



COMMITTEE OF THE WHOLE AGENDA

Tuesday, January 17th, 2023

Following Public Meeting – Zoning By-Law Amendment at 5:30 p.m.
Municipal Office – Council Chambers – 217 Harper Road

5:30 p.m. *Public Meeting – Zoning By-Law*
Following *Committee of the Whole Meeting*

Chair, Deputy Reeve Fred Dobbie

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

- i) **Public Meeting: 2023 Budget – December 13th, 2022 – *attached, page 8.***

Suggested Recommendation:

“THAT, the minutes of the Public Meeting – 2023 Budget held on December 13th, 2022, be approved.”

5. DELEGATIONS & PRESENTATIONS

- i) **Presentation – Overview of the County Operations & Cell and Broadband Project Update – *attached, page 12.***
Kurt Greaves, Chief Administrative Officer, Lanark County.

6. PRIORITY ISSUES

- i) **Report #PW-2023-01 – Lakewood Road Reconstruction – attached, page 26.**

Sean Ervin, Public Works Manager.

Suggested Recommendation to Council:

“THAT, Lakewood Road be included for reconstruction in the 2024 Budget”.

- ii) **2023 Final Budget Discussion.**

Ashley Liznick, Treasurer.

- ii) **Report #FIN-2023-01 – Property Tax Due Dates – attached, page 29.**

Ashley Liznick, Treasurer.

Suggested Recommendation to Council:

“THAT, the interim tax due dates be on February 24th, 2023 and April 27th, 2023;

AND THAT, the final tax due dates be on July 27th, 2023 and September 28th, 2023.”

- iii) **Report #PD-2023-01– Removal of Holding Zone for Maberly Pines Subdivision – attached, page 33.**

Noelle Reeve, Planner.

Suggested Recommendation to Council:

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

AND THAT, the Checklist for issuance of a Building Permit in Maberly Pines be received for information.”

- iv) **Report #PD-2023-04 – Co-Housing and Seniors Communication Project – attached, page 42.**

Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, the Zoning By-Law be amended to implement the co-housing recommendations from Implementing Tay Valley’s Age-Friendly Community Plan Through Co-Housing, Communication and Inclusion report;

AND THAT, the recommended outreach strategy from Implementing Tay Valley’s Age-Friendly Community Plan Through Co-Housing, Communication and Inclusion report be undertaken once a Community Services Coordinator is hired.”

- v) **Report #PD-2023-03 – Home Energy Retrofit Program Prerequisites (BetterHomes Tay Valley) – attached, page 45.**
Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, the Draft Local Improvement Charge (LIC) By-Law authorizing the Undertaking of Energy Efficiency and Water Conservation Works on Private Residential Property as Local Improvements under the BetterHomes Tay Valley Program under the Federation of Canadian Municipalities (FCM) Community Efficiency Financing (CEF) program be brought forward to the next Council meeting, after legal review;

THAT, the Township will contribute \$2 million in funding as its 20% contribution of the \$10 million potential grant ;

AND THAT, staff be authorized to advance a Federation of Canadian Municipalities (FCM) Community Energy Financing (CEF) program application by working with BetterHomes Ontario for the turn-key delivery of the Tay Valley Residential Energy Retrofit Program including the preparation of the FCM CEF application.”

- vi) **Report #CBO-2023-01 – Building Department Report – January – December 2022 – attached, page 62.**
Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, Report #CBO-2023-01 – Building Department Report – January – December 2022 be received as information.”

- vii) **Report #CAO-2023-01 – Electronic Monitoring of Employees Policy – attached, page 63**
Amanda Mabo, Chief Administrative Officer/Clerk.

Suggested Recommendation to Council:

“THAT, the Electronic Monitoring of Employees Policy be adopted as outlined in Report #CAO-2023-01

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

- viii) **Report #C-2023-01 – 2022 Municipal Election – Accessibility Report – attached, page 70.**
Amanda Mabo, Chief Administrative Officer/Clerk.

Suggested Recommendation to Council:

“THAT, Report #C-2023-01 – 2022 Municipal Election – Accessibility Report be received for information.”

- vii) **Report #C-2023-02 – Road Extension - Cohen Way – attached, page 97.**
Janie Laidlaw, Deputy Clerk.

Suggested Recommendation to Council:

“THAT, By-Law No. 2020-018, being a By-Law to assume Cohen Way for public use be amended to assume the extension of Cohen Way;

THAT, By-Law No. 2020-017, being a By-Law to amend Road Naming By-Law No, 98-87 to name and describe Cohen Way be amended to describe the extended road;

AND THAT, the necessary By-Laws be brought forward to the January Council meeting.”

- ix) **Appointment of Re-Use Center Volunteers.**

Suggested Recommendation to Council:

“THAT, the Council of the Corporation of Tay Valley Township appoint the following volunteer for the Re-Use Center, subject to the Criminal Records Check Policy:

· Lorraine Willstead.”

- x) **Tay Valley 25th Anniversary Discussion – attached, page 115**
Rob Rainer, Reeve.

- xi) **AMO - New Council Training Feedback.**
Amanda Mabo, Chief Administrative Officer/Clerk.

7. CORRESPONDENCE

- i) **22-12-22 – Council Communication Package – cover sheet attached, page 117.**

Suggested Recommendation to Council:

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

- ii) **23-01-12 – Council Communication Package – cover sheet attached, page 119.**

Suggested Recommendation to Council:

“THAT, the 23-01-12 Council Communication Package be received for information.”

- iii) **Friends of the Tay Watershed – Rail Ties Disposal – Glen Tay** – *attached, page 120.*

Suggested Recommendation to Council:

“THAT, the letter dated December 19, 2022, from Friends of the Tay Watershed regarding the Rail Ties Disposal in Glen Tay be received for information.”

8. COMMITTEE, BOARD & EXTERNAL ORGANIZATION UPDATES

- i) **Bolingbroke Cemetery Board** – *deferred to the next meeting.*
Councillor Wayne Baker.
- ii) **Committee of Adjustment** – *deferred to the next meeting.*
- iii) **Fire Board** – *deferred to the next meeting.*
Councillor Wayne Baker, Councillor Greg Hallam, Councillor Marilyn Thomas
- iv) **Library Board** – *deferred to the next meeting.*
Councillor Andrew Kendrick.
- v) **Pinehurst Cemetery Board** – *deferred to the next meeting.*
Councillor Fred Dobbie.
- vi) **Police Services Board** – *deferred to the next meeting.*
Reeve Rob Rainer.
- vii) **Green Energy and Climate Change Working Group** – *deferred to the next meeting.*
Councillor Greg Hallam and Councillor Angela Pierman
- iv) **Municipal Drug Strategy Committee** – *deferred to the next meeting.*
Councillor Korrine Jordan.
- v) **Mississippi Valley Conservation Authority Board.**
Councillor Andrew Kendrick.

22-12-07 – Mississippi Valley Conservation Authority Board Meeting Summary Report – *attached, page 124.*

22-10-19 – Mississippi Valley Conservation Authority Board Meeting Minutes – *attached, page 127.*

- vi) **Rideau Valley Conservation Authority Board.**
Councillor Angela Pierman.

22-10-27 – Rideau Valley Conservation Authority Board Meeting Minutes – *attached, page 136.*

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

9. CLOSED SESSION

- i) **CONFIDENTIAL: Identifiable Individual – Building Services.**
Amanda Mabo, Chief Administrative Officer/Clerk.

Suggested Motion:

***“THAT,** Committee move “in camera” at ____ p.m. to address a matter pertaining to personal matters about an identifiable individual, including municipal or local board employees, regarding building services;*

***AND THAT,** the Chief Administrative Officer/Clerk, Deputy Clerk and Planner, remain in the room.”*

Suggested Motion:

***“THAT,** Committee return to open session at ____ p.m.”*

- *Chair’s Rise and Report.*

10. DEFERRED ITEMS

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

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

11. ADJOURNMENT

MINUTES

PUBLIC MEETING 2023 BUDGET MINUTES

Tuesday, December 13th, 2022

5:30 p.m.

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

ATTENDANCE:

Members Present: Chair, Reeve Rob Rainer
Deputy Reeve Fred Dobbie
Councillor Andrew Kendrick
Councillor Greg Hallam
Councillor Korrine Affleck
Councillor Marilyn Thomas
Councillor Angela Pierman
Councillor Wayne Baker

Staff Present: Amanda Mabo, CAO/Clerk
Janie Laidlaw, Deputy Clerk
Ashely Liznick, Treasurer
Noelle Reeve, Planner

Public Present: 21 members of the public

1. CALL TO ORDER

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

2. INTRODUCTION

The Chair provided an overview of:

- the purpose of the public meeting
- the process of the public meeting

3. 2023 BUDGET AND FEES AND CHARGES – PUBLIC PRESENTATION

The Treasurer gave the PowerPoint presentation that was attached to the agenda.

The Treasurer explained that the By-Law for the Tariff of Fees will come to Council at the Council meeting tonight. Some of the fees will be in effect immediately and some will come into effect on January 1st, 2023. The 2023 Budget will not be passed until January 31st, 2023 after Council has a final discussion on January 17th, taking into account any public feedback.

The Reeve explained that Council will have an opportunity to discuss the 2023 Budget at the Committee of the Whole Meeting on January 17th and then the By-Law to adopt the Budget will come to the January 31st meeting.

4. PUBLIC COMMENTS AND QUESTIONS

i) **Lakewood Road Reconstruction.**
Dan Woods & Susan Freeman.

S. Freeman explained that they were hear as a delegation to Council in 2018 and were told the road would be done in 2023.

D. Woods and S. Freeman gave a PowerPoint presentation that was attached to the agenda. Would like Council to consider Lakewood Road before McLaren Road and at a minimum in 2023 would like the swale and the depressions ion the road repaired.

Dr. Rudy Lepp lives at the end of Lakewood Drive. He drives the road right to the end and the road is atrocious.

The Reeve thanked them for their presentation and that Council does have a 10-year capital plan and other roads in the community to consider.

The CAO/Clerk informed Council that staff can come back in the new year with a report.

ii) **Other Public Comments and Questions.**

Fred Goddard – Adam Lake (Burgess Ward)

- clarified what no phase-in assessment means
- asked about the statement that with no phase-in assessment the tax revenue will be approximately \$137,000 lower than if there had been a phase-in assessment. He understood that the budget determines the tax levy and the assessment determines how that levy is proportioned. The Treasurer explained that the assessment increase can by used to increase tax revenue or to decrease the tax levy
- asked for a breakdown of the percentage of assessment by tax category. For example, what percentage of the assessment base is residential or commercial and what is the assessment breakdown for waterfront assessment, the Treasurer explained that the Township does not have that information readily available.
- discussed that the levy history from 2006 to 2020 shows an increase of 90% and wondered what caused that, something is driving that beyond inflation and growth and asked if that was sustainable
- asked about decreasing the residential portion and increasing the other categories, for example make the commercial rate higher. The Treasurer explained that tax ratios are not set in Tay Valley but at the County level
- feels residential is baring the cost of the increase to the tax levy

The Reeve suggested that F. Goddard meet with the Treasurer separately to discuss his questions of clarification.

Gordon Hill – (Bathurst Ward)

- the budget is a difficult balance of spending but not too much
- concern with the taxes over the years, created a chart himself similar to the levy history with the same years but comparing Consumer Price Index (CPI), Canada Pension Plan (CPP) and Old Age Security (OAS). It shows the tax levy increased by approximately 129%, CPI increased approximately 48%, CPP increased approximately 35% and OAS increased approximately 26%. The population finds it difficult to pay for these increases. Approximately 32% of Tay Valley's population is over the age of 65, the provincial average is 18%. Seniors are more likely to be on a fixed income and is concerned Council is leaving them behind and asked that Council think about that group of people when making a decision

The Reeve explained that there is time before the budget is adopted in January for taxpayers to continue to submit comments.

Council is being sympathetic to the proposal to increase expenditures at the same time having a responsibility for the Townships fiscals health into the future.

5. NEXT STEPS

- Committee of the Whole (Discuss Public Feedback) – January 17th, 2023
- Council Meeting (Adopt Budget) – January 31st, 2023
- Notice of Passing – February 1st, 2023

6. ADJOURNMENT

The public meeting adjourned at 6:31 p.m.

DELEGATIONS & PRESENTATIONS



Overview of the County Operations + Cell and Broadband

Tuesday January 17th, 2022

Tay Valley

Kurt Greaves, County CAO

1

County Roles and Responsibilities

Social Services
and Housing

Long Term
Care

Public Works

Emergency
Services

Administration

Economic
Development

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2

2

2022 Budget Overview

	Gross Budget	Tax Levy
Social Services and Housing	\$36.5	\$6.9
Long Term Care	\$21.0	\$4.2
Public Works	\$20.1	\$14.6
Emergency Services	\$14.3	\$8.2
Administration and Other	\$6.4	\$3.9
Economic Development	\$1.2	\$0.9
Total	\$99.5	\$38.6

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3

3

Staffing Levels

Position	Full Time	Part Time	Total
Long Term Care	112	157	269
Social Services and Housing	54	1	55
Public Works	28	8	36
Economic Development (Tourism and Planning)	3	1	4
Emergency Services	1	0	1
Administration (CAO, Clerk, Finance, Human Res & Information Technology)	17	2	19
Council	0	16	16
	231	169	400

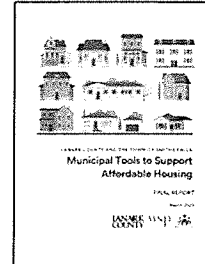
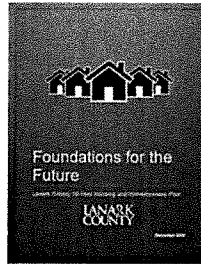
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4

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Housing Services

Responsibility for managing and funding community housing was downloaded to municipalities in 2001 with introduction of the *Social Housing Reform Act* which has since been replaced with the *Housing Services Act*; the province remains heavily involved in housing setting guidelines, funding and requirements for Service Managers; legislated to maintain 771 Service Level Standards; 120 units added to Service Level Standards/Affordable Housing since 2018; Lanark County will reach its Service Level Standards for the first time ever this year.



Social Housing

Fund, administer and manage 512 social housing unit owned by Lanark County Housing Corporation; in these units rent is typically calculated at 30% of a tenant's income; this calculation is known as Rent Geared to Income (RGI); these units are heavily subsidized by municipal dollars.

Lanark County Housing Corporation (LCHC) is a separate entity from Lanark County; Lanark County is the sole shareholder of the LCHC; Lanark County operates the LCHC; Community Services Committee of Council is appointed the board of directors for the LCHC.

Rent Supplement

Fund and administer 73 rent supplements; this is an agreement between Lanark County, a private landlord and a tenant; the tenant pays RGI or 30% of their income to rent and Lanark County subsidizes the difference up to market rent; various partnership such as Lanark County Interval House, Carebridge, etc.

Non-Profit Housing Providers

Support and fund 5 non-profit housing providers that manage 182 RGI units

- Mills Community Support Corporation and Five Arches Non-Profit Housing Corporation
- Carleton Place Municipal Non-Profit (Elizabeth Court)
- Clayton Seniors Non-Profit
- Tayside Community and Residential Support Options
- Tay Valley Non-Profit Housing Corporation

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7

Housing Services

Portable Housing Benefit

Monthly subsidy provided to low-income households to help make rent more affordable in the private market; subsidy is calculated on average rent and household income; 65 spaces

Affordable Housing

53 affordable housing units across the County; rent in these units is typically set at 80% of average market rent; Lanark County, often through provincial funding, made these units possible through a financial contribution to capital followed by a long-term agreement regarding rent rates

Renovate Lanark

10-year forgivable loan of up to \$10,000 for essential home repairs (i.e. furnaces, roofs, windows/doors)

Homeownership

20-year forgivable loan for 5% of the purchase price for first time home buyers

Case Management

Caseworker with tenants to support housing retention, greater independence, social inclusion, community participation and referral

Affordable Housing Capital Grant

A 10-year forgivable loan of up to \$25,000, to help cover capital costs of the creation of one new affordable housing rental unit.

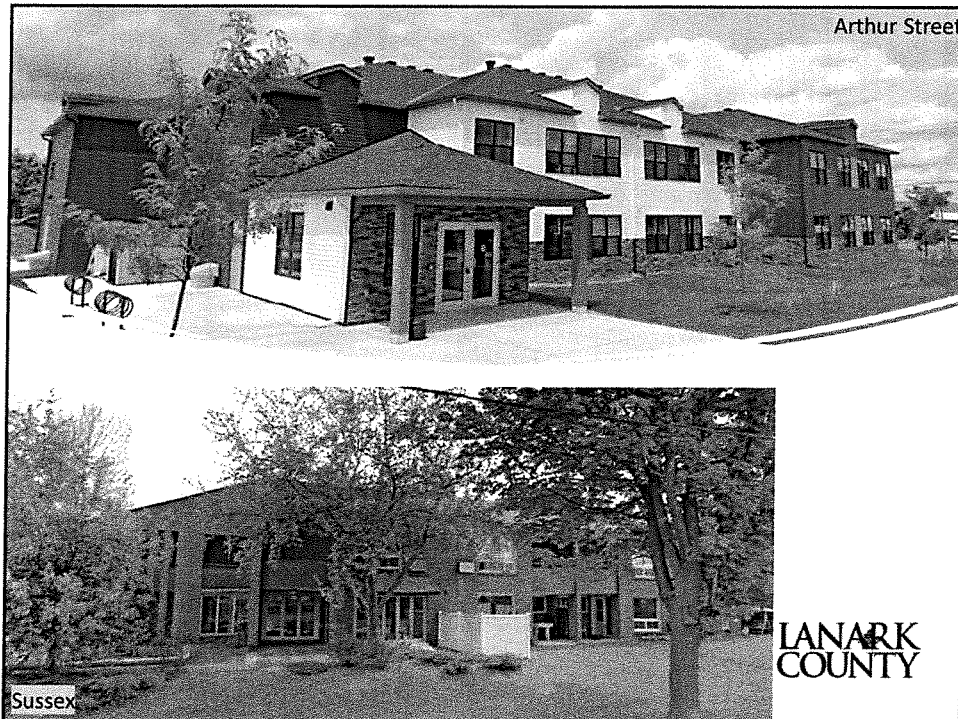
Upcoming Projects

- 10 new portable housing benefits planned for 2023 budget
- \$3.6million approved for construction of new 28 RGI housing units with Carebridge Community Supports in Smiths Falls; approximately \$700,000 from Social Services Relief Fund Phase 5 and remainder is provincial funding; 40-year operating commitment
- 2 carbon sink tiny homes planned for Perth using FCM grant and municipal fund
- 5 RGI unit housing building currently under construction in Smiths Falls funded by Social Services Relief Fund Phase 4

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8

8



9

Children's Services

Lanark County is the Service Manager for child care and early years; the County plans, coordinates, oversees, and funds (through provincial and federal transfers) this system.

Quality Child Care

- Oversee and fund licensed child care programs at 30 sites through third party agreements; support quality and safety of child care programs; through supports such as site visits, training, system meetings, etc.
- Maintain contracts with two licensed home child care agencies, that support multiple home child care businesses
- Administer Child Care Fee Subsidy program for families that meet specified criteria
- Maintain Special Needs Resourcing Contract with Connect Well to support child care providers

Early Years Programming

Support, oversee and fund the EarlyOn Child and Family Center; contract with Children's Resources on Wheels (CROW)

Administer \$10/day Daycare funding (new in 2022)

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10

10

Developmental Support Services

- Administer the Adult Protective Services Worker Program; Caseworkers support adults who have a developmental disability who are living on their own in the community to assist them in strengthening their capacity to manage and acquire the skills necessary for daily living, and help them enhance their support network, awareness of generic community-based resources and government-funded services and supports.
- Caseworkers provide a variety of services and supports, such as:
 - Advocacy on their behalf to help them access and maintain generic community supports, apply for government-funded services, and supports and to help them live safely and securely in the community.
 - Help support the individual identifying their strengths and needs and providing information and referrals at the direction of the adult who has a developmental disability.
 - Coordination and case management of community resources, service plans, mediation, and liaison with other service providers.
 - Support with problem-solving, life skills counselling (such as personal budgeting, use of transportation), general education and awareness-building on abuse prevention, help resolving landlord/tenant issues, guidance and group facilitation.

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11

11

Long Term Care

Excel in the delivery of person-centered services in a home-like environment, v
Residents may live with dignity, respect
recognition of their individuality and fo
quality of life

12

12

Long Term Care

- Mandated under the Long Term Care to own a LTC facility. Lanark Lodge in Tay Valley 163 beds.
- Challenges, staffing, COVID, provincial oversight.

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13

13

Public Works

Summer + winter
Operations

561 two-lane kms

45 bridges

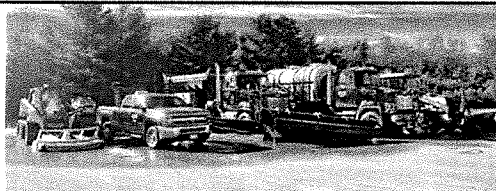
40 culverts greater
than 3 meters in
diameter

1500 culverts less
than 3 meters

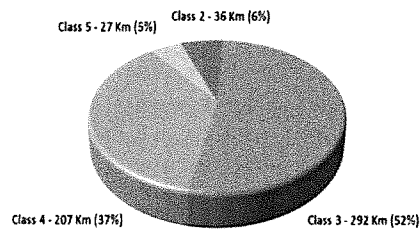
172 kms of surface
treatment

389 kms of asphalt

55% paved
shoulders



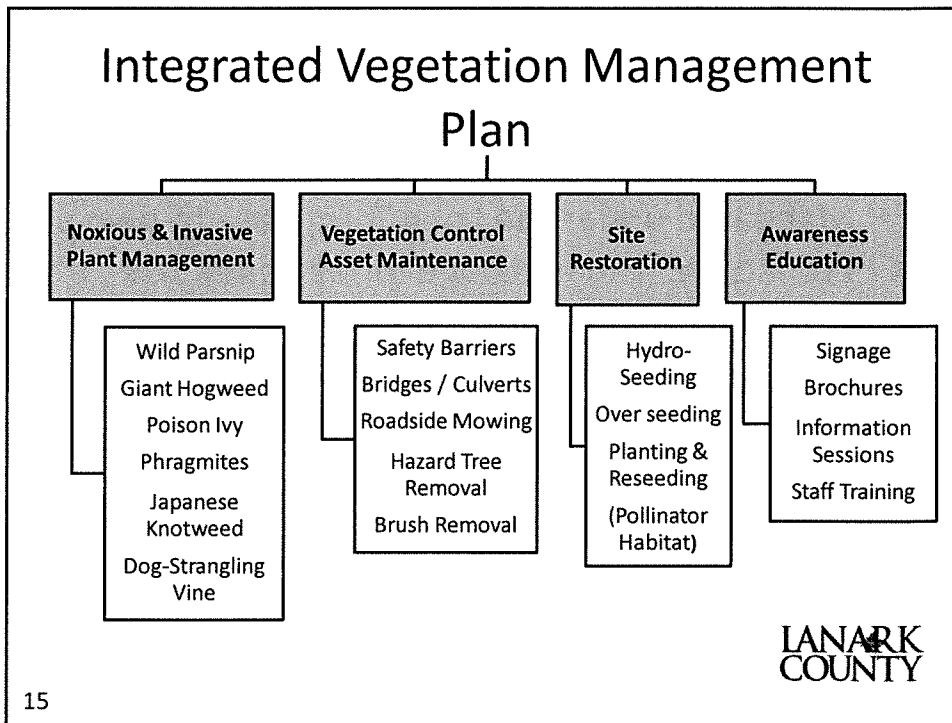
ROAD KILOMETERS BY MAINTENANCE CLASS
(LOWER THE CLASS, HIGHER THE REQUIRED STANDARDS)



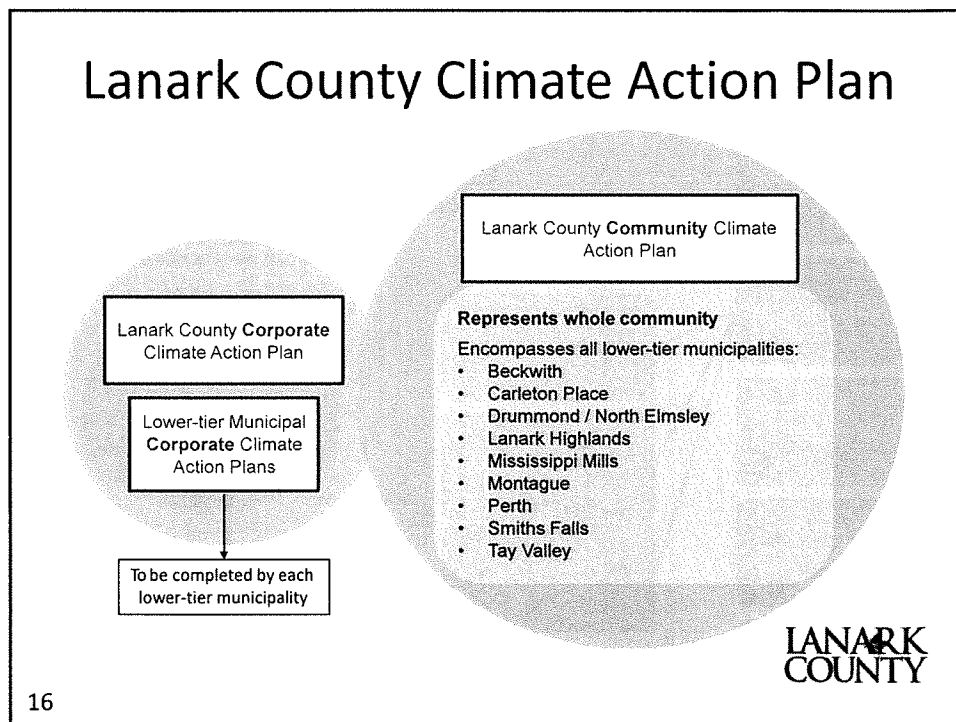
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14

14



15



16



Emergency Services

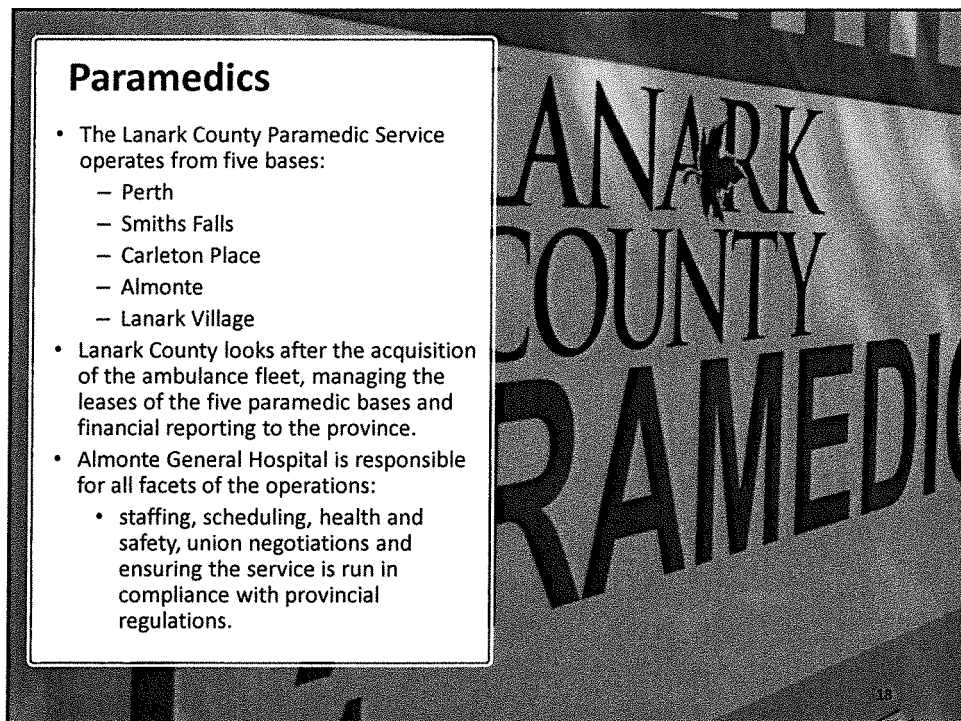
Dispatch Contracts

- Fire
- OPP/Ambulance (CERB)

Local Supports

- Rescue Vehicles
- Emergency Management Training
- Community Safety

17



Paramedics

- The Lanark County Paramedic Service operates from five bases:
 - Perth
 - Smiths Falls
 - Carleton Place
 - Almonte
 - Lanark Village
- Lanark County looks after the acquisition of the ambulance fleet, managing the leases of the five paramedic bases and financial reporting to the province.
- Almonte General Hospital is responsible for all facets of the operations:
 - staffing, scheduling, health and safety, union negotiations and ensuring the service is run in compliance with provincial regulations.

18

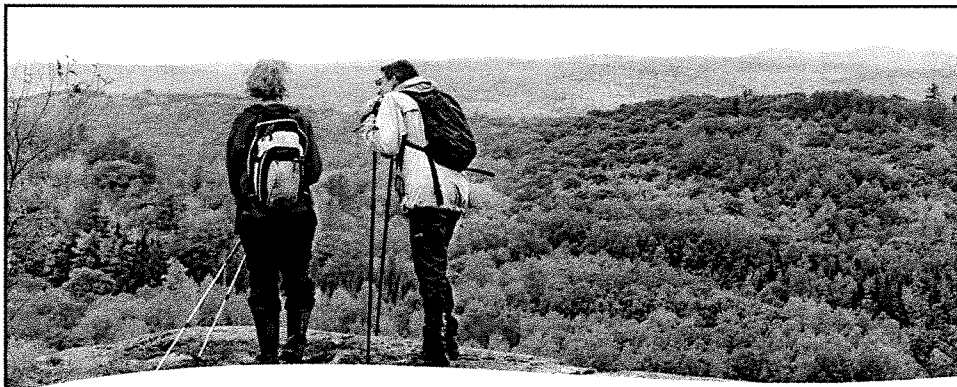
County Role During a Local Emergency

Support

- The County Emergency Response Plan is based on supporting local emergencies – in various areas
- Request for assistance will most likely occur when the emergency exceeds the resources of the local municipality or when more than one municipality is involved and the County's assistance is requested.

19

19



Economic + Community Development



Planning



Economic
Development



Tourism



Trails and
Forests

20

20

Economic Development

- **Planning**
 - Planning Department in the County has approval authority for consents (severances) and subdivisions within the County (excluding Smiths Falls)
 - The Lanark County Planning department also ensures compliance with the Lanark County Official Plan – which dictates growth and planning across the County
- **Tourism**
 - The Tourism department supports and highlights local municipal tourism initiatives along with providing opportunities for collaboration
- **Economic Development**
 - The County maintains a contract with Valley Heartland CFDC & Small Business Centre to deliver economic development services
- **Forests & Trails**
 - Management of 11,600 acres of forests & 5 Trails

21

21

Trails

- **Ottawa Valley Recreational Trail** (OVRT 61 km)
 - 2 Bridges in CP
 - 3 Bridges in Almonte
 - 2 Bridges in Pakenham
- **Tay Havelock Trail** (25 km)
 - 4 bridges
 - 13 culverts



Tay River Pathway

Conboy Trail (Bathurst 5th Concession)

Baird Trail (Herron Mills Road)



22

22

Eastern Ontario Regional Networks

- EORN is a non-profit owned by the Eastern Ontario Warden's Caucus.
- Broadband (2010-2015) build a 5,500km fibre optic backbone across Eastern Ontario that is being continually built out. Project included fibre to 60 business parks.
- Lanark County contributed \$650,000 to this \$175 million project.

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23

23

Cell

- **Eastern Ontario Regional Network**

2021-2025 5G cell coverage across Eastern Ontario ubiquitous coverage \$300 million dollar project Public Private Partnership; Lanark County \$580,000 contribution.

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24

24

Lanark County

	Planned	Completed
Upgrades to existing towers	10	9
New tower constructed	17	0
New co-locations	5	0
Land use authority	17	16
Please note that this information is collected monthly and is subject to change as the project moves forward.		

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25

25

High Speed Internet

- **Province** awarded (Aug 2022) contracts to 8 Internet Service Providers to upgrade the province to “high speed” by end of 2025. Fibre to the home and Wireless To the Home.
- Xplornet Communications Inc.: Estimated total provincial funding of \$240 million for up to 54,679 premises includes Tay Valley.

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26

26

Starlink

- 3,335 satellites in orbit increasing by 20/week
- \$140 month \$750 hardware
- Currently waitlist for Lanark County

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27

27

Thank you

- Questions.
- Contact
Kurt Greaves, CAO, Lanark County
613-267-4200 x1101
cao@lanarkcounty.ca

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28

28

PRIORITY ISSUES

COMMITTEE OF THE WHOLE

January 17th, 2023

Report #PW-2023-01
Sean Ervin, Public Works Manager

LAKEWOOD ROAD RECONSTRUCTION

STAFF RECOMMENDATION(S)

It is recommended:

“THAT, Lakewood Road be included for reconstruction in the 2024 Budget”.

BACKGROUND

At the December 13, 2022 Public Meeting regarding the 2023 Budget, Council heard a presentation from members of the public regarding the poor condition of Lakewood Road.

To address the delegation request, an overview of the development of the current 10-Year Capital Plan is provided.

A Roads Needs Study was completed in 2014, which included a 10-year capital plan between the years of 2014 to 2023. Lakewood Road was scheduled to be *resurfaced* in 2023. Unfortunately, the plan was not followed and many of the projects scheduled between 2014 to 2017 were not completed. Many of the Township's roads fell into very poor condition and annual maintenance costs for cold patching skyrocketed. In 2018, all the paved roads under the jurisdiction of Tay Valley were assessed by a company called StreetScan. StreetScan provided a Pavement Condition Rating, which is a condition rating between 100-0, with 100 being excellent and 0 being very poor.

As noted in the Lakewood Road presentation, a similar delegation was made to the previous Council on May 7, 2019. The Council received the presentation for information, with the understanding that the 10-Year Capital Plan was in the process of being updated.

The data collected during the 2018 roads assessment was used, along with speed limit, available traffic count data and maintenance frequency, to update the 10-year Capital Plan. At the September 24, 2019 meeting, Council adopted the 10-year plan, with Lakewood Road being designated to be *reconstructed* in 2024. Roads that were scheduled to be reconstructed before Lakewood either had higher traffic volumes, higher speed limits, and/or more frequent maintenance needs.

The Township has been following the plan since 2019, while updating the prices each year, as well as adding an additional year to the plan to ensure that the plan is projecting 10-years out. The rehabilitation of Lakewood Road was kept at 2024 through the yearly updates to the 10-Year Capital Plan.

DISCUSSION

The 2022 Capital Budget included the completion of a Comprehensive Roads Needs Study. The Township retained Golder Associates and the work is progressing, with an anticipated completion date and subsequent presentation to Council within the first quarter of 2023. The final report will provide multiple scenarios for Council's consideration including the following:

- to maintain the level of service currently provided,
- improve the level of service provided and finally,
- to maintain the current level of spending.

The Township has received preliminary data which notes that Lakewood Road is one of the top-five roads with the lowest condition rating. The other four roads include Harper Road, Keys Road, Crow Lake Road, and Old Brooke Road. Further information regarding the Comprehensive Roads Needs project will be included during the presentation and subsequent Staff reports.

The information provided in the final report will be used to update the 10-Year Capital Plan, while still considering other details, such as traffic count information, speed limit and maintenance frequency as noted previously in the report. It should be noted that the Township frequently join's the County's or neighbouring municipalities tenders to take advantage of economies of scale and therefore the timing for one road may be shifted a year or two. Council would typically be notified of these minor changes during the yearly budget deliberations.

FINANCIAL CONSIDERATIONS

There are no financial considerations included with this report. An updated cost to rehabilitate Lakewood Road will be included when the 10-year Capital Plan is updated.

OPTIONS CONSIDERED

Option #1 – (Recommended) – Lakewood Road be included for reconstruction in the 2024 Budget.

Option #2 – Lakewood Road be included in the 2023 Capital Budget. This is not recommended as there are numerous other projects planned for in 2023 and staff time will be fully allocated to complete these projects.

Option #3 – Council receives this report for information and wait until the Roads Needs Study and the updated 10-year Capital Plan is presented to make any decisions. This would provide Council the entire picture prior to making any decisions.

CLIMATE CONSIDERATIONS

No direct link.

STRATEGIC PLAN LINK

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

CONCLUSIONS

The condition of Lakewood Road is less than desirable and will require significant investment to rehabilitate the road. The work will require culvert replacements, addition of new gravel for the road base and paving with warm-mix asphalt. There will be no adjustments to the numerous curves in the road do to limits with the road allowance, however the recently completed brushing has improved the site lines at all of the corners. Staff will review the road in the spring and complete more extensive patches at some of the worst areas to improve the ride comfort.

Lakewood Road is a low volume (158 Average Daily Traffic) and low speed (speed limit of 40km/hr) and the Township can meet the maintenance standards for addressing pot holes, snow and ice as set out in O. Reg 239/02: Minimum Maintenance Standards for Municipal Highways.

ATTACHMENTS

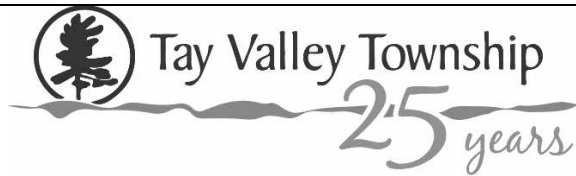
None

Prepared and Submitted By:

Approved for Submission By:

**Sean Ervin,
Public Works Manager**

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



REPORT

COMMITTEE OF THE WHOLE
January 17, 2023

Report #FIN-2023-01
Ashley Liznick, Treasurer

PROPERTY TAX DUE DATES

STAFF RECOMMENDATION(S)

It is recommended:

“THAT, the interim tax due dates be on February 24th, 2023 and April 27th, 2023;

AND THAT, the final tax due dates be on July 27th, 2023 and September 28th, 2023.”

BACKGROUND

Since 2017, the Township has set the tax due dates at two (2) or three (3) working days prior to the end of the months of February and April for the interim billing and two (2) or three (3) working days prior to the end of the months of July and September for the final tax billing.

The additional time between the due dates and the end of the month provides an opportunity for any payments that have lingered in the postal system or online banking timing issues, to be resolved before the penalty is applied.

DISCUSSION

These dates need to be approved by Council prior to the mailing of the 2023 interim billing.

Based on past practice, it is recommended that the interim billing due dates be established as February 24th, 2023 and April 27th, 2023 and the final billing due dates be established as July 27th, 2023 and September 28th, 2023.

OPTIONS CONSIDERED

Option #1 (Recommended) – Adopt Proposed Tax Levy Due Dates

Establish the 2023 Tax Levy Due Dates as February 24th, April 27th, July 27th and September 28th.

Option #2 – Council Provide Alternate Dates

The earlier due dates have resulted in less frustration for some residents who rely on sending payments through the amil or online, resulting in fewer calls to the Township.

FINANCIAL CONSIDERATIONS

It is imperative that the Township billing dates remain consistent and timely for the quarterly contributions to the County and School Boards for their share of the property taxes.

STRATEGIC PLAN LINK

Not applicable.

CLIMATE CONSIDERATIONS

Not applicable.

CONCLUSIONS

It is recommended that the tax dates be maintained as in prior years.

ATTACHMENTS

- i) DRAFT Interim and Final Tax Levy By-Law

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Ashley Liznick,
Treasurer**

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

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2023-0xx

INTERIM AND FINAL TAX LEVY FOR THE YEAR 2023

WHEREAS, Section 317 (1) and (2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a local municipality, before the adoption of the estimates for the year under Section 290, may pass a by-law levying amounts on the assessment of property in the local municipality rateable for local municipal purposes;

AND WHEREAS, Section 317 (3) and (4), provides the rules regarding the amounts to be levied;

WHEREAS, Section 342, provides that a local municipality may pass by-laws providing for instalments of taxes;

AND WHEREAS, Section 345, provides that a local municipality may, in accordance with this section, pass by-laws to impose late payment charges for the non-payment of taxes or any instalment by the due date;

AND WHEREAS, the Council of the Corporation of Tay Valley Township deems it expedient to provide for an Interim and Final Tax Levy for the year 2023 and to fix the dates upon which the Interim and Final Tax Levies shall become due and payable;

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

1. GENERAL REGULATIONS

- 1.1 **THAT**, the interim tax levy and the final tax levy shall be levied and collected upon the whole of the rateable properties.
- 1.2 **THAT**, the **Interim Tax Levy** shall become due and payable in two equal installments on February 24th, 2023 and April 27th, 2023.
- 1.3 **THAT**, the **Final Tax Levy** shall become due and payable in two equal installments on July 27th, 2023 and September 28th, 2023.
- 1.4 **THAT**, when payment of any installment or any part of any installment of taxes levied by this by-law is in default, a penalty of 1.25 per cent per month that the default continues shall be imposed.

THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2023-0xx

1.5 **THAT**, interest and/or penalty charges shall be added on the first day of each and every month that the default continues.

1.6 **THAT**, the following Payment Methods may be used:

- Cash
- Cheque
- Financial Institution
- Pre-Authorized Payment Agreement
(requires completion of "Enrolment Authorization Form")
- Interac (Municipal Office only)
- On-Line Banking
- Telephone Banking

1.7 **THAT**, the interim and final tax levy rates shall also apply to any property added to the assessment roll after this by-law is enacted.

2. ULTRA VIRES

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

3. EFFECTIVE DATE

3.1 **THAT**, this by-law shall come into force and effect as of the 1st day of January 2023.

3.2 ENACTED AND PASSED this 31st day of January, 2023.

Rob Rainer, Reeve

Amanda Mabo, Clerk

COMMITTEE OF THE WHOLE

January 17, 2023

Report #PD-2023-01
Noelle Reeve, Planner

REMOVAL OF HOLDING ZONE MABERLY PINES SUBDIVISION

STAFF RECOMMENDATION(S)

It is recommended:

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

AND THAT, the Checklist for issuance of a Building Permit in Maberly Pines be received for information.”

BACKGROUND

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

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

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

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

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

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

DISCUSSION

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

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

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

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

A subset of the vacant Maberly Pines lots (14 of the 53 lots) are connected by surface flow from streams travelling through large adjacent lots to Little Silver and Rainbow Lakes. Mitigation methods may be needed for the ponds and stream in Maberly Pines to prevent development from exacerbating the Fair water quality assessment for Silver Lake and the Fair to Good water quality in Rainbow Lake.

If mitigation measures are required, they would include maintenance of a vegetated buffer around the ponds and streams, eavestroughs that drain to soak away pits away from the ponds that would be implemented through a proposed Site Alteration By-Law that will come forward to Council.

The RVCA Technical Review report (December 2, 2022) proposed 17 specific measures related to the development of the Maberly Pines subdivision. The requirement related to the removal of the Bed and Breakfast use has been achieved through Zoning By-Law amendment R-30-h in 2022. The other requirements fall into two categories – Water Supply and Wastewater Treatment. These requirements refer to the Ministry of Environment's D-5-4 and D-5-5 requirements and are considered applicable law under the Building Code so will be met before a Building Permit is issued.

The requirements for review of well records, exclusion of high water uses, standards for well location, well construction, and well water treatment or storage are incorporated in the Checklist for the subdivision. (See Attachment 3.) As are the requirements for location septic systems and type of septic systems.

The Township is also proposing to include the Maberly Pines subdivision in the Mandatory Septic Re-inspection Program as a further monitoring tool.

OPTIONS TO BE CONSIDERED

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

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

FINANCIAL CONSIDERATIONS

None, at this time.

STRATEGIC PLAN LINK

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

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

CLIMATE CONSIDERATIONS

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

CONCLUSIONS

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

ATTACHMENTS

1. By-Law #2023-XX Removal of Holding Zone for Plan 21 Lakeside Living (Maberly Pines)
2. Restricted Lot Layout Servicing Plan (Figure 4)
3. Checklist for the Maberly Pines Subdivision

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

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

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2023-0XX

A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED AS IT RELATES TO THE REMOVAL OF THE HOLDING ZONE FOR PLAN 21 LAKESIDE LIVING (MABERLY PINES) (GEOGRAPHIC TOWNSHIP OF SOUTH SHERBROOKE)

WHEREAS, the Corporation of Tay Valley Township placed an (-H) holding zone on lands within Subdivision Plan 21 Lakeside Living (Maberly Pines) in order to facilitate orderly redevelopment of the lands;

AND WHEREAS, the Council of the Corporation Tay Valley Township is satisfied that the conditions of Section 5.1.4 (30) - Exceptions of Zoning By-Law 2002-121 have been met and that the vacant lands within Subdivision Plan 21 Lakeside Living (Maberly Pines) are suitable for redevelopment;

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

1. GENERAL REGULATIONS

- 1.1 THAT**, Schedule 'A2' to By-Law No. 2002-121 as amended, is hereby amended as follows:

Remove the (-H) holding zone from certain lands known as PLAN 21 Lakeside Living (Maberly Pines) former South Sherbrooke Township, in Tay Valley Township and as shown on Schedule 'A' attached hereto.

- 1.2 THAT**, all other applicable standards and requirements of By-Law No. 2002-121, as amended, shall continue to apply to the subject properties.
- 1.3 THAT**, this By-Law shall come into force and effect with the passing thereof, in accordance with *the Planning Act*, as amended.

2. ULTRA VIRES

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

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

3. EFFECTIVE DATE

ENACTED AND PASSED this 31st day of January 2023.

Rob Rainer, Reeve

Amanda Mabo, Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2023-0xx**

SCHEDULE "A"

Specified Vacant lots in PLAN 21

Lots 1,2,3,4,5,7,8,9,10,11,12,13,14,15,16,17,18,19,21,25,26,27,28,29,30,31,32,33,34,36,
37,38,39,40,41,42,43,44,45,46,48,49,50,51,52,53,54

Geographic Township of South Sherbrooke Tay Valley Township



Area Subject to the By-Law

To amend the Zoning from Residential (R-30-h) to
Residential (R-30)

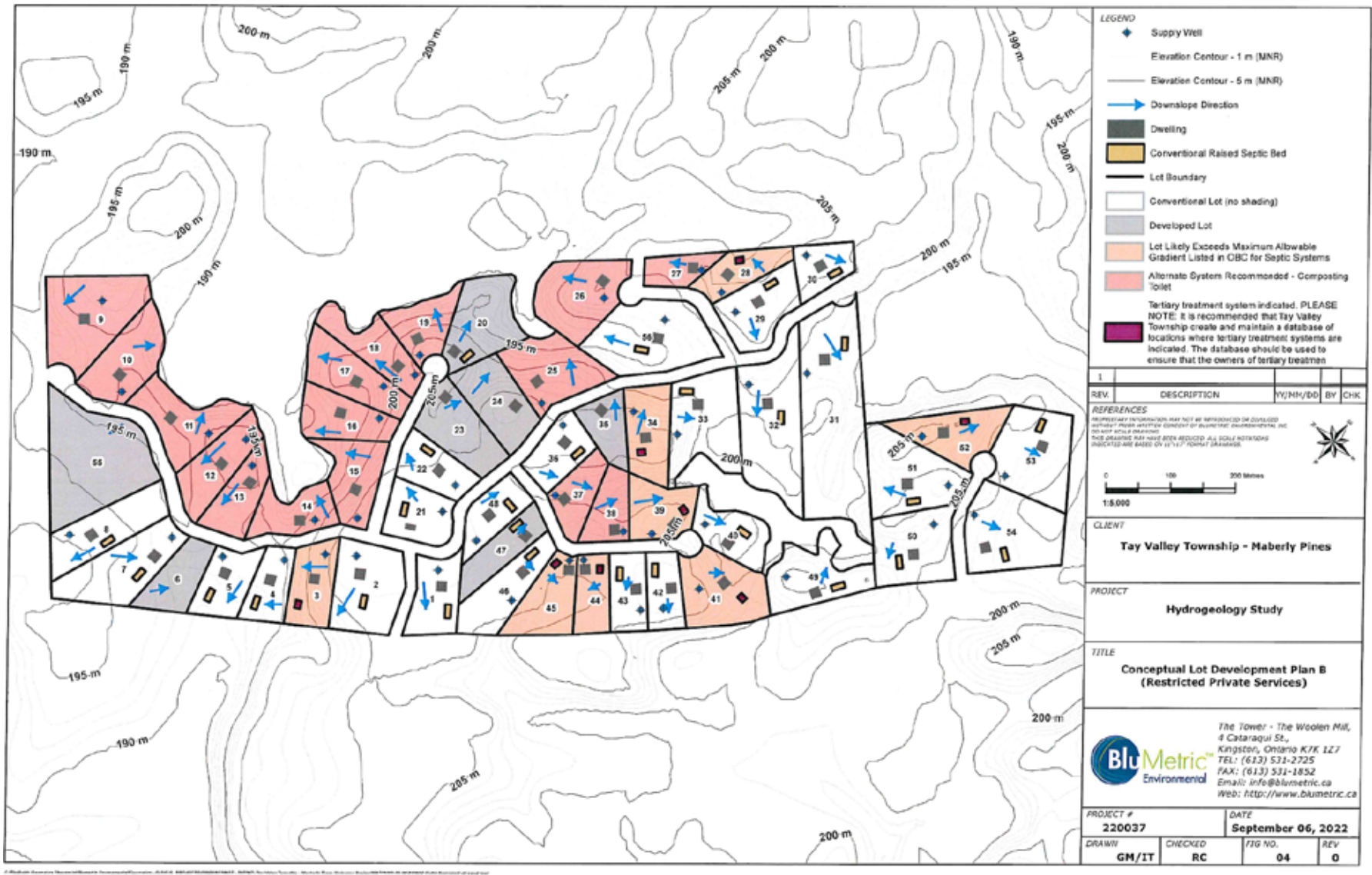
Certificate of Authentication

This is Schedule "A" to By-Law 2023-0XX
passed this 31st day of January 2023

Reeve

Clerk

Attachment 2 Lot Layout for Wells and Septic Systems and Dwellings



Checklist for Maberly Pines Subdivision

1. Check well records, pumping test data and well water quality analysis for three or more anomalies. Refer to Brian Stratton, Hydrogeologist, Mississippi-Rideau Source Water Protection, for review as required.
2. No extra apartments, coach houses, guest houses, bed and breakfasts or high water operations are permitted beyond the four person occupancy of a dwelling on a lot.
3. Wells must be installed by a licensed well contractor in accordance with Ontario Regulation 903.
4. Water supply wells must be constructed at least 30 m from and up-gradient of the septic system locations (*on site and on adjacent lots*). All new water supply wells on the subdivision should be located more than 30 m from the high-water line of surface water courses and water bodies.
5. Recommended well construction:
 - A 10-inch (0.25 m) diameter hole should be drilled through the overburden and at least 12 m into bedrock.
 - New 6-inch (0.15 m) diameter steel casing should be installed in the drilled hole. Steel casing must extend 12 m into bedrock.
 - The annular space between the well casing and the drilled hole should be sealed with high early strength cement grout, prepared with 4% bentonite.
 - Ontario Reg. 903 well placement requirements and grouting procedures should be followed to ensure that surface derived contaminants cannot enter the well.
 - Each well should be completed with a submersible pump, pitless adaptor and vented vermin-proof well cap.
 - The grading around the well casing should be slightly elevated to direct surface runoff away from the well.
 - The casing should project approximately 400 mm above the mounded soil within 3 m in all directions from the casing.
6. Newly constructed wells should be pumped for a minimum of six hours after construction to ensure adequate well development and to reduce groundwater turbidity to acceptable level before connection to the residences plumbing system.
7. New wells should be chlorinated after completion of well development produce a free chlorine residual of at least 50 mg/L (ppm). The chlorine should be mixed with the standing water in the casing using a procedure that will result in the thorough vertical mixing of the chlorine over the entire depth of the well.
8. The installed water well must be maintained by the well owner as per the requirements under Ontario Reg. 903 (and subsequent amendments).
9. If the well yield is less than 15 L/min, additional water storage may be required to meet the peak demand flow. The storage system should be designed by an Ontario licensed professional engineer.

10. A water softener is recommended to address natural water quality issues such as elevated hardness and manganese. Since conventional water softeners will introduce sodium into the water supply, and it may be appropriate to bypass the water softener with a separate tap for drinking water.
11. The relative position of the home, sewage system and well should be maintained, in accordance with Figure 5, BluMetric Revised Report, October 27, 2022. In all cases, wells should be upgradient relative to septic beds, and the indicated minimum separation distances must be taken into account.
12. A minimum setback distance of 30 m must be maintained between the water body high water line and any septic bed. The exceptions are Lot 44 and Lot 45 where this will not be possible. On these lots, the OBC minimum distance of 15 m must be maintained. It is recommended that dwellings and wells on these lots be positioned as far as reasonably possible away from the pond. A phosphorous removal add on to the septic system or incinerating toilet must be used.
13. Best management practices are recommended such as regular pumping of the septic system, cursory inspection of break-out, consideration as to what materials are being discharged to the septic.
14. Homeowners should take all reasonable measures to conserve water and promote infiltration of water into the subsurface within each of their lots.
15. On lots smaller than 0.5 ha or lots with steep slopes, tertiary treatment systems are suitable. The systems must be approved for use in Ontario and comply with the design requirements of the Ontario Building Code Section 8.
16. 29 lots were found to be unable to support conventional (Class IV) sewage systems. Selected alternative treatment systems within the OBC Class I systems such as incinerating toilets, composting toilets, chemical toilets, or other Ontario-approved self-contained portable toilets. Class V (holding tank) systems are provided as another alternative if the lot conditions permit the installation, although pit privies should not be permitted.

COMMITTEE OF THE WHOLE

January 17th, 2023

Report #PD-2023-04
Noelle Reeve, Planner

CO-HOUSING AND SENIORS COMMUNICATION PROJECT

STAFF RECOMMENDATION(S)

It is recommended:

“THAT, the Zoning By-Law be amended to implement the co-housing recommendations from *Implementing Tay Valley’s Age-Friendly Community Plan Through Co-Housing, Communication and Inclusion* report.

AND THAT, the recommended outreach strategy from *Implementing Tay Valley’s Age-Friendly Community Plan Through Co-Housing, Communication and Inclusion* report be undertaken once a Community Services Coordinator is hired.”

BACKGROUND

The Township received \$54,039 in funding from the Ministry for Seniors and Accessibility in June 2021. This funding allowed the Township to retain a consultant, Rural Development Network (RDN), to develop a Cohousing Model, communication mechanisms specific to seniors, and protocols to increase participation by seniors in social and civic activities. All three actions were identified as priorities in implementing Tay Valley’s Age Friendly Community Plan (2017).

This report provides a copy of the final project report to Council and suggests next steps for implementing the recommendations of the report.

DISCUSSION

Cohousing is a form of collective housing based around four common characteristics: social contact design (the physical design encourages a strong sense of community); extensive common areas (designed for daily use, to supplement private living areas); resident involvement in the recruitment, production and operational processes; and collaborative lifestyles (offering inter-dependence, support networks, sociability and security).

To finance such communities, RDN has found that there are several different options: Co-Ownership, Co-Ops, Condominiums, and Shared Ownership Cohousing.

Within each ownership category there may be at least three different forms of running the Cohousing community: an entirely resident-led model (members are completely responsible for the development, design, and community formation); a partnership model (a commercial developer works alongside members in the creation of Cohousing); and a speculative model (created entirely by a developer).

Tay Valley Township currently has restrictive residential zoning by-laws which would make any denser housing options unfeasible for most developments. At the same time, there is also a limit to how many dwelling units can be on most properties due to their rural infrastructure (septic systems and wells). Therefore, RDN looked at several different options that can balance the need for denser housing with these limitations.

The final cohousing issue looked at was housing form. Tay Valley's zoning codes are based around number of dwelling units on a property. However, using built form as an alternative could allow for greater density while still maintaining a traditionally residential environment. Using form-based zoning found in other communities, Tay Valley could: create a form-based zoning code specifically for cohousing areas; create a form-based development option for all residential areas, or completely revamp the Zoning By-Law to a building form-based code (also known as Transects).

RDN and the Planner had multiple discussions with a project advisory committee made up of five community members and undertook a survey to explain what Cohousing is and seek input on what type of Cohousing would be of most interest to residents.

The survey also asked about preferred communication methods, with an emphasis on reaching seniors to insure their inclusion in community life. The grant specifically required a focus on communication with seniors as the Ministry had a concern that seniors were becoming more isolated due to Covid-19.

Based on the results of the survey and a series of focus groups and social media feedback, RDN developed the report *Implementing Tay Valley Township's Age-Friendly Community Plan Through Co-housing, Communication and Inclusion* (see Attachment 1).

OPTIONS TO BE CONSIDERED

Option #1 (Recommended) – Planning staff be directed to amend the Zoning By-law to implement the co-housing recommendations and the recommended outreach strategy be undertaken once a Community Services Coordinator is hired.

Option #2 – Council receives the report for information.

FINANCIAL CONSIDERATIONS

None for the Zoning By-Law amendment. Some funds will be required for communication outreach.

STRATEGIC PLAN LINK

Strategic Direction #1 - Housing Alternatives: Increase the range of housing options available to current and future residents, including co-housing.

CLIMATE CONSIDERATIONS

Cohousing can reduce single occupant vehicle transportation, sprawling land use, and can provide an opportunity to increase food sovereignty.

CONCLUSIONS

The project resulted in a comprehensive report with recommendations for amending the Zoning By-Law to facilitate Cohousing. Staff propose to implement a Zoning By-Law amendment to make co-housing easier to achieve in Tay Valley Township to offer seniors and others an alternative form of housing.

ATTACHMENTS

- i) Implementing Tay Valley Township's Age-Friendly Community Plan Through Co-housing, Communication and Inclusion. A copy of the report can be found at <https://events.tayvalleytwp.ca/meetings/Detail/2023-01-17-1800-Committee-of-the-Whole-Meeting>

Prepared and Submitted By:

**Noelle Reeve,
Planner**

Approved for Submission By:

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

COMMITTEE OF THE WHOLE

January 17, 2023

Report #PD-2023-03
Noelle Reeve, Planner

HOME ENERGY RETROFIT PROGRAM PREREQUISITES (BETTERHOMES TAY VALLEY)

STAFF RECOMMENDATION

It is recommended:

“THAT, the Draft Local Improvement Charge (LIC) By-Law authorizing the Undertaking of Energy Efficiency and Water Conservation Works on Private Residential Property as Local Improvements under the BetterHomes Tay Valley Program under the Federation of Canadian Municipalities (FCM) Community Efficiency Financing (CEF) program be brought forward to the next Council meeting, after legal review;

THAT, the Township will contribute \$2 million in funding as its 20% contribution of the \$10 million potential grant ;

AND THAT, staff be authorized to advance a Federation of Canadian Municipalities (FCM) Community Energy Financing (CEF) program application by working with BetterHomes Ontario for the turn-key delivery of the Tay Valley Residential Energy Retrofit Program including the preparation of the FCM CEF application.”

BACKGROUND

Reducing the Greenhouse Gas (GHG) emissions that cause climate change is a key priority for Tay Valley Township. According to Tay Valley Township’s Climate Action Plan, the heating and cooling of the buildings residents live, work, and play in contributes about one fifth of Tay Valley’s GHG emissions.

To help meet federal Greenhouse Gas emission targets, the Federation of Canadian Municipalities (FCM) Green Municipal Fund has established a Community Efficiency Financing (CEF) program. "The Community Efficiency Financing program (CEF) helps communities of all sizes implement innovative local financing programs that directly help homeowners cut their greenhouse gas emissions, make their homes more energy-efficient, comfortable and affordable, while creating local jobs and keeping the local economy moving." (Natural Resources Canada, April 28, 2022).

FCM provided the Clean Air Partnership and their consultant, Lightspark, funding to undertake a pilot with 10 communities in Ontario to encourage Home Energy Retrofits. Tay Valley Township is the only rural municipality in the pilot.

Lightspark produced a detailed data analysis of the residential energy consumption of dwellings in Tay Valley Township. The report identified seven (7) housing archetypes of energy consumption, three (3) of which have very high energy consumption and costs for residents (see Attachment 1).

In August 2022, Council agreed to make a 20% contribution (to be recovered as part of the loan recipient's repayment) to the Federation of Canadian Municipalities' Community Efficiency Financing Program in order to receive Federal Government Home Energy Retrofit funding of 80% (see Attachment 2).

The Clean Air Partnership, Association of Municipalities of Ontario (AMO) and Heating Refrigeration Air Conditioning Institute of Canada (HRAI) have been working with the Planner and Treasurer to encourage adoption of the proposed Home Energy Retrofit program for Tay Valley Township residents.

What distinguishes this FCM program from other similar grant programs is the nature of the loan and the "concierge" service to be provided by the Clean Air Partnership – helping the homeowner complete the grant application, find contractors, etc. and helping the municipality create the administrative side of the program.

Another distinguishing feature is the loans are not tied to the person but to the property. Further, in addition to the loan funding, the program also includes grant funding that can be prioritized by the Township on the basis of need so that applicants with financial savvy and application experience do not shut out residents living in energy poverty.

The proposed mechanism for delivering the program is through Local Improvement Charges (LICs). These charges have been used for decades in Ontario to finance block level improvements such as provision of roads, water and waste-water services.

[LIC legislation](#) was amended in 2012 to allow for new eligible measures including energy efficiency, renewable energy, and water conservation.

Repayment is arranged as an addition to individual property tax payments. The benefit of this approach is two-fold: a) it assists homeowners who would otherwise not be able to afford the high upfront costs of retrofits; and b) enables transfer of the lien to a new owner in cases where the loan applicant wants to sell their house before the LIC repayments have been made in full. The latter is particularly useful where the retrofits have a long-term payback period.

DISCUSSION

To apply for the FCM funding, three (3) steps need to be completed. A Local Improvement Charge By-Law must be passed. A formal resolution of Council regarding the funding contribution is required. The CEF application must be filled out.

The Planner was provided with a sample Draft Local Improvement Charge (LIC) By-Law by BetterHomes Ontario that has been used by other municipalities who have received funding from the Federation of Canadian Municipalities (FCM) grant. (See Attachment 3.)

Under the LIC, loans are provided by the Township and attached to the property and not the owner, so they can have much longer repayment terms and lower interest rates than conventional forms of borrowing from financial institutions.

The Township must also pass a resolution indicating the maximum amount of capital that the municipality will contribute. The amount of capital the Township is willing to contribute will determine how much grant incentives can be a part of the program and what the program budget will be. For example, the proposed loan contribution of \$2 million will enable a full \$10 million application to FCM.

Staff recommend that the 20% be provided by the Township's Reserve funds and be allocated to loans because as such it will be recoverable debt. Alternatively, the loan funds could be borrowed from Infrastructure Ontario or be borrowed from private capital.

Finally, staff need direction to advance the FCM CEF application. Staff will continue to work with BetterHomes Ontario to assist with the development of the Application (which can be a significant undertaking) with the goal of including the cost of the application development to be funded through the FCM CEF grant.

OPTIONS TO BE CONSIDERED

Option #1 (Recommended) –

Council approve the Draft Local Improvement Charge (LIC) By-Law, subject to review by legal counsel, authorizing the Undertaking of Energy Efficiency and Water Conservation Works on Private Residential Property as Local Improvements for the BetterHomes Tay Valley Program under the Federation of Canadian Municipalities(FCM) Community Efficiency Financing (CEF) program;

Council approve providing total program costs (\$2 million) as recoverable debt from Reserves, for the Better Homes Tay Valley Program (if the application is successful);

Council direct staff to advance a Federation of Canadian Municipalities (FCM) Community Energy Financing (CEF) program application by working with BetterHomes Ontario for the turn-key delivery of the Tay Valley Residential Energy Retrofit Program including the preparation of the FCM CEF application.

Option #2 – Council provides suggestions for wording changes to the draft LIC By-Law; Council chooses an alternate source of funding for the 20% contribution (loan from Infrastructure Ontario or a private source); Council directs staff to fill out the application without assistance from BetterHomes Ontario.

FINANCIAL CONSIDERATIONS

The FCM grant will cover staff administration costs and some homeowner incentives and the FCM loan will provide 80% of the program funding. The Township will be expected to provide 20% of the funding but this will be recovered as the loans are repaid (as a flow-through).

STRATEGIC PLAN LINK

Economic Development: Contractors will be provided new work opportunities through this regenerative economic employment.

Environment: The project will reduce Greenhouse Gases and air pollution.

Social: The project will reduce energy poverty for Township residents.

CLIMATE CONSIDERATIONS

The program would help to implement the Township's Climate Action Plan goal to reduce Greenhouse Gas emissions by avoiding fossil fuel use.

CONCLUSIONS

The program provides an opportunity for a "free" retrofit for residents in that instead of spending money on energy costs, the property owner can transfer those costs to their LIC loan repayment. Upon the full repayment of the retrofit loan, those energy savings would then continue to be accrued by the property owner. In addition, the ability to incorporate renewables into the eligible measures will help address electricity prices whereby those properties appropriately sited for solar can reduce their vulnerability to peak electricity pricing.

Finally, even though the program is just being developed and no marketing of it has been undertaken, the Planner already has four residents who have asked to be part of the program as a result of previous reports to Council.

ATTACHMENTS

- i) Residential Archetypes in Tay Valley Township
- ii) Previous Council Resolution
- iii) Sample Draft LIC By-Law

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

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

Attachment 1 Tay Valley Residential Archetypes

Lightspark determined there are seven archetypes of dwellings in Tay Valley Township. Each archetype has been divided into a hot, warm or cool energy efficiency market, calculated based on the ability of the property owner to build a business case for retrofitting.

The average Ontario household uses about 9,000kWh of electricity and 2,400m³ of natural gas each year at a combined average annual cost of \$2,165. In comparison to the Ontario average, Tay Valley Township residents tend to pay higher-than-average energy costs (due to greater use of oil and older building stock, etc.) and present a good opportunity for energy cost savings and GHG reductions from the advancement of a retrofit program. In general, the more a household spends on energy the better the economic business case for energy efficiency retrofits.

In Tay Valley Township, house archetypes C, B, and A have the highest energy burden. Home energy cost burden is calculated as a percentage of total after-tax household income that is spent on heating and electricity within the home.

The median Canadian household spends less than 3% of its after-tax income on home energy. For purposes of policy and program development, the 6% threshold of home energy cost burden is considered high, 10% as very high and 15% as extreme.

Tay Valley House archetypes C, B, and A could be spending as much as 26.8%, 16% and 14.6% respectively on heating/cooling and electricity.

Tay Valley Township Archetypes	Carbon Score t/CO2/year*	Energy Costs \$	Dwelling Counts	Total Energy Costs \$	Building Envelope Market \$	Fuel Switch Market \$
A	7.69	5,375	333	1,789,875	Hot	Hot
B	7.61	5,865	80	469,200	Hot	Hot
C	16.61	9,840	323	3,178,320	Hot	Hot
D	6.99	5,088	293	1,490,784	Hot	Hot
E	1.4	3,644	447	1,628,868	Warm - Hot	Already Electricity
F	5.55	2,827	101	285,527	Warm	Cool
G	1.69	4,744	291	1,380,504	Hot	Already Electricity
Total			1,868	10,223,078		

* Higher the number, higher the GHG emissions

Archetype A

01



These homes have a relatively large floor area, and are oil heated with low/mid efficiency furnaces and use electric hot water systems

Average annual electricity costs: \$1,812

Average annual oil costs: \$3,506

Average annual energy costs: \$5,375

Client Implications:

These homes consume 157.5 GJ (0.66 GJ/m²) of energy on average and produce 7.69 tCO₂e (0.032 tCO₂e/m²) on average. They represent 17.8% of the housing stock in Tay Valley.

Archetype B

02



These homes have an above average floor area, and are wood heated with and use electric hot water systems

Average annual electricity costs: \$1,712

Average annual oil costs: \$95

Average annual propane costs: \$52

Average annual wood costs: \$3,998

Average annual energy costs: \$5,865

Client Implications:

These homes consume 340.4 GJ (1.86 GJ/m²) of energy on average and produce 7.61 tCO₂e (0.042 tCO₂e/m²) on average. They represent 4.3% of the housing stock in Tay Valley.

Archetype C

03



These homes have a relatively large floor area, and are oil heated with low/mid efficiency furnaces and use electric hot water systems

Average annual electricity costs: \$1,825

Average annual oil costs: \$7,931

Average annual wood costs: \$50

Average annual energy costs: \$9,840

Client Implications:

These homes consume 290.4 GJ (1.18 GJ/m²) of energy on average and produce 16.61 tCO₂e (0.067 tCO₂e/m²) on average. They represent 17.3% of the housing stock in Tay Valley.

Archetype D

04



These homes have an above average floor area, and are propane heated with high efficiency furnaces and use electric hot water systems

Average annual electricity costs: \$1,653

Average annual oil costs: \$55

Average annual propane costs: \$3,354

Average annual energy costs: \$5,088

Client Implications:

These homes consume 152.9 GJ (0.71 GJ/m²) of energy on average and produce 6.99 tCO₂e (0.033 tCO₂e/m²) on average. They represent 15.7% of the housing stock in Tay Valley.

Archetype E

05



These homes have a relatively large floor area, and are electricity heated forced air furnace and use electric hot water systems

Average annual electricity costs: \$3,493
Average annual oil costs: \$83

Average annual energy costs: \$3,644

Client Implications:

These homes consume 102.5 GJ (0.39 GJ/m²) of energy on average and produce 1.4 tCO₂e (0.005 tCO₂e/m²) on average. They represent 23.9% of the housing stock in Tay Valley.

Archetype F

06



These homes have an above average floor area, and are natural gas heated with high efficiency furnaces and use electric hot water systems

Average annual electricity costs: \$1,638
Average annual natural gas costs: \$1,058
Average annual oil costs: \$62

Average annual energy costs: \$2,827

Client Implications:

These homes consume 146.6 GJ (0.69 GJ/m²) of energy on average and produce 5.55 tCO₂e (0.026 tCO₂e/m²) on average. They represent 5.4% of the housing stock in Tay Valley.

Archetype G

07



These homes have an above average floor area, and are electricity heated baseboard/hydronic/plenum(duct) htrs. and use electric hot water systems

Average annual electricity costs: \$4,609

Average annual propane costs: \$77

Average annual energy costs: \$4,744

Client Implications:

These homes consume 133.8 GJ (1.08 GJ/m²) of energy on average and produce 1.69 tCO₂e (0.014 tCO₂e/m²) on average. They represent 15.6% of the housing stock in Tay Valley.

Attachment 2 Resolution to provide 20% funding for the BetterHomes program

RESOLUTION #C-2022-08-38

MOVED BY: Fred Dobbie

SECONDED BY: Mick Wicklum

“THAT, the Council of the Corporation of Tay Valley Township agrees to make a 20% contribution (to be recovered as part of the loan recipient's repayment) to the Federation of Canadian Municipalities' Community Efficiency Financing Program in order to receive Federal Government Home Energy Retrofit funding of 80%;

THAT, Council agrees to use its Local Improvement Charge authority for the Home Energy Retrofit program;

AND THAT, Council approve the principles of the program design report, which are as follows:

- Be customer oriented for the best customer experience possible
- Balance program design flexibility with streamlining and consistency goals
- Reduce administration burden on municipalities
- Increase deep energy retrofit uptake
- Advance the financial sustainability of the program over time
- Increase stakeholder awareness and training within renovator sector
- Consider equitable distribution of program funds
- Streamline program outcomes, tracking, evaluation and improvement.”

ADOPTED

Attachment 3

**DRAFT SAMPLE MUNICIPAL BY-LAW
FOR ENABLING A LOCAL IMPROVEMENT CHARGE RETROFIT PROGRAM**

A by-law to authorize the undertaking of energy efficiency and water conservation works on private residential property as local improvements under the Residential Retrofit Program.

Whereas Part III of Ontario Regulation 586/06 authorizes Council to pass a by-law to undertake works on private residential property as local improvements for the purpose of raising all or part of the cost of the work by imposing special charges on lots upon which all or some part of the local improvement is or will be located; and

Whereas such a by-law may authorize the undertaking of works which satisfy the requirements of a [MUNICIPALITY] program; and

Whereas at its meeting of [XXXX], [MUNICIPALITY] Council adopted the [Residential Retrofit Program] pursuant to authority of Ontario Regulation 586/06;

The Council of [MUNICIPALITY] enacts:

1. Council authorizes the undertaking of energy efficiency and water conservation works on private residential property as local improvements under the Residential Retrofit Program, as set out in Appendix A to this By-law, for the purpose of raising all or part of the cost of the work by imposing special charges on lots upon which all or some part of the local improvement is or will be located.

Enacted by [MUNICIPALITY] Council this XX day of XX, 20XX.

Reeve

[MUNICIPALITY] Clerk

Appendix A

Residential Retrofit Program Design

I. Single-Family Housing Program Stream

1.0. Overview

The Residential Retrofit Program is designed to extend municipal funding to consenting homeowners for the installation of qualifying electricity and water conservation improvements and related energy assessments and then to secure payment by imposing a local improvement charge (LIC) on the private residential property, as authorized by the Regulation. This program may be administered completely by the municipality or by the municipality in conjunction with a third party administrator, to be named at a later date.

1.1. Program Eligibility

Residential low-rise buildings located within the [MUNICIPALITY] of the following forms are eligible: detached, semi-detached, townhouse and more generally housing forms with fewer than [7] units.

The property must have a property tax account with the [MUNICIPALITY].

Participation is voluntary, owner-initiated and subject to the following conditions:

- All registered owner(s) of the property must consent to participating in the Program;
- Property tax, [utility bills] and all other payment obligations to the [MUNICIPALITY] for the past five years must be in good standing; and

1.2. Geographic Scope/ Neighbourhood Selection Process [OPTIONAL]

The municipality has prioritized certain properties to pilot the Program.

The property selection process is to be guided by the preliminary criteria set out below:

- Home is heated by oil
- Above average electricity or fuel consumption;
- Pre 1980 building vintage with preference for pre-1940s dwellings;
- Demographic and socio-economic characteristics (i.e. low-income); and
- Existing community initiatives or organizations interested in being aligned with the Program to achieve efficiencies in terms of program delivery (i.e. marketing and outreach support).

The [MUNICIPALITY] will monitor Program uptake within the pilot properties during the implementation of the Program. If appropriate, the Program may be rolled out [MUNICIPALITY] wide to achieve the participation goals.

1.3. Home Energy Assessments

Similar to the ecoENERGY Home Retrofit Program designed by the Federal Government, the [MUNICIPALITY]'s Program will utilize the EnerGuide Rating System (the ["ERS"](#)) that provides a standard measure of a home's energy performance. It provides a standardized tool and process to assess home energy efficiency and can model energy savings projects.

The property owner must hire a Certified Energy Advisor (the "CEA") - certified by Natural Resources Canada ("NR Can") - to perform pre- and post-retrofit assessments in accordance with ERS. CEAs are experts in the field of energy efficiency and well-versed in the 'whole home' approach to home energy systems, technologies and products. The cost of the energy assessments are paid by the homeowner to the CEA.

Upon completion of the pre-retrofit home energy assessment, a report is provided to the homeowner with the NRCan EnerGuide rating for the home and recommendations for energy improvements that could potentially increase that rating. This report is to be provided to the [MUNICIPALITY] in order to access LIC funding.

After the retrofit is complete, a second and final home assessment is performed by the CEA to obtain a second EnerGuide rating and to verify the completion of work. Provided that the second assessment that the homeowner provides to the [MUNICIPALITY] indicates that the EnerGuide rating has increased and the improvements have been completed, then the [MUNICIPALITY] can issue the final disbursement of funds.

1.4. Qualifying Energy Efficiency & Water Conservation Measures

The home energy assessment must demonstrate the potential to achieve cost-effective energy reductions in order to qualify for LIC funding. Financing is designated for capital costs (not Maintenance costs) with an expected useful life of 5 years or greater and for measures that are permanently affixed to a property. The expected useful life of the retrofit measures is to be linked with the LIC term. The non-exhaustive list of the categories of measures eligible under the Program, subject to any permitting and regulations, includes:

- i. Thermal envelope upgrades: attic, wall and basement insulation, windows, air-sealing.
- ii. Mechanical systems (space heating and cooling): high efficiency furnace, boiler and air conditioner replacement, thermostats and controllers, air source heat pumps, ground source heat pumps.
- iii. Mechanical systems (water heating): high-efficiency water heaters (e.g., hybrid heat pump, tankless, etc.), drain water heat recovery systems, solar hot water systems.
- iv. Renewable energy and energy storage and EV chargers: solar photovoltaic systems, electric vehicle charging stations (Level 2), battery storage devices.
- v. Water efficiency: low-flow toilets, hot water circulation pump and system, greywater treatment system, closed-loop shower water recovery system, rainwater harvesting system (subject to eligibility criteria).
- vi. Other: New energy efficient (certified) products as they become available will be considered as additional eligible technologies

The cost of an EnerGuide home energy assessment is eligible to include in the LIC financing.

Ineligible measures include equipment or products not permanently affixed to the property, previously installed in another home and are deemed general maintenance. By recommending categories of retrofit improvements and associated measures, the [MUNICIPALITY] makes no guarantees of the materials, performance, cost-effectiveness or any warranty of the measures supported by the Program.

Only the costs associated with retrofits of up to [X] percent of the Current Value Assessment of the property or to a maximum of \$XX,XXX are eligible for the Program.

1.5. Completing the Retrofit through Contractor Engagement

The [MUNICIPALITY] will provide financing to homeowners for eligible measures covered by the Program that have been:

- recommended by the CEA
- installed by contractors hired by the property owner

The [MUNICIPALITY/PROGRAM ADMINISTRATOR] will not pre-qualify contractors or procure contractors to perform energy assessments or install retrofit improvements on behalf of homeowners in connection with this Program. The homeowner will use the funds disbursed by the [MUNICIPALITY] to pay contractors directly.

The [MUNICIPALITY/ PROGRAM ADMINISTRATOR] is not responsible for the work quality of any contractors hired in connection with this Program and assumes no liability for the works undertaken. All retrofit improvements and renovations must adhere to local codes and by-laws. The homeowner is responsible for ensuring that hired contractors are licensed, bonded, and insured. Any issues that may arise relating to the quality of workmanship or post-installation performance of energy measures, for example, should be dealt with by the property owner and contractor.

1.6. Application Process

The steps below outline the process and requirements homeowners need to follow as part of the Program. [MUNICIPALITY /PROGRAM ADMINISTRATOR] staff will periodically review this process to ensure effective Program implementation and, where deemed appropriate, the [MUNICIPALITY /PROGRAM ADMINISTRATOR] may make changes in its sole discretion.

Step 1: Pre-qualification

Homeowners submit an on-line application form that includes, but is not limited to, the following information:

- Property address to confirm location is within eligible municipality;
- Property assessment roll number to confirm no outstanding payments owed to the [MUNICIPALITY] in the last five years; and
- Evidence of mortgage lender consent (where applicable).

Once the property owner has been prequalified by [MUNICIPALITY/ PROGRAM ADMINISTRATOR], based on the above criteria, the [MUNICIPALITY/ PROGRAM ADMINISTRATOR], will provide Notice to Proceed to the homeowner.

Step 2: Energy Assessment and Funding Request Form

1. Energy Assessment

The homeowner completes the pre-retrofit home energy assessment in accordance with Section 1.3 *Home Energy Assessments* and submits to the [MUNICIPALITY/ PROGRAM ADMINISTRATOR], the resulting Energy Assessment Report that the CEA provides to the homeowner.

That Energy Assessment Report must include:

- the current NRCan EnerGuide rating for the home;
- recommended improvements that have been customized for the home based on existing conditions which could potentially increase the NR Can EnerGuide rating of the home;
- the estimated useful life of the proposed improvement(s);
- estimated energy cost savings that may be realized after installing the recommended improvements

Any estimated cost of the works can be included in the Energy Assessment Report, but will require contractor invoices to verify the costs for inclusion in the Funding Request Form.

2. Funding Request Form

Along with the Energy Assessment Report, the homeowner also will need to submit a Funding Request Form that:

- identifies the improvements that the property owner intends to install based on the Energy Assessment Report;
- identifies the cost for each improvement (including equipment, materials and labour costs); and
- the amount of prepayment (up to a maximum of 10% of the estimated cost of the work) being requested from the [MUNICIPALITY] upon signing the Property Owner Agreement.

Following receipt of the Funding Request Form, the [MUNICIPALITY/ PROGRAM ADMINISTRATOR], will:

- confirm the eligibility of the works (e.g. items affixed to property);
- verify the reasonableness of retrofit costs and labour costs by consulting manufacturer pricing and prevailing labour rates;
- calculate the administrative costs [FOR EXAMPLE, using a formula that apportions the cost to the [MUNICIPALITY] to operate this program between participating properties as percentage of the cost of the work undertaken relative to the percentage of the cost of the work to the overall Program budget for each Program Stream; (*n.b.* the "cost to the [MUNICIPALITY]" includes recurring costs and any non-recurring costs not covered by the grant funding that the [MUNICIPALITY] has obtained for the Program).

The above steps will enable the [MUNICIPALITY/ PROGRAM ADMINISTRATOR], to derive the funding amount up to the maximum of [e.g., 5% of the property's assessed value] to include in the Property Owner Agreement.

Step 3: Property Owner Agreement

After the [MUNICIPALITY/ PROGRAM ADMINISTRATOR], has confirmed the acceptability of the Energy Assessment Report and the Funding Request Form, the [MUNICIPALITY] will prepare a property owner agreement ("POA"), in accordance with Appendix B for the homeowner(s) to review and sign.

Step 4: Completing Improvements

1. Initial Funding Disbursement

Following execution of the POA, the [MUNICIPALITY] will provide the homeowner with the initial disbursement agreed upon in the POA to a maximum of [X%, e.g., 10] of the estimated cost of the work that can be used by the homeowner to pay contractors or suppliers (i.e. security deposit).

The property owner will be contractually obligated to repay this initial disbursement to the [MUNICIPALITY] if the property owner does not complete the improvements.

The property owner can then proceed with hiring contractor(s) and performing the approved energy improvements to the property. The improvements must be completed within a reasonable timeframe, as stipulated in the POA, to be determined by the [MUNICIPALITY] in its sole discretion.

2. Final Funding Disbursement

As will be detailed in the POA, the [MUNICIPALITY] will provide the final disbursement only after the homeowner provides a copy of the post-retrofit assessment report from the CEA that:

- includes a Certificate of Completion that attests to the approved retrofit measures having been installed and provides an EnerGuide rating of the home after the retrofit measures have been completed which is greater than the original EnerGuide rating noted on the pre-retrofit assessment report from the CEA; and
- indicates the actual costs and useful life for all the works.

Step 5: LIC Repayment

Following the [MUNICIPALITY] Treasurer's [and CFO'S] periodic certification of the local improvement roll, (which occurs after the improvements on a given set of properties are complete and the final amounts of funding are confirmed), the [MUNICIPALITY] Solicitor will submit a corresponding bill for Council to adopt a by-law pursuant to Section 36.14 of O.Reg 586/06 to impose the special charges on the participating properties. For each property included in the by-law, the Treasurer will then add to the [MUNICIPALITY] 's tax roll for that property each year that portion of the imposed special charge that is due in that year. These collective steps will provide priority lien status for the annual amount that the Treasurer [and CFO] adds to the tax roll and will ensure that any subsequent property owner who was not a party to the POA is bound to pay that amount.

To facilitate repayment of the annual special charge, the POA will require homeowners to sign up for the pre-authorized payment plan option for property tax payments. At any time, a homeowner can make advance payments, including a one-time payment of the total outstanding amount owing to clear the property of the LIC charge. Failure to make payments is treated with the same remedy as uncollected property taxes which may include penalties and interest charges.

1.7. LIC Disclosure

As indicated above, the subsequent owner of a property on which the [MUNICIPALITY] has imposed a special charge is required to pay the [MUNICIPALITY] the annual LIC amount even though that subsequent owner was not a party to the original POA. In addition to notice that the [MUNICIPALITY] will be providing in accordance with the provisions of O. Reg. 586/06, the [MUNICIPALITY] also will take the following steps to ensure even greater transparency of the LIC to interested parties by:

- i) posting on the [MUNICIPALITY] 's website notice of the special charge by-law to impose the charge on the property in advance of its introduction and after its adoption; and
- ii) updating the Tax Certificate to include the full LIC amount, amount payable in the current year, outstanding amounts owing and a note to reference the by-law pursuant to which the special charge was imposed.

1.8. Quality Control

As a means of additional oversight to confirm that the funded improvements were completed, the POA will indicate that the [MUNICIPALITY] reserves the right to have a [MUNICIPALITY] official or third-party contractor arrange with the property owner for an inspection. The property owner(s) is also responsible for keeping original copies of contractor invoices and photos of installed measures, especially for harder to verify measures like insulation, and be prepared to disclose this information to the [MUNICIPALITY] upon request.

1.9. Measurement and Verification

Pursuant to the POA, the property owner(s) must consent to providing the [MUNICIPALITY] with access to the property's energy usage data in order to monitor results and evaluate the Program's effectiveness for a period of five years after completion of the retrofit. Also, the property owner(s) agrees to participate in surveys and other follow-up activities to help the [MUNICIPALITY/ PROGRAM ADMINISTRATOR], evaluate the Program.

01/01/2022-12/31/2022 Summary Report with Previous 3 year Average

2022	Number of Permits	3 yr. avg. (2019-2021)	S.F.D.'s	3 yr. avg. (2019-2021)	Commercial	3 yr. avg. (2019-2021)	Permit Fees	3 year average (2019-2021)	Building Value	3 year average (2019-2021)	Dev.Charge
January	7	4	0	1	1	0	\$5,825.80	\$2,240.87	\$1,486,667.00	\$396,333.33	
February	4	5	2	1	0	0	\$4,652.65	\$7,194.42	\$935,000.00	\$1,704,366.67	\$12,169
March	13	9	2	4	0	0	\$9,119.65	\$8,001.56	\$1,487,000.00	\$1,204,820.00	\$15,003
April	10	10	1	4	0	0	\$7,378.20	\$9,457.29	\$1,528,700.00	\$1,855,692.00	\$14,329
May	24	17	6	4	1	0	\$18,328.30	\$10,683.68	\$4,477,810.00	\$2,147,991.67	\$52,826
June	13	16	1	4	0	1	\$10,882.95	\$10,039.60	\$2,037,700.00	\$1,774,779.00	\$5,185
July	13	21	3	4	0	0	\$5,043.55	\$11,128.41	\$930,500.00	\$2,113,626.00	\$24,087
August	7	13	3	2	0	0	\$6,102.20	\$8,500.52	\$1,516,000.00	\$1,816,622.67	\$16,058
September	18	16	6	3	0	0	\$24,111.35	\$7,650.40	\$3,735,000.00	\$1,531,216.67	\$48,174
October	8	14	3	2	0	0	\$9,316.50	\$7,099.23	\$2,440,000.00	\$1,599,166.67	\$24,087
November	18	9	4	2	1	0	\$14,127.60	\$6,130.03	\$2,720,000.00	\$976,566.67	\$24,087
December	10	5	2	3	0	0	\$10,799.10	\$6,918.74	\$2,142,700.00	\$1,609,166.67	\$16,058
Total	145	139	33	34	3	1	\$125,687.85	\$95,044.74	\$25,437,077.00	\$18,730,348.00	\$252,063

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

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

COMMITTEE OF THE WHOLE MEETING

January 17th, 2023

Report #CAO-2023-01

Amanda Mabo, Chief Administrative Officer/Clerk

ELECTRONIC MONITORING OF EMPLOYEES POLICY

STAFF RECOMMENDATION(S)

It is recommended:

“THAT, the Electronic Monitoring of Employees Policy be adopted as outlined in Report #CAO-2023-01

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

BACKGROUND

Employers that employ 25 or more employees are required to have a written policy on the electronic monitoring of employees. They are also required to provide a copy of the written policy to all employees.

These requirements were added to the Employment Standards Act, 2000 (ESA) on April 11, 2022.

DISCUSSION

There is a special rule that applies in the first year of the requirement. Employers that employ 25 or more employees on January 1, 2022 have until October 11, 2022 to have a written policy on the electronic monitoring of employees in place. Beginning in 2023, and in the years that follow, employers that employ 25 or more employees on January 1 of any year must have a written policy on the electronic monitoring of employees in place before March 1 of that year.

However, the ESA does not establish a right for employees not to be electronically monitored by their employer and does not create any new privacy rights for employees.

The ESA requirements are limited to requiring that certain employers be transparent about whether they electronically monitor employees. If they do, the employer must be transparent by:

- describing how and in what circumstances that monitoring occurs
- setting out the purposes for which the information obtained through the electronic monitoring may be used

The requirements relating to written policies on the electronic monitoring of employees apply to all employees and employers covered by the ESA except the Crown, a Crown agency or an authority, board, commission or corporation whose members are all appointed by the Crown and their employees.

Determining Number of Employees

To determine how many employees they have, the employer must count the number of employees it employs on January 1.

It is the individual number of employees that are counted, and not the number of "full-time equivalents". Part-time employees and casual employees each count as one employee, regardless of the number of hours they work.

Copy of Written Policy

Employers must also provide a copy of the written policy to its employees within 30 calendar days of:

- the day the employer is required to have the policy in place
- the policy being changed (if an existing policy is changed)

The employer must also provide a copy of the written policy to any new employees within 30 calendar days of the new employee being hired. This will be provided as part of the orientation for new hires.

The draft policy has been reviewed by legal counsel.

OPTIONS FOR CONSIDERATION

Option #1 – Recommended: Adopt Policy

It is the employer's obligation to adopt such a policy.

Option #2 – Adopt Amended Policy

Council to provide direction on suggested changes to the policy.

Option #3 – Not Recommended: Do not pass a Policy

The Township will be in contravention of the Employment Standards Act.

FINANCIAL CONSIDERATIONS

There are no significant costs expected with this policy at this time.

STRATEGIC PLAN LINK

Not applicable.

CLIMATE CONSIDERATIONS

Not applicable.

CONCLUSION

This policy has been established to describe how and in what circumstances the Municipality may Electronically Monitor Employees and the purpose for which the information obtained through Electronic Monitoring may be used by the Municipality.

ATTACHMENTS

- i) Draft Electronic Monitoring of Employees Policy

Respectfully Submitted By:

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

SUBJECT: ELECTRONIC MONITORING OF EMPLOYEES - POLICY

1.0 PURPOSE

This policy has been established to describe how and in what circumstances the Municipality may Electronically Monitor Employees and the purpose for which the information obtained through Electronic Monitoring may be used by the Municipality.

2.0 LEGISLATIVE AUTHORITY

Pursuant to Section 41.1.1 of the *Employment Standards Act, 2000*, as amended, an Employer that, on January 1 of any year, employs twenty-five (25) or more employees shall, before March 1 of that year, ensure it has a written policy in place with respect to Electronic Monitoring of Employees.

3.0 SCOPE

This policy applies to all Employees of the Municipality.

4.0 DEFINITIONS

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

“**Electronic Monitoring**” and “**Electronically Monitor**” – shall mean all forms of Employee monitoring that is done electronically, irrespective as to whether such monitoring occurs on equipment issued by the Employer or whether it occurs while Employees are at, or away from, the workplace.

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

“**Employer**” – shall mean the Municipality.

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

5.0 HOW AND IN WHAT CIRCUMSTANCES ELECTRONIC MONITORING OCCURS

5.1 Municipal resources are provided to Employees to deliver services for residents, reduce work related risk, improve productivity of business operations, and enhance the effectiveness of communications.

5.2 The Municipality reserves the right to Electronically Monitor Employees, directly or indirectly, at its discretion.

- 5.3** Employees should not expect absolute privacy in relation to their use of Municipal resources and should not assume that any use of Municipal resources is exempt from Electronic Monitoring in accordance with this Policy.
- 5.4** The Municipality may Electronically Monitor Employees directly or indirectly, whether continuously or periodically, or on an as needed basis, through, but not limited to, the following means:
- 5.4.1** Access to Buildings and Properties
- Keyfobs, Electronic Codes and Alarm Codes
- 5.4.2** Business Systems
- Electronic Voting System
 - Financial System
 - Funding and Grant Systems
 - Geographic Information System (GIS)
 - Procurement System
 - Resource Productivity and Recovery Authority - Datacall
 - Road Closures and Notices System
 - Sign and Culvert Location System
 - Sourcewater Protection System
 - Training Systems
 - Voters' List Management System
 - Weather Monitoring System
 - Website, including Newsfeeds, Form Builder
- 5.4.3** Equipment
- Access and Use of Corporate Computer Network
 - Cell Phone and Telephone Systems, Voicemail (roaming and data usage)
 - Outlook Email, including Cyber Security Alerts and Tests
 - Fax
 - Laptops, Tablets, Computers
 - Photocopier/Scanner Password Equipped
 - Software and Internet Usage
- 5.4.4** Municipal Vehicle Usage and Activity
- Global Positioning System and Automatic Vehicle Locator (GPS/AVL)
 - Fleet Telematics (on-board diagnostic technology to provide information about the vehicle)

6.0 HOW INFORMATION OBTAINED THROUGH ELECTRONIC MONITORING MAY BE USED

- 6.1** Information obtained through Electronic Monitoring may be used for all purposes consistent with the Municipality's responsibilities, any Municipal by-law, policy, practice, or procedure, and the Municipality's obligations pursuant to the Collective Agreement.
- 6.2** Such purposes include but are not limited to Employee safety, the protection and security of the Municipality's resources, monitoring Employee compliance with applicable policies and procedures, and complaint response.
- 6.3** Other purposes may include:
- Workforce management
 - Operational auditing, monitoring, and reporting
 - Health and safety monitoring
 - WSIB or Ministry of Labour investigations
 - Coaching and quality improvement
 - Labour Relations-related investigations
 - Privacy complaints, monitoring, and auditing
 - Security incidents, including workplace violence, thefts, vandalism, and threats
 - IT related investigations
 - Regulatory reporting
 - Data review and pattern monitoring
 - Resolving technical issues
 - As evidence for forensic investigations on behalf of the Municipality or an authorized third party such as law enforcement agencies or other government bodies
 - Responding to freedom of information requests, litigation-related requests, or otherwise as required by law.
- 6.4** Information obtained by the Municipality through Electronic Monitoring shall be collected, maintained and dispersed in accordance with the Municipality's responsibilities, any Municipal by-law, policy, practice, or procedure, and the Municipality's obligations pursuant to the Collective Agreement.

7.0 COMMUNICATION

- 7.1** This Policy, along with any updates, within thirty (30) days of being prepared or updated shall:
- be emailed to Employees;
 - be provided by hard copy to those Employees that do not have an Employer provided email; and
 - be provided to new hires as part of the orientation process.
- 7.2** A copy of this Policy shall be provided to any person, upon request.

8.0 ACCOUNTABILITY FRAMEWORK

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

9.0 POLICY REVIEW

This Policy shall be reviewed at least once per term of Council.

10.0 REFERENCES

Policies and Procedures/Documents

Collective Agreement

IT Acceptable Use Policy

Resources

Employment Standards Act, 2000

COMMITTEE OF THE WHOLE

January 17th, 2023

Report #C-2023-01

Amanda Mabo, Chief Administrative Officer/Clerk

2022 MUNICIPAL ELECTION – ACCESSIBILITY REPORT

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, Report #C-2023-01 – 2022 Municipal Election – Accessibility Report be received for information.”

BACKGROUND

The 2022 Municipal Election was held on October 24th, 2022.

Section 12.1 of the *Municipal Elections Act, 1996* (Act) provides that a clerk who is responsible for conducting an election shall have regard to the needs of electors and candidates with disabilities. The Act also provides that the clerk shall prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the plan available to the public before voting day in a regular election. This was completed and is attached to this report for information.

Section 12.1 of the *Municipal Elections Act, 1996* also requires that within 90 days after voting day in a regular election, the clerk shall prepare a report about the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the report available to the public. Below is that report.

DISCUSSION

The Clerk, as Returning Officer, took every effort to reduce barriers on a number of levels with regard to the planning and undertaking of the 2022 Municipal Election.

Election Planning

Action #1 Gathered comments and recommendations from the municipality's Accessibility Coordinator on methods to meet accessibility needs.

- Comments* The Clerk is also the Accessibility Coordinator for the municipality, which worked to the municipality's advantage as accessibility requirements under the *Accessibility for Ontarians with Disabilities Act, 2005* and its associated regulations were already known and the Clerk was already familiar with the municipality's Accessibility Plan and policies.
- Action #2* Assessed the risk of past election administration practices, identifying the likelihood of our practice creating a risk to accessibility of candidates and electors and we then identified the impact of the risk and developed measures to mitigate or minimize the risk.
- Comments* Internet and telephone are the most accessible methods of election, and the municipality has utilized both internet and telephone voting for the previous five elections and a by-election.
- Action #3* Developed a 2022 Election – Accessibility Plan (attached) for use during the 2022 Election in conjunction with the municipality's Accessibility Policy (attached).
- Comments* The Plan was posted to the municipal website and provided to candidates and election officials.
- Action #4* Accessibility Training was provided to all Election Officials.
- Comments* All of the Election Officials were staff who had previously been trained on Accessibility. They received further specific training relating specifically to the election with regards to the Revision Centre and Help Centre.

Communications and Information

- Action #1* Ensured communication initiatives and information for candidates and electors were available in alternate formats (ex. large print).
- Comments* Election materials were available to candidates and electors in alternative formats upon request and in a manner that was mutually agreed upon.
- Action #2* Established a separate webpage to be dedicated to the 2022 Municipal Election.
- Comments* A separate elections webpage was developed. It included important dates and general information, as well as the list of Unofficial Candidates, information on the school board elections, electoral ward boundaries and links to previous election results.
- In addition, separate subpages were established titled "Information for Candidates", "Information for Third Parties:", "Information for Voters" and "Compliance Audit Committee". These additional pages allowed both candidates, third parties and electors to access information anywhere internet access was available.

The election pages could be accessed via a large icon on the main page of the website.

The municipal website is fully accessible, including posted documentation.

Action #3 Provided copies of voters list to candidates upon request.

Comments Candidates had access to the voters list via a login and password to a website and could view the list in real time from anywhere they had an internet connection.

Action #4 Provided electors the ability to confirm that their name was on the voters list.

Comments Electors were able to confirm by telephone or by attending the Municipal Office.

Action #5 Provided information to candidates regarding Campaign Expenses.

Comments Candidates were provided with a copy of the Candidates' Guide for Ontario Municipal and School Board Elections (produced by the Province) in the Candidates Package, along with a copy of the form to be filed. A link to this guide and other resources were also placed on the website. In addition, various emails informing candidates of the requirements were sent throughout the election period, as well as a notice and a follow-up reminder email after the election.

The following are the items included with the Introductory Letter in the Candidates Package:

- Key Dates
- AMO – Training – Lead Where You Live: A guide on running for municipal council
- MMAH – Candidates' Guide for Ontario Municipal Council and School Board Elections
- MMAH – Ontario Municipal Councillor's Guide
- Tay Valley Township – Election Accessibility Plan
- Tay Valley Township - Election Procedures
- Tay Valley Township - Election Campaign Advertising Policy
- County of Lanark – Election Campaign Signage
- Province of Ontario - Election Campaign Materials
- School Board Offices – Contact Information
- Form - Nomination Paper
- Form – Endorsement of Nomination
- Form - Consent to Release Personal Information
- Form – Declaration of Qualifications – Council
- Form - Financial Statement
- Filing ID Requirements

Action #6 Provided candidates with supplementary information to ensure a positive campaign for both candidates and electors.

Comments Under the Information for Candidates section on the website was the following:

- Who can be a candidate?
- Who cannot be a candidate?
- Nomination Process
- Nomination Forms
 - Candidates Introductory Letter
 - Filing ID Requirements
 - Form - Nomination Paper
 - Form – Endorsement of Nomination (25 signatures)
 - Form - Declaration of Qualifications (Council)
 - Form - Consent to Release Personal Information
- Additional Resources
 - Municipal Elections Act
 - Municipal Act
 - Ministry of Municipal Affairs and Housing - Candidates' Guide
 - Ministry of Municipal Affairs and Housing - Municipal Elections
 - Ministry of Municipal Affairs and Housing – Ontario Municipal Councillor's Guide
 - Ministry of Municipal Affairs and Housing – Information Session Slides
 - Course for Candidates – Lead Where You Live
 - Election Campaign Advertising Policy
 - Election Sign Policy on County Roads
 - Elections Sign Policy on Provincial Roads
 - Tay Valley Township – Election Accessibility Plan
 - Tay Valley Township - Committee and Boards
 - Tay Valley Township – Council Resources
 - Tay Valley Township - Election Procedures
 - Form - Financial Statement - Auditor's Report

In addition to the information contained in the Candidate's Package and on the municipal website under Information for Candidate's, emails were sent to Candidate's informing them of dates, deadlines, forms and general information as the election process unfolded.

Action #7 Provided information to third party advertisers regarding Campaign Expenses.

Comments Third Party Advertisers were provided with a copy of the Third Party Advertisers Guide for Ontario Municipal Elections (produced by the Province) in the Third Party Advertiser's Package, along with a copy of the form to be filed. A link to this guide and other resources were also placed on the website. In addition, various emails informing third parties of the requirements were sent throughout the election period, as well as a notice and a follow-up reminder email after the election.

The following are the items included with the Introductory Letter in the Third Party Advertiser's Package:

- Key Dates
- MMAH – Third Party Advertisers Guide for Ontario Municipal Elections
- Tay Valley Township - Election Procedures
- Tay Valley Township - Election Third Party Advertising Policy
- County of Lanark – Election Sign By-Law
- Province of Ontario - Election Campaign Materials
- Form – Notice of Registration
- Form – Declaration of Qualifications – Third Party Advertiser
- Form - Financial Statement
- Filing ID Requirements

Action #8 Provided third party advertisers with supplementary information to ensure a positive campaign for electors.

Comments Under the Information for Third Parties section on the website was the following:

- What is Third Party Advertising?
- Who can be a Third Party Advertiser?
- Who cannot be a Third Party Advertiser?
- Filing Process
- Filing Forms
 - Third Party Advertiser - Introductory Letter
 - Form - Notice for Registration
 - Form - Declaration of Qualifications (Third Party Advertiser)
- List of Registered Third Parties
- Additional Resources
 - Municipal Elections Act
 - Ministry of Municipal Affairs and Housing - Third Party Advertisers Guide
 - Ministry of Municipal Affairs and Housing - Municipal Elections
 - Ministry of Municipal Affairs and Housing – Information Session Slides
 - Tay Valley Township - Third Party Advertising Policy
 - Election Sign Policy on County Roads
 - Election Sign Policy on Provincial Roads
 - Tay Valley Township - Election Procedures
 - Form - Broadcaster/Publisher Information Sheet
 - Form - Financial Statement - Auditor's Report - Third Party

In addition to the information contained in the Third Party Advertiser's Package and on the municipal website under Information for Third Parties, if there had been a third party registered, emails would have been sent to Third Parties informing them of dates, deadlines, forms and general information as the election process unfolded.

Action #9 Provided additional information to electors.

Comments Notice of the availability of documents was provided on the municipal website, on the municipal Facebook page, in the local paper and at the Municipal Office.

Under the Information for Voters section on the website was information on the following:

- Who can vote?
- Who cannot vote?
- Who can vote in a school board election?
- Are you on the Voter's List?
- Offices to be elected
- Additional Resources
 - Form EL15
 - Voter Identification
 - Ministry of Municipal Affairs and Housing - Voters' Guide
 - Ministry of Municipal Affairs and Housing - Municipal Elections
 - Internet and Telephone Voting - Questions and Answers
 - Video - On-Line Voting Demo
 - Video - Phone Voting Demo

The above information was also communicated in the municipality's weekly newspaper section called Municipal Matters.

Voting Method – Internet & Telephone

This method provided an 8 day period where an elector could vote anywhere at any time up until 8 p.m. on Voting Day.

An opportunity to cast a ballot from the comfort and convenience of a familiar setting, complete with the tools, equipment and/or software that assist citizens with disabilities in their day to day activities is addressed with internet and telephone voting.

E-voting combined with everyday tools like computers, telephones and other aids can present opportunities for persons with disabilities to vote, while being consistent with the principles of independence, dignity, integration and equality of opportunity.

The supplier of the e-voting solution (Intelivote Systems Inc.) used by the municipality, created and operates a system that meets the Web Accessibility Initiative (WAI) requirements. These accessibility requirements, architected into the solution, assist persons with disabilities and an aging population. The system complied with the guidelines as defined by the W3C technologies website principles. These guidelines cover a variety of initiatives including the organization, functionality and readability of information provided, as well as alternative ways of representing information over the web. Abiding by this standard ensured voters with a disability, with existing web aware technology, could connect to the voting website and interact with the voting system.

As an example, voters were offered the opportunity to make an audio selection of some of the security features required when entering a voting session via the web. This support afforded visually impaired voters the opportunity to successfully navigate the login security CAPTCHA challenge required to cast their ballot.

Persons with disabilities could access the e-voting services over the telephone, both mobile and land line. Communication barriers can make it difficult for people to receive or convey information. Barriers may come in the form of low volume, the use of language that is not clear or plain, and confusing or unorganized menus and menu options. The e-voting system was designed and implemented with the following telephone voting functional criteria taken into consideration:

- The telephone e-voting service is offered on all types of touch tone telephones and wireless devices.
- Clear natural language is used and is offered in English.
- Menu options are clear and easy to follow, advising when to select options and providing confirmations of voter selections.
- Standard volume is used to allow for adjustments dependent on the telephone or device of the user.

Persons with disabilities could also use the TTY (Teletypewriter) service to access e-voting services. It is required by law that the Relay service be confidential and not disclose any information from conversations and no record-keeping of conversations be stored.

Persons who are deaf, deafened, oral deaf or hard of hearing could have made use of the Internet to cast their ballot in the election with little to no assistance. Persons, who have a vision loss disability, including total blindness and legal blindness, had the ability to use the telephone to cast their ballot for the election. The e-voting system addresses other types of disabilities (intellectual, learning, mental health) as described in the website accessibility requirements and telephone operating functions.

Using the e-voting system, disabled persons are given the opportunity to vote from the comfort of their own home. Voting from home facilitates the voting process for disabled persons who have mobility restrictions and/or have a difficult time with transportation due to physical disabilities. Travel to a physical polling location would no longer create a hardship or barrier to them.

Enabling persons with a disability the opportunity to vote from any location, using more than one method, (telephone or internet) increases the opportunity for these individuals to participate in the election without assistance. This level of independence affords them an increased level of privacy while casting their ballot without the usual involvement of a friend or relative, which might otherwise compromise their secret ballot.

Voter Help Centre

The municipality also hosted a Voter Help Centre where all members of the public, including persons with a disability, could visit or call to get assistance with their voting process. The Municipal Office was designed and constructed with new up-to-date accessibility features (parking, ramp, washrooms, customer service stations, doors). A station was set up with telephone and Internet access, including a large accessible touch screen. Election officials were trained to provide assistance if requested.

Outreach to Lanark Lodge and Perth Community Care Centre

The e-voting system was also designed to accommodate the older population in the community. Internet and telephone voting allowed election staff to travel to homes for the aged to assist in the voting process to ensure participation of residents. Voter Instruction Letters destined for electors residing in senior homes were delivered to the homes by the Clerk. Seniors could choose the telephone to complete their voting, or election staff visited the residence with a laptop equipped with an accessible large touch screen affording those electors the opportunity to cast their ballot using the Internet.

ATTACHMENTS

- i) 2022 Election – Accessibility Plan
- ii) Accessibility Policy

Prepared and Submitted By:

Original Signed

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



2022 ELECTION ACCESSIBILITY PLAN

This plan is for use in the 2022 Municipal Election in conjunction with the Tay Valley Township Accessibility Policy.

OBJECTIVES

This plan is intended to highlight measures that the Municipality will be implementing to ensure equal opportunity for all electors and candidates. These objectives include:

- That the Voter Revision Centre and Help Centre is accessible
- That persons with disabilities are able to independently vote
- That persons with disabilities have full and equal access to all election information
- That persons with disabilities can fully participate in the Municipal Election as an elector and/or candidate
- That electors with disabilities are aware of the accessibility measures available

LEGISLATIVE REQUIREMENTS

The *Municipal Elections Act, 1996*, S.O. 1996, Chapter 32, as amended states:

Electors and candidates with disabilities

12.1 (1) A clerk who is responsible for conducting an election shall have regard to the needs of electors and candidates with disabilities.

Plan re barriers

(2) The clerk shall prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the plan available to the public before voting day in a regular election.

Report

(3) Within 90 days after voting day in a regular election, the clerk shall prepare a report about the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the report available to the public.

Accessibility

45(2) In establishing the locations of voting places, the clerk shall ensure that each voting place is accessible to electors with disabilities.

Attendance on electors with disabilities

(9) To allow an elector with a disability to vote, a deputy returning officer shall attend on the elector anywhere within the area designated as the voting place.

REVISION CENTER AND HELP CENTRE

The Revision Centre and Help Centre will be accessible to electors with disabilities. It shall have accessible parking, automatic doors, and accessible washrooms.

VOTING

Internet and telephone voting is an accessible voting method that enables persons with disabilities to cast their vote in a manner that respects and promotes their dignity, independence, integration and equality of opportunity.

VOTING ASSISTANCE

An Election Official may permit an elector who needs assistance in voting to have such assistance as the Election Official considers necessary, and in accordance with the Accessibility Policy.

Election Official

A voter who requires such assistance to vote may ask the Election Official for assistance and assist and/or vote as directed by the voter.

Friend of Elector

In lieu of the Election Official assisting a voter, the voter may request that a friend accompany them to vote.

Interpreter

Where the Election Official does not understand the language of a voter, an interpreter, provided by the voter, shall translate for the voter.

ELECTION MATERIALS

The Municipality shall upon request, provide or arrange for the provision of Accessible Formats and Communication Supports for persons with disabilities, in accordance with the Municipality's Accessibility Policy.

Candidates will be provided with resource materials regarding how to make their campaigns accessible to the public.

TRAINING

The Municipality shall ensure that training is provided on the requirements of the Accessibility for Ontarians with Disabilities Act, the accessibility standards referred to within the Integrated Accessibility Standards (Ontario Regulation 191/11), the Human Rights Code as it pertains to persons with disabilities and on Municipal policies and procedures related to the Accessibility for Ontarians with Disabilities Act and its Regulation to all Election Officials.

NOTICE OF TEMPORARY SERVICE DISRUPTION

If there is a temporary disruption in the delivery of election information or services, the Municipality shall provide public notice on the Municipal website and Facebook page, at the physical site of the disruption and when possible, in the local media. The notice shall include the reason for the disruption, anticipated duration and a description of alternative methods of delivering the information or service.

REPORTING

Pursuant to Section 12.1 (3) of the *Municipal Elections Act, 1996*, as amended, within 90 days after Voting Day, the Clerk shall submit a report to Council about the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the report available to the public.

The report will be made available to the public via the Municipal website and at the Municipal Office.

FEEDBACK

Feedback is welcome in order to identify areas where changes need to be considered and ways in which the Municipality can improve the delivery of an accessible Municipal Election.

Feedback on this Plan can be submitted to the following:

Clerk
217 Harper Road
Perth, ON K7H 3C6
Phone: 613-267-5353 ext. 130
E-mail: clerk@tayvalleytwp.ca

RESOURCES

2022 Municipal Election Procedures
Accessibility Policy
Municipal Elections Act, 1996, as amended



SECTION:	NUMBER:
AC	1

SUBJECT: ACCESSIBILITY POLICY

1.0 PURPOSE

Through the Accessibility for Ontarians with Disabilities Act, 2005 (AODA), Ontario is working to make the province fully accessible to people with disabilities by 2025. Under the Act, standards have been developed that businesses and non-profits and public sector organizations must follow to identify, remove and prevent barriers so that people with disabilities have more opportunities to participate in everyday life.

This policy describes how the Municipality will meet its obligations under the Integrated Accessibility Standards Regulation, which includes requirements for Information and Communications, Employment, Transportation, Design of Public Spaces and Customer Service.

2.0 LEGISLATIVE AUTHORITY

Under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA), the Integrated Accessibility Standards (Ontario Regulation 191/11) came into force on July 1, 2011, but since has been amended.

This policy and the Integrated Accessibility Standards Regulation are not replacements or substitutions for the requirements established under the Ontario Human Rights Code or other laws in respect to accommodation of people with disabilities.

3.0 DEFINITIONS

“Access Path” – in reference to a Kiosk, includes reach ranges for people using mobility aids, the proximity of the Kiosk to other objects, etc.

ISSUED BY:	DATE ISSUED:	SUPERSEDES:	PAGE:
Clerk's Office	April 11 th , 2017	December 10 th , 2013	1 of 16



SECTION:	NUMBER:
AC	1

“Accessible Formats” – shall mean formats that are an alternative to standard print and are accessible to people with disabilities. Accessible formats may include but are not limited to, large print, audio and electronic formats, braille and other formats usable by persons with disabilities.

“Amenities” – shall mean items that provide conveniences or services for use by the public, examples of which include drinking fountains, benches and garbage receptacles.

“Assistive Devices” – shall mean an auxiliary aid such as communication aids, cognition aids, Mobility Aids, Mobility Assistive Devices and medical aids.

“Beach Access Routes” – shall mean routes that are constructed and are intended for pedestrian use by the public and that provide access from off-street parking facilities, recreational trails, exterior paths of travel and Amenities to an area of a beach that is intended for recreational use by the public.

“Career Development” – shall include providing additional responsibilities within an employee’s current position and the movement of an employee from one job to another in the Municipality that may be higher in pay, provide greater responsibility or be at a higher level in the Municipality or any combination of them and, for both additional responsibilities and employee movement, is usually based on merit or seniority, or a combination of them.

“Communication Supports” – shall mean supports that individuals with disabilities may need to access information. Communication Supports may include, but are not limited to, captioning, alternative and augmentative communication supports, plain language, sign language, and other supports that facilitate effective communications.

“Customer” – shall mean any person who receives or seeks to receive goods, services or facilities directly or indirectly from the Municipality.

“Exterior Paths of Travel” – shall mean paths of travel that are outdoor sidewalks or walkways designed and constructed for pedestrian travel and are intended to serve a functional purpose and not to provide a recreational experience but excludes paths of travel regulated under the Ontario Regulation 350/06 (Building Code).

ISSUED BY:	DATE ISSUED:	SUPERSEDES:	PAGE:
Clerk’s Office	April 11 th , 2017	December 10 th , 2013	2 of 16



Tay Valley Township

SECTION:

AC

NUMBER:

1

“Kiosk” – shall mean an interactive electronic terminal, including a point-sale device, intended for public use that allows users to access one or more services or products or both.

“Mobility Aid” - shall mean a device used to facilitate the transport, in a seated posture of a person with a disability.

“Mobility Assistive Device” – shall mean a cane, walker or similar aid.

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

“Off-Street Parking Facilities” – shall include open area parking lots and structures intended for the temporary parking of vehicles by the public, whether or not the payment of a fee is charged and includes visitor parking spaces in parking facilities.

“On-Street Parking” – shall include parking spaces located on highways, as defined in subsection 1 (1) of the *Highway Traffic Act*, that provide direct access to shops, offices and other facilities whether or not the payment of a fee is charged.

“Outdoor Play Spaces” – shall mean an area that includes play equipment, such as swings, or features such as logs, rocks, sand or water, where the equipment or features are designed and placed to provide play opportunities and experiences for children and caregivers.

“Outdoor Use Public Eating Areas” – shall mean areas that consist of tables that are found in public areas, such as in public parks, and are specifically intended for use by the public as a place to consume food.

“Performance Management” – shall mean activities related to assessing and improving employee performance, productivity and effectiveness, with the goal of facilitating employee success.

“Recreational Trails” – shall mean public pedestrian trails that are intended for recreational and leisure purposes.

“Redeployment” – shall mean the reassignment of employees to other departments or jobs with the Municipality as an alternative to layoff, when a particular job or department has been eliminated by the organization.

ISSUED BY:

DATE ISSUED:

SUPERSEDES:

PAGE:

Clerk's Office

April 11th, 2017

December 10th, 2013

3 of 16

“Service Animal” – shall mean a service animal and a guide dog as defined in Ontario Regulation 191/11, as amended.

“Support Person” – shall mean any support person as defined in Ontario Regulation 191/11, as amended.

“Structural Features” – in reference to a Kiosk, includes the height and stability of the Kiosk, headset jacks with volume control, and specialized keypads or keyboards, etc.

“Technical Features” – in reference to a Kiosk, includes the colour contrast on the display screen and the options to increase font size, as well as allowing for extra time to complete tasks. Other technical features include audio instructions, voice activating equipment and visual and non-visual modes of operation, etc.

4.0 STATEMENT OF COMMITMENT

The Municipality is committed to treating all people in a way that allows them to maintain their dignity and independence. We believe in integration and equal opportunity. We are committed to meeting the needs of people with disabilities in a timely manner, and shall do so by preventing and removing barriers to accessibility and meeting the accessibility requirements under the Accessibility for Ontarians with Disabilities Act and its Regulations.

ISSUED BY:	DATE ISSUED:	SUPERSEDES:	PAGE:
Clerk's Office	April 11 th , 2017	December 10 th , 2013	4 of 16

5.0 GENERAL REQUIREMENTS

Accessibility Plans

- The Municipality's multi-year accessibility plan shall outline the Municipality's strategy to prevent and remove barriers and meet its requirements under the Integrated Accessibility Standards Regulation.
- The plan shall include procedures for preventative and emergency maintenance of the accessible elements in public spaces.
- The plan shall include procedures for dealing with temporary disruptions when accessible elements in public spaces are not in working order.
- The plan shall be posted on the Municipality's website, and shall be provided in an accessible format upon request.
- The plan shall be reviewed and updated at least once every five years.
- The plan shall be established, reviewed and updated in consultation with persons with disabilities.
- An annual status report on the progress of measures taken to implement the organization's strategy shall be posted on the website, and provided in an accessible format upon request.

Procuring or Acquiring Goods, Services or Facilities

- The Municipality shall incorporate accessibility design, criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so.
- Where it is not practicable to incorporate accessibility design, criteria and features when procuring or acquiring goods, services or facilities, upon request, an explanation shall be provided.

ISSUED BY:	DATE ISSUED:	SUPERSEDES:	PAGE:
Clerk's Office	April 11 th , 2017	December 10 th , 2013	5 of 16

SECTION:	NUMBER:
AC	1

- The Municipality shall require a declaration from all other persons who provide goods, services or facilities on behalf of the Municipality that they are compliant with the Accessibility for Ontarians with Disabilities Act and its Regulations.

Self-Service Kiosks

- The Municipality shall incorporate accessibility features when designing, procuring or acquiring self-service Kiosks.
- The Municipality may consider technical features, structural features, and the access path to the Kiosk.

Training

- The Municipality shall ensure that training is provided on the requirements of the Accessibility for Ontarians with Disabilities Act, the accessibility standards referred to within the Integrated Accessibility Standards (Ontario Regulation 191/11), the Human Rights Code as it pertains to persons with disabilities and on Municipal policies and procedures related to the Accessibility for Ontarians with Disabilities Act and its Regulations to:
 - all employees and volunteers;
 - all persons who participate in developing the Municipality's policies; and
 - all other persons who provide goods, services or facilities on behalf of the Municipality.
- The training provided shall be appropriate to the duties of the employees, volunteers and other persons.
- The training shall be provided as soon as practicable.
- Where there are changes to the Accessibility Policy, or any other Municipal policy, practice or procedure relating to the Accessibility for Ontarians with Disabilities Act and its Regulations, training shall be provided with regard to those changes.
- The Municipality shall keep a record of the dates of when training is provided and the number of individuals to whom it was provided.

ISSUED BY:	DATE ISSUED:	SUPERSEDES:	PAGE:
Clerk's Office	April 11 th , 2017	December 10 th , 2013	6 of 16

SECTION:	NUMBER:
AC	1

6.0 INFORMATION AND COMMUNICATIONS STANDARDS

Feedback

- The Municipality shall ensure that feedback processes are accessible to persons with disabilities and shall provide or arrange for the provision of Accessible Formats and Communication Supports, upon request.

Accessible Formats and Communication Supports

- The Municipality shall, upon request, provide or arrange for the provision of Accessible Formats and Communication Supports for persons with disabilities.
- Provision of Accessible Formats and Communication Supports shall be provided:
 - in a timely manner that takes into account the person's accessibility needs due to disability;
 - at a cost that is no more than the regular cost charged to other persons; and
 - in consultation with the person making the request in determining the suitability of an Accessible Format or Communication Support.
- The Municipality shall notify the public about the availability of Accessible Formats and Communication Supports.
- Where the Municipality is not able to convert the information or communication into an Accessible Format, an explanation shall be provided, along with a summary of the content.

Emergency Procedure, Plans or Public Safety Information

- Where the Municipality prepares emergency procedures, plans or public safety information and makes the information available to the public, the information shall be provided in an Accessible Format or with appropriate Communication Supports, as soon as practicable, upon request.

ISSUED BY:	DATE ISSUED:	SUPERSEDES:	PAGE:
Clerk's Office	April 11 th , 2017	December 10 th , 2013	7 of 16

Accessible Websites and Web Content

- The Municipality shall make its internet websites and web content conform with the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0, initially at Level A and increasing to Level AA, in accordance with the schedule set out in the Integrated Accessibility Standards Regulation.

7.0 EMPLOYMENT STANDARD

Recruitment

- The Municipality shall notify its employees and the public about the availability of accommodation for applicants with disabilities in its recruitment processes.
- During the recruitment process, applicants who are individually selected to participate in an assessment or selection process shall be notified that accommodations are available upon request in relation to the materials or processes used.
- If a selected applicant requests an accommodation, the Municipality shall consult with the applicant and provide or arrange for the provision of a suitable accommodation in a manner that takes into account the applicant's accessibility needs due to a disability.
- When making an offer of employment, the Municipality shall notify the successful applicant of its policies for accommodating employees with disabilities.

Informing Employees of Supports

- The Municipality shall inform its employees of its policies used to support its employees with disabilities, including, but not limited to, policies on job accommodation that take into account an employee's accessibility needs due to a disability.
- New employees shall be informed as soon as practicable after they begin their employment.

ISSUED BY:	DATE ISSUED:	SUPERSEDES:	PAGE:
Clerk's Office	April 11 th , 2017	December 10 th , 2013	8 of 16



SECTION:	NUMBER:
AC	1

- Where there are changes to existing policies on the provision of job accommodations, all employees shall be provided updated information.

Accessible Formats and Communication Supports for Employees

- Where an employee with a disability requests it, the Municipality shall consult with the employee to provide or arrange for the provision of Accessible Formats and Communication Supports for:
 - information that is needed in order for the employee to perform the employee's job; and
 - information that is generally available to employees in the workplace.
- The Municipality shall consult with the employee making the request in determining the suitability of an Accessible Format or Communication Support.

Workplace Emergency Response Information

- The Municipality shall provide individualized workplace emergency response information to employees who have a disability:
 - if the disability is such that the individualized information is necessary; and
 - the Municipality is aware of the need for accommodation due to the employee's disability.
- If an employee who receives individualized workplace emergency response information requires assistance and with the employee's consent, the Municipality shall provide the workplace emergency response information to the person designated by the Municipality to provide assistance to the employee.
- Individualized information shall be provided as soon as practicable after the Municipality becomes aware of the need for accommodation due to the employee's disability.

ISSUED BY:	DATE ISSUED:	SUPERSEDES:	PAGE:
Clerk's Office	April 11 th , 2017	December 10 th , 2013	9 of 16



SECTION:	NUMBER:
AC	1

- The Municipality shall review the individualized workplace emergency response information:
 - when the employee moves to a different location;
 - when the employee's overall accommodation needs or plans are reviewed; and
 - when the Municipality reviews its general emergency response policies.

Documented Individual Accommodation Plans

- The Municipality shall have a written process for the development of documented Individual Accommodation Plans for employees with disabilities.

Return to Work Process

- The Municipality shall have a documented return to work process for its employees who have been absent from work due to a disability and require disability-related accommodations in order to return to work.

Performance Management

- The Municipality shall take into account the accessibility needs of employees with disabilities, as well as individual accommodation plans, when using its performance management process.

Career Development and Advancement

- The Municipality shall take into account the accessibility needs of employees with disabilities, as well as individual accommodation plans, when providing career development and advancement to its employees with disabilities.

Redeployment

- The Municipality shall take into account the accessibility needs of employees with disabilities, as well as individual accommodation plans, when redeploying employees with disabilities.

ISSUED BY:	DATE ISSUED:	SUPERSEDES:	PAGE:
Clerk's Office	April 11 th , 2017	December 10 th , 2013	10 of 16

SECTION:	NUMBER:
AC	1

8.0 DESIGN OF PUBLIC SPACES STANDARD

Recreational Trails and Beach Access Routes

- The Municipality shall consult with the public and persons with disabilities on the following before constructing new or redeveloping existing recreational trails:
 - the slope of the trail;
 - the need for, and location of, ramps on the trail;
 - the need for, location and design of,
 - rest areas,
 - passing areas,
 - viewing areas,
 - Amenities on the trail, and
 - any other pertinent feature.
- The Municipality shall ensure that any Recreational Trails or Beach Access Routes that the Municipality constructs or redevelops, and that the Municipality intends to maintain, meet the technical requirements set out in the Integrated Accessibility Standards Regulation, as amended.

Outdoor Public Use Eating Areas

- The Municipality shall ensure that where the Municipality constructs or redevelops Outdoor Public Use Eating Areas that the Municipality intends to maintain, the Outdoor Public Use Eating Areas shall meet the requirements set out in the Integrated Accessibility Standards Regulation, as amended.

Outdoor Play Spaces

- The Municipality shall consult with the public and persons with disabilities on the needs of children and caregivers with various disabilities before constructing new or redeveloping existing Outdoor Play Spaces.
- Where the Municipality constructs new or redevelops existing Outdoor Play Spaces that the Municipality intends to maintain, the Municipality shall meet the design requirements set out in the Integrated Accessibility Standards Regulation, as amended.

ISSUED BY:	DATE ISSUED:	SUPERSEDES:	PAGE:
Clerk's Office	April 11 th , 2017	December 10 th , 2013	11 of 16



SECTION:	NUMBER:
AC	1

Exterior Paths of Travel

- The Municipality shall ensure that any Exterior Paths of Travel that the Municipality constructs or redevelops, and that the Municipality intends to maintain, meet the requirements set out in the Integrated Accessibility Standards Regulation, as amended.

Accessible Parking

- The Municipality shall consult with the public and persons with disabilities on the need, location and design of accessible On-Street Parking spaces when constructing or redeveloping existing On-Street Parking spaces.
- The Municipality shall ensure that when constructing new or redeveloping Off-Street Parking Facilities that the Municipality intends to maintain, the Off-Street Parking Facilities meet the requirements set out in the Integrated Accessibility Standards Regulation, as amended.

Obtaining Services

- For all newly constructed service counters and fixed queuing guides and all newly constructed or redeveloped waiting areas the Municipality shall meet the requirements set out in the Integrated Accessibility Standards Regulation, as amended.

9.0 TRANSPORTATION STANDARD

Not applicable. The Municipality does not provide transportation services.

ISSUED BY:	DATE ISSUED:	SUPERSEDES:	PAGE:
Clerk's Office	April 11 th , 2017	December 10 th , 2013	12 of 16



SECTION:	NUMBER:
AC	1

10.0 CUSTOMER SERVICE STANDARD

Policies, Practices and Procedures

- The Municipality shall use reasonable efforts to ensure that its policies, practices and procedures are consistent with the following principles:
 - Goods, services or facilities shall be provided in a manner that respects the dignity and independence of persons with disabilities;
 - The provision of goods, services or facilities to persons with disabilities shall be integrated with the provision of goods, services or facilities to others, unless an alternative measure is necessary, whether temporary or on a permanent basis, to enable a person with a disability to obtain, use or benefit from the goods, services or facilities;
 - Persons with disabilities shall be given an opportunity equal to that given to others to obtain, use and benefit from the goods, services or facilities;
 - The Municipality shall communicate with people with disabilities in ways that take into account their disability;
- A copy of any documents describing the policies established under the Integrated Accessibility Standards Regulation shall be provided to any person, upon request.
- The Municipality shall notify any persons to whom it provides goods, services or facilities that the documents required by the Integrated Accessibility Standards Regulation are available on request.

Notice of Temporary Disruptions

- The Municipality shall provide notice in the event of a planned or unexpected disruption in the goods, services or facilities normally used by people with disabilities.

ISSUED BY:	DATE ISSUED:	SUPERSEDES:	PAGE:
Clerk's Office	April 11 th , 2017	December 10 th , 2013	13 of 16

Use of Assistive Devices, Support Persons and Service Animals

- The use of Assistive Devices or other measurers, if any, by persons with disabilities to obtain, use or benefit from the goods, services or facilities shall be permitted.
- Support Persons and/or Support Animals may accompany a person with disabilities in the access of goods, services or facilities.
- If a Service Animal is excluded by law from the premises, the Municipality shall ensure that other measures are available to enable a person with a disability to obtain, use or benefit from the Municipality's goods, services or facilities.
- If a person with a disability is accompanied by a Support Person, the Municipality shall ensure that both persons are permitted to enter the premises together and that the person with a disability is not prevented from having access to the Support Person while on the premises.
- The Municipality may require a person with a disability to be accompanied by a Support Person when on the premises, but only if, after consulting with the person with a disability and considering the available evidence, the Municipality determines that:
 - a Support Person is necessary to protect the health or safety of the person with a disability or the health or safety of others on the premises; and
 - there is no other reasonable way to protect the health or safety of the person with a disability and the health or safety of others on the premises
- Where there is an amount payable for a person's admission to the premises owned or operated by the Municipality or in connection with a person's presence on the premises, advanced notice about the amount payable, if any, in respect of the Support Person shall be provided.
- If the Municipality requires a person with a disability to be accompanied by a Support Person when on the premises, the Municipality shall waive payment of the amount, if any, payable in respect of the Support Person's admission to the premises or in connection with the Support Person's presence on the premises.

ISSUED BY:	DATE ISSUED:	SUPERSEDES:	PAGE:
Clerk's Office	April 11 th , 2017	December 10 th , 2013	14 of 16



SECTION:	NUMBER:
AC	1

Customer Service Training

- The Municipality shall ensure that training is provided about the provision of the Municipality's goods, services or facilities, as the case may be, to persons with disabilities to:
 - all employees and volunteers;
 - all persons who participate in developing the Municipality's policies; and
 - all other persons who provide goods, services or facilities on behalf of the Municipality.
- Training shall include the following:
 - how to provide goods, services and facilities in a manner that respects the dignity and independence of persons with disabilities;
 - how to interact and communicate with persons in a manner that takes into account their disabilities;
 - how to interact with persons with disabilities who use an Assistive Device or require the assistance of a Service Animal or the assistance of a Support Person to access goods, services and facilities;
 - how to use equipment or Assistive Devices available on Municipal premises or otherwise provided by the Municipality that may help with the provision of goods, services or facilities to persons with disabilities;
 - what to do if a person with a particular type of disability is having difficulty accessing the Municipality's goods, services or facilities;
 - the process for people to provide feedback to the Municipality about its provision of goods, services and facilities to persons with disabilities, and how the Municipality responds to the feedback and takes action on any complaint.

ISSUED BY:	DATE ISSUED:	SUPERSEDES:	PAGE:
Clerk's Office	April 11 th , 2017	December 10 th , 2013	15 of 16



SECTION:	NUMBER:
AC	1

Customer Service Feedback Process

- Feedback from our customers gives Municipal employees and Council opportunities to learn and improve. The Municipality shall establish a procedure for receiving and responding to feedback about the manner in which it provides goods, services and facilities to persons with disabilities and shall make information about the procedure readily available to the public.

11.0 POLICY REVIEW

This Policy shall be reviewed at least once per term of Council.

12.0 AMENDMENTS TO THIS OR OTHER POLICIES

12.1 The Municipality is committed to developing policies that respect and promote the dignity and independence of people with disabilities. All changes to this policy will consider the impact on people with disabilities.

12.2 Any Municipal policy that does not respect and promote the dignity and independence of people with disabilities shall be modified or rescinded.

13.0 REFERENCES

Forms

Notice of Temporary Service Disruption
Customer Service Feedback Form

Policies and Procedures/Documents

Procurement Policy
Individual Accommodation Plan Policy
Return to Work Policy
Customer Service Guidebook

Other Resources

Accessibility for Ontarians with Disabilities Act, 2005
Integrated Accessibility Standards – Ontario Regulation 191/11
Ontario Human Rights Code
Building Code - Ontario Regulation 350/06

ISSUED BY:	DATE ISSUED:	SUPERSEDES:	PAGE:
Clerk's Office	April 11 th , 2017	December 10 th , 2013	16 of 16

COMMITTEE OF THE WHOLE
January 17th, 2023

Report #C-2023-02
Janie Laidlaw, Deputy Clerk

PROPOSED ROAD EXTENSION – COHEN WAY

STAFF RECOMMENDATION(S)

“THAT, By-Law No. 2020-018, being a By-Law to assume Cohen Way for public use be amended to assume the extension of Cohen Way;

AND THAT, By-Law No. 2020-017, being a By-Law to amend Road Naming By-Law No, 98-87 to name and describe Cohen Way be amended to describe the extended road;

AND THAT, the necessary By-Laws be brought forward to the January Council meeting.”

BACKGROUND

In 2018, in order to provide the required access to a property so that an entrance permit and building permit could be issued, Council agreed that the unopened road allowance between Concession 8 & 9, Part Lot 14, geographic Township of South Sherbrooke would need to be brought up to a Private Road Standard, then the unopened road allowance would need to be assumed by by-law by the Township and incorporated as part of the road system.

By-Law No. 2020-017 amended the Road Naming By-Law to name and describe Cohen Way as from County Road 36 – Maberly-Elphin Road for approximately 500 feet.

By-Law No. 2020-018 assumed Cohen Way as part of the road system for public use and maintenance purposes.

DISCUSSION

In 2022 a severance application was received to create a new lot with frontage on Cohen Way, this required the applicant to extend Cohen Way by bringing the extended portion up to a Private Road Standard in order that the Township could assume the extension for public use and maintenance purposes.

The survey and road work has been completed.

The next steps are to amend the road naming by-law and the road assumption by-law to include the extension of the road so that the applicant can meet the condition of the severance application.

OPTIONS CONSIDERED

Option #1 – Amend the Road Naming By-Law and Amend the By-Law to assume Cohen Way to include the extension

The applicant has brought the road up to the Private Road Standard as a condition of the severance application for the creation of a new lot.

Option #3 – Do Nothing

This would prevent the applicant from clearing the conditions of the severance, Council has already approved the condition of severance that the applicant pay for the fees and materials to extend Cohen Way so that the Township can assume the extension of the road.

FINANCIAL CONSIDERATIONS

As outlined in Report #PD-2022-18 - Consent Application Number B21/191 the applicant paid all fees and material for the extension of the road, including the survey.

CONCLUSIONS

As per the recommendation.

ATTACHMENTS

- i) Report #PD-2022-18 – Severance Application – ter Haar
- ii) Cohen Road GIS Map
- iii) Draft Road Naming By-Law Amendment
- iv) Draft Road Assumption By-Law Amendment

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Janie Laidlaw,
Deputy Clerk**

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

COMMITTEE OF THE WHOLE

April 12, 2022

Report #PD-2022-18
Noelle Reeve, Planner

CONSENT APPLICATION NUMBER: B21/191
OWNER: JESSICA ter HAAR

STAFF RECOMMENDATION

“THAT, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for ter Haar B21/191 (Pt Lots 14,15 Con 8 geographic Township of South Sherbrooke) municipally known as 823 Cohen Way (roll number 091191101026100) for a new lot, be approved subject to the following conditions:

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

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

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for each severance, both hard copy and electronically: for the three lots that will be Parcels of Tied Land (POTL), the condominium road and the easements;

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

That, the applicant shall obtain an Entrance Permit and a Civic Address Number for the severed lots from the Township; and

That the applicant pay for the fees materials to extend Cohen Way so that the Township can assume the extension of the road to meet the frontage requirement for the retained lot, if required, to be determined by the Township Public Works Manager.

BACKGROUND

The proposal in application B21/191 is to create a lot located in the south part of the lot known as Part Lots 14,15 Concession 8 geographical Township of South Sherbrooke.

The severed lot is proposed to be 1 ha (2.47 acres) with 45m frontage on Cohen Way, a Township road and 159m frontage on the Fall River. The lot is proposed to be located in the

Hamlet of Maberly so only 45m frontage is required. The land is currently vacant and will be used as a residential lot.

The approximately 27.2 ha (67.6 acre) retained lot has a dwelling located on it and has more than 800m of waterfront on the Fall River. The lot currently has approximately 74m frontage on Cohen Way. The owner will be required to ensure there is sufficient frontage on Cohen way for the retained lot following the severance, to be confirmed by the Township Public Works Manager.

DISCUSSION

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

- *Payment of all taxes owing*
- *Payment of all costs incurred by the Township for review*
- *That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township the severance, both hard copy and electronically*
- *That, payment shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands;*
- *That, the applicant shall obtain an Entrance Permit and Civic Address Number for the severed lots from the Township*
- *That the applicant pay for the fees and materials to extend Cohen Way so that the Township can assume the extension of the road to meet the frontage requirement for the retained lot, if required, to be determined by the Township Public Works Manager.*

Provincial Policy Statement

No concerns. Sections 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns supports the development proposed by this application as the lot is proposed in a settlement area – the Hamlet of Maberly.

Section 2.1.1 Natural Heritage states that, “Natural features and areas shall be protected for the long term”. Section 2.1 Natural Heritage is satisfied as the development is not anticipated to affect the Fall River as a building site has been identified over 30m from the river and no development is proposed on the retained lot within the Provincially Significant Wetland buffer as it already has a dwelling on it.

Section 2.2.2 Water states, “Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their hydrologic function will be protected, improved or restored”.

The aquifers throughout Tay Valley Township are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured. Where these conditions exist, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices (e.g., changing oil improperly, etc.)

that may inadvertently lead to undesirable effects on groundwater.

Section 3.1 Protecting Public Health and Safety – There are some steep slopes on the proposed severed lot toward the river. However, there is a buildable envelope for the three proposed lot.

County Sustainable Community Plan

Section 3.3.3.1 Rural Area Land Use Policies Objectives are to: ensure development is consistent with rural service levels; to maintain the distinct character of rural, waterfront and settlement areas; and to ensure that development is compatible with natural heritage features. The proposed severed lot meets this section by being located in a Hamlet.

Section 5.5.8 Surface and Ground Water Protection and Enhancement states that, “the ground water resource is crucial in the County of Lanark as it is the source of drinking water for the vast majority of our communities and our rural population. The County of Lanark and its constituent municipalities have an obligation to consider the impact of development and land use on surface water and ground water in order to ensure the long-term viability of this resource”.

Section 7.4 Public Health and Safety – Hazardous Geological formations states, “Development and site alteration in areas designated as having unstable slopes, unstable bedrock, organic soils, Leda clay or Karst topography is generally prohibited unless sufficient engineering information indicates the site can be made suitable”. There is a large area of the proposed severed lot outside of the area of steep slope

Official Plan

The proposed severed lot is designated Hamlet under Section 3.7 of the Township Official Plan. The use is proposed to be residential which is permitted in this designation. The retained lot is designate Hamlet, Rural and Provincially Significant Wetlands and regulated area.

Because the proposed lot is being created within a Hamlet it does not count as a severance.

Section 2.24.2 Waterfront Development states a 30m setback is required for waterfront development. The developable area on the proposed lot will be more than 30m from the Fall River.

The provisions of Sections 5.2.2.7 and 5.2.2.9 Land Division (no land division shall create a lot subject to Natural Hazards or negative impacts on Natural Hazards) are met as there is a buildable envelope beyond the steep slopes.

No new development is proposed on the retained lot at this time.

Zoning By-Law

The proposed severed parcel and retained lot are zoned Rural (RU) which permits rural and rural residential development. There is also a very small part of the retained lot zoned Environmental Protection (EP).

The minimum required lot area of 1.0 ha will be met for the proposed severed lot and exceeded for the proposed retained lot. The proposed severed lot exceeds the road frontage requirement of 45m. However, the proposed retained lot may require additional road frontage to be constructed as well as the frontage being brought into the Township's road naming by-law.

Mississippi Valley Conservation Authority (MVCA)

Comments not available at the time of the report.

Mississippi Rideau Septic System Office (MRRSO)

MRSSO has no objections. The septic systems must be located greater than 30m from a waterbody and be setback from the steep slopes as per the requirements of the Building Code. MRSSO stated there is sufficient area to meet the requirements.

Public Comments

None at the time of the report.

CONCLUSION

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

ATTACHMENTS

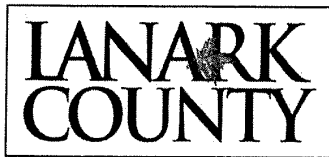
- i) Lanark County Land Division Application Notice and map – B21/191
- ii) GIS Map

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

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



NOTICE OF APPLICATION FOR CONSENT

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

To: PRESCRIBED PERSONS/PUBLIC BODIES/INTERESTED PARTIES

File No.: B21/191
Subject Land: Pt Lot 14 Con 8 geographic Township of South Sherbrooke
Municipality: Tay Valley Township
Owner: Jessica ter Haar
Applicant/Agent: Jessica ter Haar

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

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

To create a 1.0-ha residential building lot and retain a 27.2-ha residential landholding at 823 Cohen Way.

OTHER RELATED APPLICATIONS: None.

NEED TO MAKE SUBMISSIONS: The Land Division Committee will determine whether a provisional consent is to be given. In order to assist the Committee in its review of the proposal, you are requested to provide recommendations **on or before March 31, 2022**. If you are not able to respond by the date specified, please let us know when we may expect to receive your recommendations. If we do not hear from you, the Committee may assume you have no comments or concerns regarding this matter and may proceed to make a decision. If a person or public body that files an appeal of a decision of the Land Division Committee in respect of the proposed consent does not make written submissions to the Land Division Committee before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

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

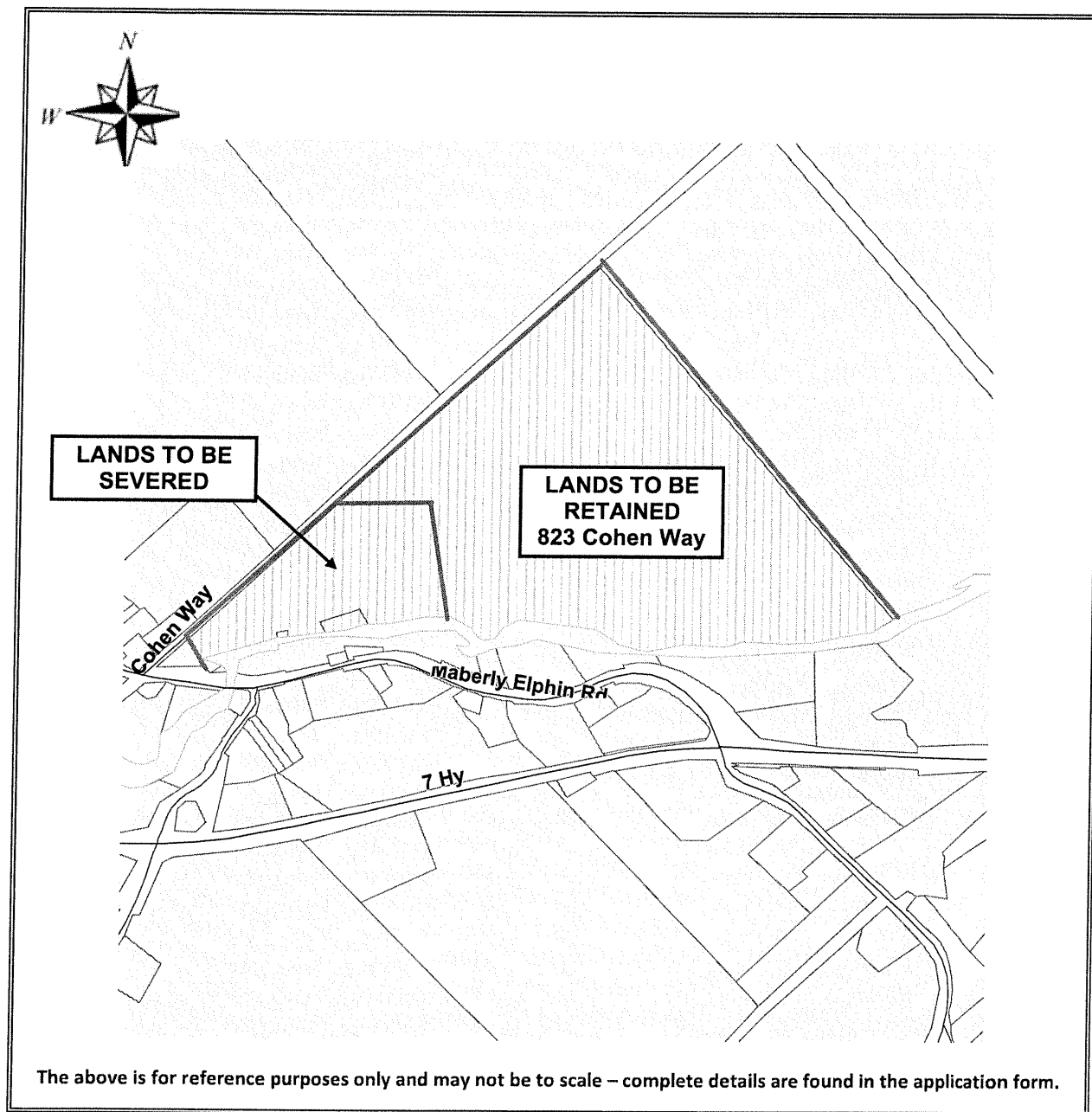
REQUESTING NOTICE OF DECISION: If you wish to be notified of the decision of the Land Division Committee in respect of the proposed consent, you must make a written request to the undersigned.

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

Dated at Bathurst Township **this 10th day of March 2022.**

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

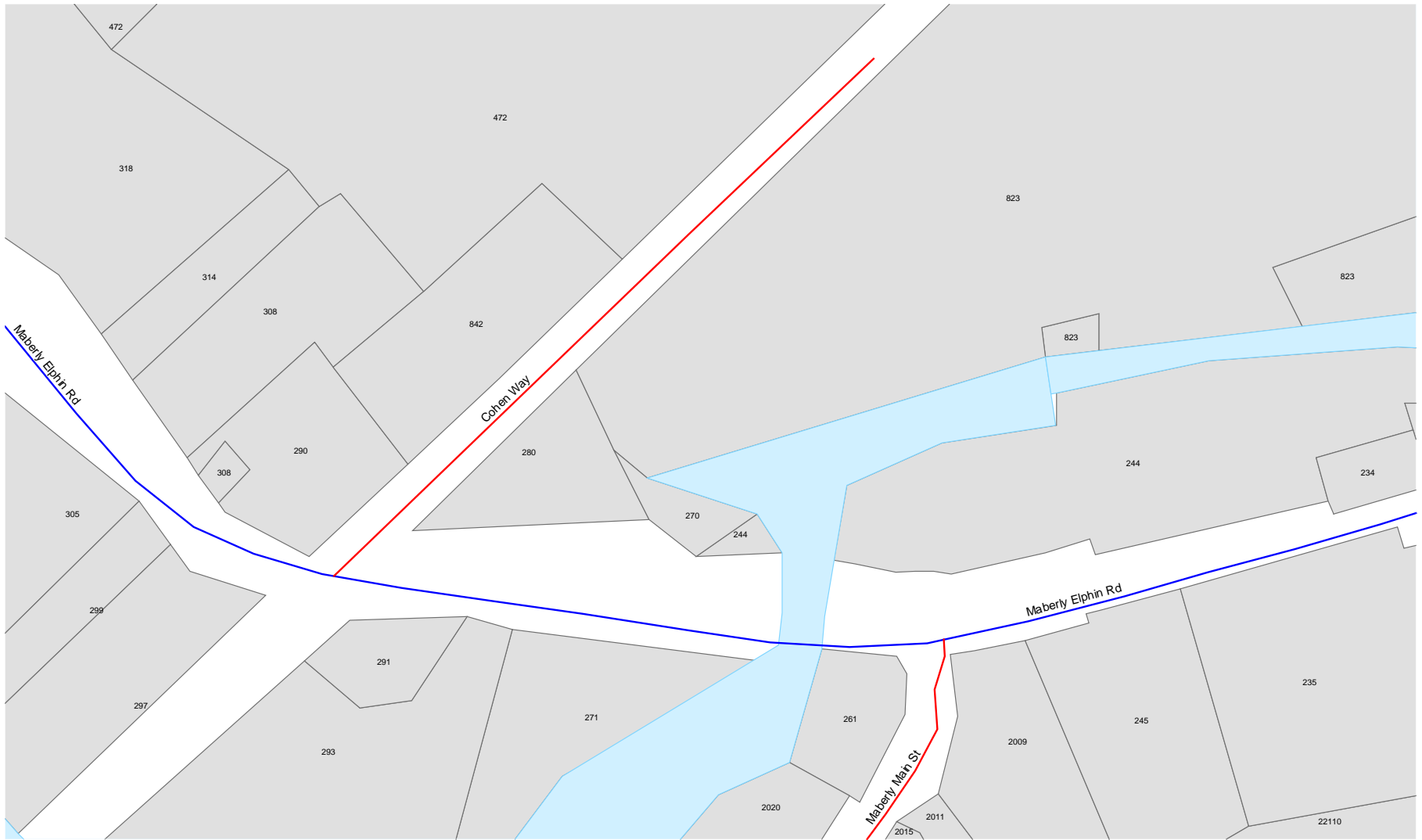
Telephone: 1-613-267-4200 Ext. 1520
Fax: 1-613-267-2964
E-mail: plan@lanarkcounty.ca



Landowner: Jessica ter Haar
 File No.: B21/191
 Subject Land: Pt Lot 14/15 Con 8 geographic Township of South
 Sherbrooke, now in Tay Valley Township

APPLICATION FOR CONSENT

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



THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2023-001

BEING A BY-LAW TO AMEND ROAD NAMING BY-LAW AMENDMENT NO. 2020-017 (COHEN WAY)

WHEREAS, Section 31 (2) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that after January 1, 2003, land may only become a highway by virtue of a by-law establishing the highway and not by the activities of the municipality or any other person in relation to the land, including the spending of public money;

AND WHEREAS, By-Law No. 2020-017 being a By-Law to amend Road Naming By-Law No.98-87 to name and describe Cohen Way was adopted on May 19th, 2020;

AND WHEREAS, a portion of the unopened road allowance at the end of Cohen Way has been brought up to Private Road Standards, extending Cohen Way;

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

1. GENERAL REGULATIONS

1.1 **THAT**, Schedule “A” in By-Law No. 2020-017 be replaced with Schedule “A” attached.

1.2 **THAT**, Section 1.3 of By-Law No. 2020-017 be amended as follows:

THAT, the Location and Description of Cohen Way in Schedule “A” Sherbrooke Ward, Municipal Roads to Road Naming By-Law No. 98-87 be amended to read as follows:

From County Road 36 – Maberly-Elphin Road for approximately 677 feet.

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

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2023-001**

2. ULTRA VIRES

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

3. BY-LAWS TO BE AMENDED

3.1 By-Law No. 2020-017 is hereby amended.

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

4. EFFECTIVE DATE

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

4.2 ENACTED AND PASSED this 31st day of January 2023.

Rob Rainer, Reeve

Amanda Mabo, Clerk

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2023-002

BEING A BY-LAW TO AMEND BY-LAW NO. 2020-018 TO ASSUME PORTION OF UNOPENED ROAD ALLOWANCE FOR PUBLIC USE (COHEN WAY EXTENSION)

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

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

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

AND WHEREAS, By-Law No. 2020-018 being a By-Law to assume Cohen Way for maintenance purposes was adopted on May 19th, 2020;

AND WHEREAS, a portion of the unopened road allowance at the end of Cohen Way has been brought up to Private Road Standard to provide access to a property for the creation of a new lot, extending Cohen Way;

AND WHEREAS, the municipality deems it expedient to assume the extension of Cohen Way for maintenance purposes;

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

1. GENERAL REGULATIONS

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

1.2 **THAT**, Section 1.2 of By-Law No. 2020-018 be amended to read as follows:

THAT, Cohen Way is more particularly described as Part 1 on Plan 27R11349 and Part 4 on Plan 27R11921 being part of PIN 05206-0150 (LT), Part 4 on Plan 27R11921 attached hereto as Schedule "C" and shall be for information purposes only and does not form part of this By-Law.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2023-002**

2. ULTRA VIRES

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

3. BY-LAWS AMENDED

3.1 By-Law No. 2020-018 is hereby amended.

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

3. EFFECTIVE DATE

ENACTED AND PASSED this 31st day of January, 2023.

Rob Rainer, Reeve

Amanda Mabo, Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2023-002**

SCHEDULE “A”

DESCRIPTION OF PORTION OF UNOPENED ROAD ALLOWANCE TO BE ASSUMED:

COHEN WAY

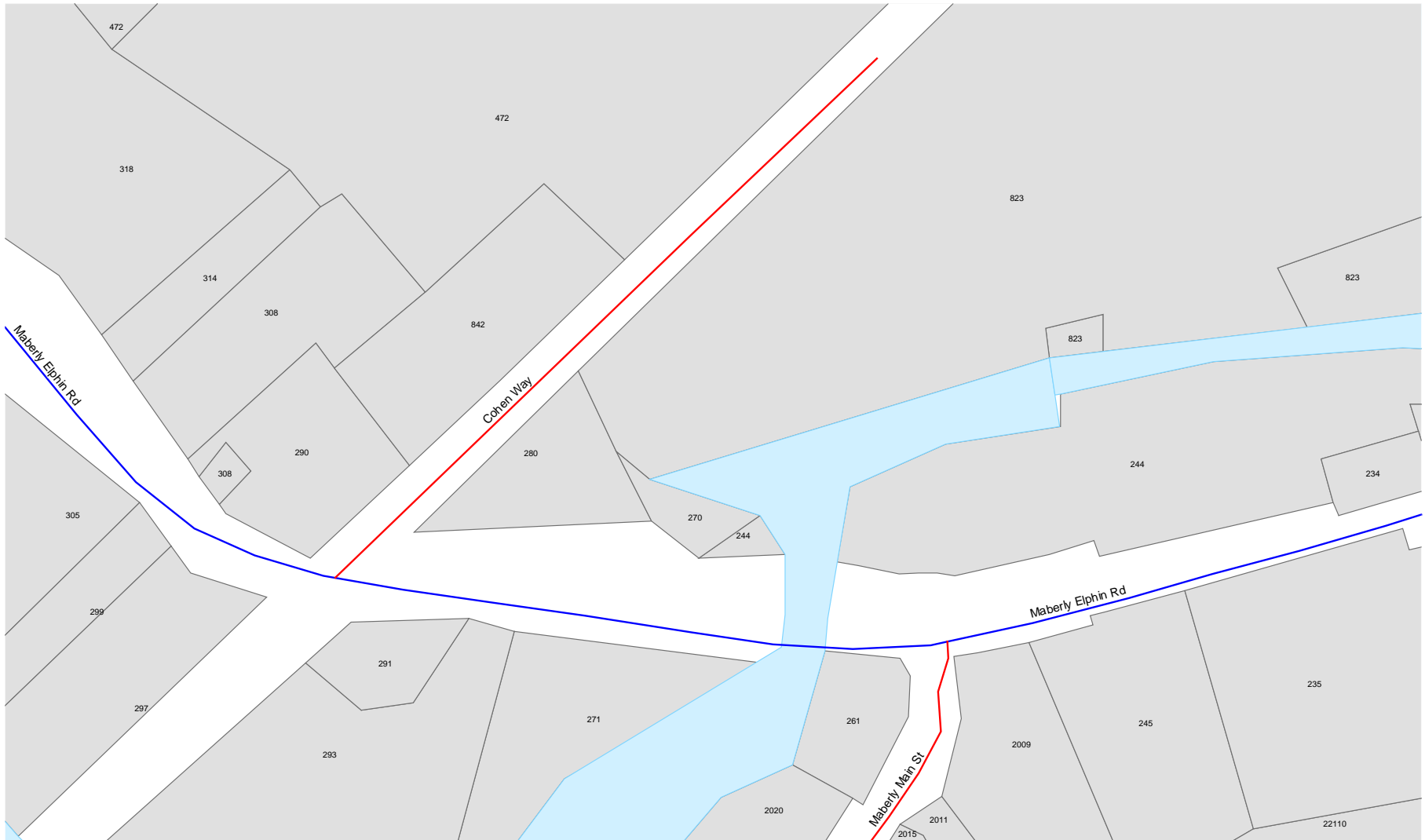
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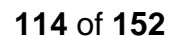
PT 4, PLAN 27R11921

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2023-002**

SCHEDULE “B”



SCHEDULE "C"



Tay Valley Township – 25th Anniversary Ideas

- Council Meet and Greet – scheduled for January 15th
- Significant municipal and community milestones over the past 25 years, of the people who have played notable roles in shaping the Township, of the businesses and non-profits that have served over all or most of this period etc.
- think about the 'next 25 years'
- Economic Development Theme - Recognizing Businesses
 - recognizing businesses that have been around for 25 years (and new interesting ones)
 - an economic development 25th anniversary theme possibility with the business community
 - would need to decide where to hold the event and is it a continental breakfast or what type of event?
 - what is the oldest business in TVT? Probably a farm but maybe the McVeigh sawmill if we don't count farms as businesses but their own category
- Environmental Anniversary Theme
 - example, how long has Friends of the Tay been protecting the Tay River?
 - when did the first Lake Management Plan happen?
- Social Theme
 - maybe farms or artisans
- a proper “opening ceremony” for the Chief Shawinipinessi plaque.
 - do that on the federal holiday in September
 - Larry McDermott had said he was interested in doing a sunrise ceremony
- Have an activity in each quarter in 2023 that could be announced later and spread them out among the wards.
- recognize previous Councillors associated with Amalgamation
 - there was a specific committee that worked on it

CORRESPONDENCE



1. **AMO:** Policy Update – Province Responds to AMO Calls for Municipal Funding – *attached, page 3.*
2. **AMO:** Policy Update – Standing Committee Appearance on Bill 39 and Other Policy Updates – *attached, page 4.*
3. **AMO:** Policy Update – Bill 39 Passes Third Reading, Greenbelt Consultation, Safe Restart Funding for Transit, Next Generation 9-1-1, New Regulations Proposed Under the Community Safety and Policing Act, and Ontario Health Teams – *attached, page 6.*
4. **AMO:** Correspondence – End of Year Housing Update – *attached, page 9.*
5. **Rideau Valley Conservation Authority:** 2023 Annual Work Plan – *attached, page 11.*
6. **Town of Orangeville:** Resolution – Bill 23, More Homes Built Faster Act – *attached, page 27.*
7. **Municipality of Magnetawan:** Resolution – Bill 23, More Homes Built Faster Act 2022 – *attached, page 29.*
8. **Town of Newmarket:** Resolution – Bill 23, More Homes Built Faster Act, 2022 – *attached, page 30.*
9. **Northumberland County:** Resolution – Bill 23, More Homes Built Faster Act, 2022 – *attached, page 32.*
10. **City of Cambridge:** Resolution – Opposition to Bill 23, More Homes Built Faster Act – *attached, page 34.*
11. **Ministry of Municipal Affairs and Housing:** Correspondence – Bill 109, the More Homes for Everyone Act, Bill 23, More Homes Built Faster, 2022 Bill 3, the Strong Mayors, Building Homes Act, 2022 and Bill 39, the Better Municipal Governance Act, 2022 – *attached, page 36.*
12. **Lanark County:** Media Release – Highlights from the Lanark County Council Meeting on December 7, 2022 – *attached, page 42.*
13. **Lanark County:** Media Release – Highlights from the Special Lanark County Council Meeting on December 7, 2022 – *attached, page 45.*
14. **Lanark County:** Media Release – Highlights from the Lanark County Council Meeting on December 14, 2022 – *attached, page 48.*

15. **Lanark County:** Resolution – Declaring Intimate Partner Violence/Violence Against Women as an Epidemic – *attached, page 51.*
16. **Ontario Federation of Snowmobile Clubs (OFSC) & Ontario Federation of All Terrain Vehicles (OFATV):** Memorandum of Understanding Announcement – New Era of Cooperation Focused on Protecting Landowners, Combatting Trespassing and Ensuring Trail Sustainability – *attached, page 52.*
17. **City of Stratford:** Resolution – Funding and Support for VIA Rail Services – *attached, page 54.*
18. **Newsire.ca:** News Article – Minister of Transport Announces the Establishment of the VIA Rail Subsidiary to Support High Frequency Rail and Appoints Three Founding Members to its Board of Directors – *attached, page 57.*
19. **Town of Plympton-Wyoming:** Resolution – CN Railway Contribution Requirements Under the Drainage Act and Impacts on Municipal Drain Infrastructure in Ontario – *attached, page 60.*
20. **Independent Electricity System Operator (IESO) Engagement:** Correspondence – Gatineau End-of-Life Bulk Electricity Study Posted – *attached, page 64.*
21. **Municipality of Greenstone:** Resolution – Expansion of Bill 3, An Act to Amend Various Statutes with Respect to Special Powers and Duties of Heads of Council – *attached, page 65.*
22. **Lanark Highlands:** Resolution – OMAFRA Ontario Wildlife Damage Compensation Administrative Fee – *attached, page 67.*
23. **Township of Malahide:** Resolution – Federal Cannabis Act Review – *attached, page 69.*



1. **City of Kingston:** Resolution – Bill 23, More Homes Built Faster Act, 2022 – *attached, page 2.*
2. **Municipality of Centre Hastings:** Resolution – Bill 23, More Homes Built Faster Act, 2022 – *attached, page 5.*
3. **Township of Brock:** Resolution – Bill 23 Proposed Changes – *attached, page 12.*
4. **Ministry of Municipal Affairs and Housing:** Correspondence – Head of Council Letter – *attached, page 15.*
5. **City of Kingston:** Resolution – Resource Recovery and Circular Economy Act, 2016 – *attached, page 17.*
6. **Town of Coburg:** Resolution – Strong Mayors Act, (Bill 3) – *attached, page 19.*
7. **Municipality of Tweed:** Resolution – Natural Gas Prices – *attached, page 20.*
8. **Town of Petrolia:** Resolution – Removal of Municipal Councillors under Prescribed Circumstances – *attached, page 21.*
9. **AMO:** Policy Update: New Affordable Child Care Spaces, Information from Province on More Homes Built Faster Plan, Energy Reports Released, Annual Emergency Exercise Requirement, Golf Car Consultations Underway – *attached, page 22.*
10. **Tay Valley:** Report – Building Permits (Approval Granted December 2022) - *attached, page 25.*



RECEIVED

DEC 22 2022

P.O. Box 2065
57 Foster Street
PERTH ON K7H 3M9
friends@taywatershed.ca

TAY VALLEY TOWNSHIP

December 19, 2022

Canadian Pacific
7550 Ogden Dale Road S.E.
Calgary, AB T2C 4X9
Canada

Dear Sir or Madam

Rail Ties Disposal – Glen Tay, Ontario

Friends of the Tay Watershed Association Mission Statement is:

"The Friends of the Tay Watershed deliver activities and cooperate with other organizations with complimentary interests, to ensure the health of the water and related natural resources of the Tay Watershed for present and future generations."

Our Association has been in contact with CPR as early as 2007 and have been in contact with CPR again in 2018 and September 2002 with respect to rail ties storage at Glen Tay, Ontario (see photo). We have not received a response to our letter of September 20, 2022. In the interim, we are aware that the Source Protection Committee of the Rideau Valley Conservation Authority has written to you regarding the portential impacts on the Town of Perth Water Supply. We are also aware of the municipal concerns of both the Township of Tay Valley and th Town of Perth on this matter.

While we have expressed concern about the deleterious impact on water quality, we hasten to also point out the fire hazard associated with the storage of a large number of rail ties and the potential negative pollutant emissions that could arise.

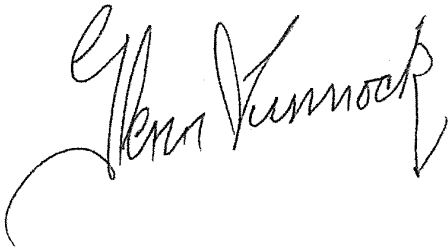
The purpose of our correspondance once again is to not only repeat our concern about pollutant emissions but to ask more specifically, what the intention is of CPR with respect to the disposal of used rail ties to avert adverse impacts on the water resources of not just Glen Tay but downstream communities in the Tay Watershed and to prevent a fire hazard? Also what are the policies and practices of CPR with respect to rail tie disposal in Canada and what are the measures currently undertaken elsewhere to address this issue?

We would like to be able to inform our membership, the community at large, and our municipal and conservation partners that CPR is environmentally responsible and intends to act on this concern. We believe we have a legitimate concern for the impact not just currently, but as indicated in our Mission Statement, the impact on future generations.

We look forward to an expeditious reply.

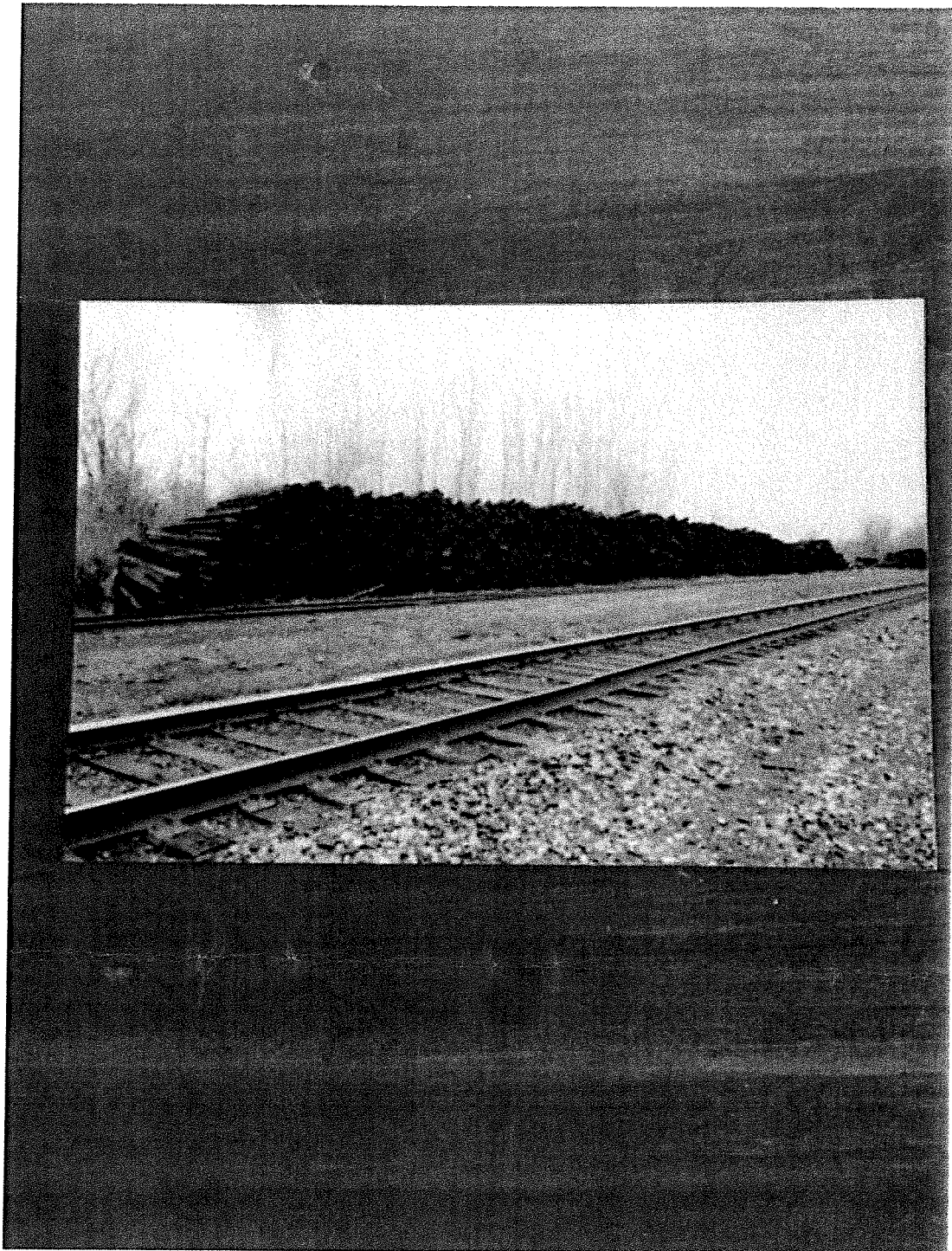
Thank you.

Yours sincerely

A handwritten signature in black ink, reading "Glenn Tunnock". The signature is written in a cursive style with a large, sweeping initial "G" and a long, horizontal stroke extending to the right.

Glenn Tunnock
President
Friends of the Tay Watershed Association

cc. Town of Perth
Tay Valley Township
RideauValley Conservation Authority (Source Protection Committee)



UPDATES

Municipal Clerks/Chief Administrative Officers,

Re: FOR DISTRIBUTION TO COUNCIL

As a member of the Authority, please find below highlights from the December 7, 2022 Board of Directors meeting for distribution. Complete minutes for the meeting will be circulated at a later date following their approval by the Board. Attached are approved minutes of the October 19, 2022 Board meeting.

Watershed Conditions

Operating objectives into mid-January will be to achieve normal winter holding levels on all major lakes. All dams will be operated through the winter to try to maintain levels within the normal operating range.

Stewardship Update

Six ongoing stewardship initiatives are: Shoreline Naturalization, Ottawa Rural Clean Water Program (ORCWP), ALUS Lanark, RVCA Tree Planting Partnership, Education and Outreach and Habitat Enhancements.

In addition to expansion of the ALUS Lanark program in 2023, MVCA will be reinstating programs cancelled during COVID such as the City Stream Watch (CSW) program, educational workshops focused in flood-prone zones, large-scale plantings, Invasive Species Removal projects, and a Butternut Tree Giveaway. Most out of pocket expenses for these programs are paid for through grants.

Water Resources Projects

MVCA recently completed a flood risk analysis to support decision-making regarding flood plain mapping work. Figure 1 illustrates priority areas where MVCA should focus future flood plain mapping and map update work. Work in some of these areas was recently completed is are underway (e.g. Lower Mississippi and Carp River flood plain mapping.) This work was carried out in partnership with RVCA and SNC at a cost of \$337,783, but with a 50% grant from the federal government, reducing MVCA's cost to \$58k plus tax.

The Board was also informed of approval of two grants:

- \$75,000 to model and prepare flood plain mapping of the Lower Clyde River (MVCA will be paying an equivalent amount); and

- \$111,175.00 to update land cover mapping to inform ongoing and future natural hazard, conservation, and other studies and projects. MVCA has set aside \$33,270 for its share of this project that encompasses the jurisdictions of MVCA, RVCA and SNC.

2022 Budget Control Report & Year-end Reserve Allocations

The Board received an update on the status of 2022 Budget to the end of October. Staff projected a year-end surplus and recommended that any surplus be transferred to capital reserves instead of the operating reserve, as that is where there is greater need. Recommended allocations were approved by the Board.

2023 Draft Budget

MVCA's 2023 Draft Budget was tabled to implement direction received from the Board in October:

- 3% increase to the operating budget for inflation;
- 4.5% increase to the capital budget to implement the 10-year Capital Plan;
- 1.5% increase to both to provide for assessment growth;

and, prior Board decisions to hire and retain staff to meet workload demands, and to phase those costs onto the levy over a period of years while maintaining the Operating Reserve balance in a target range.

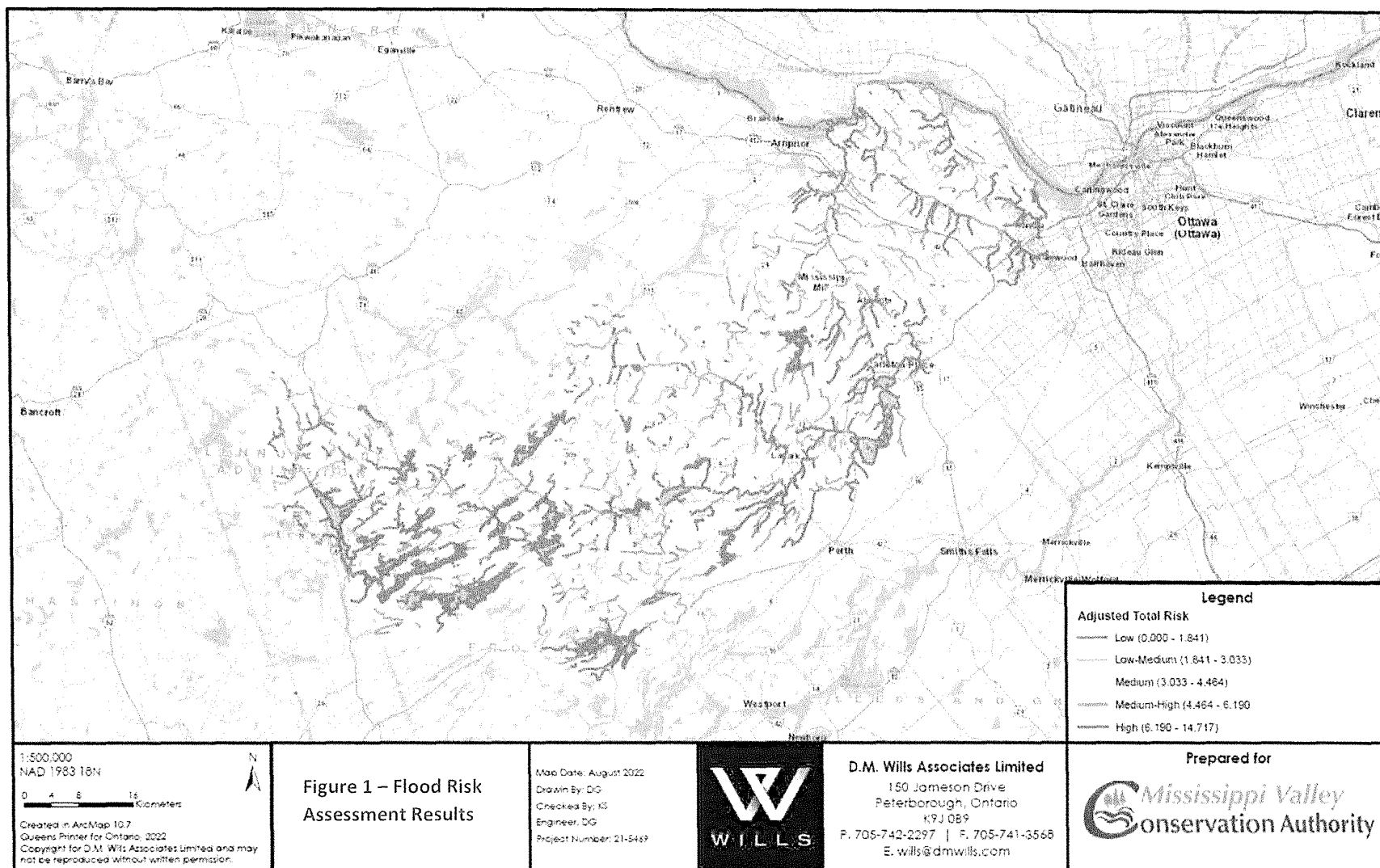
Staff explained that the base budget pressure as approved in October equals a combined increase of 4.5%; and, that moving a third (1/3) of recent payroll pressures from the Operating Reserve onto the levy would add a further \$97,582 to the levy, which is ~90% paid by the City of Ottawa.

While the City of Ottawa has a target tax rate increase of 2-2.5%, its target increase for water, sewer, stormwater rates is 4.2%, i.e. MVCA's base budget is very close. When asked about the additional amount required to phase recent staffing costs from the Operating Reserve onto the levy, City staff indicated an ability to accommodate the associated pressure of ~\$90,000. The balance would be allocated to the remaining ten municipalities in accordance with their assessment value/percentage.

Board members discussed potentially financing the water and sewer connection to the adjacent subdivision and decided to make this change prior to approval if deemed desirable.

ATTACHMENTS:

- Figure 1 – Flood Risk Analysis
- Approved Minutes for October 19, 2022





MINUTES

Via Zoom and In Person

Board of Directors

October 19, 2022

MEMBERS PRESENT

J. Atkinson, Chair
J. Mason, Vice-Chair
R. Darling
B. Holmes
J. Karau
P. Sweetnam
C. Rigelhof
C. Lowry
A. Tennant
K. Thompson
F. Campbell
J. Inglis
C. Kelsey
B. King
E. El-Chantiry
G. Gower

MEMBERS ABSENT

P. Kehoe
S. Lewis

STAFF PRESENT

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

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

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

B10/19/22-1

MOVED BY: F. Campbell

SECONDED BY: C. Rigelhof

Resolved, That the agenda for the October 19, 2022 Board of Directors Meeting be adopted as presented.

“CARRIED”

MAIN BUSINESS

1. Approval of Minutes: Board of Directors, September 21, 2022

B10/19/22-2

MOVED BY: S. Lewis

SECONDED BY: C. Rigelhof

Resolved, That the Minutes of the Mississippi Valley Board of Directors Meeting held on September 21, 2022 be received and approved as printed.

“CARRIED”

2. Watershed Conditions., Report 3253/22

J. North presented the Watershed Conditions Report stating that current flows in the main river continue to stay around 10 cms. This is mainly due to the drawdown of Crotch lake. They are expected to stay within this range for the fall as upper lakes are drawn down, which is underway (Shabomeka, Pine lakes, Carleton Place dam). Kashwakamak, Mississagagon, Big Gull, Summit and Widow Lakes will begin after Thanksgiving. Water levels are expected to drop as they typically would over the next two months.

Drawdown of Mazinaw Lake will start in early November as normal, to allow for boat traffic during hunting season. Until then, levels are expected to stabilize at historically normal elevations.

Mississagagon and Big Gull Lakes are expected to be at their winter level by early November. Kashwakamak Lake levels will stabilize in early November. Levels on Kashwakamak and Mazinaw Lakes normally reach their winter holding levels between early January and early February.

Crotch Lake is currently slightly above the historical average for this time of year. Inflows are expected to increase due to drawdown of the upper lakes; and water levels on Crotch Lake will start to increase as we start to operate the dam to refill the lake. Crotch Lake will continue to build through early January and then it will be drawn down over the winter to provide

maximum storage in the system by early to mid-March. All dams will be operated through the fall and winter to try to maintain levels within the normal operating ranges for the structures.

3. Hydrologic Datalogger, Report 3254/22

D. Post summarized progress on the hydrologic datalogger project which was developed in-house to provide monitoring and data transmission at twenty stations that measure lake levels and water temperature. A few stations have additional sensors that measure rainfall, air temperature, and soil moisture. Next steps include twelve months of field testing and if it proves to be a viable, discussions on the potential replacement of our outdated conventional dataloggers will occur. Staff are to deliver a presentation in November to members of the Eastern Ontario WISKI hub.

There was a good discussion on the potential of the datalogger and connecting with partners who may be of interest (Hydrologic Service of Canada, City of Ottawa, other CAs) and bringing awareness on the monitoring we are doing. C. Lowry inquired if there were any other organizations doing this type of protocol work and asked for further background. D. Post and J. North responded that the conventional dataloggers are very expensive and more suited for monitoring larger scale advanced protocols (i.e. used for hundreds of sensors). MVCA's requirement is for a smaller scale monitoring to access data we need that is within our budget.

E. El-Chantiry asked if this technology could work on the Ottawa River to measure level of river and had there been any communication with the City on this. D. Post indicated no discussions have taken place with the City and it is likely not sufficiently technologically advanced to meet their requirements.

4. Operating Reserve Balance, Report 3245/22

S. McIntyre provided an overview on the current and projected state of the Operating Reserve to help support Board decision-making in the lead up to the budget. Using 2022 data, the target year end balance for 2023 should be between \$575,100 and \$702,900. In order to achieve this objective, drawdown of the Operating Reserve in 2023 should not exceed \$457,100.

A proposed approach was presented for phase-in of Workforce Plan implementation costs onto Municipal levy that would enable compliance with the Operating Reserve target balance. Phase-in of costs over 2023, 2024 and 2025 would cause a pressure on the municipal levy and 3.5%, 3.5% and 3.7%, respectively. The increases exclude all other budgetary pressures including cost of living increases.

New pressures in 2023 and 2024 include salary increases arising from recent job evaluation and market assessment projects.

J. Inglis asked for clarification on the three-year phase in of the total drawdown and wondered if there would then be a jump in Year 4? S. Millard commented that phase-in would be completed by year-four (2026) and normal increases would resume.

J. Inglis asked for confirmation that the new cost of paying staff is embedded in the proposed 3-year plan and not a new taxation. S. Millard confirmed this was the case.

P. Sweetnam asked for clarification on amounts municipal levy (page 17) highlighted above and if there was a possibility to phase-in costs onto the levy over a longer period of time. S. McIntyre indicated the pressure on the levy is exclusively due to implementation of the workforce plan; and expressed concern about a protracted period during which payroll is paid from the operating reserve fund, which is needed to protect the Authority against future unknowns.

J. Mason suggested that as the Workforce Plan was developed, in part, to address increased staffing to accommodate growth, this portion of the levy should be attributed to the phase-in of costs.

5. Job Evaluation Results and Implementation, Report 3246/22 -IN CAMERA

B10/19/22-3

MOVED BY: C. Lowry

SECONDED BY: C. Rigelhof

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

- Personal matters about an identifiable individual, including employees of the Authority

And further resolved, that: Sally McIntyre and Stacy Millard remain in the room.

"CARRIED"

6. Market Assessment of MVCA Jobs, Report 3247/22 - IN CAMERA

B10/19/22-6

MOVED BY: F. Campbell

SECONDED BY: K. Thompson

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

"CARRIED"

7. Mill of Kintail Roof, Report 3248/22

S. Lawryk provided an update on the Mill of Kintail Roof project. The roof was re-shingled in 2001 with cedar shakes but upon inspection this past summer it was noted to be in disrepair and was temporary repaired to control further damage. MCVA is engaging with Mississippi Mills Township to review replacement options that meet the *Ontario Heritage Act* as the building is a designated Heritage building.

The roof repair was identified in 10-year Capital Plan but will need to be done sooner than planned. Quotes have been received from contractors and are higher than \$50,000 assumed in the 10-year Capital Plan.

Next steps include meeting Monday October 24 with the Township of Mississippi Mills and the Heritage Committee to discuss roof options; firming up all quotations from suppliers and to arrange for work to be completed in 2023. The Conservation Area and Museum Building & Art restricted reserve has some funds available to carry out the work.

J. Mason suggested that a steel roof being fire resistant versus cedar shakes may be the better option for safety reasons and should be considered.

8. Proposed 2023 Fee Schedule, Report 3251/22

M. Craig explained that a proposed fee schedule is presented to the Board every fall for implementation January 1. Most fees were increased by a 2% cost of living allowance (i.e. for standard types of applications, and a 5% increase in more complex applications (significant technical review.) A new fee category was added under 'Fill Replacement' and a new management fee is proposed in line with other conservation authorities.

B10/19/22-7

MOVED BY: C. Lowry

SECONDED BY: B. Holmes

Resolved, That the Board of Directors approve the 2023 Fee Schedules as presented.

"CARRIED"

9. 2023 Budget Assumptions, Report 3252/22

S. Millard presented the 2023 budget assumptions and explained that the levy allocation provided by the Province has changed, with most municipality's percentage going down while three municipalities went up: Beckwith, Carleton Place and Mississippi Mills, all of which experienced significant growth the past year.

S. McIntyre further explained from the '2023 Budget Allocation' table showing, the 2022 Operating levy was 3% for cost of living increases to the operating budget, 1.5% for growth in

tax assessment, and 3.5% for phase-in of the Workforce Plan from the Operating Reserve to the Levy. A table that showed impacts to individual municipalities was distributed to all members.

S. McIntyre committed to developing a Plan B scenario in the event that the City's levy limit proves to be a less, accompanied by projected impacts on the operating reserves.

Several members expressed concern regarding the gross proposed increase of over 7%. While some members spoke in favour of the budget it was agreed that there may be changes depending on the financial direction given by the City of Ottawa.

It was agreed that further discussion will be required at the Finance & Administration Committee meeting in November and at the Board meeting in December.

B10/19/22-8

MOVED BY: B. Holmes

SECONDED BY: J. Karau

Resolved, That the Board of Directors direct staff to develop the 2023 Budget and related documents in accordance with the following parameters:

- 1. An assumed growth in tax assessment of 1.5%.**
- 2. A municipal levy increase of 3% to the operating budget.**
- 3. A municipal levy increase of 4.5% to the capital budget.**

"CARRIED"

10. IT Network Review, Report 3249/22

A. Broadbent presented the need for an IT Network Review due to three main pressures:

- The need for significant spending on key assets including servers and Wi-Fi system
- The need to accommodate large data sets and complex models, and
- The need to mitigate security breaches/risks and provide IT system resilience.

A. Broadbent explained that the current capital plan estimates \$90,000 for replacement of all network servers by 2025 and 40 staff computers by 2030. It would be beneficial to conduct the study before making these investments. The estimated cost of the proposed study is \$5,000-\$10,000 and would be drawn for the IT Capital Reserve.

F. Campbell asked how MVCA can meet its Wi-Fi system needs. A. Broadbent indicated MVCA Wi-Fi works but is 10-years old and that components are outdated and cannot support new advanced Wi-Fi requirements.

J. Inglis highlighted that there is always a concern around cyber security and threats keep increasing quickly, and added that he supports investments being made to maintain security.

B10/19/22-9

MOVED BY: C. Rigelhof

SECONDED BY: P. Sweetnam

Resolved, That the Board of Directors include an IT Network Review in the 2023 Budget.

“CARRIED”

11. Electronic Monitoring Policy, Report 3255/22

S. McIntyre explained that the province passed Bill 88, *Working for Workers Act, 2022* that amends the *Employment Standards Act (ESA)* and requires employers with 25 or more employees to have a written policy with respect to electronic monitoring of employees.

S. McIntyre explained that MVCA’s existing policy was updated to meet the new requirements of the province. Currently, MVCA has protocols for tracking staff for safety reasons but will need to further develop guidelines for monitoring staff to address the full scope considered by the new legislation.

J. Karau inquired if there been any consultation with employees to ensure there was no misperception with this additional surveillance. S. McIntyre stated that a working group will be established to engage with staff to help flesh out implementation details.

B10/19/22-10

MOVED BY: C. Rigelhof

SECONDED BY: P. Sweetnam

Resolved, That the Board of Directors:

- 1. approve amendment of Section 2.7 Technology – Internet, E-Mail, Cell Phones of the *Employee Manual* as set out in Attachment 1 of this report.**
- 2. direct that the updated policy be shared with all employees within 30 days of approval.**

12. Holiday Season Office Closure, Report 3256/22

S. McIntyre explained that it has been common practice for MCVA to close its office during the holiday period from December 24 to New Year’s Day. The addition of this holiday closure policy to the Employee Manual will ensure that all new employees are made aware of the closure; and provide enhanced consistency in how it is applied.

B10/19/22-11

MOVED BY: K. Thompson

SECONDED BY: F. Campbell

Resolved, That the Board of Directors approve addition of the following policy to Section 7.2 - Holidays of the *Employee Manual*:

MVCA shall close its office to the public between noon December 24 and the New Year's Day provincial holiday, inclusive. During the closure, employees may use accrued Vacation or Time-off In Lieu. Employees without sufficient accrued leave time to cover the holiday closure may borrow from future vacation accrual or book unpaid leave with approval of the General Manager.

“CARRIED”

13. Workplace Health Update, Report 3257/22

S. McIntyre explained that this report provides the implementation status of the Board approved an Action Plan for Managing Workplace Stress. Although there were many items to tackle, overall, progress is being made and improvements in morale have been observed. For example, staff events, like monthly BBQ's in summer months, staff presentations highlighting project successes, and management team training sessions for 2 hours every month.

14. Corporate Needs Assessment Update, Report 3250/22

S. McIntyre encouraged Board Members to review the Needs Assessment for Capital and Programs/Services projects for 2021-2025, and to bring forward any concerns or discuss any additions that could influence priority setting and the draft budget for 2023.

15. Watershed Priorities, Report 3258/22- WALK ON

J. Karau provided a summary on the newly formed Watershed Public Advisory Committee (PAC) and its inaugural meeting held October 18. He observed that a lot of information was presented to the Committee, including the mandate review and a summary overview on the implementation plan of the watershed.

J. Karau noted that one of the key issues raised by members of the PAC was the need to enhance community engagement and that a communications position is needed to enable the Authority to meet its corporate objectives for improved stakeholder relations.

Finally, he noted that Katie Surra of Ompah was appointed as the PAC co-chair and that her experience in grant writing will be an asset. The PAC is to meet again in November.

16. General Manager Update, Report 3259/22

S. McIntyre highlighted the recent meeting of GM's from MVCA, Cataraqui, Lower Trent, Quinte and Crowe Valley with Ric Bresee, MPP Hastings Lennox Addington and new Parliamentary

Assistant for the Ministry of Natural Resources & Forestry (MNRF). The purpose of the meeting was to introduce the MPP to the five CA's within his riding and brief him on inter-jurisdictional matters of concern. The meeting was well received and his openness of communication was appreciated.

S. McIntyre also highlighted the the process and timing of the new Chair, Vice-Chair and members transitioning and change-over. Normally it occurs at the AGM meeting in Feb, where old members open the meeting and hand over to new members.

There was extensive discussion on timing, processes and allowing enough time for new members to get accustomed to budget decisions and their new role.

J. Karau suggested a hybrid model that improves on the current model, where we ask current council members to engage with new members and not wait for the AGM.

S. McIntyre will be sending an email to municipalities to ask that all appointments take effect January 1, 2023. This will allow MVCA time for new members orientation and observe the Finance & Administration meeting in November and a Board meeting in December.

C. Lowry asked what other CA's are doing and if there are challenges. S. McIntyre will follow up with other CA's (RVCA, South Nation) to clarify their processes for handling the interim period.

ADJOURNMENT

The meeting was adjourned at 3:23 pm

B10/19/22-12

MOVED BY: K. Thompson

SECONDED BY: F. Campbell

Resolved, That the Board of Directors meeting be adjourned.

"CARRIED"

P. Tapley, Recording Secretary

J. Atkinson, Chair

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

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

APPROVED MINUTES

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

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

1.0 Land Acknowledgement Statement

Chair Leenhouts gave the Land Acknowledgement statement.

2.0 Agenda Review

Chair Leenhouts reviewed the Agenda.

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

3.0 Adoption of Agenda

Motion 1-221027

Moved by: Brian Dowdall
Seconded by: Gerry Boyce

THAT the Board of Directors of the Rideau Valley Conservation Authority adopts the Agenda as circulated.

Motion Carried

4.0 Declaration of Interest

There were no declarations of interest.

5.0 Approval of Minutes of September 22, 2022

Motion 2- 221027

Moved by: Victor Heese
Seconded by: John McDougall

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

Motion Carried

6.0 Business Arising from the Minutes

There was no business arising.

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

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

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

Motion 3- 221027

Moved by: Vince Carrol
Seconded by: Anne Robinson

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

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

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

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

Motion Carried

8.0 Purchase of a Hydrometric ADCP Unit

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

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

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

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

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

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

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

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

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

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

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

Motion 4-221027

Moved by: Victor Heese
Seconded by: Anne Robinson

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

Motion Carried

9.0 2023 Meeting Schedules

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

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

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

Motion 5-221027

Moved by: Robin Jones
Seconded by: Gerry Boyce

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

Motion Carried

10.0 Fee Policy and 2023 Fee Schedules

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

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

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

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

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

Dan Cooper arrived 7:14 p.m.

Motion 6-221027

Moved by:

Vince Carroll

Seconded by:

Brian Dowdall

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

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

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

Motion Carried

11.0 2023 Draft Budget and Levy Apportionment

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

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

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

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

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

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

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

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

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

Motion 7-221027

Moved by: Judy Brown
Seconded by: Victor Heese

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

Motion Carried

12.0 Meetings

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

Upcoming

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

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

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

13.0 Member Inquiries

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

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

14.0 New Business

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

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

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

15.0 Adjournment

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

Pieter Leenhouts
Chair

Marissa Grondin
Recording Secretary

Sommer Casgrain-Robertson
General Manager/Secretary-Treasurer

RIDEAU VALLEY CONSERVATION AUTHORITY
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Meeting Held In-person and Electronically due to COVID-19 Pandemic

APPROVED MINUTES

Board of Directors	8/22	November 24, 2022
Present:	Jeff Banks Judy Brown Brian Dowdall Robin Jones Pieter Leenhouts Shawn Pankow	Gerry Boyce Jamie Crawford Steve Fournier Andy Jozefowicz Dale McLenaghan Anne Robinson
Staff:	Sommer Casgrain-Robertson Dan Cooper Marissa Grondin Glen McDonald	Ian Cochrane Kathy Dallaire Marika Livingston Brian Stratton
Regrets:	Vince Carroll Bob Foster Julie Graveline Gene Richardson Kristin Strackerjan	George Darouze Mel Foster Susan Irwin Rob Rothgeb

Pieter Leenhouts, Chair called the meeting to order at 6:44 p.m.

Chair Leenhouts introduced members who were reappointed or newly appointed for the 2023-2026 term.

General Manager/Secretary-Treasurer conducted a roll call.

1.0 Land Acknowledgement Statement

Chair Leenhouts gave the Land Acknowledgement statement.

2.0 Agenda Review

Chair Leenhouts reviewed the Agenda.

3.0 Adoption of Agenda

Motion 1-221124

Moved by: Brian Dowdall
Seconded by: Anne Robinson

THAT the Board of Directors of the Rideau Valley Conservation Authority adopts the Agenda as circulated.

Motion Carried

4.0 Declaration of Interest

There were no declarations of interest.

5.0 Approval of Minutes of October 27, 2022

Motion 2-221124

Moved by: Robin Jones
Seconded by: Steve Fournier

THAT the Board of Directors of the Rideau Valley Conservation Authority approves the Minutes of the Board of Directors Meeting #07/22, October 27, 2022, as amended.

Motion Carried

6.0 Business Arising from the Minutes

There was no business arising.

7.0 Motts Mills Channel and Ponds Project (Phase II)

Dan Cooper, Director of Conservation Lands and Stewardship provided an overview of the Motts Mills Channel and Ponds Project Phase II.

Chair Leenhouts opened the floor to questions.

A member inquired about any potential landowner concerns along the bordering lands where the project is proposed. Mr. Cooper explained that all landowners adjacent to the wetland have received a letter outlining the project and the property owners where the project is taking place have given their permission.

In response to an inquiry from a member regarding responses to RFPs, Mr. Cooper explained that in general, the RVCA has not experienced

challenges with receiving proposal responses and has found that there are contractors who are eager to be involved with RVCA projects as they positively impact the community and natural environment.

In response to a project timeline question from a member, Mr. Cooper stated that the project is scheduled to begin in January and should take approximately three weeks to complete.

Rob Rothgeb joined the meeting at 6:50 p.m.

In response to a member inquiry about the project's potential impact on hibernating wildlife, Mr. Cooper confirmed that a wildlife impact assessment had been completed and because the area is 90% cattails, there is low likelihood of hibernating wildlife. Mr. Cooper also confirmed that the RVCA applied for and received permits from DFO and MNRF.

In response to a member inquiry about the pond's refresh rate, Sommer Casgrain-Robertson stated that it would be dependent on the time of year and watershed conditions as the wetland would see a higher flushing rate during a heavy spring freshet as the water control structure has a bypass for 1:100 year flood.

Motion 3-221124

Moved by: Jeff Banks
Seconded by: Rob Rothgeb

THAT the Board of Directors of the Rideau Valley Conservation Authority approves Mike Redpath Dragline Service to complete the Motts Mills Channel & Ponds Project Phase II at a cost of \$82,000 plus HST; and

THAT staff be authorized to spend up to an additional \$12,300 (15 percent contingency) to cover any unforeseen project expenses.

Motion Carried

8.0 2023 Conservation Ontario Levy

Ms. Casgrain-Robertson, General Manager highlighted the value of Conservation Ontario to member conservation authorities and reviewed their 2023 levy.

In response to an inquiry from a member, Ms. Casgrain-Robertson explained that the Conservation Ontario levy would not be affected by Bill 23 as changes only grant the Minister the ability to freeze conservation authority fees.

Motion 4-221124

Moved by: Robin Jones
Seconded by: Anne Robinson

THAT the Board of Directors of the Rideau Valley Conservation Authority approve payment in the amount of \$45,453 to Conservation Ontario for their 2023 levy to the RVCA.

Motion Carried

9.0 2023 Fee Schedules (Batch 2)

Ms. Casgrain-Robertson presented the 2023 Fee Schedules for conservation lands, education programs, stewardship programs and general services. Fee Schedules G through J are in addition to Fee Schedules A through E that were brought to the Board on October 27, 2022. Ms. Casgrain-Robertson noted that under Regulation 400/22 of the *Conservation Authorities Act*, conservation authorities are required to post all fee schedules on their websites.

In response to a member inquiry about fees for facility rentals not exceeding what the market can bear, Mr. Cooper stated that the RVCA sets fees that are in line with our repeat cliental which are largely service groups like scouts and guides and that RVCA's rental spaces are fully booked throughout the year including weekends.

Motion 5-221124

Moved by: Brian Dowdall
Seconded by: Shawn Pankow

THAT the Board of Directors of the Rideau Valley Conservation Authority approve the following fee schedules to take effect as indicated on each schedule:

- Schedule G: Conservation Areas
- Schedule H: Education Programs
- Schedule I: Stewardship Programs
- Schedule J: General Services

AND THAT the Board of Directors add the following fees to RVCA's Schedule E: Onsite Sewage Disposal Systems fee schedule that was approved by the Board at their October 27, 2022 meeting to take effect January 1, 2023:

- Planning Comment (Per lot for Subdivision Plan Review) \$220
- Consent Application \$330
- Additional Consent Applications (same retained parcel) \$150

Motion Carried

10.0 Financial Reports for the Period Ending September 30, 2022

Kathy Dallaire, Manager of Finance presented third quarter Financial Reports and opened the floor to questions.

In response to a member inquiry about forecasting a Planning and Regulations deficit, Ms. Dallaire explained that costs in each program can be higher or lower than budgeted as staff resources are deployed to address fluctuating application numbers.

Motion 6-221124

Moved by: Judy Brown
Seconded by: Anne Robinson

THAT the Board of Directors of the Rideau Valley Conservation Authority approve the Revenue and Expenditure Reports and Balance Sheet for the period ending September 30, 2022.

Motion Carried

11.0 2023 Revised Draft Budget and Levy Apportionment

Sommer Casgrain-Robertson presented revised budget options for Board consideration pertaining to levy and cost of living increases in response to direction received from the Board in October as well as updated information regarding assessment growth and budget direction from the City of Ottawa and neighbouring conservation authorities. Ms. Casgrain-Robertson explained that RVCA's management team was recommending scenario B1 as it balanced financial prudence during a period of record inflation with maintaining competitive wages in a tight labour market.

A member stated that they agreed with the recommendation and supported a 3.0% cost of living increase.

A member commented that the board has a responsibility to ensure the budget is sustainable and less of a burden on taxpayers, and therefore supports scenario B1 as the best solution.

A member commented on the thoroughness of the report and noted they were impressed with the number of scenarios that were taken into consideration by staff. They thanked the General Manager and staff for their time to run the various scenarios. Ms. Casgrain-Robertson stated that she would pass along the complement to Kathy Dallaire who provided all the analysis for the various scenarios and to the management team who

spent considerable time reviewing and considering the various scenarios to land on a recommendation to the Board.

In response to a member inquiry, Ms. Casgrain-Robertson indicated that the municipal population data shown in the levy apportionment chart comes from MNR and it is believed that the data comes from the federal census which means the data is always lower than actual. The assessment value data however, is based on MPAC data and is therefore more recent.

In response to a member inquiry about borrowing money to balance the budget, Ms. Casgrain-Robertson stated that she could confirm that in the last ten years, the RVCA had never borrowed money for this reason. Instead, the RVCA has worked hard to increase its reserves in recent years at the recommendation of the auditor so that reserves can equalize revenue during periods of fluctuating user fees or costs.

A member commented on the critical need to retain staff and supports scenario B1.

Motion 7-221124

Moved by: Robin Jones
Seconded by: Rob Rothgeb

THAT the Board of Directors of the Rideau Valley Conservation Authority directs staff to revise RVCA's 2023 Draft Budget and Levy Apportionment sheet (dated October 20, 2022) to reflect Scenario B1;

AND THAT the Board directs staff to circulate this revised Draft Budget and Levy Apportionment sheet to all member municipalities for review and comment.

Motion Carried

12.0 Bill 23: More Homes Built Faster Act

Ms. Casgrain-Robertson provided an overview of Bill 23 (*More Homes Built Faster Act*) and the proposed changes outlined in four key postings on the Environmental Registry. She highlighted the potential impacts on the work of both conservation authorities and member municipalities.

Ms. Casgrain-Robertson noted that Eastern Ontario conservation authorities are making use of all avenues to raise concerns (media releases and interviews as well as submissions to Standing Committee and the ERO) and expressed gratitude to the overwhelming support received from member municipalities, especially the 35 Mayors and Reeves who endorsed the joint letter submitted to Standing Committee by the 10 Eastern Ontario conservation authorities.

A member inquired about what would happen if the government chose not to have a consultation period for the regulations required to implement the changes outlined in Bill 23. Ms. Casgrain-Robertson stated that new regulations are traditionally introduced twice a year in January and July, so conservation authorities are anticipating that new regulations would likely be released in the summer. All sectors including conservation authorities, municipalities and development are calling on Minister Smith to reconvene the Conservation Authorities Working Group that Minister Piccinni led to provide advice and input into the regulations.

In response to a member inquiry about a possible delegation at ROMA, Ms. Casgrain-Robertson stated that she would follow up with Mayor Jones and other Mayors and Reeves on the Board about the potential to submit a delegation request.

A member commented that these changes must affect staff morale and inquired about how citizens can express their thoughts to the province. Ms. Casgrain-Robertson commented that these proposed changes have been very hard on staff and are reminiscent of the changes implemented two years ago. The difference is that in 2020 the changes were followed by the formation of the provincial working group in response to significant municipal and public pressure which led to a collaborative and consultative approach to the creation of regulations in 2021 and 2022. Bill 23 presents significant challenges to the work we do and the protection of critical natural features in the watershed. The management team has tried to keep staff as informed as possible about the bill and the legislative process and has involved staff in the preparation of key messaging as well as the attached ERO comments to leverage their knowledge and expertise. The public can also submit comments to ERO and were also able to submit comments to the Standing Committee.

A member thanked the General Manager for the report and commented on the important role of wetlands. They inquired about risks to Source Water Protection and stated that Bill 23 has the potential to increase pollutants in sources of drinking water which would mean more required treatment at municipal drinking water plants leading to higher costs for taxpayers and municipalities. Ms. Casgrain-Robertson stated that Bill 23 goes against what science is telling us to do and disregards the critical role wetlands play in mitigating flooding, drought and improving water quality.

A member commented that they worry for first time homeowners whose homes may be threatened by floods or other natural hazards in ten years due to the changes implemented by Bill 23 and the potential that houses will be built in areas affected by natural hazards.

A member relayed shared concerns from their municipality regarding the future of Ontario housing, and lack of faith that Bill 23 will provide more affordable homes.

A member noted that they can understand the provinces' need to take action on the housing crisis, but not at the expense of wetlands and the work of conservation authorities. They expressed concerns for housing affordability, individual taxpayers' burdens and the need to amend the Building Code to ensure all parties are on the same page. They stated that if we continue to raise our voice, perhaps we can make a difference.

Chair Leenhouts commented that he shares everyone's thoughts and opinions and reminded the board why conservation authorities were formed in the first place – to protect the safety of people from natural hazards like hurricane Hazel.

Motion 8-221124

Moved by: Anne Robinson
Seconded by: Shawn Pankow

THAT the Board of Directors of the Rideau Valley Conservation Authority approves the attached comments to include in RVCA's submission to the Environmental Registry of Ontario regarding posting numbers 019-6141, 019-2927, 019,6161 and 019,6160.

Motion Carried

Robin Jones left the meeting 8:09

13.0 Meetings

- a) MNRF Webinar on Bill 23: November 1, 2022
- b) Source Protection Committee Meeting: November 2, 2022
- c) Council Training within Leeds and Grenville: November 5, 2022
- d) Council Training within Frontenac: November 9, 2022
- e) Executive Committee Hearings: November 10, 2022
- f) Provincial General Managers Meeting: November 15, 2022
- g) Ottawa Riverkeeper Annual Public Meeting (speaker): November 22, 2022

Upcoming

- h) Conservation Ontario Council Meeting: November 28, 2022
- i) Provincial General Managers Meeting: December 12, 2022
- j) City of Ottawa Member Recruitment Info Session (in person): December 12, 2022
- k) RVCF Board of Directors Meeting: December 14, 2022
- l) City of Ottawa Member Recruitment Info Session (virtual): December 19, 2022
- m) RVCA New Member Orientation: January 30, 2022

14.0 Member Inquiries

None.

15.0 New Business

Reeve Fournier informed the Board that Derek Matheson from RVCA provided an informative presentation on the new ALUS Lanark chapter. Ms. Casgrain-Robertson stated she would pass the compliment along to Derek.

16.0 Adjournment

The Chair adjourned the meeting at 8:12 p.m. on a motion by Andy Jozefowicz which was seconded by Steve Fournier.

Pieter Leenhouts
Chair

Marissa Grondin
Recording Secretary

Sommer Casgrain-Robertson
General Manager/Secretary-Treasurer