



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH  
June 19, 2019 COUNCIL MEETING

**A G E N D A**

**DATE:** Wednesday, June 19, 2019

**CLOSED MEETING:** 5:00 P.M.

**REGULAR MEETING:** 7:00 P.M.

**≠ Denotes resolution prepared**

1. Call the Meeting to Order
2. Disclosure of Pecuniary Interest & the General Nature Thereof.
3. **CLOSED ITEMS** ≠
  - (a) Confidential verbal report CAO/Clerk Karen Landry regarding personal matters about an identifiable individual, including municipal or local board employees and labor relations or employee negotiations – recruitment of Interim CAO.
  - (b) Confidential verbal report CAO/Clerk Karen Landry regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Responsibility Agreement.
  - (c) Confidential Verbal Report from Karen Landry, CAO/Clerk regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Swastika.
4. Adoption and Receipt of Minutes of the Previous Meeting.≠
  - (a) Council Meeting – June 5, 2019
  - (b) Public Meeting for Proposed Property Standards By-law – June 5, 2019
5. Business Arising Out of the Minutes.
6. **PUBLIC MEETINGS**
  1. **Proposed Development Charges By-Law**

\*note this Public Information Meeting will be held on Wednesday, June 19, 2019 at 6:00 p.m. at the Municipal Complex – 7404 Wellington Rd. 34.
  2. **Application D14/ELL 4188 Victoria Road South**

\*note this Public Information Meeting will be held on Wednesday, June 19, 2019 at 6:00 p.m. at the Municipal Complex – 7404 Wellington Rd. 34.
  3. **Addendum to Feasibility Study for Municipal Water and Wastewater Services**



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\*note this public information meeting will be held Monday June 24<sup>th</sup>, 2019 at 6:30pm at the Puslinch Community Centre - 23 Brock Road S.

7. **COMMUNICATIONS**

1. Correspondence from the Association of Municipalities of Ontario (AMO) with respect to the 2019 Delegation Form.
2. Correspondence from the Ministry of the Environment, Conservation and Parks with respect to EBR alerts to be discontinued.
3. Correspondence from Watson and Associates Economists Ltd. With respect to Bill 108: Potential Changes to the Development Charges Act.
4. Correspondence from the City of Guelph with respect to City of Guelph's Clair-Maltby Secondary Plan response letter

1. **Intergovernmental Affairs**

- (a) Various correspondence for review.

8. **DELEGATIONS / PRESENTATIONS**

**7:05 p.m.** – Volunteer Appreciation Award presented to Brenda Law.

Refreshment break to follow the presentation.

**7:30 p.m.** – Stacey Laughlin with respect to the City of Guelph's Clair-Maltby Secondary Plan

**8:00 p.m.** – John Arnold with respect to the elimination of cutting Fox Run Parkette until after flower blooming to allow pollinators to feed.

**8:10 p.m.** – Roger Will with respect to the East boundary road bypass review of Townline Road.

**8:20 p.m.** – Donna Christie with respect to the proposed Rogers Telecommunications Tower at 4638 Sideroad 20 North.



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9. **REPORTS** ≠

1. **Administration Department**

- (a) ADM-2019-021 - Organization Structure Updates
- (b) Fasken Martineau DuMoulin LLP: Integrity Commissioner Special Report June 2019

2. **Planning and Building**

- (a) BLDG-2019-006 Building Monthly Update May 2019
- (b) TC-01-19 Report to Industry Canada
- (c) County of Wellington Committee Report - Bill 108 - More Homes, More Choices Act, 2019
- (d) County of Wellington - Puslinch Overview Memo May2019 - Provincially Significant Employment Zones

3. **Roads & Parks Department**

- (a) GM BluePlan - Fox Run Park Accessible Trail Preliminary Concept Plan

4. **Puslinch Fire and Rescue Department**

- (a) FIR-2019-005 Memorandum of Understanding
- (b) FIR-2019-006 New Equipment Purchase

5. **Mayor's Updates**

- (a) AMO Delegation

10. **NOTICES OF MOTION**

None

11. **COMMITTEE MINUTES**

- (a) February 19, 2019 Heritage Committee Minutes
- (b) May 14, 2019 Committee of Adjustment Meeting Minutes
- (c) May 14, 2019 Planning and Development Advisory Committee Meeting Minutes



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH  
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12. **MUNICIPAL ANNOUNCEMENTS**

13. **UNFINISHED BUSINESS**

14. **BY-LAWS ≠**

- (a) A By-law to amend the 2019 Tax Levy By-law No. 034-2019 being the By-law to provide for the Levy and Collection of Property Taxes for the 2019 Taxation Year.
- (b) A By-law to acquire and dedicate Block 12 ON Plan 61M-230 as part of the Township of Puslinch Public Highway System, to be known as and to form part of Church Street BL2019-038
- (c) A By-law to appoint a Building Official for the Corporation of the Township of Puslinch BL2019-039
- (d) A By-law to adopt Amendment No. 1 to the Our Corridor Community Improvement Plan BL2019-040

15. **CONFIRMING BY-LAW ≠**

- (a) By-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch.

16. **ADJOURNMENT ≠**



## **MINUTES**

**DATE:** Wednesday June 5, 2019

**CLOSED MEETING:** 11:00 A.M.

**REGULAR MEETING:** 1:00 P.M.

The June 5, 2019 Regular Council Meeting was held on the above date and called to order at 11:00 a.m. in the Council Chambers, Aberfoyle.

### **1. ATTENDANCE:**

Mayor James Seeley  
Councillor Matthew Bulmer  
Councillor Jessica Goyda  
Councillor Ken Roth  
Councillor John Sepulis

### **STAFF IN ATTENDANCE:**

1. Karen Landry, CAO/Clerk
2. Mary Hasan, Director of Finance/Treasurer
3. Courtenay Hoytfox, Development and Legislative Coordinator

### **OTHERS IN ATTENDANCE**

1. Doug Smith
2. Roger Will
3. Aldo Salis
4. Don Kudo
5. Scott Wilson
6. Kathy White

### **2. DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF:**

Councillor Bulmer declared a potential pecuniary interest with respect to item number 9.2 (a) ADM-2019-018 – Puslinch Community Centre Lands Parking Lot Use Requested by Legal Clinic of Guelph and Wellington County as he is the Secretary of the board for the Legal Clinic of Guelph and Wellington.

### **3. CLOSED MEETING**

Council was in closed session from 11:03 a.m. to 12:00 p.m.  
Council recessed from 12:00 p.m. to 1:00 p.m.

#### **Resolution No. 2019-213:**

Moved by Councillor Roth and  
Seconded by Councillor Bulmer

**That Council shall go into closed session under Section 239 of the Municipal Act for the purpose of:**

- (a) Verbal confidential report from Mayor Seeley regarding a proposed or pending acquisition or disposition of land by the municipality or local board – Lands Abutting Morriston Park.
- (b) Confidential report from CAO/Clerk Karen Landry regarding advice that is subject to solicitor –client privilege, including communications necessary for that purpose and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Comprehensive Zoning By-law Appeal and Request for Party Status.
- (c) Confidential Report ADM-2019-020 from Mary Hasan, Director of Finance and Confidential Verbal Report from Karen Landry, CAO/Clerk regarding personal matters about an identifiable

individual, including municipal or local board employees and labour relations or employee negotiations regarding the replacement of the Director of Public Works and Parks and organization structure update.

- (d) Confidential verbal report CAO/Clerk Karen Landry regarding personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations – recruitment and replacement of CAO/Clerk.

**CARRIED**

**Resolution No. 2019-214:**

Moved by Councillor Bulmer and  
Seconded by Councillor Roth

**THAT Council moves into open session.**

**CARRIED**

Council resumed into open session at 1:00 p.m.

**Resolution No. 2019-215:**

Moved by Councillor Roth and  
Seconded by Councillor Bulmer

**That Council receives the:**

- (a) Verbal confidential report from Mayor Seeley regarding a proposed or pending acquisition or disposition of land by the municipality or local board – Lands Abutting Morriston Park.
- (b) Confidential report from CAO/Clerk Karen Landry regarding advice that is subject to solicitor –client privilege, including communications necessary for that purpose and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Comprehensive Zoning By-law Appeal and Request for Party Status.
- (c) Confidential Report ADM-2019-020 from Mary Hasan, Director of Finance and Confidential Verbal Report from Karen Landry, CAO/Clerk regarding personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations regarding the replacement of the Director of Public Works and Parks and organization structure update.
- (d) Confidential verbal report CAO/Clerk Karen Landry regarding personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations – recruitment and replacement of CAO/Clerk.

**And that staff proceed as directed on items (b) (c) (d)**

**CARRIED**

**4. ADOPTION OF THE MINUTES:**

- (a) Council Meeting – May 15, 2019
- (b) Closed Council Meeting – May 15, 2019
- (c) Special Council Meeting – May 22, 2019
- (d) Special Closed Council Meeting – May 22, 2019
- (e) Public Meeting for Community Improvement Plan Amendment – May 15, 2019
- (f) Public Meeting for Puslinch Community Centre Park Master Plan – Phase 1 and Phase 2 – May 22, 2019

**Resolution No. 2019-216:**

Moved by Councillor Bulmer and  
Seconded by Councillor Roth

**That the minutes of the following meetings be adopted as written and distributed:**

- (a) Council Meeting – May 15, 2019
- (b) Closed Council Meeting – May 15, 2019
- (c) Special Council Meeting – May 22, 2019
- (d) Special Closed Council Meeting – May 22, 2019
- (e) Public Meeting for Community Improvement Plan Amendment – May 15, 2019
- (f) Public Meeting for Puslinch Community Centre Park Master Plan – Phase 1 and Phase 2 – May 22, 2019

**CARRIED**

5. **BUSINESS ARISING OUT OF THE MINUTES:**

None

6. **PUBLIC MEETINGS:**

1. **Property Standards By-law**

\*note this Public Information Meeting will be held on Wednesday, June 5, 2019 at 7:00 p.m. at the Municipal Complex – 7404 Wellington Rd. 34.

2. **Proposed Development Charges By-Law**

\*note this Public Information Meeting will be held on Wednesday, June 19, 2019 at 6:00 p.m. at the Municipal Complex – 7404 Wellington Rd. 34.

3. **Application D14/ELL 4188 Victoria Road South**

\*note this Public Information Meeting will be held on Wednesday, June 19, 2019 at 6:00 p.m. at the Municipal Complex – 7404 Wellington Rd. 34.

4. **Addendum to Feasibility Study for Municipal Water and Wastewater Services**

\*note this public information meeting will be held Monday June 24<sup>th</sup>, 2019 at 6:30pm at the Puslinch Community Centre - 23 Brock Road S.

7. **COMMUNICATIONS:**

- (1) Correspondence from Groundwater Science Corp. dated May 21, 2019, CBM Neubauer Pit License No. 625284, Part Lot 27, Concession1 – 7203 Concession, Temperature Profile Measurements.
- (2) Ministry of Transportation EA Compliance Monitoring Program – First (2018) Annual Compliance Report: Highways 6 & 401 Improvements from Hamilton North Limits to Guelph South Limits (G.W.P. 3042-14-00) April 2018-April 2019 (EA File No. TC-CE-02) dated April 2019.
  - a. Correspondence from the Ministry of Transportation EA Compliance Monitoring Program (EA File No. TC-CE-02) dated January 31, 2019
- (3) Correspondence from Environmental Registry Alerts in reference to Puslinch Beach and Marina Limited dated May 29, 2019
- (4) Wellington Common Elements Condominium Corporation #214: Operations and Maintenance Quarterly Report for the Mini Lakes Waste Water Treatment System (January 2019 – March 2019).

Note staff was requested to have GM BluePlan attend the July 17, 2019 Council meeting to respond to any questions they may have on the review of the annual report.

(5) Monthly Monitoring Report for the Mill Creek Pit Licence #5738.

## 7. Intergovernmental Affairs

**Resolution No. 2019-217:**

Moved by Councillor Roth and  
Seconded by Councillor Bulmer

**That the Intergovernmental Affairs correspondence items listed on the Council Agenda for the June 5, 2019 Council meeting be received.**

**CARRIED**

## 8. **DELEGATIONS/PRESENTATIONS**

1:05 p.m. – Don Kudo County of Wellington Engineer, with respect to Roads Division Reconstruction of Brock Road.

**Resolution No. 2019-218:**

Moved by Councillor Sepulis and  
Seconded by Councillor Roth

**That the County of Wellington during the preparation of its Transportation Master Plan obtain the necessary traffic count information and consider a reduction in the number of lanes through Aberfoyle on County Road 46 from 4 to 2; and that the County of Wellington notify the Township upon commencement of the Transportation Master Plan.**

**CARRIED**

**Resolution No. 2019-219:**

Moved by Councillor Bulmer and  
Seconded by Councillor Roth

**That Council receives the presentation by Don Kudo County of Wellington Engineer, with respect to Roads Division Reconstruction of Brock Road.**

**CARRIED**

1:30 p.m. – Matthew Aubie from Aubs and Mugg Inc. with respect to the Signage Master Plan.

**Resolution No. 2019-220:**

Moved by Councillor Roth and  
Seconded by Councillor Bulmer

**That Council receives the presentation by Matthew Aubie from Aubs and Mugg Inc. with respect to the Signage Master Plan.**

**CARRIED**

1:45 p.m. – Joseph Hutter with respect to the Lack of Economic Development in Puslinch.

**Resolution No. 2019-221:**

Moved by Councillor Bulmer and  
Seconded by Councillor Roth

**That Council receives the presentation by Joseph Hutter with respect to Puslinch Economic Development.**

**CARRIED**

## 9. REPORTS:

### 1. Finance Department

(a) Report FIN-2019-024 – 2019 Amend Final Tax Levy and Rates By-law

**Resolution No. 2019-222:**

Moved by Councillor Goyda and  
Seconded by Councillor Sepulis

**That Report FIN-2019-024 – 2019 Amend Final Tax Levy and Rates By-law – be received; and**

**That Council pass a By-law to amend Schedule A and Schedule B of By-law No. 030-2019 as outlined in Report FIN-2019-024.**

**CARRIED**

### 2. Administration Department

Councillor Bulmer disclosed a potential pecuniary interest with respect to item number 9.2 (a) ADM-2019-018 – Puslinch Community Centre Lands Parking Lot Use Requested by Legal Clinic of Guelph and Wellington County as he is the Secretary of the board for the Legal Clinic of Guelph and Wellington and refrained from discussions and voting on that item.

(a) ADM-2019-018 - Puslinch Community Centre Lands Parking Lot Use Requested by Legal Clinic of Guelph and Wellington County – Mobile Legal Project

**Resolution No. 2019-223:**

Moved by Councillor Sepulis and  
Seconded by Councillor Goyda

**That staff bring forward a By-law to delegate authority to staff for the approval of matters of this nature.**

**CARRIED**

**Resolution No. 2019-224:**

Moved by Councillor Goyda and  
Seconded by Councillor Sepulis

**THAT Report ADM-2019-018 - Puslinch Community Centre Lands Parking Lot Use Requested by Legal Clinic of Guelph and Wellington County – Mobile Legal Project – be received;**

**THAT Council authorize the Legal Clinic of Guelph & Wellington County for the Mobile Legal Project the use of the parking lot for the parking of a mobile vehicle in an area designated by staff on:**

- June 14 and June 28, 2019; and
- On two dates per month from July to October 2019 subject to:
  - the Legal Clinic of Guelph providing twenty (20) days' notice of the proposed dates; and
  - approval by Township staff confirming the proposed dates do not interfere with any large events being booked at the Puslinch Community Centre lands and facilities

**CARRIED**

### 3. Planning and Building Department

- a. Wellington County Report from Jameson Pickard, Senior Policy Planner with respect to Our Corridor Community Improvement Plan Amendment

**Resolution No. 2019-224:**

Moved by Councillor Goyda and  
Seconded by Councillor Sepulis

**THAT Report from Wellington County prepared by Jameson Pickard, Senior Policy Planner with respect to Our Corridor Community Improvement Plan Amendment – be received;**

**And that Council approve amendment No. 1 to the Our Corridor Community Improvement Plan.**

**CARRIED**

- b. PD-2019-005 Church Street Road Widening

**Resolution No. 2019-225:**

Moved by Councillor Sepulis and  
Seconded by Councillor Goyda

**That Report PD-2019-005 regarding the dedication of a road widening designated as Block 13 on Registered Plan 61M-230 (the “subject lands”) as a public highway to be known as and to form part of Church Street, be received; and**

**That Council pass a by-law to authorize the dedication of the subject lands as part of the Township’s public highway system.**

**CARRIED**

**4. Roads & Parks Department**

- a. Report prepared by Landscape Planning Limited with respect to the Puslinch Community Centre Park Soccer Fields
- Impacted Soil: Puslinch Community Centre Park
  - Analytical Testing or Soils Report

**Resolution No. 2019-226:**

Moved by Councillor Goyda and  
Seconded by Councillor Sepulis

**That Report prepared by Landscape Planning Limited with respect to the Puslinch Community Centre Park Soccer Fields – be received.**

**CARRIED**

- b. Verbal report from CAO/Clerk Karen Landry regarding Defining of Scope of the Gravel Roads Study.

**Resolution No. 2019-227:**

Moved by Councillor Sepulis and  
Seconded by Councillor Goyda

**That a Verbal report from CAO/Clerk Karen Landry regarding Defining of Scope of the Gravel Roads Study – be received.**

**CARRIED**

**5. Mayor's Updates**

TAPMO – Mayor Seeley advised that there would be a summit hosted by TAPMO in the fall. The Mayor is part of a sub-committee to identify the top five priorities not including assessment. Mayor Seeley requested members of Council to forward any suggestions they may have to him.

**10. NOTICE OF MOTION:**

**11. COMMITTEE MINUTES**

That the committee minutes of the following meetings be adopted as written and distributed:

- (a) April 9, 2019 Committee of Adjustment Meeting Minutes
- (b) April 9, 2019 Planning and Development Advisory Committee Meeting Minutes

**Resolution No. 2019-228:**

Moved by Councillor Goyda and  
Seconded by Councillor Sepulis

**CARRIED**

**12. MUNICIPAL ANNOUNCEMENTS**

- (a) Councilor Bulmer provided an update regarding his attendance at the Wellington Home and Farm Safety Committee Meeting and noted there was an ATV Safety Workshop and discussion regarding the use of ATVs on Municipal Roadways.
- (b) Councilor Roth advised he attended a recent Gravel Watch Meeting which included presentations regarding aggregate licensing and environmental impacts from:
  - a. Canadian Environmental Law Association
  - b. Ontario Soil Regulation Task Force
  - c. Helmets Environmental Consulting

**13. UNFINISHED BUSINESS**

**14. BY-LAWS:**

- (a) A By-law to amend the 2019 Tax Levy By-law No. 030-2019 being the By-law to provide for the Levy and Collection of Property Taxes for the 2019 Taxation Year.

**Resolution No. 2019-229:**

Moved by Councillor Sepulis and  
Seconded by Councillor Goyda

**That the following By-laws be taken as read three times and finally passed in open Council:**

**By-Law 034-2019 being a by-law to amend the 2019 Tax Levy and Collection of Property Taxes for the 2019 Taxation Year.**

**CARRIED**

**15. CONFIRMING BY-LAW**

- (a) By-Law to confirm the proceedings of Council for the Corporation of the Township of Puslinch

**Resolution No. 2019-230:**

Moved by Councillor Goyda and  
Seconded by Councillor Sepulis



**That the following By-law be taken as read three times and finally passed in open Council:**

**By-Law 035-2019 being a by-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch at its meeting held on the 5<sup>th</sup> day of June 2019.**

**CARRIED**

**16. ADJOURNMENT:**

**Resolution No. 2019-231:**

Moved by Councillor Goyda and  
Seconded by Councillor Sepulis

**That Council hereby adjourns at 2:56 p.m.**

**CARRIED**

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James Seeley, Mayor

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Karen Landry, CAO/Clerk



**DATE:** Wednesday June 5, 2019

**TIME:** 7:00 p.m.

**PLACE:** Township Municipal Office, 7404 Wellington Road 34, Puslinch

**FILE:** Public Meeting for Proposed Property Standards By-law

**MEMBERS:** Mayor James Seeley - Chair  
Councillor Matthew Bulmer  
Councillor Ken Roth  
Councillor Jessica Goyda  
Councillor John Sepulis

The Chair called the meeting to order at 7:00 p.m.

**Presentations:**

Karen Landry, CAO/Clerk provided the following overview:

- Purpose of the Public Meeting
  - The purpose of the public meeting is obtain feedback on the proposed draft by-law
  - Please note the proposed by-law was drafted to include several provisions to garner input on the range of standards to be included in the Township's By-law
- Background
  - The Residential Tenancies Act, 2006 was amended and as of July 1, 2018 the Township is responsible for enforcing residential rental maintenance standards.
  - The Township can enforce provisions through a property standards by-law that covers interior and exterior of residential rental units.
  - For consistency, staff recommend incorporating interior property standards provisions into a comprehensive property standards by-law for ease of utilizing the same enforcement practices and procedures
  - The Township's current property standards by-law was passed in 1974 with amendments in 1989 and 1999.
  - The by-law requires updating as the latest amendment was made 20 years ago
  - The Township receives approximately 17 complaints per annum
- Overview of Standards – Exterior – Proposed By-law
  - Exterior Property Areas are to be kept in a neat and tidy condition which includes among other things: waste, excessive growth of weeds and grass and derelict vehicles, stagnant water and firewood
  - Drainage
    - maintained to prevent excessive or recurrent ponding of storm water
  - Sewage discharged into an approved sewage system
  - Maintenance of:
    - buildings and structures including fences and retaining walls
    - catch basins, swales and ditches
    - waste receptacles, lighting standards and fixtures
    - Lighting standards and fixtures
    - Recreational and laundry facilities
    - Walkways, driveways, ramps, parking areas and landings

- Buildings and accessory buildings including sustaining safely of its own weight and any additional load to which it may normally be subjected to
- Compost:
  - Shall be maintained in a composter or an open compost pile that is not larger than 2 square metres and 1 metre in height
- Overview of Standards Interior – Proposed By-law
  - Heating – Every building containing an occupied dwelling unit or habitable room shall be provided with suitable heating facilities capable of maintaining an indoor ambient temperature of 21 degrees Celsius between the 15<sup>th</sup> day of September to the 1<sup>st</sup> day of June of the following year
  - Interior Lighting – maintained so that work or operations normally carried out in an area, or the use of the area, can be undertaken in safety and to provide safe passage
  - Ventilation – sufficient so as to prevent accumulation of heat, dust, vapours, odours, carbon monoxide and other gases
  - Plumbing – a dwelling unit shall be provided with an adequate supply of potable running water
  - Plumbing – A washbasin, bathtub or shower, and one kitchen sink in a dwelling unit shall be equipped with an adequate supply of hot and cold running water
  - Kitchen standards as outlined in Section 21 of the draft By-law
  - Bathroom standards as outlined in Section 22 of the draft By-law
  - Floors to be maintained so as to be free from an unsafe condition
  - Approved Electrical System for a dwelling or dwelling unit
- Standards General – Proposed By-law
  - Maintenance of:
    - Foundations
    - Walls, Columns and Beams
    - Doors, Windows, Canopies, Awnings
    - Stairs, Verandas, Porches, Decks, Loading Docks, Balconies and Fire Escapes
    - Roofs and Roof Structures
- Vacant Property and Vacant Buildings – Proposed By-law
  - Vacant Property – shall be kept clear of all waste and other materials and equipment not otherwise permitted by the zoning by-law
  - Vacant Building – shall be secured against unauthorized entry, have liability insurance and be protected against the risk of fire, accident, or other danger
- Township's Current Property Standards By-law Provisions
  - Fill up, drain, clean or clear any ground, yard or vacant lot
  - Garbage - every dwelling shall have sufficient receptacles
  - Fences and Accessory Buildings – to be kept in a good state of repair and free from fire, health and accident hazards
  - Yards:
    - free and clean from rubbish and other debris
    - free from excessive growth of weeds or grasses

- free from vehicles, boats, trailers, or part of any vehicle, boat or trailer which is inoperative, wrecked, discarded, dismantled, partly dismantled or abandoned condition
- Steps, walkways, driveways and parking spaces and similar area of a yard shall be maintained so as to afford safe passage under normal use and weather conditions
- Drainage and Sewage – shall be disposed of in a manner acceptable to the local health authorities
- Exterior Property Areas shall be maintained to prevent ponding of water creating an unsafe condition
- Structural Standards – the foundation walls, basement, cellar or crawl space floors shall be maintained in good repair, structurally sound and waterproof
- Structural Capability – Building and structural members maintained in a structurally sound condition capable of sustaining its own weight and any additional weight that may be put on it through normal use.
- Materials that are damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- Exterior walls, roof, porch, balcony or landing maintained in good repair and so as to be free from holes, cracks, or other defects
- Windows, roofs, exterior doors and basement or cellar hatchways maintained in good repair so as to prevent the entrance of wind and rain
- Exterior walls and their components maintained so as to prevent their deterioration due to weather and shall be maintained by the painting, restoring or repairing of walls
- Fire and Accident Prevention
  - Unsafe condition on the exterior property area measures shall be taken to abate the unsafe condition
  - Fire or other disaster measures are to be taken to make the damaged building or accessory structure safe
  - If repair is not possible, the land shall be cleared of all remains and left in a graded, level and tidy condition
- Interior Building Components and Systems must be complete and operational
  - Required exits, handrails, guards, fire alarm and detection and fire systems
  - Required exhaust fume barriers, and self-closing devices on doors between an attached or built-in garage and a dwelling unit
  - Water supply, sewage disposal, lighting and heating systems
  - Water systems, building drains and building sewers, and drainage systems and venting systems
- Enforcement
  - Enforcement of the Township's Regulatory By-laws is done on a complaint basis
  - A complaint may be filed with the Township by completing a By-law Complaint Form
  - Upon the finding of a violation under the Township's Property Standard's By-law an Enforcement Officer will issue an Order requiring the owner of the property to comply with the standards and requirements of the By-law.
- Next Steps
  - The public can submit written comments to the Township at [klandry@puslinch.ca](mailto:klandry@puslinch.ca) or in person by June 25, 2019
  - A report will be prepared for Council to consider the adoption of a new property standards by-law at a meeting to be held in Fall 2019

- The report will be available on the Township's website on the Friday before the Council meeting
- Anyone can register as a delegate to speak to the new proposed by-law by completing a submitting a Request to Delegate Form
- All individuals who have left their email address on the sign in sheet will be reminded when this matter comes back to Council

The Chair, requested if there was anyone in attendance that wished to express their views on the proposed property standards by-law.

John Arnold, advised that he finds the by-law invasive and noted the interior standards should not apply to owner occupied buildings.

John Arnold, expressed concern with:

- a by-law officer having this much authority; and
- the ability for anonyms complaints; and
- specific sections of the by-law e.g. storage of firewood, requirements for barns, kitchen backsplash

Karen Landry, noted the Township's enforcement of by-laws is done on a reactive not a proactive basis and that the Township does not have the resources to enforce on a proactive basis. Karen Landry reviewed the Township's complaint policy and noted the name of a complainant is not released.

John Arnold, clarified his concern when he refers to an anonyms complaint being that the owner of the property is not provided with the name of the complainant.

John Slood, inquired as to why interior standards are being introduced into the by-law.

Karen Landry, explained that as of July 1, 2018 the Township is required to enforce the interior standards set out in Ontario Regulation 517/06 to the Residential Tenancies Act, 2006 or alternatively include interior standards in its property standards by-law.

Karen Landry, explained that if the Township chooses not to include interior standards in its property standards by-law, an appeal by an owner to an order issued by Township enforcement staff under the Residential Tenancies Act would be heard before the Board appointed under that Act and not a Committee appointed by the Township.

Kathy White, advised that she disagreed with the previous comments made and stated the by-law is not heavy handed.

Kathy White, expressed concern with properties that are not maintained and the impact they have on the value of an abutting property.

Kathy White, noted the number of boarded homes, derelict and abandoned vehicles in Morriston and Aberfoyle.

Susan Fielding, indicated that she would like to see enforcement done on a proactive basis in extreme circumstances and provided an example of an individual who had an offer to purchase their property but it did not close because of the property standards issues on a neighboring property.

Karen Landry, noted that several of the provisions contained in the proposed by-law are provisions that exist in the Township's current by-law.



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH  
2019 PUBLIC MEETING MINUTES

John Arnold, requested a copy of the existing by-laws and noted he would review them and compare them to the proposed by-law. John Arnold after completing his review will submit to the Township where he believes the standards are too high.

Karen Landry, reminded those in attendance to submit their comments in writing, and to sign in and leave their contact information. They will then be advised when this matter comes back before Council.

Karen Landry, CAO/Clerk requested the public in attendance to submit their concerns in writing by June 25, 2019.

**Adjournment:**

The meeting adjourned at 8:00 p.m.



## THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

### NOTICE OF PUBLIC MEETING

#### Proposed Development Charges By-Law

On Wednesday, June 19, 2019 the Council of the Township of Puslinch will hold a public meeting, pursuant to section 12 of the *Development Charges Act, 1997*, as amended, to present and obtain public input on the Township's proposed development charges (D.C.) by-law and underlying background study.

All interested parties are invited to attend the Public Meeting of Council and any person who attends the meeting may make representations relating to the proposed D.C. by-law and background study. The meeting is to be held:

**Date:** Wednesday, June 19, 2019

**Time:** 6:00 pm

**Place:** Council Chambers, Township of Puslinch, 7404 Wellington Road 34

Interested persons may express their comments at the public meeting or in writing prior to June 19, 2019. In order that sufficient information is made available to the public, the background study is being made available online at the Township's website at [www.puslinch.ca](http://www.puslinch.ca). Copies of the proposed D.C. by-law and the background study are also available by contacting the Township at 519-763-1226 ext. 222.



## THE TOWNSHIP OF PUSLINCH NOTICE OF COMPLETE APPLICATION & NOTICE OF THE PUBLIC MEETING

**TAKE NOTICE** that pursuant to the requirements of the Planning Act, R.S.O., 1990, as amended, the Township of Puslinch has received a complete application to amend Zoning By-law 19/85. The file number assigned to this application is **D14/ELL**.

**AND TAKE NOTICE** that the Council of the Township of Puslinch will hold a **Public Meeting** on **Wednesday 19 of June 2019 at 6:00 pm** in the Council Chambers at 7404 Wellington Road 34, pursuant to the requirements of Section 34 of the Planning Act, R.S.O., 1990, as amended.

**THE LAND SUBJECT** to the application is known as Part Lot 32, Concession 8, municipally known as 4188 Victoria Road South, Township of Puslinch. The subject lands are shown on the inset map.

**THE PURPOSE AND EFFECT** of the application is to amend Township of Puslinch Zoning By-law 19/85 to rezone the lands to permit a Garden Suite.

**ORAL OR WRITTEN SUBMISSIONS** may be made by the public either in support or in opposition to the proposed Zoning By-law Amendment. Any person may attend the public meeting and make an oral submission or direct a written submission to the Township Clerk at the address below. All those present at the public meeting will be given the opportunity to make an oral submission, however; it is requested that those who wish to address Council notify the Township Clerk in advance of the public meeting.

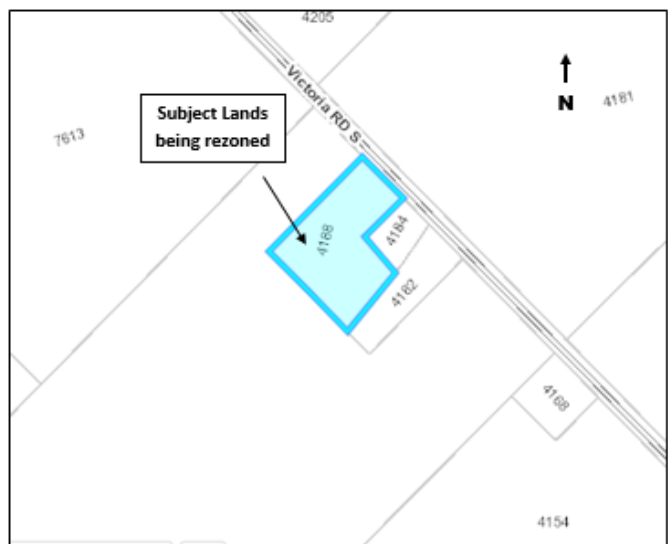
**TAKE NOTICE** that if a person or public body would otherwise have an ability to appeal the decision of the Council of the Township of Puslinch to the Local Planning Appeal Tribunal (LPAT) but the person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Puslinch before the by-law is passed, the person or public body is not entitled to appeal the decision.

**AND TAKE NOTICE** that if a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Puslinch before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal (LPAT) unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**REQUEST FOR NOTICE OF DECISION** regarding the Zoning By-law amendment must be made in written format to the Township Clerk at the address shown below.

**ADDITIONAL INFORMATION** regarding the proposed amendment, including information about appeal rights, is available between 9:00 a.m. and 4:30 p.m. at the Township of Puslinch Municipal Office.

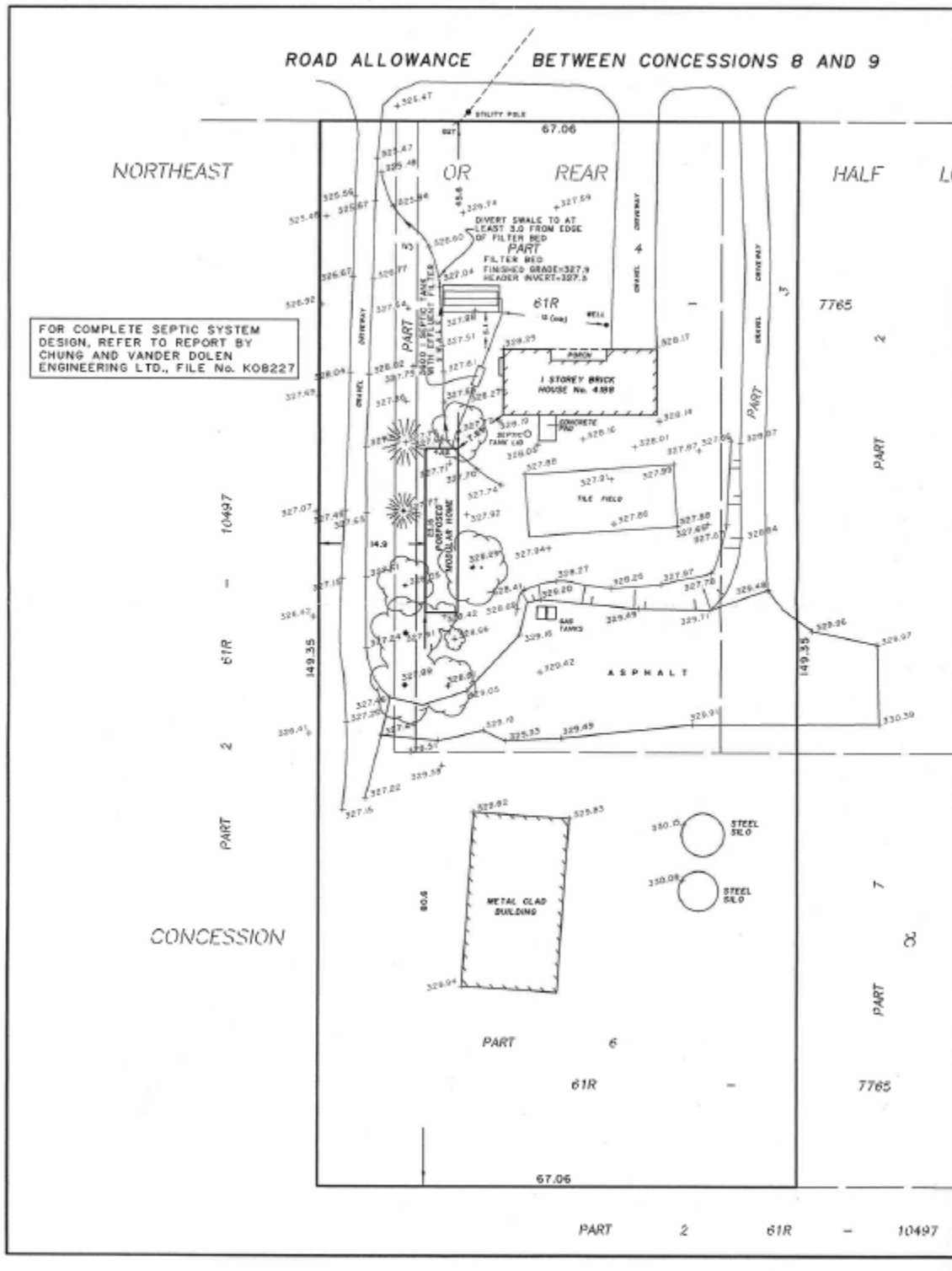
### KEY MAP



Dated at the Township of Puslinch on this  
21<sup>st</sup> day of May 2019.

Karen Landry  
CAO/Clerk  
Township of Puslinch  
7404 Wellington Road 34  
Puslinch, Ontario N0B 2J0  
Phone (519) 763-1226  
admin@puslinch.ca

### SKETCH







## NOTICE OF PUBLIC MEETING

### **Addendum to Feasibility Study for Municipal Water and Wastewater Services**

You are invited to review and provide comments on a long-term vision for Puslinch Municipal Water and Wastewater Services. Consideration is now being given to the provision of municipal water and wastewater servicing for Industrial and Commercial users only, within the Aberfoyle community. A Draft Addendum Document will be made available on the Township's website on May 31, 2019. A **Public Open House** will be held on **June 24<sup>th</sup>, 2019** at the Puslinch Community Centre for all property Owners, including residential properties, to review the initial findings of the Study.

Your attendance and comments at this meeting are welcome as it is your opportunity to learn more about the Addendum to the Puslinch Feasibility Study for Municipal Water and Wastewater Services for **Commercial and Industrial** users.

**Date:** Monday June 24, 2019

**Time:** 6:30 p.m.

**Place:** Puslinch Community Centre, 23 Brock Road South Puslinch

An information package will be provided to those individuals attending the meeting on June 24<sup>th</sup>. If you are unable to attend the session, you may submit comments to the Township no later than **July 12, 2019**. For more information or to submit written comments about the Feasibility Study for Municipal Water and Wastewater Services, please contact:

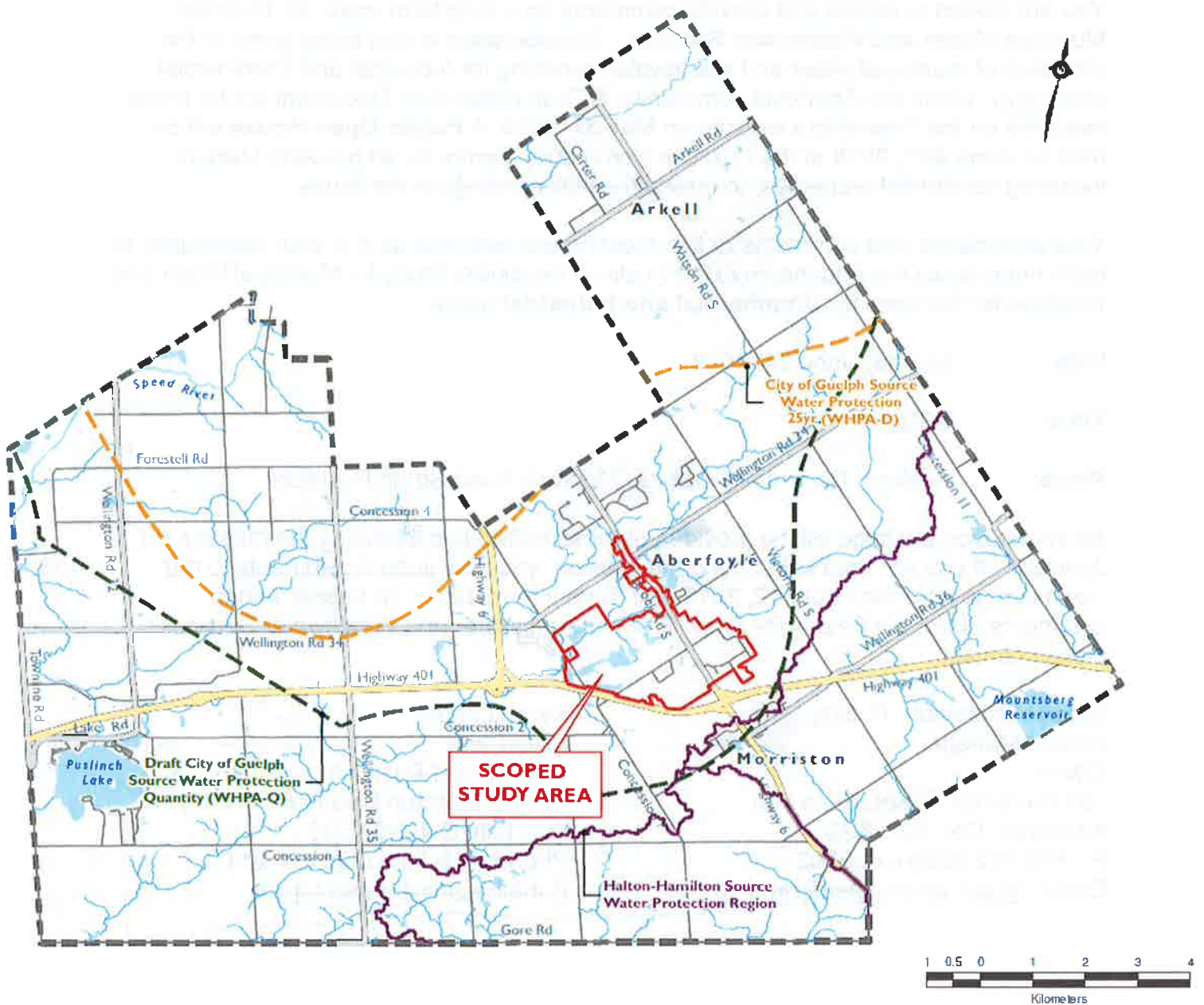
Stuart Winchester, P. Eng  
Project Manager  
CIMA+  
101 Frederick Street, Suite 900  
Kitchener, ON N2H 6R2  
P: 519-772-2299 ext. 6202  
Email: [stuart.winchester@cima.ca](mailto:stuart.winchester@cima.ca)

Karen Landry  
CAO/Clerk  
Township of Puslinch  
7404 Wellington Road 34  
Puslinch, ON N0B 2J0  
Phone: 519-763-1226 ext. 214  
E-mail: [admin@puslinch.ca](mailto:admin@puslinch.ca)



TOWNSHIP OF  
**PUSLINCH**  
EST. 1850

## SCOPED STUDY AREA



## Courtenay Hoytfox

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**From:** Courtenay Hoytfox  
**Sent:** Friday, June 14, 2019 10:11 AM  
**To:** Courtenay Hoytfox  
**Subject:** FW: Association of Municipalities of Ontario (AMO) 2019 Delegation Form

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**From:** Delegations (MMA) <[Delegations@ontario.ca](mailto:Delegations@ontario.ca)>  
**Sent:** Friday, June 7, 2019 3:59 PM  
**To:** Delegations (MMA) <[Delegations@ontario.ca](mailto:Delegations@ontario.ca)>  
**Cc:** Partanen, Karen (MMAH) <[Karen.Partanen@ontario.ca](mailto:Karen.Partanen@ontario.ca)>; Scott, Nadine (MMA) <[Nadine.Scott2@ontario.ca](mailto:Nadine.Scott2@ontario.ca)>; Agis, Jennifer (MMA) <[Jennifer.Agis@ontario.ca](mailto:Jennifer.Agis@ontario.ca)>; Lee, Kate (MMA) <[Kate.Lee@ontario.ca](mailto:Kate.Lee@ontario.ca)>  
**Subject:** Association of Municipalities of Ontario (AMO) 2019 Delegation Form

Hello/ Bonjour,

Please be advised that the Municipal Delegation Request Form for the Association of Municipalities of Ontario (AMO) 2019 Annual Conference is available online. Information about delegations and a link to the form are available here: <https://www.ontario.ca/form/2019-association-municipalities-ontario-conference>. The deadline to submit requests is **Friday June 28, 2019**.

Le formulaire pour demander une rencontre avec le ministères pour le Congrès annuel 2019 de l'Association des Municipalités de l'Ontario (AMO) est disponible en ligne. Pour plus d'information sur les délégations et le formulaire, veuillez suivre le lien suivant : <https://www.ontario.ca/fr/forme/conference-de-lassociation-des-municipalites-de-lontario-de-2019>. Date limite pour présenter une demande: **vendredi 28 juin 2019**.

Thank you/ Merci

## Courtenay Hoytfox

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**From:** Courtenay Hoytfox  
**Sent:** Friday, June 14, 2019 10:14 AM  
**To:** Courtenay Hoytfox  
**Subject:** FW: EBR Alerts to be discontinued

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**From:** EBR Alerts Service <[ebr@auditor.on.ca](mailto:ebr@auditor.on.ca)>  
**Sent:** Friday, June 7, 2019 2:39 PM  
**To:** Karen Landry <[KLandry@puslinch.ca](mailto:KLandry@puslinch.ca)>  
**Subject:** EBR Alerts to be discontinued

**Dear EBR Alerts service user,**

The Ministry of the Environment, Conservation and Parks recently completed its update of the [Environmental Registry](#). Since April 24, 2019, the updated registry is the only place to find new registry notices for environmental legislation, regulations, policies and approvals.

The Office of the Environmental Commissioner of Ontario (ECO) developed Environmental Bill of Rights (EBR) Alerts to provide Ontarians with access to information about projects and proposals that affect the environment. The alerts service emailed users when the ministry posted proposal, decision and other notices to the Environmental Registry.

Because the EBR Alerts service provided email alerts to notices posted on the original registry only, and the original registry has expired, the service is no longer functional. It will be discontinued on June 14, 2019.

Please check the updated [Environmental Registry](#) for new proposal notices posted after April 24, 2019, as you will not have received an EBR Alerts email about these notices.

The new registry also has an email service for new notices. To receive

Environmental Registry information by email, please register and set up your new service by visiting [ero.ontario.ca/user/register](http://ero.ontario.ca/user/register).

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This email was sent to [klandry@puslinch.ca](mailto:klandry@puslinch.ca)

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Office of the Auditor General of Ontario · 20 Dundas Street West · Suite 1530 · Toronto, Ontario M5G 2C2 · Canada

May 29, 2019

Mr. John Ballantine  
Manager, Municipal Finance Policy Branch  
Ministry of Municipal Affairs and Housing  
13th Floor, 777 Bay Street  
Toronto, Ontario  
M5G 2E5

Dear Mr. Ballantine:

Re: Bill 108: Potential Changes to the Development Charges Act

On behalf of our many municipal clients, by way of this letter we are summarizing our perspectives on the changes to the *Development Charges Act* (D.C.A.) as proposed by Bill 108.

### **Watson & Associates Economists Ltd.**

Watson & Associates Economists Ltd. is a firm of municipal economists, planners and accountants, which has been in operation since 1982. With a municipal client base of more than 250 Ontario municipalities and utility commissions, the firm is recognized as a leader in the municipal finance/local government field. The firm's Directors have participated extensively as expert witnesses on development charge (D.C.) and municipal finance matters at the Local Planning Appeal Tribunal (formerly known as the Ontario Municipal Board) for over 37 years.

Our background in D.C.s is unprecedented including:

- carrying out over one-half of the consulting work completed in Ontario in the D.C. field during the past decade; and
- providing submissions and participating in discussions with the Province when the D.C.A. was first introduced in 1989 and with each of the amendments undertaken in 1997 and 2015.

### **Changes to Eligible Services**

*The Bill proposes to remove “soft services” from the D.C.A. These services will be considered as part of a new “community benefits charge” (discussed below) imposed under the Planning Act. Eligible services that will remain under the D.C.A. include water, wastewater, stormwater, services related to a highway, policing, fire, transit and waste diversion.*



As provided below (a detailed summary is provided in Appendix A), Province-wide this change would remove 20% of annual collections from the D.C.A.

**Table 1 - Development Charge Collections - 2013 to 2017**

Service Category	Total Collections 2013 to 2017	Annual Average Collections	Percentage of Total
Services Continued Within D.C.A.	\$ 8,069,285,661	\$ 1,613,857,132	80%
Services to be Moved to Community Benefits Charge	1,967,192,671	393,438,534	20%
<b>Total</b>	<b>\$10,036,478,333</b>	<b>\$ 2,007,295,667</b>	<b>100%</b>

Since it is unclear as to the potential ability to replace these revenues with the proposed community benefits charge, a number of concerns are raised:

- Many municipalities have constructed facilities for these various services, and the ability to recoup the annual debt charges is in question. This lost revenue may shift the burden directly onto existing taxpayers.
- A number of municipalities enter into agreements to have the developing landowner fund certain services (e.g. parkland development) and provide D.C. credits at the time of building permit issuance. It is unclear how a municipality is to honour these commitments given the new revenue structure.
- Many municipalities have projects for these services in progress. The lost funding may put these projects in jeopardy.
- Many municipalities have borrowed D.C. revenues from another D.C. service to fund these expenditures. Once again, it is unclear how to fund these balances.
- Municipalities have concerns with the potential of the Minister to limit the scope of eligible services for which community benefits charges could be imposed through regulation, particularly as this might relate to future funding plans based on this revenue source.

## **Waste Diversion**

*The Bill would remove the mandatory 10% deduction for this service.*

This change will be helpful to municipalities in funding this service. Moreover, the ability to forecast the increase in needs over a period longer than 10 years will allow municipalities to better determine the long-term average increase in needs.





## Payment in Installments Over Six Years

*The Bill proposes that rental housing, non-profit housing and commercial/industrial/institutional developments pay their development charges in six equal annual payments commencing the earlier of the date of issuance of a building permit or occupancy. If payments are not made, interest may be charged (at a prescribed rate) and may be added to the property and collected as taxes.*

As the proposed changes to the D.C.A. are to facilitate the Province's affordable housing agenda, it is unclear why these installment payments are to be provided to commercial, industrial and institutional developments. Table 2 presents the number of non-residential building permits issued annually by Ontario municipalities over the period 2012 to 2017. Based on the past six years, municipalities would be managing installment collections on almost half a million building permits.

**Table 2 - Non-residential Building Permits Issued - 2012 to 2017**

Service	2012	2013	2014	2015	2016	2017	Total
Permits Issued	67,795	75,182	76,189	79,070	86,158	82,640	<b>467,034</b>

Source: Financial Information Returns - 2012 to 2017

Based on the above:

- Administration of this process to undertake annual collections, follow up on delayed payments, and pursue defaulting properties would increase administrative staffing needs significantly. If an ability to recover these administrative costs is not provided, then this would be a direct impact on property taxes.
- It is unclear what security requirements the municipality may impose. As the building permit is most often taken out by the builder, there is a disconnect with the potential owner of the building. We would recommend that the D.C.A. provide the ability to either receive securities or be able to register the outstanding collections on title to the property.
- The delay in receiving the D.C. revenue will impact the D.C. cashflow. As most of these "hard services" must be provided in advance of development occurring, it will require increased debt and borrowing costs. Added interest costs will place upward pressure on the D.C. quantum.

## When the D.C. Amount is Determined

*The Bill proposes that the D.C. amount for developments proceeding by site plan approval or requiring a zoning by-law amendment, shall be determined based on the D.C. charge in effect on the day of the application for site plan approval or zoning by-law amendment. If the development is not proceeding via these planning approvals,*





*then the amount is determined the earlier of the date of issuance of a building permit or occupancy.*

Based on the above:

- We perceive the potential for abuse with respect to the zoning change requirement. A minor change in a zoning would activate this section of the D.C.A. and lock-in the rates. This would give rise to enhancing the land value of the property as it has potentially lower D.C. payments.
- D.C.s tend to increase in subsequent five-year reviews, because the underlying D.C.A. index does not accurately reflect the actual costs incurred by municipalities. Locking-in the D.C. rates well in advance of the building permit issuance would produce a shortfall in D.C. revenue, as the chargeable rates will not reflect the current rate (and therefore current costs) as of the time the development proceeds to be built. If municipalities are being required to maintain these charges, then the D.C.A. should provide for adjustment to reflect changes in actual costs, allow for ease of amendment between review periods, and index charges based on actual cost experience.
- There should be a time limit established in the D.C.A. as to how long the development takes to move from site plan application, or zoning application, to the issuance of a building permit. There is no financial incentive for the development to move quickly to building permit if this is not provided. Although the D.C.A. indicates that the Minister may regulate this, if no regulation is provided then the rates would be set in perpetuity.

### **Second Dwelling Units in New Residential Developments or Ancillary to an Existing Dwelling Unit are to be Exempt from Paying Development Charges**

We perceive that imposing an immediate exemption for a second unit in a new home will cause considerable problems for existing agreements with developers. Potential impacts could include:

- For existing agreements and in certain circumstances, the developer may not recover the full amount of the agreed-to funding.
- Alternatively, the municipality may have to recognize the potential funding loss. The municipality then must generate the funding even though these expenditures were not planned. This may cause direct impacts on debt levels, tax/use rates or delays in future funding given the added net costs to build the infrastructure.
- The potential arises for the conditions within these agreements to now be challenged in court in light of the provincial regulation changes, giving rise to considerable legal expense, delays in development (given the uncertainty of the outcome) and loss of confidence in negotiating future agreements.



- Note also that, with respect to allocation of capacity for water and wastewater servicing, there may be further impacts given Environmental Assessment approvals for targeted development levels.
- Increasing the number of statutory exemptions also results in a revenue loss for municipalities that have to be funded from non-D.C. funding sources, thus increasing the obligation on property taxes.

### **Soft Services to be Included in a New Community Benefits Charge Under the Planning Act**

*It is proposed that a municipality may, by by-law, impose community benefits charges against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies. These services may not include those authorized by the D.C.A. Various provisions are proposed as follows:*

- *Before passing a community benefits charge by-law, the municipality shall prepare a community benefits charge strategy that, (a) identifies the facilities, services and matters that will be funded with community benefits charges; and (b) complies with any prescribed requirements.*
- *Land for parkland purposes will be included in this charge.*
- *The amount of a community benefits charge payable shall not exceed an amount equal to the prescribed percentage of the value of the land as of the valuation date.*
- *The valuation date is the day before building permit issuance.*
- *Valuations will be based on the appraised value of land. Various requirements are set out in this regard.*
- *All money received by the municipality under a community benefits charge by-law shall be paid into a special account.*
- *In each calendar year, a municipality shall spend or allocate at least 60 per cent of the monies that are in the special account at the beginning of the year.*
- *Requirements for annual reporting shall be prescribed.*
- *Transitional provisions are set out regarding the D.C. reserve funds and D.C. credits.*

The proposed changes are limited, in that the details are left to be defined by Regulation. As such:

- More information is needed, as there are several key items to be included as part of the regulations; i.e. what items are to be included in community benefits charge strategy and what percentage of the “value of land” is to be eligible for collection.
- Depending on what is to be included in the community benefits charge strategy, this may be undertaken at a similar time as the D.C. background study. As



noted, however, it is unclear as to the prescribed items to be included along with the process required to adopt the strategy and the by-law.

- The potential for future parkland is minimized by including it as part of the charge along with all other “soft services.”
- Concern is raised regarding what prescribed percentage of the land value will be allocated for the charge. If the same percentage is provided for all of Ontario, then a single family lot in Toronto valued at \$2 million will yield 20 times the revenue of a \$100,000 lot in eastern Ontario. Given that building costs for the same facilities may only vary by, say, 15%, the community benefits charge will yield nominal funds to pay for required services for most of Ontario. As such, if prescribed rates are imposed, these should recognize regional, in not area-municipal, distinctions in land values.
- It is unclear how the community benefits charge will be implemented in a two-tier municipal system. Given that both the upper and lower tiers will have needs, there is no guidance on how the percentage of the land value will be allocated or how the process for allocating this would occur. Obviously, land values will vary significantly in urban versus semi-urban communities (e.g. in York Region, land value in Markham is significantly higher than in Georgina), so that the upper tier needs may only take, say, 30% of the allotted value in the urban areas but 75% to 90% of the allotted semi-urban or rural values.
- Given the need for appraisals and the ability of the applicant to challenge the appraisal, a charging system based on land values will be extremely cumbersome and expensive. It is unclear how appraisal costs are recovered and the appraisals may become significant costs on each individual property.

### **By-laws That Expire After May 2, 2019**

*The Bill provides in subsection 9.1 (1) that a development charge by-law expiring on or after May 2, 2019 and before the prescribed date shall remain in force as it relates to the soft services being moved to community benefits charges.*

Confusion is produced by this section of the Bill. There are many municipal D.C. by-laws (over 70) currently set to expire between May and August of this year. Until the Bill is passed into law, these D.C. by-laws will need to be replaced by new ones. This section of the Bill should be amended to reflect that the new D.C. rates in effect at the time of the new legislation coming into force will continue so as to not present confusion over rates as of May 2, 2019 versus rates passed under these new D.C. by-laws.

### **Conclusions/Observations**

In late 2018/early 2019, the Province invited many sectors to participate in the Province’s Housing Supply Action Plan. This process included specialized Development Charges and Housing Affordability Technical Consultations undertaken to provide input to this Action Plan. From those discussion sessions undertaken with members of the development/building community, it was acknowledged that there are



challenges for the development/building community to address the housing needs for certain sectors of the housing market. Rental housing is one example of an area where the low profit margins and high risks may limit participation by developer/builders; however, there clearly does not appear to be a Province-wide concern with D.C. rates that would warrant a wholesale reduction/elimination of D.C.s for any particular service. Arising from those discussions it was expected that these matters would be the focus of the legislated changes; however, Bill 108 has varied significantly from that target:

- The Bill makes wholesale changes to the D.C.A. which will restrict revenues collected from all forms (and all prices) of housing. Hence, the target is no longer rental or affordable housing focused. Where municipalities have been developing D.C. policies and programs to address affordable housing needs directly, the loss of D.C. funding will make these programs unaffordable due to the overall revenue lost.
- The Bill has introduced changes to collections and locking in rates, which directly benefit commercial, industrial and institutional developments, that were not part of the Province's Housing Supply Action Plan. It is unclear why this has been introduced. The six-payment plan for this sector is expected to be expensive and cumbersome to administer.
- Many transitional items have not been addressed and it is unclear whether the developing land owner is responsible for potential revenue losses or whether that will be the responsibility of the municipality. These matters need to be addressed, otherwise time and money will be spent clarifying these matters in the courts.
- The Regulations to define the new community benefits charges have not been circulated with the Bill; hence, the magnitude of the impact cannot be calculated. It is anticipated, however, that a significant amount of revenue will be lost along with additional lands for park purposes. This either places a direct burden onto taxpayers or will reduce service levels significantly for the future.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Gary D. Scandlan, B.A., PLE  
Director

Andrew Grunda, MBA, CPA, CMA  
Principal



# Appendix A

## Development Charge Collections 2013 to 2017



# Appendix A: Development Charge Collections 2013 to 2017

Development Charge Collections - 2013 to 2017

Service	2013	2014	2015	2016	2017	Total	Average Annual
<b>Services Continued Within D.C.A.</b>							
Development Studies	\$ 6,785,229	\$ 7,539,525	\$ 9,634,244	\$ 9,536,538	\$ 11,607,836	\$ 45,103,372	\$ 9,020,674
Fire Protection	19,100,753	23,624,512	24,765,253	27,313,942	26,978,473	121,782,933	24,356,587
Police Protection	16,473,155	18,511,592	20,652,998	18,378,613	20,548,089	94,564,447	18,912,889
Roads and Structures	459,358,776	612,034,803	690,333,195	779,050,973	719,779,061	3,260,556,808	652,111,362
Transit	76,809,022	132,348,600	130,908,057	132,489,696	136,970,102	609,525,477	121,905,095
Wastewater	226,276,592	326,853,930	366,627,394	442,003,774	377,008,100	1,738,769,790	347,753,958
Stormwater	35,407,598	37,192,646	36,127,040	52,679,456	53,577,620	214,984,360	42,996,872
Water	249,052,732	324,843,966	373,922,202	474,822,033	513,942,477	1,936,583,410	387,316,682
GO Transit	7,594,651	9,005,572	10,515,931	9,837,550	10,461,361	47,415,065	9,483,013
<b>D.C.A. Continued Services</b>	<b>\$ 1,096,858,508</b>	<b>\$ 1,491,955,146</b>	<b>\$ 1,663,486,314</b>	<b>\$ 1,946,112,574</b>	<b>\$ 1,870,873,119</b>	<b>\$ 8,069,285,661</b>	<b>\$ 1,613,857,132</b>
<b>Services to Be Included Within New Section 37 Community Benefits Charge</b>							
Emergency Medical Services	\$ 3,112,736	\$ 4,765,936	\$ 5,128,696	\$ 4,840,840	\$ 5,773,536	\$ 23,621,744	\$ 4,724,349
Homes for the Aged	3,073,247	2,939,550	3,743,039	3,595,331	4,297,427	17,648,594	3,529,719
Daycare	2,499,810	3,301,019	3,088,376	1,760,689	2,473,840	13,123,734	2,624,747
Housing	17,947,287	18,658,790	19,786,738	16,116,747	21,684,247	94,193,809	18,838,762
Parkland Development	64,269,835	88,966,081	84,900,635	73,762,908	87,751,688	399,651,147	79,930,229
Library	28,579,595	33,673,639	32,963,569	33,161,869	34,690,844	163,069,516	32,613,903
Recreation	113,885,296	139,822,233	162,878,471	165,794,581	160,313,825	742,694,406	148,538,881
General Government	12,050,045	12,270,754	12,829,713	21,443,520	8,654,142	67,248,174	13,449,635
Parking	1,906,154	3,594,036	4,821,705	3,986,887	3,947,438	18,256,220	3,651,244
Animal Control	18,224	16,511	44,952	23,839	15,205	118,731	23,746
Municipal Cemeteries	38,942	69,614	55,007	170,736	108,145	442,444	88,489
Other	100,284,812	88,219,453	84,354,637	82,829,254	71,435,996	427,124,152	85,424,830
<b>Services to be Moved to Community Benefits Charge</b>	<b>\$ 347,665,983</b>	<b>\$ 396,297,616</b>	<b>\$ 414,595,538</b>	<b>\$ 407,487,201</b>	<b>\$ 401,146,333</b>	<b>\$ 1,967,192,671</b>	<b>\$ 393,438,534</b>
<b>Total</b>	<b>\$ 1,444,524,491</b>	<b>\$ 1,888,252,762</b>	<b>\$ 2,078,081,852</b>	<b>\$ 2,353,599,776</b>	<b>\$ 2,272,019,452</b>	<b>\$10,036,478,333</b>	<b>\$ 2,007,295,667</b>

Source: Financial Information Returns - 2013 to 2017

June 12, 2019

**Via email only**

Karen Landry  
CAO/Clerk  
Township of Puslinch  
7404 Wellington Rd. 34  
Puslinch, ON N0B 2J0  
[KLandry@puslinch.ca](mailto:KLandry@puslinch.ca)

Dear Ms. Landry,

**RE: Township of Puslinch Response to  
Clair-Maltby March 28, 2019 Presentation**

As you are aware, on April 3, 2019 the Township of Puslinch Council passed the following motion:

‘Council directed staff to obtain clarification from the City of Guelph with respect to water outflow to adjacent lands and areas following multiple storms.’

Please accept this letter and the attached letter from Wood Environment & Infrastructure Solutions, who the City has retained for the Clair-Maltby Secondary Plan project, as the City of Guelph’s response to that resolution.

The attached letter highlights that ‘In terms of the Maltby Road boundary between Puslinch and Guelph, where surface flows currently discharge to the south (from Guelph to Puslinch) these flows will be maintained at the same rate and volume as per existing land use conditions.’

Should the Township have any additional questions, please feel free to contact the undersigned or Stacey Laughlin at extension 2327.

Sincerely,



**Kealy Dedman, P.Eng., MPA**, General Manager/City Engineer  
Engineering and Transportation Services  
**Infrastructure, Development and Enterprise**  
Location: City Hall, 1 Carden Street

**T 519-822-1260 x2248**  
**E [kealy.dedman@guelph.ca](mailto:kealy.dedman@guelph.ca)**

C: Todd Salter, General Manager of Planning and Building Services  
Melissa Aldunate, Manager of Policy Planning and Urban Design  
Terry Gayman, Manager – Infrastructure, Development and Environmental Engineering  
Stacey Laughlin, Senior Policy Planner  
Arun Hindupur, Supervisor, Infrastructure Engineering

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Wood Environment & Infrastructure Solutions  
a Division of Wood Canada Limited  
3450 Harvester Road, Suite 100  
Burlington, ON L7N 3W5, Canada  
T: 905-335-2353  
[www.woodplc.com](http://www.woodplc.com)

May 2, 2019  
TPB168050

Stacey Laughlin, MCIP, RPP  
Senior Policy Planner  
City of Guelph  
1 Carden Street  
Guelph, ON N1H 3A1

**RE: Puslinch Correspondence April 29, 2019 regarding Clair Maltby March 28, 2019 Presentation**

Dear Stacey,

Further to your request, we hereby provide you with a response to the question posed by the Township of Puslinch. In its correspondence of April 29, 2019, the Township states *"Council directed staff to obtain clarification from the City of Guelph with respect to water outflow to adjacent land and areas following multiple storms"*.

As outlined in the presentation, the intent of the Water Management Strategy and Plan in development for the Clair Maltby Secondary Plan area is to manage surface and groundwater such that it meets or exceeds "existing" conditions. To this end, it has been proposed to manage surface water both at its source and at its outlet. In terms of the former, this would be accomplished through appropriately sized and located best management practices on both private and public lands. These measures would maintain runoff volumes and also maintain the infiltration component of the water budget. For the latter, specific to the outlets, it has been proposed to capture runoff in the inwardly draining areas (depressions) in appropriately sized and located surface water capture areas (SWCA). These locations would be sized so as to capture events greater than the 100 year up to the Regional Storm (Hurricane Hazel) with a freeboard for added safety and capacity. Furthermore, as an additional safety measure, these areas would be provided with an overflow relief to provide protection in the event of even more extreme meteorological conditions.

In terms of the Maltby Road boundary between Puslinch and Guelph, where surface flows currently discharge to the south (from Guelph to Puslinch) these flows will be maintained at the same rate and volume as per existing land use conditions.

We trust this adequately addresses your requirements; should you have any additional questions or information needs, please feel free to contact our office.

Sincerely,

**Wood Environment & Infrastructure Solutions  
a Division of Wood Canada Limited**

Ron Scheckenberger, M.Eng., P.Eng.  
Principal

**Reviewed by:**

Steve Chipps, P.Eng.  
Senior Water Resources Engineer

RBS/lis

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# Bill 108: *More Homes, More Choice Act*

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Submission to the Standing Committee on Justice Policy

May 31, 2019

## Introduction

The Association of Municipalities of Ontario (AMO) is pleased to provide municipal perspectives on Bill 108, the *More Homes, More Choice Act*, 2019 with members of the Standing Committee on Justice Policy. AMO is a non-partisan non-profit representing almost all of Ontario's 444 municipal governments. We appreciate the opportunity to contribute to the committee's deliberations on this Bill which is of significant municipal interest and concern.

Bill 108 is a very broad piece of legislation intended to adjust the framework in which housing development is approved. The need for housing, and in particular, affordable housing is crucial to the wellbeing of our communities. As a matter of principle, AMO welcomes these proposed reforms and supports measures that help our residents find affordable homes and create stability in their lives. While we generally support some of the *More Homes, More Choice Act* reforms, this submission respectfully proposes several key amendments as well as a few recommendations relating to the implementation.

We will focus our comments on:

- ❖ Schedule 9 Local Planning Appeal Tribunal Act, 2017
- ❖ Schedule 3 Development Charges Act, 1997
- ❖ Schedule 12 Planning Act
- ❖ Schedule 2 Conservation Authorities Act

### **Schedule 9 Local Planning Appeal Tribunal Proposals:**

Municipal governments strenuously disagree with the Bill which would reinstate the *de novo* hearing approach rather than evaluating a planning decision based on the compliance with provincial plans, provincial policy and the municipal official plan. This in effect removes the value of local planning decisions, it is a big step backward.

Municipal governments take their democratic responsibilities seriously - to create communities based on good planning and community input. Local governments, residents and developers all work to find a way to bring a local vision for the community into existence. The Local Planning Appeal Tribunal (LPAT) was designed to evaluate appeals against the "rules" as to whether an amendment meets the test of being in compliance.

The change proposed in this Bill disrespects local policy and provincial policy. Rather than planning decisions taking place based on full information in keeping with the Official Plan and provincial plans and policy provided to a duly elected local council, developments will become moving targets as altered and new information is brought before a tribunal.

Furthermore, the experience in Ontario is that *de novo* hearings has a legacy of delay. A return to *de novo* hearings will delay housing developments, which goes against the entire purpose of Bill 108. The original Local Planning Appeal Tribunal (LPAT) approach was to conclude hearings within

10 months but it has not been given a fair chance to demonstrate it could speed up valid appeals. To date, LPAT has not been able to clear the backlog of hearings accumulated under the *de novo* approach and has not been able to fully operate as planned. Municipal governments are asking to give the LPAT, as originally designed, a fair chance and do not reinstate *de novo* hearings.

**AMENDMENT #1:**

*That Sections 38 and 40 **not be repealed** such that appeals to municipal planning decisions continue to be evaluated against conformity and consistency with the provincial policy statement, provincial plans and the Official Plan. And that related Sections of the Planning Act also not be amended (e.g. Sections 17.2, 34.11, 24.3, 25 and 37).*

### **Schedule 3 Development Charges Proposals**

AMO's members are very concerned that the legislation as drafted could result in lowering the revenue from development charges that municipalities need to be able to support growth in our communities.

Development charges are a major source of revenue for cost recovery that funds the infrastructure needed for Ontario's growing communities. At present, development charges only cover about 80% of the costs of growth-related capital. That means property taxes are currently subsidizing the cost of growth and municipalities are currently falling short of achieving the principle, "growth should pay for growth."

Bill 108 will complicate the local public administration of development charges. There is great concern that these changes will have the effect of decreasing the value of the DCs municipalities receive while at the same time, increase the municipal administrative burden.

AMO supports and affirms the guiding principles articulated in the submission offered by the Municipal Finance Officers Association (MFOA):

- 1) Growth should pay for growth.
- 2) Complete vibrant communities are good for everyone.
- 3) Provincial legislation related to municipal governance should be enabling and permissive.
- 4) Provincial red tape costs municipalities time and money.

MFOA has completed a detailed review of Bill 108 and Schedule 3 specifically. The development charge related amendments below mirror and reinforce key MFOA recommendations.

### **Community Benefit Charge**

Bill 108 proposes to change the existing rules related to the use of development charges. Many "soft services" (including parks, child-care, libraries, and recreation facilities) will now be financed through a new tool, the Community Benefit Charge (CBC). A new Community Benefit Charge may be a reasonable approach but key questions that need to be answered for successful implementation include:

- 1) What are the merits of increasing municipal administrative activity to support two development-financing processes (the Community Benefit Charge AND Development Charges)?
- 2) Will the proceeds of the new charge be sufficiently different or adequate to finance soft services?
- 3) What is the relationship between land value (which will be used to calculate community benefit charges) and the provision of services? Will the community benefit charge appropriately finance community services in areas of the province with lower or volatile land values?

Minister Clark has repeatedly assured municipal governments and the public that growth will pay for growth. The introduction of the Community Benefit Charge (CBC) in this Bill has been suggested as a more comprehensive and transparent way for growth to pay for growth. However, it is difficult to be fully supportive of this proposed regime until the regulatory framework indicating what costs (services) are eligible, and the methodology for calculating the charge and caps on the charges is completed.

Service eligibility, methodology, and capping are very significant factors in determining whether the use of Community Benefit Charges will adequately finance service needs. There must be a robust consultation with municipal governments on the CBC regulations.

*AMENDMENT #2:*

*Amend Bill 108 Schedule 12 to provide that the methodology to calculate the CBC in the regulation preserves the link between growth related costs and revenues.*

*AMENDMENT #3:*

*Clarify the language in Bill 108 Schedule 12 to provide municipal governments with the flexibility to pass area specific CBCs.*

## **Development Charge Payment Schedule**

Proposed changes also affect rules on when development charges are payable to the municipality if the development is rental housing, institutional, commercial, industrial or non-profit housing. In these cases, development charge payments to the municipality will now be made as six annual instalments commencing upon occupancy.

Municipal governments may charge interest from the time of building permit issue and the interest rate will be determined by regulation, however, this new payment schedule will require significant debt financing for the municipality resulting in added cost and risk.

The proposed payment schedule for development charges, which delays payments until occupancy, is problematic.

These changes will have cash flow impacts for municipal governments. As MFOA and others in the municipal sector have noted, the inclusion of a delayed payment schedule for non-residential properties does not increase the supply of housing - the key legislative objective- and means that taxpayers will be subsidizing the financing of corporations. The delayed payment schedule represents a collection risk for municipal government.

**AMENDMENT #4:**

*Delete proposed ss8(1) of Schedule 3 of Bill 108.*

*Should ss8(1) not be deleted in its entirety: then*

- (a) remove paragraphs 2, 3 and 4 from the proposed new ss26.1(2) of the DCA as found in ss 8(1) of schedule 3 of Bill 108 to remove the inclusion of non-residential development with respect to the proposed DC payment plan, and*
- (b) if the proposed payment plan goes ahead, then the first payment should start at the issuance of the building permit, not at occupancy.*

## **Supporting the Key Principle**

Shortchanging the public services that the people of Ontario depend on is not a way to build the communities people want to live in. Development charges are the right tool to fund the services needed for growth in Ontario. In that context, AMO appreciates increasing the ability to charge for waste costs, from 90% to 100%.

A full list of services is required to build a successful community. AMO is concerned that if changes related to the collection of “soft service” costs are inadequate, this will disproportionately affect single and lower tier municipalities. If more municipal operating revenues are needed to cover the cost of growth, it will be at the expense of maintaining existing capital assets, services, or current property tax and user rates.

A service is a service. There should be no restrictions on eligible services.

**AMENDMENT #5:**

*Repeal amendments to ss2(4) of the DCA such that all services are eligible for inclusion in the development charge calculation so long as they are not expressly excluded by regulation.*

**AMENDMENT #6:**

*Should ss2(4) under the DCA remain despite the previous recommendation, then the list of eligible services should be amended to include paramedic services.*

## **Schedule 12 Planning Act Proposals**

The proposed changes to the *Planning Act* will open doors for additional second units and could spur on a greater mix of housing options. We ask that the regulations will clarify that a second unit could be either in a main dwelling **or** an ancillary building and that the municipal government be able to choose which.

The increased role of the Minister to be more actively involved in identifying inclusionary zoning areas and implementing the community planning permit process in areas identified as strategic for housing, such as major transit stations may be helpful in some circumstances. However, targeting inclusionary zoning to transit areas will limit application in cities and disproportionately impact smaller urban and rural communities. These changes will continue to allow municipal governments the ability to enact inclusionary zoning but will restrict the application of this affordable housing tool.

One of the goals of this Bill is to speed up the time it takes to process an application. The proposals in the Bill will shorten the timeframe from the receipt of a complete application to the council decision. AMO is concerned that shortening timelines could result in difficulty to process larger complex applications. We will be urging our members to ensure that only fully complete applications for planning and development be received to avoid appeals based on the inability to make a decision before time lapses. The onus is on applicants to ensure their proposals are complete.

As well, there needs to be greater clarity around the provisions for parkland as there is confusion on its application. Many have interpreted the Bill to fully phase out the use of actual parkland dedication or cash in lieu in favour of the Community Benefits Charge.

**RECOMMENDATION #1:**

*That an explanation of the provisions of the Bill around the use of Section 42 of the Planning Act (where there is no community benefits regime) be provided immediately.*

**Schedule 2 Conservation Authority Act Proposals**

The Bill proposes to define core services for a conservation authority and introduce a regime of memoranda of understanding between conservation authorities and municipal governments. The intent is to create greater clarity as to roles and responsibilities with performance standards that should facilitate processing development approvals. AMO believes this approach makes sense. The regulatory details and sufficient time to move to this new regime will be critical to its success.

There is a concern that some conservation authorities are unable to successfully deliver on core services with their current fiscal capacity. Furthermore, municipal governments are unlikely to be able to increase financial supports. While the framework is helpful, it will need additional provincial supports, including up to date mapping.

The Bill also proposes to proclaim sections of the *Conservation Authorities Act* which give the Minister the right to oversee board qualifications, and fees.

**AMENDMENT #7:**

*It is recommended that the Schedule 2 part 4, pertaining to Conservation Authorities Act section 21.1.3 specify sufficient time (e.g. at least 18 months) for agreements between municipal governments and conservation authorities for memoranda of understanding to be executed to*

*allow for an orderly transition.*

**RECOMMENDATION #2:**

*While no language change in the Bill is required, it is recommended that the province continue to support conservation authorities financially and by the provision of mapping tools, and technical expertise.*

**RECOMMENDATION #3:**

*It is recommended that a provincial-municipal working group be assembled to address instances where a Conservation Authority cannot fulfil its mandatory core obligations within the current funding framework.*

The Bill offers a number of positive directions on other land use matters which are mentioned in brief below:

**Schedule 1:** AMO welcomes the changes in the Bill which clarify elements under the *Cannabis Control Act*.

**Schedule 5:** Broadening the context in which species would be considered at risk is a welcomed change, although the province needs to offer more complete information on how this will unfold. The Bill opens an opportunity to be more proactive in protecting species at risk by expanding a landscape agreement approach under the *Endangered Species Act*. The current process is reactive and incremental. While the Bill sets the framework, substantial work and leadership from the province will be required to make this concept effective in protecting species at risk.

**Schedule 6:** Also welcomed is the increased exemptions for low risk activities under the *Environmental Assessment Act*. Again, more details on what is exempted are required. AMO agrees that greater scoping of appeals is required. While the framework this Bill would set up allows all parties to focus resources on issues of greatest importance, there are a significant number of operational issues that need further attention in order for this direction to meet intended outcomes.

**Schedule 11:** Creating more clarity around the process of designating under the *Ontario Heritage Act* is welcomed. More proactive information being available to land owners is important. However, there is mixed evaluation as to whether these changes will indeed both protect heritage features in Ontario and facilitate housing. Additionally, we trust that the LPAT will hire members with heritage expertise to address any appeals under this Act.

## Conclusion

AMO appreciates the Standing Committee on Justice Policy's consideration of our proposed municipal amendments and actions relating to Bill 108. Although there are some areas of agreement, major amendments of fundamental municipal interests are needed.

Without these changes, Bill 108 will not meet its shared objective of developing a greater housing mix at a faster pace across Ontario while also addressing the valid concerns raised by Ontario's municipal order of government on behalf of tax payers.



## APPENDIX: LIST OF PROPOSED AMENDMENTS

### AMENDMENT #1:

That Schedule 9 part 8, pertaining to Sections 38 and 40 of the *Local Planning Appeal Tribunal Act* not be repealed such that appeals to municipal planning decisions continue to be evaluated against conformity and consistency with the provincial policy statement, provincial plans and the Official Plan. And that related Sections of the Planning Act also not be amended (e.g. Sections 17.2, 34.11, 24.3, 25 and 37).

### AMENDMENT #2:

Amend Bill 108 Schedule 12 to provide that the methodology to calculate the CBC in the regulation preserves the link between growth related costs and revenues.

### AMENDMENT #3:

Clarify the language in Bill 108 Schedule 12 to provide municipalities with the flexibility to pass area specific CBCs.

### AMENDMENT #4:

Delete proposed ss8(1) of Schedule 3 of Bill 108.

Should ss8(1) not be deleted in its entirety: then

- (a) remove paragraphs 2, 3 and 4 from the proposed new ss26.1(2) of the DCA as found in ss 8(1) of schedule 3 of Bill 108 to remove the inclusion of non-residential development with respect to the proposed DC payment plan, and
- (b) if the proposed payment plan goes ahead, then the first payment should start at the issuance of the building permit, not at occupancy.

### AMENDMENT #5:

Repeal amendments to ss2(4) of the DCA such that all services are eligible for inclusion in the development charge calculation so long as they are not expressly excluded by regulation.

### AMENDMENT #6:

Should ss2(4) under the DCA remain despite the previous recommendation, then the list of eligible services should be amended to include paramedic services.

### AMENDMENT #7:

That Schedule 2 part 4, pertaining to *Conservation Authorities Act* section 21.1.3 specify sufficient time (e.g. at least 18 months) for agreements between municipal governments and conservation authorities for memoranda of understanding to be executed to allow for an orderly transition.



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May 29<sup>th</sup>, 2019  
By Email

Town of Aurora  
c/o Town Clerk  
100 John West Way, Box 1000  
Aurora, ON L4G 6J1  
[clerks@aurora.ca](mailto:clerks@aurora.ca)

**Re: Resolution of Support for the Town of Aurora – Opposition to *Bill 108, the More Homes, More Choice Act, 2019***

To Whom It May Concern,

The Council of the Corporation of the Town of Arnprior at their May 27th, 2019 Regular Council Meeting passed the following resolution:

Resolution No. 197-19

Moved by Dan Lynch

Seconded by Lynn Grinstead

**Whereas** the legislation that abolished the OMB and replaced it with LPAT received unanimous – all party support; and

**Whereas** all parties recognized that local governments should have the authority to uphold their provincially approved Official Plans; to uphold their community driven planning; and

**Whereas** Bill 108 will once again allow an unelected, unaccountable body make decisions on how our communities evolve and grow; and

**WHEREAS** on August 21, 2018 Minister Clark once again signed the MOU with the Association of Municipalities of Ontario and entered into "...a legally binding agreement recognizing Ontario Municipalities as a mature, accountable order of government."; and

**Whereas** this MOU is "enshrined in law as part of the Municipal Act". And recognizes that as "...public policy issues are complex and thus require

coordinated responses...the Province endorses the principle of regular consultation between Ontario and municipalities in relation to matters of mutual interest”; and

**Whereas** by signing this agreement, the Province made “...a commitment to cooperating with its municipal governments in considering new legislation or regulations that will have a municipal impact”; and

**Whereas** Bill 108 will impact 15 different Acts - Cannabis Control Act, 2017, Conservation Authorities Act, Development Charges Act, Education Act, Endangered Species Act, 2007, Environmental Assessment Act, Environmental Protection Act, Labour Relations Act, 1995, Local Planning Appeal Tribunal Act, 2017, Municipal Act, 2001, Occupational Health and Safety Act, Ontario Heritage Act, Ontario Water Resources Act, Planning Act, Workplace Safety and Insurance Act, 1997.

**Now Therefore Be it Hereby Resolved That** the Council of the Corporation of the Town of Arnprior oppose Bill 108 which in its current state will have negative consequences on community building and proper planning; and

**Be it Further Resolved That** the Council of the Corporation of the Town of Arnprior call upon the Government of Ontario to halt the legislative advancement of Bill 108 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision making for housing growth that meets local needs will be reasonably achieved; and

**Be It Further Resolved That** a copy of this motion be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Christine Elliott, Deputy Premier, the Honourable Steve Clark, Minister of Municipal Affairs, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and

**Be It Further Resolved That** a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Emily Melanson  
Deputy Clerk  
613-623-4231 Ext. 1818  
[emelanson@arnprior.ca](mailto:emelanson@arnprior.ca)

---

cc. Association of Municipalities of Ontario (AMO), the Honourable Doug Ford, Premier of Ontario, the Honourable Christine Elliott, Deputy Premier, the Honourable Steve Clark, Minister of Municipal Affairs, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs and municipalities in the Province of Ontario

City Clerk's Office

**Secretariat**  
Marilyn Toft  
Council Secretariat Support  
City Hall, 12<sup>th</sup> Floor, West  
100 Queen Street West  
Toronto, Ontario M5H 2N2

Tel: 416-392-7032  
Fax: 416-392-2980  
e-mail: Marilyn.Toft@toronto.ca  
web: www.toronto.ca

**In reply please quote:  
Ref.: 19-CC7.3**

May 28, 2019

**ALL MUNICIPALITIES IN ONTARIO:**

**Subject: New Business Item 7.3  
Proposed Bill 108 (More Homes, More Choice Act, 2019) and the  
Proposed Housing Supply Action Plan**

City Council on May 14 and 15, 2019, adopted the attached Item as amended, and among other things, has adopted the following Resolution, and has joined municipalities from across the Greater Toronto and Hamilton Area, where similar motions are being moved in their respective Councils, in opposing Bill 108 in its current form:

WHEREAS the legislation that abolished the Ontario Municipal Board and replaced it with the Local Planning Appeal Tribunal received unanimous – all party support; and

WHEREAS All parties recognized that local governments should have the authority to uphold their provincially approved Official Plans; to uphold their community driven planning; and

WHEREAS Bill 108 will once again allow an unelected, unaccountable body make decisions on how our communities evolve and grow; and

WHEREAS On August 21, 2018 Minister Clark once again signed the Memorandum of Understanding with the Association of Municipalities of Ontario and entered into "...a legally binding agreement recognizing Ontario Municipalities as a mature, accountable order of government"; and

WHEREAS This Memorandum of Understanding is "enshrined in law as part of the Municipal Act". And recognizes that as "...public policy issues are complex and thus require coordinated responses...the Province endorses the principle of regular consultation between Ontario and municipalities in relation to matters of mutual interest"; and

WHEREAS By signing this agreement, the Province made "...a commitment to cooperating with its municipal governments in considering new legislation or regulations that will have a municipal impact"; and

WHEREAS Bill 108 will impact 15 different Acts - Cannabis Control Act, 2017, Conservation Authorities Act, Development Charges Act, Education Act, Endangered Species Act, 2007, Environmental Assessment Act, Environmental Protection Act, Labour Relations Act, 1995, Local Planning Appeal Tribunal Act, 2017, Municipal Act, 2001, Occupational Health and Safety Act, Ontario Heritage Act, Ontario Water Resources Act, Planning Act, Workplace Safety and Insurance Act, 1997.

Now Therefore Be it Hereby Resolved That the City of Toronto oppose Bill 108 which in its current state will have negative consequences on community building and proper planning; and

Be it Further Resolved That the City of Toronto call upon the Government of Ontario to halt the legislative advancement of Bill 108 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision making for housing growth that meets local needs will be reasonably achieved; and

Be It Further Resolved That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Deputy Premier, the Honourable Steve Clark, Minister of Municipal Affairs, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and

Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario and all Ontario municipalities for their consideration.



for City Clerk

M. Toft/sb

Attachment

c. City Manager



## City Council

### New Business - Meeting 7

CC7.3	ACTION	Amended		Ward: All
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### **Proposed Bill 108 (More Homes, More Choice Act, 2019) and the Proposed Housing Supply Action Plan - Preliminary City Comments**

#### **City Council Decision**

City Council on May 14 and 15, 2019, adopted the following:

1. City Council request the Province to extend the June 1, 2019 timeline on the Environmental Registry of Ontario for comments on proposed Bill 108 to provide additional time for municipalities to comment on the proposed legislation.
2. City Council request the Province to consult with the City prior to issuing any draft regulations associated with proposed Bill 108, before the coming into force of the proposed Bill, such that the City can fully understand and be able to analyze the impact of the proposed Bill changes comprehensively, including the cumulative financial impacts to municipalities.
3. City Council request the Province to enshrine revenue neutrality in the proposed legislation and if not, create a municipal compensation fund to support municipalities whose revenues decline under the proposed community benefit charge regime.
4. City Council request the Province to provide compensation to the City of Toronto for the increased number of appeals and litigation if the proposed legislative changes to the Local Planning Appeal Tribunal process proposed in Bill 108 are implemented.
5. City Council request the Province to provide a transparent and thorough stakeholder consultation process in the development of all regulations associated with proposed Bill 108.
6. City Council request the Province to hold fulsome standing committee meetings to enable stakeholders to make both deputations and submissions on the proposed regulations.
7. City Council direct the Chief Financial Officer and Treasurer to report back through the 2020 Budget process on any necessary curtailment of growth-related or other capital expenditures resulting from the enactment of proposed Bill 108.
8. City Council request the General Manager, Transportation Services, in consultation with the City Solicitor, to report back to the June 18 and 19, 2019 City Council meeting on the legal implications of denying all road occupancy permits for development sites and forcing developers to build onsite.
9. City Council direct the City Manager to report to the July 4, 2019 meeting of the Executive



Committee with respect to potential impacts on capital plans and projects as a result of the Ontario Government's proposed changes announced as part of their Ontario Housing Supply Action Plan.

10. City Council direct the Chief Planner and Executive Director, City Planning and the Chief Financial Officer and Treasurer to report to the Executive Committee subsequent to the issuance of the regulations under Bill 108 with an analysis of the financial, planning and governance impacts to the City of Toronto.

11. City Council direct the City Manager and appropriate staff, in consultation with the Chief Executive Officer, Toronto Transit Commission, to report back to the Executive Committee on how changes to the Development Charges Act, 1997 will impact the Toronto Transit Commission's 2019 – 2028 Capital Budget and Plan and 15-Year Capital Investment Plan, if Bill 108 is enacted.

12. City Council request the Chief Planner and Executive Director, City Planning, in consultation with the Chief Financial Officer and Treasurer, to report to the Planning and Housing Committee on the feasibility of including a comprehensive list of soft and hard infrastructure costs (such as child care centres, sewer construction, sidewalk construction) in the Financial Impact Section of all final planning reports.

13. In the event that Bill 108 receives Royal Assent, City Council request the Chief Planner and Executive Director, City Planning to report to the first available Planning and Housing Committee meeting outlining any area of the City that may require a holding provision until all regulations, transitional measures and funding uncertainties related to Bill 108 are resolved.

14. City Council authorize the City Manager, the Chief Financial Officer and Treasurer and other City Officials, as appropriate, to provide input to the Province on Bill 108 on policy and financial matters and any associated regulations.

15. City Council direct the Chief Planner and Executive Director, City Planning to convey to the Ontario Minister of Municipal Affairs and Housing the City's opposition to the proposed changes to the Local Planning Appeal Tribunal process that will, in reality, restore the former Ontario Municipal Board processes and, in so doing, reduce input and direction from residents of the City of Toronto and Toronto City Council with respect to development applications within the City.

16. City Council direct the City Manager to seek assurances from the Ontario Government that the province will not, in its regulations associated with their proposals, implement any changes that will negatively impact the City through reduced or deferred development charges, elimination or reduction of Section 37 funding tools, park dedication levies or any other financial mechanisms associated with the planning and development process.

17. City Council forward the report (May 14, 2019) from the City Manager and the Chief Planner and Executive Director, City Planning to the Ontario Minister of Municipal Affairs and Housing and the Attorney General for their consideration.

18. City Council adopt the following Resolution, and join municipalities from across the Greater Toronto and Hamilton Area, where similar motions are being moved in their respective Councils, in opposing Bill 108 in its current form:

WHEREAS the legislation that abolished the Ontario Municipal Board and replaced it



with the Local Planning Appeal Tribunal received unanimous – all party support; and

WHEREAS All parties recognized that local governments should have the authority to uphold their provincially approved Official Plans; to uphold their community driven planning; and

WHEREAS Bill 108 will once again allow an unelected, unaccountable body make decisions on how our communities evolve and grow; and

WHEREAS On August 21, 2018 Minister Clark once again signed the Memorandum of Understanding with the Association of Municipalities of Ontario and entered into “...a legally binding agreement recognizing Ontario Municipalities as a mature, accountable order of government”; and

WHEREAS This Memorandum of Understanding is “enshrined in law as part of the Municipal Act”. And recognizes that as “...public policy issues are complex and thus require coordinated responses...the Province endorses the principle of regular consultation between Ontario and municipalities in relation to matters of mutual interest”; and

WHEREAS By signing this agreement, the Province made “...a commitment to cooperating with its municipal governments in considering new legislation or regulations that will have a municipal impact”; and

WHEREAS Bill 108 will impact 15 different Acts - Cannabis Control Act, 2017, Conservation Authorities Act, Development Charges Act, Education Act, Endangered Species Act, 2007, Environmental Assessment Act, Environmental Protection Act, Labour Relations Act, 1995, Local Planning Appeal Tribunal Act, 2017, Municipal Act, 2001, Occupational Health and Safety Act, Ontario Heritage Act, Ontario Water Resources Act, Planning Act, Workplace Safety and Insurance Act, 1997.

Now Therefore Be it Hereby Resolved That the City of Toronto oppose Bill 108 which in its current state will have negative consequences on community building and proper planning; and

Be it Further Resolved That the City of Toronto call upon the Government of Ontario to halt the legislative advancement of Bill 108 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision making for housing growth that meets local needs will be reasonably achieved; and

Be It Further Resolved That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Deputy Premier, the Honourable Steve Clark, Minister of Municipal Affairs, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and

Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario and all Ontario municipalities for their consideration.

19. City Council forward City Council's decision on this Item to the provincial government and other representatives named in the Resolution in Part 18 above.

20. City Council forward its decision on this Item to the Large Urban Mayors' Caucus of Ontario.

21. City Council request the Chief Planner and Executive Director, City Planning to send a copy of the report (May 14, 2019) from the City Manager and Chief Planner and Executive Director, City Planning to all residents' associations and all residents who have been involved in development applications, with a letter from the Chief Planner and Executive Director, City Planning.

22. City Council direct the City Manager and the Chief Planner and Executive Director, City Planning and appropriate staff to develop an online resource and public guide to communicate the impacts of Bill 108 to the residents of Toronto in a clear and accessible format.

23. City Council request the Minister of Municipal Affairs and Housing to approve the submitted Official Plan Amendment 405, the Yonge-Eglinton Secondary Plan, adopted by City Council in July 2018 and subsequently forwarded to the Ministry of Municipal Affairs and Housing for a decision, on or before the June 6, 2019 deadline.

#### Planning Act Recommendations

24. City Council request the Province to reconsider the timelines established for review of Planning Act applications before an appeal is permitted to the Tribunal and to return to the timelines that were in effect under Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017.

25. City Council request the Province to permit municipalities to utilize the inclusionary zoning provisions of the Planning Act in broader situations than the proposed protected major transit station and development permit system areas.

26. City Council request the Province to retain the existing Planning Act grounds for appeals of Zoning By-laws and Official Plan Amendments to only include testing for consistency with provincial policy statements, conformity with provincial plans and (for Zoning By-laws) conformity with the Official Plan and to incorporate other legislative measures that would provide for more deference to the decision-making powers of municipal councils.

27. City Council request the Province to revise the name of the proposed "Community Benefits Charge By-law" to the "Community Facilities Charge By-law" to better recognize that community facilities are necessary infrastructure needed to support development pursuant to the Growth Plan.

28. City Council request the Province to provide the later of four years or the expiry of the current Development Charges By-law from the date of enactment of the regulation that sets out any prescribed requirements for the community benefit charges before a municipality must adopt a Community Benefits Charge By-law.

29. City Council request the Province to allow municipalities to calculate the Community Benefits Charge based on per unit charges and without a cap to account for construction of facilities that are not related to land values.

30. City Council request the Province to add the following provisions to Section 37 of the Planning Act as 37(6.1) and (6.2) in Schedule 12 to Bill 108:

- a) 6.1 Where an owner of land elects to provide an in-kind facility, service or matter because of development or redevelopment in the area to which a community benefits

charges by-law applies, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facility, service or matter.

b) 6.2 Any agreement entered into under subsection (6.1) may be registered against the land to which it applies and the municipality is entitled to enforce the provisions thereof against the owner and, subject to the provisions of the Registry Act and the Lands Titles Act, any and all subsequent owners of the land.

31. City Council request the Province to delete subsections 37(15), (16), (17) (18) and (19) and add new subsection 37(15) to the Planning Act that reads:

If the municipality disputes the value of the land identified in the appraisal referred to in clause 13(b), the municipality shall request that a person selected by the owner from the list referred to in subsection 37(18) prepare an appraisal of the value of the land as of the valuation date.

32. City Council request the Province to amend subsection 37(20) of the Planning Act to also require the owner to immediately provide any additional payment to the municipality where the appraisal established in 37(15) is more than the initial appraisal provided by the municipality.

33. City Council request the Province address effective transition by amending subsection 37.1 (3) of the Planning Act so that it reads:

On or after the applicable date described in subsection (5), the following rules apply if, before that date, an application (complete or incomplete) under Section 34 of the Planning Act has been received by the local municipality for the site or the Local Planning Appeal Tribunal has made a decision to approve a by-law described in the repealed subsection 37 (1). Where an application is withdrawn by the owner and a new application is submitted within three years of the effective date, the Planning Act, as it read the day before the effective date, will apply.

34. City Council request the Province to permit annual indexing of the rates based on a blend of property value and construction cost inflation and calculated using public, third-party data if property values continue to be proposed to be used for the purposes of establishing the rate.

35. City Council request the Province to clarify Section 37 provisions in Bill 108 to:

a. enable a municipality to have a city-wide Community Benefit Charge By-law or area-specific By-laws provided only one Community Benefit By-law applies in any given area;

b. recognize that maximum specified caps may differ in any given area within a municipality based on an analysis of local area needs and the anticipated amount, type and location of development as set out in the respective community benefit strategy; and

c. ensure that maximum specified rates as set out in any regulation will be established in consultation with municipalities with regular updates (e.g. no less than every five years) to the maximum specified rate contained within any regulation.

36. City Council request the Province to include a transition provision that specifies that the repeal of any provisions in the Planning Act which set out an alternative parkland dedication requirement will only occur once a municipality has enacted a Community Benefit Charge By-law(s).

37. City Council request the Province to amend Section 42 of the Planning Act to provide additional predictability and transparency between Sections 37 and 42, and to support the achievement of complete communities in accordance with Amendment 1 of the Growth Plan, 2017 as follows:

- a. enable municipalities to secure the conveyance of land for park purposes as a condition of the development or redevelopment of land along with the ability to secure a community benefits (facilities) charge in accordance with Section 37 of the Planning Act;
- b. clarify that where a municipality secures the conveyance of land for park purposes as a condition of development or redevelopment, the community benefits (facilities) charge will not include a payment in lieu of parkland for the site;
- c. revise for residential development the maximum conveyance of land for park purposes to be based on a maximum percent of the development site as determined through a community benefits (facilities) charge strategy and as established by By-law as opposed to 5 percent of the land currently proposed in Bill 108; and
- d. allow municipalities to set different maximum rates for the conveyance of land for park purposes for residential development based on building type(s) and intensity of development to ensure equitable contributions between different types of residential development and to support parkland need generated by the development.

38. City Council request the Province to amend proposed Bill 108 to allow municipalities to require both the community benefits (facilities) charge and/or the provision of in-kind facilities and the conveyance of land for park purposes in plans of subdivision to achieve complete communities with additional amendments to section 51.1 as per the requested amendments to Section 42 of the Planning Act reflected in Part 37 above.

#### Development Charges Act Recommendations

39. City Council request the Province to delete provisions to delay development charges payment obligations and so preserve the concurrent calculation and payment of development charges.

40. City Council request the Province to not repeal the parkland and community infrastructure component of the Development Charges Act, 1997 in advance of the completion of the Community Benefit Charge Strategy and Community Benefit Charge By-law.

41. City Council request the Province to amend Subsection 2(4) of the Development Charges Act, 1997 to add "parks and recreation, and paramedic services" as growth related capital infrastructure.

42. City Council request the Province to amend Subsection 32(1) of the Development Charges Act, 1997 so that it reads:

If a development charge or any part of it remains unpaid after it is payable, the amount unpaid including any interest payable in respect of it in accordance with this Act shall be added to the tax roll and shall be collected in the same manner as taxes and given priority lien status.

43. City Council request the Province to amend Subsection 26.1(2) of the Development Charges Act, 1997 dealing with when a charge is payable, to provide definitions for the types of developments listed.
44. City Council request the Province to delete Subsection 26.1(2) 4. of the Development Charges Act, 1997.
45. City Council request the Province to ensure that the prescribed amount of time referred to in Subsection 26.2(5), (a) and (b) of the Development Charges Act, 1997 be set at no longer than two years.
46. City Council request the Province to amend the Development Charges Act, 1997 by adding the following provisions to permit the entering into and registration of agreements entered into pursuant to Section 27(1) of the Act:

27(4) Any agreement entered into under subsection (1) may be registered against the land to which it applies and the municipality is entitled to enforce the provisions thereof against the owner and, subject to the provisions of the Registry Act and the Lands Titles Act, any and all subsequent owners of the land.

#### Ontario Heritage Act Recommendations

47. City Council request the Province that if the objection process is to be maintained as currently proposed in Bill 108, a time limit be included within which a person may object, by adding to the end of Subsection 27(7) of the Ontario Heritage Act, "within 30 days of the notice referred to in Subsection (5)."
48. City Council request the Province to amend Section 27 of the Ontario Heritage Act, to provide for a more efficient process for listings to allow an owner to object to a listing at a statutory public meeting before Council makes any decision, and in turn to make proposed Subsection 27(9) (Restriction on demolition, etc.) applicable from the date that notice is given respecting the proposed listing.
49. City Council request the Province to amend Section 29 of the Ontario Heritage Act, to provide for a more efficient process as follows:
- a. allow an owner to object to a notice of intention to designate at a statutory public meeting before Council makes any decision respecting designation;
  - b. only permit an owner to appeal a notice of intention to designate to the Tribunal, or alternatively only permit an individual who has made an objection at a statutory public meeting to appeal a notice of intention to designate to the Tribunal;
  - c. make the decision of Council to state its intention to designate appealable, rather than the By-law itself and delete the time limit for Designation By-laws to be passed; alternatively, extend the time period to pass a Designation By-law to one year; and
  - d. if the opportunity to object to the Council's decision remains in the Act, then extend time periods for reconsideration of an intention to designate by Council to 180 days, allow for Council's decision to be appealed, and remove the timeframe within which a Designation By-law must be passed.

50. City Council request the Province to amend Part IV of the Ontario Heritage Act to provide clarity on the relationship between the individual heritage values and attributes of properties within the Heritage Conservation Districts and the values and attributes of the District, particularly as it pertains to alterations.

51. City Council request the Province to amend the Ontario Heritage Act Subsections 33(5) and 34(4.1) to change the headings to "Notice of Incomplete Application" and to add the words "that the application is incomplete" after the words "notify the applicant" for clarification.

52. City Council request the Province to amend the Ontario Heritage Act to extend time periods for consideration of alteration from 90 days to 180 days by deleting "90" and replacing it with "180" in Subsections 33(7)1 and 34(4.3)1; and/or make amendments to the Planning Act to state that where an application to alter or demolish is made under Sections 33 or 34 of the Ontario Heritage Act that the timelines in the Ontario Heritage Act prevail to the extent of any conflict for the purposes of the date an appeal may be made under the Planning Act regarding a Planning Act application.

53. City Council request the Province to make the decision of Council to state its intention to designate appealable, rather than the By-law itself, and extend the time period to pass a Designation By-law to one year.

#### Growth Plan Recommendations

54. City Council request the Province to revise Proposed Amendment 1 of the Growth Plan, 2017, policies and mapping to recognize and include additional Provincially Significant Employment Zones in the City of Toronto, including the City's major office parks.

55. City Council support the inclusion of Official Plan Amendment 231 as a matter in process that should be transitioned and therefore not subject to a "A Place to Grow" provincial Plan and request that the Province modify Ontario Regulation 311/06 to add any decision made by Toronto City Council on the day before enactment of the proposed Amendment 1 to the Growth Plan, 2017, but are currently under appeal at the Local Planning Appeal Tribunal.

#### City Council Decision Advice and Other Information

The Chief Planner and Executive Director, City Planning gave a presentation to City Council on Bill 108, The More Homes, More Choice Act, 2019.

#### Summary

On May 2, 2019, the Minister of Municipal Affairs and Housing announced the Province's Housing Supply Action Plan and introduced Bill 108 (More Homes, More Choices Act) in the Legislature. The Bill proposes to amend 13 statutes. The Provincial commenting period on the proposed changes closes on June 1, 2019. The following report has been prepared by the City Planning Division in consultation with the Corporate Finance Division, Legal Services, Parks, Forestry and Recreation and other divisional partners impacted by the proposed Bill 108 amendments discussed in this report.

This report highlights the proposed changes to the Planning Act, Local Planning Appeal Tribunal Act, 2017, Ontario Heritage Act and the Development Charges Act, 1997 and provides preliminary comments on their impact on municipal land use planning, the development approval process, heritage conservation and on funding for community facilities and infrastructure.

The report also summarizes the Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, which replaces the 2017 Growth Plan and which comes into effect on May 16, 2019. The associated 2019 Growth Plan transitional matters regulation (Ontario Regulation 311/06) is open for comment until May 31, 2019. This report also comments on this proposed regulation.

Despite the absence of implementation details, the proposed changes to legislation in Bill 108 signal that there will be significant impacts on: the City's finances; the ability to secure parkland; the capacity to provide community facilities; and on the evaluation of development applications that would afford appropriate opportunities for public consultation and conservation of heritage resources.

Bill 108 contains limited evidence that its central objectives, making it easier to bring housing to market and accelerating local planning decisions, will be achieved. Currently over 30,000 residential units in 100 projects proposed within Toronto are awaiting Local Planning Appeal Tribunal (LPAT) outcomes. Significantly shortening statutory review timelines; reducing opportunities for collaborative decision-making at the front-end of the municipal review process; expanding the scope of reasons to appeal development applications to the LPAT; and introducing a completely new process for determining community benefit (facilities) contributions could result in increased appeals and an even greater proportion of the housing pipeline projects being held up as part of the LPAT process.

In addition, Bill 108 undermines the City's ability to ensure that "growth pays for growth" through substantive amendments to Sections 37 and 42 of the Planning Act, and the Development Charges Act. Combined, these tools account for a large proportion of the City's 10-year capital plan which supports critical infrastructure investments, including:

- 12 child-care centres with a cumulative 583 spaces;
- 21 Toronto Public Library expansion and renovation projects;
- 106 new or expanded parks; and
- 17 community recreation centres, 5 pools, 4 arenas and over 200 playground improvement projects.

With 140,441 approved but unbuilt residential units and an additional 167,309 units currently under review (representing an estimated 540,000 people who could be housed), the need to plan for Toronto's long-term liveability and manage the impacts of growth, is of paramount importance

By diverging from the long-held approach of growth paying for growth, future developments could result in a negative financial impact on the City. If this were to occur, the net outcome would be that existing residents and businesses, who make up the City's tax base, would in effect be partially subsidizing new development. Alternatively, the current service level standards would need to be adjusted to reflect this new fiscal environment. In spite of these changes, it is unlikely that they will positively impact housing affordability as Bill 108 does not provide for any mechanisms to ensure that reduced development costs are passed through to future home buyers and renters.

The full impact of many of the proposed Bill 108 amendments will be assessed when implementation details, to be outlined in provincial regulations associated with the Bill, become available. The Province has not issued any information as to the timing or content of these regulations. City staff will continue to assess the impacts of the proposed legislation and provide additional comments to Council when the regulations have been released.

## **Background Information (City Council)**

(May 14, 2019) Report from the City Manager and Chief Planner and Executive Director, City Planning on Proposed Bill 108 (More Homes, More Choice Act, 2019) and the Housing Supply Action Plan - Preliminary City Comments (CC7.3)

<http://www.toronto.ca/legdocs/mmis/2019/cc/bgrd/backgroundfile-133165.pdf>

(May 7, 2019) Report from the City Manager on Proposed Bill 108 (More Homes, More Choice Act, 2019) and the Proposed Housing Supply Action Plan - Preliminary City Comments - Notice of Pending Report (CC7.3)

<http://www.toronto.ca/legdocs/mmis/2019/cc/bgrd/backgroundfile-132906.pdf>

(May 15, 2019) Presentation from the Chief Planner and Executive Director, City Planning on Bill 108 - More Homes, More Choice Act, 2019

<http://www.toronto.ca/legdocs/mmis/2019/cc/bgrd/backgroundfile-133199.pdf>

Attachment to motion 1a by Councillor Josh Matlow (Part 18 of City Council decision)

<http://www.toronto.ca/legdocs/mmis/2019/cc/bgrd/backgroundfile-133309.pdf>



May 31, 2019

Jamie McGarvey, President  
Association of Municipalities of Ontario  
200 University Avenue, Suite 801  
Toronto, ON M5H 3C6

**RE: Motion to Oppose Bill 108, More Homes, More Choice Act, 2019**

Please be advised that Guelph City Council at its meeting of May 27, 2019, approved the following motion which reads as follows:

WHEREAS the legislation that abolished the OMB and replaced it with LPAT received unanimous – all party support; and

WHEREAS All parties recognized that local governments should have the authority to uphold their provincially approved Official Plans; to uphold their community driven planning; and

WHEREAS Bill 108 will once again allow an unelected, unaccountable body make decisions on how our communities evolve and grow; and

WHEREAS On August 21, 2018 Minister Clark once again signed the MOU with the Association of Municipalities of Ontario and entered into "...a legally binding agreement recognizing Ontario Municipalities as a mature, accountable order of government."; and

WHEREAS This MOU is "enshrined in law as part of the Municipal Act", and recognizes that as "...public policy issues are complex and thus require coordinated responses...the Province endorses the principle of regular consultation between Ontario and municipalities in relation to matters of mutual interest"; and

WHEREAS By signing this agreement, the Province made "...a commitment to cooperating with its municipal governments in considering new legislation or regulations that will have a municipal impact"; and

WHEREAS Bill 108 will impact 15 different Acts - Cannabis Control Act, 2017, Conservation Authorities Act, Development Charges Act, Education Act, Endangered Species Act, 2007, Environmental Assessment Act, Environmental Protection Act, Labour Relations Act, 1995, Local Planning Appeal Tribunal Act, 2017, Municipal Act, 2001, Occupational Health and Safety Act, Ontario Heritage Act, Ontario Water Resources Act, Planning Act, Workplace Safety and Insurance Act, 1997.

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T 519-822-1260  
TTY 519-826-9771

[guelph.ca](http://guelph.ca)

Now Therefore Be it Hereby Resolved That the City of Guelph oppose Bill 108 which in its current state will have negative consequences on community building and proper planning; and

Be It Further Resolved that the City of Guelph call upon the Government of Ontario to halt the legislative advancement of Bill 108 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision making for housing growth that meets local needs will be reasonably achieved; and

Be It Further Resolved That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Deputy Premier, the Honourable Steve Clark, Minister of Municipal Affairs, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and

Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

On behalf of Guelph City Council, we thank you for your consideration respecting this important matter.

Sincerely,



Stephen O'Brien  
General Manager, City Clerk's Office/City Clerk  
Corporate Services, City of Guelph

CC  
All Ontario Municipalities



**Kiran Saini**  
Deputy Town Clerk  
Town of Newmarket  
395 Mulock Drive  
P.O. Box 328 Station Main  
Newmarket, ON L3Y 4X7

ksaini@newmarket.ca  
tel.: 905-953-5300, Ext. 2203  
fax: 905-953-5100

June 3, 2019

Sent via email to: amo@amo.on.ca

Attn: AMO President, Jamie McGarvey

**RE: Motion - Bill 108 Ontario Municipal Board Changes (Councillor Bisanz)**

---

I am writing to advise that Council, at its meeting held on May 27, 2019, adopted the following recommendations:

Whereas the legislation that abolished the OMB and replaced it with LPAT received unanimous – all party support; and,

Whereas All parties recognized that local governments should have the authority to uphold their provincially approved Official Plans; to uphold their community driven planning; and,

Whereas Bill 108 will once again allow an unelected, unaccountable body make decisions on how our communities evolve and grow; and,

Whereas On August 21, 2018 Minister Clark once again signed the MOU with the Association of Municipalities of Ontario and entered into "...a legally binding agreement recognizing Ontario Municipalities as a mature, accountable order of government."; and,

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Whereas By signing this agreement, the Province made "...a commitment to cooperating with its municipal governments in considering new legislation or regulations that will have a municipal impact"; and,

Whereas Bill 108 will impact 15 different Acts - Cannabis Control Act, 2017, Conservation Authorities Act, Development Charges Act, Education Act, Endangered Species Act, 2007, Environmental Assessment Act, Environmental Protection Act, Labour Relations Act, 1995, Local Planning Appeal Tribunal Act, 2017, Municipal Act, 2001, Occupational Health and Safety Act, Ontario Heritage Act, Ontario Water Resources Act, Planning Act, Workplace Safety and Insurance Act, 1997.

Now Therefore Be it Hereby Resolved:



**Kiran Saini**

Deputy Town Clerk  
Town of Newmarket  
395 Mulock Drive  
P.O. Box 328 Station Main  
Newmarket, ON L3Y 4X7

ksaini@newmarket.ca  
tel.: 905-953-5300, Ext. 2203  
fax: 905-953-5100

1. That the Town of Newmarket oppose Bill 108 which in its current state will have negative consequences on community building and proper planning; and,
2. That the Town of Newmarket call upon the Government of Ontario to halt the legislative advancement of Bill 108 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision making for housing growth that meets local needs will be reasonably achieved; and,
3. That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Deputy Premier and MPP Newmarket-Aurora, the Honourable Steve Clark, Minister of Municipal Affairs, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and,
4. That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Yours sincerely,

Kiran Saini  
Deputy Town Clerk

KS:jg

CC:  
All Ontario Municipalities



**Kiran Saini**  
Deputy Town Clerk  
Town of Newmarket  
395 Mulock Drive  
P.O. Box 328 Station Main  
Newmarket, ON L3Y 4X7

ksaini@newmarket.ca  
tel.: 905-953-5300, Ext. 2203  
fax: 905-953-5100

June 3, 2019

Sent via email to: amo@amo.on.ca

Attn: AMO President, Jamie McGarvey

**RE: Motion - Bill 108 Ontario Municipal Board Changes (Councillor Bisanz)**

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Now Therefore Be it Hereby Resolved:



**Kiran Saini**

Deputy Town Clerk  
Town of Newmarket  
395 Mulock Drive  
P.O. Box 328 Station Main  
Newmarket, ON L3Y 4X7

ksaini@newmarket.ca  
tel.: 905-953-5300, Ext. 2203  
fax: 905-953-5100

1. That the Town of Newmarket oppose Bill 108 which in its current state will have negative consequences on community building and proper planning; and,
2. That the Town of Newmarket call upon the Government of Ontario to halt the legislative advancement of Bill 108 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision making for housing growth that meets local needs will be reasonably achieved; and,
3. That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Deputy Premier and MPP Newmarket-Aurora, the Honourable Steve Clark, Minister of Municipal Affairs, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and,
4. That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Yours sincerely,

Kiran Saini  
Deputy Town Clerk

KS:jg

CC:  
All Ontario Municipalities



## Courtenay Hoytfox

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**From:** Courtenay Hoytfox  
**Sent:** Friday, June 14, 2019 10:31 AM  
**To:** Courtenay Hoytfox  
**Subject:** FW: AMO Policy Update - AMO on Bill 108, More Homes, More Choice Act, 2019

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**From:** AMO Communications <[Communicate@amo.on.ca](mailto:Communicate@amo.on.ca)>  
**Sent:** Friday, May 31, 2019 1:02 PM  
**To:** Mary Hasan <[mhasan@puslinch.ca](mailto:mhasan@puslinch.ca)>  
**Subject:** AMO Policy Update - AMO on Bill 108, More Homes, More Choice Act, 2019

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## POLICY UPDATE

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May 31, 2019

### **AMO on Bill 108, *More Homes, More Choice Act*, 2019**

AMO President, Jamie McGarvey, spoke to the Standing Committee on Justice Policy on our proposed amendments and recommendations on Bill 108. [AMO's written submission](#) speaks to municipal governments' concerns about the impacts of the Bill if passed as is.

AMO's comments include:

- A return to *de novo* hearings at the Local Planning Appeal Tribunal (LPAT) is a big step backwards and is not supported. Local councils take their democratic responsibilities seriously.
- There is great municipal concern that legislation could result in lowering the development charge revenue that is needed so growth can pay for growth. Municipalities need to be able to support growth in our communities.
- There is concern that changes will increase the municipal administrative burden.
- The shortening of timelines means greater emphasis on the need for complete applications.
- The objectives of Bill 108 are worthy – to increase the mix and speed of housing development, especially affordable housing.
- Municipal governments agree with the objectives. The municipal sector will monitor whether its implementation achieves the expected outcomes.

The Standing Committee will undertake a clause-by-clause review before June 4, after which we will know whether our advice is accepted. The Legislature is expected to pass Bill 108 next week.

This timing is driven by the legislative agenda, which unfortunately has not provided for broad consultation on the many Bill 108 schedules. Bill 108 will require numerous regulations for implementation. Draft regulations generally involve public consultations. AMO will continue to advocate for municipal involvement in Bill 108 regulations.

**AMO Contacts:**

**Development Charges and Community Benefits Charge:** Matthew Wilson, Senior Advisor, [mwilson@amo.on.ca](mailto:mwilson@amo.on.ca), 416-971-9856 ext. 323.

**Planning, Conservation Authorities, and Environment:** Cathie Brown, Senior Advisor, [cathiebrown@amo.on.ca](mailto:cathiebrown@amo.on.ca), 416-971-9856 ext. 342.

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\*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.



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## Courtenay Hoytfox

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**From:** Courtenay Hoytfox  
**Sent:** Friday, June 14, 2019 10:29 AM  
**To:** Courtenay Hoytfox  
**Subject:** FW: Bill 108 Receives Royal Assent with Several Amendments

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**From:** AMO Communications <[Communicate@amo.on.ca](mailto:Communicate@amo.on.ca)>  
**Sent:** Friday, June 07, 2019 9:49 AM  
**To:** Mary Hasan <[mhasan@puslinch.ca](mailto:mhasan@puslinch.ca)>  
**Subject:** Bill 108 Receives Royal Assent with Several Amendments

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## POLICY UPDATE

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June 7, 2019

### **Bill 108 Receives Royal Assent with Several Amendments**

Bill 108, *the More Homes, More Choice Act*, 2019 has now passed third reading at Queen's Park and received Royal Assent. It is now law in Ontario. The Act makes significant changes to the planning appeals process and to development charges. It also introduces a new Community Benefit Charges (CBC) under *the Planning Act* and makes changes to the planning process, conservation authorities, endangered species legislation, environmental assessments and to the *Ontario Heritage Act*.

AMO advocated vigorously on behalf of municipal interests throughout the legislative process, including by presenting before the Standing Committee of Justice Policy, and through our government relations work. A few amendments were introduced during the committee stage, including one that AMO and others proposed on including capital costs for ambulance services in development charges calculations.

Bill 108 will require numerous regulations for implementation. Draft regulations generally involve public consultations. AMO will continue to advocate for meaningful municipal involvement in Bill 108 regulations.

***Local Planning Appeal Tribunal Act:***

Despite calls from AMO and municipal governments to allow the LPAT to continue to evaluate appeals based on compliance and conformity, *de novo* hearings will now be re-introduced. This move will take authority away from local councils and reverts back to an appeals process known to have a legacy of delays. It is unclear how the return to *de novo* hearings will lead to the faster provision of affordable housing.

### ***Development Charges:***

We believe that the new changes to development charges will negatively impact municipal finances and go against the principle that growth should pay for growth. If a development is rental housing, institutional, commercial or industrial, development charge payments are now payable to the municipality as six annual installments commencing at occupancy. An amendment to Bill 108 following committee extends the repayment timeframe to 20 years for non-profit housing. Previously, development charges were payable in advance. This change will reduce the amount of revenue municipalities receive from development charges. It will also increase administrative burden for municipal governments.

On a positive note, municipal governments may now charge the full capital cost of waste diversion services as a development charge. Following ours' and others' proposed amendments at the committee stage, capital costs for ambulance services will now also be included in development charge calculations.

### ***Community Benefit Charges:***

Height and density bonusing under Section 37 of the *Planning Act* has been replaced with a new Community Benefit Charges framework. The CBC framework will allow municipal governments to pass by-laws covering a particular area to impose charges against land to pay for the cost of facilities, services and other matters required because of new development. Notably, costs eligible for development charges are excluded from CBCs. Eligible services and the methodology for calculating CBCs will be determined in regulation.

### ***Other Planning Act Changes:***

Timelines for making decisions related to official plans are reduced from 210 to 120 days and from 150 days to 90 days for zoning by-law amendments. Plans of subdivision are also sheltered from third party appeals. As well, the use of Inclusionary Zoning will now be limited to transit areas. This limits the utility of this affordable housing tool.

### ***Conservation Authorities:***

The mandatory 'core services' of conservation authorities will now be prescribed by regulation. Conservation authorities must also now enter into agreements with municipal governments on service delivery. Municipal governments want assurance that this new regime will not only bring transparency to the financial relationship with Conservation Authorities but will continue to support reaching the 'triple bottom line'.

### ***Endangered Species:***

Bill 108 also introduces a new approach to endangered species protection. Species at risk will now be considered in the broader geographic context when determining species' status. The Minister is also now able to enter into landscape agreements that authorize activities that would otherwise be prohibited in relation to listed species under certain circumstances. As per an amendment to the bill, alternative approaches will need to be considered before undertaking an activity that could adversely affect a listed species. While this direction holds potential to protect species at risk, a strong commitment from the province is required to provide leadership and tools to make this a success.

### ***Environmental Assessment Act:***

The Bill will reduce the need to undertake a lengthy justification for low risk activities. AMO looks forward to participating as further information, regulations and guidance are developed.

### ***Ontario Heritage Act:***

*Ontario Heritage Act* changes will require municipal councils to notify property owners if their properties or included in the register due to cultural heritage value or interest. The changes also introduce new timelines aimed at making the heritage process more transparent. A technical amendment was made at the committee stage that the Trust is included in notices. The language around erecting structures on a heritage site was also clarified to stress that the attributes that give heritage significance should not be altered or demolished.

### **AMO Contacts:**

#### **On Development Charges and Community Benefit Charges:**

Matt Wilson, Senior Advisor, [mwilson@amo.on.ca](mailto:mwilson@amo.on.ca), 416-971-9856 ext. 323.

#### **On LPAT, planning matters, CAs, endangered species, EAs and heritage:**

Cathie Brown, Senior Advisor, [cathiebrown@amo.on.ca](mailto:cathiebrown@amo.on.ca), 416-971-9856 ext. 342.

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\*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.



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May 24, 2019

**The Honorable Doug Ford**  
Premier of Ontario  
Room 281, Legislative Building  
Queen's Park, Toronto  
ON M7A 1A1

**RE: BILL 108**

Dear Premier;

This will confirm that at a meeting held on May 14, 2019, the Council of the City of Markham adopted the following resolution:

WHEREAS the legislation that abolished the OMB and replaced it with LPAT received unanimous – all party support; and,

WHEREAS All parties recognized that local governments should have the authority to uphold their provincially approved Official Plans; to uphold their community driven planning; and,

WHEREAS Bill 108 will once again allow an unelected, unaccountable body to make decisions on how our communities evolve and grow; and,

WHEREAS the City of Markham requests that the proposed changes to the Planning Act provide greater deference than that previously afforded to local, municipal decisions on development applications, by restoring the test under the Planning Act that appeals must be on the basis that the municipal decision is not consistent with the Provincial Policy Statement, fails to conform with a provincial plan, or fails to conform with the local and regional Official Plan(s);and,

WHEREAS the City of Markham requests that the tribunal framework, restore the previous ability for participants in Local Planning Appeal Tribunal hearings to provide in person evidence in a hearing; and,

WHEREAS, the City of Markham recognizes that proposed grouping together of a variety of community services, including parkland dedication, under community benefits charge framework and subject to a monetary cap will limit a municipality's ability to continue to provide parks, and a range of community services and facilities at a consistent and equitable level of service across the municipality, and requests that the previous Development Charge "soft services" be maintained and separated from the community benefit charge under the proposed Bill 108; and,

WHEREAS On August 21, 2018 Minister Clark once again signed the MOU with the Association of Municipalities of Ontario and entered into "...a legally binding agreement recognizing Ontario Municipalities as a mature, accountable order of government."; and,

WHEREAS this MOU is "enshrined in law as part of the Municipal Act", and recognizes that as "...public policy issues are complex and thus require coordinated responses...the Province endorses the principle of regular consultation between Ontario and municipalities in relation to matters of mutual interest"; and,

WHEREAS by signing this agreement, the Province made "...a commitment to cooperating with its municipal governments in considering new legislation or regulations that will have a municipal impact"; and,

WHEREAS Bill 108 will impact 15 different Acts - Cannabis Control Act, 2017, Conservation Authorities Act, Development Charges Act, Education Act, Endangered Species Act, 2007, Environmental Assessment Act, Environmental Protection Act, Labour Relations Act, 1995, Local Planning Appeal Tribunal Act, 2017, Municipal Act, 2001, Occupational Health and Safety Act, Ontario Heritage Act, Ontario Water Resources Act, Planning Act, Workplace Safety and Insurance Act, 1997.

NOW THEREFORE BE IT RESOLVED:

1. That the City of Markham oppose Bill 108 which in its current state will have negative consequences on community building and proper planning; and
2. That the City of Markham supports the positive changes within Bill 108 such as: 1. removing the requirement for low risk projects to undertake environmental assessments; 2. appointing more Local Planning Appeal Tribunal adjudicators to deal with appeals; 3. streamlining the planning process provided that the planning processes are streamlined at both the provincial and local levels; 4. the removal of the 10% discount for determining development charges for hard services; and,

3. The City of Markham call upon the Government of Ontario to halt the legislative advancement of Bill 108 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision making for housing growth that meets local needs will be reasonably achieved; and,
4. That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Deputy Premier, the Honourable Steve Clark, Minister of Municipal Affairs, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and further that a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kimberley Kitteringham', with a long horizontal stroke extending to the right.

Kimberley Kitteringham  
City Clerk

Cc: The Honourable Christine Elliott, Deputy Premier  
The Honourable Steve Clark, Minister of Municipal Affairs  
The Honourable Andrea Horwath, Leader of the New Democratic Party,  
All MPPs in the Province of Ontario  
Association of Municipalities of Ontario (AMO) and all Ontario municipalities



May 31, 2019

Office of the Chair  
1151 Bronte Road  
Oakville, ON  
L6M 3L1

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

Dear Premier Ford:

**RE: Bill 108 – Proposed More Homes, More Choice Act**

I am writing to share with you Regional Council's position with respect to Bill 108.

In its current state, Bill 108 contains wide-ranging, disruptive changes that will have significant negative implications for Halton Region and its Local Municipalities. These changes are being proposed without sufficient detail and without an opportunity to engage with the Province on how to most effectively advance changes to advance new housing supply while reflecting sound local housing growth, community planning and financial sustainability principles. It is our position that extensive consultation and collaboration with Ontario municipalities must take place before any changes are advanced. In this regard, at its meeting on May 22, 2019, Regional Council endorsed the following resolution opposing Bill 108:

WHEREAS the legislation that abolished the OMB and replaced it with LPAT received unanimous – all party support; and

WHEREAS all parties recognized that local governments should have the authority to uphold their provincially approved Official Plans; to uphold their community driven planning; and

WHEREAS Bill 108 will once again allow an unelected, unaccountable body to make decisions on how our communities evolve and grow; and

WHEREAS on August 21, 2018 Minister Clark once again signed the MOU with the Association of Municipalities of Ontario, which recognizes that "Public policy issues are complex and thus require coordinated responses..." and that "The Municipal Act, 2001 provides that the Province of Ontario endorses the principle of regular consultation between Ontario and municipalities in relation to matters of mutual interest"; and

WHEREAS the MOU sets out that "Ontario is committed to cooperating with its municipal governments in considering new legislation or regulations that will have a municipal impact"; and

**Regional Municipality of Halton**

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1  
905-825-6000 | Toll free: 1-866-442-5866



WHEREAS Bill 108 will impact 15 different Acts - Cannabis Control Act, 2017, Conservation Authorities Act, Development Charges Act, Education Act, Endangered Species Act, 2007, Environmental Assessment Act, Environmental Protection Act, Labour Relations Act, 1995, Local Planning Appeal Tribunal Act, 2017, Municipal Act, 2001, Occupational Health and Safety Act, Ontario Heritage Act, Ontario Water Resources Act, Planning Act, Workplace Safety and Insurance Act, 1997.

NOW THEREFORE BE IT RESOLVED THAT The Regional Municipality of Halton oppose Bill 108 which in its current state will have negative consequences on community building and proper planning; and

THAT The Regional Municipality of Halton call upon the Government of Ontario to halt the legislative advancement of Bill 108 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision making for housing growth that meets local needs will be reasonably achieved; and

THAT a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Deputy Premier, the Honourable Steve Clark, Minister of Municipal Affairs, the Honourable Andrea Horwath, Leader of the New Democratic Party, John Fraser, Interim Leader of the Liberal Party, Mike Schreiner, Leader of the Green Party, and all MPPs in the Province of Ontario;  
And

THAT a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

We thank you for your consideration to this important issue.

Sincerely,



Gary Carr  
Regional Chair

cc – The Honourable Christine Elliott, Deputy Premier, Minister of Health and Long-Term Care  
The Honourable Steve Clark, Minister of Municipal Affairs and Housing  
The Honourable Andrea Horwath, Leader of the New Democratic Party  
John Fraser, Interim Leader of the Liberal Party  
Mike Schreiner, Leader of the Green Party  
All MPPs in the Province of Ontario  
Association of Municipalities of Ontario (AMO)  
All Ontario municipalities

May 29, 2019

Mr. John Ballantine  
Manager, Municipal Finance Policy Branch  
Ministry of Municipal Affairs and Housing  
13th Floor, 777 Bay Street  
Toronto, Ontario  
M5G 2E5

Dear Mr. Ballantine:

Re: Bill 108: Potential Changes to the Development Charges Act

On behalf of our many municipal clients, by way of this letter we are summarizing our perspectives on the changes to the *Development Charges Act* (D.C.A.) as proposed by Bill 108.

### **Watson & Associates Economists Ltd.**

Watson & Associates Economists Ltd. is a firm of municipal economists, planners and accountants, which has been in operation since 1982. With a municipal client base of more than 250 Ontario municipalities and utility commissions, the firm is recognized as a leader in the municipal finance/local government field. The firm's Directors have participated extensively as expert witnesses on development charge (D.C.) and municipal finance matters at the Local Planning Appeal Tribunal (formerly known as the Ontario Municipal Board) for over 37 years.

Our background in D.C.s is unprecedented including:

- carrying out over one-half of the consulting work completed in Ontario in the D.C. field during the past decade; and
- providing submissions and participating in discussions with the Province when the D.C.A. was first introduced in 1989 and with each of the amendments undertaken in 1997 and 2015.

### **Changes to Eligible Services**

*The Bill proposes to remove “soft services” from the D.C.A. These services will be considered as part of a new “community benefits charge” (discussed below) imposed under the Planning Act. Eligible services that will remain under the D.C.A. include water, wastewater, stormwater, services related to a highway, policing, fire, transit and waste diversion.*



As provided below (a detailed summary is provided in Appendix A), Province-wide this change would remove 20% of annual collections from the D.C.A.

**Table 1 - Development Charge Collections - 2013 to 2017**

Service Category	Total Collections 2013 to 2017	Annual Average Collections	Percentage of Total
Services Continued Within D.C.A.	\$ 8,069,285,661	\$ 1,613,857,132	80%
Services to be Moved to Community Benefits Charge	1,967,192,671	393,438,534	20%
<b>Total</b>	<b>\$10,036,478,333</b>	<b>\$ 2,007,295,667</b>	<b>100%</b>

Since it is unclear as to the potential ability to replace these revenues with the proposed community benefits charge, a number of concerns are raised:

- Many municipalities have constructed facilities for these various services, and the ability to recoup the annual debt charges is in question. This lost revenue may shift the burden directly onto existing taxpayers.
- A number of municipalities enter into agreements to have the developing landowner fund certain services (e.g. parkland development) and provide D.C. credits at the time of building permit issuance. It is unclear how a municipality is to honour these commitments given the new revenue structure.
- Many municipalities have projects for these services in progress. The lost funding may put these projects in jeopardy.
- Many municipalities have borrowed D.C. revenues from another D.C. service to fund these expenditures. Once again, it is unclear how to fund these balances.
- Municipalities have concerns with the potential of the Minister to limit the scope of eligible services for which community benefits charges could be imposed through regulation, particularly as this might relate to future funding plans based on this revenue source.

## **Waste Diversion**

*The Bill would remove the mandatory 10% deduction for this service.*

This change will be helpful to municipalities in funding this service. Moreover, the ability to forecast the increase in needs over a period longer than 10 years will allow municipalities to better determine the long-term average increase in needs.



## Payment in Installments Over Six Years

*The Bill proposes that rental housing, non-profit housing and commercial/industrial/institutional developments pay their development charges in six equal annual payments commencing the earlier of the date of issuance of a building permit or occupancy. If payments are not made, interest may be charged (at a prescribed rate) and may be added to the property and collected as taxes.*

As the proposed changes to the D.C.A. are to facilitate the Province's affordable housing agenda, it is unclear why these installment payments are to be provided to commercial, industrial and institutional developments. Table 2 presents the number of non-residential building permits issued annually by Ontario municipalities over the period 2012 to 2017. Based on the past six years, municipalities would be managing installment collections on almost half a million building permits.

**Table 2 - Non-residential Building Permits Issued - 2012 to 2017**

Service	2012	2013	2014	2015	2016	2017	Total
Permits Issued	67,795	75,182	76,189	79,070	86,158	82,640	<b>467,034</b>

Source: Financial Information Returns - 2012 to 2017

Based on the above:

- Administration of this process to undertake annual collections, follow up on delayed payments, and pursue defaulting properties would increase administrative staffing needs significantly. If an ability to recover these administrative costs is not provided, then this would be a direct impact on property taxes.
- It is unclear what security requirements the municipality may impose. As the building permit is most often taken out by the builder, there is a disconnect with the potential owner of the building. We would recommend that the D.C.A. provide the ability to either receive securities or be able to register the outstanding collections on title to the property.
- The delay in receiving the D.C. revenue will impact the D.C. cashflow. As most of these "hard services" must be provided in advance of development occurring, it will require increased debt and borrowing costs. Added interest costs will place upward pressure on the D.C. quantum.

## When the D.C. Amount is Determined

*The Bill proposes that the D.C. amount for developments proceeding by site plan approval or requiring a zoning by-law amendment, shall be determined based on the D.C. charge in effect on the day of the application for site plan approval or zoning by-law amendment. If the development is not proceeding via these planning approvals,*



*then the amount is determined the earlier of the date of issuance of a building permit or occupancy.*

Based on the above:

- We perceive the potential for abuse with respect to the zoning change requirement. A minor change in a zoning would activate this section of the D.C.A. and lock-in the rates. This would give rise to enhancing the land value of the property as it has potentially lower D.C. payments.
- D.C.s tend to increase in subsequent five-year reviews, because the underlying D.C.A. index does not accurately reflect the actual costs incurred by municipalities. Locking-in the D.C. rates well in advance of the building permit issuance would produce a shortfall in D.C. revenue, as the chargeable rates will not reflect the current rate (and therefore current costs) as of the time the development proceeds to be built. If municipalities are being required to maintain these charges, then the D.C.A. should provide for adjustment to reflect changes in actual costs, allow for ease of amendment between review periods, and index charges based on actual cost experience.
- There should be a time limit established in the D.C.A. as to how long the development takes to move from site plan application, or zoning application, to the issuance of a building permit. There is no financial incentive for the development to move quickly to building permit if this is not provided. Although the D.C.A. indicates that the Minister may regulate this, if no regulation is provided then the rates would be set in perpetuity.

### **Second Dwelling Units in New Residential Developments or Ancillary to an Existing Dwelling Unit are to be Exempt from Paying Development Charges**

We perceive that imposing an immediate exemption for a second unit in a new home will cause considerable problems for existing agreements with developers. Potential impacts could include:

- For existing agreements and in certain circumstances, the developer may not recover the full amount of the agreed-to funding.
- Alternatively, the municipality may have to recognize the potential funding loss. The municipality then must generate the funding even though these expenditures were not planned. This may cause direct impacts on debt levels, tax/use rates or delays in future funding given the added net costs to build the infrastructure.
- The potential arises for the conditions within these agreements to now be challenged in court in light of the provincial regulation changes, giving rise to considerable legal expense, delays in development (given the uncertainty of the outcome) and loss of confidence in negotiating future agreements.



- Note also that, with respect to allocation of capacity for water and wastewater servicing, there may be further impacts given Environmental Assessment approvals for targeted development levels.
- Increasing the number of statutory exemptions also results in a revenue loss for municipalities that have to be funded from non-D.C. funding sources, thus increasing the obligation on property taxes.

### **Soft Services to be Included in a New Community Benefits Charge Under the Planning Act**

*It is proposed that a municipality may, by by-law, impose community benefits charges against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies. These services may not include those authorized by the D.C.A. Various provisions are proposed as follows:*

- *Before passing a community benefits charge by-law, the municipality shall prepare a community benefits charge strategy that, (a) identifies the facilities, services and matters that will be funded with community benefits charges; and (b) complies with any prescribed requirements.*
- *Land for parkland purposes will be included in this charge.*
- *The amount of a community benefits charge payable shall not exceed an amount equal to the prescribed percentage of the value of the land as of the valuation date.*
- *The valuation date is the day before building permit issuance.*
- *Valuations will be based on the appraised value of land. Various requirements are set out in this regard.*
- *All money received by the municipality under a community benefits charge by-law shall be paid into a special account.*
- *In each calendar year, a municipality shall spend or allocate at least 60 per cent of the monies that are in the special account at the beginning of the year.*
- *Requirements for annual reporting shall be prescribed.*
- *Transitional provisions are set out regarding the D.C. reserve funds and D.C. credits.*

The proposed changes are limited, in that the details are left to be defined by Regulation. As such:

- More information is needed, as there are several key items to be included as part of the regulations; i.e. what items are to be included in community benefits charge strategy and what percentage of the “value of land” is to be eligible for collection.
- Depending on what is to be included in the community benefits charge strategy, this may be undertaken at a similar time as the D.C. background study. As



noted, however, it is unclear as to the prescribed items to be included along with the process required to adopt the strategy and the by-law.

- The potential for future parkland is minimized by including it as part of the charge along with all other “soft services.”
- Concern is raised regarding what prescribed percentage of the land value will be allocated for the charge. If the same percentage is provided for all of Ontario, then a single family lot in Toronto valued at \$2 million will yield 20 times the revenue of a \$100,000 lot in eastern Ontario. Given that building costs for the same facilities may only vary by, say, 15%, the community benefits charge will yield nominal funds to pay for required services for most of Ontario. As such, if prescribed rates are imposed, these should recognize regional, in not area-municipal, distinctions in land values.
- It is unclear how the community benefits charge will be implemented in a two-tier municipal system. Given that both the upper and lower tiers will have needs, there is no guidance on how the percentage of the land value will be allocated or how the process for allocating this would occur. Obviously, land values will vary significantly in urban versus semi-urban communities (e.g. in York Region, land value in Markham is significantly higher than in Georgina), so that the upper tier needs may only take, say, 30% of the allotted value in the urban areas but 75% to 90% of the allotted semi-urban or rural values.
- Given the need for appraisals and the ability of the applicant to challenge the appraisal, a charging system based on land values will be extremely cumbersome and expensive. It is unclear how appraisal costs are recovered and the appraisals may become significant costs on each individual property.

### **By-laws That Expire After May 2, 2019**

*The Bill provides in subsection 9.1 (1) that a development charge by-law expiring on or after May 2, 2019 and before the prescribed date shall remain in force as it relates to the soft services being moved to community benefits charges.*

Confusion is produced by this section of the Bill. There are many municipal D.C. by-laws (over 70) currently set to expire between May and August of this year. Until the Bill is passed into law, these D.C. by-laws will need to be replaced by new ones. This section of the Bill should be amended to reflect that the new D.C. rates in effect at the time of the new legislation coming into force will continue so as to not present confusion over rates as of May 2, 2019 versus rates passed under these new D.C. by-laws.

### **Conclusions/Observations**

In late 2018/early 2019, the Province invited many sectors to participate in the Province’s Housing Supply Action Plan. This process included specialized Development Charges and Housing Affordability Technical Consultations undertaken to provide input to this Action Plan. From those discussion sessions undertaken with members of the development/building community, it was acknowledged that there are





challenges for the development/building community to address the housing needs for certain sectors of the housing market. Rental housing is one example of an area where the low profit margins and high risks may limit participation by developer/builders; however, there clearly does not appear to be a Province-wide concern with D.C. rates that would warrant a wholesale reduction/elimination of D.C.s for any particular service. Arising from those discussions it was expected that these matters would be the focus of the legislated changes; however, Bill 108 has varied significantly from that target:

- The Bill makes wholesale changes to the D.C.A. which will restrict revenues collected from all forms (and all prices) of housing. Hence, the target is no longer rental or affordable housing focused. Where municipalities have been developing D.C. policies and programs to address affordable housing needs directly, the loss of D.C. funding will make these programs unaffordable due to the overall revenue lost.
- The Bill has introduced changes to collections and locking in rates, which directly benefit commercial, industrial and institutional developments, that were not part of the Province's Housing Supply Action Plan. It is unclear why this has been introduced. The six-payment plan for this sector is expected to be expensive and cumbersome to administer.
- Many transitional items have not been addressed and it is unclear whether the developing land owner is responsible for potential revenue losses or whether that will be the responsibility of the municipality. These matters need to be addressed, otherwise time and money will be spent clarifying these matters in the courts.
- The Regulations to define the new community benefits charges have not been circulated with the Bill; hence, the magnitude of the impact cannot be calculated. It is anticipated, however, that a significant amount of revenue will be lost along with additional lands for park purposes. This either places a direct burden onto taxpayers or will reduce service levels significantly for the future.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Gary D. Scandlan, B.A., PLE  
Director

Andrew Grunda, MBA, CPA, CMA  
Principal





# Appendix A

## Development Charge Collections 2013 to 2017



# Appendix A: Development Charge Collections 2013 to 2017

Development Charge Collections - 2013 to 2017

Service	2013	2014	2015	2016	2017	Total	Average Annual
<b>Services Continued Within D.C.A.</b>							
Development Studies	\$ 6,785,229	\$ 7,539,525	\$ 9,634,244	\$ 9,536,538	\$ 11,607,836	\$ 45,103,372	\$ 9,020,674
Fire Protection	19,100,753	23,624,512	24,765,253	27,313,942	26,978,473	121,782,933	24,356,587
Police Protection	16,473,155	18,511,592	20,652,998	18,378,613	20,548,089	94,564,447	18,912,889
Roads and Structures	459,358,776	612,034,803	690,333,195	779,050,973	719,779,061	3,260,556,808	652,111,362
Transit	76,809,022	132,348,600	130,908,057	132,489,696	136,970,102	609,525,477	121,905,095
Wastewater	226,276,592	326,853,930	366,627,394	442,003,774	377,008,100	1,738,769,790	347,753,958
Stormwater	35,407,598	37,192,646	36,127,040	52,679,456	53,577,620	214,984,360	42,996,872
Water	249,052,732	324,843,966	373,922,202	474,822,033	513,942,477	1,936,583,410	387,316,682
GO Transit	7,594,651	9,005,572	10,515,931	9,837,550	10,461,361	47,415,065	9,483,013
<b>D.C.A. Continued Services</b>	<b>\$ 1,096,858,508</b>	<b>\$ 1,491,955,146</b>	<b>\$ 1,663,486,314</b>	<b>\$ 1,946,112,574</b>	<b>\$ 1,870,873,119</b>	<b>\$ 8,069,285,661</b>	<b>\$ 1,613,857,132</b>
<b>Services to Be Included Within New Section 37 Community Benefits Charge</b>							
Emergency Medical Services	\$ 3,112,736	\$ 4,765,936	\$ 5,128,696	\$ 4,840,840	\$ 5,773,536	\$ 23,621,744	\$ 4,724,349
Homes for the Aged	3,073,247	2,939,550	3,743,039	3,595,331	4,297,427	17,648,594	3,529,719
Daycare	2,499,810	3,301,019	3,088,376	1,760,689	2,473,840	13,123,734	2,624,747
Housing	17,947,287	18,658,790	19,786,738	16,116,747	21,684,247	94,193,809	18,838,762
Parkland Development	64,269,835	88,966,081	84,900,635	73,762,908	87,751,688	399,651,147	79,930,229
Library	28,579,595	33,673,639	32,963,569	33,161,869	34,690,844	163,069,516	32,613,903
Recreation	113,885,296	139,822,233	162,878,471	165,794,581	160,313,825	742,694,406	148,538,881
General Government	12,050,045	12,270,754	12,829,713	21,443,520	8,654,142	67,248,174	13,449,635
Parking	1,906,154	3,594,036	4,821,705	3,986,887	3,947,438	18,256,220	3,651,244
Animal Control	18,224	16,511	44,952	23,839	15,205	118,731	23,746
Municipal Cemeteries	38,942	69,614	55,007	170,736	108,145	442,444	88,489
Other	100,284,812	88,219,453	84,354,637	82,829,254	71,435,996	427,124,152	85,424,830
<b>Services to be Moved to Community Benefits Charge</b>	<b>\$ 347,665,983</b>	<b>\$ 396,297,616</b>	<b>\$ 414,595,538</b>	<b>\$ 407,487,201</b>	<b>\$ 401,146,333</b>	<b>\$ 1,967,192,671</b>	<b>\$ 393,438,534</b>
<b>Total</b>	<b>\$ 1,444,524,491</b>	<b>\$ 1,888,252,762</b>	<b>\$ 2,078,081,852</b>	<b>\$ 2,353,599,776</b>	<b>\$ 2,272,019,452</b>	<b>\$10,036,478,333</b>	<b>\$ 2,007,295,667</b>

Source: Financial Information Returns - 2013 to 2017



# GEORGINA

May 30, 2019

Doug Ford, Premier  
Premier's Office  
Room 281  
Legislative Building, Queen's Park  
Toronto, Ontario  
M7A 1A1

Honourable Premier:

Re: Bill 108, More Homes, More Choice Act, 2019

The Town Council for the Corporation of the Town of Georgina considered a motion adopted by the Regional Municipality of York on May 16<sup>th</sup> concerning the Province's Bill 108, the More Homes, More Choice Act which passed first reading in the Ontario Legislature on May 2, 2019. This Bill seeks to amend 13 different statutes that impact municipalities and land use planning processes.

Please be advised that Town Council endorsed the position of the Region of York and passed the following motion:

"WHEREAS the legislation that abolished the Ontario Municipal Board and replaced it with the Local Planning Appeal Tribunal received unanimous – all party support;

AND WHEREAS all parties recognized that local governments should have the authority to uphold their provincially approved Official Plans; to uphold their community driven planning;

AND WHEREAS Bill 108 will once again allow an unelected, unaccountable body make decisions on how our communities evolve and grow;

AND WHEREAS the Town of Georgina requests that the proposed changes to the Planning Act provide greater deference than that previously afforded to local, municipal decisions on development applications, by restoring the test under the Planning Act that appeals must be on the basis that the municipal decision is not consistent with the Provincial Policy Statement, fails to conform with a provincial plan, or fails to conform with the local and regional Official Plan(s);

AND WHEREAS the Town of Georgina requests that the tribunal framework restore the previous ability for participants in Local Planning Appeal Tribunal hearings to provide in person evidence in a hearing;

AND WHEREAS the Town of Georgina recognizes that proposed grouping together of a variety of community services, including parkland dedication, under community benefits charge framework, which is subject to a monetary cap, will limit a municipality's ability to continue to provide parks and a range of community services and facilities at a consistent and equitable level of service across the municipality, and requests that the previous Development Charge "soft services" be maintained and separated from the community benefits charge under the proposed Bill 108;

AND WHEREAS on August 21, 2018 Minister Clark once again signed the Memorandum of Understanding with the Association of Municipalities of Ontario and entered into "...a legally binding agreement recognizing Ontario Municipalities as a mature, accountable order of government.";

AND WHEREAS this Memorandum of Understanding is "enshrined in law as part of the Municipal Act" and recognizes that as "...public policy issues are complex and thus require coordinated responses...the Province endorses the principle of regular consultation between Ontario and municipalities in relation to matters of mutual interest";

AND WHEREAS by signing this agreement, the Province made "...a commitment to cooperating with its municipal governments in considering new legislation or regulations that will have a municipal impact";

AND WHEREAS Bill 108 will impact 15 different Acts - Cannabis Control Act, 2017, Conservation Authorities Act, Development Charges Act, Education Act, Endangered Species Act, 2007, Environmental Assessment Act, Environmental Protection Act, Labour Relations Act, 1995, Local Planning Appeal Tribunal Act, 2017, Municipal Act, 2001, Occupational Health and Safety Act, Ontario Heritage Act, Ontario Water Resources Act, Planning Act, Workplace Safety and Insurance Act, 1997.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Corporation of the Town of Georgina *express serious concerns with* Bill 108 which in its current state *may* have negative consequences on community building and proper planning.
2. The Town of Georgina supports the positive changes within Bill 108 such as: 1. removing the requirement for low risk projects to undertake environmental assessments; 2. appointing more Local Planning Appeal Tribunal adjudicators to deal with appeals; 3. streamlining the planning process provided that the planning processes are streamlined at both the provincial and local levels]; 4. the removal of the 10% discount for determining development charges for hard services.

3. The Corporation of the Town of Georgina call upon the Government of Ontario to halt the legislative advancement of Bill 108 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision making for housing growth that meets local needs will be reasonably achieved.
4. A copy of this motion be sent to the Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Deputy Premier, the Honourable Steve Clark, Minister of Municipal Affairs, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario.

A copy of this motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.”

Accordingly, the Council of the Town of Georgina respectfully requests your serious consideration of its position on Bill 108.

Thank you for your consideration of this matter.

Sincerely,  
FOR THE TOWN OF GEORGINA,



*for:* David Reddon,  
Chief Administrative Officer  
:cl

cc: Honourable Christine Elliott, Deputy Premier, [christine.elliott@pc.ola.org](mailto:christine.elliott@pc.ola.org)  
Honourable Steve Clark, Minister of Municipal Affairs; [steve.clark@pc.ola.org](mailto:steve.clark@pc.ola.org)  
Honourable Andea Horwath, Leader of the New Democratic Party; [ahorwath.pq@ndp.on.ca](mailto:ahorwath.pq@ndp.on.ca)  
All MPP's in the Province of Ontario  
Association of Municipalities of Ontario; [amo@amo.on.ca](mailto:amo@amo.on.ca)  
All Ontario municipalities



## THE CORPORATION OF THE TOWNSHIP OF NORWICH

May 24, 2019

The Honorable Doug Ford  
Premier of Ontario  
Premier's Office, Room 281  
Legislative Building, Queen's Park  
Toronto, ON, M7A 1A1

Dear Premier Ford

Re: Township of Norwich Council Resolution of Tuesday May 14, 2019  
Response to Bill 108, the More Homes, More Choice Act

At their meeting held Tuesday May 14, 2019, the Council of the Township of Norwich passed the following resolution:

“WHEREAS the legislation that abolished the OMB and replaced it with LPAT received unanimous – all party support; and

WHEREAS All parties recognized that local governments should have the authority to uphold their provincially approved Official Plans; to uphold their community driven planning; and

WHEREAS Bill 108 will once again allow an unelected, unaccountable body make decisions on how our communities evolve and grow; and

WHEREAS On August 21, 2018 Minister Clark once again signed the MOU with the Association of Municipalities of Ontario and entered into “...a legally binding agreement recognizing Ontario Municipalities as a mature, accountable order of government.”; and

WHEREAS This MOU is “enshrined in law as part of the Municipal Act”. And recognizes that as “...public policy issues are complex and thus require coordinated responses...the Province endorses the principle of regular consultation between Ontario and municipalities in relation to matters of mutual interest”; and

WHEREAS By signing this agreement, the Province made “...a commitment to cooperating with its municipal governments in considering new legislation or regulations that will have a municipal impact”; and

WHEREAS Bill 108 will impact 15 different Acts - Cannabis Control Act, 2017, Conservation Authorities Act, Development Charges Act, Education Act, Endangered Species Act, 2007, Environmental Assessment Act, Environmental Protection Act, Labour Relations Act, 1995, Local Planning Appeal Tribunal Act, 2017, Municipal Act, 2001,



Occupational Health and Safety Act, Ontario Heritage Act, Ontario Water Resources Act, Planning Act, Workplace Safety and Insurance Act, 1997.

Now Therefore Be it Hereby Resolved That the Township of Norwich oppose Bill 108 which in its current state will have negative consequences on community building and proper planning; and

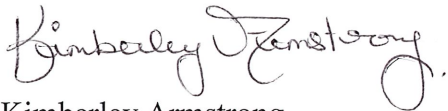
Be it further resolved that the Township of Norwich call upon the Government of Ontario to halt the legislative advancement of Bill 108 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision making for housing growth that meets local needs will be reasonably achieved; and

Be It Further Resolved That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Deputy Premier, the Honourable Steve Clark, Minister of Municipal Affairs, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and

Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.”

Thank you for your consideration.

Sincerely

A handwritten signature in cursive script, reading "Kimberley Armstrong".

Kimberley Armstrong  
Deputy Clerk

cc.    The Honourable Christine Elliott, Deputy Premier  
      The Honourable Steve Clark, Minister of Municipal Affairs and Housing  
      The Honourable Andrea Horwath, Leader of the New Democratic Party  
      Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs  
      All MPP's in the Province of Ontario  
      Association of Municipalities of Ontario and all Ontario Municipalities



## COUNCIL MEETING

Agenda Item 10. b.

Date: May 17, 2019

C- 30 -17/05/19

MOVED BY:

SECONDED BY:

*W. Hayes*  
*Steve Valley*

WHEREAS the legislation that abolished the OMB and replaced it with LPAT received unanimous – all party support;

AND WHEREAS All parties recognized that local governments should have the authority to uphold their provincially approved Official Plans and to uphold their community driven planning;

AND WHEREAS Bill 108 will once again allow an unelected, unaccountable body make decisions on how our communities evolve and grow;

AND WHEREAS On August 21, 2018 Minister Clark once again signed the MOU with the Association of Municipalities of Ontario and entered into "...a legally binding agreement recognizing Ontario Municipalities as a mature, accountable order of government.";

AND WHEREAS This MOU is "enshrined in law as part of the Municipal Act". And recognizes that as "...public policy issues are complex and thus require coordinated responses...the Province endorses the principle of regular consultation between Ontario and municipalities in relation to matters of mutual interest";

AND WHEREAS By signing this agreement, the Province made "...a commitment to cooperating with its municipal governments in considering new legislation or regulations that will have a municipal impact";

AND WHEREAS Bill 108 will impact 15 different Acts - Cannabis Control Act, 2017, Conservation Authorities Act, Development Charges Act, Education Act, Endangered Species Act, 2007, Environmental Assessment Act, Environmental Protection Act, Labour Relations Act, 1995, Local Planning Appeal Tribunal Act, 2017, Municipal Act, 2001, Occupational Health and Safety Act, Ontario Heritage Act, Ontario Water Resources Act, Planning Act, Workplace Safety and Insurance Act, 1997.

Now Therefore Be it Resolved That The Township of Muskoka Lakes oppose Bill 108 which in its current state will have negative consequences on community building and proper planning; and

Be it further resolved that the Township of Muskoka Lakes call upon the Government of Ontario to halt the legislative advancement of Bill 108 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision making for housing growth that meets local needs will be reasonably achieved; and



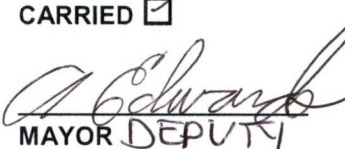
Be It Further Resolved That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Deputy Premier, the Honourable Steve Clark, Minister of Municipal Affairs, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and

Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

RECORDED VOTE:	NAYS	YEAS
COUNCILLOR BRIDGEMAN	<input type="checkbox"/>	<input type="checkbox"/>
COUNCILLOR EDWARDS (Deputy Mayor)	<input type="checkbox"/>	<input type="checkbox"/>
COUNCILLOR HAYES (Acting Deputy Mayor)	<input type="checkbox"/>	<input type="checkbox"/>
COUNCILLOR JAGLOWITZ	<input type="checkbox"/>	<input type="checkbox"/>
COUNCILLOR KELLEY	<input type="checkbox"/>	<input type="checkbox"/>
COUNCILLOR MAZAN	<input type="checkbox"/>	<input type="checkbox"/>
COUNCILLOR NISHIKAWA	<input type="checkbox"/>	<input type="checkbox"/>
COUNCILLOR ROBERTS	<input type="checkbox"/>	<input type="checkbox"/>
COUNCILLOR ZAVITZ	<input type="checkbox"/>	<input type="checkbox"/>
MAYOR HARDING	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS		
Recorded Vote Requested by: _____	_____	_____

DEFEATED ☐

CARRIED ☒

  
MAYOR DEPUTY

May 17, 2019

To All Ontario Municipalities:

**Re: Bill 108 – More Homes, More Choice Act, 2019**

On May 16, 2019 Regional Council adopted the following resolution:

WHEREAS the legislation that abolished the Ontario Municipal Board and replaced it with the Local Planning Appeal Tribunal received unanimous – all party support; and

WHEREAS all parties recognized that local governments should have the authority to uphold their provincially approved Official Plans; to uphold their community driven planning; and

WHEREAS Bill 108 will once again allow an unelected, unaccountable body make decisions on how our communities evolve and grow; and

WHEREAS the Region of York requests that the proposed changes to the Planning Act provide greater deference than that previously afforded to local, municipal decisions on development applications, by restoring the test under the Planning Act that appeals must be on the basis that the municipal decision is not consistent with the Provincial Policy Statement, fails to conform with a provincial plan, or fails to conform with the local and regional Official Plan(s); and

WHEREAS the Region of York requests that the tribunal framework restore the previous ability for participants in Local Planning Appeal Tribunal hearings to provide in person evidence in a hearing; and

WHEREAS the Region of York recognizes that proposed grouping together of a variety of community services, including parkland dedication, under community benefits charge framework, which is subject to a monetary cap, will limit a municipality's ability to continue to provide parks and a range of community services and facilities at a consistent and equitable level of service across the

municipality, and requests that the previous Development Charge "soft services" be maintained and separated from the community benefits charge under the proposed Bill 108; and

WHEREAS on August 21, 2018 Minister Clark once again signed the Memorandum of Understanding with the Association of Municipalities of Ontario and entered into "...a legally binding agreement recognizing Ontario Municipalities as a mature, accountable order of government."; and

WHEREAS this Memorandum of Understanding is "enshrined in law as part of the Municipal Act" and recognizes that as "...public policy issues are complex and thus require coordinated responses...the Province endorses the principle of regular consultation between Ontario and municipalities in relation to matters of mutual interest"; and

WHEREAS by signing this agreement, the Province made "...a commitment to cooperating with its municipal governments in considering new legislation or regulations that will have a municipal impact"; and

WHEREAS Bill 108 will impact 15 different Acts - Cannabis Control Act, 2017, Conservation Authorities Act, Development Charges Act, Education Act, Endangered Species Act, 2007, Environmental Assessment Act, Environmental Protection Act, Labour Relations Act, 1995, Local Planning Appeal Tribunal Act, 2017, Municipal Act, 2001, Occupational Health and Safety Act, Ontario Heritage Act, Ontario Water Resources Act, Planning Act, Workplace Safety and Insurance Act, 1997.

THEREFORE be it resolved that:

1. The Regional Municipality of York *express serious concerns with* Bill 108 which in its current state *may* have negative consequences on community building and proper planning.
2. The Region of York supports the positive changes within Bill 108 such as: 1. removing the requirement for low risk projects to undertake environmental assessments; 2. appointing more Local Planning Appeal Tribunal adjudicators to deal with appeals; 3. streamlining the planning process provided that the planning processes are streamlined at both the provincial and local levels]; 4. the removal of the 10% discount for determining development charges for hard services.

3. The Regional Municipality of York call upon the Government of Ontario to halt the legislative advancement of Bill 108 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision making for housing growth that meets local needs will be reasonably achieved.
4. A copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Deputy Premier, the Honourable Steve Clark, Minister of Municipal Affairs, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario.
5. A copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Sincerely,

A handwritten signature in black ink, appearing to be 'Christopher Raynor', written over a horizontal line.

Christopher Raynor  
Regional Clerk

## Courtenay Hoytfox

---

**From:** Niamh Buckley <nbuckley@hrca.on.ca>  
**Sent:** Tuesday, May 28, 2019 12:26 PM  
**To:** 'townclerk@oakville.ca'; 'Suzanne Jones'; 'city.clerk@mississauga.ca'; 'cityclerks@burlington.ca'; 'angela.morgan@burlington.ca'; 'TroyMcHarg@milton.ca'; Admin; 'clerk@hamilton.ca'; 'tamara.chipperfield@cvc.ca'; 'Andrew Farnsworth'; 'espencer@grandriver.ca'; 'Jaime.Tellier@conservationhamilton.ca'; kgavine@conservationontario.ca; deb.martindowns@cvc.ca; jfarwell@grandriver.ca; Lisa.Burnside@conservationhamilton.ca; john.mackenzie@trca.on.ca  
**Cc:** Barb Veale; Adriana Birza; Kellie McCormack  
**Subject:** May 23, 2019 Conservation Halton Board of Directors meeting - approved reports  
**Attachments:** 06 19 08 Excess Soils.pdf; 06 19 08 Attachment 1 Excess Fill ERO Comments 2019.pdf; 06 19 07 Attachment 2 Holding Polluters Accountable ERO Comments 2019.pdf; 06 19 09 Planning Act (May 2019).pdf; 06 19 09 Planning Act letter to MMAH (Attachment 1).pdf

Good afternoon,

Please find attached copies of the reports and related correspondence that were approved at the Conservation Halton Board of Directors meeting on May 23, 2019:

**5.3      *Proposed Excess Soil Regulatory Proposal and amendments to Record of Site Conditions Regulation, ERO #019-0023***

***Holding polluters accountable by enhancing Ministry of Environment Conservation and Parks' enforcement, ERO #019-0023***

**5.4      *Bill 108 (Schedule 12) – the proposed More Homes, More Choice Act: Amendments to the Planning Act ERO # 019-0016***

Thank you,

**Niamh Buckley**

Administrative Assistant, Office of the CAO / FOI Coordinator

**Conservation Halton**

2596 Britannia Rd. West, Burlington, ON, L7P 0G3

Ph. 905 336 1158 ext. 2236

[nbuckley@hrca.on.ca](mailto:nbuckley@hrca.on.ca)

[www.conservationhalton.ca](http://www.conservationhalton.ca)

May 24, 2019

Andr  Martin  
Compliance, Planning and Spills Action Centre  
135 Clair Ave. West  
8<sup>th</sup> Floor  
Toronto, Ontario, M4V 1P5

**BY EMAIL**

Re: ERO number 019-0023  
Holding polluters accountable by enhancing Ministry of the Environment, Conservation and Parks' enforcement

Thank you for the opportunity to comment on ERO number 019-0023 related to Holding polluters accountable by enhancing Ministry of Environment, Conservation and Parks' enforcement. Conservation Halton (CH) has reviewed the posting and offers the following.

The proposed amendments under the *Environmental Protection Act* would allow for additional administrative tools for a broad range of environmental violations including:

- A \$200,000 maximum administrative penalty per contravention, or higher if the economic benefit achieved via the violation was higher;
- Provisions for review and/or appeal and for reduction in amounts if violators take action to prevent or mitigate the contravention;
- Annual reporting.

Also proposed are additional enforcement tools including the ability for officers to seize vehicles when serious environmental violations occur. CH is supportive of these administrative and enforcement actions; however, notes that such powers are limited to MECP officers.

Conservation Authorities also have Provincial Offences Officers to deal with violations of regulations under the *Conservation Authorities Act*, including the placement or removal of fill, including excess soils, in regulated areas. To better coordinate and provide tools for enforcement, staff recommends that the unproclaimed enforcement provisions of the *Conservation Authorities Act* be proclaimed as soon as possible. These enforcement provisions would provide Conservation Authorities with enhanced abilities to address concerns regarding excess fill when it is illegally placed within hazardous lands and/or contrary to Section 28 of the *Conservation Authorities Act*.

Joint training among MECP Officers, conservation authority Officers, and municipal staff could be undertaken to encourage a coordinated approach to dealing with violations across the province.

We trust the above is of assistance. If you require additional information, please contact the undersigned at extension 2273.

Yours truly,

Barbara J. Veale, PhD, MCIP, RPP  
Director, Planning and Watershed Management

DRAFT

May 24, 2019

**BY EMAIL AND MAIL**

Planning Act Review  
Provincial Planning Policy Branch  
777 Bay Street, 13th floor  
Toronto, ON M5G 2E5

Re: **Bill 108 (Schedule 12) – the proposed “More Homes, More Choice Act”:  
Amendments to the Planning Act  
ERO number 019-0016  
CH File No.: PPO 056**

Conservation Halton (CH) has reviewed the above-referenced Environmental Registry posting and offers general comments below and more detailed comments in the attached table.

Conservation Authorities (CAs) participate in the municipal planning process through their role as public commenting bodies under the *Planning Act* and in an advisory capacity as specified in the various Memoranda of Agreement between CAs and their member municipalities. CAs have an important role to play in planning and development review and approval process and, through collaborative planning, CAs can assist the Province and local municipalities to make the process faster, more predictable and less costly.

Bill 108 (Schedule 12) proposes some sweeping changes to the *Planning Act*. From Conservation Halton’s perspective, there are two proposed amendments which pose real challenges to the planning process.

First, the reduction in the timelines for the review of official plans, zoning by-laws and plans of subdivision may be problematic. To achieve shorter timelines, a multifaceted approach is needed to address some of the current challenges within the planning and development approval system. All parties, including the Province, municipalities, CAs and the development community, will need to evaluate and change their internal processes, practices and operations to realize



improvements. For example, Conservation Halton (CH) has identified opportunities and implemented actions to streamline internal planning and permit review processes over the past few years, which aligns well with the Provincial government's objectives. Staff is working with its partner municipalities to clarify roles and responsibilities and to reduce duplication through updating Memoranda of Understanding. In addition, a BILD/CH Liaison Working Group was formed to explore opportunities for improving technical submissions and accelerating the permit review process.

CH is actively pursuing the identification and implementation of additional actions with partners and clients in order to deliver the best possible customer service. These include actions to:

- take a comprehensive, creative and collaborative approach early in the planning process to provide greater clarity and certainty around approvals, promote opportunities for innovation, enable complete applications and timely development and infrastructure approvals, and help to avoid costly and lengthy appeals to the Local Planning Appeal Tribunal (LPAT) or Mining and Lands Tribunal;
- promote more certainty through clear CH policies and guidelines; and
- co-ordinate with municipalities to further streamline approval processes under the *Planning Act*.

However, it will still be a challenge to meet the timelines proposed in Schedule 12. Furthermore, some landowners may prefer to bring their application before LPAT instead of participating in front end planning or engaging in collaborative decision making or other forms of dispute resolution. Reducing timelines for planning decisions and allowing LPAT to make decisions based on the best planning outcome and the return to de novo hearings may result in more delays, rather than less.

Second, the proposal to allow an additional residential unit in both the primary dwelling and an ancillary building or structure should be qualified. It is inappropriate to promote new dwelling units within hazard areas such as floodplains and steep slopes, where the risk to life and property would be increased.

We would be pleased to meet with the Province and other stakeholders to provide additional input to the content of the legislation or any future regulations or related policy proposals. Should you have any questions, please feel free to contact the undersigned.

Yours truly,

Barbara Veale, PhD, MCIP, RPP  
Director, Planning and Watershed Management

Encl. 1 (comment table)

**Bill 108 (Schedule 12) – the proposed More Homes, More Choice Act: Amendments to the Planning Act**

**Table 1: Proposed Amendments to the Planning Act**

	<b>Proposed Change</b>	<b>Conservation Halton Comments</b>
<b>A.</b>	General Comments	The existing grounds for the appeal of zoning by-laws and OPAs in the existing Planning Act should be retained. These grounds include testing for consistency with PPS and conformity with Provincial Plans and OPs (for zoning by-laws). This approach enables municipal decision-makers to uphold the Provincial interest and eliminate frivolous, time consuming, and costly appeals to the LPAT.
<b>B.</b>	Streamline development approvals processes and facilitate faster decisions by reducing decision timelines for municipalities and the province to 120 days for official plans and amendments, 90 days for zoning by-laws and amendments (except where there is a concurrent official plan amendment) and 120 days for plans of subdivision	<p>To achieve shorter timelines, a multifaceted approach is needed to address some of the current challenges within the planning and development approval system. Changes will be needed to various aspects of the planning process and all parties, including the Province, municipalities, CAs and the development community, will need to evaluate and change their internal processes, practices and operations to realize improvements and to achieve the intended results.</p> <p>Unless the proposed changes to timelines are made hand-in-hand with changes to streamline the planning process, it is unlikely that the proposed legislative change will achieve its intended effect, as more applications are likely to be appealed to the LPAT for non-decision. Waiting for and participating in costly and time consuming hearings will result in further delays for a development approval.</p> <p>Some ideas for improving the planning process are:</p> <ul style="list-style-type: none"> <li>• <b>Front loading the planning process</b> – In general, more effort expended upfront in the planning process leads to more certainty, opportunities for innovation, and timely planning approvals. Pre-consultation with the landowner, consultants and agencies prior to submission of an application is a useful way to ensure that all parties understand technical and policy requirements and timelines at the onset. The use of a design charrette prior to the submission of an application is one method to achieve this understanding. This approach leads to cooperation and coordination among parties, better quality technical submissions and quicker reviews. It also helps to avoid appeals to the Local Planning Appeal Tribunal (LPAT), thus avoiding further delays.</li> </ul>

	Proposed Change	Conservation Halton Comments
		<ul style="list-style-type: none"> <li>• <b>Complete, good quality submissions</b> – Many planning applications require technical studies to demonstrate how the proposed development can proceed in accordance with the regulations, policies, and regulatory requirements of the review agencies. It is not unusual for agencies to receive and review three (or more) technical submissions before concerns are appropriately addressed. Multiple or poor quality submissions increase the amount of staff time needed to review, prepare comments and attend meetings to sort out problems associated with applications. Good quality submissions, where agency requirements have been met, result in shorter review times, more timely approvals, and cost reductions in the short and long term for all stakeholders.</li> <li>• <b>Clear policies and guidelines</b> – Clear Provincial, municipal and conservation authority policies and guidelines helps to avoid ambiguity, conflict and unnecessary delay or duplication in the process. A set of modernized and updated Provincial technical guidelines, which provide guidance for the administration and implementation of Provincial policies, plans or regulations are necessary for municipal and conservation authority decision makers. Provincial guidelines, such as the natural heritage reference manual or natural hazard technical guides, are long overdue.</li> <li>• <b>Greater communication and collaboration</b> – As with any relationship, good communication and collaboration is the key to success. Providing forums to collaborate and openly share information and ideas leads to innovative design and good community planning.</li> <li>• <b>High quality data, mapping and electronic tools</b> – CAs, municipalities, the Province and landowners would all benefit from having access to better data and mapping. The provision of high quality data and mapping is critical for agencies to undertake efficient reviews and support timely municipal decision-making.</li> </ul>
C.	<p>Increase the certainty and predictability of the planning system by:</p> <ul style="list-style-type: none"> <li>• Enabling the Minister to mandate the use of the community planning permit system in areas specified by the Minister (e.g., specified</li> </ul>	<p>The community planning permit system is not a widespread practice in Ontario. Although there may be benefit to this type of system, it will take considerable time for municipalities to develop and implement such a system. This system would not yield immediate benefits for reduced planning approval timelines.</p>

	Proposed Change	Conservation Halton Comments
	<p>major transit station areas and provincially significant employment zones), and removing appeals of the implementing official plan amendment and, subject to regulation, the related by-law;</p> <ul style="list-style-type: none"> <li>• Focusing the discretionary use of inclusionary zoning to protected major transit station areas and areas where the community planning permit system has been required by the Minister, which would facilitate the supply of affordable housing in areas that are generally subject to growth pressures, higher housing demand, and in proximity to higher order transit; and</li> <li>• Limiting third party appeals of plans of subdivision and approval authority non-decisions on official plans and official plan amendments.</li> </ul>	
D.	Support a range and mix of housing options and boost housing supply by requiring municipalities to authorize an additional residential unit in both the primary dwelling and an ancillary building or structure.	An additional residential dwelling in a primary dwelling or an ancillary building or structure located within a natural hazard (flood plain, steep slope, hazardous land, wetland) is not appropriate. These areas pose a high risk to life and property. Allowing additional residential units in these areas would put more people and property at risk. The proposed legislation should be amended to specify that additional residential units are supported <u>only</u> in areas that are not subject to natural hazards.
E.	Make charges for community benefits more predictable by establishing a new authority that would enable municipalities to collect funds / contributions for community benefit purposes (e.g. libraries, daycare facilities and parks). This tool would replace the existing density	This change will affect a municipality's ability to create complete communities, which includes the provision of parks, greenspaces and green infrastructure. The proposed change does not recognize that parks and greenspaces are important components of green infrastructure which helps the Province achieve many of its objectives related to natural hazard management and the protection of natural heritage and water resources.

	Proposed Change	Conservation Halton Comments
	<p>bonusing provisions known as section 37, development charges for discounted (soft) services under the <i>Development Charges Act, 1997</i> and, in some cases, parkland dedication.</p> <ul style="list-style-type: none"> <li>• A cornerstone of the new authority is that community benefit charges would be capped based on a portion of the appraised value of the land. The details of this cap would be set in regulation.</li> <li>• There would also be regulation-making authority to exempt some types of developments from the new community benefits charge.</li> </ul>	
<b>F.</b>	<p>Allow the Local Planning Appeal Tribunal to make decisions based on the best planning outcome as part of a return to de novo hearings in all cases. This change would broaden the Tribunal's jurisdiction over major land use planning matters (i.e., official plans and zoning by-laws and amendments) and would give the Tribunal the authority to make a final determination on appeals of such matters.</p>	<p>The proposed change may result in an increase in the number of appeals of planning applications to the LPAT. Many landowners prefer to bring their application before the Tribunal rather than participate in front end planning or to engage in collaborative decision making or other forms of dispute resolution. This approach takes decision making about what constitutes good planning out of the hands of the municipality and may, in fact, result in more cases being heard by LPAT and further delays.</p>

**REPORT TO:** Board of Directors

**REPORT NO: #** CHBD 06 19 09

**FROM:** Barbara J. Veale, Director, Planning and Watershed Management

**DATE:** May 23, 2019

**SUBJECT:** **Bill 108 (Schedule 12) – the proposed More Homes, More Choice Act: Amendments to the Planning Act**  
**ERO # 019-0016**  
**CH File No.: PPO 056**

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### Recommendation

THAT the Conservation Halton Board of Directors **receive for information the report entitled Bill 108 (Schedule 12) – the proposed More Homes, More Choice Act: Amendments to the Planning Act;**

And

THAT the Conservation Halton Board of Directors **direct Conservation Halton staff to submit the attached draft letter to the Ministry of Municipal Affairs and Housing, as Conservation Halton's formal response to the Province on the proposed changes to the Planning Act (ERO # 019-0016 Bill 108 (Schedule 12) – the proposed More Homes, More Choice Act: Amendments to the Planning Act);**

And

THAT the Conservation Halton Board of Directors **direct Conservation Halton staff to circulate Conservation Halton's final submission to the Province to Conservation Halton's area municipalities, neighbouring conservation authorities and Conservation Ontario for information purposes.**

### Executive Summary

On May 2, 2019, Bill 108, the proposed *More Homes, More Choices Act, 2019* received First Reading. The Bill is expected to be approved in early June. Bill 108 proposes changes to 13 different statutes, including the *Planning Act*. The proposed changes to the *Planning Act* are intended to streamline development approvals processes and facilitate faster decisions, increase the certainty and predictability of the planning system, provide for a range and mix of housing options, boost housing supply, and address concerns about the land use planning appeal system, among other things.

The provincial government is seeking consultation on proposed changes to the *Planning Act*, through the Environmental Registry of Ontario, by June 1, 2019. Conservation Halton (CH) staff reviewed the posting and has drafted a response, focusing on the changes that will have the most significant implications for the programs and services of conservation authorities.

Problematic changes include a reduction in the timelines for decisions related to plans of subdivision and amendments to zoning by-laws or official plans and the requirement for municipalities to extend permissions for an additional residential unit in both the primary dwelling and an ancillary building or structure, without qualification.

## Report

On May 2, 2019, Bill 108, the proposed *More Homes, More Choices Act, 2019* received First Reading. Bill 108 is currently in Second Reading and is anticipated to be approved in early June. Bill 108 proposes changes to 13 different statutes, including the *Planning Act*. The proposed changes are intended to streamline development approvals processes and facilitate faster decisions, increase the certainty and predictability of the planning system, provide for a range and mix of housing options, boost housing supply, and address concerns about the land use planning appeal system, among other things.

The provincial government is seeking consultation on proposed changes to the *Planning Act*, through the Environmental Registry of Ontario, by June 1, 2019. Given that the commenting period closes before the next CH Board of Directors' meeting, staff is seeking Board endorsement of the draft response before submitting it to the Province. CH staff reviewed the posting and has drafted response which can be found in Attachment 1. Staff's review has focused on the changes that will have the most significant implications for the programs and services of conservation authorities.

If passed, the proposed amendments to the *Planning Act*, would among other matters:

- Streamline development approvals processes by reducing decision timelines for municipalities and the province for:
  - Official Plans from 210 to 120 days
  - Zoning By-laws from 150 to 90 days
  - Plans of Subdivision from 180 to 120 days.
- Enable the Minister to mandate the use of the community planning permit system in areas specified by the Minister (e.g., specified major transit station areas and provincially significant employment zones);
- Focus the use of inclusionary zoning policies to protected major transit station areas and areas where the community planning permit system has been required by the Minister, rather than to the entire municipality;
- Limit third party appeals of plans of subdivision and approval authority non-decisions on official plans and official plan amendments;
- Require municipalities to extend permissions for an additional residential unit in both the primary dwelling and an ancillary building or structure;
- Establish a new authority that would enable municipalities to collect funds / contributions for community benefit purposes (e.g., libraries, daycare facilities and parks). A new Community Benefits Charge system would replace the existing density bonusing provisions known as section 37, development charges for discounted (soft) services under the *Development Charges Act, 1997* and, in some cases, parkland dedication. The new community benefit charges would be capped based on a portion of the appraised value of the land. The details of this cap would be set in regulation. There would also be regulation-making authority to exempt some types of developments from the new community benefits charge; and
- Allow the Local Planning Appeal Tribunal to make decisions based on the best planning outcome as part of a return to de novo hearings in all cases. This change would broaden the Tribunal's

jurisdiction over major land use planning matters (i.e., official plans and zoning by-laws and amendments) and would give the Tribunal the authority to make a final determination on appeals of such matters.

CH staff will continue monitor future postings and will report back to the Board of Directors if additional information is provided or if more changes are proposed by the provincial government.

Separate staff reports to the Board of Directors were prepared to summarize the key changes proposed in Bill 108, as well as the changes proposed for the *Environmental Assessment Act*, *Conservation Authorities Act*, and *Endangered Species Act* and the implication of these changes on Conservation Halton programs and services.

#### Implications of Proposed Changes to the *Planning Act* for Conservation Halton

CH participates in the municipal planning process through its role as a public commenting body under the *Planning Act* and in an advisory capacity as specified in the various Memoranda of Agreement between CH and its member municipalities. While many of the proposed changes to the *Planning Act* have limited direct impacts on CH, there are two proposed changes which may pose challenges.

First, the reduction in the timelines for the review of official plans, zoning by-laws and plans of subdivision may be problematic. To achieve shorter timelines, a multifaceted approach is needed to address some of the current challenges within the planning and development approval system. All parties, including the Province, municipalities, CAs and the development community, will need to evaluate and change their internal processes, practices and operations to realize improvements. Regardless, it will still be a challenge to meet the proposed timelines. Furthermore, some landowners may prefer to bring their application before LPAT instead of participating in front end planning or engaging in collaborative decision making or other forms of dispute resolution. Reducing timelines for planning decisions and allowing LPAT to make decisions based on the best planning outcome and the return to de novo hearings may result in more delays, rather than less.

Second, the proposal to allow an additional residential unit in both the primary dwelling and an ancillary building or structure should be qualified. It is inappropriate to promote new dwelling units within hazard areas such as floodplains and steep slopes, where the risk to life and property would be increased. It is also contrary to the Ontario Regulation 162/06 and the CH's *Policies and Guidelines for the Administration of Ontario Regulation 162/06 and Land Use Planning Policy Document*.

#### **Impact on Strategic Goals**

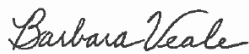
This report supports the Metamorphosis strategic themes of Taking care of our growing communities; Protecting our natural, cultural, and scenic assets; and Protecting our natural, cultural, and scenic assets. The theme is supported by the objective to remain dedicated to ecosystem-based watershed planning that contributes to the development of sustainable rural, urban and suburban communities.



### Financial Impact

There are no financial implications resulting from this report. However, the proposed changes outlined in Bill 108 have significant implications for how Conservation Halton will deliver and fund certain programs and services on a watershed basis. The nature and extent of these impacts are currently unclear.

Signed & respectfully submitted:



Barbara J. Veale, Ph.D., MCIP, RPP  
Director, Planning and Watershed Management

Approved for circulation:



Hassaan Basit  
CAO/Secretary-Treasurer

**FOR QUESTIONS ON CONTENT:** Barbara Veale, 905.336.1158 x 2228; [bveale@hrca.on.ca](mailto:bveale@hrca.on.ca)  
Kellie McCormack, 905.336.1158 x 2228; [kmccormack@hrca.on.ca](mailto:kmccormack@hrca.on.ca)

**REPORT TO:** Board of Directors

**REPORT NO:** CHBD 06 19 08

**FROM:** Barbara J. Veale, Director, Planning & Watershed Management

**DATE:** May 23, 2019

**SUBJECT:** **Proposed Excess Soil Regulatory Proposal and amendments to Record of Site Conditions Regulation, ERO #013-5000;**

**and,**

**Holding polluters accountable by enhancing Ministry of Environment, Conservation and Parks' enforcement, ERO #019-0023**

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### Recommendation

THAT the Conservation Halton Board of Directors **receive for information the report entitled “Excess Soil Registry Proposal and amendments to Record of Site Conditions Regulation; and, Holding polluters accountable by enhancing Ministry of Environment, Conservation and Parks’ enforcement”;**

And

THAT the Conservation Halton Board of Directors **direct Conservation Halton staff to provide the attached letter as formal response to the Province on the proposed Excess Soil Regulatory Proposal and Amendments to Record of Site Condition (ERO #013-5000);**

And

THAT the Conservation Halton Board of Directors **direct Conservation Halton staff to circulate the above mentioned letter to Conservation Halton’s area municipalities, neighbouring conservation authorities and Conservation Ontario for information purposes.**

### Executive Summary

The Ministry of the Environment, Conservation and Parks (MECP) posted the *Excess soil regulatory proposal and amendments to Record of Site Condition (Brownfields) Regulation (ERO #013-5000)* to the Environmental Registry on May 1, 2019 for public review and comment by May 31, 2019. The posting includes:

- A proposed new excess soil regulation to clarify the requirements for the reuse of excess soil, providing clear, risk-based options for safe reuse (On-Site and Excess Soil Management Regulation);
- Amendments to O. Reg 153/04 (Record of Site Condition Regulation)

- Amendments to O. Reg 347 (General – Waste Management)
- A proposed document to be adopted by reference in the On-Site and Excess Soil Management Regulation titled “Rules for On-Site and Excess Soil Management”
- A Beneficial Reuse Assessment Tool (BRAT) to allow a qualified person to generate site specific standards using a spreadsheet model.

In addition to this posting, the MECP is also consulting on the proposal *Holding polluters accountable by enhancing Ministry of the Environment, Conservation and Parks’ enforcement tools (ERO #019-023)*. The posting contains proposed amendments to the *Environmental Protection Act* that would enable administrative penalties for a broad range of environmental violations under the act, and permit and modernize the process to seize vehicle plates when serious environmental violations occur.

Conservation Halton (CH) staff has reviewed each of the postings and has drafted a response to the provincial government for ERO Posting #013-5000. Given that the commenting period closes before the next CH Board of Directors’ meeting, staff is seeking Board endorsement of the draft letter. While staff supports the intent of many of the proposed changes, the current proposals appear to take a narrow approach to natural hazard management and fails to recognize the important role that CAs play in regulating excess fill.

## Report

On May 1, 2019, the Province posted two notices on the Environmental Registry:

1. ERO Posting #013-5000 – Excess Soil regulatory proposal and amendments to Record of Site Conditions (Brownfield) Regulation
2. ERO Posting #019-0023 – Holding polluters accountable by enhancing Ministry of the Environment, Conservation and Parks’ enforcement

The above notices were posted by the MECP for 30 days with the commenting period closing on May 31, 2019.

The following report provides an overview of the information that has been presented within the Environmental Registry postings. CH staff has reviewed each of the postings and has drafted a response to the Province related to ERO Posting #013–5000 (Attachment 1) and ERO Posting #013-0023 (Attachment 2). Given that the commenting period closes before the next CH Board of Directors’ meeting, staff is seeking Board endorsement of the draft letter before submitting it to the MECP.

### ERO Posting #013-5000 - Excess Soil regulatory proposal and amendments to Record of Site Conditions (Brownfield) Regulation

This new regulation, to be enacted by MECP under the existing provisions of the *Environmental Protection Act* (EPA), is the largest action the province is taking under the framework. In summary, the regulation would contain the following six key aspects:

#### 1. Define Excess soil as a “Waste”

A waste designation has specific meaning under the EPA, allowing for legal obligations related to tracking and hauling to apply. Excess soil would be designated as a waste from the time it leaves the property from which it is excavated. The waste designation on excess soil would cease where it is deposited in accordance with a site specific instrument (i.e. local permit) that authorizes the deposition of soil at a receiving site (referred to as a reuse site in the draft regulation).

#### 2. Require “Project Leaders” to be responsible for managing and relocating excess soil generated by their projects

Project leaders of certain developments generating excess soil would be required to conduct ‘excess soil management actions’ before any excess soil leaves the project area. These actions would be required if the project area has never been used for an industrial use or other specified commercial uses, the primary purpose of the project is to remediate contaminated land, or the project is located inside a settlement area and involves more than 2,000m<sup>3</sup> of excess soil leaving the project area. Undertaking excess soil management actions would involve certain requirements including, in some cases, characterizing the soil to determine the concentrations of contaminants in the soil. It would also include identifying appropriate receiving sites and tracking excess soil movements. Key actions would be required to be registered on a public registry. Excess soil characterization must be prepared or supervised by a Qualified Person (QP) and implemented by the project leader.

#### 3. Require “Project Leaders” to prepare notices to a public registry

A Project leader would be required to prepare and file a notice on a public registry. The notice would include:

- A description of the project;
- A description of the project area including the municipal address of each property within the project area including the geographic coordinates
- Contact information of each project leader for a project, authorized agents and Qualified Persons;
- An estimate of how much soil will be removed from the project area by soil quality category;
- The name and contact information for the person ultimately responsible for the transportation of excess soil from the project area; and,
- An identification, including the municipal address, of each reuse site at which the excess soil is intended to be deposited for the purpose of final placement of soil including the type of property use at the reuse site and the undertaking for which the excess soil is intended to be used.

#### 4. Establish an Excess Registry and associated rules

The regulation would require an excess soil tracking system to be developed by a QP on behalf of the proponent. Amongst other information, the tracking system would be able to produce a record of the source(s) of excess soil, excess soil quality details and intended reuse site(s). In order to help ensure that excess soil is tracked from a project area to a receiving site, a driver transporting a load of excess soil would be required to produce an excess soil hauling record upon request. A cumulative record of excess soil movement would be required to record the total amount of excess soil and the quality of the soil that has been moved to each reuse site at any point in time.

## 5. Provisions for Operators of Reuse Sites

Section 13 of the proposed regulation contains specific rules for operators of reuse sites, which is defined as sites where at least 10,000m<sup>3</sup> (i.e. 1000 dump trucks) of excess soil is expected to be delivered for final placement in respect of an undertaking. In these instances, reuse site operators would be required to file a notice on the Registry, procedures must be established and implemented to account for every load of excess soil for final placement and to ensure that storage for final placement 'does not cause an adverse effect.'

## 6. Transitional Phase-in Proposed

It is proposed that the regulatory proposal be phased in over time.

- Excess soil provisions related to more flexible reuse rules and waste designation and approvals would come into effect in January 2020.
- Aspects of the excess soil regulation related to soil management planning (e.g. sampling, tracking and registration) would come into effect no later than January 2021.
- Restrictions on using excess soil in landfills would come into effect in January 2022 allowing time to ensure alternate reuse approaches are available as needed.

### ERO Posting #019-0023 – Holding polluters accountable by enhancing Ministry of the Environment, Conservation and Parks' enforcement

Also posted to the Environment Registry for comment are proposed amendments to the *Environmental Protection Act*, which would enable 'administrative penalties' for a broad range of environmental violations under that act, which would require further regulations to take effect. If passed, the regulations could provide for:

- A \$200,000 maximum administrative penalty per contravention, or higher if the economic benefit achieved via the violation was higher;
- Provisions for review and/or appeal and for reduction in amounts if violators take action to prevent or mitigate the contravention;
- Annual reporting.

A second initiative would permit and update the process the province uses to seize vehicle plates when serious environmental violations occur. Both of these initiatives would be limited to MECP enforcement officers.

## Summary

CH appreciates that the provincial government recognizes the need to address excess fill within the province and is taking steps to manage excess soils in a responsible and transparent manner. However, based on the information presented in the Environmental Registry postings, there is no recognition of the regulatory and enforcement role that CAs play in areas regulated under the *Conservation Authorities Act* and very little direction regarding how the various agencies, including the Ministry, municipalities and the Province, should work together in dealing with compliance and enforcement issues.

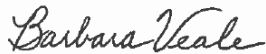
## Impact on Strategic Goals

This report supports the Metamorphosis strategic theme of taking care of our growing communities. The theme is supported by the objective to remain dedicated to ecosystem-based watershed planning that contributes to the development of sustainable rural, urban and suburban communities.

## Financial Impact

There is no financial impact to this report.

Signed & respectfully submitted by:



Barbara J. Veale, Director, Planning and  
Watershed Management

Approved for circulation by:



Hassaan Basit  
CAO/Secretary-Treasurer

**FOR QUESTIONS ON CONTENT:** Barbara Veale, 905.336.1158 x 2273; bveale@hrca.on.ca

May 24, 2019

Sanjay Coelho  
Environmental Policy Branch  
Ministry of the Environment, Conservation and Parks  
40 St. Clair Avenue West  
Floor 10  
Toronto, Ontario, M4V 1M2

**BY EMAIL**

**Re: ERO # 013-5000**  
**Proposed On-Site and Excess Soil Management Regulation (to be made under the Environmental Protection Act)**

Thank you for the opportunity to comment on ERO # 013-5000 related the above reference regulations proposal. Conservation Halton (CH) staff have reviewed the application and offer the following comments. Please note that comments are provided under the title of the section of which it is found in the proposed Regulation:

**1. Designation as waste**

This section (3.(1) 4. vi) mentions that excess soil will not be considered waste if it is approved under any other site-specific instrument under an Act of Ontario or Canada that may regulate the quality or quantity of soil that may be deposited for final placement at a reuse site. Consideration should be given to specifically mentioning the *Conservation Authorities Act* as the *Municipal Act*, *Aggregate Resources Act* and *Planning Act* are all mentioned. In areas where conservation authorities exist, they have permitting responsibilities regarding the placement or removal of fill, including excess soil.

**2. Exemption from designation, if reuse governed by instrument**

Section 28 of the *Conservation Authorities Act* is not referenced within the Regulation as a site specific instrument, even though the definition of development within that Act includes site grading and the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere. Without including Section 28 of the *Conservation Authorities Act*, the focus appears to be on quantity and quality of fill, without consideration given to impacts related to natural hazards. Inclusion of Section 28 of the *Conservation Authorities Act* should be considered.

Within this section it is also not clear how the Ministry of Environment, Conservation and Parks (MECP) will facilitate local regulatory capacity to ensure existing legislation (local) will be consistent with provincial rules.

### **3. Exemption from designation, if reuse site not governed by instrument**

While it may be ideal to suggest that the quantity of excess soil to be deposited at the reuse site not exceed the quantity necessary for the beneficial purpose identified (5. 4), it may not be reasonable. There are times when 'extra' soil is proposed beyond 'the quantity necessary' for a site but, if undertaken appropriately, may not pose adverse impacts.

### **4. Before removing soil from project area**

Some aspects of this section could cause an enforcement concern for other agencies as there are times that not all information listed is required by other agencies. For example, conservation authorities have requested confirmation that fill is 'clean' and meets applicable quality standards, but do not require the extent of details included here. The coordination of relevant agencies/legislation should be mentioned in all sections where it is applicable.

### **5. Operation of reuse site**

Only reuse sites where at least 10,000 cubic metres of excess soil is expected to be delivered for final placement in respect of an undertaking. This should be considered a high threshold as it does not speak to reuse sites that work with undertakings of less than 10,000 cubic metres. Impacts to the environment and natural hazards can occur with far less than 10,000 cubic metres and large fill policies at conservation authorities speak to much smaller thresholds. A smaller threshold, such as 1000 cubic metres or less, should be considered.

It is noted that this section speaks to ensuring that storage of excess soil does not cause an adverse effect (13 (2) 3). However, mention of impacts to natural hazards such as erosion and flooding is not discussed (e.g., loss of storage or filling of features such as valleys). The impacts to natural hazards can be significant and should be considered in the proposed Regulation.

### **6. Registry, additional purposes**

This proposal (i.e., "registry") is a positive step. However, it appears that consideration is yet to be given about how the Registry is administered, by whom, and how it is financed.

## **Amendments to O. Reg. 153/04 (Record of Site Condition)**

## **Part II: Excess Soil Planning and Management Requirements**

### **1. Excess Soil Destination Assessment Reports**

Similar to the proposed Regulation, there is no mention of Section 28 of the *Conservation Authorities Act* in the discussion of applicable legal instruments (1. 5 vi). The assumption appears to be that the municipalities will take the lead on fill reuse sites. This does not take into consideration the amount of area regulated by conservation authorities which are not covered by Municipal Site Alteration By-laws.



## **2. Temporary Soil Storage Sites**

Statement 3) in this section speaks to issues which must be managed. Consideration should be given to adding sedimentation (rather than just run off and erosion), as well as wildlife protection/exclusion.

Statement 3) is silent on floodplain hazards. Excess soils in the floodplain, even temporary, can cause significant conveyance issues during storm events, causing upstream and downstream flooding impacts.

Statement 6) states that excess soil should not come into direct contact with vegetation at the temporary soil storage facility. Some clarity or threshold for what is considered 'vegetation' is needed.

## **3. Soil Characterization Reports**

The soil characterization report section recognizes the need for information related to the depth of water table and extraction below the water table. However, there is no mention of the sensitivity of the ground water and whether or not it is an important consideration linked to source water protection. Integration among the requirements of other plans, such as the Source Water Protection Plan, should be incorporated into the characterization report.

## **4. Part IV: Reuse of Excess Soil and Application of the Standards for Reuse of Excess Soil at Reuse Sites**

This entire section is silent on natural hazards. There is an implication that an applicant could meet the requirements of this legislation, without considering other regulatory approvals. For example, the placement of excess soils in the floodplain is regulated by conservation authorities because a flood hazard could be created or aggravated by any placement. There should be better recognition and integration of the other regulatory approvals that need to be obtained.

## **Appendix 1: Generic Excess Soil Standards**

The tables do not consider natural hazards such as flooding and erosion. The focus is on environmentally sensitive features. Natural hazards should be acknowledged and discussed.

The release of the draft excess soil Regulation under the *Environmental Protection Act* for public review and comment is welcome. Staff is pleased that the Province intends to take action in relation to excess soil. CH staff supports the proposed emphasis on source site regulation. However, there is still a need to ensure that all regulatory and approval agencies involved in addressing excess soils are coordinated.

We trust the above is of assistance. If you require additional information, please contact the undersigned at extension 2273.

Yours truly,

Barbara J. Veale  
Director, Planning and Watershed Management

## Courtenay Hoytfox

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**From:** Hagey, Sarah (MNRF) <Sarah.Hagey@ontario.ca>  
**Sent:** Tuesday, June 4, 2019 9:38 AM  
**To:** Hagey, Sarah (MNRF)  
**Subject:** 2019 MNRF Rabies Control Operations Notification  
**Attachments:** image001.emz; 2019 Proposed Baiting Operations map English.png; Bait ID sheet -2017-access.pdf; 2019 Rabies Control Operations Notification Letter5June2019.doc



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### Ministry of Natural Resources and Forestry

Wildlife Research and Monitoring Section  
2140 East Bank Drive  
DNA Building, c/o Trent University  
Peterborough, ON K9L 1Z8

### Ministère des Richesses naturelles et des Forêts

Phone: 1-888-574-6656  
Fax: 705-755-1559  
Email: rabies@ontario.ca

June 5, 2019

The Ministry of Natural Resources and Forestry will be conducting oral rabies vaccine (ORV) bait distribution in the summer and fall of 2019. Baiting operations will begin early July and continue until the end of October.

Please see the attached information package for:

- 1) Map of planned baiting area for 2019
- 2) Rabies Vaccine Bait Information Sheet

Per the attached map, MNRF's rabies vaccine bait distribution will be conducted in rural areas with MNRF aircraft and by hand in urban areas by MNRF wildlife technicians. The following provides details of MNRF bait distribution in 2019:

- Yellow shaded areas will be completed with a combination of Twin Otter airplane and Eurocopter EC130 helicopter. Twin Otter flights will begin August 19 through September 6, with Eurocopter EC130 flights occurring August 12-16 and September 9-13. These dates are subject to change depending on weather conditions.
- The beige shaded area will be completed by Twin Otter from September 28-October 4.

- Urban hand baiting, including the use of temporary feeding stations, will occur in the pink areas starting in the first week of July and continue through to the end of October.
- Preventative baiting of the purple shaded areas in eastern Ontario will take place in mid-August and will take one day to complete.

In addition to the activities mentioned above, MNRF may conduct localized rapid response baiting measures which will only take place in the event of a raccoon or fox strain rabies case outside of the planned baiting area.

The ministry is committed to the research, surveillance, control and elimination of this recent outbreak of rabies in southwestern Ontario to prevent the disease from spreading. Since the start of the rabies outbreak in 2015, the first of its kind in over a decade, MNRF has taken quick action to protect communities, distributing over 4 million vaccine baits by air and ground. Since 2016, terrestrial rabies cases have declined in the province by approximately 50% each year.

Any warm-blooded animal can contract rabies. If a person contracts rabies and does not receive treatment, the disease is fatal.

The khaki-green coloured bait being distributed by hand and by aircraft is made of wax-fat with an attractant flavour (vanilla-sugar). A label with a toll-free telephone number (1-888-574-6656) and “Do not eat” are located on the exterior of the bait and a plastic package containing the liquid rabies vaccine is embedded in the centre. If found, the bait should not be touched, but left for raccoons, skunks and foxes to consume. (See attached bait identification hand out for detailed description.)

Ontario’s rabies control program is a joint effort that receives important input and contributions from a variety of partners across the province. Partnerships with provincial ministries, federal agencies, regional health units, municipalities, wildlife rehabilitators, licensed trappers, wildlife control agents and Indigenous communities are all key to the continued success of Ontario’s rabies control program.

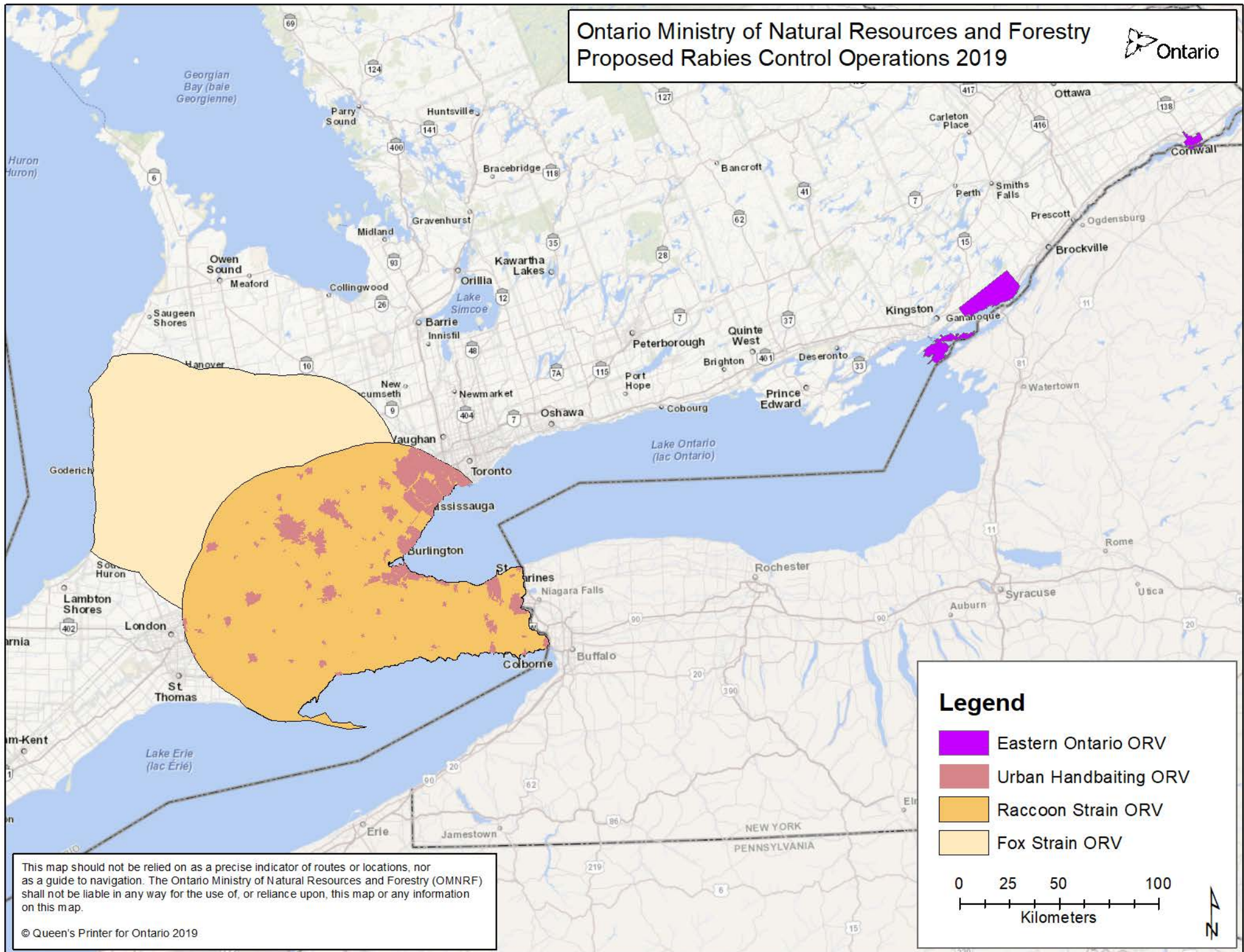
For further information about rabies in Ontario, please visit [Ontario.ca/rabies](https://ontario.ca/rabies) or contact MNRF’s rabies information line at 1-888-574-6656.

Larissa Nituch  
Rabies Science Operations Supervisor

Telephone: 705-755-2273  
Email: [Larissa.Nituch@ontario.ca](mailto:Larissa.Nituch@ontario.ca)

**Please note:** As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

# Ontario Ministry of Natural Resources and Forestry Proposed Rabies Control Operations 2019



This map should not be relied on as a precise indicator of routes or locations, nor as a guide to navigation. The Ontario Ministry of Natural Resources and Forestry (OMNRF) shall not be liable in any way for the use of, or reliance upon, this map or any information on this map.

**Ministry of Natural Resources and Forestry**

Wildlife Research and Monitoring Section  
2140 East Bank Drive  
DNA Building, c/o Trent University  
Peterborough, ON K9L 1Z8

**Ministère des Richesses naturelles et des  
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Phone: 1-888-574-6656  
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- The beige shaded area will be completed by Twin Otter from September 28-October 4.
- Urban hand baiting, including the use of temporary feeding stations, will occur in the pink areas starting in the first week of July and continue through to the end of October.
- Preventative baiting of the purple shaded areas in eastern Ontario will take place in mid-August and will take one day to complete.

In addition to the activities mentioned above, MNRF may conduct localized rapid response baiting measures which will only take place in the event of a raccoon or fox strain rabies case outside of the planned baiting area.

The ministry is committed to the research, surveillance, control and elimination of this recent outbreak of rabies in southwestern Ontario to prevent the disease from spreading. Since the start of the rabies outbreak in 2015, the first of its kind in over a decade, MNRF has taken quick action to protect communities, distributing over 4 million vaccine baits by air and ground. Since 2016, terrestrial rabies cases have declined in the province by approximately 50% each year.

Any warm-blooded animal can contract rabies. If a person contracts rabies and does not receive treatment, the disease is fatal.

The khaki-green coloured bait being distributed by hand and by aircraft is made of wax-fat with an attractant flavour (vanilla-sugar). A label with a toll-free telephone number (1-888-574-6656)



and “Do not eat” are located on the exterior of the bait and a plastic package containing the liquid rabies vaccine is embedded in the centre. If found, the bait should not be touched, but left for raccoons, skunks and foxes to consume. (See attached bait identification hand out for detailed description.)

Ontario’s rabies control program is a joint effort that receives important input and contributions from a variety of partners across the province. Partnerships with provincial ministries, federal agencies, regional health units, municipalities, wildlife rehabilitators, licensed trappers, wildlife control agents and Indigenous communities are all key to the continued success of Ontario’s rabies control program.

For further information about rabies in Ontario, please visit [Ontario.ca/rabies](https://ontario.ca/rabies) or contact MNRF’s rabies information line at 1-888-574-6656.

Larissa Nituch  
Rabies Science Operations Supervisor

Telephone: 705-755-2273  
Email: [Larissa.Nituch@ontario.ca](mailto:Larissa.Nituch@ontario.ca)

# Rabies vaccine bait identification

There is currently one type of vaccine bait, the Ultra-lite containing ONRAB®, that is used in Ontario for both fox strain and raccoon strain rabies control. Exposure to the bait is not harmful to people or pets; however, in the unlikely event that people or pets come in contact with the vaccine contained in the bait, contacting a doctor or veterinarian as a precaution is recommended.

## Bait Ingredients

The bait formula coats the blister pack containing the vaccine. This formula consists of vegetable based fats, wax, icing sugar, vegetable oil, artificial marshmallow flavour and dark-green food grade fat-soluble dye.

## Blister-pack (Vaccine Carrier)

### Ultra-lite

This is a polyvinyl chloride (PVC) blister pack (40 mm x 22 mm x 10 mm) which weighs approximately 4.3 grams. The blister pack is a teal green polyester flocked container with a heat-sealed laminated polyester lidding. The body of the blister pack is embedded in the bait matrix but the green lidding is exposed and has a black warning label printed on it.



*Ultra-lite vaccine bait*

## Vaccine in Baits

### ONRAB® oral rabies vaccine

Description: a recombinant live virus liquid vaccine

Volume/bait: 1.8 ±0.1 ml in the blister pack

Other inclusions: vaccine stabilizers

Colour: pale orange to pale pink

Target species: skunk, fox, and raccoon

### Contact:

Wildlife Research and Monitoring Section

[rabies@ontario.ca](mailto:rabies@ontario.ca)

1-888-574-6656

Disponible en français

[Ontario.ca/rabies](http://Ontario.ca/rabies)



**CORPORATION OF THE MUNICIPALITY OF SOUTH HURON**

322 Main Street South P.O. Box 759

Exeter Ontario

N0M 1S6

Phone: 519-235-0310 Fax: 519-235-3304

Toll Free: 1-877-204-0747

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June 12, 2019

Ontario Good Roads Association  
1525 Cornwall Road  
Unit 22  
Oakville, ON L6J 0B2

Attention: Rick Kester, President

Re: 2019 Ontario Good Roads Association combined conference resolution

At the Municipality of South Huron Council meeting of June 3, 2019, Council passed the following resolution:

**Motion: 329-2019**

**Moved: T. Oke**

**Seconded: B. Willard**

**Whereas on the May 21, 2019 Regular Council agenda, correspondence item 11.6 was received from the Ontario Good Roads Association (OGRA); and**

**Whereas at the 2019 OGRA conference AGM a resolution was passed regarding the re-establishment of an annual combined conference for both OGRA & Rural Ontario Municipalities (ROMA); and**

**Whereas included in item 11.6 was correspondence from ROMA to OGRA dated March 22, 2019 which responded that the ROMA Board is not prepared to enter into discussions with OGRA for the purpose of combining the respective conferences at this time; and**

**Whereas South Huron Council discussed this item and noted as a past attendee of the combined conferences, it makes great sense for the OGRA & ROMA conferences to be returned to a combined conference effort each February, not only financially for the municipality but also for availability for participation of members of Council and staff;**



**Now Therefore Be It Resolved that the Council of the Municipality of South Huron support the original resolution passed at the OGRA AGM to re-establish a combined OGRA & ROMA conference; and**

**Furthermore that a letter be sent to the ROMA Board of Directors, outlining our support for a collaborative OGRA ROMA annual combined conference, and that this letter of support be circulated to the Ontario Municipalities, and the OGRA Board of Directors. Disposition: Carried**

The above is for your consideration and any attention deemed necessary.

Sincerely,



Rebekah Msuya-Collison, Director of Legislative Services/Clerk  
Municipality of South Huron  
519-235-0310 x227  
[clerk@southhuron.ca](mailto:clerk@southhuron.ca)

c. Rural Ontario Municipal Association  
c. All Huron County municipalities

## Courtenay Hoytfox

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**From:** Courtenay Hoytfox  
**Sent:** Friday, June 14, 2019 10:27 AM  
**To:** Courtenay Hoytfox  
**Subject:** FW: The Legislature Rises and Waste Related Developments

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**From:** AMO Communications <[Communicate@amo.on.ca](mailto:Communicate@amo.on.ca)>  
**Sent:** Monday, June 10, 2019 5:20 PM  
**To:** Karen Landry <[KLandry@puslinch.ca](mailto:KLandry@puslinch.ca)>  
**Subject:** The Legislature Rises and Waste Related Developments

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## POLICY UPDATE

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June 10, 2019

### The Legislature Rises and Waste Related Developments

Last week the Ontario Legislature rose for the summer. Pending a surprise or emergency sitting, it is not expected to return until after the federal election on October 28<sup>th</sup>. Several bills of municipal interest passed in the final days of the spring session.

Last week was also a big week for the Blue Box Program. The provincial announcement on full producer responsibility was also complemented earlier today by an announcement from the federal government on its intention to take action on single use plastics.

Here are the top developments you need to know about with information on these announcements:

#### 1. Key Legislation of municipal interest is now law in Ontario

The legislature passed three keys bills of municipal interest: Bill 107, Bill 108 and Bill 117. These are now law in Ontario. The provincial government also introduced legislation to cap public sector compensation (Bill 124). This proposed legislation will

remain at first reading until the return of the House. Notably, it does not affect municipal governments.

**Bill 107** makes [legislative amendments related to transportation safety](#). Municipal governments can now charge administrative monetary penalties to drivers for passing an extended school bus stop arm outfitted with a camera. Evidentiary rules will be established through regulation. As well, off-road vehicles are now automatically permitted onto municipal roads unless expressly prohibited by municipal bylaw.

The passing of **Bill 108** means a return to *de novo* land use planning appeal hearings and old OMB rules under the new Local Planning Appeal Tribunal. Bill 108 also makes significant changes to when and how development charges are to be collected and introduces a new Community Benefit Charges to replace height and density bonusing under Section 37 of the *Planning Act*, soft services, and parkland. Other changes include the shortening of planning process timelines, new limits on inclusionary zoning, changes to endangered species rules, environmental assessment reforms and changes to built heritage designation rules. For more information on the municipal impacts of Bill 108, click [here](#).

**Bill 117** makes changes to the *Ontario Society for the Prevention of Cruelty to Animals Act* in light of the OSPCA's decision to stop enforcing animal cruelty rules effective June 28<sup>th</sup>. AMO has warned the province that downloading enforcement responsibilities onto municipal government will negatively affect local budgets. For the interim, Bill 117 introduces measures until a new animal cruelty protection system is ready by 2020. Ontario can now appoint a Chief Inspector who in turn has the power to appoint Inspectors to enforce the Act. AMO expects interested OSPCA-affiliates to express a willingness to continue carrying out the enforcement function. Willing municipal governments may also wish to express interest.

## **2. The Province Announces Facilitator for Blue Box Transition to Full Producer Responsibility**

On Friday, June 7<sup>th</sup>, the Minister of Environment, Conservation and Parks [announced](#) that [David Lindsay](#) has been retained to facilitate a process between municipal governments, producers and other stakeholder to transition the Blue Box program to full producer responsibility.

The facilitator's work is to be guided by the following policy objectives (which are reflective of municipal advocacy):

- Standardization across the province of what can be recycled in offices, parks, public spaces and homes;
- Improve diversion rates and increase what materials can be recycled;
- Reduce litter and waste in communities and parks;
- Improve Ontario's Blue Box program by requiring producers to pay for the recycling of the products they produce, through achieving producer responsibility; and,
- Maintain or improve frequency of Blue Box collection.

The role of the facilitator is two-fold:

1. A mediation role to foster discussion and help producers, municipalities and other stakeholders to move closer to or reach agreement on key issues; and,
2. An advisory role to provide the Minister with advice on how these issues may be best addressed to ensure Ontario's recycling system is more consistent, reliable and cost-effective for Ontarians.

The facilitator's report is due to the Minister by July 20, 2019.

The province has assured AMO that municipal governments will be involved in provincial engagement. The development is good news and moves municipal governments a step closer to our objective of getting the blue box program to full producer responsibility.

### **3. Federal Government Announces Plan on Plastic Waste**

The province's move to full producer responsibility aligns well with today's [announcement from the Government of Canada](#) that it will work with governments and businesses across the country to ban harmful single-use plastics as early as 2021 where supported by scientific evidence (i.e. plastic bags, straws, cutlery, plates, and stir sticks). The federal government also commits to work with provinces and territories to introduce standards and targets for companies that manufacture plastic products or sell items with plastic packaging so they become responsible for their plastic waste.

AMO will continue to monitor and work with the Federation of Canadian Municipalities (FCM) and other stakeholders on these initiatives. These actions are in keeping with the advice provided by municipalities at the outset of these consultations.

#### **Staff Contacts:**

You can contact AMO's Policy Team at [policy@amo.on.ca](mailto:policy@amo.on.ca). To reach Monika Turner, AMO's Director of Policy, email [mturner@amo.on.ca](mailto:mturner@amo.on.ca).

\*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.



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before printing this.

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### **Statement of Nomination – Brenda Law – Volunteer Appreciation Award**

Brenda Law was born and raised in the Township. Brenda also raised her family - daughter, Jennifer, and son, Jason in the Township. As many of you know, Brenda served as the Township's CAO/Clerk/Treasurer and retired in 2013. Brenda remains active in the community and volunteers in a variety capacities with different organizations in the Township. It has been said, "that volunteering is just part of Brenda's DNA".

Brenda is a long serving active member of Duff's Church and is currently chair of Duff's Fireside Club, Treasurer of the Choir and a member of the Reception committee. In her role as Chair of the Fireside Club, Brenda organizes monthly meetings and features guest speakers. As a member of the Recreation Committee, Brenda coordinates the catering of luncheons for funerals. Brenda also sings in the choir and assists with meal preparation for fundraising events such as the ham dinner. Brenda organizes and is integral to the success of the "Link Up With Duff's – Fun Day with a Purpose" annual event that supports programs such as Hospice Wellington and the Community Parish Nurse Program.

Brenda leads and organizes the preparation of dinners for the Optimist Club and you often see Brenda giving a helping hand at many community events organized by the Optimist including the annual Family Day Weekend and Canada Day festivities.

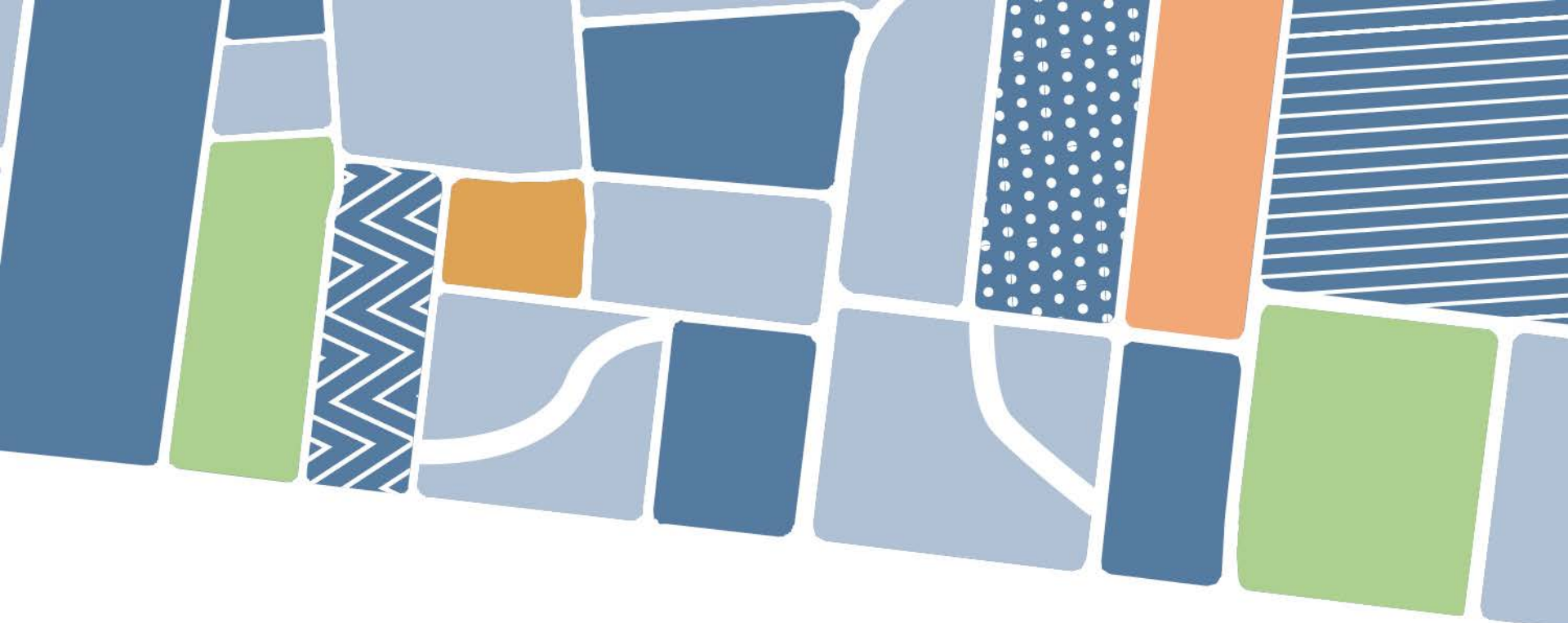
Brenda, is also a member of and Chair of the Ellis Chapel. Brenda spends many hours a month showing people the grounds and chapel, booking the venue, securing deposits and arranging for maintenance work to be completed.

Brenda is also an active blood donor with over 100 donations made to date.

Just when you think that there is no more time left in a day, Brenda manages to find time to assist with the annual roadside clean up, sing when asked at weddings and funerals, take a senior for a doctor's visit, organize a "ladies walking group", and help out with the annual Santa Claus Parade.

Brenda and her husband Fred continue to thrive and enjoy the Puslinch community.

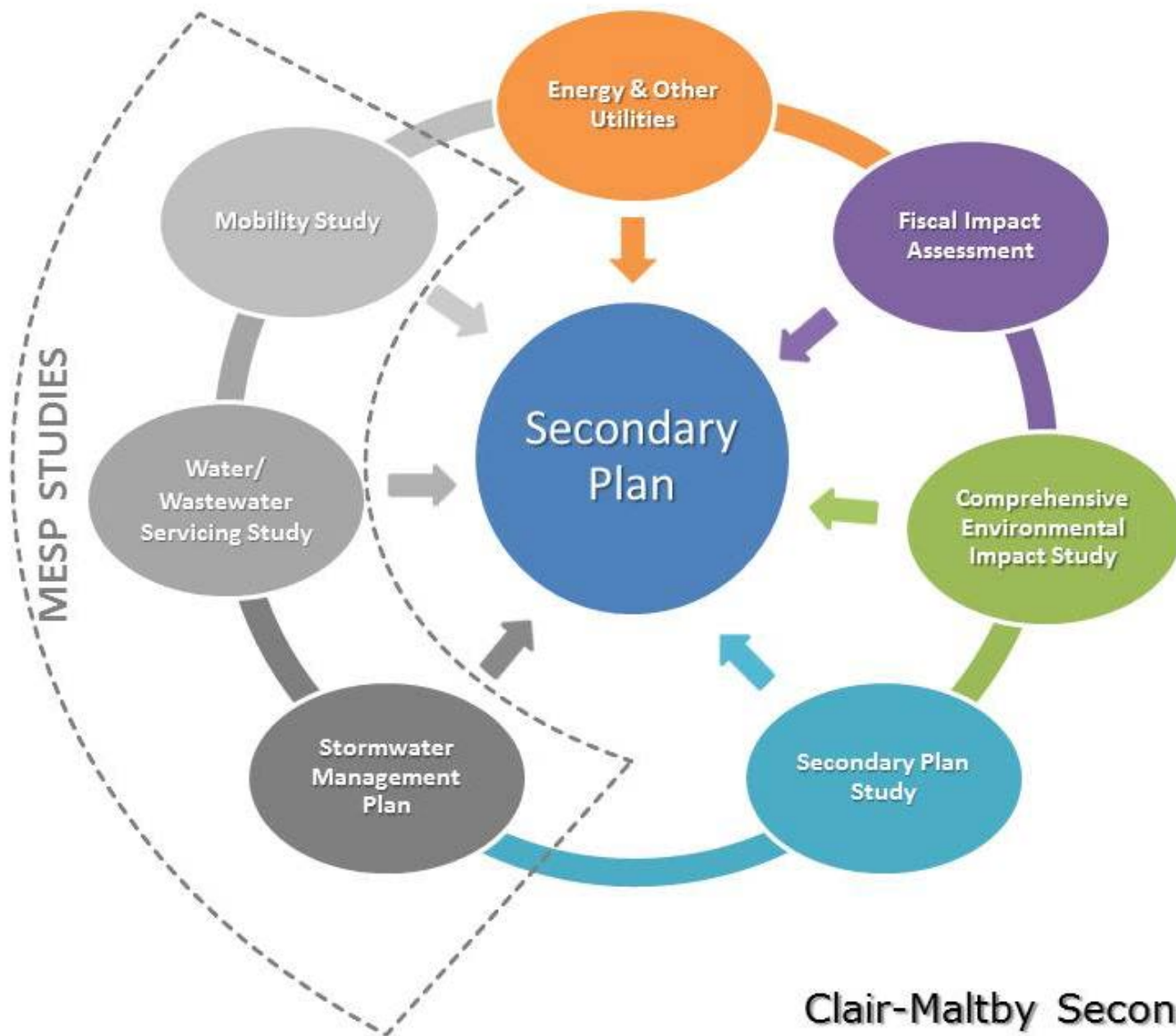
Congratulations Brenda on this well deserving honour!



# Clair-Maltby

**Transform. Connect. Community.**

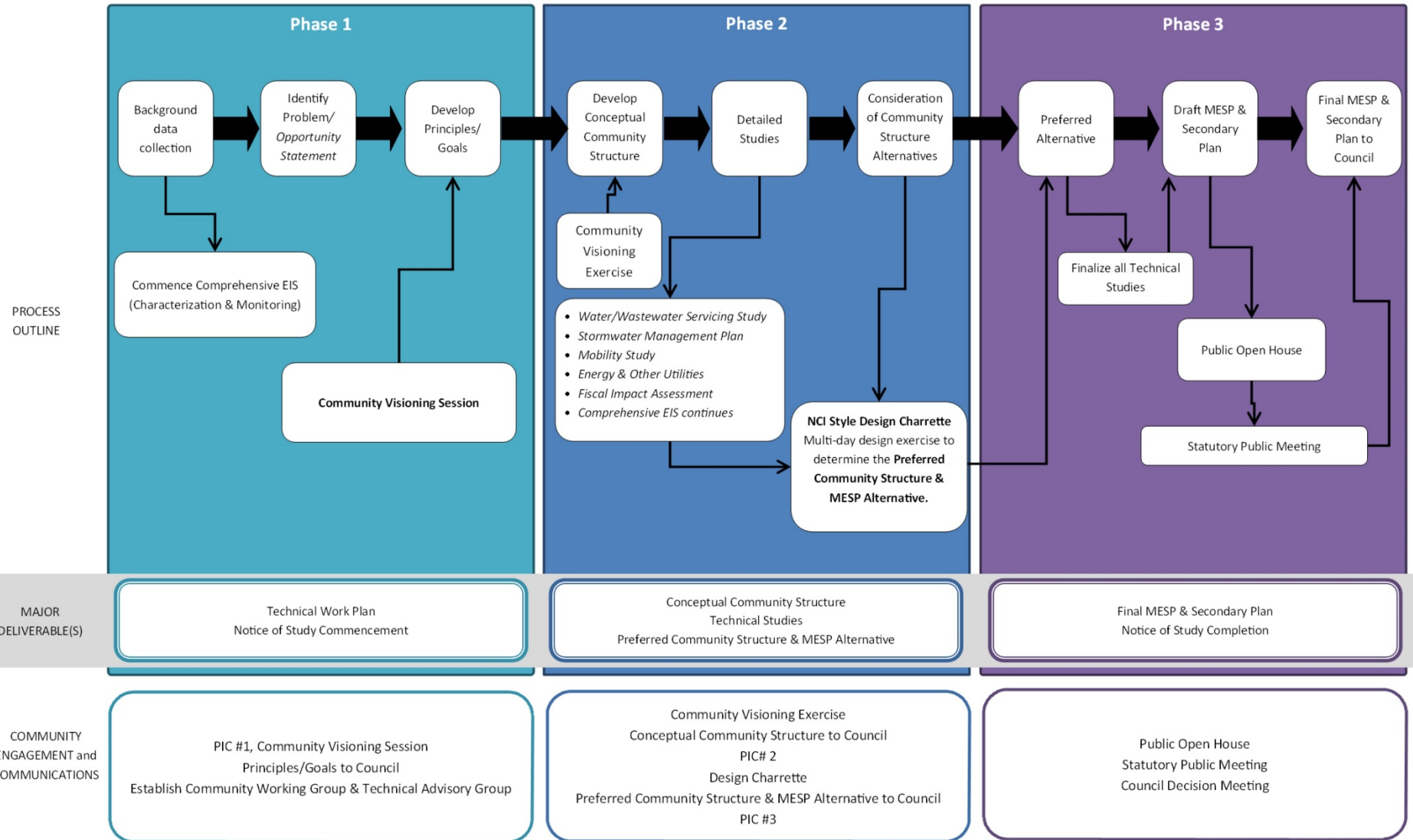
Secondary Plan &  
Master Environmental Servicing Plan  
Project Update




Clair-Maltby Secondary Plan  
Process Diagram



## Clair-Maltby Secondary Plan - Process Outline







# CEIS Phase 3 Impact Assessment

- Urban development can occur without negatively impacting the Paris Moraine, the NHS or water resources
- The Paris Moraine is an important recharge area for local wetlands and headwaters of Hanlon Creek and Mill Creek, but not for drinking water supply

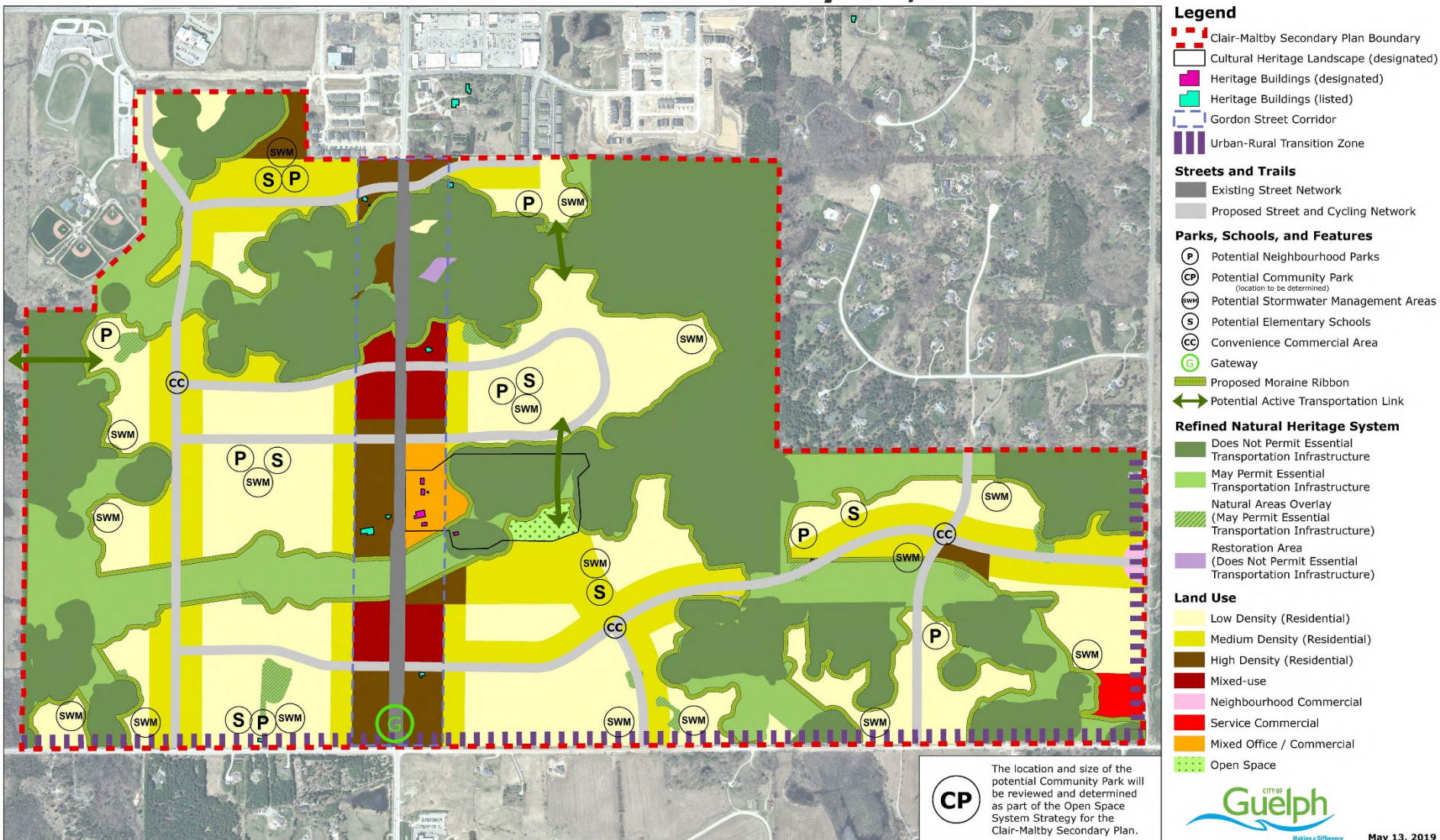


## Phase 3 Technical Work

- Water/Wastewater Servicing Study
- Stormwater Management Plan
- Mobility – Transportation Master Plan Study
- Employment Lands Update

# PREFERRED COMMUNITY STRUCTURE:

Council Endorsed May 13, 2019







## **Township of Puslinch Council Resolution** (Jan 9/19):

THAT Council receive and endorse the “Guelph-Puslinch Transition Comments” report prepared by the County of Wellington Planning and Development Department;

AND THAT in addition to the comments contained in the above report, that the urban-rural transition zone be extended to include the lands along Victoria Road;

AND THAT the report be forwarded to the City of Guelph as a request for a response to the issues and comments outlined in the report together with the additional issues above;

AND THAT Council requests that the City of Guelph attend an upcoming Council Meeting to respond to the urban-rural transition comments together with a general overview of how potential impacts on the Township will be addressed as it relates to increased traffic and the application of road salt.



# Guelph-Puslinch Transition Comments Report

- Item #1 – The urban-rural transition area will be a minimum of 60 m in depth from the northerly side of Maltby Road
- Final Directions Document:
  1. The urban-rural transition area will be a minimum of 60 metres in depth from the northerly side of the Maltby Road right-of-way and the westerly side of the Victoria Road right-of-way.

# Guelph-Puslinch Transition Comments Report

Item #2 – Buildings will have a maximum height of 3 storeys. Beyond the urban-rural transition area, buildings may transition to taller building heights in accordance with the underlying land-use designation.





# Guelph-Puslinch Transition Comments Report

- Item #3 – Low-density built forms such as detached dwellings, semi-detached dwellings and townhouses will be rear-lane based in order to limit the number of driveways on Maltby Road.
- Final Directions Document:
  3. Low-density built forms such as detached dwellings, semi-detached dwellings and townhouses will be designed to limit the number of driveways on to Victoria Road and Maltby Road.



# Guelph-Puslinch Transition Comments Report

- Item #4 – Larger building setbacks from Maltby to allow for landscaping will be encouraged
- Final Directions Document:
  4. Increased building setbacks from Victoria Road and Maltby Road to allow for landscaping will be encouraged.





# Next Steps

## Milestone/Deliverable

Open Space System Strategy for CMSP area

- Engagement opportunity
- Recommended strategy to Council

Draft Documents (Secondary Plan & MESP)

- Release of the first draft of the secondary plan
- Public Open House/PIC #3
- Additional public engagement opportunity
- Statutory Public Meeting (Guelph City Council)

Additional engagement opportunities and stakeholder meetings to inform changes to the draft

Revisions to the draft to finalize and prepare Recommended Secondary Plan

Council Decision Meeting for Recommended Secondary Plan

\*Timeline will be dependent upon changes occurring to  
Provincial Policy and Legislation\*



## **REPORT ADM-2019-021**

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TO: Mayor and Members of Council

FROM: Mary Hasan, Director of Finance/Treasurer

MEETING DATE: June 19, 2019

SUBJECT: Public Works, Parks and Facilities Operational Review and Organization  
Structure Update  
File: H08

---

### **RECOMMENDATIONS**

**That Report ADM-2019-021 regarding the Public Works, Parks and Facilities Operational Review and Organization Structure Update be received; and**

**That Council authorize the changes as outlined in Report ADM-2019-021 with an annual tax levy impact of \$31,239; and**

**That Staff report back on the action items as outlined in Report ADM-2019-021; and**

**That Staff report back on the results of the 8-month pilot program.**

### **DISCUSSION**

#### **Background**

The Township is working with the County of Wellington and its lower tiers with respect to an Efficiencies Review based on the Provincial Modernization Grant Funding obtained from the Province.

The recommendations as outlined in this report produce solutions that focus on staff development and create a response team of individuals that will provide customer service-centric responses and solutions.

#### **Purpose**

The purpose of this report is to obtain Council's authorization to proceed with the implementation of the organizational structure updates as outlined in this Report.

Upon working collaboratively with staff in the Public Works, Facilities, Parks, and Customer Service/Finance areas, the following gaps were identified:

### **Public Works**

<b>Gaps</b>	<b>Action and Timeline</b>	<b>Position(s) to Address</b>
Challenges with snow plowing equipment.	Potential plow addition on the grader and/or mowing attachment for the grader. To be reviewed through the 2020 Budget Process and Fleet Management Policy Review.	-Manager of Public Works, Parks, Facilities -Director of Finance/Treasurer
Condition of gravel roads.	The use of a geomat and other options to be considered through the Gravel Roads Study in 2019.	-Manager of Public Works, Parks, Facilities -Director of Finance/Treasurer -GM BluePlan
Current on-call model for snow clearance.	Council directed staff to report back in the summer of 2019 with respect to shift work in the Public Works department, additional funds for a position to assist with snow clearing including the justification for the position and what the funding implications would be.	-Manager of Public Works, Parks, Facilities -Director of Finance/Treasurer -Clerk
Timely response to residents' complaints.	Consistent and timely response to resident concerns by the end of 2019 through the establishment of a communication protocol procedure.	-Manager of Public Works, Parks, Facilities -Supervisor of Public Works and Parks -Taxation and Customer Service Supervisor -Clerk -0.60 Full-Time Equivalent (FTE) increase - Legislative Assistant

Public Works after-hours calls left on the Township's voicemail system with a next business day response.	By the end of 2019 through the establishment of a communication protocol procedure.	-Manager of Public Works, Parks, Facilities -Taxation and Customer Service Supervisor -Clerk
Timely snow clearing of recreation facilities.	Placing the Puslinch Community Centre (PCC) and the Optimist Recreation Centre (ORC) as a priority for the 2019 winter season.	-0.33 FTE increase - Facility Operator
Consistent uniform policy amongst departments.	By the end of 2019 through the Staff Expense Policy.	-Manager of Public Works, Parks, Facilities -Director of Finance/Treasurer -Fire Chief -Clerk
The establishment of a dedicated page for Public Works on the website	By the end of 2019 including explanations of the Minimum Maintenance Standards, answers to frequently asked questions, etc.	-Manager of Public Works, Parks, Facilities -Clerk -0.60 FTE increase - Legislative Assistant
Public Works Open House (to display the equipment, meet the staff, etc.).	By the end of 2020 and subject to administrative support. Consideration should be given to a joint event with the Fire & Rescue Services department.	-Manager of Public Works, Parks, Facilities -Clerk -Fire Chief -0.60 FTE increase - Legislative Assistant
Roads Risk Assessment, Minimum Maintenance Standards, and associated policies and standard operating procedures.	Brian Anderson of Frank Cowan Company Limited will work with Township staff to identify documentation, inspection, and policy requirements by the end of 2019.	-Manager of Public Works, Parks, Facilities -Director of Finance/Treasurer -Clerk -0.60 FTE increase - Legislative Assistant

		-Brian Anderson
The Asset Management Plan also identified required improvements for documentation and inspection standards (ie. sidewalks, storm sewers, playgrounds, trails, parks, gravel roads, etc.).	Brian Anderson of Frank Cowan Company Limited will work with Township staff to identify documentation, inspection, and policy requirements by the end of 2019.	-Manager of Public Works, Parks, Facilities -Director of Finance/Treasurer -Clerk -0.60 FTE increase - Legislative Assistant -Brian Anderson

It is recommended that the following organization structure changes be implemented immediately to address the gaps as identified above:

Manager of Public Works, Parks and Facilities (Previous - Director of Public Works and Parks) – 8 month pilot period

The direct replacement of the current Director of Public Works and Parks position is not recommended for the following reasons:

- The current efficiencies review; and
- to provide an opportunity for growth and development of internal staff.

It is recommended that the Director of Public Works and Parks position be converted to a Manager of Public Works, Parks and Facilities for an 8-month pilot period.

At this time, the Township does not anticipate an increase in engineering costs related to the preparation of studies, designs and construction contracts for infrastructure projects including the tender and contract administration requirements.

	Status	Department	Salaries and Benefits
<b>Current – 2019 Budget</b>	Full-Time	Public Works	\$143,304
<b>Proposed</b>	Full-Time	Public Works	\$111,859
<b>\$ Tax Levy Impact</b>			<b>-( \$31,445)</b>

Seasonal Equipment Operator

As the Seasonal Equipment Operator/Senior Groundskeeper position was fully funded in the Parks cost centre but utilized in Public Works during the winter season, a seasonal equipment operator will be hired during the winter season to replace the winter support obtained from the

previous Senior Groundskeeper position. The costs for this seasonal position will be allocated to the Public Works budget.

	Status	Department	Salaries and Benefits
<b>Proposed</b>	Seasonal	Public Works	\$23,435
<b>\$ Tax Levy Impact</b>			<b>\$23,435</b>

### **Parks and Facilities**

Gaps	Action and Timeline	Position(s) to Address
-Staffing levels at the PCC and ORC including the current use of volunteers -Operating Hours of the PCC and ORC and Outside Washrooms.	Achieve cross training with the staff at the two facilities and have the multiple staff resources at the ORC assist with the maintenance of the PCC.  Staff to bring forward a proposal in 2019 that will result in appropriate facility coverage, address health and safety obligations with regard to staff working alone, succession planning, training, coverage/crossover amongst the facilities, and consideration to be given for an on-call number on facility rental agreements.	Reallocate the 0.33 FTE increase in the Facility Operator position for coverage, crossover, and succession planning.  Proposal to be prepared in collaboration with: -Manager of Public Works, Parks, and Facilities -Director of Finance/Treasurer -Clerk -Taxation and Customer Service Supervisor
Township supplied bartenders at the PCC.	Staff to bring forward a proposal in 2019 regarding the continued use of Township supplied bartenders versus renter supplied smart serve certified bartenders.	-Manager of Public Works, Parks, and Facilities -Director of Finance/Treasurer -Clerk -Taxation and Customer Service Supervisor

Regularly scheduled facility maintenance/inspections of the PCC.	Staff to develop a regular facility inspection schedule, and associated budgetary planning and reporting in 2019.	-Manager of Public Works, Parks, Facilities -Clerk -0.60 FTE increase - Legislative Assistant -0.33 FTE increase – Facility Operator
Timely response to renters' complaints regarding facility concerns.	Consistent and timely response to renter facility related concerns by the end of 2019 through the establishment of a communication protocol procedure.	-Manager of Public Works, Parks, Facilities -Taxation and Customer Service Supervisor -Clerk -0.33 FTE increase – Facility Operator
Utilization of Keystone/Township website for booking schedule and facilitating weekend/after hour's bookings and payments.	ORC and PCC staff training of Keystone/Township website by the end of 2020 after the implementation of an upgraded website.	-Manager of Public Works, Parks, Facilities -Taxation and Customer Service Supervisor -Director of Finance/Treasurer -Clerk -0.33 FTE increase – Facility Operator
Consistent application of rental agreement terms (ie. unauthorized extended use of a facility).	ORC and PCC staff training of Keystone/Township website by the end of 2020 after the implementation of an upgraded website.	-Manager of Public Works, Parks, Facilities -Taxation and Customer Service Supervisor -Director of Finance/Treasurer -Clerk -0.33 FTE increase – Facility Operator
Utilization of G&A lock system for recreational facilities after Township business hours.	ORC and PCC staff training of system by the end of 2019.	-Manager of Public Works, Parks, Facilities



		-Taxation and Customer Service Supervisor -Director of Finance/Treasurer -Clerk -0.33 FTE increase – Facility Operator
ORC closure during non-rental periods.	Immediately discontinue the closure of the ORC and utilize ORC staff to assist with other facilities at 23 Brock Road South.	-Manager of Public Works, Parks, Facilities -0.33 FTE increase – Facility Operator
Succession planning at the ORC.	Train an additional staff member to become a Certified Ice Technician and obtain a playground inspector certificate by the end of 2020.	-Manager of Public Works, Parks, Facilities -0.33 FTE increase – Facility Operator
Lining of the baseball diamonds.	The Township currently does not provide the service level of the lining of baseball diamonds based on Council's direction at the June 15, 2016 Special Council Meeting. Staff to Report back in time for the 2021 budget.	-Manager of Public Works, Parks, Facilities -0.33 FTE increase – Facility Operator
Increase one-time rentals in the ice schedule.	As part of the preparation of the 2019/2020 ice schedule, staff will determine where there are one-time rental opportunities during open skate times that see limited attendance.	-Manager of Public Works, Parks, Facilities -Taxation and Customer Service Supervisor -Director of Finance/Treasurer -Clerk
The short length of ice time at the outdoor rink is a continuous concern, as the rink is weather dependent.	Staff have suggested eliminating the painting of the lines as they are very hard to maintain. Staff suggested utilizing an approach similar to the outdoor rink in Freelon which does not get lines painted on it in an effort to maintain the ice for a longer period of time.	-Manager of Public Works, Parks, Facilities -0.33 FTE increase – Facility Operator

	Staff to report back as part of the 2021 budget.	
Maintenance and inspections of Township's parks and trails.	Regular maintenance schedules with staff sign offs, in order to keep up with the necessary ongoing operational needs of the parks (ie. garbage pick-up, trimming of trees, maintenance of naturalized trails). Note: currently, the service level with regard to trails is to clear obstructions only (ie. no garbage and no walking surface maintenance).	-Manager of Public Works, Parks, Facilities -Clerk -0.60 FTE increase - Legislative Assistant -0.33 FTE increase – Facility Operator
Care and maintenance works for the millennial gardens and the Municipal Office gardens.	Staff to resource this internally immediately.	-Manager of Public Works, Parks, Facilities -0.33 FTE increase – Facility Operator

The proposed timelines provided above are subject to minimal staff turnover.

It is recommended that the following organization structure changes be implemented immediately to address the gaps in parks and facilities as identified above:

Seasonal Equipment Operator/Seasonal Senior Groundskeeper – Converted to a Facility Operator – 0.33 Increase in FTE

The current position of Senior Groundskeeper was utilized in Public Works during the winter season and Parks during the non-winter season. In the 2019 Budget, this position was fully funded in the Parks cost centre. It is recommended that this position be converted to a Facility Operator.

It is also recommended that the facility operators complete the care and maintenance works for the millennial gardens and the Municipal Office gardens resulting in annual savings of \$10,500 in Parks and \$1,365 in the Municipal Office cost centre. Please note, complete savings for the garden work will not be realized until 2020.

	Status	Department	Salaries and Benefits
<b>Current – 2019 Budget</b>	Full-Time Permanent	Parks	\$60,821
<b>Proposed</b>	Full-Time Permanent	Parks, PCC, ORC	\$73,166
<b>Proposed</b>	Contract Services – Account No. 01-0110-4320	Parks	-( \$10,500)

<b>Proposed</b>	Outdoor Maintenance – Account No. 01- 0170-4222	Municipal Office	-( \$1,365)
<b>\$ Tax Levy Impact</b>			<b>\$480</b>

### **Policy and Documentation Support – Clerks Area**

It is recommended that the proposed Clerk position (Previous – Deputy Clerk) and Legislative Assistant position (Previous – Part-Time Administrative Support - FTE Increase of 0.60), assist with the implementation of the documentation/policy gaps as identified above for an 8-month pilot period.

#### **Clerk (Previous – Deputy Clerk) – 8-month pilot period**

It is recommended that the current Deputy Clerk position be converted to a Clerk position for an 8-month pilot period in order to provide dedicated resources to implement the recommendations as outlined in this Report. The position will provide the required reporting to Council for policy and procedural development to mitigate risks in the areas as identified above and to foster employee growth and succession planning.

Budget preparation for Public Works, Parks and Facilities will also be prepared utilizing a coordinated approach with the Manager of Public Works, Parks and Facilities, the Clerk, and the Director of Finance/Treasurer.

	<b>Status</b>	<b>Department</b>	<b>Salaries and Benefits</b>
<b>Current – 2019 Budget</b>	Full-Time	Administration	\$92,301
<b>Proposed</b>	Full-Time	Administration	\$100,304
<b>\$ Tax Levy Impact</b>			<b>\$8,003</b>

#### **Full-Time Legislative Assistant (Previous – Part-Time Administrative Support) – 8-month pilot period**

It is recommended that some of the administrative and legislative responsibilities currently within the previous Deputy Clerk's role and the current Development and Legislative Coordinator roles be shifted to a proposed Full-Time Legislative Assistant position for an 8-month pilot period. In addition, this position would also be responsible for assisting in the day-to-day administrative needs of the Public Works, Parks, and Facilities areas which in the past have been exclusively handled by the Director of Public Works and Parks. The increase in FTE's related to this position will also facilitate utilizing a development and legislative coordinator to assist with the Deputy Clerk's responsibilities such as preparation of Council agendas and minutes.

The Development and Legislative Coordinator role (approximately 7 to 8 hours per week) has been responsible for the administrative reporting requirements of entering fire calls in the Firehouse system. The Deputy Treasurer (approximately 2 to 3 hours per week) has been responsible for invoicing the Ministry of Transportation and individuals for motor vehicle collisions and other recoverable services attended to by the Fire & Rescue Services department. In 2018 and prior, these duties were completed by an Administrative Assistant for the Fire & Rescue Services department budgeted at 10 hours per week. The administrative reporting requirements of entering fire call information into the Firehouse system are proposed to be reallocated to the Full-Time Legislative Assistant position. It is also recommended that this role assist as a back up to the Customer Service area.

	Status	Department	Salaries and Benefits
<b>Current – 2019 Budget</b>	Part-Time Contract	Administration – 70%	\$18,305
<b>Current – 2019 Budget</b>	Part-Time Contract	Building – 30%	\$7,845 (no tax levy impact)
<b>Proposed</b>	Full-Time Contract	Administration – 70%	\$49,071
<b>Proposed</b>	Full-Time Contract	Building – 30%	\$21,030 (no tax levy impact)
<b>\$ Tax Levy Impact</b>			<b>\$30,766</b>

### Financial Implications

The total annual tax levy impact of the recommended changes outlined above is \$31,239. The change in Full-Time Equivalents (FTE) is 0.93 as outlined below:

Current Position	Proposed Position	Increase in FTE
Seasonal Equipment Operator/ Seasonal Senior Groundskeeper	Facility Operator	0.33
Administrative Support (PT)	Legislative Assistant (Full-Time Contract)	0.60
	Increase in FTE	0.93

Based on the timing of the approval of these changes, it is noted that the impact for 2019 is approximately 50% of the 2020 annual impact at \$15,619.50. The following items will address this shortfall for 2019:

- Account No. 01-0070-4101 – Part-Time Wage Related Expenses (OMERS) - \$3,075 was budgeted in the 2019 Operating Budget for an other-than-continuous-full-time employee's eligibility into OMERS. This employee did not elect to join.
- Animal Control Services – 2019 Operating Budget included an amount of \$20,360 for this contract. The 2019 actual will be approximately \$15,360. This results in savings of \$5,000.
- Staff within the three respective departments will monitor operating accounts to achieve the balance shortfall of \$7,544.50.

### **Applicable Legislation and Requirements**

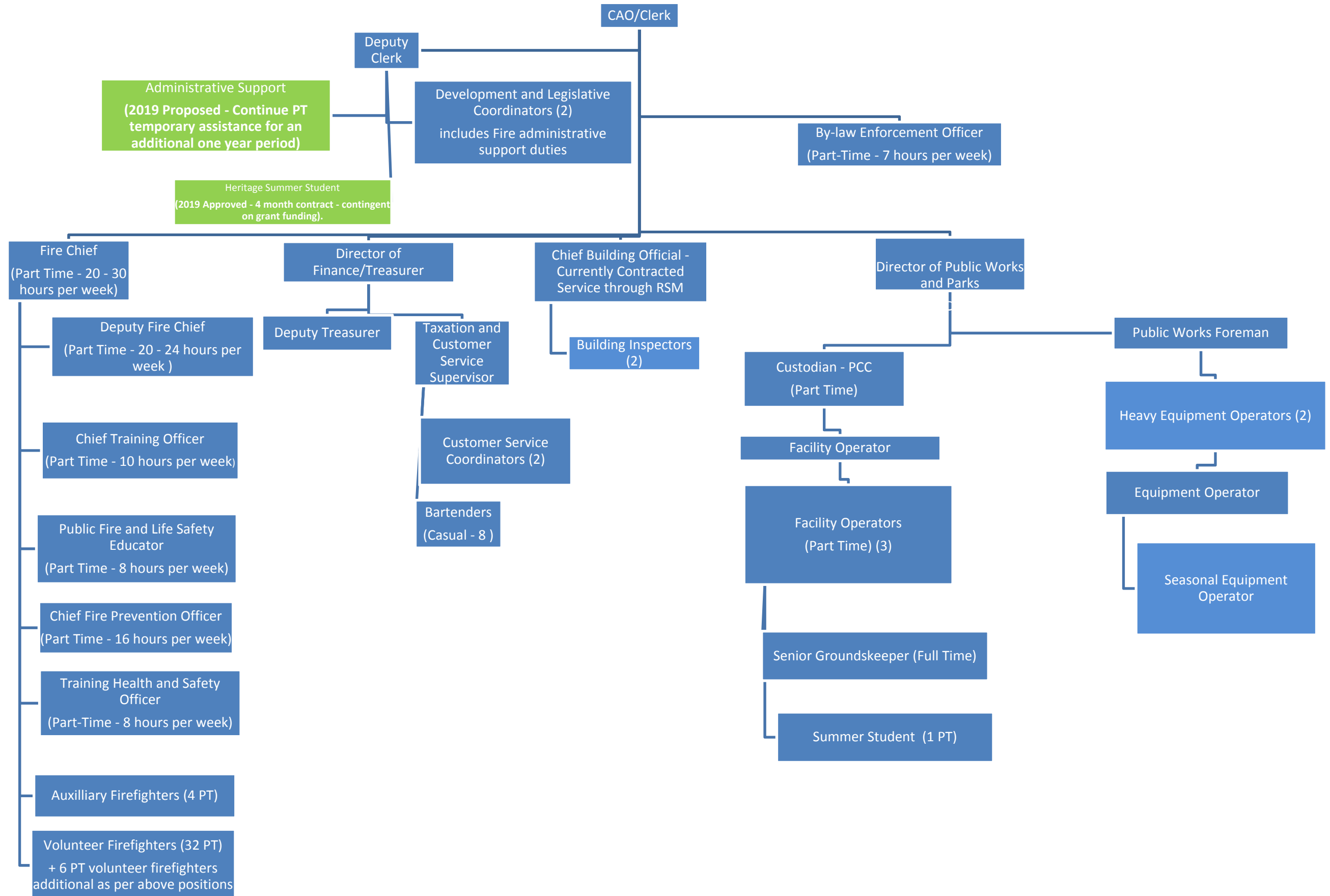
Municipal Act, 2001, S.O. 2001, c. 25

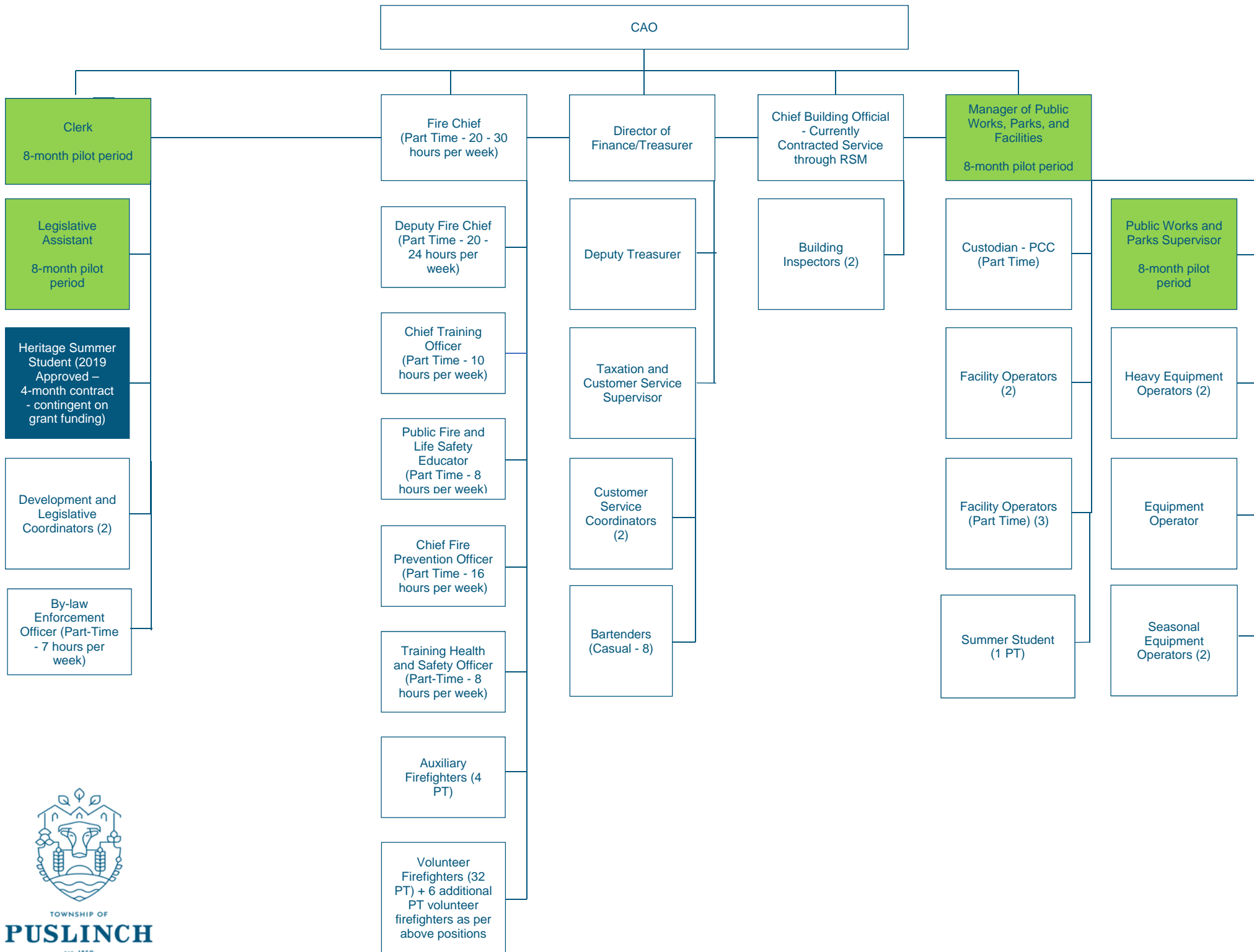
### **Attachments**

Schedule A - Current Organization Chart (2019 Budget)

Schedule B - Proposed Organization Chart

## Organization Chart – 2019





# FASKEN

Fasken Martineau DuMoulin LLP  
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+1 877 609 5685  
F +1 613 230 6423

fasken.com

## MEMORANDUM

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**To:** Council

**From:** Guy Giorno  
Integrity Commissioner

**Date:** June 13, 2019

**Re:** Special Report: Process for providing advice to Members

---

This special report deals with an issue that has arisen in several municipalities as a result of one of the Bill 68 amendments to the *Municipal Act*. It is being provided simultaneously to all municipalities that have appointed me as Integrity Commissioner (except those where this issue does not arise or has already been addressed).

### Context

Since March 1, the responsibilities of an Integrity Commissioner under subsection 223.4 (1) of the *Municipal Act* have included:

4. Requests from members of council and of local boards for advice respecting their obligations under the code of conduct applicable to the member.
5. Requests from members of council and of local boards for advice respecting their obligations under a procedure, rule or policy of the municipality or of the local board, as the case may be, governing the ethical behaviour of members.
6. Requests from members of council and of local boards for advice respecting their obligations under the *Municipal Conflict of Interest Act*.

Subject to Part V.1 of the Act, in carrying out the above responsibilities, the Commissioner may exercise such powers and shall perform such duties as may be assigned to him or her by the municipality.<sup>1</sup>

The Act states that a request for advice under the above provisions must be made in writing.<sup>2</sup> If the Integrity Commissioner provides advice in response to a request then the advice must also be in writing.<sup>3</sup>

The giving of written advice is subject to section 223.5 of the Act, which provides, in part, as follows:

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<sup>1</sup> Subsection 223.3 (2).

<sup>2</sup> Subsection 223.3 (2.1).

<sup>3</sup> Subsection 223.3 (2.2).



# FASKEN

- (1) The Commissioner and every person acting under the instructions of the Commissioner shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of his or her duties under [Part V.1 of the Act].

...

- (2.1) Advice provided by the Commissioner to a member under paragraph 4, 5 or 6 of subsection 223.3 (1) may be released with the member's written consent.
- (2.2) If a member releases only part of the advice provided to the member by the Commissioner under paragraph 4, 5 or 6 of subsection 223.3 (1), the Commissioner may release part or all of the advice without obtaining the member's consent.
- (2.3) The Commissioner may disclose such information as in the Commissioner's opinion is necessary, (a) for the purposes of a public meeting under subsection 223.4.1 (8); (b) in an application to a judge referred to in subsection 223.4.1 (15); or (c) in the written reasons given by the Commissioner under subsection 223.4.1 (17). [These subsections are part of the process for an Integrity Commissioner inquiry into whether a member has contravened the *Municipal Conflict of Interest Act*.]

In summary, the Integrity Commissioner cannot, except in specific, narrow circumstances, disclose the advice that has been given to a Member.

The same restriction does not apply to a Member. The written advice is for use in the Member's discretion. The Member is not required to share the advice with the municipality or with anyone else. On the other hand, the Member may choose to share the advice with anyone and even to make it public.

## Issue

As Integrity Commissioner, I supply the municipality with statements of account that list the dates on which Integrity Commissioner services were provided and, without breaching confidentiality, briefly describe the nature of services.

It is my practice to assign a file number to each request for advice (RFA), based on the year and the order in which requests are received. For example: RFA-2019-02 (Name of Municipality). These file numbers are mentioned in the statements of account.

The statement of account reports the amount of time spent considering and responding to each request for advice (for example, 0.4 hours). In order to respect confidentiality, the statement of account does not identify the topic or nature of the request for advice, name the Member, or disclose the advice.

The obvious challenge is that a municipality must (for reasons of accountability) be able to confirm that the services described on a statement of account were provided, and the Integrity Commissioner should enable this accountability without breaching the confidentiality demanded by the *Municipal Act*.

# FASKEN

In my view, one solution is for Council to direct the Integrity Commissioner to include in the statement of account the name of the Member who requested advice, provided that no information about the request or the advice is disclosed.

I believe that this solution balances the statutory imperative of confidentiality with Council's authority, under subsection 223.3 (2), to assign duties that the Integrity Commissioner must perform while carrying out the responsibilities for requests for advice under paragraphs 4, 5 and 6 of subsection 223.3 (1).

This solution would permit a municipality to ask a Member to confirm that services were performed (*i.e.*, that a request for advice was considered and addressed). A municipality could not, of course, ask a Member what the request or the advice was about. Confirmation that advice was requested and provided would suffice.

Some municipalities publish all invoices as public documents. Whether the name of the Member could or should be redacted before the statement of account is published is beyond the scope of this special report. A municipality may wish to consult its solicitor.

## Recommendation

If Council wishes then it should direct the Integrity Commissioner to include in the relevant statement of account the surname<sup>4</sup> of the Member who made a request for advice under paragraph 4, 5 or 6 of subsection 223.3 (1) of the *Municipal Act*, provided that confidentiality is maintained and the Integrity Commissioner reveals no information about the nature of the request or the content of the advice.

Respectfully submitted,



Guy Giorno  
Integrity Commissioner

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<sup>4</sup> Where a surname is insufficient to identify a Member the full name would be used.



## **REPORT BLDG-2019-006**

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TO: Mayor and Members of Council

FROM: Gerald Moore, Chief Building Official

MEETING DATE: June 19, 2019

SUBJECT: Building Department Monthly Update - May 2019

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### **RECOMMENDATION**

**That Report BLDG-2019-006 with respect to the Building Department Monthly Update - May 2019 be received for information.**

### **DISCUSSION**

#### **Purpose**

The purpose of this report is to provide Council with an update of the activities in the Building Department for May 2019.

#### **Background**

The purpose of this report is to provide Council with a summary of the Building Department's activities for the month of May 2019.

#### **Financial Implications**

The Building Code Act requires that the total amount of building permit fees meets the total costs for the municipality to administer and enforce the Building Code Act and Regulations. Building permit fees were established to fully recover the Township's cost of providing building permit services, including an allocation of administrative overhead/indirect costs. Any surplus revenue from building permit fees is transferred to a restricted reserve, to be drawn upon in years of declining building activity.

### **APPLICABLE LEGISLATION AND REQUIREMENTS**

Building Code Act, 1992, S.O. 1992, c. 23

### **ATTACHMENTS**

Schedule A – May 2019 Monthly report

**Permit Comparison Summary**

Issued For Period MAY 1,2019 To MAY 31,2019

	Previous Year			Current Year		
	Permit Count	Fees	Value	Permit Count	Fees	Value
<b>Agricultural Farm Building</b>						
Agricultural Farm Building	1	486.60	69,000.00	0	0.00	0.00
<b>Bylaw</b>						
Pool Enclosure Permit	2	420.00	135,000.00	4	863.76	470,000.00
<b>Commercial/Industrial</b>						
Commercial - No Occupancy Required	1	816.05	59,800.00	0	0.00	0.00
<b>Demolition</b>						
Demolition Permit	0	0.00	0.00	1	156.00	12,000.00
<b>New Residence</b>						
Residential - Occupancy Required	10	45,145.44	5,572,700.00	9	55,003.78	4,673,000.00
<b>Other</b>						
Solar Permit	2	832.00	55,000.00	0	0.00	0.00
Tent Permit	1	260.00	0.00	2	520.00	4,500.00
<b>Other Residential</b>						
Accessory/Farm Buildings	1	3,230.40	295,000.00	0	0.00	0.00
Deck Permit	3	468.00	51,500.00	0	0.00	0.00
Detached Garage	1	468.00	55,000.00	1	156.00	18,000.00
Residential - No Occupancy Required	4	4,346.08	215,000.00	0	0.00	0.00
<b>Others</b>						
Pool Permit	0	0.00	0.00	1	218.76	30,000.00
<b>Septic</b>						
Sewage Disposal System Permit	7	4,368.00	178,000.00	6	3,744.00	122,000.00

	<u>Previous Year</u>	<u>Current Year</u>
Total Permits Issued	33	24
Total Dwelling Units Created	8	9
Total Permit Value	6,686,000.00	5,329,500.00
Total Permit Fees	60,840.57	60,662.30
Total Compliance Letters Issued	10	5
Total Compliance Letter Fees	675.00	375.00

**Inspection Summary**

Ward	Permit Inspections	Other Roll Inspections
000	375	5
Total	375	5

Permit Charge	Amount
Demolition Permit	156.00

**Permit Comparison Summary**

Issued For Period MAY 1,2019 To MAY 31,2019

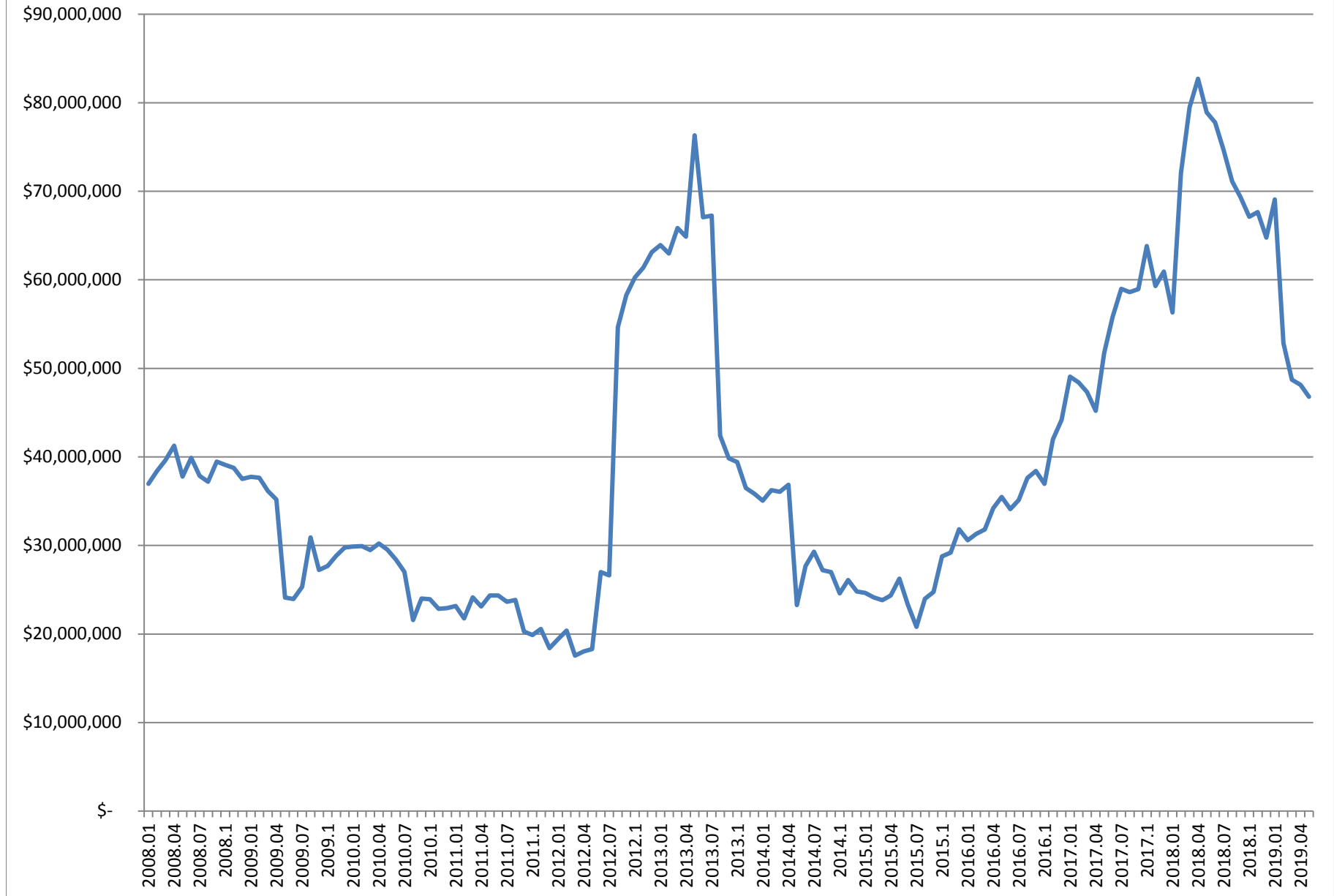
Detached Garage	156.00
Pool Enclosure Permit	863.76
Pool Permit	218.76
Residential - Occupancy Requir	55,003.78
Sewage Disposal System Permit	3,744.00
Tent Permit	520.00

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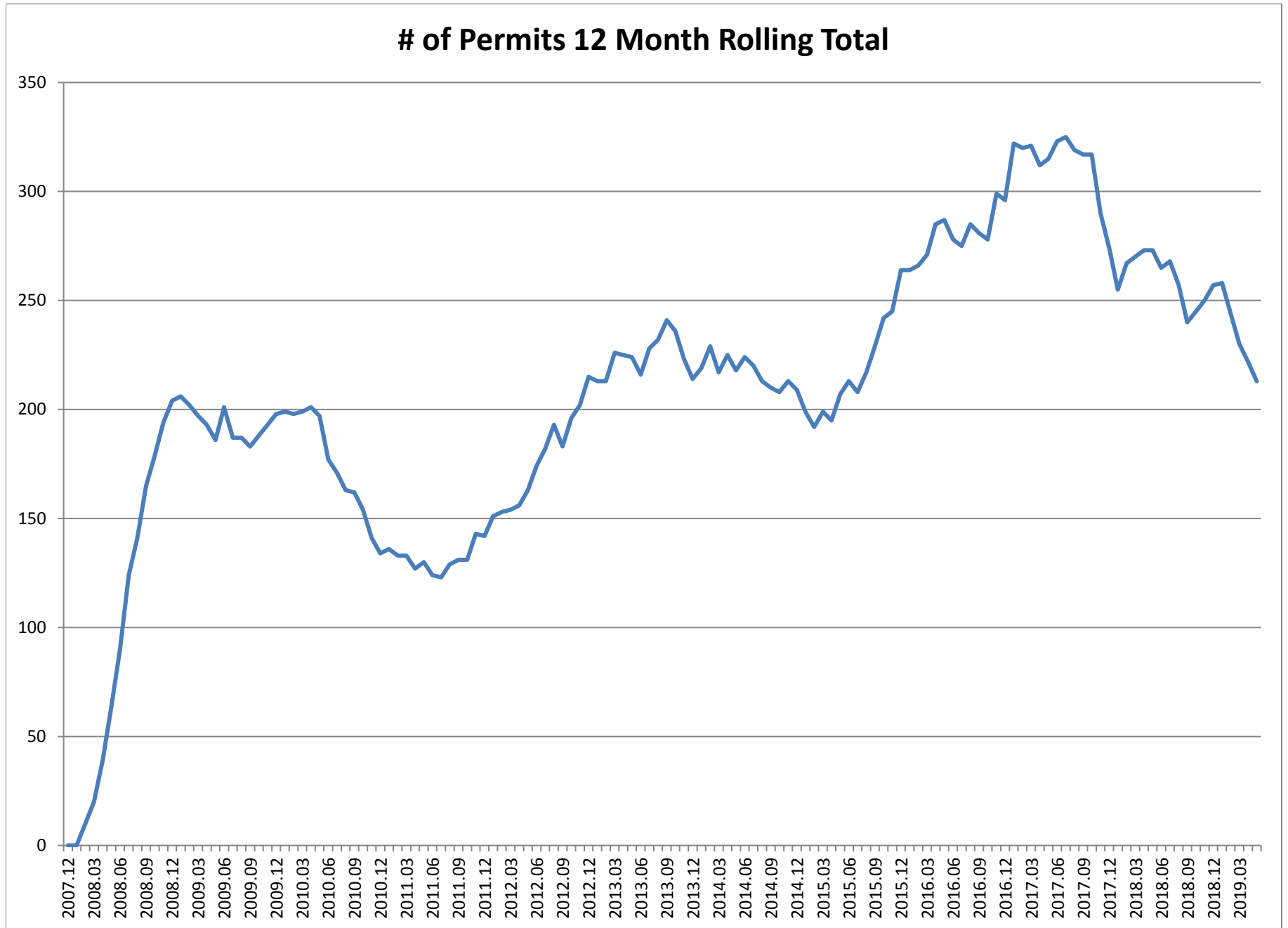
Total	60,662.30
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Note: The Graphs Below only Include Septic Permits in 2012 and beyond

## Total Value of Permits 12 Month Rolling Total

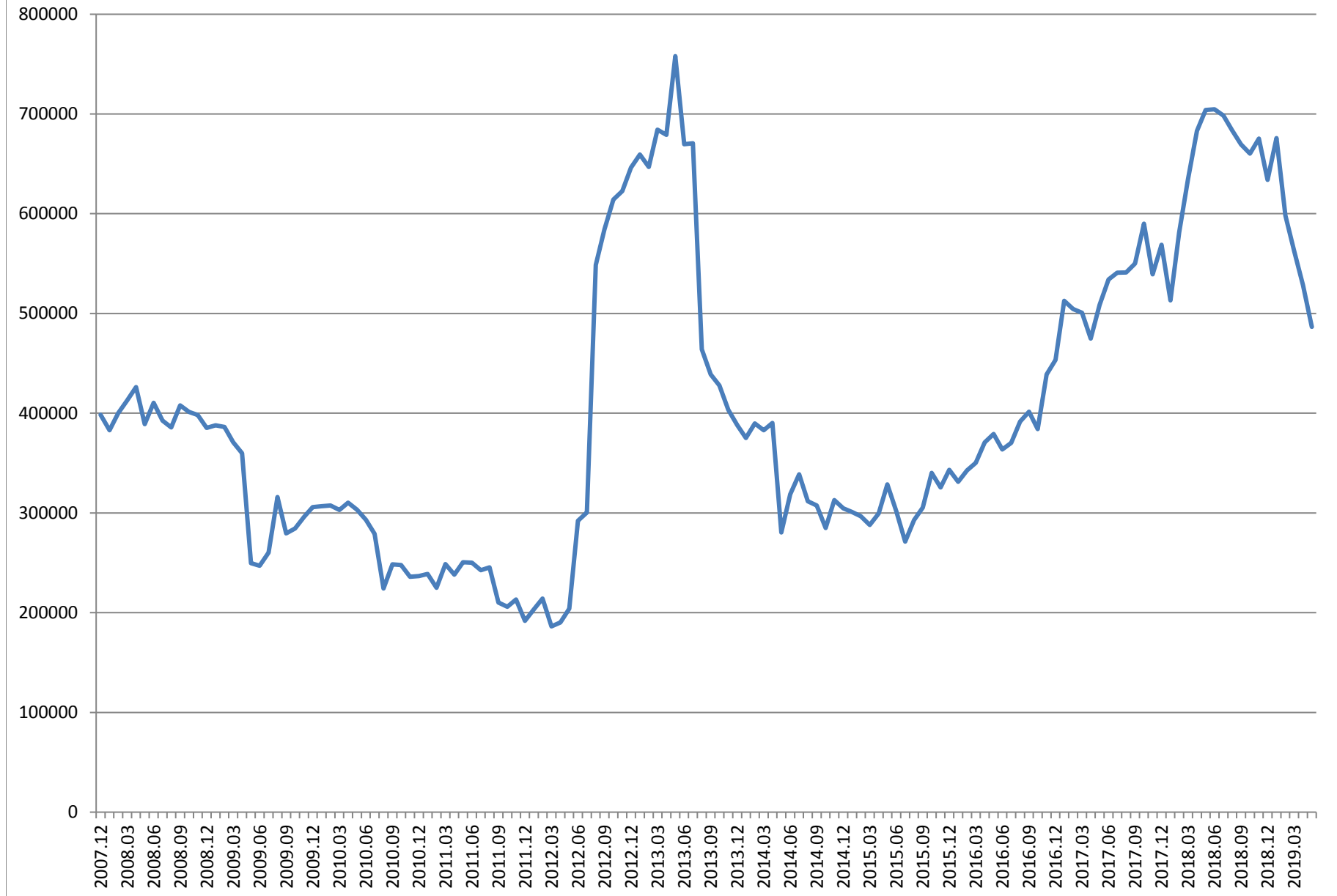


Note: The Graphs Below only Include Septic Permits in 2012 and beyond



**Note: The Graphs Below only Include Septic Permits in 2012 and beyond**

## Permit Fees Collected 12 Month Rolling Total







## REPORT to INDUSTRY CANADA

FROM: Courtenay Hoytfox, Development and Legislative Coordinator

DATE: June 13, 2019

SUBJECT: Telecommunication Application File TC-01-2019 (A12/ROG)

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### RECOMMENDATIONS:

That Report PD-2019-006 regarding Telecommunication Application File TC-01-2019 (A12/ROG) – Rogers site C6798 leased from L E L Farms Limited, Concession 4, Part Lot 20 Parts 2 to 3, municipally known as 4638 Sideroad 20 North, be received; and

That Council authorize the release of the Report to Industry Canada regarding the proposed 60 metre Rogers Wireless Telecommunication Antenna.

### BACKGROUND:

#### **1. Purpose of Report**

Industry Canada, the Federal department responsible for granting authorization for telecommunication facilities, requires that applicants consult with the local land use authority for telecommunication installations. The Township follows Industry Canada's default public consultation process for antenna siting, which Applicants are expected to cooperate with in order to complete the approval process as set by Industry Canada. This Report has taken into consideration all consultations, discussions and submissions of the public and Rogers.

#### **2. Application**

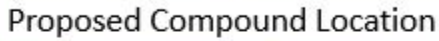
The purpose of the application is to construct a 60m tri-pole communication tower enclosed in a 15m X 15m fenced compound. The tower is required for a rising demand for wireless voice and data services in the area and to fill a gap in Rogers' network.

#### **3. Location & Site Characteristics**

The proposed wireless communication structure will be located on the east side Sideroad 20 North on an agricultural property owned by L E L Farms Limited. The site is located approximately 180 metres from the nearest residence on Sideroad 20 North. Surrounding the proposed tower are residential properties and the City of Guelph to the north.



# PUSLINCH



**4. Staff, Agency & Public Circulation Comments:**

The application was circulated to various external agencies and internal departments for comment. Staff notes that no objections were received from internal departments. Grand River Conservation Authority submitted comments with respect to the site's proximity to Provincially Significant Wetlands. All comments and objections are included in Attachment "B" - Agency and Community Comments.

A public notice was placed in the Wellington Advertiser and mailed to properties within a 180 metre radius of the proposed tower, and the City of Guelph. The 180 metre circulation radius is determined by calculating the height of the tower by three, as prescribed by Industry Canada. A notice sign, as requested by Township staff was also posted on the property.

Objections from residents and Grand River Conservation Authority to the tower were received. The objections were in respect to the following:



- a) The site's Proximity to Provincially Significant Wetlands and that an Environmental Impact Study should be undertaken to ensure no negative impacts to the adjacent Natural Heritage Feature(s).
- b) Commercial / Industrial areas within the search radius exist which could provide more suitable locations for a new tower
- c) Potential Health concerns with respect to telecommunication towers
- d) Impact to property values
- e) Visibility of the tower
- f) Blinking lights on the tower

#### APPLICABLE LEGISLATION & REQUIREMENTS:

1. County of Wellington Official Plan Section 12.6.1, Utilities Allowed, may permit the following uses in any land use designation, subject to the provisions of the Zoning By-law: All electrical power facilities, including all works defined by the *Power Corporation Act* and telecommunications facilities and multi-use cables, provided that the development satisfies the provisions of the Environmental Assessment Act, the Environmental Protection Act and any other relevant legislation.

#### 2. Township of Puslinch Zoning By-Law

When utility services are licensed by Industry Canada, Local, Regional and Provincial Planning documents do not apply. The proposed tower is located in the Rural Area of the Township on Agricultural (A) zoned lands. Public uses are permitted in the A Zone.

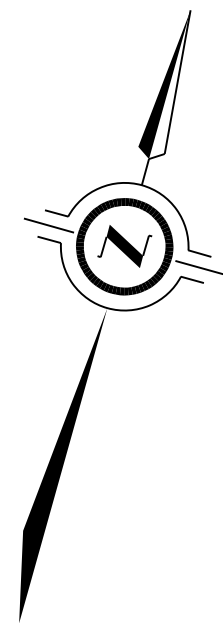
#### CONCLUSION:

Township Staff notes that communication facilities are federally regulated with the final decision vested with Industry Canada. Rogers has consulted with the Township prior to filing its application, and has submitted the fees, documents and reports required by Industry Canada's Default Consultation Process. Staff has concluded that the Applicant has satisfied the requirements of the consultation process and have no further comments regarding the telecommunication tower and therefore recommend the issuance of this report.

#### ATTACHMENTS:

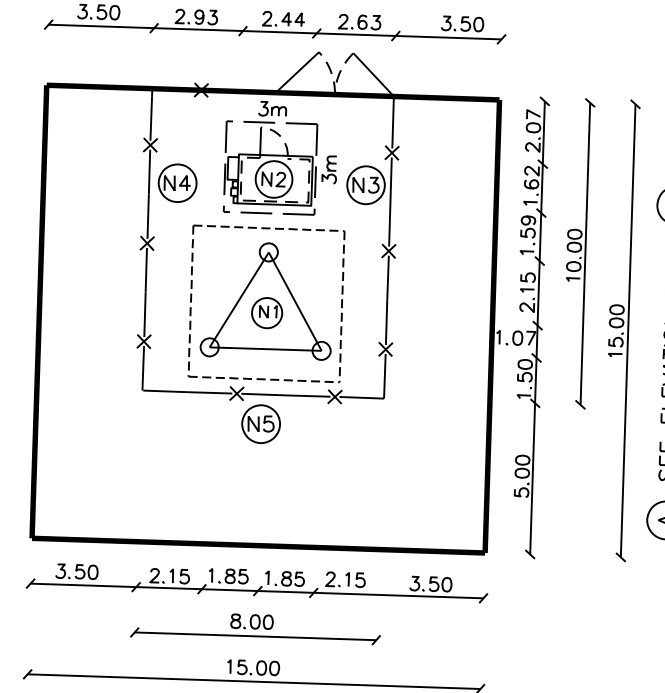


Attachment "A" – Subject Property Plan  
Attachment "B" – Agency and Community Comments



### PROPOSED COMPOUND LAYOUT PLAN

SCALE 1:250



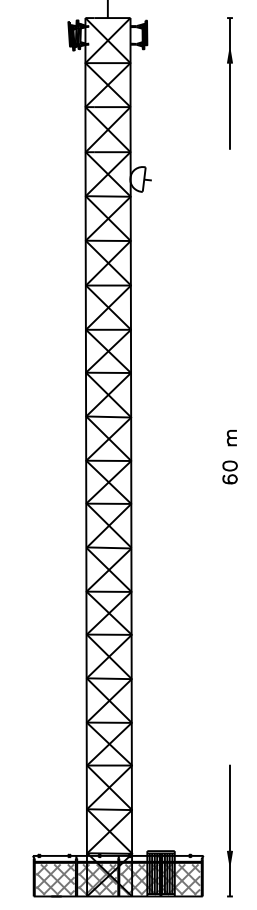
SEE ELEVATION PLAN (A)

### NOTES

- (N1) PROPOSED STEEL LATTICE TRI-POLE TOWER WITH MINI-PINWHEEL WITH LIGHTNING PROTECTION SYSTEM. PAINT COLOUR SUBJECT TO NAV CANADA REQUIREMENTS. ANTENNA NUMBER AND LOCATIONS TO BE DETERMINED. FOUNDATION DESIGN PENDING SOIL REPORT.
- (N2) PROPOSED PREFABRICATED GALVANIZED STEEL WALK-IN RADIO EQUIPMENT CABINET (1.62m x 2.44m), ON CONCRETE PAD. FOUNDATION DESIGN PENDING SOIL REPORT.
- (N3) HYDRO CONNECTION AND ROUTING TO BE DETERMINED BY QUALIFIED PERSONNEL IN CONSULTATION WITH LOCAL AUTHORITY.
- (N4) REMOVE EXISTING TOPSOIL, PROOF ROLL SUBGRADE AND PLACE 300 mm GRANULAR A ACROSS COMPOUND AREA. FINISHED GRAVEL SURFACE TO BE MIN. 150 mm ABOVE EXISTING GRADE AND SLOPED AWAY FROM SHELTER AT MIN. 1% ON ALL SIDES TO PROVIDE ADEQUATE DRAINAGE.
- (N5) PROPOSED 1.8 m HIGH CHAIN LINK SECURITY FENCE TOPPED WITH BARBED WIRE SURROUNDING COMPOUND.

### ELEVATION PLAN

NOT TO SCALE



## SITE LAYOUT DESIGN OF PROPOSED TELECOM TOWER INSTALLATION AT

4638 SIDEROAD 20 N  
GUELPH, ON, N1H 6J3

PART OF LOT 20  
CONCESSION 4  
(GEOGRAPHIC TOWNSHIP OF PUSLINCH)  
CITY OF GUELPH  
COUNTY OF WELLINGTON

SCALE 1 : 500

0 10 20 30 metres

J.D. BARNES LIMITED

ONTARIO LAND SURVEYORS

© COPYRIGHT

NOTE: O.P. CORE GREENLANDS

PART 3 PLAN 61R-9654

PIN 71200-0036 (LT)

PART 1 PLAN 61R-9654

PIN 71200-0153 (LT)

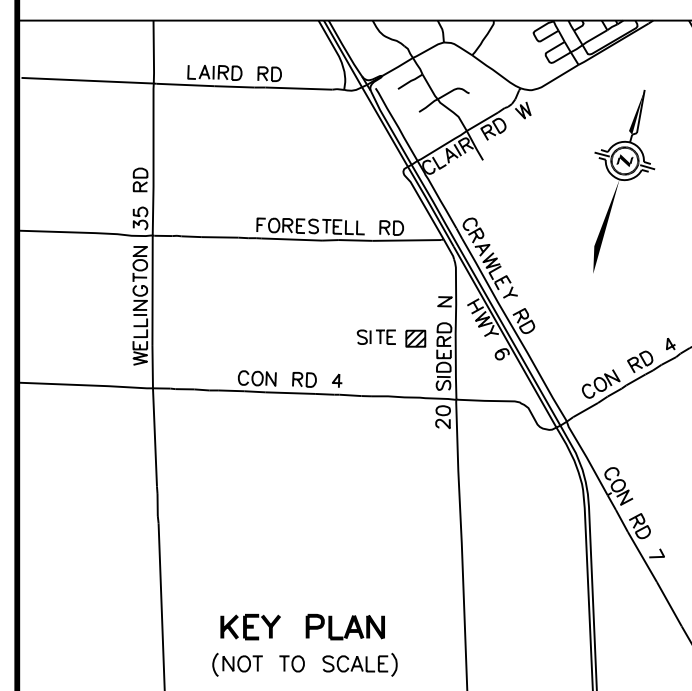
PART 2 PLAN 61R-9654

PIN 71200-0152 (LT)

LOT  
CONCESSION

### SITE DATA

	EXISTING	PROPOSED
PROPERTY AREA	4.048 ha.	
BUILDING AREA	2395.2 sq.m.	4 sq.m.
LOT COVERAGE	5.9 %	5.9 %
LEASE AREA REQUIREMENTS		
COMPOUND (EXCLUSIVE)		225.0 sq.m.
ACCESS (NON-EXCLUSIVE)		1305.6 sq.m.
UTILITIES (NON-EXCLUSIVE)		113.1 sq.m.
TOTAL		1643.7 sq.m.
UNITS		1 TOWER 1 CABINET
HEIGHT OF TOWER		60 m
SETBACKS (PROPOSED TOWER)		
FRONT		236.8 m
SIDE		34.7 m
REAR		91.5 m
SETBACKS (PROPOSED CABINET)		
FRONT		237.1 m
SIDE		39.5 m
REAR		92.5 m



KEY PLAN  
(NOT TO SCALE)

### CAUTION

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

BOUNDARY INFORMATION HAS BEEN COMPILED FROM AVAILABLE RECORDS AND HAS NOT BEEN VERIFIED BY FIELD SURVEY.

METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

### BENCHMARK

ELEVATIONS SHOWN ON THIS PLAN ARE RELATED TO THE CANADIAN GEODETIC VERTICAL DATUM 1928, 1978 ADJUSTED AND ARE DERIVED FROM THE CITY OF GUELPH BENCHMARK No.387 HAVING A PUBLISHED ELEVATION OF 338.980 METRES.

### LEGEND

- O DENOTES SPIKE
- HP DENOTES HYDRO POLE
- AN DENOTES ANCHOR
- HM DENOTES HYDRO MARKER
- PED DENOTES TELEPHONE PEDESTAL
- TRAN DENOTES TRANSFORMER
- MB DENOTES MAIL BOX
- E- DENOTES OVERHEAD ELECTRICAL

### CERTIFICATE OF COMPLETION

I CERTIFY THAT:  
1. THE FIELD WORK WAS COMPLETED ON SEPTEMBER 21, 2018.

DATE OCTOBER 18, 2018

JOHN YUEN  
ONTARIO LAND SURVEYOR

### CAUTION

LOCATIONS OF ANY UNDERGROUND SERVICES ARE APPROXIMATE. OTHER BURIED UTILITIES MAY EXIST WHICH ARE NOT SHOWN BECAUSE OF INSUFFICIENT INFORMATION. CONTACT ALL POTENTIAL OWNERS OF UNDERGROUND UTILITIES PRIOR TO COMMENCEMENT OF CONSTRUCTION

	LATITUDE N 43°28'35.8"
	LONGITUDE W 80°12'10.7"
	ELEVATION 341.8m
SITE: C6798 SOUTHGATE & CLAIR RD	
LAND INFORMATION SPECIALISTS	
140 RENFREW DRIVE, SUITE 100, MARKHAM, ON L3R 6B3	
T: (905) 477-3600 F: (905) 477-3882 www.jdbarnes.com	
DRAWN BY: TL	CHECKED BY: JY
REFERENCE NO.: 18-15-273-00	DATED: OCTOBER 18, 2018
FILE: G:\Survey\18-15-273\00\Drawing\18-15-273-00.dgn	PLOTTED: 18/10/2018

## **Courtenay Hoytfox**

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**From:** John Sepulis  
**Sent:** Monday, June 3, 2019 2:50 PM  
**To:** Courtenay Hoytfox  
**Cc:** Karen Landry; John Sepulis  
**Subject:** Call from resident re tower on SR20N

Hi Courtenay,

This afternoon I received a call from Joanne Baggio [REDACTED] who was speaking on behalf of her father Mario Geremia who lives three properties south of the proposed tower site. He has lived there for 49 years and has the following concerns; -intrusion of tower into skyline -decrease of property value -blinking tower light She was intending to also call all councillors and the mayor as well.

I advised her the process for being a delegate and timing of the availability of the staff report. Her father may attend the Council meeting if he is feeling up to it.

For your information and records.

Regards,  
John

John Sepulis  
Councillor  
Township of Puslinch

## **Courtenay Hoytfox**

---

**From:** John Sepulis  
**Sent:** Monday, June 3, 2019 4:43 PM  
**To:** Courtenay Hoytfox  
**Cc:** Karen Landry; John Sepulis  
**Subject:** Call from Scott Gillingham re tower on SR20N

At around 4pm I received a call from Scott Gillingham [REDACTED] who lives at 6891 Forestell Rd which is about 400m away from the tower site.

He had sent an email to J. McKay citing his objections to the proposed tower. Scott was upset with the dismissive tone of the response.

Scott indicated that he is a veterinarian and is concerned about the effect the tower radiation may have on the chickens ie. loss of egg productivity. He is also a business partner of the proposed tower property owner and advised him accordingly. Scott's other concern is the effect radiation may have on nearby residents. He stated European studies, which in his opinion are more current than Canadian studies, indicate concerns with radiation emitted from towers for people living nearby.

For your information and records.

Regards,  
John

John Sepulis  
Councillor  
Township of Puslinch

GillingS

## Courtenay Hoytfox

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**From:** [REDACTED]  
**Sent:** Friday, May 31, 2019 6:47 PM  
**To:** j\_mckay@rogers.com; Courtenay Hoytfox  
**Subject:** Cell Tower - C6798-South Gate & Clair

To Courtenay Hoytfox (Township of Puslinch) and Jeff McKay (Rogers Communication Inc),

We have reviewed the site report for, C6798-South Gate & Clair and would like to state our opposition to the site. In addition, we have a number of concerns in regard to the proposed site.

Upon reviewing the location of the new antenna and the search ring which Rogers has identified, we note there are two Commercial / Industrial areas within the search radius which could provide more suitable locations for a new tower. We suggest that the location of this proposed tower appears to be inconsistent the agricultural / residential usage of this particular area. As a result we would ask why a tower would be proposed at this particular site when other suitable sites are present?

While the report provided to us attempts to mitigate any health concerns over Radiofrequency Electromagnetic Fields by simply stating that residential areas around this site are below acceptable limits does not provide us with significant comfort that a) these limits are clearly understood or b) that our safety and that of our children is assured – particularly given the close proximity to our home (181 meters). Upon a quick Internet search, it is very quickly evident that potential health concerns are often misunderstood, not studied fully and perhaps even misrepresented in current literature. Please address how Rogers can guarantee there are no health risks associated with this particular site. In addition, what monitoring will be in place to ensure Health Canada criteria continues to be met? Furthermore, how will the local residents obtain access to this data to ensure our safety is being continually monitored?

We have had discussions with local real estate agents about potential devaluation of property from a cell tower and we have done a bit of research ourselves. Estimates appear to be in the range of a 10 – 20% decrease in property values given the proximity to a tower. We would be interested in hearing how both Rogers and the Township feel that this is acceptable for nearby residents.

Lastly, in discussion with other local residents, it appears that Rogers is not acting in the best interests of residents. This lack of open and transparent consultation with the community is further evidenced by the notification process undertaken by Rogers (very small sign at the site, inconspicuous notification in local paper). How can we be assured that concerns are being taken seriously?

Respectfully,

James and Marcia Mitchell

Sent from my iPad



## Courtenay Hoytfox

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**From:** Joanne Baggio [REDACTED]  
**Sent:** Wednesday, May 8, 2019 7:10 PM  
**To:** Courtenay Hoytfox  
**Subject:** Cell tower on the Weber farm

I strongly object to the proposal for a cell tower on the Weber farm. I am a homeowner on 4620 sideroad 20N, 3 homes away from the proposed tower. I object for the following reasons:

- aesthetically this extremely tall tower with blinking lights will be visible from my home and an eye sore
- a large/tall tower this close to our residential properties will affect property values
- environmentally, this tower could affect the health of humans and the many animals that live in this area (including the large chicken raising operation that occurs on the Weber farm).

There are more industrial use areas across the Hanlon that would be better suited to such a tower. I strongly oppose to a tower of this size to be built on a property this close to residential homes.

I also feel that one home/property owner should not benefit financially for allowing this tower on their property while all the surrounding home owners will be impacted by the presence of this tower.

Please let me know what further actions need to be taken to ensure that this tower proposal does not go further.

Thank you,

Mario Geremia

Home owner 4620 Sideroad 20N  
[REDACTED]

Please also respond or call Joanne as father does not have email.

[REDACTED] (daughter Joanne Geremia Baggio's cell)  
[REDACTED]

Sent from [Mail](#) for Windows 10

## Courtenay Hoytfox

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**From:** Friedrich Brunnmeier [REDACTED]  
**Sent:** Wednesday, May 29, 2019 5:20 PM  
**To:** jseelley@puslinch.ca; Courtenay Hoytfox; Karen Landry; John Sepulis; Matthew Bulmer; Ken Roth; Jessica Goyda  
**Subject:** Communications Tower

Ladies and Gentlemen,

Having already forwarded my concern for this tower location to Mr. McKay in a earlier communication and having been assured that no negative health impact needs to be considered even as WHO say's otherwise, please allow me to forward to you a recent Canadian study by Workers Health & Safety, showing a very similar result to WHO studies, in fact our Canadian workers are advised to follow these same guidelines, why are we being allowed a considerable lower standard.

Sincerely,  
Fred

[Cell tower radiation linked with cancer in new study | Workers Health & Safety Centre](#)

## Courtenay Hoytfox

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**From:** sandra pady [REDACTED]  
**Sent:** Monday, May 13, 2019 1:13 PM  
**To:** Courtenay Hoytfox  
**Cc:** [REDACTED]  
**Subject:** Fwd: Porposed Tower: Rogers Site C6798

----- Forwarded message -----

**From:** **sandra pady** [REDACTED]  
**Date:** Mon, May 13, 2019 at 1:09 PM  
**Subject:** Porposed Tower: Rogers Site C6798  
**To:** <[j\\_mckay@rogers.com](mailto:j_mckay@rogers.com)>

Dear Ms Hoytfox: The purpose of this email is to express my strong opposition to the palcement of a new Rogers tower at Southgate and Clair Road in Puslinch, ON. There are several reasons for my opposition:

- a. The visual impact on the immediate environment, a residential community, would be dramatic. Signals would be a polluting factor in the night sky and lines of sight for at least a kilometer around would be blocked.
- b. The area in question is a managed forest, with several woodlots and significant wetlands. These are an important addition to our township's precious and threatened rural landscape.
- c. There would be definitely an impact to property values should such a massive steel structure be built which would dominate the landscape.
- d. Finally, the health concerns associated with such high density electirical field structures are real and documented.

For these reasons I request that the proposed telecommunications tower C6798 project be abandoned.

Sincerely, Sandra Pady, Puslinch property owner

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Sandra Pady  
6985 Concession 4  
Puslinch ON N0B2J0  
[REDACTED]

## Courtenay Hoytfox

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**From:** Michael Briggs [REDACTED]  
**Sent:** Sunday, May 12, 2019 9:05 PM  
**To:** [REDACTED] Briggs; j.mckay@rogers.com; Courtenay Hoytfox; Karen Landry; James Seeley; John Sepulis; Matthew Bulmer; Ken Roth; Jessica Goyda  
**Subject:** Rogers Tower site 4638 Side Road 20 North, Guelph, ON 712000036(LT)

Dear Sir/Madame,

We are writing to express our concerns regarding the proposed tower which is being considered at site 4638 Side Road 20 North, Guelph (712000036(LT)). This location is directly behind our property at which we have lived now for over 42 years. We ask that during the evaluation process, you consider the issues stated below. We feel that our concerns are significant and are shared by many other neighbours. This tower will have a negative impact on the surrounding properties and thus should not be permitted in this location.

First and foremost, we believe that there are other locations relatively close to the proposed site that would be far better suited for such tower. These areas include industrial and vacant lands north and east of the proposed site. In fact, the notice sent indicated that the tower site was to be at Southgate Dr. and Clair Rd. (which is north/east of proposed site). It was later that we were informed that the site was planned for a location close to our residences. Placing this type of structure in an industrial area would have a far lower impact on residences and would be much more appropriate.

The negative impact on real estate values close to this tower would be significant. This is supported by consultation with local real estate professionals as well as studies. Following a discussion by a neighbour with local appraisers and realtors we were advised that all agreed a tower in this location would reduce the value of our homes due to a narrowing of the market for the property sale. Health concerns are significant whether they are real or perceived. This further narrows the market for property sale.

The impact on the aesthetics in this neighbourhood would be significant. This tower would appear above the tree line and therefore be seen by many. It would be a visual annoyance during the day and a flashing light would be seen at night. As previously stated, we have lived in this home for over 42 years and have always managed our property and respected our neighbour's interests in country living. This tower would negatively affect our enjoyment of living in the country and we believe our neighbours will feel the same way regardless of how long they have lived here.

In closing we ask again that you carefully review our objections to this tower in this location. In addition, we request that you recommend this tower be considered for a more suitable location.

Thank you for your time,

Dr. Michael and Dorothy Briggs  
7004 Concession 4, Puslinch, ON, N0B 2J0

## **Courtenay Hoytfox**

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**From:** Peter Mitro [REDACTED]  
**Sent:** Monday, May 13, 2019 10:32 AM  
**To:** Courtenay Hoytfox  
**Cc:** Karen Landry; James Seeley; John Sepulis; Matthew Bulmer; Ken Roth; Jessica Goyda  
**Subject:** Proposed Rogers tower @ 4638 Side Road 20 North, Puslinch

Hello:

I am in agreement with all of the points presented by Donna Christie in her opposition to this proposed communication tower.

Please add my name to the list of Puslinch residents opposed to this project.

As well, can you please advise me when this issue is going to council so that I may attend to voice my opposition.

Thank you

Peter Mitro  
6987 Forestell rd RR 6 Guelph

Sent from my iPhone

## Courtenay Hoytfox

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**From:** Sharon Smith [REDACTED]  
**Sent:** Sunday, May 12, 2019 12:53 PM  
**To:** j\_mckay@rogers.com; Courtenay Hoytfox; Karen Landry; James Seeley; John Sepulis; Matthew Bulmer; Ken Roth; Jessica Goyda  
**Subject:** Proposed Rogers Tower at 4638 Sideroad 20 North in Puslinch

We are writing to strongly object to the location of the above proposed tower site, having only recently become aware of the proposal.

We have been residents of Puslinch township for 37 years. Our home and property at 7011 Concession 4 is less than half a kilometer from the proposed Rogers telecommunications tower at site C6798. Our residence is on 20 acres, 15 acres of which is managed forest providing habitat for many kinds of wildlife.

We believe that Rogers and Councillors have an obligation to consider the concerns and well-being of the residents who may be impacted before the tower location is finalized.

The location is situated in a beautiful environment of managed forests, agricultural fields, wood lots, meadows and wetlands. It is located close to many residential premises. The tower will stand out as an eyesore among this beautiful countryside.

It is our understanding that the owner of the proposed site will realize substantial financial gain, while surrounding neighbours will experience decreases in property values due to the tower. This is not right!

Surely there are other sites which would be more suitable, e.g. the industrial land on the opposite side of Hwy 6 or some other industrial park, which would not have such a large impact on residential homes, properties, and the environment.

We would appreciate being kept apprised of developments and notified of future meetings on this significant issue. We can be contacted via this email address [REDACTED] or by phone at [REDACTED]

Thank you for your consideration in this matter. Your support would be appreciated.

Jim and Sharon Smith  
7011 Concession 4  
Puslinch, ON

[REDACTED]

## Courtenay Hoytfox

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**From:** Friedrich Brunnmeier [REDACTED]  
**Sent:** Tuesday, May 14, 2019 11:30 AM  
**To:** j\_mckay@rogers.com  
**Cc:** Courtenay Hoytfox; Karen Landry; James Seeley; John Sepulis; Matthew Bulmer; Ken Roth; Jessica Goyda  
**Subject:** Proposed Rogers tower site C6798

Dear Mr.McKay,

This is to advise you that we wish to be part of the consultation regarding the proposed location of the Rogers tower at 4638 Sideroad 20 North, Puslinch Ontario.

The site as proposed is totally unacceptable to us for the following reasons.

The site is less than 400 meters from our property and within clear view of our house. It is a well publicized fact that a monstrosity such as this will reduce property values by up to 20% as as by recent surveys.

Further more, the negative health impact due to EMFS to occupants within a radius of less than 400 meters is a well studied and documented fact, substantiated by many international studies.

Also the negative aesthetic impact of this almost park like setting in this desirable rural/residential area is very hard for us to comprehend, begs the question why is this tower not being placed in a more industrial area available within a few hundred meters of the proposed site or piggybacked on existing towers less than 1500 meters from here.

Sincerely  
Friedrich and Lisbeth Brunnmeier

## Courtenay Hoytfox

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**From:** Dan Neundorf [REDACTED]  
**Sent:** Monday, May 13, 2019 11:26 AM  
**To:** Courtenay Hoytfox; Karen Landry; James Seeley; John Sepulis; Matthew Bulmer; Ken Roth; Jessica Goyda  
**Cc:** j\_mckay@rogers.com; [REDACTED]  
**Subject:** Proposed Telecommunications Tower: Rogers Site C6798 - Southgate and Clair Road (4638 Sideroad 20N)

Dear Puslinch Council:

I hope this email finds you all well. I am writing to you in reference to the Proposed Telecommunications Tower: Rogers Site C6798 - Southgate and Clair Road. Some of my neighbours have highlighted their concerns, which I feel they have articulated well.

We bought our home on Sideroad 20 to enjoy the peace and quiet and raise our family, including pets. I work quite a bit from home, so it was ideal. After reading the Rogers proposal and seeing much commercial land around me, I question why this tower needs to be located so close to our home and the homes of our neighbours.

I have a few questions for each of you:

- 1 - if you lived on Sideroad 20 (I have heard at least one of you does), how would you feel based on the risks of property value devaluation, aesthetics to name a couple?
- 2 - as you look around you and see many commercial properties, would you think why here especially when it is a residential and agricultural area?
- 3 - if your neighbours are against it (except for the one receiving the direct benefit) would you at least reconsider this decision?
- 4 - Decisions of past Councils to rezone some of the areas around us to commercial have not been approved. Does this commercial entity differ in rationale from past decisions?

I am asking you these questions out of respect for those for and against this proposal. I would appreciate thoughtful consideration. I will be disappointed if you don't consider these questions and even more disappointed if the voices within your Township aren't heard.

Have an enjoyable week.

-----  
Dr. Dan Neundorf, Ed.D, MBA  
[REDACTED]



## Courtenay Hoytfox

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**From:** Joanne Baggio [REDACTED]  
**Sent:** Monday, May 13, 2019 6:52 PM  
**To:** Courtenay Hoytfox  
**Subject:** rogers tower proposal on Weber farm

Dear Courtenay

I received a response from Jeff and would like to reiterate my strong objections to ensure that they are added to your report.

I strongly object to the proposal for a cell tower on the Weber farm. I am a homeowner on 4620 sideroad 20N, 3 homes away from the proposed tower. I object for the following reasons:

- aesthetically this extremely tall tower with blinking lights will be visible from my home and an eye sore
- a large/tall tower this close to our residential properties will affect property values
- environmentally, this tower could affect the health of humans and the many animals that live in this area (including the large chicken raising operation that occurs on the Weber farm).

There are more industrial use areas across the Hanlon that would be better suited to such a tower. I strongly oppose to a tower of this size to be built on a property this close to residential homes.

I also feel that one home/property owner should not benefit financially for allowing this tower on their property while all the surrounding home owners will be impacted by the presence of this tower.

Please let me know what further actions need to be taken to ensure that this tower proposal does not go further.

Thank you,

Mario Geremia

Home owner 4620 Sideroad 20N  
[REDACTED]

## Courtenay Hoytfox

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**From:** M&S Lawson [REDACTED]  
**Sent:** Saturday, May 18, 2019 5:50 PM  
**To:** j\_mckay@rogers.com  
**Cc:** Courtenay Hoytfox; John Sepulis; [REDACTED] Scott Lawson  
**Subject:** Your Proposed Tower Site C6798

To: Jeff McKay, Site Acquisition Specialist  
Rogers Communications Inc.

date: 2019-05-18

This letter is in regards to your current proposal – Site no. C6798 - to install a large cellular telephone antenna tower at 4638 Sideroad 20 North, Puslinch, Ont. I wish to place on record the strongest possible objection to the subject proposal, for reasons outlined below.

I am a pensioner of Ontario Hydro, now known as Ontario Power Generation and Hydro One Networks. As you are aware, these companies are major users of large antenna towers for microwave data transmission (for remote monitoring and control of unmanned stations, etc.). As the Power companies know, and you should too, these antenna towers are never welcome neighbours in residential areas and so the Power companies make strenuous efforts to locate them on land as free as feasible of residential occupancy. This of course recognizes both their visually obtrusive nature and the unresolved public concern about health effects of radiated microwave energy.

I would expect Rogers as a responsible corporation operating in the Canadian public interest to behave just as the power companies do, to strenuously avoid putting large towers that have obtrusive visual impact and handle radiated microwave energy, in or near residential areas. These criteria apply with particular force when the availability of apparently suitable nearly unoccupied and commercially zoned land on the adjacent east side of Highway 6 is excellent.

Therefore, I call upon Rogers to cease and desist with the current tower proposal and reformulate it to use land on the east side of the Hanlon Expressway.

Thank you for your attention. Scott Lawson PhD, P.Eng. 6999 Concession 4, Puslinch  
N0B 2J0 [REDACTED]

Cc: D and J Christie  
C Hoytfox – Twp of Puslinch  
J Sepulis – Puslinch Council

## Courtenay Hoytfox

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**From:** Donna Christie [REDACTED]  
**Sent:** Monday, May 13, 2019 12:19 PM  
**To:** j\_mckay@rogers.com  
**Cc:** Courtenay Hoytfox; Karen Landry; James Seeley; John Sepulis; Matthew Bulmer; Jessica Goyda; Ken Roth  
**Subject:** Rogers tower site 4638 Side Road 20 North, Guelph

Dear Jeff,

Thank you for your response to our letter.

For now, we would like to make just a few comments regarding your justifications for choosing this site.

### Aesthetics, Visual Impact

In regards to aesthetics and visual impact on the area .. obviously this is very subjective and easy to dismiss if you do not actually own property and live here and attach value to such a beautiful setting. We strongly disagree with the statement that it will have no impact on this country living, special forest, etc. and all that it is and all that happens there, such as the walking, riding and camping. This spot is tranquil and serene and ethereal and a cell tower in its midst is unimaginable. At 180 feet it will be visible for up to 100 feet above the tree tops. It appears that your environmental assessment is not conducted with sensitivity after all nor is there interest in our real concerns - an extreme difference of opinions here - our concerns are real and are being dismissed. You say that this site was chosen in part because of the forest - but we say that the forest is a reason to NOT locate there. It is a jewel in nature and should be treated as such.

Regarding residential homes ..... The tower will sit within 200 feet of our property line. The radius you use for notification purposes is extremely small and unreasonable. There are many homes in the surrounding area which will be impacted by this structure in a variety of ways. These residents also treasure and value this special parcel of country side.

The large residential home on the other side of the site ( south ) is in very close proximity but will not raise a concern, since it was purchased by the site property owner and has family living in it.

### Effect on Property Value

Studies can be produced to prove both sides of any argument. There are lots of studies out there which DO support the fact that cell towers have a negative impact on real estate values. We mentioned just one such study from The National Institute for Science, Law and Public Policy. In addition and more importantly, the feedback from both local experienced realtors and appraisers ... all unanimous in their comments .... cell towers narrow the market for property sales and decrease value. Are we to ignore their findings and expertise? You mention subdivisions and residences being built next to existing towers. I'm sure the selling prices had to take that into consideration. That is a very different scenario from our situation, with our homes here and established and the cell tower coming later - not our choice to live next to one.

### Health Concerns

I believe that our point was missed here. We are aware of Health Canada's statements and are not saying that health issues are or are not a reality at this point in time. Real or perceived. We are saying that many people are still concerned, not convinced and thus shy away from purchasing property near a tower. This thinking reduces the number of potential buyers and negatively impacts the property price.

### Location

This location is totally unacceptable - the proposed tower will affect the only spot in this search area that features both a beautiful piece of nature and also many residences, when properties all around that are vacant, stripped of nature, non residential and/or industrial would not suffer negative impact in the ways outlined. We notice that the proposed site is not within the search ring. We urge you to continue to look outside of the search ring. In the printed literature that you distribute, under the section titled Private Candidate Review Process, you state that you started in the centre of the search area and moved out in a radial pattern until a large enough COMMERCIAL OR INDUSTRIAL property option was available that could MITIGATE PUBLIC CONCERN ..... We and the neighbours are zoned agriculture and are assessed Residential - and in our case, Managed Forest as well. We fail to see how this proposed site choice is mitigating public concern.

We feel that all our concerns and findings have not been taken seriously but have been quickly dismissed.

That is all for now.

Thank you.

Jim and Donna Christie

## Courtenay Hoytfox

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**From:** Joanne Baggio [REDACTED]  
**Sent:** Tuesday, May 14, 2019 3:02 PM  
**To:** Courtenay Hoytfox  
**Subject:** weber farm rogers tower proposal

Hi Courtenay,

I am asking another question on behalf of my father. We know that the area in question for the proposed tower is zoned agricultural. The Weber farm has a residence, a chicken barn and another business that they are now proposing to add with this cell tower. It is my understanding that they will be paid for having this tower on this property.

We are aware of the strict rules the township has about building on the land in this zone. My father has 9 acres and most of our neighbours have the same or more and we are very limited as to subdividing, selling and so forth. My question is what parameters or bylaws are there that limit various commercial uses on individual residences?

Sent from [Mail](#) for Windows 10

## **Courtenay Hoytfox**

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**From:** Morrisey, John (MTO) <John.Morrisey@ontario.ca>  
**Sent:** Monday, April 29, 2019 9:37 AM  
**To:** Courtenay Hoytfox  
**Cc:** j\_mckay@rogers.com  
**Subject:** TC-01/19 Rogers Telecommunication Installation Site C6798

Courtenay,

Ministry of Transportation review, approval and permits are not required for this installation.

Regards,

John Morrisey  
Corridor Management Planner  
Corridor Management Section  
Engineering Office  
Ministry of Transportation  
659 Exeter Road, London, ON  
N6E 1L3  
Telephone 519-873-4597  
Fax 519-873-4228  
John.morrisey@ontario.ca

## Courtenay Hoytfox

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**From:** Fred Natolochny <fnatolochny@grandriver.ca>  
**Sent:** Thursday, June 13, 2019 3:31 PM  
**To:** Courtenay Hoytfox  
**Subject:** GRCA and Proposed Telecommunications Tower 4638 Sideroad 20 North Puslinch

I believe our comments at this time would be that:

The site shown is immediately adjacent to a wooded area containing a Provincially Significant Wetland. The compound appears to be proposed approximately 25 metres from the wetland. Provincial and County policy suggests that an Environmental Impact Study should be undertaken to ensure no negative impacts to the adjacent Natural Heritage feature(s).

We will not be pursuing the permit requirement as an issue.

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**From:** Melissa Larion <mlarion@grandriver.ca>  
**Sent:** April 30, 2019 10:56 AM  
**To:** Fred Natolochny <fnatolochny@grandriver.ca>  
**Cc:** Beth Brown <bbrown@grandriver.ca>  
**Subject:** RE: C6798: Proposed Telecommunications Tower 4638 Sideroad 20 North Puslinch

I think federal projects like this are exempt as his email states below. Federal telecommunication facilities/towers aren't subject to the Planning Act process either (they are supposed to consult though). Although it's not explicitly written in the CA Act that the feds have an exemption for this type of project, they would be the "responsible authority" to ensure an assessment of environmental impacts (under the CEAA process). It goes with their whole "one project-one review" initiative....

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**From:** Beth Brown  
**Sent:** April 29, 2019 4:12 PM  
**To:** Fred Natolochny; Melissa Larion  
**Subject:** RE: C6798: Proposed Telecommunications Tower 4638 Sideroad 20 North Puslinch

Fred – This question has been raised at permit review – and at that time – our opinion was that telecommunications tower were not exempt (as not included in exceptions below). They operate under federal legislation, but they are not performing functions on behalf of the Government of Ontario (ie. MTO). I didn't do a detailed review of the email though – so Melissa your review would be of assistance.

### Exceptions under CA Act

28 (10) No regulation made under subsection (1),

(a) shall limit the use of water for domestic or livestock purposes;

(b) shall interfere with any rights or powers conferred upon a municipality in respect of the use of water for municipal purposes;

(c) shall interfere with any rights or powers of any board or commission that is performing its functions for or on behalf of the Government of Ontario; or

(d) shall interfere with any rights or powers under the Electricity Act, 1998 or the Public Utilities Act, 1998, c. 15, Sched. E, s. 3 (8); 1998, c. 18, Sched. I, s. 12.

Activities under the Aggregate Resources Act

(11) A requirement for permission of an authority in a regulation made under clause (1) (b) or (c) does not apply to an activity approved under the Aggregate Resources Act after the Red Tape Reduction Act, 1998 received Royal Assent. 1998, c. 18, Sched. I, s. 12.

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**From:** Fred Natolochny  
**Sent:** Monday, April 29, 2019 3:38 PM  
**To:** Melissa Larion; Beth Brown  
**Subject:** FW: C6798: Proposed Telecommunications Tower 4638 Sideroad 20 North Puslinch  
**Importance:** High

Any comments?

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**From:** [j\\_mckay@rogers.com](mailto:j_mckay@rogers.com) [[mailto:j\\_mckay@rogers.com](mailto:j_mckay@rogers.com)]  
**Sent:** April 29, 2019 2:40 PM  
**To:** Fred Natolochny; 'Lynne Banks'; 'Jameson Pickard'  
**Cc:** Courtenay Hoytfox  
**Subject:** C6798: Proposed Telecommunications Tower 4638 Sideroad 20 North Puslinch  
**Importance:** High

Dear Fred,

We acknowledge your notification from the GRCA that this site requires review and permitting. As you may not be aware, proposed federal undertakings of telecommunication towers and associated areas of development are exempt from review and permitting from the provincial conservation authorities in accordance with the *Conservation Authorities Act*, R.S.O 1990, C.27.

In the case that the Applicant's Site Plan overlaps areas under provincial regulatory controls (O. Reg 150/06), the Applicant's Site Plan is designed for compatibility with these regulations in accordance with industry standards, but ISED Canada has strict approval authority for the Plan, as otherwise valid municipal and provincial regulatory bylaws and controls purporting to regulate a federal undertaking are read down under the provisions of interjurisdictional immunity.

Further, as the Site Plan Approval falls strictly within ISED Canada jurisdiction, the applicant is exempt from Planning Act/ Site Plan Controls and the GRCA is a commenting body only, to the Applicant and ISED Canada.

As a federal telecommunications undertaking, the site falls within the federal jurisdiction of CEAA (2012). With respect to your comment regarding the potential impacts of radiocommunication towers on the environment, only the radiocommunication antenna and supporting structures that are part of or incidental to projects that are designated by the *Regulations Designating Physical Activities* or otherwise designated by the Minister of the Environment as requiring an environmental assessment would be subject to the *Canadian Environmental Assessment Act, 2012*. In addition, where ISED Canada (IC) approves a radiocommunication antenna and supporting structure on federal lands, it is subject to a determination by IC that the structure will not cause significant adverse environmental affects.

The Act and Regulations, which were introduced in July of 2014 and can be found at the following link <http://www.ceaa.gc.ca/default.asp?lang=En&n=9EC7CAD2-1> were introduced to ensure the continued protection of the environment while providing an overall benefit to Canadian businesses and industry stakeholders. They will result in federal environmental assessments that focus resources on large projects rather than the small, routine projects that often have little or no environmental impact and that are typically subject to other regulatory mechanisms.

Projects which require EIS/EA are discussed here: <https://laws-lois.justice.gc.ca/eng/acts/C-15.21/page-3.html#h-8>

Please confirm with GRCA's Regulations Analyst/Official that this is correct.



Regards,

**Jeff McKay** CFP CIM FMA FCSI MBA  
**Site Acquisition Specialist**  
**Rogers Communications Inc.**  
☎ Cell: (519) 566-9267  
✉ eMail: [j\\_mckay@rogers.com](mailto:j_mckay@rogers.com)

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**From:** Fred Natolochny <[fnatolochny@grandriver.ca](mailto:fnatolochny@grandriver.ca)>  
**Sent:** April 29, 2019 11:42 AM  
**To:** Jeff McKay <[j\\_mckay@rogers.com](mailto:j_mckay@rogers.com)>; Lynne Banks <[lbanks@puslinch.ca](mailto:lbanks@puslinch.ca)>; Jameson Pickard <[jamesonp@wellington.ca](mailto:jamesonp@wellington.ca)>  
**Subject:** Proposed Telecommunications Tower 4638 Sideroad 20 North Puslinch

The site shown is immediately adjacent to a wooded area containing a Provincially Significant Wetland. The compound appears to be proposed approximately 25 metres from the wetland. Provincial and County policy suggests that an Environmental Impact Study should be undertaken to ensure no negative impacts to the adjacent Natural Heritage feature(s).

A permit will be required from the GRCA at the time of construction as the site is within the area regulated under O. Reg. 150/06.

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**From:** Jeff McKay [[mailto:j\\_mckay@rogers.com](mailto:j_mckay@rogers.com)]  
**Sent:** April 29, 2019 8:53 AM  
**To:** [nlecic@puslinch.ca](mailto:nlecic@puslinch.ca); [choytfox@puslinch.ca](mailto:choytfox@puslinch.ca); [lbanks@puslinch.ca](mailto:lbanks@puslinch.ca); [mfowler@puslinch.ca](mailto:mfowler@puslinch.ca); [gmoore@puslinch.ca](mailto:gmoore@puslinch.ca); [lgomes@puslinch.ca](mailto:lgomes@puslinch.ca); [jseeley@puslinch.ca](mailto:jseeley@puslinch.ca); [jgoyda@puslinch.ca](mailto:jgoyda@puslinch.ca); [jsepulis@puslinch.ca](mailto:jsepulis@puslinch.ca); [kroth@puslinch.ca](mailto:kroth@puslinch.ca); [mbulmer@puslinch.ca](mailto:mbulmer@puslinch.ca); [John.morrissey@ontario.ca](mailto:John.morrissey@ontario.ca); Fred Natolochny; [curtism@wellington.ca](mailto:curtism@wellington.ca); [mreid@get.on.ca](mailto:mreid@get.on.ca)  
**Cc:** Industry Canada (CWOD); Jonathan Bergen; Zachary Baum  
**Subject:** Rogers C6798 "Southgate & Clair" (Puslinch); Notice of Proposed Telecommunications Tower to commenting bodies

Please note that you are included in the notification list as a commenting body to the Township of Puslinch and ISED Canada for the subject telecommunications tower. Site Plan control and approval falls within ISED Canada jurisdiction.

Any comments you wish to make on the application are due no later than May 29, 2019 to the Applicant at [j\\_mckay@rogers.com](mailto:j_mckay@rogers.com).

Public Notification Packages will be mailed today, April 29, 2019, to property owners within the stipulated consultation radius.

Best Regards,

**Jeff McKay** CFP CIM FMA FCSI MBA  
**Site Acquisition Specialist**  
**Rogers Communications Canada Inc.**  
☎ Cell: (519) 566-9267  
✉ eMail: [j\\_mckay@rogers.com](mailto:j_mckay@rogers.com)



# COUNTY OF WELLINGTON

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## COMMITTEE REPORT

**To:** Chair and Members of the Planning Committee  
**From:** Sarah Wilhelm, Manager of Policy Planning  
**Date:** Thursday, June 13, 2019  
**Subject:** **Bill 108 – More Homes, More Choice Act, 2019**

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### 1.0 Background

On May 2, 2019 the Ontario government announced the release of “More Home, More Choice: Ontario’s Housing Supply Action Plan” and introduced Bill 108, the *More Homes, More Choices Act, 2019*, in the Legislature. The Bill proposes to change the following statutes:

- Cannabis Control Act
- Conservation Authorities Act
- Development Charges Act
- Education Act
- Endangered Species Act
- Environmental Assessment Act
- Environmental Protection Act
- Labour Relations Act
- Local Planning Appeal Tribunal Act
- Occupational Health and Safety Act
- Ontario Heritage Act
- Planning Act
- Workplace Safety and Insurance Act

At the same time, the government also posted the related amendments to the Planning Act, Ontario Heritage Act and Development Charges Act for 30-day consultation ending June 1, 2019. Unfortunately, this was a small window of opportunity and out-of-sync with our committee schedule.

The previous government passed legislation (Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017) to reform the land use planning and appeal system in Ontario. The most significant change occurred in the spring of 2018, when the Local Planning Appeal Tribunal (LPAT) replaced the Ontario Municipal Board (OMB) as the adjudicative tribunal to address land use planning appeals in Ontario. Bill 108 proposes to remove many of the Bill 139 reforms.

The purpose of this report is to:

1. provide an overview and comment on key changes to the Planning Act related to land use planning and the development approvals process, and
2. provide an overview of key changes to the Local Planning Appeal Tribunal Act and Ontario Heritage Act.

Staff note that the Treasury Department will report on the potential impacts of changes related to development charges at the June 18, 2019 Administration, Finance and Human Resources Committee meeting. One of the more significant changes is the introduction of a new “community benefits charge”. These and other changes are triggered by amendments to both the Development Charges Act and Planning Act.

## 2.0 Comments on Changes to the Planning Act

The County of Wellington has based the specific comments in the table below on the following broad principles:

1. LPAT has been in place for just over one year and the impact of reforms meant to give more weight to municipal decisions and reduce the number of hearings cannot be measured.
2. Approval authorities need time to make good decisions.

Key changes proposed		Comments
<b>Return to “de novo” hearings</b>	Repeal requirement that official plan and zoning appeals be heard exclusively on the basis that municipal decision is not consistent with a provincial policy statement, fails to conform or conflicts with a provincial plan or fails to conform with an official plan. Changes represent a return to a single “de novo” (e.g. starting from the beginning) hearing and wider grounds for appeal.	<b>Do not support. This will likely increase the number of appeals and undermine municipal decisions.</b>
<b>Faster decisions</b>	Require shorter timelines for appeals of a municipality’s failure to make a decision on the following development applications: <ul style="list-style-type: none"> <li>• Official Plan/Amendment from 210 to 120* days (and 60 days less than pre-Bill 139 timelines)</li> <li>• Standalone Zoning By-law/Amendment from 150 to 90** days</li> <li>• Draft Plan of Subdivision from 180 to 120* days</li> </ul> <p>* also 60 days less than pre-Bill 139 timeframes ** also 30 days less than pre-Bill 139 timeframes</p>	<b>Do not support. Focus should be on reducing the number of appeals not processing timelines.</b>
<b>Second (and third) units</b>	Allow one additional unit in a detached house, semi-detached house or rowhouse and one unit in an ancillary building to such housing. Currently, an additional unit can be in the dwelling, or the ancillary building, but not both.	<b>Support, subject to appropriate standards.</b>
<b>Inclusionary zoning</b>	Restrict conditions under which municipalities can establish inclusionary zoning by-laws and policies to facilitate affordable housing to areas with a development permit system in place and areas around protected major transit stations (neither of which applies to Wellington County).	<b>Do not support. Municipalities should be able to decide where this tool is used.</b>
<b>Third-party appeals</b>	New limitations placed on who can appeal the following: <ul style="list-style-type: none"> <li>• the failure to make a decision on an official plan to: the municipality that adopted the plan, the Minister, and in the case of an adopted amendment, the applicant; and</li> <li>• a decision on draft plans of subdivision, lapsing provision or any condition of draft approval to: the applicant, the municipality, the Minister, and a prescribed list of persons listed in the act.</li> </ul> <p>Currently a person or public body can appeal if they have made necessary oral or written submissions at the appropriate time.</p>	<b>Do not support, particularly in light of return to “de novo” hearings.</b>

### 3.0 Changes to the Local Planning Appeal Tribunal (LPAT) Act

Key changes proposed	
<b>Alternative dispute resolution</b>	Allow Tribunal to set rules and require mediation or other alternative dispute resolution under “specified circumstances” which are not yet defined.
<b>Case management conferences</b>	Retain power of Tribunal to require a case management conference prior to a hearing. Such conference may now also include discussing how to resolve one or more issues, instead of settlement opportunities.
<b>Examination and cross-examination</b>	Allow Tribunal to limit examination or cross-examination of a witness.
<b>Written submissions for non-parties</b>	Allow Tribunal to limit submissions by non-parties (those with participant status) to written submissions only, but clarify that such non-parties may still be examined or required to produce evidence.
<b>Transitional regulations</b>	Provide for the government to establish regulations for transitional rules for appeals commenced on or before the effective date of Bill 108. The government has not released such regulations.

### 4.0 Changes to the Ontario Heritage Act

Bill 108 also proposes numerous changes to the Ontario Heritage Act that would fundamentally change how member municipalities approach heritage conservation. We have summarized key changes to assist our member municipalities in this regard.

Key changes proposed	
<b>Prescribed principles</b>	<ul style="list-style-type: none"> <li>require a municipal council to consider “prescribed principles” when making decisions under the Ontario Heritage Act (prescribed principles not yet defined)</li> </ul>
<b>Designations</b>	<ul style="list-style-type: none"> <li>establish mandatory requirements for content of designation by-laws (not yet determined)</li> <li>90 days for municipalities to issue notice of intention to designate a property.</li> <li>120 days to pass a designation by-law after municipality issues the notice of intention to designate (with some exceptions).</li> <li>30 days to object to designation by-law</li> <li>90 days for council to consider objection</li> <li>30 days to appeal designation by-law to Local Planning Appeal Tribunal (LPAT) rather than the Conservation Review Board</li> <li>establishes powers of LPAT for such appeals</li> <li>addresses amendments to a designating by-law and alteration of designated property</li> </ul>

## Changes to the Ontario Heritage Act (continued)

Key changes proposed	
<b>Heritage register</b>	<ul style="list-style-type: none"><li>• 30 days to notify owners after including a non-designated property on the heritage register and ability for owner to object to such listing (note: legislation does not appear to grandfather registries existing prior to Bill 108 coming into force)</li><li>• 90 days for municipal council to consider owner's objection to inclusion of non-designated property on heritage register</li><li>• 60 days for owner of non-designated property on heritage register to give municipal council notice of intent to demolish or remove the building.</li></ul>
<b>Alteration and demolition</b>	<ul style="list-style-type: none"><li>• clarify that terms "alter" and "alteration" do not include demolition or removal</li><li>• 60 days to notify owners whether application for alteration or demolition are complete</li></ul>

As there are many other administrative requirements, staff encourage member municipalities to review the proposed changes to the Ontario Heritage Act in their entirety.

### 4.0 Summary

The Province recently released the Bill 108, the More Homes, More Choice Act, 2019 and this report provides comments on the key changes to the Planning Act related to land use planning and the development approvals process. This report also highlights the key changes to the Local Planning Appeal Tribunal Act and key changes to the Ontario Heritage Act that would change how member municipalities approach heritage conservation.

At the time of writing this report:

- the government has not released the provincial regulations associated with the implementation of Bill 108 and therefore, the full impact of the proposed amendments is unknown, and
- the Bill has passed second reading and is at the Committee stage in the legislature.

Staff will continue to monitor this legislation as it moves through the legislative process and will report at a later date once the regulations have been released and/or the legislation comes into effect. Even though the deadline has passed for the 30-day consultation on changes to the Planning Act, we would support sending these comments to the province.

### Recommendation

THAT the report "Bill 108 – More Homes, More Choice Act, 2019" be received for information, forwarded to the Ministry of Municipal Affairs and Housing and circulated to member municipalities.

Respectfully submitted,



Sarah Wilhelm, BES, MCIP, RPP  
Manager of Policy Planning

# Memorandum

**Date:** May 31, 2019  
**To:** Karen Landry, CAO/Clerk  
Township of Puslinch  
**From:** Sarah Wilhelm, Manager of Policy Planning  
County of Wellington  
**RE:** **Provincially Significant Employment Zones**



In a May 15, 2019 letter, Steve Clark, Minister of Municipal Affairs and Housing advised of the introduction of “Provincially Significant Employment Zones” in the newly released 2019 Growth Plan for the Greater Golden Horseshoe. This overview memo provides information in response to Mayor Seeley’s interest in this matter.

## **What are Provincially Significant Employment Zones?**

Provincially significant employment zones include:

“Areas defined by the Minister in consultation with affected municipalities for the purpose of long-term planning for job creation and economic development. *Provincially significant employment zones* can consist of *employment areas* as well as mixed-use areas that contain a significant number of jobs.”

## **Where did the zones come from?**

In draft Amendment 1 to the 2017 Growth Plan, the Province identified 29 provincially significant employment zones that they considered significant to the regional and provincial economy and that should require provincial input and approval for conversion to a non-employment use. As part of their consultation materials, the Province clarified that:

“The zones are made up of lands that are currently designated as employment areas in municipal official plans, are located inside of settlement areas and that:

1. may be vulnerable to conversion pressures (e.g. to residential conversion),
2. may be facing encroachment by sensitive land uses that could threaten viability of existing industries and employment,
3. are needed to retain existing industries and attract new investment to the region,
4. are designated employment areas in existing settlement areas.”

## **Where are the zones located?**

Other than refining the boundaries, the Province carried forward the same 29 zones in the 2019 Growth Plan, none of which was in Wellington County. Figure 1 summarizes the distribution of zones in the inner and outer ring of the Greater Golden Horseshoe area. There are only two counties with a zone (Simcoe and Haldimand). We note there are two zones adjacent to Puslinch, one in the City of Guelph and the other in the Region of Waterloo. The “South Guelph” zone includes lands north of Forestell Road and Maltby Road West on either side of the Hanlon Expressway. The “Cambridge East” zone is on the west side of Townline Road at Highway 401 between Can Amara and Jamieson Parkway.

**Figure 1 Distribution of the 29 Provincially Significant Employment Zones**

Inner Ring	# of PSEZs	Outer Ring	# of PSEZs
Durham Region	3	Barrie	-
Halton Region	4	Brant County	-
Hamilton	3	Brantford	1
Peel Region	5	Dufferin County	-
Toronto	10	Guelph	1
York Region	5	Haldimand County	1
		Kawartha Lakes	-
		Niagara Region	1
		Northumberland County	-
		Orillia	-
		Peterborough	-
		Peterborough County	-
		Simcoe County	1
		Waterloo Region	3
		Wellington County	-
<b>TOTAL</b>	<b>30*</b>	<b>TOTAL</b>	<b>8*</b>

\*Does not add to 29 as some PSEZs cover multiple jurisdictions

### What are the benefits of the zones?

Only the Province may identify provincially significant employment zones in the Growth Plan:

“The Minister may identify *provincially significant employment zones* and may provide specific direction for planning in those areas to be implemented through appropriate official plan policies and designations and economic development strategies.” (2.2.5.12)

The current policies in the Plan have a narrow focus, including to:

- **prevent conversion** of zones to non-employment uses outside of a municipal comprehensive review (2.2.5.10)
- allow the Minister to **identify zones and to direct for planning** in those areas to be implemented through appropriate official plan policies and designations and economic development strategies (2.2.5.12)
- provide authority for the Minister to **identify, establish, or update the zones** (5.2.2)
- provide for the Province to **review and update** zones in response to a **municipal request**

The Province is following a phased implementation process for the zones (Figure 2). Phase 3 includes consideration of a longer-term vision, which could result in additional policy development and other tools. As a result, the future direction for, and benefits of, such zones are unknown.

**Figure 2 Summary of Phased Implementation**

Phase	Status	Description
1	Complete	Province finalized mapping of 29 PSEZs through release of 2019 Growth Plan
2	In Progress	Province has indicated it will review requests received during the consultation period and requests for an adjustment to an existing zone, a zone boundary, or to add new zones
3	Summer 2019	Province will consult with stakeholders on longer-term vision of the zones and how they can be used as tools for investments, infrastructure planning and economic activity

### **How is a zone changed or newly identified?**

The Province has outlined a process for municipalities to request changes to the zones at the following link:

<https://www.ontario.ca/page/provincially-significant-employment-zones>

New submissions from a municipality should clearly identify:

- the proposed change (for example, realigning, adding, removing, etc.)
- the reason for the change
- that the council supports the change
- how the request meets the considerations for assessment listed below

The Province will evaluate requests based on the consensus reached between upper- and lower-tier municipalities. Where an agreement has been reached, submission of a council-endorsed letter confirming municipal positions and identifying support from both tiers is required.

The Province has also identified “considerations for assessment”, including the following.

#### **Any request for boundary changes or new zones will be reviewed based on:**

- how the proposal supports regional and provincial economic development,
- how the proposal supports the local planning context, and
- if the municipality supports it.

#### **The land in the request may:**

- be located inside the settlement area and not in the Greenbelt
- not be under appeal at the Local Planning Appeal Tribunal
- be located near infrastructure for major transportation or movement of goods
- have a high concentration of employment
- have a high economic impact or play an economic or strategic role to the region
- be vulnerable to conversion to non-employment uses (for example, to residential homes)
- include development potential for employment uses (for example, large lots for commercial purposes)
- share a common border with an existing zone



Our office has based this memo on information available at this time and our review is ongoing. I trust that this information is of assistance.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Sarah Wilhelm', with a stylized, flowing script.

Sarah Wilhelm  
Manager of Policy Planning

c. Aldo Salis, Director, Planning and Development Department



June 12, 2019  
Our File: 119006-02

Township of Puslinch  
RR 3, 7404 Wellington Road 34  
Puslinch, ON N0B 2J0

Attention: Ms. Karen Landry

Re: Fox Run Park Accessible Trail

Dear Ms. Landry:

Enclosed please find a preliminary concept plan for the proposed accessible walking trail at Fox Run Park in the Township of Puslinch.

Fox Run Park is located within the Fox Run subdivision, adjacent to Brock Road North, about one kilometer north of Aberfoyle. The 2.3-hectare park is bounded by residential dwellings on all sides with narrow access points fronting to Fox Run Drive and Deer View Ridge. Currently, there are no amenities or facilities at this park and no signage identifying its location. Although not a recommendation of the Parks and Recreation Master Plan, there has been some community interest in the Township providing an accessible walking trail at this location.

The enclosed concept plan has been prepared to facilitate community consultation in relation to this proposal.

#### Accessibility Requirements

The trail has been designed to meet accessibility requirements for a recreational walking trail outlined in the County of Wellington Facility Accessibility Design (FADM) manual and Accessibility for Ontarians with Disabilities Act (AODA), including:

- The preferred minimum width for accessible routes is 1830 mm (72 in.).
- Accessible routes shall have a running slope not steeper than 1:25 and a cross slope not steeper than 1:50.
- Rest areas shall be positioned adjacent to the trail, have accessible ground surfaces of a contrasting ground finish material (to identify functional change); and incorporate at least one bench.
- Entrance gates shall be accessible to persons using wheelchairs or scooters, with a minimum clear opening of between 850 mm and 1,000 mm.
- Where a recreational trail is adjacent to a drop-off, the trail must have edge protection at least 50 mm above the trail surface.

It is noted that there is no minimum spacing for rest stops within the FADM or AODA, rather the requirements for rest stops are determined through consultation.

### Trail Design

An approximately 400m long accessible trail constructed of 100mm of compacted limestone screenings, with a 150mm compacted granular 'A' base, is proposed. The trail meanders through the centre of the parkland from the access points to Fox Run Drive and Deer View Ridge. The width of the trail will be 1830mm for the majority of the length, increased to 2.5m wide for the access point at Fox Run Drive to permit maintenance vehicle access.

One rest area located at the midpoint of the trail is proposed. Lockable swing gates and/or bollards will be provided at each access point to permit access for pedestrians, bicycles and Township maintenance personnel, while discouraging access by motorized recreation vehicles.

Some cutting, filling and re-grading is required to maintain the maximum allowable trail slope. In addition, drainage modifications along the east property line of the parkland parcel are required to permit trail construction including re-grading and installation of a new drainage culvert.

It is noted that the eastern area of the parkland block is generally low-lying with difficulty draining. Drainage of this area is largely limited by the elevation of the outlet at the roadside ditch on Fox Run Drive. Re-grading of the drainage swales in this area is proposed to minimize localized ponding and improve drainage to the extent possible, however optimal drainage is not achievable in this area without additional measures such as in-filling or modifications to the roadside ditch.

### Additional Requirements and Considerations

#### Signage:

- In accordance with the Accessibility for Ontarians with Disabilities Act, signage should be erected at each trailhead that contains the trail length, surface type, average and minimum width, running and cross slope, and location of amenities. It is understood that the Township will obtain and install any required signage. The costs for signage have not been included in this assessment.

#### Landscaping and Screening:

- Additional landscaping or screening, such as fencing or tree rows, has not been incorporated at this time and would need to be reviewed if directed by the Township. These costs would be in addition to any costs presented.

### Cost Considerations

The estimate cost for construction of the limestone screening trail is as follows:

limestone trail	\$ 80,000
retaining wall at entrance	\$ 15,000
grading and drainage	<u>\$ 20,000</u>
	\$115,000

The Township has applied for and received grant funding from Wellington County in the amount of \$43,403.91. The capital budget as approved by Council is \$100,000, including the grant amount. Township staff have advised that the shortfall of \$15,000 compared to the approved budget may be funded through Cash in Lieu of Parkland.

Through discussion with Township parks staff, it is estimated that ongoing maintenance costs for the trail would be in the range of \$8,000 if winter maintenance is required, or \$3000 if no winter maintenance is provided. This is in addition to the grass cutting cost of \$3,240 per year by an outside contractor.

#### Schedule

The spending deadline for the accessibility grant from Wellington County is November 30, 2019.

If the project is to proceed, the following schedule is proposed to achieve the spending deadline:

- Community consultation (Public Meeting) - July 22, 2019.
- Incorporate comments, finalize trail design – August 7, 2019
- Council approval of trail design – August 14, 2019
- Prepare tender specifications, Issue for Tender – September 4, 2019
- Close tender – September 18, 2019
- Trail Construction – October/November 2019

If you have any questions or require additional information, please do not hesitate to contact us.

Yours truly,

GM BLUEPLAN ENGINEERING

Per:

A handwritten signature in black ink, appearing to read 'Amanda Pepping'.

Amanda Pepping, P. Eng.







## **REPORT FIR-2019-005**

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TO: Mayor and Members of Council

FROM: Luis Gomes, Fire Chief

MEETING DATE: June 19, 2019

SUBJECT: Memorandum of Understanding for the Activation of Tiered Response  
(New Agreement)  
File No. L04GUE – Guelph Wellington Paramedic Service

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### **RECOMMENDATION**

**That Report FIR-2019-005 regarding the entering into of a Memorandum of Understanding for the Activation of Tiered Response be received; and**

**That Council hereby authorizes the entering into the Memorandum of Understanding for the Activation of Tiered Response with Guelph Wellington Paramedic Service; and**

**That Council hereby authorizes the Fire Chief to execute the Memorandum of Understanding on behalf of the Township.**

### **DISCUSSION**

#### **Purpose**

The Ministry of Health and Long Term Care – Emergency Health Services, the Ministry of Community Safety and Correctional Services – Office of the Fire Marshal and the Ontario Association of Fire Chiefs support the implementation of formal tiered response agreements between public safety agencies such as EMS / Fire / Police.

Such written agreements provide a framework for cooperation between, and coordination of emergency services on a local level. The coordination of public safety agencies is a teamwork approach that improves the response to specified emergencies and increases the overall level of public safety in the community.

## **Background**

Previous agreement was the “2012 Memorandum of Understanding for the Activation of Tiered Response” signed by Previous Fire Chief Gordon on August 17, 2012 and approved by Council. This new agreement was signed by each Fire Chief from Wellington County that was present at the Wellington County Fire Chiefs Association meeting on May 29<sup>th</sup>, 2019.

Tiered response is recognized internationally as an effective method of coordinating public safety agencies to provide rapid first response assistance to the public in an effective and efficient manner. Tiered response sends the closest appropriate emergency response agency, to render assistance at the scene of an emergency incident until the primary response agency can arrive.

Tiered Response Agreements are formal written documents negotiated between two or more public sector safety agencies. Its intent is to establish local protocols for a multi-agency response to a life threatening or a public safety incident. A Tiered Response Agreement may outline the capabilities, expectations and limitations of each agency and defines the criteria for participation.

Tiered Response is built on the principles of teamwork and cooperation between the public safety agencies. Each participant in a local emergency response program has a specific role to play in the community and by working together; they are better equipped to meet the specific emergency needs of the constituents they serve.

The guiding principles of any tiered response program are:

- To ensure the timely availability of staff and resources to safely and efficiently mitigate a life threatening / public safety incident;
- To deploy adequately trained and equipped personnel to the scene of agreed upon life threatening / public safety emergencies.

The goal of the new Tiered Response Agreement will ensure that Puslinch Fire & Rescue Services is dispatched in a timely manner to medical emergencies where they can have a positive impact on life safety and patient care. The new tiered responses protocols will be inputted into the Central Ambulance Communications Centre computer and automatically notify Guelph Fire Department Dispatch in the event a medical call meets the tiered response criteria.



A summary of the changes between the 2012 Memorandum of Understanding and the proposed 2019 Memorandum of Understanding are outlined below:

- Breathing problems, chest pain, heart problems, convulsion, seizure, stroke, unconscious, blunt trauma and assaults have been removed.
- Code 3 EMS response calls (non-life threatening) have been removed.
- For Code 4 (urgent) calls not specifically listed in items 1 to 9 of the Memorandum of Understanding, a tiered response is required if the ambulance is delayed for greater than 20 minutes. This has been added to the 2019 Memorandum of Understanding.
- Industrial and farming accidents has been modified for only Code 4 (urgent) calls.

### **Financial Implications**

A decrease in financial implications will be realized, as the 2019 Memorandum of Understanding will reduce tiered response calls to only urgent medically related emergencies.

Using 2018 statistical information, Puslinch Fire and Rescue Services would possibly see a reduction of 51 non-urgent medically related emergency calls resulting in estimated savings of \$7,500-\$10,000 (wages and benefits). The savings in fire vehicle usage, equipment usage, and medical supplies has not been quantified.

### **APPLICABLE LEGISLATION AND REQUIREMENTS**

*Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4*

### **ATTACHMENTS**

Schedule A - Memorandum of Understanding for the Activation of Tiered Response (signed May 29, 2019)

Schedule B - 2012 Memorandum of Understanding for the Activation of Tiered Response



## Memorandum of Understanding for the Activation of Tiered Response

**Puslinch Fire and Rescue Service** agrees to respond to the following medical emergencies within its response area when tiered by Cambridge Central Ambulance Communications Centre on behalf of **Guelph Wellington Paramedic Service**:

### Tiered Response Criteria:

1. **Any Obvious Immediate Threat to Life (OIT) or VSA** (determined during the Primary Assessment)
2. **VSA**
3. **Burns/Electrocution/Inhalation** (code 4 response)
4. **Near Drowning** (code 4 response)
5. **Motorized Vehicle Collision** (code 4 response)
6. **Penetrating Trauma** (code 4 response)
7. **Industrial accidents or Accidents** at an industrial establishment (code 4 response)
8. **Accidents / injury located on farms** (code 4 response)
9. **Whenever requested by a Paramedic crew**
10. In addition to the above initial Tiered Response criteria, Puslinch Fire and Rescue Service agrees to respond to any code 4 call where there will be a significant delay (**greater than 20 minutes**) from the time that a call is received by CACC until the estimated time of arrival an ambulance.

### Notes

- a. Guelph Wellington Paramedic Service will ask that Cambridge Central Ambulance Communications Centre tier Puslinch Fire and Rescue Service no greater than sixty (60) seconds of indication of a tierable call and committing the call to the CACC System (for all call types identified above).
- b. Cambridge CACC will not tier Puslinch Fire and Rescue Service to Nursing Homes, Medical Clinics, Medical Facilities or Retirement Homes where there is a Medical Doctor (MD), Registered Nurse (RN) or Registered Practical Nurse (RPN) on scene with access to oxygen.

NOTE: All Vital Sign Absent calls will be tiered regardless if there is a MD, RN or RPN on scene with access to oxygen.

- c. This agreement acknowledges that fire emergencies take priority over requests for tiered response, but the Puslinch Fire and Rescue Service may respond to the call types identified above if not already engaged and having acknowledged acceptance of the tiered call.
- d. During declared Municipal or Provincial emergencies, the emergency takes priority and this Memorandum of Understanding (MOU) may be amended as necessary.

- e. In the event of a conflict or the need to clarify issues arising from this MOU, the parties agree that they will first attempt to resolve such issues at an operational level. Failing which and for any other purposes regarding this MOU, the following individuals shall be the contacts for formal resolution:

Contact for the City of Guelph:

**Stephen Dewar- Chief / General Manager**  
Guelph Wellington Paramedic Service  
City of Guelph Public Services  
519 822-1260 ext. 2805

Contact for the Puslinch Fire and Rescue Service:

**Luis Gomes - Fire Chief**  
7404 Wellington Road 34  
Puslinch, ON  
N0B 2J0

- f. This MOU shall commence on the date signed by both parties and continue on an annual basis, renewed automatically unless terminated in writing effective thirty (30) days from the date of receipt of the official notice.

For Puslinch Fire and Rescue Service:



Luis Gomes  
Fire Chief

Date: \_\_\_\_\_

May 29/19

For Guelph Wellington Paramedic Service:



Stephen Dewar  
Chief – General Manager

Date: \_\_\_\_\_

May 29 19

## **2012 Memorandum of Understanding for the Activation of Tiered Response**

The **Puslinch Fire & Rescue Services** agrees to respond to the following medical emergencies within its response area when tiered by Cambridge Central Ambulance Communications Centre on behalf of Guelph Wellington Emergency Medical Service:

### **Tiered Response Criteria:**

1. **Any Code 4 response triggered in the Primary Assessment** including:
  - a. Obvious Immediate Threat to Life (OIT) or VSA (Primary Assessment)
  - b. Choking, Not Breathing, Severe Respiratory Distress, Unconscious (Primary Assessment)
  - c. Airway/Breathing Compromise (Primary Assessment)
2. **Burns/Electrocution/Inhalation** (as per card 8, code 4 response)
3. **Near Drowning** (as per card 14, code 4 response)
4. **Motorized Vehicle Collision** (as per card 24, code 4 response)
5. **Penetrating Trauma** (as per card 27, code 4 response)

### **Tiered Response Criteria when the ambulance is not at the Clair Rd station:**

1. **Breathing Problem** (as per card 7, code 4 response)
2. **Chest Pain / Heart Problem** (as per card 11, code 4 response)
3. **Convulsion / Seizure** (as per card 12, code 4 response)
4. **CVA Stroke** (as per card 29, code 4 response)
5. **Decreased Level of Consciousness / Unconscious** (as per card 30, code 4 response)
6. **Blunt Trauma / Assault** (as per card 28, code 4 response)

Puslinch Fire & Rescue Services also agrees to respond to any calls involving accidents on farms or at industrial establishments.

In addition to these initial Tiered Response criteria, Puslinch Fire & Rescue Services agrees to respond to any calls, including code 3 calls, where there will be a significant delay **(greater than 15 minutes)** in the arrival of the ambulance.

The Puslinch Fire & Rescue Services also agrees to respond to any calls where paramedics on a call request the assistance of Fire personnel.

### **Notes**

- a. Guelph Wellington EMS will ask that Cambridge Central Ambulance Communications Centre to tier Puslinch Fire & Rescue Services within sixty (60) seconds of indication of a tierable call and committing the call to the CACC System (for all call types identified above).
- b. Cambridge CACC will not tier Puslinch Fire & Rescue Services to Nursing Homes, Medical Clinics, Medical Facilities or Retirement Homes where there is a Medical Doctor (MD), Registered Nurse (RN) or Registered Practical Nurse (RPN) on scene with access to oxygen.

NOTE: All Vital Sign Absent calls will be tiered regardless if there is a MD, RN or RPN on scene with access to oxygen.

- c. This agreement acknowledges that fire emergencies take priority over requests for tiered response, but the Puslinch Fire & Rescue Services may respond to the call types identified above if not already engaged and having acknowledged acceptance of the tiered call.
- d. During declared municipal or provincial emergencies, the emergency takes priority and this Memorandum of Understanding (MOU) may be amended as necessary.
- e. In the event of a conflict or the need to clarify issues arising from this MOU, the parties agree that they will first attempt to resolve such issues at an operational level. Failing which and for any other purposes regarding this MOU, the following individuals shall be the contacts for formal resolution:


Contact for EMS:  
Stephen Dewar  
Chief EMS, GW-EMS  
City of Guelph Emergency Services

Contact for Puslinch Fire & Rescue Services:  
Robert Gordon, Fire Chief , 519 821 3010, c 519 837 6090  
Steve Goode, Deputy Chief, 519 821 3010, c 519 546 9029


- f. This MOU shall commence on the date signed by both parties and continue on an annual basis, renewed automatically unless terminated in writing effective thirty (30) days from the date of receipt of the official notice.

Puslinch Fire & Rescue Services:

  
\_\_\_\_\_  
Fire Chief

  
\_\_\_\_\_  
Date

For Guelph Wellington Emergency Medical Service:

  
\_\_\_\_\_  
Stephen Dewar  
Chief

  
\_\_\_\_\_  
Date



## **REPORT FIR-2019-006**

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TO: Mayor and Members of Council

FROM: Luis Gomes, Fire Chief

MEETING DATE: June 19, 2019

SUBJECT: Purchase of new Equipment – Elliptical Exercise Machine

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### **RECOMMENDATION**

**That Report FIR-2019-006 regarding the Purchase of New Equipment – Elliptical Exercise Machine be received; and**

**That Council authorize the purchase of the used elliptical at an amount of \$916 to be funded from account number 01-0040-4205.**

### **DISCUSSION**

#### **Purpose**

The Fire Chief is informing Council of this recent purchase. The purchase of an Elliptical Exercise Machine is outside the scope of previous equipment purchases.

#### **Background**

The physical well-being of our firefighters is paramount. Their physical fitness affects their job performance, prevents injuries and influences their mental and emotional stability. Exercise is also a method of defusing after a mentally or emotionally stressful emergency incident. Another post-emergency benefit is to perspire toxins by exercising. This is a form of detoxifying the body and should be performed as soon as possible after exposure to smoke-filled/hazardous environments.

In the past and recent future, Puslinch Fire and Rescue Service firefighters have requested a fitness facility at the FireHall and/or discounted corporate gym memberships. The Elliptical Exercise Machine is a show of support for their well-being. It is also common practice for both career and paid-on-call fire departments to have in-house fitness centres.

**Financial Implications**

Used commercial grade Elliptical Exercise Machine \$916 (inclusive of the non-refundable portion of HST) funded from account number 01-0040-4205 – Equipment Maintenance and Supplies.

**APPLICABLE LEGISLATION AND REQUIREMENTS**

*Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4*

**ATTACHMENTS**

None

## **MINUTES – FEBRUARY 19, 2019**

### **MEMBERS PRESENT**

Mary Tivy – Chair  
Councillor Matthew Bulmer  
Barb Jefferson  
John Levak

### **MEMBERS ABSENT**

John Arnold

### **TOWNSHIP STAFF**

Lynne Banks – Development & Legislative Coordinator  
Sarah Wilhelm – Planner, County of Wellington  
Jessica Rahim – Planner, County of Wellington

#### **1. CALL TO ORDER**

The meeting was called to order at 1:05 p.m.

#### **2. DISCLOSURE OF PECUNIARY INTEREST**

None

#### **3. OPENING REMARKS**

The Chair welcomed Sarah Wilhelm and Jessica Rahim from the County of Wellington and thanked them for attending the meeting.

#### **4. APPROVAL/ADOPTION OF MINUTES**

That the minutes of the Heritage Committee meeting dated December 3, 2018 and January 22, 2019 be adopted.

Moved by: John Levak

Seconded by: Barb Jefferson

CARRIED

#### **5. MATTERS ARISING FROM MINUTES**

##### **1. HERITAGE IMPACT ASSESSMENT GUIDELINES**

- The Committee would like to prepare Terms of Reference and an example of the City of Waterloo's terms of reference were provided to committee members.
- Sarah Wilhelm provided a handout for general heritage policies and definitions that are in the County of Wellington's Official Plan and advised that the County of Wellington does not have Terms of Reference as heritage is managed at the local municipal level.
- The Committee has reviewed the City of Waterloo's terms of reference and would like to see something similar for the Township.
- Sarah Wilhelm advised that the County will review the City of Waterloo's terms of reference in context to the County's Official Plan and will report back to the Committee. She further advised that if the Township prepares terms of reference the County could review it to ensure that it picks up the policies in its Official Plan.
- The Committee asked if the County has a project to show heritage properties on the County mapping, and if not, could a layer be added to show the heritage properties?

- The Committee would like to know if HIA's could be peer reviewed and have the Developer cover the costs?
- Councillor Bulmer has requested that the Heritage Committee circulated on all public meetings.

## 2. SUMMER STUDENT POSITION, 2019

- Draft budget to be passed by Council on February 20, 2019. Lynne Banks will notify the Heritage Committee once it is confirmed to have been passed so they can begin planning for the summer student.

## 3. COUNCIL ORIENTATION PACKAGE

- Presentation not completed yet, should be ready by the first of April.

## 4. PROPERTIES PENDING REVIEW FOR ADDITION TO MUNICIPAL REGISTER

- Updates to registry is almost completed, there are a few properties to be looked at prior to completion.
- Committee members will make it a priority to get it completed.
- Committee will compile a list of top 10 historic properties for June meeting.

## 5. BARN DEMOLITION PERMIT UPDATE

- Lynne Banks reported that the Township's CBO has advised that the Building Code exempts barns on a farm from the requirement of a demolition permit, but the building department does encourage them to do so in order to ensure MPAC has a record to remove the tax burden from the owner.

## 6. PROPOSED HERITAGE PLAQUE TO RECOGNIZE THE BLACK FAMILY CONTRIBUTIONS TO THE GROUNDS AT THE COMMUNITY CENTRE

- The Heritage Committee will work to come up with ideas from design and text at the June Heritage Committee Meeting.

## 7. FUTURE PROPERTIES TO BE PLAQUED

- Starkey property and 52 or 62 Brock Road.
- Plan for next year's budget for plaques (bronze and casting costs, etc.).

## 8. DOCUMENTING AND ACKNOWLEDGING ABORIGINAL SITES AND HERITAGE IN PUSLINCH ON THE TOWNSHIP WEBSITE

- Mary Tivy to check with Karen Landry and the parties named in the statement (6 nations, Mississaugans) to confirm that the committee can prepare a territorial acknowledgement and put it on the Township's website.

# 6. REGULAR BUSINESS

## 1. PROPOSED AMENDMENT 1 TO THE GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2017



- Small changes in Growth Plan regarding settlement areas.

## 2 COMMUNICATIONS RE DANISH COMMUNITY HERITAGE

- Barb Jefferson spoke to the Danish Community representatives and inquired as to whether or not they would like to be recognized as a heritage community and be presented with a plaque.

## 7. INFORMATION UPDATES

7.1 Exhibit on Neutral First Nations Loaned to Eden Mills for Heritage Day Workshop.

7.2 Heritage Week is February 18-24. Karen Wagner will give a presentation on property research methods on February 20<sup>th</sup> at 1:00 p.m. at the Puslinch.

7.3 Puslinch Historical Society Updates: Presentations and Jane's Walks.

7.4 Ontario Heritage Conference is May 30-June 1 in Goderich.

7.5 Alliance for Historic Landscape Preservation: *Conserving Cultural Landscapes* Conference, May 22-26<sup>th</sup> in Detroit, Michigan.

## 8. FUTURE MEETING AND FIELD TRIP DATES

- Next meeting date is June 3, 2019
- Field Trip date is June 17, 2019

## 9. ADJOURNMENT

The meeting adjourned at 3:27 p.m.

## 10. NEXT MEETING

June 3, 2019 @ 1:00 p.m.

## MINUTES

### **MEMBERS PRESENT**

Councillor John Sepulis, Chair  
Deep Basi  
Dan Kennedy  
Dennis O'Connor  
Paul Sadhra

### **MEMBERS ABSENT**

None

### **OTHERS IN ATTENDANCE**

Lynne Banks, Development and Legislative Coordinator  
Courtenay Hoytfox, Development and Legislative Coordinator  
Cutis Marshall, Planner, County of Wellington  
Jeff Buisman, Van Harten Surveying Inc.  
William Reeve  
Kirk Sargeant  
Shawn Sawatzky, Tropical Sunrooms  
John Sloom  
Jim and Pat Watson  
Kim Wozniak

### **1. OPENING REMARKS**

The Chair welcomed the gallery to the Committee of Adjustment meeting and informed the gallery Township Staff would present the application, then the applicant would have the opportunity to present the purpose and details of the application and provide any further relevant information. Following this, the public can obtain clarification, ask questions and express their views on the proposal. The members of the Committee can then obtain clarification, ask questions and express their views on the proposal. All application decisions are subject to a 20 day appeal period.

### **2. DISCLOSURE OF PECUNIARY INTEREST**

- None

### **3. APPROVAL OF MINUTES**

Moved by: Dan Kennedy

Seconded by: Paul Sadhra

That the Minutes of the Committee of Adjustment meetings held Tuesday, April 9, 2019 be adopted.

CARRIED

**4. APPLICATIONS FOR MINOR VARIANCE OR PERMISSION** under section 45 of the Planning Act to be heard by the Committee this date:

**4a.) Minor Variance Application D13/REE – William Reeve** – Property described as Part Lot Concession Gore, 6522 & 6526 Gore Road, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit a reduced lot frontage of 106.0m instead of 121.9m as required.

- Courtenay Hoytfox outlined the application and advised that the notice requirements for the application had been met and that no objections were received and the following comments have been received:

- Heritage Committee: Advised that there is a significant heritage structure on the property which is an early stone house and are not sure if there would be any impact on the property.
- Jeff Buisman of Van Harten Surveyors, consultant, provided an overview of the application and advised that there is a severance application pending with the County.
- Kim Wozniak outlined the four tests for approval of a minor variance and stated that the application was not minor nor was it necessary because it will provide the owner with three parcels and could impact the abutting wetlands and the protected wellhead and drinking water, and would possibly be developed. She further stated that she wants a condition in the Decision that the property could not be severed by the owner.
- John Sepulis asked Curtis Marshall if the land would be severable in the future.
- Curtis Marshall advised that the severance application was for a lot line adjustment and that no new building lots were created.
- John Sepulis asked if a new severance would be permitted.
- Curtis Marshall advised that the county has not received an application to sever the property at this time, and if one is submitted in the future, the abutting wetlands would have to be addressed.
- Jeff Buisman stated that the County planning report states that the four tests for a minor variance have been met, there is no new building lot and no intention to create a building lot in the near future. He further stated that with the abutting bush and wetlands on the property it would be difficult to sever the lot and further suggested that the condition requested by Kim Wozniak would not be enforceable.
- Dan Kennedy asked if there is anything that says the owner could not erect a building later.
- Jeff Buisman advised that the land is mostly bush and wetland in front of the property and it would be very difficult to put a new driveway leading into the property.
- Paul Sadhra asked if the land is protected by the GRCA.
- Jeff Buisman advised that the land is core greenlands, mirror wetlands and the Grand River Conservation Authority has regulation limits for a new driveway and would require approval and a permit to put a new driveway into the property.
- Dennis O'Connor asked if the heritage building located on the property be impacted.
- Jeff Buisman advised that it is the owner's mother's house and would not be impacted.
- There were no further questions or comments.

The Committee voted on the motion with John Sepulis, Paul Sadhra, Dan Kennedy and Dennis O'Connor in favour and Deep Basi opposed to the motion.

The request is hereby **Approved** with no conditions.

CARRIED

**4(b) Minor Variance Application D13/SAR – Kirk Sargeant** – Property described as Part 1 on Reference Plan 61R-21247, 4852 Sideroad 10 N, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended to permit a second septic system to accommodate the accessory apartment instead of the accessory apartment connecting to the existing well and septic which services the main dwelling, as required.

- Courtenay Hoytfox outline the application and advised that the notice requirements for the application had been met and that no objections were received from the circulated agencies or public.
- The owner provided an overview of the application and noted that one septic system would be located at the front of the dwelling and one septic system would be located at the rear of the dwelling.

- There were no public comments or questions.
- Dan Kennedy inquired if the building department is satisfied with the application
- The owner advised that the building permit was submitted and the required fees have been paid.

The Committee voted on the motion with all in favour.

The request is hereby **Approved with the following condition(s)**:

1. The owner shall pay any required development charges.

CARRIED

**4(c) Minor Variance Application D13/SLO – Sloat Construction Ltd.** - Property described as Units 2-8 inclusive Wellington Vacant Land Condominium No. 246, Fox Run Estates Phase 2, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended to permit reduced side yard setbacks for Units 3-7 to be 5.0m instead of 10.0m as required in Section 9(3)(d) instead of 10.0m for each lot as required.

Requesting relief from provisions of Zoning By-Law #19/85, as amended to permit reduced west side yard setback for Units 2 and 8 to be 5.0m instead of 10.0m for each lot as required.

- Courtenay Hoytfox outlined the application and advised that the notice requirements for the application had been met with no objections received and the following comments:
  - GRCA – On May 14, 2019, after review of an updated site plan sketch, The Grand River Conservation Authority amended its comments from May 8, 2019 which, among other concerns recommended deferral of this application to allow the applicant the opportunity to provide an Environmental Impact Study (EIS) to address applicable policies. Its May 14, 2019 comments stated that since the east side yards of Units 2 and 8 will now maintain a 10 metre setback it they will not encroach on the “no-touch” wetland buffer and that it appears that the current proposal relating to Units 2 and 8 conforms with the prior EIS study. It further stated that it would suggest that the Tree Savings Plan be reviewed and approved by the Township and County of Wellington prior to any onsite work or that the applicant modify the current proposal to accommodate this requirement. Its last comment was that due to the natural heritage features, the subject properties are regulated by the GRCA under the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (O. Reg. 150/06) and that a GRCA permit will be required prior to any site alteration, pre-grading or development, but the permitting process would not take the tree saving into account and will provide advisory comments once a site plan has been prepared.
  - County of Wellington – Planning staff have no objection subject to the following condition: That a revised tree saving/compensation plan be submitted to, and approved by, the Township of Puslinch and the County of Wellington.
- John Sepulis clarified for the committee the updated application that the owner submitted and subsequent comments received from various agencies.
- Jeff Buisman of Van Harten Surveyors, consultant, provided an overview of the application and stated that there is better flexibility to where trees will be planted and that each lot will have a specific tree planting plan for each lot. He further explained that there is an easement located between Units 3 and 4 however it is not registered on title but is listed in the Condominium Declaration and is already in place between the two properties.
- Dan Kennedy asked what direction does the water flow through the swale.
- Jeff Buisman advised that the water drains from the road to the rear of the property.
- Dan Kennedy asked if the Grand River Conservation Authority is satisfied with the application.
- Jeff Buisman advised that it is satisfied.

- John Sepulis commented that the swale is deep and that asking for a reduced setback of 5 metres will put the foundation of the dwelling very close to the swale if there is a “100 year” storm.
- Jeff Buisman advised that the houses could be to the edge of the swale and that the site plan will show how the dwelling would be situated on the property.
- John Sepulis asked that with the reduced side yard setbacks would a larger dwelling be built.
- Jeff Buisman responded that it is possible if requested by the lot owner.
- John Sepulis stated that the original Environmental Impact Study spoke to the soil and location of the septic bed and is concerned that if the lot size is reduced to build a bigger dwelling will the size of the septic bed be located in the right location and will effluent be able to move through the septic bed and how will it affect Mill Creek. The committee might require a condition that a study be done to validate that there will be no negative impact from the increased septic bed.
- Jeff Buisman inquired what kind of study would be required.
- John Sepulis advised that a hydrogeologist prepared the previous study and the study would require to be updated to address that if a larger building is built how it would affect the septic bed if it wouldn't be caught at the building permit stage.
- Jeff Buisman stated that the building permit will need the septic system design so it may not address whatever impact the condition or the study states it will have on the property.
- John Sepulis read what the draft conditions that would be placed in the Decision so that Jeff could provide some clarity.
- Jeff Buisman advised that the septic systems will be tertiary septic beds and should not be a problem.
- John Sepulis advised that one of the conditions in the decision will be stated “to the satisfaction of the Township’s engineer”.
- During the course of discussion the east side yard setbacks of Unit 4 and the west side yard setbacks of Unit 3 were removed from consideration at the request of Jeff Buisman.
- Jeff Buisman suggested that the owner would agree to keep both of the preceding setbacks at 10 metres and the engineering study would no longer be required.

The Committee voted on the motion with all in favour.

The request is hereby **Approved with the following conditions:**

1. Units 2 and 8:

- (a) The applicant shall obtain a hydrogeological study no later than Friday, May 15, 2020 to demonstrate that the increased septic bed size can be accommodated and the septic effluent will not have detrimental effect on the wetlands and Mill Creek;
- (b) The applicant shall pay the Township’s third party consultant costs including the cost for the Township engineer’s review of all required documents.

2. Units 3-7 inclusive:

- (a) The applicant shall obtain a hydrogeological study no later than Friday, May 15, 2020 to show that the increased septic bed size can be accommodated and the septic effluent will not have detrimental effect on the wetlands and Mill Creek;
- ~~(b) That the east side of Unit 4 and the west side of Unit 3 shall be subject to an engineering assessment to show that the water flow through the swale will not affect the homes at a 5.0 metre setback to the satisfaction of the Township’s engineer.~~
- (c) That the applicant shall pay the Township’s third party consultant costs including for the Township’s engineer’s review of all required documents.

- (d) That the applicant shall submit a revised tree saving/compensation plan to the Township for approval by the Township of Puslinch and the County of Wellington.

CARRIED

**4(d) Minor Variance Application D13/WAT – Jim and Pat Watson –** Property described as Lot 52 Plan 61M-203, 4 Hemlock Crescent, Township of Puslinch.

- (i) Requesting relief from provisions of Zoning By-Law #19/85, as amended to permit a maximum lot size of 50.31m<sup>2</sup> (16.3%) relief instead of maximum lot coverage of 35%, as required.
  - (ii) Requesting relief from provisions of Zoning By-Law #19/85, as amended to permit a maximum dwelling size of 3.34m<sup>2</sup> instead of 116m<sup>2</sup> as required.
  - (iii) Requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit a reduced rear yard set-back of 0.46m relief instead of minimum rear yard set-back of 1.2m as required.
- Courtenay Hoytfox outlined the notice application and advised that the notice requirements for the application had been met and that there were no comments or objections.
  - Shawn Sawatzky from Tropical Sunrooms, the designer for the owner, provided an overview of the application.
  - There were no questions or comments from the public.
  - Dan Kennedy asked if the proper foundation meets the Building Code
  - Shawn Sawatzky advised that it does.

The Committee voted on the motion with all in favour.

The request is hereby **Approved with no conditions.**

CARRIED

**5. OTHER MATTERS**

- None.

**6. ADJOURNMENT**

Moved by: Dennis O'Connor

Seconded by: Deep Basi

The Committee of Adjustment meeting adjourned at 8:05 p.m.

CARRIED



## **MINUTES**

### **MEMBERS PRESENT**

Councillor John Sepulis, Chair  
Deep Basi  
Dan Kennedy  
Dennis O'Connor  
Paul Sadhra

### **MEMBERS ABSENT**

None

### **OTHERS IN ATTENDANCE**

Lynne Banks, Development and Legislative Coordinator  
Courtenay Hoytfox, Development and Legislative Coordinator  
Curtis Marshall, Planner, County of Wellington

### **1 - 5. COMMITTEE OF ADJUSTMENT**

- See April 9, 2019 Committee of Adjustment minutes.

### **6. OPENING REMARKS**

The meeting was called to order at 8:06 p.m. The Chair advised that the following portion of the Committee meeting will be reviewing and commenting on development planning applications. The Chair further indicated that there were no applications to be heard for this meeting.

### **7. DISCLOSURE OF PECUNIARY INTEREST**

None

### **8. APPROVAL OF MINUTES**

Moved by: Dennis O'Connor

Seconded by: Deep Basi

That the Minutes of the Planning & Development Advisory Committee Meeting held Tuesday, April 9, 2019, be adopted.

CARRIED

### **9. APPLICATION FOR SITE PLAN URBAN DESIGN REVIEW**

- None

### **10. ZONING BY-LAW AMENDMENT**

- None

### **11. LAND DIVISION**

- None

### **12. OTHER MATTERS**

#### **12(a) Code of Conduct Overview**

- Courtenay Hoytfox provided an update of the Code of Conduct for Councilors and Committee Members. All committee members will sign and return to Courtenay Hoytfox once they have



reviewed it.

**13. CLOSED MEETING**

- None

**14. NEXT MEETING**

- Next Regular Meeting Tuesday, June 11, 2019 @ 7:00 p.m.

**15. ADJOURNMENT**

Moved by: Paul Sadhra

Seconded by: Dennis O'Connor

That the Planning & Development Advisory Committee is adjourned at 8:10 p.m.

CARRIED



# **THE CORPORATION OF THE TOWNSHIP OF PUSLINCH**

## **BY-LAW 037-2019**

A by-law to amend the 2019 tax levy by-law  
No. 030-2019.

**WHEREAS** Council passed By-law No. 030-2019 on the 15<sup>th</sup> day of May, 2019 to provide for the levy and collection of property taxes for the 2019 taxation year; and

**WHEREAS** it is deemed expedient to amend By-law No. 030-2019;

NOW THEREFORE the Council of the Corporation of the Township of Puslinch  
HEREBY ENACTS AS FOLLOWS:

1. That By-law No. 030-2019 is hereby amended by deleting from Section 1 the sum of \$24,832,798 and replacing it with \$24,861,653.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 19<sup>th</sup> DAY  
OF JUNE, 2019.**

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James Seeley, Mayor

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Karen Landry, CAO/Clerk

# THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

## BY-LAW NUMBER 038-2019

BEING A BY-LAW TO ACQUIRE AND DEDICATE BLOCK 13 ON Plan 61M-230 AS PART OF THE TOWNSHIP OF PUSLINCH PUBLIC HIGHWAY SYSTEM, TO BE KNOWN AS AND TO FORM PART OF CHURCH STREET.

**AND WHEREAS** Section 27(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 authorizes a municipality to pass by-laws in respect of a highway over which it has jurisdiction;

**AND WHEREAS** Section 31(4)(2) of The Municipal Act, 200L, S.O. 2001, c.25, as amended, authorizes a municipality by by-law to establish a highway;

**AND WHEREAS** it is now appropriate to dedicate the lands shown as Block 13 on Plan 61M-230 as part of Church Street;

**NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PUSLINCH ENACTS AS FOLLOWS:**

1. **THAT** the lands described as Block 13 on Plan 61M-230, Township of Puslinch, is hereby dedicated as part of the public highway system to be known as, and to form part of Church Street;

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 19<sup>th</sup> DAY OF JUNE, 2019.**

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James Seeley, Mayor

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Karen Landry, CAO/Clerk

**THE CORPORATION OF THE TOWNSHIP OF PUSLINCH**

**BY-LAW NUMBER 039-2019**

Being a by-law to appoint a Building Official for the  
Corporation of the Township of Puslinch

-

**WHEREAS** Section 3 of the Building Code Act, S.O. 1992, c. 23, requires a municipality to appoint a Chief Building Official and such inspectors as are necessary for the enforcement of the Act in the areas in which the municipality has jurisdiction;

**NOW THEREFORE** the Council of the Corporation of the Township of Puslinch enacts as follows:

1. THAT Rick Block is hereby appointed as Building Inspector pursuant to Section 3 of the Building Code Act, S.O. 1992, c. 23.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
19th DAY OF JUNE 2019.**

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James Seeley, Mayor

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Karen M. Landry, CAO/Clerk

## **THE CORPORATION OF THE TOWNSHIP OF PUSLINCH**

### **BY-LAW NO. 040-2019**

A By-law to adopt Amendment No. 1 to the Our Corridor Community Improvement Plan.

The Council of the Corporation of the Township of Puslinch, pursuant to the provisions of the Planning Act, R.S.O. 1990, c.P.13 as amended, does hereby enacts as follows:

1. THAT Amendment No. 1 to the Our Corridor Community Improvement Plan for the Township of Puslinch, consisting of this explanatory text, is hereby adopted.
2. THAT this By-law shall come into force and take effect on the day of the final passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED June 5, 2019**

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**Mayor**

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**Clerk**

AMENDMENT NO. 1  
TO THE  
OUR CORRIDOR COMMUNITY IMPROVEMENT PLAN

# AMENDMENT NO. 1 TO THE OUR CORRIDOR COMMUNITY IMPROVEMENT PLAN

## INDEX

### **PART A - THE PREAMBLE**

The preamble provides an explanation of the proposed amendment including the purpose, location, and background information, but does not form part of this amendment.

### **PART B - THE AMENDMENT**

The amendment describes the changes and/or modifications to the Township of Puslinch's Our Corridor Community Improvement Plan which constitute Amendment No.1.

### **PART C - THE APPENDICES**

The appendices, if included herein, provide information related to the amendment, but do not constitute part of the amendment.

## **PART A - THE PREAMBLE**

### **PURPOSE**

The purpose of the amendment is to update the Our Corridor Community Improvement Plan policies to enable County participation in local community improvement initiatives through the Invest Well Programme.

### **LOCATION**

The amendment applies to the entire community improvement project area, as described by Section 5 and shown in Figure 1 of the Our Corridor Community Improvement Plan.

### **BACKGROUND**

In March 2016, The Township of Puslinch adopted the Our Corridor Community Improvement Plan (CIP). Section 6.A of the CIP states “the Township may explore the possibility for participation from Wellington County in the ‘Our Corridor’ Community Improvement Plan” and outlines next steps for determining how and when the County may participate. Section 6.A also notes, “that once the extent of any financial involvement by Wellington County in any of the incentive programs is determined, an amendment to the financial incentives Section 7 of this plan will be required”.

### **BASIS**

According to section 28(7.2) of the Planning Act, with respect to County participation in CIPs, “The council of an upper-tier municipality may make grants or loans to the council of a lower-tier municipality and the council of a lower-tier municipality may make grants or loans to the council of an upper-tier municipality, for the purpose of carrying out a community improvement plan that has come into effect, on such terms as to security and otherwise as the council considers appropriate, but only if the official plan of the municipality making the grant or loan contains provisions relating to the making of such grants or loans.”

On January 28, 2016 the County of Wellington adopted Official Plan Amendment 96, which incorporated provisions that enable the County to make grants or loans to local municipalities to assist in the implementation of CIPs in accordance with the Planning Act.

### **PUBLIC AND AGENCY INPUT**

There was no public feedback received through the consultation process. The only agency that provided input was the Ministry of Municipal Affairs, The Grand River Conservation Authority and the County of Wellington Economic Development Department and they indicated no concerns with the proposed amendment.

### **IMPLEMENTATION AND INTERPRETATION**

The implementation and interpretation of this amendment shall be in accordance with the relevant policies of the Our Corridor Community Improvement Plan of the Township of Puslinch.

## **PART B - THE AMENDMENT**

All of this part of the document entitled **Part B - The Amendment**, consisting of the following text constitutes Amendment No. 1 to the Township of Puslinch Our Corridor Community Improvement Plan.

### **DETAILS OF THE AMENDMENT**

The Community Improvement Plan of the Township of Puslinch is hereby amended as follows:

1. THAT the “Contents” section be amended by deleting subsection “A. Strategy for County Participation”, under section 6. Township-led Programs;
2. THAT the Contents section be amended by adding the following to bullet 7, and renumbering accordingly:

#### **“H. INVEST WELL: COUNTY PARTICIPATION IN FINANCIAL INCENTIVES”**

3. THAT subsection “A. Strategy for County Participation” of section 6. Township-led Programs be deleted, and the subsequent sections renumbered accordingly;
4. THAT Section “7. Financial Incentive Programs” be amended by adding the following text after section 7.G.5, and renumbering the pages accordingly:

#### **“H. INVEST WELL: COUNTY PARTICIPATION IN FINANCIAL INCENTIVES**

##### ***H.1 About the Invest Well Programme***

The Wellington County Invest Well Programme is a strategic planning and economic development tool that directly supports the County’s longer-term planning and economic development priorities. Invest Well was developed by the County in early 2018 and sets out goals, criteria, and an implementation framework for the County’s participation in the financial incentive programmes of the Township of Puslinch and this CIP.

The following sections of the Township of Puslinch CIP describe how and when Wellington County will participate in financial incentive programmes offered by the Township of Puslinch CIP, based on an evaluation of individual applications by the Township of Puslinch and Wellington County. The following Sections are included in the Township of Puslinch CIP in accordance with Section 28 of the Planning Act and Section 4.1 of the Invest Well Programme.

The Invest Well Programme was endorsed by the County on June 28, 2018. The full document is available on the County’s website <https://www.wellington.ca/en/business/EDCommImprovPlan.aspx> and should be reviewed for full details on County participation in the Township of Puslinch CIP.



The full document will also be used by the member municipalities to integrate County participation within the Township's incentive programmes.

## ***H.2 Goals***

The County has identified the following three goals for the Invest Well Programme, which will guide the County's financial participation in the Township of Puslinch CIP:

### **GOAL #1: INVEST WELL:**

To prioritize the investment of County resources into community improvement projects that directly support a set of long-term, County-wide planning and economic development priorities.

### **GOAL #2: INVEST READY:**

To strategically position privately-owned properties with high development/redevelopment potential in order to attract further investment from investors and the private sector.

### **GOAL #3: INVEST MORE:**

To recognize community improvement projects that are approved for incentives through a member municipality CIP and to provide further support through County resources.

## ***H.3 Criteria for Investment***

As further explained in the County's full document, Invest Well is a criteria-based community improvement programme. This means that to be eligible for funding from the County through the incentive programmes in the Township of Puslinch CIP, proposed community improvement projects must meet a certain number of the County's 'criteria for investment'.

The criteria for investment are introduced below and organized according to a list of County economic development and planning priorities. They are provided in no particular order.

### **PRIORITY #1: TO USE LAND STRATEGICALLY**

- 1.1** The proposed project involves the redevelopment of vacant/underutilized lands.
- 1.2** The proposed project will achieve a construction value threshold established by County Council
- 1.3** The proposed project will result in employment opportunities created or retained in target sectors.

## **PRIORITY #2: TO PROVIDE RENTAL HOUSING**

- 2.1 A new mixed-use building is proposed, with commercial uses at grade and upper floor rental apartment housing units.
- 2.2 The proposed project will result in the upgrade of existing rental units.
- 2.3 The proposed project is an example of residential intensification in a downtown area.

## **PRIORITY #3: TO IMPROVE BUILDINGS AND INFRASTRUCTURE**

- 3.1 The proposed project involves the adaptive reuse of vacant or underutilized buildings.
- 3.2 The proposed project incorporates sustainable building and/or green infrastructure features.
- 3.3 The proposed project will result in improvements/upgrades to utilities/servicing.

## **PRIORITY #4: DIVERSIFY THE ECONOMY**

- 4.1 The proposed project results in new on-farm diversified or agriculture-related uses.
- 4.2 The proposal will result in the creation of a new business in a target sector or value-chain/cluster.
- 4.3 The proposal involves new retail, restaurant, or other critical businesses in the downtown area.

## **PRIORITY #5: TO PROMOTE TOURISM**

- 5.1 The proposed project provides for an increase in short-term accommodation options.
- 5.2 The proposed project involves the beautification/restoration/enhancement of key landmarks/ tourism assets.
- 5.3 The use is a current or proposed participant in the County's tourism promotion activities (i.e., Top Wellington Destinations, Taste Real).

To determine the extent to which an applicant meets the above 'Criteria for Investment', application and evaluation forms have been prepared and are provided in the County's full document. The application and evaluation forms may also be available from the Township of Puslinch. The forms will be used by the Township of Puslinch and County of Wellington in order to determine eligibility for County funding. Applications will be pre-screened for general eligibility by the Township of Puslinch and the application will be endorsed to the County and processed by County staff to confirm eligibility for incentives.

### ***H.4 County Funding/Incentive Programmes***

"Invest Well: County Participation in financial incentives" is a funding relationship between the County and the Township of Puslinch to support the implementation of the Township of Puslinch's CIP. The Invest Well programme sets out a

framework for providing County funding in accordance with the goals identified in Section H.2 and the 'criteria for investment' in Section H.3. The Invest Well Framework is made up of two incentive programmes (Invest Ready and Invest More), as shown below.

The following is a description of financial incentive programmes that have been created by the County of Wellington via Invest Well to guide the County's participation in the Township of Puslinch CIP.

#### **H.4.1 INVEST READY INCENTIVES PACKAGE**

##### ***H.4.1.1 Purpose***

The Invest Ready Incentive Package is in direct support of Invest Well Goal #2. It is intended to help prepare properties that have a high potential for development/redevelopment by making them development-ready and therefore more attractive to investors and site selectors in various sectors. The Invest Ready Incentive Package will help fund:

- a) The completion of background studies regarding site-specific issues and constraints, such as servicing and utilities, transportation access, and environmental records; and
- b) Future development/redevelopment and eligible costs for major redevelopment projects.

In addition, successful applicants of the Invest Ready Incentive Package may receive marketing and investment attraction support from the County.

##### ***H.4.1.2 Who Benefits?***

Through the Invest Ready Incentive Package, the following benefits are anticipated:

- a) The County, its member municipalities, and the public will benefit from an increase in the number of development-ready properties in Wellington County, and the future redevelopment of these sites;
- b) Landowners will benefit from the financial and non- financial support from Wellington County; and
- c) Potential investors will benefit from the availability of information related to a site condition or a proposed development, which will facilitate site selection decisions.

##### ***H.4.1.3 Who is Eligible?***

In addition to the General Eligibility Criteria in Section 7.A of this Plan and Section 4.0 of the County's full Invest Well document, to be eligible for the Invest Ready Incentive Package, the following requirements must be met:

- a) The subject property must achieve a minimum score (as identified by the County and reviewed on an annual basis), when evaluated against the County's 'criteria for investment', above; and
- b) The subject property must be sponsored and endorsed by the Township of Puslinch.

#### ***H.4.1.4 Programme Details and Value***

Where a property/applicant satisfies all applicable eligibility requirements, financial incentives may be available in three phases, as shown below, and described in this section.

##### **PHASE ONE: Pre-Development Design/Study Grant:**

- i. The County may contribute financially to the following financial incentive programs offered through section 7 of this CIP, including:
  - The Façade, Signage, and Landscape Improvement Grant;
  - The Building Improvement Grant;
  - The Building Conversion and Expansion Grant; and
  - The Motor Vehicle and Bicycle Parking Grant
- ii. The grant will provide funding to cover eligible costs required to complete due diligence, planning, technical, and/or design studies that will investigate potential site-specific development constraints and/or provide new background information regarding a potential development and redevelopment project.
- iii. Eligible costs will include professional services outlined in Section C.4, D.4, E.4 and F.4 of this CIP.
- iv. If eligible and approved, a grant from the County will be provided for 100% of the total value of eligible costs, to a maximum of \$20,000 per project and/or property.
- v. This is not a matching grant and a grant made by the Township of Puslinch in the same amount is not required in order for the County to provide funding.

##### **PHASE TWO: Tax Increment Equivalent Grant (TIEG):**

The County may contribute financially to the 'Tax Increment Equivalent Grant offered through Section 7.G of this CIP.

- i. The grant will provide funding to cover construction, demolition, on-site infrastructure, and other associated costs as a result of a redevelopment, adaptive reuse, building rehabilitation, or retrofit works.
- ii. Eligible costs will include those outlined in 7.G.4 of this CIP.
- iii. In addition, the following will be considered eligible costs for County funding only:
  - County tipping fees;
  - County planning application and building permit fees;
  - Any costs for design and study work not covered in PHASE ONE; and

- Additional community improvement costs, as determined by the County.
- iv. The grant will be calculated based on the County portion of a property tax increment that is incurred as a result of a major community improvement project. Following the payment of County property taxes (annually or at the end of the five-year term), a grant will be provided to the landowner which is equal to the County portion of an increase in property taxation.
- v. The actual grant value will be calculated as follows:
  - In year one, the grant is equal to 100% of the County portion of the tax increment;
  - In year two, the grant is equal to 80% of the County portion of the tax increment;
  - In year three, the grant is equal to 60% of the County portion of the tax increment;
  - In year four, the grant is equal to 40% of the County portion of the tax increment; and
  - In year five, the grant is equal to 20% of the County portion of the tax increment.

### **PHASE THREE: Marketing /Investment Attraction Support:**

For a discussion of this County-led initiative, refer to Section 3.2.1 of the full Invest Well document.

#### ***H.4.1.5 Payment***

- a) Grant payments will be made upon successful completion of the project. All completed projects must comply with the approved project description as provided in the grant application form and submitted to the Township of Puslinch.
- b) Grant payments from the County will be provided to the Township of Puslinch. Grants to the successful applicant will be issued and administered by the Township of Puslinch.

### **H.4.2 INVEST MORE GRANT**

#### ***H.4.2.1 Purpose***

The Invest More Grant is in direct support of Goal 3 of Invest Well. It is intended to help support a broad range of improvements to existing buildings/ properties and contribute to the overall beautification and revitalization of built-up areas. The Invest More Grant will help fund:

- a) Costs required to complete due diligence, planning, technical, and/or design studies that will investigate potential site-specific development constraints and/or provide new background information regarding a potential development and redevelopment project;
- b) Physical, structural, and aesthetic improvements to existing commercial, industrial, mixed-use, and office buildings/ properties and contribute to the

- overall beautification, revitalization, energy efficiency, function, and safety of built-up areas; and
- c) Other significant changes to a building, property, or business that result in the productive use of land and/or buildings to accommodate new job growth.

#### **H.4.2.2      *Who Benefits?***

Through the Invest More Grant, the following benefits are anticipated:

- a) The County, its member municipalities, and the public will benefit from the overall improvement and revitalization of land and buildings; and
- b) Landowners/investors/businesses will benefit from additional financial and non-financial support from County of Wellington.

#### **H.4.2.3      *Who is Eligible?***

In addition to the General Eligibility Criteria in Section 7.A of this Plan and Section 4.0 of the County's full Invest Well document, to be eligible for the Invest More Grant, the following requirements must be met:

- a) The subject property must achieve a minimum score (as identified by the County and reviewed on an annual basis), when evaluated against the County's 'criteria for investment', above; and
- b) The subject property must be sponsored and endorsed by the Township of Puslinch.

#### **H.4.2.4      *Programme Details and Value***

Where a property/applicant satisfies all applicable eligibility requirements, the Invest More Grant may be available, subject to the following:

- a) The County may contribute financially to successful applicants of any grant programme offered in Section 7 of this CIP, with the exception of the TIEG (Section 7.G) as noted above.
- b) The grant will provide funding to cover eligible costs required for a broad range of physical, structural, and aesthetic improvements to existing commercial, industrial, mixed-use, and office buildings/properties, as determined by the County.
- c) Eligible costs will include those outlined in the eligible incentive programmes discussed in section 7 of this CIP.
- d) In addition, for the Invest More grant, the following will be included as eligible costs:
- Roof-top patios, outdoor dining spaces/areas;
  - Privately Owned Publicly Accessible Spaces;
  - Bed and Breakfasts, and other short-term accommodations; and

- Additional community improvement costs, as determined by the County.
- e) If eligible and approved, a grant from the County will be provided for 50% of the total value of eligible costs, to a maximum of \$10,000 per project and/or property.
- f) This is not a matching grant and a grant made by the Township of Puslinch in the same amount is not required in order for the County to provide funding; however, the applicant must be approved for at least one eligible programme in the Township of Puslinch CIP (except for the TIEG).

#### **H.4.1.5      *Payment***

- a) Grant payments will be made upon successful completion of the project. All completed projects must comply with the approved project description as provided in the grant application form and submitted to the Township of Puslinch.
- b) Grant payments from the County will be provided to the Township of Puslinch. Grants to the successful applicant will be issued and administered by the Township of Puslinch.
- c) The Invest More Grant will be paid in a lump sum as a reimbursement of costs incurred.

#### **H.5              *Application and Approvals Process***

Applicants to the Township of Puslinch CIP will automatically be considered for County funding through the Invest Well Programmes, provided the applicant has participated in a pre-consultation meeting with Township of Puslinch Staff to discuss the proposal details, and to review the application against the eligibility requirements of the Township of Puslinch and Wellington County incentive programmes.

#### **H.6      *Wellington-Waterloo Community Futures.***

Wellington-Waterloo Community Futures is a non-profit organization mandated to support businesses by providing loans, business coaching and training workshops to encourage entrepreneurship and stimulate economic activity in rural communities. As part of a network of 268 organizations across Canada, they also provide community planning and economic development support. The Wellington-Waterloo Community Futures organization has committed to supporting the Township's CIP through the provision of business loans to assist with the portion of improvements not covered through CIP grants. This innovative and practical funding partnership is intended to act as a catalyst to encourage business owners to invest in their property improvements. The Invest Well County CIP encourages this type of coordination and enables Community Futures to contribute business loans to supplement a project outside of the contribution by the Township and County. This partnership provides the opportunity to encourage and promote the services that Community Futures

offers, towards the Township's and County's common economic development goals.

### **The Process – Wellington Waterloo Community Futures**

For those businesses located in Puslinch and having already received formal written approval by the Township to participate in a local CIP, the specific programme offered by the Wellington-Waterloo Community Futures Development Corporation is as follows:

A business development fund to assist commercial and/or industrial projects related to the County's Invest Well priority three: improve buildings and infrastructure. If approved to receive grant funds from a member municipal CIP, the applicant will automatically be approved to receive funding to put towards upfront and/or matching costs related to the approved grant. The funds will be loaned at a 3% rate on a 5 year term.

Terms:

- Proof of Municipal CIP approval
- Unsecured Business Loans up to \$20,000
- 3% Interest Rate
- Simple Application Process
- Flexible Repayment Terms
- Personal Guarantee Required

Requests over \$20,000 must be approved by WWCFDC and secured. For further information, please visit [www.wwcf.ca](http://www.wwcf.ca) .”



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 041-2019

Being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Puslinch at its Special Council meeting held on June 19, 2019.

**WHEREAS** by Section 5 of the *Municipal Act, 2001, S.O. 2001, c.25* the powers of a municipal corporation are to be exercised by its Council;

**AND WHEREAS** by Section 5, Subsection (3) of the *Municipal Act*, a municipal power including a municipality's capacity, rights, powers and privileges under section 8, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

**AND WHEREAS** it is deemed expedient that the proceedings of the Council of the Corporation of the Township of Puslinch at its Special Council meeting held on June 19, 2019 be confirmed and adopted by By-law;

**NOW THEREFORE** the Council of the Corporation of the Township of Puslinch hereby enacts as follows:

- 1) The action of the Council of the Corporation of the Township of Puslinch, in respect of each recommendation contained in the reports of the Committees and each motion and resolution passed and other action taken by the Council at said meeting are hereby adopted and confirmed.
- 2) The Head of Council and proper official of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said action of the Council.
- 3) The Head of Council and the Clerk are hereby authorized and directed to execute all documents required by statute to be executed by them, as may be necessary in that behalf and the Clerk authorized and directed to affix the seal of the said Corporation to all such documents.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 19<sup>th</sup> DAY OF JUNE 2019.**

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James Seeley, Mayor

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Karen Landry, C.A.O./Clerk