



COMMITTEE OF THE WHOLE AGENDA

Tuesday, December 6th, 2022
6:00 p.m.

Municipal Office – Council Chambers – 217 Harper Road

5:00 p.m. *“Special” Council Meeting – Mock Meeting*
6:00 p.m. *Committee of the Whole Meeting*

Chair, Reeve Rob Rainer

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**

- i) **Public Meeting: Zoning By-Law Amendment – October 18th, 2022 –
*attached, page 9.***

Suggested Recommendation:

*“**THAT**, the minutes of the Public Meeting – Zoning By-Law Amendment held
on October 18th, 2022, be approved.”*

5. **DELEGATIONS & PRESENTATIONS**

- i) **Arch Corporation – Overview of Long-Term Care Development Project.**
Ben Villani, Vice President, Development, Arch Corporation.
- ii) **Orientation: Municipal Property Assessment Corporation (MPAC) –
*attached, page 14.***
Kim Bennett, Account Manager.

- iii) **Orientation: Auditing Services.**
Katie Mahon, Licensed Public Accountant, KPMG, LLP.
- iv) **Audited Financial Statements – attached, page 22.**
Katie Mahon, Licensed Public Accountant, KPMG, LLP.

A copy of the Draft Financial Statements can be viewed at:
[Calendar - Tay Valley Township \(tayvalleytwp.ca\)](http://Calendar - Tay Valley Township (tayvalleytwp.ca)) under Package.

Suggested Recommendation to Council:
“THAT, the Council of the Corporation of Tay Valley Township adopt the 2021 Audited Financial Statements as presented.”

6. PRIORITY ISSUES

- i) **Report #PD-2022-47 – Nordlaw Plan of Condominium – Draft Plan Extension – attached, page 36.**
Noelle Reeve, Planner.

Suggested Recommendation to Council:
“THAT, Council approve a one-year extension of the draft approval for the Nordlaw Cottages Inc. Plan of Condominium 09-CD 16002 if the applicant provides adequate confirmation of financing for the project by December 13, 2022, with the understanding that no further extensions will be granted.”

- ii) **Report #PD-2022-49 – Removal of Holding Zone for Maberly Pines Subdivision – attached, page 43.**
Noelle Reeve, Planner.

Suggested Recommendation to Council:
“THAT, the first requirement of By-Law #2021-033 - Holding Zone for Plan 21 Lakeside Living (Maberly Pines) be lifted as the Rideau Valley Conservation Authority has indicated they are satisfied with the revised Lot Servicing Report and Plan for the Maberly Pines Subdivision by BluMetric consultants.”

- iii) **Report #PD-2022-48 – Bill 23 More Homes Built Faster Act, 2022 and Related Legislation – attached, page 50.**
Noelle Reeve, Planner.

Suggested Recommendation to Council:
“THAT, Council authorize the Planning Department to submit the Municipality’s response to the Environmental Registry of Ontario (ERO) with respect to Bill 23, More Homes Built Faster Act, 2022, and other related ERO comment opportunities as detailed in Report #PD-2022-48 – Bill 23 More Homes Built Faster Act, 2022;

THAT, Council authorize the Planning Department to submit the comments to the Minister of Municipal Affairs and Housing, Steve Clark, and the Minister of Natural Resources and Forestry, Graydon Smith, the local MPP, John Jordan, and the Rural Ontario Municipal Association (ROMA), as detailed in Report #PD-2022-48 – Bill 23 More Homes Built Faster Act, 2022.”

- iv) **Report #C-2022-28 – COVID-19 Vaccination Policy Review – attached, page 72**

Amanda Mabo, Chief Administrative Officer/Clerk.

Suggested Recommendation to Council:

THAT, the COVID-19 Vaccination Policy be repealed as outlined in Report #C-2022-28 – COVID-19 Vaccination Policy Review;

AND THAT, the necessary by-law come forward at the next Township Council meeting.”

- v) **Report #C-2022-29 – Proposed New Road Name – Zibi Way – attached, page 80.**

Janie Laidlaw, Deputy Clerk.

Suggested Recommendation to Council:

THAT, the Road Naming By-Law No. 98-87 be amended to include “Zibi Way” within the designated roads as a municipal road;

AND THAT, the necessary by-law be brought forward to assume “Zibi Way” into the Township’s road network.”

- vi) **Report #CBO-2022-10 – Building Department Report – January – November 2022 – attached, page 97.**

Noelle Reeve, Planner.

Suggested Recommendation to Council:

THAT, Report #CBO-2022-10 – Building Department Report – January – November 2022 be received as information.”

- viii) **2023 Council/Committee Meeting Calendar – attached, page 98.**

Amanda Mabo, CAO/Clerk.

Suggested Recommendation to Council:

THAT, the 2032 Council/Committee Calendar be approved.”

- vii) **Appointments to Boards and Committees.**

Suggested Recommendation to Council:

THAT, the Council of the Corporation of Tay Valley Township appoint the following persons for a term ending November 17, 2026, unless otherwise noted, with such persons serving at the pleasure of Council;

***THAT**, such appointments may be amended, extended or terminated, within the term by motion of Council;*

***THAT**, such appointments are subject to the Criminal Records Check Policy;*

***AND THAT**, such persons shall represent the Township's best interests in the activities of the named body and shall, at the request of Council or as per the terms of reference, communicate the status of such activities to the public through presentation at an open meeting of Council scheduled at a time convenient to the appointee and/or via a report from the Senior Manager assigned to the named body:*

Bolingbroke Cemetery Board

- *Councillor Wayne Baker, Chair*
- *Doug Boyd*
- *Betty Anne Gillespie*
- *Darla Kilpatrick*

Committee of Adjustment

- *Richard Schooley*
- *Peter Siemons*
- *Larry Sparks*

Fence Viewers

- *Bill Avery*
- *John Conboy*
- *Greg Ellis*
- *Philip Jones (alternate)*

Fire Rescue Board

- *Councillor Wayne Baker*
- *Councillor Greg Hallam*
- *Councillor Marilyn Thomas*

Library Board

- *Councillor Andrew Kendrick*
- *Tara Langford*
- *Dawn Palmer*

Pinehurst Cemetery Board

- *Councillor Fred Dobbie, Chair*
- *Bill Avery*
- *Jay Playfair*

Police Services Board

- *Reeve Rob Rainer*
- *Neil Fennell*

Green Energy & Climate Change Working Group

- *Councillor Greg Hallam*
- *Councillor Angela Pierman*
- *Bob Argue*
- *Doug Barr*
- *Jennifer Dickson*
- *Peter Nelson*
- *David Poch*
- *Gilbert Rossignol*

Heritage Property Selection Committee

- *Susan Code McDougall*
- *Eddie Edmundson*
- *Brenda Kennett*
- *Ted Parkinson*
- *Karen Prytula*
- *David Taylor*

History Scholarship Selection Committee

- *Susan Code McDougall*
- *David Poole*
- *Kay Rogers*

Labour Management Committee

- *Reeve Rob Rainer*
- *Councillor Greg Hallam*

Community Emergency Management Program Committee

- *Reeve Rob Rainer*
- *Deputy Reeve Fred Dobbie, alternate*

Mississippi Valley Conservation Authority

- *Councillor Andrew Kendrick*

Municipal Drug Strategy Committee

- *Councillor Korrine Affleck*

Rideau Valley Conservation Authority

- *Councillor Angela Pierman.”*

7. CORRESPONDENCE

- i) **22-12-01 – Council Communication Package – cover sheet attached, page 100.**

Suggested Recommendation to Council:

“THAT, the 22-12-01 Council Communication Package be received for information.”

- ii) **Lanark County Report - Trans Canada Trail (Lanark County) – attached page 102.**

Suggested Recommendation to Council:

“THAT, the Council of the Corporation of Tay Valley Township supports the resolution by Lanark County to move a large portion of the Trans Canada Trail in Lanark County to the Ottawa Valley Recreational Trail.”

8. COMMITTEE, BOARD & EXTERNAL ORGANIZATION UPDATES

- i) **Bolingbroke Cemetery Board – deferred to the next meeting.**
- ii) **Committee of Adjustment – deferred to the next meeting.**
- iii) **Fire Board – deferred to the next meeting.**
- iv) **Library Board – deferred to the next meeting.**
- v) **Pinehurst Cemetery Board – deferred to the next meeting.**
- vi) **Police Services Board – deferred to the next meeting.**
- vii) **Green Energy and Climate Change Working Group – deferred to the next meeting.**
- viii) **Municipal Drug Strategy Committee – deferred to the next meeting.**
- ix) **Mississippi Valley Conservation Authority Board.**

22-09-21 - Mississippi Valley Conservation Authority Board Meeting Minutes – attached, page 107.

22-10-19 – Mississippi Valley Conservation Authority Summary Report – attached, page 113.

- x) **Rideau Valley Conservation Authority Board.**

22-09-22 – Rideau Valley Conservation Authority Board Meeting Minutes – attached, page 115.

22-10-27 – DRAFT Rideau Valley Conservation Authority Board Meeting Minutes – *attached, page 119.*

- xi) **County of Lanark.**
Reeve Rob Rainer and Deputy Reeve Fred Dobbie.

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

MINTUES

**PUBLIC MEETING
ZONING BY-LAW AMENDMENT
MINUTES**

Tuesday, October 18th, 2022

5:30 p.m.

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

ATTENDANCE:

Members Present: Chair Reeve Brian Campbell
Deputy Reeve Barrie Crampton
Councillor Gene Richardson
Councillor Mick Wicklum
Councillor RoxAnne Darling
Councillor Fred Dobbie
Councillor Beverley Phillips
Councillor Rob Rainer

Members Absent: None.

Staff Present: Amanda Mabo, CAO/Clerk
Garry Welsh, Administrative Assistant
Noelle Reeve, Planner

Public Present: Andrew Kendrick
Gordon Hill

1. CALL TO ORDER

The public meeting was called to order at 5:30 p.m.

2. INTRODUCTION

The Chairman provided an overview of the Zoning By-Law application review process to be followed, including:

- the purpose of the meeting
- the process of the meeting
- all persons attending were encouraged to make comments in order to preserve their right to comment should the application(s) be referred to the Ontario Land Tribunal (OLT)
- the flow and timing of documentation and the process that follows this meeting
- any person wanting a copy of the decision regarding the applications on the agenda was advised to email planningassistant@tayvalleytwp.ca

The Chairman asked if anyone had any questions regarding the meeting and the process to be followed. Given that there were no questions, the meeting proceeded.

3. APPLICATIONS

i) **FILE #ZA22-15: Maberly Pines Subdivision
Concession 6, Part Lot 13, Plan 21, Maberly Pines
Geographic Township of South Sherbrooke**

a) **PLANNER FILE REVIEW & PROPOSED BY-LAW**

The Planner reviewed the PowerPoint Presentation that was attached to the agenda.

b) **PUBLIC COMMENTS**

Planner

- following the report submitted in the agenda, three individuals submitted comments by email and one telephone enquiry was received
- most enquiries were asking to be circulated on the result of the meeting and one individual wanted to be assured that the proposed amendment was not an additional hold on the same vacant properties
- the amendment is to restrict the specifically defined Bed and Breakfast use, to satisfy the recommendations of the Rideau Valley Conservation Authority (RVCA)

Councillor Phillips

- is this amendment only for vacant lots?

The Planner confirmed that the proposed amendment would only apply to the current 48 vacant lots. A Hydrogeological study would be required by any of the existing homeowners if they applied to add bedrooms.

Councillor Rainer

- what happens if an extended family requires additional bedrooms?

The Planner clarified that the recommendation by BluMetric is that house capacity be capped at four bedrooms. Water use by the travelling public has been found to be significantly higher than by those in their own homes.

Reeve Campbell

- do the existing homes all have Class 4 septic systems?

The Planner noted that the homes would have a Class 4 septic system, but it is not known if the property with a seasonal cabin would also have one.

Councillor Darling

- Why could this not be achieved through Site Plan Control?

The Planner explained that a municipality cannot limit a zoning use through Site Plan Control and that it would be defeated by any appeal to the Ontario Land Tribunal. The proposed zoning amendment is intended to make the lots developable. The first report by RVCA indicated that development would not be acceptable unless the Bed and Breakfast use was removed.

Reeve Campbell

- were all of the property owners notified?

The Planner confirmed that each of the affected property owners were sent a notice by mail and that a large sign was placed at the road entrance.

Councillor Wicklum

- has concerns that the overarching zoning on vacant land may be premature as there is no apparent development pressure which would include Bed and Breakfast use.

The Planner noted that this is preventative planning, similar to what was applied to the Tayside Estates Subdivision, for environmental protection. There are currently four property owners who are waiting to build in Maberly Pines.

The CAO/Clerk also noted that a home still could be used as a Bed and Breakfast if the owner submitted a hydrogeological study to support rezoning of their individual property.

Andrew Kendrick

- Why is this rezoning being done this way, when properties throughout the subdivision, on an unassumed road, need to be rezoned as Limited Services Residential (RLS)?

Councillor Darling also asked why the zoning could not be changed to RLS.

Gordon Hill

- Under the current Official Plan, Unmaintained Private Roads are to be treated as Private Roads, and therefore the properties on them can be zoned as RLS.

The Planner explained that the original plan of subdivision was zoned as Residential and therefore adding an exception to the Residential zone would be in keeping with the original intent of the Subdivision Agreement.

c) RECOMMENDATION

That the proposed amendment to Zoning By-Law No. 02-021 be approved.

ii) **FILE #ZA22-14: 1324798 Ontario Limited
4936 Bolingbroke Road
Part Lots 14,15, Concession 8
Geographic Township of South Sherbrooke**

a) PLANNER FILE REVIEW & PROPOSED BY-LAW

The Planner reviewed the PowerPoint Presentation that was attached to the agenda.

b) APPLICANT COMMENTS

None.

c) PUBLIC COMMENTS

None.

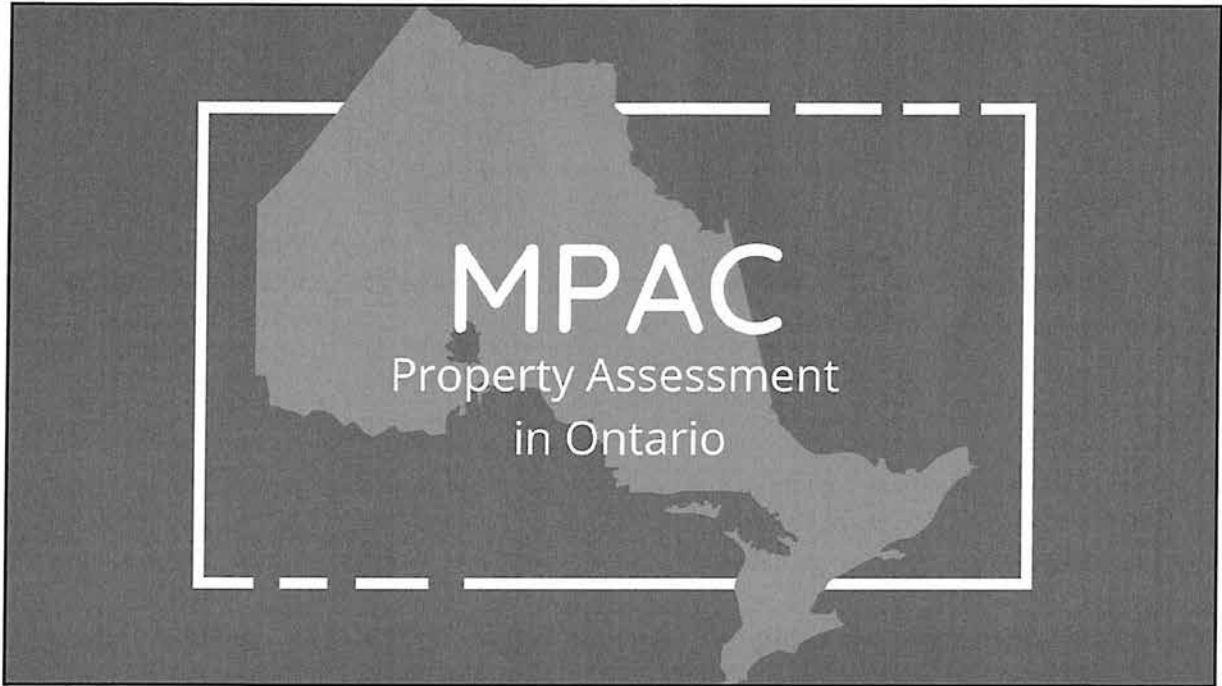
d) RECOMMENDATION

That the proposed amendment to Zoning By-Law No. 02-021 be approved.

4. ADJOURNMENT

The public meeting adjourned at 6:11 p.m.

DELEGATIONS & PRESENTATIONS



1

An infographic titled "Ontario's Property Experts" set against a background of a row of houses. The title is in a large, white, sans-serif font. Below the title, three circular callouts are arranged horizontally. Each callout contains a large number and a unit. Below each callout is a short paragraph of text.

5.5
MILLION

MPAC's database hosts information for over 5.5 million properties across Ontario.

37
BILLION

There was more than \$37 billion of new assessment captured in 2022.

3
TRILLION

Ontario's total property value exceeds \$3 trillion.

2

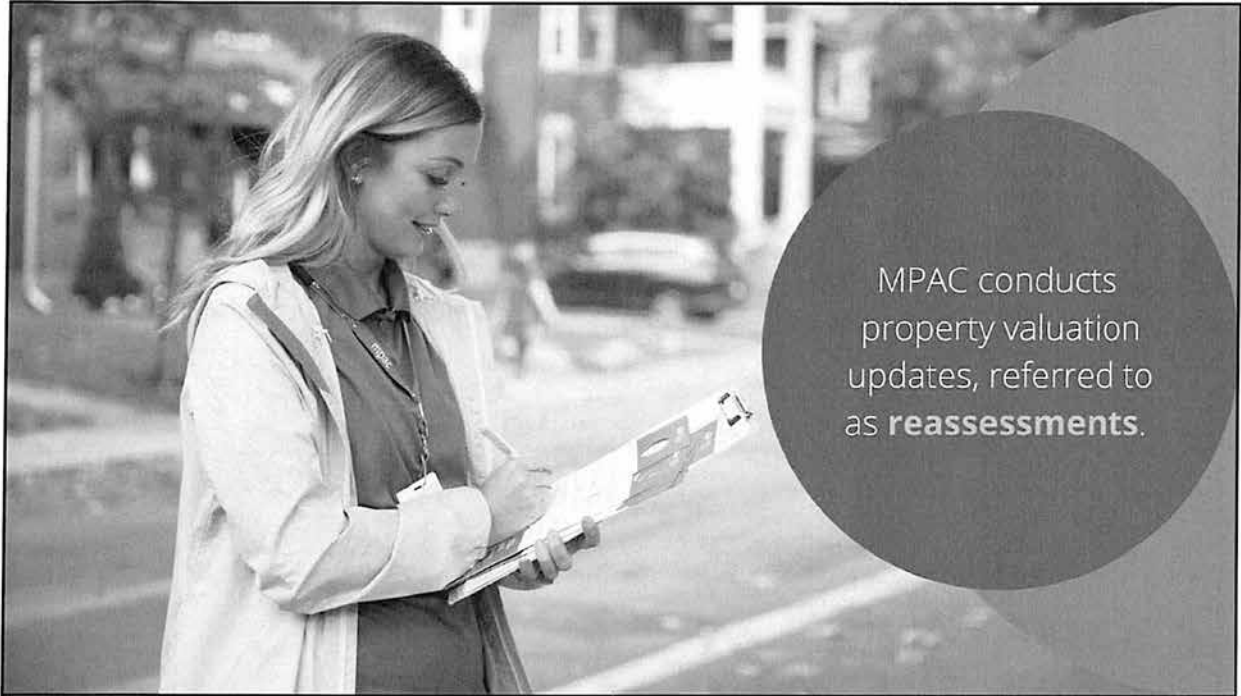
			
Ontario Government	MPAC	Municipalities	Property Owners
Establishes the province's assessment and taxation laws, sets the valuation date and determines education tax rates.	Calculates, captures and distributes assessments for all properties and buildings across Ontario.	Determine revenue requirements, set municipal tax rates and collect property taxes to pay for municipal services.	Pay property taxes for community services and education taxes to help fund elementary and secondary schools in Ontario.

3

Maintaining Ontario's Property Database

 Provincial, Municipal and Property Owner Support & Guidance	 New Assessment Forecasting & Market Analysis/Trends	
 Municipal Financial Planning & Insights	 Vacancy and Tax Applications for Commercial, Business & Residential	
 Requests for Reconsideration & Appeal Processing	 Processing Severances and Consolidations	

4



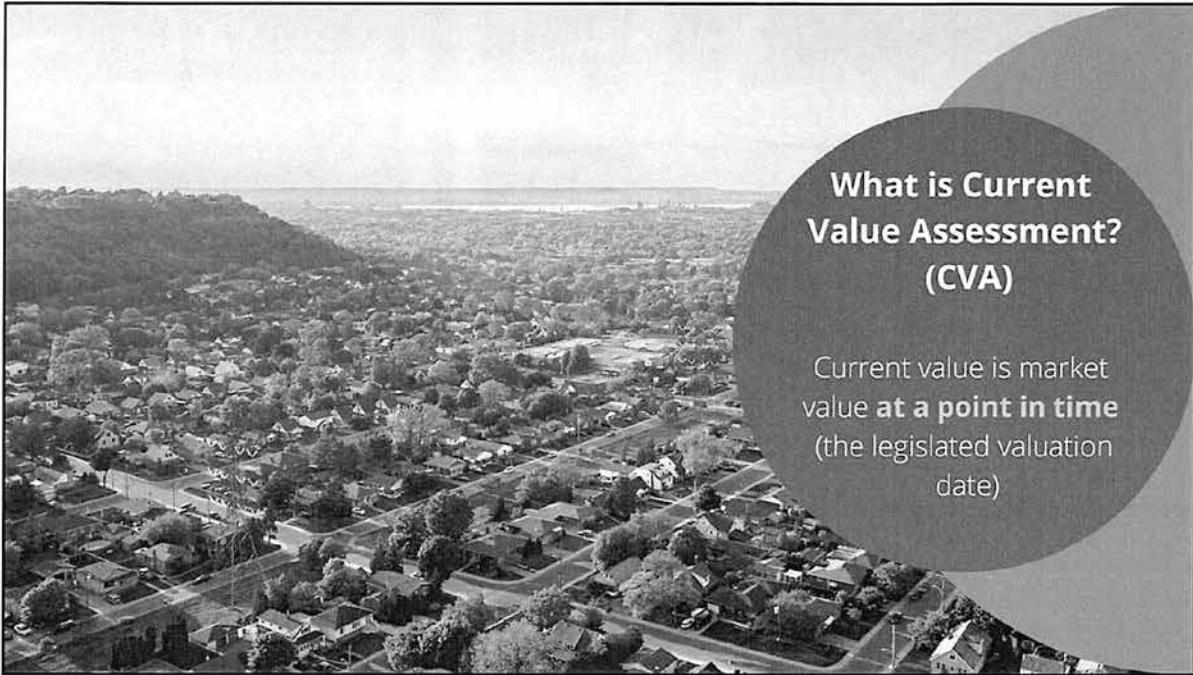
MPAC conducts property valuation updates, referred to as **reassessments**.

5



Property values continue to be based on the market at **January 1, 2016**, which is our current valuation date.

6



What is Current Value Assessment? (CVA)

Current value is market value **at a point in time** (the legislated valuation date)

7



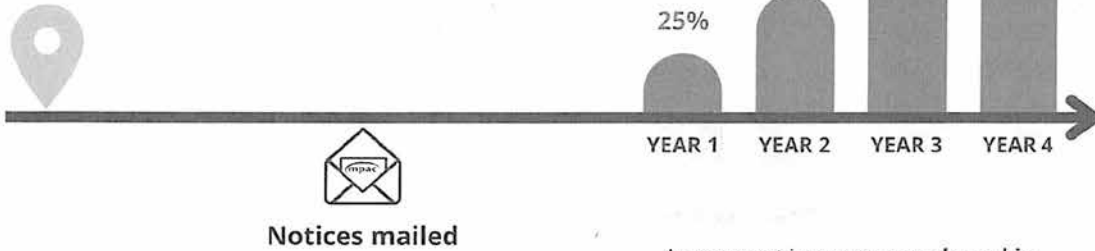
Assessment Update

Property values for the 2022 and 2023 Tax Years continue to be based on a January 1, 2016 valuation date.

8

The Assessment Cycle

Valuation Date
January 1, 20XX



Assessment increases are **phased in**
equally over four years.
Decreases are **applied immediately.**

9

The Three Approaches to Value



10

MPAC's Role in The Building Permit Process

Municipalities rely on MPAC to take their building permits and plans and **turn them into assessment.**

Municipalities tax property owners **based on those assessments.**

The sooner MPAC delivers assessments, the faster municipalities realize **new revenue.**

11

Resolving Assessment Concerns

1



Reflect on the Current Value Assessment

2



Visit MPAC's AboutMyProperty.ca to confirm details

3



View similar properties and their assessed values

4



Submit a Request for Reconsideration if you disagree

12

Let's Talk Property Taxes

Each year, **municipalities** decide how much money they need to raise from property taxes **to pay for services** and **determine tax rates** based on that amount.



Your property's assessed value, provided by MPAC.



Municipal and education tax rates* for your property type.



Property taxes you pay.

*Education tax rates are set by the provincial government

13

Ready with Resources for You



MYTH

My property value has doubled.

My property taxes will double.

✘

FACT

There is **no 1:1 relationship** between the change in your assessed value and change in taxation.

✔



14



15



16

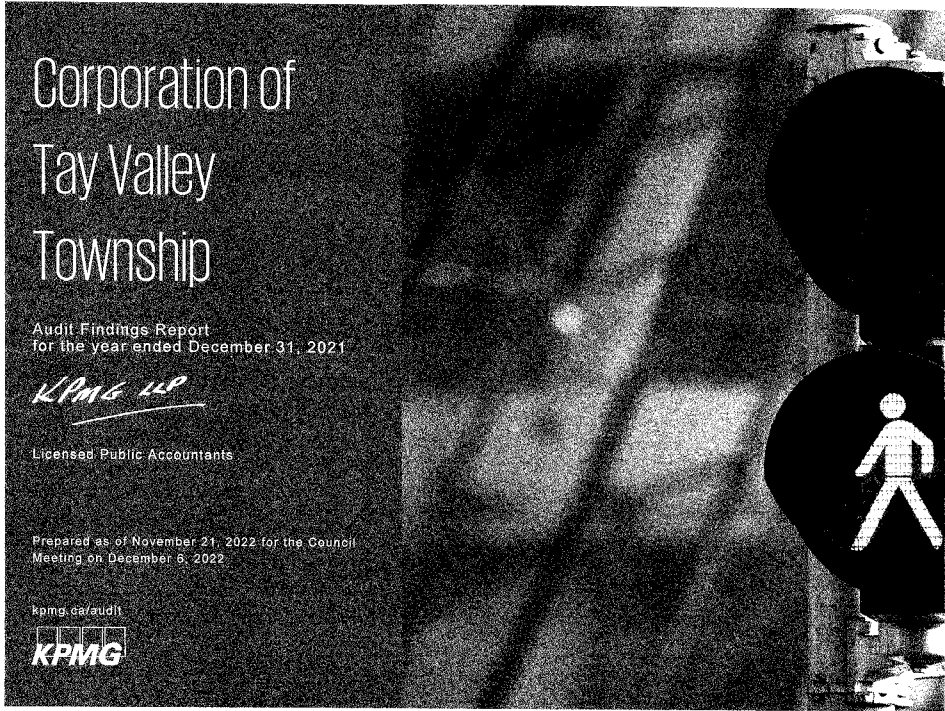


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KPMG contacts

The contacts at KPMG in connection with this report are:



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Lead Audit Engagement Partner
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Jessica Rothwell, CPA
Audit Manager
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jrothwell@kpmg.ca

Our refreshed Values

What we believe

Integrity
We do what is right

Accountability
We own it from planning and reporting

Courage
We think and act boldly.

Together
We respect each other and draw strength from our differences.

For Better
We do what matters

Audit highlights

Purpose of this report¹

The purpose of this Audit Findings Report is to assist you, as a member of Council, in your review of the results of our audit of the financial statements ("financial statements") as at and for the year ended December 31, 2021 for the Corporation of Tay Valley Township (the "Township").

Changes from the audit plan

There have been no significant changes regarding our audit plan.

Status of the audit

As of the date of this report, we have completed the audit of the financial statements, with the exception of certain remaining procedures, which include amongst others:

- obtaining evidence of Council's approval of the financial statements;
- receipt of signed management representation letter; and
- completion of subsequent event review procedures.

We will update the Council, and not solely the Reeve, on significant matters, if any, arising from the completion of the audit, including the completion of the above procedures. Our auditors' report will be dated upon the completion of any remaining procedures.

Significant risks and other significant matters

There are no significant findings to communicate related to significant risks or other significant matters.

Control deficiencies

We did not identify any control deficiencies that we determined to be significant deficiencies in internal control over financial reporting.

Uncorrected differences

During our audit, we identified differences which remain uncorrected as well as certain adjustments that were communicated to management and subsequently corrected in the financial statements.

See page 14.

Initial selections of, or changes to, significant accounting policies and practices to bring to your attention

There have been no initial selections of, or changes to, significant accounting policies and practices to bring to your attention.

Independence

We are independent with respect to the Township, in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada.

¹ This Audit Findings Report is intended solely for the information and use of Management and Council and should not be used for any other purpose or any other party. KPMG shall have no responsibility or liability for loss or damages or claims, if any, to or by any third party as this Audit Findings Report has not been prepared for, and is not intended for, and should not be used by, any third party or for any other purpose.

Significant changes from our audit plan

We have not made any significant changes to our audit plan which was communicated to you in the audit planning report, and note that:

Consideration from Audit Plan	Impact on the Audit
Your Audit Team	The senior team remained consistent from the team presented in the Audit Plan.
Materiality	Materiality was set at \$150,000, which represented approximately 2.20% of prior year total expenses. Current year actual total expenses increased to \$7.1M, therefore, materiality represented 2.11% of current year expenses. This falls within the acceptable range of our required benchmark of between 0.5% - 3.0%. No changes to materiality were required.
Significant financial reporting risks	In the Audit Plan, we did not identify any significant financial reporting risk other than the presumed risks of fraud noted below. We did not identify any additional significant financial reporting risks that required additional audit procedures.
Areas of audit focus	We identified certain areas of audit focus in our Audit Plan. We did not identify any additional areas of audit focus and have no significant findings to report as a result of these procedures.
Fraud Risk	We performed our required audit procedures in professional standards over fraud risk as communicated in the Audit Plan and did not identify any additional fraud risks from our audit work. As part of our unpredictable procedures, we reviewed certain bank reconciliations throughout the year to ensure existence of supporting documentation and appropriate secondary review. We have made an observation related to this procedure to management.
External auditor transition	We worked closely with Management to ensure a seamless transition of the external audit relationship and completed all steps required by our professional standards, including communications with the predecessor auditor.
Additional audit related work – requests of Council	No additional audit-related work was requested by Council.

Financial statement highlights

December 31, 2021, with comparative information for 2020

	2021	2020
Financial assets:		
Cash	\$ 7,648,867	\$ 3,184,323
Investments (note 3)	641,718	1,488,431
Taxes receivable	479,611	553,588
Accounts receivable	797,870	1,791,780
Long-term receivables	7,830	12,373
	9,575,896	7,030,455
Financial liabilities:		
Accounts payable and accrued liabilities	656,207	605,988
Prepaid property taxes	516,450	496,346
Accrued landfill closure and post closure (note 10)	612,500	587,500
Solar farm security deposit	194,757	190,445
Deferred revenue and deposits	504,994	317,481
Obligatory reserve funds (note 4)	870,089	794,030
Long term liabilities (note 5)	2,148,282	707,563
	5,503,278	3,699,353
Net financial assets	4,072,617	3,331,102
Non-financial assets:		
Tangible capital assets (note 13)	17,152,711	16,674,073
Inventories	80,818	50,165
	17,233,529	16,724,238
Commitments (note 11)		
Contingent liabilities (note 12)		
Subsequent events (note 17)		
Accumulated municipal equity (note 6)	\$ 21,306,146	\$ 20,095,340

See accompanying notes to consolidated financial statements.

Financial Assets:

- Strong cash position
- Decrease of investments as certain investments which matured during the year were not subsequently reinvested
- Slight decrease in taxes receivable as collections improved from pandemic impact
- Accounts receivable decrease of \$1M as ICIP grant in prior year received in 2021

Financial Liabilities:

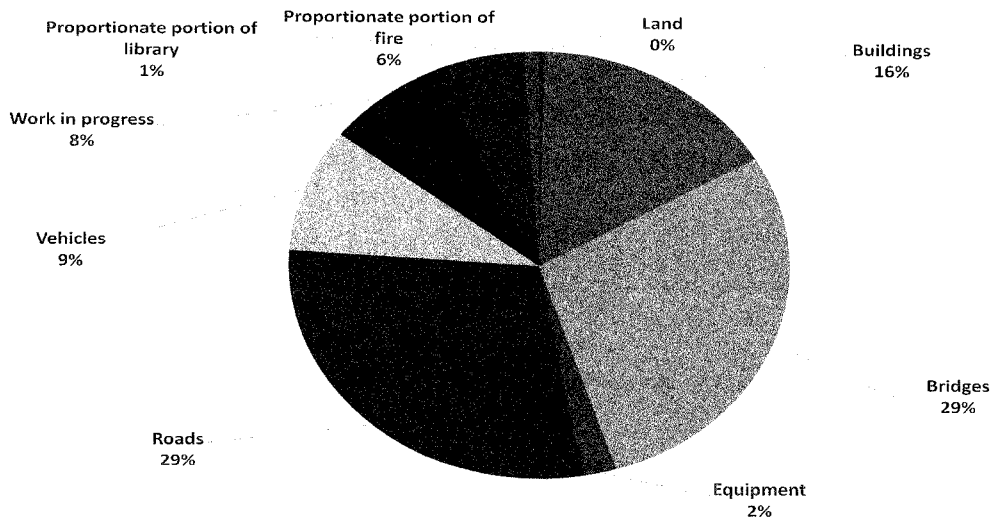
- Increase in deferred revenue and deposits for waste site accessibility grant of \$100k and other grants of \$47k
- Increase in long-term liabilities due to new debt obtained during the year

Non-financial assets:

- Tangible capital assets: additions of \$1.4M offset by \$654k of amortization

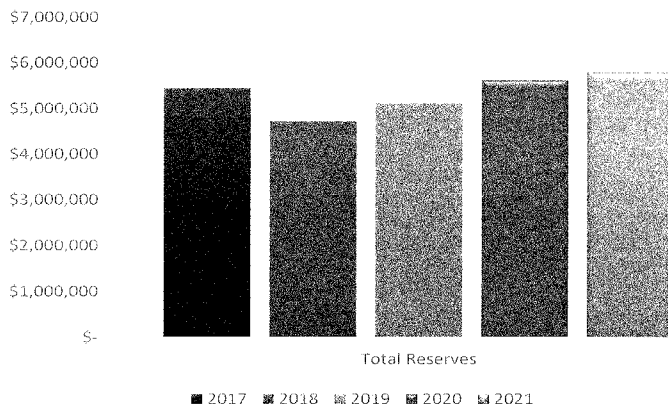
Financial statement highlights (continued)

Net Book Value of Tangible Capital Assets



Financial statement highlights (continued)

Total Reserves



Key changes in 2021:

- Minimal movement in the total reserves year over year
- Normalizing for the joint fire board and joint library board, reserve and reserve funds total \$4.4M as at December 31, 2021
- Reserve management is a key component to asset management planning and long-range financial planning

Financial statement highlights (continued)

Year ended December 31, 2021, with comparative information for 2020

	Budget 2021 (note 15)	Actual 2021	Actual 2020
Revenue:			
Taxation:			
Residential	\$ 5,386,504	\$ 5,402,229	\$ 5,279,181
Commercial and industrial	587,937	539,737	455,385
Other governments	64,200	67,222	87,726
User charges:			
Protection to persons and property	9,250	23,112	15,506
Waste disposal	85,000	115,279	81,300
Planning and zoning	60,000	81,737	51,480
Other	53,761	48,103	40,245
Government transfers:			
Transfer of obligatory reserves (note 4)	312,999	506,274	211,828
Licenses and permits	111,200	248,369	102,557
Investment income	103,812	80,894	96,340
Penalties and interest on taxes	115,000	86,122	49,881
Provincial offenses	52,000	29,859	12,021
Other	31,942	55,414	64,414
Loss on disposal of tangible capital assets	-	(3,630)	-
	7,952,983	8,325,855	8,239,531
Expenses (note 14):			
General government	1,440,569	1,420,288	1,288,204
Protection to persons and property	1,395,030	1,959,525	1,887,647
Transportation services	2,405,768	2,259,504	2,372,049
Environmental services	850,143	648,452	670,161
Social and health services	-	4,246	2,827
Recreation and cultural services	544,003	508,085	494,293
Planning and development	317,242	308,548	280,817
	7,450,755	7,113,048	6,975,596
Annual surplus	502,228	1,210,806	1,263,935
Accumulated municipal equity, beginning of year	20,095,340	20,095,340	18,831,407
Accumulated municipal equity, end of year	\$ 20,597,568	\$ 21,306,146	\$ 20,095,340

See accompanying notes to consolidated financial statements.

Revenue:

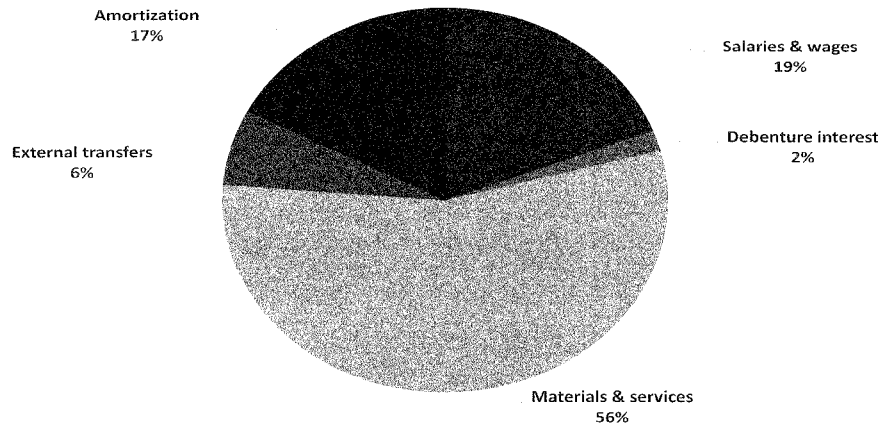
- Taxation increase due to growth, rate increase and increase in supplementary taxes
- Government transfers decrease due to ICIP grant received in prior fiscal year
- Transfer from obligatory reserve increased as utilized funds for capital projects
- Penalties and interest increase due to full year of application (pandemic relief was provided in 2020)

Expenses:

- Relatively stable year over year:
 - o increase in waste and recycle contract of \$115k (Environmental services)
- Segmented disclosure in notes to the financial statements shows expenses by category (no significant changes year over year)

Financial statement highlights (continued)

Operating expenses



Financial statement highlights (continued)

Five-Year Review (Unaudited)

Taxable Assessment (000's)	2021	2020	2019	2018	2017
Residential and farm	1,219,693	1,225,290	1,193,764	1,161,948	1,125,989
Commercial and industrial	65,469	60,824	59,361	56,641	54,307
Total	1,285,162	1,286,114	1,253,125	1,218,589	1,180,296
Commercial, industrial as % of assessment	5.09%	4.73%	4.74%	4.65%	4.60%
Rates of Levation	2021	2020	2019	2018	2017
Residential:					
For general municipal purposes	0.455772	0.447819	0.435127	0.431597	0.433371
For county purposes	0.371978	0.367114	0.369753	0.370048	0.376627
For school board purposes	0.153000	0.153000	0.161000	0.170000	0.179000
Total	0.980750	0.967933	0.965880	0.971645	0.988998
Multi-Residential (total)	1.916703	1.930621	1.927369	1.959513	2.002479
Commercial (total)	2.405483	2.751863	2.727843	2.714296	2.720473
Industrial (total)	2.975561	3.313113	3.345825	3.406239	3.495205
Net Levies	2021	2020	2019	2018	2017
Percentage of current levy (<10%)	8.91%	4.59%	4.64%	6.22%	6.44%
Non-Industrial (000's)	2021	2020	2019	2018	2017
County of Lanark	4,800	4,847	4,790	4,693	4,600
School Boards	2,147	2,502	2,571	2,624	2,639
Total	6,947	7,349	7,361	7,317	7,239

Financial statement highlights (continued)

Five-Year Review (Unaudited)

Revenue (000's)	2021	2020	2019	2018	2017
Taxation and payments in lieu	6,009	5,802	5,644	5,466	5,297
Government transfers	1,555	1,917	2,732	2,263	922
Fees and service charges	268	189	271	256	286
Other	494	332	560	526	505
Total	8,326	8,240	9,207	8,511	7,010
Expenses (000's)	2021	2020	2019	2018	2017
Operations	6,203	5,909	6,684	7,168	6,794
Amortization	912	1,067	547	695	585
Total	7,115	6,976	7,231	7,863	7,379
Net Financial Assets (Net Debt)	2021	2020	2019	2018	2017
% of Operating Revenue (>20%)	51.97%	46.16%	57.49%	54.08%	65.29%
% of Taxation and User Charges (>50%)	67.77%	57.41%	80.53%	71.09%	86.40%
Long Term Debt	2021	2020	2019	2018	2017
Net long term debt (000's)	2,148	708	743	777	810
Long term debt charges (000's)	109	68	68	68	72
Total annual repayment limit (000's)	1,526	1,484	1,478	1,356	1,258
Long term debt per household	537	177	188	198	207
Financial Equity (000's)	2021	2020	2019	2018	2017
Surplus and Reserves	6,294	5,616	5,351	4,716	5,444
Invested in capital assets	15,012	14,479	13,481	11,593	9,523
Asset consumption ratio	38.80%	38.91%	42.54%	46.88%	49.94%
Reserves as % of operating expenses (20%)	81.36%	80.52%	80.00%	65.80%	80.13%

Financial statement highlights (continued)

Five-Year Review (Unaudited)

	2021	2020	2019	2018	2017
Sustainability					
Financial assets to liabilities	1.75	1.9	2.27	1.84	1.9
Financial assets to liabilities (excluding long-term debt)	2.88	2.35	2.87	2.21	2.26
Capital reserves to accumulated amortization	34.13%	29.28%	30.26%	33.45%	40.76%
Flexibility					
Debt charges to total operating revenue (<5%)	1.39%	0.95%	0.86%	0.95%	0.96%
Total operating revenue to taxable assessment	0.61%	0.56%	0.63%	0.59%	0.59%
Working capital to operating expenses (>10%)	27.05%	37.61%	56.87%	43.37%	55.45%
Vulnerability					
Total government transfers to total revenues	18.20%	23.26%	29.77%	26.59%	13.16%

Audit risks and results

We highlight our significant findings in respect of **significant financial reporting risks**, as well as any additional significant financial reporting risks identified.

Significant financial reporting risk	New or changed?	Estimate?
Fraud risk from management override of controls	No	No
Our response		
<p>Management is in a unique position to perpetrate fraud because of management's ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively. Although the risk of management override of controls will vary from entity to entity, the risk is nevertheless present in all entities.</p> <p>We took the following steps to address this risk as required under professional standards:</p> <ul style="list-style-type: none"> — Evaluated the design and implementation of controls surrounding journal entries and other adjustments; — Determined criteria to identify high-risk journal entries and other adjustments; and — Tested high-risk journal entries and other adjustments made at the end of the reporting period. 		
Significant findings		
We did not uncover any issues during performance of the procedures described above.		

Control deficiencies

Consideration of internal control over financial reporting

A significant deficiency in internal control over financial reporting ("ICFR") is a deficiency, or combination of deficiencies, in internal control that, in the auditor's professional judgment, is of sufficient importance to merit the attention of those charged with governance.

In planning and performing our audit, we considered ICFR relevant to the Township's preparation of the financial statements in order to design audit procedures that are appropriate in the circumstances for the purpose of expressing an opinion on the financial statements, but not for the purpose of expressing an opinion on ICFR.

Our understanding of internal control over financial reporting was for the limited purpose described above and was not designed to identify all control deficiencies that might be significant deficiencies. The matters being reported are limited to those deficiencies that we have identified during the audit that we have concluded are of sufficient importance to merit being reported to those charged with governance.

Our awareness of control deficiencies varies with each audit and is influenced by the nature, timing, and extent of audit procedures performed, as well as other factors. Had we performed more extensive procedures on internal control over financial reporting, we might have identified more significant deficiencies to be reported or concluded that some of the reported significant deficiencies need not, in fact, have been reported.

Significant deficiencies

We have not identified any significant deficiencies.

Other observations

We identified certain other observations related to processes in place at the Township. These have been provided separately to management.

Uncorrected and corrected audit adjustments

As previously noted, materiality for fiscal 2021 was set at \$150,000 which translated into an audit misstatement posting threshold of \$7,500. As such, all adjustments identified during the audit greater than \$7,500 have been recorded on our summary of adjustments and differences.

Adjustments and differences identified during the audit have been categorized as "Corrected adjustments" or "Uncorrected audit adjustments". These include disclosure adjustments and differences.

Professional standards require that we request of management and Council that all identified adjustments be corrected, if any.

Uncorrected audit adjustments

The management representation letter includes the Summary of Uncorrected Audit Misstatements, which discloses the impact of all uncorrected differences considered to be other than clearly trivial.

As at and for the year ended December 31, 2021	Statement of Financial Position effect			
	Statement of Operations effect (Decrease) Increase	Assets (Decrease) Increase	Liabilities (Decrease) Increase	Municipal Equity (Decrease) Increase
Description of differences greater than \$7,500 in dollar value				
To reflect prior year over accrual of ICIP grant	24,486	-	-	-
To reflect interest accrual on long-term liabilities	(20,365)	-	20,365	(20,365)
To reflect cannabis grant funds earned at year end	21,146	-	(21,146)	21,146
To reflect under accrual of payroll liabilities	(87,900)	-	87,900	(87,900)
Total differences	(62,633)	-	(87,119)	87,119

Based on both qualitative and quantitative considerations, we concur with management's representation that the differences are not material to the financial statements. Accordingly, the differences have no impact on our auditors' report. This representation is included in the management representation letter.

Corrected audit adjustments

We did not identify any misstatements that were communicated to management and subsequently corrected.

Significant accounting policies and practices

Initial selections

There were no new significant accounting policies and practices that were selected and applied during the period.

Changes

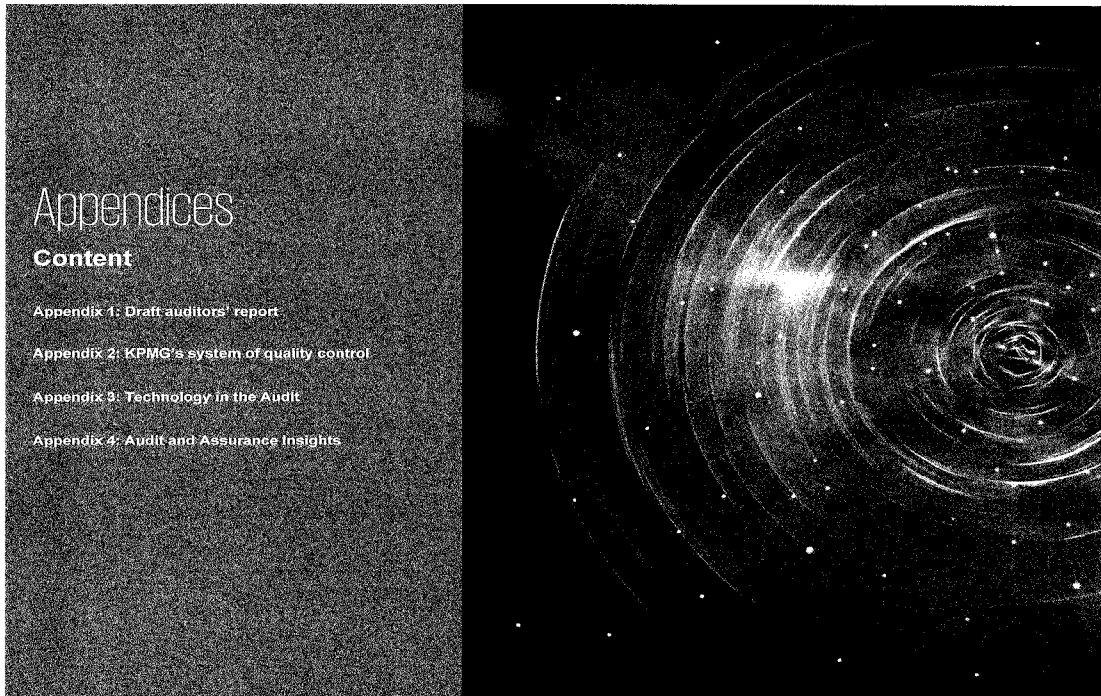
There were no changes to significant accounting policies and practices. As a result, there was no impact on the financial statements.

Future Implementation

The most significant pronouncement in the near term relates to Asset Retirement Obligations ("AROs") that will be applicable for fiscal 2023. We will be available to provide management with the assistance they may require to properly implement this new accounting standard as management prepares for the transition.

Significant qualitative aspects of accounting policies and practices

There are no items to report.



Appendix 1: Draft auditors' report

INDEPENDENT AUDITORS' REPORT

To the Members of Council, Inhabitants and Ratepayers of the Corporation of Tay Valley Township

Opinion

We have audited the consolidated financial statements of the Corporation of Tay Valley Township (the Entity), which comprise:

- the consolidated statement of financial position as at December 31, 2021;
- the consolidated statement of operations and municipal equity for the year then ended;
- the consolidated statement of changes in net financial assets for the year then ended;
- the consolidated statement of cash flows for the year then ended; and
- notes to the consolidated financial statements, including a summary of significant accounting policies (Hereinafter referred to as the "financial statements").

In our opinion, the accompanying financial statements, present fairly, in all material respects, the financial position of the Entity as at December 31, 2021, and its results of operations and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the "**Auditors' Responsibilities for the Audit of the Financial Statements**" section of our auditors' report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Other Matter – Comparative Information

The financial statements as at and for the year ended December 31, 2020 were audited by another auditor who expressed an unmodified opinion on those financial statements on June 22, 2021.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.



Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.
- Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities within the Group Entity to express an opinion on the financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

Chartered Professional Accountants, Licensed Public Accountants
Perth, Canada
December 6, 2022



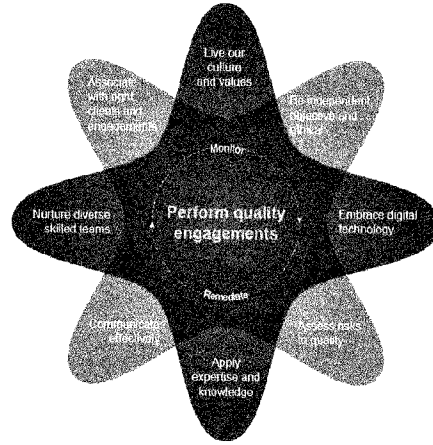
Appendix 2: How do we deliver audit quality?

Transparency report

Quality essentially means doing the right thing and remains our highest priority. Our **Global Quality Framework** outlines how we deliver quality and how every partner and staff member contributes to its delivery.

Our **quality value drivers** sit at the core along with our commitment to continually monitor and remediate to fulfil on our quality drivers.

Our **quality value drivers** are the cornerstones to our approach underpinned by the supporting drivers and give clear direction to encourage the right behaviours in delivering audit quality.



Doing the right thing. Always.

We define 'audit quality' as being the outcome when:

- audits are **executed consistently**, in line with the requirements and intent of **applicable professional standards** within a strong **system of quality controls**; and
- all of our related activities are undertaken in an environment of the utmost level of **objectivity, independence, ethics, and integrity**.

Appendix 3: Technology in the Audit

We continue to utilize technology to enhance the quality and effectiveness of the audit.

Technology	Areas of the audit where advanced technology findings were used	Results and insights
KPMG Clara Client Collaboration	We utilized our online data transfer site, allowing us to track, update and share electronic information securely and efficiently.	Enabled the audit team and management to complete the audit remotely with minimal disruption.
Journal Entry Analysis	<p>We utilized KPMG application software (IDEA) to evaluate the completeness of the journal entry population through a roll-forward of all accounts.</p> <p>We utilized computer-assisted audit techniques (CAATs) to analyze journal entries and apply certain criteria to identify potential high-risk journal entries for further testing.</p>	There were no issues or anomalies identified as a result of the performance of these procedures.

Appendix 4: Audit and Assurance Insights

Our latest thinking on the issues that matter most to Councils and Management.

Featured insight	Summary	Reference
Accelerate 2022	The key issues driving the audit committee agenda in 2022	Learn more
Audit Committee Guide – Canadian Edition	A practical guide providing insight into current challenges and leading practices shaping audit committee effectiveness in Canada	Learn more
Unleashing the positive in net zero	Real solutions for a sustainable and responsible future	Learn more
KPMG Audit & Assurance Insights	Curated research and insights for audit committees and boards.	Learn more
Board Leadership Centre	Leading insights to help board members maximize boardroom opportunities.	Learn more
KPMG Climate Change Financial Reporting Resource Centre	Our climate change resource centre provides insights to help you identify the potential financial statement impacts to your business.	Learn more
The business implications of coronavirus (COVID 19)	Resources to help you understand your exposure to COVID-19, and more importantly, position your business to be resilient in the face of this and the next global threat.	Learn more
	KPMG Global IFRS Institute - COVID-19 financial reporting resource center.	Learn more
Momentum	A quarterly Canadian newsletter which provides a snapshot of KPMG's latest thought leadership, audit and assurance insights and information on upcoming and past audit events – keeping management and board members abreast on current issues and emerging challenges within audit.	Sign-up now
Current Developments	Series of quarterly publications for Canadian businesses including Spotlight on IFRS, Canadian Securities & Auditing Matters and US Outlook reports.	Learn more
KPMG Learning Academy	Technical accounting and finance courses designed to arm you with leading-edge skills needed in today's disruptive environment.	Learn more

PRIORITY ISSUES

COMMITTEE OF THE WHOLE

December 6, 2022

**Report #PD-2022-47
Noelle Reeve, Planner**

NORDLAW PLAN OF CONDOMINIUM –DRAFT PLAN EXTENSION

STAFF RECOMMENDATION(S)

It is recommended:

“THAT, Council approve a one-year extension of the draft approval for the Nordlaw Cottages Inc. Plan of Condominium 09-CD 16002 if the applicant provides adequate confirmation of financing for the project by December 13, 2022, with the understanding that no further extensions will be granted.”

BACKGROUND

Approval in Principle for the Condominium Plan located at Part Lots 2 and 3, Concession 1 and Part of Lots 1 and 3, Concession 2, Geographic Township of South Sherbrooke, 489 Crozier Road, was given by Council on April 12, 2015 pending Site Plan Control Agreement approval. Conditional approval was granted by Council on June 9, 2015 for the Draft Site Plan Control Agreement for the Nordlaw Lodge Redevelopment with three outstanding issues to be resolved:

- approval for septic and water systems by the Ministry of Environment, Conservation and Parks (MOECP) and the Lanark Leeds Grenville Health Unit respectively,
- clarification from the Ministry of Natural Resources and Forestry (MNR) regarding the lakebed ownership, and
- additional detailed water access designs being provided to the Rideau Valley Conservation Authority (RVCA).

Once the project obtained approval for its septic systems and water system, Council approved the Site Plan Control Agreement (SPCA) September 27, 2016 and the applicant signed the SPCA in October after modifying the Site Plan to meet RVCA’s requirements that the Site Plan show no water access from individual lots as well as showing revegetation where buildings were being removed.

Lanark County Council granted Draft Approval of the 18-unit Condominium Plan on January 11, 2017 with an expiry date of January 11, 2020. (See attached location map and draft condominium site plan.)

DISCUSSION

Currently the property is sitting idle.

Two previous extensions were granted to the project. A one year extension in 2020 seemed reasonable as this is a complex project and the Ministry of Environment Conservation and Parks had taken quite a while to provide feedback on the septic issues. A second extension in 2021 also seemed reasonable in recognition of the uncertainties of the Covid 19 lockdown.

To date the owner has only cleared one of the ten outstanding conditions of the draft approval (a certificate of approval from the Ministry of Environment Conservation and Parks for the septic systems). However, he has not yet been able to clear the remaining conditions (see Attachment 3).

The owner has indicated to the Planner and Treasurer that he will be able to provide proof of a financial plan by December 13, 2022.

However, if the owner is unable to provide adequate proof of his financial ability to advance the project by December 13, 2022, the Planner does not recommend continuing to tie up development of an attractive waterfront property zoned Tourist Commercial.

The Township is not receiving tax revenue in line with what the land could be producing if developed appropriately. Jobs are not being created for residents if the property were to be run as a lodge again or if the property were to be developed as condominiums.

Additionally, the longer the property sits vacant and unmaintained, the less value the existing buildings retain.

The Planner does not believe it is in the Township's interest to continue to grant the extension to the Condominium draft approval unless adequate proof of financial capacity is presented to the Planner and the Treasurer.

OPTIONS CONSIDERED

- 1) Recommended: Grant a one-year extension of the draft approval for the Nordlaw Cottages Inc. Plan of Condominium 09-CD 16002 if the applicant provides adequate confirmation of financing for the project by December 13, 2022, with the understanding that no further extensions will be granted.
- 2) Do not grant the extension to the conditional Condominium approval.

FINANCIAL CONSIDERATIONS

Supporting the extension provides an opportunity for increased economic development and tax revenue for a project that has a lot of the background work complete. However, if the financial capacity is unable to be confirmed by the timeframe recommended, the extension should not be granted. A fresh opportunity for development of the property would benefit the Township if the project financial capacity is not confirmed.

STRATEGIC PLAN LINK

Financial sustainability.

CLIMATE CONSIDERATIONS

Re-using existing building infrastructure and developed land reduces carbon emissions.

CONCLUSIONS

While the Township has agreed to previous extensions of this development project, allowing the land to remain in limbo is not productive for the Township from an economic perspective.

ATTACHMENTS

- 1) Location Map
- 2) Draft Condominium Site Plan
- 3) Lanark County Conditions of Draft Approval File 09-CD-16002

Prepared and Submitted By:

Approved for Submission By:

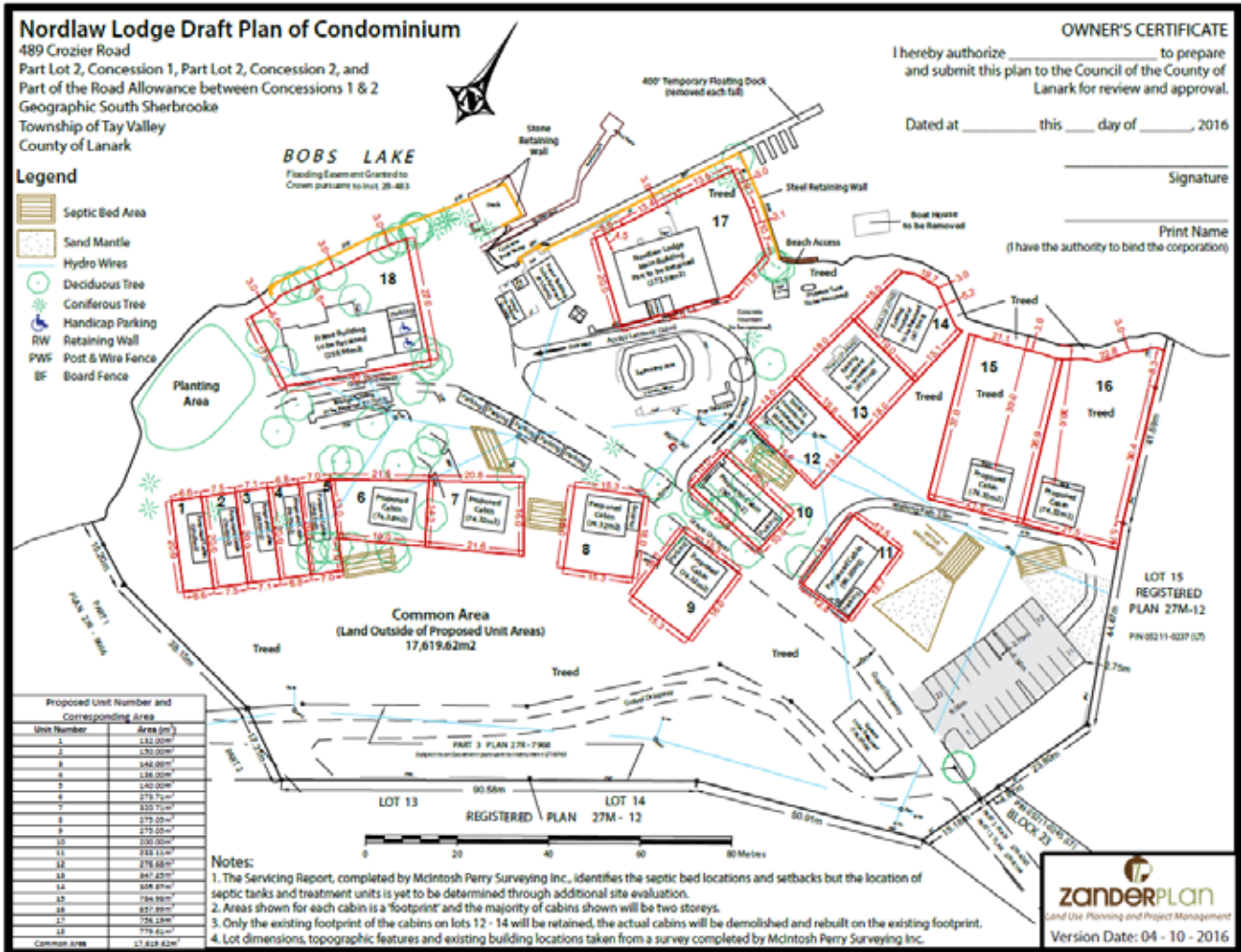
**Noelle Reeve,
Planner**

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

Attachment 1 Location Map



Attachment 2 Draft Condominium Site Plan



Attachment 3 Lanark County Conditions of Draft Approval File 09-CD-16002

Applicant: Nordlaw Cottages Inc. **File No.:** 09-CD-16002
Municipality: Tay Valley Township **Date of Decision:** Jan. 11, 2017
Location: Pt. Lots 2 & 3 Conc. 1 & Pt Lots 1 & 2
Conc. 2 geographic Township of South
Sherbrooke, now in Tay Valley Township.

The County's conditions to final plan approval for registration of this subdivision file No. 09-CD-16002 are as follows:

No.	Conditions
<u>General</u>	
1.	That this approval applies to the draft plan of condominium prepared by ZanderPlan and dated 011-2016.
2.	That draft approval is granted for a period of three years, after which, if no portions or phases of the condominium have been registered, this approval shall lapse.
3.	The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to Tay Valley Township.
4.	The applicants shall satisfy all the requirements of Tay Valley Township, financial and otherwise, that may be required under established by-laws for consent applications.
5.	The applicant shall provide Tay Valley Township with two (2) copies of the condominium plan.
<u>Parkland</u>	
6.	Payment shall be made to Tay Valley Township representing the amount satisfactory to the Township in accordance with their Cash-in-Lieu of Parklands By-law pursuant to Section 42 of the Planning Act.
<u>Site Plan</u>	
7.	The applicant shall provide Tay Valley Township with confirmation that the requirements and/or conditions of the Site Plan Agreement on the lands are or will be implemented.

Servicing

8. The applicant shall provide Tay Valley Township with a copy of a Certificate of Approval from the Ministry of Environment and Climate Change for the communal septic system and water system.

Page 2 of 3

NOTICE OF DECISION – January 12, 2017
FILE NO.: 09-CD-16002, Nordlaw Cottages Inc.

9. The applicant shall provide Tay Valley Township with a copy of the Approval of the Operation Plan for the communal water system approved by the Lanark Leeds and Grenville District Health Unit.
10. The applicant shall submit a Civic Address Numbering Plan to Tay Valley Township for approval. Civic Addressing signs shall be installed in accordance with township addressing policy.

Clearance of Conditions

11. That prior to registration of the final plan, the County of Lanark is to be advised by Tay Valley Township that Conditions 3 - 10 have been satisfied.

COMMITTEE OF THE WHOLE
December 6, 2022

Report #PD-2022-49
Noelle Reeve, Planner

REMOVAL OF HOLDING ZONE MABERLY PINES SUBDIVISION

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, the first requirement of By-Law #2021-033 Holding Zone for Plan 21 Lakeside Living (Maberly Pines) be lifted as the Rideau Valley Conservation Authority has indicated they are satisfied with the revised Lot Servicing Report and Plan for the Maberly Pines Subdivision by BluMetric consultants.”

BACKGROUND

On June 22, 2021, Council placed a Holding Zone By-Law on the undeveloped lots in the Maberly Pines subdivision (see Attachment 1) because there had been a surge of interest in building on these lots as a result of Covid-19 and the Planner had determined there was no lot layout for septic, well, and house locations for the subdivision.

Council directed that a Request of Proposals be tendered to undertake the work of creating a lot layout plan.

In November 2021, BluMetric Environmental Inc. provided a Draft Hydrogeological Report on the Maberly Pines subdivision to the Township. The Report determined there was sufficient water quality and quantity for the lots and also that there was sufficient nitrate dilution capacity for septic systems for the lots if future development incorporates appropriate alternatives for wastewater treatment at lots that are not suitable for conventional systems.

The Township referred the draft report to the Rideau Valley Conservation Authority (RVCA) for comment and received formal comments in April 2022.

The RVCA and BluMetric held discussions to clarify what additional information would be required. RVCA requested that the final report recommend a maximum bedroom number based on the capability of the aquifer taking into considerations cumulative impacts. In addition, the RVCA requested that the bed and breakfast use currently permitted in the residential zoning be removed.

The RVCA also requested that further detail on the locations of the septic system mantles be provided. (The mantle is the area of sand on the edges of the tile beds of the septic systems that require sand to be imported because the existing depth of soil is insufficient to dilute the nitrates from the septic systems).

DISCUSSION

Based on discussions with the RVCA, BluMetric has submitted a revised Lot Servicing Plan that provides more detail on which lots are capable of using conventional septic systems, which lots are recommended to use composting toilets, and which should use Tertiary Treatment Systems due to the steep slopes on the lot (see Attachment 2). Incinerating toilets would be acceptable on all lots.

The Township has received confirmation from the RVCA that the Lot Servicing Report and Plan is acceptable.

Therefore, Council is in a position to lift the first requirement of the Holding Zone and implement the Report's recommendations.

The second requirement to lift the Holding Zone on any individual lot is that the lot have a Site Plan Control Agreement developed for it that will be registered on title. The passage of Bill 23, however, may affect this requirement.

The Maberly Pines lots are located in the subwatershed for Little Silver and Rainbow Lakes. Mitigation methods may be needed for the ponds and stream in Maberly Pines to prevent that development from exacerbating the water quality situation for the two lakes to the south.

If mitigation measures are required, they would include maintenance of a vegetated buffer around the ponds and stream, eavestroughs that drain to soak away pits away from the ponds and additional phosphorous removal system requirements for septic systems that cannot meet the 30m setback from water.

OPTIONS TO BE CONSIDERED

Option #1 (Recommended) – Council lifts the first requirement of By-Law #2021-033 Holding Zone for Plan 21 Lakeside Living (Maberly Pines).

Option #2 – Council suggests alternate action to be undertaken.

FINANCIAL CONSIDERATIONS

None, at this time.

STRATEGIC PLAN LINK

Economic Development: The Maberly Pines subdivision offers potential new economic development.

Environment - Tay Valley continues to be known for its environmental policies and practices. Our residents have access to clean lakes and a healthy, sustainable environment.

CLIMATE CONSIDERATIONS

Clustering development close to the Hamlet of Maberly will have less environmental impacts than allowing sprawling severances to occur. Mitigating the impacts of development on lakes and designing water and septic services to be resilient will contribute to protecting water quality in the face of increased heat, drought, flooding and other negative impacts due to climate change.

CONCLUSIONS

The RVCA has concluded that the additional work undertaken by BluMetric Inc. to address the RVCA comments on the original Hydrogeological Report has provided an affirmative answer to the question of whether the lots in the Maberly Pines subdivision can be developed safely (i.e., without impacting each other's wells and septic systems and without impacting the surrounding watershed).

ATTACHMENTS

1. By-Law #2021-033 Holding Zone for Plan 21 Lakeside Living (Maberly Pines)
2. Restricted Lot Layout Servicing Plan (Figure 4)

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

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

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2021-033

**A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED
PLAN 21 LAKESIDE LIVING (MABERLY PINES)
(GEOGRAPHIC TOWNSHIP OF SOUTH SHERBROOKE)**

WHEREAS, the *Planning Act, R.S.O. 1990, Chapter P.13 Section 34 as amended*, provides that the Councils of local municipalities may enact by-laws regulating the use of land and the erection, location and use of buildings and structures within the municipality;

AND WHEREAS, By-Law No. 2002-121, as amended, regulates the use of land and the erection, location and use of buildings and structures within Tay Valley Township;

AND WHEREAS, the Council of the Corporation of Tay Valley Township deems it advisable to amend By-Law No. 2002-121, as amended, as hereinafter set out;

AND WHEREAS, this By-Law implements the polices and intentions of the Official Plan for Tay Valley Township;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of Tay Valley Township enacts as follows:

1. GENERAL REGULATIONS

1.1 THAT, By-Law No. 2002-121, as amended, is further amended by adding the following new subsection at the end of Section 5.1.4 (Exception Zones):

the zoning of Residential (R) on the vacant lands legally described in PLAN 21 geographic Township of South Sherbrooke, now in Tay Valley Township, County of Lanark be amended with the addition of a Holding symbol (h), in accordance with Schedule "A" attached hereto and forming part of this By-Law.

1.2 THAT, the vacant properties in PLAN 21 are hereby placed into a holding designation. The holding designation requires:

- A supportive Hydrogeological Report as well as a Servicing Options Report before building permits can be issued;
- Site Plan Control Approval.

1.3 THAT, all other applicable standards and requirements of By-Law No. 2002-121 shall continue to apply to the subject properties.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2021-033**

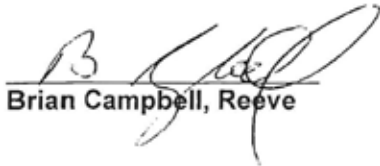
1.4 THAT, this By-Law shall come into force and effect with the passing thereof, in accordance with *the Planning Act*, as amended.

2. ULTRA VIRES

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

3. EFFECTIVE DATE

ENACTED AND PASSED this 22nd day of June 2021.


Brian Campbell, Reeve




Amanda Mabo, Clerk



COMMITTEE OF THE WHOLE
December 6th, 2022

Report #PD-2022-48
Noelle Reeve, Planner

BILL 23 MORE HOMES BUILT FASTER, 2022 AND RELATED LEGISLATION

STAFF RECOMMENDATION

It is recommended:

“THAT Council authorize the Planning Department to submit the Municipality’s response to the Environmental Registry of Ontario (ERO) with respect to Bill 23, More Homes Built Faster, 2022, and other related ERO comment opportunities as detailed in this report,

AND THAT, Council authorize the Planning Department to submit the comments to the Minister of Municipal Affairs and Housing, Steve Clark, and the Minister of Natural Resources and Forestry, Graydon Smith,

AND THAT, Council authorize the Planning Department to submit the comments to the local MPP, John Jordan,

AND THAT, Council authorize the Planning Department to submit the comments to the Rural Ontario Municipal Association.

BACKGROUND

On October 25, 2022, the Province introduced Bill 23, More Homes Built Faster: Ontario’s Housing Supply Action Plan 2022-2023 which proposed significant changes to nine different Provincial Acts including the Planning Act, Conservation Authorities Act, and Development Charges Act. The province’s stated goal for Bill 23 is to facilitate building 1.5 million homes over the next 10 years.

While Bill 23 was passed in the legislature on November 28, 2022, various commenting periods through the Environmental Registry of Ontario on the Bill and proposed changes to the Greenbelt, Oak Ridges Moraine, Wetlands Offsetting, and the Dufferin Rouge Agricultural Reserve remain open between now and December 31, 2022.

Some of the schedules in the Bill will take effect immediately now that the Bill has received Royal Assent, and some will be delayed. Some may be reversed at a later date or never enacted by regulation. Therefore, it is worthwhile to submit comments.

Bill 23 makes substantial changes to Planning Act application processes (Official Plan Amendments, Zoning By-law Amendments, Plans of Subdivision, Consents, Site Plan Control and Minor Variances); limits the number of planning tools at the municipal level; and proposes changes to other Acts which are directly related to: financing the cost of development; farmland protection; environmental protection; climate change mitigation; public appeal rights; and housing affordability.

A wide range of organizations have condemned Bill 23 in its current form. None deny the need exists for more affordable housing. Most point out that the province of **Ontario's Housing Affordability Task Force** explained in its [2022 report](#), that “we do not need to sacrifice environmental protection to address the housing crisis: ... a shortage of land isn't the cause of the problem. Land is available, both inside the existing built-up areas and on undeveloped land outside greenbelts. ... Most of the solution must come from densification”.

Regarding Bill 23, the **Municipal Financial Officers' Association** stated, “...a reduction in development charges (or other growth funding tools such as parkland dedication) will hinder the ability to finance growth-related infrastructure and put ratepayers on the hook to fill the funding gap. In the long-term, the total cost of home ownership will increase as homeowners pay higher property taxes and user rates to recoup the cost of growth-related infrastructure” Bill 23 upsets “the principle that growth should pay for growth”.

The **Ontario Federation of Agriculture** (OFA) is opposed to Bill 23 because Ontario “needs a strong, stable, sustainable supply of farm and food products grown and harvested right here” in Ontario. The OFA believes “prime agricultural land is irreplaceable and worth fighting for”. Farmland losses are “already an incredible 319 acres per day in Ontario”. “Preserving farmland is one of OFA's top priorities” as land for agriculture only makes up “about 5% of land in Ontario”. Farmers are concerned about the uncertainty removing land from the Greenbelt presents to their businesses as well as the threat to food security for Ontario.

Conservation Ontario stated Bill 23 will, “Place new responsibilities on municipalities for natural hazards and natural resources that may lead to inefficiencies, uncertainties, and delays in the development review process; weaken the ability of Conservation Authorities to protect people and property from natural hazards; and reduce critical, natural, infrastructure like wetlands and greenspaces that reduce flooding and protect waters in our lakes and rivers”.

Ontario Nature, Climate Network Lanark, and 70 other Ontario environmental organizations have expressed concern that Bill 23 allows wetlands to be filled which “reduces their flood storage, climate change mitigation and biodiversity value” for municipalities.

Affordable housing and poverty organizations assert, “In the name of cutting “red tape,” Bill 23 would gut many of the limited powers municipalities have to protect and expand access to affordable housing”. Bill 23 will limit municipalities to, “requiring affordability to a maximum five per cent of units in any housing development; capping the number of years they will be kept affordable to 25”; and changes the definition of affordable to “80 per cent average market rent”.

The **Association of Municipalities of Ontario** stated, “Preliminary analysis of the Bill indicates the transfer of up to \$5 billion a year in costs from private sector developers to property taxpayers without any likelihood of improved housing affordability”. The bill’s provisions, “signal a move away from environmental protection at a time when climate change impacts are being felt more at the local level”.

The President of the **Ontario Professional Planners Institute** wrote, “Bill 23 represents the single most significant transformation of Ontario’s planning system that I’ve seen in my 36-year career in the field. ...our membership is very concerned with provisions that limit meaningful public engagement, impede protections for the environment and negatively impact coordination of infrastructure and growth planning across regions. As planners, our fundamental role is ensuring all those considerations are incorporated in planning decisions in order to appropriately protect the public interest”.

DISCUSSION

This report highlights the Bill 23 and other proposed legislative changes with a focus on the impact to the economy, environment, and social attributes of Tay Valley Township. The report also presents recommended comments (in italics) to be made through the Environmental Registry of Ontario, to the Minister of Municipal Affairs and Housing, Minister of Natural Resources, to our local MPP, and to the Rural Ontario Municipal Association (ROMA). A summary of the potential Impacts (and potential response measures) is provided in Attachment 1.

Economic Impacts

While the bill aims to encourage speedy development of “affordable” housing by eliminating development and community benefit charges, the result would be serious costs to many municipalities (and thus taxpayers) for infrastructure and recreational amenities due to the loss of Development Cost Charges.

Planning for progressive housing expansion already underway in municipalities and regions would be undermined or canceled, and sprawl style development mandated. Sprawl has been shown (by studies by Ontario’s leading economic consultants, both Hemson and Watson, Strong Towns [The Real Reason Your City Has No Money \(strongtowns.org\)](http://strongtowns.org), American Farmland Trust, and other organizations) to cost municipalities more money to maintain the road and other infrastructure the development requires than it produces in taxes.

ERO - 019-6163 Proposed Planning Act Changes

“Gentle” Intensification and Higher Density Around Transit

In Tay Valley Township, west of the border with Perth on Highway 7 and Christie Lake Road, the proposed Planning Act changes would permit three residential units per lot on municipal services. This means that if a residential use is permitted in a zone, automatically, the residential use can be converted to up to three units by a building permit only. In the case of a detached unit (such as a secondary dwelling unit within a detached garage) the main dwelling can be converted to two units.

In urban areas, the government is proposing to require municipalities to implement “as-of-right” zoning for transit supportive densities in Major Transit Station Areas (MTSAs) and Protected Major Transit Station Areas (PMTSAs).

The Planner recommends the province:

- *Support the Report of the Ontario Housing Affordability Task Force’s recommendation for 6 units to be permitted as of right. Three units is too low a density.*
- *Require inclusion of affordable housing in transit-oriented development. The province should also remove its cap on 5% of development being affordable and should maintain Toronto’s current requirement for 22% of development to be affordable (under the CMHC definition of affordable as no more than 30% of someone’s income).*

Agriculture

Loss of farmland to low density sprawl (single family dwellings) affects Tay Valley residents by reducing their food security, increasing the price of food, and increasing the impacts of climate change from the increased use of single occupant vehicles.

Instead of losing valuable farmland to development, OFA recommends (and the Planner recommends) the province:

- *Focus provincial housing policy on opportunities inside existing urban boundaries, like developing brownfield sites and underutilized land*
- *Return to minimum density targets of 80 people and jobs per hectare*
- *Make targeted infrastructure investments in rural hubs, small towns and communities that are primed for responsible growth*
- *Allow more density and missing middle housing (6 plexes not just triplexes) to be built in residential neighbourhoods (roughly 70% of Toronto and other surrounding cities are zoned for detached houses only).*

The Ontario Farmland Trust, National Farmers Union (Ontario), Ecological Farmers of Ontario have also released similar positions.

Affordable Housing and Attainable Housing Definitions

The term Affordable Housing is proposed to be redefined to be 80% of the market price. The Canada Mortgage and Housing Corporation and other provinces and housing associations define affordable as, “housing that costs less than 30% of a household’s gross income”.

The proposed definition is unaffordable for many Ontarians. Attainable Housing is a new term that Bill 23 uses to describe housing that may be provided slightly lower than the average market costs for purchasing a home or renting a unit.

The Planner recommends: Since both definitions require clarification, the province should move proposed section 4.2(2)(3)(4) of the Development Charges Act to O. Reg 82/98 under the DC Act to allow greater flexibility for the Province to amend the definitions of “affordable” and “attainable” housing.

ERO 019-6172 Development Charges (DCs)

Development charges (DCs) are fees collected on new development and are the primary funding source for infrastructure needed to service growth in municipalities. In Tay Valley, DCs help pay for the increase in roads, lighting, fire, library and other services that occur as a result of new development.

The province proposes to reduce the amount of DCs municipalities can collect as follows:

- Exemptions for existing and new residential buildings: exemptions for second and third units where only one residential building exists.
- Exemptions for affordable units, attainable units, non-profit housing developments.
- Discounts for rental housing developments dependent on the number of bedrooms: 25% discount for 3+ bedrooms, 20% for 2 bedrooms, and 15% for 1 bedroom or bachelor units.

In addition, the Bill creates a phased in reduction in the amount of DCs to be charged and exempts certain studies and land acquisition from being funded by DCs.

MFOA notes that, “any new development will lead to an increased demand for infrastructure. Regardless of whether the road already exists, there is a cost associated with maintaining infrastructure and the added pressure of new residents will not be reflected in the current levels of service outlined for the asset.

Municipalities can not rely on reserves and reserve funds to recoup these costs, as the majority of these funds are already allocated or restricted to specific infrastructure projects. Instead, this added cost will be transferred to the tax base, which, paired with the other cumulative financial impacts that recent provincial housing policy has burdened on municipalities, will add significant pressure to property owners”.

The Planner is aware of at least two possible housing projects in Tay Valley Township that would benefit from this change at the cost of the general taxpayer.

MFOA (and the Planner) recommend the province:

- *Develop an infrastructure funding program to offset the loss of DC revenues.*
- *Not enable a mandatory five-year phase-in for DC rates*
- *Allow DC funds to include studies and land costs*
- *Maintain historical service levels at 10 years (not the 15 years proposed which will underestimate the services required for parks, etc.)*

In addition, the Planner recommends the province:

- *Should ensure provisions are in place to lock-in affordability levels if there are discounts on DCs. For example, secure affordability requirements on title to prevent a scenario where a project receives the discount and then is subsequently sold, and units return to market prices.*

Environmental Impacts

Bill 23 eliminates key environmental protections that are needed to stop flooding and to protect wetlands, woodlands, and wildlife in a time of growing climate change impacts and unprecedented biodiversity loss. By allowing for the sale of woodlands and wetlands, and downgrading the oversight role of the Conservation Authorities, the province prioritizes the construction of a proportionately small number of homes over the enormous value contained in these lands.

By removing site plan control powers, Bill 23 would prevent rural municipalities with waterfront from requiring shoreline protection.

Bill 23 also proposes changes to parkland dedication that would exempt parkland requirements for affordable, attainable, and non-profit housing and would cut in half the revenue earned through land conveyance and cash-in-lieu. Reducing the ability to provide parks will make communities less livable and reduce the natural services green spaces provide (e.g., reducing flooding, cooling and cleaning the air, absorbing carbon, etc.).

ERO 019-6161 Conserving Ontario's Natural Heritage (Through Offsetting)

Wetlands will be able to be developed provided a “net positive impact” is demonstrated. In other words, the province proposes to allow “off setting” or creating new wetlands elsewhere to replace the existing wetland that is filled.

Artificial wetlands are never as ecologically productive as natural wetlands. Avoiding filling wetlands should be the primary objective.

The Planner recommends the province:

- *Ensure avoidance is the first choice; mitigation is the second choice and offsetting is the choice of last resort, to be used rarely.*
- *Ensure a net gain with respect to the extent and quality of natural heritage features or their functions, within a reasonable period of time.*
- *Ensure that offsetting considers the best available science, and knowledge, including Traditional Ecological Knowledge. The New Jersey Department of Transportation in the early 2000s considered an offsetting replacement ratio of 11:1 was necessary. Their 3:1 initial ratio was insufficient to ensure the artificially created wetland was successful.*
- *Ensure the offsetting policy incorporates provisions for oversight, tracking and public reporting on the effectiveness of implementation.*
- *Identify wetlands (e.g., coastal wetlands, bogs and fens in eastern and southern Ontario), and other areas that historically have been important for recreation and tourism, should be ineligible for offsetting.*
- *Not establish a fund that could be used instead of creating a wetland on the ground.*
- *Ensure offsets are located in the same watershed.*

ERO 019-6160 Ontario Wetland Evaluation System Changes

The Ontario Wetland Evaluation System is also proposed to be revised and the proposed changes would eliminate wetland complexes, the inclusion of species at risk in the evaluation, etc.

- *The Ontario Professional Planners Institute does not see the justification of such changes to the Ontario Wetland Evaluation System. “Our wetlands are vital, and their protection has been supported by 30 years of science and policy. The effect of eliminating wetland complexes, combined with opening the door to re-evaluating existing units within such complexes as individual wetlands such that those individual units might no longer qualify as provincially significant wetlands (PSWs), will inevitably have the effect of reducing the extent of PSWs and therefore of “no-touch” wetlands in Ontario.”*
- *OPPI (and the Planner) recommend the government pause this measure until a robust, science-based evaluation is conducted on its impact.”*

The province proposes reducing the regulated area around a Provincially Significant Wetland (PSW) from 120 m to 30 m.

- *The Planner urges the province not to arbitrarily reduce the PSW buffer. The buffer should be based on science. Tay Valley Township has seen development where the applicant’s Environmental Impact Study has identified a buffer of 50m or 60m from a PSW. Reducing the buffer will result in harm to the ecological and flood retention properties of PSWs.*

Removing the Ministry of Natural Resources and Forests (MNRF) from the identification of PSWs presents some challenges for Tay Valley and many municipalities which lack the expertise or capacity to take on this role. This situation is compounded by the prohibition by the province for municipalities to use the Conservation Authorities for technical expertise. This may result in further delays to the approvals process and extra costs to applicants.

MNRF’s decision on PSW status, based on scientific grounds, has been final until now. It is unclear if the Ontario Land Tribunal now becomes the route to final decision between the municipality and the applicant, another cost to the Applicant and the general taxpayer.

- *OPPI (and the Planner) recommend the government revoke this proposed measure and retain MNRF’s current role in identifying PSWs.*

ERO 019-6141 Conservation Authorities

Bill 23 makes a number of changes to the Conservation Authorities Act that weaken the ability of Conservation Authorities (CAs) to protect people and property from natural hazards and to protect nature. Under Bill 23 the CA may only comment on the effects of a proposed project on flooding, erosion or unstable soil or bedrock. They are no longer allowed to comment on pollution or effects on the conservation of land, which are most of the applications in Tay Valley.

Bill 23 also prohibits CAs from entering into agreements with municipalities to review development proposals beyond making comments on flooding and unstable slopes. Therefore, Bill 23 places new responsibility on municipalities that Tay Valley does not have the resources to address. The Township does not have engineers on staff to review planning applications for impacts from stormwater runoff of sediments to lakes and rivers.

Similarly, because the Township does not have biologists on staff, the Bill 23 prohibition on CAs from providing comments to a municipality will reduce Tay Valley's ability to protect critical natural infrastructure such as wetlands (that reduce flooding and protect water quality in lakes and rivers), unless the Township hires third parties to review applications (at a higher cost to applicants than the CA charged).

Because Conservation Authority permits would no longer be required within regulated areas (including wetlands) for an activity that is part of a development authorized under the Planning Act, the Township (and therefore, applicants) will have to pay for suggestions on mitigation actions that the CAs currently provide as part of their agreement with Tay Valley Township.

Bill 23 also freezes Conservation Authority fees and charges associated with applications and review making CAs financially unsustainable unless they raise fees in other areas (e.g., on their lands open to the public), etc. The cost of development again would be shifted from developers to the general taxpayer.

Finally, Bill 23 sets out the circumstances for the sale of conservation lands to support housing development. These lands include: Areas of Natural and Scientific Interest, habitat of Threatened or Endangered Species, forest lands, and floodplain. In other words, the Bill applies to approximately 147,000 ha of important ecologically sensitive natural systems or natural hazards that provide outdoor amenities or protect important sources of drinking water, biodiversity, and climate mitigation.

The Planner recommends the province:

- *Allow municipalities to enter into agreements with CAs for review and comment on development applications such as natural heritage and water resources plan review.*
- *Development subject to Planning Act authorizations should not be exempt from requiring a Conservation Authority permit and Conservation Authority regulations should not be delegated to municipalities.*
- *Conservation Authority development fees should not be frozen since they are based on cost recovery.*
- *Careful consideration is required when identifying Conservation Authority lands to support housing development.*

ERO 019-6172 Parkland Dedication (and cash-in-lieu)

The Planning Act requires developments to either convey land for parkland purposes or to provide cash-in-lieu (CIL) of parkland. Tay Valley Township has a Parkland requirement or CIL of parkland at a rate of 5% of land or the equivalent value for subdivisions and a flat rate for CIL required at the severance stage.

Removal of parkland dedication requirements associated with affordable housing introduces a social equity and health concern. The proposed changes may impact the Township's ability to obtain suitable parkland because the parkland to be conveyed would be able to be 'encumbered' with easements or may be privately owned.

Finally, the proposed changes will require the Township to spend or allocate at least 60% of the CIL funds on an annual basis.

The Planner recommends the province:

- *Remove proposed changes to Section 42 of the Planning Act that mandate exemptions to parkland dedication and remove the amendments to alternative parkland dedication requirements. If these changes are adopted, the Province should work with municipalities to develop a funding program to offset the loss of parkland dedication revenues.*

ERO - 019-6163 Removal of Regional Planning (Upper Tier approval powers)

While the changes do not currently impact Lanark County, it is important to note the province has removed planning policy and approval responsibilities from seven upper-tier governments (Durham, Halton, Niagara, Peel, York, and Waterloo Regions and Simcoe County). It is also noted that the changes include the ability for the Lieutenant Governor to add additional municipalities to the list of "upper-tier governments without planning responsibilities" through a change in Regulation.

Regional Planning exists to optimize land use beyond the borders of one municipality. Natural features (e.g., forests, wetlands, rivers) do not stop at municipal boundaries and neither do transportation and economic characteristics. Removing regional planning leads to a loss of watershed wide planning, economic and transportation inefficiencies, and fragmented decisions.

The Planner recommends the province:

- *Retain regional planning roles around long range, coordinated and integrated growth management.*

ERO – 019-6216, 6217, 6218 Greenbelt Plan, Greenbelt Boundary, Oak Ridges Moraine, Dufferin - Rouge Agricultural Reserve

The Planner recommends the province:

- *Retain the Greenbelt and Oak Ridges Moraine Plans and boundaries intact as the lands were designated on the scientific basis of their value for biodiversity, water quality protection etc. and the province's own Housing Task Force Report stated there are sufficient lands available for housing without touching the Greenbelt.*

ERO - 019-6163 Removal of Site Plan Control for Residential Developments 10 units or Less

All residential Site Plan Control Agreements in Tay Valley Township are triggered by development on lakes or rivers and are put in place to maintain water quality (and hence the assessment value of properties) through retention of vegetation, directing stormwater from roofs and driveways away from the waterbody, etc.

The Planner recommends the province:

- *Reinstate Site Plan Control Agreements (SPCA) for residential developments less than 10 units, not on sewer and water services, to allow rural municipalities to protect the health of the shoreline of their lakes and rivers.*

ERO - 019-6163 Limitations to Site Plan Control

The proposed changes also remove control over design and landscaping details for any development regulated through Site Plan Control. As a result, the Municipality will lose the ability to influence the design of landscaping details related to development.

These features could include, as Ontario Association of Landscape Architects stated, tree canopy for shade, native species selection for biodiversity, treatment of glazing to reduce bird collisions, material selection to reduce greenhouse gas emissions, shielded lighting to reduce light pollution and maximize safety, etc.

The Planner is pleased the province has reinstated the ability of municipalities to require Green Standards to achieve important climate mitigation and adaptation site details and recommends the province:

- *Allow the ability to consider landscaping through the site plan control process.*

Social Impacts

The limits on public participation Bill 23 imposes undermines democracy and community vitality.

Additionally, the Ontario Public Health Association expressed concern that Bill 23 would produce, suburban sprawl (public transit starved and car heavy) adding to the air pollution and sedentary lifestyles that threaten our health.

Ontario Public Health Association also stated reducing money or land available for parks reduces community vitality as people need parks for social get togethers, for exercise for mental and physical health, and for stress reduction by enjoying nature.

ERO - 019-6163 Elimination of Third-Party Appeals for all Planning Applications

Bill 23 also proposed to eliminate third-party appeals for all remaining Planning Act applications (Official Plan Amendments, Zoning By-law Amendments, Minor Variances, Consents). However, the bill was amended during Committee to limit third party appeals for consents and minor variances.

The Planner does not recommend reducing public participation. The Planner urges that more be done to streamline Ontario Land Tribunal processes to expedite time to hearings and streamline the actual hearings themselves.

ERO - 019-6163 Elimination of Public Meetings for Subdivisions

The proposed changes in Bill 23 eliminate the required public meeting for a Plan of Subdivision application. (Appeals of subdivision plans were removed by the province previously under Bill 108.)

The Planner recommends the province reinstate the requirements for a public meeting for subdivisions. The public is a key participant in land use decisions.

Indigenous Consultation

The Planner has not seen any evidence of Indigenous consultation on Bill 23.

The Planner recommends consultation with Indigenous and Metis people on Bill 23 given its impacts on natural heritage systems and climate change.

OPTIONS TO BE CONSIDERED

Option #1 (Recommended) – The Planning Department submit the Municipality’s response to the Environmental Registry of Ontario for Bill 23, More Homes Built Faster, 2022 (outlined in the italicized recommendations) and related ERO comment opportunities as well as to Minister of Municipal Affairs and Housing Steve Clark, Minister of Natural Resources and Forestry, Graydon Smith, local MPP John Jordan and to the Rural Ontario Municipal Association.

Option #2 – Council receives the report for information.

FINANCIAL CONSIDERATIONS

If Bill 23 passes in its entirety:

- the Township will lose some Development Cost Charges and the general public, not the private landowner or developer, will be paying for private profit. In other words, the principle of growth paying for growth will have been eliminated;
- the administrative burden will increase considerably in multiple departments;
- SPCAs were a streamlined, cost-effective process. The tools to replace SPCAs will create the need to implement new policy, with additional costs for applicants, at the earliest opportunity.

CLIMATE CONSIDERATIONS

Poor land use decisions (low density housing, filling of wetlands for sprawl housing, etc.) will increase fossil fuel use, reduce carbon sequestration and, therefore, will impede the Township’s work to achieve its Climate Action Plan goals.

CONCLUSIONS

The Planner concludes that the Township should comment on the multiple Environmental Registry of Ontario proposals so that the province hears the specific impacts of proposed Bill 23 on our rural area.

ATTACHMENTS

- 1) Impacts of Bill 23 for Tay Valley Township
- 2) "How the Ontario government's sweeping planning and development changes will play out in cottage country"
- 3) Ford's controversial housing bill could have 'major unintended consequences,' planners warn
- 4) Worries for wetlands as Ontario aims to build homes quickly

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

**Amanda Mabo,
Chief Administrative Office/Clerk**

Attachment 1

Impacts of Bill 23 on Tay Valley Township

Economic

1. Creates more administrative requirements for the Planning Department and Finance Department and increases costs to applicants because Conservation Authorities are prohibited from providing review of stormwater plans, water quality impacts, steep slope, etc. and are prohibited from providing advice on environmental matters.

As an example, the requirement to allocate funds received from cash in lieu of parklands will require the Treasurer to track separately this information and include it as a schedule as part of the annual capital budget process or as part of the schedules with the annual Treasurer's DC statement. This is one of many changes that will create new administrative burdens on municipalities, some of which require cumbersome tracking and monitoring at both the local and upper tiers.

2. Reduces Development Charges available to the Township from rental developments. Currently there are two such proposals in the Township. As well, a number of categories that are currently covered by DCs will no longer be covered and therefore will have to be funded by the general taxpayer. For example, the Development Charge Study, Official Plan Update, Zoning By-Law Update, Master Plans and Studies will no longer be funded by DCs, growth will no longer pay for growth studies.

3. Cash in Lieu of Parkland will not be collected for affordable housing. With the new provincial definition of affordable housing as 80% of market rate, the Township will have diminished CIL revenue. (A potential response the Township could consider is raiding CIL costs).

Environmental

4. Severely undermines the ability of lakes and rivers to be protected from pollution (nutrient loading, dissolved solids, etc.) by prohibiting the use of Site Plan Control Agreements for residential developments less than 10 units. (A possible response by the Township is to adopt a Site Alteration By-law with administrative fees, e.g., tickets for violations with set fines associated per violation which would avoid the need to go to Court.)

5. Puts more planning responsibility on the Township because the Bill prohibits conservation authority (CA) permits that would protect the environment (woodlands, wetlands, rivers and streams).

6. Puts more planning responsibility on the Township because the Bill no longer allows the CA to be able to consider pollution or conservation when issuing permits. They can only issue permits related to floodplain and unstable soil/erosion.

7. Severely diminishes watershed planning which undermines the ability of the Township to assess the health of its watersheds and implement its Tree Canopy Policy (required by the province).

8. Eliminates co-ordinated regional municipal planning to protect prime farmland and natural habitats and determine better (optimal) locations for development and infrastructure.

9. Will increase carbon emissions by increasing sprawl because the proposed densification (3 units as of right instead of the 6 the province's Housing Task Force recommended) is not enough, while destroying carbon-capturing wetlands and forests that reduce climate change.

Social

10. Undermines community engagement by removing appeal rights by third parties – the public – for Committee of Adjustment (minor variances) and severance applications. Prohibits public meetings for subdivision applications which keeps Tay Valley residents in the dark and does not allow them to participate in development decisions that affect their homes, farms, natural areas and the environment.

11. Gives the Minister of Municipal Affairs and Housing the power to override municipal decisions (e.g., Official Plan) and impose the development of large carbon-footprint housing that is easy for developers to build instead of supplying affordable housing.

12. Reduces residents' food security by allowing sprawl on Ontario's highest classes of farmland.

13. Did not consult with Indigenous communities about taking land out of the Greenbelt within their traditional territories.

14. Does not actually increase the supply of affordable housing because the form of the majority of the housing promoted is single family units which are currently unaffordable. Also whereas a municipality could set a target for affordable housing (Toronto's was as high as 22%) but the province has now imposed a 5% cap.

Attachment 2

How the Ontario government's sweeping planning and development changes will play out in cottage country

BY JOHN LORINC PUBLISHED: NOVEMBER 23, 2022

<https://cottagelife.com/general/how-the-ontario-gov-s-sweeping-planning-and-development-changes-will-play-out-in-cottage-country>

For the past several years, Deborah Martin-Downs, who served as the chief administrative officer of the Credit Valley Conservation Authority, has been working closely with the Township of Muskoka Lakes to update the environmental protections in its land use policies. “The township has official plans that put the environment first,” says Martin-Downs, who also served for two years as the president of the Muskoka Lakes Association. The township’s latest official plan explicitly cites goals such as maintaining a “high level of protection” for lakes and natural heritage features. “Other cottage municipalities, such as Haliburton and Kawartha Lakes, have done similar things, because without the environment, they will have nothing to offer people.”

So, in late October, when the Ontario government tabled a far-reaching omnibus bill that not only scrambled much of the province’s land-use planning rules, but also struck at the heart of environmental protections—for natural features such as wetlands, as well as the clout of conservation authorities by removing their ability to weigh in on the impact of development proposals within watersheds—Martin-Downs’ radar began to ping. “What I read in this act is a total disregard for the environment,” she said about a week after it was tabled in the Ontario legislature. (Ontario’s 36 conservation authorities, many of which were established in the aftermath of Hurricane Hazel in 1954, are mandated to protect floodplains and block development on hazardous or ecologically sensitive areas within a watershed.)

The legislation, formally known as Bill 23, or the “More Homes Built Faster Act,” ostensibly aims to remove bureaucratic roadblocks that have, according to the government, allowed a housing shortage in the more built-up parts of Ontario to reach crisis proportions. House and condo prices have gone through the roof. New home starts aren’t keeping up with demographics. Rents have also skyrocketed. In order to close the gap and bring down the costs of ownership, Premier Doug Ford has said he wants to build 1.5 million new homes in a decade—an unprecedented pace of development. To accomplish this, his government has introduced legislation that effectively strip-mines the planning approvals system, removing conditions that have long rankled developers, such as consultation processes, high development charges and other fees, and regulatory requirements viewed as obstacles to growth. The problem? The new rules, mainly aimed at Ontario’s urbanized southern region, could also have far-reaching ecological consequences. The changes could affect the agricultural band surrounding the Greater Golden Horseshoe, as well as more rural regions, including the lake and recreational districts whose health depends on a range of environmental protections, from watershed conservation to rules governing phosphate loads in lakes.

In particular, the new bill removes barriers to sprawl, significantly curtails the ability of conservation authorities to protect watersheds, and eliminates third-party appeals of development applications, such as those from cottager groups. Municipalities across the

province will find their planning departments facing increased pressure from the building industry to process development applications. And, as Martin-Down points out, the municipalities in rural areas are simply not equipped to handle the volumes; many don't even have a professional planner on staff.

Planners and conservation authority officials have been studying the proposed laws since they dropped, and many say that it will be months before they have a firm understanding of what's been put forward and how it fits into other reforms that have been set in motion, such as allowing more development in the Greenbelt around the GTA. But most agree that the act's main impact will be a downloading of services onto ill-equipped municipalities, the neutering of the conservation authorities, the removal of opportunities for individuals to raise concerns about developments, and an erosion of standards that protect source water and limit flooding.

"I think it puts more of a burden on the municipality," says Anthony Usher, a planning consultant who has advised many cottage associations, owners, and developers. He adds that the Bill 23 changes, as well as other planning policy reforms coming out of Queen's Park, place a far greater onus on landowners and community associations to monitor what's happening with their municipal councils. "Every one of those changes underlines the importance of local political action."

Under the proposed new rules, the conservation authorities will no longer be allowed to provide municipalities with feedback on development applications, as has been common practice for almost two decades. Instead, it will fall to municipal planning departments to monitor any environmental risks.

Some conservation authorities have provided that kind of analysis to municipalities on a fee-for-service basis, often paid by the developer, so the fiscal burden for carrying out these kinds of studies now shifts to local councils—and by extension, taxpayers—which often don't have the staff or in-house expertise to do environmental impact assessments. Furthermore, the government is proposing changes to wetland classification, and some may no longer qualify as provincially significant ecological zones. Nonetheless, they remain important environmental areas that could now face development pressure, says Tim Lanthier, the chief administrative officer of the Grey Sauble Conservation Authority. "They've put things into the act that expand the powers of a minister to override any regulations through a zoning order, so the stage has been set," he says, adding that he knows of several wetlands and habitat zones within Grey Sauble's catchment area that could be endangered. "Certainly there are some wetlands that are in contentious development areas that could be at risk."

Usher points out that for wetlands, which help prevent or mitigate flooding and erosion, that are not designated as provincially significant, "the conservation authorities currently have some leverage to try to protect or influence their protection." He says that if the changes pass, it will be solely on the municipalities to decide whether or not a wetland should be protected. "The conservation authorities will have little input on the planning process—they'll be told they have to basically stick to protecting floodplains and pointing out hazard lands, and that's it."

The proposed changes will also significantly diminish the role of conservation authorities in protecting communities from flooding, agrees Terry Rees, the executive director of the

Federation of Ontario Cottage Associations (FOCA), which has been working in recent years with Ministry of Natural Resources and Forestry officials on an improved flood strategy. “We know from the insurance industry and the financial sector that we need to be much more diligent about where we allow people to build, and that includes keeping people away from natural hazards and watercourses,” he says. “Having less oversight and having more permissive building may lead us to having buildings and communities and infrastructure that are going to be at risk.”

Mark Majchrowski, the chief administrative officer for Kawartha Conservation, agrees. He points out that all this is happening at a time when cottage and rural districts, as well as conservation authorities themselves, have seen increased tourism. That dynamic will only increase with urban intensification.

“Green spaces are pretty important for development, and a lot of people flock to conservation area property,” he observes. “So conservation areas are an important element of our infrastructure as a whole.” Martin-Downs agrees: “If the pandemic told us anything, it is that people need a place to go for a walk.”

Another element of Bill 23 involves the suspension of third-party appeals and the elimination of the requirement to hold a public meeting—a move that seems aimed at restricting the ability of homeowner groups to slow development applications with appeals to the Ontario Land Tribunal. Under the proposed law, the OLT will no longer hear third-party appeals; if residents have concerns about a development, they’ll have to persuade the municipality to make an appeal on its own (which may not happen).

In lake areas, says Usher, very few applications make it to the appeal stage, and fewer make it to the OLT; most are approved by municipalities or resolved through negotiations between the parties. But by removing the right of appeal, he predicts that developers—both large and small—will have far less incentive to try to work out some kind of compromise with their neighbours.

Usher adds that there will be an indirect impact with the removal of the right to appeal, which raises the stakes for the municipal planners. “What does that mean for cottagers and for cottage associations that have lake plans and so on? Now, the municipal council is really the only decision-making point and the only check in the system.”

From her vantage point, Deborah Martin-Downs says that the new rules— which come hot on the heels of previous waves of planning reform laws promulgated by the Ford government— will merely make planning less predictable for residents, more costly for the municipalities, and riskier for the environment. “Confusion,” she says, “will reign for quite a while.”

Attachment 3

Ford's controversial housing bill could have 'major unintended consequences,' planners warn

BY SHAWN JEFFORDS POSTED: NOVEMBER 26, 2022

<https://www.cbc.ca/news/canada/toronto/planners-ford-housing-bill-1.6665015>

UPDATE | On Monday, the Ford government passed Bill 23

The experts who manage planning in cities across Ontario say they want a seat at the table as the Ford government finalizes its controversial new bill to accelerate the construction of new homes.

The Regional Planning Commissioners of Ontario say in a report released this week that they have identified 21 "big gaps" in Ontario's housing delivery pipeline. Addressing those problems should be at the heart of Bill 23, the More Homes Built Faster Act, says the group's chairperson Thom Hunt.

And while Premier Doug Ford's goal of building 1.5 million homes over the next decade is laudable, planners across Ontario should be part of that process, he adds.

"What we're trying to say in our report is that if you want to get there, we'd have to address some of these gaps that we identified," he said.

The report from the planners drills down on problems with building and financing growth, ensuring affordable housing construction is completed, and creating collaboration between governments, developers and municipalities.

The report warns that Bill 23 could unleash "major unintended consequences" if it's passed into law in its current state.

'Growth should pay for growth'

The bill will increase the financial burden on taxpayers, reduce their ability to create new parks and other open spaces, the report says

Hunt says one of the gaps identified in the report is the looming question about offering builders waivers or freezes on development charges. Without those fees, communities will struggle to build sewers, sidewalks and roads that service new homes, he says.

"Development charges are the backbone of how you get complete communities," Hunt said.

"Growth should pay for growth."

The legislation was introduced by the province last month to streamline development and ensure more homes are built across Ontario.

But some critics say parts of the bill that propose to waive or freeze some development charges will cost Ontario's municipalities billions, while other clauses put environmental protections and heritage designated properties at risk.

Hunt says if planners are at the table with the province they can help address the problem and put achievable goals in place to help hit the housing targets.

"Let's collaborate on this, we're not going to achieve this in a year, right? 10 years is a good target," he said.

Toronto council requests pause on housing bill

In Toronto this week, city councillors passed a motion asking the province to amend the legislation and pause the bill until the end of January so that the government can consult the public, consider alternatives and analyze its impacts.

The city has estimated it will lose an estimated \$230 million a year in development charges, community benefits charges and parkland levies if the bill is passed.

Mayor John Tory says the request has been formally relayed to the province and he continues to discuss the matter with officials at Queen's Park.

"I just think when push comes to shove, most people won't find it very sensible to be taking money intended for the city to develop much needed infrastructure ... and have that money left in the pockets of developers and not available to the city to build the kinds of things we need," Tory said on Friday.

A spokesperson from Municipal Affairs Minister Steve Clark says the province needs to move forward with Bill 23 to address Ontario's housing crisis.

In a written statement, Victoria Podbielski says the bill will remove development charges for affordable and non-profit housing, not all new builds.

"To be clear, this doesn't mean that municipalities won't get revenue from a new home build, it means that home ownership won't keep moving further out of reach for Ontarians because of increased fees that add thousands to the price of a home."

Attachment 4

Worries for wetlands as Ontario aims to build homes quickly

BY KATE PORTER POSTED: OCTOBER 28, 2022

<https://www.cbc.ca/news/canada/ottawa/more-homes-built-faster-act-conservation-authorities-wetlands-1.6631634>

Environmental advocates are raising the alarm that Ontario's latest housing legislation could prevent conservation authorities from helping municipalities review construction projects and see some wetlands re-mapped for development.

The Ford government has also asked the province's three dozen conservation authorities to look at the swaths of land they own to see what could be turned over for housing.

The Conservatives tabled their Build Homes Faster Act on Tuesday. It's dubbed the Housing Supply Action Plan 3.0 on government consultation pages because two other housing bills preceded it: one in 2019 and another this past spring after a housing task force report was released.

The government has determined that 1.5 million homes need to be built over the coming decade. To get there, Premier Doug Ford's government proposed a suite of regulatory changes this week to streamline construction, such as allowing three units on any residential lot.

But it's the change in approach to large ecological systems that span municipal boundaries, and the pared down role for conservation authorities, that have drawn criticism from organizations such as Environmental Defence.

"It's going to potentially unleash one of the biggest reductions in biodiversity and losses of habitat that we've just seen in decades," Phil Pothen, a land use planning and environmental lawyer, and the group's Ontario program manager, told CBC Radio's All In A Day.

Similar concerns are being expressed in Toronto, which you can read about here.

Environmental advice

"Conservation authorities are still going to play the role they were born to play, which is to protect people and property from flooding and natural hazards and areas where potentially erosion could take place," Minister of Natural Resources and Forestry Graydon Smith told reporters this week.

But Pothen said they do a much bigger job than that, and people rely on them to make sure urban sprawl doesn't destroy how ecosystems function.

Angela Coleman, the general manager of Conservation Ontario, which advocates for all 36 conservation authorities, is indeed concerned the new bill could mean interconnected watersheds, wetlands and natural areas are dealt with in a fragmented way.

Conservation authorities interpret the bill to mean they will have to stick to their core mandate and will no longer be allowed to sign agreements with municipalities to help review development applications — a decades-long practice they say lets municipalities tap into pooled technical expertise that might be costly to do in-house.

Coleman said there could be "unintended consequences" if the work done by 36 conservation authorities shifts to 444 municipalities of different sizes and staffing levels.

Plus, flooding doesn't stop at city limits, Coleman noted.

"Municipal boundaries aren't necessarily the most effective way to plan for, for example, how upstream development would impact the downstream community," she said.

Around Ottawa, the Rideau Valley Conservation Authority helps review planning applications for the City of Ottawa, County of Lanark and United Counties of Leeds and Grenville. The South Nation Conservation Authority also has agreements with communities big and small in eastern Ontario.

Words on wetlands

As part of its bill, the Ontario government also intends to strip and change language from the manual used to evaluate a wetland's significance.

Various sections about documenting rare species are struck through, while the document has new sections about re-mapping existing wetland "units" instead of looking at an interdependent wetland "complex."

"The worst kind of sprawl developers are going to score on it," said Pothen of Environmental Defence. "It's going to drive up land prices, but it's not going to create more housing because we've already got the land we need."

Pothen pointed out communities already have lots of land identified as "greenfield" for future housing.

Coincidentally, the City of Ottawa's planning committee saw a report Thursday that tabulated it had 1,587 hectares of land — most of it already serviced with water and sewer pipes, that could see 69,078 homes.

Lands in trust

Cities must maintain a 15-year supply of land for housing, but the government also wants conservation authorities to look at their holdings. As Ontario's Municipal Affairs and Housing minister Steve Clark put it, conservation authorities are the "second largest landholder in Ontario next to the Crown."

The Rideau Valley Conservation Authority owns 2,210 hectares, while South Nation holds about 4,450.

South Nation owns the boardwalk path through the Leitrim wetland near the Findlay Creek community, but also forests and lands that are at risk of flooding or a landslide, including near Casselman, Ont.

Its chief administrative officer, Carl Bickerdike, said those lands are used for recreation but also have less obvious benefits for air quality, biodiversity and clean drinking water.

"They're not suitable for development and we will be working hard to maintain them for the public good," Bickerdike added.

Coleman said such lands should be considered for housing as a "last resort." Past generations across the province decided to forgo the profit of development and donated their land, trusting conservation authorities to protect it, she said.

The bill has already moved to second reading for debate at Queen's Park, and conservation authorities don't expect the government to hold round-table discussions to finesse the bill the way it did in 2019.

COMMITTEE OF THE WHOLE MEETING
December 6th, 2022

Report #C-2022-28
Amanda Mabo, Acting Chief Administrative Officer/Clerk

COVID-19 VACCINATION POLICY REVIEW

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, the COVID-19 Vaccination Policy be repealed as outlined in Report #C-2022-28 – COVID-19 Vaccination Policy Review;

AND THAT, the necessary by-law come forward at the next Township Council meeting.”

BACKGROUND

On December 14, 2021 Council approved the COVID-19 Vaccination Policy that applies to all existing and future members, employees, volunteers and third parties. It required full vaccination by January 17, 2022. Members, employees, volunteers and third parties met the requirements of the policy. In addition, all new employees, volunteers and third parties have met the requirements of the policy.

DISCUSSION

Ontario no longer requires businesses and organizations to check for proof of vaccination. However, individual businesses and organizations may choose to require proof of vaccination upon entry, providing the requirements or policies comply with all applicable privacy laws, including the *Ontario Human Rights Code*.

The QR Code checker app is no longer available. There are no travel restrictions in Canada. In addition, there are little to no restrictions regarding COVID-19 as we are now “learning to live” with COVID.

As a result, many sections of the COVID-19 Vaccination Policy are no longer applicable. Therefore, it is being recommended that the COVID-19 Vaccination Policy be repealed.

OPTIONS FOR CONSIDERATION

Option #1 – Recommended: Rescind Policy

Option #2 – Amend Policy

FINANCIAL CONSIDERATIONS

None.

STRATEGIC PLAN LINK

Not applicable.

CLIMATE CONSIDERATIONS

Not applicable.

CONCLUSION

See recommendation.

ATTACHMENTS

1. COVID-19 Vaccination Policy

Respectfully Submitted By:

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

SUBJECT: COVID-19 - VACCINATION - POLICY

1.0 PURPOSE

To provide a policy to ensure that the Municipality has in place the necessary health and safety protocols to prevent, eliminate, reduce and manage exposure to COVID-19 and to outline the Municipality's requirements with respect to COVID-19 vaccinations.

2.0 LEGISLATIVE AUTHORITY

Pursuant to Section 25 (2) (h) of the *Occupational Health and Safety Act*, as amended, an Employer shall take every precaution reasonable in the circumstances for the protection of a Worker.

3.0 SCOPE

This policy applies to all existing and future Members, Employees, Volunteers and Third Parties, in relation to all of the Workplaces within the Municipality during the COVID-19 pandemic.

4.0 DEFINITIONS

“CAO” – shall mean the Chief Administrative Officer (CAO) or designate duly appointed by the Municipality as prescribed in Section 229 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

“Clerk” – shall mean the person or designate duly appointed by the Municipality as prescribed in Section 228 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

“Council” – shall mean the Council of the Municipality in accordance with the Council Composition By-Law in effect.

“Employee” – shall mean all union and non-union employees of the Municipality.

“Employer” – shall mean the Municipality.

“Fully Vaccinated” – shall mean:

1. having received:
 - a) the full series of a COVID-19 vaccine authorized by Health Canada, or a combination of such vaccines;
 - b) one of two doses of a COVID-19 vaccine not authorized by Health Canada, followed by one dose of a COVID-19 mRNA vaccine authorized by Health Canada; or
 - c) three doses of a COVID-19 vaccine not authorized by Health Canada; and
2. having received their final dose of the COVID-19 vaccine at least 14 days before providing the proof of being fully vaccinated.

“Member” – shall include a Member of Council and all Members of Local Boards and Committees of the Municipality.

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

“Proof [of Vaccination]” – shall mean the documentation of completed vaccination series approved by Health Canada or the World Health Organization.

“Volunteers” – shall mean persons appointed by a resolution of Council as volunteers.

“Worker” – shall mean an Employee.

“Workplace”- shall mean any land, premises, location or thing at, upon, in or near which a Worker works.

“Testing” – shall mean rapid antigen testing but may be expanded to include other approved rapid testing technologies.

“Third Party” – shall mean contractors and consultants acting on behalf of the Municipality and performing work inside Municipal facilities.

5.0 VACCINATION REQUIREMENT

5.1 All Members, Employees, Volunteers and Third Parties shall:

- provide Proof of being Fully Vaccinated to the Clerk by January 17th, 2022; or
- provide a written attestation of a valid medical reason(s) or legal exemption under the *Ontario Human Rights Code* for not being fully vaccinated against COVID-19 and undergo regular testing as detailed below.

6.0 DUTY TO ACCOMMODATE

6.1 The Municipality will comply with its obligations under human rights legislation to participate in accommodation discussions with individuals who advise of a substantiated, valid legal exemption under the *Ontario Human Rights Code* to receiving the COVID-19 vaccination.

6.2 The individual must advise the Municipality of such an exemption by no later than January 17th, 2022.

6.3 The Municipality reserves the right to request additional information or documents as required.

6.4 In the event of a request for accommodation, sufficient proof of the ground (disability and/or creed) and the connection between the ground and the inability to be vaccinated must be provided.

- 6.5** Where the ground is disability, a note must be provided by either a Physician or Nurse Practitioner that sets out:
- confirmation that the person has a disability (but not the nature of the disability or the diagnosis)
 - confirmation that the person cannot be vaccinated against COVID-19 due to the disability; and
 - the effective time period for which the disability will prevent vaccination.
- 6.6** Where the ground is creed, the person must identify the creed, confirm that they are an adherent of that creed, and explain how their belief system prohibits being vaccinated against COVID-19. Further information may also be required.
- 6.7** Where the medical exemption is time limited, the Clerk will follow up with the individual following the medical exemption's expiry to determine the individual's exemption or vaccination status.
- 6.8** The Municipality has identified disability and creed but will also consider other grounds claimed under the *Ontario Human Rights Code* upon request from the affected individual and the provision of evidence appropriate in the circumstances.
- 6.9** It is incumbent on the individual to participate in discussions about a reasonable accommodation plan and provide information as may be required. All unvaccinated individuals, regardless of exemption, will be required to undergo regular testing (as defined herein).

7.0 REGULAR TESTING

- 7.1** Members, Employees, Volunteers and Third Parties who are not Fully Vaccinated and have a substantiated and approved medical reason(s) or legal exemption under the *Ontario Human Rights Code* must undergo Testing a minimum of two (2) times per week.
- 7.2** The negative test results must be provided to the Clerk following each test.
- 7.3** Employees who have not provided proof of being fully vaccinated by January 17, 2022 must complete their rapid antigen testing on non-work time.
- 7.4** If a fee is incurred for such Testing it will not be reimbursed.
- 7.5** Any Employee that receives a preliminary positive result on a COVID-19 rapid antigen test, is required to:
- a) immediately notify their direct supervisor and the Clerk;
 - b) seek a confirmatory PCR test immediately (within 48 hours) at a designated testing center;
 - c) isolate immediately until the result of their confirmatory test is known;

d) sick leave time may be used for the isolation period.

7.6 Any Member, Volunteer and Third Party that receives a preliminary positive result on a COVID-19 rapid antigen test, is required to:

- a) immediately notify the Clerk;
- b) seek a confirmatory PCR test immediately (within 48 hours) at a designated testing center; and
- c) isolate immediately until the result of their confirmatory test is known.

8.0 TRAVEL

8.1 Regardless of vaccination status, all Members, Employees, and Volunteers who travel outside of Canada will be required to submit proof of a negative rapid antigen test result prior to returning to work or their position with the Municipality.

8.2 If required, testing for Employees may be done on work time.

8.3 The Municipality will reimburse the cost of a rapid antigen test required under this section for Employees and Members of Council for work related travel outside of Canada.

9.0 NON-COMPLIANCE

9.1 Any Member, other than a Member of Council, refusing to comply with the requirements under this policy will be placed on leave from their position for thirty (30) days. If after thirty (30) days the requirements under this policy have not been met the Member will be removed from their position.

9.2 Any Member of Council refusing to comply with the requirements under this policy will not be permitted to enter any Municipal Workplace or attend any Municipal event in person.

9.3 Any Employee refusing to comply with the requirements under this policy will be placed on unpaid leave for thirty (30) days. If after the thirty (30) days the requirements under this policy are still not met, the Employee will be terminated.

9.4 Any Volunteer refusing to comply with the requirements under this policy will be placed on leave from their position for thirty (30) days. If after thirty (30) days the requirements under this policy have not been met the Volunteer will be removed from their position.

9.5 Any Third Party refusing to comply with the requirements under this policy will no longer be retained by the Municipality.

9.6 Any individual who submits falsified proof of vaccination, exemption or testing results required pursuant to this policy will be subject to immediate termination.

10.0 COMMUNICATION

10.1 This Policy, along with any updates, shall:

- be emailed to Members, Employees, Volunteers and Third Parties;
- be provided by hard copy to those Employees that do not have an Employer provided email;
- be posted on all Health and Safety Boards within the Workplace.

10.2 A copy of this Policy shall be provided to any person, upon request.

11.0 COLLECTION OF INFORMATION AND PRIVACY

11.1 All information gathered as part of this policy will be handled solely by the Clerk.

11.2 All information, including personal health information, will be treated in compliance with the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

12.0 ACCOUNTABILITY FRAMEWORK

The Chief Administrative Officer is responsible for ensuring compliance with this policy.

13.0 POLICY REVIEW

The COVID-19 situation is changing daily and as a result this Policy will be reviewed and updated as necessary.

Should updated legal advice be received or new public health directives and/or provincial or federal government legislation, regulations or orders be enacted, they shall take precedence until such time as this policy may be amended to conform to the new requirements.

14.0 REFERENCES

Policies and Procedures/Documents

COVID-19 - Procedure

COVID-19 Face Mask - Policy

Employee Code of Conduct

Health and Safety Policy

Resources

Leeds, Grenville & Lanark District Health Unit

Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

Occupational Health and Safety Act

Ontario Human Rights Code

COMMITTEE OF THE WHOLE

December 6, 2022

Report #C-2022-29

Janie Laidlaw, Deputy Clerk

PROPOSED NEW ROAD NAME – ZIBI WAY

STAFF RECOMMENDATION(S)

“**THAT**, the Road Naming By-Law No. 98-87 be amended to include “Zibi Way” within the designated roads as a municipal road;

AND THAT, the necessary by-law be brought forward to assume “Zibi Way” into the Township’s road network.”

BACKGROUND

In 2021 a request was received for the assumption of a section of an unopened road allowance between Concessions 5 & 6 at Lots 13 & 14, geographic Township of Bathurst so that the applicant’s property would have frontage on a public road in order to apply for a Building Permit. Council agreed that the applicants enter into the necessary agreement with the Township to bring the portion of the unopened road allowance up to a Low Volume Road Standard in order that the Township assume the road as part of the road system as a municipal road.

To date the applicants have completed the work as per the Development Agreement for the construction of the unopened road allowance. The next steps are to name the road and assume it into the Township’s Road system.

DISCUSSION

Road Naming

As per the Road, Addressing and Parcels (RAP) Policy the applicants have proposed at least three road names. Those road names were then forwarded to the County of Lanark for review and recommendation in order to avoid duplication or similarities within the road name database across Lanark County and neighbouring counties.

The proposed road name is “Zibi Way”.

Assumption By-Law

Once the road has been named it also needs to be assumed by the Township for maintenance purposes. Zibi Way will be a publicly maintained road.

OPTIONS CONSIDERED

Option #1 – Name Road – Zibi Way

Meets the requirements of the RAP Policy and the majority of property owners agreed with the name.

Option #2 – Propose an Alternate Name

Not recommended as the renaming of the road would not occur for at least another three months as the process would need to start over.

Option #3 – Do Nothing

This is not an option as the Township has entered into a Development Agreement with the property owner to bring a portion of the unopened road allowance up to a minimum standard in order that the Township assume it, which includes naming the road.

FINANCIAL CONSIDERATIONS

As outlined in Report #C-2021-08, costs of this project are borne by the Applicants.

CONCLUSIONS

That the necessary by-law to name an existing unopened road allowance to Zibi Way and that the necessary by-law to assume Zibi Way into the Township’s Road network as outlined in this report be brought forward for approval.

ATTACHMENTS

- i) Report #C-2021-08 – Request to Assume a Portion of an Unopened Road Allowance – Lalande & Laprise
- ii) GIS Map – Zibi Way
- iii) Draft Road Assumption By-Law
- iv) Draft Road Naming By-Law

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Janie Laidlaw,
Deputy Clerk**

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

COMMITTEE OF THE WHOLE
March 9th, 2021

Report #C-2021-08
Amanda Mabo, Clerk

REQUEST TO ASSUME A PORTION OF AN UNOPENED ROAD ALLOWANCE
LALANDE & LAPRISE

STAFF RECOMMENDATION(S)

“THAT, the Applicants enter into the necessary agreement with the Township in order to bring the portion of the unopened road allowance up to a Private Road Standard in order that the Township can assume the road as part of the road system;

THAT, the Reeve and Clerk be authorized to sign the agreement;

AND THAT, the cost associated with bringing the portion of the unopened road allowance to a Private Road Standard be at the Applicants’ expense.”

BACKGROUND

A written request was received from Richard Lalande and Pierre Laprise requesting the assumption of the identified portion of the unopened road allowance.

The Applicants are requesting that the Township assume this section in order to give their property frontage on a public road in order to apply for a building permit (shown with the star on the attached map).

As mentioned in their delegation to Council back in January, the two properties owned by Lalande and Laprise is where the Tay River Algonquin Community is situated on a 375-acre parcel of land where they have succeeded in managing the land to include having:

- International certified Forest Stewardship Council managed forest certification,
- Hosting the annual Horse Endurance race.
- An Ontario Managed Forest Incentive Program.
- A Ducks Unlimited Canada waterfowl agreement.
- Wetland management.
- Managed wildlife.
- A Provincial 30,000 tree forest plantation program, and

- An Ontario registered indigenous community designation.

They are also in the process of developing Cultural Centre teaching programs.

DISCUSSION

The Clerk undertook a preliminary review. The Planner and Public Works Manager were also consulted. Staff have no objections to the request.

The lot needs to meet the frontage requirement for the RU zone, which is 60m (197 ft). This means that the road would need to be constructed so that it travels at least 60m across the front of the property. That's on top of the additional distance which is needed to reach the property from the main road. A total of approximately 300m (917 ft) is required.

OPTIONS CONSIDERED

Option #1 – Assume Road - at Applicants' Cost

In order to provide the required access to the Applicants property so that an entrance permit and building permit can be issued, the portion of the unopened road allowance would need to be brought up to a Private Road Standard, then the unopened road allowance would need to be assumed by by-law by the Township and incorporated as part of the road system. The cost (survey, legal) to bring the road to the Private Road Standard would be borne by the Applicant.

Option #2 – Do Nothing

If Council does not wish to assume the portion of the unopened road allowance at this time, the unopened road allowance would remain in the ownership of the Township and would not be used to provide access to the Applicants property and therefore the Applicants would not be able to obtain an entrance permit or a building permit.

FINANCIAL CONSIDERATIONS

All costs are borne by the Applicants.

CONCLUSIONS

The Applicants are agreeable to the process and the costs to assume the required portion of the road and have already engaged a surveyor.

The Applicants also have the ability to propose names for this road for Council approval. As per the policy, three names have been submitted and are being run through the County database. A separate report will come forward with regards to the road names.

ATTACHMENTS

- i) Map

Prepared and Submitted By:

Original Signed

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

Unopened Road Allowance - Bathurst - Between Concessions 5 & 6, Lots 13 & 14 (Lalande & Laprise)







THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2022-0xx

ASSUME PORTION OF UNOPENED ROAD ALLOWANCE FOR PUBLIC USE (ZIBI WAY)

WHEREAS, Section 27 (1) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that except as otherwise provided in the Act, a municipality may pass by-laws in respect of a highway, only if it has jurisdiction over the highway;

AND WHEREAS, Section 28 (2) (b) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that, the municipality has jurisdiction over all road allowances located in the municipality that were made by the Crown surveyors;

AND WHEREAS, Section 31 (4) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that a municipality may by by-law assume an unopened road allowance made by the Crown surveyors for public use;

AND WHEREAS, a portion of an unopened road allowance has been brought up to a Private Road Standard to provide access to a property so that an entrance permit and building permit could be issued;

AND WHEREAS, the portion of the unopened road allowance has been named Zibi Way;

AND WHEREAS, the municipality deems it expedient to assume Zibi Way for maintenance purposes;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the Tay Valley Township enacts as follows:

1. GENERAL REGULATIONS

1.1 **THAT**, Zibi Way, described in Schedule "A" and as shown on Schedule "B" attached, be assumed for public use as a highway in Tay Valley Township.

1.2 **THAT**, Zibi Way is more particularly described as Part 1 on Plan 27R11858 being part of PIN 05195-0102 (LT), attached hereto as Schedule "C" and shall be for information purposes only and does not form part of this By-Law.

2. ULTRA VIRES

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2022-0xx**

3. EFFECTIVE DATE

ENACTED AND PASSED this 13th day of December, 2022.

Rob Rainer, Reeve

Amanda Mabo, Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2022-0xx**

SCHEDULE "A"

DESCRIPTION OF PORTION OF UNOPENED ROAD ALLOWANCE TO BE ASSUMED:

ZIBI WAY

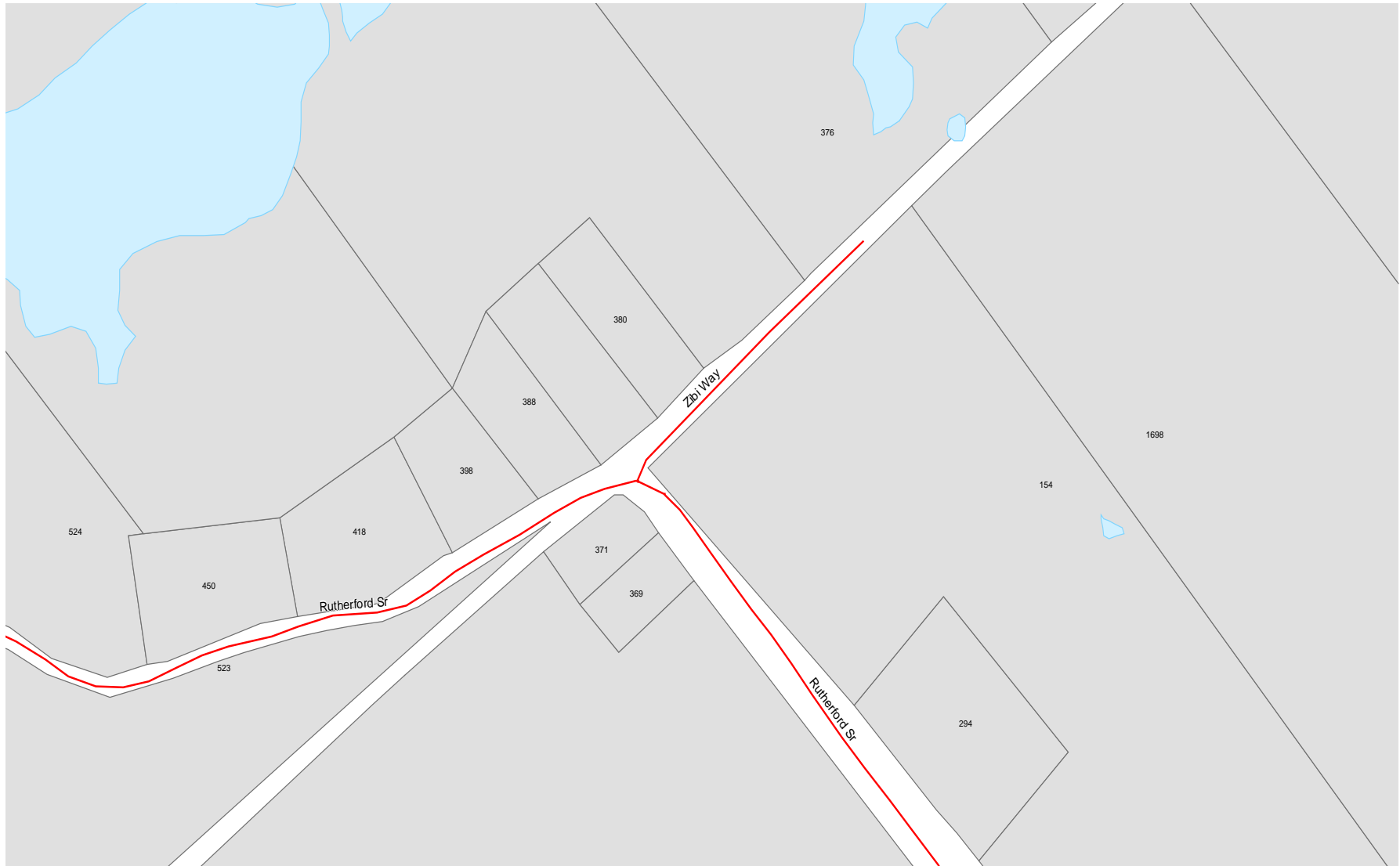
PART OF PIN 05195-0102 (LT)

PART OF RDAL BTN CON 5&6 BATHURST LYING E OF THE SLY EXTENSION OF THE WLY LIMIT OF RDAL BTN LT 10&11 & W OF THE SLY EXT OF THE WLY LIMITE OF RDAL BTN LT 20&21; TAY VALLEY TOWNSHIP

PT 1, PLAN 27R11858

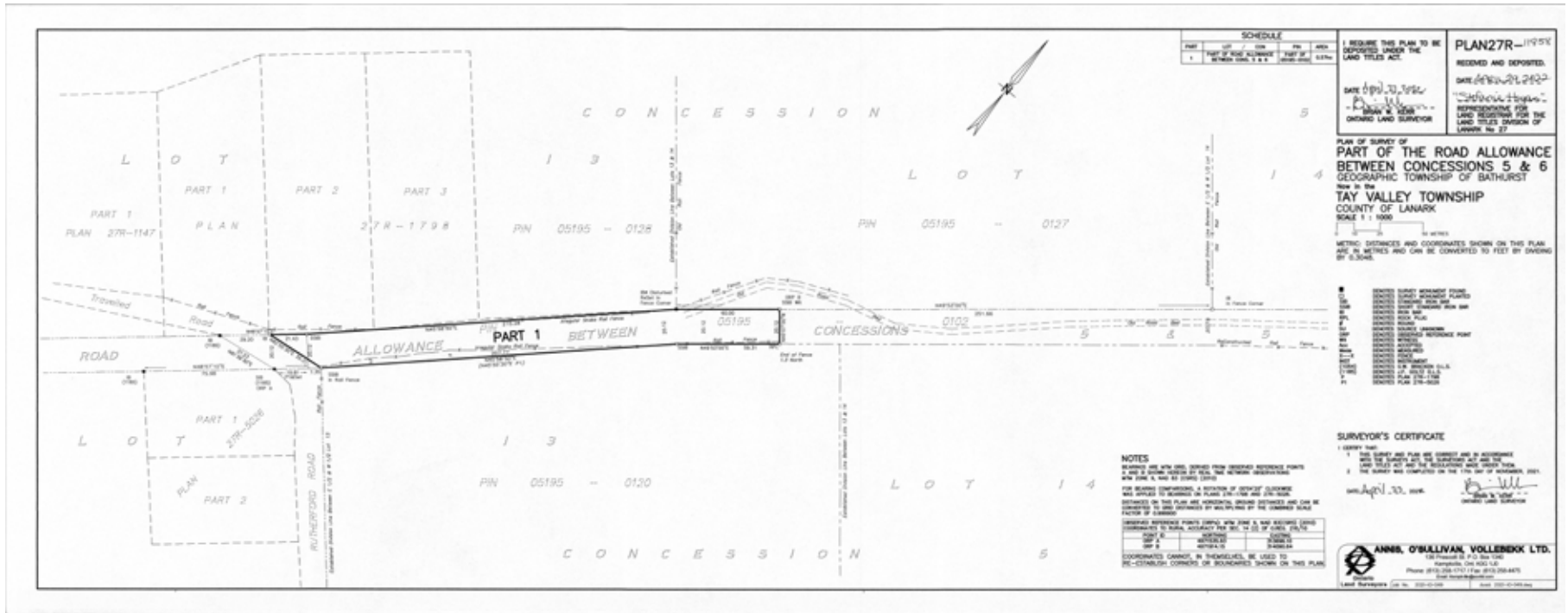
**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2022-0xx**

SCHEDULE "B"



THE CORPORATION OF TAY VALLEY TOWNSHIP BY-LAW NO. 2022-0xx

SCHEDULE "C"



THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2022-0xx

BEING A BY-LAW TO AMEND ROAD NAMING BY-LAW NO. 98-87 (ZIBI WAY)

WHEREAS, Section 48 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a local municipality may name or change the name of a private road after giving public notice of its intention to pass the by-law;

AND WHEREAS, Zibi Way is a new road within Tay Valley Township;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of Tay Valley Township enacts as follows:

1. GENERAL REGULATIONS

1.1 **THAT**, Zibi Way, located within the geographic Township of Bathurst, as shown on Schedule "A" attached, be included within the designated roads as set out in the Road Naming By-Law No. 98-87.

1.2 **THAT**, the Location and Description for Zibi Way in Schedule "A", Bathurst Ward, Municipal Roads to Road Naming By-Law No. 98-87 read as follows:

From Rutherford Side Road for approximately 900 feet.

1.3 **THAT**, Plan 27R-11858 is attached hereto as Schedule "B" and shall be for information purposes only, and not form part of this bylaw.

1.4 **THAT**, the Clerk be authorized to register a certified copy of this by-law on title in the Land Registry Office.

2. BY-LAWS TO BE AMENDED

2.1 By-Law No. 98-87 is hereby amended.

2.2 All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2022-0xx**

3. ULTRA VIRES

3.1 Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

4. EFFECTIVE DATE

4.1 **THAT**, this by-law shall come into force and effect with the posting of the applicable Road Signage and when a certified copy of this by-law has been registered at the Land Registry Office.

4.2 ENACTED AND PASSED this 13th day of December 2022.

Rob Rainer, Reeve

Amanda Mabo, Clerk

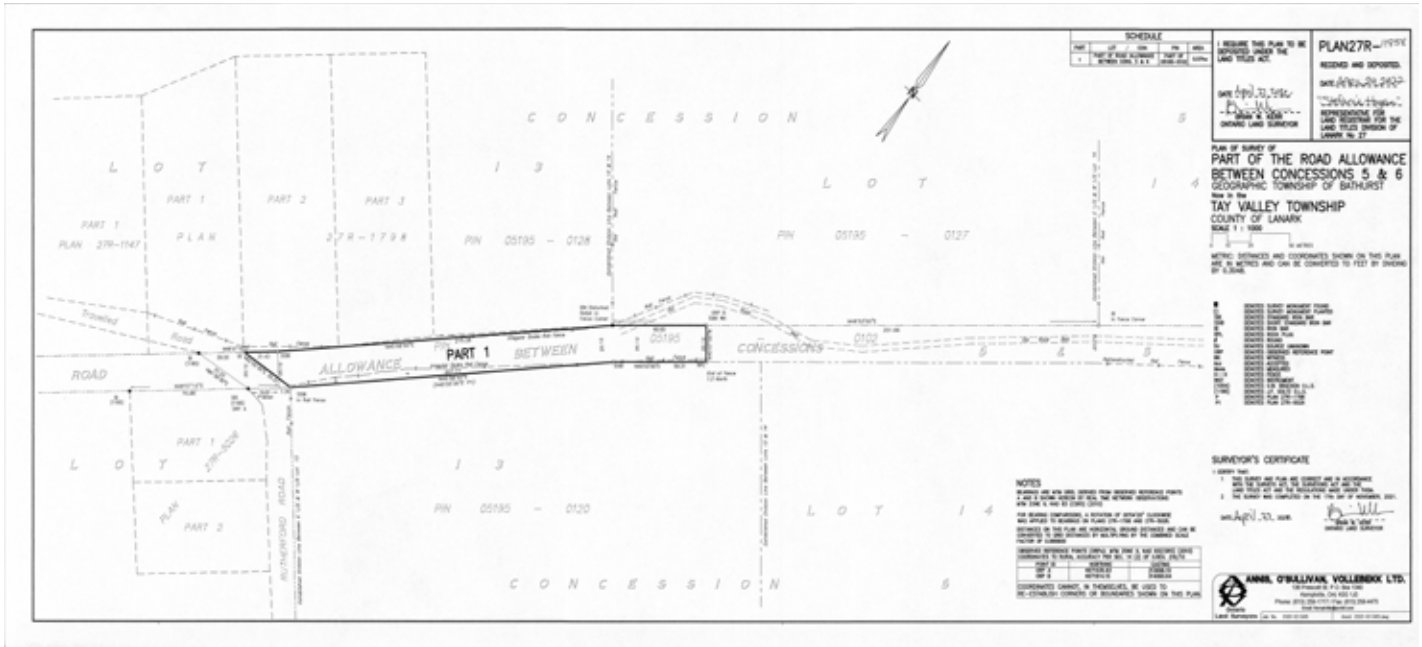
**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2022-0xx**

SCHEDULE "A"



THE CORPORATION OF TAY VALLEY TOWNSHIP BY-LAW NO. 2022-0xx

SCHEDULE "B"



01/01/2022-11/30/2022 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
March	13	9	2	4	0	0	\$9,119.65	\$8,001.56	\$1,487,000.00	\$1,204,820.00	\$15,003
April	10	10	1	4	0	0	\$7,378.20	\$9,457.29	\$1,528,700.00	\$1,855,692.00	\$14,329
May	24	17	5	4	1	0	\$18,328.30	\$10,683.68	\$4,477,810.00	\$2,147,991.67	\$52,826
June	13	16	1	4	0	1	\$10,882.95	\$10,039.60	\$2,037,700.00	\$1,774,779.00	\$5,185
July	13	21	0	4	0	0	\$5,043.55	\$11,128.41	\$930,500.00	\$2,113,626.00	\$24,087
August	7	13	2	2	0	0	\$6,102.20	\$8,500.52	\$1,516,000.00	\$1,816,622.67	\$16,058
September	18	16	3	3	0	0	\$24,111.35	\$7,650.40	\$3,735,000.00	\$1,531,216.67	\$48,174
October	8	14	2	2	0	0	\$9,316.50	\$7,099.23	\$2,440,000.00	\$1,599,166.67	\$24,087
November	18	9	2	2	1	0	\$14,127.60	\$6,130.03	\$2,720,000.00	\$976,566.67	\$24,087
Total	135	134	20	31	3	1	\$114,888.75	\$88,126.00	\$23,294,377.00	\$17,121,181.33	\$236,005

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

2023 Council/Committee Calendar

■ COW ■ County
■ Council
■ Orientation

Budget Meetings (Tentative)
 November 7 - Operating
 November 14 - Capital
 November 28 - Public Meeting
 December 12 - Adopt

★ Statutory Holiday ■ March Break
■ Conferences
 January 22-24 ROMA (Toronto)
 April 16-19 OGRA (Fairmont Royal York, TO)
 May/June FCM (Toronto)
 June 13-15 AMCTO (Niagra Falls)
 August 20-23 AMO
 September OEMC (TBD)

JANUARY						
S	M	T	W	T	F	S
1	★ 2	3	4	5	6	7
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

FEBRUARY						
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26	27	28				

MARCH						
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APRIL						
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30						

MAY						
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28	29	30	31			

JUNE						
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JULY						
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AUGUST						
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SEPTEMBER						
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OCTOBER						
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22	23	24	25	26	27	28
29	30	31				

NOVEMBER						
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12	★ 13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

DECEMBER						
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10	11	12	13	14	15	16
17	18	19	20	21	★ 22	23
24	★ 25	★ 26	27	28	★ 29	30
31						

Please note: Dec. 22 & 29 are half day stats
Municipal Office Closed - Week of 25th

CORRESPONDENCE



1. **Ministry of Municipal Affairs and Housing:** Correspondence – Letter from Minister Steve Clark – *attached, page 3.*
2. **Township of Puslinch:** Resolution – More Homes Built Faster Act (Bill 23) – *attached, page 4.*
3. **Mississippi Valley Conservation Authority:** Media Release – Bill 23 Erodes Ontario’s Natural Hazard Protection – *attached, page 20.*
4. **Rideau Valley Conservation Authority:** Media Release – Bill 23: Less Protection, More Cost, Diminished Local Decision Making – *attached, page 22.*
5. **Town of Aurora:** Resolution – Modifications to York Region Official Plan – *attached, page 25.*
6. **Township of Perry:** Resolution – Healthcare Connect System Members of the Canadian Armed Forces – *attached, page 27.*
7. **Municipality of Wawa:** Resolution – Bill 3: Strong Mayors Building Homes Act – *attached, page 28.*
8. **Municipality of West Perth:** Resolution – Bill 3: Strong Mayors Building Homes Act – *attached, page 30.*
9. **Municipality of Thames Centre:** Resolution – Strong Mayors Building Homes Act – *attached, page 31.*
10. **Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO):** Advocacy Update – Response to Strong Mayor Regulatory Postings – *attached, page 38.*
11. **Enbridge Gas Inc.: Correspondence** – 2024 Rebasing – OEB Notice of Application – *attached, page 46.*
12. **Township of Warwick:** Resolution – CN Railway Contribution Requirements under the Drainage Act and Impacts on Municipal Drain Infrastructure in Ontario – *attached, page 54.*
13. **Solicitor General:** Correspondence – Ontario Regulation 343/22 Fire Certification – *attached, page 57.*
14. **County of Lennox and Addington:** Resolution – OMAFRA Ontario Wildlife Damage Compensation Program Administrative Fee – *attached, page 58.*
15. **Township of Armstrong:** Resolution – OMAFRA Ontario Wildlife Damage Compensation Administrative Fee – *attached, page 60.*

16. **Municipality of Dutton Dunwich:** Resolution – OMAFRA Ontario Wildlife Damage Compensation Administrative Fee – *attached, page 61.*
17. **Dorion Township:** Resolution – OMAFRA Ontario Wildlife Damage Compensation Administrative Fee – *attached, page 62.*
18. **Municipality of West Grey:** Resolution – OMAFRA Ontario Wildlife Damage Compensation Administrative Fee – *attached, page 63.*
19. **Municipal Finance Officers' Association of Ontario (MFOA):** Correspondence – Summary of the 2022 Fall Economic Statement – *attached, page 64.*
20. **AMCTO:** Advocacy Update – Province Provides Fall Financial Update – *attached, page 66.*
21. **Canadian Springs Aquaterra Corp.:** Correspondence – Speeding Complaint – *attached, page 69.*
22. **Lanark County:** Media Release – Highlights from Lanark County Council Meeting on November 9, 2022 – *attached, page 70.*
23. **Lanark County:** Media Release –Peter McLaren Sworn in as 2023 Lanark County Warden – *attached, page 73.*
24. **Lanark County:** Media Release – Innovative Stewardship Program Comes to Lanark County – *attached, page 75.*
25. **Lanark County:** Media Release – Highlights from Lanark County Council Meeting on November 23, 2022 – *attached, page 78.*
26. **Tay Valley:** Report – Building Permits (Approval Granted November 2022) - *attached, page 80.*

THE COUNTY OF LANARK
ECONOMIC DEVELOPMENT COMMITTEE
September 28th, 2022

Report #CAO-6-2022 of the
Chief Administrative Officer

Trans Canada Trail (Lanark County)

1. STAFF RECOMMENDATIONS:

That, County Council endorse the rerouting of the Trans Canada Trail in Lanark County to the Ottawa Valley Recreational Trail; and

THAT, a copy of this report be sent to the local municipalities requesting their endorsement.

2. PURPOSE

To obtain council's support to move a large portion of the Trans Canada Trail in Lanark County to the OVRT.

3. BACKGROUND

The Trans Canada Trail mission is as follows:

“Our mission

As the longest trail network in the world, the Trans Canada Trail connects Canadians and visitors to nature and to one another, from coast to coast to coast, through accessible and inclusive outdoor activities. Through collaboration and partnerships, we build, maintain and steward Canada's national trail, a unique system of connected urban and rural trails.”

Several years ago Lanark County council sent a letter to the Trans Canada Trail (TCT) to enquire about moving the current trail to the newly acquired Ottawa Valley Recreational Trail (OVRT). At the time the TCT wrote back that they were not entertaining any changes to their trail system.

This year the TCT reached out to Lanark County about moving the Trail to the OVRT.

This report was endorsed by the Lanark County Trails Subcommittee on September 12th.

4. DISCUSSION

The current route of the Trans Canada Trail in Lanark County is shown in the following map.

The current route is:

Carleton Place

Landsdowne Ave, Bridge St., Mill St., Princess St., Mississippi Riverwalk Trail, McNeely Ave., Maple Lane;

Mississippi Mills

CR 29 (Ramsey 8 to Wilson), CR 11 Wilson St to Appleton, CR 17 Appleton Side Rd., Ottawa St (Almonte), Queen St., Bridge St., Perth St., Old Perth Road.,

Lanark Highlands

Boyd's Rd., CR 15 Ferguson Falls Rd, CR 12 Pine Grove Rd, South St. (Lanark Village), CR 511

Drummond North Elmsley

CR 511, CR15 Ferguson Falls Rd, McIlquam Blair Rd., Con 10A, Dunlop Side Rd., Prestonvale Rd., Con 8A, (Balderson)

Tay Valley

CR 7 Fall Brook Rd., Keays Rd., Harper Rd., CR6 Christie Lake Rd.,

Perth

Sunset Blvd., Wilson St., Isabella St., Gore St.,

Drummond North Elmsley

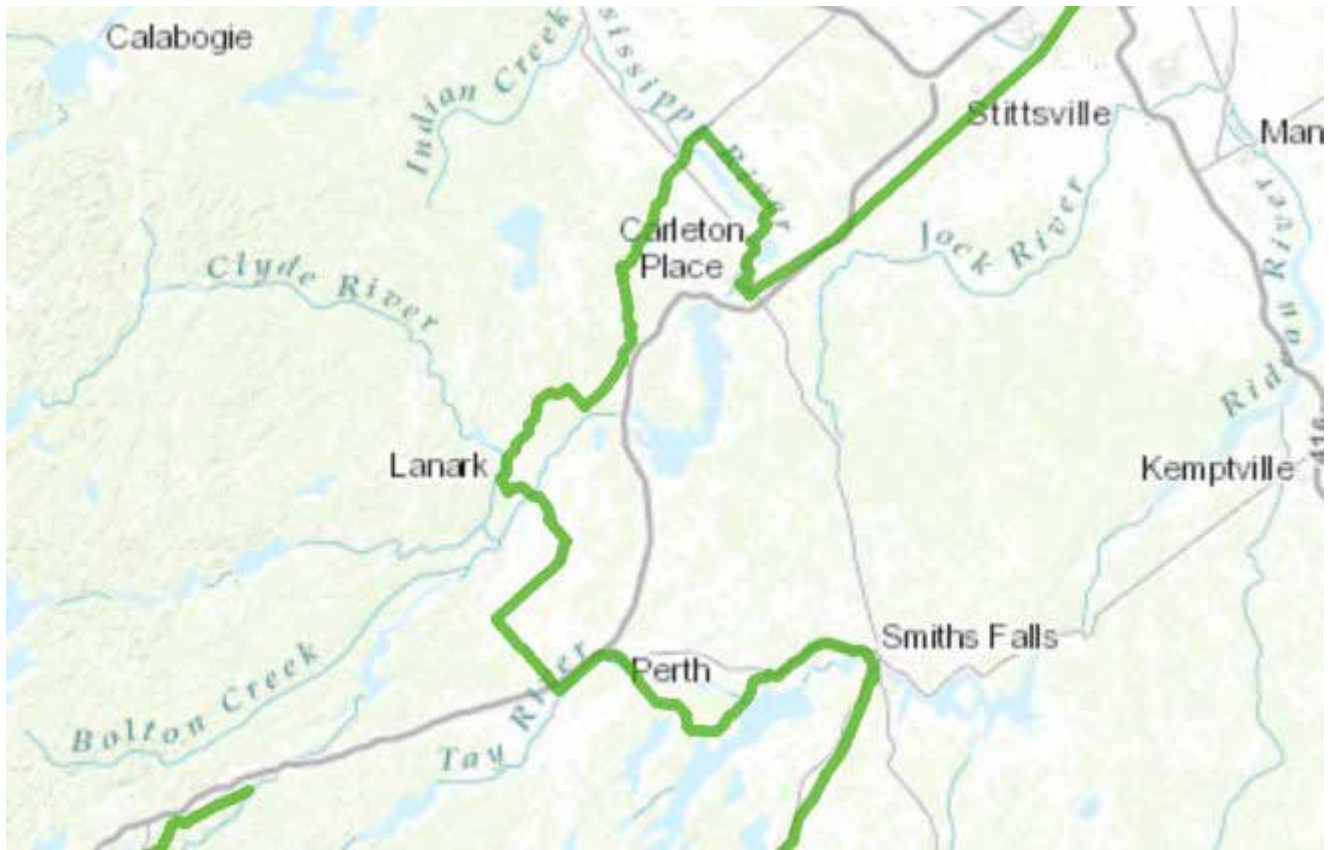
CR1 Rideau Ferry Rd., CR 18 Port Elmsley Rd., CR 43 Highway 43

NEW PROPOSED ROUTE

Carleton Place

OVRT (where it meets the existing TCT at Coleman)

OVRT through Beckwith to Kelly Jordan Road in Montague
Kelly Jordan to Carroll Road to Smiths Falls (Maize St)



5. ANALYSIS AND OPTIONS

Options:

1. Leave as is. The TCT currently passes through 7 local municipalities travelling on 37 different roads, both township roads and county roads. This path passes through several towns and villages showcasing a good portion of Lanark County.
2. Move the TCT to the OVRT. This new proposed route provides a much more direct path across Lanark County. It includes the OVRT and two short sections of municipal road. This reduces the number of local municipalities traversed to 3. The major reason for recommending this option is reducing the roadside portion of the TCT. The current section in question is 102.3km, 100% on roadsides. By rerouting the TCT to the OVRT this will be reduced by approximately 70km. Of this remaining 30km 92% will be on the Ottawa Valley Recreational Trail and the remaining 8% on roadsides.

6. FINANCIAL IMPLICATIONS

No direct costs. The Trans Canada Trail also offers annual grants to fund trail maintenance across Canada, and that funding could be used to offset some OVRT maintenance activities or signage.

7. LOCAL MUNICIPAL IMPACT

The project would be a tourism draw for host municipalities.

8. CONCLUSIONS

The Trans Canada Trail passing through Lanark County is a great tourism opportunity. The proposed route change is recommended to enhance the experience for visitors.

9. ATTACHMENTS

None.

Recommended By:

**Approved for
Submission By:**

**Manager Approval
By:**

Kurt Greaves
Chief Administrative
Officer

Kurt Greaves
Chief Administrative
Officer

Kurt Greaves
Chief Administrative
Officer

UPDATES



MINUTES

Via Zoom and In Person

Board of Directors

September 21, 2022

MEMBERS PRESENT

J. Atkinson, Chair
J. Mason, Vice-Chair
R. Darling
B. Holmes
J. Karau
P. Kehoe
P. Sweetnam
C. Rigelhof
S. Lewis
C. Lowry
A. Tennant
K. Thompson
F. Campbell
J. Inglis
C. Kelsey
B. King

MEMBERS ABSENT

E. El-Chantiry
G. Gower

STAFF PRESENT

S. McIntyre, General Manager
S. Millard, Treasurer
J. North, Water Resources Technologist
J. Cunderlik, Water Resources Engineer
M. Craig, Manager of Planning and Regulations
P. Tapley, Recording Secretary
A. Broadbent, Information & Communications Technology
Manager

J. Atkinson called the meeting to order at 1:00 pm.

Members were asked to declare any conflicts of interest and informed that they may declare a conflict at any time during the session. No declarations were received.

B09/21/22-1

MOVED BY: J. Inglis

SECONDED BY: P. Kehoe

Resolved, That the agenda for the September 21, 2022 Board of Directors Meeting be adopted as presented.

“CARRIED”

MAIN BUSINESS

1. Approval of Minutes: Board of Directors, 2022

B09/21/22-2

MOVED BY: S. Lewis

SECONDED BY: C. Rigelhof

Resolved, That the Minutes of the Mississippi Valley Board of Directors Meeting held on July 20, 2022 be received and approved as printed.

“CARRIED”

2. Watershed Conditions., Report 3236/22

J. North presented the Watershed Conditions Report. Slightly above-average rainfall for this time of year was noted. Upper lakes are stable due to the amount of rain and the majority of lakes are sitting above normal levels.

Crotch lake is above average (just over 30 cm) due to amount of water in the system. Levels on Dalhousie and Mississippi lakes are above normal.

Fall draw downs have started at Shabomeka and Pine Lakes and it is expected Kashwakamak, Mississagagon and Big gull will commence after Thanksgiving weekend. The long range forecast for fall is normal temperatures with a slightly drier forecast, which will assist in getting access water out of system before winter.

P. Sweetnam enquired if the overflow bypass was repaired at Mazinaw Lake. J. North reported it had been completed in 2019.

3. Carleton Place Dam Safety Review Project Award, Report 3237/22

J. Cunderlik identified this award as a priority in capital plan. The project scope includes study and design of a new safety boom. An RFP was issued to 3 firms, with 2 proposals received. The Project will be awarded to D.M. Will Associates.

The project has an estimated value of \$100,000 and MVCA will receive 50% funding from province under the WECl program.

J. Inglis inquired if there was a possibility of a safety review leading to rebuilding of that dam and if so, who would pay for it.

J. Cunderlik stated inspections occur yearly, the structure is in descent state (15 years old) with a few minor deficiencies. Safety concerns mainly relate to the railings and the public accessing the structure. No major issues are expected.

4. Appointment of PAC Members., Report 3238/22

S. McIntyre reported that in May 2022, the Board approved the establishment of a Public Advisory Committee (PAC) to support MVCA in Mississippi River Watershed Plan. A Promotional campaign in the summer reached out to various sectors. Applications were not received from all targeted sectors. However, good quality candidates representing a good cross section in terms of geography applied. They previous PAC were a dedicated group, knowledgeable in watershed and water management issues and were a good sounding board.

E. Giffin no longer lives within the watershed but has been long time serving on many boards including the previous PAC and would be an asset to this committee.

P. Sweetman asked what number of committee members was hoped for. S. McIntyre indicated that the terms of reference for the committee indicated up to 10 candidates and we have 6.

B. Holmes asked if late applicants would be accepted if anyone is interested in joining. S. McIntyre referred to the Board with no objection.

J. Karau commented that he believes the Committee has good members; and that it would desirable for experts from other sectors to be invited to attend PAC meetings where appropriate.

P. Sweetnam had concerns regarding Advisory Committees making decisions for the Board. S. McIntyre commented that J. Karau is co-chair and on the committee with vast experience. As the PAC is not a decision-making body, all decisions would be put forth to the Board for approval. PAC members role is helping in the decision making and implementation process and to promote awareness.

J. Inglis is pleased and proud that 3 of the 6 new PAC members are North Frontenac.

P. Sweetnam asked if there was success in representation from Indigenous people and could we invite people to fill that role. S. McIntyre will further discuss in Agenda Item # 7 under the subject of the Indigenous Engagement Plan. Indigenous Communities are overwhelmed to provide feedback and at this time MCVA is looking to follow their lead for engagement.

B/21/22-3

MOVED BY: C. Lowry

SECONDED BY: P. Sweetman

Resolved, That Board of Directors appoint members of the Mississippi River Watershed Plan Public Advisory Committee as settled in this report.

“CARRIED”

5. Budget Control., Report 3239/22

The Chair welcomed Stacy Mallard as new treasurer and Pam Tapley as new Researcher-Clerk.

S. McIntyre provided a comparison between year to date expenditures and revenues and the approved 2022 budget. Revenues overall are slightly below average for this time of the year and expenditures are tracking normally. Insurance premiums were higher than budgeted. We are still waiting for the Section 39 provincial transfer. Planning and permit revenues continue to be strong during this quarter. User fees from contract revenues are higher than projected.

There was not a successful fundraising campaign with Mississippi Madawaska Land Trust (MMLT) which would have allowed up to payback the Operating Reserve next year. It is unlikely a campaign will proceed due to MMLT staff departures and capacity limitations. Further analysis on the impact on operating reserve still needs to be done.

P. Sweetnam asked for a refresh summary of the projects. S. McIntyre stated 3 projects were approved: ALUS (work in progress) , Wetland Restoration Project carp river (could not proceed) and Land Conservation Land Strategy (actively working on).

J. Karau agreed that there are challenges with fundraising and options for private fundraising could be pursued.

C. Lowry emphasized the importance of restoring the Operating Reserve and is interested to see what other options could be implemented.

J. Mason added that fundraising could be revisited next year.

6. Kashwakamak Lake Dam Replacement Grant Award., Report 3240/22

B09/21/22-4

MOVED BY: C. Lowry

SECONDED BY: K. Thompson

Resolved, That the committee move to in-camera session for discussion of the following matter:

- Information explicitly supplied in confidence to the Authority by Canada, a

province or territory or a Crown agency of any of them

“CARRIED”

Staff were directed to remain in room and the Zoom recording was stopped.

B09/10/22-5

MOVED BY: B. King

SECONDED BY: A. Tennant

Resolved, That the Board of Directors move out of in-camera discussion.

“CARRIED”

Indigenous Engagement Plan Update, Report 3241/22

S. McIntyre provided information on the Indigenous Engagement Plan (IEP). The company Cambian Professional Indigenous Services (CIPS) 2019 are assisting MCVA and have prepared annotated Backgrounders and questions to Indigenous communities with an interest in the Mississippi River watershed. As a result of COVID, activities were put on hold until earlier this year. The Plan process has been reinitiated and 3 group meetings have taken place, which have gone very well. The next step is to meet with larger groups from each community, ideally in person. Currently, MVCA is to complete remaining meeting by year end and report back to Board with finds in early 2023.

J. Karau expressed appreciation of the restart of this plan and suggested it may assist the Board. S. McIntyre will share hyperlink to MCVA website for all IEP documentation.

7. Permit Timeline, Report 3242/22

Matt Craig presented a summary of permits issued over the period of March 1-September 7, 2022. The overall timeline performance is positive.

J. Inglis asked if this requirement added significantly to workload?

M. Craig stated that workloads for administrative with tracking were additional.

8. Planning and Regulatory Activity, Report 3243/22

M. Craig presented a report to the Board with a summary of permits issued over March 1-September 7, 2022.

Approximately 150 permits have been received to date (300 last year) and it is predicted that in the order of 200 permits will be issued this year.

It appears applications related to flood damage (from 2019) are coming to an end. There were 760 General inquiries in 2021 and 440 this year (3 months still to go).

P. Sweetnam noted there were applications for work on adjacent lands to a wetland and could this adversely affect wetlands? M. Craig responded that any work within 120 m of a Provincially Significant Wetland (PSW) or 30 m of an unevaluated wetland requires permission form MCVA.

9. General Manager Update, Report 3244/22

An overview of key items was made. The Latornell November conference is over-subscribed and MVCA staff are on the waiting list. Board members are to advise Sally if they wish to attend. Several Board members spoke of the value of the conference and encouraged other to use this forum as well as the on-line network and webinars.

Board members were encouraged to share with their municipal planners the Resources for Land Use Planner, Adaptation Resource Pathway for Planners (ARPP) document.

The Mississippi-Rideau Septic System Office will be commencing work in new areas in October. Staffing is complete and will be taking their new positions October 3.

MCVA is working on several polices: Work form Home Policy, Compressed Work week and Cellular Phone.

The federal government has retroactively provided a grant for the LiDAR data acquisition project. South Nation Conservation applied and was successful in obtaining a 45% grant that result in cost savings by all partners. P. Sweetnam asked if it was known where the funding came from? J. Cunderlik indicated there was extra funding at the end of the year.

J. Karau noted that Angela Coleman is new Executive Director for Conservation Ontario which he sees as positive, as she was GM at South Nation and is expected to raise the profile of the organization.

C. Lowry shared that she felt the GM's presentation at the AMO Conference to MPP Yakabuski was excellent; however, the dialogue back was a little disappointing and suggested that the group try to engage again in early 2023.

Members were request to find out when future Board appointments would be made.

ADJOURNMENT

The meeting was adjourned at 2:17 pm

B07/20/22-6

MOVED BY: P. Kehoe

SECONDED BY: K. Thompson

Resolved, That the Board of Directors meeting be adjourned.

"CARRIED"

"P. Tapley, Recording Secretary

J. Atkinson, Chair"

Municipal Clerks/Chief Administrative Officers,

Re: FOR DISTRIBUTION TO COUNCIL

As a member of the Authority, please find below highlights from the October 19, 2022 Board of Directors meeting for distribution. Complete minutes for the meeting will be circulated at a later date following their approval by the Board. Attached are approved minutes of the September 21, 2022 Board meeting.

Hydrologic datalogger

A presentation on MVCA own in house hydrologic datalogger development project was given with the goal of the project being a low cost, easy to use environmental monitoring system where the conventional datalogger (used to measure lake levels and water temperature) could be replaced by a small microcontroller. Field testing is occurring over the next year. There was a good discussion on the benefit of this type of innovation and this knowledge and expertise should be celebrated and shared with others.

Mill of Kintail Roof Update

The Mill of Kintail will undergo a roof repair and MVCA will be engaging with Mississippi Mills Township and Heritage Committee to discuss roof type options as the building is a designated Heritage building. The project is expected to start in 2023.

2023 Draft Budget

The Board gave direction on the development of the Draft 2023 budget in accordance with the following parameters; An assumed growth in tax assessment of 1.5%, a municipal levy increase of 3% to the operating budget (work force plan phase in for new staff to service growth) and a municipal levy of 4.5% to the capital budget.

The budget was approved in principal and it was agreed that there may be changes depending on the financial direction given by the City of Ottawa.

2022 Election New Member Transition

The elections, process and timing of the new Chair, Vice- Chair and members transitioning and changeover was discussed as it normally occurs at the AGM meeting in

February. Outgoing members open the meeting and hand over to new members.

Discussions on timing, allowing sufficient time for new members to get accustomed to their new role might be beneficial if this were to occur earlier in the year.

Municipalities will be contacted to ask that all appointments take effect Jan 1, 2023. This will allow MVCA time for new members orientation and observe the Finance & Admin meeting in November and a Board meeting in December

Watershed Priorities Update

The newly formed Public Advisory Committee held their first meeting October 18. A lot of information was presented including mandate review and summary of the implementation plan of the watershed. Katie Surra has been appointed co-chair along with John Karau. They will meet again in November.

ATTACHMENT: Approved Minutes for September 21, 2022

RIDEAU VALLEY CONSERVATION AUTHORITY
Box 599, 3889 Rideau Valley Drive
Manotick, Ontario, K4M 1A5
(613) 692-3571, 1-800-267-3504

Members and the public were also able to join via Zoom given the ongoing pandemic.

APPROVED MINUTES

<u>Board of Directors</u>	<u>6/22</u>	<u>September 22, 2022</u>
Present:	Gerry Boyce Vince Carroll Brian Dowdall Julie Graveline Robin Jones Pieter Leenhouts Dale McLenaghan	Judy Brown Jamie Crawford Bob Foster Victor Heese Andy Jozefowicz John McDougall Scott Moffat
Staff:	Ferdous Ahmed Sommer Casgrain-Robertson Kathy Dallaire Glen McDonald Beth Searle	Tyler Bauman Dan Cooper Terry Davidson Marissa Grondin
Regrets:	Carolyn Bresee Mel Foster Shawn Pankow Anne Robinson Kristin Strackerjan	George Darouze Steve Fournier Gene Richardson Rob Rothgeb

Chair Leenhouts called the meeting to order at 6:30 p.m.
General Manager/Secretary-Treasurer conducted a roll call.

1.0 Land Acknowledgement Statement

Chair Leenhouts gave the Land Acknowledgement statement.

2.0 Agenda Review

Chair Leenhouts reviewed the Agenda.

3.0 Adoption of Agenda

Motion 1-220922

Moved by:

Brian Dowdall

Seconded by:

Gerry Boyce

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 July 28, 2022

Motion 2- 220922

Moved by:

Andy Jozefowics

Seconded by:

Judy Brown

THAT the Board of Directors of the Rideau Valley Conservation Authority approves the Minutes of the Board of Directors Meeting #05/22, July 28, 2022, as circulated.

Motion Carried

6.0 Business Arising from the Minutes

There was no business arising.

Scott Moffat joined the meeting at 6:35 p.m.

7.0 Flood Hazard and Regulation Limits Mapping for Mosquito Creek

Ferdous Ahmed, Senior Water Resource Engineer and Glen McDonald, Director of Science and Planning gave an overview of the flood hazard and regulation limits mapping project for Mosquito Creek, including a summary of comments received and how they were responded to by staff.

In response to a question from a Member, Mr. McDonald explained that the floodplain mapping for Mosquito Creek is taking place now as this area is being incorporated into the urban boundary and was prioritized by the City and the RVCA.

Motion 3-220922

Moved by: Robin Jones
Seconded by: Dale McLenaghan

THAT the Board of Directors of the Rideau Valley Conservation Authority receive the flood mapping report for Mosquito Creek from Mitch Owens Road to the Rideau River (dated November 10, 2021);

THAT the report and associated maps be adopted as the best available information related to establishing flood risk and regulation limits along Mosquito Creek; and

THAT the report and associated maps be used in RVCA's planning advisory and regulatory programs, including the administration of Ontario Regulation 174/06 under Section 28 of the *Conservation Authorities Act*, and other watershed management activities.

Motion Carried

Vince Carroll joined the meeting at 6:44 p.m.

8.0 MNRF Resumes Administration of Conservation Authorities Act

Sommer Casgrain-Robertson, General Manager presented an update on ministry changes administering the *Conservation Authorities Act*.

In response to questions from Members, Ms. Casgrain-Robertson noted that conservation authorities are waiting to learn if staff within MECP who are responsible for the conservation authority file will transfer to MNRF and retain their responsibilities. She also noted that MECP staff have developed a strong understanding of conservation authorities and it would be beneficial to be able to continue working with them. Ms. Casgrain-Robertson further explained that the conservation authorities have built a strong working relationship with MECP over the past two years through the Minister's working group and hopes that a collaborative working relationship will continue under MNRF.

A Member commented on the new Minister's familiarity with municipalities, his ability to learn quickly, and his reputation for being pleasant to work with.

Motion 4-220922

Moved by: Victor Heese
Seconded by: Jamie Crawford

THAT the Board of Directors of the Rideau Valley Conservation Authority receive this report for information and approve the attached letter to be sent to the Minister of Natural Resources and Forestry.

Motion Carried

9.0 2023 Preliminary Budget Discussion

Sommer Casgrain-Robertson presented 2023 preliminary budget factors and pressures for Board consideration and sought input and feedback from Members.

Following discussion, the Board directed staff to prepare a draft budget reflecting the following:

- A municipal levy increase of 2% plus assessment growth (total of 3.4%)
- Fee schedule increases of approximately 2%
- Request senior management to recommend a proposed cost of living increase to salaries when the draft budget is presented in October.

10.0 Meetings

- a) AMO Conference (CA Panel Presentation): August 14 to 17, 2022
 - Sommer Casgrain-Robertson was a panelist on changes to the *Conservation Authorities Act*
- b) OEMC Conference (CA display): September 14 to 16, 2022
- c) RVCF Board of Directors Meeting: September 14, 2022
- d) General Managers Meeting: September 19, 2022
 - Conservation Ontario has a new General Manager, Angela Coleman from South Nation Conservation.
- e) International Plowing Match: September 20 – 24, 2022
 - RVCA alongside other Eastern Ontario conservation authorities are sharing an exhibitor tent, Board members are welcome and encouraged to stop in and view the exhibit.

Upcoming

- f) Conservation Ontario Council Meeting: September 26, 2022
- g) RVCA Board of Directors Meeting: October 27, 2022

Chair Leenhouts thanked Ms. Casgrain-Robertson for the meeting summary and opened the floor to questions and comments. There were none.

11.0 Member Inquiries

None.

12.0 New Business

None.

15.0 Adjournment

The Chair adjourned the meeting at 7:04 p.m. on a motion by Andy Jozefowicz which was seconded by Judy Brown.

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Members and the public are also able to join via Zoom given the ongoing pandemic.

DRAFT MINUTES

<u>Board of Directors</u>	<u>7/22</u>	<u>October 27, 2022</u>
Present:	Gerry Boyce Vince Carroll Brian Dowdall Mel Foster Victor Heese Andy Jozefowicz John McDougall Anne Robinson Kristin Strackerjan	Judy Brown Jamie Crawford Bob Foster Steve Fournier Robin Jones Pieter Leenhouts Dale McLenaghan Rob Rothgeb Shawn Pankow
Staff:	Sommer Casgrain-Robertson Terry Davidson Marissa Grondin Justin Robert	Kathy Dallaire Diane Downey Glen McDonald Brian Stratton
Regrets:	George Darouze Julie Graveline	Carolyn Bresee Scott Moffat Gene Richardson

Chair called the meeting to order at 6:30 p.m.
General Manager/Secretary-Treasurer conducted a roll call.

1.0 Land Acknowledgement Statement

Chair Leenhouts gave the Land Acknowledgement statement.

2.0 Agenda Review

Chair Leenhouts reviewed the Agenda.

A member requested the General Manager comment on Bill 23 under New Business. A member also indicated they had a question pertaining to staff reviews that will be asked under Member Inquiries.

3.0 Adoption of Agenda

Motion 1-221027

Moved by: Brian Dowdall
Seconded by: Gerry Boyce

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 September 22, 2022

Motion 2- 221027

Moved by: Victor Heese
Seconded by: John McDougall

THAT the Board of Directors of the Rideau Valley Conservation Authority approves the Minutes of the Board of Directors Meeting #06/22, September 22, 2022 as circulated.

Motion Carried

6.0 Business Arising from the Minutes

There was no business arising.

7.0 Flood Hazard and Regulation Limits Mapping Amendment along van Gaal Drain

Terry Davidson, Director of Science and Engineering presented the flood hazard and regulation limits mapping amendment along the van Gaal Drain.

In response to questions from Members, Glen McDonald, Director of Science and Planning, clarified that this area was identified as additional development lands within Richmond in 2014. When developers became interested in the area, the City of Ottawa referred to the original community design plan and decided to update the van Gaal drain flood hazard area. Mr. McDonald confirmed that this area is not in the reach of the Jock River that flows through Barrhaven, that the drain realignment was paid for by the developers and that it followed the municipal process.

Motion 3- 221027

Moved by: Vince Carrol
Seconded by: Anne Robinson

THAT the Board of Directors of the Rideau Valley Conservation Authority receive the flood amendment report for the van Gaal Drain from Perth Street to 1.2 km upstream (*Richmond Village Development / Proposed Realignment of Van Gaal Drain*, prepared by Laura Pipkins, P.Eng., of J. F. Sabourin and Associates Inc., and dated April 20, 2017);

THAT the Board receive the amended flood risk and regulation maps (map sheet number 49), prepared by RVCA and based on the JFSA report and subsequent information provided by JFSA and DESL);

THAT the report and associated maps be adopted as the best available information related to establishing flood risk and regulation limits along van Gaal Drain from Perth Street to 1.2 km upstream; and

THAT the report and associated maps be used in RVCA's planning advisory and regulatory programs, including the administration of Ontario Regulation 174/06 under Section 28 of the *Conservation Authorities Act*, and other watershed management activities.

Motion Carried

8.0 Purchase of a Hydrometric ADCP Unit

Brian Stratton, Manager of Engineering, outlined staff's recommendation to purchase a mobile hydrometric ADCP discharge measuring system.

A cost comparison was conducted, and staff decided on the lower cost unit. In response to a question about the final decision, Justin Robert, Hydrometric Data Coordinator explained that the decision for the SonTek unit was not solely based on lower cost, but also due to the SonTek (RS5) unit having superior performance & accuracy in small stream/river application.

Mr. Robert informed Members that the SonTek unit is manufactured in the United States but would need to confirm the manufacturer of the StreamPro.

In response to a question about financial considerations, Ms. Casgrain-Robertson informed the Members that this purchase would be funded out of RVCA's 2022 operating budget.

In response to a question about flow measurements, Mr. Stratton explained that flow measurement data would be retrieved from multiple locations over a period of time in order to create an accurate average flow rate and water levels of river systems within the RVCA watershed.

Mr. Stratton explained that while data collected by other partners at fixed sites is good, this information would fill gaps within RVCA's watershed data,

allowing for development of site-specific flow and level models. He confirmed that the instrument is securely tethered during operation and sites are scoped for hazards in advance of use.

In response to a question about flood risk to landowners within the watershed, Mr. Stratton explained that this device cannot mitigate flood risks, but can collect data to enhance understanding of water flow and predict flood paths by creating a comprehensive model of the watershed.

Mr. Stratton confirmed that staff will use this technology to evolve the Flood Forecasting & Warning program.

Mr. Robert ensured reliability of the technology is verified through the GPS tracking system.

Ms. Casgrain-Robertson explained in response to a question that the data collected and the watershed model it will support could be used to better understand flood hazards in the watershed and identify potential mitigation measures.

Motion 4-221027

Moved by: Victor Heese
Seconded by: Anne Robinson

That the Board of Directors of the Rideau Valley Conservation Authority approve the purchase of an acoustic doppler current profiler (ADCP) unit at a cost of \$45,600.

Motion Carried

9.0 2023 Meeting Schedules

Sommer Casgrain-Robertson, General Manager, presented the 2023 Meeting Schedules and responded to questions.

Ms. Casgrain-Robertson confirmed that in accordance with the *Conservation Authorities Act*, current Members will continue to serve on the RVCA Board of Directors until a successor is appointed.

In response to a question about provincial changes only allowing for the appointment of councillors to conservation authority Boards, Ms. Casgrain-Robertson explained that staff sent letters to all member municipalities outlining the changes and the process to apply for an exemption request. Staff assist the City of Ottawa with their exemption request in June 2022 and are still waiting on a response from the Ministry.

Motion 5-221027

Moved by: Robin Jones
Seconded by: Gerry Boyce

That the Board of Directors of the Rideau Valley Conservation Authority approve the attached 2023 Meeting Schedules for the Board of Directors and Executive Committee.

Motion Carried

10.0 Fee Policy and 2023 Fee Schedules

Sommer Casgrain-Robertson, General Manager, presented the draft Fee Policy and 2023 Fee Schedules and responded to questions.

In response to a question, Mr. McDonald clarified that the 30 cm holding provision was a mechanism used by municipalities to place a hold on a development site to ensure development proceeds in a logical order following a planning approval.

Mr. McDonald confirmed that pre-consultation is still free and that pre-consultation discussions between the RVCA, applicants and municipalities are highly encouraged before the application is submitted to ensure all parties' expectations are clear and unnecessary costs and time are avoided.

In response to a member inquiry if many complaints are received about fees, Ms. Casgrain-Robertson indicated no, that RVCA has only received one request for a fee reconsideration and that landowners are aware of why fees are necessary.

A member noted a typo on page 25 of the agenda package for correction.

Dan Cooper arrived 7:14 p.m.

Motion 6-221027

Moved by: Vince Carroll
Seconded by: Brian Dowdall

THAT the Board of Directors of the Rideau Valley Conservation Authority approve the attached Fee Policy;

AND THAT the Board approve the following fee schedules to take effect January 1, 2023:

- Schedule A: Planning Advisory Program
- Schedule B: Conservation Authorities Act Applications
- Schedule C: Technical Report Review
- Schedule D: Information and Professional Services
- Schedule E: Onsite Sewage Disposal Systems

Motion Carried

11.0 2023 Draft Budget and Levy Apportionment

Ms. Casgrain-Robertson, General Manager presented the 2023 Draft Budget and Levy Apportionment and responded to questions.

In response to a member inquiry about assessment growth, Ms. Casgrain-Robertson explained that the data used to determine 1.5% assessment growth is based on modified current value assessment data provided to all conservation authorities by MNR and that the City of Ottawa is also budgeting based on 1.5% assessment growth. Staff were directed to amend the draft budget to reflect 1.5% as opposed to 1.4% which was the initial estimate.

A member proposed an alternative approach for cost-of-living which would provide staff with a lower percent increase but coupled with a one-time flat rate payment. This would more equitably address the impact of inflation on those staff in lower salary bands, while reducing future budget pressure and possibly lowering the required draw from reserves. Staff committed to reviewing the draft budget and providing a comparison of the current draft budget with alternative cost-of-living scenarios at the November meeting.

In response to an inquiry about private sector salary market comparison, Ms. Casgrain-Robertson explained that most conservation authorities do not compare salaries with the private sector, instead comparing salaries with municipalities and other conservation authorities of a similar size in a similar geographic area

A member noted that the City of Ottawa is seeing a budget increase in capital projects and inquired if the RVCA is experiencing similar cost increases. Ms. Casgrain-Robertson responded that to-date most tenders have come back close to what staff have budgeted for but other conservation authorities have had budget pressures resulting from projects involving large amounts of steel and concrete such as water control infrastructure.

A member inquired about the septic system upgrade at the Baxter Conservation Area interpretive centre and Mr. Davidson confirmed that the upgrade was required to meet the demand of increased visitors and use.

A member congratulated staff on a conservative budget and inquired about the type of assessment growth data received by conservation authorities. Ms. Casgrain-Robertson explained that conservation authorities receive current value assessment data that has been modified in accordance with a regulation under the Conservation Authorities Act. This makes the data different than assessment data received by municipalities and staff are happy to answer questions from municipal treasurers to explain the difference.

Ms. Casgrain-Robertson confirmed the budget is inclusive of all staffing costs.

Staff summarized that they would come back to the Board in November with revised draft budget figures reflecting assessment growth of 1.5% (instead of 1.4%) as well as scenarios showing budget impacts of a levy increase of 2.5% plus growth as well as cost-of-living increases that combine a one-time flat rate payment with a lower percentage.

Motion 7-221027

Moved by: Judy Brown
Seconded by: Victor Heese

THAT the Board of Directors of the Rideau Valley Conservation Authority receives the attached 2023 Draft Budget and Levy Apportionment sheet (dated October 20, 2022);

Motion Carried

12.0 Meetings

- a) Conservation Ontario Council Meeting: September 26, 2022
- b) Van Gaal Open House: October 4, 2022
- c) Lanark CAOs Meeting: October 11, 2022
 - Ms. Casgrain-Robertson noted that RVCA and MVCA were invited to attend these meetings on a more regular basis which was appreciated.
- d) Eastern General Manager's Meeting: October 12, 2022
- e) Conservation Ontario CA Act Implementation Overview: October 13, 2022
- f) Latornell Conference: October 17-18, 2022
 - First time the Latornell Symposium was held in-person since 2019 and three staff members attended from RVCA, including one who presented

Upcoming

- g) Source Protection Committee Meeting: November 2, 2022
- h) United Counties of Leeds and Grenville Council Training: November 5, 2022
- i) Frontenac County Council Training: November 9, 2022
- j) County of Lanark Council Training: TBD
- k) Provincial General Managers Meeting: November 15, 2022
- l) RVCA Board of Directors Meeting: November 24, 2022

In response to a question about whether the City of Ottawa holds council training sessions, Ms. Casgrain-Robertson explained that they do, however, due to the size it is harder for conservation authorities to get on the agenda. The RVCA usually holds a separate training session for City of Ottawa members appointed to conservation authority boards in late winter or early spring.

Shawn Pankow left the meeting 7:56 p.m.

13.0 Member Inquiries

A member inquired about the process of staff performance appraisals in relation to salary grid movement. Ms. Casgrain-Robertson explained the annual performance appraisal process and noted that grid movement is contingent on a positive performance appraisal.

A member inquired if hybrid meetings will continue into 2023. Ms. Casgrain-Robertson stated that that decision would be brought to the new Board of Directors once all appointments have taken place.

14.0 New Business

Ms. Casgrain-Robertson provided members with a verbal summary of key amendments proposed in Bill 23: *More Homes Built Faster Act* which was introduced in the legislature on October 25, 2022. The changes will limit the scope of plan review comments conservation authorities will be able to provide to municipalities, limit the scope of Section 28 permits, introduce development that will be exempt from requiring a Section 28 permit, weaken how wetlands are evaluated and protected, and give the Minister the ability to freeze conservation authority fees.

Scott Moffat joined the meeting at 8:03 p.m.

Ms. Casgrain-Robertson responded to a number of questions from members and indicated that the Board would be kept updated as staff learned more about the Bill and began to prepare messaging in response to the proposed changes. Members were encouraged to reach out to Ms. Casgrain-Robertson at any time with questions

15.0 Adjournment

The Chair adjourned the meeting at 8:16 p.m. on a motion by Andy Jozefowicz which was seconded by Vince Carroll.

Pieter Leenhouts
Chair

Marissa Grondin
Recording Secretary

Sommer Casgrain-Robertson
General Manager/Secretary-Treasurer