



# TOWNSHIP OF MELANCTHON

## A G E N D A

Thursday, January 16, 2020 - 10:00 a.m.

1. **Call to Order**
2. **Announcements**
3. **Additions/Deletions/Approval of Agenda**
4. **Declaration of Pecuniary Interest and the General Nature Thereof**
5. **Approval of Draft Minutes - December 12, 2019**
6. **Business Arising from Minutes**
7. **Point of Privilege or Personal Privilege**
8. **Public Question Period** (Please visit our website under Agendas and Minutes for information on Public Question Period)
9. **Public Works**
  1. Accounts
  2. Report from Kaitlin Chessell - Roads Sub-Committee Recommendation
  3. Bridge 13 Engineering Cost Estimate - RJ Burnside and Associates (to be presented at the meeting)
  4. January 2020 Winter Storm - Update
  5. Other
10. **Planning**
  1. Applications to Permit
  2. Draft Site Plan Agreement between 2690044 Ontario Inc. and The Corporation of the Township of Melancthon
  3. Other
11. **Strategic Plan** (*Defer to February 6, 2020 Agenda*)
12. **Climate Change Initiatives**
13. **Police Services Board**
  1. 2020-2022 Action Plan - Comments received
14. **Committee Reports** (*Defer to February 6, 2020 Agenda*)
15. **Correspondence**

### **\*Board & Committee Minutes**

1. GRCA Summary of the General Membership Meeting - December 13, 2019
2. Shelburne & District Fire Board - November 5, 2019

### **\* Items for Information Purposes**

1. Notice of Passing of By-law by the Town of Shelburne - 900 Main Street East
2. Ontario passes changes to Public Library Act
3. Town of Mono Proposes a Single-Use Plastic Bag By-law
4. Dufferin County Press Release - Dufferin County Swears in New Council
5. Township of Huron-Kinloss motion supporting the resolution brought forth by the Township of Ramara - requesting the province to review the existing Conservation Authorities Act, 1990, R.S.O. 1990
6. County of Simcoe recommendation supporting the Township of Ramara regarding conservation authority exit clause

7. County of Simcoe recommendation supporting the Township of Springwater regarding NVCA Levy
8. Email from Michelle Dunne - Interoperable Communications Cost Estimates
9. Dufferin County - Council in Brief
10. Report to General Government Services Committee by Pam Hillock regarding Building Permit Fee Review
11. Email from Bruna Fischer, Watson & Associates Economists, Bill 108 Proposed Changes to the DCA
12. Email from Bruna Fischer, Watson & Associates Economists, Ontario Regulation 454/19
13. Email from Ilona Feldmann - Circulation of Source Protection Committee Report to Municipal Clerks
14. Town of Shelburne - Planning Application Circulation 201 Wellington Street
15. Report to County Council from Sonya Pritchard regarding Service Review Report #4 - Project Launch and Discovery
16. Report to Council from Sonya Pritchard regarding Service Review Report #5 Monthly Update
17. Township of Southgate - Proposed Site Plan on Highway 10 being a mini storage

**\* Items for Council Action**

1. NEC Request for comments regarding - 537080 County Road 124, Part Lot 13, Concession 2 OS - 2 Applications Attached
2. By-law Enforcement Report from Jennifer Willouby, Clerk Town of Shelburne - Agreement will expire January 31, 2020
3. Report from Denise Holmes regarding 2021 Council Meeting Schedule
4. Email from Adam Garcia, AMO - Main Street Revitalization Request for Extension

**16. General Business**

1. Accounts
2. Notice of Intent to Pass By-law
  1. By-law to authorize the borrowing of \$2,909,797.85
  2. By-law to Provide for the Levy and Collection Rates or Levies Required for the Township of Melancthon for the Interim Levy for the Year 2020
  3. By-law to provide remuneration, allowances and expenses for Members of Council
  4. By-law to Amend Tariff of Fees for Administrative Matters
3. New/Other Business/Additions
  1. Draft Application to Operate a Salvage Yard
  2. Proposed Framework for Horning's Mills Hall Board submitted by the Hall Board of Management
  3. Draft 2020 Spring/Summer Newsletter
  4. Northern Iron and Metal - Discussion - Mayor White
4. Unfinished Business
  1. Municipality of West Elgin resolution regarding proposed changes to the Provincial Policy Statement to support the governments's Housing Supply Action Plan

**17. Delegations**

1. 11:45 a.m. - Presentation of Plaque to Dana Prentice in recognition of his retirement in 2019 from the Mulmur Melancthon Fire Department

**18. Closed Session**

**19. Third Reading of By-laws**

**20. Notice of Motion**

**21. Confirmation By-law**

**22. Adjournment and Date of Next Meeting - Thursday February 6, 2020 - 5:00 p.m.**

**23. On Sites**

**24. Correspondence on File at the Clerk's Office**

1. County of Simcoe Planning Department - Ministry of Municipal Affairs and Housing and Partner Ministries through One-Window Consultation Ministry of the Environment, Conservation and Parks (Midhurst Office)



The Corporation of

**THE TOWNSHIP OF MELANCTHON**

157101 Hwy. 10, Melancthon, Ontario, L9V 2E6

Telephone - (519) 925-5525

Fax No. - (519) 925-1110

Website: [www.melancthontownship.ca](http://www.melancthontownship.ca)

Email: [info@melancthontownship.ca](mailto:info@melancthontownship.ca)

**CORPORATION OF THE TOWNSHIP OF MELANCTHON**

**MEMORANDUM**

**TO: MAYOR WHITE AND MEMBERS OF COUNCIL**

**FROM: KAITLIN CHESSELL, SECRETARY ROADS SUB-COMMITTEE**

**SUBJECT: RECOMMENDATIONS FROM ROADS SUB-COMMITTEE MEETING JANUARY 8, 2020**

**DATE: JANUARY 9, 2020**

---

**Public Question Period**

A member of the public brought up concerns about the Road Management Plan and the different issues with roads that may not be addressed as soon as they should be, in the addendum to the Road Management Plan Maintenance Schedule. Discussion ensued about the 5<sup>th</sup> Line OS and how we should contact the County about helping us repair this road due to the condition of County Road 21 and road closures which is forcing traffic down both the 5<sup>th</sup> Line OS and 4<sup>th</sup> Line NE, including lots of truck traffic.

**Recommendation**

The Roads Sub-Committee recommends to Council that staff be directed to request a written report from the Dufferin County Roads Engineer to address the timing of the completion of County Road 21 (between the 4<sup>th</sup> Line NE and 5<sup>th</sup> Line OS), recognizing that County Road 21 traffic including trucks are traveling Township roads to the detriment of the Township infrastructure as a result of County Road 21 deficiencies.

PW # 2

IAN 16 2020

APPLICATIONS TO PERMIT FOR APPROVAL  
January 16, 2020 COUNCIL MEETING

<u>PROPERTY OWNER</u>	<u>PROPERTY DESCRIPTION</u>	<u>TYPE OF STRUCTURE</u>	<u>DOLLAR VALUE</u>	<u>D.C.'s</u>	<u>COMMENTS</u>
David Metz - 1392119 ONT LTD	Lot 16, Con 1 OS 625435 15 Sideroad	Single Family Dwelling	\$400,000.00	YES	

PLAN # 1  
JAN 16 2020



THE CORPORATION OF THE TOWNSHIP OF MELANCTHON

**SITE PLAN AGREEMENT**

THIS AGREEMENT made in triplicate this xxth day of January, 2020

BETWEEN:

**2690044 ONTARIO Inc.**

hereinafter referred to as the "Owner"

- AND -

**THE CORPORATION OF THE TOWNSHIP OF MELANCTHON**

hereinafter referred to as the "Township"

**WHEREAS** the Owner wishes to construct buildings to be used as cannabis facilities in an accessory manner to the outdoor production of cannabis in the Township;

**AND WHEREAS** Section 41 of the *Planning Act* R.S.O 1990 c.P 13, as amended (the "*Planning Act*"), authorizes the use of Site Plan Control by approval authorities;

**AND WHEREAS** the Township desires to confirm and establish responsibilities and obligations of the Owner with respect to site alteration and development of the Owner's lands;

**AND WHEREAS** Subsection 41(1) of the *Planning Act* provides for the registration of Site Plan Agreements on title to the subject lands;

**NOW THEREFORE WITNESSETH** that in consideration of the mutual covenants contained in this Agreement and other good and valuable consideration, the parties covenant and agree as follows:

**SECTION I - LANDS TO BE BOUND**

- 1) The lands to be bound by the terms and conditions of this Agreement (sometimes referred to as "the subject lands"), are located in the Township of Melancthon and are more particularly described in Schedule "A" hereto.

**SECTION II - COMPONENTS OF THE AGREEMENT**

- 1) This Agreement, in conjunction with the following Schedules, constitute the components of this Agreement:

Schedule "A" - Legal Description of the subject lands to be Developed.

Schedule "B" - Site Plan Drawings

**SECTION III - REGISTRATION OF AGREEMENT**

- 1) This Agreement shall be registered on title to subject lands at the Owner's expense.
- 2) The Owner agrees that all documents required herein shall be submitted in a form suitable to the Township and suitable for registration, as required by the Township. If the Township prepares the documentation, same will be prepared at the expense of the Owner.
- 3) The parties agree that this Agreement shall be registered against the Owner's lands within thirty (30) days of the execution thereof by the Township and in all instances, prior to the development of the subject lands in accordance with the approved-Site Plan Drawings. For the purposes of this Agreement, "development" and "re-development" shall have the same meaning as prescribed at s.41 of the Planning Act.
- 4) The Owner covenants that there is no encumbrance or other instrument registered upon or otherwise affecting the title to the subject lands and that no encumbrance or registered

PLAN# 2  
JAN 16 2020

instrument not satisfactory to the Township, acting reasonably, shall exist prior to registration of this Agreement upon the title to the subject lands. In the case of existing encumbrances, the Owner shall obtain postponements to the registration of this Agreement from any party having an interest in the subject lands, to the satisfaction of the Township.

#### **SECTION IV - BUILDING PERMITS**

- 1) The Owner agrees not to request that the Township or the Chief Building Official issue a building permit to carry out development of the land until this Agreement has been registered on title to the subject lands.
- 2) On any application for a Building Permit and prior to the issuance thereof, the Owner shall submit such further plans, specifications and approvals with respect to the project as are required by the Township and/or the Chief Building Official and/or the Fire Chief.
- 3) The Owner agrees that any request for a building permit which is not compliant with the Township's Comprehensive Zoning By-law and/or consistent with the provisions and schedules to this Agreement will not be approved by the Township.

#### **SECTION V - PROVISIONS**

- 1) The Owner agrees to undertake site alteration and construction only in the manner described and as set out in the Site Plan Drawings attached hereto as Schedule "B" and forming part of this Agreement.
- 2) The Owner agrees that any change to the Site Plan Drawings listed in Schedule "B" shall be subject to the review by the Township and an amendment to this Agreement.
- 3) The Owner agrees that buildings and structures authorized by this Agreement will be used in an accessory manner to the outdoor production of cannabis as authorized by a license or licenses issued under the Federal Cannabis Act S.C. 2018, c. 16.
- 4) The Owner agrees to obtain a Production License and Processing License in accordance with the Federal Cannabis Regulations and to provide copies of said licences to the Township. The Owner agrees to inform the Township of any change or amendment to the federal licenses applicable to the subject lands.
- 5) The Owner acknowledges and agrees that the retail sale of cannabis is not permitted in the Township.
- 6) Prior to commencing construction of the Development, the Owner shall pay any and all outstanding taxes.
- 7) The Owner agrees that lands existing in a natural state on the day the date of signing of this Agreement and/or designated or zoned to protect natural heritage features shall be left in a natural state and shall not be altered except through an amendment to this Agreement.
- 8) The Owner agrees to obtain entrance permits from the Township, as may be required by the Township in its discretion.
- 9) The Owner agrees to provide parking and loading spaces in the manner illustrated on the site plans attached hereto as Schedule "B".
- 10) The Owner agrees to undertake site preparation and construction in an orderly manner and to keep the site in an orderly state free of debris and refuse. The Owner also agrees to fence the site during construction and to apply dust suppressant during dry periods to minimize the spread of dust to the Township's satisfaction.
- 11) The Owner shall provide and maintain at their sole expense in good repair and in a safe and clean condition the subject lands, vegetation, structures, driveways, parking areas, roads, buildings, facilities, services, underground services, works and landscaping improvements on the subject lands at his own expense and shall do all acts necessary to comply with and properly carry out and provide for the maintenance and use thereof,

including the replacement or repair of broken, damaged or worn material or parts and the replacement of dead or deceased vegetation. The Owner shall further keep the subject lands free and clear of all refuse, debris and obstructions. Without limiting the generality of the foregoing, and in addition to anything else contained herein, the Owner shall:

- a) Keep in a proper state of repair and operation the access roadways to the satisfaction of the Township;
  - b) To rectify, replace or repair any part of the development not constructed in accordance with the Site Development Plans or in accordance with any "as constructed" drawings submitted by the Owner and approved in writing by the Township in its sole and absolute discretion;
  - c) To do all maintenance and repairs pursuant to this Agreement as the Owner may be directed to do in writing by the Township; and
  - e) Develop and maintain grading and drainage and ensure that all storm and surface water from Lands shall not increase the shedding of water onto adjacent properties and shall be properly disposed of.
- 12) The Owner agrees to implement all recommendations of the Stormwater Management Plan and to grade and maintain the site in the manner specified in the Site Plan Drawings attached as Schedule "B". Where provisions of the Stormwater Management Plan require the installation of barriers, sediment fencing and control measures to restrict the movement of sediment and erosion materials during storm events, the Owner agrees to regularly inspect such measures to ensure their continued operation and effectiveness.
  - 13) The Owner acknowledges that the Stormwater Plan includes the discharge of water in a concentrated form from a stormwater management pond into the municipal roadside ditch, in a location that does not currently receive discharge in such form. The Owner agrees to rectify any impacts to the municipal ditch caused by such discharge as determined by the Township's Public Works Superintendent to the Township's satisfaction. The Owner further agrees that it accepts the Township's current level of maintenance for the roadside ditch and will not require any enhanced level of maintenance as a result of the site development.
  - 14) The Owner agrees to landscape and fence the site in the manner described in the Site Plan Drawings attached hereto as Schedule "B".
  - 15) The Owner agrees to comply with provisions of the Occupational Health and Safety Act and its appurtenant Regulations, and to comply with all other laws including municipal, provincial and federal laws and regulations as may be applicable.
  - 16) The Owner agrees to dispose of fill and construction debris and refuse at a facility authorized by the Township.
  - 17) The Owner agrees to consult with and address any requirements of utility providers including but not limited to Hydro One Networks Inc. The Owner agrees to provide the Township with a copy of a post-construction plan showing the location of all utilities on site and their service connections, on demand.
  - 18) The Owner agrees to engage a professional engineer to confirm in writing to the Township that the plans attached at Schedule "B" have been adhered to through a conformity letter which includes the engineer's stamp and to provide such letter prior to occupancy. The Owner further agrees to retain the services of any other appropriate professional consultants which may include an architect, landscape architect or certified landscape designer, to supervise the installation and construction of the Development and to maintain records of the same, which records shall be made available to the Township upon request, and to provide certifications to and as required by the Township.
  - 19) The Owner agrees to assume all responsibility for the storage, removal and disposal of domestic waste generated by the facility.

- 20) The Owner agrees to provide copies to the Township of the schedules and reports/records relating to the Storm Water Management System Maintenance and Inspection.
- 21) The Owner agrees to comply with the provisions and regulations of the Township's Comprehensive Zoning By-law and all other applicable by-laws of the Township.
- 22) The Owner agrees that no goods or merchandise shall be displayed or stored outside unless authorized by the Township's Zoning By-law and this Agreement.
- 23) The Owner agrees that if culturally or historic artefacts or human remains are discovered during site alteration and construction to contact the Ministry of Tourism, Culture, Sport and/or a qualified professional to address the removal and/or relocation of said artefacts or remains.
- 24) The Owner agrees to comply with all regulations and requirements of the County of Dufferin and the Ministry of Environment, Conservation and Parks.
- 25) The Owner agrees to pay Development Charges as required by By-law 37-2019.
- 26) The Owner agrees that all contractors hired by the Owner will be made aware of this Agreement and will adhere to its provisions.
- 27) The Owner agrees, that at any time during or subsequent to site alteration and construction of the subject lands, the Township may require the Owner's project engineer or the Chief Building Official, or an equivalent authority to inspect the Owner's lands and report to the Township with respect to compliance with matters specified in this Agreement.
- 28) The Owner agrees and shall be aware, that spatial separations as required by the Ontario Building Code must be complied with.
- 29) The Owner agrees that no change or deviation from this Agreement shall be permitted unless such change is authorized by a Municipal by-law approving an amendment to this Agreement.
- 30) In the event of a conflict between the plans, drawings and reports as listed in Schedule "B" of this Agreement and any other plans, drawings and reports, the plans, drawings and reports as listed in Schedule "B" shall prevail.
- 31) The Owner shall pay to the Township, forthwith upon demand, all costs and expenses incurred by the Township, whether directly or indirectly, in connection with this Agreement and the approval of any Site Development Plans. Without limiting the generality of the foregoing, such costs and expenses shall include a charge for the processing of the Site Development Plans by the Township, and all legal, surveying, planning, administrative, inspection, enforcement and engineering costs and the costs of any consultants retained by the Township incurred in connection with this agreement, the supervision of all of the works undertaken in connection therewith or in ensuring compliance with this agreement and the registration thereof on title to the subject lands. In the event that the Owner does not reimburse the Township as aforesaid, the Township may, at its sole discretion, on thirty (30) days written notice to the Owner, use the Securities or any part thereof for the payment in full of such costs or expenses. Without limiting the Township's available remedies, in the event there is no Security available, the Township shall be entitled to collect the costs and expenses incurred to repair the damage in a like manner as municipal taxes.
- 32) The Owner shall reimburse the Township for any damage to any municipal services, facilities or works resulting from the development or redevelopment of the subject lands, howsoever caused and the determination of the Township's engineer with respect to whether or not said damage was caused by the Owner or with respect to the extent of the damage shall be final and binding on all parties.
- 33) The Owner hereby covenants and agrees to waive any right or entitlement they may have to any action, cause of action, losses, liens, damages, suits, judgments, orders, awards,

claims and demands whatsoever against the Township, its Mayor and Councillors, employees, workers, agents, contractors and consultants, and further covenants and agrees to indemnify and save harmless the Township, its Mayor and Councillors, employees, workers, agents, contractors and consultants, from and against all actions, causes of action, losses, liens, damages, suits, judgments, orders, awards, claims and demands whatsoever, whether the same shall be with or without merit, and from all costs to which the Township, its Mayor and Councillors, employees, workers, agents, contractors and consultants, may be put in defending or settling any such action, causes of actions, suits, claims or demands, which may arise either directly or indirectly by reason of, or as a consequence of, or in any way related to the Owner developing the Subject Lands including without limitation, the installation, construction, maintenance, repair and/or operation of any or all of the Services.

#### **SECTION VI - DEFAULT, FAILURE TO MAINTAIN OR PERFORM OBLIGATIONS**

- 1) If, in the reasonable opinion of the Township, the Owner is not adequately performing its obligations pursuant to this Agreement, or such obligations are not being performed expeditiously or in the best interests of the Township, the Township may, upon providing 10 days' written notice to the Owner respecting such non-performance, and an opportunity to rectify same within that time, enter upon the subject lands and repair, replace or otherwise maintain the subject lands at the Owner's expense.
- 2) The Owner hereby covenants and agrees that should it be in default of any of its obligations with respect to maintenance, without any limitation whatsoever, the Township in its sole discretion may add any costs incurred by the Township to fulfill or rectify such default to the tax roll for the subject lands and that the Township shall be permitted to collect such amount outstanding in the same manner as municipal taxes. The Owner further agrees that the amount outstanding shall accrue interest payable to the Township in the same manner as taxes in arrears.
- 3) The Owner shall immediately repair any damage done to any property as a result of the development of the subject lands.
- 4) If the Owner fails or neglects to immediately repair any damage done to any property as a result of the development of the subject lands, the Township shall be entitled to draw upon the Security, if any, if the damage relates to the purpose of the Security and to use the proceeds thereof to repair such damage. Without limiting the Township's available remedies, in the event there is no Security, the Township shall be entitled to collect the costs and expenses incurred to repair the damage in a like manner as municipal taxes.
- 5) The Owner hereby grants permission to the Township and its agents, contractors and employees to enter upon the subject lands at any time or times to perform such inspections as may be reasonably necessary to determine whether the Development is in compliance with and continue to be in compliance with the provisions of this Agreement.
- 6) During the development of the subject lands, the Township and its agents, contractors and employees may enter upon the subject lands at any time or times without notice for the purpose of making emergency repairs to the Development. Such entry and repair shall not be deemed to be an assumption by the Township of any liability in connection with the development of the subject lands, nor a release of the Owner from any of its obligations under this Agreement.
- 7) If at any time or from time to time during the development of the subject lands, the Township is of the opinion that, because of previously unknown or unforeseen conditions, it is necessary to supply, install or construct additional works in order to adequately provide services for the subject lands or in order to prevent damage to any other lands, the Owner shall supply, install or construct such additional works at the request of the Township.

#### **SECTION VII - CONSTRUCTION ACT**

- 1) The Owner shall comply with all of the provisions of the *Construction Act*, R.S.O. 1990, c. C.30 as amended, including retention of all holdbacks and funds required. The Owner



shall at its own expense, within ten (10) days of receiving written notice from the Township to do so, pay or otherwise discharge or vacate any lien, charge or claim brought or registered pursuant to the Act (whether perfected or not) which affects any lands owned by the Township or in which the Township has an interest, and which arise out of the performance of this Agreement.

- 2) The Owner hereby indemnifies the Township from and against all suits and claims of any nature arising out of or connected with the carrying out of the Owner's obligations pursuant to this Agreement and, particularly, against any claim(s) pursuant to the *Construction Act*. This indemnity does not extend to the negligence of the Township, its employees, agents or contractors.
- 3) Any reductions in the Security are subject to the provisions of the *Construction Act* and the Township shall retain a holdback either in accordance with the said Act or in accordance with the *Construction Act* provisions of this Agreement.
- 4) The Township may use all or part of the Security to pay, discharge, vacate and obtain and register a release of all charges, claims, liens, and all preserved or perfected liens, made, brought, or registered pursuant to the *Construction Act* which affect any lands owned by the Township including public highways in the event that the Owner defaults in respect of its obligations of this Agreement relating to the purpose of the Security.

#### **SECTION VIII – DEFAULT**

- 1) In the event of any default by the Owner pursuant to any of the terms of this agreement, in addition to any other remedies available to the Township and without any limitation thereof, the Township may:
  - a) draw on the Security in whole or in part for the purpose of the Security;
  - b) undertake or complete any obligation of the Owner hereunder;
  - c) enter upon the subject lands through its servants or agents for any purpose whatsoever;
  - d) issue a stop work order with respect to any further development, redevelopment or work upon the subject lands pursuant to the *Building Code Act* or other applicable legislation; and
  - e) recover from the Owner all costs plus an additional 10% (for inconveniences) and expenses incurred by the Township whether directly or indirectly, with respect to the default or the remedy thereof and collect such costs and expenses in like manner as municipal taxes.
  - f) the cost of performing said work may form a lien against the Subject Lands. The Township, at its sole option, acting reasonably may also suspend or terminate this Agreement and forthwith revoke all approvals, permits, and authorizations previously granted by the Township to the Owner.
  - g) at the expense of the Owner, register notice on title to the Subject Lands of the termination and/or suspension of this Agreement.

#### **SECTION IX – INSURANCE**

- 1) Prior to commencing any Development and/or construction and/or the issuance of a Building Permit for this Development, the Owner shall insure against all claims of the character commonly referred to as public liability and property damage. The Owner shall insure against all damages or claims for damages with an insurance company satisfactory to the Township Treasurer. Such policy or policies shall be issued in the joint names of the Owner and the Township, and shall remain in the custody of the Township Treasurer during the life of this Agreement. The minimum limits of such policy shall be \$5,000,000.00 for loss or damage resulting from bodily injury to, or death of, one or more persons arising out of the same accident, and \$5,000,000.00 for property damage, or such minimum limits as may be agreed as between the parties.

The policy shall be in effect for the period of this Agreement, including the period of guaranteed maintenance. It is agreed that no blasting shall occur on the property without insurance and approval of the Township. The Owner shall prove to the satisfaction of the Township, from time to time as the Township Treasurer may require, that all premiums on such policy or policies of insurance have been paid and that the insurance is in full force and effect.

- 2) The issuance of such a policy of insurance shall not be construed as relieving the Owner from responsibility for other or larger claims, if any, for which it may be held responsible.

#### **SECTION X – LANDSCAPE SECURITY**

- 1) The Owner agrees to landscape and fence the site in the manner described and illustrated in the Site Plan Drawings attached hereto as Schedule "B". The owner shall provide security in cash, or by way of a Letter of Credit in a form acceptable to the Township, prior to the issuance of a building permit, as a guarantee to be held by the Township until such time as the landscape works are fully completed, inspected and approved in the amount of \$ \_\_\_\_\_.
- 2) The Owner may apply to *Council* (?) for reductions in the security held in relation to landscaping, however landscaping inspections conducted by the Township relating to the potential release or reduction of the securities shall not occur prior to the first day of June of the year following the date of the completion of the planting. All landscaping works are to be certified by a Landscape Architect.

#### **SECTION XI – INTERPRETATION, BINDING PARTIES, ALTERATION, AMENDMENT, EFFECT, NOTICE, PENALTY**

- 1) The headings in this Agreement are for convenience of reference only. This Agreement shall be read with such changes in gender and number as the context may require.
- 2) Every provision of this Agreement by which the Owner is obligated in any way shall be deemed to include the words "at the expense of the Owner" unless the context otherwise requires.
- 3) This Agreement shall enure to the benefit of and be binding upon each of the parties hereto and their respective heirs, executors, administrators, successors and assigns.
- 4) The Agreement shall come into effect on the date of execution by the Township.
- 5) Nothing in this Agreement shall relieve the Owner from complying with all other applicable by-laws, laws or regulations of the Township or any other laws, regulations or policies established by any other level of government. Nothing in this Agreement shall prohibit the Township from instituting or pursuing prosecutions in respect of any violations of the said by-laws, laws or regulations.
- 6) The Owner covenants and agrees to release and forever discharge the Township from and against all claims, demands, causes of actions, of every nature and type whatsoever that may arise either as a result of the failure of the Township to carry out any of its obligations under this Agreement, or, as a result of the Township performing any municipal work on adjacent properties which may damage or interfere with the works of the Owner, provided that such default, failure or neglect was not caused intentionally or through negligence on the part of the Township, its servants or agents.
- 7) Any notice required to be given pursuant to the terms hereto shall be in writing and mailed or delivered to the other at the following address:

OWNER'S NAME AND ADDRESS  
FOR SERVICE:

2690044 Ontario Inc.  
c/o Mr. John Laurie  
1680 Tech Avenue, Unit 1  
Mississauga, ON  
L4W 5S9

TOWNSHIP OF MELANCTHON  
ADDRESS FOR SERVICE:

Clerk  
Township of Melancthon  
157101 Highway 10  
Melancthon, ON  
L9V 2E6

Any Notice is effective (i) if personally delivered, as described above, on the day of delivery if that day is a Business Day (being a Monday-Friday, excluding statutory holidays recognized in the Province of Ontario) and it was delivered before 5:00 p.m. local time in the place of delivery or receipt, and otherwise on the next Business Day, or (ii) if by registered mail, on the fourth Business Day following the day on which it is mailed.

- 8) The rights and remedies provided for in this Agreement are in addition to and shall not limit the ability of the Township to take such actions as may be available to it to ensure compliance with the requirements of this Agreement.
- 9) Notwithstanding any other provision of this Agreement, the Owner acknowledges and agrees that none of the provisions of this Agreement is intended to operate, nor shall have the effect of operating, in any way to fetter the Council of the Township in the exercise of any of its discretionary powers. The Owner hereby acknowledges and agrees that it does not expect and shall not receive any advantageous planning or other consideration by virtue of it having entered into this Agreement or by virtue of the existence of this Agreement.
- 10) The invalidity of any provision of this Agreement shall not affect any other provision of it, and, if any particular provision of this Agreement is declared to be invalid by a court or tribunal of competent jurisdiction, this Agreement shall be construed as if the invalid provision had been omitted.
- 11) This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario.
- 12) This Agreement may be signed in any number of counterparts, each of which is an original, and all of which taken together, constitute one single document. Counterparts may be in an electronically scanned form. Parties transmitting electronically will also deliver the original counterpart to the other parties, but failure to do so does not invalidate this Agreement.
- 13) The Owner acknowledges being advised that they should obtain independent legal advice prior to executing this Agreement and that, should they choose to execute this Agreement without having obtained independent legal advice, they have done so of their own accord.
- 14) The failure of the Township to insist on strict performance of any of the terms, provisions, covenants or obligations herein shall not be deemed to be a waiver of any rights or remedies that the Township may have, and shall not be deemed to be a waiver of any subsequent breach or default of the terms, provisions, covenants and obligations contained in this Agreement.
- 15) The Owner shall not call into question, directly or indirectly, in any proceedings whatsoever in law or in equity or before any court or administrative tribunal, the right of the Township to enter into this Agreement and to enforce each and every term, covenant and condition herein contained, and this clause may be pleaded as estoppel against the Owner in any such proceedings.

**(SIGNATURE PAGE TO FOLLOW)**



**IN WITNESS WHEREOF** the Owner and the Township has hereto affixed its Corporate Seal attested to by the hands of its duly authorized officers this xx<sup>th</sup> day of January, 2020

**SIGNED, SEALED AND DELIVERED**  
in the presence of:

**2690044 ONTARIO INC.**

\_\_\_\_\_  
Witness

\_\_\_\_\_  
John Laurie  
(I have authority to bind the Corporation)

**THE CORPORATION OF THE  
TOWNSHIP OF MELANCTHON**

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Clerk  
(We have authority to bind the Corporation)

Draft

**SCHEDULE "A"**

**DESCRIPTION**

LTS 272, 273, 274, 275, 276 & 277 CON 2 SWTS, EXCEPT MF25581 & MF29353;  
MELANCTHON

Draft

**SCHEDULE "B"****Site Plan Drawings**

1. Drawing A1-01 – Overall Facility Plan, B+H Architects, last revision October 28, 2019
2. Drawing A1-03a – Area Plan, B+H Architects, last revision October 28, 2019
3. Drawing A1-03b – Proposed Future Development, B+H Architects, last revision October 28, 2019
4. Drawing A1-04 – Preliminary Freezer Configuration, B+H Architects, last revision October 28, 2019
5. Drawing A1-05 – Preliminary Nursery Building, B+H Architects, last revision October 28, 2019
6. Drawing A1-06 – Land Use Designation, B+H Architects, last revision October 28, 2019
7. Drawing A1-08 – Site Topography, B+H Architects, last revision October 28, 2019
8. Drawing NT-1 – General Notes, WSP Ltd, last revision November 5, 2019
9. Drawing SG-1 – Site Grading Plan, WSP Ltd, last revision November 5, 2019
10. Drawing SS-1 – Site Servicing Plan, WSP Ltd, last revision November 5, 2019
11. Drawing ESC-1 – Erosion and Sedimentation Control Plan, WSP Ltd, last revision November 5, 2019
12. Drawing xxx – Landscape Plan, xxx, December xx 2019
13. Stormwater Management Report, WSP Ltd, October 11, 2019

(Kept on file at the Municipal Office)



## Denise Holmes

---

**From:** Dennis Ramsarran <dennis@bluestonecorporation.ca>  
**Sent:** Tuesday, December 3, 2019 11:33 AM  
**To:** Denise Holmes  
**Subject:** PSB Suggestions

Hi Denise

Here are few items for consideration at the PSB meeting:

- 1) Speeding on Hwy 10
- 2) Aggressive driving and dangerous lane changes on HWY 10
- 3) Marijuana use while driving
- 4) Excessive speeding of Motorcycles on CR 21

Thanks Denise for checking in with us.

Happy Camping!

*Dennis Ramsarran*

Resort Owner

Blue Sky Rv Resorts  
519.923.9380  
www.blueskyrvresorts.com  
info@blueskyrvresorts.com

*"Where families relax and reconnect"*

## Denise Holmes

---

**From:** [REDACTED]  
**Sent:** Thursday, December 12, 2019 2:38 PM  
**To:** Denise Holmes  
**Subject:** OPP Action plan 2020-2022

As a resident I am all for having the opp as our police force and the savings to be put towards additional infrastructure for our growing community.

Judith Laver

Sent from Samsung tablet

Get [Outlook for Android](#)



**Grand River Conservation Authority**  
*Summary of the General Membership Meeting – December 13, 2019*

*To GRCA/GRCF Board and Grand River watershed municipalities - Please share as appropriate.*

**Action Items**

*The Board approved the resolutions in the following reports as presented in the agenda:*

- GM-12-19-126 - Financial Summary
- GM-12-19-119 - Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation Permit Application 735/19

**Information Items**

*The Board received the following reports as information:*

- GM-12-19-127 - Chief Administrative Officer's Report
- GM-12-19-121 - Report of the Audit Committee
- GM-12-19-120 - Per Diems and Honorariums for 2020
- GM-12-19-124 - Cash and Investment Status
- GM-12-19-123 - Environmental Assessments
- GM-12-19-122 - Collaborative Water Management Planning
- GM-12-19-125 - Current Watershed Conditions

**Correspondence**

*The Board received the following correspondence:*

- Township of Amaranth - Nottawasaga Valley CA Levies
- Township of Amaranth - Conservation Authority Exit Clauses

The Grand River Conservation Authority wishes to thank Mr. Vic Prendergast for his 20 years of service on the GRCA Board of Directors. Thank you for your dedication to conservation in the Grand River watershed.

*For full information, please refer to the December 13 Agenda Package. Complete agenda packages and minutes of past meetings can be viewed on our online calendar. The minutes of this meeting will be posted on our online calendar following the next meeting of the General Membership scheduled on January 24, 2020.*

*You are receiving this email as a GRCA board member, GRCF board member, or a Grand River watershed member municipality. If you do not wish to receive this monthly summary, please respond to this email with the word 'unsubscribe'.*

3Dkamm#1  
JAN 16 2020



## **SHELBURNE & DISTRICT FIRE BOARD**

November 5, 2019

The Shelburne & District Fire Department **Board of Management** meeting was held at the Fire Hall on the above mentioned date at 7:00 P.M.

### **Present**

As per attendance record.

### 1. **Opening of Meeting**

Chair, Walter Benotto, called meeting to order at 7:02pm.

### 2. **Approval of Agenda**

2.1. November 5, 2019

#### **Resolution #1**

**Moved by E Hawkins – Seconded by S Hall**

#### **BE IT RESOLVED THAT:**

The Board of Management approves the agenda as amended.

- Add Item:  
8.1 Public Statements by Board and Staff of the Shelburne & District Fire Board

**Carried**

### 3. **Approval of Minutes**

3.1. October 1, 2019

#### **Resolution #2**

**Moved by S Hall – Seconded by J Horner**

#### **BE IT RESOLVED THAT:**

The Board of Management approves the agenda as circulated.

**Carried**

### 4. **Disclosure of Pecuniary interest**

None

Shelburne & District Fire Board Minutes – November 5, 2019

*BS/Comm #2*  
JAN 16 2020

5. **Public Question Period (15min)**

No public present.

6. **Delegation / Deputations**

None

7. **Unfinished Business**

7.1. **Board Agreement**

The Chair expressed Shelburne Council's concern with their share of board representation as presented. Shelburne is requesting either a weighted vote or additional representation equal to their proportional share, currently 52.74%.

Discussion of the implications of one municipality having majority vote.

Concern was raised over weighted votes. Shelburne representatives will bring back to their Council for further discussion.

7.2. **2020 Budget**

**Resolution #3**

Moved by G Little – Seconded by F Nix

**BE IT RESOLVED THAT:**

The Shelburne & District Fire Board forwards to the municipalities the total operating levy of \$555,205 and capital budget of \$185,000 for comment as draft budget.

**Carried**

7.3. **Fire Dispatch Agreement**

**Resolution #4**

Moved by S Hall – Seconded by J Horner

**BE IT RESOLVED THAT:**

The Shelburne & District Fire Board approve the Emergency Fire Dispatch Agreement;

**AND FURTHER THAT:**

The Chair sign the agreement and the Secretary be directed to forward to the Orangeville Chief of Police Services Office.

**Carried**

8. **New Business**

8.1. **Public Statements by Board and Staff of the Shelburne & District Fire Board**

**Resolution #5**



Moved by J Horner – Seconded by S Hall

**BE IT RESOLVED THAT:**

Both staff and board members of the Shelburne & District Fire Department must be aware of their public image both on social media and in traditional media and must take care to ensure that their public image is exemplary;

**THEREFORE BE IT RESOLVED THAT** the Board develop a social media/media code of conduct for the Board and staff.

**CARRIED**

**9. Chief's Report**

**9.1. Monthly Reports – (October 2019)**

The Board reviewed the monthly fire calls responses.

**9.2. Update from Fire Chief**

The Board reviewed the Chief's Activity Report for October 2019.

**10. Accounts**

**Resolution #6**

Moved by F Nix – Seconded by G Little

**BE IT RESOLVED THAT:**

The payables for October in the amount of \$98,850.93 as presented be approved for payment.

**Carried**

**11. Confirming Motion; Adjournment & Next Meeting Date**

**Resolution #7**

Moved by G Little – Seconded by F Nix

**BE IT RESOLVED THAT:**

All actions of the Board Members and Officers of the Shelburne and District Fire Board of Management, with respect to every matter addressed and/or adopted by the Board on the above date are hereby adopted, ratified and confirmed; And each motion, resolution and other actions taken by the Board Members and Officers at the meeting held on the above date are hereby adopted, ratified and confirmed.

**Carried**

**Resolution #8**

Moved by F Nix – Seconded by W Hannon

**BE IT RESOLVED THAT:**

The Board of Management do now adjourn at 8:55pm to meet again on January 7, 2020 at 7:00pm or at the call of the Chair.

**Carried**

Respectfully submitted by:

Approved:

\_\_\_\_\_

Sabrina VanGerven  
Secretary-Treasurer

\_\_\_\_\_

Walter Benotto  
Chairperson

## SHELBURNE & DISTRICT FIRE BOARD MEMBERS

Meeting Attendance Record Under Date of November 5, 2019
--

Municipality / Member	Present	Absent
<b>Township of Amaranth</b>		
Heather Foster		X
Gail Little	X	
<b>Town of Mono</b>		
Sharon Martin		X
Fred Nix	X	
<b>Township of Melancthon</b>		
Wayne Hannon	X	
Margaret Mercer		X
<b>Town of Shelburne</b>		
Walter Benotto	X	
Shane Hall	X	
<b>Township of Mulmur</b>		
Earl Hawkins	X	
Janet Horner	X	
<b>Staff</b>		
Brad Lemaich – Fire Chief		X
Jeff Clayton – Deputy Chief	X	
Sabrina VanGerven – Secretary/Treasurer	X	

## Denise Holmes

---

**From:** Planning Account <planning@shelburne.ca>  
**Sent:** Tuesday, December 10, 2019 1:46 PM  
**To:** Planning Account  
**Subject:** Notice of Passing of By-law 72-2019 by the Town of Shelburne (Application File No. Z18/01 - Shelburne 89 Developments Ltd.)  
**Attachments:** Z18 01 - Notice of Passing By-law 72-2019.pdf; Z18 01 - By-law 72-2019 Signed.pdf

Good afternoon,

Please find attached a Notice of Passing and a copy of By-law 72-2019 passed by Council of the Town of Shelburne on December 2, 2019 to re-zone property described as Part of the West Half of Lot 1, Concession 1, Old Survey, in the Town of Shelburne, and known as 900 Main Street East.

If you have any questions or should you require further information, please contact me by reply to this email.

Thank you,

Steve Wever, MCIP, RPP  
Town Planner



**NOTICE OF PASSING OF BY-LAW 72-2019  
BY COUNCIL OF THE TOWN OF SHELburnE  
UNDER SECTION 34 OF THE PLANNING ACT**

**TAKE NOTICE** that the Council of the Corporation of the Town of Shelburne passed By-Law 72-2019 on December 2, 2019, under Section 34 of the Planning Act, R.S.O., 1990, C.P. 13, as amended.

The purpose and effect of By-law 72-2019 (File No. Z18/01) is to amend Zoning By-law 38-2007 by changing the zoning of the property described legally as Part of the West Half of Lot 1, Concession 1, Old Survey, in the Town of Shelburne, from Special Commercial Exception Three (Holding) (C4-3)(H) Zone, Open Space Recreation Exception One (Holding) (OSR-1)(H) Zone, Natural Environment (NE) Zone and Development (D) Zone to Residential Type Four Exception Seven (R4-7) Zone, Residential Type Five Exception Seven (R5-7) Zone, Residential Type Five Exception Eight (R5-8) Zone, Mixed-Use Commercial Two Exception Six (C2-6) Zone, Open Space Recreation (OSR) Zone, Open Space Recreation Exception One (OSR-1) Zone and Natural Environment (NE) Zone. The Amendment to the Zoning By-law is a condition of the approval of a related Draft Plan of Subdivision (File No. DPS 18/01) to develop 250 residential units including single detached and street fronting townhouses and blocks for commercial uses, medium/high density and/or commercial uses, parkland, stormwater management, and natural environment and associated buffers. While the amendment revises the limits of the Natural Environment (NE) Zone applicable to the subject property, approximately 11.9 hectares of land zoned as Natural Environment (NE) remains zoned as NE and there is a net increase in land area within the NE Zone.

A Public Meeting for this application was held on April 23, 2018. There were questions from members of the public, and written submission were received by the Town from member of the public. The oral submissions included comments and questions regarding privacy/screening and the type of units being proposed within the subdivision. Written submissions were received regarding the proposed commercial blocks, the types of commercial uses that may be planned within these blocks and associated floor areas, and regarding the proposed new intersections and street entrances providing access to the development. Questions and comments received were responded to at the Public Meeting and at additional Council Meetings held on October 28, 2019 and November 11, 2019 and through associated staff reports.

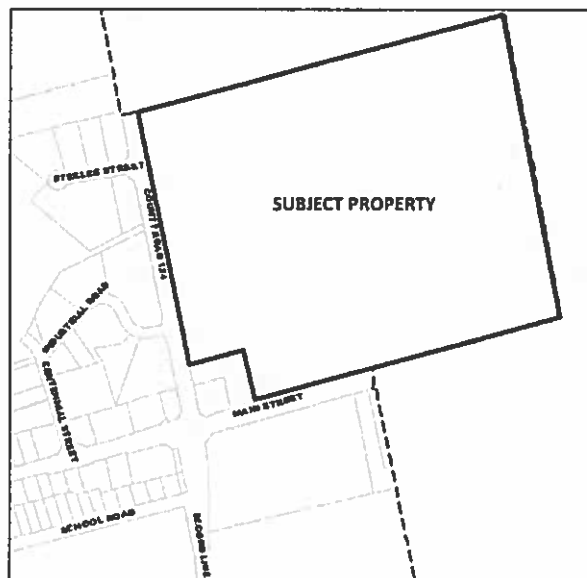
The accompanying map illustrates the location of the land subject to the Zoning By-law Amendment. The Zoning By-law amendment is in keeping with the Town of Shelburne Official Plan.

**AND TAKE NOTICE** that any person or agency may appeal to the Local Planning Appeal Tribunal in respect of By-law 72-2019 by filing with the Clerk of the Corporation of the Town of Shelburne, not later than the 30<sup>th</sup> day of December 2019, a notice of appeal setting out the objection to the By-law and the reasons in support of the objection accompanied by the prescribed fee required by the Local Planning Appeal Tribunal in the amount of \$300.00, payable to the Minister of Finance. Only individuals, corporations and public bodies may appeal a by-law to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf. No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law is passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

A copy of the complete By-law 72-2019 is available to the public for inspection at the Municipal Offices during normal business hours.

Dated this 10<sup>th</sup> day of December, 2019.

Jennifer Willoughby, Clerk  
Town of Shelburne  
203 Main Street East  
Shelburne, ON L9V 3K7  
Phone: 519-925-2600  
Email: [planning@shelburne.ca](mailto:planning@shelburne.ca)



THE CORPORATION OF THE TOWN OF SHELBURNE

BY-LAW NO. 72-2019

BEING A BY-LAW TO AMEND BY-LAW 38-2007, AS AMENDED.

WHEREAS an Official Plan has been approved for the Town of Shelburne.

AND WHEREAS authority is granted under Section 34 of the Planning Act, R.S.O. 1990, C.P.13 and amendments thereto, to enact this By-law.

NOW THEREFORE the Council of the Corporation of the Town of Shelburne enacts as follows:

1. That Schedule "A" of By-law 38-2007, as amended, be further amended by rezoning approximately 26.5 hectares of land described legally as Part of the West Half of Lot 1, Concession 1, Old Survey, in the Town of Shelburne, from Special Commercial Exception Three (Holding) (C4-3)(H) Zone, Open Space Recreation Exception One (Holding) (OSR-1)(H) Zone, Natural Environment (NE) Zone and Development (D) Zone to Residential Type Four Exception Seven (R4-7) Zone, Residential Type Five Exception Seven (R5-7) Zone, Residential Type Five Exception Eight (R5-8) Zone, Mixed-Use Commercial Two Exception Six (C2-6) Zone, Open Space Recreation (OSR) Zone, Open Space Recreation Exception One (OSR-1) Zone and Natural Environment (NE) Zone, as shown on Schedules "A1" and "A2" to this By-law.
2. That subsection 4.3.3 of By-law 38-2007, as amended, be further amended by inserting the following exception zone after subsection 4.3.3.3:

4.4.3.7 Residential Type Four Exception Seven (R4-7) Zone

4.4.3.7.1 On lands zoned R4-7 no person shall use any land or erect, alter or use any building or structure for any purpose except in accordance with the provisions of subsection 4.4.2, with the following exceptions:

- i) Minimum Lot Frontage  
(Single Detached Dwelling)
  - a. Interior Lot 11.0 m
  - b. Corner Lot 12.5 m
- ii) Maximum Setback from Street Centreline Not required
- iii) Minimum Front Yard
  - a. Dwelling 4.5 m
  - b. Private Garage 6.0 m
- iv) Maximum Lot Coverage 50%
- v) Maximum Building Height 11.0 m
- vi) Notwithstanding the regulations in subsection 3.2.4 of this By-law to the contrary, the following special provisions apply:
  - a. Bay windows including bow/box bay windows with or without foundations may encroach 1.0 m into the required front yard, rear yard and exterior side yard for a maximum width of 3.0 m.
  - b. Open roofed porches may encroach 1.5 m into the required front yard, rear yard and exterior side yard, not including eaves and steps.
  - c. Steps may encroach into the required front yard, rear yard and exterior side yard but shall be no closer than 1.5 m to the lot line.
  - d. Eaves may encroach into the required front yard, exterior side yard and interior side yards but shall be no closer than 2.5 m to the front lot line and exterior side lot line and 0.3 m to interior side lot lines.
  - e. Gutters may encroach into the required front yard, exterior side yard and interior side yards but shall be no closer than 2.35 m to the front lot line and exterior side lot line and 0.15 m to interior side lot lines.
- vii) Notwithstanding the regulations in subsections 3.2.5 (Table 2) of this By-law to the contrary, the requirement for lots with private garages occupying 50% of the lot frontage to be restricted to 40% of all of the lots on any street shall not apply provided that all lots shall have a maximum garage width of 50% of the lot frontage rounded to the nearest 1% (standard rules for rounding numbers shall apply).

- viii) Notwithstanding the regulations in subsection 3.20 of this By-law, the following special provision applies:
  - a. The *sight triangle* distance for local roads shall be 4.5 metres.

- ix) **Model Homes**

Notwithstanding the permitted uses of subsection 4.4.2, a model home is permitted and shall be defined as a *building* that is temporarily used as a sales office or as an example of the type of *dwelling* offered for sale in a related development and that is subject to a development agreement with the Town, but is not occupied or used as a *dwelling* prior to the date of registration of the plan subdivision and except in accordance with the development agreement. The maximum number of model homes shall be 10% of the *dwelling*s approved in the draft approved or registered plan of subdivision, or as otherwise provided in the development agreement, whichever is the lesser. Model homes shall be built within the boundaries of a *lot* defined by the draft approved or registered plan of subdivision and shall comply with all other requirements of this By-law for the applicable type of *dwelling* with the exception of the parking requirements which shall be addressed in the development agreement.

- 4. That subsection 4.5.3 of By-law 38-2007, as amended, be further amended by inserting the following exceptions zones after subsection 4.5.3.6:

**\*4.5.3.7 Residential Type Five Exception Seven (R5-7) Zone**

4.5.3.7.1 On lands zoned R5-7 no person shall use any land or erect, alter or use any *building* or *structure* for any purpose except in accordance with the provisions of subsection 4.5.2, with the following exceptions:

- i) **Minimum Front Yard (Street Townhouses)**
  - a. *Dwelling* 4.5 m
  - b. *Private Garage* 6.0 m
- ii) **Minimum Exterior Side Yard (Street Townhouses)** 3.0 m
- i) **Minimum Interior Side Yard (Street Townhouses)**
  - With attached wall Nil
  - Behind attached private garage 0.45 m where access is provided to the rear yard via an external walkway
- iii) **Maximum Lot Coverage (Street Townhouses)** 50%
- iv) **Maximum Number of Connected Street Townhouses** 8 units
- v) Notwithstanding the regulations in subsections 3.2.4 of this By-law to the contrary, the following special provision applies:
  - a. Bay windows including bow/box bay windows with or without foundations may encroach 1.0 m into the required *front yard*, *rear yard* and *exterior side yard* for a maximum width of 3.0 m.
  - b. Open roofed *porches* may encroach 1.5 m into the required *front yard*, *rear yard* and *exterior side yard*, not including eaves and steps.
  - c. Steps may encroach into the required *front yard*, *rear yard* and *exterior side yard* but shall be no closer than 1.5 m to the *lot line*.
  - d. Eaves may encroach into the required *front yard*, *exterior side yard* and *interior side yards* but shall be no closer than 2.5 m to the *front lot line* and *exterior side lot line* and 0.3 m to *interior side lot lines*.
  - e. Gutters may encroach into the required *front yard*, *exterior side yard* and *interior side yards* but shall be no closer than 2.35 m to the *front lot line* and *exterior side lot line* and 0.15 m to *interior side lot lines*.
- vi) Notwithstanding the regulations in subsections 3.2.5 of this By-law to the contrary, the following special provision applies:
  - a. The maximum *garage width* for a *street townhouse dwelling* shall be 3.1 metres.
- x) Notwithstanding the regulations in subsections 3.15.3(a) of this By-law to the contrary, the following special provision applies:

- a. The minimum driveway width for a *street townhouse dwelling* shall be 2.95 metres.

- xi) Model Homes

Notwithstanding the permitted uses of subsection 4.5.2, a model home is permitted and shall be defined as a *building* that is temporarily used as a sales office or as an example of the type of *dwelling* offered for sale in a related development and that is subject to a development agreement with the Town, but is not occupied or used as a *dwelling* prior to the date of registration of the plan subdivision and except in accordance with the development agreement. The maximum number of model homes shall be 10% of the *dwelling*s approved in the draft approved or registered plan of subdivision, or as otherwise provided in the development agreement, whichever is the lesser. Model homes shall be built within the boundaries of a *lot* or block defined by the draft approved or registered plan of subdivision and shall comply with all other requirements of this By-law for the applicable type of *dwelling* with the exception of the parking requirements which shall be addressed in the development agreement.

#### 4.5.3.8 Residential Type Five Exception Eight (R5-8) Zone

4.5.3.8.1 On lands zoned R5-8 no person shall use any land or erect, alter or use any *building* or *structure* for any purpose except in accordance with the permitted uses and regulations of subsections 4.5.1 and 4.5.2, with the following exceptions:

- i) Regulations for *Townhouse Dwellings* and *Street Townhouse Dwellings*

Notwithstanding subsection 4.5.2, the regulations of the R5-7 Zone shall also apply to *townhouse dwellings* and *street townhouse dwellings* on lands zoned R5-8;

- ii) Notwithstanding the permitted uses of subsection 4.5.1 to the contrary, the permitted uses on lands zoned R5-8 shall include the permitted uses in subsection 4.7.3.6 Mixed-Use Commercial Exception Six (C2-6) Zone subject to the regulations of subsection 4.7.3.6, in addition to the other uses permitted in subsection 4.5.1. The maximum *Gross Leasable Area* requirement of subsection 4.7.3.6(iii) shall apply to all *food store/supermarket* uses in the C2-6 and R5-8 Zones, and the total maximum *Gross Leasable Area* requirement of subsection 4.7.3.6(iv) shall apply to all *commercial uses* in the C2-6 and R5-8 Zones.

- iii) Temporary Sales Office

Notwithstanding the permitted uses of subsection 4.5.2, a temporary sales office is permitted and shall be defined as a building, structure or trailer that is temporarily used for the purpose of marketing and sales in a related development and that is located and constructed in accordance with a siting plan approved by the Town including associated parking, landscaping, grading and drainage. The temporary sales office shall only be permitted for such period that work within a related development within the Town remains in progress having not been finished or discontinued for 60 days.

- 6. That subsection 4.7.3 of By-law 38-2007, as amended, be further amended by inserting the following exception zones after subsection 4.7.3.5:

#### \*4.7.3.6 Mixed-Use Commercial Exception Six (C2-6) Zone

Notwithstanding the permitted uses and regulations in subsections 4.7.1 and 4.7.2, on the lands zoned C2-6, the following special provisions shall apply:

- i) In addition to the *uses* permitted in subsection 4.7.1, permitted *uses* shall include:

- a) *Bus Terminal / Transit Station*
- b) *Caterer's Establishment*
- c) *Drive-Through Service Facility*
- d) *Farmer's Market*
- e) *Farm Produce Sales Outlet*
- f) *Laundry or Dry Cleaning Depot*
- g) *Nursery School*
- h) *Restaurant, Drive-Through*
- i) *Tavern*
- j) *Tourism Information Centre*
- k) *Trade and Convention Centre*



ii) Notwithstanding the uses permitted in subsection 4.7.1, the following uses shall not be permitted:

- a) *Converted Dwelling*
- b) *Dwelling Units and residential use within a building containing a Drive-Through Restaurant or Drive-Through Service Facility*
- c) *Semi-Detached Dwelling*
- d) *Single Detached Dwelling*

iii) Maximum Gross Leasable Area (Food Store/Supermarket) 4,200 m<sup>2</sup> for all lands zoned C2-6 and all food store/supermarket uses on lands zoned R5-8

iv) Maximum Gross Leasable Area (Total) 12,000 m<sup>2</sup> for all lands zoned C2-6 and all commercial uses on lands zoned R5-8

v) Minimum Landscaped Open Space 15%

vi) Notwithstanding the regulations in subsection 3.20 of this By-law, the following special provision applies:  
a. The *sight triangle* distance for local roads shall be 4.5 metres.

All other Permitted Uses and Regulations in the C2 Zone shall apply in accordance with subsections 4.7.1 and 4.7.2."

- 7. That subsection 4.9.3.3 of By-law 38-2007, as amended, is hereby deleted in its entirety.
- 8. That subsection 4.14.3.1 of By-law 38-2007, as amended, be further amended by deleting "(H)" in the subsection heading and adding the words "and walking trails or multi-use trails" after the words "stormwater management facility" in clauses (i) and (ii), and by deleting clause (iii).
- 9. That except as amended by this By-law, the subject lands as shown on Schedules "A1" and "A2" to this By-law shall be subject to all other applicable regulations of By-law 38-2007, as amended.
- 10. Schedules "A1" and "A2" attached hereto form part of this By-law.
- 11. This By-law shall take effect from its date of passage by Council and shall come into force either upon approval by the Local Planning Appeal Tribunal or upon compliance with Section 34 of the Planning Act, R.S.O. 1990, C.P. 13.

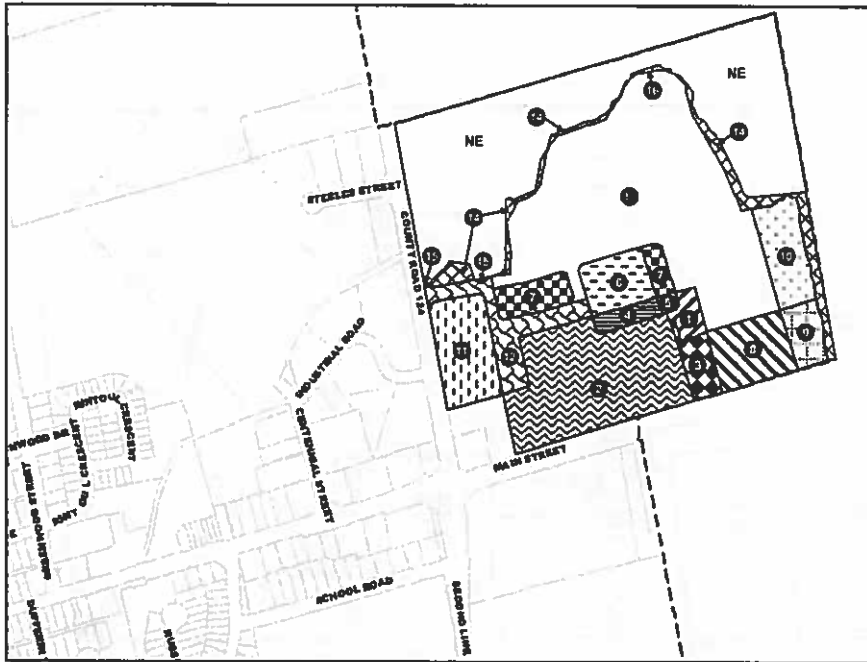
**BY-LAW READ A FIRST AND SECOND TIME THIS 2<sup>ND</sup> DAY OF DECEMBER 2019.**

















**BY-LAW READ A THIRD TIME AND FINALLY PASSED THIS 2<sup>ND</sup> DAY OF DECEMBER 2019**

.....  
MAYOR

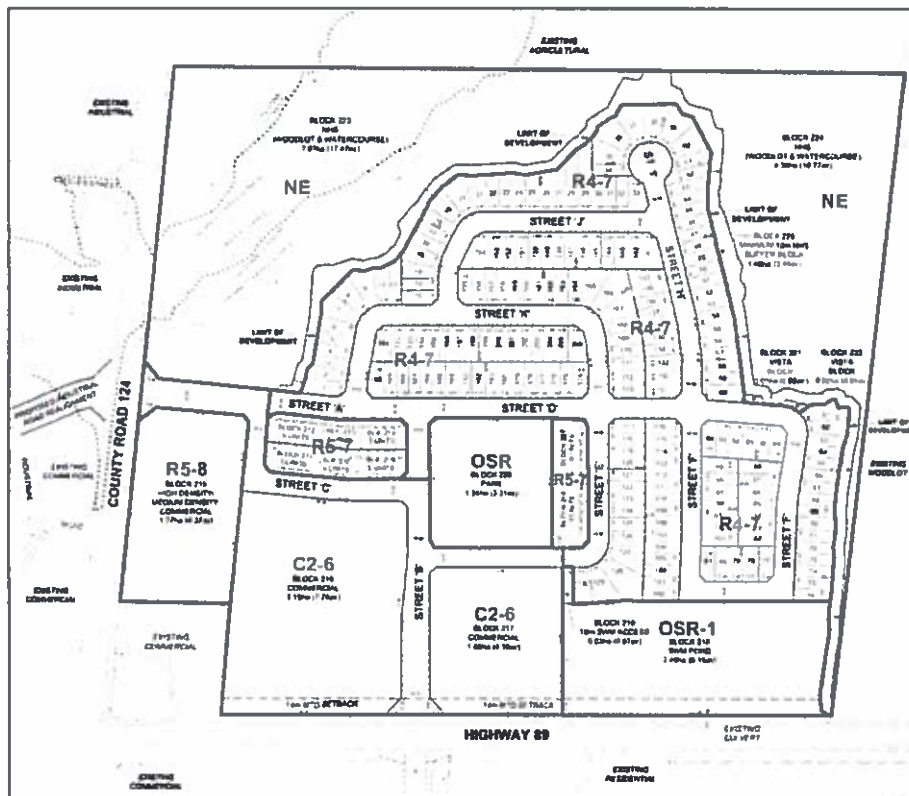
  
.....  
CLERK

SCHEDULE A1 TO BY-LAW NO. 72-2019



- |   |                                    |   |                             |
|---|------------------------------------|---|-----------------------------|
|   | Zone change from C4-3(H) to R4-7   |   | Zone change from D to NE    |
|  | Zone change from C4-3(H) to C2-6   |  | Zone change from NE to C2-6 |
|  | Zone change from C4-3(H) to OSR-1  |  | Zone change from NE to R4-7 |
|  | Zone change from C4-3(H) to OSR    |   |                             |
|  | Zone change from C4-3(H) to R5-7   |   |                             |
|  | Zone change from D to OSR          |   |                             |
|  | Zone change from D to R5-7         |   |                             |
|  | Zone change from D to OSR-1        |   |                             |
|  | Zone change from OSR-1(H) to OSR-1 |   |                             |
|  | Zone change from OSR-1(H) to R4-7  |   |                             |
|  | Zone change from D to R5-8         |   |                             |
|  | Zone change from D to C2-6         |   |                             |
|  | Zone change from D to R4-7         |   |                             |
|   |                                    |   | NE Lands to remain zoned NE |

SCHEDULE A2 TO BY-LAW NO. 72-2019



#### EXPLANATORY NOTE

The purpose and effect of this amendment to Zoning By-law 38-2007 is to change the zoning of approximately 26.5 hectares of land within the property described legally as Part of the West Half of Lot 1, Concession 1, Old Survey, in the Town of Shelburne, from Special Commercial Four Exception Three (Holding) (C4-3)(H) Zone, Open Space Recreation Exception One (Holding) (OSR-1)(H) Zone, Natural Environment (NE) Zone and Development (D) Zone to Residential Type Four Exception Seven (R4-7) Zone, Residential Type Five Exception Seven (R5-7) Zone, Residential Type Five Exception Eight (R5-8) Zone, Mixed-Use Commercial Two Exception Six (C2-6) Zone, Open Space Recreation (OSR) Zone, Open Space Recreation Exception One (OSR-1) Zone and Natural Environment (NE) Zone, for a plan of subdivision comprised of 206 units for detached dwellings and 44 units for street townhouse dwellings and blocks for commercial uses, medium/high density and/or commercial uses, parkland, stormwater management, and natural environment and associated buffers. While the amendment revises the limits of the Natural Environment (NE) Zone applicable to the subject property, approximately 11.9 hectares of land zoned as Natural Environment (NE) remains zoned as NE and there is a net increase in land area within the NE Zone. The amendment is a condition of approval of a related draft plan of subdivision, file number DPS 18/01. The proposed lots and blocks shall be developed in accordance with an approved subdivision agreement and the requirements of Zoning By-law 38-2007 as amended by this By-law.

**Denise Holmes**

---

**From:** Beaudin, Lisa (MHSTCI) <Lisa.Beaudin@ontario.ca> on behalf of Finnerty, Kevin (MHSTCI) <Kevin.Finnerty@ontario.ca>  
**Sent:** Wednesday, December 11, 2019 2:07 PM  
**To:** Finnerty, Kevin (MHSTCI)  
**Subject:** Ontario passes changes to Public Library Act

I am writing to inform you about two amendments to the *Public Libraries Act* (PLA) that came into effect yesterday as part of the government's *Better for People, Smarter for Business Act, 2019*.

The purpose of the legislation is to simplify and modernize regulations, and eliminate requirements that are outdated or duplicative, making regulatory processes more efficient for business and better for people.

The first amendment, to section 10(1) of the PLA, will permit Canadian permanent residents to serve as public library board members. Prior to this amendment, only Canadian citizens were permitted to serve on public library boards. This amendment provides boards with a larger and more diverse pool of potential board members.

The second amendment, to section 16(1) of the PLA, reduces the minimum number of annual public library board meetings from ten per year to seven per year. This amendment provides more flexibility for public library boards to determine the appropriate number of meetings needed for their local circumstances.

The wording of the amendments are available for review [here](#). I encourage you to share this information with your members.

Kevin Finnerty  
Assistant Deputy Minister  
Culture Division  
Ministry of Heritage, Sport, Tourism and Culture Industries



FOR IMMEDIATE RELEASE

### **Mono Proposes a Single-Use Plastic Bag Bylaw**

MONO, ON (December 11, 2019) – On November 26<sup>th</sup>, Town of Mono Council gave first reading to a bylaw that would ban single-use plastic bags at retail checkout. Similar bylaws have been passed in other provinces, but this could be the first of its kind in Ontario. The bylaw encourages people to use reusable bags, defined as ones that can be used at least 100 times, though retailers would have the option to offer customers recyclable paper bags for a fee.

The bylaw proposes to prohibit the use of checkout bags unless:

- a) The customer is first asked whether, and confirms that, he or she needs a bag;
- b) The bag provided is a recyclable paper bag; and
- c) The bag is not provided free of charge to the customer.

Several exceptions are provided for those instances where a paper bag would not be suitable such as small bulk items, meat, poultry and fish. The bylaw defines a checkout bag as:

- a) Any bag intended to be used by a customer for the purpose of transporting items purchased or received by the customer from the business providing the bag, or
- b) a bag used to package take-out food or food to be delivered,
- c) and includes Paper Bags, Plastic Bags, but does not include Reusable Bags.

Before passing the bylaw, Mono will be consulting with residents, the business community and other stakeholders to seek their input. You can send your comments to [ClerksOffice@townofmono.com](mailto:ClerksOffice@townofmono.com) or by writing to:

Town of Mono  
**ATTN: Clerk's Office**  
347209 Mono Centre Road  
Mono, ON L9W 6S3

The draft bylaw is available at <https://bit.ly/2qHLrsi>.

Fred Simpson  
Deputy Clerk  
[Fred.Simpson@townofmono.com](mailto:Fred.Simpson@townofmono.com)  
(519) 941-3599, 234

P: 519.941.3599  
F: 519.941.9490

E: [info@townofmono.com](mailto:info@townofmono.com)  
W: [townofmono.com](http://townofmono.com)

347209 Mono Centre Road  
Mono, ON L9W 6S3



## **PRESS RELEASE**

County of Dufferin  
55 Zina Street  
Orangeville, ON L9W 1E5

*For Immediate Release: December 14, 2018*

### **Dufferin County Swears in New Council**

*Dufferin* – On Thursday evening, fourteen council members were sworn in as members of the Council for the County of Dufferin. County Council is comprised of the Mayors and, in most cases, the Deputy Mayors of each of Dufferin's municipalities. Municipalities with 2500 or more electors have two representatives on Council.

After the swearing in ceremony, Melancthon Mayor, Darren White, was acclaimed as the 2018/2019 Head of Council (Warden). This is White's second term as County Warden having previously held the position in 2017.

Council also appointed three chairs to head up the standing committees of County Council.

Mono Mayor Laura Ryan will oversee the Community Services and Dufferin Oaks Committee.

The General Government Services committee will be lead by Mono's Deputy Mayor, John Creelman.

Councillor Bob Currie, the Mayor of Amaranth, was selected as chair of the Infrastructure and Environment committee.

The remaining members of Dufferin County Council for 2018-2022 are: Councillor Steve Anderson, Deputy Mayor of Shelburne; Councillor Sandy Brown, Mayor of Orangeville; Councillor Guy Gardhouse, Mayor of East Garafraxa; Councillor Chris Gerrits, Deputy Mayor of Amaranth; Councillor Earl Hawkins, Deputy Mayor of Mulmur; Councillor Janet Horner, Mayor of Mulmur; Councillor Andy Macintosh, Deputy Mayor of Orangeville; Councillor Wade Mills, Mayor of Shelburne; Councillor Philip Rentsch, Deputy Mayor of Grand Valley and Councillor Steve Soloman, Mayor of Grand Valley.

County Council meetings are open to the public and held monthly on the second Thursday beginning at 7:00 pm. at 51 Zina Street, Orangeville.



**Pictured from Left to Right are Councillors Guy Gardhouse, Wade Mills, Steve Anderson, Bob Currie, Sandy Brown, Laura Ryan, Chris Gerrits, Darren White, John Creelman, Andy Macintosh, Janet Horner, Steve Soloman, Philip Rentsch and Earl Hawkins.**

-30-

**For more information, please contact:**

Pam Hillock, Clerk and Director of Corporate Services  
phillock@dufferincounty.ca  
519.941.2816 ext. 2503





**The Corporation of the Township of Huron-Kinloss**

P.O. Box 130  
21 Queen St.  
Ripley, Ontario  
N0G2R0

Phone: (519) 395-3735  
Fax: (519) 395-4107

E-mail: [info@huronkinloss.com](mailto:info@huronkinloss.com)  
Website: <http://www.huronkinloss.com>

The Honourable Jeff Yurek  
Minister of the Environment, Conservation, and Parks  
Conservation Ontario,  
College Park 5th Flr, 777 Bay St,  
Toronto, ON M7A 2J3

December 17, 2019

Dear Minister;

Re: Copy of Resolution #645

Please find below a copy of the resolution adopted by the Township of Huron-Kinloss Council at its December 16, 2019 session supporting the resolution brought forth by the Township of Ramara.

Motion No: 915

Moved by: Ed McGugan

Seconded by: Lillian Abbott

That the Township of Huron-Kinloss support the the Township of Ramara's request for the province to review the existing Conservation Authorities Act, 1990, R.S.O. 1990, c. C.27 and request that an exit clause be provided in any new Conservation Authorities Act to permit municipalities that determine the objects of conservation and environmental stewardship can be provided by alternative governance, programs, and/or services to costly and FURTHER directs staff to forward a copy of this resolution to the Honourable Jeff Yurek, the Minister of the Environment, Conservation, and Parks Conservation Ontario, Ontario's thirty-six conservation authorities, and all upper and lower-tier Ontario municipalities.

Carried.

Sincerely,

Emily Dance  
Clerk

c.c Conservation Ontario, Ontario Conservation Authorities, Ontario Municipalities

INFO #5  
JAN 16 2020



December 11, 2019

The Honourable Jeff Yurek  
Minister of Environment, Conservation and Parks  
College Park 5<sup>th</sup> Floor  
777 Bay St  
Toronto, ON M7A 2J3

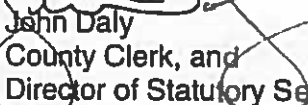
**Re: Conservation Authority Exit Clause**

On behalf of Warden Cornell and County Council, I'm writing to advise that at its meeting on December 4, 2019, Simcoe County Council approved the following recommendation:

"That the resolution from the Township of Ramara regarding conservation authority exit clause, be supported."

A copy of the related correspondence from the Township of Ramara is enclosed for your information. Should you require anything further, please contact the undersigned at extension 1623.

Regards,

  
John Daly  
County Clerk, and  
Director of Statutory Services

Enclosure/

c.c. Jill Dunlop, MPP  
Doug Downey, MPP  
Andrea Khanjin, MPP  
Caroline Mulrone, MPP  
Jim Wilson, MPP  
Conservation Ontario  
Ontario Conservation Authorities  
Ontario Municipalities



2297 Highway 12,  
PO Box 130  
Brehin, Ontario L0K 1B0  
p.705-484-5374  
f.705-484-0441

November 7, 2019

Honourable Jeff Yurek  
Minister of Environment, Conservation and Parks  
College Park 5th Floor  
777 Bay St  
Toronto, ON M7A 2J3

**Re: Conservation Authority Exit Clause**

The Council of the Corporation of the Township of Ramara passed the following motion at their regular meeting held October 28, 2019, unanimously by a recorded vote:

**WHEREAS the TOWNSHIP OF RAMARA has consistently expressed its view that its watershed conservation authorities are duplicative, financially unaccountable, in conflict with citizens and private property rights;**

**AND WHEREAS the TOWNSHIP OF RAMARA has encountered the regulatory obstacles to challenge the arbitrary, inefficient, non-transparent, and unsustainable municipal levy forced upon it annually by its watershed conservation authorities;**

**AND WHEREAS the TOWNSHIP OF RAMARA questions the efficacy and relevance of its watershed conservation authorities' programs and services and their performance in achieving the goals of conservation and environmental stewardship;**

**AND WHEREAS the TOWNSHIP OF RAMARA finds the current Conservation Authorities Act, 1990, R.S.O. 1990, c. C.27 and its proscribed regulations inconsistent and obsolete;**

**AND WHEREAS the Minister of Environment, Conservation, and Parks the Honourable Jeff Yurek signaled the province's intent to reconsider and update the Conservation Authorities Act, 1990, R.S.O. 1990, c. C.27 and its proscribed regulations;**

**THEREFORE BE IT RESOLVED THAT: the TOWNSHIP OF RAMARA support the province's determination that the existing Conservation Authorities Act, 1990, R.S.O. 1990, c. C.27 and its proscribed regulations require review;**

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

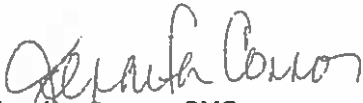
AND THAT the TOWNSHIP OF RAMARA signal to the Ministry of the Environment, Conservation, and Parks of its willingness to participate in all consultations and submissions to the same;

AND THAT further the TOWNSHIP OF RAMARA signal its express desire that an exit clause be provided in any new Conservation Authorities Act to permit municipalities that determine the objects of conservation and environmental stewardship can be provided by alternative governance, programs, and/or services to exist costly and unwarranted conservation authority(ies) jurisdiction(s);

AND THAT this resolution be forwarded the Minister of the Environment, Conservation, and Parks, the Honourable Jeff Yurek, Conservation Ontario, Ontario's thirty-six conservation authorities, and all upper and lower-tier Ontario municipalities.

I trust the above is self-explanatory however if you require further information or clarification, please contact me.

Yours truly,



Jennifer Connor, CMO  
Legislative Services Manager/Clerk

JC/cw

c.c. Jill Dunlop, MPP  
Conservation Ontario  
Ontario Conservation Authorities  
Ontario Municipalities



County of Simcoe  
Clerk's Department  
1110 Highway 26,  
Midhurst, Ontario L9X 1N6

Main Line (705) 726-9300  
Toll Free (866) 893-9300  
Fax (705) 725-1285  
simcoe.ca



December 11, 2019

Nottawasaga Valley Conservation Authority  
8195 8<sup>th</sup> Line  
Utopia, ON L0M 1T0

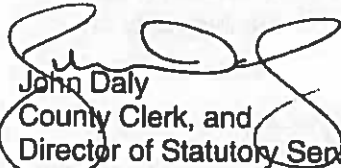
**Re: Nottawasaga Valley Conservation Authority Levy (NVCA)**

On behalf of Warden Cornell and County Council, I'm writing to advise that at its meeting on December 4, 2019, Simcoe County Council approved the following recommendation:

"That the resolution from the Township of Springwater regarding NVCA Levy be supported."

A copy of the related correspondence from the Township of Springwater is enclosed for your information. Should you require anything further, please contact the undersigned at extension 1623.

Regards,

  
John Daly  
County Clerk, and  
Director of Statutory Services

Enclosure/

c.c. Doug Ford, Premier of Ontario  
Jeff Yurek, Minister of Environment, Conservation and Parks  
Jill Dunlop, MPP  
Doug Downey, MPP  
Andrea Khanjin, MPP  
Caroline Mulroney, MPP  
Jim Wilson, MPP  
Conservation Ontario  
Ontario Conservation Authorities  
Ontario Municipalities

October 21, 2019

Nottawasaga Valley Conservation Authority  
8195 8<sup>th</sup> Line  
Utopia ON, L0M 1T0

**RE: Nottawasaga Valley Conservation Authority Levy**

---

Please be advised that at its meeting of October 16, 2019, Council of the Township of Springwater passed the following resolution:

**C457-2019**

Moved by: Coughlin  
Seconded by: Moore

Whereas the Township of Springwater, like all municipalities in Ontario must confront fiscal limitations and re-evaluate programs, services, and the financial sustainability of each;

And Whereas the Township of Springwater is a constituent municipality in portions of the watershed under the jurisdiction of the Nottawasaga Valley Conservation Authority and is compelled to remit non-negotiable levy funding to the Authority on an annual basis;

And Whereas the Township of Springwater cannot exercise line-item scrutiny of Nottawasaga Valley Conservation Authority's budget and operations nor does the Authority itself provide detailed substantiation of the same to its member municipalities like the Township of Springwater;

And Whereas the Township of Springwater must account for all taxpayer funds it expends within its operations and that it forwards to local agencies and boards;

Therefore Be It Resolved That the Township of Springwater requests that the Nottawasaga Valley Conservation Authority provide prior to passage of its 2020 budget the following:

- (1) Its interpretation and understanding of its mandated operations as found in the current Conservation Authorities Act, 1990, R.S.O. 1990, c.C.27 and its prescribed regulations;
- (2) The costs of each as determined under (1);
- (3) Detailed definitions and determinations of what can be characterized as non-mandatory programming and service(s);

(4) The costs of each as determined under (3);

(5) Detailed definitions and determinations of fee-for-service activities of the Nottawasaga Valley Conservation Authority, the revenues they generate as the activities take place within and/or requests originate from geographic area of the Township of Springwater; and

(6) The costs that arise from programs and services enabled through the Memorandum of Understanding with the Severn Sound Environmental Association.

And That this resolution be circulated to Premier Doug Ford, the Minister of the Environment, Conservation, and Parks, the Honourable Jeff Yurek, the County of Simcoe, all Ontario municipalities, the NVCA and Ontario's other 35 Conservation Authorities, and Conservation Ontario.

**Carried**

Sincerely,



Renée Chaperon  
Clerk  
/cp

cc. Doug Ford, Premier of Ontario  
Jeff Yurek, Minister of Environment, Conservation and Parks  
The County of Simcoe  
Conservation Ontario  
Ontario municipalities  
Ontario Conservation Authorities

## Denise Holmes

---

**From:** Michelle Dunne <mdunne@dufferincounty.ca>  
**Sent:** Tuesday, December 17, 2019 10:09 AM  
**To:** Denise Holmes; Fred Simpson; Jane Wilson (jwilson@townofgrandvalley.ca); Jennifer Willoughby; Jessica Kennedy; Karen Landry; Mark Early; Meghan Townsend; Pam Hillock; slankheit@orangeville.ca; Sue Stone  
**Cc:** Pam Hillock; Steven Murphy  
**Subject:** Interoperable Communications Cost Estimate  
**Attachments:** GGS 2019-11-28 Interoperable Communications Cost Estimates.pdf

Good morning,

The Council of the County of Dufferin at its regular meeting held on December 12, 2019 adopted the following motion from the November 28<sup>th</sup> General Government Services meeting:

THAT the report of the Clerk/Director of Corporate Services, dated November 28, 2019, to provide a supplemental report to the report of October 24, 2019 titled Interoperable Radio Communications – County Wide, be received;

AND THAT the area municipalities be consulted on how this project could be funded and who would be responsible for the procurement, ongoing maintenance of infrastructure and upgrades to equipment when required;

AND THAT the County of Dufferin commit in principle to fund up to 50% of the upfront infrastructure cost for Option 1 of the consultant's report.

Attached is the staff report for you to share with your Councils.

Should you have any questions, please call.

Kindest regards,

**Michelle Dunne|Deputy Clerk| Corporate Services**  
**County of Dufferin|Phone: 519-941-2816 Ext. 2504| [mdunne@dufferincounty.ca](mailto:mdunne@dufferincounty.ca) |55 Zina Street,**  
Orangeville, ON L9W 1E5

**Join in Dufferin** - Share your stories. Connect with your community. Have your say on new projects.  
Click here to **[Sign Up and Speak Up!](#)**



**DISCLAIMER: This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to which they are addressed. If you have received this email in error please notify the sender. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the County of Dufferin. Finally, the recipient should check this email and any attachments for the presence of viruses. The County of Dufferin accepts no liability for any damage caused by any virus transmitted by this email. The Corporation of the County of Dufferin, 55 Zina Street, Orangeville, Ontario. [www.dufferincounty.ca](http://www.dufferincounty.ca)**



## **REPORT TO COMMITTEE**

**To:** Chair Creelman and Members of General Government Services

**From:** Pam Hillock, Clerk/Director of Corporate Services

**Date:** November 28, 2019

**Subject:** **Interoperable Communications Cost Estimates – Report #3**

**In support of Strategic Plan Priorities and Objectives**

**Good Governance** - ensure transparency, clear communication, prudent financial management

**Inclusive and supportive community** – support efforts to address current and future needs for a livable community

---

### **Purpose**

The purpose of this report is a supplement to the report of October 24, 2019 Interoperable Radio Communications – County Wide. The original report is attached for information purposes.

### **Background and Discussion**

Committee, at its meeting held October 24, 2019 had before it a report outlining the background of a request for an enhanced radio network in the County. Committee asked staff to update the costing for the various options provided from the consultant and report back.

The consultant, Wavestar Networks, confirmed that the estimates previously provided remain as accurate as possible given that system specifications have not been established.

**Option 1** Approximately \$75,000 in core infrastructure capital

**Option 2** Approximately \$125,000 in core infrastructure capital plus the cost of radios

**Option 3** Approximately \$400,000 in core infrastructure capital plus the cost of radios

These costs do not include any upgrades to radios, etc. that may be required.

A further quote was received from the Grand Valley Fire Chief from a vendor in the amount of \$92,667.59 and is attached to the report. Staff are not aware of the information provided to obtain this quote.

**Recommendation**

**For consideration of committee.**

Respectfully submitted

Pam Hillock, Clerk/Director of Corporate Services

Prepared by: Steve Murphy, CEMC

Attachments: Price Quotes

Interoperable Radio Communications – County Wide Report of October 24,  
2019

**From:** Kevin McNeilly  
**To:** Steven Murphy; Pam Hillock  
**Cc:** "Brad Lemach"; Mike Blacklaws  
**Subject:** Updated pricing  
**Date:** Friday, November 15, 2019 11:38:57 AM  
**Attachments:** [DUFFERIN COUNTY SIMULCAST UPGRADE TO REPEATERS.PDF](#)  
[DUFFERIN MICROWAVE FOR COUNTY FIRE RADIO.PDF](#)  
**Importance:** High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the contents to be safe.

Attached is the updated price quote for the system we were requesting , as you will see it has come down about 35k less due to the buying power of our vendor since they have been bought out by a larger company.

Kevin McNeilly  
Fire Chief  
Grand Valley & District Fire Department

519-928-3460



# Proposal

11 05 19 10:11:42 Page - 1  
 Quote Date 11 05 19 Branch 40100  
 Quote Number 398654

Customer Prospect Number 1948354

Ship To 1948354

GRAND VALLEY & DISTRICT FIRE DEPT  
 2 INDUSTRIAL DRIVE  
 PO BOX 83  
 GRAND VALLEY ON -L9W 7G1

GRAND VALLEY & DISTRICT FIRE DEPT  
 2 INDUSTRIAL DRIVE  
 PO BOX 83  
 GRAND VALLEY ON -L9W 7G1

Customer Contact: GRAND VALLEY & DISTRICT FIRE D Email: cgouton@amaramh-ea.orgary.ca  
 Phone Number: (516) 939-3460 Ext Delivery Insty

Quantity	Part Number	Unit Price	Extended Price
	SIMULCAST UPGRADE		0.00
4	KA-SI-T2 SIMULCAST LICENSE - TIER 2 KAIROS	5,267.86	21,071.43
14	SERVICE INSTALL UPGRADE	150.00	2,100.00
4	MAX-GPS-IMG-40NMS GPS ANTENNA FOR RA REPEATERS	295.17	1,180.68
4	PCW-UM-1 UM UNIVERSAL GRID ANTENNA MOUNT, 1.5	19.33	77.32
6	INSTALL INSTALLATION SERVICES INSTALL GPS ANTENNAS	105.00	630.00
18	SERVICE SERVICE FEE OPTIMIZE AND DOCUMENT	105.00	1,890.00
4	TRIPCHARGE TRAVEL FEE	90.00	360.00

Quote valid until 02 29 20 Confidential and Proprietary

Sub Total 31,531.44

Shipping and Handling TBD

Tax 4,099.69 Tax Estimate

Total 35,631.13

X \_\_\_\_\_  
 Customer Signature

Jeff Balicki  
 Senior Account Executive  
 Jeff.Balicki@BearCom.com

LONDON Office



# Proposal

11-08-19 9:34:25 Page - 1  
 Quote Date 11-08-19 Branch 40100  
 Quote Number: 398658

Customer Prospect Number 1968354

Ship To 1968354

GRAND VALLEY & DISTRICT FIRE DEPT  
 2 INDUSTRIAL DRIVE  
 PO BOX 83  
 GRAND VALLEY ON -L9W 7G1

GRAND VALLEY & DISTRICT FIRE DEPT  
 2 INDUSTRIAL DRIVE  
 PO BOX 83  
 GRAND VALLEY ON -L9W 7G1

Customer Contact: GRAND VALLEY & DISTRICT FIRE D Email: cgonator@amaranth-eacrgary.ca  
 Phone Number: (519) 978-3460 Ext. Delivery Instr:

Quantity	Part Number	Unit Price	Extended Price
	MICROWAVE		0.00
8	AF-SXHD	943.33	7,546.67
	MICROWAVE		
7	PAD-JRD	200.58	1,406.15
	PADOMIE, 3 ROCKET DISH FITS RD-5G34		
7	AF-5G34-545	698.75	4,891.25
	5 GHZ AIRFIBER DISH 34 DBI, SLANT 45		
8	HGLN-CAT6-HP	115.83	926.67
	INDOOR 10.100.1000 BASE HT HIGH PWR. CAT6 PROT		
1	ISO-BEAM-620	192.93	192.93
	UBIQUITI ISOLATOR RING POWERBEAM 620		
1	AF-5G30-545	259.12	259.12
	UBIQUITI 5 GHZ AIRFIBER DISH, 36DBI, SLANT 45		
3	TC-CARRIER	355.28	1,065.85
	UBIQUITI TOUGH 1000CABLE CARRIER STP OUTDR. END GRD		
3	RB4011GS-RM	600.00	3,000.00
	MIKROTIK ETHERNET ROUTER TOUCHSCREEN LCD		
1	NFRM-1	344.93	344.93
	NON PENETRATING ROOF MOUNT 135 PACK		
1	SYSSUPKIT	200.00	200.00
	SYSTEM INSTALLATION ROOF MOUNT SUPPLIES KIT		
1	SYSSUPKIT	41.67	41.67
	SYSTEM INSTALLATION SUPPLIES KIT		
24	SERVICE	150.00	3,600.00

Visit our Web site at: <https://www.spectrum-communications.ca>

Buy ))) Rent ))) Service )))

Quantity	Part Number	Unit Price	Extended Price
	STAGING IN SHOP 3 DAYS		
120	INSTALL TOWER SITE RIGGERS 3 TOWER TECH 1 DAY PER SITE X 5	200.00	24,000.00
20	SERVICE PROJECT MANAGEMENT DOCUMENTATION	150.00	3,000.00
Quote valid until 02/29/20 Confidential and Proprietary		Sub Total	50,479.27
X _____		Shipping and Handling	TBD
Customer Signature		Tax	6,561.79 Tax Estimate
		Total	57,057.06

Jeff Balicki LONDON Office  
 Senior Account Executive  
 Jeff.Balicki@BearCom.com



## REPORT TO COMMITTEE

**To:** Chair Creelman and Members of General Government Services

**From:** Pam Hillock, Clerk/Director of Corporate Services

**Date:** October 24, 2019

**Subject:** Interoperable Radio Communications – County Wide

### **In support of Strategic Plan Priorities and Objectives**

**Good Governance** - ensure transparency, clear communication, prudent financial management

**Inclusive and supportive community** – support efforts to address current and future needs for a livable community

---

### **Purpose**

The purpose of this report is to recommend the next steps in the implementation of a County-wide interoperable radio communication solution.

### **Background and Discussion**

In October 2016 representatives from the Mulmur-Melancthon Fire Department, Grand Valley and District Fire Department, Rosemont Fire Department and Shelburne and District Fire Department, Dufferin Emergency Management, two members of County Council and a communications company met to discuss the existing radio and paging communications networks that are utilized by the various fire services throughout Dufferin County. During this meeting it was determined that improvements to the communications network could be made by upgrading existing technology. It was suggested that these proposed improvements could increase the safety of County residents by eliminating communications dead zones and improving two-way communications between responding agencies.



In January 2017, the initial request for funding was presented to the General Government Services Committee, staff were directed to investigate and report on the proposed interoperable radio communications network. Staff provided the requested report at the February 22<sup>nd</sup>, 2017 General Government Services Committee meeting. The report was received.

On November 22, 2017 a delegation of local Fire Chiefs gave another presentation regarding the request for funding for an interoperable communications system. The local fire departments were asking for financial support to install a County-wide radio network that could be used for large scale emergencies to allow emergency services to communicate with each other. Staff were directed to look into the feasibility and report back.

In March of 2018 the Director of Corporate Services recommended that a consultant be engaged to look at radio communications across the County including emergency responders and the County and local public works and make recommendations on how an interoperable radio communications network/channel could be established and used by multiple agencies in an emergency.

Understanding that the provision of fire services, including communications infrastructure, is a local municipal responsibility, County Council recognized the importance of collaboration and the need to facilitate a process for this issue. On April 12<sup>th</sup>, 2018, Council gave approval to hire a consultant to investigate the existing two-way radio networks utilized by emergency services throughout Dufferin County and to give recommendations on potential upgrades.

The County then issued a Request for Quote in May of 2018 and engaged Wavestar Networks in June of 2018.

During the summer of 2018 the consultant interviewed all of the emergency services, public works departments, the emergency manager and other stakeholders to determine the needs and identify any gaps in the existing communications networks. His findings were presented to the 911 Service Delivery Working Group at its meeting held on November 21<sup>st</sup>, 2018. The consultant identified several gaps in the existing communications networks. During the presentation the following options were presented.

**Option 1** builds upon the current installed infrastructure:

- an improvement on the current Fire plan to link the four separate radio systems - upgrade to digital transmitters, current transmitters support digital broadcasts

- upgrade to the current public works two separate radio systems - upgrade to digital transmitters, link the two towers for redundancy
- Will provide a local channel in each service area plus a wide area channel for inter area communications. Maintains separation of fire and PW voice traffic to their respective systems and allows for cross communication during extenuating circumstances as defined by policy, but there remains the possibility that these cross communications might fail due to old channel mappings.
- Approximately \$40K in core infrastructure capital for fire network, approximately \$30K in core infrastructure capital for public works network.

**Option 2** would provide a County wide system for all users; Fire, Public Works, Emergency Management.

- A trunked system would be configured with different call groups (local fire/all fire/local PW/all PW/special events), multi-groups (from 1 to all) and person to person.
- Approximately \$150,000 in core infrastructure capital plus subscriber radios.

**Option 3** would provide a County wide system for all users Fire, Public Works, EM

- interconnection capabilities for linking into external entities (Wellington County, Caledon, EMS, OPP etc).
- Approximately \$500K in core infrastructure capital plus subscriber radios.

At their January 14, 2019 meeting, the 911 Service Delivery Working Group agreed to support Option 1. The matter of costing and how the network would be paid for was not discussed.

### **Financial, Staffing, Legal and IT Consideration Impact**

The County's Municipal Emergency Readiness Fund (MERF) has provided funding to Grand Valley, Mono, Shelburne and Mulmur totaling \$33,516.78 to upgrade their existing radio network since the initial meeting in 2016.

The full costs of implementation for Option 1 are unknown at this time; however, estimates indicate that the project would be less than \$100,000. The County could fund 50% of the cost through the emergency management reserve and council could forego the MERF funding program for 2 years. The area municipalities would be responsible for the remaining 50% of the cost.

Responsibility for the associated costs of ongoing maintenance and equipment upgrades has not been determined.

**Recommendation**

**THAT the report of the Clerk/Director of Corporate Services, dated October 24, 2019, regarding the emergency management interoperable radio system be received;**

**AND THAT the area municipalities be consulted on how this project could be funded and who would be responsible for the procurement, ongoing maintenance of infrastructure and upgrades to equipment when required;**

**AND THAT the County of Dufferin commit to fund 50% of the upfront infrastructure cost and the funds to be taken from the Emergency Management Reserve with the caveat that the MERF program be put on hold for two years and that the procurement take place before the end of 2020.**

Respectfully submitted,

Pam Hillock, Clerk/Director of Corporate Services

Prepared by: Steve Murphy, Emergency Management and Communications Coordinator

**Denise Holmes**

---

**From:** Dufferin County <info@dufferincounty.ca>  
**Sent:** Wednesday, December 18, 2019 10:55 AM  
**To:** Denise Holmes  
**Subject:** Dufferin County E-Newsletter - Council in Brief

Dufferin County's Official E-Newsletter

Is this email not displaying correctly?  
[View it in your browser](#)



## **COUNCIL IN BRIEF**

---

**For December 12, 2019**

The following highlights from the December 12, 2019 Dufferin County Council Meeting are provided for general information purposes. [For the full agenda and minutes, please visit our website by clicking here.](#)

### **Election of the 2020 Warden & Committee Chairs**

The Council would like to congratulate Darren White, Mayor of Melancthon on being acclaimed as the 2020 Warden of the County of Dufferin. Councillor White was the Warden in 2017 and 2019 as well.

---



The 2020 Committee Chairs and members were also selected at the meeting.

Infrastructure & Environmental Services - Chair: Councillor Bob Currie, Councillor Chris Gerrits, Councillor Earl Hawkins, Councillor Steve Soloman

General Government Services - Chair: Councillor John Creelman, Councillor Sandy Brown, Councillor Guy Ardhouse, Councillor Andy Macintosh, Councillor Wade Mills

Community Services Dufferin Oaks Museum - Chair: Councillor Laura Ryan, Councillor Steve Anderson, Councillor Janet Horner, Councillor Philip Rentsch

## **Proposed Changes to Building Permit Fees**

There will be a Public Meeting regarding proposed changes to Building Permit Fees on January 9, 2019 at 7:00 p.m. at the Town of Orangeville Council Chambers, 87 Broadway. The Building Permit Fee Report prepared by the Chief Building Official outlining the proposed changes can be found on the Dufferin County website at the following link:

<https://www.dufferincounty.ca/sites/default/files/building/Building%20Permit%20Fee%20Review.pdf>

## **Farm Tax Ratio**



the 2016 MPAC re-assessment, for Dufferin County, Farm property (FT) values increased by about triple the crease in values of Residential (RT) properties. The MPAC values are phased-in over the four tax years 2017-2020. The larger increase in FT values, compared to RT values, causes a modest shift of taxes from other tax classes to the Farm class. No action was taken on FT Ratios in 2017 or 2018. This did result in a shift of property taxes from other classes to the Farm class. In 2019 the Farm Tax Ratio was reduced from 0.25 to 0.23 holding taxes by property class in 2019 to similar proportions of 2018. Council has approved the Farm Tax Ratio for 2020 be changed to 0.22.

## Jean Hamlyn Day Care Centre



Dufferin County Council has voted to transition the Jean Hamlyn Day Care from being a County run day care centre to privately run at the end of June 2020. The County will provide Human Resources support to staff impacted by the closure and redirect the available budget allocations created by the closure of the directly operated day care centre to child care fee subsidy, special needs resourcing (i-CAN) and general operating grants/expansion plans. Administrative support will be provided to families to help with the transition to alternative child care providers. Town of Orangeville will be issuing an RFP to lease the space to a new provider. Presently, five existing day care operations have expressed interested in leasing the space.

---

## Community Safety and Well-Being Plan

The Comprehensive Police Services Act (2019) requires municipal governments to adopt Community Safety and Well-Being (CSWB) plans. The legislation states every municipal council is required to develop and adopt these plans by working in partnership with a multi-sectoral advisory committee, effective January 1, 2019 and to be completed by January 1, 2021. Council has approved Wellington Dufferin Guelph Public Health Unit be approved as the Single Source Consultant to complete the Dufferin County Safety and Well-Being Plan.

## Dufferin County Equity Collaborative Report



The Dufferin County Equity Collaborative (DCEC) is working towards reducing inequities, removing barriers and creating equitable opportunities that support the well-being for all members of our community. The Director of Community Services has prepared the Annual 2018-2019 Dufferin County Equity Collaborative Report to the community. This report provides the community with an update on the key activities DCEC has undertaken over the past year and the outcomes and impacts that have emerged from that effort. It is a summary of progress made in the year and it acknowledges the efforts of those who have contributed to a successful year. DCEC is pleased to have partnerships with many of the local human services agencies. Together DCEC is making great progress towards having an impact. The framework for DCEC is focused on three main priorities:

**Housing and Homelessness:** The goal is for members of the community to have equitable opportunities to find and maintain housing. Housing instability and homelessness will be prevented.

**Employment:** The goal is for members of the community to have equitable access to employment opportunities with the ability to achieve economic well-being.

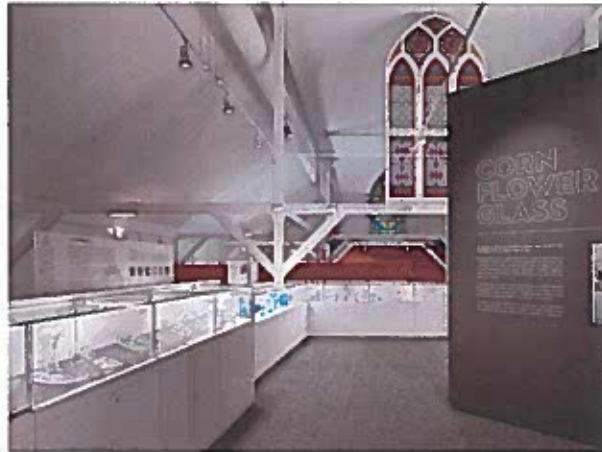
**Healthy Equity:** The goal is for members of the community to have equitable opportunities to be healthy, by having access to quality care that is fair, dignified and appropriate to needs.



View the full report on our website at the following link (Item #6):

<https://www.dufferincounty.ca/sites/default/files/clerks/2019%20CS-DO-M/2019-11-28%20CSDOM%20Agenda%20Package.pdf>

## Corn Flower Gallery Project



Beginning in 2015, a capital project to establish a permanent Corn Flower Gallery on the Museum's Level 3 has been included in the Capital Budget. The project was funded entirely by grants and donations, officially opening on November 10, 2018.

During the MoD's public closure for the construction of the Corn Flower Glass Gallery during the first half of 2018, the opportunity to convert overhead and display case lighting in the Main Gallery (Level 2) from incandescent to energy efficient LED and to make needed improvements to the Museum's entrance were also pursued. Contractors, products and bulk pricing achieved for the Glass Gallery project were extended to complete needed upgrades in adjoining areas. For the Main Gallery upgrade to LED lighting specifically, the MoD was generously assisted by a \$80,000 private donation.

View the report from the Director of Planning, Economic Development and Culture on our website, item #8:

<https://www.dufferincounty.ca/sites/default/files/clerks/2019%20CS-DO-M/2019-11-28%20CSDOM%20Agenda%20Package.pdf>



---

## Service Review - Project Launch & Discovery

The Chief Administrative Officer provided an update on the Service Delivery Review Project.

The SDR has a clear mandate that can be defined through:

*Project Vision* – Creating a service delivery model that ensures public value and financial sustainability.

*Project Mission* – Conduct a comprehensive review of shared municipal services, county operations, and human/community services.

*Project Success*

- in-depth understanding of current services and service delivery methods
- provision of actionable recommendations for efficient, effective, and sustainable delivery of municipal services
- buy-in among County Staff and Stakeholders that recommendations are aligned to the community needs and will reduce future operational costs and improve service delivery

Optimus SBR will be conducting the Service Delivery Review and will be working closely with the County CAO, Project Coordinator, Service Review Steering Committee, CAO Working Group (from local municipalities) and the County Service Delivery Review Team with sub-groups.

The review will be completed by the end of June 2020 with the presentation of findings and recommendations.

The CAO's report is available on our website (item #14.6):

<https://www.dufferincounty.ca/sites/default/files/clerks/2019%20Council%20Agendas/2019-12-12%20Council%20Agenda%20Package.pdf>

## Budget Presentation

The logo for the Dufferin County 2020 Budget. It features a stylized background with a diagonal split between a light blue and a light green color. The text "DUFFERIN COUNTY 2020 BUDGET" is written in a bold, white, sans-serif font across the center of the logo.

The Treasurer presented Council with the 2020 budget after consultation with the standing Committees. Staff will prepare the Estimate By-Law with the Dufferin County Tax Levy for 2020 set at \$39.965 million to have re-

---

the January 9, 2020 meeting of Council. The presentation is available on Dufferin County's website:  
[tps://www.dufferincounty.ca/sites/default/files/finance/CC%202019-12-12%20Budget%20presentation.pdf](https://www.dufferincounty.ca/sites/default/files/finance/CC%202019-12-12%20Budget%20presentation.pdf)

---

***The complete agenda and minutes from the December 9, 2019 County Council meeting will be available on the [County website](#).***

***The next meeting is on January 9, 2020 immediately following the Building Permit Fee Public Meeting that begins at 7:00 p.m. at the Town of Orangeville Council Chambers, 87 Broadway, Orangeville, ON followed by regular meeting of Council.***

*Copyright © 2019 Corporation of the County of Dufferin*

Our mailing address is:  
County of Dufferin  
Administration Department  
55 Zina Street  
Orangeville ON L9W 1E5  
[info@dufferincounty.ca](mailto:info@dufferincounty.ca)

[unsubscribe from this list](#) | [update subscription preferences](#)

---

---

This email was sent to [dholmes@melanctontownship.ca](mailto:dholmes@melanctontownship.ca)  
[why did I get this?](#) [unsubscribe from this list](#) [update subscription preferences](#)  
Dufferin County · 55 Zina Street · Orangeville, ON L9W 1E5 · Canada





## NVCA Board Meeting Highlights December 13, 2019

Next Meeting: January 24, 2020, Tiffin Centre for Conservation, Utopia

For the full meeting agenda including documents and reports, visit [nvca.on.ca/about/boardofdirectors](http://nvca.on.ca/about/boardofdirectors)

### NVCA 2020 Budget Approved

The Board of Directors overwhelmingly voted to approve NVCA's 2020 budget at \$5,004,264 million in revenue as compared to the 2019 approved budget of \$4,924,948. Of this increase, \$66,027.73 is coming from an increase to the municipal levy (shared among all 18 member municipalities), with the remainder coming from grants, fees for services, and other sources. Funds from municipal levy represent 50% of NVCA's revenues.

### Employee Handbook Update

NVCA's employee handbook was updated and approved by the Board of Directors. Significant updates include:

#### Pay Equity

NVCA is in compliance with Ontario's Pay Equity Act and has adopted this policy to ensure that all compensation for permanent full-time staff is equitable and that equal pay is provided for equal work. The value of positions will be assessed under the four factors used by the Pay Equity Commission: skills, effort, responsibility, and working conditions.

Each position within the NVCA will be evaluated regularly or when significant changes occur or a new job is introduced. The jobs will be evaluated using a gender-neutral factor comparison system that uses the four factors identified by the Pay Equity Commission.

### Prescription Medications including Medical Marijuana

Employees who are required to use medical marijuana are no longer required to provide a copy of the possession license.

NVCA asks that, where possible, employees who require medical marijuana use a method other than smoking.

Employees who choose to smoke medical marijuana are not permitted to smoke in the presence of other NVCA employees or on NVCA property, except for an identified location provided to the employee by the NVCA. Senior Management Team is currently looking at suitable areas.

For a copy of the updated Employee handbook, please contact [Sheryl Flannagan](#), Director of Corporate Services.

### NVCA Conservation Area Road Side Signage

In the past, through support of the Board of Directors, NVCA has erected signs on the sides of provincial, county and municipal roads. These signs gave directional and distance information to conservation areas such as Tiffin, Minesing Wetlands and Nottawasaga Bluffs.

Recently, the Tourism Ontario Directional Signage has decided to double their annual rates (from \$4000/year to \$8000/year) for NVCA to advertise on Ontario's highways, prompting staff to review signage needs as well as alternative opportunities.

As GPS technology is much more advanced as it once was, road signage has become less significant. As well, social media now drives traffic to our conservation areas in a way that road signs never could.

### **Strategic Plan and Business Plan**

In 2019, NVCA's management team has started the process of developing the 2020 – 2025 strategic plan, which builds on the integrated watershed management approach and is complimented through the NVCA vision, mission, and value statements.

NVCA Staff will work with the NVCA Board of Directors to finalize the strategic plan and business plan in 2020.

Staff will give updates to Board of Directors at each monthly meeting beginning in February until the two documents are complete.

### **December 9 Meeting at Conservation Ontario**

On December 9, 2019, NVCA Chair Watson and CAO Doug Hevenor attended a meeting at Conservation Ontario, along with representatives from all 36 conservation authorities.

MNRF Staff provided a presentation about Ontario's flood management approach as reviewed by Doug McNeil, Ontario's Special Advisor on flooding.

His report mentioned conservation authorities 82 times and commended them on Ontario's current flood prevention network. [Click here for the full report.](#)

At the meeting the Deputy Minister of the Ministry of Environment Conservation and Parks reiterated that conservation authorities can continue to provide non-core mandated undertake activities with self-generated funds. However, if conservation authorities want to use municipal levy for non-core mandate activities, an MOU agreement must be established with impacted municipalities.

### **Upcoming events**

#### **Winter Camp Tiffin**

Date: Thursday, January 2, 2020 9:00 AM - 4:30 PM

Location: Tiffin Centre for Conservation, 8195 8th Line, Utopia

#### **Christmas Bird Count for Kids**

Date: Friday, January 3, 2020 9:00 AM - 12:00 PM

Location: Tiffin Centre for Conservation, 8195 8th Line, Utopia

#### **Winter Camp Tiffin**

Date: Friday, January 3, 2020 9:00 AM - 4:00 PM

Location: Tiffin Centre for Conservation, 8195 8th Line, Utopia

#### **NVCA Annual General Meeting**

Date: Friday, January 24, 2020 9:00 AM - 12:00 PM

Location: Tiffin Centre for Conservation, 8195 8th Line, Utopia

#### **Family Nature Day - Winter Survival**

Date: Friday, January 24, 2020 10:00 AM - 3:00 PM

Location: Tiffin Centre for Conservation



## REPORT TO COMMITTEE

**To:** Chair Creelman and Members of the General Government Services Committee

**From:** Pam Hillock, Clerk/Director of Corporate Services

**Meeting Date:** November 28, 2019

**Subject:** **Building Permit Fee Review - 2019**

**In Support of Strategic Plan Priorities and Objectives:**

**Economic Vitality** – promote an environment for economic growth & development

**Good Governance** – ensure transparency, clear communication, prudent financial management

**Service Efficiency & Value** – determine the right services for the right price

---

### **Purpose**

The purpose of this report is to report the finding of a building permit fees review.

### **Background & Discussion**

The Building Permit Fees were last reviewed in 2014. At that time, there was an unexpected increase in building permit revenue which resulted in large surpluses. At that time it was recommended that the permit fees be reduced over a three-year period by 30%. The Chief Building Official, in consultation with the Treasurer, has prepared a comprehensive report which outlines the need to adjust the permit fees. Currently, there is a draw from the reserve fund each year to cover operating expenses. If the fees are not adjusted, the reserve fund will be greatly reduced. A copy of the report is attached.

While there is an increase in many of the building permit fee categories, there is also decreases in some of the categories and also some of the fees are remaining the same. The new fee schedule is in line with what several neighbouring municipalities are charging.

**Financial, Staffing, Legal, or IT Considerations**

By adjusting the permit fees, there will be sufficient money in the reserve fund for the coming years. Using 2019 numbers, there is a projected draw from reserve of \$565,921.81 in 2019. With a fee increase in 2020, the draw from reserves will be significantly less in future years.

**Recommendation**

**THAT the report of the Clerk/Director of Corporate Services, dated November 28, 2019, regarding Building Permit Fee Review, 2019, be received;**

**AND THAT staff be directed to consult with the Building Community, public and interested stakeholders during December/January;**

**AND THAT a public meeting be held in accordance with the Building Code Act at the January meeting of Council.**

Respectfully Submitted By:

Pam Hillock, Clerk/Director of Corporate Services

Prepared By: Greg MacNaughtan, Chief Building Official

Attachments: Building Permit Fee Review from the Chief Building Official, November 28, 2019



# Building Permit Fee Review

November 28, 2019

Greg MacNaughtan, CBCO  
Chief Building Official  
County of Dufferin, Building Division

55 Zina Street, Orangeville, ON L9W 1E5

519.941.2816

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



## Introduction

The purpose of this report is to provide evidence to support an increase in current building permit fees to ensure that operating costs do not excessively exceed anticipated building permit revenues. The increase in building permit fees will also help support the existing reserve fund allowing the Building Division to use as a stabilization tool when revenues are less than operating costs.

This report will provide a history of quantitative information and analysis of the County of Dufferin Building Division expenses, revenues and reserve fund amounts.

This report will also identify existing building permit fees in neighboring municipalities within Ontario including the Town of Orangeville as a benchmarking tool when justifying the average building permit fees in the Province.

This report will provide proposed building permit fees that will increase revenue of the forecasted building permit submissions and reduce the amount of annual reduction of the reserve fund while providing stability to the County of Dufferin Building Division.

## Legislative Context for Building Permit Fees Review

With respect to establishing fees under the Building Code Act, Section 7 of the Act provides municipalities with general powers to impose fees through passage of a bylaw. The Act provides that:

“The council of a municipality...may pass by-laws

(c) Requiring the payment of fees on applications for and issuance of permits and prescribing the amounts thereof;

(d) Providing for refunds of fees under such circumstances as are prescribed;”

The Building Code Statute Law Amendment Act imposed additional requirements on municipalities in establishing fees under the Act, in that:

“The total amount of the fees authorized under clause (1)(c) must not exceed the anticipated reasonable cost of the principal authority to administer and enforce this Act in its area of jurisdiction.”

In addition, the amendments also require municipalities to:

- Prepare and make available to the public annual reports with respect to the fees imposed under the Act and associated costs; and
- Undertake a public process, including notice and public meeting requirements, when a change in the fee is proposed.

O.Reg. 305/03 is the associated regulation arising from the Building Code Statute Law Amendment Act, 2002. The regulation provides further details on the contents of the annual report and the public process requirements for the imposition or change in fees. With respect to the annual report, it must contain the total amount of fees collected, the direct and indirect costs of delivering the services related to administration and enforcement of the Act, and the amount of any reserve fund established for the purposes of administration and enforcement of the Act. The regulation also requires that notice of the preparation of the annual report be given to any person or organization that has requested such notice.

Relating to the public process requirements for the imposition or change in fees, the regulations require municipalities to hold at least one public meeting and that at least 21-days notice be provided via regular mail to all interested parties. Moreover, the regulations require that such notice include, or be made available upon request to the public, an estimate of the costs of administering and enforcing the Act, the amount of the fee or change in existing fee and the rationale for imposing or changing the fee.

The Act specifically requires that fees "must not exceed the anticipated reasonable costs" of providing the service and establishes the cost justification test at the global Building Code Act level. As the requirements of the Act do not limit municipalities to the costs directly related to the service, these fees can include corporate management costs related to the provision of service (e.g. facility maintenance, information technology, governance, etc.). Moreover, the recognition of anticipated costs also suggests that municipalities could include costs related to future compliance requirements or fee stabilization reserve fund contributions. This is further emphasized in the annual reporting requirements noted above.

It is further noted, that while the legislative focus is established at the "code-level", municipalities are undertaking more extensive costing to understand the cost/revenue relationships at the "permit-level". By comparing costs of administration and enforcement by building permit type and with current fee structure revenues, municipalities can make better pricing decisions relative to their anticipated development, producing more sustainable financial results.

Building Permit Activity

Overall building permit volumes over the 2020-2023 period are anticipated to remain similar to historical volumes, averaging approximately 700 permits annually. The County of Dufferin forecasts an increase in the number of residential building permits in the Town of Shelburne within this date range accompanied by offsetting decrease in the other local municipalities within the County.

In 2014 a consultant was hired to provide a building permit fee analysis due to an unexpected increase in building permit revenue in 2013 combined with a prior fee increase which resulted in a significant surplus for that year.

The consultants forecasted the activities of the reserve fund for the six-year period 2015 to 2020. Based on their forecast, it was recommended that building permit fee rates be reduced 10% in each of the years 2015, 2016 and 2017, subject to annual reviews of permit-volume activity. There were 1,002 permits issued in 2014 and 922 issued in 2015 (80 fewer permits in 2015). Permit fees were reduced by 10% on January 1, 2015 and reduced by another 10% on January 1, 2016 as per the recommendation.

Although within these years there was an inflated number of building permits the forecasts for the next years remained within the average of approximately 700 building permits. **Between 2014 and 2018 there has been a 34.4% decrease in building permit activity with the additional 30% decrease in building permit fees.** For the year 2018 the anticipated number of permits was 714 with a revenue stream of \$1,029,896 and a total expenditure of \$942,311 using the permit fee amounts prior to the reduction. (See Table 1)

The actuals of 2018 are as follows (current fees):

2018 Forecast (Table 1):

Number of building permits	702	714
<b>Revenue</b>	<b>\$663,111</b>	<b>\$1,029,896</b>
Expenditures	\$1,050,945	\$942,311

**TABLE 1**  
**County of Dufferin - Forecast Based on Revised Expenditure Projections and DC Growth Projections (where available)**  
**Reserve Fund Continuity Statement**  
**2014-2020**

	2014	2015	2016	2017	2018	2019	2020
<b>Volume Forecast</b>							
Anticipated Permit Volumes	1,035	711	731	754	714	701	638
Anticipated Inspection Volumes	5,045	3,485	3,583	3,875	3,479	3,419	3,112
Anticipated Revenue	1,990,080	1,021,270	1,081,072	1,149,844	1,029,898	993,870	805,294
<b>Expenditures</b>							
<b>Administration</b>							
Salaries and Benefits	182,650	200,000	203,000	208,045	209,136	212,273	215,457
Administration & Office	37,729	38,500	38,900	39,873	40,880	41,891	42,938
IT and Telecommunications	10,388	16,500	16,913	17,335	17,769	18,213	18,668
Vehicles and Equipment	5,829	7,000	7,050	7,228	7,407	7,592	7,782
<b>Inspections</b>							
Salaries and Benefits	404,254	460,000	471,500	483,288	495,370	507,754	520,448
Administration & Office	6,678	7,650	7,650	7,841	8,037	8,238	8,444
IT and Telecommunications	2,020	1,900	1,948	1,999	2,048	2,097	2,150
Vehicles and Equipment	13,391	24,000	24,600	25,215	25,845	26,492	27,154
Incremental Resource Requirements	-	-	-	-	-	-	-
Capital Fund Contributions	25,200	36,000	36,900	37,823	38,788	39,737	40,731
IT Fund Contributions	4,000	5,500	5,638	5,778	5,923	6,071	6,223
Subtotal - Direct Expenditures	672,135	797,050	814,098	832,420	851,170	870,358	890,994
Indirect Expenditures	76,070	79,500	83,245	87,085	91,141	95,407	99,893
Total Expenditures	748,205	876,610	897,342	919,504	942,311	965,765	990,887
<b>Reserve Fund Continuity</b>							
Opening Balance	1,387,274	2,655,021	2,849,234	3,086,142	3,374,081	3,524,640	3,618,328
Contribution (Draw) to (from) Reserve Fund	1,241,854	144,680	163,730	230,340	87,584	27,904	(184,593)
Ending Balance	2,629,128	2,799,680	3,032,964	3,316,481	3,461,666	3,552,544	3,433,734
Interest	25,892	49,553	53,178	57,600	62,974	65,784	67,533
Reserve Fund Balance as a Multiple of Direct Costs	4.09	3.71	3.93	4.20	4.29	4.31	4.07

The purpose for the reduction in building permit fees was to draw down the reserve fund to be within 1.8 times the Building Division operating costs. This threshold was set to carry the division through any recessions in construction activity and ensure that the Building Divisions operations would not affect the County tax levy.

This approach proved to reduce the reserve fund as intended but unfortunately did not anticipate future expenditures for an electronic permitting system, public portal, increase in staff level and consulting/legal fees for enforcement of the Building Code Act.

The County of Dufferin service levels and operating costs have increased since the reduction in building permit fees. The review of service levels was due to demand from the public to increase building permit review times, to increase communication and transparency with the lower tier municipalities using an electronic permitting system, provide a public portal for online permit submissions and to increase enforcement of the Building Code Act.

The Building Division hired a second plans examiner to increase building permit review times and to reduce costs overall as an external agency was hired to maintain service levels while staff levels were decreased. The result of the additional hire has proven to be successful and the review times of building permits in Dufferin County are significantly less than the mandatory review times as set by the Province.

The electronic permitting and public portal system will be ready for users in the first quarter of 2020. These systems will provide greater communication between the County, lower tier municipalities and the public. These systems will increase efficiency and transparency for those working within the system. The costs of these systems are substantial, but also a necessary step towards growth within the industry. The reserve fund is in place to support these projects as they become in demand and determined as a necessity to increase the Building Division's service levels.

In 2018 the Building Division was tasked with the demolition of an illegal dwelling which costs exceeded \$98,000. The costs of the enforcement of the Building Code Act are difficult to predict but must be accounted for within the Building By-Law and associated fee schedule to recoup costs while maintaining a safe environment within the County of Dufferin.

### Forecasting the Reserve Fund

The forecasting of the reserve fund is based on the forecasting of Building Division revenues vs. operating costs.

The balance of the reserve fund at the end of 2018 was \$3,932,917. The total expenditures at the end of 2018 was \$1,050,945 and a revenue of \$663,111.

**In 2018 \$387,834 was transferred from the reserve fund to stabilize the Building Division operating costs.**

The "Building Division Budget 2019-2023" table identifies the division's operating costs, forecasted revenues and anticipated withdraw of building reserve funds to stabilize the Building Division.

These numbers are based on the current building permit fees having an average of 700 building permits annually.

Building Division Budget 2019-2023

E	F	G	H	I	J
	2019	2020	2021	2022	2023 <del>2022</del>
Salaries	808,720	983,650	955,950	991,650	1,028,310
Admin	62,600	70,650	67,910	68,170	68,430
Debt					
Service	15,000	10,000	10,000	10,000	10,000
IT	54,455	102,760	96,090	99,970	102,870
Facilities					
Vehicle \$ Equip	19,880	15,730	16,010	16,790	16,870
Internal Services Used	107,900	113,200	115,800	120,800	127,300
Internal Services Recovered					
Trfs to Rsvs	4,500	4,500	4,500	4,500	4,500
<b>Total Expenses</b>	<b>1,073,055</b>	<b>1,300,490</b>	<b>1,266,260</b>	<b>1,311,880</b>	<b>1,358,280</b>
User Fees	(592,600)	(696,800)	(626,800)	(632,800)	(639,000) (1)
Taxation					
Rent Revenue					
Subsidies					
Other Revenue	(5,000)	(3,330)	(3,330)	(3,330)	(3,330)
Transfers from Reserve	(475,455)	(600,360)	(636,130)	(675,750)	(715,950) (1)
<b>Total Revenues</b>	<b>(1,073,055)</b>	<b>(1,300,490)</b>	<b>(1,266,260)</b>	<b>(1,311,880)</b>	<b>(1,358,280) (2)</b>
<b>Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

Budgeted withdrawal from the Reserve Fund.

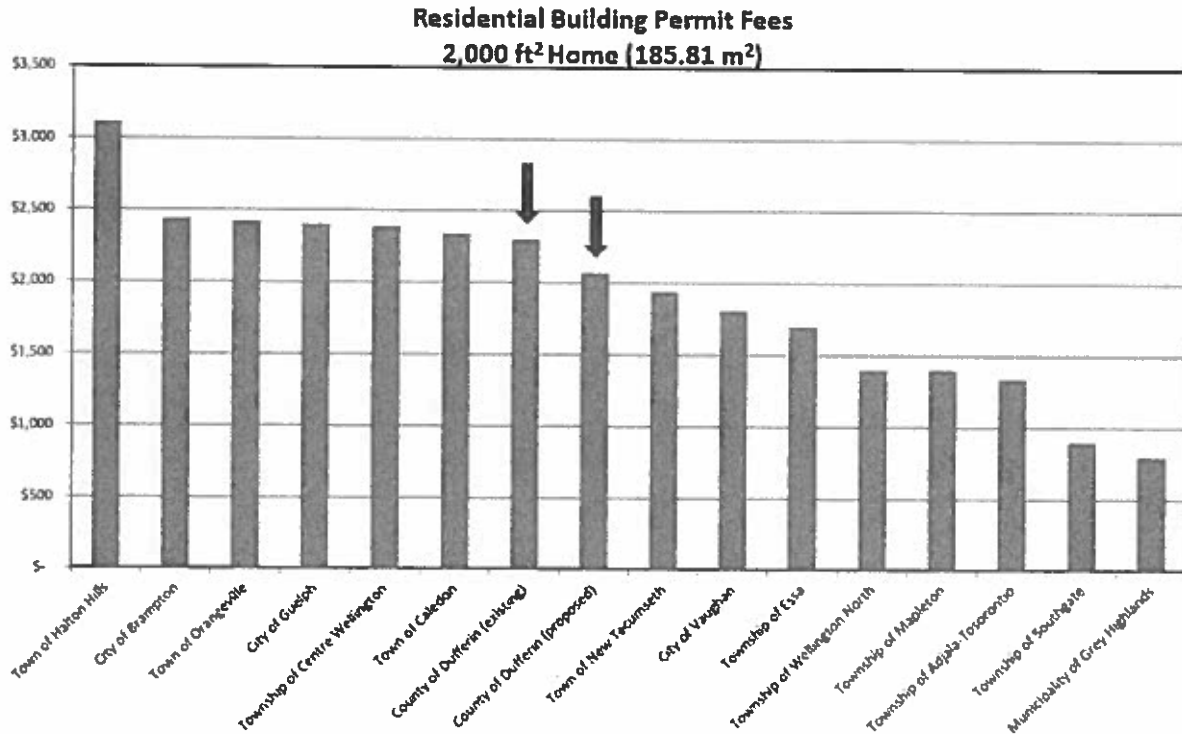
2019	2020	2021	2022	2023
\$475,455	\$600,360	\$636,130	\$675,750	\$715,950

**Remaining balance of the Reserve Fund at end of 2023 = \$829,272**

Based on the existing numbers, fees and forecasting by 2024 the County of Dufferin Building Division will require financial assistance to maintain its operating costs.

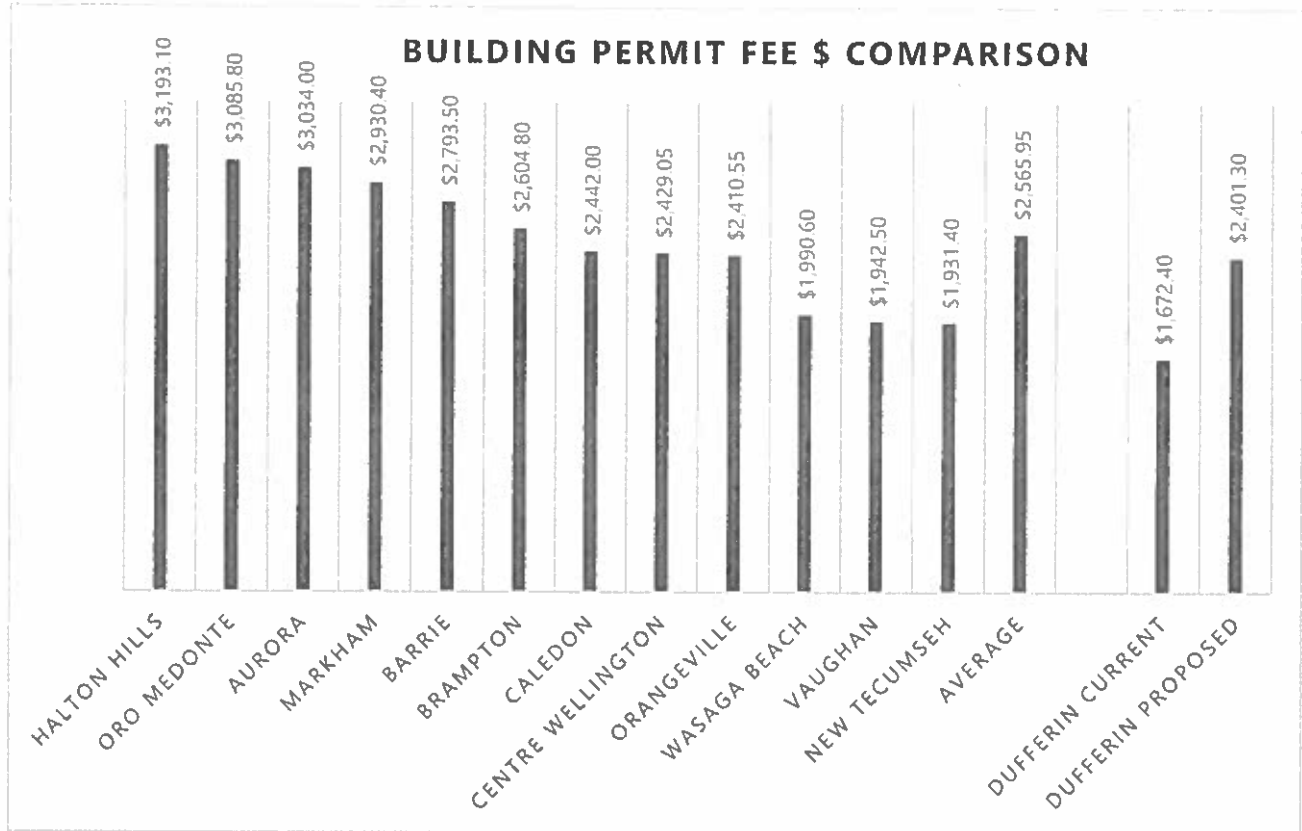
### Building Permit Fee Comparison

In 2014 the consultant provided the following building permit fee comparison with neighbouring municipalities.



This report has taken the same comparison approach showing the cost of the building permit fee based on finished floor area. This comparison analysis has been used for all building occupancies within the fees schedule of the Building By-Law. All proposed building permit fees for the County of Dufferin have been set lower than the average for each municipality within the comparison study. For reference the following six tables are examples of the proposed building permit fees in comparison with the average of the neighboring municipalities. The first two tables provide a building permit fee analysis for a residential home with a finished floor area of 2000 square feet. The second two tables provide a fee analysis for a small restaurant with a finished floor area of 3000 square feet. The last two tables provide a fee analysis for a store having a finished floor area of 2500 square feet.

Residential Dwelling Unit (Home) 2000 ft2 / 185 m2

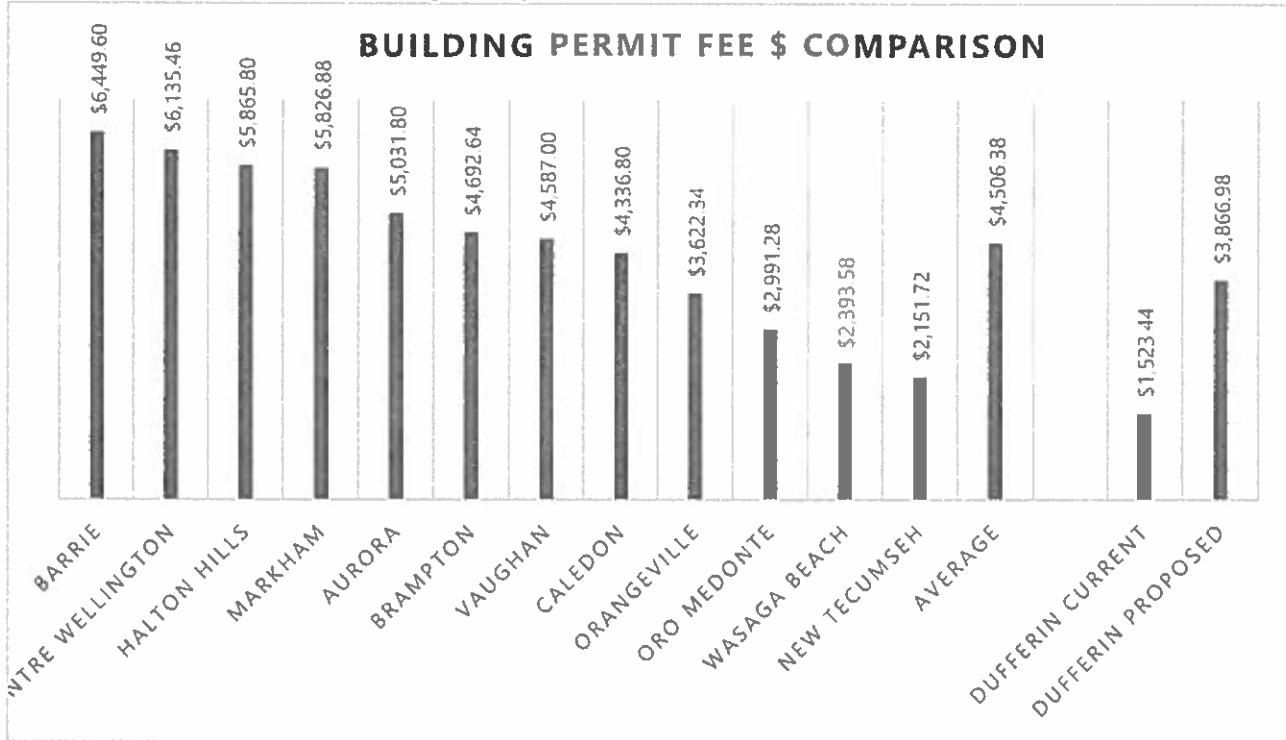


Residential Dwelling Unit (Home) 2000 ft2 / 185 m2

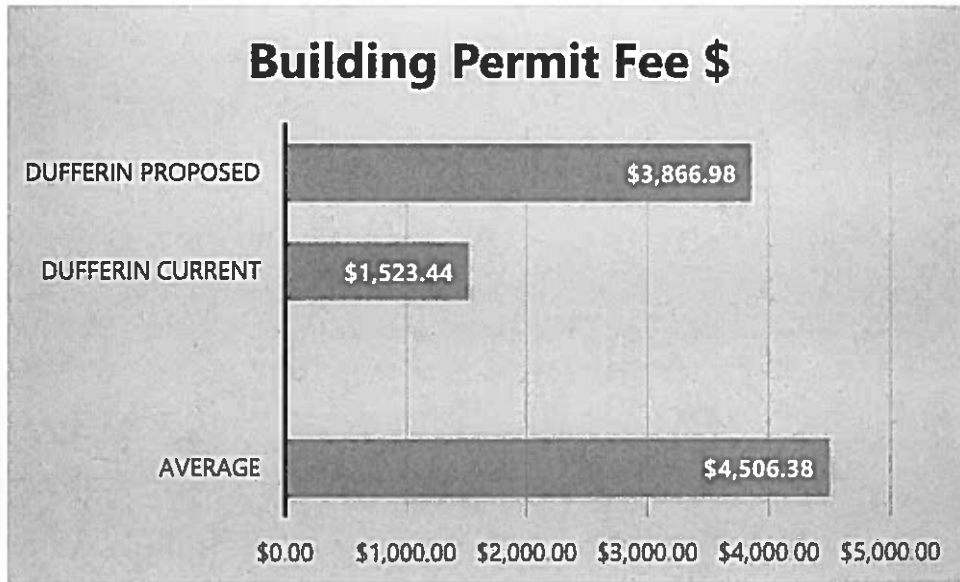




Assembly Occupancies (Church) 3000 ft2 / 278 m2



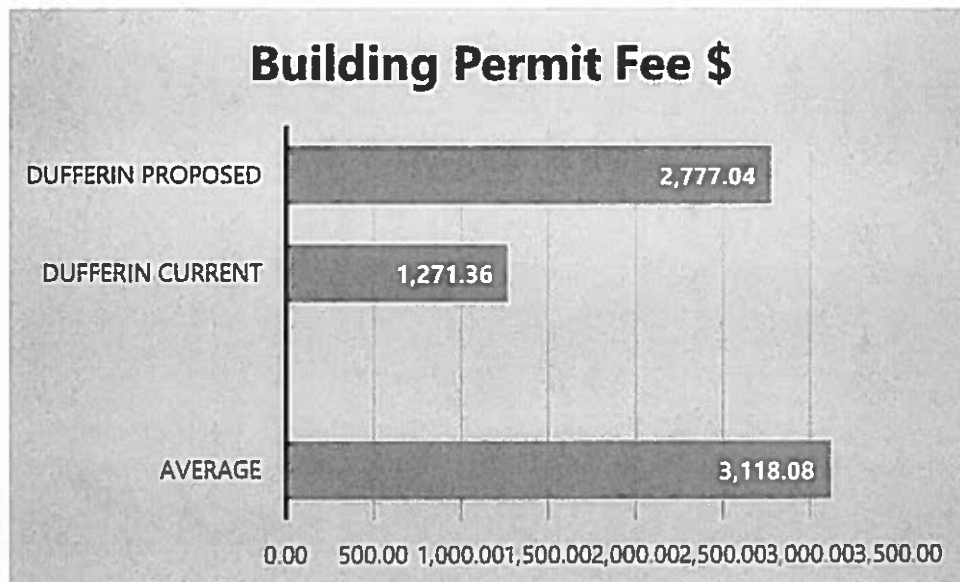
Assembly Occupancies (Church) 3000 ft2 / 278 m2



Mercantile Occupancy (Store) 2500 ft2 / 232 m2



Mercantile Occupancy (Store) 2500 ft2 / 232 m2



The proposed fee schedule as per this report and referred to within the updated Building By-Law will increase building permit revenue while still reducing the Building Division reserve fund. This adjustment will bring the County of Dufferin closer in line with the building permit fees required within the Province and establish a less aggressive reduction in the current reserve fund.

### Building Permit Fee Adjustment (Permit Type)

The building permit fees that are proposed to increase have been calculated based on the building permit type or occupancy. Some building occupancies require a more extensive building permit review and inspection schedule due to the building systems required as per the Ontario Building Code. Some examples are assembly (schools) and commercial (office) occupancies requiring fire alarm and sprinkler systems. As the sophistication of the Ontario Building Code requirements increase in energy efficiency, climate control and structural stability the Building Divisions requirement for training and resources also increase.

Some permit types have increased minimally and some have decreased to help facilitate and promote applying for a building permit within the County of Dufferin. The decision by municipalities to charge different fees based on permit type is not only to recoup costs of specific fees for a permit type but to also offset the allowance of a lesser fee for more minor projects such as decks, sheds, porches etc.

The proposed fee schedule is requesting a minor increase in the minimum permit fee from \$150 to \$160. This minor increase will keep minor project costs down and in turn promote building permit applications without the need of enforcement under the Building Code Act.

Some examples of minor permit fee changes:

Temporary tents, Fireplaces and Woodstove permit fees have been reduced from \$220 to \$160.

School portables, Temporary Trailers and Roof Mounted Solar Panel permits have increased from \$220 to \$240.

See attached updated Building By-Law and Schedule A for a comprehensive list of building permit fees.

### Building Permit Fee Annual Increase

Municipal building departments throughout Ontario have now been educated to ensure that building permit fees are increased annually using the consumer price indexing percentage as determined by Statistics Canada. This allows the building permit fees to be maintained consistently with minor adjustments as opposed to performing a comprehensive fee review study resulting in increased costs and large increases in permit fee percentages.

In addition to this report justifying the need to increase building permit fees for stabilization, the consideration of adopting the industry approach of an annual building permit fee increase using the consumer price index percentage as reported by Statistics Canada will assist the Building Division to maintain building permit fees that correlate within the cost of living and reduce the risk of necessary high percentage fee increases.

### Conclusion

The County of Dufferin Building Division has reviewed the existing building permit fees to determine if the current rate will support the Building Division's operating costs based on the expected four year budgeted forecasts. The Building Division received higher than expected building permit revenues in 2013 due to a number of wind turbine permits having a permit fee of \$5000 each. The number of building permits in 2014-2015 far exceeded the average number of permits in a year increasing the building permit revenues to higher than expected amounts. Since 2015 the annual number of building permits has decreased each year seeing a reduction of 34% by the year 2018. The trend of a decreasing number of building permits and therefore the amount of building permit revenue annually while, incurring an increase in operating costs has put a strain on the Building Division reserve fund. The reserve fund is used to stabilize the Building Division when building permit activity is low and revenue received is less than the Division's operating costs. Using the current building permit fee schedule and the forecast of expected building permits the Building Division reserve fund will be depleted by 2024.



By increasing building permit fees based on the building type and incorporating an annual building permit fee increase using the consumer index pricing percentage as per Statistics Canada. The County of Dufferin Building Division will lengthen the longevity of the building reserve fund and diminish the requirement for the County of Dufferin tax levy to support the Building Division.

Greg MacNaughtan, CBCO

Chief Building Official, County of Dufferin Building Division

Phone: 519-941-2816 Ext. 2701|  
[gmacnaughtan@dufferincounty.ca](mailto:gmacnaughtan@dufferincounty.ca)

## **SCHEDULE "A" TO BY-LAW # 2019-xx**

### **CLASSES OF PERMITS AND PERMIT FEES**

1. Except where a minimum flat fee is indicated for the Occupancy Classification or Type of Construction, the fee per square meter of floor area set out in Schedule "A" shall be used by the Chief Building Official in determining the permit fee.
2. Permit Fee Increases are indexed based on the Consumer Price Index, Ontario Series, and are adjusted annually
3. Unless a flat fee is specified within Schedule "A" a minimum fee of \$160 shall be applied to minor residential permits (sheds, detached garages etc.) and farm buildings. A minimum fee of \$480 shall be applied to dwelling units and non-residential permits.
4. For the purpose of this Schedule the occupancy classification and floor area shall be determined on the following basis;
  - a) The occupancy classification shall be established in accordance with the occupancy definitions of the Ontario Building Code and its appendices.
  - b) The floor area shall be measured to the outer face of exterior walls and to the centre line of party walls or demising walls. No deductions shall be made for openings within the floor area (e.g. stairs and stair openings, ducts, elevators, escalators). Floor area shall include all habitable areas, including attached garages, mezzanines, finished attics and enclosed balconies.
  - c) Calculating floor area for interior finishes, partitioning, corridors, lobbies, washrooms, lounges, etc. are to be included and classified according to the major occupancy classification for the floor area with which they are associated. Where any of these areas are constructed in a shell only building, fees shall be calculated at the finished rate in Part B of Schedule "A".
  - d) The occupancy classifications used in this bylaw are based on the Building Code major occupancy classifications. For mixed occupancy floor areas, the fee multiplier for the major occupancy of the floor area applies.

5. No additional fee applies for sprinklers, fire alarms, electromagnetic locks, or other mechanical systems or equipment proposed and installed at the same time as the construction they serve.
6. Where they serve single dwelling units, no additional fee applies fireplaces and unfinished basements proposed and constructed at the same time as the single dwelling they serve.
7. Unfinished basements for single detached dwellings, semi-detached dwellings, duplex dwellings and townhouses are not included in the floor area.
8. The appropriate finished fee for the proposed major occupancy applies to non-residential and multiple unit residential basements.
9. Where a change of occupancy from one classification to another classification is proposed, the fee multiplier for the proposed occupancy applies.
10. For classes of permits not described in this Schedule, the Chief Building Official shall determine the fee to be \$8.00 / \$1000.00 of estimated construction repair cost.

11. ADMINISTRATIVE FEES

- a) To offset additional investigation and administrative costs where any person has commenced construction, demolition or changes to the use of a building prior to having submitted an application for a permit, or before having received a permit, in addition to any other penalty under the Act, Building Code, or this By-law, the permit fee shall be increased by the greater of \$200 or 50% of the regular permit fee. Payment of these fees does not relieve any person or corporation from complying with the Act, the Building Code or any applicable law.
- b) To offset additional costs associated with the investigation, inspection, administration and rectification of unsafe buildings pursuant to section 15.9 of the Act, the Chief Building Official may require a fee of \$250 where any Unsafe Order is issued, and an additional fee of \$250 where any Order respecting occupancy is issued. Payment of these fees does not relieve any person or corporation from complying with the Act, the Building Code or any applicable law.

- c) With respect to phased permits, the fee shall be the normal fee for the proposed construction plus an administration fee of \$500 for each phase of construction applied for.
- d) With respect to conditional permits, the fee shall be the normal fee for the proposed construction plus an administration fee of \$1000 for each conditional permit applied for.
- e) Where the Town has contracted work to remedy any Building Code deficiency on any private property for failing to comply with a directive of the Chief Building Official, or Officers thereunder, the County shall be entitled to recover the full cost of the work, plus a \$250 administration fee.
- f) With respect to transferring a permit from one permit holder to another, the fee shall be \$160.
- g) With respect to minor revisions of plans already examined the fee shall be \$80.46 per hour minimum \$160.



**PART 'A' OF SCHEDULE 'A'  
FEES PAYABLE FOR SPECIFIC CLASSES  
OF PERMITS**

Class of Permit	Unit of Measure/Rate	Current Fee	Proposed Fee
<b>Building Permit</b>			
			See Part B
Partial Building Permit	\$/m2	10% Permit fee Min \$150 / Max \$365	Applicable Building Permit fee payable plus \$500 per phase of construction.
Conditional Building Permit	\$/m2	10% Permit fee Min \$150 / Max \$730	Applicable Building Permit fee payable plus \$1000 per conditional permit.
<b>Demolition Permit</b>			
Residential outbuilding	Flat Rate	\$150	\$160
Residential dwelling unit	Flat Rate	\$180	\$160
Non-Residential	Flat Rate	\$450	\$480
Decommission Septic	Flat Rate	\$150	\$160
<b>Change of Use</b>			
Change of Use Permit (No Construction)	Flat Rate	\$150	\$160
Change of Use Permit (Construction)	\$/m2	New Major Occupancy Classification	New Major Occupancy Classification
<b>Site Servicing</b>			
Residential	Flat Rate	\$220	\$160
Non-Residential	Flat Rate	\$220	\$240
Site Plan Control Review	Flat Rate	\$200	\$480

**PART 'B' OF SCHEDULE 'A'  
FEES PAYABLE FOR BUILDING PERMITS**

Class of Permit	Unit of Measure	Current Fee	Proposed Fee
<b>Assembly Occupancies (Group A) School, Church, Community Hall, Restaurant</b>			
Finished Building	\$/m2	\$5.48 min \$150	\$13.91 min \$480
Interior renovation and finishing (not part of original structure)	\$/m2	\$1.82 min \$150	\$3.44 min \$480
Public Pool, Spa	Flat Rate	\$9.04 min \$150	\$480
School Portables	Flat Rate	\$220	\$240
<b>Institutional Occupancies (Groups B1,B2,B3) Hospital, Nursing Home, Police Station</b>			
Finished Building	\$/m2	\$5.48 min \$150	\$16.21 min \$480
Interior renovation and finishing (not part of original structure)	\$/m2	\$1.82 min \$150	\$3.44 min \$480
<b>Residential Occupancies (Group C) House, Apartment, Motel</b>			
Multiple Unit Residential Three (3) separate units or greater	\$/m2	\$9.04 min \$150	\$14.66 min \$480
Detached, semi-detached and townhouse dwellings Two (2) separate units or less	\$/m2	\$9.04 min \$150	\$12.98 min \$480
Interior renovation and finishing (not part of original structure)	\$/m2	\$3.44 min \$150	\$3.44 min \$160
<b>Business &amp; Personal Service Occupancies (Group D) Office, Bank, Self-Serve Laundry, Hair Salon</b>			
Shell Building	\$/m2	\$3.44 min \$150	\$10.02 min \$480
Finished Building	\$/m2	\$5.48 min \$150	\$12.72 min \$480

Class of Permit	Unit of Measure	Current Fee	Proposed Fee
Interior renovation and finishing (not part of original structure)	\$/m2	\$1.82 min \$150	\$3.44 min \$480
<b>Mercantile Occupancies (Group E) Store, Shop, Supermarket</b>			
Shell Building	\$/m2	\$3.44 min \$150	\$9.68 min \$480
Finished Building	\$/m2	\$5.48 min \$150	\$11.97 min \$480
Interior renovation and finishing (not part of original structure)	\$/m2	\$1.82 min \$150	\$3.44 min \$480
<b>Industrial Occupancies (Groups F1,F2,F3) Warehouse, Repair Garage, Factory</b>			
Shell Building	\$/m2	\$3.44 min \$150	\$7.61 min \$480
Finished Building	\$/m2	\$5.48 min \$150	\$8.85 min \$480
Parking Garage, Service Floors, Mezzanines	\$/m2	\$1.82 min \$150	\$6.19 min \$480
Interior renovation and finishing (not part of original structure)	\$/m2	\$1.82 min \$150	\$3.44 min \$480
<b>Agricultural Occupancies Hay Storage, Silo, Riding Arena, Livestock Barn</b>			
Finished Building	\$/m2	\$1.82 min \$150	\$2.44 min \$480
Interior renovation and finishing (not part of original structure)	\$/m2	\$1.82 min \$150	\$1.82 min \$160
Silo, Grain Bin	Flat Rate	\$220	\$240
<b>On-Site Sewage System</b>			
Residential (New)	Flat Rate	\$540	\$540
Residential (Replacement)	Flat Rate	\$540	\$540
Non-Residential (New)	Flat Rate	\$940	\$940
Non-Residential (Replacement)	Flat Rate	\$940	\$940
Replacement Tank	Flat Rate	\$225	\$225

Class of Permit	Unit of Measure	Current Fee	Proposed Fee
Leaching Bed Repair, Minor Alteration	Flat Rate	\$390	\$390
Review or Assessment Lot Serviceability/Severance	Flat Rate	\$225	\$225
<b>Miscellaneous</b>			
Deck, Porch	Flat Rate	\$1.82 min \$150	\$160
Gazebo, Cabana	\$/m2	\$1.82 min \$150	\$3.44 min \$160
Fireplace, Woodstove	Flat Rate	\$220	\$160
Detached Garage, Carport, Storage Shed	\$/m2	\$1.82 min \$150	\$3.44 min \$160
Water and Sewer Connection	Flat Rate	\$220	\$240
Temporary Trailer	Flat Rate	\$220	\$240
Temporary Tent	Flat Rate	\$220	\$160
Sign	Flat Rate	\$150	\$160
Swimming Pool Enclosure	Flat Rate	\$150	\$160
Roof Mounted Solar Panel	Flat Rate	\$220	\$240
Relocate Building	Flat Rate	\$540	\$480
Wind Turbines	Flat Rate	\$3645	\$3645
Fire Alarm	Flat Rate	\$220	\$320
Fire Sprinklers/Standpipe	Flat Rate	\$220	\$320
Smoke/Heat Detectors, Emergency Lighting, Magnetic Locking Devices	Flat Rate	\$220	\$320
Industrial Commercial Racking System	Flat Rate	\$1.82 min \$150	\$320
Shelf and Rack Storage System 3.16.	\$/m2	\$1.82 min \$150	\$3.44 per square meter; minimum \$480
Commercial Cooking Exhaust, Spray Booth, Dust Collector	Flat Rate	\$220	\$240

Class of Permit	Unit of Measure	Current Fee	Proposed Fee
Plumbing Fixtures (each) Residential	Per Fixture	\$220 (Flat Rate)	\$15 per fixture; minimum \$160
Plumbing Fixtures (each) Non-Residential	Per Fixture	\$220 (Flat Rate)	\$15 per fixture; minimum \$320
Plumbing System Multi- Residential	Flat Rate	\$220	\$240
Plumbing System Non- Residential	Flat Rate	\$220	\$320
Mechanical Unit Residential	Per Unit	\$220	\$160
Mechanical Unit Non- Residential	Per Unit	\$220	\$320
Mechanical System Residential	Flat Rate	\$220	\$160
Mechanical System Non- Residential	Flat Rate	\$220	\$320
Oil and Grease Interceptor	Flat Rate	\$220	\$240
Designated Structure (Not Already Listed)	Flat Rate	\$220	\$320
Other Minor Residential Project	\$/m2	\$1.82 min \$150	\$3.44 min \$160
Other Minor Non- Residential Project	\$/m2	\$220	\$3.44 min \$480
<b>Administrative</b>			
Inspection (Additional)	Per Inspection	\$180	\$160
Building Inspection Not Ready (Greater than 2)	Per Inspection	N/A	\$160 Residential / \$320 Non- Residential
Plans Review Resubmission (Greater than 3)	Per Resubmission	N/A	\$160 Residential / \$320 Non- Residential
Alternative Solution	Per Submission	N/A	\$80.46 per hour; minimum \$500
Notice of Change	Per Hour	\$150 (Flat Rate)	\$80.46 per hour; minimum \$160

Class of Permit	Unit of Measure	Current Fee	Proposed Fee
Third Party Professional Review	N/A	N/A	Consultant Fee (Paid by Applicant)
Transfer of Ownership	Flat Rate	\$220	\$160
Fee for permit not listed in Schedule A	Construction Value	N/A	\$8 per \$1000 of construction/repair costs
Building Without a Permit	N/A	\$180 or 15% of permit fee with application, \$180 or 25% without application whichever is greater	\$200 or 50% of the regular permit fee whichever is greater
Unsafe Order	Flat Rate	N/A	\$250
Prohibit Occupancy Order	Flat Rate	N/A	\$250

## Denise Holmes

---

**From:** Bruna Fischer <fischer@watsonecon.ca> on behalf of Watson & Associates Economists Ltd. <info@watsonecon.ca>  
**Sent:** Friday, December 20, 2019 1:31 PM  
**To:** Watson & Associates Economists Ltd.  
**Subject:** Bill 108 - Proposed Changes to the D.C.A.  
**Attachments:** Bill 108 Letter 12-19-19 proposed changes to the DCA.pdf

Good afternoon,

On behalf of our many municipal clients, we are continuing to provide the most up-to-date information on the proposed changes to the *Development Charges Act* (D.C.A.) pertaining to Bill 108 and Bill 138. The Province has recently proclaimed portions of both Bills that become effective January 1, 2020.

The attached letter provides Watson's review and commentary on the portions of the Bills that have now been proclaimed as they related to the D.C.A.

*Disclaimer: This message is for the use of the intended recipient(s) only and may contain information that is privileged, proprietary, confidential, and/or exempt from disclosure under any relevant privacy legislation. If you are not the intended recipient or authorized agent thereof, you are hereby notified that any review, retransmission, dissemination, distribution, copying, conversion to hard copy, taking of action in reliance on or other use of this communication is strictly prohibited. If you are not the intended recipient and have received this message in error, please notify the sender by return e-mail and delete or destroy all copies of this message. Warning: Although Watson & Associates Economists Ltd. has taken reasonable precautions to ensure no viruses are present in this email, the company cannot accept responsibility for any loss or damage arising from the use of this email or attachments.*

**If you do not wish to receive future emails from Watson & Associates Economists Ltd. which update you on municipal matters, please reply to this message with the subject 'UNSUBSCRIBE'.**

### Watson & Associates Economists Ltd.

Plaza Three  
101-2000 Argentia Rd.  
Mississauga, Ontario  
L5N 1V9

Office: 905-272-3600  
Fax: 905-272-3602  
www.watsonecon.ca



December 19, 2019

To Our Development Charge Clients:

**Re: Proposed Changes to the Development Charges Act**

This letter is to advise that the Province of Ontario has now proclaimed portions of both the *More Homes, More Choice Act* and *Plan to Build Ontario Together Act*, that amend the *Development Charges Act, 1997 (D.C.A.)*. The proclaimed sections will take effect on January 1, 2020 and include the following:

***More Homes, More Choice Act (Bill 108):***

- Sched. 3 – Subsection 8 (1), sections 9 and 12, and subsection 13 (6)
  - s. 8 (1) – instalment payments for rental housing development (that is not non-profit housing), institutional development and non-profit housing development, and the date when the amount of the charge is determined for permits occurring after the approval of a Site Plan or Zoning By-law Amendment planning application
    - Including provisions for interest on instalment payments, unpaid amounts added to taxes, changes in development type during the instalment period, and the prescribed amount of time after Site Plan or Zoning By-law Amendment Approval to determine the charge
  - s. 9 – “including any interest payable” added to the provisions for unpaid charges added to the tax roll
  - s. 12 – Non-parties bound by a front-ending agreement to be subject to the same instalment payments as provided in s. 26.1 (i.e. rental housing development, institutional development and non-profit housing development)
  - s. 13 (6) – The Lieutenant Governor in Council may make regulations,
    - governing the types of development for instalment payments;
    - prescribing the maximum rate of interest; and
    - prescribing the amount of time for the purposes of Site Plan or Zoning By-law Amendment application approvals

***Plan to Build Ontario Together Act (Bill 138):***

- Sched. 10 – Section 1 – removes industrial and commercial development from the types of development eligible for instalment payment provisions under s. 26.1 (2)





Further information on these amendments to the D.C.A. is provided below.

## 1. Payment in Instalments:

**Types of Development Eligible for D.C. Instalment Payments** – The following types of development shall pay applicable development charges in instalments, as follows:

- Rental housing development (that is not non-profit housing development) and institutional developments will now pay their D.C.s in six equal annual instalments beginning on the earlier of the date of the issuance of a permit under the *Building Code Act, 1992* authorizing occupation of the building and the date the building is first occupied, and annually thereafter on the anniversary date of the first payment or the subsequent 5 years.
- Non-profit housing development will now pay their D.C.s in 21 equal annual instalments beginning on the earlier of the date of the issuance of a permit under the *Building Code Act, 1992* authorizing occupation of the building and the date the building is first occupied, and annually thereafter on the anniversary date of the first payment for the subsequent 20 years.

Note, the *More Homes, More Choice Act* (Bill 108) included Industrial and Commercial as eligible development types for instalment payments; however, the *Plan to Build Ontario Together Act* (Bill 138) subsequently removed these development types from instalment payments.

**The Amount of the Instalments for D.C.s determined at Planning Application** – D.C instalment payments related to rental housing, non-profit housing or institutional development, where the amount of the D.C. is determined in accordance with section 26.2 described below (i.e. the charges at the time of Site Plan or Zoning By-law Amendment application), is applicable even if the by-law under which the amount of the D.C. was determined is no longer in effect on the date an instalment payment is due.

**Notice of Occupation** – Where occupation of a building in respect to rental housing, non-profit housing or institutional development is not required by a permit under the *Building Code Act, 1992* (i.e. occupancy permit), the person required to pay the D.C. shall notify the municipality within five business days of the building first being occupied.

**Failure to Provide Notice of Occupation** – Where there is failure to provide notice of occupancy, when required, the D.C., including any interest payable, is payable immediately.

**Interest** – Municipalities may charge interest on instalment payments from the date the D.C. would have been payable, to the date the instalment is paid. The interest rate may not exceed the prescribed maximum interest rate.



If instalment payments are not made, the instalment payment and interest may be added to the property and collected as taxes.

**Change in Development Type** – If any part of a development to which instalment payments apply is changed so that it no longer consists of a type of development eligible for instalments, the remaining instalment payments, including interest, is payable immediately.

**Transition, date charge payable** – Instalment payments do not apply to a D.C. payable before the date subsection 8 (1) of Schedule 3 to the *More Homes, More Choice Act, 2019* comes into force (i.e. prior to January 1, 2020).

**Agreement Prevails** – Instalment payments do not apply in cases where there is an agreement under section 27.

## 2. Date When the D.C. Amount is Determined

**Types of Planning Application Approvals for which D.C.s will be determined** – The amount of the D.C. for all developments proceeding by Site Plan or Zoning By-law Amendment planning application, received on or after January 1, 2020, shall be determined based on the D.C.s in effect on the date of the planning application. If the development is not proceeding via these planning approvals, then the amount is determined at the earlier of the date of issuance of a building permit or occupancy, as follows:

- “26.2 (6) Clauses (1) (a) and (b) do not apply in the case of an application made before the day subsection 8 (1) of Schedule 3 to the *More Homes, More Choice Act, 2019* comes into force”; and
- The draft regulation is proposed to apply if building permit issuance occurs within 2 years of planning application approval.

**Regulated Time Period for the Issuance of a Building Permit under s. 26.2** – The provisions for determining the D.C.s payable under s. 26.2 (1) (a) and (b) (i.e. planning applications for Site Plan and Zoning By-law Amendment) will lapse if the first building permit issued for the development occurs at a date later than the regulated time period after planning approval (draft regulations currently establish this period as two years).

### Remarks

The legislative changes noted above will impact the manner in which D.C. by-laws are applied in certain instances. It is recognized that the changes to the Act may not follow existing D.C. by-law provisions; however, the requirements of the Act appear to take precedent. The following areas of change are presented for consideration by the municipality and will subsequently be required to be included in by-law amendments. These amendments will need to consider items such as definitions required for by-laws,



collection policies, establishing interest rates applicable for instalment payments in the event it is not prescribed, and hence require further review and modifications. The following comments are provided for consideration of the reader:

### Payment in Instalments

- Rental housing and institutional developments would pay D.C.s in 6 equal annual payments, commencing from the date of occupancy:
  - The draft regulation defines that “institutional development” means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for:
    - long-term care homes;
    - retirement homes;
    - universities and colleges;
    - memorial homes; clubhouses; or athletic grounds of the Royal Canadian Legion;
    - hospices; and
  - No definition was provided for rental housing in draft regulations at this time.
- Non-profit housing would pay D.C.s in 21 equal annual payments, commencing from the date of occupancy:
  - Draft regulations define that “non-profit housing development” means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for residential purposes by a non-profit corporation.

It is anticipated that during 2020, municipalities will be required to amend their by-laws to address all D.C. and community benefit charge (C.B.C.) matters. Unless defined by regulation, municipalities should undertake amendments to current D.C. by-laws to define rental housing to clarify treatment and to mitigate risk of D.C. complaints. Note that for a D.C. by-law to be amended, the public process set out in the D.C.A. is required to be followed which includes a minimum 60 days’ circulation of a background report and the draft amendment to the by-law prior to Council being able to pass the amendment.

### Interest on Instalment Payments

As of January 1, 2020, municipalities should determine what interest rate they will apply to instalments. Municipalities should determine the rate by considering if a Council



resolution is required, a future amendment to the D.C. by-law is required, and if there are any other existing D.C. policies that set out an interest rate.

#### Date When the D.C. Amount is Determined

D.C.s for developments proceeding through Site Plan or Zoning By-law Amendment will be determined based on the charges in effect on the day of the application.

It is unclear what is meant by "application," i.e. does this mean a complete application, or something less? Therefore, it is suggested that municipalities should consider:

- What constitutes an "application";
- If incomplete applications can be refused under the provisions of the Planning Act; and
- Tracking the date applications are received after January 1, 2020.

#### Interest on when D.C. is Determined

Municipalities may charge interest on the D.C., where applicable for developments proceeding through Site Plan or Zoning By-law Amendment, at a rate not exceeding the prescribed maximum interest rate, from the date of the application to the date the D.C. is payable. Similar to the interest rate on instalment payments, if a rate is not prescribed, municipalities should determine what interest rate will apply.

We trust that the above information is helpful. We anticipate the release of the draft regulations in the very near future and will provide a review and comments on these documents shortly thereafter.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Gary D. Scandlan, BA, PLE  
Director

Andrew Grunda, MBA, CPA, CMA  
Principal

## Denise Holmes

---

**From:** Bruna Fischer <fischer@watsonecon.ca> on behalf of Watson & Associates Economists Ltd. <info@watsonecon.ca>  
**Sent:** Friday, December 20, 2019 8:30 PM  
**To:** Watson & Associates Economists Ltd.  
**Subject:** Ontario Regulation 454/19  
**Attachments:** O. Reg. 454\_19\_GENERAL.pdf

To Our Development Charge Clients:

Further to a letter you received from us earlier today, the Province of Ontario has published Ontario Regulation 454/19.

In summary, the regulation provides the following:

- Amendments to exemptions relating to the creation of additional dwelling units.
- Housekeeping amendment that revises the index to which development charges may be linked in development charge by-laws.
- Definitions for rental housing development, institutional development, and non-profit housing development. (for the purposes of subsection 24.0 (2) of the Development Charges Act, pertaining to instalment payments).
- Prescribed amount of time, for the purposes of clauses 26.2 (5) (a) and (b) of the Development Charges Act (i.e. time between building permit issuance and planning application approval), is two years.

It is noteworthy that the regulation does not prescribe a maximum interest rate to be charged on instalment payments.

You can find a copy of the regulation attached, and we will provide a review and comments regarding this regulation in the coming days.

*Disclaimer: This message is for the use of the intended recipient(s) only and may contain information that is privileged, proprietary, confidential, and/or exempt from disclosure under any relevant privacy legislation. If you are not the intended recipient or authorized agent thereof, you are hereby notified that any review, retransmission, dissemination, distribution, copying, conversion to hard copy, taking of action in reliance on or other use of this communication is strictly prohibited. If you are not the intended recipient and have received this message in error, please notify the sender by return e-mail and delete or destroy all copies of this message. Warning: Although Watson & Associates Economists Ltd. has taken reasonable precautions to ensure no viruses are present in this email, the company cannot accept responsibility for any loss or damage arising from the use of this email or attachments.*

*If you do not wish to receive future emails from Watson & Associates Economists Ltd. which update you on municipal matters, please reply to this message with the subject "UNSUBSCRIBE".*

**Watson & Associates Economists Ltd.**

Plaza Three  
101-2000 Argentia Rd.  
Mississauga, Ontario  
L5N 1V9

Office: 905-272-3600  
Fax: 905-272-3602  
www.watsonecon.ca





Français

**ONTARIO REGULATION 454/19**

made under the

**DEVELOPMENT CHARGES ACT, 1997**

Made: December 12, 2019

Filed: December 19, 2019

Published on e-Laws: December 20, 2019

Printed in The Ontario Gazette: January 4, 2020

**AMENDING O. REG. 82/98**

**(GENERAL)**

**1. Sections 2 and 2.1 of Ontario Regulation 82/98 are revoked and the following substituted:**

**EXCEPTION RELATING TO THE CREATION OF ADDITIONAL DWELLING UNITS**

2. (1) For the purposes of clause 2 (3) (b) of the Act, the following Table sets out the name and description of the classes of existing residential buildings that are prescribed, the maximum number of additional dwelling units that are prescribed for buildings in those classes and the restrictions for each class.

**TABLE**

Item	Name of Class of Existing Residential Building	Description of Class of Existing Residential Buildings	Maximum Number of Additional Dwelling Units	Restrictions
1.	Existing single detached dwellings	Existing residential buildings, each of which contains a single dwelling unit, that are not attached to other buildings.	Two	The total gross floor area of the additional dwelling unit or units must be less than or equal to the gross floor area of the dwelling unit already in the building.
2.	Existing semi-detached dwellings or row dwellings	Existing residential buildings, each of which contains a single dwelling unit, that have one or two vertical walls, but no other parts, attached to other buildings.	One	The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the dwelling unit already in the building.

3.	Existing rental residential buildings	Existing residential rental buildings, each of which contains four or more dwelling units.	Greater of one and 1% of the existing units in the building	None
4.	Other existing residential buildings	An existing residential building not in another class of residential building described in this table.	One	The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the smallest dwelling unit already in the building.

(2) For the purposes of clause 2 (3) (b) of the Act,

(a) structures ancillary to the classes of residential buildings prescribed under subsection (1) are prescribed; and

(b) the maximum number of additional dwelling units and any restrictions prescribed under subsection (1) apply whether an additional dwelling unit is in the residential building or a structure ancillary to it.

(3) For the purposes of subsection 2 (3.1) of the Act, the following Table sets out the name and description of the classes of proposed new residential buildings that are prescribed and the restrictions for each class.

TABLE

Item	Name of Class of Proposed New Residential Buildings	Description of Class of Proposed New Residential Buildings	Restrictions
1.	Proposed new detached dwellings	Proposed new residential buildings that would not be attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	The proposed new detached dwelling must only contain two dwelling units.  The proposed new detached dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.
2.	Proposed new semi-detached dwellings or row dwellings	Proposed new residential buildings that would have one or two vertical walls, but no other parts, attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	The proposed new semi-detached dwelling or row dwelling must only contain two dwelling units.  The proposed new semi-detached dwelling or row dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.

3.	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling and that are permitted to contain a single dwelling unit.	<p>The proposed new detached dwelling, semi-detached dwelling or row dwelling, to which the proposed new residential building would be ancillary, must only contain one dwelling unit.</p> <p>The gross floor area of the dwelling unit in the proposed new residential building must be equal to or less than the gross floor area of the detached dwelling, semi-detached dwelling or row dwelling to which the proposed new residential building is ancillary.</p>
----	--	--	---

(4) In subsection (3),

"parcel of land" means a lot or block within a registered plan of subdivision or draft plan of subdivision or any land that may be legally conveyed under the exemption provided in clause 50 (3) (b) or clause 50 (5) (a) of the *Planning Act*.

**2. Section 7 of the Regulation is revoked and the following substituted:**

7. The Statistics Canada Non-residential Building Construction Price Index for Ottawa-Gatineau or for Toronto, as appropriate, is prescribed for the purposes of paragraph 10 of subsection 5 (1) of the Act.

**3. (1) The Regulation is amended by adding the following section:**

#### TYPES OF DEVELOPMENT

11.1 (1) For the purposes of subsection 26.1 (2) of the Act, rental housing development means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises.

(2) For the purposes of subsection 26.1 (2) of the Act, institutional development means development of a building or structure intended for use,

(a) as a long-term care home within the meaning of subsection 2 (1) of the *Long-Term Care Homes Act, 2007*;

(b) as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*;

(c) by any of the following post-secondary institutions for the objects of the institution:

(i) a university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario,

(ii) a college or university federated or affiliated with a university described in subclause (i), or

(iii) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*;

(d) as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion; or

(e) as a hospice to provide end of life care.

(3) For the purposes of subsection 26.1 (2) of the Act, non-profit housing development means development of a building or structure intended for use as residential premises by,



- (a) a corporation without share capital to which the *Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing;
  - (b) a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing; or
  - (c) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*.
- (2) Clause 11.1 (3) (a) of the Regulation, as made by subsection (1), is amended by striking out “without share capital to which the *Corporations Act* applies” and substituting “to which the *Not-for-Profit Corporations Act, 2010* applies”.

**4. The Regulation is amended by adding the following section:**

**TIME ELAPSED**

**11.2** For the purposes of clauses 26.2 (5) (a) and (b) of the Act, the prescribed amount of time is two years.

**Commencement**

**5. (1)** Subject to subsections (2) to (4), this Regulation comes into force on the day it is filed.

**(2)** Section 1 comes into force on the later of the day section 2 of Schedule 3 to the *More Homes, More Choice Act, 2019* comes into force and the day this Regulation is filed.

**(3)** Subsection 3 (1) and section 4 come into force on the later of the day subsection 8 (1) of Schedule 3 to the *More Homes, More Choice Act, 2019* comes into force and the day this Regulation is filed.

**(4)** Subsection 3 (2) comes into force on the latest of,

- (a) the day subsection 8 (1) of Schedule 3 to the *More Homes, More Choice Act, 2019* comes into force;
- (b) the day subsection 3 (1) of Schedule 7 to the *Cutting Unnecessary Red Tape Act, 2017* comes into force; and
- (c) the day this Regulation is filed.

Français

## Denise Holmes

---

**From:** Ilona Feldmann <ifeldmann@grandriver.ca>  
**Sent:** Friday, December 20, 2019 10:21 AM  
**To:** Denise Holmes; Scott Burns; Jenny Li; Jim Ellis (jellis@southgate.ca); tiffany@svensson.com; Mark Kluge; Kyle Davis; Emily Vandermeulen; Stephanie Charity; Christine Gervais (cgervais@amaranth-eastgary.ca); Peter Rider; Sally McMullen; Katie Ebel; Eric Thuss; Rebecca McIntosh; Alyssa Roth (ARoth@regionofwaterloo.ca); Eric Hodgins; Cassandra Banting; Carmen Vega; Marco Silverio (marco.silverio@hamilton.ca); Jennifer Boyer; Patrick Halevy; Peter Minkiewicz; Stephanie Davis; Theo Karagias; John McIntosh; Daniel Banks; Lloyd Perrin (lperrin@centralelgin.org); Aaron Stewardson  
**Cc:** Chitra Gowda  
**Subject:** RE: Circulation of Source Protection Committee Report to Municipal Clerks  
**Attachments:** SPC-19-12-02 Winter Maintenance Chemicals\_Challenges and Change.pdf

Hello Everyone,

It was brought to my attention that the committee report I shared with you all was missing the appendix. Attached is the report *with* appendix.

Cheers,

Ilona Feldmann  
Source Protection Program Assistant  
P: (519) 621-2763 x2318

---

**From:** Ilona Feldmann  
**Sent:** December 19, 2019 10:47 AM  
**To:** Denise Holmes <dholmes@melancthontownship.ca>; 'Scott Burns' <sburns@dufferincounty.ca>; 'Jenny Li' <jli@dufferincounty.ca>; Jim Ellis (jellis@southgate.ca) <jellis@southgate.ca>; 'tiffany@svensson.com' <tiffany@svensson.com>; Mark Kluge <mkluge@townofgrandvalley.ca>; Kyle Davis <KDavis@centrewellington.ca>; Emily Vandermeulen <EVandermeulen@centrewellington.ca>; Stephanie Charity <Stephanie.Charity@rjburnside.com>; Christine Gervais (cgervais@amaranth-eastgary.ca) <cgervais@amaranth-eastgary.ca>; Peter Rider <Peter.Rider@guelph.ca>; Sally McMullen <smcmullen@perthcounty.ca>; Katie Ebel <RMS@thamesriver.on.ca>; Eric Thuss <ETHuss@regionofwaterloo.ca>; Rebecca McIntosh <RMcIntosh@regionofwaterloo.ca>; Alyssa Roth (ARoth@regionofwaterloo.ca) <ARoth@regionofwaterloo.ca>; Eric Hodgins <EHodgins@regionofwaterloo.ca>; Cassandra Banting <cbanting@oxfordcounty.ca>; Carmen Vega <Carmen.Vega@hamilton.ca>; 'Marco Silverio (marco.silverio@hamilton.ca)' <marco.silverio@hamilton.ca>; Jennifer Boyer <Jennifer.Boyer@brant.ca>; 'Patrick Halevy' <phalevy@brantford.ca>; 'Peter Minkiewicz' <pminkiewicz@haldimandcounty.on.ca>; Stephanie Davis <stephanie.davis@NorfolkCounty.ca>; Theo Karagias <theo.karagias@norfolkcounty.ca>; John McIntosh <John.McIntosh@halton.ca>; Daniel Banks <Daniel.Banks@halton.ca>; 'Lloyd Perrin (lperrin@centralelgin.org)' <lperrin@centralelgin.org>; 'Aaron Stewardson' <AStewardson@thamescentre.on.ca>  
**Cc:** 'Chitra Gowda' <CGowda@conservationontario.ca>; Martin Keller <mkeller@grandriver.ca>; Emily Hayman <ehayman@grandriver.ca>; 'Craig Jacques' <cjacques@lprca.on.ca>  
**Subject:** Circulation of Source Protection Committee Report to Municipal Clerks

**To:** Our Municipal Partners,

On December 12, 2019, the Lake Erie Region Source Protection Committee received report SPC-19-12-02 Winter Maintenance Chemicals: Challenges and Opportunities for Change (attached). The report summarized the ongoing issue

of salt over-application, highlighting trends in Lake Erie Source Protection Region, challenges regarding liability and other factors, changes needed to the Director's Technical Rules and recommended actions. Following presentation of the report, the committee passed the following resolutions (the latter two resolutions were not included in the original report):

*THAT the Lake Erie Region Source Protection Committee receives report SPC-19-12-02 – Winter Maintenance Chemicals: Challenges and Opportunities for Change – for information.*

*AND THAT the Lake Erie Region Source Protection Committee receives the Recommended Actions to Address the Over-Application of Winter Maintenance Chemicals for consideration and action.*

*AND THAT the Lake Erie Region Source Protection Committee direct staff to forward report SPC-19-12-02 to the Ontario Minister of the Environment, Conservation and Parks, Ontario Minister of Transportation, Ontario Minister of Municipal Affairs and Housing and Attorney General of Ontario, for their consideration and action of the outlined recommendations regarding changes to the liability framework, increased requirements for winter maintenance of parking lots and changes to the Clean Water Act, 2006 framework to proactively protect municipal drinking water supplies from winter maintenance activities.*

*AND THAT the Lake Erie Region Source Protection Committee direct staff to forward report SPC-19-12-02 to the Councils of the single, upper and lower-tier municipalities within the Lake Erie Source Protection Region, all Source Protection Committees, Ontario Good Roads Association, Association of Municipalities of Ontario, and Rural Ontario Municipal Association, to request resolutions in support of the report's recommended actions and forward the resolutions to the Ontario Minister of the Environment, Conservation and Parks, Ontario Minister of Transportation, Ontario Minister of Municipal Affairs and Housing and Attorney General of Ontario.*

Lake Erie Region staff will be circulating the report to municipal clerks in mid-January 2020, in accordance with the above resolution. Municipal staff will be copied on the circulation emails.

If you have any questions about the report or the committee resolutions, feel free to contact either myself or Martin.

Cheers,

Ilona Feldmann  
Source Protection Program Assistant  
Grand River Conservation Authority  
400 Clyde Road  
Cambridge, Ontario N1R 5W6  
P: (519) 621-2763 x2318  
F: (519)621-4844  
[www.grandriver.ca](http://www.grandriver.ca)

## **LAKE ERIE REGION SOURCE PROTECTION COMMITTEE**

**REPORT NO. SPC-19-12-02**

**DATE:** December 12, 2019

**TO:** Members of the Lake Erie Region Source Protection Committee

**SUBJECT: Winter Maintenance Chemicals: Challenges and Opportunities for Change**

---

### **RECOMMENDATION:**

THAT the Lake Erie Region Source Protection Committee receives report SPC-19-12-02 – Winter Maintenance Chemicals: Challenges and Opportunities for Change – for information.

AND THAT the Lake Erie Region Source Protection Committee receives the Recommended Actions to Address the Over-Application of Winter Maintenance Chemicals for consideration and action.

### **REPORT:**

#### **Summary of Report Contents**

- Introduction
- Recommended Actions to Address the Over-Application of Winter Maintenance Chemicals
- Increasing Sodium and Chloride Concentrations within Groundwater Drinking Sources in Lake Erie Source Protection Region
- Liability and Other Factors Influence the Amount of Salt Applied
- Changes Needed to the Source Water Protection Director's Technical Rules

#### **Introduction**

At the October 3, 2019 Lake Erie Region Source Protection Committee (SPC) meeting, members discussed the ongoing issue of salt over-application and the increasing number of sodium and chloride Issue Contributing Areas (ICAs) across the Lake Erie Source Protection Region. Following the discussion, the committee directed Lake Erie Region staff to draft a report and recommendation(s) regarding the issue for presentation at the next SPC meeting.

This report has been written in collaboration with staff from the Grand River Conservation Authority (GRCA), City of Guelph, Region of Waterloo and Wellington Source Water Protection.

#### **Recommended Actions to Address the Over-Application of Winter Maintenance Chemicals**

To address the above concerns, the following recommendations are provided to the Lake Erie Region Source Protection Committee for consideration:

THAT the Province of Ontario explore ways to reduce the factors that contribute to excess application of winter maintenance chemicals on road ways and parking lots through a review of the liability framework in Ontario.

THAT the Province of Ontario work with municipalities to strengthen training programs for road agencies that apply winter maintenance chemicals on roads and sidewalks to reduce application rates without compromising road safety that would assist with mitigating risks to municipal drinking water systems.

THAT the Province of Ontario require property owners and contractors responsible for maintaining safe parking lots and sidewalks be trained and certified in the application of winter maintenance chemicals.

THAT the Province of Ontario change Prescribed Drinking Water Threats, "the application of road salt" and "the handling and storage of road salt" to "the application of winter maintenance chemicals" and "the handling and storage of winter maintenance chemicals", and define the term in the regulation.

THAT the Province of Ontario change the Table of Circumstances related to the application of winter maintenance chemicals to differentiate between application on roads, sidewalks and parking lots to reflect the different liability issues and the nature of winter maintenance conducted for each surface type.

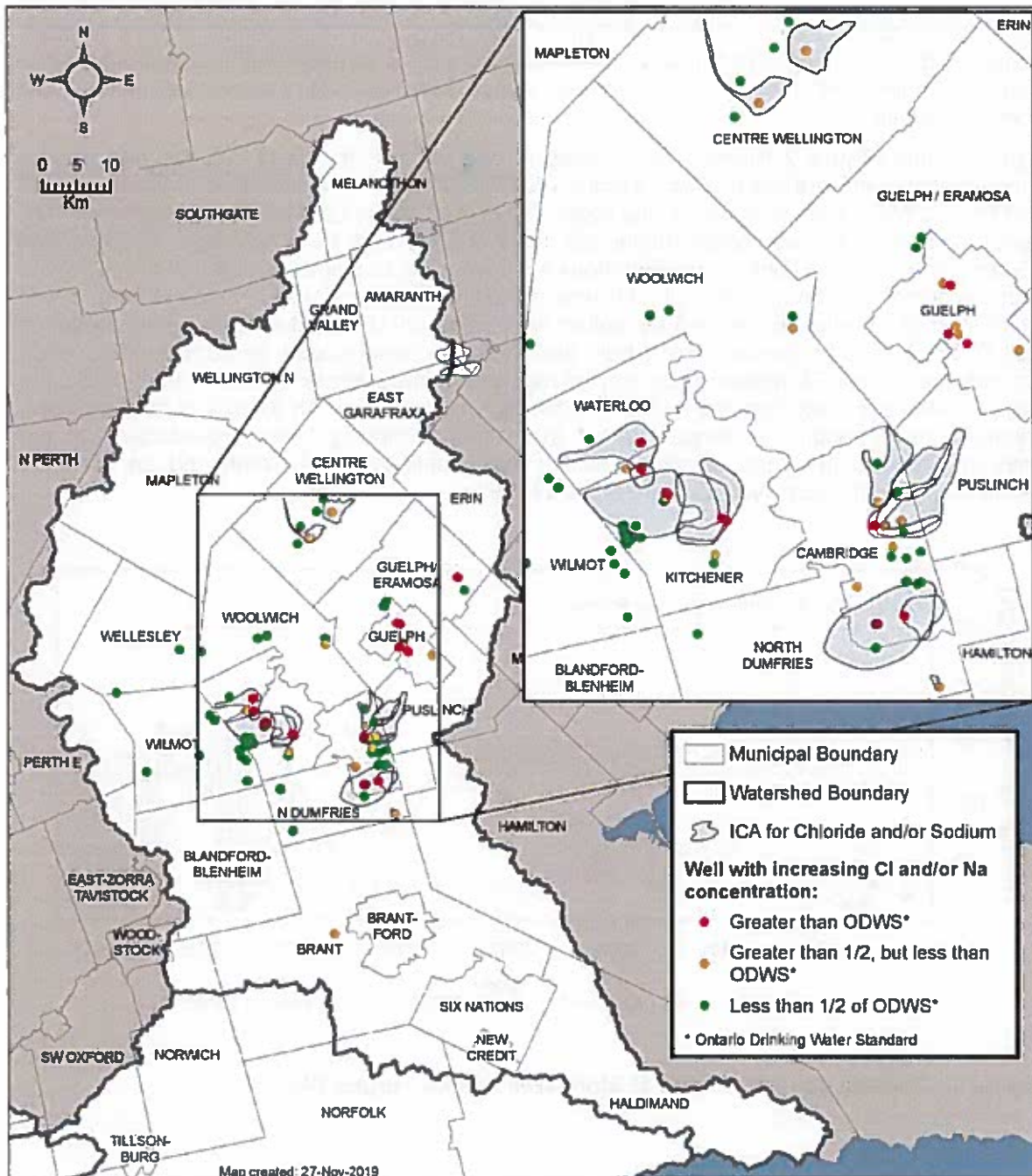
AND THAT the Province of Ontario amend the Clean Water Act's Director's Technical Rules to enable municipalities to proactively protect their municipal drinking water supplies from the application and storage of winter maintenance chemicals.

#### **Increasing Sodium and Chloride Concentrations within Groundwater Drinking Sources in Lake Erie Source Protection Region**

Municipal water supplies within the Lake Erie Source Protection Region (LESPP) have exhibited increases in chloride and sodium concentrations. **Map 1** identifies all municipal supplies within the LESPP that are impacted by increasing chloride and sodium concentrations. Within LESPP, approximately 150 wells are impacted by increasing concentrations of chloride and/or sodium, where 34 wells have identified chloride and/or sodium as an Issue under the *Clean Water Act, 2006* and Technical Rules. **Map 1** shows the ICAs for chloride and sodium, along with municipal supply wells with increasing concentrations. Issue Contributing Areas are delineated for wells with an Issue and policies apply to address the elevated contaminant concentrations.

The impacted municipal supply wells range from small rural centres (Elora, Fergus – Centre Wellington, Guelph-Eramosa, Paris – County of Brant) to medium cities (City of Guelph, Orangeville) to large urban areas (Region of Waterloo). Examples of increasing chloride and sodium concentrations at municipal supply wells within the LESPP are described below and include Wells E3 in Elora and F1 in Fergus, the City of Guelph Water Supply Wells, William Street Wellfield in Waterloo and Well G5 in Cambridge. The Town of Orangeville Water Supply System is impacted by increasing chloride and sodium concentrations and has defined ICAs that extend into the LESPP.

**Map 1: Lake Erie Region Municipal Supply Wells with Elevated Chloride and Sodium Concentrations**





## Increasing Sodium and Chloride Concentrations at Bedrock Groundwater Wells in Wellington County

The Township of Centre Wellington monitors sodium and chloride concentrations at the nine municipal wells that service Elora and Fergus. Well Fergus F1 is screened within a bedrock aquifer with surrounding land primarily urban. Well Elora E3 is screened within a bedrock aquifer with surrounding land primarily agricultural, with a large manufacturing facility located immediately north of the well.

Figure 1 and Figure 2 illustrate the increasing and variable trends of chloride and sodium concentrations at Elora Well E3 and Fergus Well F1. Chloride concentrations at Elora Well E3 and Fergus Well F1 are both above and below half of the Ontario Drinking Water Standards (125 mg/L). Maximum chloride concentrations are noted at Elora Well E3 of 165 mg/L. At Elora Well E3 and Fergus Well F1 sodium concentrations are increasing, but remain below half of the Ontario Drinking Water Standards (100 mg/L). Maximum sodium concentrations are noted at Fergus Well F1 of 93 mg/L. A study completed by Golder Associates (2015) concluded that groundwater at well F1 appears to be derived mainly from the overburden and shallow bedrock aquifers, while groundwater at well E3 appears to be derived mainly from the bedrock aquifer. In both cases, the chloride source is likely from the surface (anthropogenic sources). As a result of the increasing chloride concentrations to above half of the Ontario Drinking Water Standards and the anthropogenic origin of the chloride, chloride was identified as an Issue and an ICA was delineated for both Elora Well E3 and Fergus Well F1.

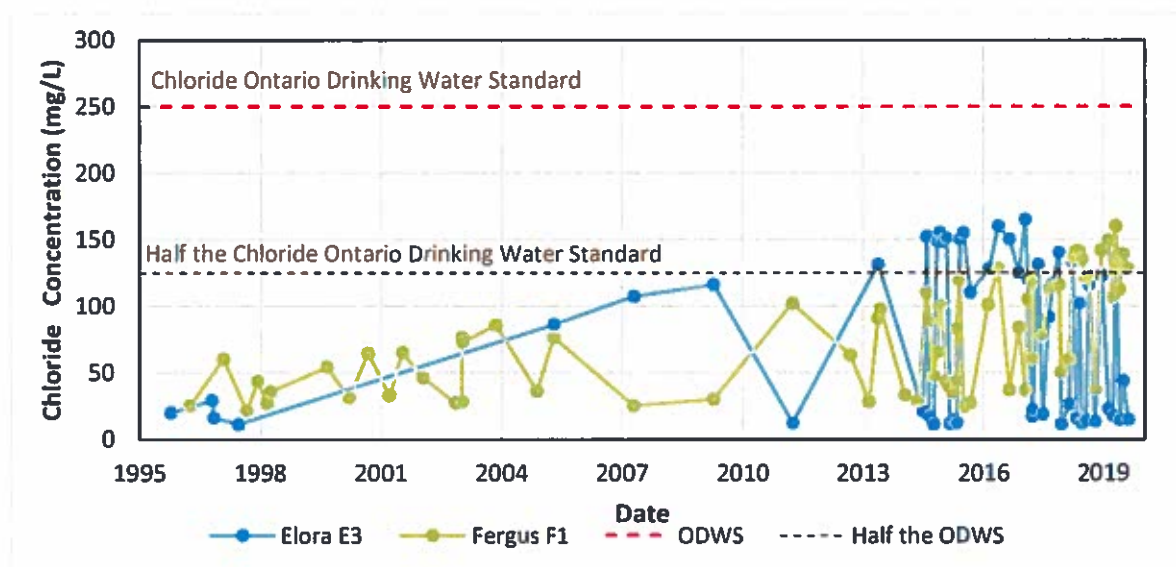
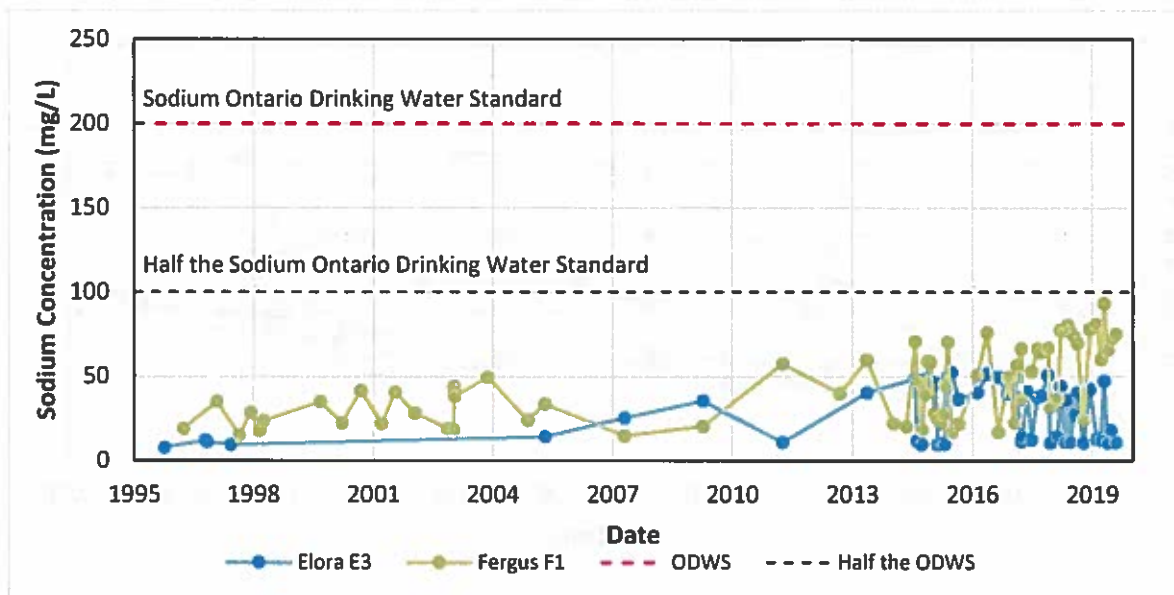


Figure 1: Chloride concentrations at Elora Well E3 and Fergus Well F1



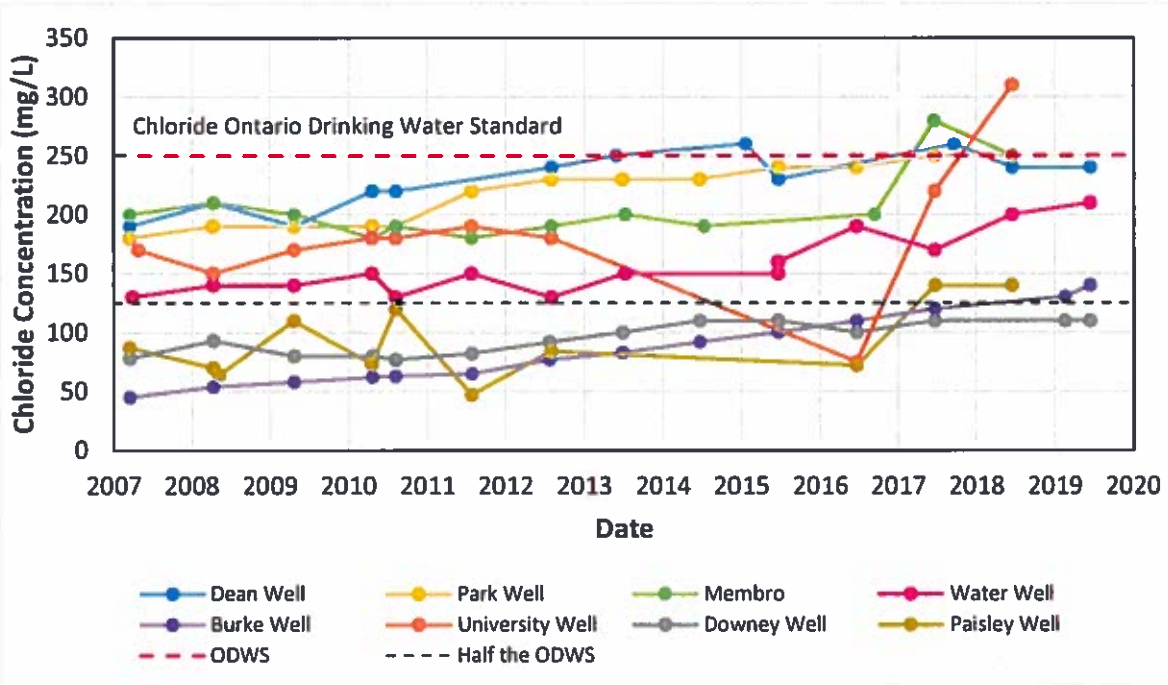
**Figure 2: Sodium concentrations at Elora Well E3 and Fergus Well F1**

Increasing Sodium and Chloride Concentrations at Bedrock Groundwater Wells in the City of Guelph

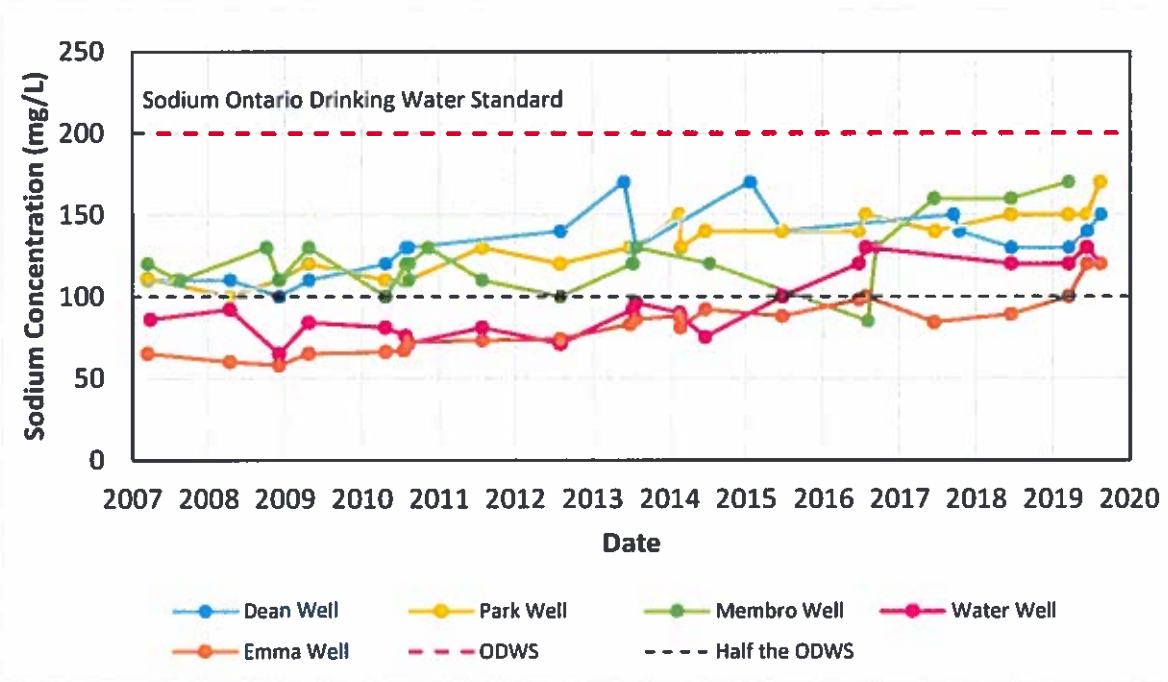
Sodium and chloride concentrations are increasing at several bedrock wells within the City of Guelph. **Figure 3** and **Figure 4** below illustrate increasing chloride and sodium trends in select municipal wells within the City of Guelph. **Figure 3** shows chloride concentrations above half the Ontario Drinking Water Standard for chloride (125 mg/L) at almost all wells, with chloride concentrations approaching or at the Ontario Drinking Water Standard for chloride of 250 mg/L. **Figure 4** shows sodium concentrations above half the Ontario Drinking Water Standard for sodium (100 mg/L) at all wells, with sodium concentrations ranging from 120 to 170 mg/L in 2019.

Sodium and chloride are not identified as Drinking Water Issues at City of Guelph wells. The City of Guelph will continue to monitor sodium and chloride concentrations.





**Figure 3: Chloride concentrations at select municipal wells within the City of Guelph**



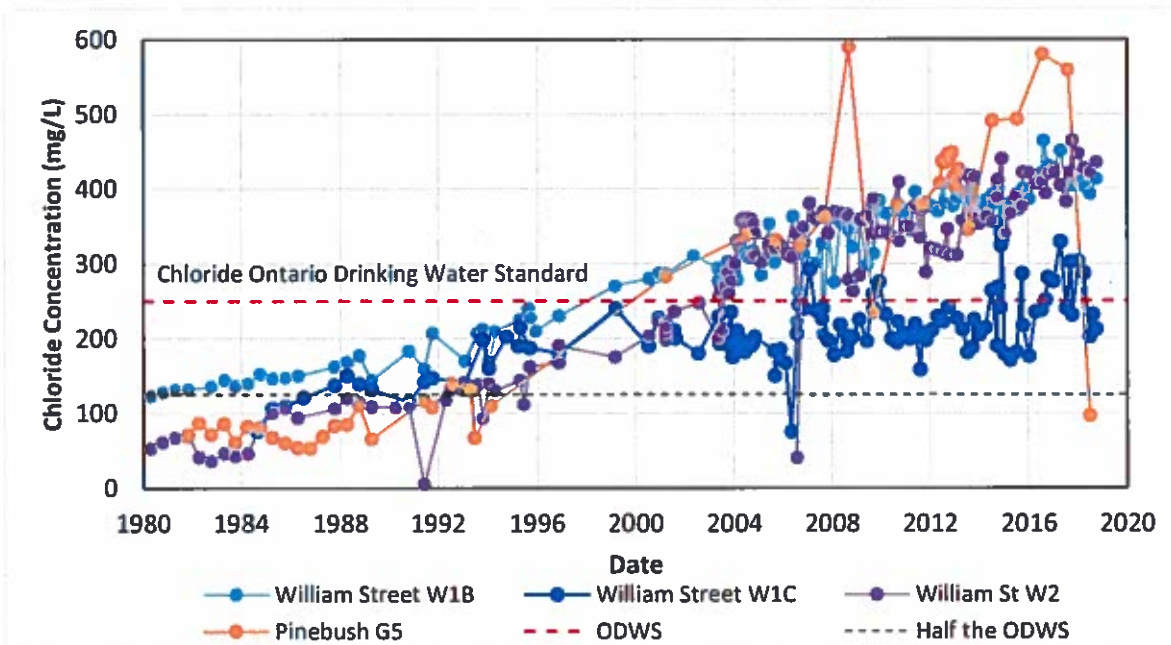
**Figure 4: Sodium concentrations at select municipal wells within the City of Guelph**

### Increasing Sodium and Chloride Concentrations at Groundwater Wells in the Region of Waterloo

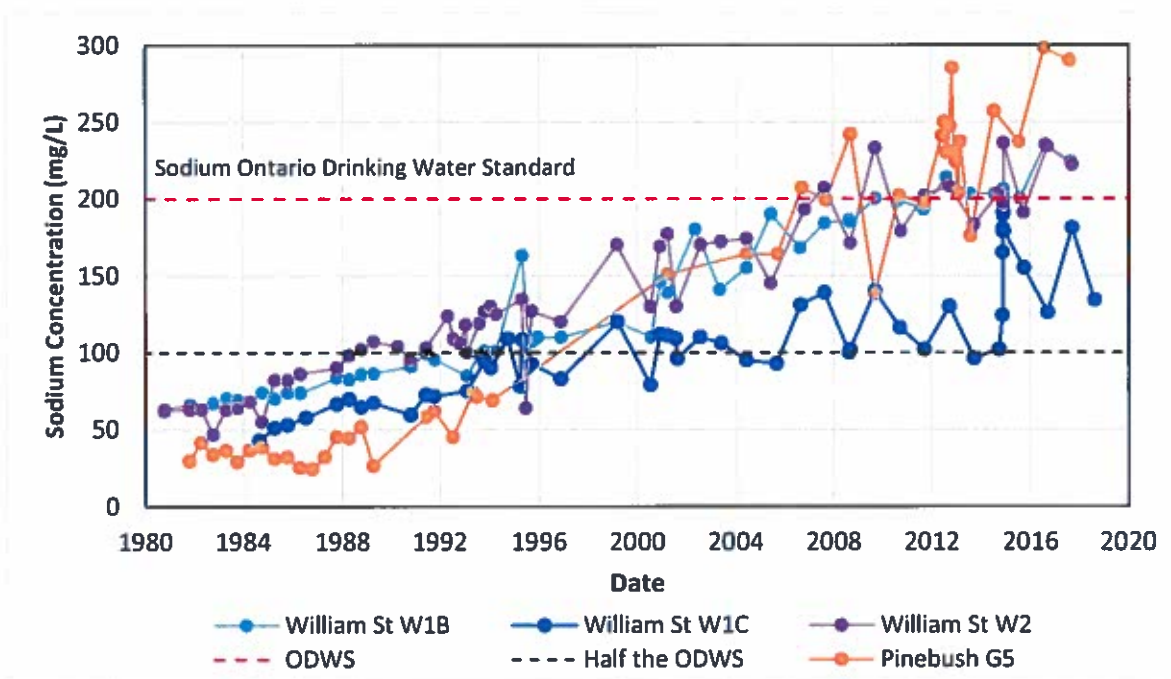
The Region of Waterloo has nine wellfields with elevated concentrations of chloride and sodium that resulted in the identification of Issues under the *Clean Water Act, 2006* and Technical Rules and delineation of ICAs. Impacted wellfields are generally within the urban areas of Cambridge, Kitchener and Waterloo. Chloride and sodium concentrations have been measured as high as 750 mg/L and 365 mg/L, respectively, at one municipal wellfield in the Region of Waterloo.

The William Street Wellfield is an example of one of the Waterloo's wellfields that is impacted by increasing chloride and sodium concentrations. **Figures 5 and 6** below illustrate the increasing chloride and sodium concentrations at the three water supply wells in the William Street wellfield. An increasing trend of chloride (**Figure 5**) is observed dating back to 1975. Current chloride concentrations are above the Ontario Drinking Water Standard of 250 mg/L with 2019 chloride concentrations reaching approximately 450 mg/L. An increasing trend of sodium (**Figure 6**) is observed dating back to 1980. Current sodium concentrations at two of the three wells are above the Ontario Drinking Water Standard of 200 mg/L with 2019 sodium concentrations reaching approximately 240 mg/L.

**Figures 5 and 6** also present the results from well G5 of the Pinebush system in Cambridge and demonstrates the impacts from application of salt on parking lots. This well also shows increasing chloride and sodium trends from the 1980s. However, the concentrations dramatically increase in the middle to late 1990s, which is coincident with the construction of a large retail centre and associated large parking lots immediately adjacent to the well. Currently, chloride and sodium concentrations are higher than those in the William Street wellfield, being approximately 600 mg/L and 300 mg/L, respectively.



**Figure 5: Chloride concentrations at the William Street and Pinebush Wellfields in the Region of Waterloo**



**Figure 6: Sodium concentrations at the William Street Wellfield in the Region of Waterloo**

### Implications of Elevated Sodium and Chloride in the Environment

Elevated and increasing concentrations of chloride and sodium are becoming prevalent in small rural centres, medium sized cities, and large urban areas. The application of road salt (sodium chloride) is a common activity across LESPR given winter road conditions.

The application of salt on roads (and parking lots) enters into the environment in several ways. In many cases, the snow gets plowed onto the road shoulder which either enables it to infiltrate into the groundwater or the meltwater runs off into surface water features and/or into storm water management structures. While the primary purpose of these storm water facilities is to manage wet weather flows, they also receive meltwater during the winter months. If the stormwater structures include infiltration galleries and/or Low Impact Development (LID) infrastructure, some of the salty water conveyed to them during the winter months could infiltrate into the subsurface further exacerbating impacts to groundwater based municipal drinking water systems. Ultimately, all the winter maintenance chemicals eventually enter the natural water system.

Climate change is resulting in more extreme weather patterns with generally milder winters and increased frequencies of precipitation freeze/thaw cycles predicted, resulting in increased use of chemicals for winter road and parking lot maintenance. If left unmanaged, chloride and sodium from road salt will continue to contaminate drinking water sources.

A summary of negative impacts of road salt use for winter maintenance can be described as follows:

- increased concentrations of chloride and sodium in surface water and groundwater drinking water sources impairs the water taste and poses a risk to persons with high blood pressure and sodium restricted diets;
- premature wear to concrete sidewalks and structures (bridge decks, overpasses) which reduces overall life of such infrastructure and results in increased capital costs to maintain them on the order of \$250-\$480 per tonne of salt applied (Environmental Commissioner of Ontario, 218). and,
- damage of animal and plant cells' ability to carry out key ecological processes, changes to the weight of lake water to block the normal mixing process, which is essential for oxygen mixing, and harm to soil, gardens, vegetation and trees, which are necessary for shade as summers get hotter.

The only treatment process available to remove sodium and chloride from water is by reverse osmosis (desalinization) which is very expensive, energy intensive and creates a large volume of concentrate waste brine that must be discharged back into the environment. Accordingly, the only way to minimize the impacts from road salt on water resources and the environment is to reduce the amount being used.

### **Liability and Other Factors Influence the Amount of Salt Applied**

In 2001, Environment and Climate Change Canada (ECCC) completed an assessment of the impacts of road salt and concluded that high releases of road salts were having an adverse effect on freshwater ecosystems, soil vegetation and wildlife. This assessment initiated the risk management process to address the risks posed to the environment by road salt. Subsequently, a Code of Practice was developed by ECCC and a parallel Synthesis of Best Practices document was created by the Transportation Association of Canada. The synthesis is a detailed resource on winter maintenance practices and supplements the recommendations made within the Code.

The two main recommendations of the Code are the development of salt management plans and implementation of best management practices. The Code is voluntary, only applies to road

organizations that use more than 500 tonnes of salt per year, and does not apply to application on parking lots or sidewalks. The ECCC assessment report concluded that application of salt on parking lots represents less than 10% of the total amount of salt being applied across the country. However, the contribution of parking lots in urban areas is much greater due to the increased density of paved surfaces and the higher potential application rates needed to address private property liability concerns. Specifically, in parts of Cambridge, Kitchener and Waterloo, salt loading to groundwater from parking lots is equal to or greater than the loading from roads.

Several pieces of legislation provide the legal context for application of winter maintenance chemicals. For roads, municipal transportation agencies are required under Section 44 of the Municipal Act to maintain roads in a “reasonable state of repair” and to maintain them in accordance with the Minimum Maintenance Standards. For building owners and managers, the Occupier’s Liability Act requires a duty of care to maintain “reasonably” safe conditions for persons while on their premises. However, unlike for roads, the definition of what is reasonably safe is not stipulated and there are no standards. For parking lots, what is reasonable is determined through awareness of legal case studies, which are not too frequent, as most slip and fall claims arising from winter maintenance on parking lots are settled out of court. In addition, for private contractors, a settlement made by their insurance company often results in increases in insurance costs and/or loss of insurance completely. To ensure on-going viability of their businesses, most contractors will err on the side of caution and over apply salt.

These two pieces of legislation provide a framework for over-application of salt that is condoned by the public as necessary to ensure the protection of the travelling public. There is little recognition that this over-application may not be necessary as protection from liability is paramount. This framework is further facilitated by the following:

- the Ontario Environmental Protection Act exempts salt from being considered a contaminant if it is used “... for the purpose of keeping the highway safe ...” meaning that applicators of salt do not have to be concerned about any environmental impacts by the amount they use;
- weather is difficult to predict and the weather that arrives can vary from that forecasted, which means that applications are often higher than needed in case the conditions are worse than forecasted;
- the science behind how salt works is poorly understood (i.e. it is the brine that breaks down ice, not rock salt itself, or that rock salt is not effective in temperatures below -10°C) or is ignored due to liability concerns;
- there is increasing societal demand to maintain black asphalt in southern Ontario at all times and conditions, provide alternate forms of travel with associated high winter maintenance requirements, and addressing accessibility concerns in winter for accessibility-challenged persons; and
- rock salt is on the order of 40% cheaper than the next cheapest winter de-icing chemical, forcing most municipalities and private contractors to default to this chemical even though other chemicals may improve winter maintenance performance with less environmental impact.

All of the above factors contribute to the public's perception that salt does not affect the environment and creates a “laissez-faire” attitude towards the presence of salt on paved surfaces.

#### Factors Influencing Winter Maintenance on Roads

As noted above, the obligations to maintain roads arise from the Municipal Act and Minimum Maintenance Standards. These provide some level of liability protection against municipalities in



the event of vehicle accidents or slip and fall claims on roads. However, the capacity of each municipal agency to adopt new and/or implement sophisticated practices varies and many municipalities have budget pressures which may limit the introduction of these practices. In addition, the impact of joint-and-several liability often results in municipalities paying the majority of the costs resulting from an accident even if their contribution to the fault is minimal, further exacerbating the financial challenges for municipalities. Finally, most municipalities set a single performance standard for each road class and segment and most if not all municipalities are not willing to change the standard if the road comes in and out of a vulnerable drinking water protection area. These issues coupled with the voluntary nature of the ECCC Code could force municipalities to minimize adoption of practices to meet the Code or not participate at all.

Application on roads also differs from that on parking lots for the following reasons:

- most winter maintenance on roads are performed by municipal staff and/or larger contracted companies (e.g. province of Ontario) which provide stable working conditions that can attract long term employees ensuring consistency in approach reducing the need to train revolving staff;
- there are a relatively modest number of road agencies compared to hundreds and possibly thousands of private contractors; and
- the passage of cars on roads assists in the break down of the solid winter maintenance chemicals into the liquid brine needed to break the bond between snow/ice and the underlying surface, resulting in the need for less salt to be applied.

All of these factors can help reduce the amount of salt applied on roads compared with that applied on parking lots.

Many road authorities have made considerable improvements in technology, operational approaches and training to help improve application and reduce impacts to the environment. However, further changes will be difficult to achieve in part due to the risks associated with liability. In addition, the benefit of these reductions could be off-set by changes in climate, e.g. more freezing rain events, which will necessitate changing the approach to winter maintenance on roads. Further, the expansion of the Minimum Maintenance Standards to sidewalks in 2018 could result in an overall increase in the amount of salt being applied to the road network. This will exacerbate the impact to municipal drinking water supply sources. In Ontario, several organizations are promoting changes to the liability framework including the following:

- the Association of Municipalities of Ontario submitted a letter to the Ontario Attorney General requesting reform of the joint and several liability framework in Ontario as it relates to municipalities;

<https://www.amo.on.ca/AMO-Content/Policy-Updates/2019/AMOSubmitsReporttoAttorneyGeneralonLiabilityandIns>

- a combined working group representing the Ontario Good Roads Association and Conservation Ontario submitted a letter to the Ontario Attorney General requesting a review of the liability related to application of winter maintenance chemicals (**Appendix A**); and
- the World Wildlife Fund provided comments on the Province of Ontario's Environmental Plan as posted on the Environmental Registry advocating for review of the liability framework in Ontario.

[http://assets.wwf.ca/downloads/ero\\_roadsalt\\_final\\_signon.pdf](http://assets.wwf.ca/downloads/ero_roadsalt_final_signon.pdf)

These letters highlight the challenges with the liability framework in Ontario and support the discussion contained in this report. Undertaking this review in addition to strengthening training programs for road agencies to reduce winter maintenance chemical application rates without compromising road safety would assist with mitigating risks to municipal drinking water systems.

#### Factors Influencing Winter Maintenance on Parking Lots

As persons responsible for parking lots do not have standards or guidance to follow, the approach to winter maintenance for a particular event is based primarily on their experience which results in inconsistent application rates and/or levels of service for each parking lot. In most cases, building parking lots and sidewalks are maintained by private winter maintenance contractors and the nature of the winter maintenance services is determined by the contract with the property owner. These contracts often contain an unrealistic level of service requirements, e.g. maintain bare pavement at all times, which the contractor addresses through over-application of salt and/or chemical "plowing" which uses excessive amounts of salt to melt all the snow. The contracts often attempt to assign the liability to the contractor, which is very difficult legally, and may have pricing structures that financially incentivize the application of salt on the property.

Much of the private winter maintenance contracting industry is performed by small and medium sized businesses. As a result, and because of the tendering process to compete for clients, they are less likely to invest in best practices/advanced technologies as part of their operation in order to make them profitable. The individual contracting company is also trying to maintain their insurance coverage, have high staff turnover rates which reduces the incentive to invest in staff, and the competition/bid process results in little sharing of management practices within the industry. In addition, as contractors are a for-profit business, they will also attempt to maximize the number of contracts they have which forces them to over apply to meet the contract requirements in recognition that it could be many hours until they are able to service the property again. All of these factors contribute to excess application.

The primary purpose of most buildings and properties is not for winter maintenance but rather for some other manufacturing, service or retail operation. So winter maintenance is seen as a cost of doing business. For most building owners or tenants, the winter maintenance contract is awarded to the lowest cost bid which does not encourage contractors to consider alternate practices as these would require capital investments for new technologies and/or approaches. In addition, even if the owner/operator were interested in reducing application rates, they would be exposed to liability in the event of an injury if they had directed the contractor to apply the salt at a lower rate.

The liability framework and challenges noted above prevent Risk Management Officials from negotiating Risk Management Plans (RMPs) that require reductions in application rates. Some of the ways these barriers present themselves have been observed through the implementation of salt application RMPs in the Region of Waterloo where approximately 1,600 RMPs will need to be negotiated in chloride and/or sodium ICAs in the current approved Source Protection Plan and expanding to over 3,000 existing properties in the October 2019 proposed amended plan. These include the following.

- The approach taken by the Region of Waterloo to negotiate salt application RMPs is to use a collaborative, education approach in order to secure buy-in and achieve a more self-sustainable/self-regulating model of enforcement. This is needed because most persons involved in the negotiation have little to no experience in winter maintenance. This approach necessitates a greater time commitment as part of the negotiation as a level of education is required to raise the general knowledge on the impacts of salting to the point where risk mitigation practices can be implemented effectively.

- Currently, the RMPs for parking lots focus on contractor training and certification, i.e., Smart about Salt program, winter maintenance record keeping, and minimizing ice formation through site assessments. As in many cases these measures do not represent a drastic shift from current practices and because application rates cannot be stipulated in the RMP, only a minor amount of reduction in salt loading is likely to occur from these properties. This is much less than is needed to mitigate the impacts to the Region's wells with chloride impacts. Region of Waterloo staff have assessed the reduction in application rates needed to reduce and or stabilize chloride concentrations based on the amount currently observed in their supply wells. This amount is on the order of a further 10 percent reduction in application on roads above and beyond the 25 percent reduction achieved through advances in technology, and 30 to 50 percent reduction in application rates on parking lots at four of its well systems. This amount does not include the salt already in the groundwater that hasn't made it to the supply wells and will not reach the wells for a further 10 to 20 years.
- Since application rates cannot be specified in the RMP, it is difficult to require changes in operational methods and procedures. Examples of more effective practices may include pre-wetting, liquid application, and/or standardizing application rates. These practices have been adopted by many road agencies and may represent the most effective opportunity to achieve salt reduction targets.

As noted for roads, changes to the liability framework would provide building owners and contractors to consider the impacts to the environment and their assets in addition to liability considerations. However, unlike road agencies that are meeting ECCC's Code of Practice, there is no mechanism to ensure private contractors consider the environment in the determination of winter maintenance chemical application rates. The Smart About Salt Council has created the Smart About Salt program that encourages contractors to take training courses to improve their winter maintenance operations and to become certified demonstrating that they are implementing the program. And while this is helping to educate property owners and contractors, many of the recommended practices in the Smart About Salt program are not implemented by contractors due to the liability issues discussed above.

#### Opportunities for Liability and Training/Certification Program Changes

Several states in the US including Illinois and New Hampshire have changed the liability framework to help address the impacts to water resources due to the over-application of salt and as noted above several organizations are advocating a review of the liability framework in Ontario. Several other US states including Wisconsin have implemented various training, certification and/or education programs to help changes in the winter maintenance approach.

Specifically, the approach taken in New Hampshire is worth noting because the approach includes a combination of liability reform and training/certification. New Hampshire has introduced changes to the liability framework and developed a training/certification program to address the over-application of salt. This approach was required to gain permission to extend a state highway because a nearby lake had elevated chloride and sodium levels due to winter maintenance chemicals. The legislation requires contractors to undertake a one-day training program and become certified. In exchange, road and parking lot contractors would be provided partial protection against slip and fall and/or traffic accidents. This approach provides the liability relief and knowledge needed to change winter maintenance practices to minimize impact to water resources.



## **Changes Needed to the Source Water Protection Director's Technical Rules**

The current Director's Technical Rules under the *Clean Water Act, 2006* provide significant drinking water threat (SDWT) thresholds based on road density or impervious surfaces. In many parts of the province, the thresholds did not trigger a SDWT for road salt application, despite a number of municipal drinking water wells that have increasing sodium and chloride concentration trends. As such, the original technical approach failed to recognise areas where trends were present that may result in an ICA. This problem was identified by the Region of Waterloo and an alternate approach to assessing the threat of road salt application was prepared and implemented for the Region of Waterloo. These changes were not implemented elsewhere in LESPR.

Similarly, road salt storage thresholds are currently set at 5,000 tonnes outside storage. This volume far exceeds typical storage volumes found at small to medium municipalities or private contractors. As a result, there are no known documented SDWTs for road salt storage outside of an ICA within LESPR. This is despite the fact that there are many municipal and private road salt storage facilities within wellhead protection areas of lesser volumes.

The practical result of these shortcomings in the Technical Rules is that the prescribed threats for road salt application and storage only get flagged as significant drinking water threats (SDWTs) when water quality data for a municipal drinking water system documents an increasing trend in chloride concentrations and the municipality declares the well as having an issue as defined by the Technical Rules. Since ICAs are only identified and delineated when there is a demonstrated water quality concern in a municipal well, this approach to protecting water quality in municipal drinking water systems becomes reactive rather than proactive.

Another concern is that the current Director's Technical Rules and Ontario Regulation 287/07 – General pursuant to the *Clean Water Act, 2006* lists the prescribed drinking water threat as “the application, handling and storage of road salt”. Although road salt is a common term used for winter maintenance chemicals, the term can be misleading. The term road salt is used interchangeably with rock salt. Salt application at parking lots or on walkways can be more of a concern due to over-application than application on roadways. Additionally, road salt commonly refers to sodium chloride; however, there are many alternative products that are also chloride based, for example, calcium chloride or magnesium chloride. Strict interpretation of the wording may lead some readers to consider only salt applied to roads and that is sodium chloride based is a prescribed drinking water threat pursuant to the *Clean Water Act, 2006* and Source Protection Plans. A simple solution could be to rename the prescribed drinking water threats to application, handling and storage of winter maintenance chemicals and then define the term in the regulation.

A complementary change to the above would be to make application of winter maintenance chemicals on roads, parking lots and sidewalks different circumstances in the Table of Circumstances to reflect the different approach to winter maintenance, the legislative and liability framework, and the mitigation measures possible associated with each surface type. This would also help highlight that it is more than just application of winter maintenance chemicals on roads that is affecting drinking water supply sources.

Since 2017, the Province has been considering changes to the Director's Technical Rules to address the shortcomings noted above. Recently, the Province held technical engagement sessions at the end of November 2019 to consult on proposed changes. Details at the time of preparing this report are limited, but we understand that the Province intends to lower the thresholds for the activities and circumstances that result in a significant drinking water threat for the handling and storage of salt and the application of salt. A summary of the proposed changes to road salt storage and application are presented in Table 1. Lake Erie Region staff and municipal representatives have participated in the stakeholder engagement sessions and there will be

opportunity for staff to comment on the proposed rule changes directly with Provincial staff and through the more formal Environmental Registry process later on.

<b>Table 1: Phase II Technical Rules Project: Proposed Amendments to Road Salt Storage and Application</b>					
<b>Topic</b>		<b>Current Approach</b>	<b>Objective of the Amendment</b>	<b>Proposed Amendment</b>	<b>Notes</b>
<b>Prescribed Drinking Water Threats</b>	<b>Road Salt Application</b>	Thresholds for impervious areas that identify significant risks are 80% in WHPAs scored 10 and 8% in IPZs scored 10.	Use an improved scientific approach to better identify areas where the application of road salt and storage of road salt may cause impairments to the quality of drinking water sources.	Thresholds for impervious areas that identify significant risks will be: 30% for WHPAs scored 10; 6% or greater for IPZ scored 10 and; 8% or greater for IPZ scored 9 to 10.	New thresholds were developed based on the analysis conducted in consultation with municipalities and SPAs/SPCs.
	<b>Road Salt Storage</b>	Volumes that identify significant risk are: 500 tonnes for IPZs scored 10; 5000 tonnes for IPZs scored 9 or greater, or WHPAs scored 10 for uncovered storages; covered storage can not be a significant risk.		Using same scores of IPZs and WHPAs, proposed volumes are: (1) Any quantity for uncovered storages; (2) 100 kg or greater for covered storage excluding engineered facilities, (3) 500 tonnes or greater for engineered facility or structure.	

**Recommended Actions to Address the Over-Application of Winter Maintenance Chemicals Report Recommendations**

To address the above concerns, the following recommendations are provided to the Lake Erie Region Source Protection Committee for consideration:

THAT the Province of Ontario explore ways to reduce the factors that contribute to excess application of winter maintenance chemicals on road ways and parking lots through a review of the liability framework in Ontario.

THAT the Province of Ontario work with municipalities to strengthen training programs for road agencies that apply winter maintenance chemicals on roads and sidewalks to reduce application rates without compromising road safety that would assist with mitigating risks to municipal drinking water systems.

THAT the Province of Ontario require property owners and contractors responsible for maintaining safe parking lots and sidewalks be trained and certified in the application of winter maintenance chemicals.

THAT the Province of Ontario change Prescribed Drinking Water Threats, "the application of road salt" and "the handling and storage of road salt" to "the application of winter maintenance chemicals" and "the handling and storage of winter maintenance chemicals", and define the term in the regulation.

THAT the Province of Ontario change the Table of Circumstances related to the application of winter maintenance chemicals to differentiate between application on roads, sidewalks and parking lots to reflect the different liability issues and the nature of winter maintenance conducted for each surface type.

AND THAT the Province of Ontario amend the Clean Water Act's Director's Technical Rules to enable municipalities to proactively protect their municipal drinking water supplies from the application and storage of winter maintenance chemicals.

**Appendix A:**  
**Letter from Ontario Good Roads Association and Conservation Ontario to the Ontario Attorney General requesting a review of the liability related to application of winter maintenance chemicals**

November 1, 2019  
The Honourable Doug Downey  
Attorney General of Ontario  
McMurtry-Scott Building, 11th Floor  
720 Bay Street  
Toronto, Ontario  
M7A 2S9

Dear Attorney General Downey,

Re: **Municipal Liability and Insurance Costs**

The excessive use of road salt has been shown to impact our environment including aquatic life and drinking water sources, and also our infrastructure. In Ontario, several drinking water sources are identified under the *Clean Water Act* as being impacted by elevated levels of chloride, a chemical found in road salt.

In 2016, the Ontario Good Roads Association (OGRA) and Conservation Ontario (CO) established a multi-stakeholder 'Salt Vulnerable Areas' working group, that developed a road salt best practices guidance document in 2018 for consideration by municipalities of varying capacities and budgets. In 2019, the OGRA and CO established the 'Ontario Road Salt Management Advisory Committee' in order to further the discussions around the broader policy and legislative framework related to the use of road salt, and to provide recommendations to help find the balance between environmental considerations and road safety.

The following recommendations are provided for the consideration of the Attorney General of Ontario:

**Address excessive liability issues for municipalities**

Ontario municipalities follow a Council approved Level of Service to ensure the safety of the travelling public, and they proactively work with government agencies and others in order to optimize the amount of road salt usage that balances public road safety with environmental concerns. However, excessive liability issues severely impact municipalities (and other road operation authorities) and in many cases may limit their ability to further adjust the application of road salt in order to meet environmental legislation that protects water resources.

Therefore it is recommended that the applicable liability framework be reviewed, such that road operation authorities can continue to ensure road safety while also supporting a further reduction in the amount of road salt applied.

**Establish standards and address excessive liability issues for private contractors**

There are many others that also use road salt besides municipalities, such as private contractors maintaining privately or municipally owned parking lots. The private sector often uses excessive amounts of road salt, in order to avoid liability claims. Training programs such as 'Smart about Salt' are available to the private sector to help them optimize road salt usage, but these programs are not mandatory.

Therefore, it is recommended that standards for road salt application and storage be established for the private sector to help reduce road salt reaching our water bodies. Further, it is recommended that the applicable liability framework be reviewed, such that private contractors can continue to ensure safety during the winter while also supporting a significant reduction in the amount of road salt applied.

In summary, steps to address liability, combined with standards (where they do not exist) for road salt application, can help preserve our precious natural resources.

We thank you for the opportunity to provide comments. Please feel free to contact Chitra Gowda ([cgowda@conservationontario.ca](mailto:cgowda@conservationontario.ca)) at CO or Fahad Shuja ([fahad@ogra.org](mailto:fahad@ogra.org)) at OGRA if you have any questions.

Sincerely,

Joe W. Tierney  
Executive Director  
Ontario Good Roads Association

Kim Gavine  
General Manager  
Conservation Ontario

Sent via email to: [doug.downeyco@pc.ola.org](mailto:doug.downeyco@pc.ola.org); [magpolicy@ontario.ca](mailto:magpolicy@ontario.ca)

**Denise Holmes**

---

**From:** Planning Account <planning@shelburne.ca>  
**Sent:** Friday, December 20, 2019 3:22 PM  
**To:** Planning Account  
**Subject:** Planning Application Circulation -SPA 19/03 - 201 Wellington Street  
**Attachments:** Circulation Letter.pdf; SPA19 03 - Circulation Response Form.doc

Good afternoon,

The Town of Shelburne has received an application for Site Plan Approval for property municipally known as 201 Wellington Street.

A copy of the information submitted by the applicant is attached for your review which is available for download by clicking the following link:

<https://spaces.hightail.com/receive/QGxUwkVJle>

We would appreciate any comments, concerns or conditions you may have by Friday, January 24, 2020.

Thank you,

Steve Wever, MCIP, RPP  
Town Planner



## TOWN OF SHELBURNE

### Planning & Development Department

December 20, 2019

#### CIRCULATED TO:

- County of Dufferin\*\*
- MTO\*\*
- NVCA\*\*
- Township of Melancthon\*\*
- Township of Amaranth\*\*
- OPG
- Hydro One
- Enbridge\*\*
- School Boards\*\*
- Shelburne EDC\*\*
- Heritage Committee\*\*
- Engineering\*\*
- Legal\*\*
- Fire Dept\*\*
- Police\*\*
- Council\*
- Public Works\*\*

\*Hard copy circulation  
\*\*Email circulation only

#### APPLICATION FOR SITE PLAN APPROVAL CIRCULATION

**FILE NO: SPA19/03 – STELLA-JONES INC.**  
**PROJECT: SITE PLAN – 201 WELLINGTON STREET, SHELBURNE**

Please take notice that an application has been submitted to the Town of Shelburne for the approval of a Site Plan for the repaving of an existing gravel storage area to asphalt and installation of a storm collection system and rainwater retention pond located at 201 Wellington Street. The Site contains an existing pressure treatment facility for lumber products that contains a covered storage building and an office building.

A copy of the completed Site Plan application as well as supporting information submitted by the applicant are attached for your consideration. Please contact me should you require additional information to complete your review.

I would appreciate any comments, concerns or conditions you may have by:

**Friday, January 24, 2020.**

Please provide comments in an electronic format via email to [planning@shelburne.ca](mailto:planning@shelburne.ca). Alternatively, if you have no comment or objection, please complete the attached response sheet and fax it to the Town of Shelburne Planning Department at (519) 925-6134. Should you have any questions or require any additional information, please contact me.

Steve Wever, MCIP, RPP  
Town Planner

Attachment(s)





# TOWN OF SHELBURNE

## PLANNING & DEVELOPMENT

### Site Plan Application Circulation Response Form

**File: SPA19/03**

**Project: Application for Site Plan Approval  
201 Wellington Street, Shelburne  
Part of Lot 32, Concession 3, Town of Shelburne**

If you have no comments or objection to the approval of the above noted applications please complete this form and email or fax it to the **Town Planner** at the Town of Shelburne by **January 24, 2020**.

**Email: [planning@shelburne.ca](mailto:planning@shelburne.ca)  
Fax Number: 519-925-6134**

(No cover page is necessary)

---

***By signing this document I acknowledge that as a representative of the noted organization / body / or person, I have reviewed this application and as a result have no comments or concerns related to this matter.***

---

**Agency Name**  
*(Please Print)*

---

**Representative Name**  
*(Please Print)*

---

**Representative Title**  
*(Please Print)*

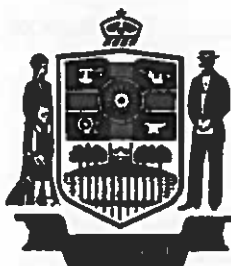
---

**Signature**

---

**Date**

Town of Shelburne  
203 Main Street East  
Shelburne, Ontario  
L9V 3K7  
Tel: (519) 925-2600  
Fax: (519) 925-6134  
www.shelburne.ca



***For Office Use Only***  
File #: SPA 19/03  
Date Received: Dec 17/19  
Date Accepted: Dec 20/19  
Application Fees:  
\$ 15,930.00

**TOWN OF SHELBURNE  
APPLICATION FORM FOR SITE PLAN APPROVAL**

Date Received \_\_\_\_\_

**1. APPLICATION INFORMATION**

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number (Home): \_\_\_\_\_ Fax Number: \_\_\_\_\_

Telephone Number (Business): \_\_\_\_\_ Email Address: \_\_\_\_\_

**2. OWNER**

If the Applicant is not the Owner of the subject lands, than authorization from the Owner is required, as well as the following information:

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

**3. MORTGAGES, CHARGES OR OTHER ENCUMBRANCES**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

**4. SUBJECT LANDS**

Lot: \_\_\_\_\_ Concession: \_\_\_\_\_

Reference Plan: \_\_\_\_\_ Part/Block/Lot: \_\_\_\_\_

Street Name and Number: \_\_\_\_\_  
(if corner lot please include both street names)

Area of subject lands: \_\_\_\_\_ Frontage: \_\_\_\_\_

Depth: \_\_\_\_\_

What is the current use of the subject land? \_\_\_\_\_

What is the proposed use of the subject lands? \_\_\_\_\_

When were the subject lands acquired by the current owner? \_\_\_\_\_

How long have the existing uses continued on the subject lands? \_\_\_\_\_

	Yes	No	Unknown
Has the grading of the subject land been changed by adding earth or other material?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has a gas station been located on the subject land or land adjacent to the subject land at any time?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has there been petroleum or other fuel stored on the subject land or land adjacent to the subject land?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

---

**5. ZONING AND OFFICIAL PLAN INFORMATION**

What is the present Official Plan designation on the subject lands? \_\_\_\_\_

What is the present zoning? \_\_\_\_\_

---

**6. ACCESS**

Is the subject land accessible by:

- Provincial highway
- Municipal road (maintained year round)
- Right of way
- Other, describe \_\_\_\_\_

**7. BUILDINGS, STRUCTURES AND USES**

What is the existing use of the subject land? \_\_\_\_\_

Are there any buildings or structures on the subject lands?

- yes  no

Please complete the following for each existing and proposed building or structure:

	Building One	Building Two
Type of Building:		
Setback from Front Lot Line:		
Setback from Rear Lot Line:		
Setback from Side Lot Line (interior):		
Setback from Side Lot Line (exterior):		
Height (metres):		
Dimensions:		
Floor Area:		
Date of Construction:		

**8. SERVICING**

	<u>Municipal</u>	<u>Private</u>	<u>Other</u>
Water Supply	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sewage Disposal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frontage on Road	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Is storm drainage provided by:  Sewer  Ditch  Swale  
 Other, describe \_\_\_\_\_

**9. STATUS OF OTHER APPLICATIONS**

Are the subject lands the subject of any other application under the Planning Act?

- yes  no

If yes, what is the file number? \_\_\_\_\_

What is the status of the application? \_\_\_\_\_

**10. DRAWINGS**

The details relating to the plans and information required to be submitted with the application are outlined on the Site Plan Approval Process sheet. The following plans are required:

- LEGAL DESCRIPTION (SURVEY)
- SITE PLAN – 15 COPIES
- LANDSCAPE PLAN
- SITE SERVICING AND GRADING PLAN
- ARCHITECTURAL AND ELEVATIONS DRAWINGS

**11. PAYMENT OF FEES**

As of the date of this application, I hereby agree to pay for and bear the entire cost and expense for any engineering, legal, landscape architectural and/or external planning consulting expenses incurred by the Town of Shelburne during the processing of this application. The application fee set by the Town of Shelburne.

December 11, 2019  
Date

[Redacted Signature]  
Signature of Owner/Applicant

Note: All invoices for payment shall be sent to the person indicated in section 2 of this application, unless otherwise requested.

**12. AUTHORIZATION**

I/We Stella-Jones Inc. am/are the owner(s) of the subject lands for which this application is to apply. I/We Stella-Jones Inc. do hereby grant authorization to VTX Consulting to act on my/our behalf.

December 11, 2019  
Date

[Redacted Signature]  
Signature of Registered Owner(s)

**13. AFFIDAVIT**

I, Marla Eichenbaum of the Stella-Jones Inc. in the Montreal, Quebec solemnly declare that all of the above statements contained herein and in all exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act".

DECLARED BEFORE ME AT Montreal  
in the province of the Quebec  
this 11<sup>th</sup> day of December, 2019

[Signature]  
Commissioner of Oaths

Signature  
[Redacted Signature]



---

**14. PERMISSION TO ENTER**

I hereby authorize the members of staff and/or elected members of Council of the Town of Shelburne to enter upon the subject lands and premises for the limited purpose of evaluating the merits of this application. This is their authority for doing so.

December 11, 2019

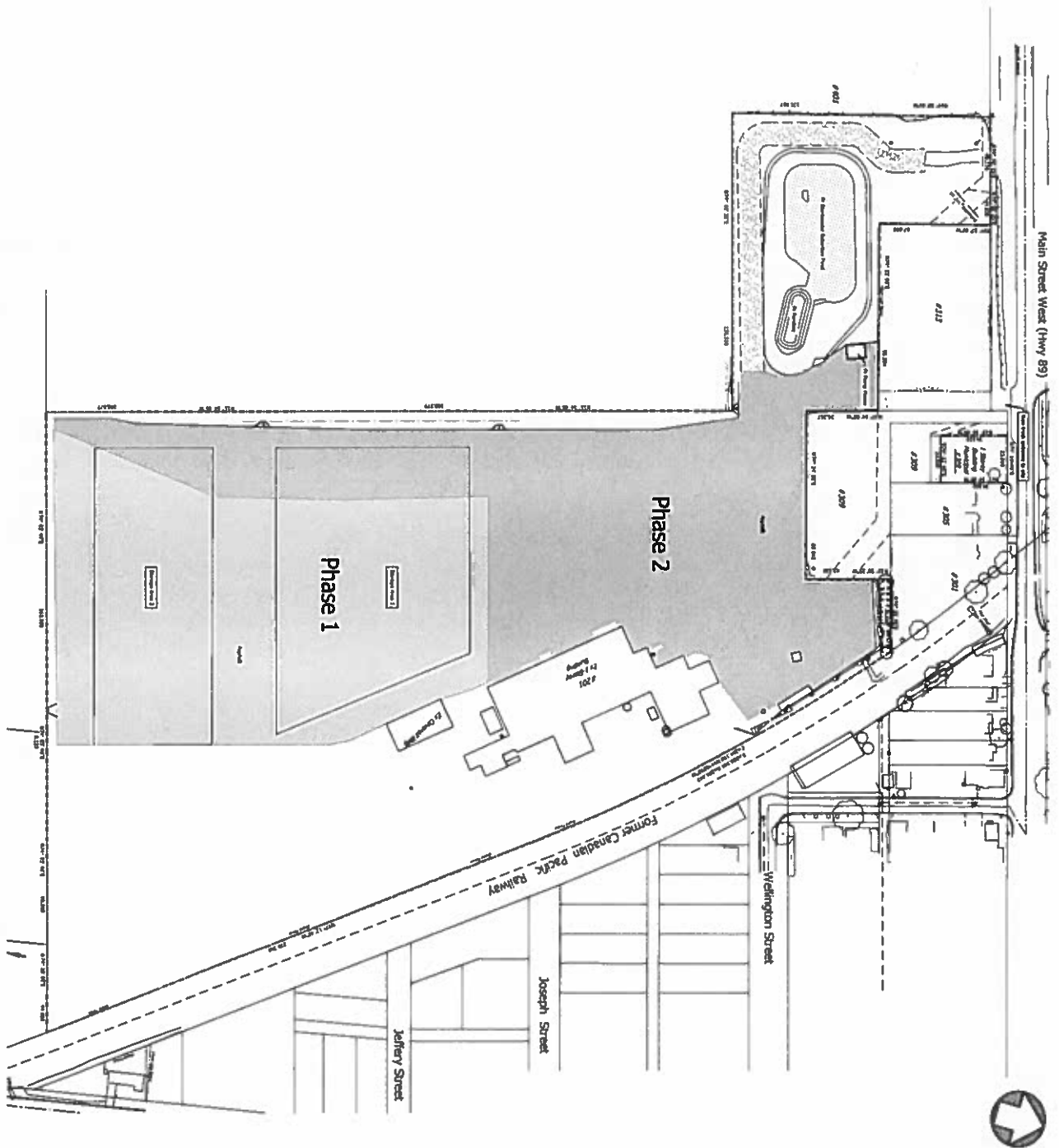
Date

  
Signature of Registered Owner (s) or Agent

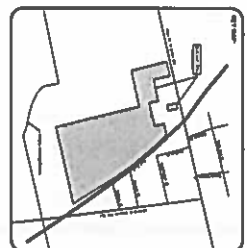
---

**PLEASE CONFIRM ALL PLANNING APPLICATION FEES PRIOR TO SUBMISSION**

11/04/2018



Item	Qty	Unit Price	Total
Site Plan (Professional Fee)	1	\$1,000.00	\$1,000.00
Site Plan (Administrative Fee)	1	\$2,500.00	\$2,500.00
Site Plan (Permit Fee)	1	\$1,500.00	\$1,500.00
Site Plan (Survey Fee)	1	\$1,000.00	\$1,000.00
Site Plan (Other Fees)	1	\$1,000.00	\$1,000.00
<b>Total</b>	<b>5</b>		<b>\$7,000.00</b>



<b>Site Plan - Phase 2</b>		<b>Stella-Jones Inc.</b>	
DRAWN BY: RCU CHECKED BY: CHY DATE: Dec 3, 2019 SCALE: 1:1000		PROJECT: 201 Wellington Street (Phase 2) Part of Lot 32, Concession 3	
PROJECT NO: 4652-SF SHEET: 1 of 1		TOWN: Town of Shelburne	
SCALE: 1:1000		DATE: Dec 3, 2019	

**MERITECH**  
 1305 Main Street West, Suite 105, Shelburne, ON  
 T4A 1R2, Canada  
 Tel: 519-532-7200

Meritech is a registered trademark of Meritech Inc. All other trademarks are the property of their respective owners. Meritech is not responsible for any errors or omissions in this drawing. The user of this drawing is advised to verify all information and dimensions before construction. Meritech is not responsible for any delays or costs incurred by the user of this drawing. Meritech is not responsible for any damages or liabilities arising from the use of this drawing.

Figure 1: Wellhead Support (P1) | BCGWETS2019-001-001-001 | Project Number: 2019-01-01, 1/24/20



## REPORT TO COUNTY COUNCIL

**To:** Warden and Members of County Council

**From:** Sonya Pritchard, Chief Administrative Officer

**Meeting Date:** December 12, 2019

**Subject:** **Service Review Report #4 – Project Launch and Discovery**

### **In Support of Strategic Plan Priorities and Objectives:**

**Good Governance** – ensure transparency, clear communication, and prudent financial management

---

### **Purpose**

The purpose of this report is to provide a regular update on the Service Delivery Review (SDR) Project.

### **Background & Discussion**

The SDR has a clear mandate that can be defined through:

*Project Vision* – Creating a service delivery model that ensures public value and financial sustainability.

*Project Mission* – Conduct a comprehensive review of shared municipal services, county operations, and human/community services.

### *Project Success*

- in-depth understanding of current services and service delivery methods
- provision of actionable recommendations for efficient, effective, and sustainable delivery of municipal services
- buy-in among County Staff and Stakeholders that recommendations are aligned to the community needs and will reduce future operational costs and improve service delivery



- enhanced knowledge on tools, techniques and methodology to continually improve service delivery moving forward

After the RFP was awarded to Optimus SBR at the November County Council meeting the project got underway. The proposed timeline is attached as Item 1. The review consists of Part A – Shared Services/Resources and Part B- County internal operations and Human/Community Services. Each part has three phases with a number of deliverables, attached as Item 2, which are to be completed by the end of June 2020. There will be some overlap between Parts A and B and all work will occur concurrently.

The following parties will be directly involved with the project:

- County CAO (Parts A&B)
- Project Coordinator (Parts A&B)
- Service Review Steering Committee (Part A)
- CAO Working Group (Part A)
- County SDR Team with sub-groups (Part B)

The County CAO is responsible to ensure the project stays on schedule and on budget by working closely with all parties to meet the milestones laid out in the project plan. County Council will be kept up to date with monthly progress reports. The Project Coordinator will provide support and liaise with staff, the consultants, the County SDR Team, CAO Working Group, Steering Committee and other stakeholders to set meeting dates, circulate and collect information and solicit feedback as required. The Project Coordinator has been seconded on a part-time basis from the Human Resources Department to ensure the project runs smoothly.

The Service Review Steering Committee will provide input and feedback on Part A throughout the project. The terms of reference for the committee is attached as Item 3. The project plan for Part A (Shared Services/Resources) currently includes a number of opportunities to engage local Councils. To begin, the Steering Committee members are participating in discovery interviews with the Optimus SBR Consulting team. A full meeting schedule is being created for the duration of the project with the first meeting for all local Councillors likely to be a Joint Council Workshop in mid-January. This will provide an overview of the project and discuss which services have the most potential for a detailed review.

The CAO Working Group is made up of the County and all local CAOs. The group will oversee the work for Part A and will be responsible for ensuring the information requested by the consultants is provided, identifying when other municipal staff should be engaged, and sharing the necessary information at their local municipality. Support is available from the Project Coordinator.

The County SDR Team consists of the managers from each Department except Long Term care which is excluded from the review. The team is divided into sub-groups who are responsible for various aspects of the work. Details are attached as Item 4.

Attached as Item 5 is a high level overview of the activities for each phase of the project provided by the consulting team. The following tasks have been completed or are underway:

Activity/Task	Who's Involved	Dates	Status
Project Initiation/Planning Meeting	Optimus, County CAO, Project Coordinator	November 18	Complete
Project Introduction Meeting	County CAO, Project Coordinator, County SDR team	November 19	Complete
Project Kick Off Meetings	Optimus, County CAO, Coordinator, County Project Team, CAO Working Group	November 26	Complete
Staff Kick Off Meetings	All County staff	November 26, December 10	Complete
Create SDR Team Subgroups	County SDR Team	December 2	Complete
Document Collection Request (List is attached as Item 6)	ALL	December 2 – early January	Ongoing
Communications Plan	County CAO, Communications Group	December 5	Ongoing
Discovery Interviews	Optimus, Steering Committee, CAO Working Group, County Department Heads, Key Staff	December 10, 12,13,16,18	Ongoing
Set dates for Steering Committee Meeting, local and Joint Council meeting dates	Optimus, County CAO, Project Coordinator, CAO working Group	December 2	Ongoing
Compile complete list of services	Optimus, County SDR Team, CAO Working Group	December 2	Ongoing

### **Financial, Staffing, Legal, or IT Considerations**

In October the Provincial Government announced that an additional \$125 million would be available for small and medium sized municipalities to conduct service reviews or audits and implement the findings. Intake 1 is currently underway and is available to fund up to \$200,000 for a service delivery review. To be eligible projects must not have commenced any field work prior to the beginning of November. As the County of Dufferin meets all of the listed requirements an Expression of Interest form was submitted prior to the December 6, 2019 deadline. Decisions are expected in early January with projects to be completed by the end of June 2020.

Although the County intended to use the funds received in March 2019 for the Service Delivery Review should this new application be successful the original funds can be retained for expenses that may be required for implementation.

Staff at all levels of the County organization will be part of the review. The County Project Team is made up of Managers from each Department. Local municipal Councils and staff from all participating municipalities will also be engaged along with Community stakeholders.

### **Recommendation**

**THAT the report of the Chief Administrative Officer, dated December 12, 2019, regarding Service Review Report #4 – Project Launch and Discovery, be received.**

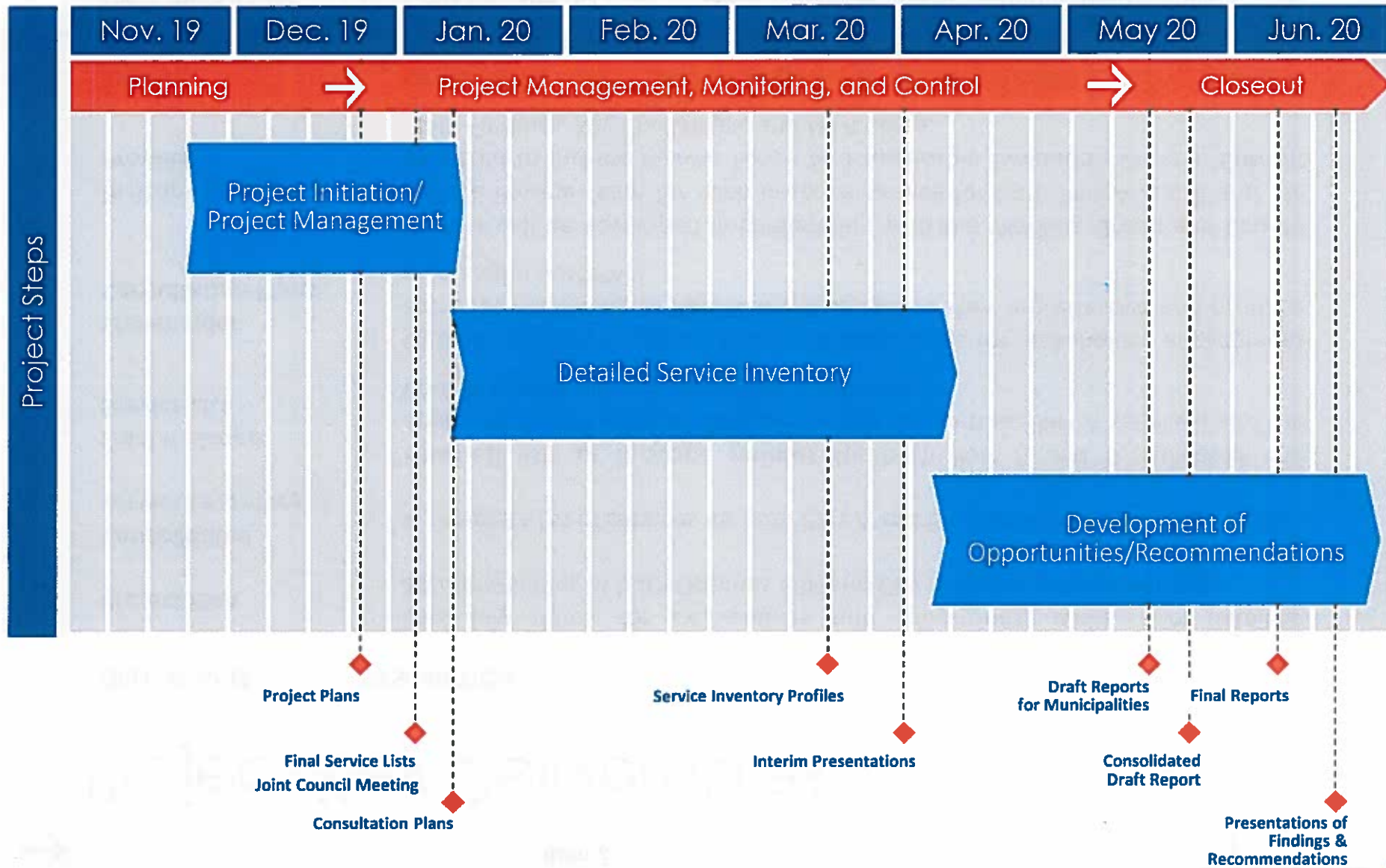
Respectfully Submitted By:

Sonya Pritchard, CPA, CMA  
Chief Administrative Officer

Attachments: Items 1-6



# Proposed Timeline





# Project Key Deliverables

<b>DELIVERABLE</b>	<b>DESCRIPTION</b>
<b>Project Plan</b>	<ul style="list-style-type: none"><li>○ Sets key dates for deliverables and milestones, while also detailing accountabilities of both Optimus SBR and City of Sarnia project resources.</li></ul>
<b>Consolidated Service Inventory</b>	<ul style="list-style-type: none"><li>○ A complete list of services for both Part A and B compiled based on staff input.</li></ul>
<b>Final In-Scope Service List</b>	<ul style="list-style-type: none"><li>○ Finalized lists of in-scope services for both Part A and B, validated and approved by the Working Group/Steering Committee (Part A services) and the County Service Review Team (Part B services).</li></ul>
<b>Stakeholder Consultation Plans</b>	<ul style="list-style-type: none"><li>○ Outlines proposed approach and methodologies for stakeholder engagement activities pertaining to Part A and B to ensure they are effective and produce meaningful outcomes.</li></ul>
<b>In Scope Service Profiles</b>	<ul style="list-style-type: none"><li>○ Profiles will be developed in conjunction with the Working Group and County Service Review Team for each in-scope service for both Part A and B and are expected to include Review Scope and Applicable Evaluation Criteria, Current State Findings, Key Challenges, and Next Steps.</li></ul>
<b>Interim Presentations</b>	<ul style="list-style-type: none"><li>○ Consolidated current state findings which will be presented to the Joint Council Workshop, County Council, and each Member Municipality.</li></ul>
<b>Draft Reports for Municipalities</b>	<ul style="list-style-type: none"><li>○ Draft Reports for each Member Municipality consolidating the cumulative Part A engagement.</li></ul>
<b>Consolidated Draft Report</b>	<ul style="list-style-type: none"><li>○ A consolidated Draft Report for County Council including engagement outputs for both Part A and B. The Report will be developed in Microsoft Word and will be AODA compliant.</li></ul>



# Project Key Deliverables

<b>DELIVERABLE</b>	<b>DESCRIPTION</b>
<b>Final Reports</b>	<ul style="list-style-type: none"><li>○ All feedback and revisions will be incorporated into the Draft Reports. The Reports will be finalized, including specific financial implications.</li></ul>
<b>Presentations of Findings and Recommendations</b>	<ul style="list-style-type: none"><li>○ Key parts of the Final Reports will be presented to Member Municipalities, County Council, and County Staff. Provisional presentations, such as to the Joint Council Workshop, each Council, and public meetings can be discussed with the County at extra cost.</li></ul>

## Item 3

### **Service Review Steering Committee**

#### **Terms of Reference**

**Members:** One Council representative from each local municipality

**Responsibilities:**

Be actively engaged in Part A of the Service Delivery Review

Provide input and feedback throughout the service delivery review project

Share information with local Councils

Review and provide comments on recommended list of services to be reviewed, draft findings report and final report

Participate in periodic sessions with consultants

Participate in stakeholder engagement

**Commitment:**

Participate in Discovery Interviews with local CAO

Attend 2-3 meetings with local CAOs, County CAO, and consulting team between January-May

Attend 2 Joint Council sessions (January and May)

Attend Stakeholder sessions as required

Review reports and documentation as requested



## Item 4

### County Service Delivery Review Team Terms of Reference

**Members:** County CAO and Managers from each department

#### Responsibilities

- Steer the project
- Communicate what's happening to other staff, clients, stakeholders
- Share data with the consultants
- Provide feedback and updates on how things are going
- Evaluate and assess the deliverables
- Keep your pulse on staff morale and corporate culture
- Think big and bold

#### Sub-teams

**Core Group** – participate in weekly updates, filter information back to Department Heads and other project team members, provide feedback and assistance to consultants in a timely manner

**Communications Group** – get the word out, come with creative and interesting ways to share information and collect feedback

**Engagement Group** – work with the consultants on the Engagement Strategy, assist with implementing the strategy and participate in and sometimes lead various engagement activities

**Data Group** – assist with gathering and verifying information that the consultants will need

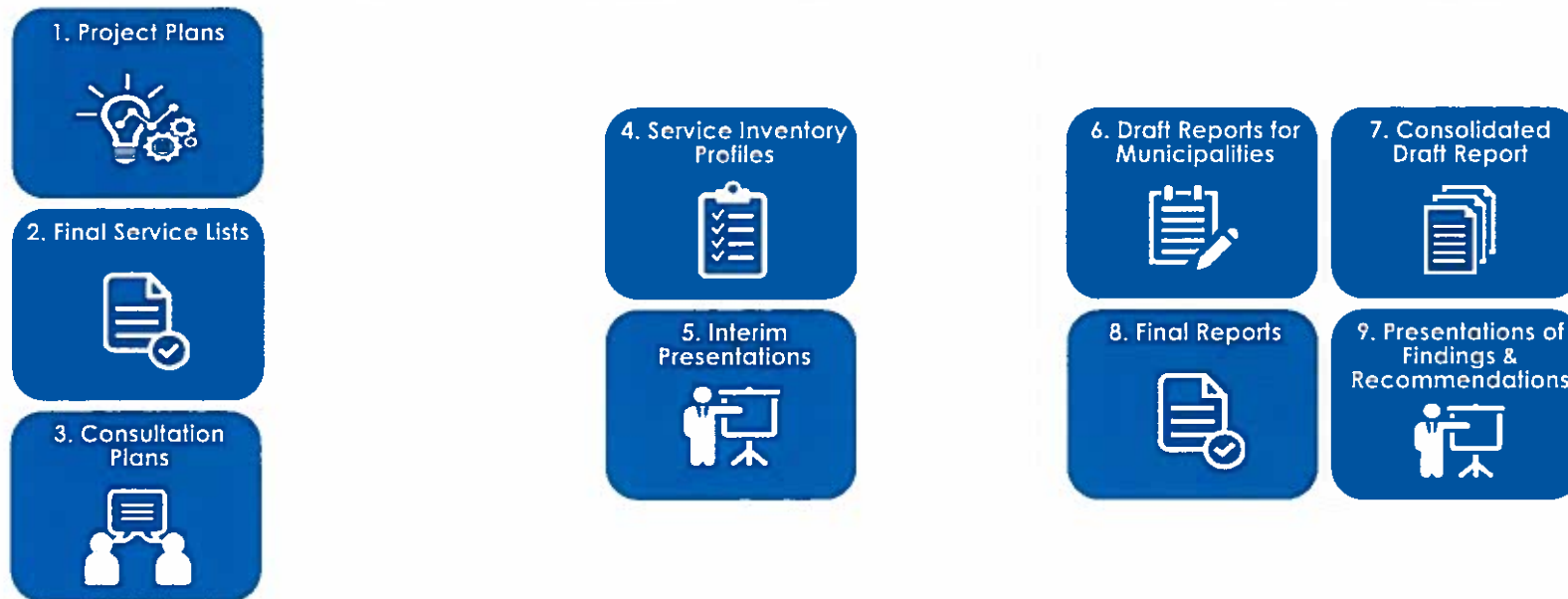




# Project Activities



## Deliverables





# Preliminary Document and Data Request

Below is a preliminary list of Documents and Data requested.

Domain	Documents Requested	Description (if required)
Strategic Plans	<ul style="list-style-type: none"><li>Strategic/Departmental Vision Plans</li><li>Any related Council reports</li></ul>	<ul style="list-style-type: none"><li>Any visioning or planning related documents that inform the work of the service i.e. Economic Development Strategy, Age Friendly Strategy</li><li>Reports regarding the service that have been presented to Council, either for information or for approval</li></ul>
Organizational	<ul style="list-style-type: none"><li>Organizational structures charts</li><li>Breakdown of FTE employee statistics</li></ul>	<ul style="list-style-type: none"><li>Any data regarding the number of employees within the department and FTE allocations towards services. Where possible, please provide current and budgeted for 2020-2021</li></ul>
Financial	<ul style="list-style-type: none"><li>Departmental/Service Budgets</li><li>Financial statements or reports</li></ul>	<ul style="list-style-type: none"><li>Any financial reporting related to the service</li></ul>
Service & Operations	<ul style="list-style-type: none"><li>Service delivery mandates</li><li>Past capacity, efficiency, and effectiveness reviews</li><li>Annual work plans</li><li>Surveys and past client satisfaction data;</li><li>Service level data</li></ul>	<ul style="list-style-type: none"><li>If applicable, please provide any documentation or links regarding provincially mandated services</li><li>Any previous internal or external reviews within the last 5 years</li><li>All current and forecasted (where applicable) data related to the service</li></ul>



## REPORT TO COUNCIL

**To:** Warden White and Members of County Council

**From:** Sonya Pritchard, Chief Administrative Officer

**Meeting Date:** January 9, 2020

**Subject:** **Service Review Report #5 – Monthly Update**

**In Support of Strategic Plan Priorities and Objectives:**

**Good Governance** – ensure transparency, clear communication, and prudent financial management

---

### **Purpose**

The purpose of this report is to provide a regular update on the Service Delivery Review (SDR) Project.

### **Background & Discussion**

*Project Vision* – Creating a service delivery model that ensures public value and financial sustainability.

*Project Mission* – Conduct a comprehensive review of shared municipal services, county operations, and human/community services.

### *Project Success*

- in-depth understanding of current services and service delivery methods
- provision of actionable recommendations for efficient, effective, and sustainable delivery of municipal services
- buy-in among County Staff and Stakeholders that recommendations are aligned to the community needs and will reduce future operational costs and improve service delivery
- enhanced knowledge on tools, techniques and methodology to continually improve service delivery moving forward

The SDR project is underway. The consultants, project teams and staff successful moved forward with implementing the phase 1 activities on schedule.

The chart below outlines the activities and current status.

Activity/Task	Who's involved	Dates	Status
Document Collection Request Phase 1	ALL	December 1-27, 2019	Completed
Submit Application for funding from Municipal Modernization Funding	County CAO	December 6	Completed
Additional Staff Kick-off sessions	County CAO, staff from all departments	December 10	Completed
Discovery Interviews	Optimus, Steering Committee, CAO Working Group, County Department Heads, Key Staff	December 10, 12,13,16,18	Completed
Staff Communications Plan (Attached)	County CAO, Communications Group	December 19	Completed
Staff Communications – weekly briefing note, Sharepoint site, video scribe, bulletin boards)	County CAO, Communications Group	December	Ongoing
Staff Engagement planning – January activities	County CAO, Engagement Group	December	Ongoing
Compile complete list of all services	Optimus, County SDR Team, CAO Working Group	December 27	Completed
Create <b>Draft</b> list of services for further review	Optimus	December 27	Completed
Initial review of draft services list	County CAO, SMT, Core Group, CAO Working Group	January 2-9	Ongoing
Steering Committee Meeting to discuss draft services list	Optimus, County CAO, Steering Committee CAO working Group	January 9	Scheduled
Joint Council Workshop to review Draft services list	Optimus, CAOs, local Councils	January 16	Scheduled

The Project Coordinator continues to be involved in all activities ensuring logistics requirements and communications are in place.

It is anticipated that the list of services for further review will be finalized by mid-January. Following this, phase 2 will commence to create detailed service profiles.

### **Financial, Staffing, Legal, or IT Considerations**

The application for the Municipal Modernization Funding was submitted prior to the deadline. No decision has been received to date.

Staff at all levels of the County organization will be part of the review. The County Project Team is made up of Managers from each Department. Local municipal Councils and staff from all participating municipalities will also be engaged along with Community stakeholders.

### **Recommendation**

**THAT the report of the Chief Administrative Officer, dated January 9, 2020, regarding Service Review Report #5 – Monthly Update, be received.**

Respectfully Submitted By:

Sonya Pritchard, CPA, CMA  
Chief Administrative Officer

Attachments: Staff Communications Plan

## Denise Holmes

---

**From:** Clinton Stredwick <cstredwick@southgate.ca>  
**Sent:** Friday, January 10, 2020 11:07 AM  
**To:** Denise Holmes  
**Subject:** Proposed Site Plan on Highway 10

Good Morning,

Below is a link to an application and associated drawings for a mini storage facility on Highway 10 in Dundalk.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#5P18-19-772186-Highway-10-Ltd->

The Township intends to bring forward a site plan agreement and by-law at the February 5 meeting of Council.

If you have any comments or concerns, not already expressed for the application, please provide them before that date.

Kind regards,

**Clinton Stredwick, BES MCIP RPP  
Municipal Planner**

Township of Southgate  
185667 Grey County Rd 9  
Dundalk ON N0C 1B0  
519-923-2110, Ext: 235 or 1-800-560-6607 f: 519-923-9262  
[cstredwick@southgate.ca](mailto:cstredwick@southgate.ca)    [www.southgate.ca](http://www.southgate.ca)



**The Corporation of  
The Township of Southgate**

**Application for Site Plan Approval**

**\*\* Pre-consultation is required with the Township before any zoning or official plan amendment applications will be accepted (By-law 66-2012)\*\***

**Instructions:**

- Please check all applicable boxes and answer all applicable questions
- All measurements must be in metric units. (Imperial Units will not be accepted)
- Additional information may be attached if necessary
- Incomplete applications will be returned
- The Township reserves the right to ask for more information or clarification pertaining to this application at a later time
- Further information is on the last two pages for your reference
- Applications are not accepted without the required fees
- Applications are not accepted without pre-consultation with staff

<u>For office use only</u>	
File No:	_____
Date received:	_____
Date accepted:	_____
Accepted by:	_____
Roll # 42 07	_____
Conservation authority fee required:	_____
Other information:	_____
	_____
	_____

**Please check box for what you are applying:**

	Application Fee	Contingency Fee
<input checked="" type="checkbox"/> <b>Site Plan Application</b>		
<input type="checkbox"/> <b>Minor Site Plan</b> (no changes to municipal property or servicing, no major drainage plans)	<b>\$833.00</b>	<b>\$1,000.00</b>
<input checked="" type="checkbox"/> <b>Larger Site Plan</b> (minor changes to municipal property or servicing, minor stormwater management)	<b>\$3,122.00</b>	<b>\$5,000.00</b>
<input type="checkbox"/> <b>Major Site Plan</b> (Changes to municipal property and/or servicing, and/or major stormwater management)	<b>\$3,122.00</b>	<b>\$10,000.00</b>
<input type="checkbox"/> <b>Amendment to a Site Plan Agreement</b>	<b>\$625.00</b>	<b>\$1,000.00</b>

The application fees were adopted and approved under the Township of Southgate's fees and charges By-law. All required application fees shall be paid in cash or by cheque made payable to the Township of Southgate at the time of submission of the application. In the event that all fees are not paid in full at the time of the submission the application shall be deemed incomplete.

**To be completed by applicant:**

Project Name: Dundalk Self Storage

Project Address: 772186 Highway 10, Dundalk, ON

Legal Description: Part Lot 232, Concession 1 SWTSR (Part 1, Plan 17R-1932)

Assessment Roll #: 420709000503900

Registered Owner (s): 772186 Highway 10 LTD.

Address: 1830 Dundas Street East, Mississauga, ON

Postal Code: L4X 1L8

Telephone: [REDACTED] Fax: \_\_\_\_\_

E-mail: [REDACTED] Cell phone: \_\_\_\_\_

Is the property affected by the regulations of:

- S.V.C.A.  YES  NO
- G.R.C.A.  YES  NO

**Send Communications to:**

Applicant/Consultant/Project Manager: Ron Davidson Land Use Planning Consultant Inc.

Address: 265 Beattie Street, Owen Sound, ON

Postal Code: N4K 6X2 Telephone: [REDACTED]

Fax: \_\_\_\_\_ E-mail: [REDACTED]

Cell phone: \_\_\_\_\_ Contact Information: Ron Davidson

Project name: Dundalk Storage

Registered Owner: 772186 Highway 10 Ltd.

Agent: Ron Davidson

**Property and Project Information:**

Zoning Existing: C3-440 *proposed if applicable:* N/A

Official Plan Existing: Arterial Commercial *proposed if applicable:* N/A

Site Information:

Water – Municipal  Private \_\_\_\_\_

Sewer – Municipal  Private \_\_\_\_\_

Proposed Use(s): Public storage

Site Area (sq. m/ha): 5005 m<sup>2</sup> # of Units: 55 storage units plus office

Building Area (sq. m) proposed 1113.72m<sup>2</sup> existing (if applicable) 344.21 m<sup>2</sup>

Mezzanine Area (sq. m) proposed \_\_\_\_\_ existing (if applicable) \_\_\_\_\_

Exterior Materials & Colours Vinyl and stone. Blue, grey and white



**Site plan checklist for complete submission**

- a) Cover letter detailing the proposed development, intent of application and listing of submission material
- b) Application form fully completed
- c) Appropriate application fee
- d) Letter of Authorization, if applicant is not the owner
- e) Site Plan

Site Plan

Grading and Drainage Plan

Site Servicing Plan

Landscaping Plan and Details  
Building Elevations

Floor Plans

Interior Mechanicals

**Storm Water Management Report**

Survey

Deed

Minimum Required	Plan Number	Yes	No
1	A1-01 includes landscaping	✓	
1	3142-SG	✓	
1	3142-SS	✓	
1	Landscaping on Site Plan	✓	
1			✓
1			✓
1			✓
1		✓	
1			✓
1			✓

Completed Application Form

Letter of Authorization (if not the owner)

Appropriate Fee

Cost Estimates

Other Requirement (i.e. road widening information, required letters, etc.)

Explain: \_\_\_\_\_

First Submission

Re-Submission

Final Submission

Minimum Required	Plan Number	Yes	No
1		✓	
1		✓	
		✓	
TBD			✓
N/A			✓
		✓	

Scale of plans to be one of: 1:200, 1:250, 1:300, 1:400, 1:500 (metric)

The Submission must be completed, in accordance to the Site Plan Guide Lines and Check List. Submissions can be forwarded via E-mail provided fees have been paid in full.

I, Ron Davidson, hereby declare that the statements herein are to the best of my knowledge a true and complete representation of the purpose and intent of this application.

Signature:  Date: <sup>24</sup> ~~28~~ October, 2019  
Ron Davidson, applicant

Fee Enclosed: \$8,122.00

DATED at the City of Owen Sound, this  
24 day of October, 2019.



Lacey Christina St-Amor, a Commissioner, et  
Province of Ontario, for Andrew E. Drury,  
Barrister and Solicitor. Expires August 4, 2021.

### Owners Authorization for Agent

I, Manuel Lima, having signing authority for 772186 Highway 10 Ltd. hereby authorize Ron Davidson to act as my agent for the purpose of this application.

Signature:   
Manuel Lima, owner

### Owners Authorization for Access

I, Manuel Lima, of the City  
of Mississauga in the Regional Municipality of Peel

hereby permit Municipal staff and its representatives to enter upon the premises during regular business hours for the purpose of performing inspections of the subject property.

  
Signature of Owner, Manuel Lima

  
Signature of Witness



## Denise Holmes

---

**From:** Rude, Emma (MNRF) <Emma.Rude@ontario.ca>  
**Sent:** Monday, January 6, 2020 2:42 PM  
**To:** Roads; Denise Holmes; jli@dufferincounty.ca; eperry@nvca.on.ca; planning@nvca.on.ca  
**Subject:** 20-9144 & 9145 NEC Requests for Comments  
**Attachments:** 20-9145.Request for Comments.pdf; 20-9144.NEC.Request for Comments.pdf

Please find attached NEC Request for Comments for files M/R/2019-2020/9144 and M/R/2019-2020/9145.

We would appreciate receiving your comments via email to [necowensound@ontario.ca](mailto:necowensound@ontario.ca) by: **January 27, 2020**. If you require further information, please contact Rick Watt at (519) 371-1073 or email: [rick.watt@ontario.ca](mailto:rick.watt@ontario.ca)

Emma Rude  
Administrative Support Coordinator



**Niagara Escarpment Commission**

An agency of the Government of Ontario

1450 7<sup>th</sup> Avenue East | Owen Sound, ON | N4K 2Z1

Tel: 519-371-2687 | Fax: 519-371-1009

To enable us to serve you better, please call ahead to make an appointment.

January 6, 2020

**Via Email**

To: County of Dufferin, Nottawasaga Valley Conservation Authority, Township of Melancthon

---

## REQUEST FOR COMMENTS

---

**FILE NUMBER:** M/R/2019-2020/9145

**APPLICANT:** Angelo Carnevale  
**AGENT:** Kristine Loft  
**OWNER:** same as applicant

**LOCATION:** Part Lot 13, Concession 2 OS  
537080 County Road 124  
Township of Melancthon, County of Dufferin  
ARN 221900000116600

**RELATED FILES:** M/R/2019-2020/9144; D/R/1993-1994/75 (5076); C//1988-1989/17

**PROPOSED DEVELOPMENT:**

To construct a two storey, ± 185 sq m (1,991 sq ft) single dwelling, having a maximum height of ± 6.1 m (20 ft), and to install a private sewage disposal system and a driveway, on a ± 10.16 ha (25.1 ac) proposed retained lot resulting from the proposed severance of a ± 0.733 ha (1.81 ac – Parcel A), and a ± 2.899 ha (7.16 ac – Parcel B) lot from a ± 13.8 ha (34.1 ac) existing lot.

Note: Related Development Permit Application M/R/2019-2020/9144 (Proposed Parcel A) has also been submitted for the subject lands. Proposed Parcel B contains an existing single dwelling

---

The attached Development Permit application, which is summarized above, is being sent to you for your review. Your comments and recommendations are requested for the Niagara Escarpment Commission's consideration.

We would appreciate receiving your comments via email to [necowensound@ontario.ca](mailto:necowensound@ontario.ca) by: **January 27, 2019**. If we do not receive your comments by this date, we will assume you have no objection to this proposal. If you require additional time to provide comments, please notify us at least one week prior to this date.

If you require further information, please contact Rick Watt at (519) 371-1073 or email: [rick.watt@ontario.ca](mailto:rick.watt@ontario.ca)



FILE # M/R/2019-2020/9145  
(For NEC office use only)



**NIAGARA ESCARPMENT DEVELOPMENT PERMIT APPLICATION**  
(FMS #0113 - Revised November 29, 2018)

THE NIAGARA ESCARPMENT PLANNING AND DEVELOPMENT ACT, RSO, 1990, AS AMENDED

NIAGARA ESCARPMENT COMMISSION  
232 Guelph Street, 3<sup>rd</sup> Floor  
Georgetown, ON L7G 4B1  
  
Phone: 905-877-5191  
Fax: 905-873-7452  
Website: [www.escarpment.org](http://www.escarpment.org)  
Email: [necgeorgetown@ontario.ca](mailto:necgeorgetown@ontario.ca)  
  
Serving the areas of:  
Dufferin County (Mono)  
Region of Halton  
Region of Peel  
Region of Niagara  
City of Hamilton



NIAGARA ESCARPMENT COMMISSION  
Box 308, 99 King Street East  
Thornbury, ON N0H 2P0  
  
Phone: 519-599-3340  
Fax: 519-599-6326  
Website: [www.escarpment.org](http://www.escarpment.org)  
Email: [necthornbury@ontario.ca](mailto:necthornbury@ontario.ca)  
  
Serving the areas of:  
Bruce County  
Grey County  
Simcoe County  
Dufferin County (Mulmur, Melancthon)

- Please ensure that the information you provide in this application is complete and accurate.
- Incomplete or inaccurate information will delay the processing of your application.
- Please contact your local Commission office if you have any questions about your proposal or this application.

**1. APPLICANT**

Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Street/P.O. Box City/Town Province Postal Code  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**2. AGENT (if any)**

Name: Kristine Loft, Loft Planning Inc.  
Mailing Address: 308 Hurontario Street Collingwood Ontario L9Y3Y9  
Street/P.O. Box City/Town Province Postal Code  
Phone: 705.446.1168 Fax: 866.391.9771 E-mail: kristine@loftplanning.com

**3. OWNER (if different from applicant)**

Name: Angelo Carnevale  
Mailing Address: 537080 Dufferin County Road 14 Hornig Mills Ontario L0N 1J0  
Street/P.O. Box City/Town Province Postal Code  
Phone: -- Fax: -- E-mail: [REDACTED]

**4. CONTRACTOR (if applicable)**

Name: Not Applicable  
Mailing Address: \_\_\_\_\_  
Street/P.O. Box City/Town Province Postal Code  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**5. PROPERTY LOCATION**

County/Region Dufferin Municipality Melanchton (former) Municipality \_\_\_\_\_  
Lot 2 Concession 13 and/or Lot \_\_\_\_\_ Plan \_\_\_\_\_  
Civic Address # 537080 Dufferin County Road 14 Street Address \_\_\_\_\_  
(Fire/Emergency #)  
Assessment roll number 221900000116600

**6. LOT INFORMATION**

Lot Size 14 hectares Frontage 300 metres Depth 330 metres/590 metres

**7. SERVICING**

Existing Road Frontage:	<input checked="" type="checkbox"/> Municipal	<input type="checkbox"/> Private	<input type="checkbox"/> Right-of-Way	<input type="checkbox"/> Year-round
Proposed Road Frontage:	<input checked="" type="checkbox"/> Municipal	<input type="checkbox"/> Private	<input type="checkbox"/> Right-of-Way	<input type="checkbox"/> Year-round
Existing Water Supply:	<input type="checkbox"/> Municipal	<input type="checkbox"/> Communal	<input checked="" type="checkbox"/> Private Well	<input type="checkbox"/> Other: _____
Proposed Water Supply:	<input type="checkbox"/> Municipal	<input type="checkbox"/> Communal	<input checked="" type="checkbox"/> Private Well	<input type="checkbox"/> Other: _____
Existing Sewage System:	<input type="checkbox"/> Municipal	<input type="checkbox"/> Communal	<input checked="" type="checkbox"/> Private Septic	<input type="checkbox"/> Other: _____
Proposed Sewage System:	<input type="checkbox"/> Municipal	<input type="checkbox"/> Communal	<input checked="" type="checkbox"/> Private Septic	<input type="checkbox"/> Other: _____

**8. EXISTING and PROPOSED DEVELOPMENT**

**Note:** "Development" includes the construction of buildings and structures, alterations to the landscape, (e.g. placing fill, drainage alterations, pond construction or alteration), any change of use or new use (e.g. residential to commercial, new home business, etc). If additional space is required please include a separate attachment.

<b>Existing Development:</b> (describe)	<b>Proposed Development:</b> (describe)
↓	↓
Residential      Residence _____	New Residential Lot _____
Recreational      _____	_____
Agricultural      Agricultural _____	_____
Commercial      _____	_____
Other (e.g., Industrial, Institutional) _____	_____

**9. EASEMENTS, COVENANTS, AGREEMENTS**

Describe the type and terms of any easements, right-of-ways, covenants, agreements or other restrictions registered on or affecting the title of the property and/or attach a copy:

NIL

**10. DATE OF PURCHASE**

Date the property was purchased by the current owner: 2013 07 31  
Date the property will be purchased by the applicant (if purchasing from current owner): Not Applicable

**Note regarding Sections 11, 12, 13, 14, 15, 16:**

Depending on the type or nature of the proposed development and/or the characteristics of the property, supporting information such as Environmental Impact Studies, Landscape Plans, Lighting Plans, Visual Assessments, Grading Plans, Erosion Control Plans, Slope Stability Studies, etc., may be required in support of the following information.

**11. CONSTRUCTION DETAILS**

**PLEASE NOTE**

**Ground Floor Area** is the total exterior measurements of any building, including attached garages and enclosed decks (as applicable).

**Total Floor Area** (i.e., total mass) is based on the exterior measurements of the building and includes the total of the ground floor area (including attached garages, etc), plus walkout basements, plus full or half second storeys, etc.

**Maximum Height** is measured from the lowest grade (e.g., walkout side), to the peak of the roof.

	Ground Floor Area (Exterior measurements)	Total Floor Area	# of Storeys	Maximum Height (to peak)	Use of structure
Dwelling	92 sq.m. CONCEPTUAL ONLY	185 sq.m.	2	6.096 m RES USE	
Dwelling Addition					
Accessory Building 1					
Accessory Building 2					
Accessory Building Addition					
Other Building					
Demolition (specify what structure)					

\*If fill is required for any of the developments proposed above please provide details in Section 12 below.

**12. ACCESSORY FACILITIES, STRUCTURES, FILLING, GRADING, etc.**

(e.g: Driveways, Decks, Gazebos, Swimming Pools, Tennis Courts, Lighting, Signs, Wind Turbines, free-standing Solar Panels, Hydro Poles/Lines, Retaining Walls, Placement of Fill, Grading, Berms, Parking Areas, Tree/Site Clearing, etc.) (See next page for Ponds)

Describe and provide information such as: dimensions, size, height, amount of fill etc.

The proposal is to create a new residential retained lot with a lot area of 10.162 hectares.

The proposal for a new residence is conceptual as it is not known what the future house design would be. The retained lot would have a lot frontage of 100 metres.

---



---



---



---



---



**13. HOME BUSINESS, CHANGE OF USE, NEW USE**

(e.g: Establishing a Home Business, Home Occupation, Home Industry or Bed and Breakfast business.  
Converting or changing the use or establishing a new use on a property or within any dwelling building or structure on a property.)

Describe the proposed business or new use and provide information such as:  
Type of business or use, size or area of building &/or land to be occupied or altered by the use, construction or alteration details, number of employees, access, parking, storage details, sales, hours of operation, signage, etc.  
Note: A separate, detailed, business overview or plan should be provided.

Not Applicable

**14. PONDS – New pond / Existing pond work – dredging, maintenance, repair, etc.)**

The following information is the minimum information that is required for pond construction or alteration/maintenance. Generally, a hydrology/hydrogeology report and/or an environmental impact assessment is also required.

Pond is:  Proposed  Existing  Other (e.g., on-stream, by-pass) \_\_\_\_\_

Type of Pond:  Dug  Spring-fed  Irrigation  Other \_\_\_\_\_

Use of Pond:  Recreation  Livestock/farm  Well  Other \_\_\_\_\_

Water Source:  Precipitation/run-off  Springs

Size of Pond: Water Area \_\_\_\_\_ Depth of Water \_\_\_\_\_

Height of Banks \_\_\_\_\_ Width of Banks \_\_\_\_\_

Setbacks: Distance to nearest watercourse, wetland and/or roadside ditch: \_\_\_\_\_

Distance to nearest existing or proposed septic system: \_\_\_\_\_

Construction Details/Inflow/Outflow Details, Emergency Outflow/Spillway Details: (describe type of construction, water supply, receiving area or watercourse, etc.)

Erosion/sediment control measures: \_\_\_\_\_

Placement of excavated material: \_\_\_\_\_

Finish grading and landscaping: \_\_\_\_\_

**15. AGRICULTURAL DEVELOPMENT**

If your proposal involves agricultural land or uses, indicate and briefly describe here; and complete other sections of this application form as applicable. Note: Additional detailed information may be required.

- Small Scale Commercial Use Accessory to Agriculture: \_\_\_\_\_
- Mobile Dwelling Accessory to Agriculture: \_\_\_\_\_
- Dwelling in Agricultural Area (near barns – MDS I): \_\_\_\_\_
- Livestock Facility (MDS II): \_\_\_\_\_
- Equestrian Facility (e.g, arenas, riding rings, events): \_\_\_\_\_
- Farm Pond: \_\_\_\_\_
- Winery: \_\_\_\_\_
- Winery Event: \_\_\_\_\_
- Farm Vacation Home: \_\_\_\_\_
- 'Agricultural Purposes Only' (APO) Lot Creation: \_\_\_\_\_

**16. LOT CREATION**

If this application involves the creation / severance of a new lot, please provide the following information:

i) Existing Lot:	ii) Proposed Lot:	iii) Retained Lot:	iv) Use of new Lot
Frontage <u>303 m</u>	Frontage <u>135 m</u>	Frontage <u>100</u>	<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Agricultural/APO <input type="checkbox"/> Conservation <input type="checkbox"/> Lot Addition <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial
Depth <u>590 m</u>	Depth <u>180 m</u>	Depth <u>590</u>	
Size <u>14 ha</u>	Size <u>2.8 ha</u>	Size <u>10.1 ha (after both consents)</u>	

**17. OTHER INFORMATION**

Additional information to clarify your proposal may be submitted here or on a separate attachment: \_\_\_\_\_

Attached is also a scoped EIS prepared by Azimuth Environmental. The report concluded that, the severance of the property into three lots and the subsequent future single residential development will result in no negative direct or indirect impacts to the natural heritage features and areas identified in Section 5.5 and 5.5.2 of the Township Official Plan (2017). Further, the works do not pose impacts to fish habitat or Endangered or Threatened species and hence no permitting/authorizations are required under the Federal Fisheries Act (1985) or Ontario's Endangered Species Act (2007), respectively. The scoped EIS also includes correspondence with the NVCA and MNR.

---



---



---



---



---

Personal information (i.e., name, address, phone, email) is being collected under the authority of the *Niagara Escarpment Planning and Development Act, RSO, 1990, as amended*, and will be used to process this application, which will include site visit notifications and in some cases appeals and hearings. Questions regarding the collection and use of this personal information should be directed to the Manager, Administration at the Georgetown Office phone, email and mailing address set out on the front page of this application form.

By signing this application form below, I consent to the collection of my personal information. This application cannot be processed without the required signatures as set out below.

**19. SIGNATURES**

I CERTIFY THAT THIS STATEMENT IS TRUE AND CORRECT

APPLICANT(S):

[REDACTED]

DATE: Oct. 14, 2019

OWNER(S):  
(if different from applicant)

DATE: \_\_\_\_\_

AGENT(S):

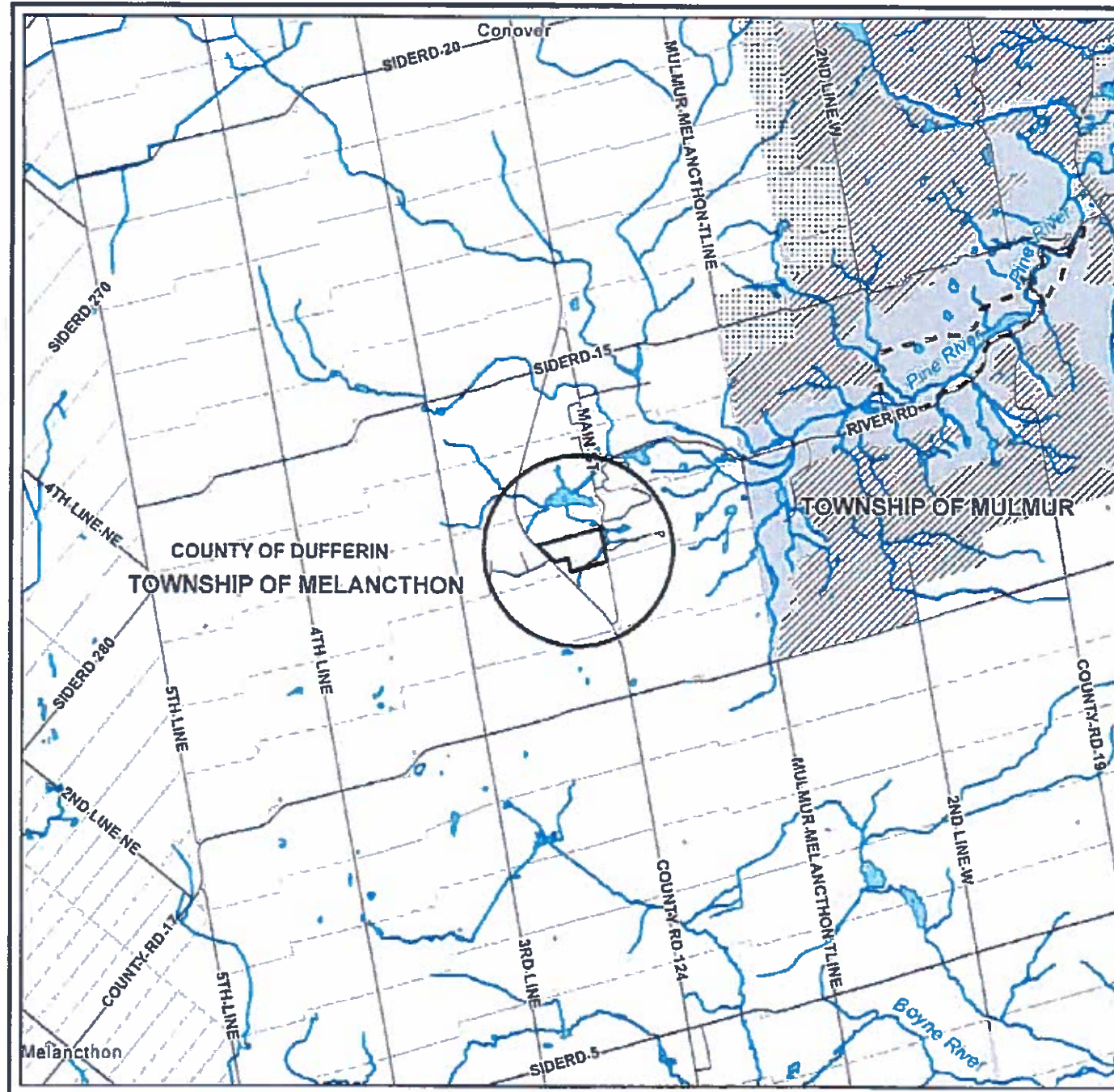
\_\_\_\_\_

DATE: \_\_\_\_\_

CONTRACTOR:

\_\_\_\_\_

DATE: \_\_\_\_\_



### Map 1A

## Niagara Escarpment Plan

### CARNEVALE

File: M/R/2019-2020/9144 & 9145

- Subject Property
- Geographic Named Extent Layer

#### Plan Designations

- Escarpment Natural Area
- Escarpment Protection Area
- Escarpment Rural Area
- Public Land (in Parks and Open Space System)
- Roads
- Waterbodies
- Watercourse
- Upper Tier Municipality
- Lower/Single Tier Municipality
- Lot and Concession Boundary

NOTE: The Niagara Escarpment Plan Designation boundary shown on this map may be updated and subject to modification through the process and the completion of the "Redesignation of Municipalities" section of the Niagara Escarpment Plan.

Scale 1:50,000

0 380 760 1140 1520

Metres

Printed on Nov 21, 2019

THIS IS NOT A PLAN OF SURVEY.  
This map is for general use only. Do not rely on it for being a precise indicator of reality.  
Boundary of features, nor as a guide to navigation. Boundaries derived from various sources.  
Map compiled and produced by the Geographic Information Systems  
Unit, Department of the Niagara Escarpment Commission,  
Ministry of Natural Resources.

**Ontario**

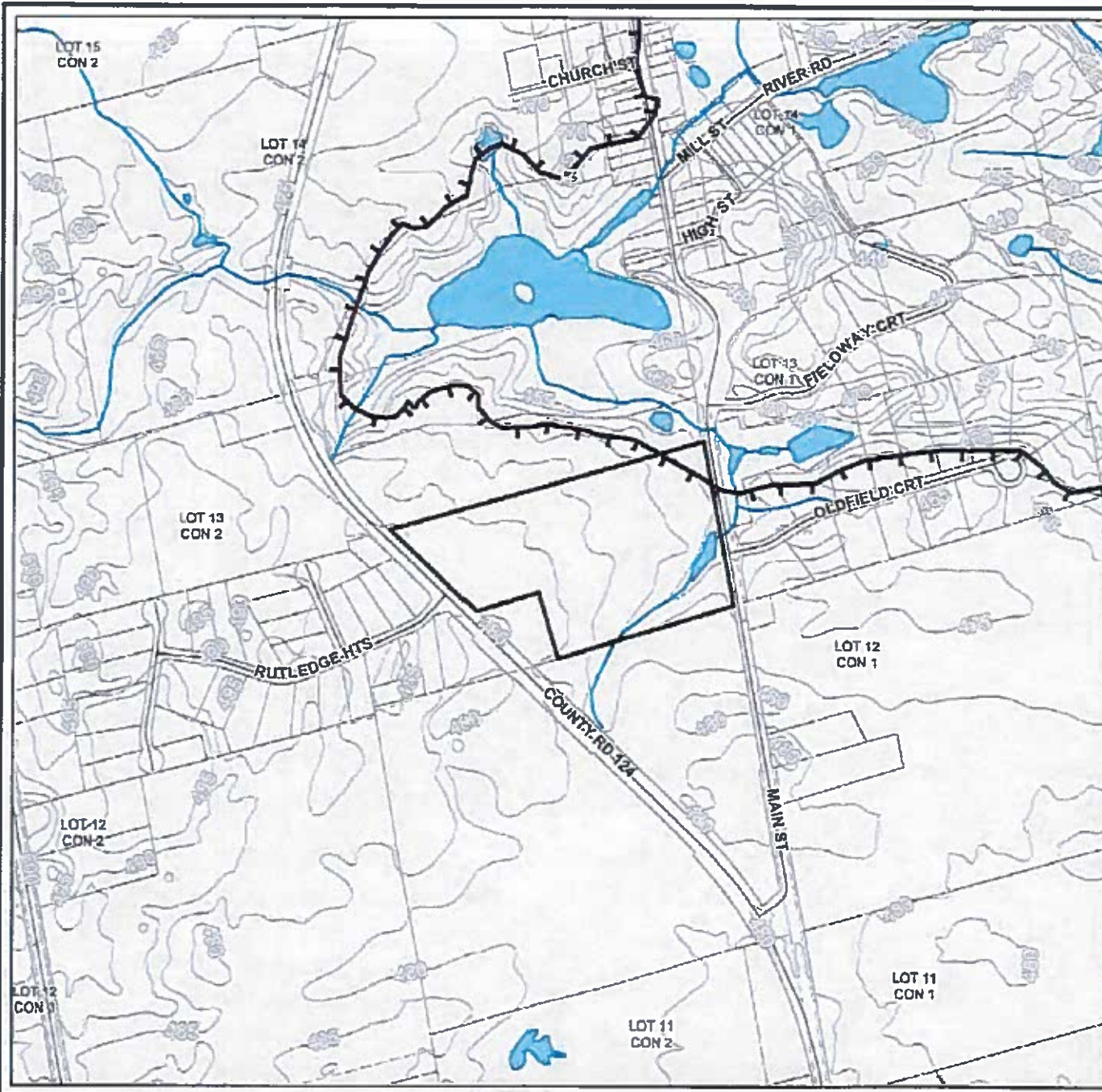
© Ontario (Printed in Ontario and its territories) (2019)  
Not for reproduction without permission.



## Map 2 Lot Configuration

CARNEVALE

File: M/R/2019-2020/9144 & 9145



- Subject Property
- Escarpment Brow
- Roads
- Waterbodies
- Watercourse
- Contour (5 metre intervals)
- Upper Tier Municipality
- Lower/Single Tier Municipality
- Lot and Concession Boundary
- Parcel Boundary

Scale 1:10,000

0 75 150 225 300

Metres

Printed on May 21, 2019

THIS IS NOT A PLAN OF SURVEY.

This map is for informational purposes only. It is not intended to be used as a legal instrument or as a guide to navigation. Some features are approximate. The map is compiled and produced by the Geographic Information Systems Department of the Niagara Escarpment Commission, Ministry of Natural Resources.

Ontario



© Queen's Printer for Ontario and its Successors. (2019) May Not Be Reproduced without Permission.





**Map 2C  
Orthophoto**

**CARNEVALE**  
File: M/R/2019-2020/9144 & 9145



- Subject Property
- Roads
- Waterbodies
- Watercourse
- Upper Tier Municipality
- Lower/Single Tier Municipality
- Lot and Concession Boundary
- Parcel Boundary

Orthophoto Date: 1995-2013

Scale 1:10,000

0 75 150 225 300

Metres

PCN04 04 Nov 01 2213

THIS IS NOT A PLAN OR SURVEY.

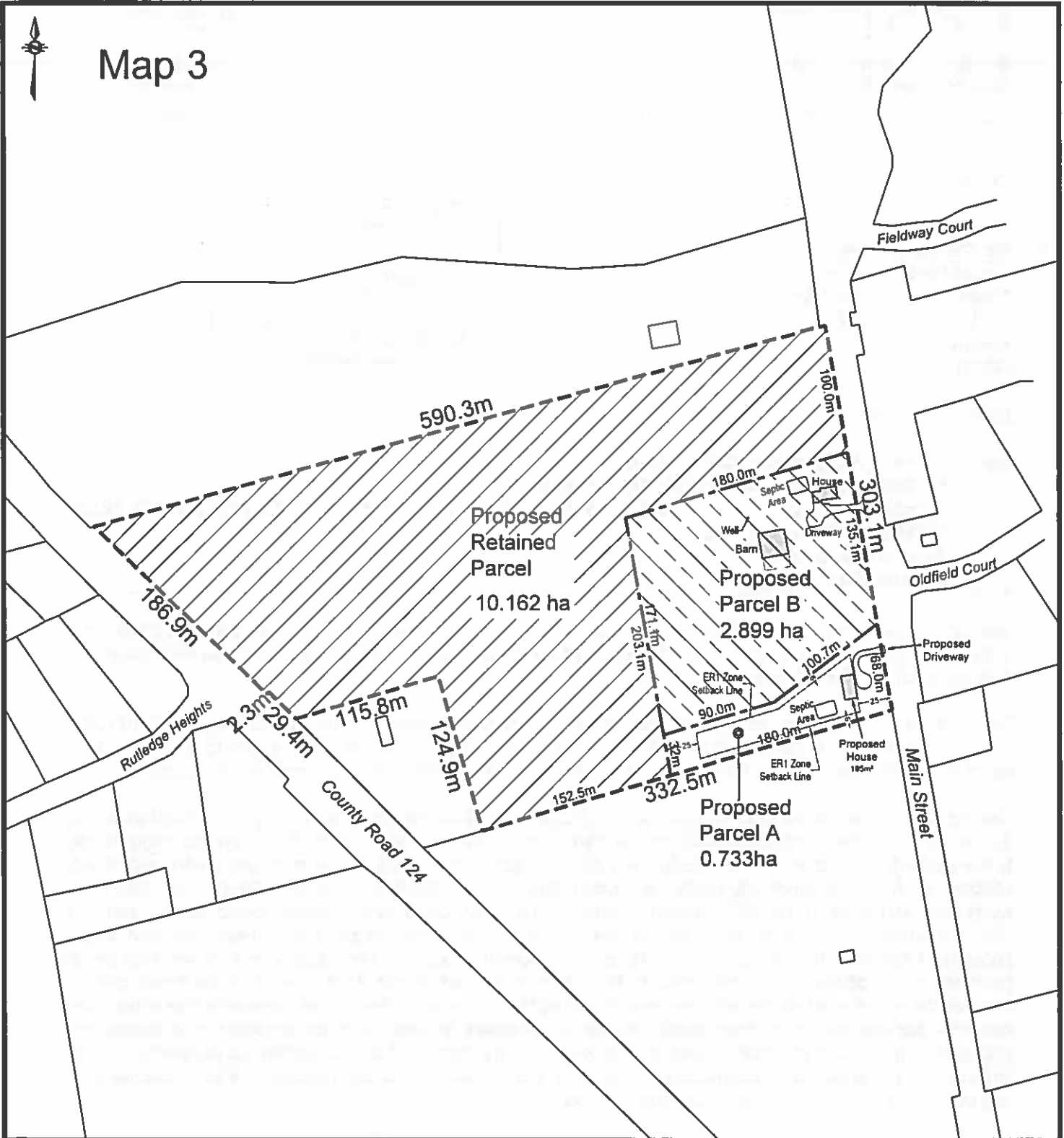
This map is for reference only. Do not rely on it as being a precise indicator of location, location of features, or as a guide to navigation. Data derived from various sources. Map compiled and produced by the Geographic Information Systems (GIS) Department of the Niagara Local Access Commission, Ministry of Natural Resources.

**Ontario**

© Queen's Printer for Ontario and its Successors, 2019  
My Stat is Repealed without Prejudice



# Map 3



**Proposed Development**  
 537080 Main Street,  
 Melancton (Hornings Mills)

Agent:	Kristine Loft, MCIP RPP, Loft Planning Inc.	
File#:	#CAR 27618	Sheet:
Date:	REV. December 3, 2019	Scale:
		1:4,000

December 10, 2018

Ms. Denise Holmes  
CAO/Clerk Treasurer  
Township of Melancthon  
157101 Highway 10  
Melancthon, Ontario  
L9V 2E6



Dear Ms. Holmes:

**Re: Consent Applications (Submission)  
537080 Main Street, Melancthon (Horning Mills)  
Legally known as PT LT 13 CON 2 OS AS IN MF128014, EXCEPT PT 1 7R3915; S/T MEL 18578  
TOWNSHIP OF MELANCTHON  
Angelo Carnevale  
Our File. CAR 27618**

---

We act as planners on behalf of Mr. Angelo Carnevale to provide planning services in connection with applications for two consents with respect to the aforementioned property. Please find enclosed two applications for consent.

The subject land is known as 537080 Main Street (Horning Mills) and are legally known as PT LT 13 CON 2 OS AS IN MF128014, EXCEPT PT 1 7R3915; S/T MEL 18578 MELANCTHON. The subject lands have a lot area of 14 hectares (34.5 acres) and a lot frontage of 300 metres onto Dufferin County Road 14.

The subject lands are actively farmed agricultural land within Horning' Mills. (Figure 1) The lands are 14 hectares in area. A single detached residential structure is located along the road frontage which is the easterly boundary of the site. There is also an accessory structure/ barn to the southwest of the residence. A gravel driveway exists from Main Street to the existing residence. There is a small low-lying and wet area in the northeastern corner of the study area, and a larger pond to the south of the residence. An area of slope lies in the southern half of the study area. There are two large ploughed fields that dominate the western and central part of the study area. There are small patches of meadow surrounding and to the north of the residence, to the west of the barn, and in the southeastern part of the lot. The remainder of the site is woodland that surrounds the residence and divides the two ploughed fields. The lot is bounded on the north by woodlot and residential property, on the east by Main Street, on the west County Road 124 and a residential property and on the south by residential property and open field. The subject lands are adjacent and to the west of the intersection of Main Street and Oldfield Court. (Figure 2)

The proposal is to sever two residential parcels one vacant residential lot and a second residential lot that would include the existing residence and accessory structures. The retained parcel will be future



residential development lands which would require a future plan of subdivision application and formal process. These consents would provide for land assembly of the future subdivision lands.

The following outlines the details of the consent proposal:

**Consent A:**

	Severed Parcel	Retained Parcel
Frontage (m)	68.0 m	100 m
Area (ha)	0.733 ha	10.1 ha
Depth (m)	180.0 m	590 m

**Consent B:**

	Severed Parcel	Retained Parcel
Frontage (m)	135.0 m	100 m
Area (ha)	2.8 ha	10.1 ha
Depth (m)	180.0 m (Irregular)	590 m

**Provincial Policy Statement**

The lands would be considered to be within the Settlement Areas (Horning's Mills) as well as within the Rural Lands within the Provincial Policy Statement. The PPS provides for the following related to the proposed consents.

Section 1.1.3 provides the policies related to Settlement Areas. The policies identify that a range of uses and opportunities for intensification and redevelopment are to be supported. The municipality has identified the lands as being within a Community designation and the lands are within a Community Settlement Area. The lands are identified for development. As such, the proposed consents propose to sever the existing residence and accessory buildings and the second severance will sever the remaining lands located between the municipal road and the watercourse and woodland area. The severances establish a land assembly which would separate the future development lands from the front portion. All of the lands are within the settlement boundary and access would be proposed from Main Street.

The site does have a water course and associated woodlands. The first consent would be a vacant residential lot where a building envelope would be outside of the 30 metre setback to the watercourse. The second consent includes an existing residence and no new residential use is proposed. Future development of the retained parcel would be reviewed at the time of a draft plan application.

Further Amick Consultants Limited have completed a Phase 1 and Phase 2 Archaeological Property Assessment. The report concluded that no further archaeological assessment of the study area is warranted, the provincial interest has been addressed and the proposed undertaking is clear of any archaeological concerns.

Based on our review the consents are consistent with the Provincial Policy Statement.

### **Growth Plan for the Greater Golden Horseshoe 2017**

The Growth Plan for the Greater Golden Horseshoe has been prepared and approved under the Places to Grow Act. The Government of Ontario recognizes that in order to accommodate future population growth, support economic prosperity and achieve a high quality of life for residents of Ontario, planning must occur in a rational and strategic way. The Growth Plan has been reviewed in conjunction with this application with particular emphasis placed on the following.

The vision of Places to Grow is based on a number of guiding principles Section 1.2.1). The most applicable of these to the subject Applications are:

- Support achievement of complete communities;
- Prioritize intensification and higher densities;
- Support a range and mix of housing options; and
- Protect and enhance natural heritage; hydrologic, and landform systems, features and functions.

Managing Growth policies direct the majority of growth to settlement areas which have existing or planned infrastructure and can support the achievement of complete communities. For many of the same reasons as were identified through the review/discussion under the Provincial Policy Statement above, the proposal supports the diversity and range of housing opportunities and efficiencies of service delivery which are components of complete communities and desired outcomes of the implementation of the Places to Grow Act. The applications propose two residential lots within a Community designation. The remainder of the lands which are a large cohesive land holding will be for future development. The proposal is consistent with the policies of the Growth Plan for the Greater Golden Horseshoe.

### **County of Dufferin Official Plan (Consolidation July 17, 2017)**

The lands are designated Community Settlement Area (Schedule A and Schedule B) (Horning's Mills) within the County of Dufferin Official Plan. The lands are also identified as having the presence of Sand and Gravel (Schedule D) and a watercourse feature is identified (Schedule E and Schedule E-1).

Section 3.3.1 are the General Settlement Area policies.

- (a) The majority of growth will be directed to the County's settlement areas to focus public and private investment in built-up areas and to preserve the agricultural area and conserve the natural heritage features and areas.  
*The lands are within the Community Settlement Area and are outside of the Prime Agricultural and Rural areas.*
- (b) Settlement areas will provide for development patterns that efficiently use land, resources, infrastructure, and public service facilities. Settlement areas promote the development of healthy and sustainable communities through compact urban forms, efficient use of infrastructure, and the provision of a range of land uses.

*The proposed consents would sever the lands at the front of the property which is generally located between the stream and the municipal road allowance. The remainder of the lands at approximately 12 hectares would remain as a future development block.*

- (c) The County supports and promotes healthy, diverse and vibrant settlement areas within each of the local municipalities where all County residents can live, work and enjoy recreational opportunities.  
*The proposal is to create two residential parcels and to retain a future development block. It is anticipated that the future development block will then be development at a higher density and provide a range of housing opportunities via a plan of subdivision process.*
- (d) Schedule B identifies the lands within the Community Settlement Area.
- (e) The lands are identified in the Local Plan as being within a Settlement Area.
- (f) The local Official Plan does encourage densities and a mix of land uses within the Settlement area.

Section 3.3.3 area the Community Settlement Area policies. The following are the relevant policies,

- (a) The lands are identified as a Community Settlement Area (Schedule B).
- (b) Community settlement areas may continue to experience limited growth through infilling and development of vacant lands by way of consents or plans of subdivision as appropriate, in addition to limited residential intensification. It is recognized that certain community settlement areas may not accommodate additional growth and development, as established in the local municipal official plans.  
*The proposal is to sever to residential lots at the front of the property which are separated from the larger acreage by a stream and wooded area. The remainder of the site roughly 12 hectares would be future development lands. As such the consent process would be appropriate for these front lands, and a plan of subdivision would be appropriate for the remainder of the lands.*
- (c) The lands are proposed for residential, both the severed and retained.
- (d) Community settlement areas will maintain a rural settlement character and evolve as service and residential centres for their surrounding Countryside Areas, where appropriate.  
*The proposal is to sever two residential lots that are a larger lot area than what is typical within the settlement area, however the lands are separated from the remainder of the site by the stream and associated woodlands. This proposal would generally be considered land assembly where the retained lands would be the subject of a future plan of subdivision application.*
- (e) No settlement area expansion is proposed.
- (g) Servicing of the site will be private until such time as full services are available.

Based on our review of the above noted policies, it is our opinion that the proposal conforms to the County of Dufferin Official Plan.

**Township of Melancton Official Plan (Approved by OMB September 5, 2017)**

The lands are designated Community (Schedule B) (Horning's Mills) within the Township of Melancton Official Plan. (Figure 4) The lands are also identified as having the presence of a Floodplain Boundary (Schedule B). The lands are also identified as having Woodland (Schedule E) and Floodplain (Schedule F). The area is identified as a Medium Vulnerability (Schedule G) and an area of Significant Groundwater Recharge Area (Schedule G-1). The lands are identified as a Sand and Gravel Resource Area (Schedule H).

Section 5.7 are the Community policies. The Community land use designation is to recognize the Township's small settlement areas, to provide for a range of appropriate land uses in these areas, and to establish a planning policy framework for development within the designated areas, including moderate forms of residential intensification.

Section 5.7.1 provides the following.

- (a) Permitted uses include detached dwellings; home occupations; commercial uses serving the local area or the traveling public; small scale light industrial uses; institutional uses such as schools, churches, and government offices and agencies; community centres, community halls and libraries; parks and recreational uses; and bed and breakfast establishments.
- (b) Residential Intensification is permitted in the Community designation.

Section 5.7.2 are the Planning and Development Policies and provide for the following.

- (a) *The site is located at the southerly edge of the Community designation and abuts Industrial designated lands.* The policies of subsection 5.7.1 permit a range of both residential and non-residential uses that are generally typical of smaller rural communities. The proposed lots are located in an area between the stream and woodland area and the municipal right of way. The lands are proposed to be severed in order to facilitate future development on the retained lands. Future Industrial Development on lands to the south will be required to review the proposal for land use compatibility and required separation distances and buffers. This would be typical of any Industrial development, where buffering and setbacks are to be located on the designated Industrial lands, not on adjacent sensitive land uses. Further the consents are located within a defined area with existing tree cover that does provide buffering and are of a significant lot area. The retained lands would be separated from these Industrial lands by the natural topography, stream and woodlands.
- (b) Residential uses are the most sensitive of the uses permitted and, therefore, shall be protected to the greatest extent possible from the potential adverse impacts of permitted non-residential uses. As noted above these lands are buffered by existing tree cover and

- future Industrial development will require its own buffering and setbacks, and the proposed lots are of significant size due to the local topography and natural features.
- (c) Not applicable.
  - (d) Not applicable.
  - (e) Not applicable.
  - (f) Not applicable.
  - (g) Not applicable.
  - (h) The creation of new lots for permitted uses within the built community may occur by land severances up to a maximum of five new lots on a property existing at the time of approval of this Plan or by plans of subdivision. In keeping with the policies of section 3.1.2, where the creation of such lot represents a form of residential intensification, reduced lot sizes may be permitted, provided there is sufficient area for on-site water and sewage disposal facilities and any permitted accessory uses or structures.  
*The proposal is for two consent applications for residential lots to be severed from the front of the property, and the retained will be for future development purposes. The lands that are proposed as the severed lands have included the between the municipal road allowance and the stream and woodland area. These lands are naturally physically separated from the larger land holding.*
  - (i) New development in Horning's Mills shall be designed to reflect and complement the Community's physical setting and architectural character.  
*Development is expected to complement the setting. The existing house is proposed to remain and would be located on one of the severed lots. This property is a unique property with the presence of woodlot and the stream. The proposal has taken this into consideration with the natural separate between the proposed lots and the retained larger land holding.*
  - (j) Residential intensification shall comply with the following policies in addition to the provisions of section 3.1.2 and other applicable policies of this Plan.  
*At this time, the proposal is to sever two lots, future development of the retained parcel would then conform to the residential intensification policies of the plan.*
  - (k) All development in the areas designated Community shall be properly serviced with water supply and sewage disposal facilities in accordance with the policies of sections 3.1.2 and 6.3 of this Plan.  
*The lands will be appropriately serviced and the required permits will be obtained.*
  - (l) Not applicable.
  - (m) Not applicable.
  - (n) Lands within a floodplain boundary, as shown on Schedules B, C, and C-2, are also subject to policies 3.5 and 5.5.3 of this Plan.



*These policies have been reviewed and comments will be received from the Conservation Authority in relation to the floodplain area. Should EIS work be required at this time, this will be investigated. It is anticipated that the required setbacks can be maintained via building envelopes and that the water course and adjacent lands will be appropriately zoned.*

Section 5.5.3 provides the policies related to Floodplains, Watercourses and Drains.

Section 5.5.3 (b) provides that, Development, and site alteration, other than that specifically permitted by the policies of this Section (S 3.5.1 and S 5.5.1), will be set back from watercourses in order to protect the natural features and functions of the watercourse and related lands, protect fish habitat, provide riparian habitat and minimize the risk to public safety and property. *The proposed lots are of considerable size. One of the proposed lots is vacant and a residence is proposed. It is expected that the depth and size of the lot would provide the necessary setbacks from the watercourse and floodplain area. The second proposed lot has an existing residence and no new structures are proposed. Proposed development would be outside of the 30 metre adjacent lands and could be up to 100 metres away.*

Based on our review of the above noted policies and understanding that the appropriate setbacks can be met from the natural heritage features, it is our opinion that the proposal conforms to the Township of Melancton Official Plan.

**Niagara Escarpment Plan**

The subject lands are outside of the Niagara Escarpment Plan Area however, the Development Control Area mapping appears to generally include these lands within a portion of Horning's Mills. The lands are zoned within the Township of Melancton Zoning Bylaw. The proposed lots have been established based on the zoning provisions. Should a Development Permit be required, this can be applied for as part of this process.

**Zoning By-law**

The subject lands are zoned Development (D) as per Zoning Bylaw 12-1979 (Amended 12-1982) and identified on Schedule A-13. An implementing zoning bylaw amendment is required to implement the consents. A zba application will be submitted to rezone the severed lands to Small Lot Estate Residential (ER1) Zone. The following is a zoning conformity chart identifying the required and proposed zoning provisions.

	ER1 Zone	Consent A	Consent B
Lot Area	1 ha	.733 ha	2.8 ha
Lot Frontage	60 m	68 m	135 m
Front Yard	25 m	To be met	Existing
Lot Depth	90 m	180 m	180 m
Exterior Side Yard	25 m	Not Applicable	Not Applicable
Interior Side Yard	6 m	To be met	Existing
Rear Yard	25 m	To be met	Existing
Gross Floor Area	140 sq.m.	To be met	Met

An application will be submitted to amend the zoning bylaw in order to implement the consents and recognize the newly created lots. The Consent A lot is slightly smaller due to regulated watercourse that will remain with Consent B to avoid having the pond spread across both properties. The overall intent was to retain a 10 hectare retained parcel for future residential development by way of subdivision.

### Conclusions

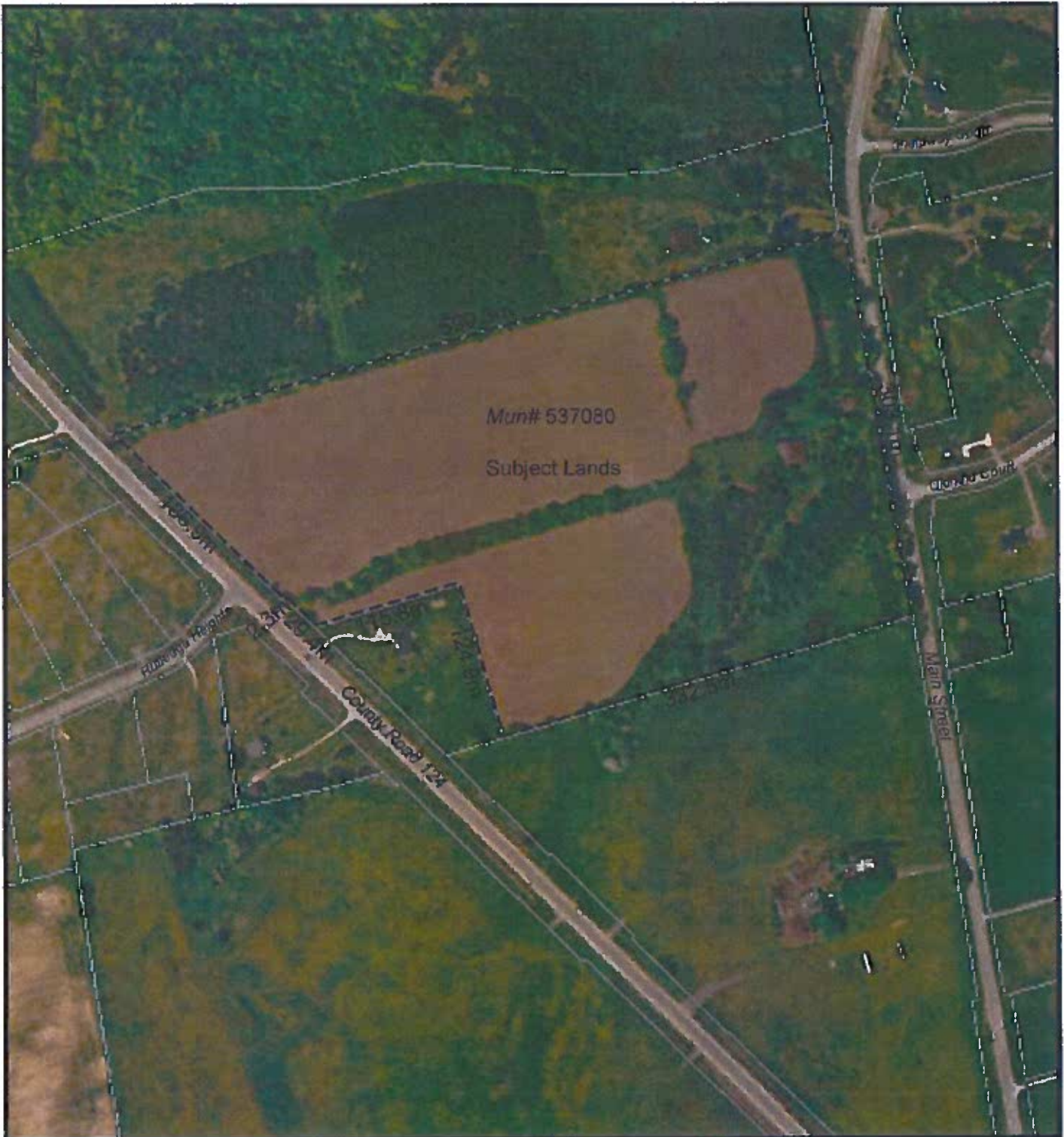
In conclusion and based upon the above reporting, it is our opinion that the proposed consent applications conform to the Growth Plan and relevant Official Plans and are consistent with the Provincial Policy Statement. Further, should a Development Permit be required, we can proceed with this application in addition to the relevant Zoning provisions which apply.

It is our opinion that the proposal for consents has merit and represents good planning.

Respectively,  
LOFT Planning Inc.

**COPY**  
Kristine A. Loft-MCIP-RPP  
Principal

- Figure 1: Aerial
- Figure 2: Surrounding Lands
- Figure 3: Consent Sketch
- Figure 4: Official Plan



**Figure 1 - Aerial View  
537080 Main Street,  
Melancton, (Hornings Mills)**

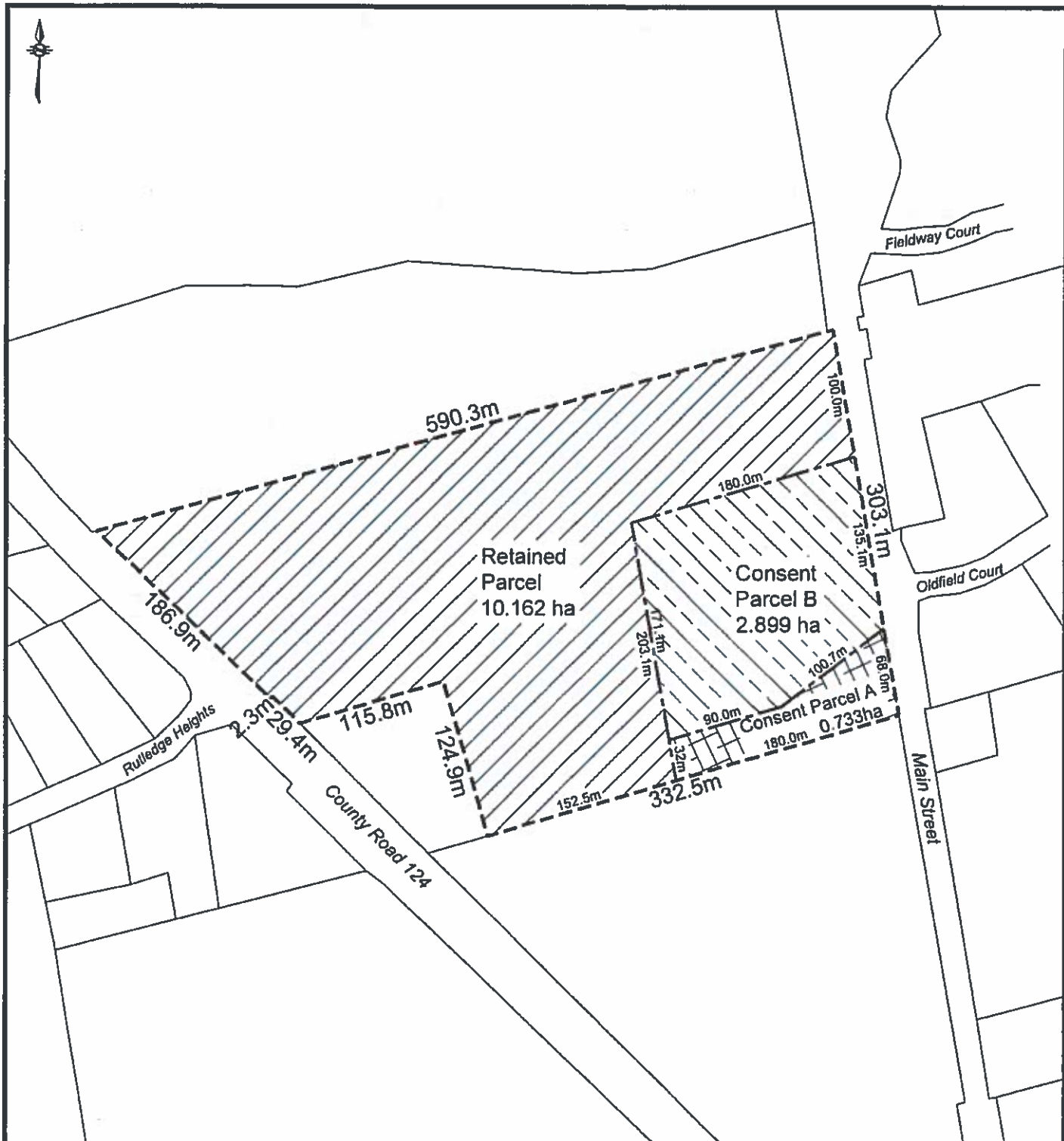
Agent:	Kristine Loft, MCIP RPP, Loft Planning Inc.	
File #:	#CAR 27618	Sheet: AVS
Date:	December 9, 2018	Scale: 1:4,000





**Figure 2 - Surrounding Lands Aerial**  
**537080 Main Street,**  
**Melancton, (Hornings Mills)**

Agent:	Kristine Loft, MCIP RPP, Loft Planning Inc.		
File #:	#CAR 27618	Sheet:	AVS
Date:	December 9, 2018	Scale:	1:10,000



**Figure 3 - Consent Sketch**  
**537080 Main Street,**  
**Melanchton, (Hornings Mills)**

Agent:	Kristine Loft, MCIP RPP, Loft Planning Inc.		
File#:	#CAR 27618	Sheet:	CS
Date:	December 09, 2018	Scale:	1:4,000





**Figure 3B - Consent Sketch**  
**537080 Main Street,**  
**Melanchton, (Hornings Mills)**

Agent:	Kristine Loft, MCIP RPP, Loft Planning Inc.	
File#:	#CAR 27618	Sheet: CS
Date:	December 09, 2018	Scale: 1:4,000



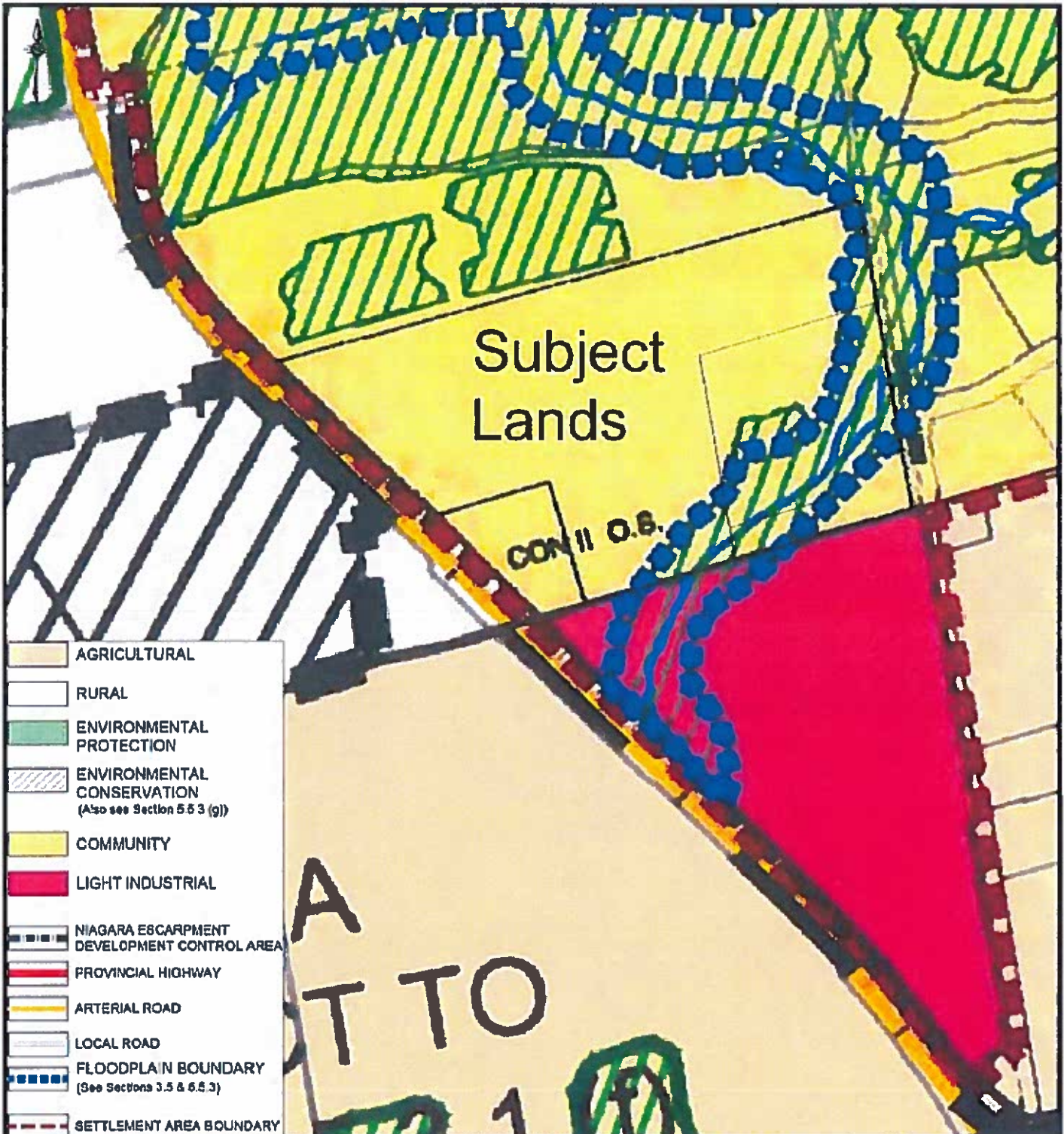


Figure 4 - Official Plan  
 537080 Main Street,  
 Melancton, (Hornings Mills)

Agent:	Kristine Loft, MCIP RPP, Loft Planning Inc.	
File #:	#CAR 27618	Sheet: OPD
Date:	December 09, 2018	Scale: 1:5,000

July 16 2019

Ms. Denise Holmes  
CAO/Clerk Treasurer  
Township of Melancthon  
157101 Highway 10  
Melancthon, Ontario  
L9V 2E6



Dear Ms. Holmes:

**Re: Addendum Letter  
537080 Main Street, Melancthon (Hornig Mills)  
Legally known as PT LT 13 CON 2 OS AS IN MF128014, EXCEPT PT 1 7R3915; S/T MEL 18578  
TOWNSHIP OF MELANCTHON  
Angelo Carnevale  
Our File. CAR 27618**

The following is a response to the email correspondence received from Chris Jones on December 24, 2018. For ease of review, we have followed the same numbering system as the email request:

1. Section 4.2.2.6 of the Growth Plan is an important policy in that it defers to the natural heritage policies of the PPS for land/development and natural heritage impact assessment within a settlement area.

The comment refers to Section 4.2.2.6 of the GP as follows.

**6. Beyond the Natural Heritage System, including within settlement areas, the municipality:**

- a) will continue to protect any other natural heritage features in a manner that is consistent with the PPS; and
- b) may continue to protect any other natural heritage system or identify new systems in a manner that is consistent with the PPS.

The lands are within the settlement area, and there is a natural heritage feature which traverses the subject lands. The proposal provided as taken this into consideration. This portion of the lands are also regulated by the Conservation Authority. The intent of the applications was to include virtually all of the natural heritage feature on Consent B which is the lot creation that includes the existing residence. This proposed consent also maintains the existing pond as well. The intent was to include these lands within the Consent B – where the existing residence is. That consent A would create a new residential lot that would have the ability to maintain adjacent lands to the tributary. The overall retained parcel is virtually all agricultural fields and fence rows and is proposed for future residential development at a later date.



It is our understanding that the municipality has circulated the Conservation Authority and our understanding is that appropriate zoning mapping would be provided to ensure a development envelope on Consent A – outside of the adjacent lands Consent B lot is already developed and no new development is proposed. And the retained parcel is for future development where we would propose a holding symbol is applied including the requirement of a draft plan of subdivision.

2. Sections 2.1, 2.2 and 3.1 of the PPS have applicability to this proposal.

**2.1 Natural Heritage**

**2.1.1 Natural features and areas shall be protected for the long term.**

**2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.**

**2.1.3 Natural heritage systems shall be identified in Ecoregions 6E & 7E1, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas.**

The intention of the applications is that Consent A lot would have a building envelope outside of the adjacent lands. Consent B is a developed lot and includes virtually of the tributary and wooded lands. And the retained parcel is proposed for future residential purposes through the plan of subdivision process.

**2.1.6 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.**

Development within the tributary is not proposed.

**2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.**

The attached correspondence from Azimuth Environmental dated July 16 2019 addresses SAR comments.

**2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.**

The attached correspondence from Azimuth Environmental dated July 16 2019 addresses ecological functions and natural heritage features.

**2.1.9 Nothing in policy 2.1 is intended to limit the ability of agricultural uses to continue.**

The retained parcel would continue with agricultural use until such time as a future development is approved.

**2.2 Water**

**2.2.1 Planning authorities shall protect, improve or restore the quality and quantity of water by:**

- a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;**
- b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;**
- c) identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed;**
- d) maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas;**
- e) implementing necessary restrictions on development and site alteration to: 1. protect all municipal drinking water supplies and designated vulnerable areas; and 2. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions;**
- f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;**
- g) ensuring consideration of environmental lake capacity, where applicable; and**
- h) ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.**

**2.2.2 Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored.**

The proposal is to sever to residential lots. The tributary and adjacent lands are primarily located on Consent B which included an existing residence as is proposed to be retained by the owner. Consent A is a proposed vacant lot. The intent was to limit any of the tributary or wooded lands and to maintain the existing pond on Consent B. This is the reason for the proposed lot layout. The retained parcel is proposed for future residential development by way of plan of subdivision and will be used for continued agricultural purposes until such time as there are future planning approvals. A holding symbol could be utilized for the retained parcel subject to future approvals. The Consent A lot has a proposed depth of 180 metres and the intent was to include sufficient depth that would allow a future building envelope and still maintain a 120 metres adjacent lands from the rear of the lot – where the tributary is located. The building envelope would include private services.

3. Comments from the NVCA notwithstanding, the policies of the Melancthon OP require a floodplain hazard study and an EIS (woodland, watercourse, fish habitat, SAR assessment).

In consultation with Emma Perry, Nottawasaga Valley Conservation Authority the attached correspondence has been provided by Azimuth Environmental to address comments relating to the severances. Further study will be required as part of a future draft plan of subdivision.

4. The Township's Roads Manager previously reviewed the proposed entrance for Consent A and found the proposed location to be workable but was of the opinion that substantial site alteration would be required to overcome the topography of the lot.

We would propose that a condition of consent include an appropriate grading plan for the entrance, prepared by a qualified professional engineer for Consent A.

5. I would suggest you discuss the need for the above assessments with a qualified consultant asap in the new year to ensure this work can be completed in the spring.

The attached correspondence from Azimuth Environmental dated July 16 2019 addresses the required concerns and policies related to the consents. And as per the NVCA correspondence – further study will be required as part of a future draft plan submission.

6. It would be my preference that the above assessments include a site plan identifying the location of a proposed building envelope and any other recommendations that can be formalized through a site plan or consent agreement.

The attached Azimuth Environmental Correspondence does identify mitigation measures which are expected to be attached to a consent agreement.

7. I would suggest the assessment also consider Consent B and also provide a site plan to confirm the existing dwelling location/building envelope is appropriate or to provide insight regarding future development/redevelopment of this parcel. On this site plan, please identify the location of existing buildings, septic system, well, driveway and any other existing features.

The attached Azimuth Environmental Correspondence does identify mitigation measures which are expected to be attached to a consent agreement.

8. As per my earlier pre-consultation comments, please provide a conceptual sketch illustrating how the retained could be subdivided.

We have not provided a concept plan for the retained parcel. Until such time as the Environmental and Engineering work is completed – the developable area has not yet been defined and a concept plan would be premature.

9. The abutting parcel designated for Light Industrial purposes is the only such parcel in the Township and I understand it is currently on the market. It is a priority to ensure these lands can be utilized for a broad range of employment uses. Once the above-mentioned site plan is provided, it will allow for a better consideration of the potential separation and natural buffering between the proposed lot and the existing industrial designation.





LAND USE PLANNING | PROJECT MANAGEMENT

308 Hurontario Street  
Collingwood, ON  
L9Y 2V3

t: 705.446.1168  
f: 866.391.9771

kristine@loftplanning.com

We would expect that during site plan approval process for a future industrial use, that appropriate mitigative measures are required for the industrial development and ensuring that the Ministry requirements are met on site. This generally requires the mitigative measures to be located on the industrial site (including berming, fencing and possible setbacks). The general building envelope will be at the front of the property, with limited width.

Respectively,  
LOFT Planning Inc.

A handwritten signature in black ink that reads "Kristine A. Loft".

Kristine A. Loft, MCIP RPP  
Principal



Environmental Assessments & Approvals

July 16, 2019

AEC 18-228

Angelo Carnevale  
537080 Main Street  
Melancthon, Ontario  
L9V 1X6



Attention: Angelo Carnevale

**Re: Site Evaluation Report for a Proposed Land Severance at Part of Lot 13,  
Concession 2, Township of Melancthon, County of Dufferin.**

Dear Mr. Carnevale:

Azimuth Environmental Consulting, Inc. (Azimuth) was retained by Marco Carnevale to provide environmental services for the property located at Part of Lot 13, Concession 2, in the Township of Melancthon, County of Dufferin (Figure 1). It is our understanding that the proponent intends to sever the property into two single residential parcels and a large retained lot that is to be a future subdivision. In consultation with the Nottawasaga Valley Conservation Authority (NVCA; Emma Perry) and the Township of Melancthon (Township; Chris Jones) (Attachment 1), it was decided that a Site Evaluation Report would initially be prepared in support of the consent application (this letter), and that a separate Environmental Impact Study (EIS) would be submitted at a later date to address the potential future proposed subdivision on the retained lot. As such, this Site Evaluation Report addresses the potential impacts of the proposed land severance on the identified natural heritage features, specifically as it relates to future residential development associated with Consent Parcel A.



## 1.0 PLANNING CONTEXT

### 1.1 Township of Melancthon Official Plan

The property is located within lands that have been designated as “Community”, “Environmental Conservation” and “Floodplain” as illustrated on Schedule B of the Township of Melancthon Official Plan, 2017 (Township Official Plan; Attachment 2). Further, Schedule E identifies “Significant Woodland” and a “watercourse” on the southeastern portion of the property (Attachment 2). The Site Evaluation Report addresses the policies identified in Sections 5.5 and 5.5.2 of the Township Official Plan as requested in the Township’s input to the Terms of Reference (Attachment 1).

According to the Township Official Plan, natural heritage features and areas include:

- Locally Significant and Unevaluated Wetlands;
- Significant Woodlands;
- Significant Wildlife Habitat;
- Areas of Natural and Scientific Interest (ANSI);
- Habitat of Endangered Species and Threatened Species; and
- Fish Habitat.

The following policies from Section 5.5.2 of the Township Official Plan shall apply to lands adjacent to natural heritage features and areas:

- i. “*Development*, including the creation of new lots, may be permitted on *adjacent lands* [up to 120m] only if it will not have any *negative impacts* on the nearby *natural heritage features and areas* recognized by the application of the Environmental Conservation overlay designation, or their ecological function.
- ii. The policies of section 3.4.2 with regard to assessing environmental impact shall apply in addressing the provisions of subsection 5.5.2(g)(i) above. Generally, the construction of a dwelling or accessory buildings to a dwelling will not require an assessment of environmental impact.
- iii. If it is determined that there is compliance with the requirements of this designation, *development* may be permitted on the *adjacent lands* in accordance with the land use designation on those lands.
- iv. *Development on adjacent lands* may be subject to site plan control.”

Within the property limits, Significant Woodland, potential Significant Wildlife Habitat, potential Habitat of Endangered Species and Threatened Species and Fish Habitat has been identified. Further, a wetland community was identified on the property that was not depicted on Schedule D (Attachment 2). Relevant policy for these natural heritage features and areas has been included below.



With regards to Locally Significant and Unevaluated Wetlands, **Section 5.5.2** of the Township Official Plan states that:

*(h) Locally significant wetlands and unevaluated wetlands are shown on Schedule D. Generally, locally significant wetlands shall be protected and maintained in a natural state. They may be protected through stewardship agreements or conservation easements.*

*(i) Wetland loss will be avoided where possible and the re-establishment and creation of wetlands will be encouraged if loss or degradation occurs.*

*(j) The policies of section 3.4.2 with regard to assessing environmental impact shall apply to any development or site alteration within a locally significant wetland. Environmental impact documentation may also be required for any development on adjacent lands to a locally significant wetland. Generally, the construction of a dwelling or accessory buildings to a dwelling on such adjacent lands will not require an assessment of environmental impact.*

*(k) Unevaluated wetlands shall be assessed for significance and for boundary delineation at the time of application for planning or building approvals involving such wetlands. The determination of the appropriate policies relating to development and site alteration will be based on the wetland's identified level of significance. A similar approach will be taken with regard to development on adjacent lands to unevaluated wetlands.*

*(l) Agricultural uses may continue within locally significant and unevaluated wetlands and such uses shall be encouraged to employ best management practices to protect and enhance wetland features.*

With regards to Significant Woodlands, **Section 5.5.2** of the Township Official Plan states that:

*(o) The policies of section 3.4.2 with regard to assessing environmental impact shall apply to any development or site alteration within significant woodlands. Environmental impact documentation may also be required for any development on adjacent lands to significant woodlands. The construction of a dwelling or accessory buildings to a dwelling on such adjacent lands may not require an assessment of environmental impact.*

With regards to Significant Wildlife Habitat, **Section 5.5.2** of the Township Official Plan states that:



*(s) Development or site alteration will not be permitted in significant wildlife habitat unless it has been demonstrated through an Environmental Impact Study or site assessment in accordance with the policies of section 3.4.2 that there will be no negative impacts on the habitat or its ecological function.*

*(t) Documentation such as that referenced in subsection (s) immediately above may also be required for any development on adjacent lands to significant wildlife habitat. Generally, the construction of a dwelling or accessory buildings to a dwelling on such adjacent lands will not require an assessment of environmental impact.*

*(u) Development within significant wildlife habitat may be subject to site plan control and require a site plan agreement to implement aspects of the recommendations contained in the environmental documentation.*

With regards to Habitat of Endangered Species and Threatened Species, Section 5.5.2 of the Township Official Plan states that:

*(z) Development and site alteration shall not be permitted in habitat of endangered species and threatened species except in accordance with legislation and policies administered by the provincial or federal governments, where applicable, for the purpose of protecting species at risk and their habitat.*

*(bb) The policies of subsection 5.5.2(g) shall apply with regard to development or site alteration on adjacent lands to the habitat of endangered and threatened species.*

With regards to Fish Habitat, Section 5.5.2 of the Township Official Plan states that:

*(cc) Fish habitat may be present within the watercourses identified within the Environmental Conservation designation.*

*(dd) Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.*

*(ee) Development and site alteration shall not be permitted on adjacent lands to fish habitat unless it has been demonstrated through an Environmental Impact Study or site assessment in accordance with the policies of section 3.4.2 that there will be no negative impacts on the habitat or its ecological function.*

## **2.0 FIELD INVESTIGATIONS**

Azimuth staff undertook the following tasks for the purpose of the assessment:



- Conducted one site visit on May 7<sup>th</sup>, 2019 with the NVCA (Mike Francis, Planning Ecologist) to assess site conditions and identify any obvious environmental constraints to the proposed land severance;
- Consulted with the NVCA regarding the existing conditions and the proposed land severance (Attachment 2);
- Reviewed the proposed site plan (attached Figure 3) to determine the potential impacts to natural heritage features that may result from the land severance; and
- Assessed the potential direct and indirect impacts of the proposed land severance (and subsequent development of a single family dwelling) on the property.

Additional field work (*i.e.*, vascular plant survey, bird surveys, amphibian surveys, *etc.*) is currently being completed for the property. The results from these surveys have not been provided within this letter report; however, this information will be presented in the EIS report that will address potential future development for the large retained parcel.

### **3.0 EXISTING CONDITIONS**

The property is located within Ecoregion 6E in the community Horning's Mills (Figure 1). The property is approximately 13.7 hectares (ha) in size and is largely active agricultural lands. A small meadow marsh wetland community was identified on the northeastern corner of the property. A residential dwelling and barn exist on the eastern portion of the property and the area surrounding these structures is maintained and consists of manicured lawn with landscape trees and gardens, and a man-made on-line pond. A mix of woodland communities occur within the southeastern portion of the property and include deciduous forest and cultural plantation, as illustrated on Figure 2. These woodland communities are highly disturbed and are dominated by non-native and invasive species.

The eastern portion of the property is regulated by the NVCA due to Horning's Mills Creek, a coldwater watercourse, which is depicted flowing in a northwesterly direction across the property on background mapping (Attachment 2). During the site visit to the property (May 7<sup>th</sup>, 2019), a watercourse was observed on the property with flow that originated approximately 30 meters (m) upstream of the inlet of the pond feature located in the southeastern corner of the property. This is suspected to be the result of ground water discharge in this area. Although depicted in NVCA regulation mapping (Attachment 2), there is no evidence of flow, no noticeable depression or evidence of banks beyond what is depicted on Azimuth's Figure 2 and 3. Correspondence with the NVCA confirms the watercourse as depicted on Figure 2 and 3 is accurate (Attachment 1).



Surrounding lands are predominantly agricultural. Tracts of woodland and single family dwellings on large residential lots are also common features in the landscape.

## **4.0 NATURAL HERITAGE FEATURES**

### **4.1 Locally Significant and Unevaluated Wetlands**

No Provincially Significant Wetlands or Locally Significant and Unevaluated Wetlands are identified on Schedule D of the Township Official Plan (Attachment 2) on the property. A small meadow marsh community was documented however on the northeastern corner of the property during the site assessment, as illustrated on Figure 2. It is anticipated that this feature is the result of groundwater seepage.

### **4.2 Significant Woodlands**

Woodlands on the southeastern portion of the property have been mapped as Significant Woodland within Schedule E of the Township Official Plan (Attachment 2). These woodlands have preliminarily been classified as cultural plantation (CUP) and deciduous forest (FOD; Figure 2).

### **4.3 Significant Wildlife Habitat**

The province identifies 35+ wildlife habitat functions as candidates for consideration as Significant Wildlife Habitat. Candidate Significant Wildlife Habitat functions associated with the property are potentially attributable to the plantation, deciduous forest and pond.

### **4.4 Habitat of Endangered Species and Threatened Species**

A general Species at Risk (SAR) screening was completed to identify SAR that have the potential to occur on or adjacent to the property. While they were not identified on the property, the forest communities may provide potential maternity roost habitat for Little Brown Myotis, Tri-colored Bat and Northern Myotis, which are all listed as Endangered under Ontario's *Endangered Species Act*, 2007. Additionally, Butternut (Endangered) can be found in woodland and hedgerows however none were documented on the site during the spring surveys. Bird species, such as Barn Swallow (Threatened) and Chimney Swift (Threatened), are commonly associated with anthropogenic structures and may utilize the residence and garage as nesting habitat. No evidence of nesting was identified during the site assessment.





The MNRD Midhurst District was contacted to request natural heritage background and SAR information that may be relevant to this project. The information request and agency reply are provided in Attachment 2.

#### **4.5 Fish Habitat**

As discussed, Horning's Mills Creek, a coldwater creek, is anticipated to originate from a groundwater source approximately 30m upstream of the manmade pond on-site (Figure 2). This watercourse outlets the man-made on-line pond near the eastern property boundary (no pond outlet structure present). The watercourse flows off-site via a culvert under Main Street and continues to flow in a northerly direction. Fish were observed within the pond during spring surveys and thus the watercourse provides direct fish habitat.

A drainage feature was also identified flowing in a northerly direction along the southern property boundary, as illustrated on Figure 2. Surface film (*i.e.*, sheen and oily appearance) was observed at the origin of the drainage feature and watercress' were documented along the ditch, indicating that the drainage feature originates from a groundwater seep. The drainage feature exits the property through a culvert and is anticipated to connect to Horning's Mills Creek. Thus, it is anticipated that the drainage feature contributes to fish habitat.

### **5.0 PROPOSED DEVELOPMENT**

The proposed development consists of severing the southeastern corner of the existing lot into two parcels and retaining the balance of the lands, as depicted on Figure 3. At this time there is no development planned for the large Retained Parcel. It is our understanding that Consent Parcel B, one of the severed lots, will continue to function as a single family residential lot and that all existing buildings (*i.e.*, dwelling and barn) will be retained. Future use for Consent Parcel A (severed lot) will include a single family dwelling. An approximate envelope of development has been proposed, as depicted on Figure 3, and has been placed outside of the Significant Woodland and the Environmental Conservation and Floodplain area (as depicted on Schedule B of the Township Official Plan; Attachment 2). Site plans have not yet been established and thus, it is not anticipated that the entire development envelope will be utilized for development.

The Impact Assessment (Section 6.0) will address potential impacts associated with the creation of Consent Parcel A only (and subsequent future residential use).



## **6.0 IMPACT ASSESSMENT**

### **6.1 Locally Significant and Unevaluated Wetlands**

The meadow marsh community is located on the large retained parcel over 200m to the north of the proposed development envelope for Consent Parcel A (Figure 3). Given the spatial separation, there is no expectation that the proposed development on Consent Parcel A will negatively impact the wetland on the property.

### **6.2 Significant Woodlands**

While the proposed lot lines intersect the woodland feature, the development envelope for Consent Parcel A has been directed outside of the Significant Woodland within an open area that consists of maintained lawn and cultural thicket (Figure 3). A 10m buffer from the edge of the woodland feature has been recommended to prevent encroachment into the woodland communities as depicted on Figure 3. With the exception of the deciduous forest that exists within the western portion of the proposed Consent Parcel A (along the southern boundary of the property), the woodlands on-site have been planted and are therefore of anthropogenic origin. Furthermore, the vegetation layers within the cultural plantation and deciduous forest surrounding the pond and watercourse are dominated by non-native and invasive species including Goutweed, Japanese Knotweed, Manitoba Maple and Periwinkle. While the woodlands on-site provide certain ecological functions, they are not sensitive communities and it is therefore our opinion that a 10m setback would be sufficient to protect the woodland from the impacts of the proposed severance and subsequent residential development. Assuming the setback is maintained during future development, there is no expectation that the proposed development on Consent Parcel A would result in negative impacts to the Significant Woodland.

Mitigation measures to minimize/eliminate the potential for indirect impacts to the feature are described in Section 7.0 below. Provided that the mitigation measures described in Section 7.0 are adhered to, there is no expectation that the proposed works would result in a contravention of relevant municipal policy concerning Significant Woodland.

### **6.3 Significant Wildlife Habitat**

The proposed development on Consent Parcel A is proposed outside of the limits of the Significant Woodland and man-made pond within an area that is largely maintained vegetation. While some vegetation removal will be required within the cultural thicket and cultural hedgerow (CUT and CUH1-A; Figure 3) to accommodate the proposed development, these communities are not expected to function as Significant Wildlife Habitat as the composition, structure and age of the communities are unsuitable. Thus,



the proposed development will result in no direct impacts to the woodlands or man-made pond or the potential Significant Wildlife Habitat functions they provide.

#### **6.4 Habitat of Endangered Species and Threatened Species**

The proposed works are not expected to negatively impact SAR, provided mitigation measures related to vegetation clearing are adhered to. The identified natural heritage features associated with the property will not be impacted and will continue to function post-construction.

#### **6.5 Fish Habitat**

The drainage feature flows along the boundary of retained Consent Parcel B and the large retained parcel over 100m to the north of the proposed development envelope for Consent Parcel A (Figure 3). Given the spatial separation, there is no expectation that the proposed development on Consent Parcel A will negatively impact the drainage feature on the property provided mitigation measures outlined below are adhered to.

The proposed development envelope on Consent Parcel A is located at least 30m from the watercourse (Figure 3). The Top of Bank was delineated during the May 6<sup>th</sup>, 2019 site visit (Figure 2) and the proposed lot line and subsequent development will be located more than 6m from the Top of Bank (Figure 3). The slopes within this area appear stable and the land is heavily vegetated. Consequently, there is no expectation that the proposed development will negatively impact the watercourse or the Fish Habitat on the property. Notwithstanding, it is recommended that mitigation measures outlined in Section 7.0 are adhered to.

### **7.0 MITIGATION & RECOMMENDATIONS**

The following actions are recommended to mitigate potential for impact to natural heritage features and functions:

- A 10m setback should be maintained from the Significant Woodland to prevent encroachment into this feature;
- Activities involving the removal of vegetation should be restricted from occurring during the bird breeding season and the bat roosting season. Thus, vegetation removal should be avoided between March 31<sup>st</sup> and October 31<sup>st</sup>;
- Minimal tree clearing within the hedgerow should occur to accommodate the proposed driveway on Consent Parcel A;
- Install sediment/erosion control fencing in areas down gradient of excavation works/temporary fill piles;




- Monitor the sediment/erosion control fence regularly to ensure its proper function, repairing any damaged sections immediately;
- Stabilize areas of disturbed soil as soon as possible by grading and planting;
- Refueling and maintenance of construction equipment should occur more than 30m from the watercourse;
- Consider utilization of native plants in landscape planting (<http://nanps.org/native-plant-database/>); and
- Avoid using plants considered to be invasive in landscaping (<http://www.invadingspecies.com/plants/> and <http://www.ontarioinvasiveplants.ca/resources/grow-me-instead/>).

## 8.0 CONCLUSIONS

The results of our impact assessment conclude that the severance of the property into three lots and the subsequent future single residential development on Consent Parcel A (Figure 3) will result in no negative direct or indirect impacts to the natural heritage features and areas identified in Section 5.5 and 5.5.2 of the Township Official Plan (2017). Further, the works do not pose impacts to fish habitat or Endangered or Threatened species and hence no permitting/authorizations are required under the Federal *Fisheries Act* (1985) or Ontario's *Endangered Species Act* (2007), respectively. Therefore, it is our opinion that the proposed severance and development on Consent Parcel A is in conformity with the Township Official Plan.

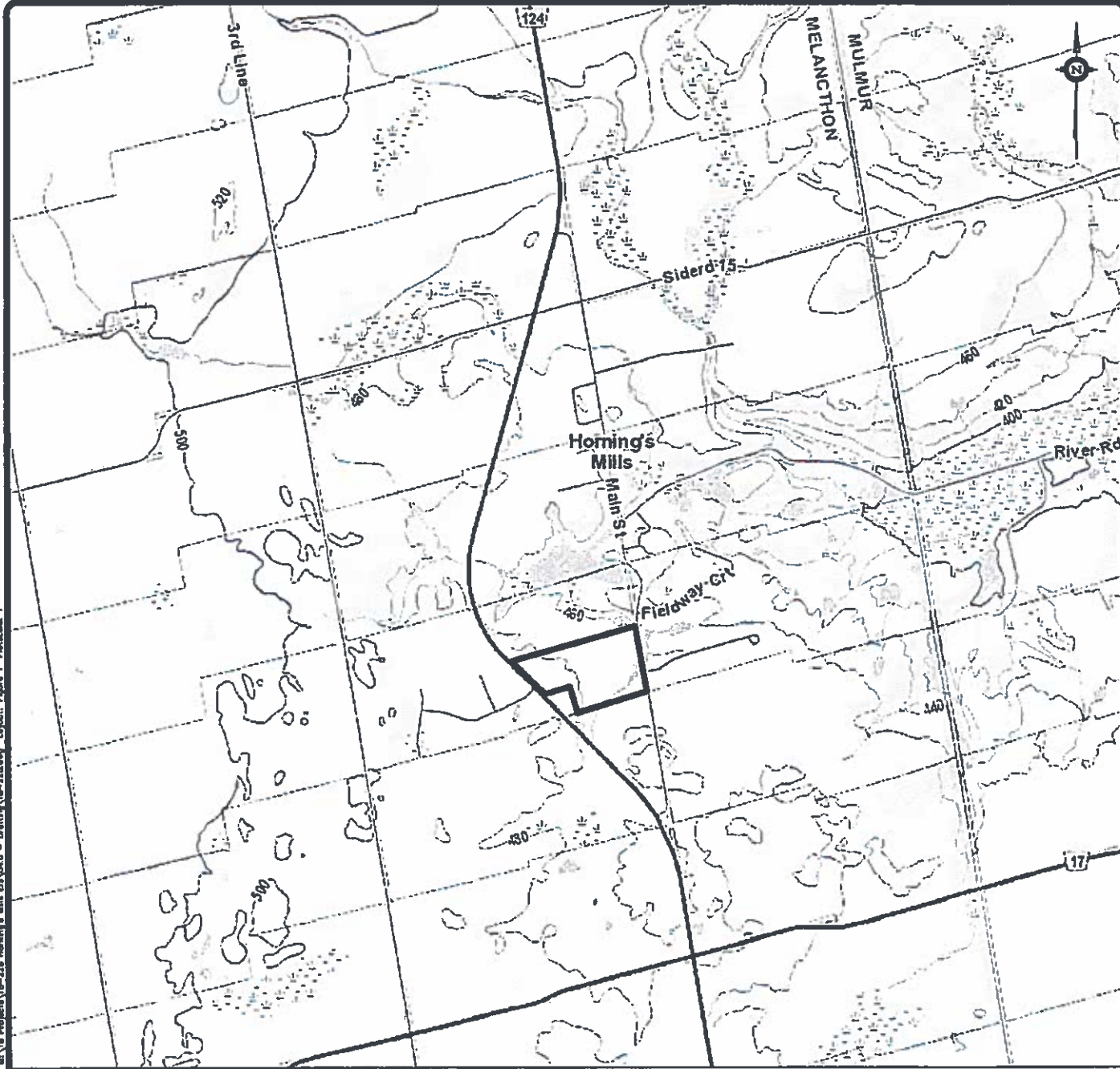
Yours truly,  
AZIMUTH ENVIRONMENTAL CONSULTING, INC.

  
Alexa Pompilio, H.B.Sc.  
Terrestrial Ecologist

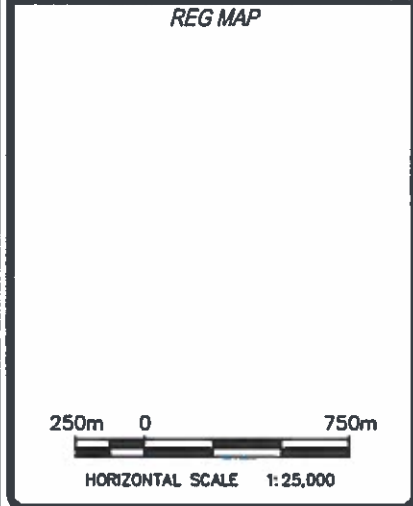
Attach:  
Figure 1           Property Location  
Figure 2           Environmental Features  
Figure 3           Proposed Land Severance


Attachment 1    Agency Correspondence  
Attachment 2    Background Mapping

Prepared by: M:\118 Projects\118-228 Homing's Mills EIS\04.0 - Drafting\118-228.dwg Layout: Figure 1 Photostake 1  
Date: 07/03/2019 10:58:00 AM  
User: JLM  
Project: 118-228 Homing's Mills EIS\04.0



**LEGEND:**  
— Approx. Property Boundary



 AZIMUTH ENVIRONMENTAL CONSULTING, INC.

Property Location

Homing's Mills EIS,  
Homing's Mills, ON

DATE ISSUED: July 2019	Figure No. <b>1</b>
CREATED BY: JLM	
PROJECT NO.: 118-228	
REFERENCE: MNRFP	

DAYSTAMP: M:\118 Projects\118-228 Homing's Mills EIS\04.0 - Drafting\118-228.dwg



DATA STAMP: 04/18/2010 10:23:11 AM 10.23.11 10.23.11



January 6, 2020

**Via Email**

To: County of Dufferin, Nottawasaga Valley Conservation Authority, Township of Melancthon

---

## REQUEST FOR COMMENTS

---

**FILE NUMBER:** M/R/2019-2020/9144

**APPLICANT:** Angelo Carnevale

**AGENT:** Kristine Loft

**OWNER:** same as applicant

**LOCATION:** Part Lot 13, Concession 2 OS  
537080 County Road 124  
Township of Melancthon, County of Dufferin  
ARN 221900000116600

**RELATED FILES:** M/R/2019-2020/9145; D/R/1993-1994/75 (5076); C//1988-1989/17

**PROPOSED DEVELOPMENT:**

To construct a two storey, ± 185 sq m (1,991 sq ft) single dwelling, having a maximum height of ± 6.1 m (20 ft), and to install a private sewage disposal system and a driveway, on a ± 0.73 ha (1.81 ac) proposed lot (Proposed Parcel A), to be severed from a ± 13.8 ha (34.1 ac) existing lot.

Note: Related Development Permit Application M/R/2019-2020/9145 (Proposed Retained Parcel) has also been submitted for the subject lands. Proposed Parcel B contains an existing dwelling.

---

The attached Development Permit application, which is summarized above, is being sent to you for your review. Your comments and recommendations are requested for the Niagara Escarpment Commission's consideration.

We would appreciate receiving your comments via email to [necowensound@ontario.ca](mailto:necowensound@ontario.ca) by: **January 27, 2019**. If we do not receive your comments by this date we will assume you have no objection to this proposal. If you require additional time to provide comments please notify us at least one week prior to this date.

If you require further information, please contact **Rick Watt** at (519) 371-1073 or email: [rick.watt@ontario.ca](mailto:rick.watt@ontario.ca)

FILE # M/R/2019-2020/9144



(For NEC office use only)

Parcel A

### NIAGARA ESCARPMENT DEVELOPMENT PERMIT APPLICATION

(FMS #0113 - Revised November 28, 2018)

THE NIAGARA ESCARPMENT PLANNING AND DEVELOPMENT ACT, RSO, 1990, AS AMENDED

**NIAGARA ESCARPMENT COMMISSION**  
 232 Guelph Street, 3<sup>rd</sup> Floor  
 Georgetown, ON L7G 4B1

Phone: 905-877-5191  
 Fax: 905-873-7452  
 Website: [www.escarpment.org](http://www.escarpment.org)  
 Email: [necgeorgetown@ontario.ca](mailto:necgeorgetown@ontario.ca)

*Serving the areas of:*  
 Dufferin County (Mono)  
 Region of Halton  
 Region of Peel  
 Region of Niagara  
 City of Hamilton

**NIAGARA ESCARPMENT COMMISSION**  
 Box 308, 99 King Street East  
 Thornbury, ON N0H 2P0

Phone: 519-599-3340  
 Fax: 519-599-6326  
 Website: [www.escarpment.org](http://www.escarpment.org)  
 Email: [necthornbury@ontario.ca](mailto:necthornbury@ontario.ca)

*Serving the areas of:*  
 Bruce County  
 Grey County  
 Simcoe County  
 Dufferin County (Mulmur, Melancthon)

**RECEIVED**  
 OCT 22 2019  
 NIAGARA ESCARPMENT  
 COMMISSION

- Please ensure that the information you provide in this application is complete and accurate.
- Incomplete or inaccurate information will delay the processing of your application.
- Please contact your local Commission office if you have any questions about your proposal or this application.

#### 1. APPLICANT

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
Street/P.O. Box City/Town Province Postal Code

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

#### 2. AGENT (if any)

Name: Kristine Loft, Loft Planning Inc.

Mailing Address: 308 Hurontario Street Collingwood Ontario L9Y3Y9  
Street/P.O. Box City/Town Province Postal Code

Phone: 705.446.1168 Fax: 866.391.9771 E-mail: kristine@loftplanning.com

#### 3. OWNER (if different from applicant)

Name: Angelo Camevale

Mailing Address: 537080 Dufferin County Road 14 Homing Mills Ontario L0N 1J0  
Street/P.O. Box City/Town Province Postal Code

Phone: - Fax: - E-mail: [REDACTED]

#### 4. CONTRACTOR (if applicable)

Name: Not Applicable

Mailing Address: \_\_\_\_\_  
Street/P.O. Box City/Town Province Postal Code

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_



**5. PROPERTY LOCATION**

County/Region Dufferin Municipality Melanchton (former) Municipality \_\_\_\_\_

Lot 2 Concession 13 and/or Lot \_\_\_\_\_ Plan \_\_\_\_\_

Civic Address # 537080 Dufferin County Road 14 Street Address \_\_\_\_\_  
(Fire/Emergency #)

Assessment roll number 221900000116600

**6. LOT INFORMATION**

Lot Size 14 hectares Frontage 300 metres Depth 330 metres/590 metres

**7. SERVICING**

Existing Road Frontage:	<input checked="" type="checkbox"/> Municipal	<input type="checkbox"/> Private	<input type="checkbox"/> Right-of-Way	<input type="checkbox"/> Year-round
Proposed Road Frontage:	<input checked="" type="checkbox"/> Municipal	<input type="checkbox"/> Private	<input type="checkbox"/> Right-of-Way	<input type="checkbox"/> Year-round
Existing Water Supply:	<input type="checkbox"/> Municipal	<input type="checkbox"/> Communal	<input checked="" type="checkbox"/> Private Well	<input type="checkbox"/> Other: _____
Proposed Water Supply:	<input type="checkbox"/> Municipal	<input type="checkbox"/> Communal	<input checked="" type="checkbox"/> Private Well	<input type="checkbox"/> Other: _____
Existing Sewage System:	<input type="checkbox"/> Municipal	<input type="checkbox"/> Communal	<input checked="" type="checkbox"/> Private Septic	<input type="checkbox"/> Other: _____
Proposed Sewage System:	<input type="checkbox"/> Municipal	<input type="checkbox"/> Communal	<input checked="" type="checkbox"/> Private Septic	<input type="checkbox"/> Other: _____

**8. EXISTING and PROPOSED DEVELOPMENT**

Note: "Development" includes the construction of buildings and structures, alterations to the landscape, (e.g. placing fill, drainage alterations, pond construction or alteration), any change of use or new use (e.g. residential to commercial, new home business, etc). If additional space is required please include a separate attachment.

<b>Existing Development:</b> (describe)	<b>Proposed Development:</b> (describe)
Residential <u>Residence</u>	<u>New Residential Lot</u>
Recreational _____	_____
Agricultural <u>Agricultural</u>	_____
Commercial _____	_____
Other (e.g., Industrial, institutional) _____	_____

**9. EASEMENTS, COVENANTS, AGREEMENTS**

Describe the type and terms of any easements, right-of-ways, covenants, agreements or other restrictions registered on or affecting the title of the property and/or attach a copy:

NIL

**10. DATE OF PURCHASE**

Date the property was purchased by the current owner: 2013 07 31

Date the property will be purchased by the applicant (if purchasing from current owner): Not Applicable

**Note regarding Sections 11, 12, 13, 14, 15, 16:**

Depending on the type or nature of the proposed development and/or the characteristics of the property, supporting information such as Environmental Impact Studies, Landscape Plans, Lighting Plans, Visual Assessments, Grading Plans, Erosion Control Plans, Slope Stability Studies, etc., may be required in support of the following information.

**11. CONSTRUCTION DETAILS**

**PLEASE NOTE**

Ground Floor Area is the total exterior measurements of any building, including attached garages and enclosed decks (as applicable).

Total Floor Area (i.e., total mass) is based on the exterior measurements of the building and includes the total of the ground floor area (including attached garages, etc), plus walkout basements, plus full or half second storeys, etc.

Maximum Height is measured from the lowest grade (e.g., walkout side), to the peak of the roof.

	Ground Floor Area (Exterior measurements)	Total Floor Area	# of Storeys	Maximum Height (to peak)	Use of structure
Dwelling	92 sq.m. CONCEPTUAL ONLY	185 sq.m.	2	6.096 m RES USE	
Dwelling Addition	_____	_____	_____	_____	_____
Accessory Building 1	_____	_____	_____	_____	_____
Accessory Building 2	_____	_____	_____	_____	_____
Accessory Building Addition	_____	_____	_____	_____	_____
Other Building	_____	_____	_____	_____	_____
Demolition (specify what structure)	_____	_____	_____	_____	_____

\*If fill is required for any of the developments proposed above please provide details in Section 12 below.

**12. ACCESSORY FACILITIES, STRUCTURES, FILLING, GRADING, etc.**

(e.g: Driveways, Decks, Gazebos, Swimming Pools, Tennis Courts, Lighting, Signs, Wind Turbines, free-standing Solar Panels, Hydro Poles/Lines, Retaining Walls, Placement of Fill, Grading, Berms, Parking Areas, Tree/Site Clearing, etc.) (See next page for Ponds)

Describe and provide information such as: dimensions, size, height, amount of fill etc.

The proposal is to create a new residential lot with a lot area of .733 hectares.

The proposal for a new residence is conceptual as it is not known what the future house design would be. The new lot would have a lot frontage of 68 metres.

There is a second lot proposed (on separate application), and the retained parcel would include the existing residence.

---



---



---



---

**13. HOME BUSINESS, CHANGE OF USE, NEW USE**

(e.g. Establishing a Home Business, Home Occupation, Home Industry or Bed and Breakfast business.  
Converting or changing the use or establishing a new use on a property or within any dwelling building or structure on a property.)

Describe the proposed business or new use and provide information such as:  
Type of business or use, size or area of building &/or land to be occupied or altered by the use, construction or alteration details, number of employees, access, parking, storage details, sales, hours of operation, signage, etc.  
Note: A separate, detailed, business overview or plan should be provided.

Not Applicable

---

---

---

---

---

---

---

---

**14. PONDS – New pond / Existing pond work – dredging, maintenance, repair, etc.)**

The following information is the minimum information that is required for pond construction or alteration/maintenance. Generally, a hydrology/hydrogeology report and/or an environmental impact assessment is also required.

Pond is:  Proposed  Existing  Other (e.g., on-stream, by-pass) \_\_\_\_\_

Type of Pond:  Dug  Spring-fed  Irrigation  Other \_\_\_\_\_

Use of Pond:  Recreation  Livestock/farm  Well  Other \_\_\_\_\_

Water Source:  Precipitation/run-off  Springs

Size of Pond: Water Area \_\_\_\_\_ Depth of Water \_\_\_\_\_  
Height of Banks \_\_\_\_\_ Width of Banks \_\_\_\_\_

Setbacks: Distance to nearest watercourse, wetland and/or roadside ditch: \_\_\_\_\_  
Distance to nearest existing or proposed septic system: \_\_\_\_\_

Construction Details/Inflow/Outflow Details, Emergency Outflow/Spillway Details: (describe type of construction, water supply, receiving area or watercourse, etc.)

---

---

Erosion/sediment control measures: \_\_\_\_\_

---

Placement of excavated material: \_\_\_\_\_

---

Finish grading and landscaping: \_\_\_\_\_

---

**15. AGRICULTURAL DEVELOPMENT**

If your proposal involves agricultural land or uses, indicate and briefly describe here; and complete other sections of this application form as applicable. Note Additional detailed information may be required.

- Small Scale Commercial Use Accessory to Agriculture: \_\_\_\_\_
- Mobile Dwelling Accessory to Agriculture: \_\_\_\_\_
- Dwelling in Agricultural Area (near barns – MDS I): \_\_\_\_\_
- Livestock Facility (MDS II): \_\_\_\_\_
- Equestrian Facility (e.g. arenas, riding rings, events): \_\_\_\_\_
- Farm Pond: \_\_\_\_\_
- Winery: \_\_\_\_\_
- Winery Event: \_\_\_\_\_
- Farm Vacation Home: \_\_\_\_\_
- 'Agricultural Purposes Only' (APO) Lot Creation: \_\_\_\_\_

**16. LOT CREATION**

If this application involves the creation / severance of a new lot, please provide the following information:

<p><b>i) Existing Lot:</b></p> <p>Frontage <u>303 m</u></p> <p>Depth <u>590 m</u></p> <p>Size <u>14 ha</u></p>	<p><b>ii) Proposed Lot:</b></p> <p>Frontage <u>88 m</u></p> <p>Depth <u>180 m</u></p> <p>Size <u>.733 ha</u></p>	<p><b>iii) Retained Lot:</b></p> <p>Frontage <u>100</u></p> <p>Depth <u>590</u></p> <p>Size <u>10.1 ha (after both comments)</u></p>	<p><b>iv) Use of new Lot</b></p> <ul style="list-style-type: none"><li><input checked="" type="checkbox"/> Residential</li><li><input type="checkbox"/> Agricultural/APO</li><li><input type="checkbox"/> Conservation</li><li><input type="checkbox"/> Lot Addition</li><li><input type="checkbox"/> Commercial</li><li><input type="checkbox"/> Industrial</li></ul>
--	--	--	--

**17. OTHER INFORMATION**

Additional information to clarify your proposal may be submitted here or on a separate attachment: \_\_\_\_\_

Attached is also a scoped EIS prepared by Azimuth Environmental. The report concluded that, the severance of the property into three lots and the subsequent future single residential development will result in no negative direct or indirect impacts to the natural heritage features and areas identified in Section 5.5 and 5.5.2 of the Township Official Plan (2017). Further, the works do not pose impacts to fish habitat or Endangered or Threatened species and hence no permitting/authorizations are required under the Federal Fisheries Act (1985) or Ontario's Endangered Species Act (2007), respectively. The scoped EIS also includes correspondence with the NVCA and MNRF.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**Map 1A**  
**Niagara Escarpment Plan**  
 CARNEVALE  
 File: M/R/2019-2020/9144 & 9145

-  Subject Property
-  Geographic Named Extent Layer
- Plan Designations**
-  Escarpment Natural Area
-  Escarpment Protection Area
-  Escarpment Rural Area
-  Public Land (in Parks and Open Space System)
-  Roads
-  Waterbodies
-  Watercourse
-  Upper Tier Municipality
-  Lower/Single Tier Municipality
-  Lot and Concession Boundary

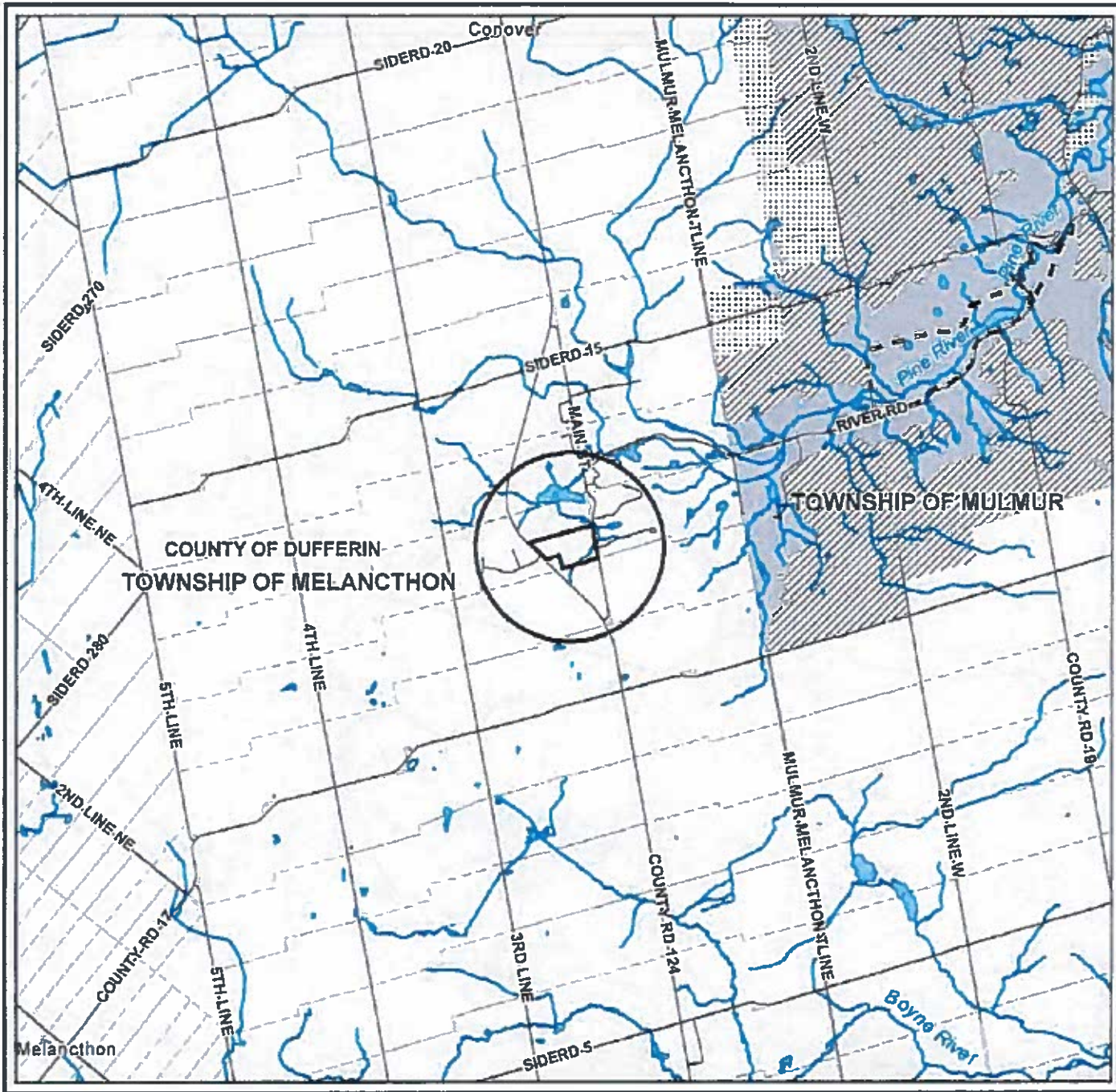
NOTE: The Niagara Escarpment Plan Designations boundaries shown on this map are approximate and subject to modification through site inspection and the submission of the Interpretation of Boundaries section of the Niagara Escarpment Plan.

Scale 1:50,000  
 0 380 760 1140 1520  
 Metres

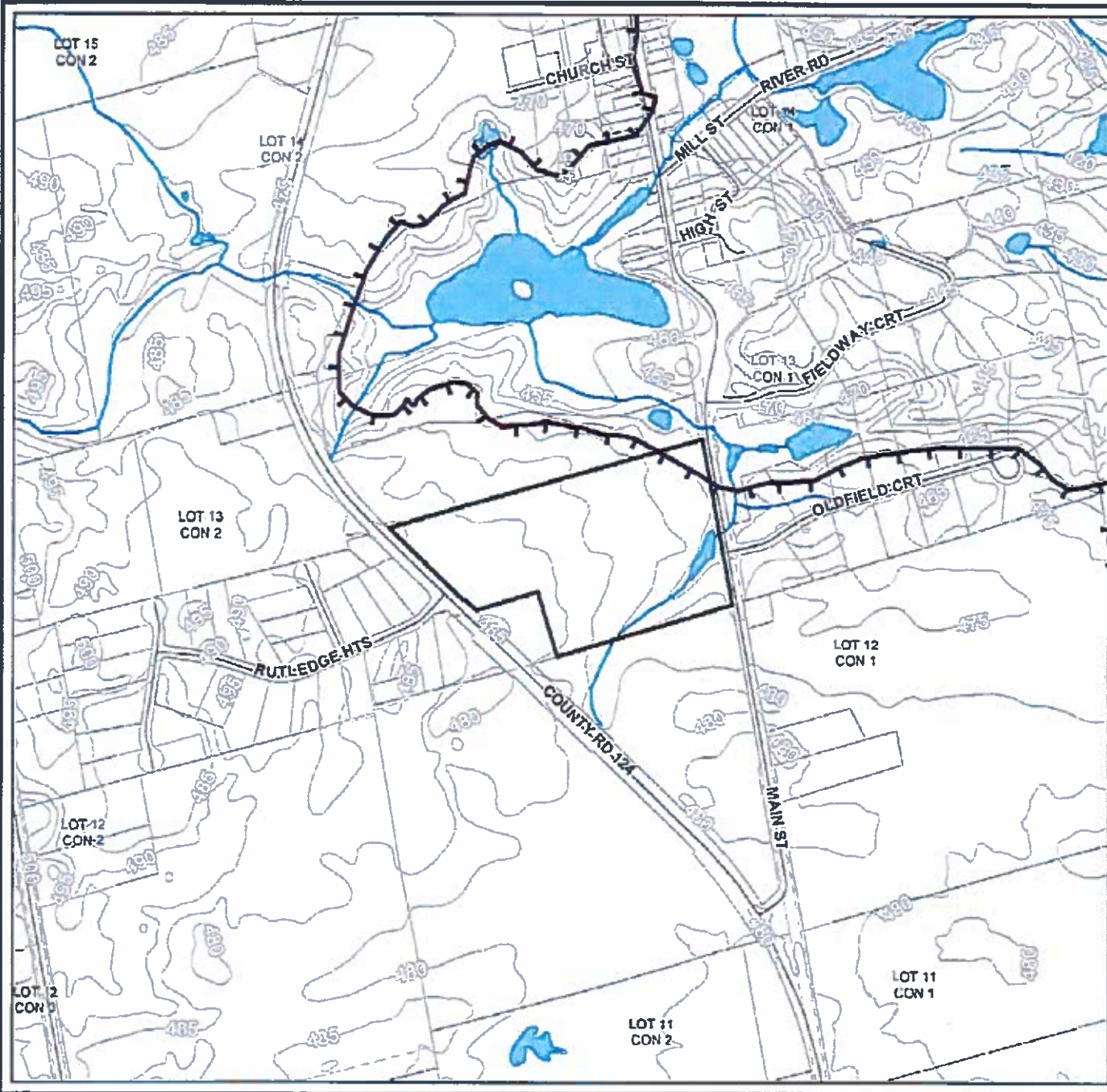
Posted on May 07, 2019  
 THIS IS NOT A PLAN OR SURVEY.  
 This map is illustrative only. Do not rely on it as being a precise indicator of meter, location of features, nor as a guide to navigation. Lines derived from aerial imagery. Data compiled and produced by the Geographic Information Systems (GIS) Team under the Niagara Escarpment Development, Ministry of Natural Resources.



© Crown's Printer for Ontario and its licensors, 2019  
 May not be reproduced without permission.







**Map 2**  
**Lot Configuration**  
**CARNEVALE**  
 File: M/R/2019-2020/9144 & 9145

- Subject Property
- Escarpment Brow
- Roads
- Waterbodies
- Watercourse
- Contour (5 metre intervals)
- Upper Tier Municipality
- Lower/Single Tier Municipality
- Lot and Concession Boundary
- Parcel Boundary











Based on Map 11, 2019  
 THIS IS NOT A PLAN OF SURVEY  
 This map is for informational purposes only. Do not rely on it as being a precise indicator of location.  
 Accuracy of features, not as a guide to navigation. Data derived from various sources.  
 Map compiled and produced by the Geographic Information Systems  
 (GIS) Department of the Ontario Ministry of Natural Resources  
 Ministry of Natural Resources



**Map 2C  
Orthophoto**

**CARNEVALE**  
File: M/R/2019-2020/9144 & 9145



-  Subject Property
-  Roads
-  Waterbodies
-  Watercourse
-  Upper Tier Municipality
-  Lower/Single Tier Municipality
-  Lot and Concession Boundary
-  Parcel Boundary

Orthophoto Date: 1288-0212



Printed on Nov 07, 2019  
THIS IS NOT A PLAN OF SURVEY.  
This map is for reference only. Do not rely on it as being a precise indicator of title or location of features, nor as a guide to navigation. Do not disturb any trees or structures.  
Data compiled and produced by the Geographic Information Systems (GIS) Department of the Infrastructure Development Corporation, Ministry of Natural Resources



© Queen's Printer for Ontario and its Successors (2019)  
This may not be reproduced without permission.





# Map 3

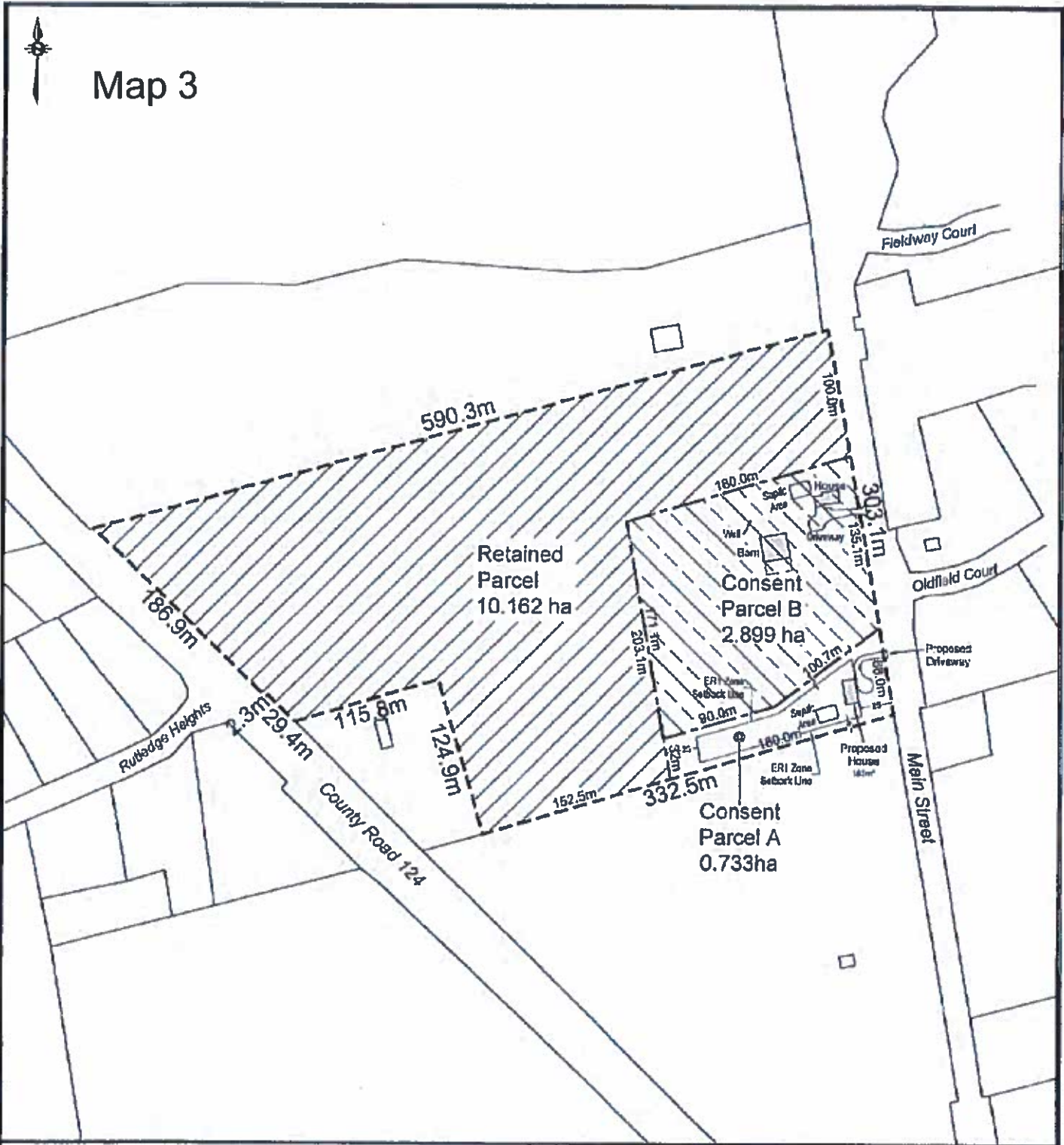


Figure 3 - Consent Sketch  
 537080 Main Street,  
 Melancton, (Hornings Mills)

Agent:	Kristine Loft, MCIP RPP, Loft Planning Inc.	
File#:	#CAR 27618	Sheet: CS
Date:	November 8, 2019	Scale: 1:4,000

December 10, 2018

Ms. Denise Holmes  
CAO/Clerk Treasurer  
Township of Melancthon  
157101 Highway 10  
Melancthon, Ontario  
L9V 2E6



Dear Ms. Holmes:

**Re: Consent Applications (Submission)**  
**537080 Main Street, Melancthon (Horning Mills)**  
**Legally known as PT LT 13 CON 2 OS AS IN MF128014, EXCEPT PT 1 7R3915; S/T MEL 18578**  
**TOWNSHIP OF MELANCTHON**  
**Angelo Carnevale**  
**Our File. CAR 27618**

We act as planners on behalf of Mr. Angelo Carnevale to provide planning services in connection with applications for two consents with respect to the aforementioned property. Please find enclosed two applications for consent.

The subject land is known as 537080 Main Street (Horning Mills) and are legally known as PT LT 13 CON 2 OS AS IN MF128014, EXCEPT PT 1 7R3915; S/T MEL 18578 MELANCTHON. The subject lands have a lot area of 14 hectares (34.5 acres) and a lot frontage of 300 metres onto Dufferin County Road 14.

The subject lands are actively farmed agricultural land within Horning' Mills. (Figure 1) The lands are 14 hectares in area. A single detached residential structure is located along the road frontage which is the easterly boundary of the site. There is also an accessory structure/ barn to the southwest of the residence. A gravel driveway exists from Main Street to the existing residence. There is a small low-lying and wet area in the northeastern corner of the study area, and a larger pond to the south of the residence. An area of slope lies in the southern half of the study area. There are two large ploughed fields that dominate the western and central part of the study area. There are small patches of meadow surrounding and to the north of the residence, to the west of the barn, and in the southeastern part of the lot. The remainder of the site is woodland that surrounds the residence and divides the two ploughed fields. The lot is bounded on the north by woodlot and residential property, on the east by Main Street, on the west County Road 124 and a residential property and on the south by residential property and open field. The subject lands are adjacent and to the west of the intersection of Main Street and Oldfield Court. (Figure 2)

The proposal is to sever two residential parcels one vacant residential lot and a second residential lot that would include the existing residence and accessory structures. The retained parcel will be future

residential development lands which would require a future plan of subdivision application and formal process. These consents would provide for land assembly of the future subdivision lands.

The following outlines the details of the consent proposal:

**Consent A:**

	Severed Parcel	Retained Parcel
Frontage (m)	68.0 m	100 m
Area (ha)	0.733 ha	10.1 ha
Depth (m)	180.0 m	590 m

**Consent B:**

	Severed Parcel	Retained Parcel
Frontage (m)	135.0 m	100 m
Area (ha)	2.8 ha	10.1 ha
Depth (m)	180.0 m (Irregular)	590 m

**Provincial Policy Statement**

The lands would be considered to be within the Settlement Areas (Hornig's Mills) as well as within the Rural Lands within the Provincial Policy Statement. The PPS provides for the following related to the proposed consents.

Section 1.1.3 provides the policies related to Settlement Areas. The policies identify that a range of uses and opportunities for intensification and redevelopment are to be supported. The municipality has identified the lands as being within a Community designation and the lands are within a Community Settlement Area. The lands are identified for development. As such, the proposed consents propose to sever the existing residence and accessory buildings and the second severance will sever the remaining lands located between the municipal road and the watercourse and woodland area. The severances establish a land assembly which would separate the future development lands from the front portion. All of the lands are within the settlement boundary and access would be proposed from Main Street.

The site does have a water course and associated woodlands. The first consent would be a vacant residential lot where a building envelope would be outside of the 30 metre setback to the watercourse. The second consent includes an existing residence and no new residential use is proposed. Future development of the retained parcel would be reviewed at the time of a draft plan application.

Further Amick Consultants Limited have completed a Phase 1 and Phase 2 Archaeological Property Assessment. The report concluded that no further archaeological assessment of the study area is warranted, the provincial interest has been addressed and the proposed undertaking is clear of any archaeological concerns.

Based on our review the consents are consistent with the Provincial Policy Statement.



### **Growth Plan for the Greater Golden Horseshoe 2017**

The Growth Plan for the Greater Golden Horseshoe has been prepared and approved under the Places to Grow Act. The Government of Ontario recognizes that in order to accommodate future population growth, support economic prosperity and achieve a high quality of life for residents of Ontario, planning must occur in a rational and strategic way. The Growth Plan has been reviewed in conjunction with this application with particular emphasis placed on the following.

The vision of Places to Grow is based on a number of guiding principles Section 1.2.1). The most applicable of these to the subject Applications are:

- Support achievement of complete communities;
- Prioritize intensification and higher densities;
- Support a range and mix of housing options; and
- Protect and enhance natural heritage; hydrologic, and landform systems, features and functions.

Managing Growth policies direct the majority of growth to settlement areas which have existing or planned infrastructure and can support the achievement of complete communities. For many of the same reasons as were identified through the review/discussion under the Provincial Policy Statement above, the proposal supports the diversity and range of housing opportunities and efficiencies of service delivery which are components of complete communities and desired outcomes of the implementation of the Places to Grow Act. The applications propose two residential lots within a Community designation. The remainder of the lands which are a large cohesive land holding will be for future development. The proposal is consistent with the policies of the Growth Plan for the Greater Golden Horseshoe.

### **County of Dufferin Official Plan (Consolidation July 17, 2017)**

The lands are designated Community Settlement Area (Schedule A and Schedule B) (Horning's Mills) within the County of Dufferin Official Plan. The lands are also identified as having the presence of Sand and Gravel (Schedule D) and a watercourse feature is identified (Schedule E and Schedule E-1).

Section 3.3.1 are the General Settlement Area policies.

- (a) The majority of growth will be directed to the County's settlement areas to focus public and private investment in built-up areas and to preserve the agricultural area and conserve the natural heritage features and areas.  
*The lands are within the Community Settlement Area and are outside of the Prime Agricultural and Rural areas.*

- (b) Settlement areas will provide for development patterns that efficiently use land, resources, infrastructure, and public service facilities. Settlement areas promote the development of healthy and sustainable communities through compact urban forms, efficient use of infrastructure, and the provision of a range of land uses.

*The proposed consents would sever the lands at the front of the property which is generally located between the stream and the municipal road allowance. The remainder of the lands at approximately 12 hectares would remain as a future development block.*

- (c) The County supports and promotes healthy, diverse and vibrant settlement areas within each of the local municipalities where all County residents can live, work and enjoy recreational opportunities.  
*The proposal is to create two residential parcels and to retain a future development block. It is anticipated that the future development block will then be development at a higher density and provide a range of housing opportunities via a plan of subdivision process.*
- (d) Schedule B identifies the lands within the Community Settlement Area.
- (e) The lands are identified in the Local Plan as being within a Settlement Area.
- (f) The local Official Plan does encourage densities and a mix of land uses within the Settlement area.

Section 3.3.3 area the Community Settlement Area policies. The following are the relevant policies,

- (a) The lands are identified as a Community Settlement Area (Schedule B).
- (b) Community settlement areas may continue to experience limited growth through infilling and development of vacant lands by way of consents or plans of subdivision as appropriate, in addition to limited residential intensification. It is recognized that certain community settlement areas may not accommodate additional growth and development, as established in the local municipal official plans.  
*The proposal is to sever two residential lots at the front of the property which are separated from the larger acreage by a stream and wooded area. The remainder of the site roughly 12 hectares would be future development lands. As such the consent process would be appropriate for these front lands, and a plan of subdivision would be appropriate for the remainder of the lands.*
- (c) The lands are proposed for residential, both the severed and retained.
- (d) Community settlement areas will maintain a rural settlement character and evolve as service and residential centres for their surrounding Countryside Areas, where appropriate.  
*The proposal is to sever two residential lots that are a larger lot area than what is typical within the settlement area, however the lands are separated from the remainder of the site by the stream and associated woodlands. This proposal would generally be considered land assembly where the retained lands would be the subject of a future plan of subdivision application.*
- (e) No settlement area expansion is proposed.
- (g) Servicing of the site will be private until such time as full services are available.

Based on our review of the above noted policies, it is our opinion that the proposal conforms to the County of Dufferin Official Plan.

**Township of Melancton Official Plan (Approved by OMB September 5, 2017)**

The lands are designated Community (Schedule B) (Horning's Mills) within the Township of Melancton Official Plan. (Figure 4) The lands are also identified as having the presence of a Floodplain Boundary (Schedule B). The lands are also identified as having Woodland (Schedule E) and Floodplain (Schedule F). The area is identified as a Medium Vulnerability (Schedule G) and an area of Significant Groundwater Recharge Area (Schedule G-1). The lands are identified as a Sand and Gravel Resource Area (Schedule H).

Section 5.7 are the Community policies. The Community land use designation is to recognize the Township's small settlement areas, to provide for a range of appropriate land uses in these areas, and to establish a planning policy framework for development within the designated areas, including moderate forms of residential intensification.

Section 5.7.1 provides the following.

- (a) Permitted uses include detached dwellings; home occupations; commercial uses serving the local area or the traveling public; small scale light industrial uses; institutional uses such as schools, churches, and government offices and agencies; community centres, community halls and libraries; parks and recreational uses; and bed and breakfast establishments.
- (b) Residential intensification is permitted in the Community designation.

Section 5.7.2 are the Planning and Development Policies and provide for the following.

- (a) *The site is located at the southerly edge of the Community designation and abuts Industrial designated lands.* The policies of subsection 5.7.1 permit a range of both residential and non-residential uses that are generally typical of smaller rural communities. The proposed lots are located in an area between the stream and woodland area and the municipal right of way. The lands are proposed to be severed in order to facilitate future development on the retained lands. Future Industrial Development on lands to the south will be required to review the proposal for land use compatibility and required separation distances and buffers. This would be typical of any Industrial development, where buffering and setbacks are to be located on the designated Industrial lands, not on adjacent sensitive land uses. Further the consents are located within a defined area with existing tree cover that does provide buffering and are of a significant lot area. The retained lands would be separated from these Industrial lands by the natural topography, stream and woodlands.
- (b) Residential uses are the most sensitive of the uses permitted and, therefore, shall be protected to the greatest extent possible from the potential adverse impacts of permitted non-residential uses. As noted above these lands are buffered by existing tree cover and

future industrial development will require its own buffering and setbacks, and the proposed lots are of significant size due to the local topography and natural features.

- (c) Not applicable.
- (d) Not applicable.
- (e) Not applicable.
- (f) Not applicable.
- (g) Not applicable.
- (h) The creation of new lots for permitted uses within the built community may occur by land severances up to a maximum of five new lots on a property existing at the time of approval of this Plan or by plans of subdivision. In keeping with the policies of section 3.1.2, where the creation of such lot represents a form of residential intensification, reduced lot sizes may be permitted, provided there is sufficient area for on-site water and sewage disposal facilities and any permitted accessory uses or structures.  
*The proposal is for two consent applications for residential lots to be severed from the front of the property, and the retained will be for future development purposes. The lands that are proposed as the severed lands have included the between the municipal road allowance and the stream and woodland area. These lands are naturally physically separated from the larger land holding.*
- (i) New development in Horning's Mills shall be designed to reflect and complement the Community's physical setting and architectural character.  
*Development is expected to complement the setting. The existing house is proposed to remain and would be located on one of the severed lots. This property is a unique property with the presence of woodlot and the stream. The proposal has taken this into consideration with the natural separate between the proposed lots and the retained larger land holding.*
- (j) Residential intensification shall comply with the following policies in addition to the provisions of section 3.1.2 and other applicable policies of this Plan.  
*At this time, the proposal is to sever two lots, future development of the retained parcel would then conform to the residential intensification policies of the plan.*
- (k) All development in the areas designated Community shall be properly serviced with water supply and sewage disposal facilities in accordance with the policies of sections 3.1.2 and 6.3 of this Plan.  
*The lands will be appropriately serviced and the required permits will be obtained.*
- (l) Not applicable.
- (m) Not applicable.
- (n) Lands within a floodplain boundary, as shown on Schedules B, C, and C-2, are also subject to policies 3.5 and 5.5.3 of this Plan.



*These policies have been reviewed and comments will be received from the Conservation Authority in relation to the floodplain area. Should EIS work be required at this time, this will be investigated. It is anticipated that the required setbacks can be maintained via building envelopes and that the water course and adjacent lands will be appropriately zoned.*

Section 5.5.3 provides the policies related to Floodplains, Watercourses and Drains,

Section 5.5.3 (b) provides that, Development, and site alteration, other than that specifically permitted by the policies of this Section (S 3.5.1 and S 5.5.1), will be set back from watercourses in order to protect the natural features and functions of the watercourse and related lands, protect fish habitat, provide riparian habitat and minimize the risk to public safety and property. *The proposed lots are of considerable size. One of the proposed lots is vacant and a residence is proposed, it is expected that the depth and size of the lot would provide the necessary setbacks from the watercourse and floodplain area. The second proposed lot has an existing residence and no new structures are proposed. Proposed development would be outside of the 30 metre adjacent lands and could be up to 100 metres away.*

Based on our review of the above noted policies and understanding that the appropriate setbacks can be met from the natural heritage features, it is our opinion that the proposal conforms to the Township of Melancton Official Plan.

**Niagara Escarpment Plan**

The subject lands are outside of the Niagara Escarpment Plan Area however, the Development Control Area mapping appears to generally include these lands within a portion of Horning's Mills. The lands are zoned within the Township of Melancton Zoning Bylaw. The proposed lots have been established based on the zoning provisions. Should a Development Permit be required, this can be applied for as part of this process.

**Zoning By-law**

The subject lands are zoned Development (D) as per Zoning Bylaw 12-1979 (Amended 12-1982) and identified on Schedule A-13. An implementing zoning bylaw amendment is required to implement the consents. A zba application will be submitted to rezone the severed lands to Small Lot Estate Residential (ER1) Zone. The following is a zoning conformity chart identifying the required and proposed zoning provisions.

	ER1 Zone	Consent A	Consent B
Lot Area	1 ha	.733 ha	2.8 ha
Lot Frontage	60 m	68 m	135 m
Front Yard	25 m	To be met	Existing
Lot Depth	90 m	180 m	180 m
Exterior Side Yard	25 m	Not Applicable	Not Applicable
Interior Side Yard	6 m	To be met	Existing
Rear Yard	25 m	To be met	Existing
Gross Floor Area	140 sq.m.	To be met	Met

An application will be submitted to amend the zoning bylaw in order to implement the consents and recognize the newly created lots. The Consent A lot is slightly smaller due to regulated watercourse that will remain with Consent B to avoid having the pond spread across both properties. The overall intent was to retain a 10 hectare retained parcel for future residential development by way of subdivision.

**Conclusions**

In conclusion and based upon the above reporting, it is our opinion that the proposed consent applications conform to the Growth Plan and relevant Official Plans and are consistent with the Provincial Policy Statement. Further, should a Development Permit be required, we can proceed with this application in addition to the relevant Zoning provisions which apply.

It is our opinion that the proposal for consents has merit and represents good planning.

Respectively,  
**LOFT Planning Inc.**

**COPY**

Kristine A. Loft, MCIP RPP  
Principal

- Figure 1: Aerial
- Figure 2: Surrounding Lands
- Figure 3: Consent Sketch
- Figure 4: Official Plan



Figure 1 - Aerial View  
537080 Main Street,  
Melancton, (Hornings Mills)

Agent:	Kristine Loft, MCIP RPP, Loft Planning Inc.	
File #	#CAR 27618	Sheet: AVS
Date:	December 9, 2018	Scale: 1:4,000





**Figure 2 - Surrounding Lands Aerial**  
**537080 Main Street,**  
**Melanchton, (Hornings Mills)**

Agent:	Kristine Loft, MCIP RPP, Loft Planning Inc.	
File#:	#CAR 27618	Sheet: AVS
Date:	December 9, 2018	Scale: 1:10,000

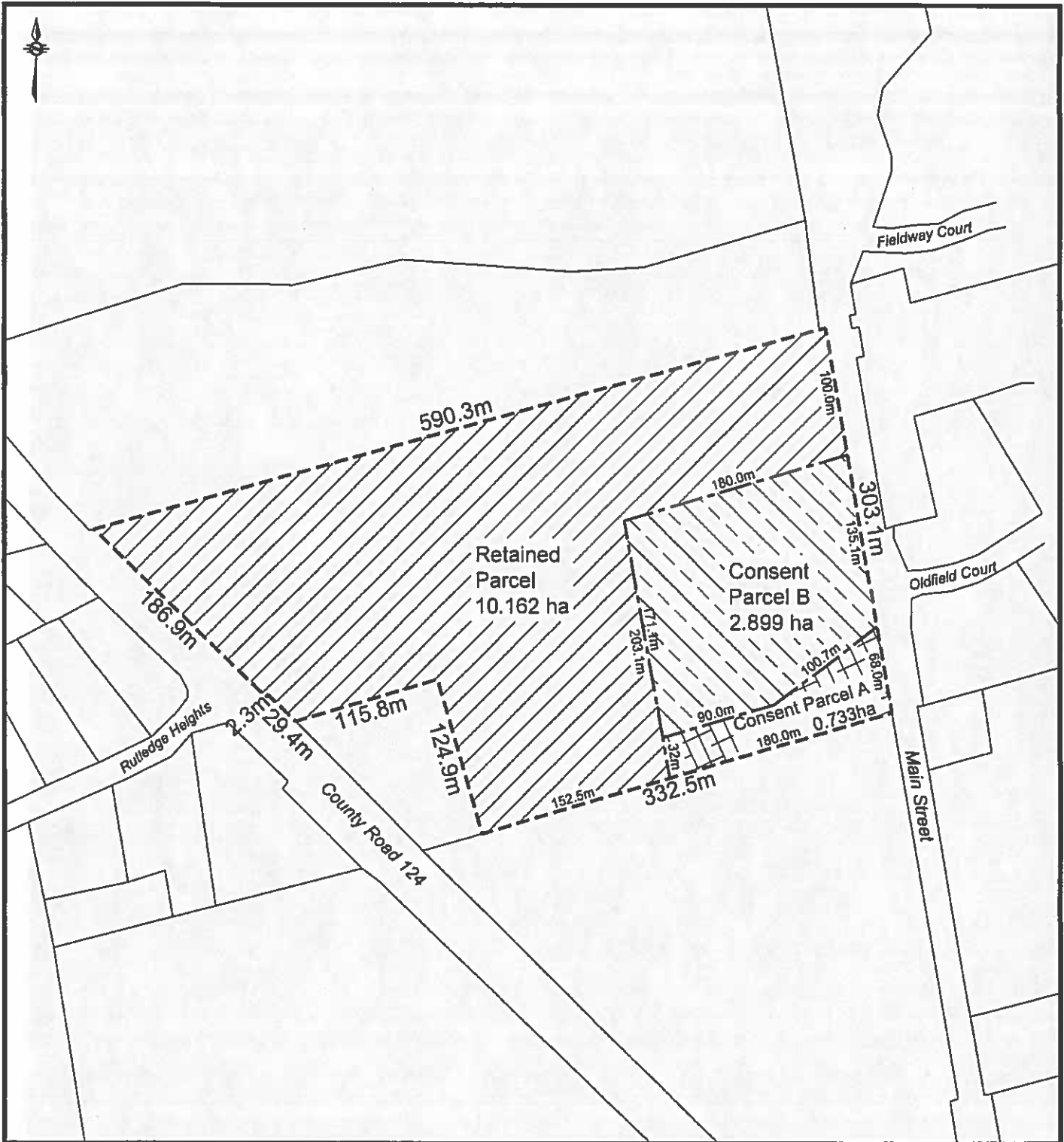


Figure 3 - Consent Sketch  
 537080 Main Street,  
 Melancton, (Hornings Mills)

Agent:	Kristine Loft, MCIP RPP, Loft Planning Inc.	
File #:	#CAR 27618	Sheet: CS
Date:	December 09, 2018	Scale: 1:4,000





**Figure 3B - Consent Sketch**  
 537080 Main Street,  
 Melancton, (Hornings Mills)

Agent:	Kristine Loft, MCIP RPP, Loft Planning Inc.		
File#:	#CAR 27618	Sheet:	CS
Date:	December 09, 2018	Scale:	1:4,000



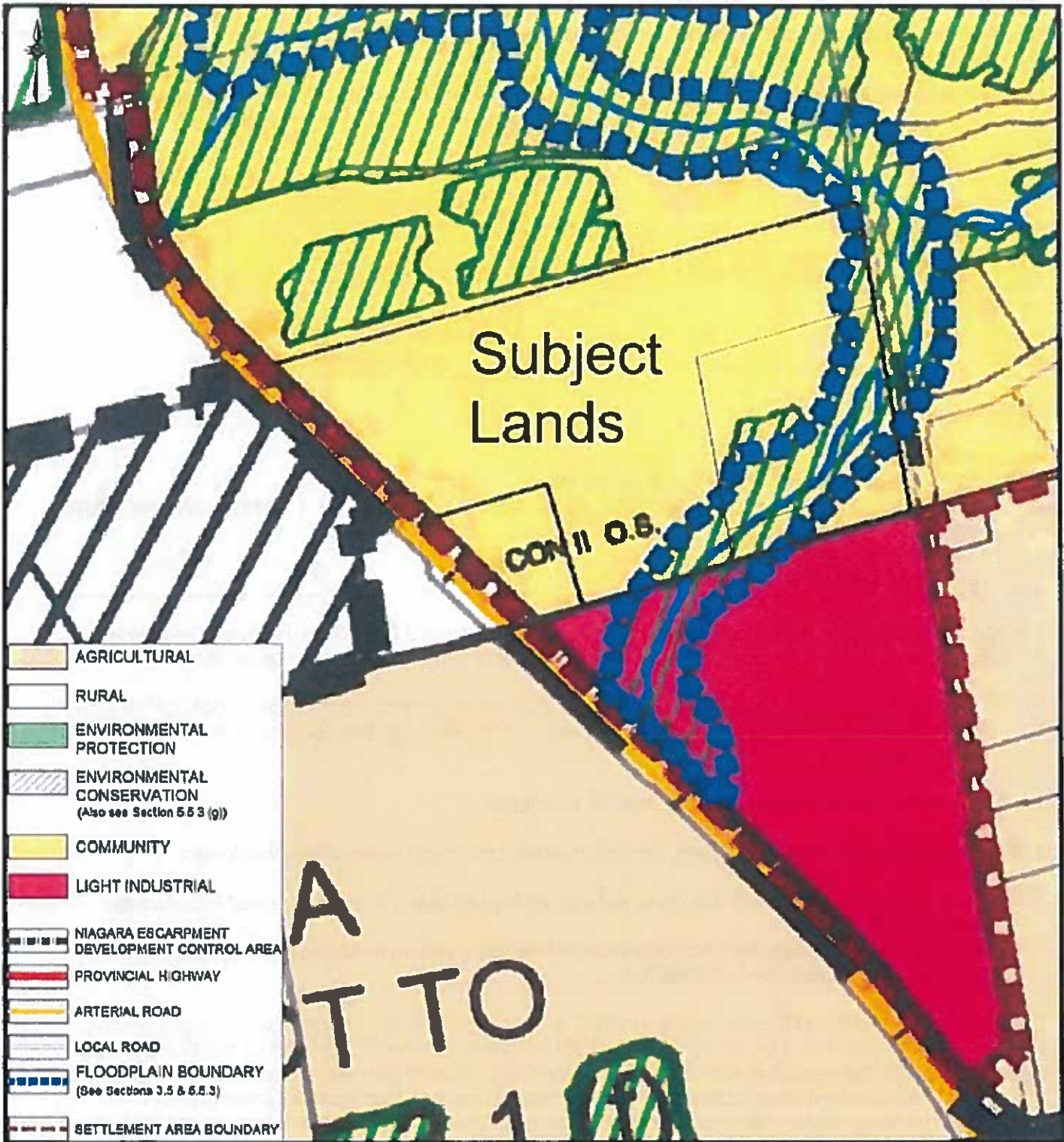


Figure 4 - Official Plan  
537080 Main Street,  
Melancton, (Hornings Mills)

Agent:	Kristine Loft, MCIP RPP, Loft Planning Inc.	
File #:	#CAR 27618	Sheet: OPD
Date:	December 09, 2018	Scale: 1:5,000



July 16 2019

Ms. Denise Holmes  
CAO/Clerk Treasurer  
Township of Melancthon  
157101 Highway 10  
Melancthon, Ontario  
L9V 2E6



Dear Ms. Holmes:

**Re: Addendum Letter  
537080 Main Street, Melancthon (Hornig Mills)  
Legally known as PT LT 13 CON 2 OS AS IN MF128014, EXCEPT PT 1 7R3915; S/T MEL 18578  
TOWNSHIP OF MELANCTHON  
Angelo Carnevale  
Our File. CAR 27618**

The following is a response to the email correspondence received from Chris Jones on December 24, 2018. For ease of review, we have followed the same numbering system as the email request:

1. Section 4.2.2.6 of the Growth Plan is an important policy in that it defers to the natural heritage policies of the PPS for land/development and natural heritage impact assessment within a settlement area.

The comment refers to Section 4.2.2.6 of the GP as follows,

**6. Beyond the Natural Heritage System, including within settlement areas, the municipality:**

- a) will continue to protect any other natural heritage features in a manner that is consistent with the PPS; and
- b) may continue to protect any other natural heritage system or identify new systems in a manner that is consistent with the PPS.

The lands are within the settlement area, and there is a natural heritage feature which traverses the subject lands. The proposal provided as taken this into consideration. This portion of the lands are also regulated by the Conservation Authority. The intent of the applications was to include virtually all of the natural heritage feature on Consent B which is the lot creation that includes the existing residence. This proposed consent also maintains the existing pond as well. The intent was to include these lands within the Consent B – where the existing residence is. That consent A would create a new residential lot that would have the ability to maintain adjacent lands to the tributary. The overall retained parcel is virtually all agricultural fields and fence rows and is proposed for future residential development at a later date.

It is our understanding that the municipality has circulated the Conservation Authority and our understanding is that appropriate zoning mapping would be provided to ensure a development envelope on Consent A – outside of the adjacent lands Consent B lot is already developed and no new development is proposed. And the retained parcel is for future development where we would propose a holding symbol is applied including the requirement of a draft plan of subdivision.

2. Sections 2.1, 2.2 and 3.1 of the PPS have applicability to this proposal.

### **2.1 Natural Heritage**

**2.1.1 Natural features and areas shall be protected for the long term.**

**2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.**

**2.1.3 Natural heritage systems shall be identified in Ecoregions 6E & 7E1, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas.**

The intention of the applications is that Consent A lot would have a building envelope outside of the adjacent lands. Consent B is a developed lot and includes virtually of the tributary and wooded lands. And the retained parcel is proposed for future residential purposes through the plan of subdivision process.

**2.1.6 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.**

Development within the tributary is not proposed.

**2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.**

The attached correspondence from Azimuth Environmental dated July 16 2019 addresses SAR comments.

**2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.**

The attached correspondence from Azimuth Environmental dated July 16 2019 addresses ecological functions and natural heritage features.

**2.1.9 Nothing in policy 2.1 is intended to limit the ability of agricultural uses to continue.**

The retained parcel would continue with agricultural use until such time as a future development is approved.

**2.2 Water****2.2.1 Planning authorities shall protect, improve or restore the quality and quantity of water by:**

- a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;**
- b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;**
- c) identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed;**
- d) maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas;**
- e) implementing necessary restrictions on development and site alteration to: 1. protect all municipal drinking water supplies and designated vulnerable areas; and 2. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions;**
- f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;**
- g) ensuring consideration of environmental lake capacity, where applicable; and**
- h) ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.**

**2.2.2 Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored.**

The proposal is to sever to residential lots. The tributary and adjacent lands are primarily located on Consent B which included an existing residence as is proposed to be retained by the owner. Consent A is a proposed vacant lot. The intent was to limit any of the tributary or wooded lands and to maintain the existing pond on Consent B. This is the reason for the proposed lot layout. The retained parcel is proposed for future residential development by way of plan of subdivision and will be used for continued agricultural purposes until such time as there are future planning approvals. A holding symbol could be utilized for the retained parcel subject to future approvals. The Consent A lot has a proposed depth of 180 metres and the intent was to include sufficient depth that would allow a future building envelope and still maintain a 120 metres adjacent lands from the rear of the lot – where the tributary is located. The building envelope would include private services.

3. Comments from the NVCA notwithstanding, the policies of the Melancthon OP require a floodplain hazard study and an EIS (woodland, watercourse, fish habitat, SAR assessment).

In consultation with Emma Perry, Nottawasaga Valley Conservation Authority the attached correspondence has been provided by Azimuth Environmental to address comments relating to the severances. Further study will be required as part of a future draft plan of subdivision.

4. The Township's Roads Manager previously reviewed the proposed entrance for Consent A and found the proposed location to be workable but was of the opinion that substantial site alteration would be required to overcome the topography of the lot.

We would propose that a condition of consent include an appropriate grading plan for the entrance, prepared by a qualified professional engineer for Consent A.

5. I would suggest you discuss the need for the above assessments with a qualified consultant asap in the new year to ensure this work can be completed in the spring.

The attached correspondence from Azimuth Environmental dated July 16 2019 addresses the required concerns and policies related to the consents. And as per the NVCA correspondence – further study will be required as part of a future draft plan submission.

6. It would be my preference that the above assessments include a site plan identifying the location of a proposed building envelope and any other recommendations that can be formalized through a site plan or consent agreement.

The attached Azimuth Environmental Correspondence does identify mitigation measures which are expected to be attached to a consent agreement.

7. I would suggest the assessment also consider Consent B and also provide a site plan to confirm the existing dwelling location/building envelope is appropriate or to provide insight regarding future development/redevelopment of this parcel. On this site plan, please identify the location of existing buildings, septic system, well, driveway and any other existing features.

The attached Azimuth Environmental Correspondence does identify mitigation measures which are expected to be attached to a consent agreement.

8. As per my earlier pre-consultation comments, please provide a conceptual sketch illustrating how the retained could be subdivided.

We have not provided a concept plan for the retained parcel. Until such time as the Environmental and Engineering work is completed – the developable area has not yet been defined and a concept plan would be premature.

9. The abutting parcel designated for Light Industrial purposes is the only such parcel in the Township and I understand it is currently on the market. It is a priority to ensure these lands can be utilized for a broad range of employment uses. Once the above-mentioned site plan is provided, it will allow for a better consideration of the potential separation and natural buffering between the proposed lot and the existing industrial designation.



LAND USE PLANNING | PROJECT MANAGEMENT

308 Huron/Lario Street  
Collingwood, ON  
L9Y 2M3

t: 705.446.1168  
f: 866.391.9771

kristine@loftplanning.com

We would expect that during site plan approval process for a future industrial use, that appropriate mitigative measures are required for the industrial development and ensuring that the Ministry requirements are met on site. This generally requires the mitigative measures to be located on the industrial site (including berming, fencing and possible setbacks). The general building envelope will be at the front of the property, with limited width.

Respectively,  
LOFT Planning Inc.

A handwritten signature in blue ink that reads "Kristine A. Loft". The signature is stylized and includes a large, circular flourish over the letter "O" in "Loft".

Kristine A. Loft, MCIP RPP  
Principal



Environmental Assessments & Approvals

July 16, 2019

AEC 18-228

Angelo Carnevale  
537080 Main Street  
Melancthon, Ontario  
L9V 1X6



Attention: Angelo Carnevale

**Re: Site Evaluation Report for a Proposed Land Severance at Part of Lot 13,  
Concession 2, Township of Melancthon, County of Dufferin.**

Dear Mr. Carnevale:

Azimuth Environmental Consulting, Inc. (Azimuth) was retained by Marco Carnevale to provide environmental services for the property located at Part of Lot 13, Concession 2, in the Township of Melancthon, County of Dufferin (Figure 1). It is our understanding that the proponent intends to sever the property into two single residential parcels and a large retained lot that is to be a future subdivision. In consultation with the Nottawasaga Valley Conservation Authority (NVCA; Emma Perry) and the Township of Melancthon (Township; Chris Jones) (Attachment 1), it was decided that a Site Evaluation Report would initially be prepared in support of the consent application (this letter), and that a separate Environmental Impact Study (EIS) would be submitted at a later date to address the potential future proposed subdivision on the retained lot. As such, this Site Evaluation Report addresses the potential impacts of the proposed land severance on the identified natural heritage features, specifically as it relates to future residential development associated with Consent Parcel A.





## 1.0 PLANNING CONTEXT

### 1.1 Township of Melancthon Official Plan

The property is located within lands that have been designated as “Community”, “Environmental Conservation” and “Floodplain” as illustrated on Schedule B of the Township of Melancthon Official Plan, 2017 (Township Official Plan; Attachment 2). Further, Schedule E identifies “Significant Woodland” and a “watercourse” on the southeastern portion of the property (Attachment 2). The Site Evaluation Report addresses the policies identified in Sections 5.5 and 5.5.2 of the Township Official Plan as requested in the Township’s input to the Terms of Reference (Attachment 1).

According to the Township Official Plan, natural heritage features and areas include:

- Locally Significant and Unevaluated Wetlands;
- Significant Woodlands;
- Significant Wildlife Habitat;
- Areas of Natural and Scientific Interest (ANSI);
- Habitat of Endangered Species and Threatened Species; and
- Fish Habitat.

The following policies from Section 5.5.2 of the Township Official Plan shall apply to lands adjacent to natural heritage features and areas:

- i. “*Development*, including the creation of new lots, may be permitted on *adjacent lands* [up to 120m] only if it will not have any *negative impacts* on the nearby *natural heritage features and areas* recognized by the application of the Environmental Conservation overlay designation, or their ecological function.
- ii. The policies of section 3.4.2 with regard to assessing environmental impact shall apply in addressing the provisions of subsection 5.5.2(g)(i) above. Generally, the construction of a dwelling or accessory buildings to a dwelling will not require an assessment of environmental impact.
- iii. If it is determined that there is compliance with the requirements of this designation, *development* may be permitted on the *adjacent lands* in accordance with the land use designation on those lands.
- iv. *Development* on *adjacent lands* may be subject to site plan control.”

Within the property limits, Significant Woodland, potential Significant Wildlife Habitat, potential Habitat of Endangered Species and Threatened Species and Fish Habitat has been identified. Further, a wetland community was identified on the property that was not depicted on Schedule D (Attachment 2). Relevant policy for these natural heritage features and areas has been included below.



With regards to Locally Significant and Unevaluated Wetlands, **Section 5.5.2** of the Township Official Plan states that:

*(h) Locally significant wetlands and unevaluated wetlands are shown on Schedule D. Generally, locally significant wetlands shall be protected and maintained in a natural state. They may be protected through stewardship agreements or conservation easements.*

*(i) Wetland loss will be avoided where possible and the re-establishment and creation of wetlands will be encouraged if loss or degradation occurs.*

*(j) The policies of section 3.4.2 with regard to assessing environmental impact shall apply to any development or site alteration within a locally significant wetland. Environmental impact documentation may also be required for any development on adjacent lands to a locally significant wetland. Generally, the construction of a dwelling or accessory buildings to a dwelling on such adjacent lands will not require an assessment of environmental impact.*

*(k) Unevaluated wetlands shall be assessed for significance and for boundary delineation at the time of application for planning or building approvals involving such wetlands. The determination of the appropriate policies relating to development and site alteration will be based on the wetland's identified level of significance. A similar approach will be taken with regard to development on adjacent lands to unevaluated wetlands.*

*(l) Agricultural uses may continue within locally significant and unevaluated wetlands and such uses shall be encouraged to employ best management practices to protect and enhance wetland features.*

With regards to Significant Woodlands, **Section 5.5.2** of the Township Official Plan states that:

*(o) The policies of section 3.4.2 with regard to assessing environmental impact shall apply to any development or site alteration within significant woodlands. Environmental impact documentation may also be required for any development on adjacent lands to significant woodlands. The construction of a dwelling or accessory buildings to a dwelling on such adjacent lands may not require an assessment of environmental impact.*

With regards to Significant Wildlife Habitat, **Section 5.5.2** of the Township Official Plan states that:



*(s) Development or site alteration will not be permitted in significant wildlife habitat unless it has been demonstrated through an Environmental Impact Study or site assessment in accordance with the policies of section 3.4.2 that there will be no negative impacts on the habitat or its ecological function.*

*(t) Documentation such as that referenced in subsection (s) immediately above may also be required for any development on adjacent lands to significant wildlife habitat. Generally, the construction of a dwelling or accessory buildings to a dwelling on such adjacent lands will not require an assessment of environmental impact.*

*(u) Development within significant wildlife habitat may be subject to site plan control and require a site plan agreement to implement aspects of the recommendations contained in the environmental documentation.*

With regards to Habitat of Endangered Species and Threatened Species, Section 5.5.2 of the Township Official Plan states that:

*(z) Development and site alteration shall not be permitted in habitat of endangered species and threatened species except in accordance with legislation and policies administered by the provincial or federal governments, where applicable, for the purpose of protecting species at risk and their habitat.*

*(bb) The policies of subsection 5.5.2(g) shall apply with regard to development or site alteration on adjacent lands to the habitat of endangered and threatened species.*

With regards to Fish Habitat, Section 5.5.2 of the Township Official Plan states that:

*(cc) Fish habitat may be present within the watercourses identified within the Environmental Conservation designation.*

*(dd) Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.*

*(ee) Development and site alteration shall not be permitted on adjacent lands to fish habitat unless it has been demonstrated through an Environmental Impact Study or site assessment in accordance with the policies of section 3.4.2 that there will be no negative impacts on the habitat or its ecological function.*

## **2.0 FIELD INVESTIGATIONS**

Azimuth staff undertook the following tasks for the purpose of the assessment:



- Conducted one site visit on May 7<sup>th</sup>, 2019 with the NVCA (Mike Francis, Planning Ecologist) to assess site conditions and identify any obvious environmental constraints to the proposed land severance;
- Consulted with the NVCA regarding the existing conditions and the proposed land severance (Attachment 2);
- Reviewed the proposed site plan (attached Figure 3) to determine the potential impacts to natural heritage features that may result from the land severance; and
- Assessed the potential direct and indirect impacts of the proposed land severance (and subsequent development of a single family dwelling) on the property.

Additional field work (*i.e.*, vascular plant survey, bird surveys, amphibian surveys, *etc.*) is currently being completed for the property. The results from these surveys have not been provided within this letter report; however, this information will be presented in the EIS report that will address potential future development for the large retained parcel.

### 3.0 EXISTING CONDITIONS

The property is located within Ecoregion 6E in the community Horning's Mills (Figure 1). The property is approximately 13.7 hectares (ha) in size and is largely active agricultural lands. A small meadow marsh wetland community was identified on the northeastern corner of the property. A residential dwelling and barn exist on the eastern portion of the property and the area surrounding these structures is maintained and consists of manicured lawn with landscape trees and gardens, and a man-made on-line pond. A mix of woodland communities occur within the southeastern portion of the property and include deciduous forest and cultural plantation, as illustrated on Figure 2. These woodland communities are highly disturbed and are dominated by non-native and invasive species.

The eastern portion of the property is regulated by the NVCA due to Horning's Mills Creek, a coldwater watercourse, which is depicted flowing in a northwesterly direction across the property on background mapping (Attachment 2). During the site visit to the property (May 7<sup>th</sup>, 2019), a watercourse was observed on the property with flow that originated approximately 30 meters (m) upstream of the inlet of the pond feature located in the southeastern corner of the property. This is suspected to be the result of ground water discharge in this area. Although depicted in NVCA regulation mapping (Attachment 2), there is no evidence of flow, no noticeable depression or evidence of banks beyond what is depicted on Azimuth's Figure 2 and 3. Correspondence with the NVCA confirms the watercourse as depicted on Figure 2 and 3 is accurate (Attachment 1).



Surrounding lands are predominantly agricultural. Tracts of woodland and single family dwellings on large residential lots are also common features in the landscape.

## **4.0 NATURAL HERITAGE FEATURES**

### **4.1 Locally Significant and Unevaluated Wetlands**

No Provincially Significant Wetlands or Locally Significant and Unevaluated Wetlands are identified on Schedule D of the Township Official Plan (Attachment 2) on the property. A small meadow marsh community was documented however on the northeastern corner of the property during the site assessment, as illustrated on Figure 2. It is anticipated that this feature is the result of groundwater seepage.

### **4.2 Significant Woodlands**

Woodlands on the southeastern portion of the property have been mapped as Significant Woodland within Schedule E of the Township Official Plan (Attachment 2). These woodlands have preliminarily been classified as cultural plantation (CUP) and deciduous forest (FOD; Figure 2).

### **4.3 Significant Wildlife Habitat**

The province identifies 35+ wildlife habitat functions as candidates for consideration as Significant Wildlife Habitat. Candidate Significant Wildlife Habitat functions associated with the property are potentially attributable to the plantation, deciduous forest and pond.

### **4.4 Habitat of Endangered Species and Threatened Species**

A general Species at Risk (SAR) screening was completed to identify SAR that have the potential to occur on or adjacent to the property. While they were not identified on the property, the forest communities may provide potential maternity roost habitat for Little Brown Myotis, Tri-colored Bat and Northern Myotis, which are all listed as Endangered under Ontario's *Endangered Species Act, 2007*. Additionally, Butternut (Endangered) can be found in woodland and hedgerows however none were documented on the site during the spring surveys. Bird species, such as Barn Swallow (Threatened) and Chimney Swift (Threatened), are commonly associated with anthropogenic structures and may utilize the residence and garage as nesting habitat. No evidence of nesting was identified during the site assessment.



The MNRD Midhurst District was contacted to request natural heritage background and SAR information that may be relevant to this project. The information request and agency reply are provided in Attachment 2.

#### **4.5 Fish Habitat**

As discussed, Horning's Mills Creek, a coldwater creek, is anticipated to originate from a groundwater source approximately 30m upstream of the manmade pond on-site (Figure 2). This watercourse outlets the man-made on-line pond near the eastern property boundary (no pond outlet structure present). The watercourse flows off-site via a culvert under Main Street and continues to flow in a northerly direction. Fish were observed within the pond during spring surveys and thus the watercourse provides direct fish habitat.

A drainage feature was also identified flowing in a northerly direction along the southern property boundary, as illustrated on Figure 2. Surface film (*i.e.*, sheen and oily appearance) was observed at the origin of the drainage feature and watercress' were documented along the ditch, indicating that the drainage feature originates from a groundwater seep. The drainage feature exits the property through a culvert and is anticipated to connect to Horning's Mills Creek. Thus, it is anticipated that the drainage feature contributes to fish habitat.

### **5.0 PROPOSED DEVELOPMENT**

The proposed development consists of severing the southeastern corner of the existing lot into two parcels and retaining the balance of the lands, as depicted on Figure 3. At this time there is no development planned for the large Retained Parcel. It is our understanding that Consent Parcel B, one of the severed lots, will continue to function as a single family residential lot and that all existing buildings (*i.e.*, dwelling and barn) will be retained. Future use for Consent Parcel A (severed lot) will include a single family dwelling. An approximate envelope of development has been proposed, as depicted on Figure 3, and has been placed outside of the Significant Woodland and the Environmental Conservation and Floodplain area (as depicted on Schedule B of the Township Official Plan; Attachment 2). Site plans have not yet been established and thus, it is not anticipated that the entire development envelope will be utilized for development.

The Impact Assessment (Section 6.0) will address potential impacts associated with the creation of Consent Parcel A only (and subsequent future residential use).





## **6.0 IMPACT ASSESSMENT**

### **6.1 Locally Significant and Unevaluated Wetlands**

The meadow marsh community is located on the large retained parcel over 200m to the north of the proposed development envelope for Consent Parcel A (Figure 3). Given the spatial separation, there is no expectation that the proposed development on Consent Parcel A will negatively impact the wetland on the property.

### **6.2 Significant Woodlands**

While the proposed lot lines intersect the woodland feature, the development envelope for Consent Parcel A has been directed outside of the Significant Woodland within an open area that consists of maintained lawn and cultural thicket (Figure 3). A 10m buffer from the edge of the woodland feature has been recommended to prevent encroachment into the woodland communities as depicted on Figure 3. With the exception of the deciduous forest that exists within the western portion of the proposed Consent Parcel A (along the southern boundary of the property), the woodlands on-site have been planted and are therefore of anthropogenic origin. Furthermore, the vegetation layers within the cultural plantation and deciduous forest surrounding the pond and watercourse are dominated by non-native and invasive species including Goutweed, Japanese Knotweed, Manitoba Maple and Periwinkle. While the woodlands on-site provide certain ecological functions, they are not sensitive communities and it is therefore our opinion that a 10m setback would be sufficient to protect the woodland from the impacts of the proposed severance and subsequent residential development. Assuming the setback is maintained during future development, there is no expectation that the proposed development on Consent Parcel A would result in negative impacts to the Significant Woodland.

Mitigation measures to minimize/eliminate the potential for indirect impacts to the feature are described in Section 7.0 below. Provided that the mitigation measures described in Section 7.0 are adhered to, there is no expectation that the proposed works would result in a contravention of relevant municipal policy concerning Significant Woodland.

### **6.3 Significant Wildlife Habitat**

The proposed development on Consent Parcel A is proposed outside of the limits of the Significant Woodland and man-made pond within an area that is largely maintained vegetation. While some vegetation removal will be required within the cultural thicket and cultural hedgerow (CUT and CUH1-A; Figure 3) to accommodate the proposed development, these communities are not expected to function as Significant Wildlife Habitat as the composition, structure and age of the communities are unsuitable. Thus,



the proposed development will result in no direct impacts to the woodlands or man-made pond or the potential Significant Wildlife Habitat functions they provide.

#### **6.4 Habitat of Endangered Species and Threatened Species**

The proposed works are not expected to negatively impact SAR, provided mitigation measures related to vegetation clearing are adhered to. The identified natural heritage features associated with the property will not be impacted and will continue to function post-construction.

#### **6.5 Fish Habitat**

The drainage feature flows along the boundary of retained Consent Parcel B and the large retained parcel over 100m to the north of the proposed development envelope for Consent Parcel A (Figure 3). Given the spatial separation, there is no expectation that the proposed development on Consent Parcel A will negatively impact the drainage feature on the property provided mitigation measures outlined below are adhered to.

The proposed development envelope on Consent Parcel A is located at least 30m from the watercourse (Figure 3). The Top of Bank was delineated during the May 6<sup>th</sup>, 2019 site visit (Figure 2) and the proposed lot line and subsequent development will be located more than 6m from the Top of Bank (Figure 3). The slopes within this area appear stable and the land is heavily vegetated. Consequently, there is no expectation that the proposed development will negatively impact the watercourse or the Fish Habitat on the property. Notwithstanding, it is recommended that mitigation measures outlined in Section 7.0 are adhered to.

### **7.0 MITIGATION & RECOMMENDATIONS**

The following actions are recommended to mitigate potential for impact to natural heritage features and functions:

- A 10m setback should be maintained from the Significant Woodland to prevent encroachment into this feature;
- Activities involving the removal of vegetation should be restricted from occurring during the bird breeding season and the bat roosting season. Thus, vegetation removal should be avoided between March 31<sup>st</sup> and October 31<sup>st</sup>;
- Minimal tree clearing within the hedgerow should occur to accommodate the proposed driveway on Consent Parcel A;
- Install sediment/erosion control fencing in areas down gradient of excavation works/temporary fill piles;




- Monitor the sediment/erosion control fence regularly to ensure its proper function, repairing any damaged sections immediately;
- Stabilize areas of disturbed soil as soon as possible by grading and planting;
- Refueling and maintenance of construction equipment should occur more than 30m from the watercourse;
- Consider utilization of native plants in landscape planting (<http://nanps.org/native-plant-database/>); and
- Avoid using plants considered to be invasive in landscaping (<http://www.invadingspecies.com/plants/> and <http://www.ontarioinvasiveplants.ca/resources/grow-me-instead/>).

## 8.0 CONCLUSIONS

The results of our impact assessment conclude that the severance of the property into three lots and the subsequent future single residential development on Consent Parcel A (Figure 3) will result in no negative direct or indirect impacts to the natural heritage features and areas identified in Section 5.5 and 5.5.2 of the Township Official Plan (2017). Further, the works do not pose impacts to fish habitat or Endangered or Threatened species and hence no permitting/authorizations are required under the Federal *Fisheries Act* (1985) or Ontario's *Endangered Species Act* (2007), respectively. Therefore, it is our opinion that the proposed severance and development on Consent Parcel A is in conformity with the Township Official Plan.

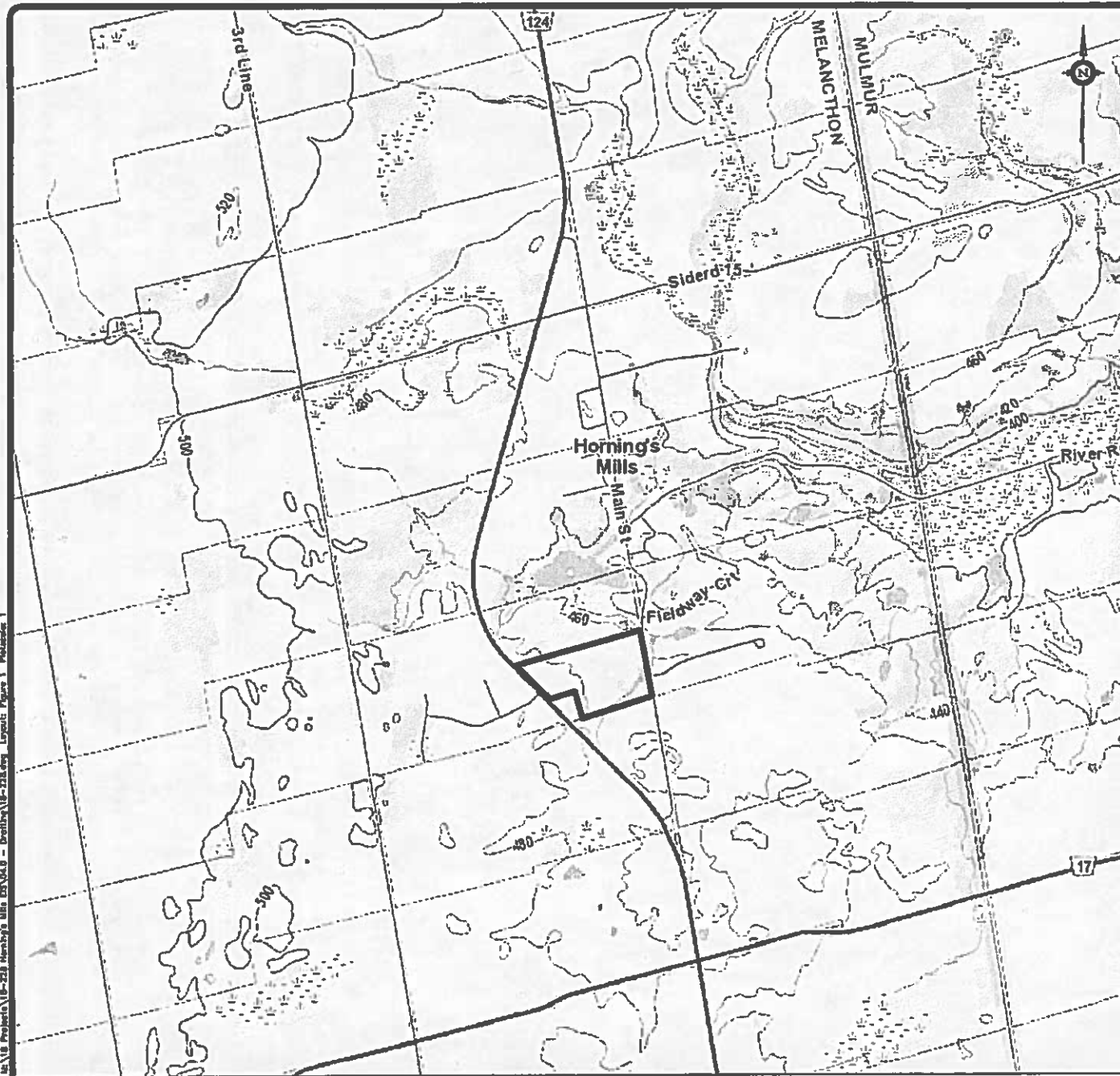
Yours truly,  
AZIMUTH ENVIRONMENTAL CONSULTING, INC.

  
Alexa Pompilio, H.B.Sc.  
Terrestrial Ecologist

Attach:  
Figure 1      Property Location  
Figure 2      Environmental Features  
Figure 3      Proposed Land Severance

Attachment 1      Agency Correspondence  
Attachment 2      Background Mapping

Printed by: autocadplot on: 07/23/2019 at 8:58am  
Path: \\s:\projects\18-228\_Homino's Mills EIS\04.0 - Drafting\18-228.dwg - Layout: Figure 1 - Release: 1



DAYSTAMP: M:\18 Project\18-228 Homino's Mills EIS\04.0 - Drafting\18-228.dwg

**LEGEND:**

— Approx. Property Boundary



REG MAP

250m 0 750m

HORIZONTAL SCALE 1:25,000



Property Location

Hornings Mills EIS,  
Hornings Mills, ON

DATE ISSUED: July 2019  
CREATED BY: JLM  
PROJECT NO: 18-228  
REFERENCE: MNRF

Figure No.

1



Source: Aerial imagery from Google Earth, 2014. Digitized by the National Map Accuracy Council, 2014.

04/11/2014 11:13:13 AM - 11:13:13 AM - 11:13:13 AM



## Denise Holmes

---

**From:** Jennifer Willoughby <jwilloughby@shelburne.ca>  
**Sent:** Monday, December 16, 2019 11:31 AM  
**To:** Denise Holmes; Tracey Atkinson  
**Subject:** By-law Enforcement Report  
**Attachments:** Full Report for agenda.pdf

Good Morning Denise and Tracey

Attached please find a copy of the By-law Enforcement report Council will consider this evening.

Please note the report indicates shared By-law Enforcement services will end January 31, 2020.

Thank You and Merry Christmas

Jennifer Willoughby  
Clerk  
Phone: 519-925-2600 ext 223  
Fax: 519-925-6134  
[jwilloughby@shelburne.ca](mailto:jwilloughby@shelburne.ca)  
Town of Shelburne  
203 Main Street East  
Shelburne ON L9V 3K7  
[www.shelburne.ca](http://www.shelburne.ca)

 please consider the environment before printing this e-mail



*As People Move, A Change of Place*  
**SHELburne**  
INCORPORATED 1852





*A People Place, A Change of Pace*  
**SHELBURNE**  
ONTARIO, CANADA

---

**Meeting Date:** Monday, December 16, 2019

**To:** Members of Council

**From:** Jennifer Willoughby, Clerk

**Report:** LS2019-16

**Subject:** **Review of By-law Enforcement Process  
– Proactive versus Reactive**

---

#### Recommendation

BE IT RESOLVED THAT Council receives report #LS2019-16 from the Clerk regarding the review of the By-law Enforcement process for information;

AND THAT By-law Enforcement will remain a written complaint - reactive approach;

AND FURTHER THAT By-law Enforcement Policy #2019-07 be adopted.

#### Background

At the June 24th, 2019 Council meeting the following resolution was passed:

Motion #10 Moved By: Councillor Benotto  
Seconded By: Councillor Wegener

BE IT RESOLVED THAT staff prepare a report to Council on what the change in by-law enforcement from complaint to proactive would entail.

CARRIED: W. Mills

## Analysis

Staff have conducted extensive research and have reached out to several municipalities to determine if proactive by-law enforcement would be feasible.

The municipalities that have been contacted are as follows:

### The Town of Orangeville

- Has 2 full-time officers that work standard office hours 8:30am to 4:30pm Monday to Friday.
- The OSPCA enforces their animal control by-law.
- The Police enforce their overnight parking by-law.
- They do not enforce anonymous complaints and enforce by-laws on a reactive approach unless there is an immediate threat to health and safety.
- They require the complainants name, address, telephone number and general nature of the complaint to be provided in writing by letter, email and fax.

### The Town of Caledon

- Has 5 full-time officers and 4 part-time parking enforcement officers. The full-time officers work 9am to 4:30pm. Parking enforcement and Animal Control Officers work on a rotating shift 24-hour shift for weekends, holidays and overnight enforcement.
- They do not enforce anonymous complains and enforce by-laws on a reactive approach unless there is an immediate threat to health and safety.
- They require the complainants name, address, telephone number and general nature of the complaint to be provided in writing by letter, email and website submission.

### The Town of New Tecumseth

- Has 3 full-time officers, 1 contract position through a private consultant and in the winter months is hired to perform overnight parking from November to April. During the winter months they work on a rotating shift 7am to 3pm and 12pm to 8am, otherwise regular office hours apply.
- They will investigate anonymous complaints and enforce by-laws on a reactive basis unless there is an immediate threat to health and safety.

#### The City of Owen Sound

- Has 2 full-time officers that work standard office hours.
- They do not investigate anonymous complaints and enforce by-laws on a reactive basis unless there is an immediate threat to health and safety.
- They require the complainants name, address, telephone number and general nature of the complaint to be provided in writing by letter, email and website submission.

#### The Town of Collingwood

- Has 4 full-time officers, that work normal office hours including Saturdays. One officer is required to be on-call for animal control issues after 4:30pm until 8:30am.
- They do not enforce anonymous complaints and enforce by-laws on a reactive basis unless there is an immediate threat to health and safety.
- They require the complainants name, address, telephone number and general nature of the complaint to be provided in writing by letter, email and website submission.

#### The City of Brampton

- For specific staffing details please see their 2018 annual report which is attached as Appendix 1.
- They do not investigate anonymous complaints and enforce by-laws on a reactive basis unless there is an immediate threat to health and safety.
- They require the complainants name, address, telephone number and general nature of the complaint to be provided in writing by letter, email and website submission.

Staff have identified that an overall reactive approach to by-law enforcement is consistent with current by-law enforcement practices within the Province, there is a requirement to identify the complainants contact information along with the general nature of the complaint for record keeping purposes should the matter continue to a court proceeding.

Currently the municipalities noted above, including Shelburne, are proactive with enforcement of parking, certain parameters within their sign by-laws and for matters that relate to an immediate threat to health and safety.

In discussion with each municipality the reasoning for a reactive approach was to alleviate complaints relating to staff "targeting" and "harassment" thereof. There is also a requirement should the matter end up in a court proceeding to have very specific detailed notes, information and files.

Staff have had the opportunity to attend training seminars relating to by-law enforcement recently. The communications provided indicate that the municipality has a duty to:

- inspect once a complaint has been received;
- once an inspection has commenced – the municipality has a legal obligation to enforce its by-laws;
- be thorough and diligent throughout the inspection process;
- establish municipal policies that address complainant anonymity and vexatious/spite complaints.

Staff are recommending that the current reactive approach to by-law enforcement remain in place along with adopting the attached By-law Enforcement Policy #2019-07 (attached as Appendix 2).

In addition, Shelburne was involved in a 2019 pilot project with the Townships of Melancthon and Mulmur for shared services of by-law enforcement as a result of the County of Dufferin downloading by-law enforcement services to their surrounding municipalities. The contracts associated for each municipality were presented to Council and approved in January 2019 and are attached as Appendix 3 (Melancthon) and Appendix 4 (Mulmur). The contracts note that by-law enforcement services will be provided based on 20 hours per month with the exception of traffic, canine and off-road vehicles. An annual retainer fee of \$1000 was paid by both municipalities in addition to an hourly rate of \$52/hour plus .52 cents per kilometer travelled.

It seems that both municipalities had exceptionally busy seasons, by-law enforcement was engaged in significant activities for both municipalities, while enforcement for the Town of Shelburne was falling behind.

We have been in discussions with administration staff in Melancthon and Mulmur and have provided notice that with Shelburne growing exponentially we require our By-law Enforcement Officer to provide a full focus on issues within the Town of Shelburne as such the 2020 budget did not include revenues from Melancthon or Mulmur. The contracts associated with each municipality will be terminated with an effective date of January 31, 2020.

## Policies and Implications

By-law Enforcement Policy #2019-07 attached as Appendix 2.

## Financial Impact

Should Council wish to take a proactive approach to by-law enforcement, while not recommended, there are significant staffing resources required in order to accommodate and provide for enforcement services. Council will

also have to consider the amount of time spent in court by staff should an enforcement order be appealed. Staff would need to perform a service delivery review to determine exact costs associated.

Capital costs would also apply as vehicles would be required in addition to computer equipment and software purchases.

## Consultation and Communications

The Town of Orangeville  
The Town of Caledon  
The Town of New Tecumseth  
The City of Owen Sound  
The Town of Collingwood  
The City of Brampton  
The Township of Armour  
Municipality of Bayham  
Township of Woolwich  
Town of Uxbridge  
Tay Valley Township

## Council Strategic Priorities

Council's Strategic Priorities have three Goals - Sustainable, Engaged and Livable. There are a total of 12 targets with the three Goals.

This report aligns with the sustainable goals within the targets:

Target T2 – municipal services review and evaluation

Target T6 – promote more open communication

## Supporting Documentation

Appendix 1 – City of Brampton 2018 Annual Report

Appendix 2 – By-law Enforcement Policy #2019-07

Appendix 3 – Township of Melancthon Contract

Appendix 4 – Township of Mulmur Contract.

---

Respectfully Submitted and Prepared By:

Jennifer Willoughby, Clerk

Reviewed By:

---

Denyse Morrissey, CAO





2018

# YEAR-END REPORT

ENFORCEMENT & BY-LAW  
SERVICES DIVISION

# Enforcement and By-Law Services

## Corporate Services Mission Statement

Strategic partners driving an era of innovative services while preserving the integrity and enhancing the reputation of the City.

## Values

Courage, Compassion, Trust and Integrity



# Contents

Message from the Director	2
Division Overview	3
By-Law Enforcement Unit	4
Property Standards	9
Licensing Enforcement	10
Training and Education	12
Ceremonial Unit	13
Community Involvement	14
In The Future	16



## Message from the Director

Welcome to the 2018 year-end report for Enforcement and By-Law Services. As I reflect on all the achievements and changes that took place during 2018, I can confidently say that our officers met the goals of the City through service excellence. This report provides insight into the role of the Enforcement Officer and the important work they do in keeping our community safe and enjoyable.

In response to citizen complaints received and Council's concern for community safety, a Second Unit Task Force pilot project was launched in July 2018. Through a public awareness campaign and a stricter enforcement policy, more residents applied for permits during the last six months of 2018, in comparison to the previous two years combined.

The Second Unit Task Force collaborates with staff in Building and Development, Fire and Emergency Services and the Prosecutions Office working towards the safety of residents and properties.

Another transformative initiative in 2018 was the amendment of the Mobile Licensing By-Law allowing for personal transportation companies (rideshare) to legally operate in Brampton. Two companies registered with the City and within the first six months have delivered over two million rides. Rideshare services together with our existing, strong network of taxicabs offer easy and safe ride options for residents and visitors to Brampton.

Continuing to build on the synergy with our partners within the community By-Law Enforcement staff were part of a multi-tiered response team to address homelessness on City properties. This cross-functional team included representatives from the Region of Peel, Peel Regional Police, Brampton Parks and Recreation, Corporate Security and Enforcement and By-Law Services. This project will continue in 2019.

Enforcement and By-Law Services is supported by nine administrative staff members who provide support to approximately 90 Enforcement officers. In 2018 a courtesy calling process was implemented notifying plate owners and driver/operators of mobile transportation businesses that relevant documentation was going to expire in 30 days. Implementing this process significantly reduced the possibility of breaching City by-laws and jeopardizing business operations.

Our team remains committed to improving service excellence, maintaining open dialogue with the community and raising awareness of important enforcement matters.

Paul Morrison  
Director  
Enforcement and By-Law Services

## Division Overview

### Who we are

City of Brampton's Enforcement and By-Law Services investigates and enforces by-laws enacted by City Council to maintain community standards and public safety through education and impartial enforcement. Officers respond to complaints or concerns from the community, conduct investigations and take steps to correct infractions through education and/or enforcement. The role of the officer is to provide friendly, fair and consistent services.

In order to provide customized service our Division is comprised of three specialized sections: By-Law Enforcement, Property Standards and Licensing Enforcement, all of which are supported by clerical and administrative staff. Each area strives to

make Brampton a better place to live by creating awareness of by-laws and promoting cohesiveness in neighbourhoods.

In 2018, the Division received 49,693 calls for service, or 136 calls per day, which is a 29 per cent increase from 2017. To respond to the growing demand for service, the City approved the hiring of two supervisors, nine full-time and four part-time officers, two full-time clerical staff and one advisor.

Brampton is one of the fastest growing, diverse cities in Canada. The Division's hiring practices and service delivery reflects the City's commitment to a barrier-free and inclusive approach that promotes diversity, equity, objectivity and consistency.

95 Full-time employees

4 Part-time employees

10 Languages spoken

44 Enforcement vehicles

563,063 kms patrolled



# By-Law Enforcement Unit

The By-Law Enforcement Unit ensures that residents adhere to the City's by-laws related to public property offences such as parking infractions, snow removal and illegal signs. This Unit strives to maintain the safety of the public as they use roads, sidewalks, parks and other common public spaces.

A primary function of this Unit is to enforce Brampton's traffic and parking by-laws. Enforcement Officers received 28,012 parking related complaints in 2018, up a staggering 42.8 per cent from 2017.

**Average Calls per Day: 76**

## Top Five Residential Complaints:

1. Parking in excess of three hours
2. Parking from 2am to 6am
3. Obstructed sidewalks
4. Parking in a prohibited area
5. Parking in a fire route

## Top Five Parking Notices Issued:

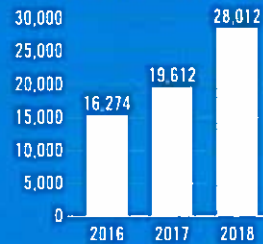
1. Parking from 2am to 6am - 54.9%
2. Parking on private property - 13.9%
3. Parking that obstructs sidewalk - 4.9%
4. Parking in a prohibited area - 4.5%
5. Parking in excess of three hours - 3.9%

**Total Parking Notices Issued: 100,658**

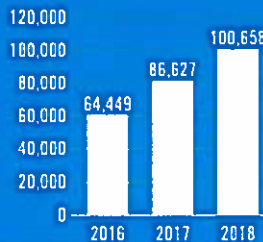
**Average Tickets per Day: 275**

**Total Fines: \$4,824,568**

## TOTAL PARKING COMPLAINTS



## TOTAL NUMBER OF PARKING NOTICES ISSUED



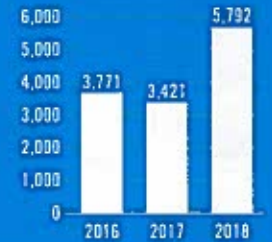
## Municipal By-Law:

In 2018 By-Law Enforcement Officers responded to 5,792 municipal complaints, which included excessive loud music, unattended sports equipment on roads and failure to remove snow or ice from public sidewalks.

## Top Five Municipal Complaints:

1. Illegal signs
2. Election signs complaints
3. Failure to remove snow/ice from sidewalk
4. Other general highway offences
5. Excess loud music

## TOTAL MUNICIPAL ENFORCEMENT COMPLAINTS



A new initiative in 2018 was a multi-tiered response to address homelessness in City parks. This was led by a cross-functional team including representatives from the Region of Peel, Peel Regional Police, Brampton Parks and Recreation, Corporate Security and Enforcement and By-Law Services. The goal of the Outreach Program was to assist with the relocation of homeless people who

had created shelters on City property. Our role in the partnership was to allow time for the Outreach Team to reach the individual to perform their function of providing assistance. Any structures erected were removed.

## Municipal By-Law: Noise Complaints

In 2018 there were 495 noise complaints, which included 389 for excessive music, 64 dogs barking, and 42 related to construction noise. This is an increase of 438 per cent in comparison to 113 complaints in 2017.

## NOISE COMPLAINT PROCESS







## Fireworks

Since the amendment to the Fireworks by-law in 2016, the City undertook an extensive public awareness campaign about fireworks use and safety. In 2018 the Division responded to 161 complaints in relation to fireworks usage. This is a slight increase from 133 calls in 2017. The minimum fine for personal improper use of fireworks is \$500 and for corporate use is \$2,000.

Residents are allowed to use short-range fireworks on their private property four times a year, Victoria Day, Canada Day, Diwali and New Year's Eve. Fireworks are not permitted on any City land, including streets and sidewalks, as well as on school property.



## School Zones

To ensure the safety of children while being dropped off and picked up at school, and to reduce traffic congestion, By-Law Enforcement Officers patrol school zones. In 2018, Officers conducted 1,321 school inspections and laid 585 charges, including obstructing traffic, parking wrong way and parking in prohibited areas.

To ease traffic issues around schools, residents are reminded to use the Kiss-n-Ride lanes and not to leave their vehicles. Adult supervision is onsite to assist your children to safely enter and exit the school premises.



## Snow

Snow and ice removal from sidewalks in Brampton continues to be a safety hazard for the community. During 2018 officers responded to 754 snow removal complaints.

Under the Snow and Ice Removal By-law 242-76, property owners and/or tenants are required to remove snow, ice and slush from their sidewalks by 11am the day after the end of a snowfall.

When the City receives a complaint about sidewalks that are not cleared, By-Law Enforcement officers investigate and may issue an Order to Comply. The property owner or tenant is required to clean the sidewalk immediately. It will be re-inspected and if the work has not been completed, charges may be laid and arrangements will be made to have a contractor clear the sidewalk, charging back the costs to the property owner. Costs plus additional administrative fees will be added directly to the owner's property taxes.



## Signs:

By-law Enforcement inspects various sign-related infractions under the Municipal By-law 399-2002. Signage removal for 2018 increased significantly due to the Municipal and Provincial Elections. During 2018 there were 1,413 election complaints with 1,083 complaints being received in October alone.

There were 36,849 nuisance signs removed compared to 2017 of 26,677 signs, which is a 38.2 per cent increase. By-Law Enforcement Services has four part-time officers assigned to the inspection and removal of illegal signs.



## Bike Patrol

By-Law Enforcement Officers use bicycles during the summer months to patrol the city. In 2018, 15 officers were allocated to the Bike Unit and after receiving training, officers were assigned to high-complaint areas for enforcement. In order to allow Officers to cover a larger area of the city in a shorter period of time, the Unit was revamped and Officers transported their bicycle to their assigned area.

In 2018, bike patrol officers laid 870 charges. As a community service bike patrol officers attended several City-run special events, which provided officers the opportunity to interact with the community.



## Vehicle Seizures

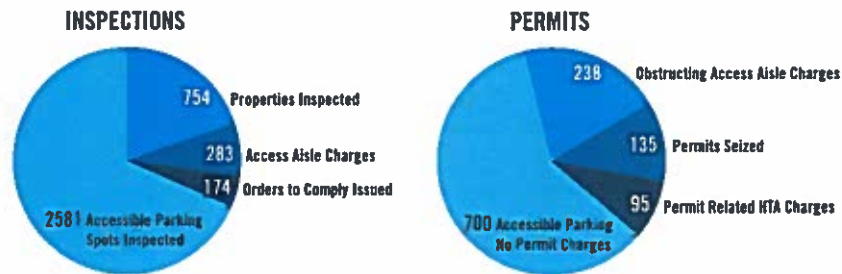
The City has a "three-strike" parking policy to effectively enforce parking by-laws. If a vehicle has been ticketed three times within 60 days, Officers may request to have a vehicle towed. By-Law Enforcement Officers may also tow a vehicle if it has been parked in such a way as to create a safety hazard, if it has been abandoned, or if it is blocking a fire route. In 2018, 538 vehicles were towed from public properties.

## Accessibility Enforcement

The City's Accessible Enforcement Officer's main responsibility is to inspect properties throughout the City under the authority of Accessibility for Ontarians with Disabilities Act, the Highway Traffic Act (HTA) and the City of Brampton Traffic By-Law 93-93.

Inspections are conducted to ensure accessible parking spots have the proper signage installed, access aisles and ground symbols have been painted correctly and that places of business have the correct amount of accessible parking spots available. Businesses that fail to comply with provincial standards may be fined up to \$25,000 per accessible parking space.

The City of Brampton's By-Law Enforcement Services recognize the need for inspections to ensure the validity of permits being used and displayed. The misuse of Accessible Parking permits issued by the Province of Ontario carries a maximum fine of \$5,000.



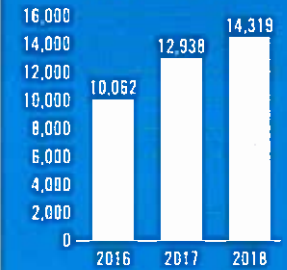
## Property Standards

The Property Standards section is responsible for the enforcement of private property offences to ensure residents maintain their properties. The unit is composed of 20 officers, including four officers currently assigned to the Second Unit Task Force. During the summer months six post-secondary students were hired as Summer Inspectors to address excess growth of grass and weeds and waste-related complaints on private properties.

Officers primarily conduct investigations under the Minimum Maintenance By-law 104-96 (Property Standards), Vital Services By-law, Refuse By-law, and the Zoning By-law 270-2004. Exterior property standards require minimum maintenance standards be followed and yards kept tidy. This includes requiring the removal of all refuse, cutting long grass, removing standing water and maintaining all components of the home. Property Standards officers also conduct interior inspections of rental residential units to identify deficiencies that the home owner or occupants must repair to meet by-law compliance.

In July 2018 the Second Unit Task Force pilot project was launched to assist with the investigation of illegal second units, multiple unit houses, and lodging houses, and to ensure they comply with the Zoning By-law. The Task Force is a collaboration between the Enforcement Division, the Building Division and Fire Prevention employees. The goal of this coordinated effort is to ensure safety standards are met and the well-being of the occupants who reside in these houses.

### PROPERTY STANDARDS CASES



In 2018 the Division responded to 14,319 complaints.

### 2018 Top Five Calls

Type of Call	Number of Calls	Number of Proactives	Total
Exterior offences	1,747	1,736	3,483
Excessive growth/weeds (private)	1,867	327	2,194
Refuse (waste)	1,794	277	2,071
Basement apartment	1,438	122	1,560
Excessive growth/weeds (boulevard)	722	3	725

### 2017 Top Five Calls

Type of Call	Number of Calls	Number of Proactives	Total
Exterior offences	2,084	1,690	3,774
Excessive growth/weeds (private)	1,639	308	1,947
Refuse (waste)	1,349	221	1,570
Basement apartment	1,383	112	1,495
Excessive growth/weeds (boulevard)	723	4	727





# Licensing Enforcement

Licensing Enforcement Inspectors investigate, monitor and enforce the licensing of mobile and stationary businesses. This Unit ensures the health and safety of the public and promotes business growth through consumer protection and nuisance control. In 2018 officers received 1,085 business-related complaints.

## Business Licensing

Each year, approximately 3,000 businesses are licensed by the City of Brampton. The Unit received 544 calls relating to stationary businesses in 2018.

Licensing Enforcement inspects a large variety of businesses including:

- Fixed Food Premises
- Tobacco Sales
- Personal Service Facilities (tattoos, body piercing, hair dressers, barbers and tanning salons)
- Automobile Service Stations (mechanic shops, car rentals and sales, auto body repair, vehicle storage facilities and parking lots)
- Fireworks Vendors
- Places of Public Assembly and Amusement (public halls, banquet halls, golf courses, bowling alleys, cinemas and theatres)
- Second Hand Goods Shops
- Contractors (building renovator, HVAC, plumbing, electrical, fence, pool installation)
- Adult Entertainment Businesses

## Personal Transportation Companies

In June 2018, after a two-year review, City Council enacted a by-law amendment to create a new class of "for hire" vehicle titled Personal Transportation Companies (PTCs).

PTC licensing is a departure from the traditional licensing systems, which require applicants, for vehicle and driver licences, to attend the Licensing Office to submit documents and pay licence fees. The new category requires that PTCs collect and vet the driver and vehicle information to ensure they meet the by-law requirements. Licensing staff monitor the PTCs to ensure compliance.

Unlike taxicabs, PTC drivers are not permitted to pick up street hails, use taxi stands, or accept cash payments. All payments are logged and processed through the PTC App.

The PTC App must provide customers with the first name and picture of the driver providing the service, as well as the provincial licence plate number and a description of the vehicle. This results in no anonymous PTC rides.

In 2018 two Personal Transportation Companies were licensed to operate within the City of Brampton, and within six months they have completed over two million rides.

## LICENSING TOTAL CASES



## Tow Trucks

The Licensing section provides licences and inspections for all tow trucks, drivers and companies in the City of Brampton. In 2018, the section renewed or approved licences for 519 tow trucks, who operate for 92 companies within Brampton. In 2017 there were 375 tow trucks, who operated for 87 companies. These increases can be attributed to several companies receiving auto club contracts, requiring they obtain licensing in all cities within the GTA.

In 2018, training was developed to educate police, licensing and enforcement officers about by-law towing requirements and recurring violations within the industry.

The Licensing section initiated an awareness campaign in 2018 to educate the public on their rights in the event of a collision where towing is required.

Licensing received 174 complaints regarding tow trucks in 2018, which is a decrease from the previous year's 213 complaints.



## Training and Education

### Enforcement Officers

Officers are required to have a post-secondary degree or diploma in Law and Security, Police Foundations or equivalent to join the Division. In addition, Officers must have by-law enforcement-related experience.

In 2018, the By-Law Enforcement officers training program was revamped; officers spend several weeks in the classroom with a Supervisor, followed by six weeks on the road with a coach officer. Over the next 12 weeks, the officers are on the road independently and are closely monitored by a supervisor and coach officer.

### Property Standards

In addition to in-house training, officers receive training from the Ontario Association Property Standards Officers (OAPSO). This is an intensive program not only requiring officers to complete the academic requirements but also completing a minimum of two years field experience before being eligible for certification.

### Licensing Inspectors

Each new Officer is provided with a training guide that provides information on conducting paperwork reviews and vehicle inspections. Officers receive a four-week training session with another officer to review inspection procedures, and to conduct field inspections of commercial vehicles and businesses.

## Ceremonial Unit

In 2017 Enforcement and By-law Services Division formed a volunteer six-member Ceremonial Unit to represent the City at various community events. The Unit debuted on November 11, 2017 participating in the City's Remembrance Day ceremony.

Since then, the Unit has expanded to 12 officers who volunteer their time throughout the year. In 2018, the unit attended several events, including Canada Day, the Ontario Police Memorial in Toronto, the Canadian Police and Peace Officers' Memorial in Ottawa and the City of Brampton's Remembrance Day parade. The Unit was also given the unique opportunity to participate in the 2018-2022 Term of Council swearing-in ceremonies held at the Rose Theatre on December 3, 2018.

The unit prides itself on representing the City of Brampton and deepening ties with law enforcement and the civil servant community throughout Ontario.



Photo by Adrian Pouris



## Community Involvement

As a way of giving back to the community, Enforcement and By-Law Services participated in numerous community events and fundraisers throughout the year. This includes participating in the Polar Plunge (in support of the Special Olympics), Family Life Resource Centre, Knights Table – Day of Caring Experience, Animal Services Open House, Police Fun Day and Tim Horton's Camp Day.

### Breast Cancer Awareness

During the month of October officers purchased pink epaulettes to wear on their uniform to support breast cancer awareness month. Officers also sold pink ribbon pins. The two campaigns raised \$1,527, which was donated to Wellspring Chinguacousy, a local cancer support centre.

### November

In November officers supported prostate cancer awareness month and raised \$2,085.

### Christmas Campaigns

During the Christmas season Enforcement and By-Law Services hosts and supports several fundraising campaigns including Stuff-A-Jeep, Toys for Tots, and Adopt-a-Family, working for the benefit of the community. During November and December staff collected 125 toys, 591 food items, and \$1,049.00 cash. The food donations were divided among the Knights Table food bank and a local women's shelter. The other items were donated to the Salvation Army, who also helped facilitate the adoption of two families.



## In The Future

### Enforcement Technology

Enforcement and By-law Services is in the process of a mobile technology upgrade, which will allow By-law Officers to issue an electronic Penalty Notice directly from the field during their patrols. This will be applicable for parking infractions and for violation of numerous other types of municipal by-laws.

While parking tickets are already issued electronically, the system will be upgraded to increase efficiencies. An auto-location function will assist officers in determining the closest address when they are issuing tickets in alleys or laneways. The new system will allow for cloud-based information sharing, allowing officers to complete time limit inspections that were started by another officer.

In addition, the new system will include the first vehicle outfitted with an Automatic Licence Plate Recognition system (ALPR) for parking enforcement. The ALPR vehicle will utilize cameras and an industrial GPS to determine the location and the length of time a vehicle has been parked on the street for time-based parking offences. It will also be used in municipally owned parking garages to determine if vehicles are parked without authorization.

The new technology will also allow officers to issue electronic tickets for non-parking offences such as noise violations, cutting down or damaging trees without a permit, or failing to provide rental accommodation with hydro, gas or water. To expedite the issuance of this type of Penalty Notice, officers will be able to scan the rear of Provincially issued identification as part of the investigation. The Penalty Notices will be issued at the time of offence and will allow an individual to either pay them or dispute them through a Hearing process, rather than requiring them to attend court.

This technology, when paired with new smartphones will be a powerful tool in the enforcement of municipal by-laws and will allow officers to have the information needed to address violations in the field without the need to complete additional paperwork at the office.



## Notes

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

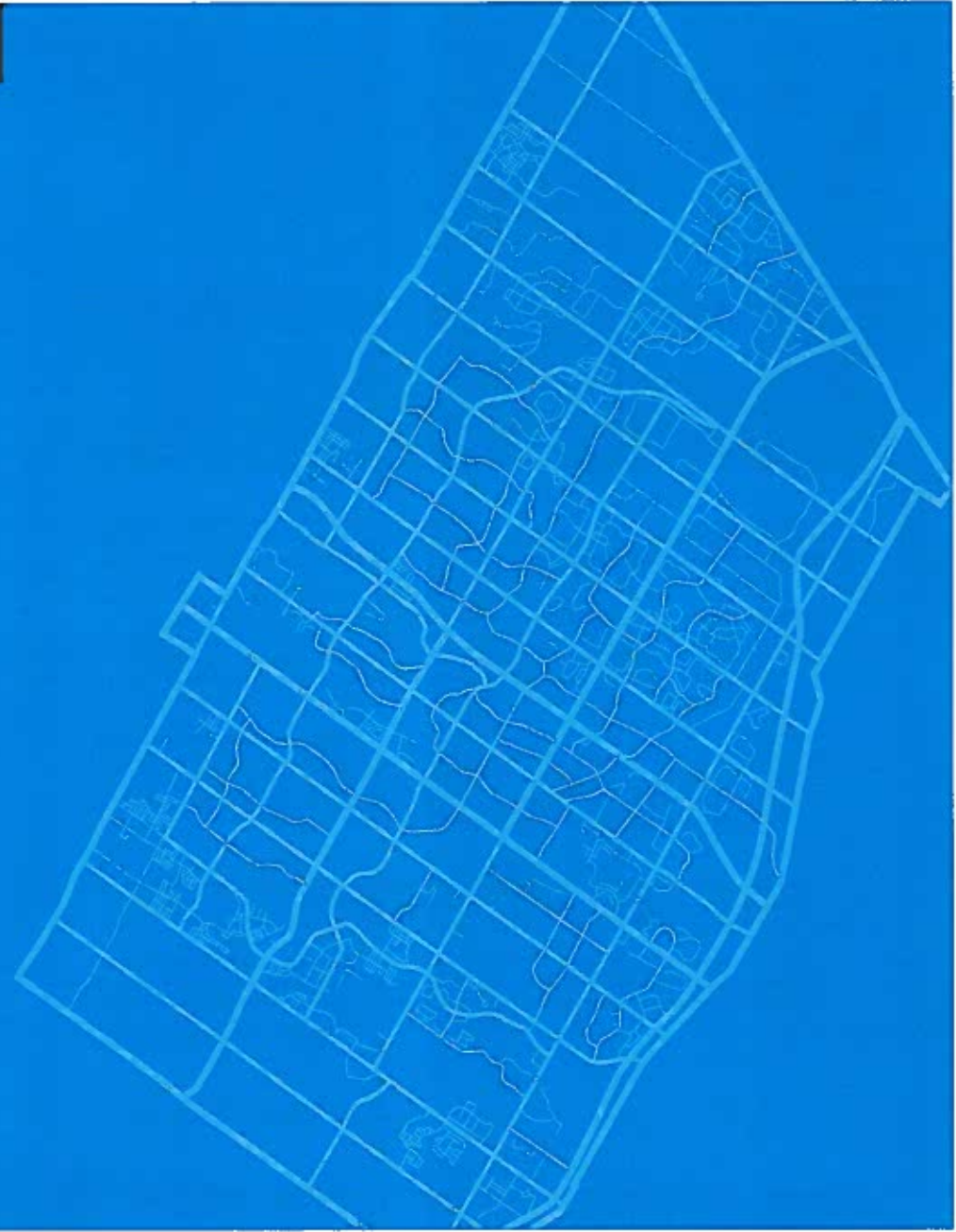
---

---

---

---

---



**Enforcement & By-law  
Services Division**

**8850 McLaughlin Road, Unit 2  
Brampton, Ontario, L6Y 5T1  
905.458.3424**





*A People Place, A Change of Pace*  
**SHELBURNE**  
ONTARIO, CANADA

## **CORPORATE POLICY**

---

<b>DEPARTMENT:</b>	<b>Clerks Department/Legislative Services</b>
<b>POLICY:</b>	<b>BY-LAW ENFORCEMENT POLICY</b>
<b>APPROVAL:</b>	<b>COUNCIL</b>
<b>POLICY NUMBER:</b>	<b>2019-07</b>
<b>DATE OF PRESENTATION:</b>	<b>December 16, 2019</b>
<b>EFFECTIVE DATE:</b>	<b>December 16, 2019</b>

---

### **1. PURPOSE**

- 1.1 To provide a formal policy and procedure governing the handling of municipal by-law complaints by the municipality and to ensure standardized, thorough, prompt and courteous receipt, processing, investigation and resolution thereof.
- 1.2 The municipality is committed to the delivery of municipal law enforcement services in a timely and effective manner. The goal of these services is to achieve compliance with municipal by-laws through education and enforcement.
- 1.3 The municipality shall operate on a reactive complaint-based process in regard to municipal law enforcement with the exception of a violation that is an immediate threat to health or safety.

### **2. DEFINITION**

- 2.1. **Administrator** means the Clerk/Director of Legislative Services of the Corporation of the Town of Shelburne.
- 2.2. **Complaint** means a complaint received by the municipality, wherein the complainant provides their full name, address, phone number and nature of complaint that can be verified by the Municipal Law Enforcement Officer, in writing using the required form submitted to the municipality.





A People Place, A Change of Pace  
**SHELBURNE**  
ONTARIO, CANADA

- 2.3. **Municipal Law Enforcement Officer** means a person appointed by the municipality for the purpose of municipal law enforcement including, but not limited to a Building Inspector, By-law Enforcement Officer, Police Officer and a person authorized by Council or an assigned individual with the responsibility for enforcing and administering this policy.
- 2.4. **Municipality** means the Corporation of the Town of Shelburne.
- 2.5. **Spite Complaint**, also known as **Frivolous and Vexatious** complaint, means a complaint submitted with ill will or with intention of malice towards another person and may include retaliatory complaints and civil disputes. A spite complaint may also be defined as a complaint that is part of a pattern of conduct by the complainant that amounts to an abuse of the complaint process. Such a pattern occurs when on three (3) or more occasions a complaint comes forward on a matter a Municipal Law Enforcement Officer has already dealt with. After discussing it with the Administrator, the determination of a complaint being a spite complaint shall be at the discretion of the Municipal Law Enforcement Officer.

### 3. BY-LAW INVESTIGATION AND ENFORCEMENT POLICY AND PROCEDURE

- 3.1. The Municipality shall only respond to complaints received from a complainant who provides their full name, telephone number, address and nature of the complaint in writing. Anonymous and/or incomplete complaints shall not be investigated:
- a) A Municipal Law Enforcement Officer may undertake an investigation on their own initiative upon observation of a possible situation of a by-law violation where the matter is of an immediate threat to health or safety.
  - b) Municipal staff may assist the public by providing by-law information but will not provide opinions regarding the appropriateness of any proposed activity.
- 3.2. The name and any personal information provided by the complainant shall remain in the strictest confidence in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* and shall not be



intentionally divulged to any member of Council, non-essential municipal staff, the public or media unless so ordered by a Court or other tribunal or body of competent jurisdiction. Persons who are the subject of a complaint are also protected under the *Municipal Freedom of Information and Protection of Privacy Act* and shall not be intentionally divulged to any member of Council, non-essential municipal staff, the public or media unless so ordered by a Court or other tribunal body of competent jurisdiction.

- 3.3. A Municipal Law Enforcement Officer may conduct a preliminary review of the complaint to verify the information provided and research any supporting documentation which may be available in municipal records.
- 3.4. A Municipal Law Enforcement Officer may call the complainant, when necessary, for further details or to confirm or clarify information provided within the formal complaint.
- 3.5. A Municipal Law Enforcement Officer may attend the site to investigate the activity to determine if a municipal by-law contravention exists.
- 3.6. If a Municipal Law Enforcement Officer is unclear of a possible contravention, they may seek the advice of the municipal prosecutor or municipal solicitor if required, or the appropriate municipal staff member:
  - a) A Municipal Law Enforcement Officer may provide the information required to the appropriate party so that an informed determination can be provided and where necessary the appropriate actions initiated.
- 3.7. Where a violation of a municipal by-law is determined by a Municipal Law Enforcement Officer, excluding set fine situations or documented, chronic violations or where otherwise warranted, a Municipal Law Enforcement Officer may provide an initial warning to the person by any of the following four (4) methods:
  - a) In person;
  - b) By telephone;
  - c) Email or;
  - d) In writing.



- 3.8. Notwithstanding section 3.7 of this policy; in situations wherein set fines have been established for violations of a municipal by-law, a Municipal Law Enforcement Officer may, upon confirmation of the existence of a violation, immediately issue an offence notice/ticket.
- 3.9. Notwithstanding section 3.7 or 3.8 of this policy; where provided for by municipal by-law or otherwise a Municipal Law Enforcement Officer may issue an emergency order to remedy a violation in lieu of an initial warning when such a violation poses an immediate threat to health or safety.
- 3.10. When compliance with the warning and/or order is confirmed, a Municipal Law Enforcement Officer shall enter the complaint finalized date in the By-law matters database and close the file.
- 3.11. If the warning and/or order has not been complied with within the specified time, the Municipal Law Enforcement Officer may review the non-compliance with the Administrator.
- 3.12. Following discussions with the Administrator pursuant to section 3.11 of this policy, a Municipal Law Enforcement Officer shall determine whether to attempt a second written warning or proceed with the actions necessary to address the situation in accordance with municipal by-laws or otherwise:
  - a) If a second written warning or formal order is issued, a Municipal Law Enforcement Officer shall determine a final time period to achieve compliance.
  - b) If legal action is required, a Municipal Law Enforcement Officer shall recommend to the Administrator to proceed with legal action when it appears obvious compliance is not forthcoming.
  - c) At any stage of the enforcement process, if, in the opinion of the Administrator the matter is of significant consequence, the matter may be brought before Council for direction.
- 3.13. Spite Complaints or complaints based on neighbour disputes shall not be investigated by a Municipal Law Enforcement Officer unless deemed to be



an immediate threat to health and safety.

- 3.14. Failure to comply with any provision of this policy shall not invalidate any proceeding or any step, document or order in a proceeding otherwise in accordance with any municipal by-law, provincial or federal legislation.
- 3.15. Frivolous and Vexatious complaints will not be investigated unless deemed by the Municipal Law Enforcement Officer to be an immediate threat to health and safety.
- 3.16. In situations where multiple complaints are received from a single person at one time, or where a single person continuously submits a variety of complaints on an ongoing basis, the Municipal Law Enforcement Officer, with confirmation from the Administrator, are given the discretion to decide on an appropriate level of response to such complaints. The level of response may include a decision to act on some or all of the complaints, to not act on some or all of the complaints, or to assign priority to some or all of the complaints.
- 3.17. If a decision not to act is reached, this will be conveyed to the complainant in writing.
- 3.18. In making a decision on the appropriate level of response to such complaints, staff will have regard to the following criteria:
  - Safety factors;
  - Available resources;
  - Potential impact on the complainant;
  - Impact on the immediate neighbourhood;
  - Complaints that appear to result from a vendetta or retribution, or are otherwise deemed to be frivolous and vexatious;
  - Offer for formal remediation.
- 3.19. Any decision made under this policy, including a decision not to respond to a complaint or enforce a by-law or a decision by the Administrator, may at any time be revisited.



*A People Place. A Change of Pace*  
**SHELBURNE**  
ONTARIO, CANADA

- 3.20. In addition to municipal law enforcement options by the Municipality, persons also have independent legal rights, which may be explored and pursued by said persons.
- 3.21. The Shelburne Police Service are responsible for emergency situations and should be contacted to deal with issues, including but not limited to loitering, trespassing, noise related neighbour or domestic disputes, possible drug activity, vandalism or other possible criminal activity.
- 3.22. Pursuant to section 3.2 of this policy; once a complaint has been filed, other than acknowledgement of receipt of the complaint, no follow-up, involvement, information or correspondence regarding the complaint shall be provided to the complainant as the process is protected by the *Municipal Freedom of Information and Protection of Privacy Act*.
- 3.23. Council or Council Members shall establish overall priorities for enforcement, enact by-laws and adopt by-law enforcement policies but shall not get involved in day-to-day by-law enforcement decisions.

#### **4. APPLICATION**

- 4.1. This policy shall come into full force and effect on the day it is adopted by the Council of the Corporation of the Town of Shelburne.

**THE CORPORATION OF THE TOWN OF SHELBURNE**

**BY-LAW NUMBER # 02-2019**

**A BY-LAW TO AUTHORIZE THE TOWN OF SHELBURNE  
TO ENTER INTO AN AGREEMENT WITH THE TOWNSHIP OF  
MELANCTHON FOR THE PROVISION OF MUNICIPAL LAW  
ENFORCEMENT SERVICES**

**WHEREAS** pursuant to the provisions of the Municipal Act, 2001, S.O. 2001 as amended s. 11 (2) gives the municipality authorization to enact this by-law;

**AND WHEREAS** it is the intent of the Council to authorize an agreement for these services from the signing of this by-law;

**NOW THEREFORE** the Municipal Council of The Corporation of the Town of Shelburne hereby enacts as follows:

1. That The Corporation of the Town of Shelburne shall enter into an agreement, substantially in the form attached hereto, and initialled by the Clerk for identification.
2. That the Mayor or his designate and the Clerk are hereby authorized to execute the agreement and all documents in connection with the matters authorized by this by-law.

**BY-LAW READ A FIRST, SECOND AND THIRD TIME AND ENACTED THIS 14<sup>TH</sup>  
DAY OF JANUARY 2019**

  
\_\_\_\_\_  
Mayor  
\_\_\_\_\_  
Clerk



**Agreement between  
THE TOWNSHIP OF  
MELANCTHON  
(Township)  
AND  
THE TOWN OF SHELBURNE  
(Town)  
For Municipal Law  
Enforcement Services**

This Agreement for Municipal Law Enforcement Services sets out the terms and provisions for Municipal Law Enforcement by the Town of Shelburne on behalf of the Township of Melancthon.

1. The Town agrees to carry out municipal law enforcement services listed in Schedule A, on behalf of the Township with respect to all municipal law enforcement matters as directed by the Council through the CAO/Clerk. All services are to be provided and maintained at the highest level of professionalism.
2. Municipal law enforcement services to be provided are:
  - a) correspondence with the Township CAO/Clerk on current municipal law enforcement applications and inquiries either in person, by phone or email as arranged through the Clerk's office;
  - b) periodic requested appointments either in person, by phone or email as arranged through the CAO/Clerk's office for citizens or landowners involved in municipal law enforcement infractions;;
  - c) attend and present at Committee or Council meetings as needed for municipal law enforcement matters;
  - d) administration of all municipal by-laws with the exception of Traffic Control and Canine Control in conjunction with the CAO/Clerk of the Township;
3. The Town will provide enforcement on an as needed basis to a maximum of 20 hours per month for general municipal law enforcement to the Township, as directed by the CAO/Clerk

4. Invoices will be submitted to the CAO/Clerk each month for services. Invoices are due upon receipt and will be paid within thirty days. The Town will provide monthly invoices setting out full details of all work completed noting time allocated to all matters (with specific references). All disbursements and business-related expenses accrued outside of the Town offices will be included on the invoices (fax, photocopies, etc.). All time invoiced over and above the allocated 20 hours per month shall be fully detailed and require approval by the CAO/Clerk.
5. The Township acknowledges that the municipal law enforcement consultant for the Town may acquire information about certain matters that are confidential and undertakes not to disclose any information to any third party unless otherwise authorized by the Township.
6. The Township agrees to be retained solely by the Town on all municipal law enforcement matters within the Town unless otherwise authorized by the Town.
7. All information and materials collected and prepared by the Town in the course of providing services shall become the property of the Township unless the Township authorizes the Town in writing to retain some or all of the information and materials.
1. Any revisions or changes to this agreement may be made with the written approval of both parties. This agreement may be terminated by the Town or Township by Council resolution. This agreement covers the period from January 18, 2019 until such time as the Township enters into a new agreement for Municipal Law Enforcement Services. It is noted that travel time by the Municipal Law Enforcement Officer is applicable to and from the Town of Shelburne to the Township of Melancthon.

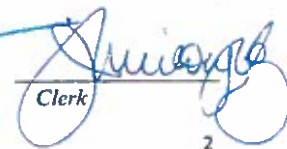
We hereinto affixed its corporate seal under the hands of the Mayor and the CAO/Clerk

WE HAVE AUTHORITY TO BIND THE CORPORATION  
 The Corporation of the Township of Melancthon  
 Per:

\_\_\_\_\_  
 Mayor                      CAO/Clerk

WE HAVE AUTHORITY TO BIND THE CORPORATION  
 The Corporation of the Town of Shelburne Per:

\_\_\_\_\_  
 Mayor                      Clerk



**SCHEDULE A TO THE AGREEMENT**

**ANNUAL RETAINER FEE:**

**\$1,000.00**

**EXPENSES:**

**Hourly rate for Bylaw Enforcement Services \$52.00 per hour**

**Mileage rate for services .52 cents per km**

**AREAS OF RESPONSIBILITY:**

**All municipal by-laws with the exception of Traffic Control (No Heavy Trucks By-law, Reduced Loads Period and Off-Road Vehicles on Municipal Roads) and Canine Control.**

**THE CORPORATION OF THE TOWN OF SHELBURNE**

**BY-LAW NUMBER # 03-2019**

**A BY-LAW TO AUTHORIZE THE TOWN OF SHELBURNE  
TO ENTER INTO AN AGREEMENT WITH THE TOWNSHIP OF  
MULMUR FOR THE PROVISION OF MUNICIPAL LAW  
ENFORCEMENT SERVICES**

**WHEREAS** pursuant to the provisions of the Municipal Act, 2001, S.O. 2001 as amended s. 11 (2) gives the municipality authorization to enact this by-law;

**AND WHEREAS** it is the intent of the Council to authorize an agreement for these services from the signing of this by-law;

**NOW THEREFORE** the Municipal Council of The Corporation of the Town of Shelburne hereby enacts as follows:

1. That The Corporation of the Town of Shelburne shall enter into an agreement, substantially in the form attached hereto, and initialled by the Clerk for identification.
2. That the Mayor or his designate and the Clerk are hereby authorized to execute the agreement and all documents in connection with the matters authorized by this by-law.

**BY-LAW READ A FIRST, SECOND AND THIRD TIME AND ENACTED THIS 14<sup>TH</sup>  
DAY OF JANUARY 2019**



\_\_\_\_\_  
Mayor



\_\_\_\_\_  
Clerk

**Agreement between  
TOWNSHIP OF MULMUR  
(Township)  
AND  
THE TOWN OF SHELBURNE  
(Town)  
For Municipal Law  
Enforcement Services**

This Agreement for Municipal Law Enforcement Services sets out the terms and provisions for Municipal Law Enforcement by the Town of Shelburne on behalf of the Township of Mulmur.

1. The Town agrees to carry out municipal law enforcement services listed in Schedule A, on behalf of the Township with respect to all municipal law enforcement matters as directed by the Council through the Clerk. All services are to be provided and maintained at the highest level of professionalism.
2. Municipal law enforcement services provided are to include:
  - a) correspondence with the Township Clerk or designate on current municipal law enforcement applications and inquiries either in person, by phone or email as arranged through the Clerk's office;
  - b) periodic requested appointments either in person, by phone or email as arranged through the Clerk's office for citizens or landowners involved in by-law infractions;
  - c) attend and present at Committee or Council meetings as needed for municipal law enforcement matters;
  - d) administration of By-laws in conjunction with the Clerk of the Township;
  - e) attend court proceedings and represent the Township on municipal law enforcement matters as needed;

January 10, 2019

3. The Town will provide enforcement on an as needed basis to a maximum of 20 hours per month for general by-law enforcement to the Township, as directed by the Clerk or designate.
  4. Invoices will be submitted to the Clerk each month for services. Invoices are due upon receipt and will be paid within thirty days. The Town will provide monthly invoices setting out full details of all work completed noting time allocated to all matters (with specific references). All disbursements and business-related expenses accrued outside of the Town offices will be included on the invoices (fax, photocopies, etc.). All time invoiced over and above the allocated 20 hours per month shall be fully detailed and require approval by the Clerk.
  5. The Township acknowledges that the municipal law enforcement officer (MLEO) for the Town may acquire information about certain matters that are confidential and undertakes not to disclose any information to any third party unless otherwise authorized by the Township.
  6. The Township agrees to be retained solely by the Town on all municipal law enforcement matters within the Town unless otherwise authorized by the Town.
  7. All information and materials collected and prepared by the Town in the course of providing services shall become the property of the Township unless the Township authorizes the Town in writing to retain some or all of the information and materials.
1. Any revisions or changes to this agreement may be made with the written approval of both parties. This agreement may be terminated by the Town or Township by Council resolution. This agreement covers the period from January 15, 2019 until such time as the Township enters into a new agreement for Municipal Law Enforcement Services. It is noted that travel time by the Municipal Law Enforcement Officer is applicable to and from the Town of Shelburne to the Township of Mulmur.

January 10, 2019



We hereinto affixed its corporate seal under the hands of the Mayor and the Clerk

**WE HAVE AUTHORITY TO BIND THE CORPORATION**

The Corporation of the Township of Mulmur

Per:

\_\_\_\_\_  
*Mayor*                      *Clerk*

**WE HAVE AUTHORITY TO BIND THE CORPORATION**

The Corporation of the Town of Shelburne Per:

\_\_\_\_\_  
*Mayor*                      *Clerk*

January 10, 2019

**SCHEDULE A TO THE AGREEMENT:**

**ANNUAL RETAINER FEE:**

**\$1,000.00**

**EXPENSES:**

**Hourly rate for Municipal Law Enforcement Services \$52.00 per hour**

**Mileage rate for services 52 cents per km and adjusted annually based on CRA rates.**

**AREAS OF RESPONSIBILITY:**

**All municipal by-laws with the exception of Traffic Control (No Heavy Trucks By-law, Reduced Loads Period and Off-Road Vehicles on Municipal Roads) and Canine Control.**

January 10, 2019



The Corporation of  
**THE TOWNSHIP OF MELANCTHON**  
157101 Hwy. 10, Melancthon, ON, L9V 2E6

## REPORT TO COUNCIL

**TO: MAYOR WHITE AND MEMBERS OF COUNCIL**

**FROM: DENISE HOLMES, CAO/CLERK**

**DATE: DECEMBER 17, 2019**

**SUBJECT: 2021 COUNCIL MEETING SCHEDULE**

---

### RECOMMENDATION

Be it resolved that Council confirm the 2021 Council meeting dates on the "Melancthon Council Meeting Schedule - 2021". And further, that Council can always add additional Committee of the Whole, special, public and/or emergency meetings during the year as required and make amendments to the 2021 schedule as required.

### STRATEGIC PLAN ALIGNMENT

Strategic Objective – Effective Governance – 5.1 Improve local autonomy

### PURPOSE

The purpose of this Report is to confirm the Council meeting dates for 2021.

### BACKGROUND AND DISCUSSION

As per the Township's Procedural By-law No. 16-2015, Section 5 states that "During the regular Council meeting in January, Council will review and confirm the next year's tentative meeting dates". It is appropriate to confirm the meeting dates well in advance so that all members are aware of them to avoid conflicts.

All regular Council meetings are scheduled for the first and third Thursdays of the month commencing at 5:00 p.m. and as such, these dates are outlined on the 2021 Council Meeting Schedule with the exception of January, July, August and December. Historically, Council has only held one meeting for the month of January due to the Christmas Holiday Office Closure and one meeting in August, due to holidays, etc. In 2019, Council held one meeting in July and one meeting in December and this proved to work well for both Council and Staff.

The meeting in January has typically been held on the third Thursday of the month but in 2021, the third Thursday falls later on the 21<sup>st</sup> which leaves approximately five weeks between the December 10<sup>th</sup>, 2020 meeting and January 21<sup>st</sup>. I would recommend that the January meeting be held on the 2<sup>nd</sup> Thursday (14<sup>th</sup>) at 9:00 a.m. so that it does not conflict with the County Council

ACT #3  
IAN 16 2020

meeting which would be held in the evening on that date. This will still allow Staff ample time to prepare the Agenda package as Staff will be back to work on January 4<sup>th</sup>, 2021. This would also leave a couple weeks in between the January meeting and the first meeting in February to allow Staff time to prepare the tax bills for mailing at the end of January. The meetings to be held in July and August will be held on July 15, 2021 and August 12, 2021 and the meeting in December will be a day meeting starting at 9:00 a.m. on December 9, 2021 so that it does not conflict with the County Council meeting in the evening.

In 2018 and 2019 , the Township held one day meeting and one evening meeting for the months of February, March and April. The day meeting started at 9:00 a.m. and was held the 1<sup>st</sup> Thursday of the month. The evening meeting started at 5:00 p.m. and was held the 3<sup>rd</sup> Thursday of the month to accommodate Committee of Adjustment planning applications. This was also recommended and approved for the 2020 schedule. As of the writing of this Report, we have had to change the 2020 Schedule and the January 16<sup>th</sup> meeting will be a day meeting starting at 9:00 a.m. to accommodate an All Councils meeting at the County of Dufferin. The February 6<sup>th</sup> meeting which was to be a day meeting, will now begin at 5:00 p.m. I am recommending that we continue on with one day meeting and one evening meeting for the months of February, March and April 2021.

On November 21, 2019, Council dealt with a Notice of Motion that was moved by Mercer, Seconded by Besley "that Council reconsider meeting frequency and scheduling in 2020 from 2 monthly meetings to 1 longer meeting per month starting in the morning ....." After discussion on the motion and suggestions put forth, it was decided that there would be a compromise to the motion and have one day meeting and one evening meeting per month. Both the mover and seconder withdrew the motion and Deputy Mayor Besley would prepare another motion to be debated at the meeting on December 12, 2019.

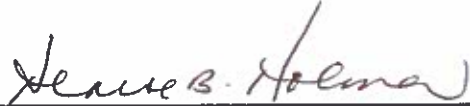
On December 12, 2019, a Notice of Motion which was moved by Besley and seconded by Hannon was brought forth to have the Council meeting rescheduled to one day meeting and one evening meeting per month and it commence in January 2020 to be reviewed January 2021. After discussion on the motion, it was withdrawn by the mover and seconder and there would be no changes to the 2020 meeting schedule.

In concluding, I am recommending that the 2021 Council meeting schedule remain in line with the 2020 Council meeting schedule and as stated earlier in the recommendation, the meeting schedule can always be amended, if required and notice of the change to be posted on the Township's website.

#### **FINANCIAL**

There is no direct budget impact as Council meetings are included in each Council member's annual remuneration and any Staff overtime will be accounted for in the 2021 Budget.

Respectfully submitted,

  
\_\_\_\_\_  
Denise B. Holmes, AMCT, CAO/Clerk



The Corporation of

**THE TOWNSHIP OF MELANCTHON**

157101 Highway 10, Melancthon, Ontario, L9V 2E6

Telephone - (519) 925-5525

Fax No. - (519) 925-1110

Website: [www.melancthontownship.ca](http://www.melancthontownship.ca)

Email: [info@melancthontownship.ca](mailto:info@melancthontownship.ca)

**MELANCTHON COUNCIL MEETING SCHEDULE - 2021**

*January 14<sup>th</sup> - 9:00 a.m.*

*February 4<sup>th</sup> - 9:00 a.m. and February 18<sup>th</sup> - 5:00 p.m.*

*March 4<sup>th</sup> - 9:00 a.m. and March 18<sup>th</sup> - 5:00 p.m.*

*April 1<sup>st</sup> - 9:00 a.m. and April 15<sup>th</sup> - 5:00 p.m.*

*May 6<sup>th</sup> and May 20<sup>th</sup> - 5:00 p.m.*

*June 3<sup>rd</sup> and June 17<sup>th</sup> - 5:00 p.m.*

*July 15<sup>th</sup> - 5:00 p.m.*

*August 12<sup>th</sup> - 5:00 p.m.*

*September 2<sup>nd</sup> and September 16<sup>th</sup> - 5:00 p.m.*

*October 7<sup>th</sup> and October 21<sup>st</sup> - 5:00 p.m.*

*November 4<sup>th</sup> and November 18<sup>th</sup> - 5:00 p.m.*

*December 9<sup>th</sup> - 9:00 a.m.*

## Denise Holmes

---

**From:** Adam Garcia <AGarcia@amo.on.ca>  
**Sent:** Monday, December 23, 2019 11:08 AM  
**To:** Denise Holmes  
**Cc:** Wendy Atkinson  
**Subject:** RE: Main Street Revitalization Request for Extension  
**Attachments:** MSRI Amendment - Township of Melancthon.pdf

Hi Denise,

PDF of the amendment agreement attached here. Please review and return at least two signed copies to the address below. No deadline – as soon as is practical on your end.

Attn: Adam Garcia  
Association of Municipalities of Ontario  
200 University Ave., Suite 801  
Toronto, Ontario M5H 3C6

Thanks,  
Adam

---

Adam Garcia  
Association of Municipalities of Ontario  
416-971-9856 x356 | agarcia@amo.on.ca

---

**From:** Denise Holmes [mailto:dholmes@melancthontownship.ca]  
**Sent:** December 20, 2019 8:42 AM  
**To:** Adam Garcia <AGarcia@amo.on.ca>  
**Cc:** Wendy Atkinson <watkinson@melancthontownship.ca>  
**Subject:** Main Street Revitalization Request for Extension

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Adam,

I would like to request an extension to the above noted Funding Program. The names and titles of the signing officers for our municipality are:

Mayor Darren White  
CAO Denise Holmes

Thank you.

Regards,  
Denise Holmes



Please note: The Township Office will be closed from Tuesday, December 24, 2019 until Thursday, January 2, 2020 for the Christmas Holidays.



Denise B. Holmes, AMCT | Chief Administrative Officer/Clerk | Township of Melancthon | [dholmes@melancthontownship.ca](mailto:dholmes@melancthontownship.ca) | PH: 519-925-5525 ext 101 | FX: 519-925-1110 | [www.melancthontownship.ca](http://www.melancthontownship.ca) | **Please consider the environment before printing this e-mail** This message (including attachments, if any) is intended to be confidential and solely for the addressee. If you received this e-mail in error, please delete it and advise me immediately. E-mail transmission cannot be guaranteed to be secure or error-free and the sender does not accept liability for errors or omissions.

---

**AMENDMENT TO MUNICIPAL FUNDING AGREEMENT  
ONTARIO'S MAIN STREET REVITALIZATION INITIATIVE**

This Amendment

**BETWEEN:**

**Association of Municipalities of Ontario**

(referred to herein as "AMO")

**AND:**

**The Township of Melancthon**

(a municipal corporation pursuant to the Municipal Act, 2001, referred to herein as the "Recipient")

**WHEREAS** AMO and the Recipient entered into an agreement with an Effective Date of April 1, 2018, to undertake activities under Ontario's Main Street Revitalization Initiative (hereafter the "Agreement"); and

**WHEREAS** the Parties now wish to amend the Agreement to, amongst other things, extend the Project Completion Date, and the Agreement's terms provide for its amendment under section 2.2.

**THEREFORE** the Parties agree to amend the Agreement through this amendment agreement (the "Amendment") as follows:

(i) setting aside the definition of "Project Completion Date" in section 1.1 of the Agreement and replacing it with:

**"Project Completion Date"** means the Recipient must complete its Project under this Agreement by October 31, 2020.

(ii) setting aside section 2.1 of the Agreement and replacing it with the following:

2.1 **Term.** Subject to any extension or termination of this Agreement or the survival of any of the provisions of this Agreement pursuant to the provisions contained herein, this Agreement shall be in effect from the date set out on the first page of this Agreement, up to and including October 31, 2020.

(iii) setting aside section 6.7 of the Agreement and replacing it with the following:

6.7 **Funds advanced.** Funds transferred by AMO to the Recipient shall be expended by the Recipient in respect of Eligible Costs. AMO reserves the right to declare that Unspent Funds after October 31, 2020 become a debt to Ontario which the Recipient will reimburse forthwith on demand to AMO for transmission to Ontario.

(iv) setting aside section 6.8 of the Agreement and replacing it with the following:

6.8 **Expenditure of Funds.** The Recipient shall expend all Funds by October 31, 2020.

(v) setting aside section 7.3 of the Agreement and replacing it with the following:

7.3 **Results Report.** The Recipient shall account in writing for results achieved by the Funds through a Results Report to be submitted to AMO by October 31, 2020. Specifically the Results Report shall report on all items listed in section 7.2 of this agreement up to the Project Completion Date and document performance measures achieved through the investments in Eligible Projects in the form described in Section 3 of Schedule D.

The Parties further agree that:

1. **Defined Terms.** Any capitalized term used in this Second Amendment, but not expressly defined herein, shall have the same meaning given to it in the Agreement.
2. **Agreement Continues.** The Parties acknowledge that the Agreement continues as a valid and binding agreement, subject only to the terms and conditions of this Amendment, and that all other terms and conditions of the Agreement still apply, the necessary changes having been made.
3. **Effective Date of Amended Terms and Conditions.** The terms and conditions within this Amendment affecting the Agreement are effective as of the date of AMO's signatures below.

**IN WITNESS WHEREOF,** AMO and the Recipient have respectively executed, sealed and delivered this Amendment as of the dates indicated below:

**The Township of Melancthon**

---

Darren White  
Mayor

Date:

---

Denise Holmes  
Chief Administrative Officer

Date:

**Association of Municipalities of Ontario**

---

Brian Rosborough  
Executive Director

Date:

---

Afshin Majidi  
Director, Finance and Operations Centre

Date:

---

**AMENDMENT TO MUNICIPAL FUNDING AGREEMENT  
ONTARIO'S MAIN STREET REVITALIZATION INITIATIVE**

This Amendment

**BETWEEN:**

**Association of Municipalities of Ontario**

(referred to herein as "AMO")

**AND:**

**The Township of Melancthon**

(a municipal corporation pursuant to the Municipal Act, 2001, referred to herein as the "Recipient")

**WHEREAS** AMO and the Recipient entered into an agreement with an Effective Date of April 1, 2018, to undertake activities under Ontario's Main Street Revitalization Initiative (hereafter the "Agreement"); and

**WHEREAS** the Parties now wish to amend the Agreement to, amongst other things, extend the Project Completion Date, and the Agreement's terms provide for its amendment under section 2.2.

**THEREFORE** the Parties agree to amend the Agreement through this amendment agreement (the "Amendment") as follows:

- (i) setting aside the definition of "Project Completion Date" in section 1.1 of the Agreement and replacing it with:

**"Project Completion Date"** means the Recipient must complete its Project under this Agreement by October 31, 2020.

- (ii) setting aside section 2.1 of the Agreement and replacing it with the following:

2.1 **Term.** Subject to any extension or termination of this Agreement or the survival of any of the provisions of this Agreement pursuant to the provisions contained herein, this Agreement shall be in effect from the date set out on the first page of this Agreement, up to and including October 31, 2020.

- (iii) setting aside section 6.7 of the Agreement and replacing it with the following:

6.7 **Funds advanced.** Funds transferred by AMO to the Recipient shall be expended by the Recipient in respect of Eligible Costs. AMO reserves the right to declare that Unspent Funds after October 31, 2020 become a debt to Ontario which the Recipient will reimburse forthwith on demand to AMO for transmission to Ontario.

- (iv) setting aside section 6.8 of the Agreement and replacing it with the following:

6.8 **Expenditure of Funds.** The Recipient shall expend all Funds by October 31, 2020.

(v) setting aside section 7.3 of the Agreement and replacing it with the following:

7.3 **Results Report.** The Recipient shall account in writing for results achieved by the Funds through a Results Report to be submitted to AMO by October 31, 2020. Specifically the Results Report shall report on all items listed in section 7.2 of this agreement up to the Project Completion Date and document performance measures achieved through the investments in Eligible Projects in the form described in Section 3 of Schedule D.

The Parties further agree that:

1. **Defined Terms.** Any capitalized term used in this Second Amendment, but not expressly defined herein, shall have the same meaning given to it in the Agreement.
2. **Agreement Continues.** The Parties acknowledge that the Agreement continues as a valid and binding agreement, subject only to the terms and conditions of this Amendment, and that all other terms and conditions of the Agreement still apply, the necessary changes having been made.
3. **Effective Date of Amended Terms and Conditions.** The terms and conditions within this Amendment affecting the Agreement are effective as of the date of AMO's signatures below.

**IN WITNESS WHEREOF,** AMO and the Recipient have respectively executed, sealed and delivered this Amendment as of the dates indicated below:

**The Township of Melancthon**

---

Darren White  
Mayor

Date:

---

Denise Holmes  
Chief Administrative Officer

Date:

**Association of Municipalities of Ontario**

---

Brian Rosborough  
Executive Director

Date:

---

Afshin Majidi  
Director, Finance and Operations Centre

Date:

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON

BY-LAW NO. 1-2020

A By-Law to authorize the borrowing of \$2,909,797.85

WHEREAS the Council of the Corporation of the Township of Melancthon (herein called "the Corporation") deems it necessary to borrow the sum of \$2,909,797.85 to meet, until taxes are collected, the current expenditures of the Corporation for the year 2020.

AND WHEREAS the estimated revenues of the Corporation as set forth in the estimates adopted for the year 2019 and further defined by Subsection 4 of Section 407 of the Municipal Act S.O. 2001, Chapter 25 were \$5,819,595.71.

AND WHEREAS the amount that may be borrowed at any one time for the purposes mentioned in Section 407 of the Municipal Act, S.O. 2001, Chapter 25, together with the total of any similar borrowing that have not been repaid, shall not exceed from January 1st to September 30th of the year, 50 per cent of the total, and from October 1st to December 31st, 25 per cent of the total of the estimated revenues of the Corporation as set forth in the estimates adopted for the year, 2020.

THEREFORE the Council of the Corporation of the Township of Melancthon enacts as follows:

1. The Head and Treasurer are hereby authorized on behalf of the Corporation to borrow from time to time by way of promissory note from the Chartered Banks (herein called "the bank"), a sum or sums to meet, until revenues are collected, the current expenditures of the Corporation for the year, including the amounts required for the purposes mentioned in the said Section 407 and to give on behalf of the Corporation a promissory note or notes sealed with the Corporate Seal and signed by the Head and Treasurer for the monies so borrowed with interest at the prevailing rate from time to time of the Bank. The amount borrowed shall not exceed in aggregate for the period January 1st to September 30th and for the period October 1st to December 31st.
2. All Sums borrowed pursuant to the authority of this By-law as well as all other sums borrowed in this year and in any previous years from the Bank for any or all of the purposes mentioned in the said Section 407 shall, with interest, thereon, be a charge upon the whole or any part or parts of the revenues of the Corporation for the current year or for any preceding years, as and when such revenues are received.
3. The Treasurer is hereby authorized and directed to apply in payment of all or any sums borrowed as aforesaid, together with interest thereon, all or any of the monies hereafter collected or received, either on account of or realized in respect of the taxes levied for the current year and preceding years or from any other source, which may lawfully be applied for such purpose.
4. The Bank shall be entitled to rely as to the authority of any borrowing on a copy of this By-law certified by the Clerk and on financial statements furnished to the Bank from time to time by the Treasurer.
5. This By-law shall remain in full force and be binding on the Corporation as against the Bank until a copy, certified by the Clerk under the Corporate Seal, of a By-law repealing or replacing this By-law, shall have been received by the Bank duly acknowledged by it in writing.

By-Law read a first and second time this 16<sup>th</sup> day of January, 2020.

By-Law read a third time and passed this 16<sup>th</sup> day of January, 2020.

.....  
MAYOR

.....  
CLERK

GB # 2.1  
IAN 16 2020



**THE CORPORATION OF THE TOWNSHIP OF MELANCTHON**

**BY-LAW NUMBER -2020**

**BEING A BY-LAW TO PROVIDE FOR THE LEVY AND COLLECTION OF RATES OR LEVIES REQUIRED FOR THE TOWNSHIP OF MELANCTHON FOR THE INTERIM LEVY FOR THE YEAR 2020 AND TO PROVIDE FOR THE MAILING OF NOTICES DEMANDING PAYMENT OF TAXES FOR THE INTERIM LEVY FOR THE YEAR 2020**

**WHEREAS** the Municipal Act, 2001, provides for Interim Tax levies;

**NOW THEREFORE** the Council of the Corporation of the Township of Melancthon enacts as follows:

1. THAT the Interim Tax Levy for 2020 on all Property Classes shall be set by levying 50 per cent of the total amount of taxes for municipal and school purposes levied on the property for the previous year, including annualized supplementary taxes, and local charges and/or area rates.
2. THAT the taxes shall be payable in two instalments as follows:  
  
February 24, 2020 and May 25, 2020
3. THAT any instalment or any part of any instalment of rates, taxes and assessments not paid on the due date, a penalty shall be added of one and one quarter (1.25) per cent on the first day of default and on the first day of each calendar month thereafter in which default continues, as set out in the Municipal Act.
4. THAT the Treasurer as the Collector of Taxes for the Township of Melancthon is hereby authorized to mail or cause to be mailed the notice specifying the amount of taxes payable by any person liable for taxes, to the address or place of business of the person or persons to whom such notice is required to be given.
5. THAT the said payment of taxes shall be payable at the office of the Tax Collector of the Township of Melancthon or any other place designated by the said collector.

BY-LAW READ A FIRST AND SECOND TIME THIS 16<sup>th</sup> DAY OF JANUARY, 2020

BY-LAW READ A THIRD TIME AND PASSED THIS 16<sup>th</sup> DAY OF JANUARY, 2020

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

GB# 2.2  
IAN 16 2020

**CORPORATION OF THE TOWNSHIP OF MELANCTHON**

**BY-LAW NO. -2020**

A By-law to provide remuneration, allowances and expenses for Members of Council.

**WHEREAS** the Municipal Act, 2001, S.O. 2001, c. 25, Section 283, provides that a municipality may pay any part of the remuneration and expenses of the members of Council, any local board and officers and municipal employees of the municipality; provides that Council may pass by-laws for payment of its Members.

**AND WHEREAS** the Council of the Township of Melancthon deems it necessary to enact a by-law to establish the rate of remuneration for Members of Council;

**NOW THEREFORE** the Township of Melancthon enacts as follows:

1. The annual remuneration for Mayor shall be \$17,425.61 per annum effective the first day of January, 2020.
2. The annual remuneration for the Deputy Mayor shall be \$12,078.98 per annum effective the first day of January, 2020.
3. The annual remuneration of a Councillor shall be \$10,891.15 per annum effective the first day of January, 2020.
4. In addition to the annual remuneration, a member of Council attending meetings outside Municipality shall receive \$60.00 per diem and \$0.50 per km. for functions authorized by Council. Any meetings over 5 hours will be paid at the rate of \$100.00 per meeting.
5. The Mayor as an ex officio member of other Boards and Committees and each member of Council appointed by Council to serve on the following Boards shall be paid for attendance at meeting at the following rates:

<u>Board</u>	<u>Rate</u>
Cemetery, Park, Hall Boards .....	\$60.00 or \$100.00 if over 5 hours
Other Boards of Management .....	\$60.00 or \$100.00 if over 5 hours
Police Services Board .....	\$60.00 or \$100.00 if over 5 hours
Advisory Committees .....	\$60.00 or \$100.00 if over 5 hours

For attendance on the above Boards the members of Councils shall receive \$0.50 per km. necessarily travelled in connection with their duties.

6. Each member of Council appointed by Council to a Sub-Committee of Council shall be paid the following meeting rates:

Up to 1 hour .....	\$30.00
One to three hours .....	\$50.00
Three to five hours .....	\$60.00
Over five hours .....	\$100.00

7. Members of Council shall be reimbursed their actual expenditures associated with their authorized attendance at Conferences with the submission of proper documentation.
8. Members of Council, with the exception of the Mayor shall receive a monthly allowance of \$75.00 for IT and supplies. (Note: Mayor receives an allowance from the County of Dufferin).
9. The members of Council shall be paid \$0.50 per km. necessarily travelled in connection with their duties.
10. All by-laws inconsistent with this by-law are hereby repealed.

By-law read a first and second time this                      day of January, 2020.  
 By-law read a third time and passed this                      day of January, 2020.

MAYOR

CLERK

GB# 2.3  
 JAN 16 2020

**CORPORATION OF THE TOWNSHIP OF MELANCTHON**

**BY-LAW NO. -2020**

**BEING A BY-LAW TO AMEND SCHEDULE "A" ATTACHED TO BY-LAW 35-2013 & 54-2018 TARIFF OF FEES FOR ADMINISTRATIVE MATTERS**

**WHEREAS** the provisions of the Municipal Act, 2001 Section 391 provides that the Council of the municipality may by By-law prescribe fees and charges for services or activities provided.

**AND WHEREAS** the Council of the Corporation of the Township of Melancthon deems it expedient to amend Schedule A attached to By-law No. 35-2013 & 54-2018.

**NOW THEREFORE** be it resolved that the Council of the Corporation of the Township of Melancthon enacts as follows:

1. That the Township of Melancthon increase the Business Licenses Fee to \$500.00 and that the Zoning Compliance Letter be changed to Planning Compliance Letter and increased to \$100.00 and that Schedule "A" to By-law 35-2013 & 54-2018 is hereby amended and attached hereto.
2. This By-law shall come into force and have effect upon the final reading thereof.

BY-LAW READ A FIRST AND SECOND TIME THIS 16<sup>th</sup> DAY OF JANUARY, 2020.

BY-LAW READ A THIRD TIME AND PASSED THIS 16<sup>th</sup> DAY OF JANUARY, 2020.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

GB# 2.4

JAN 16 2020

**CORPORATION OF THE TOWNSHIP OF MELANCTHON  
BY-LAW NO. -2020**

**SCHEDULE 'A' TO BY-LAW NO. 35-2013 & 54-2018**

**SCHEDULE OF FEES**

<u>Service</u>	<u>Fee</u>
Business Licenses	\$500.00
Additional Blue Box	\$5.00
Additional Green Bins	\$15.00
Additional Kitchen Catcher	\$5.00
Faxes (per sheet)	\$3.00
Fire permit (per year)	\$15.00
NSF/Returned Cheques	\$35.00
Official Plan	\$40.00
Lapel Pins	\$4.00
Photocopies (per sheet)	\$0.30
Photocopies - large colour (per sheet)	\$1.00
Tax Certificate	\$40.00
Duplicate Tax Bill	\$10.00
Tax Statement	\$10.00
Township Drain Map	\$10.00
Zoning By-law Book	\$25.00
Planning Compliance Letter	\$100.00
Application to Permit (Building Permit)	
- Structures - 1,000 square feet or greater than	\$100.00
- Agricultural Buildings that require MDS/Commercial & Industrial Buildings & On-Farm Uses	\$100.00 + \$1,500.00 deposit
- All other building permits	\$50.00
Entrance Permit	\$300.00
<i>(\$200.00 refunded if entrance properly installed)</i>	
Wide Load Permit	\$40.00/load or \$200.00/truck/year
Reduced Load Exemption Application	\$100.00
Lottery License (Raffle)	\$20.00
FOI Requests	\$5.00
Search of Records (per 1/4 hour)	\$15.00
Nevada Licenses	3% of prize value of each box
Special Event Permit App. Fee (<1,000 people)	\$100.00 + \$50.00 Admin Fee
Special Event Permit App. Fee (>1,000 people)	\$200.00 + \$50.00 Admin Fee
Tile Drainage Loan Payout Administration Fee	\$500.00
Reminder/Overdue Tax Notices	\$2.00 per roll number/per mailing



APPLICATION TO OPERATE A SALVAGE YARD IN  
THE CORPORATION OF THE TOWNSHIP OF MELANCTHON  
(Under By-law No. 56-2019)

**DRAFT**

**SECTION I - IDENTIFICATION OF APPLICANT (COMPLETE A, B OR C)**

**A. INDIVIDUAL:**

FULL NAME \_\_\_\_\_

BUSINESS STYLE NAME \_\_\_\_\_

ADDRESS (HOME) \_\_\_\_\_

ADDRESS (SCRAP YARD/OPERATION) \_\_\_\_\_

PHONE NUMBER(S) \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_

DATE OF BIRTH \_\_\_\_\_

**B. PARTNERSHIP:**

NAME \_\_\_\_\_

MAILING ADDRESS OF SALVAGE YARD/OPERATION \_\_\_\_\_

BUSINESS PHONE NUMBER \_\_\_\_\_

BUSINESS EMAIL ADDRESS \_\_\_\_\_

**\*COMPLETE AND ATTACH A SCHEDULE WITH FULL NAMES OF ALL PARTNERS, HOME ADDRESSES, PHONE NUMBERS, EMAIL ADDRESSES AND DATE OF BIRTH OF EACH PARTNER IN ACCORDANCE WITH SECTION 7.2 AND 7.3 OF BY-LAW 56-2019\***

**C. CORPORATE:**

CORPORATE NAME \_\_\_\_\_

OPERATING BUSINESS NAME (IF DIFFERENT THAN CORPORATE NAME) \_\_\_\_\_

CORPORATE HEAD OFFICE ADDRESS \_\_\_\_\_

MAILING ADDRESS OF SALVAGE YARD/OPERATION \_\_\_\_\_

CORPORATE PHONE NUMBER \_\_\_\_\_

CORPORATE EMAIL ADDRESS \_\_\_\_\_

**\*COMPLETE AND ATTACH A SCHEDULE WITH FULL NAMES OF ALL DIRECTORS AND OFFICERS AND ALL RESIDENTIAL ADDRESSES AND SUPPORTING DOCUMENTATION IN ACCORDANCE WITH SECTION 7.2 AND 7.4 OF BY-LAW 56-2019\***

NEWLOT #1  
JAN 16 2020

**SECTION II - LOCATION OF SALVAGE YARD**

LOT: \_\_\_\_\_ CON.: \_\_\_\_\_

MAILING ADDRESS OF SALVAGE YARD/OPERATION: \_\_\_\_\_  
\_\_\_\_\_

EMERGENCY NO. OF SALVAGE YARD/OPERATION: \_\_\_\_\_

ZONING OF PROPERTY & SALVAGE YARD/OPERATION: \_\_\_\_\_

TYPE OF SALVAGE THAT WILL BE LOCATED AT THE SALVAGE YARD:  
\_\_\_\_\_

HAZARDOUS WASTE INFORMATION NETWORK GENERATOR NUMBER:  
\_\_\_\_\_

ATTACH AS A SCHEDULE, A DETAILED SITE PLAN FOR THE SALVAGE YARD/OPERATION IN ACCORDANCE WITH SECTION 6.1, 7.1 AND 7.6 OF BY-LAW NO. 56-2019

ATTACH AS A SCHEDULE, EVIDENCE OF THE LEGAL OWNERSHIP OF OR RIGHT TO CARRY ON THE OPERATION OF THE SALVAGE YARD ON THE PREMISES WHERE THE SALVAGE YARD IS LOCATED.

ATTACH AS A SCHEDULE, ANY

- APPROVAL OF APPROPRIATE CONSERVATION AUTHORITY
- APPROVAL OF THE MINISTRY OF ENVIRONMENT (ONTARIO)
- ANY CERTIFICATES ISSUED BY THE PROVINCE OF ONTARIO PURSUANT TO *THE HIGHWAY TRAFFIC ACT, THE ENVIRONMENTAL PROTECTION ACT, CONSERVATION AUTHORITIES ACT*

**SECTION III**

HAS THE APPLICANT, OR ANY PARTNER, OR ANY OFFICER OR DIRECTOR OF THE APPLICANT, BEEN CONVICTED OF AN OFFENCE RELATING TO SALVAGE OPERATION, THE PROTECTION OF THE ENVIRONMENT, FIRE SAFETY OR PUBLIC HEALTH OR PROPERTY STANDARDS? YES \_\_\_\_\_ NO \_\_\_\_\_

IF YES, PLEASE PROVIDE FULL PARTICULARS:

\_\_\_\_\_  
\_\_\_\_\_

HAS THE SALVAGE YARD, OR ANY PART THEREOF, BEEN SUBJECT TO ANY ORDER IN REGARD TO THE PROTECTION OF THE ENVIRONMENT, FIRE SAFETY OR HEALTH HAZARD, WITHIN A PREVIOUS TWELVE (12) MONTH PERIOD? YES \_\_\_\_\_ NO \_\_\_\_\_

IF YES, PLEASE PROVIDE FULL PARTICULARS

\_\_\_\_\_  
\_\_\_\_\_



HAS THE APPLICANT, ANY PARTNER, OR ANY OFFICER OF DIRECTOR OF THE APPLICANT, WHO HAD A LICENCE FOR A SALVAGE YARD, HAD A LICENSE SUSPENDED OR REVOKED IN ANY MUNICIPALITY IN ONTARIO?

YES \_\_\_\_\_ NO \_\_\_\_\_

**SCHEDULE IV**

- A. ATTACH AS A SCHEDULE, A FIRE INSPECTION REPORT DATED WITHIN TWO (2) MONTHS OF THE APPLICATION DATE PURSUANT TO PARAGRAPH 6.1 (e) OF BY-LAW 56-2019
- B. ATTACH AS A SCHEDULE, THE DETAILED PLANS THAT ADDRESS
  - (I) ON-SITE STORM MANAGEMENT (with no off-site liquid drainage)
  - (II) A SPILLS ACTION PLAN; AND
  - (III) AN EMERGENCY DISASTER PLAN

**SECTION V**

ATTACH AS A SCHEDULE, A VALID CURRENT INSURANCE CERTIFICATE, TOGETHER WITH SUPPORTING INFORMATION PURSUANT TO SECTION 7.5 OF BY-LAW 56-2019.

**SECTION VI**

ATTACH LICENCE FEE AS REQUIRED BY MUNICIPAL BY-LAW. THIS FEE IS NON-REFUNDABLE.

THE APPLICANT HEREBY ACKNOWLEDGES HAVING READ BY-LAW 56-2019 - CORPORATION OF THE TOWNSHIP OF MELANCTHON KNOWN AS THE SALVAGE YARD BY-LAW.

SIGNATURE OF APPLICANT (SECTION 7.2 OF BY-LAW 56-2019)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE: \_\_\_\_\_

**For Office Use Only:**

Licence No. \_\_\_\_\_ Issued By: \_\_\_\_\_ Fee Paid: \_\_\_\_\_

**STATUTORY DECLARATION  
(PARTNERSHIP)**

**WE, BEING ALL OF THE PARTNERS OF THE APPLICANT, \_\_\_\_\_,  
HEREBY STATE AND DECLARE:**

- 1. THAT THE FULL NAME OF EACH PARTNER AND THE ADDRESS OF HIS  
ORDINARY RESIDENCE IS:**
  
  
  
  
  
  
  
  
  
  
- 2. THAT THE NAME(S) UNDER WHICH IT CARRIES ON OR INTENDS TO CARRY  
ON BUSINESS UNDER ANY LICENCE ISSUED PURSUANT TO BY-LAW 56-  
2019, MELANCTHON, IS:**
  
  
  
  
  
  
  
  
  
  
- 3. THAT THE PERSONS NAMED IN PARAGRAPH 1 ARE THE ONLY MEMBERS  
OF THE PARTNERSHIP.**
  
  
  
  
  
  
  
  
  
  
- 4. THAT THE MAILING ADDRESS OF THE PARTNERSHIP IS:**

**HEREBY SWORN AND**

**DECLARED BEFORE ME**

**AT \_\_\_\_\_**

**OF \_\_\_\_\_**

**THIS \_\_\_\_ DAY OF \_\_\_\_\_**

**20\_\_.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
**PARTNERS**

**STATUTORY DECLARATION  
(CORPORATE)**

I, \_\_\_\_\_, BEING THE \_\_\_\_\_ OF  
(NAME) (OFFICER)

THE APPLICANT \_\_\_\_\_ HEREBY STATE AND DECLARE:  
(NAME OF CORPORATION)

1. THE FULL NAME OF EACH OFFICER AND DIRECTOR AND THE ADDRESS OF HIS ORDINARY RESIDENCE IS:
  
  
  
  
  
  
  
  
  
  
2. THE NAME(S) UNDER WHICH THE APPLICANT CARRIES ON OR INTENDS TO CARRY ON BUSINESS UNDER ANY LICENCE ISSUED PURSUANT TO BY-LAW 56-2019, MELANCTHON, IS:
  
  
  
  
  
  
  
  
  
  
3. THAT THE PERSONS NAMED IN PARAGRAPH 1 ARE THE ONLY OFFICERS AND DIRECTORS OF THE CORPORATION.
  
  
  
  
  
  
  
  
  
  
4. THE MAILING ADDRESS OF THE CORPORATION IS:

HEREBY SWORN AND

DECLARED BEFORE ME

AT \_\_\_\_\_

OF \_\_\_\_\_

THIS \_\_\_\_ DAY OF \_\_\_\_\_

20\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
OFFICERS OF THE CORPORATION

## Denise Holmes

---

**From:** Sarah Harrison [REDACTED]  
**Sent:** Friday, January 10, 2020 12:09 PM  
**To:** Denise Holmes  
**Cc:** James Webster  
**Subject:** Proposed Framework for HM Hall/Township Cooperation  
**Attachments:** HMHB\_Melancthon Twp Framework\_10Jan'20.pdf

Hi Denise,

Further to our conversation this morning, I have attached the Horning's Mills Hall Board of Management's proposal for how we can most effectively work with the Township of Melancthon to operate the Hall in a financially sustainable manner, while also in the best interests and inclusion of the local community.

Please let me know if the format I have used is a suitable basis for Council's preliminary review, or if additional clarification would be helpful prior to the meeting.

James has agreed that I will be the main point of contact between Council and the Hall Board for the time being. I understand that the changes you have made to the format of Council meetings over the next few weeks means that the next Committee of the Whole meeting won't be until the evening of February 6. As we discussed, Council will consider our proposal next week, and will reply back to me (cc James) prior to the February meeting.

Thanks and best wishes,

Sarah

## **Proposed Framework for Horning's Mills Hall Board of Management/ Township of Melancthon Cooperation**

**Submitted on Behalf of the Horning's Mills Hall Board of Management by Sarah Harrison & James Webster**

**10 January, 2020**

### **Specific Ongoing Role of the Hall Board of Management:**

- **Oversee financial decisions and direct maintenance and cleaning, including but not limited to:**
  - How funds raised to date will be used
  - Development and updating of five year plan
  - Management of two maintenance people who will also undertake quotes and repairs

### **Financial Support Required from the Township**

- **Statements to be provided to Hall Board by the 1st of the following month, including Balance Sheet and P&L; Job P&L also required for big events**
- **Estimated financial requirements:**
  - **Guaranteed basic operating costs: \$5.5K/yr, with yearly % increase (tied to CPI?)**
  - **Capital investment every year, for such items as exterior exit stairs replacement, kitchen upgrades, renovate back annex room to double storey storage room: \$10 - 20K**
  - **Furnace and other major equipment repair/maintenance (not including lift): \$3 - 5K/yr**
  - **Website, FaceBook, MailChimp, and Design Services: 5 hrs/mo at \$25/hr = \$1.5K/yr**
  - **Website and domain name hosting: \$2,000/yr**
  - **Cleaning/maintenance: two people to share one full time paid position; \$25-30/hr at current level of rentals/activities: \$7-11/yr**
    - **Cleaner must have flexibility for weekend rentals, for example**
  - **Commitment to help community-building events (community fund?) at free or low cost**
  - **Buffer of \$X?**
- **How will costs for the lift (licensing, yearly maintenance plan, repairs) be covered once the existing Accessibility Fund is depleted?**

### **Rentals**

- **Is the Township committed to continuing to use the Hall for rentals? (We don't have many upcoming rentals at present.) If yes:**
  - **The Hall Board would rather not open an "out-of-area user fee" can of worms. Who would be "out-of-area", anyway? We want to be inclusive of the immediate vicinity.**
  - **Should rental rates be increased again? They were last increased about two years ago. (Note that we already charge more for some events than others, i.e. weddings.) If yes, we could then afford the cost of better advertising.**
- **Will the Township hold their own events at the Hall?**

## Events

- The Hall Board has an existing Event Sub-Committee that may continue in its current form.
- The Hall Board will consider how existing and new volunteers will be best managed to avoid volunteer burnout





**CORPORATION OF THE TOWNSHIP OF MELANCTHON**  
**2020 SPRING/SUMMER NEWSLETTER**

**DRAFT**

**MELANCTHON TOWNSHIP - EST. JANUARY 1, 1853**

**Council:** Mayor Darren White - 519-278-8234; Deputy Mayor Dave Besley - 519-373-1227  
Councillor Wayne Hannon - 519-923-5763/416-904-5763; Councillor Margaret Mercer;  
Councillor David Thwaites (*E-mail addresses are available on the Township Website*)

**Staff:** CAO/CLERK- Denise B. Holmes, AMCT  
TREASURER/DEPUTY CLERK - Wendy Atkinson  
PUBLIC WORKS SUPERINTENDENT - Craig Micks

**Email/Website:** info@melancthontownship.ca / [www.melancthontownship.ca](http://www.melancthontownship.ca) - SIGN UP FOR OUR EMAIL LIST

**Telephone/Fax:** 519-925-5525/519-925-1110

**Address:** 157101 Highway 10, Melancthon, Ontario, L9V 2E6

**Office Hours:** Monday to Friday: 8:30 a.m. - 4:30 p.m. (*Office is closed Fridays in August and Friday September 4, 2020.*)

**Council**

Council Meetings are held the 1<sup>st</sup> & 3<sup>rd</sup> Thursday of the month commencing at 5:00 p.m. - *Please check the website for changes in meeting times.* Agendas and Minutes can be found on the website.

Committee of Adjustment is held the 3<sup>rd</sup> Thursday of the month commencing at 6:00 p.m.

Public Question Period - is held after Point of Privilege or Personal Privilege on the agenda for a maximum of 20 minutes. *Please check the website for information on Public Question Period.*

**TAX/FINANCIAL INFORMATION:** Interim will be billed on or around February 1, 2020

1<sup>st</sup> Installment Due Date: February 24, 2020 and Second Installment Due Date: May 25, 2020.

Final Tax Bill will be mailed on or around August 1, 2020. *Please refer to the back of your tax bill for important information on how to pay your taxes! \*NEW\* - WE NOW ACCEPT DEBIT FOR PAYMENT OF TAXES, FIRE PERMITS, DOG TAGS, ETC.*

**Ontario Electronic Stewardship** - A bin is available at the Municipal Office for electronic recycling. Accepted electronics include desktop & portable computers, printers, mobile devices (cellular phones & pagers), televisions & monitors, audio/video systems and non-cellular telephones (corded & cordless telephones & answering machines).

**Waste Services** - For questions related to waste collections, hazardous waste days and electronic goods recycling, contact the County of Dufferin Waste Management Division at (519) 941-2816 ext 2620 or visit [www.dufferincounty.ca/waste](http://www.dufferincounty.ca/waste).

**Road Business**

**Half Load Season** - Will commence on March 1, 2020 and end on May 15, 2020 (subject to weather conditions) - This applies to all roads as per By-law 49-2015 (available on website).

**Off Road Vehicle By-law** - Please refer to the Township website for information regarding By-law 43-2015, a By-law to permit off road vehicles on municipal roads.

**Fences** - A permit is required to construct a fence along the frontage of your property. Please contact the Director of Public Works for further information.

**Pushing snow/ice on roadways**- Anyone guilty of depositing snow or ice on Township roads or right of ways, causing an obstruction to traffic, is liable personally for whatever damages may result from same and may be charged under the Highway Traffic Act.

NEW CTH #3.3  
JAN 16 2020

**Canine Control** - Canine Control Services are handled by Olympus Dog Training. For dogs running at large, lost or found, please call the Municipal Office during Office Hours. For after hours, please call Olympus at 519-942-1508 and leave a message – someone will return your call. You are required to licence each dog you own or harbour. Dog tag renewal invoices will be mailed out shortly, for the canine information we have on file which was obtained through the enumeration process in 2017. Tags will not be mailed this year. We are currently reviewing and updating our Canine By-law, and how we issue dog licences. Information, when it becomes available, will be on our website under Municipal Services.

**Livestock Investigator** - Mike Swidersky is the Township's Livestock Investigator and can be reached at 519-923-9595. Anyone making a claim under the Livestock, Poultry and Honeybee Protection Act must have a Premises Identification Number before the claim will be processed by Staff. For information, please contact the Municipal Office.

#### **Fire Information**

**Fire Permits** - If you intend to burn at your property, a fire permit must first be obtained from the Municipal Office. The cost is \$15.00 and is good for the calendar year. You do not need a fire permit to burn in a barrel, but the fire must be under control at all times. In accordance with By-law 10-2007 all persons setting open fires shall be totally responsible and liable for any damage to property occasioned by the said fire, whether or not approval has been issued. All persons setting open fires shall be liable for the cost of any fire fighting equipment and personnel necessary and called in to extinguish the said fire, if conditions of the permit are not complied with. If you are unable to attend the office during regular business hours, you can apply for a fire permit on our website, under Municipal Services. <http://www.melancthontownship.ca/services.htm>.

**Smoke Alarms & Carbon Monoxide Detectors** are mandatory and should be installed on every level of your home and near sleeping areas. It is the owner's responsibility to ensure smoke alarms are installed and maintained in working order. Check these devices at least once a year and if an alarm is over 10 years old, it should be replaced. Consider practicing your home fire escape plan regularly. More information can be downloaded from the **Office of the Fire Marshal website** at [www.ofm.gov.on.ca](http://www.ofm.gov.on.ca)

## **Mulmur & Melancthon Recreation Plan & Efficiency Review**

Together, the Townships of Mulmur and Melancthon are embarking on a planning exercise that will guide municipal investment in recreation in the future. Specifically, this project includes:

- **A Facility and Program Assessment of the North Dufferin Community Centre (NDCC)** to ensure that the facility is operating as efficiently as possible, while meeting the community's needs, and
- **A Recreation Master Plan** for the two municipalities to determine key opportunities to enhance the existing recreation assets effectively and efficiently.

**We want to hear from you! What is your vision for recreation in the Townships? Share your views in an online survey until February 21<sup>st</sup>, 2020! Scan the QR Code on your smart device, visit the link below, or pick up a copy at the Township Offices.**



**[https://www.surveymonkey.com/r/MM Recreation](https://www.surveymonkey.com/r/MM_Recreation)**

**Dufferin County is Updating its Official Plan.** The Official Plan is the County's vision for the future. The review process will look at housing, jobs, transportation as well as agricultural and natural heritage. We want to engage with people in our community and we want to hear from you!

Visit [joinindufferin.ca](http://joinindufferin.ca) to sign up, stay connected and have your say.

You can also email [planner@dufferincounty.ca](mailto:planner@dufferincounty.ca) for any questions or comments.



# The Municipality of West Elgin

22413 Hoskins Line, Box 490, Rodney Ontario N0L 2C0

October 11, 2019

At the Regular Meeting of Council on October 10, 2019, the Council of the Municipality of West Elgin passed the following Resolution:

**Resolution No. 2019-520**

**Moved: Councillor Rowe**

**Seconded: Deputy Mayor Leatham**

**Whereas** The government of Ontario is consulting on proposed changes to the Provincial Policy Statement (PPS) to support the government's Housing Supply Action Plan and other land use planning related priorities. This consultation period closes on October 21, 2019;

**And Whereas** The Provincial Policy Statement is a consolidated statement of the government's policies on land use planning and is issued under section 3 of the Planning Act. The PPS applies province-wide and sets out the provincial policy direction for, among other things: The efficient use and management of land and infrastructure; Protecting public safety, the environment, and important resources including farmland;

**And Whereas** Municipalities are the primary implementers of the PPS through policies in their local official plans, zoning by-laws and other planning related decisions;

**And Whereas** The proposed draft policies would enhance agricultural protections to support critical food production and the agricultural sector as a significant economic driver;

**And Whereas** The proposed draft policies would direct large ground-mounted solar facilities away from prime agricultural and specialty crop areas, except for on-farm diversified uses;

**And Whereas** The Municipality of West Elgin is primarily an agriculture-based economy, and large grid-connected industrial wind turbine projects could also remove large portions of prime agricultural land from use, and are therefore not an appropriate use of prime agricultural land;

**Therefore** West Elgin Council supports the above policy statement with regard to large ground-mounted solar facilities; and recommends that PPS policies also include

P: 519.785.0560  
F: 519.785.0644

E: [deputyclerk@westelgin.net](mailto:deputyclerk@westelgin.net)  
[www.westelgin.net](http://www.westelgin.net)

WFB #4.1  
1 JAN 16 2020

INFO#3  
NOV 7 2019

language to direct wind turbine facilities away from prime agricultural and specialty crops, except for on-farm diversified use;

**And That West Elgin Council hereby directs staff to send a copy of these comments prior to the October 21/19 deadline, to The Provincial Planning Policy Branch at <https://ero.ontario.ca/notice/019-0279>; with copies to Minister of the Environment Conservation and Parks, and MPP, Jeff Yurek.**

**And Further That a copy of this motion be sent to the Premier of Ontario; The Association of Municipalities of Ontario; The County of Elgin; and all municipalities in the Province of Ontario.**

**Disposition: Carried**

P: 519.785.0560  
F: 519.785.0644

E: [deputyclerk@westelgin.net](mailto:deputyclerk@westelgin.net)  
[www.westelgin.net](http://www.westelgin.net)