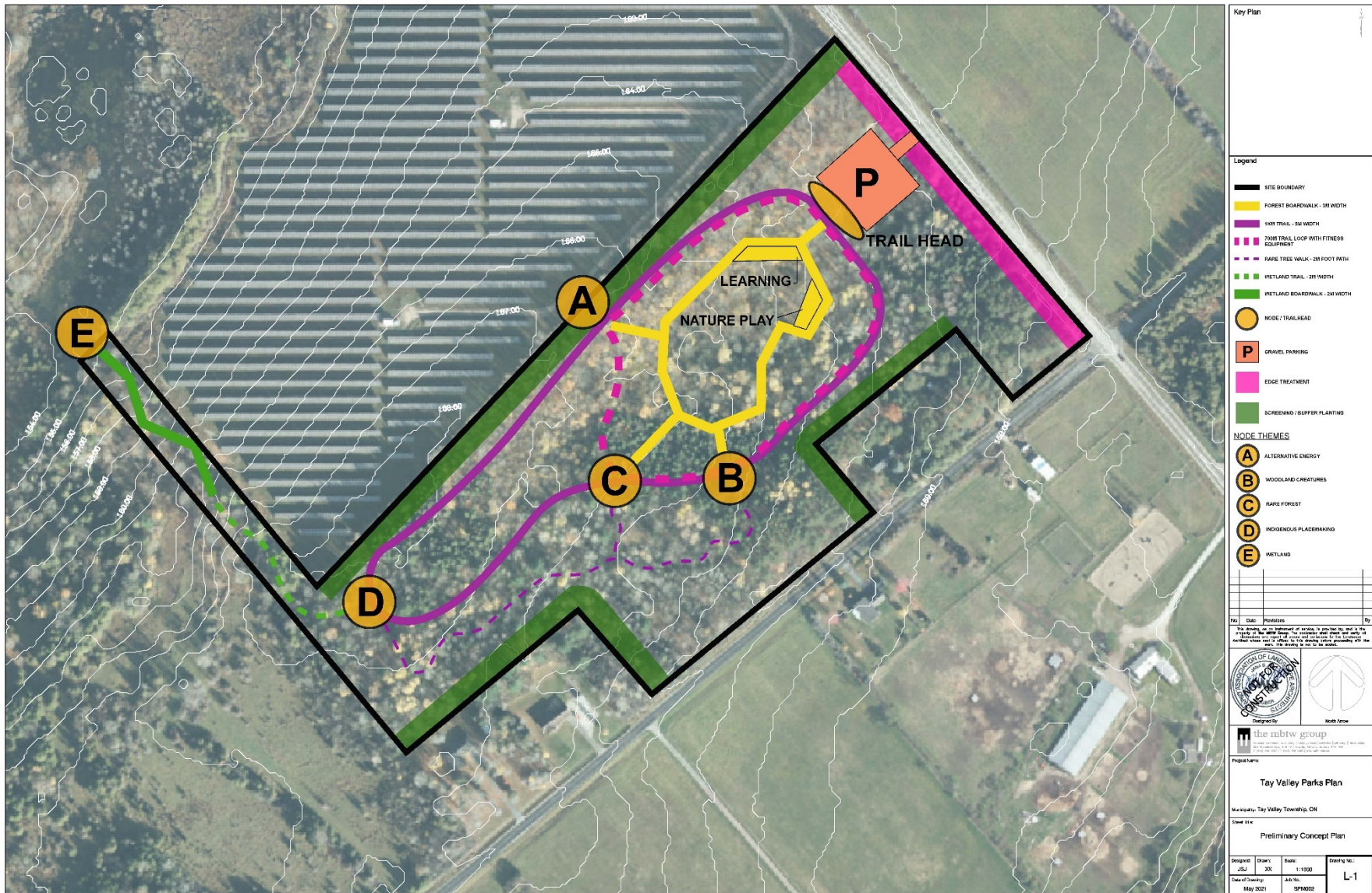
Phase 1 will provide a fully functioning park that does not require funds from the tax levy. Instead it uses funds specifically designated for trails and recreation.

ATTACHMENTS

1. Park Design Concept
2. Phase 1
3. Responses to Issues Raised by the Petition and Comments at the Public Meeting
4. Parkland within Tay Valley Township

Respectfully Submitted By:

**Amanda Mabo,
Acting Chief Administrative Officer/Clerk**



Tay Valley Forest Park

Final Draft: 2021 08 23

Estimate of Construction Cost - Project Breakdown

PHASE 1

ITEM NO	ITEM DESCRIPTION	EST. QTY.	UNIT TYPE	UNIT PRICE	TOTAL COST	FUNDING SOURCE
1.0 Trails						
1.1	Primary Trail - 1000m (1.85m width) (Stabilized Granular)	1850	m2	\$ 35.00	\$ 64,750.00	ICIP Grant
1.2	Fitness Trail - 150m (1.85m width)	280	m2	\$ 35.00	\$ 9,800.00	ICIP Grant
2.0 Parking Area						
2.1	Driveway Entrance	75	m2	\$ 60.00	\$ 4,500.00	Development Charges
2.2	Culvert	1	ea	\$ 2,000.00	\$ 2,000.00	Development Charges
2.3	Gravel Parking Area (10 Parking Spaces)	325	m2	\$ 43.00	\$ 13,975.00	Development Charges
2.4	Site Identification Sign	1	ea	\$ 1,000.00	\$ 1,000.00	COVID Funds
2.5	Site Map/Orientation Sign	1	ea	\$ 7,500.00	\$ 7,500.00	COVID Funds
4.0 Vegetation & Planting						
4.1	Fencing (Back of Residential Properties)	300	m	\$ 125.00	\$ 37,500.00	COVID Funds, Development Charges
5.0 Furnishings						
5.1	Fitness Equipment	6	LS	\$ 5,000.00	\$ 30,000.00	ICIP Grant, COVID Funds
5.2	Benches	3	LS	\$ 1,200.00	\$ 3,600.00	COVID Funds, Donations
5.3	Picnic Tables	2	LS	\$ 1,200.00	\$ 2,400.00	COVID Funds, Accessibility Reserve
5.4	Waste/Recycling Receptacle	1	LS	\$ 3,500.00	\$ 3,500.00	COVID Funds
5.5	Bike Rack	1		\$ 1,700.00	\$ 1,700.00	ICIP Grant, COVID Funds
Subtotal					\$ 182,225.00	
Consulting Fees (15%)					\$ 11,182.50	Based on construction costs only 1.0
Construction Start Up Allowance (Incl. mobilization, control measures, tree					\$ 2,236.50	3% of construction
Demolition & Site Works Allowance (Incl. demo., tree removals, pruning/limbing,					\$ 2,982.00	4% of construction
Additional Studies & Permitting Allowance					\$ 2,500.00	Estimated
Subtotal Incl. Allowances					\$ 201,126.00	
Contingency (15%) Excl. Allowances					\$ 11,182.50	Based on construction costs only 1.0
SUBTOTAL =					\$ 212,308.50	

- Notes: 1 All costs are an estimate of probable cost and will be subject to further study, approvals and detailed design.
 2 Unit prices are as per 2021 costs.
 3 Donations have not been factored into the funding sources but are mentioned as a possibility.
 4 All funding for Phase 1 has already been retained.

Responses to Issues Raised by the Petition and Comments at the Public Meeting

Petition Comments

- 1) Catastrophic impact to the land would be irreparable

Little land will be cleared for the trails, if any. The parking area has been reduced in size by 75% (from 40 spaces to 10) and the turnaround for a bus has been removed.

- 2) There are currently 18 hiking trails and 10 Conservation Areas within Lanark County and surrounding locality.

This Forest Trail is explicitly designed to be accessible to persons with disabilities (in wheelchairs, using walkers, etc.). There is no other trail in the Township that is accessible with accessible picnic tables and benches. With Tay Valley's higher than average aging population, this type of service is a priority for Council's vision of an Age Friendly community.

In addition, the trail will have fitness equipment for outdoor exercise for users of all ages.

Within Tay Valley, trails in provincial parks cost money for day use access. The Conservation Authorities have had their mandate for parks and interpretation removed under Bill 229, Protect, Support and Recover from COVID-19 Act, 2020, Schedule 6 – Conservation Authorities Act.

- 3) Aboriginal lands should be respected.

The Township has consulted with the Algonquins of Ontario, the Metis Nation of Ontario and local aboriginal representatives from the Shabot Obaadjiwan, Ardoch Algonquin, and Tay River Algonquians and intends to create interpretive signage recognizing Indigenous use of the land for hunting, food and medicine. In addition, the following Indigenous nations were contacted: Algonquin Anishinabeg Nation, Kitigan Zibi Anishinabeg First Nation, Pikwakanagan First Nation and Tyendinga Mohawk Territory.

- 4) In a time of Climate Crisis forests should be preserved, not destroyed by the development of large parking lots and trails.

Little land will be cleared for the trails, if any. The parking area has been reduced in size by 75% (from 40 spaces to 10) and the turnaround for a bus has been removed. Retaining the land as a trail park will maintain carbon sequestering vegetation to mitigate climate change as opposed to allowing the land to be developed for townhouses, commercial or industrial uses.

- 5) Yearly maintenance costs will be an unnecessary burden on taxpayers.

Amenity funds negotiated by the Township from Northland Solar will be used to pay for maintenance costs for the foreseeable future.

- 6) The taxpayers of Tay Valley should not have to search for information regarding projects that directly affect them.

Information about the proposal has been available on the Township website at the link - <https://www.tayvalleytwp.ca/en/discover-tay-valley/proposed-community-park-forest-trail-development.aspx> which can be located directly on the main page of the website.

Comments from the Public at the Public Meeting August 31, 2021

- Q1 The property being proposed to be used for the forest trail was to be left as a buffer as part of the solar farm agreement.
- A1 The property was not designated as a buffer. The area to be buffered was around the residence located at 4527 Narrows Lock Road and along Narrows Lock Road. Under Bylaw 2013-17 Northland Power Solar North Burgess L.P. Agreement, the proposed trail park property was to be transferred to the Township or a conservation entity and Northland was to reasonably cooperate with the Township with respect to the future provision of a trail through the forest to the wetland.
- Q2 An adjacent neighbour knows this land very well as he has had the privilege of growing up on this land and learning about Threatened and Endangered species that may be on the land and can't be studied in September as it is too late in the season.
- A2 A biologist from the Rideau Valley Conservation Authority walked the whole site in July and pointed out areas of Threatened and Endangered Species habitat to be protected, such as vernal pools, dead trees, etc.
- The Phase I approach that is being proposed is a low impact approach as articulated by the designers. There should be minimal impact on the flora and fauna. Few, if any, healthy trees will be removed with the Phase I approach.
- Q3 Why does the Township not have to follow the rules that every other landowner does? A trail/park is not permitted in this space according to the Official Plan and Zoning By-Law.
- A3 Section 2.12.2 Parks and Recreational Facilities specifically permits parks in all land use designations. Section 2.12.4 states the Township views the development of bicycle lanes and trail systems as important recreational resources, providing opportunities for outdoor leisure and recreation, tourism and interpretation of the natural environment.

A very small portion of the lot is designated Provincially Significant Woodland - Rare Trees - and interpretive signage and a small footpath are intended for this location.

The remainder of the lot is designated Provincially Significant Woodland – Other, Abandoned Mine Hazard Buffer, Mineral Resource. The latter two designations do not impose use restrictions on this site.

The Official Plan states that development is permitted in Significant Woodlands if it is demonstrated through an Environmental Screening Checklist or Environmental Impact Study that there will be no negative environmental impact on the natural features or functions for which the forested area is considered significant. No deep interior forest or old growth exist on the property and no rare tree species will be impacted. The designation is for Woodlands – Other and very little of the forest will be disturbed.

Q4 The proposed project does not conform with the Provincial Policy Statement (PPS) regarding Significant Woodlands.

A4 PPS Section 2.1.5 states, “Development and site alteration shall not be permitted in: a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1; b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River); c) significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River); d) significant wildlife habitat; e) significant areas of natural and scientific interest; and f) coastal wetlands in Ecoregions 5E, 6E and 7E that are not subject to policy 2.1.4(b) **unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.**

The site visits completed during the parks plan design confirms there will be no negative impacts for this project as very few, if any trees will be removed; especially in phase one since the size of the parking area has been reduced to 255 of what was originally proposed (40 spaces down to 10 parking spaces).

Q5 Concern was expressed over Climate Change impacts.

A5 By designating the area as a forest park the Township is protecting the natural area, otherwise it could be sold and used for townhouse, commercial or industrial development, etc.

Q6 Why was only one Indigenous group contacted?

A6 This statement was inaccurate. The local Indigenous nations as well as the Indigenous nations required to be contacted under the provincial/federal grant were all contacted. The one local group were included in the report as they provided almost immediate feedback while the others have either not responded or have responded that they have no capacity at this time to participate. (See Petition comments (3) above).

- Q7 Missing studies from website.
- A7 All studies have been posted to the website. Additional ground-truthing was completed by the County Forester and by the RVCA biologist and the Archeological studies were reviewed by an Archaeologist and were determined to meet provincial requirements, with updates provided to the consultant and the results contained in the report.
- Q8 The Zoning By-law does not permit a park.
- A8 The property is zoned Rural. Public uses are allowed in any zone within the Township.
- Q9 The access into the proposed park may not be safe when approaching from the south.
- A9 The County reviewed the site lines for the proposed entrance for both the north and south approaching traffic and it does meet site line standards for traffic operating at more the 100 km/hr.
- Q10 Hundreds of trees will be destroyed.
- A10 This statement is not accurate. Few if any trees will need to be removed for the trail and the parking area has been substantially reduced from 40 to 10 parking spaces and the bus turnaround area has also been removed.
- Q11 Development charges should be used for firetrucks and roads.
- A11 The Township's development cost charges by-law must conform to the provincial More Homes, More Choice Act, 2019 (Bill 108) which states that development cost charges are apportioned between services such as ambulance, fire, libraries, parks, roads, transit, etc. So 100% of development cost charges cannot go to roads. Also the development cost charges that are accrued in the 5 year period that the by-law is in effect before it must be updated, must be spent by the end of the 5 year period.

Parkland within Tay Valley Township				
Owned by Tay Valley Township				
		Acres	Hectares	Sub Totals
Municipal Parklands	Glen Tay Swimming Area	0.11	0.05	
	Noonan Side Road Swimming Area	1.13	0.46	
	John Miller Park	5.00	2.02	
	Maberly Fall River Park	0.50	0.20	2.73
Playgrounds	O'Neill Park (Stanleyville)	0.25	0.10	
	Maberly Playground	2.40	0.97	1.07
Ball Parks	Burgess and Stanleyville Ball Field	2.25	0.91	
	Fallbrook Ball Field	1.92	0.78	1.69
Boat Launches	Otty Lake - Miller Bay Road	0.60	0.24	
	Christie Lake - Hannah Road	0.25	0.10	
	Little Silver Lake	0.25	0.10	0.45
				5.93
Owned by Other Organizations				
		Acres	Hectares	Sub Totals
Trails	Tay Havelock Trail (8.3 km portion in TVT)	192.07	77.73	
	Tay River Pathway (Lanark County)	2.00	0.81	78.54
Provincial Parks	Silver Lake Provincial Park	106.81	43.22	
	Murphys Point Provincial Park	3,261.79	1,320.00	1,363.22
Ball Parks	Glen Tay Ball Field (UCDSB)	2.30	0.93	
	Maberly Ball Field (Maberly Agricultural Soc.)	1.84	0.74	1.68
Boat Launches	Long Lake (RVCA)	0.25	0.10	0.10
				1,443.54
			Total	1,449.47
		Acres	Hectares	
	Tay Valley Township	135,660.85	54,900.00	54,900.00
	Percentage Owned by Tay Valley Township			0.01%
	Percentage Owned by Other Organizations			2.63%