



COMMITTEE OF THE WHOLE AGENDA

Tuesday, March 8th, 2022
5:30 p.m.
Via GoToMeeting

GoToMeeting: <https://meet.goto.com/247402621>

Members of the Public:

Meetings are now be held using GoToMeeting - Video Conferencing. By clicking the link above (allow extra time for downloading the program if it is the first time you have used GoToMeeting on your device), you will be able to see the agenda, see Members of Council and hear the proceedings of the meeting. Please ensure the volume on your device is **on** and **turned up** to hear the meeting. The Public is asked to ensure that their mic and camera buttons are off for the entire meeting.

Video Conference Participation Etiquette

- a meeting via video conference shall never be treated differently than a meeting in person, whereby all attendees shall abide by proper meeting procedure and etiquette;
 - we ask that all public attendees mute their cameras and mics; doing so will eliminate any background noise and create a much more seamless process (for Members only - if/when you wish to speak during the meeting, you will simply unmute your mic and upon completion of your thought, please re-mute)
 - the Chair will call the meeting to order at the time indicated on the agenda;
 - roll call will be completed visually by the Chair;
 - the Chair will then remind all attendees to place their devices on mute
 - as the Chair moves through the agenda, he will call on the appropriate staff person to speak to their reports;
 - we request that you retain your questions until the end of the report, at which time the Chair will ask if anyone has questions;
 - just as during an in-person meeting, members will be required to raise their hand and the Chair will call on you to speak;
 - when the Chair calls a vote, you will raise your hand for the vote in favour and then in opposition, if necessary.
-

5:30 p.m. Committee of the Whole Meeting

Chair, Deputy Reeve Barrie Crampton

1. **CALL TO ORDER**
2. **AMENDMENTS/APPROVAL OF AGENDA**
3. **DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST AND GENERAL NATURE THEREOF**
4. **APPROVAL OF MINUTES OF PUBLIC MEETINGS**

None.

5. **DELEGATIONS & PRESENTATIONS**

- i) **Presentation – Annual Waste Site Reports.**
Mark Priddle, P.Ge., FGC
Senior Consultant, McIntosh Perry

A copy of the Draft Waste Disposal Site Annual Reports can be viewed at:
[Calendar - Tay Valley Township \(tayvalleytwp.ca\)](http://Calendar - Tay Valley Township (tayvalleytwp.ca))

Report #PW-2022-007 – Waste Disposal Site Annual Reports – attached, page 13.

Sean Ervin, Public Works Manager.

Suggested Recommendation to Council:

“THAT, Report #PW-2022-07 – 2021 Waste Disposal Site Annual Report be received as information;

AND THAT, staff be directed to submit the 2021 Annual Reports for the Glen Tay, Maberly and Stanleyville sites to the Ministry of the Environment, Conservation and Parks before the March 31st, 2022 deadline, to be in conformity with the Certificates of Approval for each site.”

6. PRIORITY ISSUES

- i) **Report #PD-2022-09 – Severance Application – Cook (B21-120/121/122) – attached, page 22.**

Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Applications for Cook B21/120/121/122 (Con 4, Part Lot 12, geographic Township of Bathurst) be approved subject to the following conditions:

That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township;

That, the applicant pays any outstanding fees to the Township prior to final approval;

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for each severance, both hard copy and electronically;

That, payment for each lot shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands;

That, the lot proposed in B21/120 be subject to a development agreement that identifies a development envelope for a dwelling 30m from the wetland; indicates that a permit from the RVCA will be required to cross the stream/wetland with a driveway; and that no development will occur in the wetland. The lot proposed in B21/122 also be subject to a development agreement to delineate a developable envelope south of the marine/leda clays on the property;

That, the applicant shall obtain entrance permits and Civic Address Numbers for the severed lots from the Township; and

That, sufficient lands shall be dedicated to the Township along the frontage of the lots to be severed in order to meet the Township’s road widening requirements at no cost to the Township, if required. These requirements may also include sight triangles on parcels adjacent to existing public or private roads.”

- ii) **Report #PD-2022-10 – Severance Application – Berga and Hall (B21/168/169) – attached, page 30.**
Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Applications for Concession 5 Lot, 1 geographical Township of North Burgess known as 445 Winton Lane (Roll Number 91102502400) be approved subject to the following conditions:

That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.

That, the applicant pays any outstanding fees to the Township prior to final approval of the severances.

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for the severances, both hard copy and electronically.

That, undersized lot area be recognized through minor variances or zoning amendments for the lots created by the lot additions from B21/168 and 169.”

- iii) **Report #PD-2022-11 – Severance Application – Jacob and Lindstrom (B21/194) – attached, page 35.**
Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for Lorna Jacobs and Terry Lindstrom B21/194 (Concession 6, Part Lot 5 and 6 geographic Township of North Burgess) roll number 091191101000120, 102 Lee Trail Lane for an easement for utility purposes in favour of lands at 179 Lee Trail Lane, owned by Griff Jones, be approved subject to the following conditions:

That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.

That, the applicant pays any outstanding fees to the Township prior to final approval of the severance.

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for the severance, both hard copy and electronically.”

- iv) **Report #PD-2022-12 – Severance Application – Lee (B21/193) – attached, page 40.**
Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for Regan Lee B21/193 (Concession 6, Part Lot 6 geographic Township of North Burgess) roll number 091191101000100, 364 Blair Poole Lane for an easement for utility purposes in favour of lands at 179 Lee Trail Lane, owned by Griff Jones, be approved subject to the following conditions:

That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.

That, the applicant pays any outstanding fees to the Township prior to final approval of the severance.

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for the severance, both hard copy and electronically.”

- v) **Report #PD-2022-13 – Follow-Up to ROMA Delegation with Minister of Energy Community Net Metering to Support Community-Based Energy Systems in Rural Areas – attached, page 45.**
Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, the Council of the Corporation of Tay Valley Township request the Province to:

- i) *amend the Ontario Regulation for Net Metering to allow demonstration of community net metering projects with multiple account holders so that smaller and remote communities can participate in small scale & distributed generation of electricity;*
- ii) *provide access through community net metering for residents in Tay Valley Township and other rural communities who cannot sell power back to the Hydro One electrical grid due to Hydro’s infrastructure deficiencies; and*
- iii) *permit both commercial and non-profit entities to operate generation or storage and play a lead role in forming net metering community groups.”*

- vi) **Report #PD-2022-14 – One-Foot Reserve Along a Township Road – attached, page 49.**
Noelle Reeve, Planner.
Suggested Recommendation to Council:

“**THAT**, a One-foot Reserve Guideline for previously unopened road allowances that are assumed into the Township Road system be approved.”
- vii) **Report #FIN-2022-01 – 2021 Statement of Remuneration and Expenses – attached, page 69.**
Ashley Liznick, Treasurer.

Suggested Recommendation to Council:
“**THAT**, Report #FIN-2022-01 - 2021 Statement of Remuneration and Expenses be received as information.”
- viii) **Report #FIN-2022-02 – 2021 Development Charges Statement – attached, page 72.**
Ashley Liznick, Treasurer.

Suggested Recommendation to Council:
“**THAT**, Report #FIN-2022-02 - 2021 - Development Charges Statement be received as information.”
- ix) **Report #FIN-2022-03 – 2021 Investment Report – attached, page 76.**
Ashley Liznick, Treasurer.

Suggested Recommendation to Council:
“**THAT**, Report #FIN-2022-03 – 2021 Investment Report be received as information.”
- x) **Report #FIN-2022-04 – 2021 Planning Act Financial Reporting for Parkland – attached, page 80.**
Ashley Liznick, Treasurer.

Suggested Recommendation to Council:
“**THAT**, Report #FIN-2022-04 – 2021 Planning Act Financial Reporting for Parkland be received as information.”
- xi) **Report #PW-2022-02 – Pavement Markings – Tender Award – attached, page 84.**
Sean Ervin, Public Works Manager.

Suggested Recommendation to Council:
“**THAT**, Lanark County Tender #PW-M-32-2022-22-E2 – Supply and Application of Water Based Traffic Paint for Pavement Markings be awarded to Trillium Pavement Marking in the amount of \$26,342.04.00 plus H.S.T.;

AND THAT, the Reeve and Clerk be authorized to sign the necessary documentation.”

- xii) **Report #PW-2022-03 – Glen Tay Road and Anglican Church Road – Tender Award – attached, page 87.**
Sean Ervin, Public Works Manager.

Suggested Recommendation to Council:

“THAT, Schedule ‘G’, Glen Tay Road and ‘H’, Anglican Church Road, of Lanark County Tender #PW-C-12-2022-22-E0– Micro-surfacing be awarded to Miller Paving Limited;

AND THAT, the Reeve and Clerk be authorized to sign the necessary documentation.”

- xiii) **Report #PW-2022-04 – Zealand Road Culver Replacement – Tender Award – attached, page 90.**
Sean Ervin, Public Works Manager.

Suggested Recommendation to Council:

“THAT, Tender #2022-PW-002– Zealand Road Culvert Replacement be cancelled;

AND THAT, staff complete the work in-house.”

- xiv) **Report #PW-2022-05 – Cameron Side Road Rehabilitation – Tender Award – attached, page 93.**
Sean Ervin, Public Works Manager.

Suggested Recommendation to Council:

“THAT, Schedule “B” of Tender #PW-C-01-2022-22-E0 for the Rehabilitation of Cameron Side Road and the replacement of the Bathurst 5th Concession Culvert be awarded to Crains’ Construction Limited in the amount of \$730,926.50 plus H.S.T.;

AND THAT, the Reeve and Clerk be authorized to sign the necessary documentation.”

- xv) **Report #PW-2022-06 – Shoulder Gravel Harper Road – Tender Award – attached, page 96.**
Sean Ervin, Public Works Manager.

Suggested Recommendation to Council:

“THAT, Schedule ‘C’ of Lanark County Tender #PW-C-11-2022-22-E0 – Shoulder Gravel be awarded to Arnott Brothers Construction;

AND THAT, the Reeve and Clerk be authorized to sign the necessary documentation.”

- xvi) **Report #C-2022-07 – Request to Close Portion of Unopened Road Allowance - Pearson – attached, page 99.**
Amanda Mabo, Acting CAO/Clerk.

Suggested Recommendation to Council:

“THAT, Council declares the portion of the unopened road allowance (approximately 800 feet) between Lots 18 & 19, Concession 5, North Burgess, north of Narrows Lock Road, surplus to the Township’s needs;

THAT, Council agrees to proceed with the application to stop up, close and sell the said unopened road allowance as per the Road Closing and Sale Policy and call a Public Meeting;

THAT, the purchase price of \$0.12 per square foot be accepted should the sale be finalized.”

- xvii) **Report #C-2022-08 – Speeding Compliant Policy – attached, page 102.**
Amanda Mabo, Acting CAO/Clerk.

Suggested Recommendation to Council:

“THAT, the Speeding Complaint Policy be adopted;

AND THAT, the necessary by-law be brought forward at the next Council meeting.”

- xviii) **Report #C-2022-06 – Election – Lame Duck – attached, page 109.**
Amanda Mabo, Acting CAO/Clerk.

Suggested Recommendation to Council:

“THAT, Report #C-2022-06 – Election – Lame Duck, be received for information.”

- xix) **Report #CBO-2022-03– Building Department Report – January – February 2022 – attached, page 117.**
Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, Report #CBO-2022-03 – Building Department Report – January - February 2022 be received as information.”

7. CORRESPONDENCE

- i) **22-02-23 – Council Communication Package – cover sheet attached, page 119.**

Suggested Recommendation to Council:

“THAT, the 22-02-23 Council Communication Package be received for information.”

ii) **Funding Support for Infrastructure Projects – Bridge/Culvert Replacements in Rural Municipalities – attached, page 121.**

Suggested Recommendation to Council:

“THAT, the Council of the Corporation of Tay Valley Township requests the Federal and Provincial Government to provide more funding to rural municipalities to support infrastructure projects related to major bridge and culvert replacements, as well as major road projects;

AND THAT, this resolution be forwarded to the Premier of Ontario, Provincial Minister of Finance, Federal Minister of Finance and AMO.”

iii) **AMO: Call to Re-Examine Hospital Capital Funding.**

Suggested Recommendation to Council:

“WHEREAS, healthcare funding is a provincial and federal responsibility;

AND WHEREAS, from 2009 to 2020 a total of \$415.4 million has been transferred from municipal operations to fund and build provincial hospitals:

AND WHEREAS, remaining long-term commitments to hospitals stand at \$117.5 million (as of 2020), which will also be financed from municipal operations;

AND WHEREAS, a hospital is one of many public services that contributes to healthy communities;

AND WHEREAS, municipal contributions to provincial hospitals takes away from the resources available for other municipal services that contribute to the health and well-being of residents;

AND WHEREAS, a community’s total contribution to local hospitals also includes the donations made by benevolent individuals, groups, and businesses along with municipal contributions;

AND WHEREAS, a community’s required local share is to pay 10% of capital construction costs and 100% of the cost of equipment, furniture, and fixtures, which includes medical equipment with big ticket prices: MRI machines, CT scanners, and x-ray machines;

AND WHEREAS, this translates to a 70% provincial share and 30% local share (individuals, groups, businesses, and municipalities) of the overall cost of provincial hospital operations and capital projects;

AND WHEREAS, the adoption of the “design-build-finance” hospital construction model (also known as alternative financing and procurement or P3 projects), has increased local share amounts because they now include the costs of long-term financing;

AND WHEREAS, equipment replacement needs are increasingly frequent and increasingly expensive with average equipment lifespan of just ten years;

AND WHEREAS, the Association of Municipalities of Ontario has highlighted the “local share” of hospital capital contributions as a major issue in its 2022 Pre-Budget Submission to the Standing Committee on Finance and Economic Affairs;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of Tay Valley Township does hereby call for a provincial re-examination of the “local share” hospital capital calculation methodology, to better reflect the limited fiscal capacity of municipalities, and the contributions to health care services they already provide to a community;

NOW THEREFORE BE IT FURTHER RESOLVED THAT, a copy of this resolution be hereby circulated to the Minister of Finance, the Minister of Health, the Minister of Municipal Affairs and Housing, and the Association of Municipalities of Ontario.”

8. COMMITTEE, BOARD & EXTERNAL ORGANIZATION UPDATES

- i) **Green Energy and Climate Change Working Group.**
Deputy Reeve Barrie Crampton and Councillor Rob Rainer.

22-02-25 – Green Energy and Climate Change Working Group Meeting Minutes – *attached, page 125.*
- ii) **Recreation Working Group – deferred to the next meeting.**
Councillor Fred Dobbie and Councillor Beverley Phillips.
- iii) **Private Unassumed Roads Working Group – deferred to the next meeting.**
Councillor RoxAnne Darling and Councillor Gene Richardson.
- iv) **Fire Board – deferred to the next meeting.**
Councillor RoxAnne Darling, Councillor Fred Dobbie, Councillor Mick Wicklum.
- iv) **Library Board – deferred to the next meeting.**
Councillor Rob Rainer.
- v) **Police Services Board.**
Reeve Brian Campbell.

22-02-08 – Police Services Board Meeting Minutes – *attached, page 134.*
- vi) **County of Lanark.**
Reeve Brian Campbell and Deputy Reeve Barrie Crampton.

- vii) **Mississippi Valley Conservation Authority Board.**
Councillor RoxAnne Darling.

21-12-01 - Mississippi Valley Conservation Authority Board Meeting Minutes –
attached, page 139.

21-12-16 - Mississippi Valley Conservation Authority Board Meeting Minutes –
attached, page 144.

22-02-16 - Mississippi Valley Conservation Authority Board Meeting Highlights
– *attached, page 147.*

- viii) **Rideau Valley Conservation Authority Board.**
Councillor Gene Richardson.

22-01-27 Rideau Valley Conservation Authority Board Meeting Minutes –
attached, page 149.

22-02-24 – Rideau Valley Conservation Authority Board Meeting Notes –
attached, page 156

- ix) **Rideau Corridor Landscape Strategy** – *deferred to the next meeting.*
Reeve Brian Campbell.

- x) **Municipal Drug Strategy Committee** – *deferred to the next meeting.*
Councillor Gene Richardson.

- xi) **Committee of Adjustment.**

22-02-28 – Committee of Adjustment Hearing Minutes – *attached, page 157.*

9. CLOSED SESSION

None.

10. DEFERRED ITEMS

**The following items will be discussed at the next and/or future meeting:*

- ***See Township Action Plan – distributed separately to Council***

11. ADJOURNMENT

DELEGATIONS & PRESENTATIONS



**COMMITTEE OF THE WHOLE
March 8th, 2022**

**Report #PW-2022-07
Sean Ervin, Public Works Manager**

2021 WASTE DISPOSAL SITE ANNUAL REPORTS

STAFF RECOMMENDATION(S)

“**THAT**, Report #PW-2022-07 – 2021 Waste Disposal Site Annual Report be received as information;

AND THAT, staff be directed to submit the 2021 Annual Reports for the Glen Tay, Maberly and Stanleyville sites to the Ministry of the Environment, Conservation and Parks before the March 31st, 2022 deadline, to be in conformity with the Certificates of Approval for each site.”

BACKGROUND

A requirement within each Certificate of Approval for the Tay Valley Township Waste Disposal Sites is to submit an Annual Report by March 31st of the year following the testing.

DISCUSSION

The Township’s Waste Management Consultant, McIntosh Perry Consulting Engineers (MPCE), is preparing the annual reports for the Glen Tay, Maberly and Stanleyville sites. The reports draft executive summaries are attached and the full draft reports are included as a package on the Townships website for the March 8th meeting. The draft reports are currently being reviewed by staff and will be submitted by MPCE on behalf of the Township by the March 31st deadline. A copy of the final reports can be forwarded to Council once reviewed by staff.

The reports thoroughly describe changes in waste generation and recycling levels, as well as any changes in the environmental monitoring program. Overall, MPCE do not note any major concerns in any of the three reports.

OPTIONS CONSIDERED

Option #1 – (recommended) – receive the draft reports for information and direct staff to submit the three (3) reports to the MOECP prior to the March 31 deadline.

Option#2 – Do nothing – this is not recommended because the submission of the annual reports is a requirement of the Township’s Certificate of Approval.

STRATEGIC PLAN LINK

Infrastructure: Our roads, trails, bridges, buildings, landfills and communications systems are efficient and well-maintained.

Guiding Principles

- we manage our assets and infrastructure effectively and efficiently and have plans in place to maintain and replace them.

CLIMATE CONSIDERATIONS

None considered.

FINANCIAL CONSIDERATIONS

There are no financial implications associated with the recommendations in this report.

CONCLUSIONS

Submission of annual reports to the Ministry of the Environment, Conservation and Parks for the municipal waste disposal sites will fulfill the Township's reporting obligations within the respective Certificates of Approval to operate each site.

ATTACHMENTS

- i) Annual Report Executive Summaries for the Glen Tay, Maberly and Stanleyville Waste Disposal Sites for 2021

Prepared and Submitted By:

Approved for Submission By:

Originally Signed

Originally Signed

**Sean Ervin,
Public Works Manager**

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

This report includes a summary and analysis of the site operational activities and environmental monitoring program for the Glen Tay Waste Disposal Site (WDS) during the period from January 1 to December 31, 2021.

Site Operations

Tay Valley Township currently operates three WDS. Two of the sites (Stanleyville WDS and Maberly WDS) operate as Waste Transfer Stations, where domestic waste is collected and compacted prior to being transported to the Glen Tay WDS for disposal. The Township collects waste disposal data in the form of bag counts for each of the three sites. The amount of waste brought to the Glen Tay WDS in 2020 was 85,025 bags from the residents of Bathurst Ward. This is an increase of approximately 3.78% in comparison to last year's bag count. In 2021, a total of 133,078 bags were disposed of at the Glen Tay WDS, including 16,898 bags from the Maberly WDS and 31,155 bags from the Stanleyville WDS.

Topographic surveys of the Glen Tay WDS were completed on November 26, 2020, and again November 30, 2021, by McIntosh Perry Surveying Inc. The volume change at the Glen Tay WDS between surveys in the Phase 1 area was calculated to be approximately 2946.58 m³. This value represents the volume of both waste and any other imported materials at the active waste filling area.

The remaining Phase 1 site capacity, when including the total volume change, is approximately 169,353 m³ (as of November 2021). A fill generation rate of 0.3652 m³/cap/year was calculated for 2021. The site life of the Phase I portion of the property is estimated to be in excess of 30 years.

Recyclable waste quantities were combined for the three waste disposal sites (Glen Tay WDS, Maberly WDS, and Stanleyville WDS). The total mass of recyclable or diverted materials accumulated at the three Tay Valley Township WDS was approximately 413 metric tonnes. This represents a 6.57% decrease from what was reported in 2020 when using a comparable analysis.

There were no reported site inspections reports available by the Ministry of the Environment, Conservation and Parks (MECP) at Glen Tay WDS during 2021. No reports of complaints from the public or agencies were recorded for 2021.

Environmental Monitoring

A review of the current surface water and groundwater monitoring networks and parameter lists was conducted by McIntosh Perry in late 2013. An action plan providing a rationale for changes to the network was approved by the MECP in February 2014. The environmental monitoring plan established by McIntosh Perry follows the MECP-approved action plan.

There is limited evidence to suggest WDS-related impacts to surface water. While down-gradient sampling locations have exceedances of Provincial Water Quality Objectives (PWQO) for various parameters, background data show similar concentrations of most parameters. Elevated concentrations of iron have been observed at SW6-99 in recent years, which are partly attributed to high turbidity in samples due to low flow.

There is limited evidence to suggest WDS-related impacts to overburden groundwater. Groundwater impacts in the overburden unit appear isolated and are present in both upgradient and downgradient locations.

Executive Summary

There are some data that suggest WDS-related impacts to bedrock groundwater. Groundwater impacts in the bedrock unit include exceedances of Ontario Drinking Water Quality Standards (ODWS) and/or Reasonable Use Limits (RUL) for several leachate-indicator parameters at all down-gradient monitoring wells.

Sampling of three private off-site water supply wells was conducted; no analytical evidence indicates WDS-related impacts was observed in the analytical results from the private water supply wells.

It is recommended that the Township continues with the surface water and groundwater monitoring and sampling programs, as defined in the action plan that was approved by MECP in February 2014.

Stanleyville Annual Report 2021

Executive Summary

This report includes a summary and analysis of the site operational activities and environmental monitoring program for at the Stanleyville Waste Disposal Site (WDS) during the period from January 1 to December 31, 2021.

Site Operations

Tay Valley Township currently operates three WDS, Glen Tay WDS, Maberly WDS and Stanleyville WDS. The Stanleyville WDS currently operates only as a Waste Transfer Station, where domestic waste is collected and compacted prior to being transported to the Glen Tay WDS for disposal.

The Township collects waste disposal data in the form of bag counts for each of the three Sites. In 2021, 31,155 bags were transferred from the Stanleyville WDS to the Glen Tay WDS.

While the Stanleyville WDS has been capped, there is approximately 153,800 cubic metres of capacity remaining. If waste disposal operations were to resume at the Stanleyville WDS, the projected Site life would be in excess of 20 years, premised on the resumption of fill at a rate similar to what was being imported in 2007 prior to capping.

Recyclable waste quantities were combined for the three waste disposal sites (Glen Tay WDS, Maberly WDS, and Stanleyville WDS).

The total mass of recyclable or diverted materials accumulated at the three Tay Valley Township WDS was approximately 413 metric tonnes. This represents a 6.57% decrease from what was reported in 2021 when using a comparable analysis.

There were no reported site inspections carried out by the Ministry of the Environment, Conservation and Parks (MECP) at Stanleyville WDS during 2021. No reports of complaints from the public or agencies were recorded for 2021.

Environmental Monitoring

A review of the current surface water and groundwater monitoring networks and parameter lists was conducted by McIntosh Perry in late 2013. An action plan providing a rationale for changes to the network was approved by the MECP in February 2014. The environmental monitoring for 2021 was conducted according to the Action Plan approved by the MECP.

There are some data to indicate WDS-related impacts to surface water; PWQO exceedances of alkalinity, phenols, iron, boron and total phosphorus are seen in the background location (SW-5). Additionally, surface water sampling location SW-3 and SW-2 exceeded PWQO for parameters including total phosphorus, iron (leachate-indicator parameters), as well as phenols and alkalinity. Surface water sampling location SW-4 exceeded PWQO for phenols.

There are data to indicate WDS-related impacts to the overburden groundwater unit. Analytical results for downgradient wells (including BH-06-1 and GA-1) indicate RUL and/or ODWS exceedances of alkalinity, dissolved organic carbon, total dissolved solids, sulphate and iron. Additionally, RUL and ODWS exceedances

Executive Summary

are seen in downgradient wells (OB-A, OB-1 and OB-2) of parameters including alkalinity, dissolved organic carbon, total dissolved solids, chloride, sulphate, sodium and iron.

There are data to suggest WDS-related impacts to the bedrock groundwater unit. The background bedrock monitoring well (BR-3) indicate RUL and ODWS exceedances of total dissolved solids and sulphate.

There is one nearby off-site water supply well (PW1) downgradient from the Site. There are data to suggest potential drinking water impacts associated with the WDS as RUL exceedances of nitrate are evident as discovered during the 2018 spring sampling event. However, no exceedances of RUL or ODWS were detected at PW1 in the 2021 spring and fall sampling events.

It is recommended that the Township continues with the surface water and groundwater monitoring and sampling programs, as defined in an action plan that was approved by the MECP in February 2014.

Executive Summary

This report includes a summary and analysis of the site operational activities and environmental monitoring program for the Maberly Waste Disposal Site (WDS) during the period from January 1 to December 31, 2021.

Site Operations

Tay Valley Township currently operates three WDS; Glen Tay WDS, Stanleyville WDS and the Maberly WDS. The Maberly WDS currently operates only as a Waste Transfer Station, where domestic waste is collected and compacted prior to being transported to the Glen Tay WDS for disposal. The Township collects waste disposal data in the form of bag counts for each site. In 2021, a total of 16,898 bags were transferred from the Maberly WDS to the Glen Tay WDS, an increase of approximately 5.48% from the previous year.

While the Maberly WDS has been capped, there is approximately 5,860 cubic metres of capacity remaining. If waste disposal operations were to resume at the Maberly WDS, the projected site life would be approximately five (5) years.

Recyclable waste quantities were combined for the three waste disposal sites (Glen Tay WDS, Maberly WDS, and Stanleyville WDS).

The total mass of recyclable or diverted materials accumulated at the three Tay Valley Township WDS was approximately 413 metric tonnes. This represents a 6.57% decrease from what was reported in 2020 when using a comparable analysis.

There were no reported site inspections carried out by the Ministry of the Environment, Conservation and Parks (MECP) at Maberly WDS during 2021. No reports of complaints from the public or agencies were recorded for 2021.

Environmental Monitoring

A review of the current surface water and groundwater monitoring networks and parameter lists was conducted by McIntosh Perry in late 2013. An action plan providing a rationale for changes to the network was approved by the MECP in February 2014. The environmental monitoring plan established by McIntosh Perry follows the MECP-approved action plan.

There are limited data to indicate surface water impacts associated with the WDS. Most parameters that exceed Provincial Water Quality Objectives (PWQO) at downgradient surface water sampling locations also exceed criteria at up-gradient locations.

Possible WDS-related impacts to the overburden groundwater appear to be correlated with proximity to the WDS. Several down-gradient monitoring wells exhibited exceedances of Ontario Drinking Water Standards (ODWS) and the Reasonable Use Limits (RUL) for leachate-indicator parameters.

The addition of two new bedrock monitoring wells (BR1-19 and BR2-19), installed on September 26, 2019, allow a new suitable monitoring well to collect background data on groundwater in the bedrock unit. Analytical results from 01-01 and BR1-19 indicate ODWS and RUL exceedances for multiple parameters during the fall

Executive Summary

and spring sampling events (including duplicates). Analytical Results from BR2-19 (up-gradient) did not indicate any ODWS or RUL exceedances.

There are no nearby off-site water supply wells down-gradient from the Site.

The following recommendations are made:

- Continue with the surface water and groundwater monitoring and sampling programs, as defined in the action plan that was approved by MECP in February 2014.

PRIORITY ISSUES

COMMITTEE OF THE WHOLE

March 8, 2022

Report #PD-2022-09
Noelle Reeve, Planner

CONSENT APPLICATION NUMBERS: B21/120/121/122
OWNER: MARK and KAREN COOK

STAFF RECOMMENDATION

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Applications for Cook B21/120/121/122 (Con 4, Part Lot 12, geographic Township of Bathurst) be approved subject to the following conditions:

That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township;

That, the applicant pays any outstanding fees to the Township prior to final approval;

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for each severance, both hard copy and electronically;

That, payment for each lot shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands;

That, the lot proposed in B21/120 be subject to a development agreement that identifies a development envelope for a dwelling 30m from the wetland; indicates that a permit from the RVCA will be required to cross the stream/wetland with a driveway; and that no development will occur in the wetland. The lot proposed in B21/122 also be subject to a development agreement to delineate a developable envelope south of the marine/leda clays on the property;

That, the applicant shall obtain entrance permits and Civic Address Numbers for the severed lots from the Township; and

That, sufficient lands shall be dedicated to the Township along the frontage of the lots to be severed in order to meet the Township’s road widening requirements at no cost to the Township, if required. These requirements may also include sight triangles on parcels adjacent to existing public or private roads.

BACKGROUND

The proposals in applications B21/120/121/122 are located in the southern part of 245 Gambles Side Road at the corner of the Bathurst Upper 4th Concession (all Township roads). The proposals are to create two rural and one rural residential severed lots (2.5 ha, 1.68 ha, 2.1 ha) with 182m frontage on the Bathurst Upper 4th Concession; 122m on the Bathurst Upper 4th Concession and 137m on Gambles Side Road, and 137m frontage on Gambles Side Road. The approximately 29.5 ha retained lot contains an existing dwelling, outbuildings, and driveway and would have more than a kilometre of frontage on Gambles Side Road.

The location of the lots along the Bathurst Upper 4th Concession was revised based on comments from the Rideau Valley Conservation Authority (RVCA) that the southern 1/3 of the original lot to the west (proposed Severance #1) was located largely in an unevaluated wetland. The current application reflects a lot adjustment to widen the lot eastward to provide a driveway outside of the wetland that would require only a single culvert crossing over the stream on the property.

DISCUSSION

Consistent with Provincial Policy Statement	<i>Yes with a Development Agreement to protect the wetland (B21/120) and to identify the marine/leda clays (B21/122)</i>
Conforms to Official Plan	Yes
Complies with Zoning By-Law	Yes
Recommend consent for this application	Yes
Recommended Conditions for the severance:	

- *Payment of all taxes owing*
- *Payment of all costs incurred by the Township for review*
- *Two copies of the Deed/Transfer for each severance*
- *Two copies of the reference plan*
- *That, payment for each severed lot shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands*
- *That, the lot proposed in B21/120 be subject to a development agreement that identifies a development envelope for a dwelling 30m from the wetland; indicates that a permit from the RVCA will be required to cross the stream/wetland with a driveway; and that no development will occur in the wetland. The lot proposed in B21/122 also be subject to a development agreement to delineate a developable envelope south of the marine/leda clays on the property*
- *The applicant obtains Entrance Permits and Civic Address Numbers for the severed lands*
- *That, sufficient lands shall be dedicated to the Township along the frontage of the lots to be severed in order to meet the Township's road widening requirements at no cost to the Township, if required. These requirements may also include sight triangles on parcels adjacent to existing public or private roads.*

Provincial Policy Statement

No concerns. Sections 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns supports the development proposed by this application as it occurs on Township roads and does not represent strip development.

Section 2.1.1 Natural Heritage states that, “Natural features and areas shall be protected for the long term”. Although there is a watercourse on the property as well as wetlands, Section 2.1 Natural Heritage is satisfied as the development is not anticipated to affect these features if a Development Agreement is registered on proposed lot #1.

Section 2.2.2 Water states, “Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their hydrologic function will be protected, improved or restored”. The 30m water setback for a developable envelope from the stream and wetland on B21/120 and the stream on B21/121 can both be met.

The aquifers throughout Tay Valley Township are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured. Where these conditions exist, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater. Care should additionally be undertaken as the proposed severed and retained lots overly a Significant Groundwater Recharge Area.

Section 3.1 Protecting Public Health and Safety – Natural Hazards for proposed lots B21/120 and 121 is met as there is no floodplain hazard identified for the watercourse and the organic soils are located on the retained parcel where no new development is proposed. However, marine/leda clays have been identified on the proposed retained land and are present along the northern portion of proposed lot B21/122 so a Development Agreement is needed to indicate their location.

County Sustainable Community Plan

Section 3.3.3.1 Rural Area Land Use Policies Objectives are to: ensure development is consistent with rural service levels; to maintain the distinct character of rural, waterfront and settlement areas; and to ensure that development is compatible with natural heritage features. These requirements can be met.

Section 5.5.8 Surface and Ground Water Protection and Enhancement states that, “the ground water resource is crucial in the County of Lanark as it is the source of drinking water for the vast majority of our communities and our rural population. In addition to residential uses, ground water is crucial for the watering of livestock, farm irrigation and commercial and industrial uses.”

“The County of Lanark and its constituent municipalities have an obligation to consider the impact of development and land use on surface water and ground water in order to ensure the long term viability of this resource. Areas in the County have been identified as Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas in the Source Protection Plan.” The severed lots are proposed in both a Highly Vulnerable Aquifer and a Significant

Groundwater Recharge Area.

Official Plan

The proposed severed lots are designated Rural under Section 3.6 of the Township Official Plan). The use is proposed to be rural and rural residential which is permitted in the Rural designation.

The proposed severances are also identified as Section 3.3 Mineral Resource in the Official Plan. After some confusion with the Ministry of Mines and Northern Development over the mapping of bedrock resources for Tay Valley Township, it was determined that the bedrock resource was actually located to the south of the proposed severances so the application could proceed.

The wetlands on proposed Lot #1 provide hydrological benefits including: a groundwater recharge/discharge area, providing a more stable source of water during low water conditions; filtering drinking water; and attenuation of flood water. A Development Agreement on this lot will locate development outside of this important natural heritage feature.

The subject property is also identified as overlying a highly vulnerable aquifer. These are aquifers that are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured. The severed lots also overlie a Significant Groundwater Recharge area.

The provisions of Sections 5.2.2.7 and 5.2.2.9 Land Division (no land division shall create a lot subject to Natural Hazards or negative impacts on Natural Hazards are met through implementing Development Agreements.

Section 5.2.3.4 requires lots created by consent to be located on Township roads. Gambles Side Road and the Bathurst Upper 4th Concession are Township roads.

Zoning By-Law

The proposed severed parcels and retained lot are zoned Rural (RU) which permits rural and rural residential development. A minimum lot area of 1.0 ha and 60 m of road frontage are required for lots within the Rural zone. The proposed severed and retained lots exceed these requirements.

The 30m water setback required from a waterbody (stream and wetland in this case) can be met for developable areas on both proposed lots B21/120 and 121.

Rideau Valley Conservation Authority (RVCA)

RVCA has no objection as long as the recommendation for setbacks from the wetland and stream noted on their site visit are included in a Development Agreement for the proposed severed lot B21/120 and that the marine/leda clays along the north of B21/122 are avoided through a Development Agreement.

According to RVCA's Rudsdale Creek Catchment Report, the creek system has been identified as a cool water system, and maintaining natural vegetation, and limiting runoff is important to protect cool water habitats. Water quality in Rudsdale Creek is reported as "Good-Fair". RVCA recommends actions such as maintaining native vegetation and enhanced shoreline buffers to protect water quality and aquatic habitats. A minimum 30 m setback from streams, watercourses and waterbodies should be maintained.

Because the aquifer below the property is vulnerable to surface contaminants, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently affect groundwater.

Some best practices that could be considered include: increased well casing depths, increased distance of septic systems from drinking water wells, ensuring septic systems are located downgradient of wells, ensuring that wells and septic systems are properly maintained, and avoiding use of pesticides, herbicides, and fertilizers.

Where there are hydrogeological sensitivities, RVCA generally encourages a hydrogeological assessment be completed to ensure the adequacy of drinking water and potential ground water impacts related to private service are addressed prior to the application being approved. If required, the results of any hydrogeological study may result in changes to lot size or configuration and may demonstrate that lot creation is not feasible.

Any alteration to the existing watercourse (including placement of a culvert) would require prior written permission from the RVCA office in accordance with Ontario Regulation 174/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses).

Mississippi Rideau Septic System Office (MRRSO)

MRRSO has no objections. The septic systems must be located greater than 30m from a waterbody.

Public Comments

None at the time of the report.

CONCLUSION

The Planner recommends that the consents be granted, subject to the conditions listed in the Staff Recommendation section above.

ATTACHMENT

i) Lanark County Land Division Application, cover and map

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Noelle Reeve,
Planner**

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



NOTICE OF APPLICATION FOR CONSENT

*Clause 53(5) (a) of the Planning Act
Section 3, O. Reg. 547/06 as amended*

To: PRESCRIBED PERSONS/PUBLIC BODIES/INTERESTED PARTIES

File No.: B21/120 and B21/121 – REVISED APPLICATIONS
Subject Land: Pt Lot 12 Con 4 geographic Township of Bathurst
Municipality: Tay Valley Township
Owner: Mark Randal Cook & Karen Bertha Cook
Applicant/Agent: Mark Cook

TAKE NOTICE: An application for consent to convey an interest in the subject lands has been made to the Lanark County Land Division Committee, the consent granting authority in these matters.

PURPOSE AND EFFECT: A key map showing the location of the subject lands is shown on reverse side and a copy of the application is attached if not already received through the pre-consultation process.

B21/120 – Application has been revised to increase the lot size from 2.02-ha to 2.5-ha;
B21/121 – Application has been revised to decrease the lot size from 2.02-ha to 1.68-ha.
These changes have been made to accommodate a suitable entrance onto Bathurst Upper 4th Con to avoid the wetland area.

OTHER RELATED APPLICATIONS: N/A

NEED TO MAKE SUBMISSIONS: The Land Division Committee will determine whether a provisional consent is to be given. In order to assist the Committee in its review of the proposal, you are requested to provide recommendations on or before March 14, 2022. If you are not able to respond by the date specified, please let us know when we may expect to receive your recommendations. If we do not hear from you, the Committee may assume you have no comments or concerns regarding this matter and may proceed to make a decision. If a person or public body that files an appeal of a decision of the Land Division Committee in respect of the proposed consent does not make written submissions to the Land Division Committee before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

VIRTUAL PUBLIC MEETING: A virtual public meeting will be scheduled once we have completed our review of the proposal. If you wish to be notified of the public meeting, you must make a written request to the undersigned.

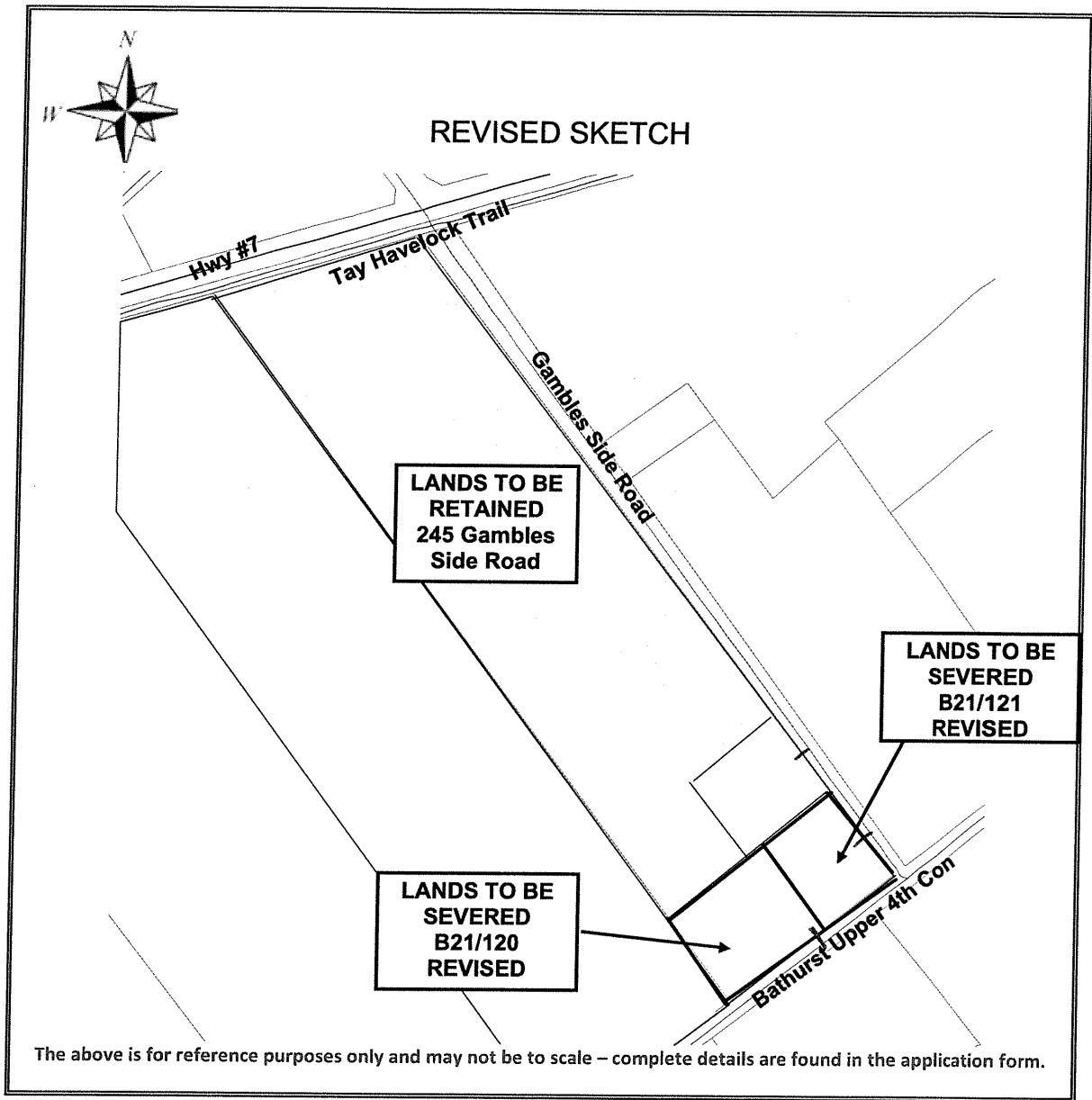
REQUESTING NOTICE OF DECISION: If you wish to be notified of the decision of the Land Division Committee in respect of the proposed consent, you must make a written request to the undersigned.

GETTING ADDITIONAL INFORMATION: Additional information regarding the application can be circulated via mail or via e-mail upon request to the undersigned.

Dated at Bathurst Township this 22nd day of February, 2022.

Julie Stewart, County Planner
Lanark County, 99 Christie Lake Road
Perth ON K7H 3C6

Telephone: 1-613-267-4200 Ext. 1520
Fax: 1-613-267-2964
E-mail: plan@lanarkcounty.ca



<p>Landowner: Mark Randal Cook and Karen Bertha Cook File No.: B21/120 and B21/121 - REVISED Subject Land: Pt Lot 12 Con 4 geographic Township of Bathurst, now in Tay Valley Township.</p>	<p>APPLICATION FOR CONSENT <i>"Sketch Only"</i> Prepared by Lanark County Planning Dept. <u>NOT A LEGAL SURVEY</u></p>
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COMMITTEE OF THE WHOLE

March 8, 2022

Report #PD-2022-10
Noelle Reeve, Planner

CONSENT APPLICATION NUMBERS: B21/168, B21/169
OWNERS: BERGA and Hall

STAFF RECOMMENDATION

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Applications for Concession 5 Lot, 1 geographical Township of North Burgess known as 445 Winton Lane (Roll Number 91102502400) be approved subject to the following conditions:

That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.

That, the applicant pays any outstanding fees to the Township prior to final approval of the severances.

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for the severances, both hard copy and electronically.

That, undersized lot area be recognized through minor variances or zoning amendments for the lots created by the lot additions from B21/168 and 169.”

BACKGROUND

The proposal is to split an existing 928m² (9,990 sq ft) vacant lot in half and create lot additions to the adjacent properties at 443 Winton Lane (currently 931m², 0.23 acre) and 447 Winton Lane (currently 1,133m², 0.28 acre).

The lot additions are being sought to add vacant land to existing small cottage lots on Big Rideau Lake. The middle lot to be removed by the lot additions is owned by both the Berga and Hall families. The Bergas own lot 443 Winton Lane and the Halls own 447 Winton Lane.

There will be no retained lot.

Both of the lots receiving additions will require a minor variance to recognize the lots will still be undersized following the lot additions.

DISCUSSION

Consistent with Provincial Policy Statement	Yes
Conforms to Official Plan	Yes
Complies with Zoning By-Law	<i>No The lots created by the lot additions from B21/168 and 169 will need minor variances to recognize undersized lot area</i>
Recommend consent for this application	Yes

Recommended Conditions for the severance:

- *Payment of all taxes owing*
- *Payment of all costs incurred by the Township for review*
- *Two copies of the Deed/Transfer*
- *Two copies of the reference plan*
- *Undersized lot area to be recognized through minor variances or zoning amendments for B21/168 and 169*

Provincial Policy Statement

No concerns. Sections 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Section 2.1 Natural Heritage, and Section 3.1 Protecting Public Health and Safety – are satisfied as the lot additions increase the size of undersized lots without negatively affecting the environment.

County Sustainable Community Official Plan

Section 3.3.3.1 Rural Area Land Use Policies Objectives are to: ensure development is consistent with rural service levels; to maintain the distinct character of rural, waterfront and settlement areas; and to ensure that development is compatible with natural heritage.

Official Plan

The proposed severed lot additions are designated Rural (RU) and abandoned mine hazard buffer. Residential uses are permitted in the Rural designation.

Zoning By-Law

The proposed severed lot additions are zoned Seasonal Residential (RS) which permits seasonal residential use. The lots that are receiving the additions are also zoned RS.

The required lot areas (4,050m² for seasonal residential use) and water frontages (60m) are not met for the recipient lots. They are increasing in size to 1,390m² (0.34 acre) for 443 Winton Lane and 1,792m² (0.44 acre) for 447 Winton Lane and in frontage to 24.2m and 23.3m. However, the lots will require recognition through either a minor variance or a zoning amendment.

By removing one very undersized lot and increasing the size of two undersized lots, the lot additions benefit the water quality of Big Rideau Lake, a cold water trout lake, which is listed as fair to good by the Rideau Valley Conservation Authority.

Rideau Valley Conservation Authority (RVCA)

Comments not available at the time of the meeting.

Mississippi Rideau Septic System Office (MRSSO)

MRSSO has no objections as long as the existing lot is removed.

Public Comments

None at the time of the report.

CLIMATE CONSIDERATIONS

The severances are for lot additions so do not create new lots in a sprawl pattern.

CONCLUSION

The Planner recommends that the consents be granted, subject to the conditions listed in the Staff Recommendation section above.

ATTACHMENTS

- i) Lanark County Land Division Notice of Applications
- ii) Lanark County Land Division Notice of Application maps

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

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



NOTICE OF APPLICATION FOR CONSENT

*Clause 53(5) (a) of the Planning Act
Section 3, O. Reg. 547/06 as amended*

To: PRESCRIBED PERSONS/PUBLIC BODIES/INTERESTED PARTIES

File No.: B21/168 and B21/169
Subject Land: Pt Lot 1 Con 5 geographic Township of North Burgess
Municipality: Tay Valley Township
Owner: Gordon Hall, Maurine Hall, Geoffrey Hall, Andy Berga & Nancy Berga
Applicant/Agent: Andy & Nancy Berga / ZanderPlan Inc.

TAKE NOTICE: An application for consent to convey an interest in the subject lands has been made to the Lanark County Land Division Committee, the consent granting authority in these matters.

PURPOSE AND EFFECT: A key map showing the location of the subject lands is shown on reverse side and a copy of the application is attached if not already received through the pre-consultation process.

B21/168 - To create a 459 sq.m. parcel of land as a lot addition to lands owned by Gordon Hall, Maurine Hall and Geoffrey Hall at 447 Winton Lane;

B21/169 – To create a 469.9 sq.m. parcel of land as a lot addition to lands owned by Andy and Nancy Berga at 443 Winton Lane.

OTHER RELATED APPLICATIONS: None

NEED TO MAKE SUBMISSIONS: The Land Division Committee will determine whether a provisional consent is to be given. In order to assist the Committee in its review of the proposal, you are requested to provide recommendations **on or before March 7, 2022**. If you are not able to respond by the date specified, please let us know when we may expect to receive your recommendations. If we do not hear from you, the Committee may assume you have no comments or concerns regarding this matter and may proceed to make a decision. If a person or public body that files an appeal of a decision of the Land Division Committee in respect of the proposed consent does not make written submissions to the Land Division Committee before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

VIRTUAL PUBLIC MEETING: A virtual public meeting will be scheduled once we have completed our review of the proposal. If you wish to be notified of the public meeting, you must make a written request to the undersigned.

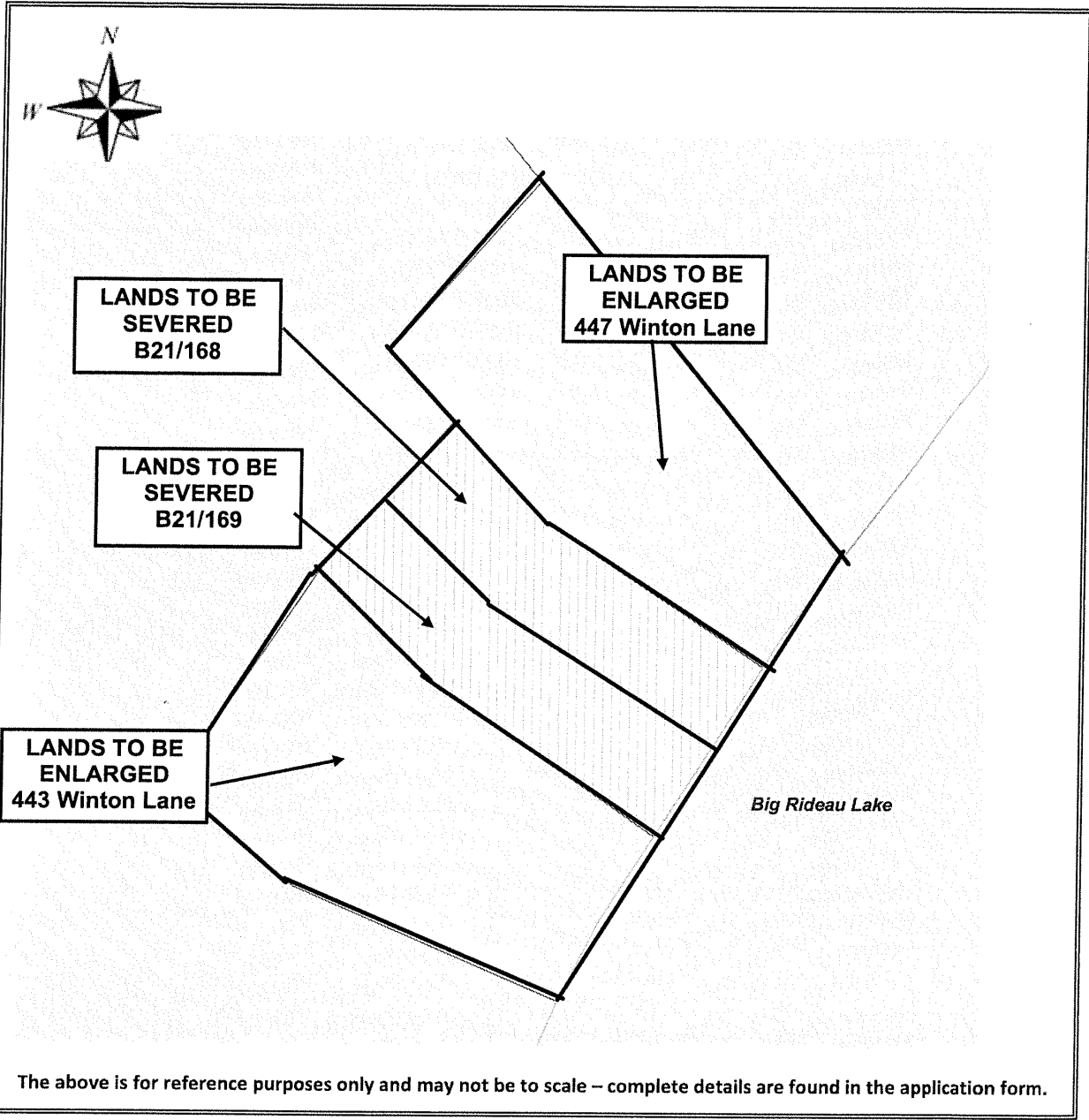
REQUESTING NOTICE OF DECISION: If you wish to be notified of the decision of the Land Division Committee in respect of the proposed consent, you must make a written request to the undersigned.

GETTING ADDITIONAL INFORMATION: Additional information regarding the application can be circulated via mail or via e-mail upon request to the undersigned.

Dated at Bathurst Township **this 15th day of February 2022.**

Julie Stewart, County Planner
Lanark County, 99 Christie Lake Road
Perth ON K7H 3C6

Telephone: 1-613-267-4200 Ext. 1520
Fax: 1-613-267-2964
E-mail: plan@lanarkcounty.ca



Landowner: Gordon Hall, Maurine Hall, Geoffrey Hall,
 Andy Berga & Nancy Berga
 File No.: B21/168 and B21/169
 Subject Land: Pt Lot 1 Con 5 geographic Township of North Burgess,
 now in Tay Valley Township.

**APPLICATION FOR
 CONSENT**
"Sketch Only"
 Prepared by Lanark County
 Planning Dept.
NOT A LEGAL SURVEY

COMMITTEE OF THE WHOLE

March 8, 2022

Report #PD-2022-11
Noelle Reeve, Planner

CONSENT APPLICATION NUMBER: B21/194
OWNERS: JACOB AND LINDSTROM

STAFF RECOMMENDATION

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for Lorna Jacobs and Terry Lindstrom B21/194 (Concession 6, Part Lot 5 and 6 geographic Township of North Burgess) roll number 091191101000120, 102 Lee Trail Lane for an easement for utility purposes in favour of lands at 179 Lee Trail Lane, owned by Griff Jones, be approved subject to the following conditions:

That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.

That, the applicant pays any outstanding fees to the Township prior to final approval of the severance.

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for the severance, both hard copy and electronically.”

BACKGROUND

The proposal in application B21/194 is to grant a 3.05m (10ft) wide, 79m (260 ft) long and 244.1m² (2,627 sq ft) utility easement over lands owned by Lorna Jacobs and Terry Lindstrom at 102 Lee Trail Lane in favour of lands owned by Griff Jones at 179 Lee Trail Lane. The retained parcel is 3.6 ha (8.9 acres) and has over 100m (328 ft) of road frontage.

DISCUSSION

Consistent with Provincial Policy Statement	Yes
Conforms to Official Plan	Yes
Complies with Zoning By-Law	Yes
Recommend consent for this application	Yes

Recommended Conditions for the severance:

- *Payment of all taxes owing*
- *Payment of all costs incurred by the Township for review*
- *Two copies of the Deed/Transfer*
- *Two copies of the reference plan*

Provincial Policy Statement

No concerns. Sections 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Section 2.1 Natural Heritage, and Section 3.1 Protecting Public Health and Safety – Natural Hazards are satisfied.

County Sustainable Community Official Plan

Section 3.3.3.1 Rural Area Land Use Policies Objectives are to: ensure development is consistent with rural service levels; to maintain the distinct character of rural, waterfront and settlement areas; and to ensure that development is compatible with natural heritage.

Official Plan

The subservient and recipient properties are both designated Rural (RU). The proposed severed lot right of way will provide utility access to 179 Lee Trail Lane.

Zoning By-Law

Both the subservient property and the recipient property are zoned Residential Limited Services (RLS-75). The right of way will provide utility access.

Rideau Valley Conservation Authority (RVCA)

No objection. The property is found in the Otty-Jebbs Creek Catchment but little of the information in the Catchment Report has bearing on this application.

The subject property is identified as overlying a highly vulnerable aquifer. These are aquifers that are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured. Where these conditions exist, it may be possible for contaminants to enter drinking ground water supplies.

For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater. Some best practices that could be considered include: increased well casing depths, increased distance of septic systems from drinking water wells, ensuring septic systems are located downgradient of wells, ensuring that wells and septic systems are properly maintained, and avoiding use of pesticides, herbicides, and fertilizers.

Mississippi Rideau Septic System Office (MRSSO)

No comment received, possibly not circulated by the County.

Public Comments

None at the time of the report.

CLIMATE CONSIDERATIONS

This portion of the easement crosses land that is forested. Because the proposed easement is narrow, it is hoped that few trees will have to be removed. The recipient lot has a lot of trees (some of which are rare in the southwest corner), and even more important for carbon sequestration, it has a large wetland on it. The Township has a Tree Canopy Policy and wetlands are not permitted to be filled so the bulk of the natural heritage features that sequester carbon will be maintained.

CONCLUSION

The Planner recommends that the consent be granted, subject to the conditions listed in the Staff Recommendation section above.

ATTACHMENTS

- i) Lanark County Land Division Notice of Application cover
- ii) Lanark County Land Division Notice of Application map

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

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



NOTICE OF APPLICATION FOR CONSENT

*Clause 53(5) (a) of the Planning Act
Section 3, O. Reg. 547/06 as amended*

To: PRESCRIBED PERSONS/PUBLIC BODIES/INTERESTED PARTIES

File No.: B21/193 and B21/194
Subject Land: Pt. Lot 5/6 Con 6 geographic Township of North Burgess
Municipality: Tay Valley Township
Owner: John Regan Lee & Sheila Vera Lee / Lorna Vivian Jacobs & Terry Dale Lindstrom
Applicant/Agent: Griff Jones / ZanderPlan Inc.

TAKE NOTICE: An application for consent to convey an interest in the subject lands has been made to the Lanark County Land Division Committee, the consent granting authority in these matters.

PURPOSE AND EFFECT: A key map showing the location of the subject lands is shown on reverse side and a copy of the application is attached if not already received through the pre-consultation process.

B21/193 – To create a "Utility Easement" in favour of Griff Jones at 179 Lee Trail Road;
B21/194 – To create a "Utility Easement" in favour of Griff Jones at 179 Lee Trail Road.

NO NEW LOTS ARE BEING CREATED'

OTHER RELATED APPLICATIONS: n/a

NEED TO MAKE SUBMISSIONS: The Land Division Committee will meet in the near future to determine whether a provisional consent is to be given. In order to assist the Committee in its review of the proposal, you are requested to provide recommendations **on or before March 14, 2022**. If you are not able to respond by the date specified, please let us know when we may expect to receive your recommendations. If we do not hear from you, the Committee may assume you have no comments or concerns regarding this matter and may proceed to make a decision. If a person or public body that files an appeal of a decision of the Land Division Committee in respect of the proposed consent does not make written submissions to the Land Division Committee before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

REQUESTING NOTICE OF DECISION: If you wish to be notified of the decision of the Land Division Committee in respect of the proposed consent, you must make a written request to the undersigned.

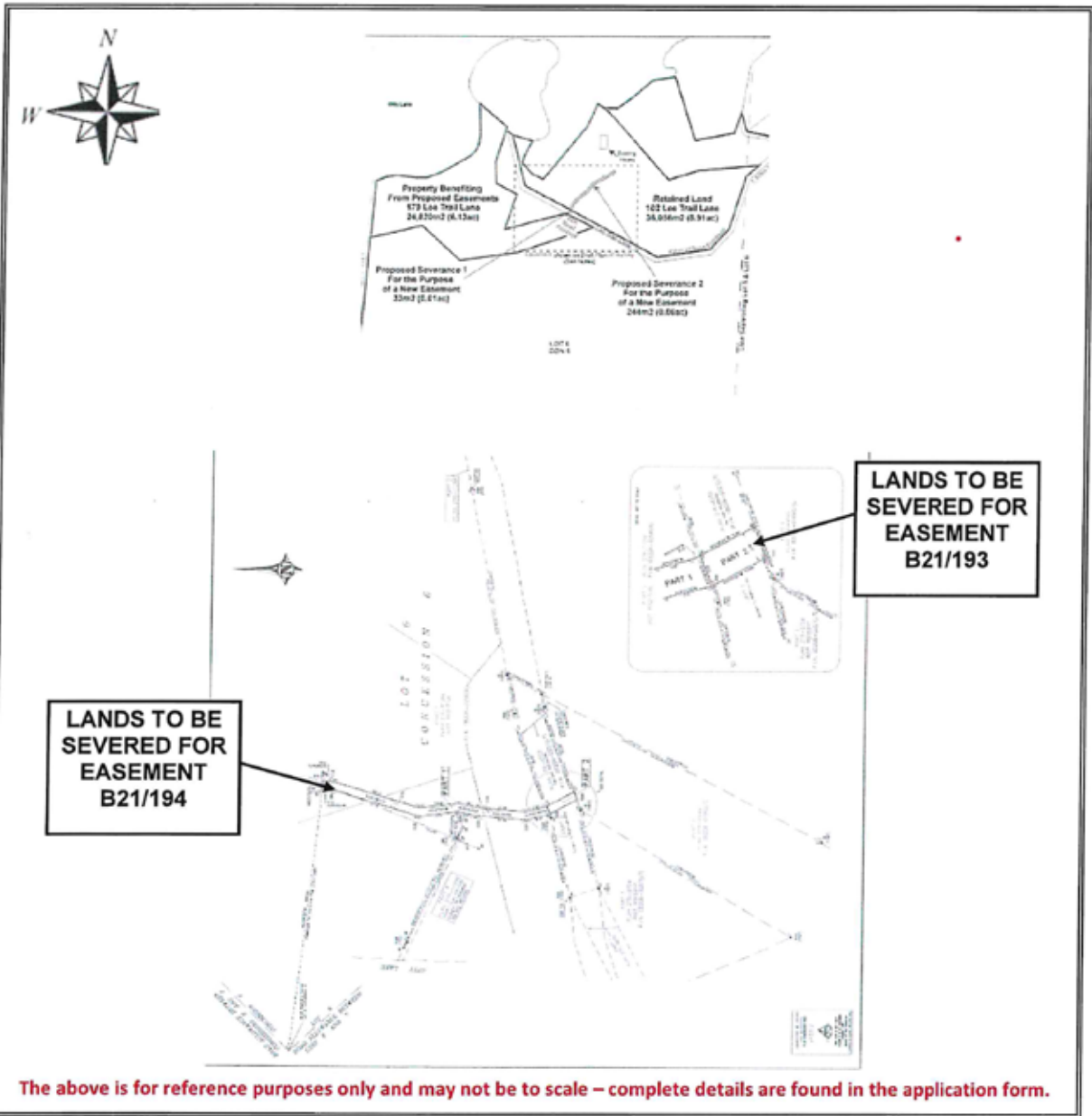
VIRTUAL PUBLIC MEETING: A virtual public meeting will be scheduled once we have completed our review of the proposal. If you wish to be notified of the public meeting, you must make a written request to the undersigned.

GETTING ADDITIONAL INFORMATION: Additional information regarding the application can be circulated via mail or via e-mail upon request to the undersigned.

Dated at Bathurst Township this 22nd day of February 2022.

Julie Stewart, County Planner
Lanark County, 99 Christie Lake Road
Perth ON K7H 3C6

Telephone: 1-613-267-4200 Ext. 1520
Fax: 1-613-267-2964
E-mail: plan@lanarkcounty.ca



<p>Landowner: John Regan Lee & Sheila Vera Lee Lorna Vivian Jacobs & Terry Dale Lindstrom</p> <p>File No.: B21/193 and B21/194</p> <p>Subject Land: Pt Lot 5 and 6 Con 6 geographic Township of North Burgess, now in Tay Valley Township</p>	<p>APPLICATION FOR CONSENT <i>"Sketch Only"</i> Prepared by Lanark County Planning Dept. <u>NOT A LEGAL SURVEY</u></p>
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COMMITTEE OF THE WHOLE

March 8, 2022

Report #PD-2022-12
Noelle Reeve, Planner

CONSENT APPLICATION NUMBER: B21/193
OWNER: LEE

STAFF RECOMMENDATION

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for Regan Lee B21/193 (Concession 6, Part Lot 6 geographic Township of North Burgess) roll number 091191101000100, 364 Blair Poole Lane for an easement for utility purposes in favour of lands at 179 Lee Trail Lane, owned by Griff Jones, be approved subject to the following conditions:

That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.

That, the applicant pays any outstanding fees to the Township prior to final approval of the severance.

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for the severance, both hard copy and electronically.”

BACKGROUND

The proposal in application B21/193 is to grant a 10.8m (35ft) wide, 32.5m² (350 sq ft) utility easement over lands owned by Regan and Sheila Lee at 364 Blair Poole Lane in favour of lands owned by Griff Jones at 179 Lee Trail Lane. The retained parcel is 97 ha (240 acres) and has over 100m (328 ft) of waterfront.

DISCUSSION

Consistent with Provincial Policy Statement	Yes
Conforms to Official Plan	Yes
Complies with Zoning By-Law	Yes
Recommend consent for this application	Yes

Recommended Conditions for the severance:

- *Payment of all taxes owing*
- *Payment of all costs incurred by the Township for review*
- *Two copies of the Deed/Transfer*
- *Two copies of the reference plan*

Provincial Policy Statement

No concerns. Sections 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Section 2.1 Natural Heritage, and Section 3.1 Protecting Public Health and Safety – Natural Hazards are satisfied.

County Sustainable Community Official Plan

Section 3.3.3.1 Rural Area Land Use Policies Objectives are to: ensure development is consistent with rural service levels; to maintain the distinct character of rural, waterfront and settlement areas; and to ensure that development is compatible with natural heritage.

Official Plan

The subservient and recipient properties are both designated Rural (RU). The proposed severed lot right of way will provide utility access to 179 Lee Trail Lane.

Zoning By-Law

Both the subservient property and the recipient property are zoned Residential Limited Services (RLS-75). The right of way will provide utility access.

Rideau Valley Conservation Authority (RVCA)

No objection. The property is found in the Otty-Jebbs Creek Catchment but little of the information in the Catchment Report has bearing on this application.

The subject property is identified as overlying a highly vulnerable aquifer. These are aquifers that are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured. Where these conditions exist, it may be possible for contaminants to enter drinking ground water supplies.

For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater. Some best practices that could be considered include: increased well casing depths, increased distance of septic systems from drinking water wells, ensuring septic systems are located downgradient of wells, ensuring that wells and septic systems are properly maintained, and avoiding use of pesticides, herbicides, and fertilizers.

Mississippi Rideau Septic System Office (MRSSO)

No comment received, possibly not circulated by the County.

Public Comments

None at the time of the report.

CLIMATE CONSIDERATIONS

None. This portion of the easement crosses land already impacted by Lee Trail Lane. The recipient lot has a lot of trees (some of which are rare in the southwest corner), and even more important for carbon sequestration, a large wetland on it.

CONCLUSION

The Planner recommends that the consent be granted, subject to the conditions listed in the Staff Recommendation section above.

ATTACHMENTS

- i) Lanark County Land Division Notice of Application cover
- ii) Lanark County Land Division Notice of Application map

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

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



NOTICE OF APPLICATION FOR CONSENT

*Clause 53(5) (a) of the Planning Act
Section 3, O. Reg. 547/06 as amended*

To: PRESCRIBED PERSONS/PUBLIC BODIES/INTERESTED PARTIES

File No.: B21/193 and B21/194
Subject Land: Pt. Lot 5/6 Con 6 geographic Township of North Burgess
Municipality: Tay Valley Township
Owner: John Regan Lee & Sheila Vera Lee / Lorna Vivian Jacobs & Terry Dale Lindstrom
Applicant/Agent: Griff Jones / ZanderPlan Inc.

TAKE NOTICE: An application for consent to convey an interest in the subject lands has been made to the Lanark County Land Division Committee, the consent granting authority in these matters.

PURPOSE AND EFFECT: A key map showing the location of the subject lands is shown on reverse side and a copy of the application is attached if not already received through the pre-consultation process.

B21/193 – To create a "Utility Easement" in favour of Griff Jones at 179 Lee Trail Road;
B21/194 – To create a "Utility Easement" in favour of Griff Jones at 179 Lee Trail Road.

NO NEW LOTS ARE BEING CREATED'

OTHER RELATED APPLICATIONS: n/a

NEED TO MAKE SUBMISSIONS: The Land Division Committee will meet in the near future to determine whether a provisional consent is to be given. In order to assist the Committee in its review of the proposal, you are requested to provide recommendations **on or before March 14, 2022**. If you are not able to respond by the date specified, please let us know when we may expect to receive your recommendations. If we do not hear from you, the Committee may assume you have no comments or concerns regarding this matter and may proceed to make a decision. If a person or public body that files an appeal of a decision of the Land Division Committee in respect of the proposed consent does not make written submissions to the Land Division Committee before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

REQUESTING NOTICE OF DECISION: If you wish to be notified of the decision of the Land Division Committee in respect of the proposed consent, you must make a written request to the undersigned.

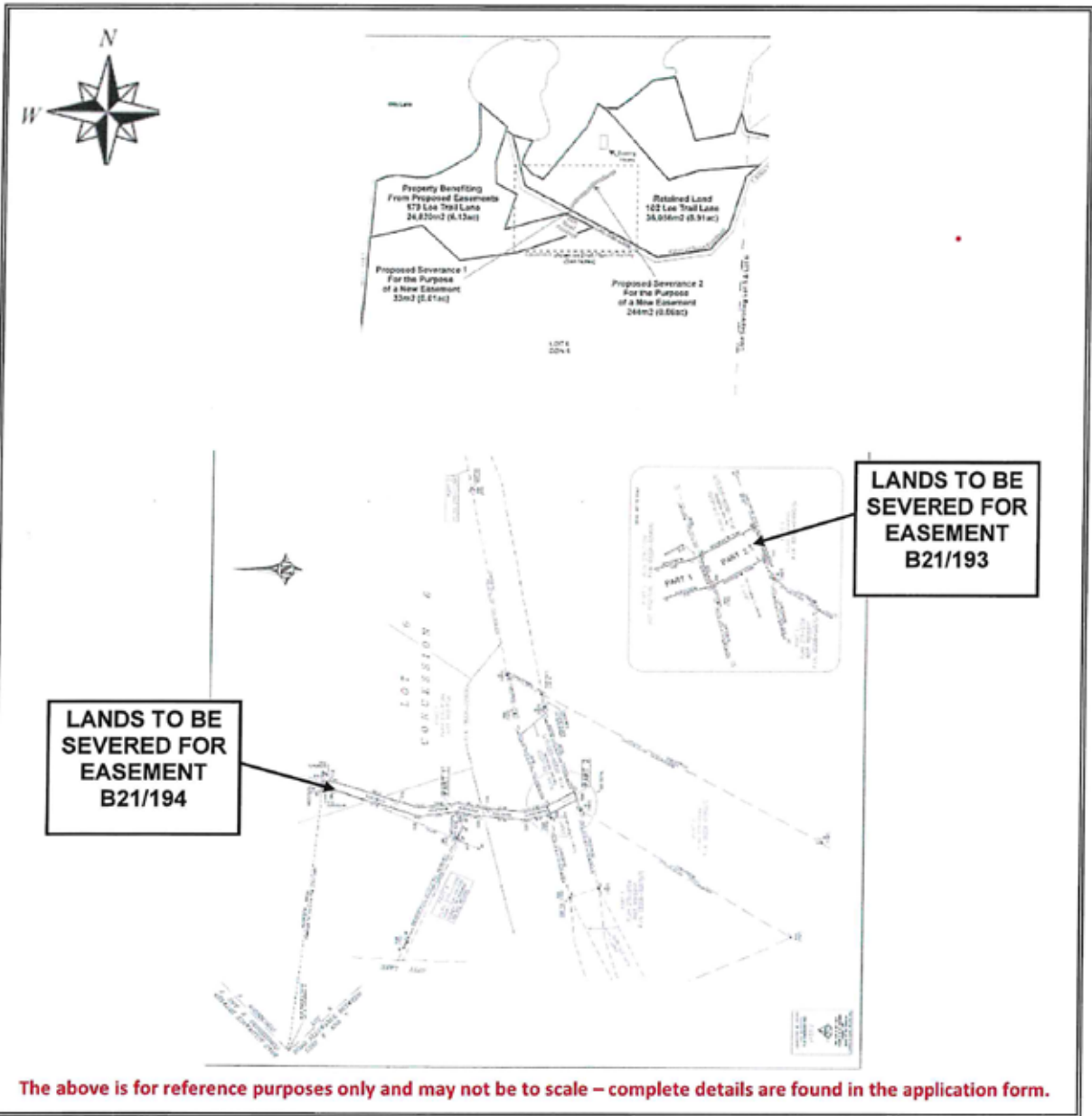
VIRTUAL PUBLIC MEETING: A virtual public meeting will be scheduled once we have completed our review of the proposal. If you wish to be notified of the public meeting, you must make a written request to the undersigned.

GETTING ADDITIONAL INFORMATION: Additional information regarding the application can be circulated via mail or via e-mail upon request to the undersigned.

Dated at Bathurst Township this 22nd day of February 2022.

Julie Stewart, County Planner
Lanark County, 99 Christie Lake Road
Perth ON K7H 3C6

Telephone: 1-613-267-4200 Ext. 1520
Fax: 1-613-267-2964
E-mail: plan@lanarkcounty.ca



Landowner: John Regan Lee & Sheila Vera Lee
 Lorna Vivian Jacobs & Terry Dale Lindstrom
 File No.: B21/193 and B21/194
 Subject Land: Pt Lot 5 and 6 Con 6 geographic Township of North Burgess, now in Tay Valley Township

APPLICATION FOR CONSENT
 "Sketch Only"
 Prepared by Lanark County Planning Dept.
NOT A LEGAL SURVEY

COMMITTEE OF THE WHOLE

March 8, 2022

Report #PD-2022-13
Noelle Reeve, Planner

**FOLLOW-UP TO ROMA DELEGATION WITH MINISTER OF ENERGY
COMMUNITY NET METERING
TO SUPPORT COMMUNITY-BASED ENERGY SYSTEMS IN RURAL AREAS**

STAFF RECOMMENDATION

It is recommended:

“**THAT**, the Council of the Corporation of Tay Valley Township request the Province to:

- i) amend the Ontario Regulation for Net Metering to allow demonstration of community net metering projects with multiple account holders so that smaller and remote communities can participate in small scale & distributed generation of electricity;
- ii) provide access through community net metering for residents in Tay Valley Township and other rural communities who cannot sell power back to the Hydro One electrical grid due to Hydro’s infrastructure deficiencies; and
- iii) permit both commercial and non-profit entities to operate generation or storage and play a lead role in forming net metering community groups.”

BACKGROUND

The County of Lanark held a delegation meeting with the Minister of Energy, the Honourable Todd Smith, and his staff in January 2022. While Mayors and Reeves and representatives from Montague, Carleton Place, Mississippi Mills, Tay Valley and County staff attended the virtual meeting, Tay Valley Township was asked to follow up with the Minister.

The delegation was pleased that the Ministry had initiated a net metering pilot in the City of London, Ontario but expressed concern that there was no pilot authorized in a rural area. Furthermore, the delegation also expressed disappointment that changes to a previous version of the Regulation governing net metering had removed the ability for residents of rural communities to participate.

The Minister asked for feedback and suggestions on how to address this issue and went as far as to encourage municipalities in Lanark County to put forward a proposal for a pilot project.

Tay Valley Township has welcomed the original proposal by the Ministry for **community net metering** because Hydro One distribution constraints have locked out many Tay Valley residents from participation in the Micro-FIT program (where residents are able to sell excess electricity generated from renewable sources like solar panels back to Hydro One) and for the same reason, prevents them from participating in the current net metering program. Community net metering can address the unfairness of that situation by enabling participation of residences otherwise constrained.

Net metering is a billing arrangement between an electricity utility and a customer, such as a homeowner, non-profit or business. Under a net metering arrangement, the customer generates electricity from a renewable source for their own use (while still drawing electricity from the grid if needed). Residents who currently participate in net metering are eligible for credits on their electricity bills for the renewable electricity generation they send to the grid. Credits are valued at the same rate customers are charged for their electricity.

Community net metering refers to a net metering arrangement that allows for the transfer or sharing of credits from residents or businesses generating electricity within a community across many account holders – not just the residence that has the physical solar panels on it.

Local renewable generation in a net-metered community would provide power for local use and send electricity exceeding the community's needs to the grid in exchange for credits that are applied to energy consumed from the grid. Electricity bill credits would be shared among participating accounts.

DISCUSSION

A Council resolution that could be brought to County Council and the Eastern Ontario Wardens' Caucus in support of the proposal to allow community net metering is an important way that a small municipality like Tay Valley Township can help move the clean-energy transition forward. Owning one's own renewable-energy generation is clearly the way to achieve a significant reduction in electricity costs. Community net metering is a collective, community-based transition toward less expensive, clean and renewable energy.

Distributed electrical generation (using solar or wind energy) puts the generation closer to where it is needed. This reduces the need (and thus the costs) for long, high-voltage transmission lines from the Niagara Falls hydroelectricity plant or the Darlington nuclear station.

When a community of people agree to work together to invest in a local renewable-energy installation, greater opportunity for residents is created. Economically, local individuals will benefit from reduced electricity costs through community net metering. Social benefits to the community arise from residents working together for a common cause: greater quality of life through electrified (cleaner, quieter, and decarbonized) energy systems; and greater community resilience.

While it is likely that not all households in Tay Valley Township will be willing or able to invest in the community energy-generating facility, there are still benefits for the whole community. For example, having a nearby generating facility means less costs for transmission and

greater security of supply. (Local generating facilities form the backbone of a local “micro-grid” ensuring even greater reliability and security of supply.)

A further advantage is that all these small generating facilities, each with local energy storage, are then capable of sharing their surplus energy with others on the local grid, including those who did not invest in the community energy installation. These clean energy installations benefit the whole community because they generate no local noise, air pollution, or green-house gas emissions.

Therefore, the Township’s Green Energy and Climate Change Working Group recommends that Council provide a resolution regarding Ontario’s Net Metering Regulation to Support Community-Based Energy Systems in rural areas requesting:

- i) amendment of Ontario Regulation for Net Metering to allow demonstration of community net metering projects with multiple account holders so that smaller and remote communities can participate in small scale & distributed generation of electricity;
- ii) access through community net metering for residents in Tay Valley who cannot sell power back to the Hydro One electrical grid due to Hydro’s infrastructure deficiencies; and
- iii) both commercial and non-profit entities be permitted to operate generation or storage and play a lead role in forming net metering community groups.

FINANCIAL CONSIDERATION

None at this time.

CLIMATE CONSIDERATIONS

Community net metering supports the energy transition off of fossil fuels and creates local opportunities for reducing energy costs to residents.

OPTIONS

Option #1 – (recommended) Provide a Council resolution that expresses support for community net metering outside of London, Ontario.

Option #2 –Do not follow up on the Minister’s invitation.

CONCLUSION

Community net metering could support the development of innovative projects such as net-zero communities using distributed energy resources. A net zero-energy community has greatly reduced energy needs through efficiency gains such that the balance of energy for vehicles, thermal, and electrical energy within the community is met by renewable energy.

Even large power generators see the value of distributed energy. In its 2019 Annual report, Quebec Hydro acknowledges that local (community) renewable energy needs to be part of the mix - not just their hydro dams.

If Tay Valley Township Council wants its residents to have access to greenhouse gas reducing, leading edge electrical generation technology it should, therefore, support a resolution in favour of community net metering in rural areas as well as in London, Ontario.

ATTACHMENTS

None.

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

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

COMMITTEE OF THE WHOLE
March 8th, 2022

Report #PD-2022-14
Noelle Reeve, Planner

ONE-FOOT RESERVE ALONG A TOWNSHIP ROAD

STAFF RECOMMENDATION(S)

“**THAT**, a One-foot Reserve Guideline for previously unopened road allowances that are assumed into the Township road system be approved.”

BACKGROUND

Following a delegation by a property owner at the Committee of the Whole meeting in January 2022, Council directed staff to bring back a report with a proposed policy to implement a cost recovery mechanism for a developer that brings an unopened road allowance up to municipal standards for assumption by the Township.

The purpose of such a policy is to ensure that adjacent landowners who may benefit from the extension of the road also contribute to the cost of building the road.

DISCUSSION

As part of the process of updating the Township’s Official Plan, Jp2g consultant Forbes Symon was asked to draft a policy on implementing a one-foot reserve along unopened road allowances assumed into the Township road network. After discussions, it was agreed that a guideline would be more suitable.

To be clear, adjacent landowners would only contribute to the cost of the road if they benefitted from its construction. For example, if a landowner was able to create severances along the newly created road or was able to receive a building permit on an existing lot that had previously been land locked, then they ought to contribute to the creation of the road.

OPTIONS CONSIDERED

Option #1 – (recommended) Adopt the proposed Guideline so that the Township ensures the cost of development is spread appropriately among those who benefit from development.

Option #2 – Do nothing – this is not recommended because the cost of growth should be shared by those who benefit from the growth.

STRATEGIC PLAN LINK

Infrastructure: Our roads, trails, bridges, buildings, landfills and communications systems are efficient and well-maintained

Guiding Principles: We manage our assets and infrastructure effectively and efficiently and have plans in place to maintain and replace them.

CLIMATE CONSIDERATIONS

As part of Council's growth management planning, requests for the Township to assume an unopened road allowance into its road network should be vetted from the perspective of clustering development, rather than encouraging sprawl.

FINANCIAL CONSIDERATIONS

None at this time.

CONCLUSIONS

Council should adopt the proposed One-foot Reserve Guideline for previously unopened road allowances that are assumed into the Township road system to ensure that growth pays for growth. If a landowner adjacent to an unopened road allowance will benefit from the construction of a new Township road along that road allowance (either through creation of lots or permission to build), then that land owner should contribute to the cost of creating the road.

ATTACHMENTS

1. DRAFT Guideline – One Foot Reserves and Cost Sharing Agreements

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

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

Tay Valley Township Guide: 0.3 m Reserves and Cost Sharing Agreements

Tay Valley Township

Prepared for

Tay Valley Township



217 Harper Road,
Perth, Ontario, K7H 3C6

Prepared by



Jp2g Consultants Inc.

12 International Drive, Pembroke, Ontario, K8A 6W5

T.613.735.2507 F.613.735.4513

Jp2g Project No. 21-7016B

March 3, 2022

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1.0 Purpose

The intent of this document is to establish a guide for the use of 0.3 m reserves and cost sharing agreements between developers, the Township and benefiting private property owners.

2.0 Background

The Township is being requested to consider the opening up of unopened road allowances to facilitate the private development of abutting lands to proceed in accordance with the policies of the Official Plan which require new development to have frontage on an opened or maintained road.

The costs associated with opening up an unopened road allowance are 100% the responsibility of the private developer wishing to do the work. The road work must be carried out in accordance with Township standards. It is understood that when the road is brought up to municipal standards it will be assumed into the municipal road system and the Township will assume responsibility for the operation and maintenance of the road.

3.0 Benefiting Properties

In order for new development to proceed, it is often a requirement that certain public works, internal or external to the development, be constructed. Typically, in TVT this public works may include construction of roads, truck turnarounds, culverts, ditches, intersections & traffic control, and stormwater management.

Where an unopened road allowance is opened up, the individual who paid for the road works typically wants to ensure that other benefiting properties pay their fair share of the road construction costs. The primary tools available to the Township to ensure that benefiting properties pay their fair share of road costs, include 0.3 m (1 foot) reserves and cost sharing development agreements.

In such cases, the 0.3 m reserve and cost sharing agreements work in tandem to help establish obligations to reimburse the developer's costs in financing the construction and to establish the developer's obligation for construction. Council approval of the construction and the reimbursement strategy are to be detailed in the cost sharing development agreement and must be obtained prior to the commencement of construction.

4.0 0.3 M Reserve

Under Section 35 of the Municipal Act, "a municipality may pass by-laws removing or restricting the common law right of passage by the public over a highway and the common law right of access to the highway by an owner of land abutting a highway." This represents the legislative authority provided to municipalities to allow for the use of 0.3 m reserves.

In situations where a new public street is established and lies along and adjacent to other benefiting private lands, a 0.3 metre (one-foot) wide reserve can be established within the street right-of-way to form a buffer strip, dedicated to the public, between the public street right-of-way and the adjacent benefiting lands. The 0.3 m reserve effectively prevents access and new driveways onto the public street from the adjacent benefiting properties unless certain terms and conditions are satisfied. These include the Township approval of the development proposal for the benefiting lands and the terms of the cost sharing agreement

with the original developer being implemented, including the payment of road related development costs.

5.0 Establishment of a 0.3 m Reserve & Cost Sharing Agreement

When a private property owner opens up and builds a road on the unopened municipal road allowance, they are typically responsible for 100% of the cost associated with the road construction. In many situations there may be other properties which could benefit from the road construction. In essence, the new road will provide other benefiting properties with development potential that they would not have realized had the road not be constructed.

The surveying and establishment of the 0.3 m Reserve and execution of the Development Cost Sharing Agreement should be put in place prior to the commencement of the project to ensure that the additional benefiting properties pay their fair share of road development costs. All costs associated with establishing the 0.3 m Reserve shall be borne by the developer (proponent).

The Developer is responsible for obtaining approval from the Township of road construction and the surveying of the 0.3 m reserve. The Township Council is responsible for passing the necessary by-law to establish the 0.3 m reserve and authorize the Reeve and Clerk to execute the Development Cost Sharing Agreement.

The Development Cost Sharing Agreement typically includes terms of the amount of payment required, when and how funds will be collected, and how and to whom the collected funds will be transferred to (i.e. original road builder). The agreements may also have a "sunset clause" which details the time period during which the Township will make best efforts to collect funds and transfer them to the road builder. It is typical for such sunset clauses to be for 10 years, although shorter and longer terms can be negotiated.

6.0 Lifting 0.3 m Reserve

The Development Cost Sharing Agreement will detail the terms and conditions of the lifting of the 0.3 m reserve to allow for benefiting properties to be developed. Typically, this involves the payment of a predetermined fee by benefiting properties for their fair share of the new road construction costs.

Any benefiting property owner who wishes to develop their property will be required to request the lifting of the 0.3 m reserve. The lifting of the 0.3 m reserve triggers the provisions of the cost sharing agreement and the conditions associated with payment of the fair share of capital costs associated with the new road construction. Payment of required funds by benefiting properties will be a condition of the removal of the 0.3 m reserve.

The removal of the 0.3 m reserve requires the preparation of a new survey by an OLS, identifying the portion of the 0.3 m reserve to be removed (i.e. new proposed driveway), assuming the majority of the 0.3 reserve is to remain in place. It will be the responsibility of the benefiting property owner to undertake the new survey.

Once the benefiting property has paid their fair share of road related costs and have provided a registered copy of the survey identifying the lands to be removed from the 0.3 m reserve, the Township may consider the request to lift the 0.3 m reserve. Legal opinion should be pursued to determine if the lifting of the 0.3 m reserve can be delegated to staff.

7.0 Fair Share of Costs

The cost sharing agreement will typically contain a formula for sharing costs associated with road construction. This formula is typically on a frontage basis with a determination of the cost per metre of frontage of benefiting lands exposed to the new road. It is understood that the road will likely have two sides abutting benefiting lands, and therefore, each side of the road will have a 0.3 m reserve and be responsible for 50% of the costs of the road along the relevant road length.

$\text{Total Road Cost} / \text{Total Road Length (m)} = \text{cost/m of road}$

$\text{Cost/m of Road} \times 0.5 = \text{Cost/m for one side of road}$

$\text{Frontage (m) of Benefiting Property} \times \text{Cost/m for One Side of Road} = \text{Benefiting Property's Fair Share of Road Costs}$

8.0 Limitations of 0.3 m Reserve

It must be understood that despite Section 35 of the Municipal Act, the Township should not use 0.3 m reserves to landlock property or to block existing access to private lands gained from unopened road allowances. For example, if someone accesses their property for recreation or resource management purposes via an unopened road allowance prior to the new road construction, the 0.3 m reserve should not restrict them from continuing to gain access to their property for those purposes within reason. However, should the owner wish to construct a dwelling on a previously vacant land or to create new building lots, the 0.3 m reserve will restrict these activities from taking place unless payment through the cost sharing agreement is carried out.

Appendix A – Sample By-Law to establish 0.3 m Reserve
CORPORATION OF THE TOWNSHIP OF TAY
VALLEY BY-LAW NO. _____

Being a By-law to Establish a 0.3 m Reserve as Part of a
Public Highway

WHEREAS Section 35 of the Municipal Act, R.S.O. 2001 provides Council with the authority to restrict common law right of passage;

AND WHEREAS the Council of the Corporation of the Township of Tay Valley entered into Development Cost Sharing with respect to the construction of a road on lands described as _____; and

WHEREAS Council wishes to establish a 0.3 m reserves in order to limit the access to future developable lands until such time a fair share of road construction costs have been paid to the Developer; and

NOW THEREFORE the Council of the Corporation of the Township of Tay Valley hereby enacts as follows:

1. The 0.3 m reserve on lands described as Part(s) _____, Plan _____ be established as a portion of the public highway known as _____ in accordance with Section 35 of the Municipal Act, R.S.O. 2001.
2. The 0.3 m reserve described above shall be assumed for maintenance purposes in accordance with Section 35 of the Municipal Act, R.S.O., 2001.
3. That Council will only consider lifting the 0.3 m reserve for benefiting properties when they have entered into agreement to pay their fair share of road construction costs.
4. This by-law shall come into force and take effect immediately upon the passage thereof.

Read a first and second time this _____ day of _____, _____.

Read a third time and finally passed this _____ day of _____, _____.

Clerk

Reeve

Appendix B – Sample By-Law to lift a 0.3 m Reserve

CORPORATION OF THE TOWNSHIP OF TAY
VALLEY BY-LAW NO. _____

Being a By-law to lift a 0.3 m Reserve & Dedicate Lands
as Public Highway.

WHEREAS the Council of the Corporation of the Township of Tay Valley has entered into Development Cost Sharing with the “developer” with respect to the construction of a road on lands described as _____; and

WHEREAS a 0.3 m reserves was created in order to limit the access to the new road to benefiting properties, until such time a fair share of road construction costs have been paid to the Developer; and

WHEREAS Council of the Corporation of the Township of Tay Valley has enter into agreement with benefiting property owner for the development of lands beyond the previously created one-foot reserves; and

WHEREAS the Corporation of the Township of Tay Valley is desirous of lifting a portion of the 0.3 mreserves described as _____, as well as to dedicate these parcels of land aspublic highway in order to provide unencumbered access to the benefiting property.

NOW THEREFORE the Council of the Corporation of the Township of Tay Valleyenacts as follows:

1. That the 0.3 m reserve, described as Part _____, Plan _____ be lifted and be designated as public highway under Section 31(1) of Municipal Act, 2001, and be named _____
2. That the Reeve and Clerk are hereby empowered to do and execute all things, papers and documents necessary to the execution of this by-law.
3. That this By-law shall come into force and take effect immediately upon the passage thereof.

Read a first and second time this _____ day of _____, _____.

Read a third time and finally passed this _____ day of _____, ____.

Clerk

Reeve

DEVELOPMENT & COST SHARING AGREEMENT

THIS AGREEMENT made in triplicate this _____ day of _____, 2022

BETWEEN:

Herein called the “Owner” **OF THE FIRST PART**

AND: **The Corporation of Tay Valley Township,**

Herein called the “Township” **OF THE SECOND PART**

WHEREAS, the Owner for the purpose of obtaining an entrance permit and a building permit must have sufficient frontage on an improved street;

AND WHEREAS, the Owner has applied to the Township to bring a portion of the unopened road allowance between Concessions _____ and _____, Lot _____ and _____, geographic Township of _____, a distance of approximately _____ feet from the end of _____ up to a Private Road Construction Standard as outlined in Schedule “B”, attached hereto, in order that the Township assumes the portion of the unopened road allowance as described in Schedule “A”, attached hereto, and incorporate it as part of the Township road system in order that the Owner has sufficient frontage on an improved street;

AND WHEREAS, the Owner is desirous to entering into an Agreement with the Township for registration on title to the Owner’s lands, more particularly described as _____, TAY VALLEY TOWNSHIP; PIN _____, and the Township is entitled to enforce the provisions of it against the owner and, subject to the *Registry Act* and the *Land Titles Act*, any and all subsequent owners of the land;

AND WHEREAS, The Corporation of Tay Valley Township has passed Resolution #_____granting the Reeve and Clerk the authority to sign this Development Agreement;

AND WHEREAS, Section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides the municipality with the powers of a natural person and the authority to govern their affairs as they consider appropriate;

NOW THEREFORE THIS AGREEMENT WITNESSETH, that in condition of the sum of TWO CANADIAN (\$2.00 CAD) DOLLARS paid by the Owner to the Township, the receipt of which is hereby acknowledged and in consideration of the mutual covenants hereinafter expressed, the parties hereto agree as follows:

1. **THAT** the Owner and the Township agree:
 - a) **THAT**, the cost associated with the preparation, construction of and bringing the portion of the unopened road allowance up to a Private Road Construction Standard be borne by the Owner.
 - b) **THAT**, the Owner shall submit a Two Thousand Canadian Dollar (\$2,000) deposit prior to any work on the project being undertaken to cover such items as, but not limited to the following:
 - a. staff time at a one-time cost of \$_____;
 - b. legal fees (ie. assuming the road, this agreement)
 - c. signage
 - c) **THAT**, the Owner reimburse the Township for any amount over and above the deposit. Should the costs borne by the Township be less than the deposit, then the remainder of the funds shall be returned within a reasonable amount of time.
 - d) **THAT**, the Owner shall arrange the required survey and provide the draft survey to the Township for review and approval prior to the survey being registered.
 - e) **THAT**, the Owner shall construct the portion of the unopened road allowance to be assumed in accordance with the "Private Road Construction Standard", attached hereto as Schedule "B".
 - f) **THAT**, the Owner provide the Township engineered design drawings, showing plan & profile details and a typical cross-section identifying the proposed depths of granular material within the road base, as well as construction specifications.
 - g) **THAT**, the Owner obtain the necessary permits, as required.
 - h) **THAT**, the Owner establishes the physical centerline of the proposed road construction based on the legal boundaries of the above noted unopened road allowance.
 - i) **THAT**, the Owner must complete the construction of the proposed road to the satisfaction of the Public Works Manager of the Township prior to the Township assuming the road prior to the issuance of an entrance permit and civic address, and the Township Chief Building Official issuing a building permit for the above noted lot.
 - j) **THAT**, the Owner provide adequate liability coverage as required by the Townships' insurer:

Commercial General Liability Insurance issued on an occurrence basis for an amount of not less than \$5 million per occurrence/\$5 million annual aggregate for any negligent acts or omissions relating to the obligations under agreement. Such

insurance shall include, but is not limited to, bodily injury and property damage including loss of use; personal injury; contractual liability; premises, property & operations; non-owned automobile; broad-form property damage; owners & contractors protective; occurrence property damage; products; broad form completed operations; employees as Additional Insured(s); contingent employers liability; cross liability and severability of interest clause.

If applicable, the Commercial General Liability Insurance policy shall not contain any exclusions of liability for damage, etc. to properties, buildings, or land arising from:

- a. removal or weakening of support of any property, building, or land, whether such support is natural or otherwise;
- b. use of explosives for blasting;
- c. vibration from pile driving, or caisson work, if minimum coverage for any such loss or damage is \$5 million.

Such insurance shall add the Tay Valley Township as an additional Insured. This insurance shall be non-contributing with and apply as primary and not as excess of any insurance available to the Township.

Automobile Liability Insurance with respect to owned or leased vehicles used directly or indirectly in the performance of the Services covering liability for bodily injury, death, and damage to property, with a limit of not less than \$5 million inclusive for each and every loss.

Professional Liability (Errors and Omissions) Insurance coverage shall be obtained to a limit of not less than \$2 million for any Professional Services with regards to the project. If such insurance is written on a claim-made basis, the policy shall contain a twenty-four (24)-month extended reporting period or shall be maintained for a period of two (2) years subsequent to conclusion of Services provided under this Agreement. (This could apply to engineers, surveyors, etc)

Environmental Impairment Liability with a limit of not less than \$2,000,000. Per Incident /Annual Aggregate. Coverage shall include Third Party Bodily Injury and Property Damage including restoration clause. If such insurance is issued on a claims made basis, coverage shall contain a 24 month extended reporting period or be maintained for a period of two years subsequent to conclusion of services provided under this Agreement.

WSIB or Equivalent

The contractors shall provide evidence of WSIB or its equivalent.

Other

Any and all deductibles applicable to the above-noted insurance policies shall be the sole responsibility of the Named Insured, and the Township shall bear no cost towards such deductibles.

All parties are responsible to effect physical damage on their assets/equipment—failure to do so will not impose any liability on the Township.

The Owner shall provide the Township with a certificate of insurance evidencing coverage as noted above. Such policies shall not be cancelled, changed or lapsed unless the Insurer notifies the Township in writing at least thirty (30) days prior to the effective date of such cancellation, material change or lapse. The insurance policy will be in a form and with a company licensed to write business in the Province of Ontario and which are, in all respects, acceptable to the Township.

The Township reserves the right to assess exposures and add additional insurance requirements were deemed necessary.

Indemnification

The Owner shall indemnify and save harmless the Tay Valley Township, 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 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 the Owner, their officers, employees, contractors, sub-contractors, agents, or others to whom the Owner is legally responsible. This indemnity shall be in addition to and not in lieu of any insurance to be provided by the Owner in accordance with this agreement and shall survive this agreement.

- k) **THAT**, the required insurance coverage be received and approved by the Township prior to the commencement of any work.
- l) **THAT**, notice be provided to the Township in the event the insurance is cancelled.
- m) **THAT**, the insurance requirements as outlined in item j) and m) above shall also apply to any third party that undertakes work on behalf of the Owner on the said portion of the Unopened Road Allowance.
- n) **THAT**, the Township shall classify the improved street as a year-round Maintained Road.
- o) **THAT**, should the Owner require legal services, they shall do so at their own expense.
- p) **THAT**, the Owner shall complete the project within a reasonable time period.

NOTWITHSTANDING, item p), neither party to this Agreement will be liable for any failure of or delay in the performance of this Agreement for the period that such failure or delay is:

- a. beyond the reasonable control of a party;
- b. materially affecting the performance of any of its obligations under this Agreement, and
- c. not reasonably foreseeable or provided against, but the failing or delaying party will not be excused for failure or delay resulting from only general economic conditions or other general market effects.

q) **THAT**, should the Owner wish to abandon the project on the basis of the circumstances in clause q) above, the Owner shall return the unopened road allowance to the state that it was in prior to any work being undertaken that is related to this Agreement, to the satisfaction of the Township.

r) **NOTHING**, in this Agreement obligates the Township to undertake additional work on the improved street once the project is complete.

s) **NOTHING**, in this Agreement gives the Owner sole use of the improved street or the authority to prevent use by the general public prior to or after completion of the project.

2. Potential **BENEFITING PROPERTY OWNERS** of the Owner's road construction shall be required to pay their fair share of road construction should the benefiting property owner pursue development of their lands in accordance with the following:

- a) Development shall be defined to include the creation of lots, construction of a residential dwelling, establishment of a business or similar activities.
- b) Existing use of the benefiting properties may continue without road compensation.
- c) Potential benefiting properties shall be identified in Schedule "C" of this agreement.
- d) The Cost sharing formula to be applied to benefiting properties is identified in Schedule "C".
- e) In determining total cost of road construction to be shared by benefiting property owners, the Public Works Manager shall use approved road construction cost estimates provided by the Owner.
- f) Prior to being authorized to use the road, the benefiting property owner shall be required to pay to the Township their fair share of road costs, provide a survey of the access point of the road (if necessary) and obtain formal approval from the Township.

3. Any **NOTICE** required to be given hereunder to the Township or the Owner shall be in writing and may be delivered personally, by email, or be sent by mail.

4. **NOTICE** shall be given to the Owner at the email address _____ or the

address shown on the tax roll for the Owner's land. **NOTICE** shall be given to the Township at the following address:

The Corporation of Tay Valley Township
Attn: Clerk
217 Harper Road
Perth, ON K7H 3C6

Any notice sent by mail shall be deemed to have been received by the party to whom it is addressed on the third (3rd) business day following such mailing.

- 5. **ALL COSTS** incurred by the Township in connection with the preparation, execution and registration of this Agreement shall be paid by the Owner.

- 6. **IF THE** Owner fails or refuses for any reason to comply with the requirement of this agreement, the Owner shall be in default and the Township may, on seven (7) days' notice require the Owner to remedy the default, failing which the Township may, jointly or severally without further notice and without prejudice to any other rights and remedies available to it, do such thing and perform such work as is necessary to rectify the default and recover the expense incurred in doing it by action or in like manner as municipal taxes in accordance with the provisions of Section 446 of the *Municipal Act, 2001*, as required.

- 7. **THIS AGREEMENT** be registered against the title of the subject lands described in Schedule "A" attached hereto and shall be binding upon and ensure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns and the Township shall be entitled to enforce the provisions against the Owner and all subsequent owners of the lands.

IN WITNESSETH WHEREOF the parties hereto have executed this agreement as of the date of the first above written.

SIGNED, SEALED and DELIVERED)
In the presence of)
)
)

_____) **Witness**)
)
)
)
)
)
)
)

SCHEDULE "A"

Development Agreement

(Owner)

Description of the Owner's Lands

--

Description of the Unopened Road Allowance

--

SCHEDULE "B"

Private Road Construction Standards

Minimum Width of right of way	20.0 m (66 ft.)
Minimum width of clearing	9.0 m (30 ft.)
Surface	a) width - 4.5 m (15 ft.) b) depth - 100 mm (4 in.) c) type – crushed gravel or stone
Shoulder Width	1.0 m (3 ft.) each side (including rounding)
Depth of granular base	As determined after consolidation of sub-grade material
Ditches	Minimum depth from crown of road to bottom of ditch 0.5 m (1.5 ft.). All ditches to be carried to sufficient outlet.
Culverts	CSP, concrete or plastic. Minimum 400 mm (16 in.) diameter, or larger as required.
Geometrics	Such that fire protection equipment can pass safely
Grade (maximum)	12.5%

Ontario Building Code

Fire Department Access Route

The design and construction of fire department access routes involves the consideration of many variables, some of which are specified in the requirements in the Ontario Building Code. All these variables should be considered in relation to the type and size of fire department vehicles available in the municipality or area where the building will be constructed. It is appropriate, therefore, that the local fire department be consulted prior to the design and construction of access routes.

3.2.5.6. Access Route Design

- (1) A portion of a roadway or yard provided as a required access route for fire department use shall:
 - (a) have a clear width not less than 6 m, unless it can be shown that lesser widths are satisfactory,
 - (b) have a centre line radius not less than 12 m,
 - (c) have an overhead clearance not less than 5 m,
 - (d) have a change of gradient not more than 1 in 12.5 over a minimum distance of 15 m,
 - (e) be designed to support the expected loads imposed by firefighting equipment and be surfaced with concrete, asphalt or other material designed to permit accessibility under all climatic conditions,
 - (f) have turnaround facilities for any dead-end portion of the access route more than 90 m long, and

(g) be connected with a public thoroughfare.

SCHEDULE "C"

Benefiting Properties

(Suggest Roll Numbers or PINs and Map)

Total Cost of Road

(Based on approved Cost Estimates)

Cost Sharing Formula

Total Road Cost / Total Road Length (m) = cost/m of road

Cost/m of Road X 0.5 = Cost/m for one side of road

Frontage (m) of Benefiting Property X Cost/m for One Side of Road = Benefiting Property's Fair Share of Road Costs

COMMITTEE OF THE WHOLE
March 8th, 2022

Report #FIN-2022-01
Ashley Liznick, Treasurer

2021 STATEMENT OF REMUNERATION AND EXPENSES

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, Report #FIN-2022-01 - 2021 Statement of Remuneration and Expenses be received as information.”

BACKGROUND

Section 284 of the *Municipal Act, 2001* requires the Treasurer to provide a report to Council disclosing remuneration and expenses paid in the previous year to each Member of Council and to persons appointed by Council to boards and agencies.

DISCUSSION

The statement is reported differently across the province. Some municipalities just show members of Council, others are more inclusive. Our statement discloses money that we pay to Council and board members; and monies paid by other agencies, if we are advised.

By-Law No. 2010-077 authorizes Council and local board member honorariums and the reimbursement of travel and other costs.

Council Members' attendance at training courses, seminars or conferences are included in the annual budget and the resultant by-law. Individual Council Member's attendance at the training courses, seminars or conferences are further approved by Council as required.

The Mississippi Valley Conservation Authority (MVCA) paid Councillor Darling's honorarium and expenses relating to MVCA. Similarly, the Rideau Valley Conservation Authority (RVCA) paid Councillor Richardson's per diem and mileage expenses relating to RVCA.

OPTIONS CONSIDERED

Not Applicable.

STRATEGIC PLAN LINK

No direct link.

FINANCIAL CONSIDERATIONS

Remuneration and travel expenses are included in the annual budgets.

CONCLUSIONS

Not Applicable.

ATTACHMENTS

- i) 2021 Statement of Remuneration and Expenses.

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Ashley Liznick,
Treasurer**

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

2021 PAID TO COUNCIL MEMBERS AND PERSONS							
APPOINTED TO LOCAL BOARDS							
		SALARY	PER DIEMS / HONORARIUMS	MILEAGE	TRAINING/CONF.	OTHER	TOTAL
Council:							
	Brian Campbell	28,088.04		743.39			28,831.43
	Barrie Crampton	20,161.08		-			20,161.08
	RoxAnne Darling	15,297.00		247.80			15,544.80
	Fred Dobbie	15,297.00		56.64			15,353.64
	Beverley Phillips	15,297.00		191.16			15,488.16
	Rob Rainer	15,297.00		132.16	452.00		15,881.16
	Gene Richardson	15,297.00		-			15,297.00
	Mick Wicklum	15,297.00		49.56			15,346.56
Police Services Board:							
	Brian Campbell						0.00
	Neil Fennel		675.00	407.56	356.16		1,438.72
Committee of Adjustment:							
	Peter Siemens		825.00	64.90			889.90
	Larry Sparks		900.00	230.10			1,130.10
	Ron Running		675.00	-			675.00
Mississippi Valley Conservation Authority:							
	RoxAnne Darling (paid by MVCA)		658.08				658.08
Rideau Valley Conservation Authority:							
	Gene Richardson (paid by RVCA)		630.00				630.00

COMMITTEE OF THE WHOLE
March 8th, 2022

Report #FIN-2022-02
Ashley Liznick, Treasurer

2021 DEVELOPMENT CHARGES STATEMENT

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, Report #FIN-2022-02 - 2021 Development Charges Statements be received as information.”

BACKGROUND

Development charges are used to generate revenue towards the increased cost of services within the municipality that occur as a result of growth and development. The intention is to allow the municipality to maintain the current level of service for residents of the municipality, while collecting funds from the new development to help offset the cost of additional services. Development charges that are collected by the municipality are put into a reserve until such time as a capital expenditure is made.

Throughout 2021 Tay Valley Township levied Development Charges to residential property owners when constructing a new residence. Because we levy such a charge, Section 43 of the *Development Charges Act* requires the Treasurer to provide Council with a financial statement regarding the Development Charges activity each year.

As of December 2, 2019, the Township Development Charges By-Law No. 2019-045 came into effect. An amendment/update to the By-Law (By-Law No. 2021-057) was presented and approved by Council on November 16, 2021.

The following two schedules indicate the rates that were in effect for the 2021 calendar year as per those by-laws.

January 1, 2021 - November 15, 2021 (By-Law 2019-045)

THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2019-045

SCHEDULE "B"
Schedule of Development Charges

Updated for January 1, 2021

Service	RESIDENTIAL				NON-RESIDENTIAL	GREEN ENERGY
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	(per sq. ft. of Gross Floor Area)	(per 500 kW generating capacity)
Municipal Wide Services:						
Roads & Related	\$ 2,359	\$ 1,500	\$ 1,415	\$ 1,893	\$ 1.16	\$ 2,359
Fire Protection	\$ 501	\$ 319	\$ 300	\$ 402	\$ 0.24	\$ 502
Parks & Recreation	\$ 742	\$ 473	\$ 445	\$ 595	\$ 0.22	\$ -
Library	\$ 60	\$ 38	\$ 36	\$ 48	\$ 0.02	\$ -
Waste Diversion	\$ 33	\$ 21	\$ 20	\$ 26	\$ 0.01	\$ -
Administration - Studies	\$ 232	\$ 147	\$ 140	\$ 187	\$ 0.10	\$ 232
Total Municipal Wide Services	\$ 3,927	\$ 2,498	\$ 2,356	\$ 3,151	\$ 1.75	\$ 3,093

November 16, 2021 – December 31, 2021 (By-Law 2021-057)

THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2021-57

SCHEDULE "B"

Schedule of Development Charges

Service	RESIDENTIAL				NON-RESIDENTIAL	GREEN ENERGY
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	(per sq.ft. of Gross Floor Area)	(per 500 kW generating capacity)
Municipal Wide Services:						
Roads & Related	\$ 4,250	\$ 2,703	\$ 2,550	\$ 3,410	\$ 2.07	\$ 4,250
Fire Protection	\$ 403	\$ 256	\$ 242	\$ 323	\$ 0.20	\$ 403
Parks & Recreation	\$ 597	\$ 380	\$ 358	\$ 479	\$ 0.18	\$ -
Library	\$ 70	\$ 45	\$ 42	\$ 56	\$ 0.02	\$ -
Waste Diversion	\$ 36	\$ 23	\$ 22	\$ 29	\$ 0.02	\$ -
Growth-Related Studies	\$ 360	\$ 229	\$ 216	\$ 289	\$ 0.16	\$ 360
Total Municipal Wide Services	\$ 5,716	\$ 3,636	\$ 3,430	\$ 4,586	\$ 2.65	\$ 5,013

DISCUSSION

The 2021 statement is attached. A copy must and will be provided to the Minister of Municipal Affairs within 60 days of providing the statement to Council.

The current Development Charges By-Law will expire on December 2, 2024.

OPTIONS CONSIDERED

Not Applicable.

STRATEGIC PLAN LINK

Not Applicable.

FINANCIAL CONSIDERATIONS

Not Applicable.

CONCLUSIONS

The Treasurer’s Statement must be provided to Council each year.

The 2021 expenses in the table below are for the following projects: Solar Farm Trail, Tractor with Flail and Boom, Glen Tay Road, Official Plan Review, Development Charges and Community Benefits Charge updates, Maberly Fall River Park, and Upper Scotch Line.

The 2020 expenses in the table below were expenses incurred in the 2020 year end that could have been funded by Development Charges (per the new study) but were funded with reserves – these entries were analyzed and completed by the Acting Treasurer. The 2020 expenses included Christie Lake North Shore Road, Recreation Master Plan, Library Circulation Materials, and a correction for the 2019 Fire Pumper (was taken out of South Sherbrooke but was actually a BBD&E pumper purchase). Because the expenses were already funded from reserves the reserves were replenished in 2021 by these amounts and the monies were correspondingly used from Development Charges (as they should have been).

ATTACHMENTS

- i) Development Charges Reserve Fund, Treasurer’s Statement – 2021.

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Ashley Liznick,
Treasurer**

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

TAY VALLEY TOWNSHIP

DEVELOPMENT CHARGES
TREASURER'S STATEMENT - 2021

BALANCE ON	GENERAL ELIGIBLE SERVICES	FIRE		TRANSPORTATION	RECREATION	LIBRARY	WASTE DIVERSION	TOTAL
	5.91%	S.S. 5.8742%	DNE/TVT 6.8958%	60.09%	18.87%	1.53%	0.83%	(100%)
December 31, 2020	(9,543.61)	(11,741.13)	30,732.14	254,543.62	20,674.62	12,610.44	513.47	297,789.56
2021 Development fees	12,757.98	12,680.69	14,886.03	129,716.88	40,734.86	3,302.83	1,791.73	215,871.00
2021 Interest earned	208.69	207.43	243.51	2,121.90	666.34	54.03	29.31	3,531.21
2020 Capital Expenses	-	36,800.00	(36,800.00)	(130,201.00)	(3,934.00)	(2,848.00)	-	(136,983.00)
2021 Capital Expenses	(20,631.00)	-	-	(130,926.00)	(16,362.75)	-	-	(167,919.75)
December 31, 2021	(17,207.94)	37,946.99	9,061.68	125,255.41	41,779.07	13,119.29	2,334.51	212,289.02
2020 CAPITAL EXPENSES								
Christie Lake NSR				130,201.00				130,201.00
Library Circulation Materials						2,848.00		2,848.00
Adjust 2019 Fire Pumper		(36,800.00)	36,800.00					-
Recreation Master Plan					3,934.00			3,934.00
	-	(36,800.00)	36,800.00	130,201.00	3,934.00	2,848.00	-	136,983.00
2021 CAPITAL EXPENSES								
Solar Farm Trail					13,505.00			13,505.00
Tractor with Flail & Boom				10,316.00				10,316.00
Glen Tay Road				77,440.00				77,440.00
Official Plan review	6,936.00							6,936.00
Community Benefits/DC Study	13,695.00							13,695.00
Maberly Fall River Park					2,857.75			2,857.75
Upper Scotch Line				43,170.00				43,170.00
	20,631.00	-	-	130,926.00	16,362.75	-	-	167,919.75

COMMITTEE OF THE WHOLE
March 8th, 2022

Report #FIN-2022-03
Ashley Liznick, Treasurer

2021 INVESTMENT REPORT

STAFF RECOMMENDATION(S)

It is recommended:

“THAT, Report #FIN-2022-03 - 2021 Investment Report be received as information.”

BACKGROUND

The Township’s Investment Policy and Ontario Regulation 438/97 require that when the Township invests in a security prescribed by the policy and the regulation, the Treasurer shall prepare and provide an investment report annually to Council.

DISCUSSION

On June 11th, 2021 the following transactions occurred:

Redeemed (Cashed) – due to maturity of June 2021

Township Account

· \$26,666	Canadian Western Bank GIC	Matured June 2021	@ 3.05%;
· \$60,000	Concentra Bank GIC	Matured June 2021	@ 2.97%;
· \$100,000	Equitable Bank GIC	Matured June 2021	@ 2.93%;
· \$65,000	Home Trust Company GIC	Matured June 2021	@ 2.92%;
· \$65,000	Homequity Bank GIC	Matured June 2021	@ 2.92%;
· \$100,000	Laurentian Bank GIC	Matured June 2021	@ 3.00%;
· \$416,000	Bank of Montreal GIC	Matured June 2021	@ 1.07%;

On May 1st, 2021 the following transactions occurred:

Redeemed (Cashed) – due to maturity of May 2021

Northland Solar Deposit Account

· \$34,472	President’s Choice Bank GIC	Matured May 2021	@ 3.05%;
------------	-----------------------------	------------------	----------

Northland Solar Deposit Account

· \$38,000 Home Trust Company GIC Matures Matures May 2022 @ 0.85%;

Interest (Earned)

Township Account

\$22,696.29

This amount was transferred to the Township general account in June 2021.

Northland Solar Deposit Account

\$4,626.02

This amount was reinvested into the investment account in May 2021.

These investments were consistent with the investment policies and goals adopted by Council by By-Law No. 2011-006 on January 25, 2011.

The Treasurer has been in contact with the Township's investment advisor at BMO and will be investing short-term based on current year financial needs. Also, once the Township has completed the Long Term Financial Plan, the Treasurer will invest in longer term investments once the cash requirement is known for longer term capital replacements.

Annually, by June 1st, the Treasurer works with BMO Nesbitt Burns to review the investments that are maturing and, based on recommendations received from BMO Nesbitt Burns, must re-invest the matured funds into the most suitable investment stream. This includes breaking the total in other denominations / combinations to obtain the best return on investment

OPTIONS CONSIDERED

Not Applicable.

STRATEGIC PLAN LINK

Not Applicable.

FINANCIAL CONSIDERATIONS

Not Applicable.

CONCLUSIONS

The total investments were invested in accordance with the Township's policies and provincial legislation, including that the funds were properly secured.

ATTACHMENTS

- i) 2021 Investment Summary

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Ashley Liznick,
Treasurer**

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

**TAY VALLEY TOWNSHIP
INVESTMENTS SUMMARY**

	Due Date	Term	Interest Rate	Balance Dec 31, 2021
BMO Account #625-03078-13				
Cash				-
Canadian Western Bank GIC	06/13/2022	3 years	2.31%	384,612.00
President's Choice Bank GIC	06/13/2022	3 years	2.30%	65,000.00
				<u>449,612.00</u>
BMO Account #625-03660-17(Northland Solar Deposit Investment)				
Cash				4,952.79
Home Trust Company GIC	05/12/2022	1 year	0.85%	38,000.00
Concentra Bank GIC	05/16/2022	5 years	2.10%	37,605.00
Home Trust Company GIC	05/15/2023	5 years	3.20%	35,000.00
Canadian Tire Bank GIC	05/16/2024	5 years	2.72%	41,383.00
Canadian Tire Bank GIC	05/12/2025	5 years	2.21%	35,165.00
				<u>192,105.79</u>

COMMITTEE OF THE WHOLE
March 8th, 2022

Report #FIN-2022-04
Ashley Liznick, Treasurer

2021 PLANNING ACT FINANCIAL REPORTING FOR PARKLAND

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, Report #FIN-2022-04 - 2021 Planning Act Financial Reporting for Parkland be received as information.”

BACKGROUND

Parkland is a shortened term for Cash In Lieu of Parkland. Municipalities require the conveyance of land (up to 5 (five) percent) for park purposes or cash in lieu as a condition of development or redevelopment or as a condition of approval of a plan of subdivision. Once collected, these funds are placed in a separate dedicated reserve and can only be utilized for specified public recreational purposes, as defined by the Act.

Planning Act, R.S.O. 1990, c. P.13 Section 42 (14-15 and 17–20) states:

Park purposes

(14) The council of a municipality may include in its estimates an amount to be used for the acquisition of land to be used for park or other public recreational purposes and may pay into the fund provided for in subsection (15) that amount, and any person may pay any sum into the same fund. 1994, c. 23, s. 25.

Special account

(15) All money received by the municipality under subsections (6), (6.0.1) and (14) and all money received on the sale of land under subsection (5), less any amount spent by the municipality out of its general funds in respect of the land, shall be paid into a special account and spent only for the acquisition of land to be used for park or other public recreational purposes, including the erection, improvement or repair of buildings and the acquisition of machinery for park or other public recreational purposes. 1994, c. 23, s. 25; 2009, c. 33, Sched. 21, s. 10 (10); 2015, c. 26, s. 28 (10).

Treasurer's statement

(17) The treasurer of the municipality shall each year, on or before the date specified by the council, give the council a financial statement relating to the special account. 2015, c. 26, s. 27.

Requirements

(18) The statement shall include, for the preceding year,

- (a) statements of the opening and closing balances of the special account and of the transactions relating to the account;
- (b) statements identifying,
 - (i) any facilities, services or other matters specified in the by-law for which funds from the special account have been spent during the year,
 - (ii) details of the amounts spent, and
 - (iii) for each facility, service or other matter mentioned in subclause (i), the manner in which any capital cost not funded from the special account was or will be funded; and

(c) any other information that is prescribed. 2015, c. 26, s. 27.

Copy to Minister

(19) The treasurer shall give a copy of the statement to the Minister on request. 2015, c. 26, s. 27.

Statement available to public

(20) The council shall ensure that the statement is made available to the public. 2015, c. 26, s. 27

DISCUSSION

This Administrative Report is required as part of the reporting requirements as outlined above as a result of Bill 73, *Smart Growth for Our Communities Act, 2015* that came into effect on July 1, 2016.

Attached you will find the detail of the Cash In Lieu of Parkland revenues (fees & interest) that was collected in 2021. Also, for 2021 there were expenditures of \$23,705 – which were for the Solar Farm Trail and the Maberly Fall River Park.

OPTIONS CONSIDERED

Not Applicable.

STRATEGIC PLAN LINK

Not Applicable.

FINANCIAL CONSIDERATIONS

Not Applicable.

CONCLUSIONS

The Treasurer’s Statement must be provided to Council each year.

ATTACHMENTS

- i) 2021 Cash In Lieu of Parkland

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Ashley Liznick,
Treasurer**

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

TAY VALLEY TOWNSHIP				
CASH IN LIEU OF PARKLAND				
<u>TREASURER'S STATEMENT - 2021</u>				
GL BALANCE				
December 31, 2020	36,169.48			
2021 Cash In Lieu of Parkland Fees	7,400.00			
2021 Interest earned	358.09			
2021 Expenses	(23,705.00)	capital expenses of:	Solar Farm Trail	13,505.00
			Maberly Fall River Park	10,200.00
December 31, 2021	<u>20,222.57</u>			

COMMITTEE OF THE WHOLE
March 8th, 2022

Report # PW-2022-02
Sean Ervin, Public Works Manager

PAVEMENT MARKINGS - TENDER AWARD

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, Lanark County Tender #PW-M-32-2022-22-E2 – Supply and Application of Water Based Traffic Paint for Pavement Markings be awarded to Trillium Pavement Marking in the amount of \$26,342.04.00 plus H.S.T.;

AND THAT, the Reeve and Clerk be authorized to sign the necessary documentation.”

BACKGROUND

Tay Valley Township has a contractor repaint the centerline, edge line and various symbols on most of the paved roads each year. The pavement markings are required to be meet retroreflective levels noted in applicable standards. Normal traffic and snowplows wear away the reflective glass beads that are applied to the paint, which is why all lines and symbols need to be repainted each year.

DISCUSSION

The Township collaborated with Lanark County and joined their tender to take advantage of economies of scale for this work. Lanark County issued the tender on January 13th, 2022 and advertised on the Merx website. The Tender closed on February 3rd, 2022, and four (4) bids were received.

Listed below are the results of the bids, organized from lowest to highest price, for each of the respective tenders:

Company	Total
Trillium Pavement Marking	\$26,342.04
Provincial Road Markings Inc.	\$26,594.24

A1 Carp Pavement Marking Ltd.	\$27,954.24
Almon Equipment Ltd	\$41,246.12

The contract is a 1-year with optional extensions for 2023 and 2024.

FINANCIAL CONSIDERATIONS

The amount of \$22,100.00 was approved for line painting in the 2022 Operating Budget. The price per metre of for line painting increased for both yellow centerline and white edge line by 8% and 21%, respectively. The price increase is reflective of the increase in the price of fuel and paint. The prices of symbol painting are similar to the prices from 2021. After rebated HST, the work is projected to be completed \$4,705 over budget.

One option to bring the project within budget would be to charge the line painting for 2022 roads projects to the capital project. This would include the pavement marking for Glen Tay Road, Anglican Church Road and Cameron Side Road, which would amount to approximately \$3,900 and therefore the operational pavement marking budget deficit would be reduced to \$800. There are surplus' in each of the three projects to cover the costs of line painting.

OPTIONS CONSIDERED

Option #1 – (Recommended) - Council award Lanark County Tender #PW-M-32-2022-22-E2 – Supply and Application of Water Based Traffic Paint for Pavement Markings to Trillium Pavement Marking in the amount of \$26,342.04.00 plus H.S.T.

Option #2 – Not award the tender and do not perform the work. This is not recommended as pavement markings are required to be completed each year to meet retroreflective levels.

CLIMATE CONSIDERATIONS

No direct link

STRATEGIC PLAN LINK

Infrastructure: Our roads, trails, bridges, buildings, landfills and communications systems are efficient and well-maintained.

CONCLUSIONS

Based on past experience, and their reputation as Contractors, staff feels confident that Trillium Pavement Marking can meet the requirements specified within the Tender for both meeting the timelines and quality of work.

ATTACHMENTS

None.

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Sean Ervin,
Public Works Manager**

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

COMMITTEE OF THE WHOLE
March 8th, 2022

Report #PW-2022-03
Sean Ervin, Public Works Manager

GLEN TAY ROAD & ANGLICAN CHURCH ROAD - TENDER AWARD

STAFF RECOMMENDATION(S)

It is recommended:

“THAT, Schedule ‘G’, Glen Tay Road and ‘H’, Anglican Church Road, of Lanark County Tender #PW-C-12-2022-22-E0– Micro-surfacing be awarded to Miller Paving Limited;

AND THAT, the Reeve and Clerk be authorized to sign the necessary documentation.”

BACKGROUND

Glen Tay Road, between Christie Lake Road and Scotch Line Road, and Anglican Church Road, between Highway 7 and Highway 7 are both in good condition, however, both roads are showing minor defects, such as cracking, wheel rutting and small potholes. Both roads are good candidates for pavement preservation, such as micro surfacing, which will extend the life of the roadway and reduce maintenance costs in the short-term.

DISCUSSION

The Township collaborated with Lanark County and joined their tender to take advantage of economies of scale for this work. Lanark County issued the tender on January 13th, 2022 and advertised on the Merx website. The Tender closed on February 3rd, 2022 and two (2) bids were received.

Listed below are the results of the bids, organized from lowest to highest price, for each of the respective tenders:

Company	Glen Tay Road - Total Tender Price (Less HST)	Anglican Church Road -Total Tender Price (Less HST)
Miller Paving Limited	\$164,520.00	\$138,305.00
Duncor Enterprises Inc.	\$235,848.00	\$198,927.00

Micro-surfacing is a treatment that is used to extend the life of a roadway and provides additional skid resistance, prevents moisture intrusion, levels wheel rutting and repairs minor defects of the existing road. The construction process is quick, and traffic can usually drive on the newly paved surface within an hour and therefore there is minimal disruption to the public.

FINANCIAL CONSIDERATIONS

The amount of \$174,420.00 was approved for Glen Tay Road and \$143,820.00 was approved for Anglican Church Road in the 2022 Budget. Both projects were funded from the Road Construction Reserve. Further breakdown of the costs is as follows:

Glen Tay Road	
Construction Cost	\$164,520.00
Rebated H.S.T. (1.76%)	\$2,895.55
Total Project Cost	\$167,415.55
Budgeted Amount	\$174,420.00
Surplus/(Deficit)	\$7,004.45
Anglican Church Road	
Construction Cost	\$138,305.00
Rebated H.S.T. (1.76%)	\$2,434.17
Total Project Cost	\$140,739.17
Budgeted Amount	\$143,820.00
Surplus (Deficit)	\$3,080.83

OPTIONS CONSIDERED

Option #1 – (Recommended) - Schedule ‘G’ and ‘H’ of Lanark County Tender #PW-C-12-2022-22-E0– Micro-surfacing be awarded to Miller Paving Limited.

Option #2 – Not award the tender and do not perform the work. This is not recommended.

CLIMATE CONSIDERATIONS

Preserving pavement and extending the life of the roadways greatly reduces energy uses and green house gas emissions. These roadways will require less maintenance (no cold patching) in the short-term and the amount of time before the road will be required to be rehabilitated is extended by applying microsurfacing. Microsurfacing also uses less aggregates than traditional asphalt overlay applications, which reduces greenhouse gas emissions for mining and trucking of the material to the site and uses less non-renewable materials.

STRATEGIC PLAN LINK

Our Vision for the Future:

Financial Sustainability: We have stable tax rates and debt ratios and are able to fund our desired programs and infrastructure.

Infrastructure: Our roads, trails, bridges, buildings, landfills and communications systems are efficient and well-maintained.

Guiding Principles

- we manage our assets and infrastructure effectively and efficiently and have plans in place to maintain and replace them.

CONCLUSIONS

Based on past experience, and their reputation as Contractors, staff feel confident that Miller Paving Limited can meet the requirements specified within the Tenders for both meeting the timelines and quality of work.

ATTACHMENTS

None.

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Sean Ervin,
Public Works Manager**

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

COMMITTEE OF THE WHOLE

March 8, 2022

Report #2022-PW-04
Sean Ervin, Public Works Manager

ZEALAND ROAD CULVERT REPLACEMENT- TENDER AWARD

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, Tender #2022-PW-002– Zealand Road Culvert Replacement be cancelled;

AND THAT, staff complete the work in-house.”

BACKGROUND

The Zealand Road culvert is located approximately 165km east of Wesleyan Camp Lane A. The age of the culvert is unknown and there are signs of significant deterioration inside the pipe, as well as a large bump has formed on the roadway. Staff are strongly recommending that this structure be replaced this summer as there are concerns that this structure will not withstand another spring thaw and subsequent spring run-off.

DISCUSSION

Tender #2022-PW-002 was issued on February 1, 2022, on the Township’s portal of Bids and Tenders. A news release was issued on the Township’s website and notice was also posted on the Townships Facebook page and in the local paper. The Tender closed on February 25, 2022 and a total of 6 bids were received.

Listed below are the results of the bids from each of the contractors from lowest to highest price:

Company	Total Tender Price (Less HST)
Crains' Construction Limited	\$62,840.00
Arnott Brothers Construction	\$65,600.00
Accurate Road Construction	\$81,672.12
Gemmill Sand and Gravel Limited	\$124,684.00
Coco Paving Inc.	\$201,600.00
Neptune Security Services Inc	\$259,580.00

The project includes a full-road closure to complete the culvert replacement and repaving of the road immediately over the new culvert. The site will have to be de-watered, as well as various environmental measures put in-place to ensure deleterious materials do not enter the watercourse.

FINANCIAL CONSIDERATIONS

The amount of \$47,000 was approved in the 2022 Capital budget and is to be funded from the Road Construction Reserve. Further breakdown of the costs is as follows:

ITEM	COST
Construction Cost	\$62,840.00
Rebated H.S.T (1.76%)	\$1,099.65
Total Project Cost	\$63,939.65
Budgeted Amount	\$47,000.00
Surplus/(Deficit)	(\$16,939.65)

The budgeted amount falls short of the total project costs and therefore staff recommend that Council not award the project to the lowest bidder. Staff recommend that the work be completed in-house, using Township forces and equipment, where available, and contracting the remaining work. Staff would obtain three quotes from various contractors for equipment rentals (excavator), paving, and to purchase the new culvert. Below is a cost-estimate to complete the work in-house:

ITEM	COST
Materials (culvert, granular, paving)	\$30,000
Equipment Rentals (excavator, packer)	\$6,500
Staff Time	\$5,000
Estimated Total	\$41,500
Budgeted Amount	\$47,000
Surplus/(Deficit)	\$5,500

OPTIONS CONSIDERED

Option #1 – (Recommended) – Council not award the Tender to the lowest bidder and complete the work using Township forces.

Option #2 – Award the Tender to the lowest bidder. This is not recommended as the lowest bidder is over budget.

Option #3 – Defer the project. This is not recommended due to the condition of the exiting culvert.

CLIMATE CONSIDERATIONS

Although there are no green alternatives for this project, climate change could impact this project. Significant rainfalls are more common due to climate change and therefore the Township should take necessary measures to ensure that the drainage infrastructure is in good condition to prevent flooding and the road from washing out during a major storm event.

STRATEGIC PLAN LINK

Our Vision for the Future:

Financial Sustainability: We have stable tax rates and debt ratios and are able to fund our desired programs and infrastructure.

Infrastructure: Our roads, trails, bridges, buildings, landfills and communications systems are efficient and well-maintained.

Guiding Principles

- we manage our assets and infrastructure effectively and efficiently and have plans in place to maintain and replace them.

CONCLUSIONS

It is unfortunate that the low-bid price exceeds the budgeted amount. However, having staff complete this project will provide a learning opportunity for the newer staff members, while completing this project within the budgeted amount.

ATTACHMENTS

None

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Sean Ervin,
Public Works Manager**

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

COMMITTEE OF THE WHOLE
March 8th, 2022

Report #PW-2022-05
Sean Ervin, Public Works Manager

CAMERON SIDE ROAD REHABILITATION – TENDER AWARD

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, Schedule “B” of Tender #PW-C-01-2022-22-E0 for the Rehabilitation of Cameron Side Road and the replacement of the Bathurst 5th Concession Culvert be awarded to Crains’ Construction Limited in the amount of \$730,926.50 plus H.S.T.;

AND THAT, the Reeve and Clerk be authorized to sign the necessary documentation.”

BACKGROUND

Cameron Side Road is slated for rehabilitation in 2022 under the 10-Year Capital Plan and is included in the 2022 Budget. The road is in very poor condition and requires ongoing maintenance (cold patching) to meet maintenance standards.

DISCUSSION

The Township collaborated with Lanark County and joined their tender for the Christie Lake Road Rehabilitation to take advantage of economies of scale. The County issued Tender #PW-C-01-2022-22-E0 on January 13th, 2022 and was advertised on the Merx website. The Tender closed on February 3rd and a total of six (6) bids were received.

Listed below are the results of the bids from each of the contractors from lowest to highest price:

Company	Total Tender Price (Less HST)
Crains’ Construction Limited	\$730,926.50
Arnott Brothers Construction	\$760,317.50
Thomas Cavanagh	\$786,829.23
Coco Paving Inc.	\$822,333.19
G. Tackaberry & Sons Construction	\$828,950.00
RW Tomlinson Ltd.	\$1,014,100.00

The scope of work for this project includes localized reconstruction of the road base, ditching, culvert replacements, pulverizing the existing roadway surface, application of gravel materials to the road base and an application of a double surface treatment with fog seal. The Tender also includes the replacement of a large culvert on the Bathurst 5th Concession.

FINANCIAL CONSIDERATIONS

The amount of \$759,900.00 for Cameron Side Road and \$71,400 for the Bathurst 5th Concession culvert replacement were approved in the 2022 Capital Budget and funded from the Road Construction Reserve, Development Charges, Federal Gas Tax and OCIF Formula Based Funding. Further breakdown of the costs is as follows:

ITEM	COST
Construction Cost	\$730,926.50
Contingency (10%)	\$73,092.65
CP Rail Flagging (Allowance)	\$5,000.00
Rebated H.S.T (1.76%)	\$14,238.74
Total Project Cost	\$823,257.89
Budgeted Amount (Cameron Side Road plus Bathurst 5 th Concession Culvert)	\$831,300.00
Surplus/(Deficit)	\$8,042.11

Staff will allocate the final costing of the road project and the culvert replacement to ensure that the appropriate amounts for each project are funded from the applicable reserves.

OPTIONS CONSIDERED

Option #1 – (Recommended) – that the Tender for the rehabilitation of Cameron Side Road and the replacement of the large culvert on the Bathurst 5th Concession be awarded to Crains' Construction Limited in the amount of \$730,926.50 plus H.S.T.

Option #2 – Not award the tender and do not perform the work. This is not recommended as the Township receives numerous complaints about the condition of the road and the roadway requires ongoing maintenance to meet applicable regulations.

CLIMATE CONSIDERATIONS

The newly rehabilitated roadway will reduce greenhouse gas emissions as it will require less ongoing maintenance and therefore reduce fuel consumption of Township vehicles from repetitive trips from the garage to this specific road.

STRATEGIC PLAN LINK

Our Vision for the Future:

Financial Sustainability: We have stable tax rates and debt ratios and are able to fund our desired programs and infrastructure.

Infrastructure: Our roads, trails, bridges, buildings, landfills and communications systems are efficient and well-maintained.

Guiding Principles

- we manage our assets and infrastructure effectively and efficiently and have plans in place to maintain and replace them.

CONCLUSIONS

Based on past experience, and their reputation as a Contractor, staff feels confident that Crains' Construction Limited can meet the requirements specified within the Tender for both meeting the timelines and quality of work.

ATTACHMENTS

None

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Sean Ervin,
Public Works Manager**

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

COMMITTEE OF THE WHOLE
March 8th, 2022

Report #PW-2022-06
Sean Ervin, Public Works Manager

SHOULDER GRAVEL HARPER ROAD - TENDER AWARD

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, Schedule ‘C’ of Lanark County Tender #PW-C-11-2022-22-E0 – Shoulder Gravel be awarded to Arnott Brothers Construction;

AND THAT, the Reeve and Clerk be authorized to sign the necessary documentation.”

BACKGROUND

Harper Road from Highway 7 to Bathurst 6th Concession is a 3.75 km stretch of road which was reconstructed in 2009. This project involves the placement of material on the shoulder of the road to ensure that there is no longer a drop-off where the edge of the pavement meets the gravel shoulder, which is a safety hazard. The Township hires the County to regrade the shoulder of the road with their shoulder maintainer twice per summer, however this is only a short-term fix and the hazard typically returns shortly after it is graded.

DISCUSSION

The Township collaborated with Lanark County and joined their tender to take advantage of economies of scale for this work. Lanark County issued the tender on January 13th, 2022 and advertised on the Merx website. The Tender closed on February 3rd, 2022 and one (1) bid was received.

Listed below are the results of the bids:

Company	Total Tender Price (Less HST)
Arnott Brothers Construction Limited	\$42,900

FINANCIAL CONSIDERATIONS

The amount of \$42,900 was approved in the 2022 Capital Budget for this project. Further breakdown of the costs is as follows:

ITEM	COST
Construction Cost	\$42,900.00
Rebated H.S.T (1.76%)	\$755.04
Total Project Cost	\$43,655.04
Budgeted Amount	\$35,000.00
Surplus/(Deficit)	(\$8,655.04)

The projected cost for this work is \$8,655.04 over the budgeted amount. However, there is a projected surplus (approximately \$18,000) from the Glen Tay Road, Anglican Church Road and Cameron Side Road projects and staff are recommending that the deficit from this project be funded from the surplus in the other three projects as they are all funded from the Road Construction Reserve.

OPTIONS CONSIDERED

Option #1 – (Recommended) - Schedule ‘C’ of Lanark County Tender #PW-C-11-2022-22-E0– Shoulder Gravel be awarded to Arnott Brothers Construction in the amount of \$42,900.00 plus H.S.T.

Option #2 – Not award the tender and do not perform the work. This is not recommended.

CLIMATE CONSIDERATIONS

The contractor will be placing recycled asphalt pavement rather than new quarry sourced gravel material. The recycled asphalt pavement should provide a more durable shoulder surface while reducing green house gas emissions as no new material will need to be mined from the quarry.

STRATEGIC PLAN LINK

Our Vision for the Future:

Financial Sustainability: We have stable tax rates and debt ratios and are able to fund our desired programs and infrastructure.

Infrastructure: Our roads, trails, bridges, buildings, landfills and communications systems are efficient and well-maintained.

Guiding Principles

- we manage our assets and infrastructure effectively and efficiently and have plans in place to maintain and replace them.

CONCLUSIONS

Based on past experience, and their reputation as Contractors, staff feels confident that Arnott Brothers Construction Limited can meet the requirements specified within the tender for both meeting the timelines and quality of work.

ATTACHMENTS

None.

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Sean Ervin,
Public Works Manager**

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

COMMITTEE OF THE WHOLE
March 8th, 2022

Report #C-2022-07
Amanda Mabo, Acting Chief Administrative Officer/Clerk

**REQUEST TO CLOSE A PORTION OF AN UNOPENED ROAD ALLOWANCE –
PEARSON**

STAFF RECOMMENDATION(S)

“THAT, Council declares the portion of the unopened road allowance (approximately 800 feet) between Lots 18 & 19, Concession 5, North Burgess, north of Narrows Lock Road, surplus to the Township’s needs;

THAT, Council agrees to proceed with the application to stop up, close and sell the said unopened road allowance as per the Road Closing and Sale Policy and call a Public Meeting;

THAT, the purchase price of \$0.12 per square foot be accepted should the sale be finalized.”

BACKGROUND

A request was received from Steve Pearson requesting the closure of the identified portion of the unopened road allowance.

Council is already aware of this request as it was made as part of the Hudson Road Closing back in January.

DISCUSSION

The Clerk undertook a preliminary review.

The Applicant is requesting to close the portion of the unopened road allowance adjacent to his property.

The Planner and Public Works Department were consulted and have no issues with this request.

Staff recommends proceeding with closing the portion of the unopened road allowance as there are no Planning or Public Works concerns or future anticipated municipal uses.

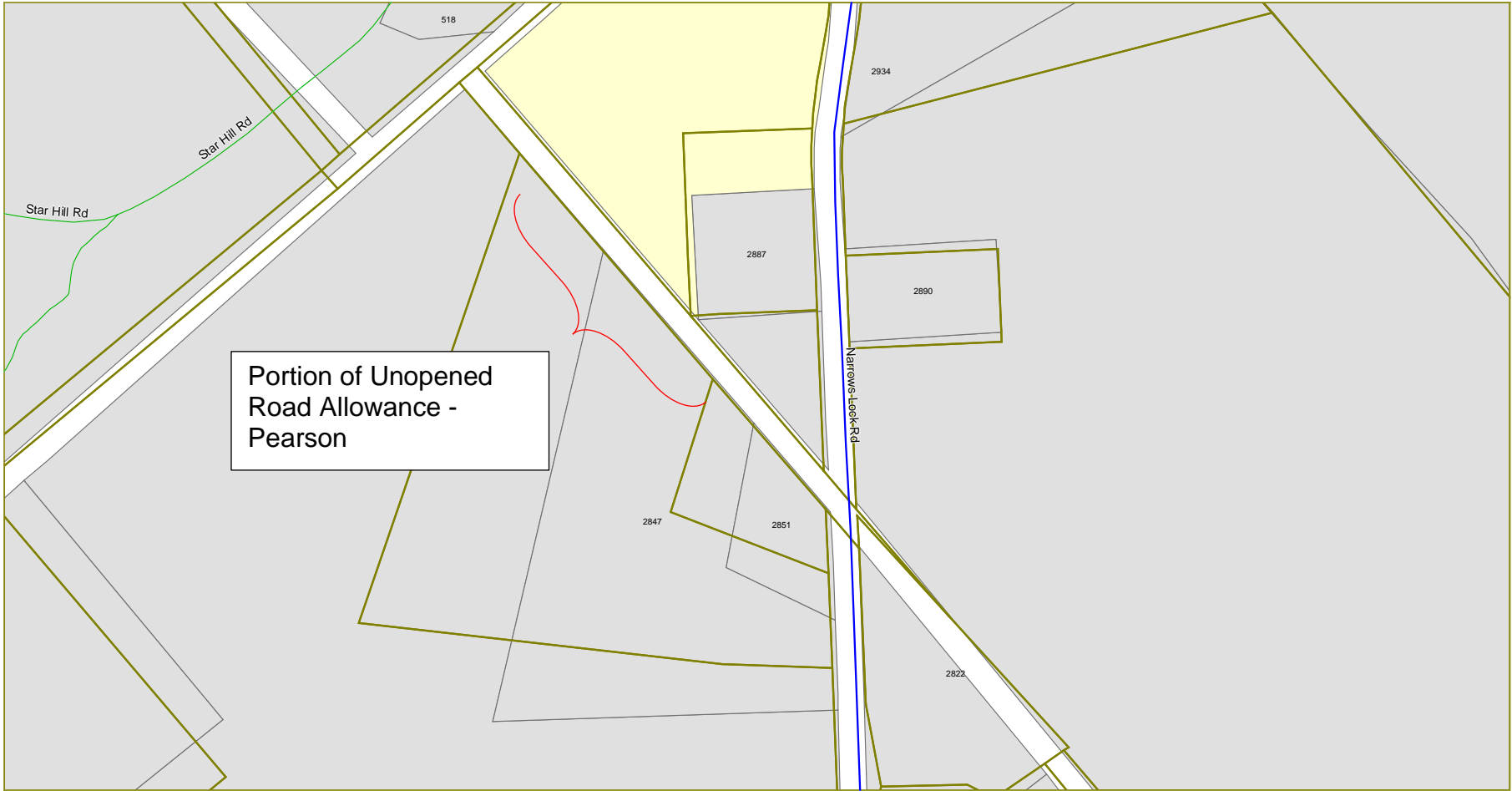
The requestor will be required to pay all costs associated with the application, including purchase price, legal and advertising costs. The reference plan/survey is being undertaken by both Pearson and Hudson. A purchase price of \$0.12 per square foot is recommended.

ATTACHMENTS

- i) Written Request
- ii) Map

Prepared and Submitted By:

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



COMMITTEE OF THE WHOLE
March 8th, 2022

Report #C-2022-08
Amanda Mabo, Acting Chief Administrative Officer/Clerk

SPEEDING COMPLAINT POLICY

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, the Speeding Complaint Policy be adopted;

AND THAT, the necessary by-law be brought forward at the next Council meeting.”

BACKGROUND

As Council is aware, speeding is an ever-increasing issue in not only the Township but also across the County.

DISCUSSION

The Township currently has no consistent format for addressing speeding complaints. In discussions during the Joint Lanark County Police Services Board meetings, it has been recommended that each municipality adopt a similar policy so that speeding complaints are being addressed in the same manner by municipalities and the OPP across the County. This will become increasingly important when each local board eventually will have to transition to one board for all of Lanark County.

The attached draft policy has been approved by the Tay Valley Police Services Board. It was drafted in conjunction with the OPP. Lanark Highlands already has theirs in place and it is anticipated that others will follow suit shortly.

OPTIONS FOR CONSIDERATION

Option #1 – Adopt Policy

This policy provides a consistent and uniform process to respond to speeding complaints. The policy defines “speeding”. Those reporting speeding issues will know that their complaint will be attended to and will know what the next steps will be.

Option #2 – Amend Policy

Council may wish to suggest an amendment.

Option #3 - Do Nothing

This is not a recommended option as speeding complaints currently go to individual Councillors, to staff, to the OPP, to the Police Services Board, etc. and there is no consistent approach to how they are addressed.

FINANCIAL CONSIDERATIONS

There may be a savings in staff time and in time spent by the OPP by having a consistent process.

STRATEGIC PLAN LINK

Guiding Principle: We advocate on behalf of our residents to ensure their interests are considered and respected.

CLIMATE CONSIDERATIONS

Going the posted speed limit uses less fuel and is therefore better for the environment.

CONCLUSION

This policy provides a consistent and uniform process to respond to speeding complaints.

ATTACHMENTS

- 1) DRAFT Speeding Complaint Policy

Respectfully Submitted By:

**Amanda Mabo,
Acting Chief Administrative Officer/Clerk
Police Services Board Secretary**

SUBJECT: SPEEDING COMPLAINT POLICY

1.0 PURPOSE

This policy provides a consistent and uniform process to respond to speeding complaints.

2.0 LEGISLATIVE AUTHORITY

Section 11(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a lower-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public.

3.0 SCOPE

3.1 This policy applies to speeding complaints on Township Roads.

3.2 This policy does not apply to speeding complaints pertaining to specific drivers and vehicles.

4.0 DEFINITIONS

“85th Percentile Speed” – shall mean the speed at which 85% of traffic travels at or below on a given Township Road.

“Complainant” – the person who is dissatisfied and filing the complaint.

“Monitoring Device” – shall include, but not be limited to, traffic counters and an electronic speed sign.

“Municipality” – shall mean the Corporation of Tay Valley Township.

“Speeding Concern” – shall mean that if the 85th Percentile Speed on a Township Road posted/unposted as 80 km/h is above 10 km/h of the posted or unposted speed limit it shall be deemed a Speeding Concern. If the 85th Percentile Speed on a Township Road posted/unposted as less than 80 km/h is above 8 km/h of the posted or unposted speed limit it shall be deemed a Speeding Concern.

“Township Road (Municipal Road)” – shall mean a road within the Municipality that has been designated as a Township Road in the current Road Naming By-Law.

5.0 INITIAL SPEEDING COMPLAINT

5.1 Receipt of Compliant

5.1.1 All speeding complaints received by the Township will be reported using the Complaint Form on the Municipal Website.

5.1.2 The following information is required to process the complaint:

- Name, address and contact information of the Complainant
- Date and time of received complaint
- Location of perceived speeding issue
- Approximate frequency of perceived speeding incidents as determined by the Complainant (i.e. daily occurrence, only weekends, summer months).

5.2 Acknowledgement

Complaints shall be submitted to the Clerk's Office. Upon receipt, the complaint will be given a tracking number and will be acknowledged in writing within 7 (seven) calendar days.

5.3 Traffic Monitoring and Reporting

5.3.1 Upon receipt of a complaint, the Clerk's Office shall coordinate with the Public Works Department to schedule a time to monitor the Township Road with a Monitoring Device.

5.3.2 The Township Road that is the subject of the speeding complaint shall be monitored for a minimum of seven (7) days.

5.3.3 The following information shall be collected and recorded:

- Location of Monitoring Device (longitude, latitude);
- Beginning and end date of monitoring; and
- Traffic counts and speeds.

5.3.4 Traffic reports shall be created using the appropriate software and may include:

- Speed Data Analysis Report
- Police Graphs Report
- Tabular Report
- Data Summary Report
- Enforcement Evaluation Report

5.4 Communication of Findings

5.4.1 The results of the monitoring will determine the next steps to be taken. Scenario 1 and 2 below define the possible outcomes of the monitoring:

Scenario 1:

If a Speeding Concern is not identified, no further action will be taken.

Scenario 2:

If a Speeding Concern is identified, all traffic monitoring reports shall be sent to the OPP for review and enforcement-based considerations. Members of the Tay Valley Police Services Board will also be copied on the communication to the OPP.

5.4.2 For areas identified as a Speeding Concern, the OPP will report the outcome of enforcement initiatives to the Municipality.

5.4.3 Under both scenarios, the Complainant will be notified and offered copies of the traffic monitoring reports generated. The notification shall contain a summary of the measures taken and the decisions that have been made as a result of the complaint. The complaint will then be considered closed.

5.4.4 The traffic monitoring reports shall be valid for a six (6) month period.

5.4.5 Additional Complaints for the same section of road within the six (6) month period shall be forwarded the notification and traffic monitoring reports generated by the original Complaint.

6.0 SUBSEQUENT SPEEDING COMPLAINT

6.1 Receipt of Complaint

6.1.1 If a second speeding complaint is received after the expiry of the six (6) month period, the Monitoring Device will be deployed again subject to Sections 5.3.2, 5.3.3 and 5.3.4.

6.2 Communication of Findings

6.2.1 The results of the monitoring will determine the next steps to be taken. Scenario 1 and 2 below define the possible outcomes of the monitoring:

Scenario 1:

If a Speeding Concern is not identified, no further action will be taken.

Scenario 2:

If a Speeding Concern is identified, a resource-based approach will be utilized with such measures as:

- the deployment of the Monitoring Device as a mitigation measure for a minimum of two (2) weeks and a maximum of four (4) weeks; and
- review by the OPP of all information and reports related to the Speeding Concern to determine additional enforcement-based considerations; and
- other measures as they become available may also be considered by the Public Works Department.

6.2.2 For areas identified as a Speeding Concern, once additional enforcement initiatives have been undertaken the OPP will report the outcome to the Municipality.

6.2.3 Under both scenarios, the Complainant will be notified and offered copies of the traffic monitoring reports generated. The notification shall contain a summary of the measures taken and the decisions that have been made as a result of the complaint. The complaint will then be considered closed.

6.2.4 The traffic monitoring reports shall be valid for a six (6) month period.

6.2.5 Additional Complaints for the same section of road within the six (6) month period shall be forwarded the notification and traffic monitoring reports generated by the original Complaint.

7.0 THIRD SPEEDING COMPLAINT

7.1 Receipt of Complaint

7.1.1 If a third speeding complaint is received after the expiry of the second six (6) month period, the Monitoring Device will be deployed again subject to Sections 5.3.2, 5.3.3 and 5.3.4.

7.2 Communication of Findings

7.2.1 The results of the monitoring will determine the next steps to be taken. Scenario 1 and 2 below define the possible outcomes of the monitoring:

Scenario 1:

If a Speeding Concern is not identified, no further action will be taken.

Scenario 2:

If a Speeding Concern is identified, The Public Works Manager shall consider various traffic calming measures for Council consideration (i.e. speed limit reduction, signage, physical traffic calming equipment, design related mitigations, or other engineering or legislative options available to Council). In consultation with the Police Services Board, the Public Works Manager shall prepare a report to Council with a recommendation on the next steps to be taken.

- 7.2.2 Under both scenarios, the Complainant will be notified and offered copies of the traffic monitoring reports generated. The notification shall contain a summary of the measures taken and the decisions that have been made as a result of the complaint. The complaint will then be considered closed.

8.0 RECORDS MANAGEMENT AND PRIVACY

All records relating to the complaint shall be maintained in accordance with the Municipality's record retention schedule.

During the complaints process, all Municipal employees shall adhere to all applicable legislation regarding privacy in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA). Complainants should be aware that certain circumstances may indirectly identify them during an investigation.

9.0 ACCOUNTABILITY FRAMEWORK

The Clerk is responsible for ensuring compliance with this policy.

10.0 POLICY REVIEW

This policy shall be reviewed as required.

11.0 REFERENCES

Forms

Complaint Form

Policies and Procedures/Documents

Complaint Policy

COMMITTEE OF THE WHOLE
March 8th, 2022

Report #C-2022-06
Amanda Mabo, Clerk

ELECTION – LAME DUCK

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, Report #C-2022-06 – Election – Lame Duck, be received for information.”

BACKGROUND

Section 275 of the *Municipal Act, 2001 S.O. 2001, c.25*, as amended, speaks to Restricted Acts After Nomination Day in the year of a municipal election, otherwise known as the “Lame Duck” period.

When does a council become “lame duck”?

A council can become lame duck in one or both of two separate time periods; the period from nomination day to election day, and then from election day to the end of the term.

Council may be in Lame Duck when:

- a) after nomination day but before election day, there is less than three-quarters of existing Members certified as candidates or acclaimed (*August 19th to October 24th*); or
- b) after election day but before the new Council is sworn in, less than three-quarters of the existing Members have been re-elected (*October 24th to November 15th*).

Limitation of council when in “lame duck”

In an election year, when it has become mathematically impossible for three-quarters of the members of the outgoing council to be re-elected, the council shall be subject to the following limitations;

Council cannot:

- a) appoint or remove from office any officer of the municipality;
- b) hire or dismiss any employee of the municipality;
- c) dispose of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal;
- d) make any expenditures or incur any other liability which exceeds \$50,000 if not included in the most recent budget adopted by the council before nomination day in the year of the election.

DISCUSSION

What does this mean for Tay Valley?

Lame duck for Tay Valley is if less than six members of the current council are certified as candidates or are acclaimed before election day, and then if less than six members have been re-elected.

The only change from the last municipal election in 2018 is that Nomination Day is no longer the fourth Friday in July, it is now the third Friday in August.

Appointment or Removal of Officers

In Tay Valley this restriction would apply to the following statutory positions: Chief Administrative Officer, Clerk, Treasurer, Chief Building Official, Animal Control Officer, By-Law Enforcement Officer, Fire Chief, Integrity Commissioner and their deputies.

Council cannot delegate the appointment of Officers. Tay Valley has in place Deputies for the Clerk, Treasurer, Chief Building Official, Fire Chief, Animal Control Officer and By-Law Enforcement Officer.

Hiring or Dismissal of Employees

This restriction only affects positions that are hired or dismissed by Council. In Tay Valley the only position that Council is responsible for is that of the Chief Administrative Officer. The hiring and dismissal of all other positions has been delegated to the Chief Administrative Officer (Acting CAO/Clerk) via the job description.

Dispose of Real or Personal Property with a Value Exceeding \$50,000 at the time of Disposal

This restriction includes land, buildings, equipment (ex. Fire Truck) and fixtures.

This restriction does not apply if the disposition was included in the most recent budget adopted by Council before Nomination Day in the year of the election.

Tay Valley does not “budget” items for disposal. However, if the Township was planning to dispose of an item during lame duck and it was contained in the most recent budget, it is recommended that a letter of opinion/value be obtained and if there is an appraisal policy such as the Sale & Other Disposition of Land Policy, then it must be followed to obtain the opinion/value. The value is at the time of disposition, not acquisition.

In 2022 there are various pieces of equipment that will be disposed of either before or after the lame duck period.

Make Expenditures or Incur Liability which Exceeds \$50,000

This restriction does not apply if the expenditure or liability (ex. lease) was included in the most recent budget adopted by Council before Nomination Day in the year of the election.

Council must always ensure that adequate funds are provided for in the budget in the year of an election to accommodate any unknown cost overruns for projects or purchases exceeding \$50,000 and should also delegate to the Chief Administrative Officer the approval authority to authorize any cost overruns for specific projects.

An example to demonstrate the need to place adequate funding in the budget and to avoid the lame duck period, if at all possible, is as follows:

If a fire truck is budgeted at \$500,000 but is being delivered during the Lame Duck period and there is an additional expense (ex. delivery costs) with the final bill worth \$510,000 then the fire truck cannot be purchased as the budget amendment was not approved outside of the lame duck period. The total of \$510,000, not just the additional \$10,000 expense is over the \$50,000 threshold.

Some other things to consider are to ensure that any agreements of purchase and sale are authorized and signed prior to lame duck, and to award tenders prior to lame duck.

There are a number of projects in 2022 that may occur during the potential lame duck period and if there are cost overruns that need to come back to Council for approval, Council will not be able to authorize them. As a result, Council will need to delegate to the Chief Administrative Officer the approval authority to authorize any potential cost overruns. Such a report will come back to Council for approval at a “Special” Council meeting in August. The following is a list of projects that may not be complete prior to the lame duck period:

- Anglican Church Road
- Cameron Side Road
- Glen Tay Road
- Zealand Road Culvert
- Second Line Bridge
- Bathurst 5th Concession Culvert Replacement
- Grader
- CBO Vehicle
- Fire Pumper Truck (Joint)
- Deputy Fire Chief Vehicle (Joint)

- Pumper Truck (South Sherbrooke)
- Waste Site Accessibility Ramps
- Pay Equity and Compensation Review
- Forest Trail
- Maberly Outdoor Sports Facility

Delegation of Powers and Duties Policy

During the lame duck period Council through the Delegation of Powers and Duties Policy has delegated the authority for the Reeve and Clerk to sign grant applications and grant agreements, and agreements related to natural disasters or emergency situations. In addition, the Reeve and Clerk have been delegated the authority to sign extensions to existing agreements or contracts that end during the lame duck period.

OPTIONS CONSIDERED

Not applicable.

STRATEGIC PLAN LINK

No direct link.

FINANCIAL CONSIDERATIONS

See Discussion section above.

CLIMATE CONSIDERATIONS

Not applicable.

CONCLUSIONS

This report is intended to advise Council and Staff of the requirements surrounding the “lame duck” provisions.

ATTACHMENTS

- i) Section 275 of the *Municipal Act, 2001 S.O. 2001, c.25, as amended* – Restricted Acts After Nomination Day.
- ii) Delegation of Authority By-Law – Lame Duck Sections.

RESOURCES

- i) Fred Dean Webinar – Don’t be Crippled by a Lame Duck Council.

Prepared and Submitted By:

Original Signed

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

Municipal Act, 2001, S.O. 2001, c. 25

Restricted Acts after Nomination Day

Restricted acts

275 (1) The council of a local municipality shall not take any action described in subsection (3) after the first day during the election for a new council on which it can be determined that one of the following applies to the new council that will take office following the election:

1. If the new council will have the same number of members as the outgoing council, the new council will include less than three-quarters of the members of the outgoing council.
2. If the new council will have more members than the outgoing council, the new council will include less than three-quarters of the members of the outgoing council or, if the new council will include at least three-quarters of the members of the outgoing council, three-quarters of the members of the outgoing council will not constitute, at a minimum, a majority of the members of the new council.
3. If the new council will have fewer members than the outgoing council, less than three-quarters of the members of the new council will have been members of the outgoing council or, if at least three-quarters of the members of the new council will have been members of the outgoing council, three-quarters of the members of the new council will not constitute, at a minimum, a majority of the members of the outgoing council. 2001, c. 25, s. 275 (1).

Basis for determination

- (2) If a determination under subsection (1) is made,
- (a) after nomination day but before voting day, the determination shall be based on the nominations to the new council that have been certified and any acclamations made to the new council; or
 - (b) after voting day, the determination shall be based on the declaration of the results of the election including declarations of election by acclamation. 2001, c. 25, s. 275 (2).

Restrictions

- (3) The actions referred to in subsection (1) are,
- (a) the appointment or removal from office of any officer of the municipality;
 - (b) the hiring or dismissal of any employee of the municipality;
 - (c) the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal; and
 - (d) making any expenditures or incurring any other liability which exceeds \$50,000. 2001, c. 25, s. 275 (3); 2006, c. 32, Sched. A, s. 114 (1).

Exception

(4) Clauses (3) (c) and (d) do not apply if the disposition or liability was included in the most recent budget adopted by the council before nomination day in the election. 2001, c. 25, s. 275 (4).

Emergencies

(4.1) Nothing in this section prevents a municipality taking any action in the event of an emergency. 2006, c. 32, Sched. A, s. 114 (2).

Upper-tier council

(5) This section applies with necessary modifications to the council of an upper-tier municipality. 2001, c. 25, s. 275 (5).

Delegated authority unaffected

(6) Nothing in this section prevents any person or body exercising any authority of a municipality that is delegated to the person or body prior to nomination day for the election of the new council. 2006, c. 32, Sched. A, s. 114 (3).

<p>Lame Duck – Execution of Contracts/Agreements</p> <ul style="list-style-type: none"> for expenditures or incurring any liability exceeding \$50,000, not included in the most recent budget, adopted by Council before Nomination Day 	<p>Reeve and Clerk</p>	<p><i>By-Law No. 2017-019 and Municipal Act, 2001</i></p>	<p>Authority is granted from Nomination through to the inauguration of the new Council when the Restricted Acts Section in the <i>Municipal Act, 2001</i> applies after Nomination Day.</p> <p>Authority is limited to the execution of grant applications and grant agreements, and natural disasters or emergency situations that are not declared emergencies.</p> <p>Must be within the limits of the Procurement Policy.</p> <p>Agreements are to be reviewed by legal counsel, if required.</p>	<p>Restricted acts:</p> <ul style="list-style-type: none"> the disposition of any real or personal property of the municipality which had a value exceeding \$50,000 when it was acquired by the municipality making any expenditures or incurring any other liability which exceeds \$50,000 <p>Obtaining legal advice on whether any proposed actions would be restricted is highly recommended.</p>
<p>Lame Duck – Execution of an Extension to any existing Contracts/Agreements</p> <ul style="list-style-type: none"> provided that the extension does not exceed the inaugural meeting of Council and no additional costs are incurred by the municipality 	<p>Reeve and Clerk</p>	<p><i>By-Law No. 2017-019 and Municipal Act, 2001</i></p>	<p>Authority is granted from Nomination through to the inauguration of the new Council when the Restricted Acts Section in the <i>Municipal Act, 2001</i> applies after Nomination Day.</p> <p>Agreements are to be reviewed by legal counsel, if required.</p>	<p>Considered an administrative matter.</p>

01/01/2022-02/28/2022 Summary Report with Previous 3 year Average

2022	Number of Permits	3 yr. avg. (2019-2021)	S.F.D.'s	3 yr. avg. (2019-2021)	Commercial	3 yr. avg. (2019-2021)	Permit Fees	3 year average (2019-2021)	Building Value	3 year average (2019-2021)	Dev.Charge
January	7	4	0	1	1	0	\$5,825.80	\$2,240.87	\$1,486,667.00	\$396,333.33	
February	4	5	2	1	0	0	\$4,652.65	\$7,194.42	\$935,000.00	\$1,704,366.67	\$12,169
Total	11	9	2	2	1	0	\$10,478.45	\$9,435.29	\$2,421,667.00	\$2,100,700.00	\$12,169

As of Jan 21, 2022 Dev Charges of \$8,029 on permits are comprised of \$6,493 Township Dev Charge and \$1,536 County Dev Charge.

Note: The value in the S.F.D. column is the monthly total for Approved, Residential, New Construction permits and the value entered in the # Dwelling Units Proposed box on the Building Tab

CORRESPONDENCE



1. **Municipality of Brooke-Alvinston:** Resolution - Province Wide Assessment - *attached, page 3.*
2. **Township of Faraday:** Resolution – Province Wide Assessment – *attached, page 4.*
3. **City of St. Catharines:** Resolution – Province Wide Assessment – *attached, page 5.*
4. **Municipal Finance Officers Association of Ontario:** 2022 Provincial Pre-Budget Submission – *attached, page 6.*
5. **AMCTO:** Advocacy Update – Pre-Budget Submission – *attached, page 8.*
6. **AMO:** Policy Update – Housing Affordability Task Force Report and Call to Re-Examine Hospital Capital Funding – *attached, page 16.*
7. **City of Brantford:** Addressing the Revolving Door of Justice – *attached, page 18.*
8. **Township of Adelaide Metcalfe:** Resolution – Closing the Door of Justice – *attached, page 21.*
9. **Ontario Maple Syrup Producers' Association:** Media Release – Ontario maple producers explore new strategic direction, receive funding from OMAFRA – *attached, page 23.*
10. **RVCA:** Rideau Valley Conservation Authority Transition Plan – *attached, page 24.*
11. **Township of Perth South:** Resolution – Catch and Release Justice – *attached, page 32.*
12. **Town of Halton Hills:** Resolution – Dissolve Ontario Land Tribunal – *attached, page 37.*
13. **Township of Front of Yonge:** Resolution – Dissolve Ontario Land Tribunal – *attached, page 42.*
14. **City of Sarnia:** Resolution – Dissolve Ontario Land Tribunal – *attached, page 45.*
15. **City of Thorold:** Resolution – Dissolve Ontario Land Tribunal – *attached, page 48.*
16. **Town of Gravenhurst:** Resolution – Dissolve Ontario Land Tribunal – *attached, page 50.*

17. **Municipality of Shuniah:** Resolution – Expansion of Northern Ontario School of Medicine – *attached, page 53.*
18. **Township of Limerick:** Resolution – Gypsy Moth Spraying – *attached, page 54.*
19. **Ontario Parks:** Letter to Lanark County Warden – Request for Innovative Recreation Experiences and Services – *attached, page 55.*
20. **AMO:** Policy Update – Call to End Homelessness, Upcoming AMO Housing Paper Release, and Off-Load Delay Strategy – *attached, page 57.*
21. **EORN:** Cell Gap Project Update – *attached, page 66.*



The Honourable Doug Ford
Premier of Ontario
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Township of Puslinch
7404 Wellington Road 34
Puslinch, ON N0B 2J0
www.puslinch.ca

VIA EMAIL:
premier@ontario.ca

February 16, 2022

RE: Funding Support for Infrastructure Projects – Bridge/Culvert Replacements in Rural Municipalities

Dear Premier,

Please be advised that Township of Puslinch Council, at its meeting held on February 9, 2022 considered the aforementioned topic and subsequent to discussion, the following was resolved:

Resolution No. 2022-039:

Moved by Councillor Sepulis and
Seconded by Councillor Bulmer

That the Consent Agenda item 6.10 listed for FEBRUARY 9, 2022 Council meeting be received; and

Whereas, the Council of the Township of Puslinch supports the Township of Adjala-Tosorontio- Funding Support Request for the Federal and Provincial Government to provide more funding to rural municipalities to support infrastructure projects related to major bridge and culvert replacements;

Therefore, Council directs staff to forward a support resolution to the Premier of Ontario, Hon. Peter Bethenfalvy, Ontario Minister of Finance, Hon. Chrystia Freeland, Federal Minister of Finance, AMO, and all Ontario Municipalities.

CARRIED

As per the above resolution, please accept a copy of this correspondence for your information and consideration.



Sincerely,
Courtenay Hoytfox
Municipal Clerk

cc:

Hon. Peter Bethenfalvy, Ontario Minister of Finance minister.fin@ontario.ca

Hon. Chrystia Freeland, Federal Minister of Finance chrystia.freeland@fin.gc.ca

Association of Municipalities of Ontario (AMO) amo@amo.on.ca

All Ontario Municipalities

January 25, 2022

The Honourable Doug Ford
Premier of Ontario
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

sent via email: premier@ontario.ca

Re: Funding Support for Infrastructure Projects – Bridge/Culvert Replacements in Rural Municipalities

Dear Premier:

At the last regular Council meeting held January 12th, 2022, the following resolution was passed:

***“RESOLVED** that the Council of the Corporation of the Township of Adjala-Tosorontio supports the requests from the Township of Adelaide-Metcalfe, the Township of Lake of Bays, the Township of Amaranth and Northumberland County for the Federal and Provincial Government to provide more funding to rural municipalities to support infrastructure projects related to major bridge and culvert replacements.*

***AND FURTHER THAT** this resolution be forwarded to the Premier of Ontario, Provincial Minister of Finance, Federal Finance Minister, AMO, and all Ontario municipalities.”*

Sincerely,

Dianne Gould-Brown

Dianne Gould-Brown, CMO
Municipal Clerk

cc:

Hon. Peter Bethenfalvy, Ontario Minister of Finance
Hon. Chrystia Freeland, Federal Minister of Finance
AMO
All Ontario Municipalities

minister.fin@ontario.ca
chrystia.freeland@fin.gc.ca
amo@amo.on.ca

www.aditos.ca



UPDATES

GREEN ENERGY AND CLIMATE CHANGE WORKING GROUP MINUTES

Friday, February 25th, 2022

10:00 a.m.

GoToMeeting

ATTENDANCE:

Members Present: Chair, Deputy Reeve Barrie Crampton
Councillor Rob Rainer
Bob Argue
Jennifer Dickson
Douglas Barr
David Poch

Members Absent: Peter Nelson

Staff Present: Noelle Reeve, Planner
Allison Playfair, Planning Administrative Assistant,
Recording Secretary

1. CALL TO ORDER

The meeting was called to order at 10:01 a.m.
A quorum was present.

The Chair overviewed the Video Conference Participation Etiquette that was outlined in the Agenda.

2. AMENDMENTS/APPROVAL OF AGENDA

i) Addition under New/Other Business: Climate Action Budget Items for 2023

The agenda was approved as amended.

3. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST AND GENERAL NATURE THEREOF

None at this time.

4. APPROVAL OF MINUTES

i) **Minutes – November 12th, 2021**

The minutes of the Green Energy and Climate Change Working Group Meeting held on November 12th, 2021, were approved as presented.

5. DELEGATIONS & PRESENTATIONS

None.

6. BUSINESS

i) **Climate Action Plan Implementation**

- Specific projects to reduce GHGs – Noelle Reeve, Planner

The Planner updated the Working Group on the main targets for the Climate Action Plan under Corporate Emissions. These relate to Waste, Buildings and Vehicles.

Waste – The Planner advised the Working Group that Cambium Engineering is completing a Waste Audit to develop a Waste Management Plan for the Township. Fall and Winter audits have been completed. Additional audits will occur in the Spring and Summer of 2022 to complete sampling through a full year.

Once the audits have been completed (end of July 2022) the consultants will submit a report for review by the Public Works Manager in the fall of 2022. The Planner noted the timing may mean the Waste Management Plan may not be passed until after the municipal election in October 2022.

The Waste Management Plan is expected to link to the Climate Action Plan by recommending diversion of compostables to a separate waste management stream in order to reduce the release of methane (a significant climate change accelerant) from the waste site.

Building – the Planner reported that McIntosh Perry Engineering has completed a Buildings Condition Assessment for the Township. The Public Works Manager will bring a report to Council in May or June of 2022.

The Buildings Condition report is expected to link to the Climate Action Plan because when repairs are needed to the Township buildings, that is the time to incorporate energy efficiency upgrades. The Federation of Canadian Municipalities has federal funding available to increase the energy efficiency of municipal buildings that are open to the public.

It is possible that the Burgess Hall may not be able to be repaired and may need to be replaced. The Working Group discussed the possibility of converting the building into office space for the Township and apartments for affordable housing above. Working Group members advised if the building was built to LEEDS standards, the noise would not travel through windows of building. Deputy Reeve Barrie Crampton noted that maybe a good location for a municipal employee to rent to be close to their job.

Vehicles – The Public Works Manager will be preparing a Request for Proposal (RFP) for an electric vehicle for the Chief Building Official vehicle and will circulate to the Working Group before posting the RFP later this spring 2022. This was an action identified by the Township Climate Action Plan.

Bob Argue suggested to the Working Group that the Township should include in the RFP an extended period of time for pick-up of the vehicle because wait times for electric vehicles can be months rather than days or weeks. David Poch recommended that the RFP be based on performance criteria, not prescriptive.

It was noted that Lanark County has committed to \$5,000 towards the purchase of an electric vehicle by its lower tier municipalities. The County itself has put a down payment on an electric Ford Lightning truck for its fleet and is purchasing smaller electric equipment e.g., lawn mowers, etc.

Councilor Rob Rainer asked if it was possible for the Township to include an incentive to sellers to lower the price in return for allowing the dealership to be identified on the vehicle for advertising purposes. The Planner will ask the Treasurer to clarify if the purchasing by-law allows incentives/advertising.

The Planner also updated the Working Group on the main targets for the Climate Action Plan under Community Emissions. These relate to Transportation, Residential Buildings, and Education.

Transportation – This is the biggest sector of community emissions. It is expected that the natural aging of residents' vehicles will lead to purchases of electric vehicles (especially as the federal and provincial governments have set targets of 2035 for banning sales of internal combustion engine vehicles - gas/diesel powered).

The Township's Climate Action Plan committed to supporting this transition off of fossil fuels by installing a car charger at the municipal building at 217 Harper Road. This action will occur in this year later in 2022.

Residential – Reducing the use of oil for home heating is something the Township Climate Action Plan identified as important. The Township has been working with FCM and the Clean Air Partnership on creating a Property Assessed Clean Energy program (PACE) where residents can receive low interest loans as well as grants to upgrade their heating systems to be more energy efficient (e.g., using air source heat pumps) and cheaper to run. The loans are tied to the property and paid back over time rather than being tied to the owner. The Township hopes to have a program set up by the Fall of 2022.

On the new construction front, the Planner has been sharing information on Green Standards and federal grants with the Lanark Leeds Home Builders Association.

Education – The Township Climate Action Plan emphasized educating the community about what steps they can take as individuals to fight climate change.

The Planner noted that Council was interested in sharing information around the climate change impacts of idling.

Councillor Rainer brought up the topic of the impacts of food choices. While acknowledging that food choices are a personal issue, he thought the Township could provide information. The Planner noted the Township is hiring a Community Services Coordinator with interviews would be taking place in March. This position could coordinate some outreach to the community on this topic.

The Working Group would like to add a module to the Climate Action Plan look at food waste and Green House Gases under the Community Emissions section. They noted the graphs in the Climate Change Action Plan 2020 for the Community do not reflect the impact of food waste, nor the impact of various types of food choices, nor is food security addressed.

Councillor Rainer also noted that there is not enough detail on what individuals can do in a variety of areas. While FCM may have required the Township to use a template to meet its grant obligations, the Township should go beyond those requirements to provide more information to the public.

For example, the Climate Action Plan does not discuss the impacts of air transportation, consumer purchases, etc. These are all areas for education.

As a topic for public education, the Planner noted that Sue Brandum had shared a presentation by Ann Baird on Lanark Highlands' Carbon Budget and the Planner would like to present something similar to Tay Valley

Township Council to illustrate the urgency of taking action on Climate Change. Deputy Reeve Barrie Crampton would like the power point on the Carbon Budget to be circulated to the Working Group.

FCM Loan Program Update – Noelle Reeve, Planner

The Planner provided more detail on the PACE program described above. Lightspark has identified 6 archetypes of housing in Tay Valley township (by age, heating fuel, and postal codes).

They have also identified the number of housing types and approximate cost of their energy upgrades and the amount of GHGs to be reduced. The FCM Loan Program would be substantial enough for larger energy retrofits (beyond window replacement) to heating systems with a portion of the proposed funding ear-marked for low-income households.

The next step is to work with the Clean Air Partnership to design the loan program.

Waste Management Plan Timeline – Noelle Reeve, Planner

As stated above, the draft Waste Management Plan is expected to be ready by this Fall, 2022.

The Waste Management Plan will feed into the Asset Management Plan for all the Townships assets. The Asset Management Plan, in turn, will be viewed through a Climate Lens. A grant was received by the Township to hire an intern who will assist the Tay Valley Treasurer with preparing the information and software needed for a consultant to use to produce a robust Asset Management Plan.

Official Plan Growth Management Update – Noelle Reeve, Planner

The Planner updated the Working Group on the Official Plan Five Year Amendment. Growth management is an important part of the Official Plan as the Township has experienced a six-fold increase in growth (60 single family homes and 12 cottages were built last year). Growth management relates to the Climate Action Plan because clustering development reduces vehicle and heating GHG emissions. Clustered development also preserves biodiversity and retaining old trees and wetlands are goals of the Climate Action Plan.

She noted that the consultant from Jp2g has identified 600 vacant lots in the Township, and many more lots could be created by severance. This supply of lots exceeds demand and promotes scattered, sprawl development.

Council was provided three different options for growth management. One option is the status quo - to leave the date (January 1, 1991) and number of severances (3 plus the retained lot) as is. Another option is to move the date forward by 5 years (to allow a land holding that existed before January 1, 1996 to be severed) and reduce the number of severances to 1 plus the retained lot.

The third option is to focus growth on one or two existing hamlets to create more density to encourage micro transportation opportunities, a community store, a bakery, etc. A full comprehensive review of the Hamlet boundaries would be required to be undertaken after this Official Plan update. She noted the County will be doing a comprehensive review of its Official Plan and settlement areas in 2023 so the Township would receive population and job allocations as a result of that process.

The Township Official Plan Amendment will be ongoing for the next 2 or 3 months at least. Council will review proposed changes and will then hold public meetings in person in the three wards (likely at 217 Harper for Bathurst, the BVM Hall in Stanleyville for North Burgess, and the Maberly or ABC Hall for South Sherbrooke.)

The Planner advised the Working Group that the Ministry of Natural Resources and Forestry (MNRF) notified her that they will not be updating any new Provincially Significant Wetlands or Areas of Natural and Scientific Interest (ANSI) for the Official Plan.

The Planner explained that in the last Official Plan update they de-designated one of the largest wetlands in the Township (the Maberly Bog) as a regional ANSI. This is very disappointing as wetlands are substantial carbon sinks (see Attachment 1). MNRF stated the Maberly Bog could only be re-designated if the Township hires a biologist to determine through field study using the Ontario Wetland Evaluation System assessment that it is significant.

However, work on the Climate Action Plan goals for protecting natural assets has moved forward with respect to trees. Council passed a Tree Canopy Policy and the Planning Department is expecting to receive mapping from RVCA to show where there is less than 30% tree cover and retaining or replacing trees will then be incorporated into the approval of building permits.

Communications

- Lanark County Climate Change Committee Update – Bob Argue
Bob Argue updated the Working Group on County actions. A special meeting was held in early February as well as a meeting on Tuesday February 22, 2022, to prioritize a long list of potential action items into a

short list. The Committee first focused on developing principles for assessing the actions.

The Committee asked the following questions for each proposed action:

Does the action reduce fossil fuel use?

Does the action reduce energy costs?

Does the action keep expenditures within the community?

Does the action build resilience?

Does the action promote co-benefits (e.g., jobs, natural assets, health, air quality)?

The Lanark County Climate Change Committee, therefore, identified the following priorities:

- 1) Eliminate fossil fuel use in new builds and in retro-fits
- 2) Maximize energy efficiencies and maximize generation of local renewal energy
- 3) Reduce waste
- 4) Create a climate conscious culture within the community
- 5) Increase funding and access to programs for residents to reduce GHGs
- 6) Sequester carbon in natural assets and maintain natural assets

The next step for the Lanark County Climate Change Committee is to discuss long term and short term actions.

- Educational Outreach about Idling – Noelle Reeve, Planner

From a previous meeting the Planner noted that when the Community Services Coordinator is hired they would be working on an Education Outreach in general and could incorporate information on idling to help educate the community.

- Follow up on ROMA Delegations – Noelle Reeve, Planner

The Planner commented that the Delegation meetings with the Minister of Environment, Conservation and Parks (MECP) and the Minister of Energy went well. The Minister of MECP stated the province's Climate Change Impact Assessment team was making progress; that electric car charging stations would be provided by the province in our area; and the province was committed to tree-planting.

The meeting with the Minister of Energy was more focused (see Attachment 2 delegation request)– *attached page 8*
In response to the Minister’s invitation, County councillors requested that the Working Group prepare a response to the Minister on Community Net Metering.

Deputy Reeve Barrie Crampton did not want to lose the momentum from the Minister’s meeting so with input from the Working Group, the Planner will draft a resolution for Tay Valley Township Council to discuss at the next Committee of the Whole meeting March 8, 2022 and Barrie would take the resolution to County Council and possibly beyond to the Eastern Ontario Warden’s Caucus.

- Tay Valley Township Guide – Noelle Reeve, Planner

The Planner advised the Working Group that a page on Climate Change has been submitted for the Tay Valley Guide.

7. NEW/OTHER BUSINESS

- i) **Climate Action Budget Items for 2023**
Deputy Reeve Barrie Crampton

The Deputy Reeve wanted to ensure that a Climate Change line item would appear in the next Tay Valley Budget (for 2023), similar to the \$200,000 line item in the 2022 County budget for Climate Change. The Working Group discussed what that line item could fund as follows:

- Future vehicle purchases identified by the asset management plan should be electric vehicles;
- New incentives could be given to residents to install solar panels to generate hydro to put back into the grid. Perhaps a property tax rebate could be offered?
- One suggestion was for a green revolving fund to be established from the savings the Township accrues from adopting energy efficient technology.

The Planner will discuss a budget line item with the Treasurer and CAO (likely in May) once the Treasurer has completed the year end audit.

Adaptation Plan for the Township

Councillor Rainer noted that the funding the Township received for its first Climate Action Plan was for a mitigation plan. However, an adaptation plan is needed to address such issues as the Township’s response to heat domes; wildfire risk, droughts, floods, freezing rain, etc.

The Working Group agreed that an Adaption Plan is needed as climate change impacts are already affecting the Township. The Planner believes the FCM has funding for Adaptation Plans and she will look into it for the next meeting.

Some adaptation considerations may also be identified through the work of a consultant the Township will hire to update its Emergency Risk Management Plan by re-analyzing the Township's Hazard Identification and Risk Management assessment.

Perhaps funding to update the Climate Action Plan should be placed in a reserve as part of the 2023 Budget deliberations so that updates can be done on a regular schedule the way the Official Plan is updated.

8. NEXT MEETING DATE AND PROPOSED AGENDA ITEMS

Next Meeting: Friday, March 25th,2022

9. DEFERRED ITEMS

**The following items will be discussed at the next and/or future meeting:*

- ***Presentation from the consultant on the update to the Official Plan.***

10. ADJOURNMENT

The Working Group adjourned at 11:32 a.m.

POLICE SERVICES BOARD MINUTES

Tuesday, February 8th, 2022

2:00 p.m.

Tay Valley Municipal Office – 217 Harper Road, Perth, Ontario

Council Chambers

ATTENDANCE:

Members Present:

Chair, Neil Fennell, Municipal Appointee
Brian Campbell, Reeve, Council Appointee

Staff Present:

Amanda Mabo, Acting CAO/Clerk/Secretary

Others Present:

Karuna Padiachi, OPP, Acting Detachment Commander
Kerlous Tawdrous, OPP, Operations Manager/Sargeant

Members & Staff Absent:

Vacant, Provincial Appointee

1. CALL TO ORDER

The meeting was called to order at 2:00 p.m.
A quorum was present.

2. ELECTION OF CHAIR & VICE CHAIR

RESOLUTION #PSB-2022-01

MOVED BY: Brian Campbell

“**THAT**, as per Section 28(1) of the Police Services Act, R.S.O. 1990, C. P.15
Neil Fennell be elected as Chair of the Tay Valley Police Services
Board for 2022.”

ADOPTED

RESOLUTION #PSB-2022-02

MOVED BY: Neil Fennell

“**THAT**, as per Section 28(2) of the Police Services Act, R.S.O. 1990, C. P.15
Brian Campbell be elected as Vice-Chair of the Tay Valley Police Services
Board for 2022.”

ADOPTED

3. APPROVAL OF AGENDA

The agenda was adopted as presented.

4. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST AND GENERAL NATURE THEREOF

None at this time.

5. APPROVAL OF MINUTES

i) **Minutes – December 14th, 2021.**

The minutes of the Police Services Board Meeting held on December 14th, 2021 were approved as circulated.

6. DELEGATIONS & PRESENTATIONS

None.

7. CORRESPONDENCE

None.

8. BUSINESS

i) **Policing Contract.**

Detachment Commander.

i) **Lanark County OPP – 4th Quarter Report**

The Board reviewed and discussed the reports.

ii) **Speed Sign Options (Fix or Purchase New).**

The current electronic speed sign needs repair. The speed sign is old and is not worth repairing.

At the Joint PSB meeting held in early January, each municipality was requested to notify the Joint Board at its next meeting whether or not the municipality was in on a joint purchase (bulk purchase) of speed signs as it would be at a reduced rate due to the number being purchased.

It was discussed that should the Township require a speed sign for traffic calming that they could purchase this at a later date.

The current (old) sign will become surplus.

RESOLUTION #PSB-2022-03

MOVED BY: Brian Campbell

SECONDED BY: Neil Fennell

“**THAT**, the Tay Valley Police Services Board authorizes the purchase of a Black Cat speed spy.”

ADOPTED

iii) **DRAFT Speeding Complaint Policy**

The Acting CAO/Clerk and Detachment Commander worked on the wording of the current version of the draft policy for presentation to the Board.

RESOLUTION #PSB-2022-04

MOVED BY: Neil Fennell

SECONDED BY: Brian Campbell

“**THAT**, the Tay Valley Police Services Board approve the Speeding Complaint Policy for recommendation to Council for their approval.”

ADOPTED

iv) **Detachment Commander Evaluation for the Year 2021.**

The Chair will draft and circulate to the Board a performance appraisal for 2021. Once finalized the Chair will meet with the Detachment Commander, who will provide feedback, and the final review will be sent off to the Superintendent of the OPP.

v) **Lanark County Association of Police Services Boards Update.**

- New Chair – Ross from Montague
- New Vice-Chair – John Gemmill
- the OPP will be sending each Board info about funding for MADD signage
- Blackcat Speed Spy
 - o by March 1st each municipality is to let Ross know if they will be in on the bulk purchase, threshold is 6
 - o recommendation from a staff perspective will be to purchase 1 and then a second traffic calming device that shows the speed you are travelling
- Montague Speed Sign Request – They are looking into other types of signs and were looking to see if anyone else is interested. The Acting CAO/Clerk reached out already.
- Speeding Policy – Lanark Highlands overviewed their policy, which is almost exactly like Tay Valley’s

vi) **OAPSB Zone 2 Update.**

The Municipality of Greater Napanee has extended a welcome to Zone 2 members to attend Friday, June 17th, start time 9:30 am. in the banquet room inside the Strathcona Paper Center, 16 McPherson Dr. Napanee K7R 3K6. There members will see and hear from 2 presenters with subject matters relevant to Municipalities across the Zone.

Jim Sheehan from Northline Canada and distributor of 'Black Cat' speed measuring devices. Mr. Sheehan will speak to a common issue, speeding and other traffic concerns. He will provide strategies to address these problems.

OPP Deputy Commissioner Chuck Cox. The Deputy oversees major investigations undertaken across OPP jurisdictions...Among the topics the Deputy will speak to are cyber crime and community street crime.

Next up Quinte West PSB have consented to host the Zone on Friday, September 16th, start time 9:30 am. The meeting will provide members with an opportunity to visit Quinte West OPP Detachment ,3 Dixon Dr., Trenton, K8V 6E6. We will meet in the 'community service room' inside the Detachment. Once again 2 quality presentations.

OAPSB Chair Patrick Weaver will attend and be accompanied by the new Executive Director of the OAPSB. The timing may allow for some conversation around the CSPA. Further our guests will describe the work underway by the OAPSB.

Provincial Ombudsman Paul Dube' will attend and discuss the work his Office faces in their relationship with Municipalities, including Police Services.

As is usual, light refreshments will be available about 30 minutes prior to the 9:30 am. start time.

9. NEW/OTHER BUSINESS

None.

10. PSB MEETING SCHEDULE

Date	Time	Meeting or Event	Location
May 24, 2022	2:00 p.m.	Police Services Board Meeting	Municipal Office
May 26-27, 2022		OAPSB Spring Conference	Virtual
June 17, 2022	9:30 a.m.	OAPSB Zone 2	Greater Napanee
September 16, 2022	9:30 a.m.	OAPSB Zone 2	Quinte West

11. DEFERRED ITEMS

**The following items will be discussed at the next and/or future meeting:*

- *2022 Electronic Speed Sign Deployment Results*
- *2021 Annual Police Services Board Report*

12. ADJOURNMENT

The Board adjourned at 2:41 p.m.



Board of Directors

MINUTES

Via Zoom

December 1, 2021

MEMBERS PRESENT

J. Mason, Chair
J. Atkinson, Vice-Chair
F. Campbell
R. Darling
G. Gower
B. Holmes
J. Inglis
J. Karau
C. Kelsey
P. Kehoe
B. King
C. Lowry
C. Rigelhof
P. Sweetnam
A. Tennant
K. Thompson

MEMBERS ABSENT

E. El-Chantiry

STAFF PRESENT

S. McIntyre, General Manager
A. Millar, Treasurer
A. Broadbent, IT Supervisor
M. Craig, Manager of Planning and Regulations
J. Cunderlik, Director, Water Resource Engineering
R. Fergusson, Operations Supervisor
J. Falsetti, Stewardship Technician
J. North, Water Resource Technologist
E. Levi, Recording Secretary

VISITORS PRESENT

S. Bell, Assistant to Councillor El-Chantiry

J. Atkinson called the meeting to order at 10:03am.

B12/01/21-1

MOVED BY: B. King

SECONDED BY: F. Campbell

Resolved, That the Agenda for the December 1, 2021 Board of Directors meeting be adopted as amended.

"CARRIED"

BUSINESS

1. Approval of Minutes – Board of Directors

B12/01/21-2

MOVED BY: B. Holmes

SECONDED BY: P. Kehoe

Resolved, That the Minutes of the Mississippi Valley Board of Directors Meeting held on October 20, 2021 be received and approved as amended.

"CARRIED"

2. Receive Minutes – Finance and Administration Advisory Committee

B12/01/21-3

MOVED BY: C. Rigelhof

SECONDED BY: B. King

Resolved, That the Minutes of the Mississippi Valley Finance and Administration Advisory Committee meeting held on October 12, 2021 be received.

"CARRIED"

3. Watershed Condition Report

J. North reviewed Staff Report 3180/21. Water levels on most lakes are still above historical average due to the significant amount of rainfall received this fall. The lakes will most likely achieve winter target levels later than normal. Precipitation received in the watershed over the last two months has maintained higher than normal flows in the main system. The priority is to season normal levels prior to freeze-up.

J. Mason asked why precipitation data from the Ottawa Airport was used when that area was not in our watershed. J. North advised it was used for an overall view, since even data compiled from the MVCA watershed can differ from location to location.

4. Revised Draft 2022 Budget

S. McIntyre reviewed Staff Report 3179/21 containing a revision to the draft budget as recommended by the Finance and Administration Advisory Committee meeting. She advised that between 1st draft and 2nd draft, there was no change to total levy apportionment. The budget includes phased implementation of the workforce plan onto the levy, and defers work on Widow Lake Dam project. She advised that 2020 had a higher than usual surplus given staff turnover, the pandemic and high revenues.

2

J. Inglis advised he was not comfortable with an 8% increase in levy. He commented that using \$130,000 from the reserves would allow the 8% increase to drop to 4%.

The Board decided to defer any decisions on the budget until after the discussion of Reserves on the agenda.

5. 2021 Year-End Contributions to/from Reserves

A. Millar discussed Report 3181/21. She advised that the Authority is projecting an operational surplus of approximately \$200,000. This is due to higher than projected revenues arising from strong and sustained demand for permit approvals and planning reviews and shared service agreements, above average attendance at conservation areas, as well as unspent compensation dollars due to staff turn-over. She commented that as a surplus is never guaranteed, it isn't something the Authority budgets for so discussions about the use of reserves is still warranted.

A. Millar explained that a Planning & Regulation Reserve was desirable given the significant rise in applications leading to higher than average revenues that could be set aside to ease the ability of MVCA to address future fluctuations in revenues and compliance management costs. She recommended that should there be sufficient surplus operating funds as of December 31, 2021, that up to \$60,000 be transferred to this new reserve.

J. Mason expressed concern that in the previous two finance and administration advisory committee meetings the availability of the projected surplus should have been conveyed to the committee, especially given that the first budget was rejected based on concerns about using the operating reserve. She also noted that the committee also made a recommendation to revise the costs associated with the workforce plan to be incorporated into the levy. She suggested that the surplus could be used to address budget concerns in 2022.

C. Lowry commented that in her experience budget discussions and approvals do not assume any surplus and felt it would be unusual to do this. However, she also noted that these were unusual times and if the Board wanted to do something different than the norm, she would be open to the discussion.

J. Inglis noted his hesitation in creating numerous reserves for specific purposes. He commented that if funds were in one reserve it would be easier to draw on as needs/projects arise. S. McIntyre advised of the potential value of dedicated reserves--special projects with special reserves are easier to work with knowing you have dedicated funds. She commented that the structure of the reserves often determines how projects move forward.

There was a lengthy discussion regarding the use of reserves as opposed to increasing the levy. Many members noted the difficulty in having municipal council agree to anything over a 4% increase in the levy.

J. Mason commented that she did not support creating a planning reserve as it reduces the availability of funds and restricts the Board's use of how they may use the reserve. She also commented that she would support the Board majority decision whether the budget should be

amended to take money out of operating reserve to reduce levy or whether it was preferable to approve the budget as is.

The Board discussed whether to send the budget back to the Finance and Administration Advisory Committee for additional review prior to circulation to municipalities.

B12/01/21-4

MOVED BY: J. Mason

SECONDED BY: A. Tennant

Resolved, That the Board of Directors direct staff to draw \$135,000 from operational reserve to reduce the municipal levy by an equivalent amount.

“CARRIED”

B12/01/21-5

MOVED BY: J. Atkinson

SECONDED BY: K. Thompson

Resolved, That that Board refer the budget back to the Finance and Administration Advisory Committee for further discussion.

“CARRIED”

6. **O. Reg 687/21 Draft Transition Plan**

S. McIntyre commented on Report 3182/21 regarding implementation of a Transition Plan to ensure that any required “Cost Apportioning Agreements” with member municipalities are in place by January 1, 2024.

B12/01/21-6

MOVED BY: J. Karau

SECONDED BY: J. Inglis

Resolved, That the Board of Directors approve the Transition Plan and its distribution to member municipalities and the province.

“CARRIED”

7. **Casey Creek Flood Plain Mapping**

J. Cunderlik reviewed Report 3183/21. He noted the analysis documented in Casey Creek Flood Plain Mapping Study report meets the standards found in the Technical Guide River & Stream Systems: Flooding Hazard Limit (MNDMNR, 2002) and therefore, the resulting Regulatory (1:100 year) flood plain and Regulation Limit delineation is suitable for use in MVCA’s Regulation mapping as well as for municipal land use planning purposes. After adoption, the report, maps and Regulation Limit will be used in the implementation of Ontario Regulation 153/06 and forwarded to the City of Ottawa for inclusion in their Zoning By-law document.

B12/01/21-7

MOVED BY: K. Thompson

SECONDED BY: P. Sweetnam

Resolved, That the Board of Directors:

- a) **adopt the report *Casey Creek Flood Plain Mapping Study* dated May 2021 and the associated GIS-based flood hazard limit lines and flood plain maps as the delineation of areas along the Casey Creek that are susceptible to flooding during the Regional flood standard as defined in Schedule 1 of Ontario Regulation 153/06, and**
- b) **direct that the report, maps and Regulation Limit be used in the implementation of Ontario Regulation 153/06.**

“CARRIED”

ADJOURNMENT

The meeting was adjourned at 12:36p.m.

B12/01/21-8

MOVED BY: K. Thompson

SECONDED BY: C. Rigelhof

Resolved, That the Board of Directors meeting adjourned.

“CARRIED”

“E. Levi, Recording Secretary

J. Atkinson, Chair”



Board of Directors

MINUTES

Via Zoom

December 16, 2021

MEMBERS PRESENT

J. Atkinson, Chair
J. Mason, Vice-Chair
F. Campbell
J. Inglis
E. El-Chantiry
K. Thompson
P. Kehoe
B. Holmes
J. Karau
B. King
C. Lowry
K. Thompson
P. Sweetnam
G. Gower

MEMBERS ABSENT

R. Darling
C. Rigelhof
C. Kelsey

STAFF PRESENT

S. McIntyre, General Manager
A. Millar, Treasurer
L. Williams, Recording Secretary
M. Craig, Manager of Planning and Regulations

BUSINESS

1. Adoption of the Agenda

B12/16/21-1

MOVED BY: A. Tennant

SECONDED BY: F. Campbell

Resolved, That the Agenda for the December 16th, 2021 Board of Directors meeting be adopted as presented.

“CARRIED”

2. Receiving of Finance and Administration Committee Minutes

B12/16/21-2

MOVED BY: E. El-Chantiry

SECONDED BY: B. King

Resolved, That the minutes of the MVCA Finance and Administration Committee meeting held on December 9th, 2021 be received for information.

“CARRIED”

3. Revised Draft 2022 Budget, Report 3189/21

S. McIntyre presented Report 3189/21 regarding the revised Draft 2022 Budget.

A. Millar made a presentation regarding the potential impacts on the 2023 budget. She explained that the organization cannot assume future surpluses, and that significant levy increases would be needed in 2023 to implement the Workforce Plan as previously approved.

A. Millar pointed out that there may be new Board of Directors membership at the 2023 Annual General Meeting highlighting that new members might not follow through on the current financial plan moving forward.

E. El-Chantiry questioned whether the current Board could obligate future Boards. S. McIntyre confirmed that future Boards are not bound by the decisions of the current Board.

J. Inglis stated that he did not believe North Frontenac council would support a levy increase of 8-10% in 2023.

J. Karau stated that new members joining the Board should receive orientation on the value of CAs and the services they provide. He also noted that, in absolute dollars, the increases are not large for the City of Ottawa.

A. Tennant indicated that the CA's budget is a minor component of the Carleton Place budget.

B12/16/21-3

MOVED BY: E. El-Chantiry

SECONDED BY: K. Thompson

Resolved, That the Board of Directors:

- 1. approve the Revised Draft 2022 Budget v.3 as presented in this report for circulation to member municipalities for comment; and**
- 2. transfer any unspent levied capital dollars as of December 31, 2021 to their respective capital reserves to meet future capital needs;**
- 3. fund any operating deficit for the year ending December 31, 2021 from the Operating Reserve; and**
- 4. transfer any remaining year-end operating surplus to the Operating Reserve.**

“CARRIED”

ADJOURNMENT

The meeting was adjourned at 3:22pm.

B12/16/21-1

MOVED BY: P. Kehoe

SECONDED BY: J. Karau

Resolved, That the Agenda for the December 16th, 2021 Board of Directors meeting be adjourned.

“CARRIED”

Municipal Clerks/Chief Administrative Officers

Re: FOR DISTRIBUTION TO COUNCIL

As a member of the Authority, please find below highlights from the February 16 Board of Directors meeting for distribution. Complete minutes for the meeting will be circulated following their approval by the Board at a later date. Attached are approved minutes from December 1 and 16, 2021.

Watershed Conditions Report

Several rain events and warm conditions in early December created elevated conditions that have now been largely moved through the system. All dams are being operated to maintain levels within the normal operating range. A snow survey conducted on February 1st found normal water content. On average, snow provides about 20% of water runoff, with spring flooding dependent on how quickly temperatures rise coupled with rainfall. There are no specific indicators at this time for flooding.

Board Elections

Jeff Atkinson of Carleton Place was acclaimed as Board Chair and Janet Mason of Ottawa was acclaimed as Vice-Chair. This is the second term for both.

Audit Findings Letter

MVCA was found to be in a sound financial position. Records that were reviewed were found to be complete and properly prepared. Adjustments were recommended and made as needed. No issues of concern were raised.

Budget Report

The 2022 Budget Report was approved as circulated to member municipalities. The Board will be examining options for adopting a policy for the management and use of Reserves; and for how to continue to phase-in growing compensation costs onto the levy.

Borrowing Resolution for the Shabomeka Lake Dam

A resolution was approved to allow for borrowing up to \$900,000 in 2022 for completion of the Shabomeka Lake Dam project.

Shabomeka Lake Dam

Reconstruction of the dam embankment and construction of the spillway were completed on time. A structural assessment carried out during construction found the concrete elements to be in acceptable condition but recommended several works to address structural and public safety deficiencies. A further structural stability review was recommended in 2 to 5 years to confirm the timing and scope of phase 2 reconstruction.

The Board approved to completion of the recommended works as 50% of costs could be covered by provincial WECl funds, and funds remained in the capital budget. The cost of additional work is estimated at \$97,000 plus HST.

Inventory of Programs & Services

The draft inventory showing costs per program and service was tabled and approved by the Board. The table is being circulated separately from this summary report. The purpose of the table is to inform discussions between MVCA and member municipalities regarding future service agreements with the conservation authority. The table was completed per new provincial regulation O.Reg. 687/21.

Per Diems and Mileage Rates

The Board agreed to hold per diems at 2020 rates for another year; and to adopt the provincial "Travel, Meal and Hospitality Expenses Directive" mileage rate effective January 1, 2022 instead of the federal guide.

ATTACHMENTS

- Approved Minutes for December 1, 2021 and December 16, 2021.

RIDEAU VALLEY CONSERVATION AUTHORITY
Box 599, 3889 Rideau Valley Drive
Manotick, Ontario, K4M 1A5
(613) 692-3571, 1-800-267-3504

Meeting Held Electronically due to COVID-19 Restrictions

DRAFT MINUTES

Board of Directors	1/22	January 27, 2022
Present:	Gerry Boyce Judy Brown Jamie Crawford Bob Foster Victor Heese Andy Jozefowicz John McDougall Scott Moffat Gene Richardson Rob Rothgeb	Carolyn Bresee Vince Carroll Brian Dowdall Steve Fournier Robin Jones Pieter Leenhouts Dale McLenaghan Shawn Pankow Anne Robinson Kristin Strackerjan
Staff:	Sommer Casgrain-Robertson Martin Czarski Terry Davidson Marissa Grondin	Dan Cooper Kathy Dallaire Diane Downey Glen McDonald
Regrets:	George Darouze	Julie Graveline

Chair Leenhouts called the meeting to order at 6:30 p.m.
Sommer Casgrain-Robertson conducted a roll call.

1.0 Land Acknowledgement Statement

Chair Leenhouts gave the Land Acknowledgement statement then introduced the newest Board member representing South Frontenac, Councillor John McDougall.

2.0 Agenda Review

Chair Leenhouts reviewed the Agenda.

3.0 Adoption of Agenda

Motion 1-220127 **Moved by:** Andy Jozefowicz
Seconded by: Brian Dowdall

THAT the Board of Directors of the Rideau Valley Conservation Authority adopts the Agenda as circulated.

Motion Carried

4.0 Declaration of Interest

There were no declarations of interest.

5.0 Approval of Minutes of November 25, 2021

Motion 2-220127 **Moved by:** Rob Rothgeb
Seconded by: Carolyn Bresee

THAT the Board of Directors of the Rideau Valley Conservation Authority approves the Minutes of the Board of Directors Meeting #09/21, November 25, 2021, as amended.

Motion Carried

6.0 Business Arising from the Minutes

There was no business arising.

7.0 Election of Chair and Vice-Chair

Chair Leenhouts asked for a motion to appoint Sommer Casgrain-Robertson, General Manager as Acting Chair for the purpose of conducting the election of Chair and Vice-Chair.

Motion 3-220127 **Moved by:** Robin Jones
Seconded by: Dale McLenaghan

THAT the Board of Directors of the Rideau Valley Conservation Authority appoints the General Manager as Acting Chair for the purpose of Election of Officers.

Motion Carried

Pieter Leenhouts surrendered the Chair to Ms. Casgrain-Robertson who then conducted the election for Chair of the Rideau Valley Conservation Authority Board of Directors for 2022.

Ms. Casgrain-Robertson called for nominations from the floor for Chair of the Rideau Valley Conservation Authority Board of Directors for the year 2022.

Brian Dowdall nominated Pieter Leenhouts and Mr. Leenhouts accepted the nomination.

Ms. Casgrain-Robertson called for further nominations from the floor two more times.

Motion 4-220127 **Moved by:** Rob Rothgeb
Seconded by: Judy Brown

That nominations for the position of Chair of the Rideau Valley Conservation Authority Board of Directors for the year 2022 be closed.

Motion Carried

Pieter Leenhouts was acclaimed as Chair of the Rideau Valley Conservation Authority for 2022.

Sommer Casgrain-Robertson then conducted the election for Vice-Chair of the Rideau Valley Conservation Authority Board of Directors for 2022.

Ms. Casgrain-Robertson called for nominations from the floor for Vice-Chair of the Rideau Valley Conservation Authority Board of Directors for the year 2022.

Steve Fournier nominated Judy Brown and Ms. Brown accepted the nomination.

Ms. Casgrain-Robertson called for further nominations from the floor two more times.

Motion 5-220127 **Moved by:** Gene Richardson
Seconded by: Carolyn Bresee

That nominations for the position of Vice-Chair of the Rideau Valley Conservation Authority Board of Directors for the year 2022 be closed.

Motion Carried

Judy Brown was acclaimed as Vice-Chair of the Rideau Valley Conservation Authority for 2022.

Pieter Leenhouts resumed as Chair of the meeting.

8.0 Rideau Watershed Plan Update and Workplan

Martin Czarski, Watershed Ecologist, provided an update and presented a workplan for RVCA's Watershed Plan and responded to questions.

Staff confirmed that ongoing updates will be provided to the Board at key milestones including the completion of a draft existing conditions report. Staff also emphasized that the Board will play a key role in prioritizing whatever recommendations and actions are identified to address issues and concerns documented in the conditions report, including the reallocation of resources if needed.

Motion 6-220127

Moved by:

Anne Robinson

Seconded by:

Brian Dowdall

THAT the Board of Directors of the Rideau Valley Conservation Authority receive this report for information.

Motion Carried

Chair Leenhouts then asked the Board members to introduce themselves. Each board member gave a brief introduction about themselves and the municipality they represent.

9.0 Part 8 Sewage System Fee Schedule

Terry Davidson gave a brief history of the RVCA's sewage system inspection program (currently delivered in Ottawa and Tay Valley) and informed members that the Leeds, Grenville and Lanark District Health Unit had notified municipalities that they will be withdrawing from providing this service to municipalities as of September 2022. RVCA has contacted municipalities to offer our septic approval services and Mr. Davidson presented a proposed fee schedule to be used across the watershed for this service.

In response to questions, staff explained that RVCA's fee schedule is slightly higher than the one used by the health unit (but lower than the fee schedule in Frontenac) because RVCA's fee includes a final grading inspection of septic systems. Our fee schedule also enables us to process permits in 5 days which is half the time outlined in the Building Code. Members suggested that this explanation be conveyed to municipalities, so they understand why there is a difference in the fee schedules.

Staff also clarified in response to a question, that a different fee schedule is currently being used in Tay Valley Township because it was prepared as part of a previous MOU. Going forward, all new municipalities who contract us to provide septic system services on their behalf would follow the proposed fee

THAT the Board of Directors of the Rideau Valley Conservation Authority receive this report for information and direct staff to prepare a draft program inventory based on the approach outlined in this report.

Motion Carried

12.0 Meetings

- a) Eastern General Managers Meeting, November 26, 2021
- b) RVCF Board of Directors Meeting: December 8, 2021
- c) Conservation Ontario Council Meeting: December 13, 2021
- d) ROMA Conference (session on the new CA Act): January 24, 2022

Upcoming

- e) Flood Forecast & Warning Program Meeting: February 22, 2022
- f) Annual General Meeting: February 24, 2022
- g) RVCF Board of Directors Meeting: March 9, 2022

Diane Downey, Executive Director RVCF, provided an update on the Rideau Valley Conservation Foundation's fundraising efforts and land donation program.

As a member of the ROMA Board, Robin Jones thanked Ms. Casgrain-Robertson for her presentation at their recent conference and said she had received positive feedback about the session.

13.0 Member Inquiries

Andy Jozefowicz directed an inquiry to Terry Davidson regarding the upcoming changes to the Rocky Ramp in Perth. Mr. Davidson explained that the RVCA is working with the municipality who are looking at changing the flow split between the two channels of the Tay River.

14.0 New Business

Ms. Casgrain-Robertson shared with the Board that the Province of British Columbia reached out to Ontario during their flooding state of emergency in December and asked for Ontario to provide technical experts and field staff to assist with observation, documentation and monitoring. Ontario turned to conservation authorities given our expertise and six RVCA staff volunteered to deploy with many more volunteering from other conservation authorities. While the flooding subsided and staff did not need to deploy, conservation authorities received a thank you letter from the Minister of Natural Resources in BC thanking us for our willingness to assist and noted how lucky Ontario is to have conservation authorities and their expertise and knowledge regarding flooding.

15.0 Adjournment

The Chair adjourned the meeting at 8:33 p.m. on a motion by Andy Jozefowicz which was seconded by Steve Fournier.

Pieter Leenhouts
Chair

Marissa Grondin
Recording Secretary

Sommer Casgrain-Robertson
General Manager/Secretary-Treasurer

February 24, 2022 – Meeting Summary Below

- RVCA held its Annual General Meeting:
 - Executive Committee and Audit Committee members were appointed for the 2022 term
 - The Chair was appointed voting delegate to Conservation Ontario, with Vice-Chair and General Manager appointed first and second alternate
 - Auditors, Legal Counsel and Land Appraisers were appointed for 2022
 - Signing officers were appointed for 2022
- 2022 budget and workplan were approved
- 2021 year-end financial reports were received and proposed year-end reserve transfers were approved
- Information about MECP's intent to appoint an Agricultural Representative to the RVCA Board of Directors was received
- Information about MECP's Phase 2 Regulations Consultation Guide was received
- Version 1 of RVCA's programs and services inventory was approved. This inventory is required under the amended *Conservation Authorities Act* and was circulated to municipal clerks and CAOs on February 28. A refined and improved version 2 will be circulated to municipalities this spring once final regulations are released by the province. The RVCA will then schedule information and consultation sessions with municipalities to begin reviewing and discussing this updated version of the inventory.



COMMITTEE OF ADJUSTMENT MINUTES

Monday, February 28th, 2022
5:00 p.m.
Conference Call

ATTENDANCE:

Members Present: Chair, Larry Sparks
Peter Siemons
Ron Running

Members Absent: None

Staff Present: Noelle Reeve, Planner
Garry Welsh, Secretary/Treasurer
Sarah McLeod Neilson, Rideau Valley Conservation
Authority (RVCA)

Applicant/Agents Present: Jan Peter, Owner
Beth McClenaghan, Owner
Jake Ennis, Owner
Chris Clarke, ZanderPlan Inc., Applicant/Agent
David Mckay, MHBC, Applicant/Agent
Ben Villani, Arch Tay Facility Inc., Owner

Public Present: None

1. CALL TO ORDER

The Chair called the meeting to order at 5:00 p.m.
The Chair conducted Roll Call.
A quorum was present.

The Chair provided an overview of the Teleconference Participation Etiquette that was outlined in the Agenda.

2. AMENDMENTS/APPROVAL OF AGENDA

The Agenda was adopted as presented.

3. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST AND GENERAL NATURE THEREOF

None at this time.

4. APPROVAL OF MINUTES

i) Committee of Adjustment Meeting – November 15th, 2021.

The minutes of the Committee of Adjustment meeting held on November 15th, 2021, were approved as circulated.

5. INTRODUCTION

The Chair welcomed the attendees and introduced the Committee Members, the Planner and the Secretary/Treasurer and identified the applicants. The Planner then provided an overview of the Minor Variance application review process to be followed, including:

- ii) the mandate and responsibilities of the Committee
- iii) a review of available documentation
- iv) the rules of natural justice, the rights of persons to be heard and to receive related documentation on request and the preservation of persons' rights.
- v) the flow and timing of documentation and the process that follows this meeting
- vi) all persons attending are encouraged to make comments in order to preserve their right to comment should this application be referred to the Ontario Land Tribunal (OLT).
- vii) any person wanting a copy of the decision regarding this/these application(s) should leave their name and mailing address with the Secretary/Treasurer.

The Chair advised that this Committee of Adjustment is charged with making a decision on the applications tonight during this public meeting. The decision will be based on both the oral and written input received and understandings gained. The four key factors on which decisions are based include:

- Is the application generally in keeping with the intent of the Township's Official Plan?
- Is the application generally in keeping with the intent of the Township's Zoning By-laws?
- Is it desirable and appropriate development and use of the site?
- Is it minor in nature and scope?

Based on the above, the Committee has four decision options:

- Approve – with or without conditions
- Deny – with reasons
- Defer – pending further input
- Return to Township Staff – application deemed not to be minor

The agenda for this meeting included the following application(s) for Minor Variance:

MV21-27 – McCLENAGHAN AND PETER – 2044 Sherbrooke Drive B, Plan 26, Concession 2 and 3, Lot 1, geographic Township of South Sherbrooke

MV21-28 – ENNIS – 257 West Bay Drive, Concession 6, Part Lot 23, geographic Township of North Burgess

MV22-01 – WOODS AND DOWDALL, Concession 3, Part Lot 19, geographic Township of South Sherbrooke

MV22-02 – ARCH TAY FACILITY INC., Concession 2, Part Lot 27, geographic Township of Bathurst

6. APPLICATIONS

i) **FILE #: MV21-27 – McCLENAGHAN AND PETER**

a) PLANNER FILE REVIEW

The Planner reviewed the file and PowerPoint in the agenda package.

b) APPLICANT COMMENTS

None.

c) ORAL & WRITTEN SUBMISSIONS

None.

d) DECISION OF COMMITTEE

RESOLUTION #COA-2022-01

MOVED BY: Peter Siemons
SECONDED BY: Ron Running

“THAT, in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, that Minor Variance Application MV21-27 is approved, to allow a variance from the requirements of Section 3.29 (Water Setbacks) of Zoning By-Law 2002-121, for the lands legally described as 2044 Sherbrooke Drive B, Plan 26, Concession 2 and 3, Lot 1, in the geographic Township of South Sherbrooke, now known as Tay Valley Township in the County of Lanark

– Roll Number 0911-914-015-39113 to permit the construction of an addition to an existing cottage with a water setback of 25m instead of the 30m required by the Zoning By-law.

AND THAT, a Site Plan Control Agreement, including the conditions from the Rideau Valley Conservation Authority, be executed.”

ADOPTED

ii) **FILE #: MV21-28 – Ennis**

a) **PLANNER FILE REVIEW**

The Planner reviewed the file and PowerPoint in the agenda package. The Planner noted that the original proposal was amended to remove the addition of a deck. The Planner also confirmed that the subject property is not part of a subdivision development.

b) **APPLICANT COMMENTS**

The owner noted that they have worked with Tay Valley Township and the Rideau Valley Conservation Authority (RVCA) to amend their proposal so that it could be supported. The owner estimated that the cottage was most likely built in the 1940s. This predates local planning authority requirements for development setbacks.

c) **ORAL & WRITTEN SUBMISSIONS**

The RVCA noted that the screened-in porch is in line with the cottage and the application can now be supported, with the requirement of site plan control to prevent runoff entering the lake.

d) **DECISION OF COMMITTEE**

The Committee supported the proposal with the requirement of a Site Plan Control Agreement.

RESOLUTION #COA-2022-02

MOVED BY: Ron Running

SECONDED BY: Peter Siemons

“**THAT**, in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, that Minor Variance Application MV21-28 is approved to allow a variance from the requirements of Section 3.30 (Yard and Water Setback) of Zoning By-Law 2002-121, for the lands legally described as 257 West Bay Drive, Concession 6, Lot 23, in the geographic Township of North Burgess, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-911-020-77800 to permit a 4m encroachment of a 23.4m² (252 sq ft) unenclosed porch (screened in porch) at a water setback of 11.1m

AND THAT, a Site Plan Control Agreement, including the conditions from the Rideau Valley Conservation Authority be executed.”

ADOPTED

iii) **FILE #: MV22-01 – Woods and Dowdall**

a) **PLANNER FILE REVIEW**

The Planner reviewed the file and PowerPoint in the agenda package. The Planner noted that the Acting CAO/Clerk had determined that the segment of private road accessing the property should be given a separate name from the rest of Patterson Road for clarity for access by Emergency Services. (Other offshoots from Patterson Road will also require clarification and naming.)

b) **APPLICANT COMMENTS**

None.

c) **ORAL & WRITTEN SUBMISSIONS**

None.

d) **DECISION OF COMMITTEE**

The Committee supported the proposal with the requirement of a Site Plan Control Agreement.

RESOLUTION #COA-2022-03

MOVED BY: Ron Running

SECONDED BY: Peter Siemons

“**THAT**, in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, that Minor Variance Application MV22-01 is approved, to allow a variance from the requirements of Sections 3.29 (Water Setbacks) and Section 3.30 (Yard and Water Setback Encroachment) of Zoning By-Law 2002-121, for the lands legally described as 140 Patterson Road, Concession 3, Lot 19, in the geographic Township of South Sherbrooke, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-914-020-47200

- To reduce the minimum required water setback for a proposed 30m² (322 sq ft) addition to the east side of the cottage to 23m from the lake and reduce the water setback to 29.4m from the lake for a proposed 9m² (97sq ft) addition to the rear of the cottage.

- To permit an additional encroachment of 1m for a deck and permit the deck to be 34.8 m² rather than the 28m² permitted;

THAT, a Site Plan Control Agreement, including the conditions from the Rideau Valley Conservation Authority be executed;

AND THAT, the section of private road which provides access to the subject property be renamed by the applicant, as requested by Tay Valley Township.”

ADOPTED

iv) **FILE #: MV22-02 – Arch Tay Facility Inc.**

a) **PLANNER FILE REVIEW**

The Planner reviewed the file and PowerPoint in the agenda package. The Planner noted that due to the scope of this proposal, a report on the proposed Site Plan Control Agreement had previously been circulated to Tay Valley Township Council. The notice of application was circulated to neighbouring properties within the Town of Perth and no comments or concerns have been received to date. The Planner also noted that the proposal for the development has been reviewed by Town of Perth Council and staff, (and reported on by the Perth Courier) as the owners are seeking water and sewer services from the Town of Perth.

The Planner also noted that the proposal is in keeping with the surrounding uses and building heights. Lanark County Public Works was also consulted and confirmed that a traffic impact study was not required.

b) **APPLICANT COMMENTS**

The Applicant noted that decreased setbacks are required because of the shape of the site and constraints such as the pathway easement along the north side. The layout of the long-term care facility is subject to provincial accessibility requirements which requires a slightly wider and taller building design.

The Applicant also noted that Town of Perth Council and residents had been notified of the proposed development and that no comments were received after multiple opportunities for public consultation. The Applicant stated that they felt the application is appropriate and reasonable.

c) **ORAL & WRITTEN SUBMISSIONS**

None.

d) DECISION OF COMMITTEE

RESOLUTION #COA-2022-04

MOVED BY: Ron running
SECONDED BY: Peter Siemons

“**THAT**, in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, that Minor Variance Application MV22-02 is approved, to allow a variance from the requirements of Section 8.1.2 (Institutional) of Zoning By-Law 2002-121, as amended, as follows:, for the lands legally described as 99 Christie Lake Road, Concession 2, Lot 27, in the geographic Township of Bathurst, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-916-015-18900 to permit the applicant to construct a Long-Term Care facility (LTC) with a front setback of 7.268m (23.85 ft), a rear setback of 6.218m (20.4 ft), a west side setback of 4m (13.12 ft), maximum lot coverage of 31%, and a building height of 12m.”

ADOPTED

7. NEW/OTHER BUSINESS

None.

8. ADJOURNMENT

The meeting adjourned at 6:05 p.m.