



COMMITTEE OF THE WHOLE AGENDA

Tuesday, August 8th, 2023
Immediately following the Public Meeting – Zoning By-Law Amendment(s) at 5:30 p.m.
Municipal Office – Council Chambers – 217 Harper Road

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

Chair, Councillor Marilyn Thomas

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

None.
5. **DELEGATIONS & PRESENTATIONS**
 - i) **Presentation: History Scholarship Annual Update – *attached, page 8.***
Kay Rogers, Chair, History Scholarship Selection Committee.

Suggested Recommendation to Council:

“THAT, the History Scholarship Annual Update presentation to Tay Valley Township Council on August 8th, 2023, be received for information.”

- ii) **Presentation: Valley Heartland Community Futures Development Corporation – attached, page 20.**
Tina Stevens, General Manager.

Suggested Recommendation to Council:

“THAT, the Valley Heartland Community Futures Development Corporation presentation to Tay Valley Township Council on August 8th, 2023, be received for information.”

6. PRIORITY ISSUES

- i) **Report #PD-2023-16 – Proposed Cell Tower – Bathurst 2nd Concession – attached, page 29.**
Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, the Council of the Corporation of Tay Valley Township support the application for a communication tower by Xplore Inc at 2145 Bathurst 2nd Concession in order to increase access to service;

***AND THAT,** Staff write a letter of concurrence.”*

- ii) **Report #PD-2023-18 – Housing Accelerator Fund – attached, page 33.**
Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, Report #PD-2023-18 – Housing Accelerator Fund be received for information.

***AND THAT,** the Municipality submit an application to the Federal Housing Accelerator Fund.”*

- iii) **Report #PD-2023-17 – Comments on Draft Lanark County Climate Action Plan – attached, page 36.**
Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, Report #PD-2023-17 – Comments on Draft Lanark County Climate Action Plan be received for information.”

***AND THAT,** the Township submit its comments on the Draft County Climate Action Plan to the Lanark County Clerk;*

***AND THAT,** the comments also be shared with the other Lanark County lower tier municipalities and the Town of Smiths Falls.”*

- iv) **Report #CBO-2023-07 – Building Department Report - January to June 2023 – attached, page 45.**
Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, Report #CBO-2023-07 – Building Department Report - January to June 2023 be received for information.”

- v) **Report #CBO-2023-08 – Building Department Report - January to July 2023 – attached, page 46.**
Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, Report #CBO-2023-08 – Building Department Report - January to July 2023 be received for information.”

- vi) **Report #PW-2023-16 – Christie Lake North Shore Road Railway Warning System Improvements – attached, page 47.**
Sean Ervin, Public Works Manager.

Suggested Recommendation to Council:

“THAT, Report #PW-2023-16 – Christie Lake North Shore Road Railway Warning System Improvements 2023 be received as information.

AND THAT, the Railway Safety Improvement Program Funding Agreement for the railway warning system improvements at the Christie Lake North Shore Road Crossing as outlined in Report #PW-2023-16 – Christie Lake North Shore Road Railway Warning System Improvements, be approved;

AND THAT, the estimated cost of \$39,910 be funded from the Contingency Reserve unless funding is received from the Railway Safety Improvement Program, with the estimated costs would then be \$19,995.00;

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

- vii) **Report #PW-2023-17 – Glen Tay Culvert Tender Award – attached, page 58.**
Sean Ervin, Public Works Manager.

Suggested Recommendation to Council:

“THAT, Tender #2023-RF-002 – Glen Tay Culvert Rehabilitation be cancelled for the reasons outlined in Report #PW-2023-17 – Glen Tay Culvert – Tender Award;

AND THAT, the project be deferred to 2024.”

- viii) **Report #PW-2023-15 – Forest Trail Fencing – Request for Quotation Award – attached, page 61.**
Sean Ervin, Public Works Manager.

Suggested Recommendation to Council:

“THAT, Request for Quotation #2023-PW-003 – Perimeter Fencing for the Forest Trail be awarded to Crains’ Construction Limited;

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

- ix) **Report #CAO-2023-16 – Bolingbroke Cemetery By-Law – attached, page 65.**
Amanda Mabo, Chief Administrative Officer/Clerk.

Suggested Recommendation to Council:

“THAT, proposed Bolingbroke Cemetery By-Law be brought forward to the next Council meeting for approval in order to be submitted to the Bereavement Authority of Ontario (BAO) for final approval.”

- x) **August Council Meeting Schedule**
Amanda Mabo, Chief Administrative Officer/Clerk.

7. CORRESPONDENCE

- i) **23-06-28 – Council Communication Package – cover sheet attached, page 96.**

Suggested Recommendation to Council:

“THAT, the 23-06-28 Council Communication Package be received for information.”

- ii) **23-08-01 – Council Communication Package – cover sheet attached, page 99.**

Suggested Recommendation to Council:

“THAT, the 23-08-01 Council Communication Package be received for information.”

- iii) **23-07-27 – Harper Road Petition in Support of Traffic Calming Measures – attached, page 101.**

Suggested Recommendation to Council:

“THAT, the petition dated July 27th, 2023 regarding traffic calming measures for a portion of Harper Road be referred to staff;

AND THAT, staff bring back a report to Council at the September Committee of the Whole meeting that addresses the petition.”

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** – *attached, page 104.*
Councillor Greg Hallam and Councillor Angela Pierman

23-06-09 – DRAFT Green Energy and Climate Change Working Group Minutes.
- viii) **Municipal Drug Strategy Committee** – *deferred to the next meeting.*
Councillor Korrine Jordan.
- ix) **Mississippi Valley Conservation Authority Board** – *deferred to the next meeting.*
Councillor Andrew Kendrick.
- x) **Rideau Valley Conservation Authority Board** – *deferred to the next meeting.*
Councillor Angela Pierman.
- xi) **County of Lanark.**
Reeve Rob Rainer and Deputy Reeve Fred Dobbie.

9. CLOSED SESSION

- i) **CONFIDENTIAL: Potential Land Acquisition.**

Suggested Motion:

“THAT, Committee move “in camera” at ___ p.m. to address a matter pertaining to a proposed or pending acquisition or disposition of land by the municipality or local board regarding a potential land acquisition;

AND THAT, the Chief Administrative Officer/Clerk and Deputy Clerk 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

DELEGATIONS & PRESENTATIONS

**TAY VALLEY HISTORY SCHOLARSHIP REPORT
COMMITTEE OF THE WHOLE**

August 8, 2023

RECOMMENDATION

It is recommended that the Report of the Tay Valley History Scholarship Committee be accepted for information.

BACKGROUND

The Tay Valley History Scholarship is one of Tay Valley Township's legacy projects resulting from the 2016 commemoration of the 200th Anniversary of the Perth Military Settlement. It is presented annually to a deserving graduate from either Perth & District Collegiate Institute or St. John Catholic High School.

In support of the Scholarship, Tay Valley Township:

- o established a History Scholarship Committee to provide advice and recommendations to Council regarding the granting of the Scholarship; and
- o entered into an agreement with the Perth and District Community Foundation to manage the funds on behalf of Tay Valley Township.

Funding for the Scholarship

The Scholarship is funded by:

- o donations from over two dozen individuals, community groups and local businesses, contributing approximately \$22,000;
- o the continuing sale of the legacy book *At Home in Tay Valley*, contributing approximately \$17,900;
- o the net proceeds from the sale of the 200th Anniversary calendars, contributing approximately \$6,000; and
- o money earned from investments made by the Perth and District Community Foundation.

As of July 31, 2023, there was \$58,944 in the Scholarship Fund. It is anticipated that the monies earned from investments will cover the annual scholarship and, hence, that it will not be necessary to draw down on the principle. Therefore, the scholarship should be awarded well into the future.

When the scholarship was established, the intention of Tay Valley Township was that the scholarship be in the amount of \$1,000.00 and that this amount be indexed to inflation every five years and rounded off as determined by Tay Valley Township in consultation with the Foundation. This will ensure that future recipients receive a scholarship with the same value as today's recipient. The value of the scholarship was increased to \$1,200 for 2022 and the next four years.

The Township retained copies of *At Home in Tay Valley* to present to scholarship recipients well into the future.

Scholarship Application, Selection Process and Presentation

The History Scholarship Selection Committee oversees the scholarship brochure, application form and selection process. The current Committee members are Susan Code, David Poole and Kay Rogers (chair).

This year, there were three applicants. There were two in 2022, three in 2021, eight in 2020, seven in 2019, five in 2018 and five in 2017. The successful applicant will demonstrate:

- a keen interest in history (40 marks);
- an ability to think critically and communicate effectively (40 marks); and
- a range of accomplishments and/or experiences, including community involvement, hobbies, clubs, sports, volunteer activities, and/or work (20 marks).

The applicants are required to complete the application form and submit two 500-word essays:

1. Describe how you have demonstrated your interest in history, both in and out of school.
2. Explain the importance of understanding history in today's society.

Typically, the Reeve presents the scholarship (a cover letter with a cheque and an inscribed copy of *At Home in Tay Valley*) to the recipient at the June commencement ceremony. Further

- The Reeve and Committee Chair sign a congratulatory letter to the scholarship recipient and a letter to each of the other applicants thanking them for their application and wishing them well with their future studies.
- The Township issues a media release with the name and photo of the scholarship recipient along with one of the recipient's essays.
- Township posts one of the two essays submitted by the scholarship recipient on the Township website
- Lake 88 interviews the scholarship recipient on *In Focus*, the station's new hour program.
- *The Lanark Era* interviews the scholarship recipient for an article in the weekly newspaper.

Scholarship Recipients

- Norah Christie, PDCI, 2023
- No recipient, 2022*
- Noah Frazer, PDCI, 2021
- Sydney Szijarto, SJCHS, 2020
- Taylor Quick, SJCHS, 2019
- Bronwyn Funston, PDCI, 2018
- Kathleen Taggart, SJCHS, 2017

* In 2022, after much deliberation, the Committee decided not to award the scholarship to either of the applicants. Neither of the applicants demonstrated a deep and ongoing interest in history and the scholarship is intended to support students who show a keen interest in history among other attributes such as an ability to think critically and communicate effectively.

FINANCIAL IMPLICATIONS

None.

CONCLUSION

The scholarship continues to be well received. Further, it straight forward to administer thanks to the support of the guidance counsellors at both schools, the PDCF, and Township officials.

ATTACHMENTS

1. The letter sent to the applicants
2. Tay Valley History Scholarship Brochure
3. List of donors

Submitted by the Tay Valley History Scholarship Selection Committee

June 27, 2023

Norah Christy
norahj05@icloud.com

Dear Norah,

Congratulations. You have been selected to receive the 2023 Tay Valley History Scholarship. This scholarship includes both the enclosed cheque in the amount of \$1,200 toward your studies and a copy of the legacy book *At Home in Tay Valley*, edited by Kay Rogers.

This scholarship is a legacy project arising from the commemoration of the 200th Anniversary of the Perth Military Settlement in 2016. In an effort to underscore the importance of understanding history in contemporary society, this scholarship is awarded annually to a deserving student graduating from either Perth & District Collegiate Institute or St. John Catholic High School who has been accepted into an apprenticeship, college or university program. Recipients must exhibit a keen interest in history, an ability to think critically, the skill to communicate effectively and demonstrate a range of accomplishments and/or experiences.

Thanks to the generosity of local businesses, community groups and individuals, as well as the proceeds from *At Home in Tay Valley* sales, this scholarship will be awarded annually for years to come. Scholarship funds are administered by the Perth and District Community Foundation.

Members of the Tay Valley History Scholarship Selection Committee reviewed all the applications and determined that yours was the most deserving of the scholarship.

We are sure that this scholarship will help you to live your dreams, study well and achieve your goals. We wish you every success with your future studies.

Yours sincerely,



Rob Rainer
Reeve



Kay Rogers
Chair, History Scholarship Selection Committee

June 27, 2023

NAME
ADDRESS
ADDRESS
CITY PROVINCE POSTAL

Dear NAME,

Members of the Tay Valley History Scholarship Selection Committee were impressed by the high quality of all the applications, including yours. After careful consideration, the Committee decided that the scholarship will be awarded to another student.

This scholarship is a legacy project arising from the commemoration of the 200th Anniversary of the Perth Military Settlement in 2016. This scholarship is a concrete way to underscore the importance of understanding history in contemporary society. It is awarded annually to a deserving student graduating from either Perth & District Collegiate Institute or St. John Catholic High School who has been accepted into an apprenticeship, college or university program. Recipients must exhibit a keen interest in history, an ability to think critically, communicate effectively and demonstrate a range of accomplishments and/or experiences.

Thanks to the generosity of local businesses, community groups and individuals, as well as the proceeds from *At Home in Tay Valley* sales, this scholarship will be awarded annually for years to come. Scholarship funds are administered by the Perth and District Community Foundation.

Thank you again for your application. In closing, we wish you every success with your future studies.

Yours sincerely,



Rob Rainer, Reeve



Kay Rogers,
Chair, History Scholarship Committee

SCHOLARSHIP FUNDING

Thanks to the generosity of local businesses, community groups, and individuals, as well as proceeds from *At Home in Tay Valley* book sales, this scholarship will be awarded annually for years to come.

To contribute to the Tay Valley History Scholarship, make a cheque out to Tay Valley Township, with "History Scholarship" noted on the memo line. Charitable donation tax receipts will be issued for amounts of \$20.00 or more.

Scholarship funds are managed by the Perth and District Community Foundation, on behalf of Tay Valley Township.

TAY VALLEY HISTORY SCHOLARSHIP APPLICATION FORMS

Available from PDCI and St. John CHS guidance offices as of February 2023.

APPLICATION DEADLINE

Thursday, May 18th, 2023, 12 noon at the Tay Valley Municipal Office.

ADDITIONAL INFORMATION

Corporate Assistant
Tay Valley Township
217 Harper Road
Perth, ON K7H 3C6

Phone: 613-267-5353 ext. 110
Email:
corporateassistant@tayvalleytwp.ca



TAY VALLEY HISTORY SCHOLARSHIP

Recognizing the importance of understanding history in contemporary society

LEGACY PROJECT

The Tay Valley History Scholarship is a legacy project arising from the 200th Anniversary celebrations of the Perth Military Settlement in 2016. It is awarded annually to a deserving graduate from either Perth & District Collegiate Institute or St. John Catholic High School.

VALUE: \$1,200

ELIGIBILITY CRITERIA

- ✓ A student in good academic standing at either PDCI or SJCHS
- ✓ A student who has been accepted, or awaiting acceptance, into their first year of full-time studies in an apprenticeship, college or university program in any field of study.

Students taking a gap year are eligible to apply.

SELECTION PROCESS

Applicants must submit a completed application form and prepare two 500-word essays on assigned topics.

The successful candidate will demonstrate:

- ✓ A keen interest in history
- ✓ An ability to think critically and communicate effectively
- ✓ A range of accomplishments and/or experiences including community involvement, hobbies, clubs, sports, volunteer activities, and/or work

Selection may involve an interview.

SCHOLARSHIP PRESENTATION

The Tay Valley History Scholarship plus a copy of the legacy book *At Home in Tay Valley*, will be awarded to the successful applicant at their commencement ceremony in June 2023.



PAST RECIPIENTS

- ✓ Noah Frazer, PDCI, 2021
- ✓ Sydney Szijarto, SJCHS, 2020
- ✓ Taylor Quick, SJCHS, 2019
- ✓ Bronwyn Funston, PDCI, 2018
- ✓ Kathleen Taggart, SJCHS, 2017

TAY VALLEY HISTORY SCHOLARSHIP DONORS
– Donations Total \$22,000 –

Anonymous
Balderson Women's Institute
Bangs Fuels
R. Blackburn
Margaret Blanchette
Catherine Cameron
Catholic Women's League, St. Bridget's Church
Pam Cameron
Helen Earl
Emma Lee Fashions (2016 and 2017)
Ronald Fournier
Malcolm Hunn
Kerr Brook – Mildred Kerr
Aili Kurtis
Margaret Noxon
Nick Mulder
Noonan's Auto
Omya
Perth and District Historical Society
Perth and District Septic Service
Perth Picture Framing
Prodecals
Kay Rogers
Scouts Canada: 4th Perth Scouts
Lesley Sibthorpe
3 M Company Canada
The Wisakedjaks



1

Tay Valley Township Legacy Project

Arising from the 200th
Anniversary of the Perth
Military Settlement in
2016

*Recognizing the
importance
of understanding history
in contemporary society*



2

Awarded Annually

To a graduate of either PDCI or St John's who has



- been accepted into a postsecondary program
- demonstrated a keen interest in history
- an ability to think critically & communicate effectively
- a range of accomplishments &/or experiences
... volunteer, sports, clubs, work ...

3

Application

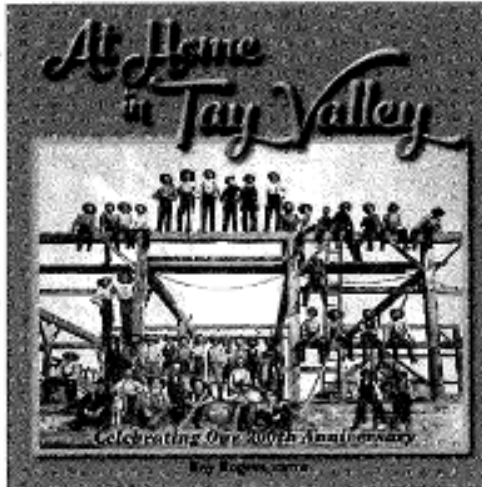
Applicants submit two 500 word essays:

1. *Describe how you have demonstrated your interest in history, both in and out of school.*
2. *Explain the importance of understanding history in today's society.*

4

Scholarship Recipient

- Receives
 - a cheque in the amount of \$1,200
 - Indexed to inflation every five years
 - A copy of *At Home in Tay Valley*
- Is interviewed by
 - Gena Gibson, Editor of the *Lanark Era*
 - Bob Perreault, *Lake 88 in Focus*
- Has one essay posted on TVT website



5

History Scholarship Committee

Susan Code, David Poole & Kay Rogers

- Update the annual brochure
- Maintain liaison with the high school guidance counsellors
- Review the applications & select the recipient
- Update the letters to the applicants & the recipient
- Arrange for media interviews with the recipient
- Maintain liaison with the Perth & District Community Foundation re distribution of monies
- Report to Council, including advice & recommendations as appropriate

6

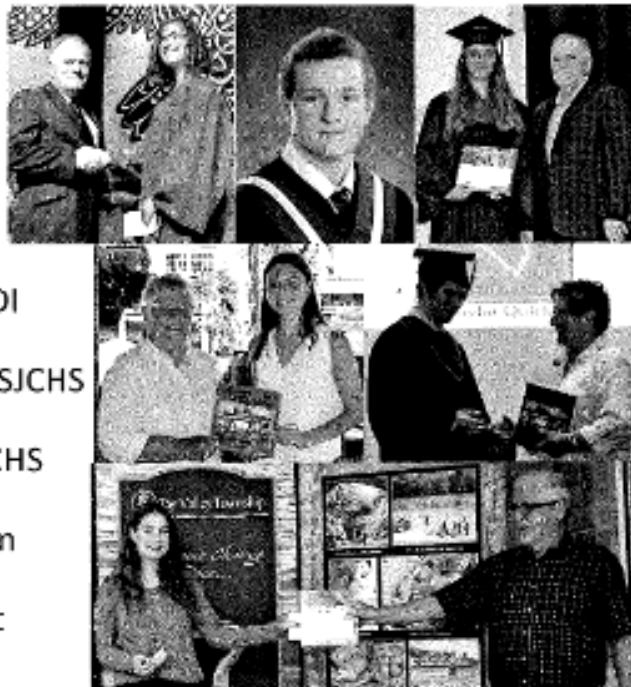
Scholarship Funding

- Sale of the 200th Anniversary calendar \$6k
- Donations \$22k
- Ongoing sale of *At Home in Tay Valley* \$18k
- Investment Income
 - Funds managed by the Perth & District Community Foundation
- Current balance \$58k
 - ...scholarship will be awarded for years to come...*

7

Scholarship Recipients

- Norah Christy, PDCI 2023
- Noah Frazer, PDCI 2021
- Sydney Szijarto, SJCHS 2020
- Taylor Quick, SJCHS 2019
- Bronwyn Funston PDCI 2018
- Kathleen Taggart SJCHS 2017



8

Slide 1



Slide 2

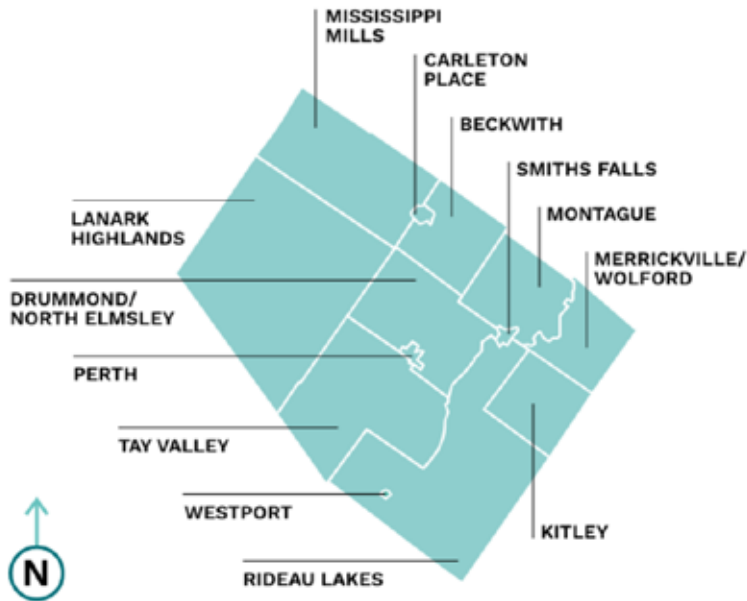
A slide with a white background on the left and a collage of images on the right. The collage consists of several teal triangles of varying sizes, some containing images: a Canadian flag, a sign that says "THE 80's", and a hand holding a maple leaf. The text on the left is as follows:

Fuelling Canada's rural entrepreneurial development

Valley Heartland is part of an established network of 267 Community Futures offices across Canada.

Formally established in 1985, the Community Futures Program was implemented to support business development in rural and remote communities.

Our Region

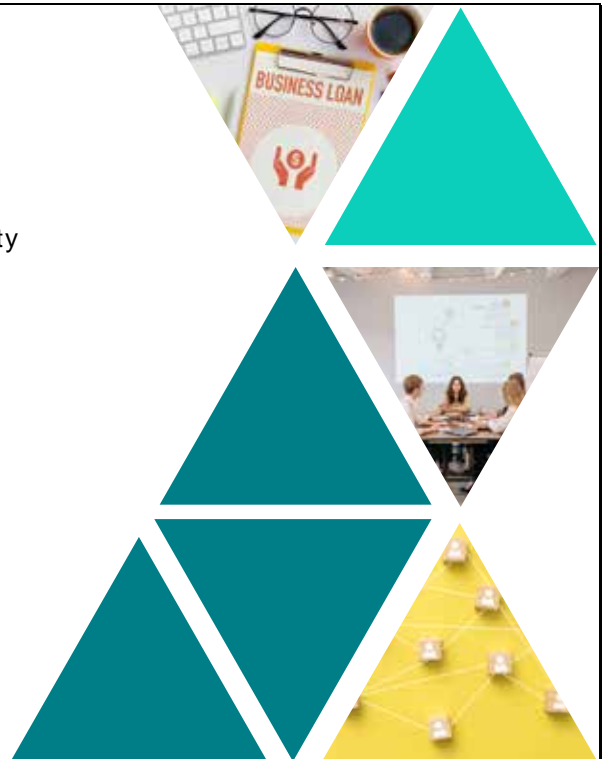


Pillars of Business

As a central component of the Government of Canada's support for rural communities, Community Futures office receive Federal funding.

Valley Heartland's funding is provided by FedDev Ontario to support three pillars of business:

- » Business Loans
- » Business Services
- » Community Development Support



What is a Community Investment Fund?

The investment fund is a uniquely Community Futures tool to stimulate economic development in rural communities, with a local boards of directors to support lending decisions at the community level.

- » Today we manage \$9.5 million.
- » Since inception \$33,129,962 in capital has been accessed by local businesses.
- » The investment fund provides repayable loans to small and medium - sized enterprises with less than 500 employees and annual sales revenue of less than \$20 million.



Not A Traditional Lender

Flexibility

We are able to offer more customized lending solutions that take into account the unique needs of the borrower.

Community Focused

We consider the experience and character of the borrower, as well as the potential for the business to create jobs and contribute to the local economy.

Relationship-based

We spend time getting to know the entrepreneur and their business needs. We understand what goes into running a business, and behind all the numbers are hard-working entrepreneurs contributing to our community.



Business Loans

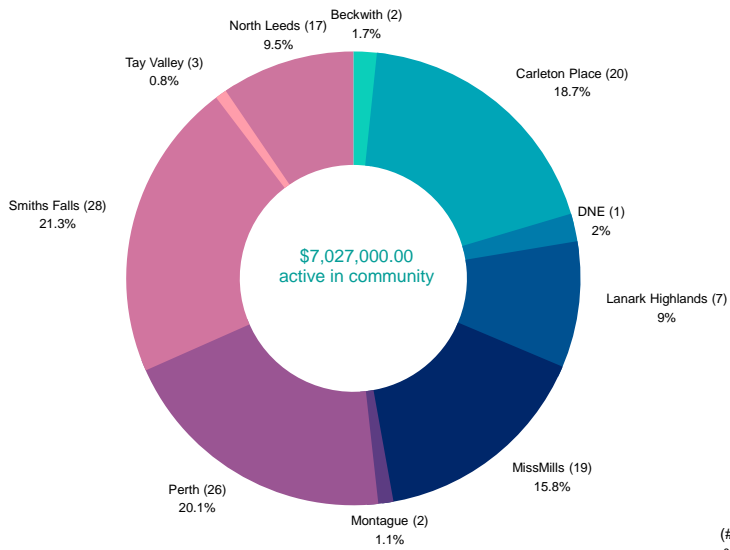
At Valley Heartland, we put local entrepreneurs first.

Our investment funds are exclusively available to Lanark County + North Leeds entrepreneurs, and all decisions are made locally.

- » Up to \$300,000
- » Base rate of prime e plus 2% (fixed)
- » No prepayment penalties



Business Loans



(#) Number of Loans
% of active portfolio



Business Services

Our staff can support businesses with:

- » developing strategies for growth
- » business plan writing and review
- » market and industry research
- » troubleshooting specific challenges

We also make referrals to other local organizations and to provincial or federal advisors when specialized expertise is needed.



Business Services

On average, each year our staff:

- » Respond to 714 general inquiries
- » Lead 245 business advisory meetings
- » Host 6 workshops or training events



The Innovation Centre

The Valley Heartland Innovation Centre (VHIC) provides a one-stop-shop for accessing capital, advice, training, and a supportive environment for unconventional and actionable Economic Development projects.

Our Facility includes:

- » A 1400 sqft Training Room ideal for small conferences, training, webinars, and team-building events. The room features the latest plug-and-play technology.
- » The Digital Media Lab, a photo/video editing and podcast studio with the latest technology and software.
- » Turnkey rental offices, fully furnished with 32 video conferencing screens, phones, a filing cabinet, and sit/stand ergonomic desks for tenant well-being.



Community Development Support

Community Development projects typically:

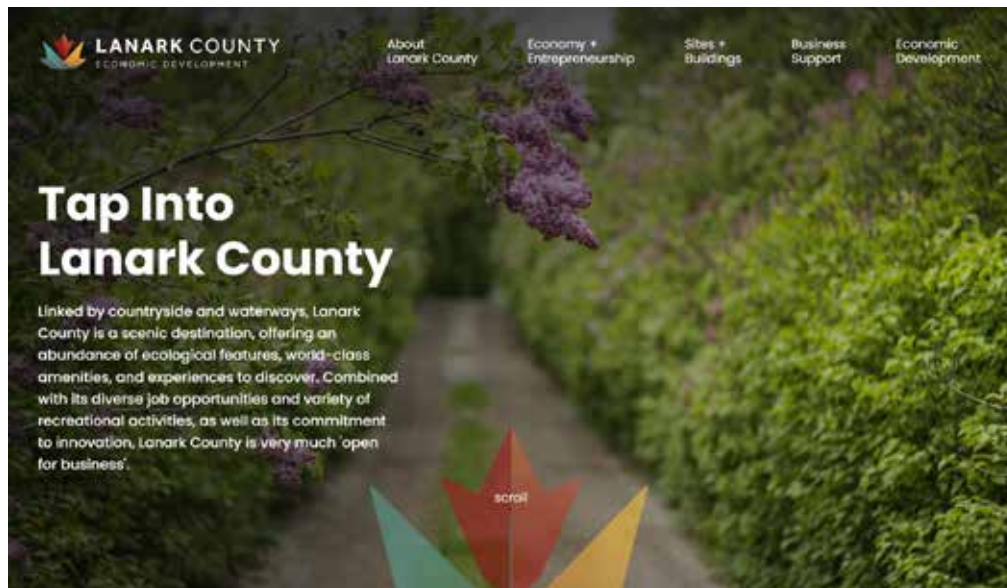
- » develop strategies or
- » implement local solutions

to enhance or improve community development factors that have a significant impact on economic development outcomes



Lanark County Economic Development

- » Through a Service Agreement, Valley Heartland provides regional economic development strategies and programming within Lanark County.
- » This includes:
 - Serving as the initial point of contact for investors and developers interested in the county.
 - Providing assistance for site selection and relocation.
 - Facilitating Regional Economic Development Alliance meetings.
 - Conducting ongoing Economic Development Planning and BR+E activities.
 - Maintaining the new EcDev Website, business event calendar, available land and building directory, and content updates.



investlanarkcounty.ca



A message from our Chair


"The impact of Valley Heartland is clear and compelling.

Through localized efforts, we, like other Community Futures offices across the nation, support rural businesses like no other organization with advisory, programming, and flexible lending backed by a local volunteer board and staff."

Rob Dyke, Chair


The slide features a green background with a leaf pattern. At the top center is the Valley Heartland CFDC logo, which consists of a stylized mountain peak with a maple leaf inside. Below the logo, contact information is organized into four quadrants, each with an icon and text.

Valley Heartland
CFDC

 Address
91 Cornelia St Smiths Falls

 Website
www.valleycfdc.com

 Tina Stevens, GM
tina.stevens@valleycfdc.com

 Amber Coville, BDO
amber.coville@valleycfdc.com

PRIORITY ISSUES

COMMITTEE OF THE WHOLE
August 8, 2023

Report #PD-2023-16
Noelle Reeve, Planner

**PROPOSED CELL TOWER - 2145 BATHURST 2nd CONCESSION
XPLORE INC.**

STAFF RECOMMENDATION

“**THAT**, the Council of the Corporation of Tay Valley Township support the application for a communication tower by Xplore Inc at 2145 Bathurst 2nd Concession in order to increase access to service;

AND THAT, Staff write a letter of concurrence.”

BACKGROUND

Communication tower licenses are approved by Innovation, Science and Economic Development Canada (ISED, formerly Industry Canada). The provisions of the Ontario *Planning Act, R.S.O. 1990, c. P.13*, and other municipal by-laws and regulations do not apply to federal undertakings. However, as part of the approval process, a proponent is required to obtain a letter of concurrence from the municipality in which it is to be located.

A municipality may issue a Letter of Concurrence supporting the proposal, a Conditional Letter of Concurrence indicating support for the proposal if certain conditions are met, or a Letter of Non-Concurrence if it does not support the proposal.

A municipality (Land Use Authority) may develop its own review and public consultation process and may provide comment to the proponent but is not the approval authority for issuing the license.

If a municipality does not have its own public consultation policy for cell towers, the ISED consultation process is used. Tay Valley Township does not have a local protocol for cell tower siting.

FB Connect, on behalf of Xplore Inc (formerly Xplorenet), followed Industry Canada’s consultation process and notified nearby residents within a 144m radius and posted a notice in the Perth Courier June 1, 2023 regarding the proposal for a 48m communication tower (see attachment 1).

DISCUSSION

Xplore Inc requires a resolution from the municipality in support of its application and a letter of concurrence with the application as part of the ISED approval process of issuing a license for communication towers. If they do not receive the resolution and letter, Xplore Inc can petition ISED for a decision.

The previous Council identified increased connectivity as one of its priorities as so many services are provided over the internet including: banking, education, telehealth, entertainment, access to employment opportunities, access to goods and services, etc. Improved telecommunications can almost be considered an essential service according to many residents.

Public Comments

Two individuals raised concerns about the proposed tower. One individual had concerns about the environmental impact on species in the area and about the impact of lighting on their enjoyment of the dark sky.

FB Connect responded by stating:

“The chosen area on the property is where there have already been disturbances to the property and trees. Our access to the tower is along an existing power line that has been cleared and has only brush remaining – no road will be built to the tower, it will be left in its natural state after construction. These towers have a very small footprint of 3m x 3m and with no fencing, wildlife is not impeded in moving through the location”.

“With respect to lighting on the tower, Xplore has submitted the necessary documentation to Transport Canada for review. This review is not expected to be completed until the fall however, we have discussed with an expert in this area, and he has confirmed that as there are no aerodromes within 4km of the proposed tower, there will be no lighting required.”

The other individual expressed concerns to the Township about the potential impact of electromagnetic radiation from the tower. The CAO explained that the Township, ISED, and Xplore Inc. follow Health Canada’s requirements on the acceptable amount of electromagnetic radiation.

OPTIONS

Option #1 – (recommended) Issue a letter of concurrence for the project to Xplore Inc and Copy ISED – achieves increased connectivity for residents.

Option #2 – Refuse to issue a letter of concurrence. Xplore Inc can petition ISED for permission – ISED would likely make a decision in favour of the cell tower.

STRATEGIC PLAN LINK

Strategic Priority #3 - Communications and Connectivity

CLIMATE CONSIDERATIONS

Internet use generates GHGs. The Township can educate residents on ways to reduce their emissions. The Township will also ask Xplore Inc about their climate action plan.

FINANCIAL CONSIDERATIONS

None at this time.

CONCLUSION

Staff recommend Option 1 to address the community’s desire for connectivity.

ATTACHMENTS

- 1) Public Notice – Perth Courier

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

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

NOTICE BOARD

PUBLIC NOTICE

PUBLIC NOTICE

**Proposed 48.0m Communications Tower Site ON8467 DeWitts Corners
Located at 2145 Bathurst 2nd Concession, Perth, ON**

Xplore Inc has proposed a 48.0m tall lite duty steel lattice style communication tower and related radio equipment on private property approximately 2145 Bathurst 2nd Concession. The proposed structure will enhance internet and data coverage and capacity for the surrounding areas of DeWitts Corners.

The geographic coordinates for the proposed site are as follows: Latitude: **44.83255** & Longitude: **-76.357773**. The facility is proposed in a rural area and will occupy a ground area of approximately 3m x 3m.

THIS NOTICE serves as an invitation to any interested members of the public to submit comments/questions to the individuals listed below by **July 4, 2023**.

PLEASE TAKE NOTICE the approval of this site and its design is under the exclusive jurisdiction of the Government of Canada through Innovation, Science and Economic Development Canada (ISED). For more information on the federal process pertaining to these installations please contact the local ISED office at: spectrumenod-spectredeno@ised-isde.gc.ca

FB CONNECT:

Sarah Duncan
Suite 130, 482 South Service Rd E
Oakville, Ontario, L6J 2X6
Tel: (587) 894-0773
Fax: (888) 622-4939
Email: sduncan@forbesbrosLtd.ca

SITE LOCATION MAP (not to scale)



August 8, 2023

**Report #PD-2023-18
Noelle Reeve, Planner**

HOUSING ACCELERATOR FUND APPLICATION

STAFF RECOMMENDATION

It is recommended:

“THAT, the Municipality submit an application to the Federal Housing Accelerator Fund.

BACKGROUND

The [Housing Accelerator Fund \(HAF\)](#) is a \$4 billion fund that was announced during the 2022 Federal Budget. The primary objectives of the fund are to create more supply of housing at an accelerated pace and enhance certainty in the approvals and building process, while also supporting the following priorities:

- “Supporting the development of complete communities that are walkable, consisting of appropriate residential density and a diverse mix of land uses, providing access to a wide variety of amenities and services through public and active transportation.
- Supporting the development of affordable, inclusive, equitable and diverse communities that encourage clear pathways to achieving greater socio-economic inclusion largely achieved through the equitable provision of housing across the entire housing spectrum.
- Supporting the development of low-carbon and climate-resilient communities”.

The fund is being administered by the Canadian Mortgage and Housing Corporation (CMHC). To determine how much funding a rural or northern municipality or an Indigenous community would be eligible for, they are required to prepare an Action Plan that identifies at least five (5) initiatives that meet the objectives of the HAF. The funding amount is largely determined by estimating the number of dwelling units that would be issued permits directly from the initiatives in the Action Plan before September 2026.

Initiatives can include programs that are currently underway, provided they commenced after April 2022, and proposed projects that increase the supply of housing both to September 1, 2026 and beyond.

The application will include a breakdown of how Tay Valley Township may use the funds, but Council will consider the precise allocation of any funding received by CMHC, and each of the initiatives, at future Council meetings.

The HAF is focused on the net increase of permitted residential units between September 1, 2023 and September 1, 2026. A 10% increase in dwellings through building permits over these three years is a minimum requirement of the application.

Tay Valley Township is eligible for \$20,000 for each estimated additional unit above the baseline of total existing houses in the Township. Additional “top up” funds are available for a “missing middle” building (\$12,000 per unit). An affordable housing “bonus” is available if the Action Plan increases the proportion of affordable dwellings (\$19,000 per unit). Climate mitigation design increases eligibility. Therefore, each new dwelling unit could make the Township eligible for between \$20,000 and \$39,000 of funding.

Funding would be issued to successful municipalities in four annual 25% installments beginning in December 2023.

The application is due August 18, 2023

DISCUSSION

The Planner consulted with industry stakeholders (CGIS, Sprucebridge Construction, the President of the Lanark Leeds Homebuilders Association) to determine the initiatives that could optimize Tay Valley’s funding eligibility.

The Planner suggests the following initiatives be included in the HAF application as investments in affordable housing:

- create a policy for the disbursement of Township owned land for affordable housing;
- prepare Township owned land for affordable housing (e.g., undertake the hydrogeological study for the land, along with a feasibility study);
- supply capital funds to units planned by non-profit housing providers;
- supply capital funds to units planned by net-zero builders;
- streamline planning and building approvals (by creating digital systems, etc).

In addition to the five initiatives identified above, the Planner recommends some or all of the following additional initiatives could be included to strengthen the application:

- amend the Zoning By-Law to create multi-unit zones;
- provide as of right zoning for housing developments that meet pre-set climate standards;
- create an Affordable Housing Community Improvement Plan (CIP) tool offering financial incentives to deliver affordable units in specified areas of the Township;
- reduce parking requirements while requiring new parking spaces to be EV-ready;
- invest in active transportation infrastructure (bike lanes, etc);
- increase resources for community engagement on affordable/workforce net zero housing.

Including extra initiatives in Tay Valley’s Action Plan helps the application “score” better in CMHC’s rubric.

OPTIONS TO BE CONSIDERED

Option #1 (Recommended) – The Township submit a HAF application.

Option #2 – Council receives the report for information.

FINANCIAL CONSIDERATIONS

If the federal government approves the Action Plan application, Tay Valley Township may enter into a Contribution Agreement with CMHC to secure HAF funds, currently estimated to total less than \$1 million. Council will consider the allocation of those funds at a later date although the bulk would flow through to builders or non-profits to create the housing.

STRATEGIC PLAN LINK

Housing: The Township is committed to increasing the range of housing options for its residents.

CLIMATE CONSIDERATIONS

Funds would be directed toward the creation of multi-unit residential dwellings which have lower GHG emissions.

CONCLUSIONS

The Planner recommends that the Township should submit an application to the Federal Housing Accelerator Fund.

ATTACHMENTS

None.

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

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

COMMITTEE OF THE WHOLE

August 8, 2023

Report #PD-2023-17
Noelle Reeve, Planner

COMMENTS ON DRAFT LANARK COUNTY CLIMATE ACTION PLAN

STAFF RECOMMENDATION

It is recommended:

“**THAT**, the Township submit its comments on the Draft County Climate Action Plan to the Lanark County Clerk;

AND THAT, the comments also be shared with the other Lanark County lower tier municipalities and the Town of Smiths Falls.”

BACKGROUND

Lanark County has written the first draft of its Climate Action Plan. The plan includes proposed corporate actions on education, transportation and equipment, buildings and energy, waste diversion and management, and the Lanark County Housing Corporation. Community actions focus on transportation, buildings and energy, natural heritage and resources, waste diversion and management, and planning.

Local organizations, community groups, businesses, and community members are encouraged to provide their feedback to the County by August 28, 2023. A summary of the Draft Plan, the complete Draft Plan and a short survey are found on this link <https://www.lanarkcounty.ca/en/environmental-initiatives/climate.aspx>

The Lanark County Clerk also requested feedback from the lower tier municipalities in the County, including Tay Valley Township.

DISCUSSION

The County has identified a target of reducing its corporate Greenhouse Gas (GHG) emissions by 80% by 2050. The Township believes the County should set a target of achieving net zero emissions by 2050. This target has been adopted by the federal government and Ontario municipalities including London, Guelph, Hamilton, Oxford County and will be exceeded by the City of Toronto which aims to be net zero by 2040. Other municipalities such as Halton Hills, Region of Waterloo and Windsor are close to adopting net zero targets by 2050.

Targets and actions in the Plan should have more details on the timing of implementation. None of the goals in either the Corporate or Community Plan establish a specific time period. There is no definition for short-term, medium-term or long-term so the sense of what should be achieved is unclear and will make monitoring progress difficult.

Also, the specific target reductions to be achieved by each of the actions and the possible costs or cost savings of the actions are undefined which makes it hard to prioritize the actions.

County Council will need to understand how its asset management plan schedule of asset replacement ties into implementing its Climate Action Plan on a yearly basis so Council is not surprised by the need to purchase non-fossil fuel assets or strengthen or replace existing assets to withstand destruction from climate change events (e.g., washouts, ice storms, drought, etc.). Therefore, either the Climate Action Plan should contain that information or it should reference the Asset Management Plan (which should contain that information).

County Council will also need to understand how its natural or green assets can help mitigate the effects of climate change and what is required to maintain or increase those assets (e.g., forest cover, Low Impact Development stormwater management, etc). Therefore, either the Climate Action Plan should contain that information or it should reference the Asset Management Plan (which should contain that information).

The County has suggested guiding principles for its own corporate operations would include:

1. Create a climate conscious culture and community,
2. Eliminate fossil fuels,
3. Optimize energy/water efficiency and increase renewable energy generation,
4. Sustainably manage waste towards a circular economy.

Three additional guiding principles are identified for the community:

4. Advance the use of nature based solutions in climate change management,
6. Collaborate with community stakeholders,
7. Increase funding, accessibility, and education.

The Township suggests that 2) Eliminate fossil fuels should be listed as the first guiding principle. Also 4) Advance the use of nature based solutions in climate change management should also apply to County operations including undertaking a Natural Heritage System study for inclusion in the updated Official Plan, and recognizing the role of nature based assets for stormwater management, etc.

The County Climate Action Plan identifies 8 priority goals/initiatives:

1. Support the adoption of electric vehicles,
2. Transition to low-carbon transportation when electric is not a viable solution,
3. Advance transportation demand management programming and infrastructure,
4. Increase the use of local and renewable energy generation and security,
5. Improve energy efficiency of existing buildings,
6. Sequester carbon and protect natural resources,

7. Optimize organic waste diversion, and
8. Create a climate conscious community culture.

The Township recommends that 3) Advance transportation demand management programming and infrastructure by providing local transit, carpooling, and ridesharing solutions suitable for rural communities be the first priority since this is the largest source of community emissions and second largest source of County corporate emissions. Upgrading cycling infrastructure on all County roads (i.e., paved shoulders, bollards), could be part of this action.

The Township recommends that 5) Improve energy efficiency of existing buildings, be the second priority because buildings are the largest source of County corporate emissions and the second largest source of community emissions. Improving energy efficiency should include building new or retrofitting all County buildings and housing units to be net-zero. The County can develop a home energy retrofit program for municipalities other than Tay Valley (who has already started one). The County can establish green building standards and encourage the use of solar and wind energy where suitable.

The Township recommends that 7) Optimize organic waste diversion, be the third priority because it is the cheapest and easiest action residents can take to reduce their greenhouse gas emissions.

The Township recommends that 6) Sequester carbon and protect natural resources be the fourth priority as protecting wetlands sequesters the greatest amount of carbon and they also provide climate mitigation (by retaining water to ameliorate both flooding and droughts) and protecting trees also sequesters carbon. Promoting sustainable agriculture is another action the County can take on this topic.

The Township recommends that 1) Support the adoption of electric vehicles be the fifth priority.

The Township recommends that 4) Increase the use of local and renewable energy generation and security, be the sixth priority.

The Township recommends that 2) be eliminated as there is research showing shipping the biodiesel eliminates its greenhouse gas reduction.

The Township recommends that 8) Create a climate conscious community culture will occur from County and Municipal councils' purchasing decisions and natural heritage protection decisions being seen by staff and the community as walking the talk. An annual report on corporate emissions and two year reporting on community emissions will reinforce a climate conscious culture.

Also, amending the County Official Plan to include climate change policies (not just limited to transportation) will also support a climate conscious culture. Local municipalities would then be able to amend their Official Plans to include climate change policies that comply with the County Official Plan and which reflect local climate change plans and strategies.

In addition, it will be important that an adequate annual budget is allocated for climate activities, not just for projects, but to ensure that there is significant staff time allocated.

There also should be an increased focus on the use of the Climate Lens, not just in a report to Council after the fact, but it should be used throughout the process during procurement and policy development.

With respect to procurement, the County should apply full life-cycle costing to assess the long term economics of a decision as an aid to decision making.

A stronger and more formal structure for public engagement needs to be developed, such as a business and citizen Advisory Committee, that could have several sub-committees. There is a great deal of expertise in the County that could be used to educate the public and provide advice to County staff.

OPTIONS TO BE CONSIDERED

Option #1 (Recommended) – The Township forward this report to the Lanark County Clerk and that the report also be shared with the other Lanark County lower tier municipalities and the Town of Smiths Falls.

Option #2 – Council receives the report for information.

FINANCIAL CONSIDERATIONS

County actions can positively influence the Township's ability to meet its Climate Action Plan targets at lower costs (e.g., through shared procurement of electric vehicles, etc.)

STRATEGIC PLAN LINK

Environment: Tay Valley continues to be known for its environmental policies and practices.

CLIMATE CONSIDERATIONS

County actions can produce synergies to assist the Township to implement its Climate Action Plan. Conversely, County actions could cause delays or reduce the Township's ability to achieve its Climate targets.

CONCLUSIONS

The Planner recommends that the Township should comment on the County Climate Action Plan so that the Township's Council representatives can advocate on behalf of Tya Valley residents for solutions such as transit, etc.

ATTACHMENTS

- 1) 4-page Summary of County Plan
- 2) Link to full plan - [Lanark-County-Climate-Action-Plan First-Draft June-12.pdf \(lanarkcounty.ca\)](#)

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

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



Climate Action Plan

Quick Reference Guide

Here are the key takeaways we think you should know from the Lanark County Climate Action Plan, with quick reference to their respective sections.

Background

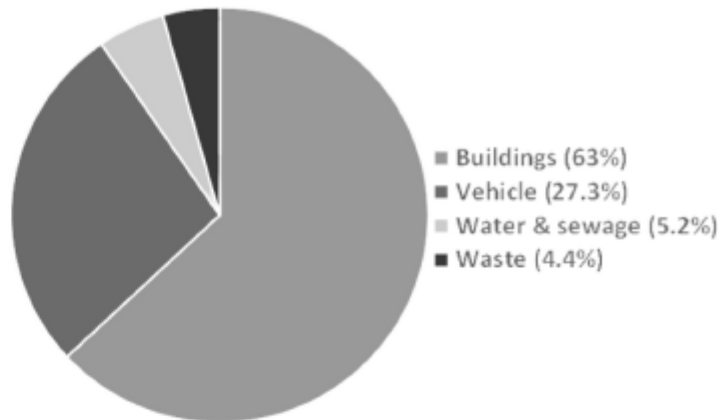
- Lanark County is a member of the Partners for Climate Protection (PCP) program, which is a national network of over 400 municipalities with a shared goal of taking action against climate change and reducing local greenhouse gas emissions.
- The publication of the Lanark County Climate Action Plan marks the completion of Milestone 3 of the PCP program.
- The Lanark County Climate Action Plan outlines how the County, municipalities, and community members can work together to reduce greenhouse gas emissions and create a more resilient community for the future.
- The plan includes corporate actions on education, transportation, buildings and energy, waste diversion and management, and the Lanark County Housing Corporation. Community actions focus on transportation, buildings and energy, natural heritage and resources, waste diversion and management, and planning.

Without climate action, Lanark County may experience:

- More frequent and extreme heat and drought, impacting local water supply and agricultural practices.
- Damage to homes, roads, and infrastructure from extreme weather events.
- Increased health and safety risks from heat stress, disease, extreme weather, and mental health stressors.
- Disruptions to the economy as infrastructure and assets are impacted.

Corporate Climate Action Plan (Pg 13-19)

- In 2019, Lanark County corporate operations emitted a total of **2,462 tonnes of CO2e**.
- The largest source of corporate emissions are County-owned buildings, which account for 63% of total emissions (Figure 4).



Guiding Principles

1. Create a climate conscious culture and community
2. Eliminate fossil fuels
3. Optimize energy/water efficiency and increase renewable energy generation
4. Sustainably manage waste towards a circular economy

Corporate Emission Reduction Targets

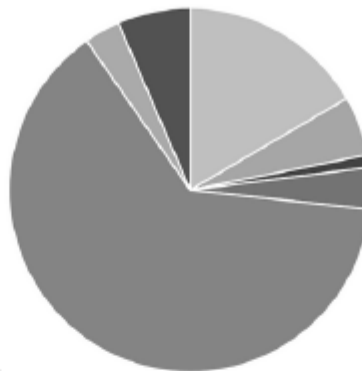
25% below 2019 levels by 2030

80% below 2019 levels by 2050

Themes	Summary of Goals
1. Education (Pg 14)	Assessing the climate impact of council decisions, raising staff awareness, and encouraging staff to reduce energy consumption in the office.
2. Transportation and equipment (Pg 15)	Transitioning to electric fleet, increasing electric vehicle infrastructure at County buildings, and purchasing electric power tools and equipment.
3. Buildings and energy (Pg 16)	Improving and optimizing building efficiency and assessing opportunities to utilize renewable energy where possible.
4. Waste diversion and management (Pg 17)	Reducing plastic waste and improving the corporation's waste diversion.
5. Lanark County Housing Corporation (Pg 17)	Assessing the efficiency of the Lanark County Housing Corporation building portfolio to reduce fossil fuel consumption and optimize energy efficiency where possible through deep retrofits, appliance upgrading, and renewable energy sources.

Community Climate Action Plan (Pg 19-29)

- In 2019, 696,972 tonnes of CO₂e were emitted from the Lanark County community as a whole.
- On-road transportation is the largest source of greenhouse gas emissions in the community, accounting for 63.6% of total emissions (Figure 7).



- Residential (16.6%)
- Commercial and institutional (5.3%)
- Manufacturing industries and construction (1.1%)
- Non-specified sources (3.7%)
- On-road transportation (63.6%)
- Solid waste (3.2%)
- Agricultural, forestry, and other land-use (6.5%)

Guiding Principles

1. Create a climate conscious culture and community
2. Eliminate fossil fuels
3. Optimize energy/water efficiency and increase renewable energy generation
4. Advance the use of nature based solutions in climate change management
5. Sustainably manage waste towards a circular economy
6. Collaborate with community stakeholders
7. Increase funding, accessibility, and education

Community Emission Reduction Targets

10% below 2019 levels by 2030

80% below 2019 levels by 2050

Themes	Summary of Goals
1. Transportation (Pg 22)	Transitioning to and promoting low carbon transportation through exploring low-carbon fuels, electric vehicles, active transportation, carpooling and rural transit options to reduce single occupancy vehicle trips.
2. Buildings and Energy (Pg 24)	Developing a home energy retrofit program, increasing energy/water retrofits in the industrial, commercial, and institutional sector.
3. Natural Heritage and Resources (Pg 25)	Protecting our natural heritage and resources that sequester carbon to maintain resiliency in the changing climate.
4. Waste Diversion and Management (Pg 27)	Identifying sustainable solid waste and recycling solutions and optimizing organic waste diversion.
5. Planning (Pg 29)	Consulting with community stakeholders in natural asset and climate change adaptation planning.

Implementing the Plan (Pg 29-34)

- To effectively respond to climate change, 8 major climate initiatives have been prioritized goals for the current council term (2023 - 2026).
- The Climate Action Plan will be reviewed every 4 years, within the first year of each Council term. These reviews will provide an opportunity to adjust the plan through the addition of new goals and removal of those that have been completed.

8 Priority Climate Initiatives for 2023-2026

1. Support the adoption of electric vehicles
2. Transition to low-carbon transportation when electric is not a viable solution
3. Advance transportation demand management programming and infrastructure
4. Increase the use of local and renewable energy generation and security
5. Improve energy efficiency of existing buildings
6. Sequester carbon and protect natural resources
7. Optimize organic waste diversion
8. Create a climate conscious community culture

Refer to Table 1 for details on specific approaches for each initiative (Pg 33)

We want your feedback!

To reach our emission reduction targets and adapt to the changing climate, we need community action.

Please complete our [survey](#) or provide feedback to climate@lanarkcounty.ca by August 28th, 2023. Survey link: <https://forms.gle/uccegSBPrAonHKHH9>

For more information and updates, follow us on Facebook:

[Lanark County Climate Action Information Page](#)

01/01/2023-06/30/2023 Summary Report with Previous 3 year Average

2023	Number of Permits	3 yr. avg. (2020-2022)	S.F.D.'s	3 yr. avg. (2020-2022)	Commercial	3 yr. avg. (2020-2022)	Permit Fees	3 year average (2020-2022)	Building Value	3 year average (2020-2022)	Dev.Charge
January	3	5	0	0	0	0	\$4,434.83	\$3,239.20	\$455,000.00	\$725,555.67	\$3,800
February	5	5	1	1	0	0	\$4,805.70	\$7,440.30	\$763,000.00	\$1,716,866.67	\$8,344
March	12	13	0	4	0	0	\$62,988.48	\$10,944.11	\$28,122,000.00	\$1,689,833.33	\$371,136
April	8	11	1	4	0	0	\$6,167.85	\$11,273.42	\$879,000.00	\$2,224,562.00	\$8,029
May	14	20	3	5	0	0	\$14,342.75	\$13,442.77	\$3,718,000.00	\$3,084,095.00	\$32,746
June	16	14	3	3	0	1	\$11,716.55	\$10,014.22	\$2,047,800.00	\$1,944,179.00	\$25,032
Total	56	68	8	17	0	1	\$104,455.96	\$56,354.02	\$35,984,800.00	\$11,385,121.67	\$449,087

As of Feb 1, 2023 Dev Charges of \$8,344 on permits are comprised of \$7,308 Township Dev Charge and \$1,036 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

01/01/2023-07/31/2023 Summary Report with Previous 3 year Average

2023	Number of Permits	3 yr. avg. (2020-2022)	S.F.D.'s	3 yr. avg. (2020-2022)	Commercial	3 yr. avg. (2020-2022)	Permit Fees	3 year average (2020-2022)	Building Value	3 year average (2020-2022)	Dev.Charge
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March	12	13	0	4	0	0	\$62,988.48	\$10,944.11	\$28,122,000.00	\$1,689,833.33	\$371,138
April	8	11	1	4	0	0	\$8,167.65	\$11,273.42	\$879,000.00	\$2,224,562.00	\$8,029
May	14	20	3	5	0	0	\$14,342.75	\$13,442.77	\$3,718,000.00	\$3,084,095.00	\$32,746
June	16	14	3	3	0	1	\$11,716.55	\$10,014.22	\$2,047,800.00	\$1,944,179.00	\$25,032
July	17	18	2	4	1	0	\$14,461.15	\$9,412.43	\$2,469,500.00	\$1,707,459.33	\$28,975
Total	73	86	10	21	1	1	\$118,917.11	\$65,766.46	\$38,454,300.00	\$13,092,581.00	\$478,062

As of Feb 1, 2023 Dev Charges of \$8,344 on permits are comprised of \$7,308 Township Dev Charge and \$1,036 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
August 8, 2023

Report #PW-2023-16
Sean Ervin, Public Works Manager

**CHRISTIE LAKE NORTH SHORE ROAD RAILWAY WARNING SYSTEM
IMPROVEMENTS**

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, the Railway Safety Improvement Program Funding Agreement for the railway warning system improvements at the Christie Lake North Shore Road Crossing as outlined in Report #PW-2023-16 – Christie Lake North Shore Road Railway Warning System Improvements, be approved;

THAT, the estimated cost of \$39,910 be funded from the Contingency Reserve unless funding is received from the Railway Safety Improvement Program, with the estimated costs would then be \$19,995.00;

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

BACKGROUND

The current configuration at the Christie Lake North Shore Road (CLNSR) crossing includes a set of flashing red lights to warn users of the road of approaching trains. The flashing lights were installed around 1977 and 80% of the costs of the said protection was paid for by the Railway Grade Crossing Fund, 12.5% of the costs were paid for by the Township and the balance was paid for by the railway company. The maintenance and operation costs of the current warning system is split 50/50 by the Township and the railway company. The Order from the Railway Transport Committee is attached to this report.

DISCUSSION

Canadian Pacific Kansas City Railway Company (CPKC) received a report from Transport Canada following an inspection which noted that there are deficiencies at the crossing, specifically regarding the northern approach and the intersection of CLSNR and North Mac Lane. CPKC have reviewed the report and are recommending that gates be installed at the

crossing and the estimated cost breakdown is included as an attachment to this report. CPKC have drafted an agreement, which outlines obligations, terms and cost responsibilities of both parties, as well as timelines, The draft agreement is attached to this report.

FINANCIAL CONSIDERATIONS

CPKC are recommending that 50% of the costs are paid for by CPKC and the remaining 50% be paid for by the Township. The estimated costs to complete the work is \$79,820 and therefore the Township's portion of the costs would be \$39,910.

CPKC will apply to Transport Canada under the Rail Safety Improvement Program which would cover 50% of the total costs and the Township and CPKC would split the remaining 50% costs 50/50, for an estimated total amount of \$19,995 each.

This project is not included in any 10-year capital plan and therefore staff are recommending that the funds be pulled from the Contingency Reserve.

OPTIONS CONSIDERED

Option #1 – (Recommended) – Council approves the agreement; the project is funded by the Contingency Reserve and the Reeve and Clerk be authorized to sign the necessary documents.

Option #2 – Council approves the agreement; the project is funded by the Road Construction Reserve and the Reeve and Clerk be authorized to sign the necessary documents.

Option #3 – Council does not approve the agreement and the project does not move forward. This is not recommended as the improvements are being ordered by Transport Canada.

CLIMATE CONSIDERATIONS

None considered.

STRATEGIC PLAN LINK

None considered.

CONCLUSIONS

As noted in the draft agreement, CPKC are hoping to have the project completed by the end of November 2024. The Representative from CPKC noted that they are slightly flexible with the proposed schedule, however, there also should be some urgency to move this project forward as the crossing has been deemed to have some deficiencies by Transport Canada.

ATTACHMENTS

1. Railway Transport Committee Order No. R-24687

2. Draft Rail Safety Improvement Program Funding Agreement

Prepared and Submitted By:

Approved for Submission By:

**Sean Ervin,
Public Works Manager**

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

ATTACHMENTS

Railway Transport Committee Order No. R-24687



Canadian Transport
Commission

Commission canadienne
des transports

RAILWAY TRANSPORT COMMITTEE

ORDER NO. R-24687

Ottawa, April 18, 1977.

IN THE MATTER OF the application of the Township of South Sherbrooke, hereinafter called the "Applicant",

(a) for authority to widen and improve Township Road where it crosses at grade the right of way and track of Canadian Pacific Limited, in Lots 20 and 21, Concession 3, at Christie Lake, in the Township of South Sherbrooke, in the Province of Ontario, at mileage 23.59 Belleville Subdivision, as shown on Plan revised to June 22, 1976, on file with the Commission under File No. 3701.399; and

(b) for an Order respecting the installation of automatic protection at the said crossing.

File No. 3701.399

UPON reading the submissions filed -

IT IS ORDERED THAT:

1. The Applicant is authorized to widen and improve Township Road where it crosses at grade the right of way and track of Canadian Pacific Limited, in Lots 20 and 21, Concession 3, at Christie Lake, in the Township of South Sherbrooke, in the Province of Ontario, at mileage 23.59 Belleville Subdivision, as shown on said Plan.

2. The said work shall be carried out in compliance with the requirements of the Committee respecting highway crossings.

COMITE DES TRANSPORTS PAR CHEMIN DE FER

ORDONNANCE N° R-24687

Ottawa, le 18 avril 1977

RELATIVE à la requête présentée par le canton de South Sherbrooke, ci-après désigné "le requérant", en vue d'obtenir:

a) l'autorisation d'élargir et d'améliorer le passage à niveau situé au croisement du chemin de canton et de l'emprise et de la voie ferrée de Canadien Pacifique Limitée, lots 20 et 21, concession 3, à Christie Lake, canton de South Sherbrooke, province de l'Ontario, au point milliaire 23.59 de la subdivision Belleville, comme indiqué sur le plan révisé le 22 juin 1976, versé au dossier n° 3701.399 de la Commission; et

b) une ordonnance relative à l'installation d'un système de protection automatique audit passage.

Dossier n° 3701.399

APRES lecture des pièces déposées -

IL EST ORDONNE CE QUI SUIT:

1. Le requérant est autorisé à élargir et à améliorer le passage à niveau situé au croisement du chemin de canton et de l'emprise et de la voie ferrée de Canadien Pacifique Limitée, lots 20 et 21, concession 3, à Christie Lake, canton de South Sherbrooke, province de l'Ontario, au point milliaire 23.59 de la subdivision Belleville, comme indiqué sur ledit plan.

2. Lesdits travaux devront être exécutés conformément aux prescriptions du Comité relatives aux croisements de voies publiques.

3. Eighty per cent of the cost of improvement of the approaches and view lines, or the sum of \$35,200., whichever is the lesser, shall be paid out of The Railway Grade Crossing Fund; seven and one-half per cent of the said cost shall be paid by Canadian Pacific Limited and the balance of the said cost shall be paid by the Applicant.

4. The cost of improvements additional to those described in Section 3 shall be paid by the Applicant.

5. The cost of widening of the said crossing shall be paid by the Applicant.

6. The cost of maintenance of the said widened and improved crossing shall be paid by Canadian Pacific Limited.

7. Within ten months from the date of this Order, Canadian Pacific Limited shall install and thereafter maintain, flashing light signals and bell at the said crossing.

8. The said protection shall be installed in compliance with the requirements of General Order No. E-6 of the Board of Transport Commissioners for Canada.

9. Eighty per cent of the cost of installation of the said protection, or the sum of \$18,240., whichever is the lesser, shall be paid out of The Railway Grade Crossing Fund; twelve and one-half per cent of the said cost shall be paid by the Applicant and the balance of the said cost shall be paid by Canadian Pacific Limited.

3. Quatre-vingts pour cent du coût de l'amélioration des approches et des lignes de visibilité, ou la somme de \$35,200, si elle est moins élevée, seront prélevés sur la Caisse des passages à niveau; sept et demi pour cent dudit coût seront payés par Canadien Pacifique Limitée et le reliquat dudit coût sera à la charge du requérant.

4. Le coût des améliorations, en sus de celles mentionnés à l'article 3, seront à la charge du requérant.

5. Le coût de l'élargissement dudit passage à niveau sera à la charge du requérant.

6. Les frais de l'entretien dudit passage à niveau élargi et amélioré seront payés par Canadien Pacifique Limitée.

7. Dans les dix mois de la date de la présente ordonnance, Canadien Pacifique Limitée devra installer et, par la suite, entretenir, des signaux clignotants et une sonnerie audit passage.

8. Ledit système de protection devra être installé conformément aux prescriptions de l'ordonnance générale n^o E-6 de la Commission des transports du Canada.

9. Quatre-vingts pour cent du coût de l'installation dudit système de protection, ou la somme de \$18,240, si elle est moins élevée, seront prélevés sur la Caisse des passages à niveau; douze et demi pour cent dudit coût seront payés par le requérant et le reliquat dudit coût sera à la charge de Canadien Pacifique Limitée.

10. The contribution from The Railway Grade Crossing Fund, herein authorized, is subject to the terms and conditions set out in Schedule "A" entitled Directives, attached to Order No. R-21775 dated November 27, 1975.

11. Fifty per cent of the cost of maintenance and operation of the said automatic protection shall be paid by the Applicant and fifty per cent of the said cost shall be paid by Canadian Pacific Limited.

10. Le prélèvement sur la Caisse des passages à niveau, ci-autorisé, est assujéti aux termes et aux conditions énoncés à l'annexe A, intitulée Directives, jointe à l'ordonnance n^o R-21775, en date du 27 novembre 1975.

11. Les frais de l'entretien et du fonctionnement dudit système de protection seront payés dans la proportion de cinquante pour cent par le requérant et de cinquante pour cent par Canadien Pacifique Limitée.

(signed)

(signature)

J. d'Avignon

Secretary

Secrétaire

Railway Transport Committee

Comité des transports par chemin de fer

Draft Rail Safety Improvement Program Funding Agreement

RAIL SAFETY IMPROVEMENT PROGRAM FUNDING AGREEMENT

THIS AGREEMENT is dated: _____ (the Effective Date)

BETWEEN:

CANADIAN PACIFIC KANSAS CITY RAILWAY COMPANY
a body duly incorporated under the laws of Canada, having its head
office in Calgary, Alberta (CPKC)

- and -

The Township of Tay Valley (the Road Authority)

WHEREAS:

- A. Mile 29.53 of CPKC's Belleville Subdivision passes through the town/city of Tay Valley, including specifically Christie Lake N Shore Road (the Crossing);
- B. CPKC and the Road Authority wish to complete warning system improvements relevant to the safety of the Crossing, as described in Schedule A (the Work);
- C. Canada's federal Ministry of Transportation administers the Rail Safety Improvement Program (RSIP) and provides grants and contribution funding to improve rail safety, including: safety improvements to existing rail lines; closure of grade crossings; and initiatives to raise awareness about rail safety issues across Canada;
- D. The Work contemplates upgrades to the crossing warning system which may be eligible for funding under the federal Ministry of Transportation's Rail Safety Improvement Program, in respect to which CPKC intends to make a joint application for funding on behalf of the parties;
- E. Prior to a determination by the Minister of Transportation as to the eligibility of the Work for funding, CPKC will undertake engineering design and material procurement, in which the parties want to clarify their liability;

NOW THEREFORE in consideration of the mutual covenants herein contained, the parties agree as follows:

ARTICLE 1 – CPKC OBLIGATIONS

- 1.1 The Road Authority acknowledges and agrees that CPKC shall be authorized by the Road Authority to submit a joint funding application to RSIP, for the Work, on behalf of the parties (the Application).
- 1.2 CPKC shall complete the Work, including the procurement of all materials and labour at its sole discretion and in accordance with applicable laws, to its own satisfaction.
- 1.3 The Road Authority acknowledges that CPKC will incur certain costs and expenses in the execution of the Work and that CPKC shall be entitled to reimbursement from the Road Authority for those costs and expenses.

- 1.4 The Road Authority acknowledges and agrees that, unless otherwise agreed in writing, any road improvements outside the scope of this Agreement shall be the responsibility of the Road Authority, and the Road Authority shall be responsible for any application to Transport Canada for such improvements.
- 1.5 The Parties agree and acknowledge that the following activities shall form part of this Agreement:
 - a. On or before August 1st, 2023, CPKC shall submit the Application;
 - b. Before formal notice of funding approval from Transport Canada, CPKC may design the warning system and retain any required third-party engineering services for the Work;
 - c. Before formal acknowledgment of funding approval from Transport Canada, CPKC may order any materials required in connection with the Work;
 - d. Upon release from Transport Canada, CPKC will notify the Road Authority as to the status of the Application including whether or not Transport Canada has granted the requested funding.
 - e. On or before November 28, 2024, CPKC will complete the Work;

ARTICLE 2 - ROAD AUTHORITY OBLIGATIONS

- 2.1 The Road Authority will make available to CPKC any information pertinent to the performance of the Work or the Application, subject to the reasonable confidentiality requirements of the Road Authority. This information includes the design criteria listed under section 12 of the *Transport Canada Grade Crossing Regulations* SOR/2014-275.
- 2.2 The Road Authority agrees to pay any invoice received from CPKC for the Work in accordance with the payment terms set out therein.
- 2.3 Maintenance costs shall be billed in accordance with the applicable rates set by the Canada Transportation Agency.

ARTICLE 3 - COSTS

- 3.1 The estimated cost of completing the Work is \$79,820.00 (the Estimated Price), as further described in Schedule A. The Estimated Price may vary depending on market or site-specific conditions, in which case CPKC and the Road Authority will review and agree upon significant changes prior to any material modifications.
- 3.2 CPKC shall submit the Application to Transport Canada seeking funding for 50% of the Estimated Price or approximately \$39,910.00 (CAD). This amount may be approved by Transport Canada, at their discretion.

- 3.3 The Parties agree and acknowledge that pending Transport Canada's approval of the Application liability for the Work shall be apportioned as follows:

Description	Percentage of the Estimated Price	Cost (CAD)
Transport Canada funding request	50%	\$39,910.00
CPKC's share	25%	\$19,995.00
Road Authority's share	25%	\$19,995.00

- 3.4 Where the Application has not been approved by Transport Canada and both CPKC and the Road Authority agree to proceed with the Work without federal funding, costs for the Work shall be apportioned as follows:

Description	Percentage of the Estimated Price	Cost (CAD)
CPKC's share	50%	\$39,910.00
Road Authority's share	50%	\$39,910.00

- 3.5 All expenses incurred in respect of the Work shall be exclusive of applicable sales, use, goods and services, harmonized sales tax or transfer taxes imposed by any Canadian taxing authority (collectively, Taxes), and all such applicable Taxes shall be added to each amount required to be paid by the Road Authority and CPKC.

ARTICLE 4 - TERMINATION

- 4.1 This Agreement may be terminated at any time upon the Parties' mutual written agreement.
- 4.2 In the event the Road Authority no longer wishes to proceed with the Work, it shall promptly notify CPKC in writing. Upon receipt of such written termination notice, CPKC will cease all work in connection with the Work. The Road Authority agrees to reimburse CPKC for any costs incurred by CPKC up to the effective date of such termination, including without limitation material ordering costs or engineering design costs, or any costs stemming from such termination.

ARTICLE 5 – GENERAL TERMS

- 5.1 **Notice.** All notices or communications required hereunder shall be given by courier or facsimile and addressed to the other Party as follows:

To CPKC:

Canadian Pacific Kansas City Railway Company
 Building 1 – 7550 Ogden Dale Road SE, Calgary AB T2C 4X9
 Attention: Tyler Pattyn
 Email: Tyler_pattyn@cpr.ca

To Road Authority:

Tay Valley Township
217 Harper Road, Perth, Ontario, K7H 3C6
Attention: Sean Ervin
Email: Publicworksmanager@tayvalleytwp.ca

or such other address which the Parties may identify. Any notice shall be deemed to have been received: (i) if sent by courier, upon the date of delivery; or (ii) if sent by fax, upon the date of fax receipt confirmation.

- 5.2 **Entire Agreement.** This Agreement constitutes the entire agreement of the Parties concerning its subject matter and no other representations, warranties or agreements, either oral or written, shall be binding upon the Parties with respect to the subject matter. This Agreement supersedes and invalidates all prior agreements, understandings, negotiations, representations and warranties, whether oral or written, with respect thereto. No amendment, modification, or supplement to this Agreement shall be valid or binding unless set out in writing and executed by the Parties in the same manner as the execution of this Agreement.
- 5.3 **Governing Law.** The Parties agree that this Agreement will be construed in accordance with the laws of the Province where the Crossing is located.
- 5.4 **Implied Waiver.** No condoning, excusing or overlooking by either Party, or by any Person acting on its behalf, on previous occasions, of breaches or defaults similar to that for which any action is taken, or power exercised, or forfeiture is claimed or enforced against either Party, shall be taken to operate as a waiver of any provision of this Agreement, nor to defeat, affect or prejudice in any particular way the rights of the Parties hereunder.
- 5.5 **No Partnership.** The Parties agree and acknowledge that they are not partners in any business or a joint-venture or a member of a joint or common enterprise.
- 5.6 **Enurement.** This Agreement shall enure to the benefit of and be binding upon the Parties and their respective successors and assigns.
- 5.7 **Severability.** Should any provision of this Agreement be or become invalid, void, illegal or not enforceable, it shall be considered separate and severable from this Agreement and the remaining provisions shall remain in force and be binding upon the Parties as though such provision had not been included.
- 5.8 **Further Assurances.** The Parties covenant and agree that they shall execute and deliver all such further assurances and do or perform or cause to be done or performed all such acts and things as may be required to be performed to fully carry out the provisions and intent of this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement by their proper officers, authorized in that behalf on the date first above written.

CANADIAN PACIFIC KANSAS CITY
RAILWAY COMPANY

TOWNSHIP OF TAY VALLEY

Name

Name

**SCHEDULE "A"
THE WORK**

CP		File: X-BELL-023-59-R
	Signals & Communications	Road: Christie Lake Road
		Date: 2023-06-07
<p>Estimate of cost to add sidelights to cover intersecting roads at the crossing of Christie Lake Road in/near Clarington, Ontario and mile 23.59 Belleville subdivision.</p>		
MATERIAL:		
Gate assemblies, Gate arms, Light units (LEDS), Maets, Cantilevers, etc.		\$6,500
Constant Warning Time Control equipment accessories, etc.		
Insulated Joints, etc.		
Battery Cells		
Foundations, Tunnel Liner, etc.		\$700
Wire, Cable, Bonds, etc.		\$100
Housing Material		
Miscellaneous Materials		\$1,500
MATERIAL:	Sub Total:	\$8,800
	Material Overheads (18% Sched C)	\$1,584
LABOUR:		
Labour (Installation)		\$19,000
Labour (Statutory Leave):	(29% Sched B)	\$5,510
Labour (Supervision, Administration & General):	(63% Sched B)	\$11,970
Labour (Travel & Expenses):	(Sched D)	\$5,700
LABOUR:	Sub Total:	\$42,180
SERVICES:		
Engineering Services Design		\$10,000
Transport & Rental of Equipment		\$10,000
Hydro Services		\$0
SERVICES:	Sub Total:	\$20,000
	Estimate Sub Total:	\$72,584
	Contingencies (10%):	\$7,256
	Estimate Total:	\$79,820
Annual Schedule A Maintenance Cost, Standard Rate Type 2: \$7,110		
<p>Estimate is subject to the Canadian Guide to Railway Charges for Crossing Maintenance and Construction rates in effect at time of construction, otherwise valid for one year from date of issue unless superseded.</p> <p>Estimate shows present known material prices and anticipated labour effort required. Final billing will show actual price paid and actual labour effort expended.</p> <p>Estimate is based on work during frost-free ground conditions.</p> <p>Unless specified in the description above, the estimate does not include any costs associated with relocation of underground utilities or overhead wires.</p> <p>Director Signals and Communications, Design Signals & Communications</p>		

COMMITTEE OF THE WHOLE
August 8, 2023

Report #PW-2023-17
Sean Ervin, Public Works Manager

GLEN TAY CULVERT – TENDER AWARD

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, Tender #2023-RF-002 – Glen Tay Culvert Rehabilitation be cancelled for the reasons outlined in Report #PW-2023-17 – Glen Tay Culvert – Tender Award;

AND THAT, the project be deferred to 2024.”

BACKGROUND

The Rehabilitation of the Glen Tay Culvert was included in the 2023 Capital Budget. The Glen Tay Culvert is located on Glen Tay Road, approximately 800m northwest of Scotch Line Road. Earlier this year, the Township hired Greer Galloway to complete the design and prepare the tender documents for this structure.

DISCUSSION

Tay Valley Township issued the Tender on July 10, 2023 on the Township’s portal of Bids and Tenders. A newsfeed was issued on the Township’s website and notice was also posted on the Townships Facebook page and a Newsfeed was sent. The Tender closed on August 1, 2023, and one (1) bid was received.

Company	Price
236715 Ontario Inc (R&S Construction)	\$ 248,290.00

The project did have some interest with fourteen (14) different companies registered as plan takers, with about nine (9) of the companies being contractors and the other five (5) being suppliers, consultants, and construction associations. Four (4) of the contractors were local and have bid on projects with the Township in the past.

FINANCIAL CONSIDERATIONS

The 2023 Capital Budget included \$108,990 for this project, which included consulting costs and construction costs. A detailed price breakdown is as follows:

ITEM	COST
Construction Cost	\$248,290.00
Consulting Costs (Design and CA/Inspection)	\$21,975.00
Rebated H.S.T (1.76%)	\$4,369.90
Total Project Cost	\$274,634.90
Budgeted Amount	\$108,990.00
Surplus/(Deficit)	(\$165,644.90)

OPTIONS CONSIDERED

Option #1 – (Recommended) – Cancel the tender and differ this project to 2024.

Option #2 – Award the contract to the lowest bidder, this is not recommended as the work is significantly over budget.

CLIMATE CONSIDERATIONS

None considered.

STRATEGIC PLAN LINK

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

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

CONCLUSIONS

The Township may receive more competitive prices if this project is deferred to 2024, where it can be tendered as one package with the Gambles Side Road Bridge project. This project is significantly larger than the Glen Tay Culvert project which should gain more interest from contractors. Furthermore, the Gambles Side Road Bridge project should be ready to be issued in early 2024, which will be when contractors are looking to secure their work for the 2024 construction season.

ATTACHMENTS

None

Prepared and Submitted By:

Approved for Submission By:

**Sean Ervin,
Public Works Manager**

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

COMMITTEE OF THE WHOLE
August 8, 2023

Report #PW-2023-15
Sean Ervin, Public Works Manager

FOREST TRAIL FENCING – REQUEST FOR QUOTATION AWARD

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, Request for Quotation #2023-PW-003 – Perimeter Fencing for the Forest Trail be awarded to Crains’ Construction Limited;

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

BACKGROUND

At the June 20, 2023 meeting, Council adopted the following resolution:

“**THAT**, Tender #2023-RF-002 – Fencing be cancelled as the bids came in significantly over budget;

THAT, Section 7 of the Procurement Policy be waived;

AND THAT, Staff be authorized to obtain three quotes from local companies.”

DISCUSSION

Staff contacted three companies regarding this project. Two of the companies were local companies that submitted bids for the previous package, while the third was a company from Ottawa who specialize in fencing installations. A site visit was completed with all three companies on July 24th, 2023. Unfortunately, one of the residents would not allow the Township to access their property to complete the site visit and therefore the bidders could not provide a price to install a fence around their property.

The Request for Quotation (RFQ) closed on August 1, 2023 at 1:00 p.m. and two bids were received.

A summary of the bids is as follows:

Company	Price
Crains' Construction Limited	\$78,660.00
2195292 Ontario Ltd. (Rintoul Home and Cottage)	\$109,296.00
Fence - All	No Bid

Fence – All did not submit a bid due to the amount of vegetation clearing required.

FINANCIAL CONSIDERATIONS

A detailed price breakdown of the low bid is as follows:

ITEM	COST
Construction Cost	78,660.00
Non-Rebated H.S.T (1.76%)	\$1,384.42
Total Project Cost	\$80,044.42
Budgeted Amount*	\$40,000.00
Surplus/(Deficit)	-\$40,044.42

*Note: there was \$50,000 budgeted for the Forest Trail Project, which included the fence, kiosk, signage, etc. \$40,000 was allocated to install a fence.

The Forest Trail project is being funded from the COVID funding that was received in 2020 and the Municipal Buildings Accessibility (MBA) Reserve. The entire fencing portion of this project can be funded by using a combination of the following reserves/funding:

1. Increase COVID funding to \$59,448.29 (increased from \$45,000)
2. Use remaining (MBA) Reserve Funds of \$2,188.31
3. Use remaining Recreation Fundraising Reserve of \$4,219.04
4. Use unspent Development Charges from 2022 budget of \$4,314.36
5. Use unspent Recreation Capital from 2022 Budget of \$ 9,880.00

The Kiosk and signage (approx. \$10,000) will be funded by the unspent Development Charges from 2022.

OPTIONS CONSIDERED

Option #1 – (Recommended) – award the project to the lowest bidder and fund the project using the Reserves and funding noted previously in the report.

Option #2 – Award the project to the other bidder. This is not recommended as the requirements of the project were clear and the price of the second bidder was significantly higher.

Option #3 – Not award the project. This is not recommended as a fence was promised to the adjacent property owners as part of the park development to the neighbouring properties.

CLIMATE CONSIDERATIONS

None considered.

STRATEGIC PLAN LINK

None considered.

CONCLUSIONS

The price is well over budget, however, the amount of work involved to install a wooden 6' privacy fence along the two properties is well represented in the low-bid price. The work involves a substantial amount of thick vegetation to be removed to allow access to the perimeter of the properties prior to the installation of the new fence. The total amount of wooden fencing is 276m (905.5').

Staff have made numerous attempts to work with the one property owner but have been unsuccessful with getting permission to access the boundary of the property and therefore a fence could not be quoted for this property. As a result, a fence will not be installed at this location.

ATTACHMENTS

None

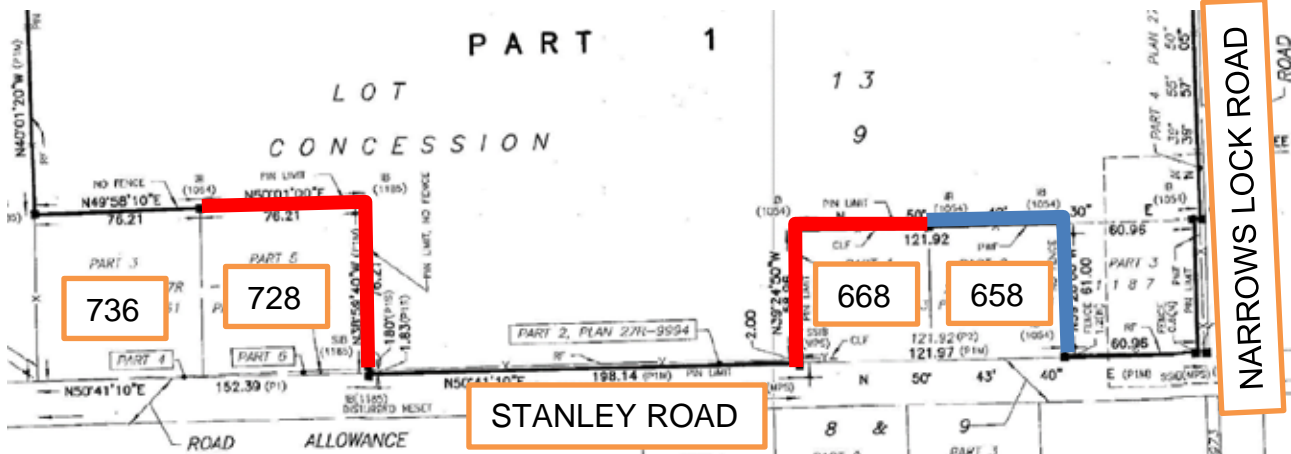
Prepared and Submitted By:

Approved for Submission By:

**Sean Ervin,
Public Works Manager**

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

MAP OF THE FENCING



LEGEND

-  BLACK CHAIN LINK FENCE
-  WOODEN PRIVACY FENCE

COMMITTEE OF THE WHOLE
August 8, 2023

Report #CAO-2023-16
Amanda Mabo, Chief Administrative Officer/Clerk

BOLINGBROKE CEMETERY BY-LAW

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, proposed Bolingbroke Cemetery By-Law be brought forward to the next Council meeting for approval in order to be submitted to the Bereavement Authority of Ontario (BAO) for final approval.”

BACKGROUND

In August 2021, Council established the Bolingbroke Cemetery Board so that the municipality could work with the volunteers towards compliance with the *Funeral, Burial and Cremation Services Act, 2002 (FBCSA)* and its regulations, and proceed with updating the licensing for the Bolingbroke Cemetery, in order to expand the cemetery (see Report #C-2021-25).

Staff has been working closely with the Bolingbroke Cemetery Board, volunteers and the community to facilitate their compliance with the following:

- Website
- Insurance
- Price List
- Interment Rights Certificate
- Interment Rights Contract
- Disinterment Rights Certificate
- Disinterment Rights Contract
- Records Management
- Procedures/Checklists
- Financials and Budgets
- Memorial Service

Essential to this work has been the development of a draft Bolingbroke Cemetery By-Law, in collaboration with the Bolingbroke Cemetery Board, once all of the above were in place.

DISCUSSION

As per the *FBCSA*, all cemeteries require a By-Law that describes the cemetery's operations. The Bolingbroke Cemetery Board is now in a position to receive Council approval on the draft by-law.

As per the required Bereavement Authority of Ontario (BAO) process stipulated prior to the approval of this by-law, the following actions have been taken:

- A 'Notice of Filing' sign was posted at the front of the Bolingbroke Cemetery for a minimum of four (4) weeks, from July 11 to August 8, 2023, informing members of the public of the filing and inviting them to request a copy of the by-law for review and comment.
- This notice of filing was also published in the EMC/Perth Courier on July 20, 2023.
- Print copies of the notice of filing and the draft by-law were mailed to the four (4) marker/monument companies that have provided services to the Bolingbroke Cemetery within the past twelve (12) months on July 24, 2023.
- Print copy/copies of the by-law were sent to member(s) of the public, upon request.
- A copy is available on the Township website at <https://www.tayvalleytwp.ca/BolingbrokeCemeteryBoard/>
- A newsfeed and Facebook post also went out.

As of the writing of this report, no comments have been received from members of the public or the marker/monument companies.

Once Council has approved the draft by-law, it can be sent to the BAO.

OPTIONS CONSIDERED

Option #1 – (Recommended) – Adopt the proposed Bolingbroke Cemetery By-Law.

Option #2 – Suggested changes to the proposed Bolingbroke Cemetery By-Law.

Option #3 - Not adopt the by-law.

This is not recommended as the draft by-law has been reviewed and approved by the Bolingbroke Cemetery Board; members of the public; and relevant marker/monument companies. Moreover, the BAO is awaiting receipt of this by-law as evidence of Township and Cemetery Board efforts being made to come into compliance with current provincial legislation and regulations: it is a central requirement of such compliance.

STRATEGIC PLAN LINK

Support for local cemeteries is a key tactic in strengthening local culture.

CLIMATE CONSIDERATIONS

None considered.

FINANCIAL CONSIDERATIONS

Notice of Filing – mailing, printing and advertising costs.

A significant amount of staff time has been spent understanding the legislative requirements, understanding how the cemetery is run, and then developing the documents, procedures and policies to bring the cemetery into compliance.

CONCLUSIONS

As per the recommendation.

ATTACHMENTS

1. Report #C-2021-25 – Establish the Bolingbroke Cemetery Board
2. Proposed Bolingbroke Cemetery By-Law

Prepared for Submission By:

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

Committee of the Whole
August 10th, 2021

Report #C-2021-25
Amanda Mabo, Chief Administrative Officer/Clerk

ESTABLISH THE BOLINGBROKE CEMETERY BOARD

STAFF RECOMMENDATION(S)

It is recommended:

“THAT, the Bolingbroke Cemetery Board be established;

THAT, the necessary by-law be brought forward at the next Council meeting;

AND THAT, a call for Members go out once the by-law is adopted.”

BACKGROUND

At the September 24th, 2019 Council meeting the following resolution was adopted regarding the expansion of the Bolingbroke Cemetery:

RESOLUTION #C-2019-09-11

MOVED BY: Barrie Crampton

SECONDED BY: Gene Richardson

“THAT, staff bring back a report with regards to the process required for the expansion of the Bolingbroke Cemetery, including any required fees and potential barriers that may need to be overcome.”

ADOPTED

The Acting CAO/Clerk was transferred the file last July. After review of the limited files available at the Township, the Bereavement Authority of Ontario (BAO) was contacted to determine who the license holder and who the operator of the cemetery was, as depending on the answer, different rules apply if it is the municipality. According to the volunteers the Township had no jurisdiction over the cemetery, however the information on file indicated the Township did.

Information on File

In 1993 in a letter from the Ministry of Consumer and Commercial Relations the Township of South Sherbrooke was notified that their license to own a cemetery was about to expire and they needed to renew their license immediately.

In 1995 in a letter from the Township of South Sherbrooke to the Ministry of Consumer and Commercial Relations the Township informed the Ministry that the cemetery was not owned by the Township but that it is active.

In 2012 in a letter from the Ministry of Consumer Services Tay Valley Township was notified that the Bolingbroke Cemetery, along with two others, were abandoned to the Township of South Sherbrooke many years ago when the parishes ceased operating. Following amalgamation, the abandoned cemeteries became the responsibility of the former Township of Bathurst, Burgess, Sherbrooke, now Tay Valley Township. Tay Valley was being requested to assume care and ownership of the three abandoned cemeteries and to ensure that they are maintained and preserved.

Since 2012, Bolingbroke Cemetery has been listed on the Annual License Report for Cemetery Operators for the Township as being an inactive cemetery with the Township being the license holder.

BAO

Earlier this year, the BAO confirmed that the Township is the license holder, as well as the operator and is therefore 100% responsible for the cemetery. The land on which the cemetery sits is owned by a Trust (Reginald Norris in Trust) and the day-to-day operations are run by community volunteers. This set-up is very common in rural municipalities and is similar to the set-up of the Pinehurst Cemetery of which the Township is the license holder and operator but does not own the land or run the day-to-day operations.

Before the BAO will consider an expansion, the Township needs to bring the cemetery into compliance with the *Funeral, Burial and Cremation Services Act, 2002 (FBCSA)* and its regulations.

DISCUSSION

The BAO has assigned a compliance officer to ensure the Township is actively working towards compliance. As a first step towards compliance a Bolingbroke Cemetery Board needs to be established to oversee the operations of the cemetery.

The suggested board composition would be as follows, with municipal staff support:

- one Council Members, most likely a ward Councillor;
- cemetery landowner or a representative; and
- three to five cemetery volunteers.

The Board would be responsible for the development of the necessary cemetery by-laws and policies and procedures, records management, financial oversight and annual reporting. At a minimum the Board is required to meet at least twice annually but will do so more in the beginning to get everything in place.

Once everything is up to date and approved by the BAO, the license can be updated for the cemetery from “inactive” to “active” and the process can begin for the expansion.

Cemeteries in the Township

To provide Council with a brief overview of cemeteries in the Township, Tay Valley Township is the Operator of seven of the cemeteries within the Township; 2 active (will include Bolingbroke) and 5 inactive. The two active cemeteries are the Bolingbroke Cemetery (South Sherbrooke), and the Pinehurst Cemetery (Bathurst).

The five inactive cemeteries include the McVeigh Cemetery (Bathurst), Holliday Cemetery (Burgess), Anglican at Fagan Lake Cemetery (South Sherbrooke, also called the Rokeby-Fagen Lake Cemetery), St. Andrews Anglican Church Cemetery (South Sherbrooke), and the Scott Family Cemetery.

Other cemeteries in Tay Valley Township include Adamsville, Brooke Methodist, Campbell Private Burying Site, Drough (Drew) Burial Site, Erwin Private Burying Site, Johnson Private Burial Site, Laidley, Old Private Burying Site, Playfairville, Playfair Monument, St. Bridget’s, St. John the Baptist, St. Stephen’s Anglican and the Scotch Line Cemetery.

OPTIONS FOR CONSIDERATION

Option #1 – Establish the Bolingbroke Cemetery Board

In order for the municipality to be in compliance with *FBCSA* and proceed with updating the licencing for the Bolingbroke Cemetery, in order to expand the cemetery, a Board is required to be established.

Option #2 – Do Nothing

This option is not recommended as the Township will not be in compliance and the BAO will begin to issue orders and matters will have to be completed to their requirements in their timeframes.

FINANCIAL CONSIDERATIONS

The staff time to assist in this process, along with the ads to the newspaper and potential legal costs seeking advice.

CONCLUSION

The establishment of a Bolingbroke Cemetery Board is recommended in order to reach compliance with the *Funeral, Burial and Cremation Services Act, 2002 (FBCSA)*.

ATTACHMENTS

- i) Bolingbroke Cemetery – COW and Council Minutes
- ii) Summary of Next Steps (workplan)
- iii) Draft Bolingbroke Cemetery Board By-Law

Respectfully Submitted By:

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

September 3, 2019 – COW Minutes

Delegation – Expansion of Bolingbroke Cemetery.

Garnet Gray.

G. Gray distributed a map of the cemetery – *attached, page 12*. On behalf of the board of directors for the Bolingbroke Cemetery he addressed the Committee to seek input and advice on expansion of the cemetery which is located in South Sherbrooke Ward in the hamlet of Bolingbroke. Early records indicate that the cemetery was established in the 1800s and since 1854 has over 400 people buried there and two (2) additional expansions have taken place, the most recent in 1981. For more than 150 years the cemetery has been operated and maintained by dedicated volunteers in the community. Each summer on the second Sunday in July a memorial service has been conducted for the last 45 years.

More recently the owner of the adjacent property offered a piece of land so that the cemetery could expand and this past spring the Board began the process. The notice of consent application has been signed by the property owner. The new parcel would accommodate 400 new plots with an entrance on the Bolingbroke Station Road. On July 5th G. Gray met with the Planner regarding the consent application and she informed him that the Board would need to contact the BAO (Bereavement Authority of Ontario). The information received from the BAO was discouraging with regards to the cost for any small rural community cemetery to expand, which prompted the delegation to Council. The Board would like to request that Council request a waiver of the fees to the BAO which are currently set at \$100,000.

Recommendation to Council:

“**THAT**, staff bring back a report with regards to the process required for the expansion of the Bolingbroke Cemetery, including any required fees and potential barriers that may need to be overcome.”

September 24, 2019 – Council Meeting

Expansion of Bolingbroke Cemetery.

RESOLUTION #C-2019-09-11

MOVED BY: Barrie Crampton

SECONDED BY: Gene Richardson

“**THAT**, staff bring back a report with regards to the process required for the expansion of the Bolingbroke Cemetery, including any required fees and potential barriers that may need to be overcome.”

ADOPTED

BOLINGBROKE CEMETERY – Next Steps

May 4th, 2021

**Note: There are many legislative requirements at each step that will take research and time to implement. As a result, this is not an exhaustive list of all requirements.*

- Review of records – require price list, financial statements, plot locations and who owns/is buried in plots, all other documents
- Cannot get expansion without knowing how the volunteers are currently operating
- Undertake steps to be compliant with the Act with regards to records, including transfer of originals to the Township (O. Reg. 30/11, s. 96, 110); volunteers to have copies
- Cemetery and Crematorium Register Requirements (O.R. 30/11 - Sec. 110)

- Establish “Bolingbroke Cemetery Board” – report to August 10th COW Meeting
- Call for and Appoint Members to the Cemetery Board – start August 25th to September 24th
- Volunteers run the day-to-day cemetery operations and report to the Board (Municipality)
- Municipality must maintain original records, host financials and report to the BAO
- Minimum on Board - land owner, municipal staff rep, volunteer

- Cemetery Board Draft the following By-Law for all TV cemeteries (O.R. 30/11, s. 150)
 - General Information (Definitions, Hours of Operation, General Conduct, Liability, Public Register, Cancellation Policies, Disinterment Process, if allow third party transfers or not, etc.)
 - Sale & Transfer of (Resale of) Internment Rights
 - Burial or Scattering of Cremated Remains
 - Memorialization
 - Care and Planting
 - Items that are Prohibited and Permitted
 - Contractor/Monument Dealer
 - Mausoleums (if on site)
 - Columbariums (if on site)
- BAO to review DRAFT By-Law
- Council give Draft Approval of By-Law
- Notice of By-Laws
- Adopt Final By-Law
- Approval from BAO
- Township by-law applies to all sites, can have appendix's for separate specific items of individual cemeteries
- keep schedule of fees separate, put in fees and charges by-law for municipality
- smaller sites, allow third party resales, as then the Owner would not have to charge the current fee of the cemetery site

- Cemetery Board draft Policies and Procedures for cemetery

- Draft Templates
 - Contracts for sales of services and supplies (O.R. 30/11, s. 120)
 - Contracts for internment or scattering rights
 - Internment Rights Certificate (O.R. 30/11, s. 163)
 - Scattering Rights Certificate
 - Price List (O.R. 30/11 s. 54-60, 63-73)
 - Checklists – Disclosure to Prospective Purchasers (O. R. 30/11, s. 113)
 - Others

- Insurance

- Consumer Protection Requirements

- Update website
 - General Plan of the Cemetery
 - By-Laws
 - Policies
 - Consumer Information Guide (O. R. 30/11, s. 112)
 - Price List (as of July 1, 2021 website must have price list)
 - Funding, Financing or Payment Options
 - Proof of License

- Create Trust Account and Trust Funds (O.R. 30/11 s. 76)
- Create Care and Maintenance Funds and Accounts (O.R. 30/11, s. 83, 165)

- Display Proof of License (O. R. 30/11, s. 117)

- Training

- Update License to indicate Bolingbroke is an “active cemetery”

- Apply for expansion of cemetery (O.R. 30/11, s. 146)
 - requires survey to identify cemetery boundaries, including expansion
 - survey also to include all plots in new and old section

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2021-0xx

ESTABLISHMENT OF THE BOLINGBROKE CEMETERY BOARD

WHEREAS, under the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33, as amended, a cemetery operator shall ensure that the cemetery is operated in accordance with the *Funeral, Burial and Cremation Services Act, 2002* and the regulations;

AND WHEREAS, Tay Valley Township is both the licensee and the operator for the Bolingbroke Cemetery;

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

AND WHEREAS, Section 11 (2) 1 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a lower-tier municipality may pass by-laws respecting the governance of the municipality and its local boards;

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 Bolingbroke Cemetery Board be established.

1.2 **THAT**, the Bolingbroke Cemetery Board – Terms of Reference, attached hereto as Schedule “A”, be adopted.

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 RESCINDED

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

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2021-0xx**

4. EFFECTIVE DATE

ENACTED AND PASSED this XXth day of XXX, 2021.

Brian Campbell, Reeve

Amanda Mabo, Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2021-0xx**

SCHEDULE "A"

**BOLINGBROKE CEMETERY BOARD
TERMS OF REFERENCE**

MANDATE

The purpose of the Board is to ensure the administration, operation, care and maintenance of the cemetery is in compliance with the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33, as amended.

To fulfill its mandate, it is anticipated the Board will, among other things:

- Develop and keep up to date any by-laws, policies, procedures, forms, records and information for the cemetery.
- Oversee the administration, operation, care and maintenance of the cemetery.

REPORTING RESPONSIBILITY

The Board, when required will make recommendations to the Committee of the Whole. Updates from the Board will be communicated to Committee of the Whole on a regular basis by the Council Member representatives, with the minutes of Board meetings being included on the next available Committee of the Whole agenda for information.

MERMBERSHIP

The Board shall be comprised of a minimum of five (5) members up to a maximum of seven (7) members, preferably the landowner or a representative of the landowner and up to five volunteers that look after the day-to-day operations. Replacement members can be appointed, if needed, during the course of the term. One member shall be a Council Member and will serve as Chair. The Clerk or designates shall act as resource person to the Board.

MEETINGS

The Board shall meet as required throughout the year, with a minimum of two (2) meetings per year. Agendas will be posted on the Municipal website one week prior to the meeting. The Clerk or designate will serve as Recording Secretary. Meeting Minutes will be action-only and will record those members in attendance and any topics discussed. A quorum of members (majority) will be required for a meeting to take place. All meetings will be open to the public. Meetings will generally occur at the Municipal Office.

TERM

The term of appointment shall be for the term of Council at the pleasure of Council and will continue until such time as new Board members are appointed by a new Council following a regular municipal election. Re-appointment is encouraged to facilitate continuity.

Resignations from the Board must be in writing. However, failure to attend three (3) successive meetings without being authorized to do so by resolution of the Board will result in the Members seat on the Board becoming vacant.

POLICIES AND PROCEDURES

The Board will adhere to the policies and procedures of the Municipality, including but not limited to:

- Criminal record Check Policy;
- Code of Conduct for Council and Local Boards;
- Health and Safety Policy;
- Procedural By-Law;
- Respect in the Workplace Policy.

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2023-0xx BOLINGBROKE CEMETERY BY-LAW

WHEREAS, under the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33, as amended, a Cemetery Operator shall ensure that the cemetery is operated in accordance with the *Funeral, Burial and Cremation Services Act, 2002* and the regulations;

AND WHEREAS, the Corporation of Tay Valley Township is both the Licensee and the Operator for the Bolingbroke Cemetery;

AND WHEREAS, the Bolingbroke Cemetery Board was established by By-Law. No. 2021-037, to oversee the administration, operation, care and maintenance of the Bolingbroke Cemetery;

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

1.0 DEFINITIONS

- 1.1 **“Act”** – shall mean the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33, as amended.
- 1.2 **“Burial (Interment)”** - shall mean the opening of a Lot and then the placing of the dead human remains or cremated human remains in that Lot, followed by closing the Lot.
- 1.3 **“By-Laws”** – shall mean the rules and regulations under which the Cemetery operates.
- 1.4 **“Care and Maintenance Fund”** – shall mean the fund where a prescribed amount or a percentage of the purchase price (excluding tax) of all Interment and Scattering Rights sold, transferred, assigned or permitted, and prescribed amounts for Markers, is contributed, or if no Scattering Rights are sold but scattering is permitted the prescribed amount when the scattering is conducted.
- 1.5 **“Cemetery”** – shall mean the Bolingbroke Cemetery.
- 1.6 **“Cemetery Board”** – shall mean the Bolingbroke Cemetery Board as established by By-Law No. 2021-037 of the Corporation of Tay Valley Township.

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

- 1.7 “Cemetery Operator (and Cemetery Owner)”** – shall mean the Corporation of Tay Valley Township.
- 1.8 “Disinterment”** - shall mean the opening of a Lot, the removal of human remains, or cremated human remains from that Lot, followed by closing the Lot.
- 1.9 “Disinterment Right”** – shall mean the right to require or direct the disinterment of human remains, or cremated human remains, from a Grave or Lot and to authorize the removal of a monument or marker.
- 1.10 “Disinterment Rights Certificate”** – shall mean the document issued by the Cemetery Operator to the Disinterment Rights Holder once the Disinterment Rights to a specific Lot have been paid in full, identifying ownership and authority over those specific Disinterment Rights.
- 1.11 “Disinterment Rights Holder”** – shall mean the person(s) authorized or entitled to disinter human remains in a specified Lot. They may be the person named in the Interment Rights Certificate or such other person to whom the rights have been assigned.
- 1.12 “Grave” (also known as a Lot)** – shall mean one inground burial space intended for the interment of a child, adult or cremated human remains.
- 1.13 “Interment”** - shall mean the opening of a Lot and then the placement of human remains, or cremated human remains in that Lot, followed by closing the Lot.
- 1.14 “Interment Right”** – shall mean the right to require or direct the interment of human remains or cremated human remains in a Grave or Lot and to authorize the installation of a monument or marker.
- 1.15 “Interment Rights Certificate”** – shall mean document issued by the Cemetery Operator to the purchaser once the Interment Rights to a specific Lot have been paid in full, identifying ownership and authority over those specific Interment Rights.
- 1.16 “Interment Rights Holder”** – shall mean the person(s) authorized or entitled to inter human remains in a specified Lot. They may be the person named in the Interment Rights Certificate or such other person to whom the rights have been assigned.
- 1.17 “Lot”** – shall mean a single Grave space.

THE CORPORATION OF TAY VALLEY TOWNSHIP
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- 1.18 “Marker”** – shall mean any permanent memorial structure – monument, plaque, headstone, cornerstone or other structure or ornament affixed or intended to be affixed to a burial Lot or other structure or place intended for the deposit of human remains and may be used to indicate the location of a burial.
- 1.19 “Pleasure ORV”** – shall mean a vehicle propelled or driven otherwise than by muscular power or wind and designed to travel, (a) on not more than three wheels, or (b) on more than three wheels and being of a prescribed class of vehicle, and not used for the operation of the Cemetery.
- 1.20 “Plot”** – shall mean two or more Lots in respect of which the rights to inter have been sold as a unit.
- 1.21 “Registrar”** – means the registrar appointed under the Act.
- 1.22 “Treasurer”** – shall mean the Treasurer or designate duly appointed by the Municipality as prescribed in Section 286 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

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

2.0 GENERAL INFORMATION

2.1 Hours of Operation

2.1.1 Visitation Hours: Daylight hours.

2.1.2 Burial Hours: Daylight Hours.
No burials shall take place from November 1 to April 30

2.1.3 Office Hours: To view cemetery records.

Tay Valley Township
Municipal Office
217 Harper Road, Perth, Ontario
613-267-5353 ext. 110
www.tayvalleytwp.ca

2.1.4 After Hours: Person in Charge of Day-to-Day Operations
Darla Kilpatrick
613-273-5441

2.2 General Conduct

2.2.1 The Cemetery Operator reserves full control over the Cemetery operations and management of land within the Cemetery grounds.

2.2.2 The Cemetery Board shall oversee the administration, operation, care and maintenance of the Cemetery.

2.2.3 No person shall damage, destroy, remove or deface any property within the Cemetery.

2.2.4 All visitors shall conduct themselves in a quiet manner that shall not disturb any service being held.

2.2.5 Vehicles within the Cemetery shall be driven with due decorum at a moderate rate of speed and shall not leave the roadways.

2.2.6 Owners of vehicles shall be responsible for any damages done by them or their drivers.

2.2.7 No Pleasure ORV's or snowmobiles are allowed in the Cemetery.

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2.2.8 Pets or other animals, including cremated animal remains, are not allowed to be buried on Cemetery grounds.

2.2.9 Dogs or other domestic pets are not permitted in the Cemetery.

2.2.10 Children under the age of 12 years are not permitted on the grounds of the Cemetery except under the charge of an adult who shall be responsible for their appropriate behaviour.

2.3 Liability

2.3.1 The Cemetery Operator or Cemetery Board will not be held liable for any loss or damage, without limitation (including damage by the elements, Acts of God, or vandals) to, any Lot, Plot, Marker, or other article that has been placed in relation to an Interment Right, save and except for direct loss or damage caused by gross negligence of the Cemetery Operator or Cemetery Board.

2.4 Public Register

2.4.1 Section 110 of *Ontario Regulation 30/11 – General*, as amended, requires all cemeteries and crematoriums to maintain a public register that is available to the public during regular office hours.

2.5 Right to Re-Survey

2.5.1 The Cemetery Operator has the right at any time to re-survey, enlarge, diminish, re-plot, change or remove plantings, grade, close pathways or roads, alter in shape or size, or otherwise change all or any part of the Cemetery, subject to approval of the appropriate authorities.

3. DONATIONS

3.1 Donations

3.1.1 Donations to the Cemetery are welcomed and will be used to support the operations and maintenance of the Cemetery.

3.1.2 All donations to the Cemetery over \$25.00 will receive an official receipt.

THE CORPORATION OF TAY VALLEY TOWNSHIP
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3.2 Bequest

3.2.1 A bequest made through a will is a simple and impactful way of giving to the Cemetery.

3.3 Memorial Services

3.3.1 An annual memorial service will be held to raise funds to support the operations and maintenance of the Cemetery.

4. SALE AND PURCHASE OF INTERMENT AND DISINTERMENT RIGHTS

4.1 Rights of Interment Rights Holders

4.1.1 The purchase of Interment Rights is not a purchase of real estate or real property.

4.2 Fees for Interment and Disinterment Rights

4.2.1 Interment and Disinterment Rights may be purchased at the rates on file at the Municipal Office.

4.2.2 The prices for Interment Rights include the applicable portion for deposit to the Care and Maintenance Fund.

4.2.3 Contributions to the Care and Maintenance Fund are not refundable except when Interment Rights are cancelled within the 30-Day Cooling-Off Period.

4.3 Payments

4.3.1 Payments for Interment and Disinterment Rights shall be made to a member of the Cemetery Board.

4.3.2 Lots and Plots must be paid in full at the time of purchase.

4.3.3 No burial, disinterment, installation or removal of any Marker, or memorialization is permitted until the Interment Rights or Disinterment Rights have been paid in full.

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4.4 Documentation Provided to Purchaser

4.4.1 The purchaser, prior to entering in a contract for Interment Rights or Disinterment Rights will be provided with the following documents:

- a copy of the Cemetery's current By-Laws;
- a copy of the Cemetery's current price list;
- a copy of the contract for Interment Rights or Disinterment Rights detailing the obligations of both parties; and
- a copy of the Consumer's Information Guide.

4.5 Cancellation of Interment Rights or Disinterment Rights within 30 Days of Purchase

4.5.1 A purchaser has the right to cancel an Interment Rights or Disinterment Rights contract within thirty (30) days of signing the Interment Rights or Disinterment Rights contract, by providing written notice of the cancellation to a member of the Cemetery Board.

4.5.2 The Cemetery Operator will refund all monies paid by the purchaser within thirty (30) days from the date of the request for cancellation.

4.6 Cancellation of Interment Rights or Disinterment Rights after the 30-Days Following Purchase

4.6.1 Upon receiving written notice from the purchaser of the Interment Rights or Disinterment Rights, the Cemetery Operator will cancel the contract and issue a refund to the purchaser for the amount paid for the Interment Rights less the appropriate amount that is required to be deposited into the Care and Maintenance Fund or issue a refund to the purchaser for the amount paid for the Disinterment.

4.6.2 This refund will be made within thirty (30) days of receiving said notice.

4.6.3 If the Interment Rights Certificate has been issued to the Interment Rights Holder(s) or Disinterment Rights Holder(s), the certificate must be returned to a member of the Cemetery Board along with the written notice of cancellation.

4.6.4 If any portion of the Interment Rights or Disinterment Rights has been exercised, the purchaser, or the Interment Rights Holder(s) or Disinterment Rights Holder(s) are not entitled to cancel the contract or re-sell the Interment Rights or Disinterment Rights.

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4.7 Repurchase of Interment Rights by Cemetery Operator

- 4.7.1 The resale of Interment Rights to a third party is prohibited.
- 4.7.2 The repurchase of unused Interment Rights in a Plot is not permitted if one of the Interment Rights in the Plot has been exercised.
- 4.7.3 An Interment Rights Holder may require, in writing, the Cemetery Board to repurchase the rights at any time before they are used.
- 4.7.4 Should a written request be made to repurchase the Interment Rights, the repurchase price of the Interment Rights shall be at the current price list amount less any Care and Maintenance Fund contribution amount previously made.
- 4.7.5 The Interment Rights Holder requesting the repurchase of the rights must return the Interment Rights Certificate to a member of the Cemetery Board and the rights holder(s) must endorse the Interment Rights Certificate, transferring all rights, title and interest back to the Cemetery Board.
- 4.7.6 The appropriate paperwork must be completed before the Cemetery Operator reimburses the rights holder(s).
- 4.7.7 The repurchase and payment to the rights holder will be made within thirty (30) days of receiving said request.
- 4.7.8 Notwithstanding 4.7.2 above, if the repurchase of Interment Rights become available as a result of a Disinterment, the repurchase of Interment Rights in a Plot is only permitted if the rest of the Interment Rights in the Plot have not been exercised.
- 4.7.9 Should the repurchase of Interment Rights occur under 4.7.8 above, the repurchase price shall be waived. The Interment Rights holder is not entitled to any repurchase price.

4.8 Abandoned Interment Rights

- 4.8.1 If any Interment Rights have not been used after a twenty (20) year period has passed, they may be considered abandoned.
- 4.8.2 The Cemetery Operator may apply to the registrar for a declaration that the rights are abandoned as outlined in Section 49 of the Act.

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4.9 Abandoned Disinterment Rights

4.9.1 If any Disinterment Rights have not been used after a sixty (60) day period has passed, they may be considered abandoned.

5. CONFIRMATION OF INTERMENT AND DISINTERMENT RIGHTS

5.1 Interment Rights Holders or Disinterment Rights Holders may confirm burial locations for themselves or their family members in specific Lots or Plots.

5.2 All confirmations are to be completed through a member of the Cemetery Board.

5.3 Interment Rights Holders, or their authorized representatives, may purchase Disinterment Rights.

5.4 Before confirmation can be made, the following documentation must be provided to a member of the Cemetery Board:

- a current Interment Rights Certificate;
- a written request for the confirmation of the Interment Rights, which includes the names and addresses of the current rights holder(s), and the exact location of the Interment Rights;
- legal proof of identity (e.g. passport, driver's license);
- written permission from all persons having inherited Interment Rights; and
- any other documentation in the Interment Rights Holder(s) possession relating to the rights.

5.5 Where there is a question of inheritance of Interment Rights, or where there are multiple family members with equal claim to Interment Rights, reservations cannot be made without written consent of all parties with claim to the Interment Rights.

6. INTERMENTS AND DISINTERMENTS

6.1 Authorization

6.1.1 Interment Rights Holder(s) or Disinterment Rights Holder(s) must contact the person in charge of day-to-day operations prior to a burial or disinterment taking place.

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- 6.1.2 Should the Interment Rights Holder be deceased, authorization must be provided in writing by the person authorized to act on behalf of the Interment Rights Holder in keeping with the *Succession Law Reform Act* (i.e. Personal Representative, Estate Trustee, Executor or next of kin).
- 6.1.3 A burial permit issued by the Registrar General or equivalent document showing that the death has been registered with the province must be provided to a member of the Cemetery Board prior to a burial taking place.
- 6.1.4 A certificate of cremation must be submitted to a member of the Cemetery Board prior to the burial of cremated remains taking place.
- 6.1.5 In accordance with the Act, the purchaser of Interment Rights or Disinterment Rights must enter into a Cemetery contract, providing such information as may be required by the Cemetery Board for the completion of the contract and the public register prior to each burial or disinterment of human remains.

6.2 Documentation Provided to Purchaser

- 6.2.1 The purchaser, after entering in a contract for Interment Rights or Disinterment Rights will be provided with the following documents:
 - an Interment Rights Certificate or Disinterment Rights Certificate; and
 - a copy of the signed contract for Interment Rights or Disinterment Rights detailing the obligations of both parties.

6.3 Payment

- 6.3.1 Persons requesting Interments in Lots or Plots or Disinterments shall be held responsible for any charges incurred.
- 6.3.2 Payment must be made to the Cemetery Board before a Burial can take place unless payment has already been made to the funeral home.
- 6.3.3. Payment must be made to the Cemetery Board before a Disinterment can take place.

6.4 Opening and Closing Graves

- 6.4.1 The family of the deceased or the funeral home shall arrange the opening and closing of graves.

THE CORPORATION OF TAY VALLEY TOWNSHIP
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6.5 General Provisions

- 6.5.1 Human remains to be buried in a grave must be enclosed in a container, sealed securely and of sufficient strength to permit burial with the container remaining intact.
- 6.5.2 Not more than one (1) burial of human remains, or two (2) burials of cremated human remains may be made in any single Lot.
- 6.5.3 A member of the Cemetery Board shall be given a minimum of forty-eight (48) hours notice for each burial.

7. DISINTERMENTS

- 7.1 Human remains may be disinterred from a Lot provided that the written consent (authorization) of the Interment Rights Holder has been received by the Cemetery Board and the prior notification of the medical officer of health.
- 7.2 A certificate from the local medical officer of health must be received at the Municipal Office before the removal of casketed human remains from the Cemetery may take place.
- 7.3 A certificate from the local medical officer of health is not required for the disinterment of cremated remains from a Lot.
- 7.4 In special circumstances the removal of human remains may also be ordered by certain public officials without the consent of the Interment Rights Holder and/or next of kin(s).
- 7.5 The Cemetery Operator or Cemetery Board is not responsible for any damage to caskets, urns or other containers sustained during disinterment.

8. MEMORIALIZATION

- 8.1 No Marker shall be erected or permitted on a Lot until all charges have been paid in full and/or a permit is obtained from a member of the Cemetery Board.
- 8.2 No Marker of any description shall be placed, moved, altered, or removed without permission from a member of the Cemetery Board.
- 8.3 Within thirty (30) days of the purchase of a Plot, it is the responsibility of the Interment Rights Holder to supply four (4) cornerstones (Plot Markers) to be installed by a member of the Cemetery Board.

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- 8.4** Minor scraping of the monument base of an upright monument due to grass/lawn maintenance is considered normal wear and tear.
- 8.5** The Cemetery Board will take reasonable precautions to protect the property of Interment Rights Holders, but it assumes no liability for the loss of, or damage to any Marker, or part thereof.
- 8.6** Markers are owned by the Interment Rights Holder and the Cemetery Board or Cemetery Operator is not responsible for their loss or deterioration. These memorials should be protected by the Interment Rights Holder's own insurance coverage.
- 8.7** The Cemetery Board reserves the right to determine the maximum size of Markers, their number and their location on each Lot or Plot. They must not be of a size that would interfere with any future interments.
- 8.8** All foundations for Markers shall be built by the monument company at the expense of the Interment Rights Holder.
- 8.9** Should any Marker present a risk to public safety because it has become unstable, the Cemetery Board shall do whatever it deems necessary by way of repairing, resetting, or laying down the Marker or any other remedy to remove the risk.
- 8.10** The Cemetery Board reserves the right to remove at its sole discretion any Marker or inscription which is not in keeping with the dignity and decorum of the Cemetery as determined by the Cemetery Board.
- 8.11** A Marker shall be erected only after the specific design plans have been approved by a member of the Cemetery Board including: dimensions, material of structure, construction details, and proposed location.
- 8.12** The minimum thickness for flat Markers including footstones is 4 inches or 10 cm.
- 8.13** No monument shall be delivered to the Cemetery for installation until the monument foundation has been completed, and the Interment Rights Holder(s) and/or retailer have been notified by a member of the Cemetery Board.
- 8.14** The placement of a Marker shall not interfere with future interments.

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8.15 The following are the Lot sizes:

Single Lot: 4' 6" x 11' long

Double Lot: 9' x 11' long

8.16 One (1) Casket or two (2) urns may be placed in each Lot.

9. CARE AND PLANTING

9.1 A portion of the price of Interment Rights is trusted into the Care and Maintenance Fund. The interest income generated from this fund is used to maintain, secure and preserve the Cemetery grounds and Markers. Services that can be provided through this fund include:

- re-levelling and sodding or seeding of Lots or scattering grounds;
- maintenance of Cemetery roads, sewers and water systems;
- maintenance of perimeter walls and fences;
- maintenance of Cemetery landscaping; and
- repairs and general upkeep of Cemetery maintenance buildings and equipment.

9.2 No person other than a member of the Cemetery Board shall remove any sod or in any other way change the surface of the burial Lot in the Cemetery.

9.3 No person shall plant trees, flower beds or shrubs in the Cemetery except with the approval of a member of the Cemetery Board.

9.4 If any trees or shrubs in any Lot have become by means of their roots or branches or in any other way, detrimental to the adjacent Lots, drains, roads or walks, or prejudicial to the general appearance of the grounds or inconvenient to the public, the Cemetery Board may remove such trees, shrubs, or parts thereof after 30 days notice to the Internment or Scattering Rights Holder.

9.5 Flowers placed on a grave for a funeral shall be removed by a member of the Cemetery Board after a reasonable time to protect the sod and maintain the tidy appearance of the Cemetery.

9.6 Permission is not required before removing flowers, plants, ribbons or other articles from the Rights Holder's graves or Lots.

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

10. ITEMS THAT ARE PROHIBITED AND PERMITTED

- 10.1** The Cemetery reserves the right to regulate the articles placed on Lots or Plots that pose a threat to the safety of all Interment and Scattering Rights Holders, visitors to the Cemetery and Cemetery volunteers, prevents the Cemetery from performing general cemetery operations, or are not in keeping with the respect and dignity of the Cemetery.
- 10.2** Prohibited articles will be removed and disposed of without notification.
- 10.3** The following articles are **prohibited** from being placed on Lots within the Cemetery: articles made of hazardous materials such as non-heat resistant glass (excludes glass attached to monuments), or corrosive metals; loose stones or sharp objects; trellises or arches; chairs or benches, except those used as markers.
- 10.4** The Cemetery reserves the right to disallow or remove quantities of memorial wreaths or flowers considered to be excessive and that diminishes the otherwise tidy appearance of the Cemetery.
- 10.5** The Cemetery shall not be responsible for loss or damage to any articles left upon any Lot or Pot.

11. RULES FOR CONTRACTOR/MONUMENT DEALER AND WORKERS

- 11.1** All Cemetery By-Laws apply to all contractors and all work carried out by contractors within the Cemetery grounds.
- 11.2** Any contracted work to be performed within the Cemetery requires the pre-approval of a member of the Cemetery Board before the work may begin.
- 11.3** Pre-approval includes but is not limited to: landscaping, delivery of Markers, inscriptions, designs, drawings, plans and detailed specifications relating to the work, proof of all applicable government approvals and permits, and the location of the work to be performed.
- 11.4** It is the responsibility of all contractors to report to a member of the Cemetery Board and provide the necessary approvals before commencing work at any location on the Cemetery property.
- 11.5** Prior to the start of any said work, contractors shall have WSIB coverage for their workers, be compliant with the Occupational Health and Safety Act and Accessibility for Ontarians with Disabilities Act, as well as have sufficient liability insurance.

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

- 11.6 Contractors shall temporarily cease all operations if they are working within 100 metres of a funeral until the conclusion of the service.
- 11.7 The Cemetery reserves the right to temporarily cease contractor operations at their sole discretion if the noise of the work being performed by the contractor is deemed to be a disturbance to any funeral or public gathering within the Cemetery.
- 11.8 No Marker shall be delivered to the Cemetery until the foundation is completed and the contractor is ready to proceed with the work of installation.
- 11.9 Contractors, monument dealers and suppliers shall lay wooden planks on the burial Lots and paths over which heavy materials are to be moved to protect the surface from damage.
- 11.10 No Marker shall be removed without the written permission of the Cemetery Operator.
- 11.11 All rubbish shall be removed by the contractor from the Cemetery, otherwise the obstructions will be removed, and the expenses charged to the contractor.

12. FINANCIALS

- 12.1 All monies for the Cemetery shall be submitted to the Cemetery Operator.
- 12.2 The Treasurer shall keep full and accurate books of account in which receipts and disbursements of the Cemetery shall be recorded, and under the direction of the Cemetery Board, shall deposit all monies with respect to the operation of the Cemetery in a special bank account, designated for that purpose, and to the Care and Maintenance Fund, and shall render to the Cemetery Board at their meetings, or whenever required, an account of all transactions and of the financial position of the Cemetery.

13. CARE AND MAINTENANCE FUND

- 13.1 The deposit to the Care and Maintenance Fund shall be as specified in the Act.
- 13.2 Interest earned from this fund shall be used to provide care and maintenance of Lots, Plots, and Markers at the Cemetery.

14. AMENDMENT OF BY-LAW

- 14.1 No amendment or repeal of this by-law or any part thereof shall be considered at any Meeting of Council unless:

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

14.1.1 Notice of intention of proposed amendment or repeal has been published once in a newspaper with general circulation in the locality in which the Cemetery is located;

14.1.2 Conspicuously posted on a sign at the entrance of the Cemetery; and

14.1.3 Delivered to each supplier of Markers who has delivered a Marker to the Cemetery during the previous year if the by-law or by-law amendment pertains to Markers or their installation.

14.2 All by-laws and by-law amendments are subject to the approval of the Bereavement Authority of Ontario and the Registrar.

15. ULTRA VIRES

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

16. BY-LAWS REPEALED

16.1 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.

17. EFFECTIVE DATE

17.1 **THAT**, this by-law shall come into force and effect upon approval of the Registrar.

17.2 ENACTED AND PASSED this **XX day of XX, 2023**.

Robert Rainer, Reeve

Amanda Mabo, Clerk

CORRESPONDENCE

1. **Township of Matachewan:** Resolution – The Reinstatement of Legislation Permitting a Municipality to Retain Surplus Proceeds from Tax Sales– *attached, page 4.*
2. **Township of Puslinch:** Resolution – Reinstatement of Legislation Permitting a Municipality to Retain Surplus Proceeds from Tax Sales – *attached, page 7.*
3. **Town of Parry Sound:** Resolution — The Reinstatement of Legislation Permitting a Municipality to Retain Surplus Proceeds from Tax Sales – *attached, page 14.*
4. **Township of Georgian Bluffs:** Resolution – Tax Sale Proceeds Reinstatement of Legislation Permitting a Municipality to Retain Surplus Proceeds from Tax Sales – *attached, page 15.*
5. **Township of The Archipelago:** Resolution – The Reinstatement of Legislation Permitting a Municipality to Retain Surplus Proceeds from Tax Sales – *attached, page 16.*
6. **Township of South Glengarry:** Resolution – Retain Surplus Proceeds from Tax Sales – *attached, page 17.*
7. **Township of Lake of Bays:** Resolution – Bill 5 – Stop Harassment and Abuse by Local Leaders Act, 2022 – *attached, page 18.*
8. **Municipality of Mississippi Mills:** Resolution – Bill 5 – Stop Harassment and Abuse by Local Leaders Act, 2022 – *attached, page 20.*
9. **Town of Newmarket:** Resolution – Bill 5 – Stop Harassment and Abuse by Local Leaders Act, 2022 – *attached, page 21.*
10. **Township of Killaloe -Hagarty-Richards:** Resolution – Bill 5 – Stop Harassment and Abuse by Local Leaders Act – *attached, page 22.*
11. **Township of Matachewan:** Resolution – Bill 5 – Stop Harassment and Abuse by Local Leaders Act, 2022 – *attached, page 23.*
12. **Township of Puslinch:** Resolution – Highway Traffic Act Amendments – *attached, page 26.*
13. **Township of Bonfield:** Resolution – Highway Traffic Act Amendments – *attached, page 30.*
14. **Municipality of West Grey:** Resolution – Highway Traffic Act Amendments – *attached, page 31.*
15. **Norfolk County:** Resolution – Highway Traffic Act Amendments – *attached, page 34.*

16. **Municipality of Shuniah:** Resolution – Bill 3 An Act to Amend various statues with respect to powers and duties of heads of council – *attached, page 36.*
17. **City of Quinte West:** Resolution – Bill 97 the Helping Homebuyers, Protecting Tenants Act, 2023 – *attached, page 37.*
18. **Association of Municipalities Ontario (AMO):** Policy Update – Action on Municipal Codes of Conduct, Summary of Ending Homelessness Symposium, Bill 97 passes – *attached, page 39.*
19. **CFUW Perth and District Social Justice Committee:** Research Study – Research on Poverty and Homelessness – *attached, page 42.*
20. **Municipality of Mississippi Mills:** Resolution – Municipal Election Protection Privacy of Candidates – *attached, page 46.*
21. **Township of Killaloe-Hagarty-Richards:** Resolution – Future Accuracy of Permanent Register of Electors – *attached, page 49.*
22. **Township of Bonfield:** Resolution – Municipal Codes of Conduct – *attached, page 50.*
23. **Oxford County:** Resolution – Municipal Codes of Conduct – *attached, page 51.*
24. **City of Quinte West:** Resolution – Legislative Amendments to Improve Municipal Codes of Conduct and Enforcement – *attached, page 52.*
25. **Township of South Stormont:** Resolution – Bill 97 and Draft Provincial Policy Statement – *attached, page 54.*
26. **Township of Bonfield:** Resolution – Pause Proposed Changes to PPS – *attached, page 55.*
27. **Township of Bonfield:** Resolution – Maintain the previous provisions of Section 27 of Ontario Heritage Act – *attached, page 56.*
28. **Municipality of Mississippi Mills:** Resolution – Oath of Office – *attached, page 57.*
29. **Township of Terrace Bay:** Resolution – Oath of Office – *attached, page 58.*
30. **Township of Bonfield:** Resolution – Opioid Crisis – *attached, page 60.*
31. **Town of Parry Sound:** Resolution – Mental Health and Opioids – *attached, page 61.*
32. **Municipality of Mississippi Mills :** Resolution – Reducing Municipal Insurance Costs – *attached, page 63.*
33. **Township of South Glengarry:** Resolution – Reducing Municipal Insurance Costs – *attached, page 64.*

34. **Municipality of West Grey:** Resolution – Bell-Hydro Infrastructure – *attached, page 65.*
35. **Town of Bradford West Gwillimbury:** Resolution – Right to Repair – *attached, page 66.*
36. **Township of Killaloe -Hagarty-Richards:** Resolution – School Bus Stop Arm Cameras – *attached, page 70.*
37. **Municipality of Mississippi Mills:** Resolution – School Bus Stop Arm Cameras – *attached, page 71.*
38. **Township of Puslinch:** Resolution – Act on Litter Ontario – *attached, page 72.*
39. **Ministry of Natural Resources:** Update to Regulations – Occupation of Public Lands and Crown Land Camping – *attached, page 73.*
40. **Town of Essex:** Correspondence – Local Emergency Response System and Gaps in Healthcare regarding Code Red and Code Black Frequency – *attached, page 75.*
41. **Municipality of South Huron:** Resolution – Proposed Planning Statement, 2023 – *attached, page 79.*
42. **Leeds, Grenville & Lanark District Health Unit:** Correspondence – Certificates of Appreciation – *attached, page 88.*
43. **Municipality of Mississippi Mills:** Resolution – Rural Education Funding – *attached, page 89.*
44. **Township of Killaloe -Hagarty-Richards:** Resolution – Intimate Partner Violence and Violence Against Women an Epidemic – *attached, page 92.*
45. **Lanark County:** Resolution – Violence Towards First Responders – *attached, page 94.*
46. **Ministry of the Environment, Conservation and Parks:** Correspondence – Small Scale Breweries – *attached, page 95.*

1. **Town of Halton Hills:** Resolution – Support for School Bus Stop Arm Cameras – *attached, page 03.*
2. **Municipality of Grey Highlands:** Resolution – Support for Bus Stop Arm Cameras – *attached, page 05.*
3. **Township of South Stormont:** Resolution – Support for Bus Stop Arm Cameras – *attached, page 06.*
4. **Municipality of Huron Shores:** Resolution – Municipal Codes of Conduct – *attached, page 07.*
5. **Municipality of Grey Highlands:** Resolution – Municipal Codes of Conduct – *attached, page 08.*
6. **Municipality of Chatham-Kent:** Resolution – Municipal Code of Conduct – *attached, page 10.*
7. **Lanark County:** Media Release – Lanark County’s Newest Community Housing Building: 188 Chambers Street, Smith Falls – *attached, page 12.*
8. **Township of Selwyn:** Resolution – Short Term Rentals – *attached, page 14.*
9. **City of Port Colborne:** Resolution – The Right to Repair – *attached, page 16.*
10. **County of Prince Edward:** Resolution – Bill 23 – More Homes Built Faster – *attached, page 17.*
11. **United Counties of Stormont, Dundas & Glengarry:** Resolution – Bill 23 – More Homes Built Faster – *attached, page 19.*
12. **Town of Perry Sound:** Resolution – Bill 23 – More Homes Built Faster – *attached, page 21.*
13. **Northumberland County:** Resolution – Reducing Municipal Insurance Costs – *attached, page 23.*
14. **Town of Halton Hills:** Resolution – Reducing Municipal Insurance Costs – *attached, page 24.*
15. **Elgin County:** Resolution – Amendment to the current regulations for licensed home-based childcare operators to increase allowable spaces – *attached, page 25.*
16. **City of Woodstock:** Article – Highway Traffic Amendments – *attached, page 26.*

17. **Mississippi Valley Conservation Authority:** Correspondence – Comments on the “Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument” – *attached, page 28.*
18. **Municipality of Wawa:** Resolution – Mental Health and Addiction – *attached, page 32.*
19. **Lanark County:** Media Release – Speed Management Policy– *attached, page 34.*
20. **Municipality of North Perth:** Resolution – Vacant Building Official Positions – *attached, page 35.*
21. **Ministry of Natural Resources and Forestry:** Correspondence – Proposal to Amend Three Regulated Manuals under the Crown Forest Sustainability Act – *attached, page 37.*
22. **Ministry of Natural Resources and Forestry:** Correspondence – Flooding Hazards Data Survey and Mapping Specifications – *attached, page 38.*
23. **Leeds, Grenville & Lanark District Health Unit:** Correspondence – Health Unit Summary – *attached, page 39.*
24. **Municipality of Chatham-Kent:** Resolution – Municipal Freedom of Information and Privacy Protection Act – *attached, page 41.*
25. **Enbridge Gas Inc.:** Correspondence – Ontario Energy Board Notice to Customers of Enbridge Gas Inc. – *attached, page 44.*
26. **Enbridge Gas Inc.:** Correspondence – Ontario Energy Board (OEB) File No. EB-2023-0092 2022 Utility Earnings and Disposition of Deferral & Variance Account Balances Application and Evidence – *attached, page 46.*

To the attention of:
Sean Erwin (Public Works)
Rob Rainer (Reeve)
Noelle Reeve (Town Planner)

July 27, 2023

I am a resident on the Harper Road in the 'blink of an eye' hamlet of Harper Village. I have lived 43 plus years with my family in the former general store. The road running close by is a busy one. So far two cats have been killed and two animals injured in front of my home.

Thankfully no person has suffered the same fate from the cars driven at breakneck speed on the straight-a-way.

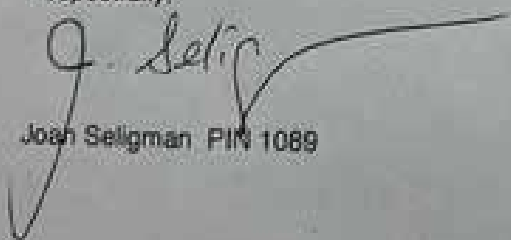
In this area of concern there are numerous families with young children, grandchildren and pets. Locals walk and there are many cyclists.

I understand in Europe speed bumps with extended flat upper surfaces slow traffic safely in small communities. Perhaps Harper Village and area can pilot such a speed deterrent. Whatever the approach the attention of the municipality is urgently requested to take action to slow vehicles.

We are hoping that prior to the completion of the newly surfaced road that some calming measures and a speed reduction to 50 km can be implemented from just north of the 7th concession to the 6th concessions. Other small clusters of houses e.g. Fallbrook and Ferguson Falls (Drummond North Elmsley)have this speed designation.

The undersigned support the need for a reduced the speed on the Harper Road in order to prevent injury and disturbance. Residents ^{were} clear on signing that serious measures need to be taken in consultation with the parties affected.

Respectfully,



Joan Seligman PIN 1089

Name	<u>Brett Verhey</u>	Signature	<u>[Signature]</u>	PIN no.	<u>968</u>	
(print)	Name	<u>Dale Skilnick</u>	Signature	<u>[Signature]</u>	PIN no.	<u>969</u>
(print)	Name	<u>Emilie Dollar</u>	Signature	<u>[Signature]</u>	PIN no.	<u>1028</u>
(print)	Name	<u>Jandy Bred</u>	Signature	<u>J. Bred</u>	PIN no.	<u>1045</u>
(print)	Name	<u>Tammy Bern</u>	Signature	<u>[Signature]</u>	PIN no.	<u>1053</u>
(print)	Name	<u>Cotton Abercrombie</u>	Signature	<u>[Signature]</u>	PIN no.	<u>1112</u>
(print)	Name	<u>J. Seligman</u>	Signature	<u>[Signature]</u>	PIN no.	<u>1089</u>
(print)	Name	<u>Chris McDowell</u>	Signature	<u>[Signature]</u>	PIN no.	<u>955</u>
(print)	Name	<u>BRYAN LIVINGTON</u>	Signature	<u>[Signature]</u>	PIN no.	<u>1005</u>
(print)	Name	<u>DOUG FRANKS</u>	Signature	<u>[Signature]</u>	PIN no.	<u>1094</u>
(print)	Name	<u>Sarah Cameron</u>	Signature	<u>[Signature]</u>	PIN no.	<u>845</u>
(print)	Name	<u>DOX GORDON</u>	Signature	<u>[Signature]</u>	PIN no.	<u>875</u>
(print)	Name	<u>PAUL CAMERON</u>	Signature	<u>[Signature]</u>		<u>994 CONC 7</u>

UPDATES

GREEN ENERGY AND CLIMATE CHANGE WORKING GROUP MINUTES

Friday, June 9, 2023

2:00 p.m.

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

ATTENDANCE:

Members Present: Councillor, Greg Hallam
Bob Argue
Jennifer Dickson
Douglas Barr
Gilbert Rossignol
Peter Nelson

Members Absent: Councillor, Angela Pierman
David Poch

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

1. CALL TO ORDER

The meeting was called to order at 2:10 p.m.
A quorum was present.

2. AMENDMENTS/APPROVAL OF AGENDA

The agenda was approved as printed.

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

None at this time.

4. APPROVAL OF MINUTES

i) Minutes – April 14th, 2023.

The minutes of the Green Energy and Climate Change Working Group Meeting held on April 14th, 2023, were approved as presented.

5. DELEGATIONS & PRESENTATIONS

None.

6. BUSINESS

i) **Climate Action Plan Update.**

- Waste Management Plan Update

The Planner updated the Working Group on the Waste Management Plan presentation to Council by the Public Works Manager. The report brought forward 13 items for consideration and Council choose 3 of 13 to be reviewed further.

The Township will be looking at shifting hours for the waste sites after seeing what the average times of use are and which days are the busiest at the 3 waste sites. The Township is considering purchasing land across the road to move the operation of the waste site there to allow for more space for the garbage disposal area. Having operations and waste disposal on the same site is limiting the years the site can be used for.

After the review of the waste sites a report will be brought back to Council for discussion.

- Composting Options for the Township – Waste Blitz and Giveaways

The Planner explained to the Working Group that one of the top 3 considerations of the Waste Management Plan was to improve composting at the waste sites and the CAO would like feedback from the Working Group.

The Township is looking at having staff at the waste sites with plastic composters for sale at cost and under the sink buckets to be given away as well as information on why composting is important and how to do it.

The Working Group suggested that while creating a brochure to explain the process of composting at the waste site and how to make your own composter could be useful, without an actual composting program with a ½ FTE operating along the lines of the County's previous support program with Master Composters to assist residents, achieving a serious increase in composting was unlikely.

The Chair recognized N. Button, who suggested to consult the Re Use Center about any new hours.

The Planner will set up a meeting with Climate Network Lanark (as they have focused on compost in their recent programming) and the Public Works Manager to discuss a compost program.

Another consideration is that Perth has approval to accept other township's composting materials.

- Building Conditions Assessment Report

The Planner summarized from the last meeting that staff and Council were asked to use the climate lens when using the assessment. The Working Group discussed the attachment that Bob Argue provided on how the climate lens could inform building asset decisions. The Planner noted a very detailed asset management plan is currently being developed by the Treasurer and Public Works Manager that will list what assets need to be repaired or replaced and when. This will help with decision making to reduce fossil fuel usage by the Township.

The Planner advised the Working Group that for the August Council agenda the Working Group can report on its activities in 2022 and the climate change report card which will be circulated to the Working Group for comment.

- Electric Vehicle Life Cycle Analysis

The Working Group discussed the fact that multiple business case analyses demonstrate that Electric Vehicles are less expensive over their life cycle compared to Internal Combustion Engine Vehicles. In response to a question about when the CBO vehicle would be retendered, the Planner explained its repair had been authorized. In response to a further question, the Planner reported she had been told the cost was almost \$9,000. The Planner was told the CBO vehicle now has a life expectancy of 5 years to continue to emit Greenhouse Gases.

The Working Group requested that the Treasurer write a report for Council on the principle of Total Cost accounting so that decisions based on low up-front costs but high lifetime costs not be repeated for any purchase (not just Electric Vehicles) that would cost residents of Tay Valley Township more in the end.

- Advocate for Stronger Green House Gas Reduction Targets and Actions at the Federal, Provincial and County Levels of Government

This item on the agenda was taken directly from the Climate Action Plan. Staff are looking for suggestions from the Working Group on this topic. Working Group members suggested making a Ministers' delegation at ROMA about phasing out fossil fuels by importing more hydro-energy from Quebec and allowing net metering.

The group suggested there were many petitions Council could sign for example, there is a petition by the Canadian Association of Physicians for the Environment (CAPE) to label all fossil fuels with a health warning (in the same way alcohol and cigarettes are labelled) because climate change has such a negative impact on health.

- Develop Ongoing Communications Strategy that Informs and Motivates Organizations
 - Website – The CAO noticed that the webpage for Climate Change has not been updated since it was first published a few years ago and suggested that the Working Group members provide some content to freshen up the website. The Working Group will write some content for the Website.
 - Did You Know? Series

The Planner explained that the Township has a Did You Know? Series of updates that are sent out in the news feeds about items about the Township to inform the community of what the Township provides. The Working Group members will bring back to the next meeting 1- 5 Did You Know? suggestions of good Climate Change actions residents are doing in our Township to recognize their efforts and inspire other residents to do the same.

ii) **Communications**

- Lanark County Climate Change Committee Update.

The Planner provided the Working Group an update on the Lanark County Climate Change Committee meeting. The County has proposed a Climate Action Plan and will seek feedback from residents and lower tier Councils. The Working Group will promote the County's Climate Action Plan consultation.

- Should Tay Valley Declare a Climate Emergency?

The Planner explained to the Working Group that the CAO/Clerk would like to ensure that when Declaring a Climate Emergency that it does not trigger the emergency provisions under the legislation including the requirement for the CCG (Community Control Group for emergencies with the Fire Chief, Reeve, etc.) to meet. The Working Group discussed in detail all the information on other towns and cities that have declared climate emergencies as an information awareness declaration. The CCG looks at risks associated with climate change (e.g., wildfires, heat events, flooding already as part of its Hazard Identification and Risk Assessment process).

The Working Group discussed the definition of emergency versus urgency and agreed that the emergency was the correct word to use. Examples of other town's declarations will be shown to the CAO. The current wildfire situation underlines the need to treat the situation as a climate emergency so that decisions about fossil fuel use are seen in that context. These decisions by Council are not something to put off. Time is running out to make the necessary changes.

The Working Group recommended that the declaration of a Climate Emergency be included in the Working Group update to Council in August.

- National Building Code Update Energy Efficiency - Doug Barr

The Planner explained the process of items going to Council. A report of the Green Energy Working Group will go to Council in August for its Annual Report under the Terms of Reference. The report will include information on how to bring Green Development Standards to Tay Valley.

- Invitation to Sundance Artisan Festival

The Working Group discussed the invitation to have a table at the Sundance Artisans Festival and decided to respectfully decline the invitation because many visitors are from outside of the Township. It will look at other possible venues to promote Climate Change in the community (e.g., the Maberly Fair).

7. NEW AND OTHER BUSINESS

None.

8. NEXT MEETING DATE AND PROPOSED AGENDA ITEMS

Next Meeting: August 11, 2023

- Website Content
- Did you Know? Series Write Ups
- Shoreline Clean Up
- Streetlights that are all solar

9. DEFERRED ITEMS

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

- **Climate Action Plan Update**

10. ADJOURNMENT

The Working Group adjourned at 3:50 p.m.