



Tay Valley Township

COMMITTEE OF THE WHOLE AGENDA

Tuesday, August 13th, 2024
Immediately Following the Public Meeting 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 Korrine Jordan

1. CALL TO ORDER

2. AMENDMENTS/APPROVAL OF AGENDA

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

4. APPROVAL OF MINUTES OF PUBLIC MEETINGS

- i) **Public Meeting: Zoning By-Law Amendment(s) – June 4th, 2024 – *attached, page 12.***

Suggested Recommendation:

“THAT, the minutes of the Public Meeting – Zoning By-Law Amendment(s) held on June 4th, 2024, be approved.”

5. DELEGATIONS & PRESENTATIONS

- i) **Presentation: Perth and District Union Library Update – *attached, page 16.***
Erika Heesen, Chief Executive Officer/Chief Librarian, Perth and District Union Library

Suggested Recommendation:

“THAT, the Perth and District Union Library Update presentation dated August 13th, 2024 be received for information.”

6. PRIORITY ISSUES

- i) **Report #PD-2024-09 – Severance Application – Ennis – attached, page 22.**
Noelle Reeve, Planner

Suggested Recommendation to Council:

“THAT, the Council of Tay Valley Township support, in principle, a site-specific Official Plan Amendment for 1551 Ennis Road to allow for one additional severance to reflect the information initially provided by Lanark County to the property owners as outlined in Report #PD-2024-09 – Severance Applications - Ennis”.

- ii) **Report #PD-2024-10 Province Removes Wetlands Protection for Eastern Ontario – attached, page 28.**
Noelle Reeve, Planner

Suggested Recommendation to Council:

“THAT, the Council of the Corporation of Tay Valley Township urge the Provincial Government to reopen the wetlands regulation consultation for the Rideau Valley Conservation Authority (RVCA) to:

- allow Tay Valley’s wetlands to receive the same protections as wetlands in the other 29 Conservation Districts in Ontario;
- ensure Tay Valley’s \$1.3 Billion Tax Assessment is protected from degradation.

AND THAT, this resolution and a copy of Report #PD-2024-10 – Province Removes Wetlands Protection for Eastern Ontario, be provided to the Minister of Natural Resources, to area Members of Provincial Parliament (MPPs), the Rural Ontario Municipal Association (ROMA), and to all Ontario Municipalities.”

- iii) **Report #FIN-2024-10 – 2022 Development Charges Statement – Amended – attached, page 39.**
Ashley Liznick, Treasurer

Suggested Recommendation to Council:

“THAT, Report #FIN-2024-10 - 2022 Development Charges Statement - Amended be received as information.”

- iv) **Report #FIN-2024-11 – 2023 Development Charges Statement – Amended – attached, page 46.**
Ashley Liznick, Treasurer

Suggested Recommendation to Council:

“THAT, Report #FIN-2024-11 - 2023 Development Charges Statement - Amended be received as information.”

- v) **Report #CAO-2024-14 – Request to Close a Portion of an Unopened Road Allowance – Avery – attached, page 53.**
Amanda Mabo, Chief Administrative Officer/Clerk

Suggested Recommendation to Council:

“THAT, Council agrees to proceed with the application to stop up, close and sell the said portion of the unopened road allowance as outlined in Report #CAO-2024-14 – Request to Close a Portion of an Unopened Road Allowance – Avery;

THAT, Council agrees to proceed with purchasing the portion of lands as outlined in Report #CAO-2024-14 – Request to Close a Portion of an Unopened Road Allowance – Avery;

THAT, the requirements to advertise and hold a Public Meeting be waived;

THAT, the Applicant and Township split the legal costs 50/50;

THAT, the land sale and land purchase costs be waived;

AND THAT, the necessary by-law be brought forward once the survey is complete.”

- vi) **Report #CAO-2024-15 - Request to Close a Portion of an Unopened Road Allowance – Kennedy – attached, page 57.**
Amanda Mabo, Chief Administrative Officer/Clerk

Suggested Recommendation to Council:

“THAT, Council agrees to proceed with the application to stop up, close and sell the said portion of the unopened road allowance as outlined in Report #CAO-2024-15 – Request to Close a Portion of an Unopened Road Allowance – Kennedy;

THAT, the requirements to advertise and hold a Public Meeting be waived;

AND THAT, the necessary by-law be brought forward once the survey is complete.”

- vii) **Report #CAO-2024-16 - Request to Close a Portion of an Unopened Road Allowance – Snyder – attached, page 61.**
Amanda Mabo, Chief Administrative Officer/Clerk

Suggested Recommendation to Council:

“THAT, Council agrees to proceed with the application to stop up, close and sell the said portion of the unopened road allowance as outlined in Report #CAO-2024-16 – Request to Close a Portion of an Unopened Road Allowance – Snyder, as per the Road Closing and Sale Policy and call a Public Meeting.”

- viii) **Report #CAO-2024-18 - Request to Close a Portion of an Unopened Road Allowance – Ratcliffe – attached, page 67.**
Amanda Mabo, Chief Administrative Officer/Clerk

Suggested Recommendation to Council:

“THAT, Council agrees to proceed with the application to stop up, close and sell the said portion of the unopened road allowance as outlined in Report #CAO-2024-18 – Request to Close a Portion of an Unopened Road Allowance – Ratcliffe;

THAT, the requirements to advertise and hold a Public Meeting be waived;

AND THAT, the necessary by-law be brought forward.”

- ix) **Report #CAO-2024-17 - Proposed New Road Name Deletion - Lakebreeze Lane – attached, page 71.**
Amanda Mabo, Chief Administrative Officer/Clerk

Suggested Recommendation to Council:

“THAT, once the right-of-way (Private Road) currently known as Lakebreeze Lane is physically removed and legally extinguished that the necessary by-law to repeal the Road Naming By-Law for Lakebreeze Lane, outlined in Report #CAO-2024-17 – Proposed Deletion of Road Name – Lakebreeze Lane, be brought forward for approval.”

- x) **Report #CAO-2024-19 - Options to Fill Vacancy on Council – attached, page 76.**
Amanda Mabo, Chief Administrative Officer/Clerk

Suggested Recommendation to Council:

“THAT, one of the two Sherbrooke ward Councillor positions on Tay Valley Township Council be declared vacant;

AND THAT, the vacancy be filled by _____.”

- xi) **Report #CAO-2024-20 - Establish the Pinehurst Cemetery Board – attached, page 83.**
Amanda Mabo, Chief Administrative Officer/Clerk

Suggested Recommendation to Council:

“THAT, the Pinehurst Cemetery Board be established;

AND THAT, the necessary by-law be brought forward at the next Council meeting.”

- xii) **Report #CAO-2024-21 - Pinehurst Cemetery By-Law – attached, page 89.**
Amanda Mabo, Chief Administrative Officer/Clerk

Suggested Recommendation to Council:

“THAT, the proposed Pinehurst 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.”

- xiii) **Appointment to the Heritage Property Selection Committee.**

Suggested Recommendation to Council:

“THAT, The Council of the Corporation of Tay Valley Township appoint Peter Siemons to the Tay Valley Township Heritage Property Selection Committee.”

- xiv) **Council Appointment to the Mississippi Valley Conservation Authority Board.**

Suggested Recommendation to Council:

“THAT, the Council of the Corporation of Tay Valley Township appoint _____ to the Mississippi Valley Conservation Authority Board for a term ending November 17, 2026.”

- xv) **Council Appointment to the Library Board.**
(Two Members of Council have put their name forward for one position)

Suggested Recommendation to Council:

“THAT, the Council of the Corporation of Tay Valley Township appoint Councillor Wayne Baker OR Councillor Korrine Jordan to the Library Board for a term ending November 17, 2026.”

- xvi) **Closed Meeting Investigation #2024-01 – Final Report – attached, page 106.**

Suggested Recommendation to Council:

“THAT, the Closed Meeting Investigation #2024-01 – Final Report be received for information.”

7. CORRESPONDENCE

- i) **Jurisdiction of Ontario’s Ombudsman – attached, page 118.**

Suggested Recommendation to Council:

“WHEREAS, the Council of the Corporation of Tay Valley Township supports the request from the City of Peterborough that a Bill be introduced to amend the Ombudsman Act;

THAT, the Honourable Paul Calandra, Minister of Municipal Affairs and Housing, be requested to introduce a Bill to amend the Ombudsman Act to require the Ontario Ombudsman to provide to each municipality, if requested by

the municipality, sufficient particulars of each investigation, matter or case respecting the municipality that is referred to in each of the Ombudsman's Annual Reports to permit the municipality to fully understand and address the subject matter of each such investigation, matter or case including:

- i) a copy of each complaint, as applicable, redacted only to the extent of individuals' personal information contained therein;*
- ii) the identities of the municipality's employees, officers and members of Council with whom the Ombudsman was consulting in respect of the investigation, matter or case; and*
- iii) particulars of the outcome of the investigation, matter or case including the Ombudsman's findings, conclusions and recommendations, if any.*

AND THAT, staff forward Council's resolution resulting from Council's approval of these recommendations to Minister Calandra, MPP John Jordan, the Association of Municipalities of Ontario (AMO) and to all Ontario municipalities.”

- ii) **Eastern Ontario Wardens’ Caucus – Municipal Infrastructure Policy Paper Calling for Investment in Municipal Infrastructure for Eastern Ontario’s Small and Rural Communities – *distributed as a separate package.***

Suggested Recommendation to Council:

“WHEREAS, Eastern Ontario’s small rural municipalities face insurmountable challenges to fund both new growth related infrastructure and ongoing maintenance of their capital assets including local roads and bridges, clean water, wastewater, waste facilities, and municipally owned buildings including recreational facilities and libraries;

AND WHEREAS, the [Federation of Canadian Municipalities](#) has calculated that Municipal Governments across Canada are responsible for approximately 60 percent of public infrastructure that supports our economy and quality of life, but only receive 10 cents of every tax dollar;

AND WHEREAS, the Eastern Ontario Wardens’ Caucus (EOWC) region’s capital infrastructure deficit has increased by 58 percent since 2011 and is now at \$6 billion, and growing;

AND WHEREAS, in 2018, the Ontario Government mandated all Ontario municipalities to develop and fully fund capital asset management plans by July 2025;

AND WHEREAS, the EOWC has released a regional [Municipal Infrastructure Policy Paper](#) showing key infrastructure data, opportunities and challenges in small rural municipalities across Eastern Ontario;

AND WHEREAS, Eastern Ontario is a growing economy that can grow more with sustainable, innovative infrastructure partnership and investment from the Federal and Ontario Governments;

AND WHEREAS, the infrastructure deficit for small rural municipalities cannot be adequately addressed through property tax revenue, restricted municipal borrowing capacity, and municipalities limited ability to generate revenue;

AND WHEREAS, small rural taxpayers cannot afford dramatic increases to pay for the current and future infrastructure;

NOW THEREFORE BE IT RESOLVED THAT, Tay Valley Township joins the Eastern Ontario Wardens' Caucus, the Association of Municipalities of Ontario, and the Federation of Canadian Municipalities in calling on the Federal and Ontario Governments to immediately and sustainably partner with Municipal Governments by investing in both the new and ongoing maintenance and repairs of municipal infrastructure in Eastern Ontario's small rural municipalities;

THAT, the Federal and Ontario Governments immediately review data and work together to implement solutions based on the [EOWC's Municipal Infrastructure Policy Paper](#) in partnership with small rural municipalities; and

AND THAT, this resolution be forwarded to The Honourable Justin Trudeau, Prime Minister of Canada, The Honourable Sean Fraser, Minister of Housing, Infrastructure and Communities of Canada; The Honourable Doug Ford, Premier of Ontario; The Honourable Kinga Surma, Ontario Minister of Infrastructure; The Honourable Paul Calandra, Ontario Minister of Municipal Affairs and Housing; The Honourable Lisa Thompson, Ontario Minister of Rural Affairs; The Honourable Peter Bethlenfalvy, Ontario Minister of Finance; The Honourable Prabmeet Sakaria, Ontario Minister of Transportation; The Honourable Victor Fedeli, Ontario Minister of Economic Development, Job Creation and Trade; The Honourable Scott Reid, Member of Parliament Lanark-Frontenac-Kingston; The Honourable John Jordan, Member of Provincial Parliament Lanark-Frontenac-Kingston; Federation of Canadian Municipalities; Association of Municipalities of Ontario; Canada Mortgage and Housing Corporation; Rural Ontario Municipal Association; Eastern Ontario Wardens' Caucus."

iii) **Association of Municipalities of Ontario – Joint Health Resolution Campaign – *attached, page 121.***

Suggested Recommendation to Council:

“WHEREAS, the state of health care in Ontario is in crisis, with 2.3 million Ontarians lacking access to a family doctor, emergency room closures across the province, patients being de-rostered and 40% of family doctors considering retirement over the next five years;

AND WHEREAS, it has become increasingly challenging to attract and retain an adequate healthcare workforce throughout the health sector across Ontario;

AND WHEREAS, Ontario municipal governments play an integral role in the health care system through responsibilities in public health, long-term care, and paramedicine;

AND WHEREAS, the percentage of family physicians practicing comprehensive family medicine has declined from 77 in 2008 to 65 percent in 2022;

AND WHEREAS, per capita health-care spending in Ontario is the lowest of all provinces in Canada,

AND WHEREAS, a robust workforce developed through a provincial, sector-wide health human resources strategy would significantly improve access to health services across the province;

NOW THEREFORE BE IT RESOLVED THAT, the Council of Corporation of Tay Valley Township urges the Province of Ontario to recognize the physician shortage in Tay Valley Township and Ontario, to fund health care appropriately and ensure every Ontarian has access to physician care.”

iv) **Request for Royal Assent of Administrative Monetary Penalty System in the Ontario Building Code Act – attached, page 123.**

Suggested Recommendation to Council:

“**WHEREAS**, the Council of the Corporation of Tay Valley Township supports Lake of Bays’ request for Royal Assent of the Administrative Monetary Policy System (AMPS) in the Ontario Building Code Act;

AND WHEREAS, the AMPS was written into the Building Code Act in December 2017;

AND WHEREAS, the AMPS has proven to be a valuable tool for education and enforcement of other municipal by-laws;

AND WHEREAS, the AMPS frees up valuable Provincial Offences Court time saving the province and municipalities valuable resources and funds;

NOW THEREFORE BE IT RESOLVED THAT, a copy of this resolution be sent to The Honorable Paul Calandra, Minister of Municipal Affairs and Housing; The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO); the Association of Ontario Municipalities (AMO); and all Ontario municipalities.”

v) **24-07-03 – Council Communication Package – cover sheets attached, page 125.**

Suggested Recommendation to Council:

“**THAT**, the 24-07-03 Council Communication Package be received for information.”

- vi) **24-08-07 – Council Communication Package – cover sheets attached, page 129.**

Suggested Recommendation to Council:

“THAT, the 24-08-07 Council Communication Package be received for information.”

8. COMMITTEE, BOARD & EXTERNAL ORGANIZATION UPDATES

- i) **Bolingbroke Cemetery Board.**

24-06-06 - Bolingbroke Cemetery Board Minutes – *attached, page 133.*

- ii) **Committee of Adjustment – deferred to the next meeting.**

- iii) **Fire Board.**

24-06-06 – DRAFT Fire Board Minutes – *attached, page 138.*

- iv) **Library Board.**

24-04-15 – Perth and District Union Public Library Board Minutes – *attached, page 143.*

- v) **Pinehurst Cemetery Board – deferred to the next meeting.**

- vi) **Lanark County OPP Detachment Board – deferred to the next meeting.**

- vii) **Green Energy and Climate Change Working Group.**

24-06-14 – DRAFT – Green Energy and Climate Change Working Group Minutes – *attached, page 145.*

- viii) **Mississippi Valley Conservation Authority Board.**

24-07-08 – Mississippi Valley Conservation Authority Board Summary Report – *attached, page 149.*

24-07-08 – DRAFT Mississippi Valley Conservation Authority Board of Directors – Minutes – *attached, page 151.*

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

24-05-23 – Rideau Valley Conservation Authority Board of Directors – Minutes – *attached, page 161.*

24-08-01 - Rideau Valley Conservation Authority Board of Directors Meeting Summary – July 25th, 2024 – *attached, page 167.*

- x) **Lanark County Traffic Advisory Working Group** – *deferred to the next meeting.*
- xi) **County of Lanark.**
Reeve Rob Rainer and Deputy Reeve Fred Dobbie.

9. CLOSED SESSION

- i) **CONFIDENTIAL: Litigation – Severance File #B23/146.**
Amanda Mabo, Chief Administrative Officer/Clerk.

Suggested Motion:

“THAT, Committee move “in camera” at ___ p.m. to address a matter pertaining to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board regarding the Severance File #B23-146;

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

Suggested Motion:

“THAT, the 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:*

- *None.*

11. ADJOURNMENT

MINUTES

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

Tuesday, June 4th, 2024

5:30 p.m.

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

ATTENDANCE:

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

Staff Present: Amanda Mabo, Chief Administrative Officer/Clerk
Aaron Watt, Deputy Clerk
Noelle Reeve, Planner

Public Present: Nicola Oddy
Charles Shenkman
Colleen Smyth

1. CALL TO ORDER

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

2. INTRODUCTION

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

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

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

3. APPLICATION

- i) **FILE #ZA24-05: William Avery and Jeanette Avery
Bennett Lake Road
Part Lot 5, Concession 11,
Geographic Township of Bathurst**

a) PLANNER FILE REVIEW & PROPOSED BY-LAW

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

b) APPLICANT COMMENTS

None.

c) PUBLIC COMMENTS

None.

d) RECOMMENDATION

That the proposed amendments to Zoning By-Law No. 02-121 be approved.

- ii) **FILE #ZA24-06: Nicola Oddy and Charles Shenkman
1140 Elm Grove Road
Part Lot 3, Concession 7,
Geographic Township of North Burgess**

i) PLANNER FILE REVIEW & PROPOSED BY-LAW

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

ii) APPLICANT COMMENTS

The applicants, Nicola Oddy and Charles Shenkman, were present to answer questions.

iii) PUBLIC COMMENTS

None.

iv) RECOMMENDATION

A Member questioned the affect on neighbouring properties, if it will prevent owners from developing their land.

The Planner confirmed that the change does not affect bordering properties.

The applicants informed Members that the property has its own civic address and should be listed as 1152 Elmgrove Road instead of 1140. The Planner indicated that the PIN is not on the mapping yet, but made note of the updated information.

The Members discussed a size restriction on permitted outbuildings. The Planner explained that, under the Building Code, a 164 square foot shed can be built without requiring a building permit.

Members agreed on adding an allowance for an outbuilding size of a maximum of 400 square feet.

The Planner will make the required changes to the proposed By-Law for the June 18, 2024, Council meeting.

4. ADJOURNMENT

The public meeting adjourned at 5:53 p.m.

PRESENTATIONS

the Perth & District Union
PUBLIC LIBRARY 

1

Our Union Public Library serves Perth, Drummond/North Elmsley and Tay Valley, and its Board is made up of one representative from each of our supporting councils and two volunteer representatives from each community.

Governed by the Ontario Public Libraries Act, the Board ensures our library provides a comprehensive and efficient public library service and responds to our community's needs.

Our trained, frontline library staff are people-focused, responding to these unique needs by developing, providing and offering:



EDUCATION & ENTERTAINMENT



SUPPORT FOR FAMILIES & SENIORS



CONNECTION



ECONOMIC DEVELOPMENT



CREATION

2

supporting municipal priorities

The library's mission is to share knowledge,
foster community, and enrich lives.

THE LIBRARY:

STRENGTHENS PROGRAMS FOR RESIDENTS & VISITORS

CREATES A "SENSE OF COMMUNITY"

SUPPORTS COLLABORATION & MUNICIPAL PARTNERSHIP

IS PART OF AN APPEALING AND AFFORDABLE COMMUNITY

3

Recent accomplishments



4



2024-25 agility plan

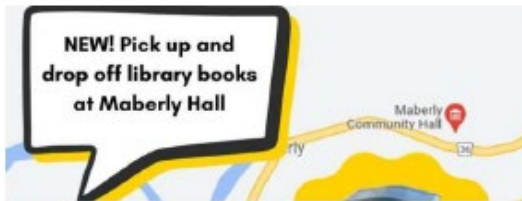
THE LIBRARY IS MORE EQUITABLE, DIVERSE, INCLUSIVE AND ACCESSIBLE.

EVERYONE IN OUR COMMUNITY IS AWARE OF THE SERVICES OF THE LIBRARY. IT'S EXCITING TO HAVE A LIBRARY CARD!

PEOPLE FEEL CONNECTED TO THE LIBRARY AND HAVE AN IMPROVED QUALITY OF LIFE.

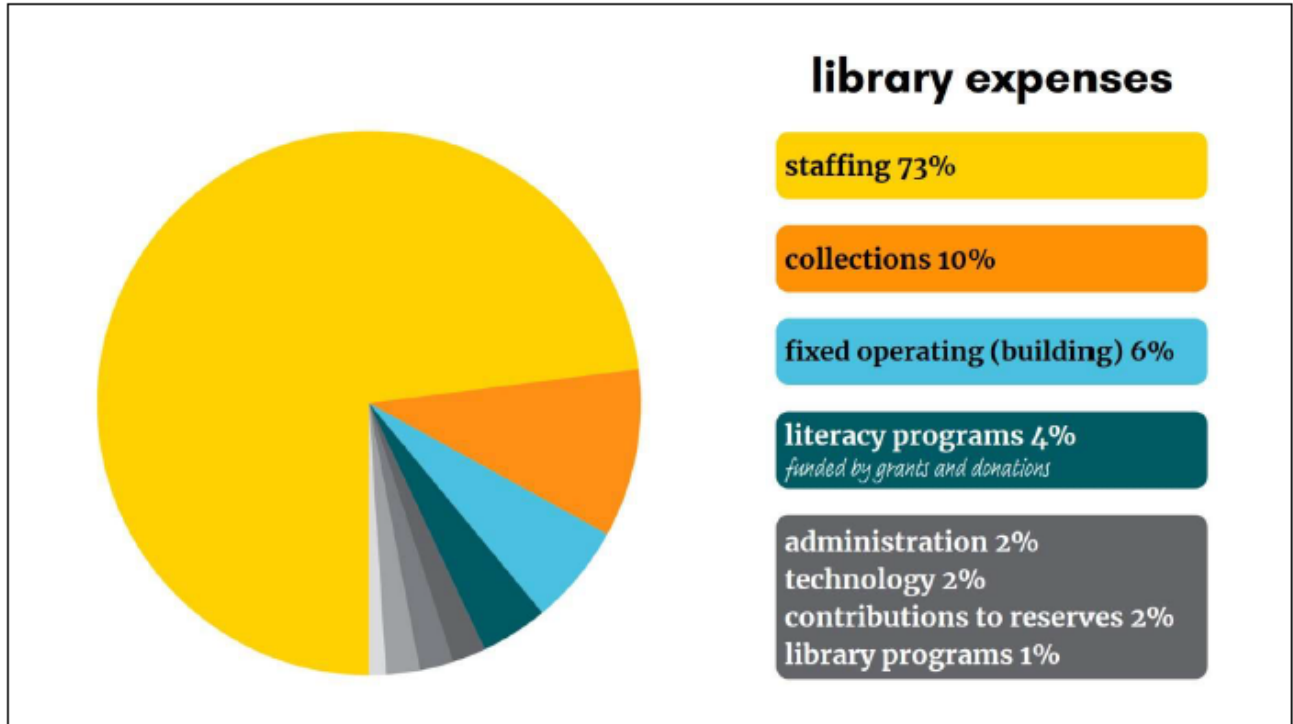
THE LIBRARY IS FUNDED TO MEET CURRENT AND FUTURE OPERATIONAL NEEDS.

5

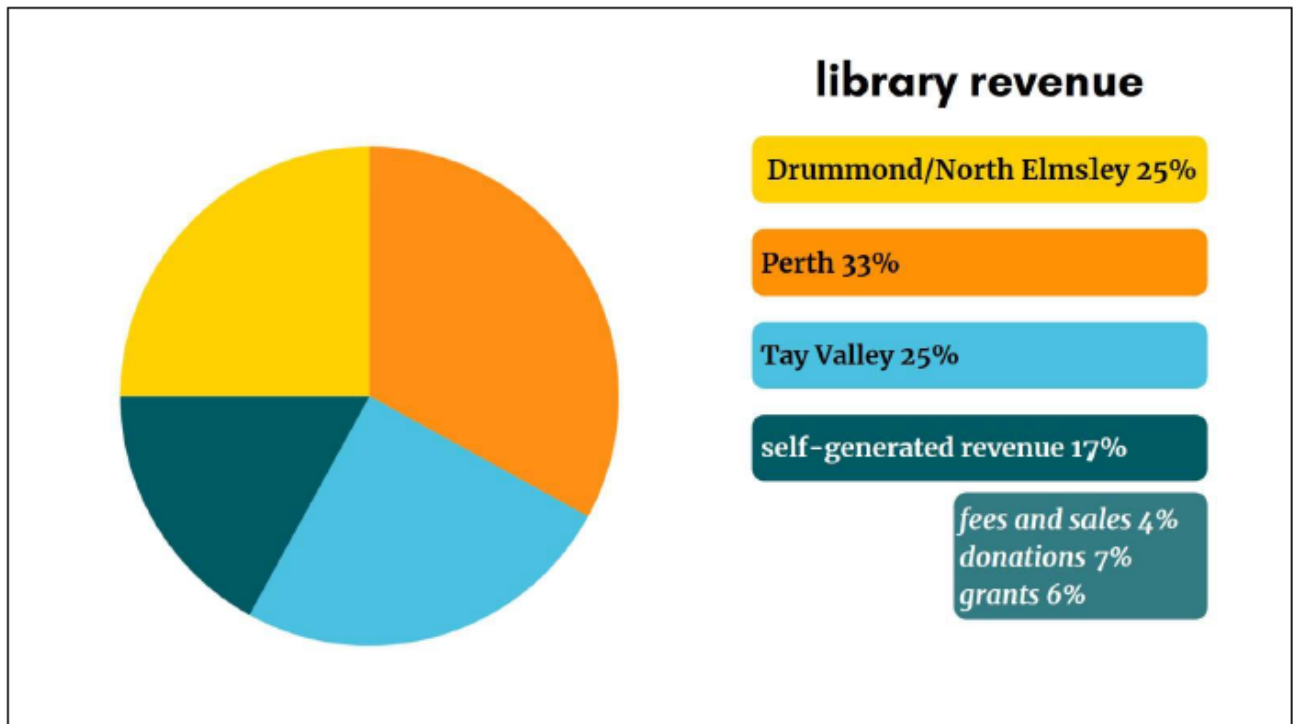


Goals

6



7



8

**On average,
our community members
visit the library
over 100,000 times
to use computers,
meeting rooms,
and borrow
over 130,000 books,
eBooks, and more
each year.**

You are always welcome here
and we can't wait to see you!



9

questions?

Erika Heesen, CEO/Chief Librarian
613-267-1224
eheesen@perthunionlibrary.ca

10

PRIORITY ISSUES

COMMITTEE OF THE WHOLE
August 13, 2024

Report #PD-2024-09
Noelle Reeve, Planner

SEVERANCE APPLICATIONS
OWNERS: G. ENNIS, M.G. ENNIS, M. ENNIS, T. ENNIS

STAFF RECOMMENDATION

“**THAT**, the Council of Tay Valley Township support, in principle, a site-specific Official Plan Amendment for 1551 Ennis Road to allow for one additional severance to reflect the information initially provided by Lanark County to the property owners as outlined in Report #PD-2024-09 – Severance Applications - Ennis”.

BACKGROUND

The lot at 1551 Bennett Lake Road (see Attachment 1) was created as the retained parcel by a consent application by G and MG Ennis in 2010.

The applicants propose to create a 2.4 ha (6 acres) severed lot that would have access off Bennett Lake Road, a County road (see Attachment 2). A further severance would be required for a lot addition of 305m² (3,283 sq ft) for access to the proposed retained lot of 59.4 ha (147 acres) off Bennett Lake Road (see Attachment 3).

The land proposed for the severance has a newly constructed dwelling on it (which has a building permit and is not triggering the severance). The retained lot is hay fields with Mississippi Valley Conservation Authority regulated wetlands along the shore of Bennett Lake.

Neither the severance nor the lot addition are unusual for their qualities – lot area, water frontage, and road frontage can all be met.

However, for the lot severance to occur, an Official Plan Amendment (OPA) would be required because the County has determined that there are no severances left on this lot.

Initially, early in 2021, the applicant or their agent (Zanderplan) was informed by the County that there was one severance left on the property. Zanderplan staff corresponded and met with the County Planner and the Township Planner on a number of occasions for a year and one half between March 2021 and November 2022. After receiving an application for severance, on November 24, 2022 the Senior Planner for the County informed Zanderplan

that there were no more severances available on the property.

Since discussions to that point had focused on how to achieve access to the proposed lots with a condominium road, the agent/applicant decided to continue with creating a condominium road and parcels of tied land as a mechanism for the severance. As a result, the applicant hired a lawyer to begin the preliminary work on the condominium process. The applicant also hired a firm to undertake the required archaeological study which was submitted to the County.

In May of 2024, the applicant asked for a meeting with the newly hired County Planner, County Planning Technician responsible for severances, and the Township to determine if there was a way forward on the severance without a plan of condominium and condominium road as the costs for the plan of condominium were approaching \$100,000. The County Planner suggested there was the possibility of an Official Plan Amendment, given the circumstances.

DISCUSSION

The landowners would need a site specific Official Plan Amendment to create an additional lot on their property because there are no severances left on the property. They do not wish to undertake the expense of an Official Plan Amendment (County, Township and commenting agency fees) without some indication from Tay Valley Township Council that the Official Plan Amendment would likely be reviewed favourably.

Normally, the Planner would not support an OPA to permit an additional lot severance because a planning rationale would not exist. If more lots are desired, there is a Planning Act process to follow - a plan of subdivision or a plan of condominium.

However, given the landowners spent time and money on planning consultants, archaeologists, and lawyers and in meetings with the County and Township planners for a year and one half as a consequence of being told there was a possibility of a severance on their property, the Township Planner is willing to review an application for an OPA favourably.

The OPA would still need to meet the Provincial Policy Statement, County Official Plan, Township Official Plan and Zoning By-Law in all other respects.

CONCLUSION

The Planner recommends that Council support, in principle, a site specific Official Plan Amendment for one additional lot because of the initial indication by the County for a year and one half of discussions that there was a severance available on the lot which led to the landowners expending money on planning consultants and studies to move the severance forward.

ATTACHMENTS

- i) Site Map
- ii) Proposed Severed Lot
- iii) Proposed Lot Addition for Access to Retained Lot

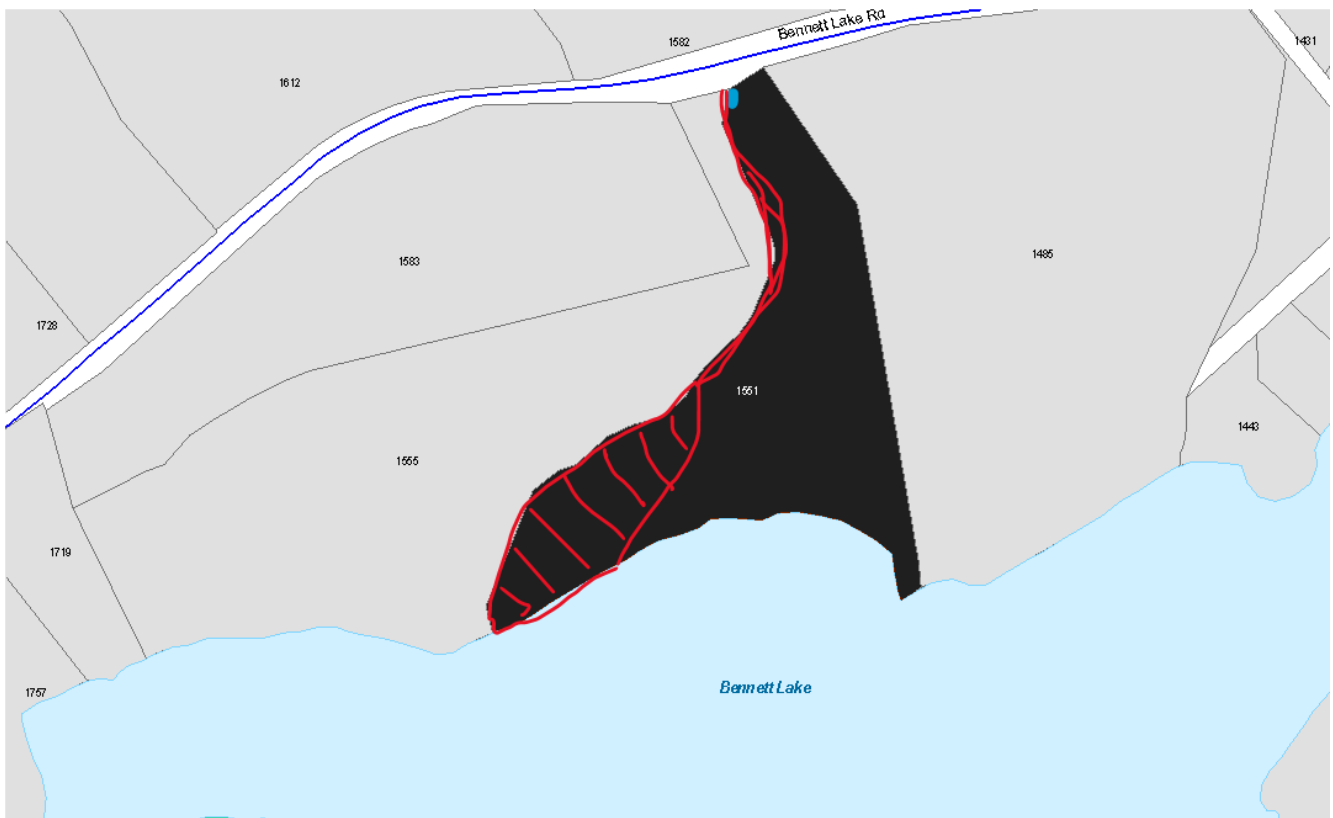
Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

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

Attachment 1 Site Map



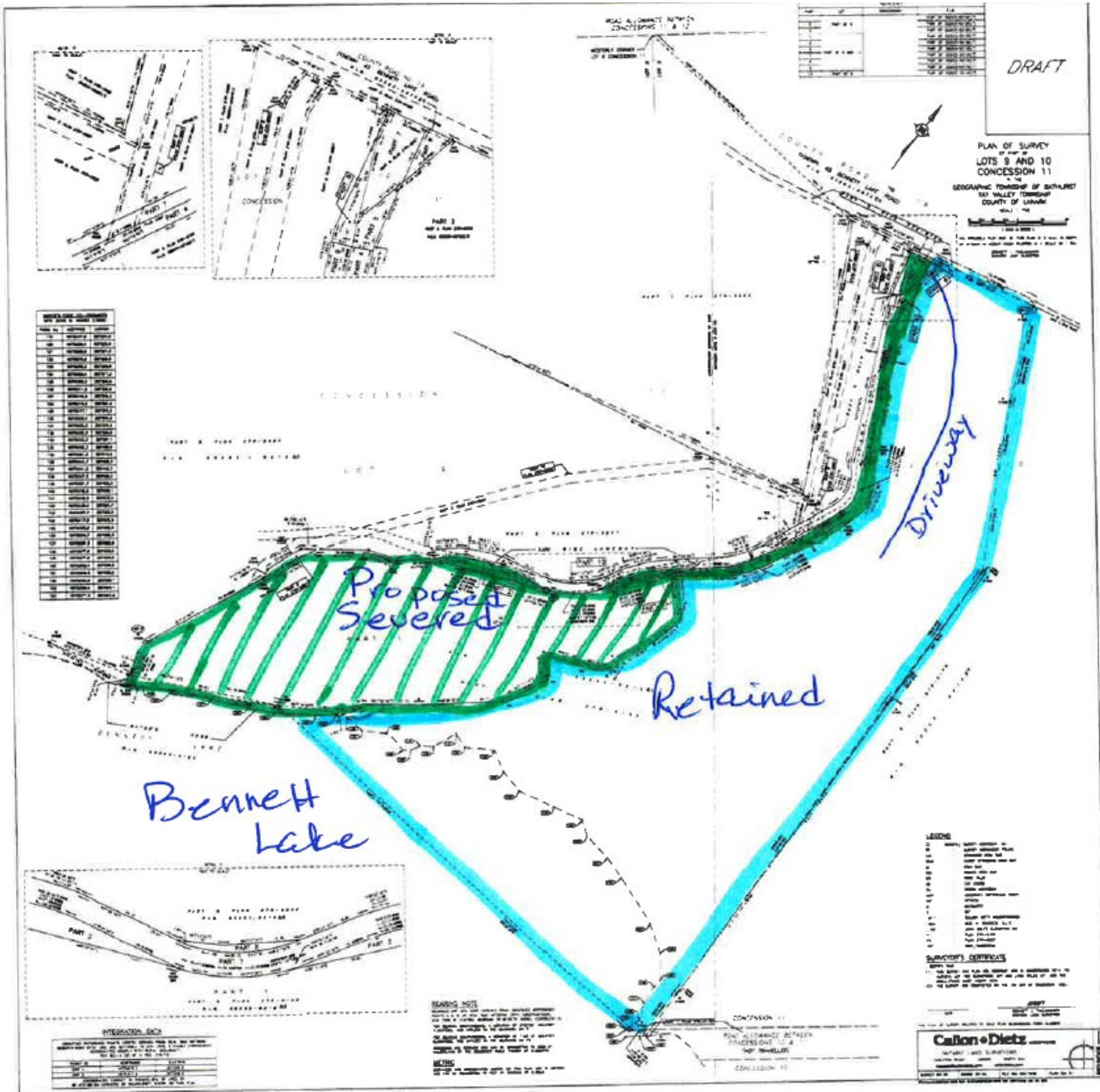
Proposed severed lot —
Proposed lot addition —

Attachment 2 Proposed Lot Addition for Access to Retained Parcel

- Shared entrance
- driveway for 1555
- driveway for 1553
- access to 1551



Attachment 3 Proposed Severed Lot



COMMITTEE OF THE WHOLE

August 13th, 2024

Report #PD-2024-10

Noelle Reeve, Planner

PROVINCE REMOVES WETLANDS PROTECTION FOR EASTERN ONTARIO

STAFF RECOMMENDATION(S)

It is recommended:

“THAT, the Council of the Corporation of Tay Valley Township urge the Provincial Government to reopen the wetlands regulation consultation for the Rideau Valley Conservation Authority (RVCA) to:

- allow Tay Valley’s wetlands to receive the same protections as wetlands in the other 29 Conservation Districts in Ontario;
- ensure Tay Valley’s \$1.3 Billion Tax Assessment is protected from degradation.

AND THAT, this resolution and a copy of Report #PD-2024-10 – Province Removes Wetlands Protection for Eastern Ontario, be provided to the Minister of Natural Resources, to area Members of Provincial Parliament (MPPs), the Rural Ontario Municipal Association (ROMA), and to all Ontario Municipalities.”

BACKGROUND

On April 1, 2024, the province enacted *Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits*. This regulation replaced 36 individual conservation authority regulations with a single provincial regulation. The O. Reg was intended to bring consistency to the conservation authority regulations. It also reduced the area around provincially significant wetlands where a permit is required from 120 to 30m.

In early June 2024, the Rideau Valley, South Nation and Raisin River conservation authorities began public consultations on regulating all wetlands, to be in conformity with the regulations of the other 29 conservation authorities in the province. On June 25, 2024 the press secretary for the Minister of Natural Resources (MNR) stated, “The province has instructed Rideau Valley, Raisin River, and South Nation Conservation Authorities to permanently stop their implementation plans regarding their wetland policy and mapping updates”.

DISCUSSION

We live in what is often referred to as the Anthropocene (a unit of geologic time, used to describe the most recent period in Earth's history when human activity started to have a significant impact on the planet's climate and ecosystems). As a result of the impact of human activity on the environment, the economy is more closely tied to the health of natural systems, such as wetlands, than at any time in the past.

For example, Tay Valley Township's tax assessment for 2024 is \$1.3 billion (which is grossly undercounted as the provincial government has not increased this assessment for almost a decade, since 2016). Close to three-quarters of this tax base is generated by the economic value of waterfront properties. Anything that degrades the ecological value of the lakes and streams on these properties, or the biodiversity in Tay Valley Township degrades Tay Valley's tax base.

Leaving wetlands unprotected will degrade the value of these properties and, therefore, the Township's economy. Wetlands filter nutrients out of water. Wetlands lessen the effects of climate disruption including rising temperatures by sequestering (storing) carbon. Wetlands also reduce the effects of extreme rain events and flooding by retaining water in the special soils of these low-lying areas. Wetlands reduce the impacts of drought by slowly releasing the stored water to groundwater systems.

This year, for the first time ever, a lake in Tay Valley Township was confirmed by the Ministry of Environment Conservation and Parks to have a blue-green algae outbreak. Blue-green algae is caused by increased nutrients washing into lakes during rainstorms and by increased water temperatures.

The province's information page on blue-green algae [Blue-green algae | ontario.ca](https://www.ontario.ca/blue-green-algae) describes initiatives it is taking to reduce blue-green algae blooms in southern Ontario including "Investing \$30 million through the [Wetlands Conservation Partner Program](#) to support conservation organizations to enhance and restore wetlands".

While for southern Ontario, the province recognizes the values of wetlands to: "reduce nutrient run off; improve water quality; improve and increase habitats; and increase biodiversity", in eastern Ontario the province is prohibiting protection of wetlands that the 29 other conservation authorities provide.

Three-quarters of wetlands have been lost in southern Ontario since European settlement. This difference in treatment of wetlands in eastern Ontario feels like the province only cares about wetlands after they are destroyed when they require millions more dollars to recreate (at a lower level of ecological integrity). Protection of the services wetlands provide is cheaper and better for the fish, waterfowl and mammals that rely on them.

The province also has recognized the value of wetlands as green infrastructure. Ontario's Regulation 588/17, which mandates the inclusion of natural assets in asset management planning, marks a significant change in infrastructure governance. It positions Ontario as the first and only Canadian province to enforce natural assets as a required component of asset management planning at the municipal level.

By identifying and harnessing the value of natural assets and their associated services, municipalities can enhance the resilience and effectiveness of their infrastructure systems. Green infrastructure, including wetlands, provides a variety of services, including storm water management, recreation, and climate resilience which result in economic benefits, as they provide multiple services at a lower cost than grey infrastructure, which is typically built for a singular purpose.

The province has also identified planning at the watershed scale as a goal in the Provincial Policy Statement. Sustainable watershed planning depends on conserving wetlands.

OPTIONS TO BE CONSIDERED

Option #1 (Recommended) – Council supports the motion to urge the Provincial Government to reopen the wetlands regulation consultation for the Rideau Valley Conservation Authority (RVCA) to:

- allow Tay Valley’s wetlands to receive the same protections as wetlands in the other 29 Conservation Districts in Ontario;
- ensure Tay Valley’s \$1.3 Billion Tax Assessment is protected from degradation.

And to share the motion and this report with the Minister of Natural Resources, area MPPs, ROMA, and all Ontario Municipalities.

Option #2 – Council supports some of the motion and suggests changes.

FINANCIAL CONSIDERATIONS

None, at this time. However, the loss of wetlands will contribute to increased infrastructure costs in the future from flood impacts.

STRATEGIC PLAN LINK

Healthy Environment – The motion encourages protection of wetlands which supports ecosystem health and protects biodiversity.

Sustainable Finances – The motion encourages protection of wetlands which supports the province’s requirements to include green infrastructure in asset management.

Thriving Culture, Economy and Tourism - The motion encourages protection of wetlands which supports the water quality of the Township’s lakes and streams which provide economic value via the Township’s tax base and tourism.

CLIMATE CONSIDERATIONS

The motion can assist Tay Valley’s ability to mitigate climate disruption by maintaining the ability of wetlands to sequester carbon, mitigate floods and droughts, and maintain the tremendous biodiversity represented in Tay Valley Township by the overlap of ecozones represented by The Land Between and the Frontenac Arch Biosphere.

CONCLUSIONS

Tay Valley Township supports the mapping of wetlands in eastern Ontario and public consultation on draft mapping. Mapping of wetlands and protective regulations (30m setback as is required by most municipalities from a waterbody or stream) are key for preventing the further loss of the crucial natural heritage feature that wetlands represent. The conservation of wetlands has been shown elsewhere to provide greater economic and resource value to a property or an area than the physical development of that property.

The water filtration, flood and drought mitigation, carbon sequestration and biodiversity values of wetlands are far more costly to try to recreate than to protect, as southern Ontario and other jurisdictions have proven.

ATTACHMENTS

- i) Wetlands Soak Up Climate Change (Climate Network Lanark)
- ii) Natural Credit Estimating the Value of Natural Capital in the Credit River Watershed (Credit Valley Conservation and The Pembina Institute)
- iii) Eastern Ontario Climate Change Projections (Ontario Centre for Climate Impacts and Adaptation Resources/Climate Risk Institute)

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

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

WETLANDS Soak Up Climate Change

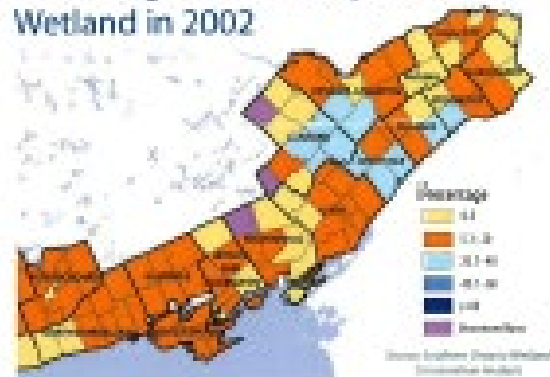


Lanark County, as home to one of the last large collections of wetlands in Southern Ontario, has a special responsibility to preserve and protect them.

Wetlands provide essential services for nature and people.

They store carbon, protect us from floods, provide water for consumption, and support an abundance of life – of birds, wildlife and flora. But they are under threat and are being lost faster than any other ecosystem, mainly for development and farming.

Percentage of Township as Wetland in 2002

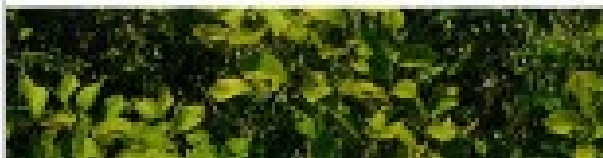


Twenty-five percent of Canada's remaining wetlands (6% of wetlands world-wide) are found in Ontario. – OMNR 2000



CLIMATE NETWORK LANARK

climatenetworklanark.ca



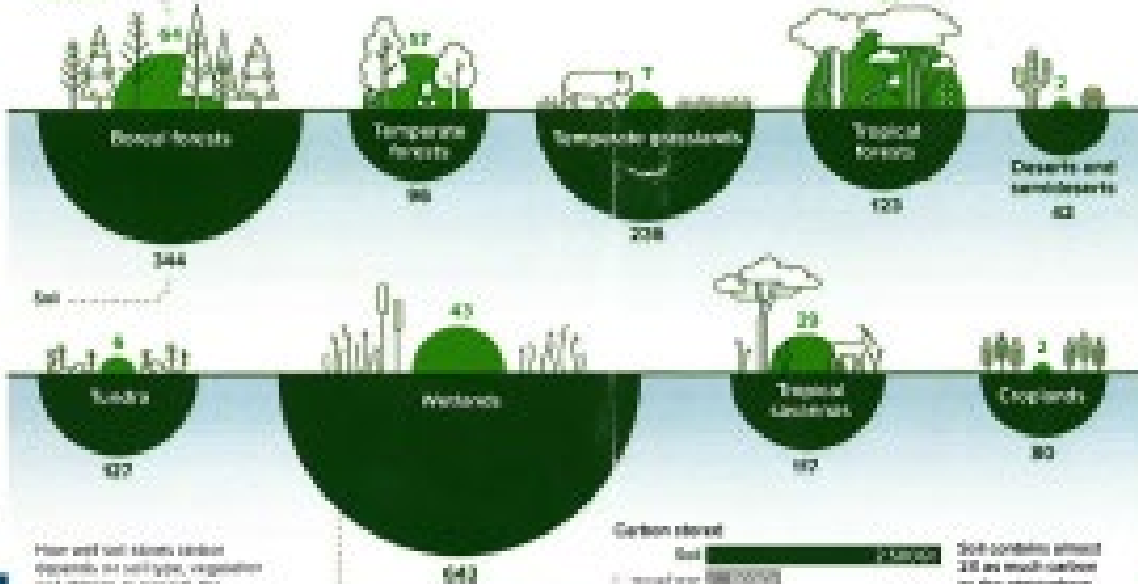
"Wetlands are some of the most effective of nature's climate control mechanisms. Wetland plants ... collect huge amounts of carbon dioxide. Lanark residents must be vigilant and preserve wetlands rather than drain them. ... Wetland drainage must stop, with compensation for landowners, if required."

– Dr. Paul Keady, Lanark County Green Guide
[dpaulkeady.com/conservation/lanark-county](http://paulkeady.com/conservation/lanark-county)

How Wetlands Store Carbon

Carbon Storage Tonnes of Carbon per Hectare*

Vegetation



*Plant and soil stores carbon depends on soil type, vegetation and climate. In general, the wetter and/or cooler, the better.

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Carbon stored



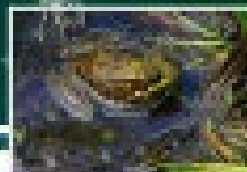
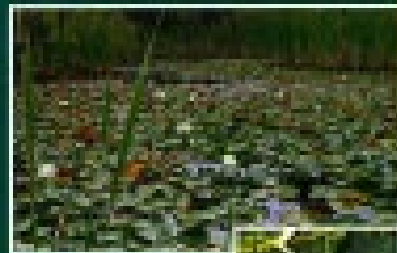
Soil contains almost 20 times as much carbon as the atmosphere and living flora and animals combined.



Call to Action:

Save Lanark County Wetlands

- Ask your provincial and municipal candidates about how they will protect our WETLANDS.
- Identify and explore WETLANDS in your area.
- Talk to neighbours and friends about the importance of WETLANDS.
- Join CLIMATE NETWORK LANARK.



CLIMATE NETWORK LANARK

climatenetworklanark.ca



"Calling it Climate Change is rather limiting. I would rather call it everything change."

- Margaret Atwood

Attachment ii) Natural Credit Estimating the Value of Natural Capital in the Credit River Watershed (Credit Valley Conservation and The Pembina Institute)




Photo-illustration David Dodge & Robert Weidemann

NATURAL CREDIT

FACT SHEET

Estimating the Value of Natural Capital in the Credit River Watershed

The Credit River Watershed provides at least \$371 million per year in ecological services to the residents of the watershed

Without nature, humans could not survive. Nature provides the raw materials for every product we consume. More importantly, it constantly supplies services that sustain life, such as fresh drinking water, food and clean air. Nature directly affects human well-being through its ability to meet a wide variety of human needs, whether from tangible ecological services or from more abstract, psychological connections to nature.

Unfortunately, current accounting systems rarely, if ever, account for nature. In fact, we often assume nature provides unlimited resources, such as fisheries, forests and clean drinking water. We act as if the bank of nature has unlimited assets, and we keep making withdrawals as if there is no tomorrow.

By accounting for natural capital we can start to align our economic ambitions with our ethical environmental responsibility—to provide future generations with at least the same benefits from nature we enjoy. This is the foundation of sustainability.

The Pembina Institute worked with Credit Valley Conservation (CVC) to assess the value of natural capital in the Credit River Watershed. This work is an important component of the information CVC needs to effectively manage ecological resources in the watershed. Given its proximity to the major urban centres of Toronto and Mississauga, the Credit River Watershed faces threats to its natural heritage from resource use and land-use change.

About the Credit River Watershed

The Credit River flows from its origins in Orangeville to Lake Ontario at Port Credit in the City of Mississauga. The watershed covers an area of almost 1,000 square kilometres and has a population of 757,600. The Credit River Watershed is also an important sub-component of the Great Lakes Basin. Its most notable natural capital resources include wetlands, upland forests and water.

Natural Capital

Natural capital consists of the assets of natural ecosystems whose very presence yields a flow of ecological services. This concept was derived from the same notion that we use to treat other forms of capital in our society (financial and human).

Ecological Services

Ecological services are the benefits that society enjoys from the presence of functioning natural ecosystems. Ecological services provide, for free, many of the functions that we currently substitute with man-made processes, such as waste treatment, carbon sequestration and air purification.

www.greeneconomics.ca

Photo: istock



Natural capital saves watershed taxpayers \$100 million in water supply costs every year

Natural capital builds on the notion that Mother Nature does for free what we would otherwise have to pay millions of dollars to do through technology and infrastructure. When we allow growth, pollution or other impacts to compromise these valuable services, that lost value is ultimately borne by taxpayers. Those costs are not accounted for in the way we do business today. This study helps demonstrate that it is possible to come up with real numbers that can inform discussions about land use and development. For example, this study estimated that if we were to compromise our groundwater supply it would cost more than \$100 million per year to pump water from Lake Ontario. And that is just to maintain current water use.

Wetlands provide natural waste treatment, climate regulation and water supply services for free—remove the wetlands and you lose the services.

Value of Natural Capital in the Credit River Watershed

LAND COVER	UPLAND FOREST	RIPARIAN FOREST	WETLAND	WATER	URBAN FOREST	MEADOWS	AGRICULTURE	TOTAL
Ecological Services	Atmospheric Regulation Climate Regulation Disturbance Avoidance Water Regulation Water Supply Pollination Habitat Recreation	Atmospheric Regulation Climate Regulation Water Supply Waste Treatment Pollination Biological Control Habitat Biodiversity Recreation Culture	Climate Regulation Water Regulation Water Supply Soil Formation Nutrient Cycling Waste Treatment	Water Regulation Water Supply Soil Formation Waste Treatment Habitat Biodiversity Recreation	Atmospheric Regulation Climate Regulation Water Regulation Water Supply Recreation Culture	Climate Regulation Pollination Habitat Recreation	Climate Regulation Pollination Habitat	
Estimated value (\$) per capita per year	94	67	247	19	25	10	28	490
Estimated annual value (\$ millions)	70.9	51.0	186.8	14.5	18.7	7.8	21.4	371.1



Scenario Analysis

How changes in land cover affect the flow of nature's services

The natural capital of the Credit River Watershed is extremely valuable. But we would have to do a serious study of incremental changes in the value of natural capital to create a precise decision-making tool. To demonstrate the value of natural capital, we created two simple scenarios to test how natural capital might change in value.

To assess how natural capital would be affected by changes in land-use we compared the existing natural capital to the expected natural capital under two land-use scenarios: urban development and reforestation and naturalization.

URBAN DEVELOPMENT: In a recent study conducted by CVC some future urban development scenarios were defined. The scenario explored here includes increasing the urban land cover from 15% to 25% of the watershed, while using current best management practices.

REFORESTATION AND NATURALIZATION: In 2007, CVC articulated a 10-year capital plan, in which it set aggressive reforestation and naturalization goals. CVC expects to plant 2.5 million seedlings (reforestation), and 317,000 trees and shrubs (naturalization) by 2017 as part of a climate change strategy.

Uninformed Decision-Making

We arrived at a value for the existing natural capital by comparing the existence of a particular ecological service to its absence. This approach has been used in a number of instances in Canada. The approach taken in this study is important for demonstrating that our natural environment has significant value, but its usefulness for decision-making is limited. Policy decisions are usually made on what economists call the "margin," which refers to incremental changes rather than the absence or presence of an ecological entity.

Our findings demonstrate that Canada needs to establish a national framework to conduct this type of work. Without this information decision-makers are often left to consider only the information before them. In many cases this would be economic information related to industrial benefits and not ecological benefits.



The Credit River flows from its origins in Orangeville to its mouth at Port Credit on Lake Ontario.



Photo: CVC

Urban forests provide water regulation and supply, waste treatment, and other services worth \$19 million every year in the Credit River Watershed.

Scenarios: Changes in Natural Capital Values

Change in Natural Capital Value (\$ millions per year)	LAND COVER	UPLAND FOREST	RIPARIAN FOREST	WETLAND	WATER	URBAN FOREST	MEADOWS	AGRICULTURE	TOTAL
Urban Development		-6.5	-3.9	-14.8	N/A*	N/A*	-0.8	-4.9	-30.8
Reforestation Naturalization		7.6	5.5	N/A*	N/A*	1.3	-0.7	-0.4	13.2



Urban development comes at a significant cost because valuable services provided by nature are lost.

* Not applicable because of the limitations of the scenario

Investments in reforestation and naturalization can increase the value of the natural capital in the Credit River Watershed, thereby providing significant benefits to residents.



Photo courtesy CVC

Investments in Forests Pay Dividends

As urban development proceeds there is a real cost to natural capital. The risk is that higher value land cover types, such as wetlands, which have an annual economic value of \$187 million, could be jeopardized. However, restoring natural landscapes can be shown to provide clear benefits to society. Based on the analysis done in this report, if CVC invests the \$8 million over 10 years to plant trees and shrubs on abandoned and degraded lands, the return to society is over \$13 million per year. An approach like the one used in this study can help measure the costs of urban development and the economic benefits of conservation initiatives such as reforestation and naturalization. Further, this type of work can turn the balance sheets around on how businesses and governments approach nature.

Bank of Nature Earns High Interest

The natural capital of the Credit River Watershed delivers a sustainable flow of services to society on the order of at least \$371 million per year.

- Wetland services were found to be the most valuable in the watershed, returning an annual flow of benefits worth a minimum of \$187 million per year.
- The current mix of forests in the watershed composed of upland forests, riparian forests and urban forests return a minimum of \$71 million per year, \$51 million per year and \$19 million per year, respectively.
- Water benefits in the Credit River Watershed are at least \$15 million per year.

There are a number of potential development patterns that could emerge in the Credit River Watershed. The results of our analysis indicate that if the residents of the watershed want to enhance the value of natural capital in the watershed then a focus on reforestation and naturalization can return some very big gains over the next 10 years. We estimate that a reforestation and naturalization plan will return more than \$13 million per year to the residents of the watershed. Conversely, if urban development progresses along current trajectories from 15% urbanization today to 25% urbanization, we can expect losses to natural capital of about \$31 million per year.

Conservative Estimates

The natural capital values reported in this study should be considered a lower bound for three main reasons:

1. **Only values to watershed residents were considered. It is possible that some people outside the watershed value the Credit's natural capital.**
2. **Existing data allowed for estimation of only a small selection of the ecological services.**
3. **In cases where data limitations forced us to make assumptions, the most reasonable conservative assumption was applied.**

Want More Information

For more information on the analysis conducted by the authors please download the full technical report *Natural Credit: Estimating the Value of Natural Capital in the Credit River Watershed* from: www.greeneconomics.ca, www.pembina.org or www.creditvalley.ca.

Also, please feel free to contact the authors:

Mike Kennedy, Senior Resource Economist,
Pembina Institute: mikek@pembina.org
Jeff Wilson, Ecological Goods and Services
Project Coordinator, Credit Valley Conservation:
jwilson@creditvalley.ca



www.greeneconomics.ca

Attachment iii) Eastern Ontario Climate Change Projections (Ontario Centre for Climate Impacts and Adaptation Resources/Climate Risk Institute)

Summary

Climate Variable	Projected Change – 2050s
Annual Air Temperature	+ 2.7°C
Winter Air Temperature	+ 3.1°C
Summer Air Temperature	+ 2.5°C
Annual Precipitation	+ 5.8 to 5.9%
Winter Precipitation	+ 11 to 11.6%
Summer Precipitation	+ 1.6 to 2.7%

Summer 2017 Flooding MVCA photo



Photo 55 Downstream View of Bennett Dam

COMMITTEE OF THE WHOLE
August 13th, 2024

Report #FIN-2024-10
Ashley Liznick, Treasurer

2022 DEVELOPMENT CHARGES STATEMENT - AMENDED

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, Report #FIN-2024-10 - 2022 Development Charges Statement - Amended be received as information.”

BACKGROUND

Development charges are used to generate revenue towards the increased cost of services within the municipality that occur as a result of growth and development. The intention is to allow the municipality to maintain the current level of service for residents of the municipality, while collecting funds from the new development to help offset the cost of additional services. Development charges that are collected by the municipality are put into a reserve until such time as a capital expenditure is made.

Throughout 2022 Tay Valley Township levied Development Charges to residential property owners when constructing a new residence. Because the Township levies such a charge, Section 43 of the *Development Charges Act* requires the Treasurer to provide Council with a financial statement regarding the Development Charges activity each year.

As of December 2, 2019, the Township Development Charges By-Law No. 2019-045 came into effect. An amendment/update to the By-Law (By-Law No. 2021-057) was presented and approved by Council on November 16, 2021.

The Development Charges Act, 1997, as amended, allows municipalities to increase all development charges in accordance with the most recent twelve-month change in the Statistics Canada Quarterly “Construction Price Statistics”. The Treasurer confirms this percentage with the Development Charge consultant (Watson’s) each year.

The following schedule indicates the rates that were in effect for the 2022 calendar year as per the by-law.

Allocation of Residential Development Charges Between Service Categories

Service Categories	Development Charge by Dwelling Unit Type (per dwelling unit)			
	Single & Semi Detached	Apartments 2+ bedrooms	Apartments 1 Bedroom & Bachelor	Other Multiples
Growth Related Studies (6.30%)	\$409	\$260	\$245	\$328
Fire Protection (7.05%)	\$458	\$291	\$275	\$367
Roads & Related (74.35%)	\$4,828	\$3,071	\$2,897	\$3,874
Parks & Recreation (10.45%)	\$678	\$431	\$407	\$544
Library (1.22%)	\$79	\$51	\$48	\$64
Waste Diversion (0.63%)	\$41	\$26	\$25	\$33
Total (100%)	\$6,493	\$4,130	\$3,897	\$5,210

Allocation of Non-Residential Development Charges Between Service Categories

Service Categories	Per sq. ft. of Gross Floor Area
Growth Related Studies (6.04%)	0.18
Fire Protection (7.56%)	0.23
Roads & Related (78.11%)	2.35
Parks & Recreation (6.79%)	0.20
Library (0.75%)	0.02
Waste Diversion (0.75%)	0.02
Total (100%)	3.00

Allocation of Green Energy Development Charges Between Service Categories

Service Categories	Per 500 kW generating capacity
Growth Related Studies (7.18%)	\$409
Fire Protection (8.04%)	\$458
Roads & Related (84.78%)	\$4,828
Total (100%)	\$5,695

Due changes in legislation in 2022 an amended report is being presented to ensure the Township is compliant.

DISCUSSION

The 2022 statement is attached. A copy must be put on the Township’s website and a copy will be provided to the Minister of Municipal Affairs should they request it.

OPTIONS CONSIDERED

Not Applicable.

STRATEGIC PLAN LINK

Not Applicable.

FINANCIAL CONSIDERATIONS

Not Applicable.

CONCLUSIONS

The Treasurer’s Statement must be provided to Council each year.

In 2022 the Township collected \$183,732.34 of development charges and earned \$7,414.12 of interest.

The 2022 expenses are for the following projects: Solar Farm Trail, Official Plan Review, Cameron Side Road, Maberly Community Park (tennis court), and Deputy Fire Chief’s vehicle.

ATTACHMENTS

- i) Development Charges Reserve Fund, Treasurer’s Statement – 2022.

Prepared and Submitted By:

Approved for Submission By:

**Ashley Liznick,
Treasurer**

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

Tay Valley Township
Annual Treasurer's Statement of Development Charge Reserve Funds

Description	Services to which the Development Charge Relates					
	Services Related to a Highway	Fire Protection Services	Parks and Recreation Services	Library Services	Waste Diversion	Growth Studies
Opening Balance, January 1, 2022	125,255.41	47,008.67	41,779.07	13,119.29	2,334.51	(17,207.93)
Plus:						
Development Charge Collections	136,604.99	12,953.13	19,200.03	2,241.53	1,157.51	11,575.14
Accrued Interest	5,512.40	522.69	774.78	90.45	46.71	467.09
Repayment of Monies Borrowed from Fund and Associated Interest ¹						
Sub-Total	142,117.39	13,475.82	19,974.81	2,331.98	1,204.22	12,042.23
Less:						
Amount Transferred to Capital (or Other) Funds ²	73,316.93	27,000.00	16,296.21	-	-	10,623.70
Amounts Refunded						
Amounts Loaned to Other D.C. Service Category for Interim Financing Credits ³						
Sub-Total	73,316.93	27,000.00	16,296.21	-	-	10,623.70
Closing Balance, December 31, 2022	194,055.87	33,484.49	45,457.67	15,451.27	3,538.73	(15,789.40)

¹ Source of funds used to repay the D.C. reserve fund

² See Attachment 1 for details

³ See Attachment 2 for details

The Municipality is compliant with s.s. 59.1 (1) of the *Development Charges Act*, whereby charges are not directly or indirectly imposed on development nor has a requirement to construct a service related to development been imposed, except as permitted by the *Development Charges Act* or another Act.

**Attachment 1
Tay Valley Township**

Amount Transferred to Capital (or Other) Funds - Capital Fund Transactions

Capital Fund Transactions	Gross Capital Cost	D.C. Recoverable Cost Share						Non-D.C. Recoverable Cost Share				
		D.C. Forecast Period			Post D.C. Forecast Period			Other Reserve/Reserve Fund Draws	Tax Supported Operating Fund Contributions	Rate Supported Operating Fund Contributions	Debt Financing	Grants, Subsidies Other Contributions
		D.C. Reserve Fund Draw	D.C. Debt Financing	Grants, Subsidies Other Contributions	Post-Period Benefit/ Capacity Interim Financing	Grants, Subsidies Other Contributions						
Services Related to a Highway												
Cameron Side Road	733,159.30	73,316.93					247,912.50					411,929.87
Sub-Total - Services Related to Highways	733,159.30	73,316.93	-	-	-	-	247,912.50	-	-	-	-	411,929.87
Fire Protection Services												
Deputy Fire Chief's Vehicle	27,000.00	27,000.00										
Sub-Total - Fire Protection Services	27,000.00	27,000.00	-	-	-	-	-	-	-	-	-	-
Parks and Recreation Services												
Forest Trail	126,535.21	9,406.21					22,129.00					95,000.00
Maberly Outdoor Sports Facility (Tennis Court)	119,000.25	6,890.00					32,610.25					79,500.00
Sub-Total - Parks and Recreation Services	245,535.46	16,296.21	-	-	-	-	54,739.25	-	-	-	-	174,500.00
Library Services												
Sub-Total - Library Services	-	-	-	-	-	-	-	-	-	-	-	-
Waste Diversion												
Sub-Total - Waste Diversion Services	-	-	-	-	-	-	-	-	-	-	-	-
Growth Studies												
Sub-Total - Growth Studies	-	-	-	-	-	-	-	-	-	-	-	-

Amount Transferred to Operating (or Other) Funds - Operating Fund Transactions

Operating Fund Transactions	Annual Debt Repayment Amount	D.C. Reserve Fund Draw		Post D.C. Forecast Period			Non-D.C. Recoverable Cost Share		
		Principal	Interest	Principal	Interest	Source	Principal	Interest	Source
Services Related to a Highway									
Sub-Total - Services Related to a Highway	-	-	-	-	-	-	-	-	-
Fire Protection Services									
Sub-Total - Fire Protection Services	-	-	-	-	-	-	-	-	-
Parks and Recreation Services									
Sub-Total - Parks and Recreation Services	-	-	-	-	-	-	-	-	-

Attachment 2

Tay Valley Township

Statement of Credit Holder Transactions

Credit Holder	Applicable D.C. Reserve Fund	Credit Balance		
		Outstanding Beginning of Year _____	Additional Credits Granted During Year	Credits Used by Holder During Year
Credit Holder A				
Credit Holder B				
Credit Holder C				
Credit Holder D				
Credit Holder E				
Credit Holder F				

Attachment 3
Tay Valley Township
Statement of Reserve Fund Balance Allocations

Service:	Services Related to a Highway
Balance in Reserve Fund at Beginning of Year:	125,255.41
60% of Balance to be Allocated (at a minimum):	75,153.25

Projects to Which Funds Will be Allocated

Project Description	Project Number	Total Growth-related Capital Cost Remaining to be Funded	Share of Growth-related Cost Allocated to Date	Share of Growth-related Cost Allocated - Current Year
Harper Road	4	618,100	309,050	
Keays Road	5	316,800	158,400	
Bathurst 7th Concession	10	370,700	37,070	
McVeigh Road	11	56,600	5,660	
Zealand Road	12	640,000	64,000	
Ashby Road	13	79,400	7,940	
Crow Lake Road	14	503,100	50,310	
Stanley Road	15	322,300	32,230	
Total		2,907,000	664,660	-

Attachment 4
Tay Valley Township
Description of the Service (or Class of Service) for which each Development Charge Reserve Fund was Established

Service/Class of Service	Description
Services Related to a Highway	The fund is used for growth-related projects for roads, bridges, structures, active transportation, streetlights, and other related road infrastructure.
Fire Protection Services	The fund is used for growth-related projects supporting fire protection services, including facilities, vehicles, equipment, and gear.
Parks and Recreation Services	The fund is used for growth-related projects related to parkland development, parkland amenities, recreational trails, parkland buildings, recreation facilities, and parks & recreation equipment.
Library Services	The fund is used for growth-related projects including library facilities, furniture, shelving, collection materials, and other related library infrastructure.
Waste Diversion	The fund is used for growth-related projects including facilities, equipment, and other waste diversion infrastructure.
Growth Studies	The fund is used for growth-related studies for eligible D.C. services being recovered through the D.C by-law and Development Charge Studies.

Supporting Notes
Tay Valley Township
Statements Related to Development Charge Reserve Funds

Compliance with s.s. 59(1) of the D.C.A.:

Provide a statement that confirms that the municipality did not impose, directly or indirectly, a charge related to a development or a requirement to construct a service related to development, except as permitted by the D.C.A., except as permitted by the D.C.A.

Statements related to the Amount Anticipated to be spent during the life of the D.C. By-law
 For each service where D.C.s were collected during the year, whether the municipality expects to incur the amount of capital costs that were estimated, in the relevant D.C. background study, to be incurred during the term of the applicable development charge by-law. If the answer is no, the amount the municipality now expects to incur and a statement as to why this amount is expected.

Service/Class of Service	Amount of Capital Costs Estimated In D.C. Study Are Anticipated to be Incurred During Life of By-law (Y/N)	Required if answer in Column C is N	
		Amount of Capital Costs Estimated In D.C. Study Now Expected to be Incurred During Life of By-law	Why Revised Amount is Expected to be Incurred During Life of By-law
Services Related to a Highway	N	467,450	gravel to surface treatment projects will not be moving forward during this life of DC by-law
Fire Protection Services	Y		
Parks and Recreation Services	Y		
Library Services	Y		
Waste Diversion	N	0	future of Glen Tay waste on hold until further discussions occur
Growth Studies	Y		

Statements related to the Amount Collected During the Year Where No Money was Spent

For each service where D.C.s were collected during the year and no money was spent during the year, a statement as to why there was no spending.

Service/Class of Service	Reason for No Spending of D.C. Funds Collected During the Year
Services Related to a Highway	N/A
Fire Protection Services	N/A
Parks and Recreation Services	N/A
Library Services	no projects within the budget for fiscal year, future projects slotted
Waste Diversion	no projects within the budget for fiscal year, future projects slotted
Growth Studies	N/A

COMMITTEE OF THE WHOLE
August 13th, 2024

Report #FIN-2024-11
Ashley Liznick, Treasurer

2023 DEVELOPMENT CHARGES STATEMENT - AMENDED

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, Report #FIN-2024-11 - 2023 Development Charges Statement - Amended, be received as information.”

BACKGROUND

Development charges are used to generate revenue towards the increased cost of services within the municipality that occur as a result of growth and development. The intention is to allow the municipality to maintain the current level of service for residents of the municipality, while collecting funds from the new development to help offset the cost of additional services. Development charges that are collected by the municipality are put into a reserve until such time as a capital expenditure is made.

Throughout 2023 Tay Valley Township levied Development Charges to residential property owners when constructing a new residence. Because the Township levies such a charge, Section 43 of the *Development Charges Act* requires the Treasurer to provide Council with a financial statement regarding the Development Charges activity each year.

As of December 2, 2019, the Township Development Charges By-Law No. 2019-045 came into effect. An amendment/update to the By-Law (By-Law No. 2021-057) was presented and approved by Council on November 16, 2021.

The *Development Charges Act, 1997*, as amended, allows municipalities to increase all development charges in accordance with the most recent twelve-month change in the Statistics Canada Quarterly “Construction Price Statistics”. The Treasurer confirms this percentage with the Development Charge consultant (Watson’s) each year.

The following schedule indicates the rates that were in effect for the 2023 calendar year as per the by-law.

Allocation of Residential Development Charges Between Service Categories

Service Categories	Development Charge by Dwelling Unit Type (per dwelling unit)			
	Single & Semi Detached	Apartments 2+ bedrooms	Apartments 1 Bedroom & Bachelor	Other Multiples
Growth Related Studies (6.30%)	\$460	\$293	\$276	\$369
Fire Protection (7.05%)	\$515	\$328	\$309	\$413
Roads & Related (74.35%)	\$5,435	\$3,457	\$3,261	\$4,360
Parks & Recreation (10.45%)	\$764	\$486	\$458	\$613
Library (1.22%)	\$88	\$56	\$54	\$72
Waste Diversion (0.63%)	\$46	\$29	\$28	\$37
Total (100%)	\$7,308	\$4,649	\$4,386	\$5,864

Allocation of Non-Residential Development Charges Between Service Categories

Service Categories	Per sq. ft. of Gross Floor Area
Growth Related Studies (6.04%)	0.20
Fire Protection (7.56%)	0.25
Roads & Related (78.11%)	2.64
Parks & Recreation (6.79%)	0.23
Library (0.75%)	0.03
Waste Diversion (0.75%)	0.03
Total (100%)	3.38

Allocation of Green Energy Development Charges Between Service Categories

Service Categories	Per 500 kW generating capacity
Growth Related Studies (7.18%)	\$460
Fire Protection (8.04%)	\$515
Roads & Related (84.78%)	\$5,435
Total (100%)	\$6,410

Due changes in legislation in 2022 an amended report is being presented to ensure the Township is compliant.

DISCUSSION

The 2023 statement is attached. A copy must be put on the Township’s website and a copy will be provided to the Minister of Municipal Affairs should they request it.

OPTIONS CONSIDERED

Not Applicable.

STRATEGIC PLAN LINK

Not Applicable.

FINANCIAL CONSIDERATIONS

Not Applicable.

CONCLUSIONS

The Treasurer’s Statement must be provided to Council each year.

In 2023 the Township collected \$106,104.00 of development charges and earned \$17,092.33 of interest.

The 2023 expenses are for the following projects: Harper Road, Keays Road, and the Forest Trail Park.

ATTACHMENTS

- i) Development Charges Reserve Fund, Treasurer’s Statement – 2023.

Prepared and Submitted By:

Approved for Submission By:

**Ashley Liznick,
Treasurer**

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

Tay Valley Township
Annual Treasurer's Statement of Development Charge Reserve Funds

Description	Services to which the Development Charge Relates						Total
	Services Related to a Highway	Fire Protection Services	Parks and Recreation Services	Library Services	Waste Diversion	Growth Studies	
Opening Balance, January 1, 2022	194,055.87	33,484.49	45,457.67	15,451.27	3,538.73	(15,789.40)	276,198.63
Plus:							
Development Charge Collections	78,888.32	7,480.34	11,087.87	1,294.47	668.45	6,684.55	106,104.00
Accrued Interest	12,708.15	1,205.01	1,786.15	208.53	107.67	1,076.82	17,092.33
Repayment of Monies Borrowed from Fund and Associated Interest ¹							-
Sub-Total	91,596.47	8,685.35	12,874.02	1,503.00	776.12	7,761.37	123,196.33
Less:							
Amount Transferred to Capital (or Other) Funds ²	262,012.85	-	11,037.28	-	-	-	273,050.13
Amounts Refunded							-
Amounts Loaned to Other D.C. Service Category for Interim Financing							-
Credits ³							-
Sub-Total	262,012.85	-	11,037.28	-	-	-	273,050.13
Closing Balance, December 31, 2022	23,639.49	42,169.84	47,294.41	16,954.27	4,314.85	(8,028.03)	126,344.83

¹ Source of funds used to repay the D.C. reserve fund

² See Attachment 1 for details

³ See Attachment 2 for details

The Municipality is compliant with s.s. 59.1 (1) of the *Development Charges Act*, whereby charges are not directly or indirectly imposed on development nor has a requirement to construct a service related to development been imposed, except as permitted by the *Development Charges Act* or another Act.

Attachment 1
Tay Valley Township
Amount Transferred to Capital (or Other) Funds - Capital Fund Transactions

Capital Fund Transactions	Gross Capital Cost	D.C. Recoverable Cost Share					Non-D.C. Recoverable Cost Share				
		D.C. Forecast Period		Post D.C. Forecast Period			Other Reserve/Reserve Fund Draws	Tax Supported Operating Fund Contributions	Rate Supported Operating Fund Contributions	Debt Financing	Grants, Subsidies Other Contributions
		D.C. Reserve Fund Draw	D.C. Debt Financing	Grants, Subsidies Other Contributions	Post-Period Benefit/ Capacity Interim Financing	Grants, Subsidies Other Contributions					
Services Related to a Highway											
Harper Road	965,351.45	175,401.45				8,318.00					781,832.00
Kings Road	338,211.40	86,811.40				251,600.00					
Sub-Total - Services Related to Highways	1,303,562.85	262,212.85	-	-	-	259,918.00	-	-	-	-	781,632.00
Fire Protection Services											
Sub-Total - Fire Protection Services	-	-	-	-	-	-	-	-	-	-	-
Parks and Recreation Services											
Forest Trail	101,498.55	11,037.28				18,470.25					71,991.04
Sub-Total - Parks and Recreation Services	101,498.55	11,037.28	-	-	-	18,470.25	-	-	-	-	71,991.04
Library Services											
Sub-Total - Library Services	-	-	-	-	-	-	-	-	-	-	-
Waste Diversion											
Sub-Total - Waste Diversion Services	-	-	-	-	-	-	-	-	-	-	-
Growth Studies											
Sub-Total - Growth Studies	-	-	-	-	-	-	-	-	-	-	-

Amount Transferred to Operating (or Other) Funds - Operating Fund Transactions

Operating Fund Transactions	Annual Debt Repayment Amount	D.C. Reserve Fund Draw		Post D.C. Forecast Period		Non-D.C. Recoverable Cost Share			
		Principal	Interest	Principal	Interest	Source	Principal	Interest	Source
Services Related to a Highway									
Sub-Total - Services Related to a Highway	-	-	-	-	-	-	-	-	-
Fire Protection Services									
Sub-Total - Fire Protection Services	-	-	-	-	-	-	-	-	-
Parks and Recreation Services									
Sub-Total - Parks and Recreation Services	-	-	-	-	-	-	-	-	-
Library Services									
Sub-Total - Library Services	-	-	-	-	-	-	-	-	-
Waste Diversion									
Sub-Total - Waste Diversion Services	-	-	-	-	-	-	-	-	-
Growth Studies									
Sub-Total - Growth Studies	-	-	-	-	-	-	-	-	-

Attachment 2
Tay Valley Township
Statement of Credit Holder Transactions

Credit Holder	Applicable D.C. Reserve Fund	Credit Balance		Credits Used by Holder During Year	Credit Balance Outstanding End of Year
		Outstanding Beginning of Year	Additional Credits Granted During Year		
Credit Holder A					
Credit Holder B					
Credit Holder C					
Credit Holder D					
Credit Holder E					
Credit Holder F					

Attachment 3
Tay Valley Township
Statement of Reserve Fund Balance Allocations

Service:	Services Related to a Highway
Balance in Reserve Fund at Beginning of Year:	194,055.87
60% of Balance to be Allocated (at a minimum):	116,433.52

Projects to Which Funds Will be Allocated

Project Description	Project Number	Total Growth-related Capital Cost Remaining to be Funded	Share of Growth-related Cost Allocated to Date	Share of Growth-related Cost Allocated - Current Year
Bathurst 7th Concession	10	370,700	37,070	
McVeigh Road	11	56,600	5,660	
Zealand Road	12	640,000	64,000	
Ashby Road	13	79,400	7,940	
Crow Lake Road	14	503,100	50,310	
Stanley Road	15	322,300	32,230	
Total		\$1,972,100	\$197,210	\$0

Attachment 4
Tay Valley Township
Description of the Service (or Class of Service) for which each Development Charge Reserve Fund was Established

Service/Class of Service	Description
Services Related to a Highway	The fund is used for growth-related projects for roads, bridges, structures, active transportation, streetlights, and other related road infrastructure.
Fire Protection Services	The fund is used for growth-related projects supporting fire protection services, including facilities, vehicles, equipment, and gear.
Parks and Recreation Services	The fund is used for growth-related projects related to parkland development, parkland amenities, recreational trails, parkland buildings, recreation facilities, and parks & recreation equipment.
Library Services	The fund is used for growth-related projects including library facilities, furniture, shelving, collection materials, and other related library infrastructure.
Waste Diversion	The fund is used for growth-related projects including facilities, equipment, and other waste diversion infrastructure.
Growth Studies	The fund is used for growth-related studies for eligible D.C. services being recovered through the D.C. by-law and Development Charge Studies.

Supporting Notes
Tay Valley Township
Statements Related to Development Charge Reserve Funds

Compliance with s.s. 59(1) of the D.C.A.:

Provide a statement that confirms that the municipality did not impose, directly or indirectly, a charge related to a development or a requirement to construct a service related to development, except as permitted by the D.C.A., except as permitted by the D.C.A.

Statements related to the Amount Anticipated to be spent during the life of the D.C. By-law

For each service where D.C.s were collected during the year, whether the municipality expects to incur the amount of capital costs that were estimated, in the relevant D.C. background study, to be incurred during the term of the applicable development charge by-law. If the answer is no, the amount the municipality now expects to incur and a statement as to why this amount is expected.

Service/Class of Service	Amount of Capital Costs Estimated In D.C. Study Are Anticipated to be Incurred During Life of By-law (Y/N)	Required if answer in Column C is N	
		Amount of Capital Costs Estimated In D.C. Study Now Expected to be Incurred During Life of By-law	Why Revised Amount Is Expected to be Incurred During Life of By-law
Services Related to a Highway	N	-	gravel to surface treatment projects will not be moving forward during this life of DC by-law
Fire Protection Services	Y		
Parks and Recreation Services	Y		
Library Services	Y		
Waste Diversion	N	-	future of Glen Tay waste on hold until further discussions occur
Growth Studies	Y		

Statements related to the Amount Collected During the Year Where No Money was Spent

For each service where D.C.s were collected during the year and no money was spent during the year, a statement as to why there was no spending.

Service/Class of Service	Reason for No Spending of D.C. Funds Collected During the Year
Services Related to a Highway	N/A
Fire Protection Services	fire project projected for fiscal year will carry forward into next fiscal year, due to timing of delivery
Parks and Recreation Services	N/A
Library Services	no projects within the budget for fiscal year, future projects slotted
Waste Diversion	no projects within the budget for fiscal year, future projects slotted
Growth Studies	no projects within the budget for fiscal year, future projects slotted

COMMITTEE OF THE WHOLE
August 13th, 2024

Report #CAO-2024-14
Amanda Mabo, Chief Administrative Officer/Clerk

REQUEST TO CLOSE A PORTION OF AN UNOPENED ROAD ALLOWANCE
AVERY

STAFF RECOMMENDATION(S)

“THAT, Council agrees to proceed with the application to stop up, close and sell the said portion of the unopened road allowance as outlined in Report #CAO-2024-14 – Request to Close a Portion of an Unopened Road Allowance – Avery;

THAT, Council agrees to proceed with purchasing the portion of lands as outlined in Report #CAO-2024-13 – Request to Close a Portion of an Unopened Road Allowance – Avery;

THAT, the requirements to advertise and hold a Public Meeting be waived;

THAT, the Applicant and Township split the legal costs 50/50;

THAT, the land sale and land purchase costs be waived;

AND THAT, the necessary by-law be brought forward once the survey is complete.”

BACKGROUND

A severance application was received from the property owners. The property fronts on County Road #19 (Bennett Lake Road) but also has portions along the Township’s unopened road allowance.

In order for each of the severed and retained properties to have the required road frontage the identified portion of the unopened road allowance must be stopped up and closed.

DISCUSSION

The Executive Assistant/Alternate CEMC undertook a preliminary review.

The Applicant is requesting to close a portion of the unopened road allowance between Concessions 10 and 11, Bathurst, Lots 4 and 5, lying west of Bennett Lake. Per the colour-coded sketch provided by Lanark County (attached):

- Yellow is the portion of unopened road allowance proposed to be stopped up and closed
- Yellow and green will be merged with the Applicant's property in order to provide road frontage
- Red is the portion of the Applicant's other property which is proposed to be transferred to the Township to ensure future access to the unopened road allowance.

In summary, the Applicant proposes to swap a portion of their lands (red portion) fronting County Road 19 with the Township to ensure future access is available to the remainder of the unopened road allowance, since there is future potential to build a road for future development.

The Applicant, the Township Planner, Public Works Manager, and CAO/Clerk and the County Planning and Public Works Departments were consulted and have no issues with this request. The County may propose to retain a portion of the transferred lands for road widening (green) and the draft survey will be approved by the Township as well as the County prior to deposit.

FINANCIAL CONSIDERATIONS

Generally, the Applicant is responsible for all costs related to a Road Closing. In this instance, the Applicant will still be responsible for all survey costs and the Roads Closing fee and deposit, but it is recommended that the Township and Applicant split the legal costs 50/50 and the land sale costs be waived because the Township and Applicant are swapping portions of land (yellow for red).

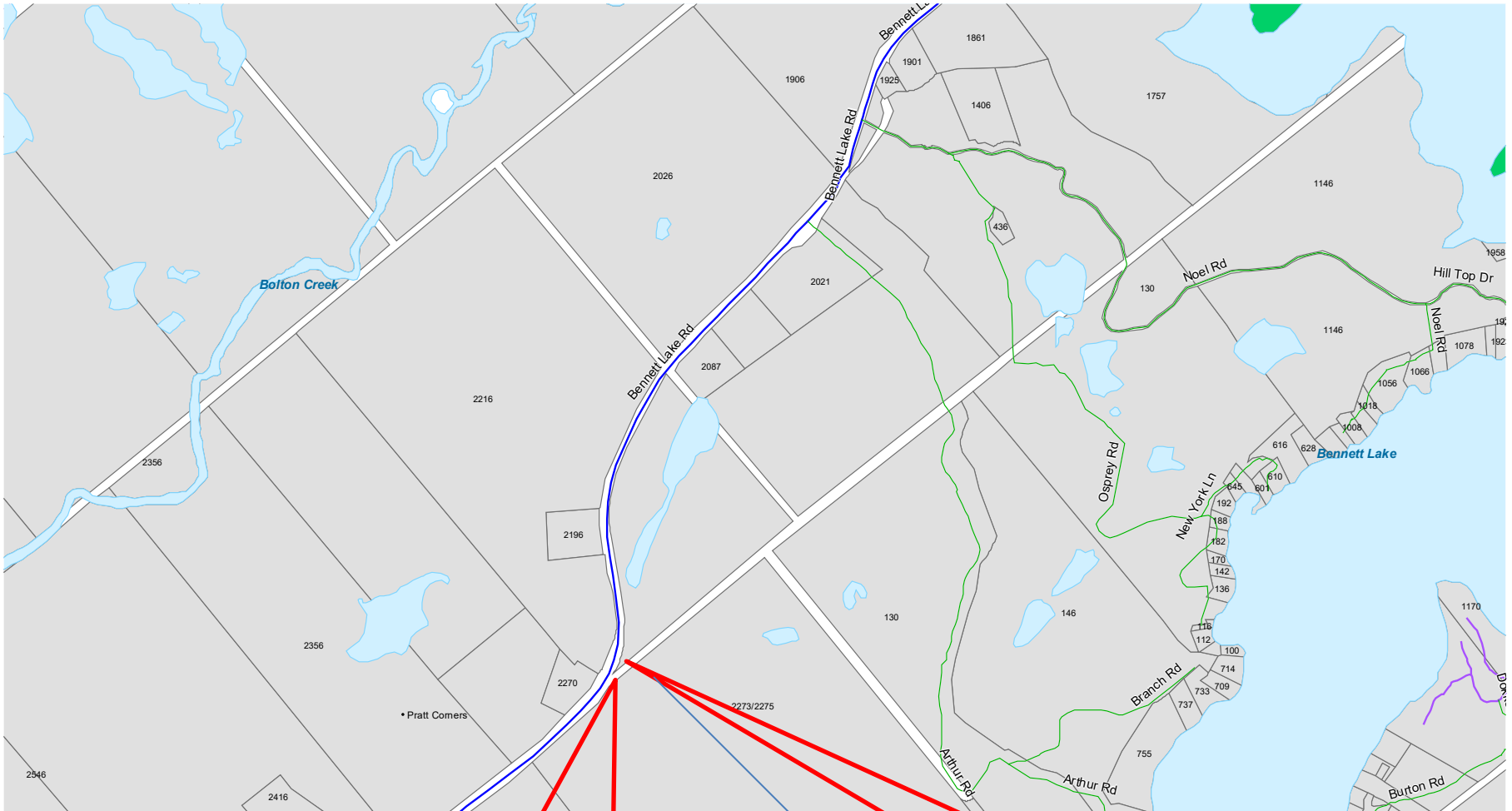
In addition, because access is not being restricted to the unopened road allowance, it is also recommended that the requirements to advertise and hold a Public Meeting be waived.

ATTACHMENTS

- i) GIS Map
- ii) Draft Sketch

Prepared and Submitted By:

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



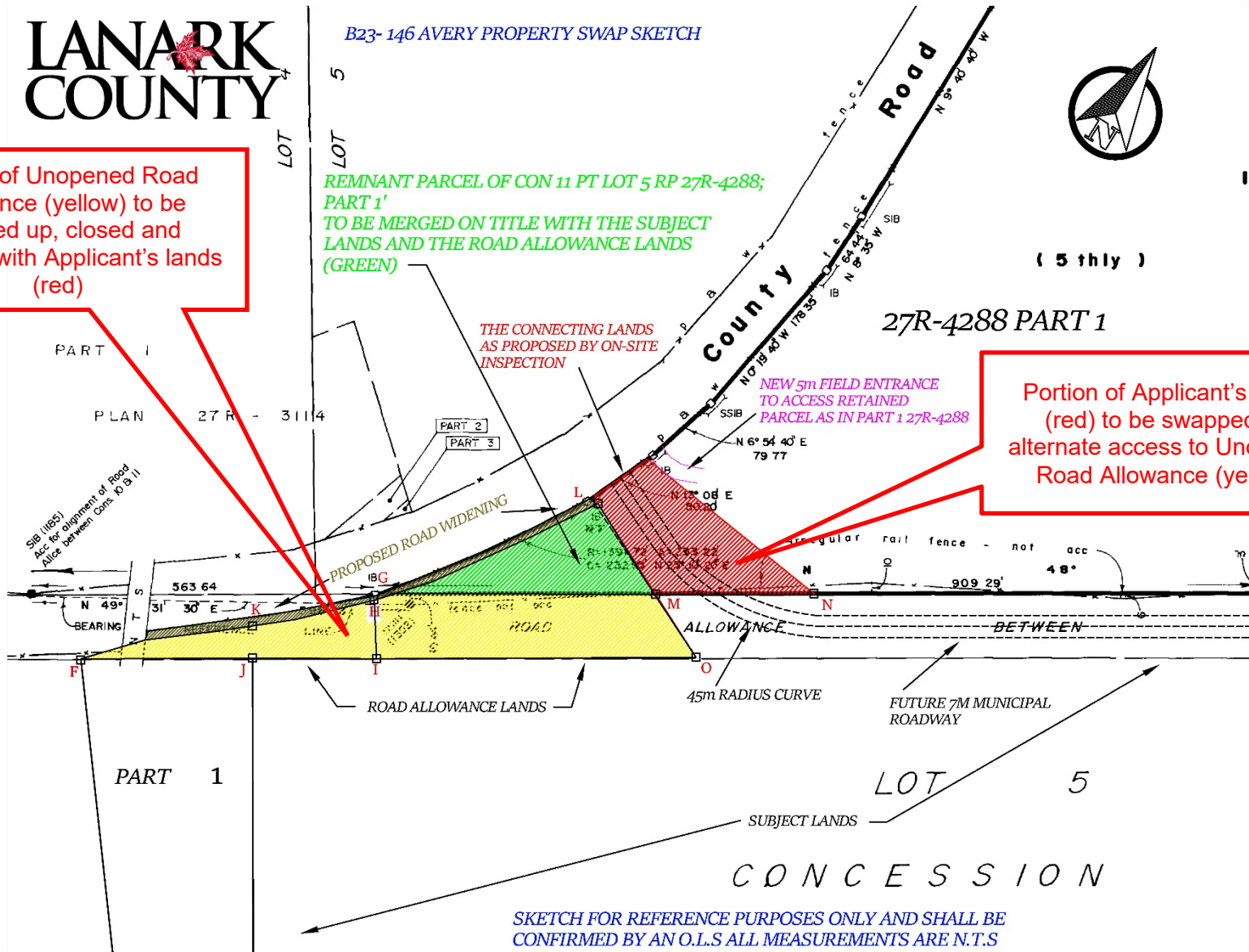
Portion of Unopened Road Allowance to be stopped up, closed and swapped with Applicant's lands

Portion of Applicant's lands to be transferred to Township as alternate access to Unopened Road Allowance



Portion of Unopened Road Allowance (yellow) to be stopped up, closed and swapped with Applicant's lands (red)

Portion of Applicant's lands (red) to be swapped as alternate access to Unopened Road Allowance (yellow)



COMMITTEE OF THE WHOLE
August 13th, 2024

Report #CAO-2024-15
Amanda Mabo, Chief Administrative Officer/Clerk

REQUEST TO CLOSE A PORTION OF AN UNOPENED ROAD ALLOWANCE
KENNEDY

STAFF RECOMMENDATION(S)

“THAT, Council agrees to proceed with the application to stop up, close and sell the said portion of the unopened road allowance as outlined in Report #CAO-2024-15 – Request to Close a Portion of an Unopened Road Allowance – Kennedy;

THAT, the requirements to advertise and hold a Public Meeting be waived;

AND THAT, the necessary by-law be brought forward once the survey is complete.”

BACKGROUND

A building permit application was received from the property owners. The property was granted an entrance permit and civic address by the County on County Road #19 (Bennett Lake Road) but frontage is entirely along the Township’s unopened road allowance.

In order for the property to have the required road frontage the identified portion of the unopened road allowance must be stopped up and closed.

DISCUSSION

The Executive Assistant/Alternate CEMC undertook a preliminary review.

The Applicant is requesting to close a portion of the unopened road allowance between Concessions 10 and 11, Bathurst, Part Lot 4, lying west of Bennett Lake.

The stopping up, closure and sale of this portion of unopened road allowance and consolidation of this piece with the owner’s lands would provide road frontage to the property, which is required to proceed with the owner’s building permit application.

The Township Planner, Public Works Manager, and CAO/Clerk and the County Planning and

Public Works Departments were consulted and have no issues with this request. The County will take ownership of the portion of unopened road allowance that the Country Road runs upon and the draft survey will be approved by the Township as well as the County prior to deposit.

Staff recommends proceeding with closing the portion of the unopened road allowance requested as there are no Planning or Public Works concerns or future anticipated municipal uses.

The requestor will be required to pay all costs associated with the application, including Roads Closing fee and deposit, purchase price and legal costs. A reference plan/survey has also been undertaken by the Applicant at their cost.

ATTACHMENTS

- i) GIS Map
- ii) DRAFT Survey

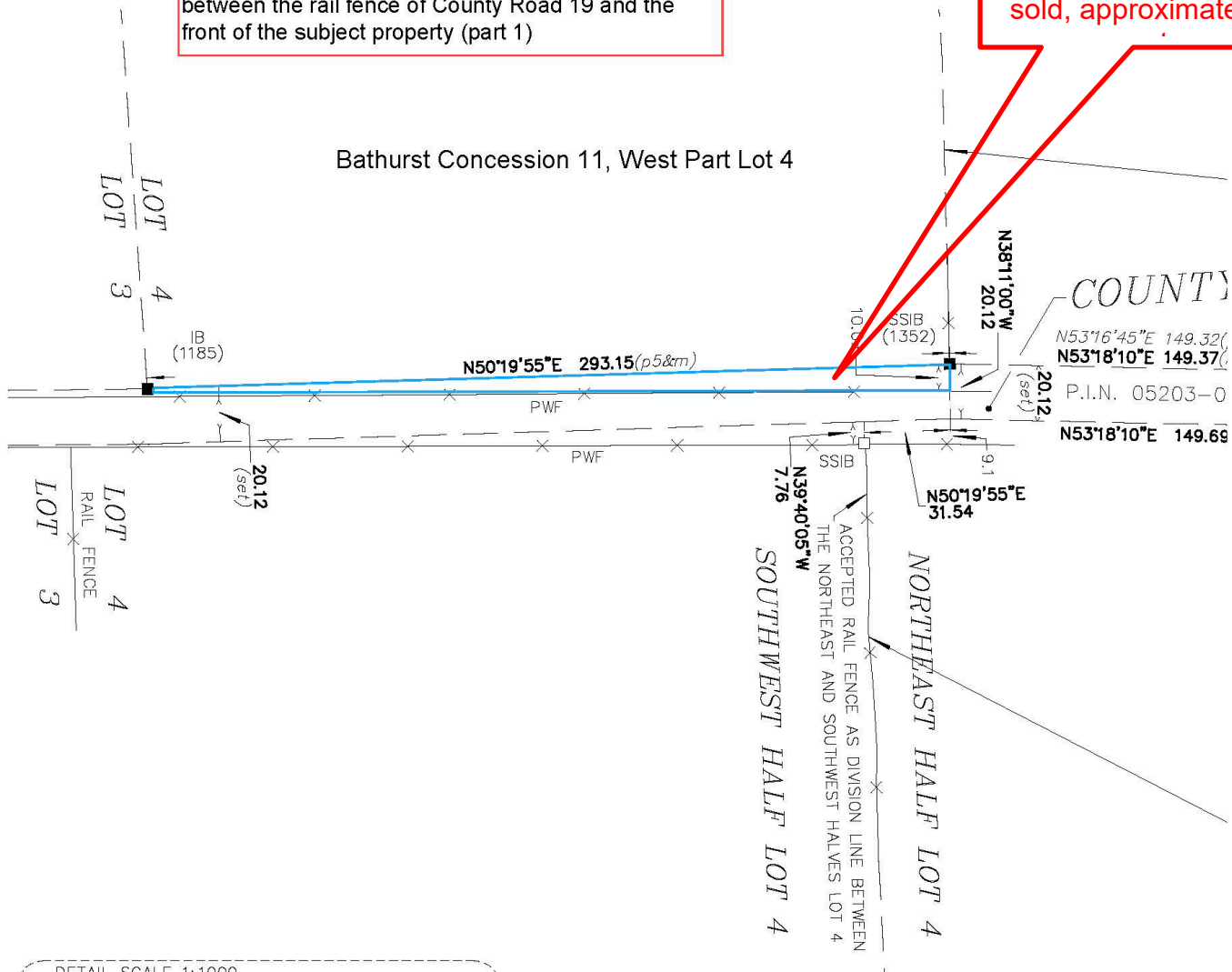
Prepared and Submitted By:

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



BLUE indicates the portion of original road allowance between the rail fence of County Road 19 and the front of the subject property (part 1)

Portion of Unopened Road Allowance to be stopped up, closed and sold, approximately 293



COMMITTEE OF THE WHOLE
August 13th, 2024

Report #CAO-2024-16
Amanda Mabo, Chief Administrative Officer/Clerk

REQUEST TO CLOSE A PORTION OF AN UNOPENED ROAD ALLOWANCE
SNYDER

STAFF RECOMMENDATION(S)

“**THAT**, Council agrees to proceed with the application to stop up, close and sell the said portion of the unopened road allowance as outlined in Report #CAO-2024-16 – Request to Close a Portion of an Unopened Road Allowance – Snyder, as per the Road Closing and Sale Policy and call a Public Meeting.”

BACKGROUND

A written request (attached) was received from the property owners requesting the closure of the identified portion of the unopened road allowance.

DISCUSSION

The Executive Assistant/Alternate CEMC undertook a preliminary review.

The Applicant is requesting to close a portion of the unopened road allowance between Concessions 6 & 7, Lots 20 and 21 in North Burgess, and add it to their property located south of this section of the unopened road allowance. The stopping up, closure and sale of this portion of unopened road allowance and consolidation of this piece with the owner’s lands would provide road frontage to the property, which is required to proceed with any building or planning applications.

The Planner and Public Works Department were consulted and have no issues with this request. The Township will retain 10m from the center line of Black Lake Road for road widening and the draft survey will be approved by the Public Works Manager and CAO/Clerk prior to deposit.

Staff recommends proceeding with closing the portion of the unopened road allowance requested as there are no Planning or Public Works concerns or future anticipated municipal uses.

The requestor will be required to pay all costs associated with the application, including purchase price, legal and advertising costs and may also require an appraisal to determine the purchase price for the land. A reference plan/survey will be undertaken by the Applicant at their cost.

ATTACHMENTS

- i) Written Request and Map
- ii) Survey 27R-7148

Prepared and Submitted By:

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

From: Carl Snyder
Sent: Tuesday, July 23, 2024 7:41 PM
To: TVT Executive Assistant <executiveassistant@tayvalleytwp.ca>
Subject: Re: 775 Black Lake Road Unopened Road Allowance

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

Hi Dayna,

That appears to be correct. I wish to proceed with the stop up, close, purchase and consolidation of that portion with my land.

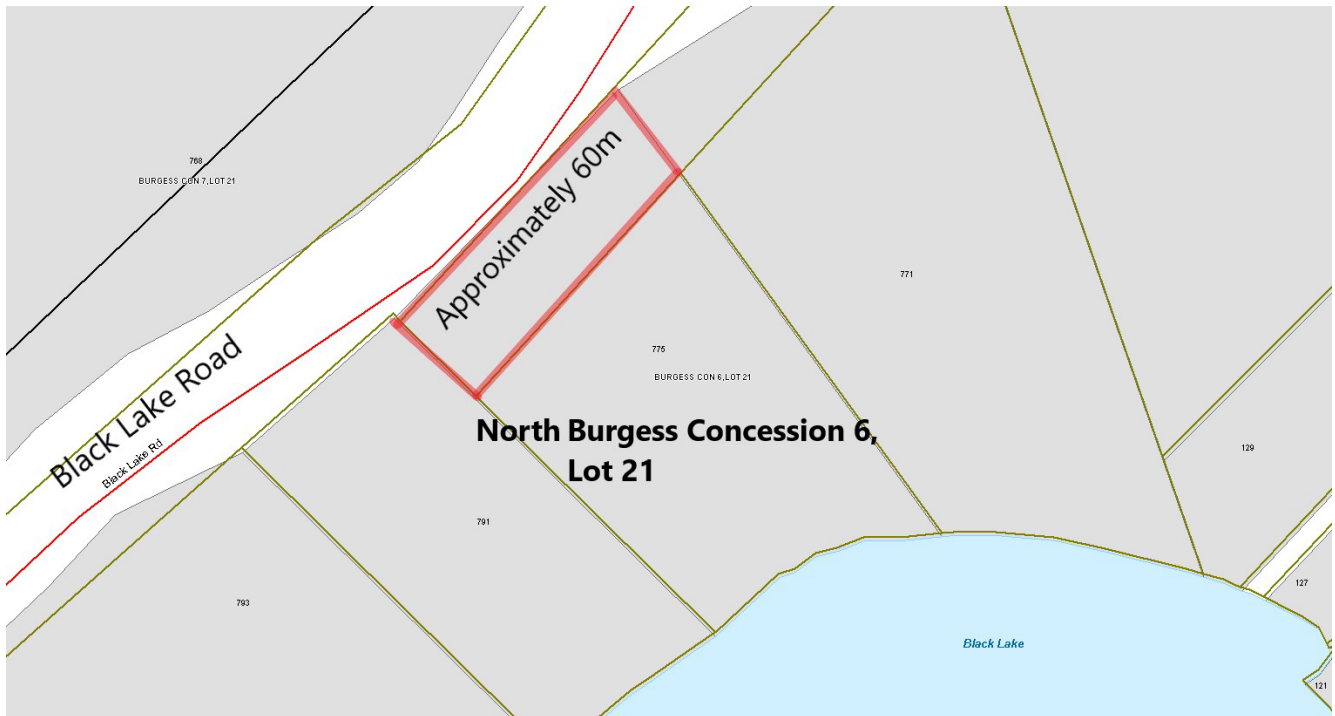
Thanks,
Carl

From: TVT Executive Assistant <executiveassistant@tayvalleytwp.ca>
Sent: July 23, 2024 2:39 PM
To: Carl Snyder
Subject: RE: 775 Black Lake Road Unopened Road Allowance

Hi Carl,

... Part of the Road Closing process is for your written request to include a map that notes the geographic township of your property, as well as lot and concession that your property is in, any adjacent roads as well as the approximate length of the proposed closing. I've included a map below that contains this information for your convenience and ask that you review for accuracy and send it back in an email to me, if you agree with the information.

If you agree with the map and the information below, your email should include that you understand that your property fronts onto an unopened Township road allowance and not Black Lake Road, as indicated in the map provided, and that you wish to proceed with the process to stop up, close, purchase and consolidate that portion of the unopened road allowance with your land.

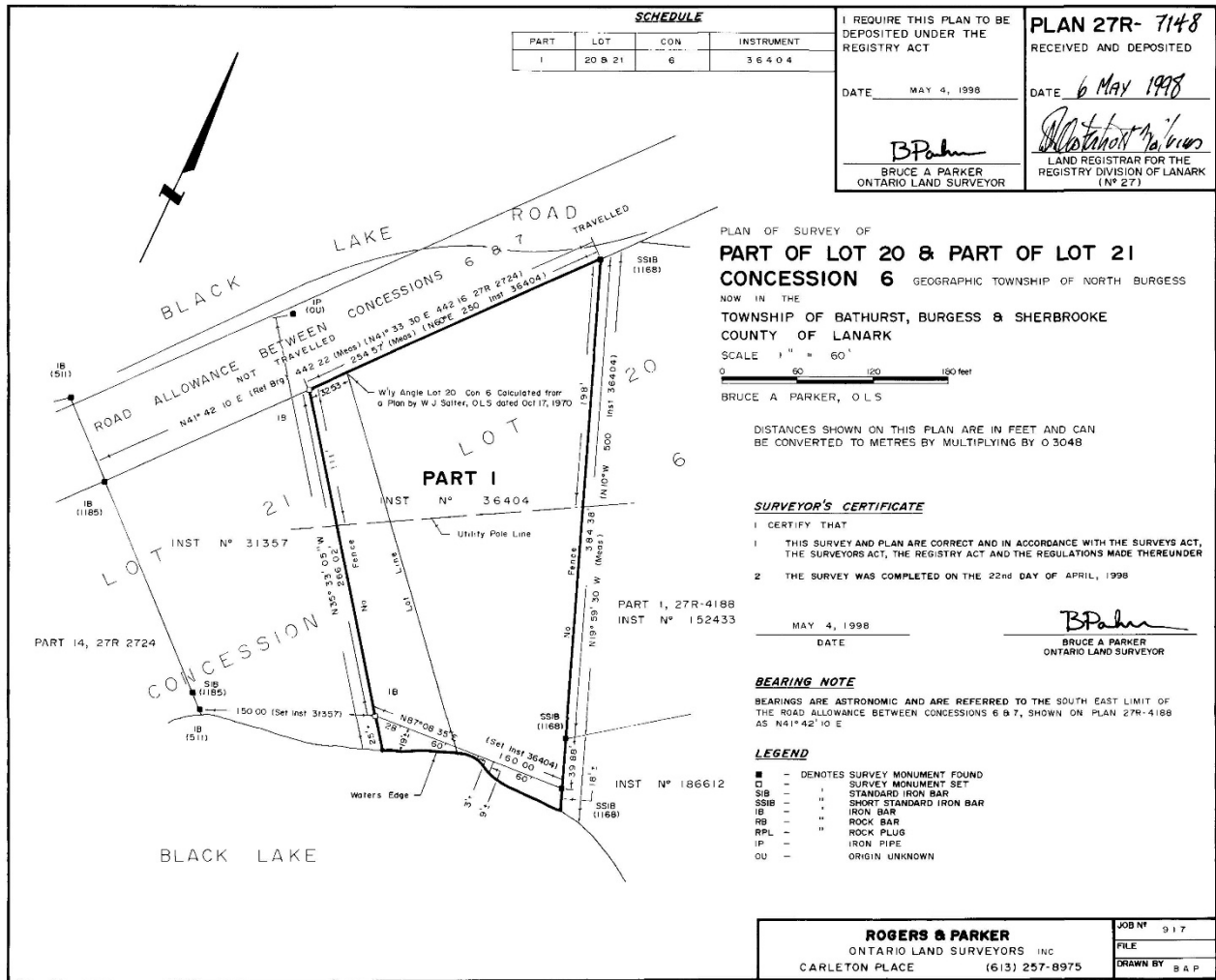


Please let me know if you have any questions.

Kind regards,

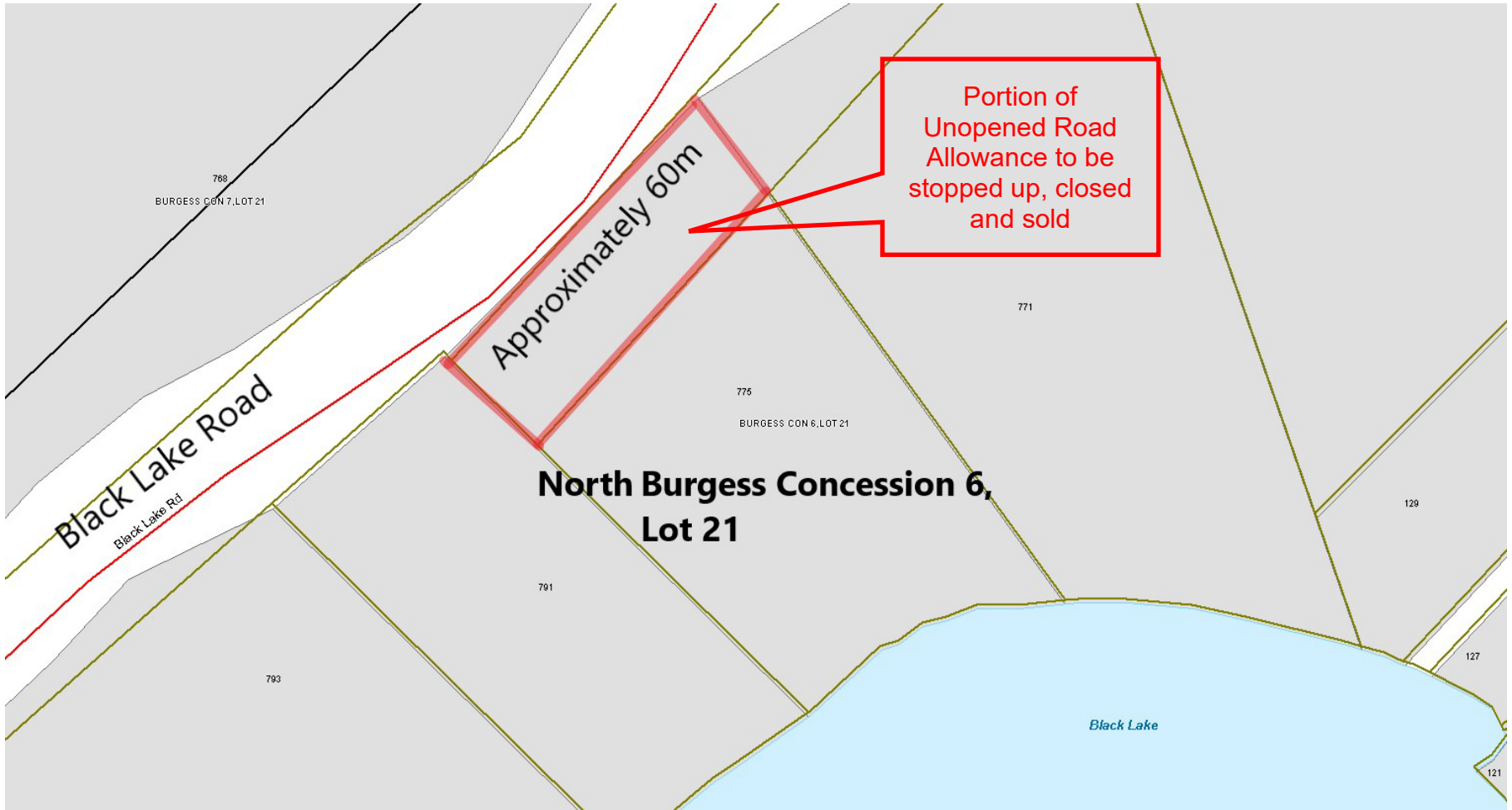
Dayna Clark,
Executive Assistant/Alternate CEMC
Tay Valley Township
217 Harper Road, Perth, ON K7H 3C6
T: 613-267-5353 ext. 131 or 1-800-810-0161
F: 613-264-8516
E: executiveassistant@tayvalleytwp.ca
www.tayvalleytwp.ca

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Survey 27R-7148

Shows neighbouring property (being Part 1), portion of unopened road allowance, and location of Black Lake Road



GIS Map

COMMITTEE OF THE WHOLE
August 13th, 2024

Report #CAO-2024-18
Amanda Mabo, Chief Administrative Officer/Clerk

REQUEST TO CLOSE A PORTION OF AN UNOPENED ROAD ALLOWANCE
RATCLIFFE

STAFF RECOMMENDATION(S)

“THAT, Council agrees to proceed with the application to stop up, close and sell the said portion of the unopened road allowance as outlined in Report #CAO-2024- 18 – Request to Close a Portion of an Unopened Road Allowance – Ratcliffe;

THAT, the requirements to advertise and hold a Public Meeting be waived;

AND THAT, the necessary By-Law be brought forward.”

BACKGROUND

A building permit application was received from the property owners. The property was granted an entrance permit and civic address on County Road #19 (Bennett Lake Road) but the majority of frontage is along the Township’s unopened road allowance.

In order for the property to have the required road frontage the identified portion of the unopened road allowance must be stopped up and closed.

DISCUSSION

The Executive Assistant/Alternate CEMC undertook a preliminary review.

The Applicant is requesting to close a portion of the unopened road allowance between Concessions 10 & 11, Lot 22 in South Sherbrooke, being Part 3 on registered plan of survey 27R-12318 and add it to their property located south of this section of the unopened road allowance.

The stopping up, closure and sale of this portion of unopened road allowance and consolidation of this piece with the owner’s lands would provide road frontage to the property, which is required to proceed with the owner’s building permit application.

The Township Planner, Public Works Manager, and CAO/Clerk and the County Planning and Public Works Departments were consulted and have no issues with this request. The County will take ownership of the portion of County Road #19 (Bennett Lake Road), being Part 2 on registered plan of survey 27R-12318, and will retain Part 4 for road widening. The draft survey was approved by the Township and the County prior to deposit.

Staff recommends proceeding with closing the portion of the unopened road allowance requested as there are no Planning or Public Works concerns. As a neighbour stopped up and closed a portion of the unopened road allowance to the west, there are no future anticipated municipal uses.

FINANCIAL CONSIDERATIONS

Generally, the Applicant is responsible for all costs related to a Road Closing, including purchase price, surveying, legal and advertising costs. In this instance, the Applicant will still be responsible for the Roads Closing fee and deposit, purchase price and the legal costs, but the County has agreed to share survey costs.

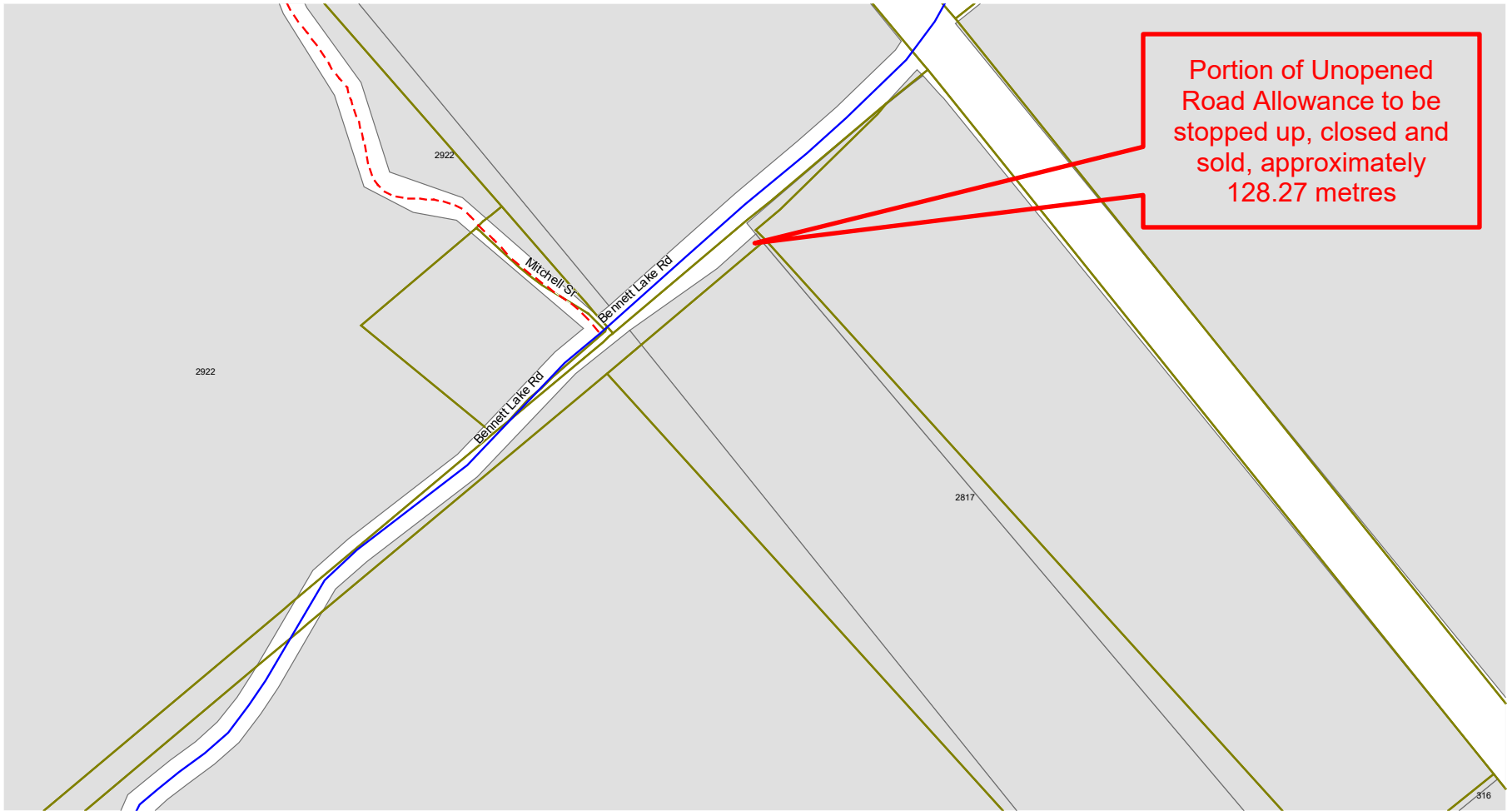
In addition, because this portion of unopened road allowance is the last remnant in the area and there is no way to develop the unopened road allowance in future, it is also recommended that the requirements to advertise and hold a Public Meeting be waived.

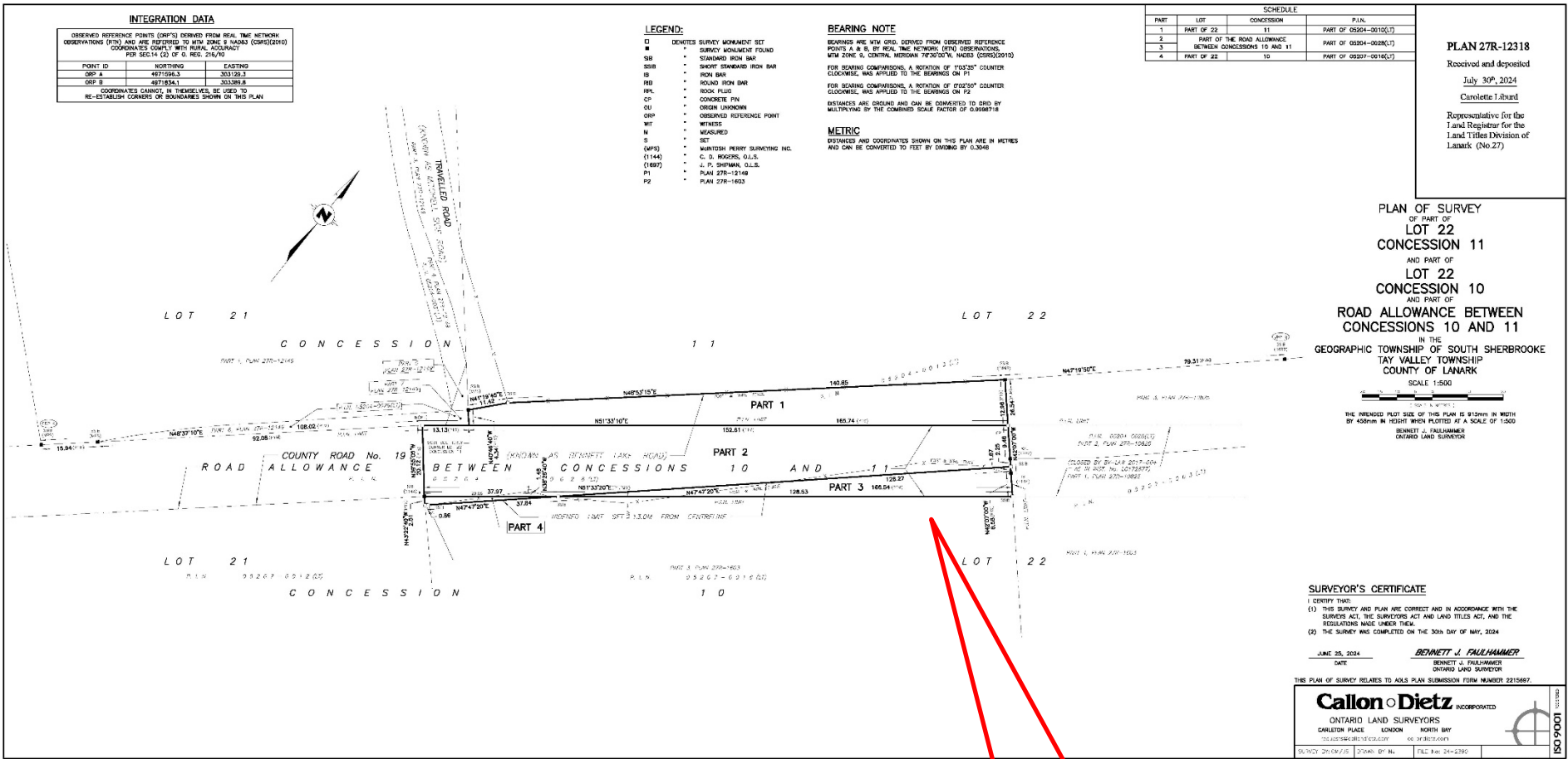
ATTACHMENTS

- i) GIS Map
- ii) Property Survey

Prepared and Submitted By:

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





Portion of Unopened Road Allowance to be stopped up, closed and sold, approximately 128.27 metres



COMMITTEE OF THE WHOLE
August 13th, 2024

Report #CAO-2024-17
Amanda Mabo, Chief Administrative Officer/Clerk

PROPOSED DELETION OF ROAD NAME
LAKEBREEZE LANE

STAFF RECOMMENDATION(S)

“**THAT**, once the right-of-way (Private Road) currently known as Lakebreeze Lane is physically removed and legally extinguished that the necessary by-law to repeal the Road Naming By-Law for Lakebreeze Lane, outlined in Report #CAO-2024-17 – Proposed Deletion of Road Name – Lakebreeze Lane, be brought forward for approval.”

BACKGROUND

A public meeting for Zoning Application #ZA-22 was held in May 2022. Before the zoning by-law could be brought forward for the application, the property owner(s) had to name the existing legal right-of-way to the property or extinguish the legal right-of-way and create a new driveway off Beaver Dam Lane, entirely on their own property to gain the required road frontage. The applicant elected to recognize their legal right-of-way which had existed prior to amalgamation (from Beaver Dam Lane through one other property) as a private road and named it Lakebreeze Lane by way of By-Law No. 2023-045.

While the applicant’s neighbour agreed to the name of the new road, they were unhappy with the impact that changing their mailing address from Beaver Dam Lane to Lakebreeze Lane had on them.

Since receiving approval for their Road Naming and all actions undertaken to affect the road name, including civic addressing and road naming signage, the applicant has decided they would like to create the new driveway off Beaver Dam Lane, entirely on their own property. The applicant has already created the driveway, and now seeks a new civic address for the new entrance. Prior to granting the new civic address, the owner must now extinguish their right-of-way and the road name of Lakebreeze Lane must be repealed.

DISCUSSION

Prior to issuance of the new civic address, the applicant must extinguish the right-of-way both on the ground and legally, which means removal of the newly named Lakebreeze Lane from the Township’s Road Naming By-Law.

The applicant understands the impact, including process and costs, of reverting the newly named Lakebreeze Lane to Beaver Dam Lane. The affected neighbour has been in touch with the Township and is in support of this change.

OPTIONS CONSIDERED

Option #1 – Extinguish Lakebreeze Lane (Recommended)

The applicant has the frontage required on Beaver Dam Lane to create a driveway and has already done so. The one other affected property owner has agreed with reverting to Beaver Dam Lane.

Option #2 – Do Nothing

Not recommended as the applicant has already built a driveway on their own and renaming of the road and the one affected property owner is in agreement with extinguishing the right-of-way and repealing the road name.

STRATEGIC PLAN LINK

None.

FINANCIAL CONSIDERATIONS

All costs are borne by the applicants, a \$650 fee to go toward staff time and a \$2,000 deposit for any legal, and removal of the Lakebreeze Lane road sign as well as re-addressing civic numbers.

CONCLUSIONS

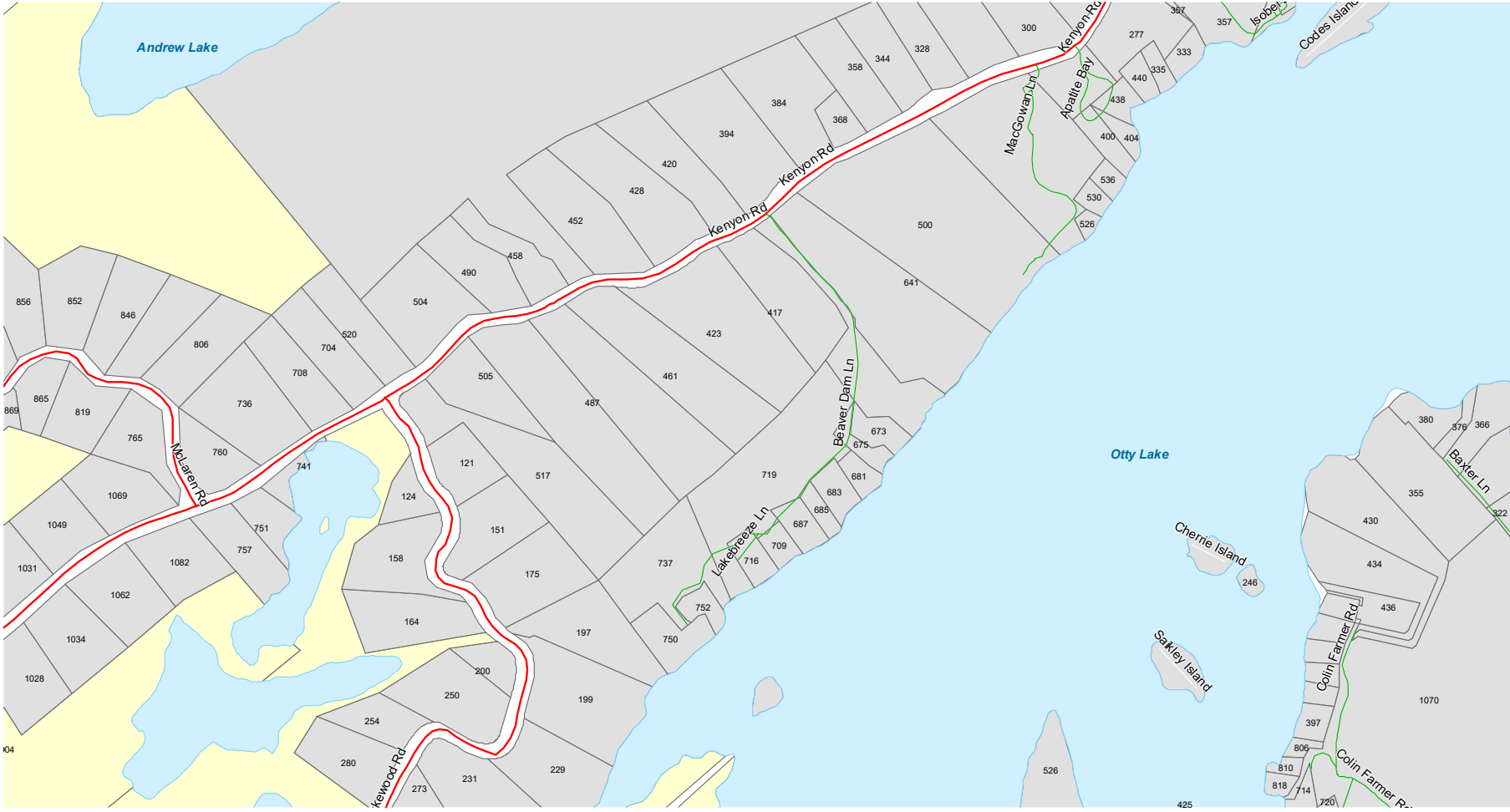
That once the right-of-way is physically removed and legally extinguished, that the necessary by-law to repeal By-Law No. 2023-045 be brought forward for approval.

ATTACHMENTS

- i) GIS Map
- ii) Survey

Prepared and Submitted by:

**Amanda Mabo
Chief Administrative Officer/Clerk**





I HEREBY CERTIFY THAT THE PLAN HEREIN IS THE TRUE AND CORRECT COPY OF THE ORIGINAL PLAN DEPOSITED IN THE OFFICE OF THE REGISTRAR OF CONFESSIONS, ON THE DATE OF DEPOSIT.

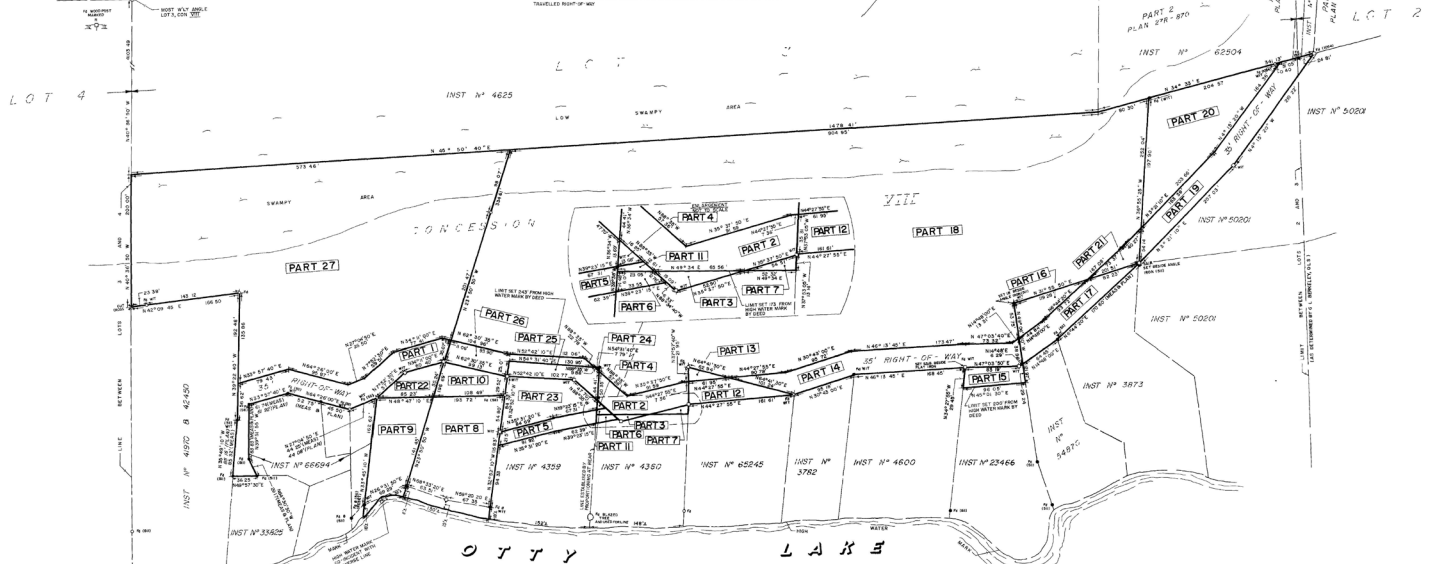
OCTOBER 13, 1977
GEO. W. BRACKEN LIMITED
LONDON, ONTARIO

RECEIVED AND DEPOSITED AS
PLAN 27R1478
October 13, 1977
W. G. Bracken
LAND SURVEYOR
REGISTRY DIVISION OF
LONDON (SCHEDULE 10)

PLAN OF SURVEY OF PART OF
LOTS 2 AND 3, CONCESSION VIII,
TOWNSHIP OF NORTH BURGESS,
COUNTY OF LANARK
SCALE 1"=40' FEET
3078

BEARINGS AND DISTANCES DERIVED FROM SOLAR OBSERVATIONS, AND ARE REFERRED TO THE MERIDIAN THROUGH THE WLY ANGLE LOT 4, CON. VIL, TOWNSHIP OF NORTH BURGESS
THE 55' FOOT R.O.P.H.WY THEREIN HAS BEEN ESTABLISHED IN ACCORDANCE WITH THE DEPARTING TRAVELLED ROOF OF WY.

ROAD ALLOWANCE BETWEEN CONCESSIONS VIII AND IX
(NOT TRAVELLED)



SCHEDULE						
PART	LOT	CONCESSION	INST. NO.	AREA (AC)	REMARKS	
1	2	VIII	4625	0.152	RIGHT-OF-WAY	
2	2	VIII	4625	0.118	RIGHT-OF-WAY	
3	2	VIII	4626	0.200	RIGHT-OF-WAY	
4	2	VIII	4627	0.028		
5	2	VIII	4628	0.075	RIGHT-OF-WAY	
6	2	VIII	4629	0.028	RIGHT-OF-WAY	
7	2	VIII	4630	0.028		
8	2	VIII	4631	0.430		
9	2	VIII	4632	0.248		
10	2	VIII	4633	0.039		
11	2	VIII	4634	0.030	RIGHT-OF-WAY	
12	2	VIII	4635	0.042	RIGHT-OF-WAY	
13	2	VIII	4636	0.046		
14	2	VIII	4637	0.046	RIGHT-OF-WAY	
15	2	VIII	4638	0.046	RIGHT-OF-WAY	
16	2	VIII	4639	0.079		
17	2	VIII	4640	0.107	RIGHT-OF-WAY	
18	2	VIII	4641	0.450		
19	2	VIII	4642	0.389	RIGHT-OF-WAY	
20	2	VIII	4643	0.488		
21	2	VIII	4644	0.048	RIGHT-OF-WAY	
22	2	VIII	4645	0.049		
23	2	VIII	4646	0.091		
24	2	VIII	4647	0.100		
25	2	VIII	4648	0.109		
26	2	VIII	4649	0.111	RIGHT-OF-WAY	
27	2	VIII	4650	3.312		

LEGEND

+ CORNER FROM BAR 2.0"x4.0"x0.4"
 o CORNER FROM CONTOUR FROM BARS 2.0"x4"
 o CORNER FROM CONTOUR FROM BAR 1.5"x4"
 o CORNER FOUND
 o CORNER FROM CONTOUR FROM BAR 1.5"x4"
 o CORNER FROM BAR 2.0"x4"x0.4"
 o CORNER FOUND FROM BAR
 o CORNER FOUND
 o CORNER FROM
 o CORNER FROM

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAN AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER.

THE SURVEY WAS COMPLETED July 25, 1977

October 14, 1977 *G. W. Bracken*
LONDON, ONTARIO

GEO. W. BRACKEN LIMITED
ONTARIO LAND SURVEYORS

50 KING STREET
LONDON, ONTARIO N6A 3G9
TEL. (519) 863-7233

50 KING STREET WEST
KITCHENER, ONTARIO N2H 2R1
TEL. (519) 875-1224

COMMITTEE OF THE WHOLE MEETING
August 13th, 2024

Report #CAO-2024-19
Amanda Mabo, Chief Administrative Officer/Clerk

OPTIONS TO FILL VACANCY ON COUNCIL

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, one of the two Sherbrooke ward Councillor positions on Tay Valley Township Council be declared vacant;

AND THAT, the vacancy be filled by _____.”

BACKGROUND

As per Section 260 (1) of the [Municipal Act, 2001](#), South Sherbrooke ward Councillor Andrew Kendrick resigned from office by notice in writing filed with the CAO/Clerk, effective June 30th, 2024.

As per Section 262 (1) of the *Municipal Act, 2001*, if the office of a member of Council becomes vacant, Council shall at its next meeting (August 27th, 2024) declare the office to be vacant.

As per Section 263 of the *Municipal Act, 2001*,

If a vacancy occurs in the office of a member of Council, within 60 days after the day a declaration of vacancy is made, the municipality shall:

- (a) fill the vacancy by appointing a person who has consented to accept the office if appointed; or
- (b) require a by-election to be held to fill the vacancy in accordance with the *Municipal Elections Act, 1996*.

DISCUSSION

Appointment Process

Should Council choose to fill the vacancy by appointment, the Procedural By-Laws, Schedule "E", lays out the appointment process to fill a vacancy as outlined below.

Ward Councillor Appointment Process

The appointment of a Ward Councillor will be in one of two ways:

- A. Appoint the unsuccessful candidate from the last election who received the most votes for the Ward.
- B. Appoint a Councillor according to the following procedure:
 1. Declare the position of Ward Councillor vacant by by-law.
 2. A Request for Expressions of Interest to be placed in the local media and on the website at the earliest opportunity requiring all qualified Electors to respond to the Clerk, in person, by _____.
 3. Upon submission of Expressions of Interest, qualified candidates shall complete the Declaration of Qualification form.
 4. The Clerk shall circulate the Expression of Interest to Council in the Council agenda package of _____ and subsequently send 4 to 6 questions (TBD by Council) to candidates.
 5. At the Council meeting on _____, at ____ pm, each candidate, in alphabetical order, shall be given the opportunity to speak for a maximum of ten (10) minutes. They can speak to their Expression of Interest if they choose; however, they must answer the 4 to 6 questions within the ten (10) minutes allotted. Only members of Council shall be allowed to ask questions.
 6. Following the presentations of all candidates', each candidate will be voted on by all members of Council in an open manner, in alphabetical order. The votes will be tallied by the Clerk.
 7. In the event of a tie, those candidates' names shall be placed in the "hat" and one name drawn by the Chief Administrative Officer (CAO).
 8. The name of the candidate receiving the most votes, or drawn in the event of a tie, shall be put forward for appointment to the position of Ward Councillor by by-law.

Note: In the spirit of good will and cohesiveness, the resulting by-law appointing the candidate as Ward Councillor should by all accounts receive unanimous support.

9. However; if the resulting by-law to appoint the Ward Councillor is defeated, the rules of the Procedure By-Law shall be suspended, and the process shall recommence with each candidate being voted on by Council (Step #6).
10. The new Ward Councillor shall be sworn in by the Clerk by completing the Declaration of Office form and shall assume the position of Ward Councillor immediately for the remainder of the term of the person he or she replaced.

By-Election

Should Council choose to fill the vacancy by by-election, the *Municipal Elections Act, 1996* outlines what is required to run an election.

A by-election must be held in the same manner as a regular election, which would include preparation of a voters' list, updating policies, procedures and forms, calling for nominations, and conducting the election by telephone and electronic voting, with a voting centre open in the Municipal Office.

OPTIONS FOR CONSIDERATION

2. Option #1 – Undertake Appointment Process

The *Municipal Act, 2001*, does not set out requirements relating to the appointment of an individual to fill a Council vacancy, other than those relating to qualifications. In order to be considered for appointment, individuals must meet the qualifications as outlined in the *Municipal Elections Act, 1996*, and listed below:

- (a) resides in the local municipality or is the owner or tenant of land there, or the spouse of such owner or tenant;
- (b) is a Canadian citizen;
- (c) is at least 18 years old; and
- (d) is not prohibited from voting under subsection (3) or otherwise by law

Should Council direct that the vacancy be filled by appointment, the seat must be filled by October 26th, 2024. It is estimated that the cost to fill the vacancy by appointment will be the cost of advertising at approximately \$2,500 and staff time.

Option #1A - Appointment of a Candidate from the 2022 Municipal Election to Fill the Vacancy

There was only one other candidate, and this candidate is not in a position to be appointed at this time.

Option #2B - Appointment by Call for Applications

The process outlined in Schedule "E" of the Procedural By-Law would commence after the August 27th Council meeting.

Timeline:

August 27th Declaration of Vacant Council Seat

August 28 th	Request for Expressions of Interest to be placed in the local media and on the website at the earliest opportunity requiring all qualified Electors to respond to the Clerk, in person, by September 26 th , 2024.
September 10 th	Council decide how they would like to choose the 4 to 6 questions to ask candidates
September 26 th	Request for Expressions of Interest due by 2:00 p.m.
September 27 th	Personal Statement of Qualifications due by 2:00 p.m.
October 10 th	“Special” Council Agenda made public
October 15 th	“Special” Council Meeting to select Councillor, appoint by by-law and administer Oath of Office

Option #2 – Pass a By-Law Requiring a By-Election to be Filled

The [Municipal Elections Act, 1996](#) (MEA) states that if such a by-law is passed, that nomination day would occur a maximum of sixty (60) days from the passing of the by-law (potentially October 2024), with voting day occurring forty-five (45) days after nomination day (potentially December/January 2024).

A by-election may be the most democratic option to fill the vacancy but will also be the costliest. The estimated cost to hold a by-election is \$15,000. These costs include the costs to retain the internet and telephone voting provider, Canada Post to mail the Voter Information Letters, advertising, etc. This cost does not include staff time. Staff will have to put any other project on hold in order to prepare for and conduct the by-election, as although it is only for one Ward, it is essentially running a full election for one position, and it is estimated that three staff would be needed to run the by-election.

FINANCIAL CONSIDERATIONS

See above.

STRATEGIC PLAN LINK

Not applicable.

CLIMATE CONSIDERATIONS

None considered.

CONCLUSION

As per the legislation, Council must first declare the vacancy on Council and then must make a decision to fill the vacancy at its August 27th, 2024 Council meeting. This report has outlined the two options to fill the vacancy, either through appointment or a by-election.

ATTACHMENTS

None.

Respectfully Submitted By:

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

SCHEDULE "E"
Appointment Process to Fill a Vacancy on Council

If a vacancy occurs in the office of a member of Council and Council chooses to fill the vacancy by appointing a person who has consented to accept the office if appointed, the following process shall be followed.

Ward Councillor Appointment Process

The appointment of a Ward Councillor will be in one of two ways:

- A. Appoint the unsuccessful candidate from the last election who received the most votes for the Ward.

- B. Appoint a Councillor according to the following procedure:
 - 1. Declare the position of Ward Councillor vacant by by-law.
 - 2. A Request for Expressions of Interest to be placed in the local media and on the website at the earliest opportunity requiring all qualified Electors to respond to the Clerk, in person, by _____.
 - 3. Upon submission of Expressions of Interest, qualified candidates shall complete the Declaration of Qualification form.
 - 4. The Clerk shall circulate the Expression of Interest to Council in the Council agenda package of _____ and subsequently send 4 to 6 questions (TBD by Council) to candidates.
 - 5. At the Council meeting on _____, at ____ pm, each candidate, in alphabetical order, shall answer be given the opportunity to speak for a maximum of ten (10) minutes. They can speak to their Expression of Interest if they choose; however, they must answer the 4 to 6 questions within the ten (10) minutes allotted. Only members of Council shall be allowed to ask questions.
 - 6. Following the presentations of all candidates', each candidate will be voted on by all members of Council in an open manner, in alphabetical order. The votes will be tallied by the Clerk.
 - 7. In the event of a tie, those candidates' names shall be placed in the "hat" and one name drawn by the Chief Administrative Officer (CAO).
 - 8. The name of the candidate receiving the most votes, or drawn in the event of a tie, shall be put forward for appointment to the position of Ward Councillor by by-law.

Note: In the spirit of good will and cohesiveness, the resulting by-law appointing the candidate as Ward Councillor should by all accounts receive unanimous support.

9. However; if the resulting by-law to appoint the Ward Councillor is defeated, the rules of the Procedure By-Law shall be suspended, and the process shall recommence with each candidate being voted on by Council (Step #6).
10. The new Ward Councillor shall be sworn in by the Clerk by completing the Declaration of Office form and shall assume the position of Ward Councillor immediately for the remainder of the term of the person he or she replaced.

COMMITTEE OF THE WHOLE
August 13th, 2024

Report #CAO-2024-20
Amanda Mabo, Chief Administrative Officer/Clerk

ESTABLISH THE PINEHURST CEMETERY BOARD

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, the Pinehurst Cemetery Board be established;

AND THAT, the necessary by-law be brought forward at the next Council meeting.”

BACKGROUND

Unlike the Bolingbroke Cemetery, Pinehurst Cemetery had in place a by-law from 1996 from the former Township that spoke to the operations of the cemetery as well as the cemetery board.

When bringing Pinehurst Cemetery into compliance, the current by-law on file was reviewed. It became evident fairly quickly that the by-law was outdated.

DISCUSSION

In order to bring the by-law up to date, it was easier to start fresh with not only a new by-law to Establish the Pinehurst Cemetery Board but a second by-law for the operations of the cemetery, which is a separate report following this report.

OPTIONS FOR CONSIDERATION

Option #1 – Establish the Pinehurst Cemetery Board

In order for the municipality to be in compliance with *FBCSA* and in order to expand the cemetery, a Board is required to be established (re-established to reflect its current form).

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.

The process to update both the Pinehurst Cemetery Board By-Law and the Pinehurst Cemetery By-Law (next report) was more straight forward than the ones for the Bolingbroke Cemetery as the by-laws are almost identical to the Bolingbroke Cemetery.

CONCLUSION

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

ATTACHMENTS

- i) Draft Pinehurst Cemetery Board By-Law

Respectfully Submitted By:

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

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2024-0XX

**ESTABLISHMENT OF THE
PINEHURST 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 Pinehurst 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 Pinehurst Cemetery Board be established.

1.2 THAT, the Pinehurst 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 By-Law No. 1996-021 is hereby repealed.

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

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-0XX**

4. EFFECTIVE DATE

ENACTED AND PASSED this XX day of August, 2024.

Rob Rainer, Reeve

Amanda Mabo, Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-0XX**

SCHEDULE “A”

**PINEHURST 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.

MEMBERSHIP

The Board shall be comprised of a maximum of six (6) members, preferably the land owner and up to three volunteers that look after the day-to-day operations. Replacement members can be appointed, if needed, during the course of the term. Two members shall be Council Members, one of which 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.

COMMITTEE OF THE WHOLE
August 13, 2024

Report #CAO-2024-21
Amanda Mabo, Chief Administrative Officer/Clerk

PINEHURST CEMETERY BY-LAW

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, the proposed Pinehurst 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

Once the Bolingbroke Cemetery was compliant, staff began working closely with the Pinehurst 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

This time round it was much smoother as templates were already in place.

Essential to this work has been redeveloping the Pinehurst Cemetery By-Law, in collaboration with the Pinehurst 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 Pinehurst 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 3 to August 13, 2024, 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 Perth Journal on July 16, 2024.
- Print copies of the notice of filing and the draft by-law were mailed to the six (6) marker/monument companies that have provided services to the Pinehurst Cemetery within the past twelve (12) months on July 9, 2024.
- 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/en/municipal-government/pinehurst-cemetery-board.aspx#Additional-Information>
- 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 Pinehurst Cemetery By-Law.

Option #2 – Suggested changes to the proposed Pinehurst 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 Pinehurst 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.

CONCLUSIONS

As per the recommendation.

ATTACHMENTS

1. Proposed Pinehurst Cemetery By-Law

Prepared for Submission By:

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

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2024-0XX

PINEHURST 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 Pinehurst Cemetery;

AND WHEREAS, the Pinehurst Cemetery Board was originally established prior to amalgamation by Bathurst Township By-Law No. 1996-0021, to oversee the administration, operation, care and maintenance of the Pinehurst Cemetery;

AND WHEREAS, the Pinehurst Cemetery Board's establishment was confirmed by By-Law No. 2024-0XX;

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

1. 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 Pinehurst Cemetery.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-0XX**

- 1.6 “Cemetery Board”** – shall mean the Pinehurst Cemetery Board as established by By-Law No. 2024-0XX of the Corporation of Tay Valley Township.
- 1.7 “Cemetery Operator (and Cemetery Owner)”** – shall mean the Corporation of Tay Valley Township.
- 1.8 “Grave” (also known as a Lot)** – shall mean one inground burial space intended for the interment of a child, adult or cremated human remains.
- 1.9 “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.
- 1.10 “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.
- 1.11 “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.
- 1.12 “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.
- 1.13 “Lot”** – shall mean a single Grave space.
- 1.14 “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.
- 1.15 “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.
- 1.16 “Plot”** – shall mean two or more Lots in respect of which the rights to inter have been sold as a unit.
- 1.17 “Registrar”** – means the registrar appointed under the Act.

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1.18 “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.

2. 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.tayvalleytp.ca

2.1.4 After Hours: Person in Charge of Day-to-Day Operations
Jay Playfair
613-267-5425

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.

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- 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.
- 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, with the exception of Service Animals as outlined in the Municipality's Accessibility Policy.
- 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.

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

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

4.1 Rights of Interment Rights Holders

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

4.2 Fees for Interment

4.2.1 Interment 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 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, installation or removal of any Marker, or memorialization is permitted until the Interment 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 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 detailing the obligations of both parties; and
- a copy of the Consumer's Information Guide.

4.5 Cancellation of Interment Rights within 30 Days of Purchase

4.5.1 A purchaser has the right to cancel an Interment Rights contract within thirty (30) days of signing the Interment 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 after the 30-Days Following Purchase

4.6.1 Upon receiving written notice from the purchaser of the Interment 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.

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), 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 has been exercised, the purchaser, or the Interment Rights Holder(s) are not entitled to cancel the contract or re-sell the Interment Rights.

4.7 Repurchase of Interment Rights by Cemetery Operator

4.7.1 The resale of Interment Rights to a third party is prohibited.

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- 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 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.

5. CONFIRMATION OF INTERMENT RIGHTS

- 5.1 Interment 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.

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5.3 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.

5.4 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

6.1 Authorization

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

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6.2 Documentation Provided to Purchaser

6.2.1 The purchaser, after entering in a contract for Interment Rights will be provided with the following documents:

- an Interment Rights Certificate; and
- a copy of the signed contract for Interment Rights detailing the obligations of both parties.

6.3 Payment

6.3.1 Persons requesting Interments in Lots or Plots 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.

6.4 Opening and Closing Graves

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

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 and one (1) burial of cremated remains on top of the 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. MEMORIALIZATION

7.1 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.

7.2 No Marker of any description shall be placed, moved, altered, or removed without permission from a member of the Cemetery Board.

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- 7.3** 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.
- 7.4** Minor scraping of the monument base of an upright monument due to grass/lawn maintenance is considered normal wear and tear.
- 7.5** 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.
- 7.6** 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.
- 7.7** 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.
- 7.8** All foundations for Markers shall be built by the monument company at the expense of the Interment Rights Holder.
- 7.9** 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.
- 7.10** 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.
- 7.11** 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.
- 7.12** The minimum thickness for flat Markers including footstones is 4 inches or 10 cm.
- 7.13** 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.

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7.14 The placement of a Marker shall not interfere with future interments.

7.15 The following are the Lot sizes:

Single Lot: 3' x 9' long

Double Lot: 6' x 9' long

7.16 One (1) casket and (1) urn on top of the casket or two (2) urns may be placed in each Lot.

8. CARE AND PLANTING

8.1 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.

8.2 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.

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

8.4 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.

8.5 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.

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

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9. ITEMS THAT ARE PROHIBITED AND PERMITTED

- 9.1** 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.
- 9.2** Prohibited articles will be removed and disposed of without notification.
- 9.3** 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.
- 9.4** 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.
- 9.5** The Cemetery shall not be responsible for loss or damage to any articles left upon any Lot or Pot.

10. RULES FOR CONTRACTOR/MONUMENT DEALER AND WORKERS

- 10.1** All Cemetery By-Laws apply to all contractors and all work carried out by contractors within the Cemetery grounds.
- 10.2** 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.
- 10.3** 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.
- 10.4** 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.
- 10.5** 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.

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- 10.6** Contractors shall temporarily cease all operations if they are working within 100 metres of a funeral until the conclusion of the service.
- 10.7** 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.
- 10.8** 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.
- 10.9** 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.
- 10.10** No Marker shall be removed without the written permission of the Cemetery Operator.
- 10.11** All rubbish shall be removed by the contractor from the Cemetery, otherwise the obstructions will be removed, and the expenses charged to the contractor.

11. FINANCIALS

- 11.1** All monies for the Cemetery shall be submitted to the Cemetery Operator.
- 11.2** 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.

12. CARE AND MAINTENANCE FUND

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

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13. AMENDMENT OF BY-LAW

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

13.1.1 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;

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

13.1.3 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.

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

14. ULTRA VIRES

14.1 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.

15. BY-LAWS REPEALED

15.1 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.

16. EFFECTIVE DATE

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

16.2 ENACTED AND PASSED this **XX day of August, 2024**.

Robert Rainer, Reeve

Amanda Mabo, Clerk

AIRD BERLIS

Laura Dean
Direct: 416.865.7706
E-mail: ldean@airdberlis.com

**CLOSED MEETING INVESTIGATOR
REPORT ON CLOSED MEETING INVESTIGATION 2024-01**

THE CORPORATION OF TAY VALLEY TOWNSHIP

Aird & Berlis LLP

Laura Dean

June 25, 2024

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THE CORPORATION OF TAY VALLEY TOWNSHIP REPORT ON CLOSED MEETING INVESTIGATION 2024-01

I. INTRODUCTION

1. Aird & Berlis LLP is the Closed Meeting Investigator (“Investigator”) for Tay Valley Township (the “Township”).
2. In our capacity as Investigator, we received a formal request (the “Request”) dated April 10, 2024 for a closed meeting investigation (the “Investigation”).
3. The Request seeks an investigation concerning closed sessions of meetings alleged to have been held by the Township’s Council and Committee of the Whole. Specifically, the Request asserts that the Committee of the Whole meeting on November 5, 2019, Special Council Meeting on January 26, 2023, and the Special Council Meeting on February 16, 2023 were improperly held in closed session.
4. This is a report on our closed meeting investigation made in accordance with subsection 239.2(10) of the *Municipal Act, 2001*.¹

II. CLOSED MEETING INVESTIGATOR – AUTHORITY AND JURISDICTION

5. The Township appointed Local Authority Services (“LAS”) to perform closed meeting investigation services pursuant to section 239.1 of the *Municipal Act, 2001*. LAS has delegated its authority to act as closed meeting investigator to Aird & Berlis LLP.
6. Prior to accepting any investigation mandate, Aird & Berlis LLP conducts a thorough legal conflict search and makes other conflict inquiries to ensure our firm is in a position to conduct an independent and impartial investigation.
7. Our jurisdiction as Investigator is set out in section 239.2 of the *Municipal Act, 2001*. Our function includes the authority to investigate, in an independent manner, a request made by any person to determine whether the Township has complied with section 239 of the *Municipal Act, 2001* or a by-law enacted under subsection 238(2) (i.e. a procedure by-law) in respect of a meeting or part of a meeting that was closed to the public.
8. Upon conducting an investigation, we report to Council on the outcome of the investigation, together with any recommendations, as may be applicable. Our role as Investigator does not include engaging with the merits of any particular item of municipal business, or questioning the policies or priorities of the Township.

III. REQUEST

9. The Request was properly filed pursuant to section 239.1 of the *Municipal Act, 2001*. The Request identifies the Committee of the Whole meeting on November 5, 2019 and the Special Council Meetings on January 26, 2023 and February 16, 2023 as the meetings to be investigated.

¹ *Municipal Act, 2001*, S.O. 2001, c. 25.

10. Based on our initial review of the Request, we determined the Request was incomplete as it did not contain sufficiently clear allegations regarding matters within our jurisdiction as Investigator. As such, we provided the requester with the opportunity to supplement the Request to address this issue. We received supplemental submissions in this regard from the requester on April 18, 2024. We have considered and addressed these submissions as part of the Request in arriving at our determinations with respect to this matter.

IV. REVIEW OF MATERIALS AND INVESTIGATIVE PROCESS

11. In order to properly consider the Request and make our determinations on the issues, we have reviewed the following materials:

- the Request;
- Procedural By-law No. 2018-042 (the "Procedural By-law"); and
- Certified copies of the open and closed session agendas and minutes from the Committee of the Whole meeting on November 5, 2019 and the Special Council Meetings on January 26, 2023 and February 16, 2023;
- Certified copies of the notices for each of the above meetings; and
- The in-camera motion form for the November 5, 2019 Committee of the Whole meeting.

12. In addition, we had recourse to the provisions of the *Municipal Act, 2001*, and such secondary sources, case law, and reports of other closed meeting investigators as we deemed necessary in order to make our determinations.

V. STATUTORY FRAMEWORK

13. Ontario's "open meeting" rule is enshrined in section 239 of the *Municipal Act, 2001*, which requires that "meetings" be open to the public, unless otherwise excepted.

14. Section 238 defines "meeting" broadly as:

"meeting" means any regular, special or other meeting of a council, of a local board or of a committee of either of them, where,

- (a) a quorum of members is present, and
- (b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

15. Unless they deal with a subject matter falling within one or more specific enumerated exceptions in subsections 239(2), (3) or (3.1), all meetings are required to be held in an open forum where the public is entitled to attend and observe local government in process.

16. The purpose of the “open meeting” rule is to foster democratic values, increase transparency, and enhance public confidence in local government. However, it has been long recognized that there are certain circumstances where open meetings, or full transparency in the immediate term, would not serve the public interest or the interests of the municipal corporation. In providing for certain limited exceptions to the general rule, section 239 seeks to balance the need for confidentiality in certain matters with the right of the public to information respecting the decision-making process of local government.

17. Subsection 239(2) lists eleven (11) matters that permit Council to hold a meeting that is closed to the public, including the following:

Exceptions

239 (2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,

...

(e) litigation or potential litigation², including matters before administrative tribunals, affecting the municipality or local board;

(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

18. Subsections 239(4) and 239(5) of the *Municipal Act, 2001* set out certain requirements for meetings that are closed to the public:

Resolution

239 (4) Before holding a meeting or part of a meeting that is to be closed to the public, a municipality or local board or committee of either of them shall state by resolution,

(a) the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting;

...

Open meeting

(5) Subject to subsection (6), a meeting shall not be closed to the public during the taking of a vote.

Exception

(6) Despite section 244, a meeting may be closed to the public during a vote if,

² The *Municipal Act, 2001* does not define “litigation” or “potential litigation”. However, the Ontario Ombudsman and the courts have determined this exception is reserved for circumstances where the subject matter discussed is ongoing litigation or involves a reasonable prospect of litigation. See *Investigation into the Township of West Lincoln’s alleged violation of the Municipal Act, 2001 on June 15 and June 22, 2015*, Ontario Ombudsman (November 2015) at para. 36, citing *R. (C.) v. Children’s Aid Society of Hamilton* (2004), 50 R.F.L. (5th) 394 at para. 21.

- (a) subsection (2) or (3) permits or requires the meeting to be closed to the public; and
- (b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board.

VI. PROCEDURAL BY-LAW

19. The following provisions of the Township’s Procedural By-law are relevant to the Investigation:

8.4 Special Meetings

...

8.4.6 A minimum of forty-eight (48) hours' notice of all Special Meetings shall be given to the Members and the public by posting the notice of the Meeting on the website and distributed via the newsfeed feature on the website.

8.9 Closed Session ("In Camera")

...

8.9.1 Except as provided in this By-Law, all Meetings of Council and its Committees shall be open to the public.

...

8.9.4 In accordance with Schedule "B" a Meeting or part of a Meeting may be closed to the public.

...

8.9.7 Closed Meetings are to be listed on the Agenda in such a way as to provide the most information possible without compromising confidentiality or adversely affecting the Municipal position. For example, the Agenda item may read: Litigation Matter — Litigation Regarding a Property Located at 123 Example Avenue

8.9.8 A Meeting shall not be closed to the public during the taking of a vote except where:

- a) the vote is for a procedural matter or giving directions or instructions to officers, employees or agents of the Municipality or persons retained by or under contract with the Municipality.

8.9.9 Confidential discussion during a Closed Session shall be limited to the issue described in the authorizing public resolution and nothing in this by-law confers the power of any Member or Members of Council to make any decision or take any action unless, or until such action is presented and decided upon at a duly called and constituted open Meeting of Council.

...



8.9.13 Upon returning to open session, the Chair shall rise and report the following:

- a) a statement resulting from the Closed Session;
- b) declarations of pecuniary interest during the Closed Session.

...

8.12 Notice of Meetings

8.12.1 The Clerk shall give notice of each Meeting to the Members, Department Heads, media and the public.

8.12.2 The Meeting Agenda shall constitute notice, except for Public Meetings (Statutory).

8.12.3 Notice for Public Meetings shall be as prescribed by an Act, Regulation or By-Law.

8.12.4 Council and Committee Agendas shall be made available by 12:00 noon on the Thursday prior to the Meeting.

8.12.5 Committee and Local Board Agendas shall be made available a week prior to the Meeting.

8.12.6 Agendas shall be posted on the Municipality's website and distributed via the newsfeed feature on the website.

VII. THE MEETINGS

(a) November 5, 2019

20. The November 5, 2019 meeting was a meeting of the Committee of the Whole.

21. The Township provided notice of this meeting by publishing the agenda on its website in accordance with the Procedural By-law.

22. The agenda for this meeting lists the subheading "Road Access Agreements For Un-Assumed Subdivision Roads" under the "Priority Issues" heading.

23. The agenda does not provide notice of a proposed closed session meeting.

24. The public minutes from this meeting indicate that Committee of the Whole discussed Report #CAO-2019-05, dealing with road access agreements for un-assumed subdivision roads. The Township's solicitor was present and addressed the Committee in open session. A large portion of the Committee's consideration of this matter appears to have taken place in open session, however, the public minutes indicate:

That Committee moved "in camera" at 9:06 p.m. to address a matter pertaining to litigation or potential litigation, including matters before administrative tribunals, affecting municipality or local board regarding road access agreements on unassumed subdivision roads and the Chief Administrative Officer, Clerk, Planner, Township Solicitor and Township Insurer remained in the room.

25. We have reviewed Township's *in camera* motion form from this meeting which confirms that the Committee passed a resolution to go into closed session for litigation or potential litigation, including matters before administrative tribunals, affecting the municipality.

26. The Committee returned to open session at 9:53 p.m. and adopted resolutions recommending that the Township eliminate the requirement for property owners to enter road access agreements on unassumed subdivision roads and that the relevant provisions of the Township zoning by-law be reviewed and revised.

(b) January 26, 2023

27. The January 26, 2023 meeting was a Special Meeting of Council.

28. The Township provided notice of the meeting by publishing the agenda on its website in accordance with the Procedural By-law.

29. The public agenda for this meeting lists one item under the heading "Closed Sessions" - *i. CONFIDENTIAL: Solicitor/ Client Privilege – Private Unassumed Roads.*

30. The public minutes from this meeting indicate that the Council passed a resolution in open session to move *in camera*, "...to address a matter pertaining to the receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose regarding Private Unassumed Roads."

31. The public minutes also indicate that Council passed a resolution to return to open session. Once in open session, the minutes state that the Chair rose and reported that Council received a legal opinion on the topic and would hold another closed session on the same topic on February 16, 2023.

32. The confidential minutes from the closed session of the meeting on January 26, 2023 confirm that Council discussed a legal opinion from the Township's solicitor containing advice and recommendations. The Township's solicitor was not present at this meeting. Councillors were provided with a copy of the legal opinion and the opportunity to record questions which could be posed to the solicitor at the subsequent meeting of Council on February 16, 2023.

(c) February 16, 2023

33. The February 16, 2023 meeting was a Special Meeting of Council.

34. The Township provided notice of this meeting by publishing the agenda on its website in accordance with the Procedural By-law.

35. The public agenda for this meeting lists one item under the heading "Closed Sessions" - *i. CONFIDENTIAL: Solicitor/ Client Privilege – Private Unassumed Roads.*

36. The public minutes from this meeting indicate that Council passed a resolution to move *in camera*, "...to discuss "a matter pertaining to the receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose regarding Private Unassumed Roads."

37. The confidential minutes from the closed session of this meeting confirm that Council discussed and asked questions of the Township's solicitor regarding a legal opinion.

38. The public minutes from this meeting indicate that Council passed a resolution to return to open session. Once in open session, Council voted on a resolution in respect of the matter discussed *in camera*.

VIII. FINDINGS

39. Based on the foregoing, it is our determination that neither the Committee of the Whole nor Council contravened section 239 of the *Municipal Act, 2001* or the Procedural By-law at the meetings held on November 5, 2019, January 26, 2023 and February 16, 2023.

40. From our review of the materials from the November 5, 2019 meeting, it appears that the Committee's decision to convene in closed session was made on the floor of the meeting. As such, the November 5, 2019 agenda did not contain notice of the closed session.

41. It is not uncommon for Council to determine during the course of an open meeting that it must convene in closed session pursuant to one of the open meeting exemptions contained in section 239 of the *Municipal Act, 2001*. Where a closed session arises under these circumstances, it is not possible to provide the requisite public notice.

42. Notice of the January 26, 2023 and February 16, 2023 meetings, including the closed sessions, was published in accordance with the Procedural By-law. At each of these meetings, the Council passed resolutions to convene in closed session and to return to open session. Based on our review of the meeting minutes of each of the three meetings, once in closed session, the Committee and Council's discussion remained clearly within the confines of the identified closed meeting exception.

43. The Ontario Ombudsman has determined that the "litigation or potential litigation" exception under clause 239(2)(e) of the *Municipal Act, 2001* is reserved for circumstances where the subject matter is either related to ongoing litigation or involves a reasonable prospect of litigation.³ There must be more than a remote possibility or a suspicion that litigation could arise, although it need to be a certainty.⁴

44. The closed session minutes from the meeting on November 5, 2019 demonstrate that the matter discussed *in camera* involved a reasonable prospect of litigation. Accordingly, we find that the Committee was permitted to discuss the matter in a closed session pursuant to clause 239(2)(e) of the *Municipal Act, 2001*.

45. The Ontario Ombudsman has also determined that the closed meeting exception for "advice subject to solicitor client privilege" under clause 239(2)(f) of the *Municipal Act, 2001* can only be used when advice from a solicitor or related communication actually exists for council's consideration. Communication will only be found to be subject to solicitor-client privilege if it is:

³ *Grey Bruce Health Unit (Re)*, 2023 ONOMBUD 6 at paras. 38-39, online: <https://canlii.ca/t/hqsph>

⁴ *Amherstburg (Town of) (Re)*, 2022 ONOMBUD 11 at para. 26, online: <https://canlii.ca/t/r5rc>

- a) between a client and his or her solicitor, where the solicitor is acting in a professional capacity;
- b) made in relation to the seeking or receiving of legal advice; and
- c) intended to be confidential.⁵

46. While the Township's solicitor was not in attendance at the meeting on January 26, 2023, the discussion at that meeting properly related to a confidential communication from the Township's solicitor containing a legal opinion and recommendations. The Township's solicitor was in attendance at the meeting on February 16, 2023 and was actively involved in discussions centring around the legal opinion reviewed at the previous meeting.

47. The closed session minutes from the January 23, 2023 and February 16, 2023 meetings demonstrate that the matters discussed *in camera* fit squarely within the closed meeting exception for advice that is subject to solicitor-client privilege, including communications necessary for that purpose, pursuant to clauses 239(2)(f) of the *Municipal Act, 2001*. Accordingly, we find the meetings on January 26, 2023 and February 16, 2023 both complied with the requirements of the *Municipal Act, 2001* and the Procedural By-law.

48. As noted above, the Council also engaged in a vote at the meeting on February 16, 2023. The record shows the vote was taken in open session, in accordance with subsection 239(5) of the *Municipal Act, 2001* and section 8.9.8 of the Procedural By-law.

IX. CONCLUSIONS

49. On the basis of the foregoing, it is our determination that neither the Committee of the Whole nor Council contravened section 239 of the *Municipal Act, 2001* or the Procedural By-law at the meetings held on November 5, 2019, January 26, 2023 or February 16, 2023.

X. RECOMMENDATIONS

50. Although we have not found any breach, we recommend that to the extent possible, Council avoid going into closed session where it has not previously provided notice to the public of its intention to do so.

51. We understand that these circumstances may be unavoidable where Council requires legal advice "on the fly", however, section 8.9.7 of the Procedural By-law, as drafted, can be interpreted as requiring notice of a closed session to be provided in advance of the meeting. We note that such a procedural requirement extends beyond the requirements of the *Municipal Act, 2001* and would occasionally present an impediment to Council convening a closed session in short order.

52. We understand from a discussion with the Township's Clerk that section 8.9.7 of the Procedural By-law is intended to apply only to closed sessions that are pre-planned and which do not arise during the course of an in-progress open meeting.

⁵ *Solosky v. the Queen*, [1980] 1 S.C.R. 821 at 837.

53. The Township may consider revising its Procedural By-law to provide clarity regarding closed session notice requirements where Council or a Committee decides, during the course of a meeting, to convene *in camera*. We understand the Township will be undertaking a mid-term review of the Procedural By-law and may address this issue through that exercise.

54. Given that we have not found any contraventions, Council is not required to make this report public or to pass a resolution stating how it will address our recommendations. In any event, we recommend Council make this report available to the public for the purpose of ongoing transparency and accountability.

Respectfully submitted,

AIRD & BERLIS LLP



Laura Dean
Partner

60762551.3

CORRESPONDENCE



**TOWNSHIP OF
BRUDENELL, LYNDOCH AND RAGLAN**

42 Burnt Bridge Road, PO Box 40
Palmer Rapids, Ontario K0J 2E0
TEL: (613) 758-2061 · FAX: (613) 758-2235

June 6, 2024

The Honourable Paul Calandra,
Minister of Municipal Affairs and Housing

Dear Hon. Calandra,

Re: Jurisdiction of Ontario's Ombudsman

Please be advised that at their last Regular Meeting of Council on Wednesday June 5th, 2024, the Council for the Corporation of the Township of Brudenell, Lyndoch and Raglan supported the following resolution:

Resolution # 2024-06-05-08
Moved By: Councillor Kauffeldt
Seconded by: Councillor Banks

"Be it resolved that the Council of the Corporation of the Township of Brudenell, Lyndoch and Raglan hereby supports the request from the City of Peterborough that the Honourable Paul Calandra, Minister of Municipal Affairs and Housing be requested to introduce a Bill to amend the Ombudsmen Act.

And further that Council directs staff to provide a copy of this resolution to the Honourable Paul Calandra, Minister of Municipal Affairs and Housing; the Honourable John Yakabuski, Member of Provincial Parliament for Renfrew Nipissing Pembroke; the Association of Municipalities of Ontario; and all Ontario Municipalities."

CARRIED.

Sincerely,

Tammy Thompson
Deputy Clerk



April 11, 2024

Hon. Paul Calandra
Minister of Municipal Affairs and Housing
via Email:
minister.mah@ontario.ca

Re: Jurisdiction of Ontario's Ombudsman

The following resolution, adopted by City Council at their meeting on April 8, 2024, is forwarded for your information and necessary action.

That Council approve the recommendations outlined in Report LSOC24-005, dated April 2, 2024 of the Commissioner, Legislative Services, as follows:

- a) That the Honourable Paul Calandra, Minister of Municipal Affairs and Housing, be requested to introduce a Bill to amend the Ombudsman Act to require the Ontario Ombudsman to provide to each municipality, if requested by the municipality, sufficient particulars of each investigation, matter or case respecting the municipality that is referred to in each of the Ombudsman's Annual Reports to permit the municipality to fully understand and address the subject matter of each such investigation, matter or case including:
 - i) a copy of each complaint, as applicable, redacted only to the extent of individuals' personal information contained therein;
 - ii) the identities of the municipality's employees, officers and members of Council with whom the Ombudsman was consulting in respect of the investigation, matter or case; and
 - iii) particulars of the outcome of the investigation, matter or case including the Ombudsman's findings, conclusions and recommendations, if any.
- b) That the City Clerk forward Council's resolutions resulting from Council's approval of these recommendations to Minister Calandra, MPP David Smith, the Association of Municipalities of Ontario and to the municipal Clerks of Ontario's municipalities.

Sincerely,

J. Kennedy

John Kennedy, City Clerk

cc: David Smith, MPP
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities

Association of Municipalities of Ontario (AMO)

155 University Ave., Suite 800
Toronto, Ontario M5H 3B7
Telephone: 416.971.9856
Toll-free in Ontario: 1.877.426.6527
Fax: 416.971.6191

Ontario Medical Association

150 Bloor St. West, Suite 900
Toronto, ON M5S 3C1
Canada
TF: 1.800.268.7215
T: 416.599.2580
F: 416.533.9309
E: info@oma.org
oma.org

Dear Heads of Council and Clerks,

Communities across Ontario have been facing critical healthcare challenges, including long waitlists for primary care, shortages of doctors and other healthcare workers; and emergency room closures. These cracks in Ontario's health care system are impacting economic development, health, and well-being at the local level.

In response, the Ontario Medical Association (OMA) and the Association of Municipalities of Ontario (AMO) are working collaboratively to advocate for a better healthcare system for Ontario's residents and communities.

We have jointly developed the attached draft council resolution (Appendix A - Also in [PDF](#) and [Word](#) Versions), urging the provincial government to recognize the physician shortage in your municipality and the rest of Ontario. By adopting this resolution, your municipality can play a crucial role in highlighting the urgent need for more healthcare resources and support.

AMO is excited to welcome everyone to Ottawa for our annual conference from August 18-21, 2024. We are pleased to inform you that the OMA will be participating at this year's conference. Along with sponsoring the Rural Caucus Lunch on August 20, the OMA has reserved meeting room at the Fairmont Château Laurier for both August 20 and 21 to meet directly with municipal leaders. During these meetings, we would like to hear what you are seeing on the ground and discuss opportunities to work closer with you. We believe that collaboration between Ontario's doctors and all 444 municipalities is essential in addressing the healthcare needs of your community.

To set up a meeting with the OMA, please reach out to Tarun.Saroya@OMA.org (Senior Advisor for Government Relations and Advocacy) to book a 15-30 minute time slot at your earliest convenience.

We look forward to your positive response and to working together towards a healthier future for all Ontarians.

Yours sincerely,

Handwritten signature of Kimberly Moran in black ink.

Kimberly Moran
CEO, Ontario Medical Association

Handwritten signature of Colin Best in black ink.

Colin Best
AMO President



RE: Letter of Support – AMPS in Ontario Building Code

July 31, 2024

Hon. Graydon Smith
Ministry of Natural Resources
5th Floor, 99 Wellesley St
Toronto, ON M7A 1W3
Graydon.smith@pc.ola.org

AMCTO
amcto@amcto.com

AMO
amo@amo.on.ca

RE: Township of Lake of Bays Resolution regarding Request for Royal Assent of Administrative Monetary Penalty System in the Ontario Building Code Act.

Please be advised that the Township of Limerick, at its meeting held on July 15, 2024 considered the aforementioned topic and subsequent discussion, the following motion was passed:

Motion 112-2024

Moved by Councillor Jan MacKillican
Seconded by Councillor Shawn Pack

That staff is directed to issue a letter of support for Royal Assent of AMPS in the Building Code.

Carried

As per the above resolution, please accept a copy of this correspondence for your information and consideration.

Sincerely,

Victoria Tisdale
Clerk-Treasurer

Cc: All Ontario Municipalities

Victoria Tisdale, Clerk Treasurer
clerk@township.limerick.on.ca
Telephone: 613-474-2863
Fax: 613-474-0478



Nicole Ilcio, Deputy Clerk Treasurer
assistant@township.limerick.on.ca
Telephone: 613-474-2863
Fax: 613-474-0478



**LAKE
OF BAYS**
• MUSKOKA •

T 705-635-2272
TF 1-877-566-0005
F 705-635-2132

TOWNSHIP OF LAKE OF BAYS
1012 Dwight Beach Rd
Dwight, ON P0A 1H0

May 14, 2024

Via email: minister.mah@ontario.ca

Minister of Municipal Affairs and Housing
Attention: Paul Calandra
777 Bay Street, 17th Floor
Toronto, ON M7A 2J3

Dear Mr. Calandra:

RE: Request for Royal Assent of Administrative Monetary Penalty System in the Ontario Building Code Act.

The Administrative Monetary Penalty System (AMPS) is an enforcement tool approved by the Provincial Government in August of 2009 and was originally used for parking offences to free up court time and cost.

A large number of municipalities have adopted an AMPS program and have applied AMPS to other Municipal enforcement by-laws as a replacement to the standard Part 1 Provincial Offences Act (POA) ticket system, as it provides the alleged offender with a flexible appeal system and the municipality the ability to apply unpaid penalties on to the property taxes. AMPS frees up valuable Provincial Offences Court time saving the province and the municipalities valuable resources and funds.

AMPS was written into the Building Code Act in December of 2017 however it has not received Royal Assent. AMPS has proven to be a valuable tool for education and enforcement of other Municipal by-laws. On behalf of the Council of the Corporation of the Township of Lake of Bays, we ask that AMPS receive Royal Assent. In doing so this would free up time for Building Officials to conduct their primary job (building inspections) instead of having to attend court normally a full day to hear an appeal to Part 1 ticket, at the same time providing the offender a more streamlined appeal system.

Sincerely,



Carrie Sykes, *Dipl. M.A., CMO, AOMC,*
Director of Corporate Services/Clerk.

TG/lv
Copy to:

MPP, Graydon Smith
Association of Ontario Municipalities
Association of Municipal Clerk and Treasurers of Ontario
All Area Municipalities

100 LAKES TO EXPLORE



-
1. **Town of Lincoln:** Resolution – Increased Funding to Libraries and Museums in Ontario – *attached, page 5.*
 2. **Township of Wainfleet:** Resolution – Increased Funding to Libraries and Museums in Ontario – *attached, page 6.*
 3. **Town of Lincoln:** Resolution – Increased Funding to Libraries and Museums in Ontario – *attached, page, 7.*
 4. **Rideau Valley Conservation Authority:** Public Consultation – Draft Development Policies and Wetland Mapping – *attached, page 10.*
 5. **Rideau Valley Conservation Authority:** 2023 Annual Report – *sent separately.*
 6. **Rideau Valley Conservation Foundation:** 2023 Annual Report – *sent separately.*
 7. **The Corporation of the Township of Larder Lake:** Resolution – Recommendation to Stop the Phasing-Out of Free Provincial Water Testing Services – *attached, page 15.*
 8. **The Town of Cochrane:** Resolution – Phasing Out Free Well Water Testing Services – *attached, page 16.*
 9. **The Town of Kearney:** Resolution – Phasing Out Free Well Water Testing – *attached, page 17.*
 10. **Town of New Tecumseth:** Resolution – Phasing Out Free Water Testing for Private Wells – *attached, page 18.*
 11. **Township of Brudenell, Lyndoch and Raglan:** Resolution – Phasing Out Free Water Testing for Private Wells – *attached, page 20.*
 12. **The Corporation of The Township of Archipelago:** Resolution – Phasing Out Free Water Testing for Private Wells – *attached, page 21.*
 13. **The Corporation of the Township of Pelee:** Resolution – Affordability of Water and Wastewater Systems – *attached, page 22.*
 14. **Township of Brudenell, Lyndoch and Raglan:** Resolution – Household Food Insecurity – *attached, page 25.*

15. **Public Health Sudbury & Districts:** Resolution – Household Food Insecurity – *attached, page 26.*
16. **Lanark County:** Media Release – Highlights from the Lanark County Council Meeting held May 22, 2024 – *attached, page 29.*
17. **Municipality of Callander:** Resolution – Urging the Government to Promptly Resume Assessment Cycle – *attached, page 33.*
18. **The Corporation of the Municipality of Mattawan:** Resolution – Ensure the Stability and Predictability of Property Taxes – *attached, page 35.*
19. **Township of Brudenell, Lyndoch and Raglan:** Resolution – Motion Regarding Public Health Labs – *attached, page 36.*
20. **Loyalist Township:** Resolution – Public Health Ontario Labs – *attached, page 37.*
21. **Leeds, Grenville & Lanark District Health Unit:** Summary – Board of Health Meeting May 23, 2024 – *attached, page 39.*
22. **Town of Saugeen Shores:** Resolution – Cemetery Administration Management – *attached, page 41.*
23. **Township of Brudenell, Lyndoch and Raglan:** Resolution – Mental Health and Addictions – *attached, page 43.*
24. **City of Pembroke:** Resolution – The Importance, and Addressing Mental Health and Substance Use Disorder – *attached, page 44.*
25. **City of Hamilton:** Resolution – Declare the City of Hamilton a “No Paid Plasma Zone” – *attached, page 46.*
26. **Municipality of Tweed:** Resolution – Provincial Regulations Needed to Restrict Keeping Non-Native (“exotic”) Wild Animals – *attached, page 48.*
27. **The Corporation of the Municipality of Mattawan:** Resolution – Provincial Regulations Needed to Restrict Keeping Non-Native (“exotic”) Wild Animals – *attached, page 50.*
28. **Municipality of East Ferris:** Resolution – Provincial Regulations Needed to Restrict Keeping Non-Native (“exotic”) Wild Animals – *attached, page 51.*
29. **City of St.Catharines:** Resolution – Provincial Regulations Needed to Restrict Keeping Non-Native (“exotic”) Wild Animals – *attached, page 52.*
30. **The Corporation of the County of Northumberland:** Resolution – Catch and Release Justice – *attached, page 54.*

31. **The Corporation of the Municipality of St.Charles** : Resolution – Catch and Release Justice – *attached, page 57.*
32. **The Corporation of the City of Cambridge:** Resolution – Catch and Release – *attached, page 58.*
33. **Township of Brudenell, Lyndoch and Raglan:** Resolution – National Fire Fighting Strategy – *attached, page 61.*
34. **The Corporation of the Municipality of Calvin:** Resolution – National Fire Fighting Strategy – *attached, page 62.*
35. **The Corporation of the Municipality of West Nipissing:** Resolution – Champlain Bridge Rehabilitation – *attached, page 66.*
36. **The Corporation of the Township of Bonnechere Valley:** Resolution – Support Increase to Infrastructure Funding – *attached, page 67.*
37. **The Municipality of Tweed:** Resolution – Implement Sustainable Funding for Small Rural Municipalities – *attached, page 69.*
38. **Corporation of the Township of North Glengarry** – Resolution – Small Rural Municipalities – *attached, page 71.*
39. **Township of North Dundas:** Resolution – Infrastructure Small Rural Municipalities – *attached, page 73.*
40. **The Township of Georgian Bay:** Resolution – Small Rural Municipalities – *attached, page 74.*
41. **Northumberland County:** Resolution – Sustainable Infrastructure Funding for Small Rural Municipalities – *attached, page 76.*
42. **Hastings County:** Resolution – Sustainable Infrastructure Funding for Small Rural Municipalities – *attached, page 80.*
43. **The Corporation of the Township of Pelee:** Resolution – Sustainable Infrastructure Funding for Small Rural Municipalities – *attached, page 84.*
44. **Lanark Highlands:** Resolution – Sustainable Infrastructure Funding for Small Rural Municipalities – *attached, page 86.*
45. **Lanark County:** Media Release – Highlights from the Lanark County Council Meeting Held June 12, 2024 – *attached, page 88.*
46. **Northumberland County:** Resolution – Social and Economic Prosperity Review – *attached, page 91.*

47. **The Corporation of the Municipality of St.Charles:** Resolution – Ontario’s Economic Prosperity and Quality of Life – *attached, page 94.*
48. **The Corporation of the Township of Larder Lake:** Resolution – Financial Assistance to Municipalities to Complete the ARO – *attached, page 96.*
49. **The Town of the Blue Mountains:** Resolution – Ride Sharing Services – *attached, page 98.*
50. **Infrastructure Canada: Statement** – Canada Community-Building Fund – *attached, page 99.*
51. **Tay Valley Township:** Report – Building Reports – May 2024 – *attached, page 101.*
52. **Tay Valley Township:** Building Summary Report with Previous 3 Year Average – January to May 2024 – *attached, page 102.*



1. **Lanark County:** Media Release – Lanark County Council Highlights – *attached, page 5.*
2. **City of Pickering:** Resolution – Water Testing Services for Private Drinking Water – *attached, page 12.*
3. **Township of Amaranth:** Resolution – Water Testing Services for Private Drinking Water – *attached, page, 14.*
4. **Town of Petrolia:** Public Consultation – Phasing Out Free Water Testing for Private Wells – *attached, page 16.*
5. **The Town of Tecumseth:** Resolution – Phasing Out Free Water Testing for Private Wells – *attached, page 17.*
6. **Municipality of Central Manitoulin:** Resolution – Phasing Out Free Water Testing for Private Wells – *attached, page 18.*
7. **Leeds, Grenville & Lanark District Health Unit:** Summary – Private Well Water Testing – *attached, page 19.*
8. **Town of Kearney:** Resolution – Implement Sustainable Infrastructure Funding for Small Rural Municipalities – *attached, page 20.*
9. **County of Frontenac:** Resolution – Implementation of Sustainable Infrastructure Funding for Small Rural Municipalities – *attached, page 22.*
10. **The Corporation of the Town of Tecumseh:** Resolution – Implementation of Sustainable Infrastructure Funding for Small Rural Municipalities – *attached, page 24.*
11. **The Corporation of the Township of Pelee:** Resolution – Sustainable Infrastructure Funding for Small Rural Municipalities – *attached, page 26.*
12. **The Township of Georgian Bay:** Resolution – Sustainable Infrastructure Funding for Small Rural Municipalities – *attached, page 28.*
13. **The Corporation of the Town of Tecumseh:** Resolution – Affordability of Water and Wastewater Systems – *attached, page 30.*
14. **The Corporation of the Township of Pelee:** Resolution – Affordability of Water and Wastewater Systems – *attached, page 32.*
15. **County of Renfrew:** Resolution – Affordability of Water and Wastewater Systems – *attached, page 35.*

16. **The Corporation of the Township of Larder Lake:** Resolution – Social and Economic Prosperity Review to Promote Stability – *attached, page 38.*
17. **Association of Municipalities of Ontario:** Report – Homeless Encampments in Ontario – *attached, page 39.*
18. **Town of Perth:** Motion – Lanark Basic Income Network – *attached, page 54.*
19. **Ministry of Natural Resources:** Notice – Streamlining of Approvals under the Aggregate Resources Act and Supporting Policy – *attached, page 66.*
20. **Town of Petrolia:** Resolution – Family Doctors – *attached, page 67.*
21. **Town of Perth:** Letter of Support – RNJ Youth Services – *attached, page 69.*
22. **Province of Ontario:** Overview – Geologic Carbon Storage – *attached, page 82.*
23. **Ministry of Natural Resources:** Proposal – Developing a Commercial-Scale Framework for Geologic Carbon Storage – *attached, page 85.*
24. **Township of Otonabee-South Monaghan:** Correspondence – The Importation and Safe Use of Lithium-ion Batteries – *attached, page 86.*
25. **East Ferris Municipality:** Resolution – The Importation, Sale, Storage, and Use of Non-OEM or ULC Certified Lithium-ion Batteries – *attached, page 88.*
26. **Municipality of Leamington:** Resolution – Provincial Regulations Needed to Restrict Keeping Non-Native (“exotic”) Wild Animals – *attached, page 89.*
27. **City of St.Catharines:** Resolution – Provincial Regulations Needed to Restrict Keeping Non-Native (“exotic”) Wild Animals – *attached, page 92.*
28. **Town of Smiths Falls:** Resolution – Provincial Regulations Needed to Restrict Keeping Non-Native (“exotic”) Wild Animals – *attached, page 88.*
29. **Ministry of Municipal Affairs and Housing:** Correspondence – Planning Act and Development Charges Act Regulations Related to the Cutting Red Tape to Build More Homes Act, 2024 – *attached, page 94.*
30. **The Corporation of the Township of Emo:** Resolution – New Provincial-Municipal Framework – *attached, page 96.*
31. **Township of Puslinch:** Resolution – MFIPPA Modernization – *attached, page 98.*
32. **Township of Alnwick:** Resolution – MFIPPA Modernization – *attached, page 99.*
33. **The Corporation of the Township of Emo:** Resolution – Operational Budget Funding – *attached, page 101.*

34. **Township of Puslinch:** Resolution – Request for Royal Assent of Administrative Monetary Penalty System in the Ontario Building Code Act – *attached, page 103.*
35. **Lake of Bays:** Resolution – Request for Royal Assent of Administrative Monetary Penalty System in the Ontario Building Code Act – *attached, page 105.*
36. **The Corporation of the Town of Cobalt:** Resolution – Provide Financial Assistance to Municipalities to Complete the ARO – *attached, page 106.*
37. **The Corporation of the Township of Terrace Bay:** Resolution – Sustainable Funding for OPP Small Rural Municipalities – *attached, page 107.*
38. **City of St. Catharines** – Resolution – Green Roads Pilot Project – *attached, page 109.*
39. **The Corporation of the City of Brantford:** Resolution – Support for the Decision of the Ontario Energy Board to End the Gas Pipeline Subsidy – *attached, page 111.*
40. **The Town of Cochrane:** Resolution – Ontario Regulation 391/21: Blue Box for ‘Ineligible’ Sources – *attached, page 113.*
41. **Tay Valley Township:** Correspondence – Primary Health Care Services – *attached, page 115.*
42. **The Corporation of the Township of Drummond/ North Elmsley:** Correspondence – Primary Health Care Services – *attached, page 117.*
43. **Town of Bradford West Gwillimbury:** Resolution – The Creation of a Province-Wide Long Service Medal for Police and for Paramedics – *attached, page 120.*
44. **Township of Schreiber:** Correspondence – Schreiber’s Wastewater Treatment Plant – *attached, page 121.*
45. **Tay Valley Township:** Report – Building Permits – July 2024 – *attached, page 125.*
46. **Tay Valley Township:** Building Summary Report with Previous 3 Year Average – January to July 2024 – *attached, page 126.*

UPDATES

BOLINGBROKE CEMETERY BOARD MINUTES

Thursday, June 6th, 2024

2:00 p.m.

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

Council Chambers

ATTENDANCE:

Members Present: Chair, Councillor Wayne Baker
Doug Boyd
Darla Kilpatrick
Ron Fournier
Betty Anne Gillespie
Dan Milner

Staff Present: Amanda Mabo, Chief Administrative Officer/Clerk
Brad Swayne, Corporate Administrative Assistant

Members/Staff Absent: None

1. CALL TO ORDER

The meeting was called to order at 2:00 p.m.
A quorum was present.

2. AMENDMENTS/APPROVAL OF THE AGENDA

The agenda was approved as presented.

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 4th, 2024.

The minutes of the Bolingbroke Cemetery Board Meeting held on April 4th, 2024 were approved as circulated.

5. BUSINESS

i) Onsite Compliance Update.

- Maintenance Tasks
 - rock to be removed in the Spring
 - the Board members will investigate and attempt the removal before the next meeting
- Fixing Monuments
 - at the last meeting D. Kilpatrick informed the Board that she dropped off information to Costello and Company Monuments but had not heard back. She was to follow up in time for this meeting.
 - still have not heard from Costello, next time D. Kilpatrick is by she will stop in
- Signage
 - Memorial Service Signage
 - cost was approximately \$35, D. Boyd will install
 - Legislative Signage
 - the Board asked staff to proceed with getting the sign made in the same material as the memorial sign

ii) Fencing Update.

Page Wire Fence around the Remainder of the Cemetery

The work was completed in April. The work cost an extra \$495 since there were a few additional post replacements and four (4) brace panels that needed to be replaced. They had to shift the entire fence on the south side of the cemetery away from the pit so that there was enough material to hold the new posts in place. They also did a bit of chainsaw work to clean up the brush and completed temporary repairs on the fence to the north as it was laying on the ground, however, did not charge for these additional tasks.

RESOLUTION #BCB-2024-02

MOVED BY: Darla Kilpatrick

SECONDED BY: Dan Milner

“**THAT**, an additional \$495 be authorized for the work to repair the page wire fence around the Bolingbroke Cemetery.”

ADOPTED

iii) **Entrance Pillars.**

D. Boyd indicated that the brick match was a Belden 141-145. Staff will inform the contractor so that they can match as close as they can.

RESOLUTION #BCB-2024-03

MOVED BY: Betty Anne Gillespie

SECONDED BY: Doug Boyd

“**THAT**, the quote to repair the entrance pillars at the Bolingbroke Cemetery from Norwood & Co. in the amount of \$1,850, plus HST, be approved.”

ADOPTED

iv) **Google Maps Update.**

The Board believes that the “United Church of Althorpe” reference should be removed as it never has been associated with that church or any church.

Staff will check the files to see where this information came from.

The Board decided to keep the information in about volunteers. Once the historical information is confirmed then it will go up.

v) **Volunteer Recruitment Poster.**

The poster is ready and will be laminated and posted at places like the ABC Hall, Maberly Hall, Maberly Waste Site, and other bulletin boards within the community.

vi) **General Account versus Care and Maintenance Fund Account.**

The Board reviewed the information.

vii) **2024 Draft Budget – *attached, page 7.***

D. Kilpatrick will reach out to the previous company regarding the tree work that needs to be done for a quote. The Township will also obtain a quote from its contractor. Both quotes will be shared with the Board.

The Board also discussed the Minister for the Memorial Service also needs to be paid so a line item will be added.

RESOLUTION #BCB-2024-04

MOVED BY: Betty Anne Gillespie
SECONDED BY: Darla Kilpatrick

“**THAT**, the 2024 Bolingbroke Cemetery operating budget be approved as amended by adding a line item for the Memorial Service of \$400.”

ADOPTED

viii) **Expansion of Cemetery.**

[land ownership transfer, survey, fencing, lot addition, new entrance, 1 new double gate, trees (donated)]

D. Kilpatrick was to speak with the heirs to see if they are ok with the cemetery land being transferred into Township ownership. If they are, then a meeting will be held with the rest of the volunteers to get their thoughts. D. Kilpatrick was to then notify the Township on the outcome.

After speaking with the volunteers, they agree that the cemetery should be transferred to the Township.

RESOLUTION #BCB-2024-05

MOVED BY: Betty Anne Gillespie
SECONDED BY: Doug Boyd

“**THAT**, the Township proceed with the legal process to transfer the Bolingbroke Cemetery lands into Township ownership;

AND THAT, a line item for the Transfer of Land Ownership in the amount of \$5,000 be added to the 2024 Budget.”

ADOPTED

Staff will keep the Board advised of the transfer.

The Board would like to move ahead with the expansion and would like to see the next steps list as well. Prior to the next meeting, staff will work with D. Kilpatrick and D. Boyd regarding the proposal to be reviewed at the meeting.

6. NEW/OTHER BUSINESS

None.

7. NEXT MEETING DATE AND PROPOSED AGENDA ITEMS

Next Meeting: Thursday, September 5th at 2:00 p.m.

Proposed Agenda Items: Memorial Service Update
2025 Draft Budget
Expansion of Cemetery

8. DEFERRED ITEMS

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

- *None.*

9. ADJOURNMENT

The meeting was adjourned at 3:14 p.m.

DRUMMOND NORTH ELMSLEY TAY VALLEY FIRE BOARD MINUTES

Thursday, June 6th, 2024

6:00 p.m.

BBD&E Station – 14 Sherbrooke Street East, Perth, ON

Training Room

ATTENDANCE:

Members Present: Chair, Councillor Wayne Baker
Vice-Chair, Ray Scissons
Councillor John Matheson
Councillor Paul Coutts
Councillor Marilyn Thomas
Councillor Greg Hallam

Staff Present: Greg Saunders, Fire Chief
Angela Millar, Treasurer (D/NE Township)
Megan Moore, Recording Secretary

Members & Staff Absent: None.

1. CALL TO ORDER

The meeting was called to order at 6:00 p.m.
A quorum was present.

2. AMENDMENTS/APPROVAL OF AGENDA

i) Addition under Business: DRAFT Municipal Asset Retirement Obligations Policy.

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

None at this time.

4. APPROVAL OF MINUTES

- i) Minutes – February 8, 2024.

RESOLUTION # FB2024-13

MOVED BY: Ray Scissons
SECONDED BY: Greg Hallam

“**THAT**, the minutes of the Fire Board meeting held on February 8, 2024 be approved as presented.”

ADOPTED

- ii) Minutes – Confidential – February 8, 2024 - Identifiable Individual - Pay Grid Step Increase for Full-Time Fire Department Staff.

RESOLUTION # FB2024-14

MOVED BY: Paul Coutts
SECONDED BY: Marilyn Thomas

“**THAT**, the confidential minutes of the Drummond/North Elmsley Tay Valley Fire Rescue Board Meeting (Closed Session - Identifiable Individual - Pay Grid Step Increase for Full-Time Fire Department Staff) held on February 8th, 2024 be approved as circulated.”

ADOPTED

5. DELEGATIONS & PRESENTATIONS

None.

6. BUSINESS

- i) **DRAFT Municipal Asset Retirement Obligations Policy – *attached, pages 7-12.***

Drummond/North Elmsley Township Treasurer Angela Millar summarized recent changes to the reporting standards regulated by the Public Sector Accounting Board (PSAB). The new regulation requires municipalities to identify, measure, and report certain costs associated with asset retirement. The group reviewed and approved the draft Municipal Asset Retirement Obligations Policy for the Fire Department.

RESOLUTION # FB2024-15

MOVED BY: Greg Hallam
SECONDED BY: John Matheson

“**THAT**, the Fire Board approves the draft Municipal Asset Retirement obligations Policy as presented”.

ADOPTED

ii) **Wild Fire Prevention in Cottage Country.**

The group discussed the possible risks surrounding wildfires in the Fire Department's response area. The Fire Department has been actively trying to mitigate some of the risks through fire prevention messaging and activities and also requiring all residents who want to have an open-air fire to obtain a fire permit before they start a fire.

iii) **Surplus Pumpers.**

The Fire Chief recommended that the surplus pumper truck be sold on the online bidding platform Govdeals.

RESOLUTION # FB2024-16

MOVED BY: John Matheson

SECONDED BY: Marilyn Thomas

“**THAT**, the surplus pumper trucks be advertised on Govdeals.”

ADOPTED

iv) **Review of Emergency Response Calls.**

The Fire Chief provided an overview of the number of emergency response calls the Fire Department has received to date.

v) **2024 Firefighter Hours & Pay Update.**

The Fire Chief provided a cost update on the firefighter honorariums to date.

vi) **Billing Status – *attached, page 13.***

The Fire Chief provided an update on the number and type of invoices the Fire Department has sent out since the last meeting.

vii) **Financial Status Update – *attached, pages 14-23.***

The Fire Chief provided an update on the financial status of the Fire Department.

viii) **Deputy Fire Chief Update.**

TRAINING

- With the help of the new Training Captain for BBDE some of the last firefighters have been prepared to complete mandatory certifications. Testing is Saturday June 8, 2024 and after successful completion will be at 98.75% complete. That is 237 out of a possible 240 courses (60 Firefighters x 4 courses each).

- Training on the new BBDE pumper is almost complete and South Sherbrooke will be starting next Monday night.

PREVENTION

- McHappy Day was a great success and was very happy to be part of it.
- South Sherbrooke station was part of the Glen Tay Public School Fun Fair last week and BBDE Station will be attending similar events at North Elmsley and Drummond Center.
- Drummond Center School has also invited us to visit their Grade 1/2 to talk about "Firefighters are our Friends."
- Scheduled visits upcoming to Christie Lake Camp for Kids, Camp Davern, Wesleyan Camp for staff extinguisher training and a medical scenario night with the EFR from South Sherbrooke.
- This past Wednesday BBDE did a site visit to the Cornerstone Grains facility on Highway 511 and Drummond Concession 10A. Lots of great information obtained and will lead into a pre-incident planning document.

MISC

- Discuss the preparation of submitting proposal to Province to aid in the purchase of a new machine to wash air packs and masks. This is the next step in Cancer Prevention for our firefighters.
- Recruitment process started for the South Sherbrooke station.

ix) **Fire Chief Update.**

- Will be scheduling a time to meet with the new Captains to make sure they are adjusting to the new role. Each captain has a specific job they manage (training, equipment, rescue, PPE, etc.)
- Currently modifying some of the office space at BBD&E Station. The floor is being redone in the Deputy Fire Chief's office and a small Captains office was created upstairs for all the Captains to use
- Mandatory training was/is being completed by each firefighter on the new pumpers
- Calls to date for 2024 are above average. There have been quite a few car accidents this year
- Next week there is a presentation to Lanark County Council about the Rescue units. The Rescue committee is recommending that a third party be hired to review the Rescue Program
- Currently working on a committee for the Emergency Tiered Response Agreement
- This year, the Fire Department will be looking at recruiting 3 firefighters at each fire station.

7. **NEW/OTHER BUSINESS**

None.

8. IN-CAMERA

None.

9. NEXT MEETING DATE AND PROPOSED AGENDA ITEMS

Next Meeting: TBD.

10. DEFERRED ITEMS

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

- *None at this time.*

11. ADJOURNMENT

The Board adjourned at 7:40 p.m.

Minutes - Regular Board Meeting– April 15th, 2024

A regular meeting of the Perth and District Union Public Library Board was held on Monday, April 15th at 4:30pm, in person.

In attendance were:

E Heesen, **CEO**

T Langford, Tay Valley **Chair**

L Marsh, **Secretary-Treasurer**

P Coutts, Councillor, Drummond/North Elmsley

G Waterfield, Councillor, Town of Perth

L Logan, Drummond/North Elmsley

P Mertins, Town of Perth

T Parkinson, Drummond/North Elmsley

D Hamilton-Foley, Town of Perth

Regrets:

D Palmer, Tay Valley

A Kendrick, Councillor, Tay Valley

T Langford called the meeting to order 4:32 p.m.

Land/Territory Acknowledgement

Declaration of interest – none.

Additions and approval of agenda

24-18 The agenda was accepted with a motion from T Parkinson and seconded by D Hamilton-Foley.

Carried.

Delegations- K Mahon from KPMG LLP presented the 2023 Draft Audited Financial Statement and answered any questions from the Board.

Consent Agenda

- a. Approval of Minutes of March 18, 2024
- b. Correspondence and communications
 - i. News
 - ii. Designated Substance Review Report – CM3 (REVISED)
- c. Committee Reports
 - i. Policy Committee Minutes – April
- d. Statement of Operations

24-19 The Consent agenda was accepted with a motion by G Waterfield and seconded by D Hamilton-Foley.

Carried.

CEO's Report – E Heesen presented and discussed the April CEO report.

24-20 The CEO report was accepted with a motion by P Mertins and seconded by P Coutts. Carried.

Advocacy Round Table

OLS Governance Hub: [Creating Value by Linking to Municipal Priorities](#)

Policy Review

- a. 2.B-1 Board Code of Ethics
- b. 2.D-8 Workplace Violence and Harassment

24-21 Policies 2.B-1 and 2.D-8 were accepted as submitted with a motion by T Parkinson and seconded by P Coutts.

Carried.

Unfinished and New Business

- a. CEO performance appraisal committee – The appraisal for interim CEO J Hansen has been completed, the report has been finalized. All that remains is to present the feedback.
- b. 2023 Audited Financial Statement

24-22 Motion to approve the 2023 audited financial statement and allocate the 2023 operating surplus to the Contingency Fund. Moved L Logan and seconded by T Parkinson.

Carried.

- c. Friends Appreciation event – G Waterfield proposed an informal event to thank the Friends of the Library.

24-23 Motion to host an event with the Board and the Friends of the Library with a budget of up to \$100. Moved G Waterfield and seconded by D Hamilton-Foley.

Carried.

Action Item: G Waterfield to speak to the Friends new Chair about dates. E Heesen to set up a doodle poll to

Upcoming Meeting dates

- a. Policy Committee Monday April 8 at 4:00 pm
- b. Board meeting Monday April 15 at 4:30 pm
- c. Property Committee Monday May 13 at 5pm

24-17 Motion to adjourn moved by P Mertins at 4:57 pm.

Chairperson

Secretary-Treasurer

GREEN ENERGY AND CLIMATE CHANGE WORKING GROUP MINUTES

Friday, June 14th, 2024

2:00 p.m.

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

ATTENDANCE:

Members Present: Chair, Councillor, Greg Hallam
Councillor, Angela Pierman
Bob Argue
Jennifer Dickson
Douglas Barr

Members Absent: David Poch
Gilbert Rossignol

Staff Present: Noelle Reeve, Planner
Allison Playfair, Recording Secretary

1. CALL TO ORDER

The meeting was called to order at 2:05 p.m.
A quorum was present.

2. AMENDMENTS/APPROVAL OF AGENDA

The Agenda was approved as presented.

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 12th, 2024.**

The minutes of the Green Energy and Climate Change Working Group Meeting held on April 12th, 2024 were approved as circulated.

5. DELEGATIONS & PRESENTATIONS

None.

6. BUSINESS

i) **Climate Action Plan Update.**

- Update on Meeting with Public Works Manager about Municipal Office Retrofit Possibilities

B. Argue discussed his handout *attached page 5* to convert the Municipal Office at 217 Harper Road from natural gas to an air source heat pump with the potential for solar panels to supply the electricity for the heat pump.

B. Argue undertook a similar project for the Mississippi Mills Textile Museum which demonstrated the cost saving and greenhouse gas (GHG) reduction benefits for the museum.

B. Argue noted that a retrofit of the Township at 217 Harper Road building would reduce the GHG emissions for heating the building by 93% which would be a significant contribution to meeting the Township's greenhouse gas reduction targets.

B. Argue met with the Public Works Manager (PWM) and the Planner to discuss the proposal and the PWM recommended to have an engineer review the feasibility of the proposal through a grant from the Federation of Canadian Municipalities.

The Working Group recommends that Council direct staff to pursue funding for a feasibility study of the proposal for an energy efficient retrofit to:

- save the Township money on heating and cooling and maintenance costs;
- be proactive before some component fails;
- be prepared with a shovel ready project when funding is available;
- meet the targets of the Climate Action Plan;
- ensure continuation of operations during prolonged grid outages.
- Update on Blue Box Recommendation to Council

The Planner advised the Working Group that a report went to the Committee of the Whole on June 4th on the implementation options for the Township under *Ontario Regulation 391/21 Blue Box*, under the *Resource Recovery and Circular Economy Act, 2016*.

The Planner summarized the report to the Working Group. The Township will need to provide education for residents on the new process including what new materials are recyclable and what requirements there are to ensure contamination is kept to a minimum so the Township can achieve cost savings.

The Working Group would like an update on the expanded range of recyclables that waste sites will accept.

- Composting Education County Outreach Materials

The Planner reached out to Michelle Rabbetts on educational materials for composting they are working on. Because the Public Works Manager is at capacity with roads projects, the Planner asked the Working Group if they would be able to work on outreach to residents at waste sites about composting. Alternatively, for now the Township could add additional information on our website about how to compost.

Another option is to combine composting education outreach with the outreach that will be needed for the new blue box recycling information prior to the new program starting in January. Some of the remaining funding from the County could be used to hire a waste communications strategist.

ii) **Communications**

- Lanark County Climate Change Committee Update

The Planner advised the Working Group of the meeting that was held Thursday June 13, 2024 at the County on how Climate Change affects the Hazard Identification Risk Assessment. The County invited all the Community Emergency Management Coordinators (CEMC); all County senior management; Climate Network Lanark; and County Councillors.

The Committee created exercises based on four likely Climate Change scenarios for Lanark County: extreme heat event, ice storm, extreme weather (tornado/flooding), and wildfire/drought.

The Planner recommends that Tay Valley staff complete a similar exercise.

The County will seek public input on the risks associated with the scenarios as part of developing its Climate informed Hazard Identification & Risk Assessment (HIRA) and Adaptation Plan.

- Climate Network Lanark (CNL) Education Series

The Planner informed the Working Group that Climate Network Lanark is continuing to hold public education sessions throughout the summer and fall. The next session will be on Hot Water Heaters on June 20th at the Smiths Falls arena. In September there will be a session on heat pumps and one on how to increase the resilience of your home, including to wildfires.

7. NEW/OTHER BUSINESS

None.

8. NEXT MEETING DATE AND PROPOSED AGENDA ITEMS

Next Meeting: Friday, August 16th, 2024 at 2:00 p.m.

9. DEFERRED ITEMS

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

- *None at this time*

10. ADJOURNMENT

The Working Group adjourned at 3:01 p.m.

Municipal Clerks/Chief Administrative Officers,

Re: FOR DISTRIBUTION TO COUNCIL

As a member of the Authority, please find below highlights from the July 8, 2024 Board of Directors meeting for distribution. Attached are draft minutes of the meeting, and approved minutes of the May 13, 2024 Board of Directors Meeting.

Employee Presentation: Enforcement Activity Update

Staff presented an update of MVCA's Enforcement Activity from May 2023 to present. Staff reviewed recent changes to the *Conservation Authorities Act* in regards to enforcement and offences, and reviewed typical violations, charges and convictions.

GM Update

- S. McIntyre was asked to comment on recent intervention by the province on the proposed wetland policy and mapping updates by the Rideau Valley, South Nation and Raisin River conservation authorities.
- Staff presented at the Kashwakamak Lake Association Annual General Meeting regarding the Kashwakamak Lake Dam Environmental Assessment.
- MVCA is still waiting on notification regarding WECl funding for several projects. Staff recently responded to questions from WECl regarding Year-2 projects.
- The province did not address concerns in raised by Conservation Ontario regarding Bill 185 and Ministerial powers to override CA Board decisions.

Appointment to Public Advisory Committee

The Board approved Bruce Moore's application to the Mississippi River Watershed Plan Public Advisory Committee (PAC).

Carp River Floodplain Mapping

The Board approved the Carp River Floodplain Mapping Update report and associated GIS-based Regulation Limit lines and floodplain maps as the delineation of areas along the Carp River that are susceptible to flooding during the Regional flood standard as defined the 1:100-year event set out in Ontario Regulation 41/24.

Land Conservation Strategy

The Board approved release of the *Discussion Paper and Current State Report* for public consultation, and the consultation plan. A virtual public information session was held Tuesday, July 16th that provided background information, addressed questions, and received feedback on the survey questions. A video recording, the presentation consultation documents and an on-line survey can be found at: [Land Conservation & Resource Strategy – Mississippi Valley Conservation Authority \(mvc.on.ca\)](https://www.mvc.on.ca/land-conservation-strategy). **The deadline for comments from municipalities and the**

general public are requested by September 6, 2024. The strategy is to be drafted this fall, and go to MVCA's Board for final approval in December.

ATTACHMENTS

- Draft minutes of the July 8, 2024 Board of Directors Meeting.
- Approved Minutes of the May 13, 2024 Board of Directors Annual General Meeting.



MINUTES

Hybrid Meeting Via Zoom
and at MVCA Office

Board of Directors Meeting

July 8, 2024

MEMBERS PRESENT

Paul Kehoe, Chair
Jeff Atkinson, Vice Chair
Allan Hubley
Bev Holmes
Cathy Curry (Virtual – 1:16 p.m.)
Clarke Kelly (Virtual)
Dena Comley
Glen Gower (Virtual)
Helen Yanch (Virtual)
Janet Mason
Mary Lou Souter
Richard Kidd
Roy Huetl
Steven Lewis
Taylor Popkie (Virtual)

MEMBERS ABSENT

Allison Vereyken
Cindy Kelsey

STAFF PRESENT

Sally McIntyre, General Manager
Will Ernewein, Regulations Officer
Juraj Cunderlik, Director of Engineering
Scott Lawryk, Properties Manager
Alex Broadbent, Manager of IC&T
Matt Craig, Manager of Planning & Regulations
Stacy Millard, Treasurer
Mercedes Liedtke (Virtual)
Krista Simpson (Virtual)
Kelly Hollington, Recording Secretary

GUESTS

Faith Blacquiere

P. Kehoe called the meeting to order at 1:01 p.m.

Declarations of Interest (Written)

Members were asked to declare any conflicts of interest and informed that they may declare a conflict at any time during the session. Declarations of Interest were declared by J. Atkinson and D. Comley in regard to in-camera item 8. J. Atkinson and D. Comley are councillors for the Town of Carleton Place; item 8 speaks to negotiations involving the Town of Carleton Place.

Agenda Review

P. Kehoe noted that there were no additions to the agenda.

BOD24/07/08 - 1

MOVED BY: D. Comley

SECONDED BY: M. Souter

Resolved, that the agenda for the July 8, 2024 Board of Directors Meeting be adopted as presented.

“CARRIED”

MAIN BUSINESS

1. a. Approval of Minutes: Board of Directors Meeting, May 13, 2024

P. Kehoe noted that there were no additions or amendments to the meeting minutes from May 13, 2024.

BOD24/07/08 - 2

MOVED BY: R. Huetl

SECONDED BY: J. Atkinson

Resolved, that the minutes of the Board of Directors Meeting held on May 13, 2024, be received and approved as printed.

“CARRIED”

- b. Receipt of Draft Minutes: Policy & Planning Advisory Committee Meeting, June 19, 2024.

P. Kehoe noted that the Policy & Planning Advisory Committee Meeting Minutes are for information.

2. Employee Presentation: Enforcement Activity Update (Will Ernewein)

W. Ernewein presented an update of MVCA’s Enforcement Activity. He highlighted recent changes to the Conservation Authorities Act in regards to enforcement and offences and overviewed the period May 2023 to May 2024 in more detail noting that enforcement staff

mainly dealt with unauthorized development in floodplain areas and wetlands. He described the two resolution methods MVCA uses: retroactive permits and remediation agreements, and highlighted staff's objective of working with defendants/property owners to achieve voluntary compliance, noting that of the 205 permits issued in 2023, there were only 18 major violations and 3 charges laid. He overviewed challenges that the MVCA regulations department has faced including communications around regulatory changes, and the large and diverse nature of MVCA's jurisdiction.

P. Kehoe asked for the average cost of an MVCA permit. W. Ernewein responded that it depends on the type and scope of work. There is a range depending on factors such as amount of fill being placed. He noted that in the case of a violation, fees are doubled. P. Kehoe commented that Drummond North Elmsley has employed the same type of fee structure and that it seems to have helped to improve permit compliance when permit fees are doubled in the case of a violation. P. Kehoe expressed his thanks to W. Ernewein for a concise presentation.

G. Gower asked if MVCA compares itself to other Conservation Authorities (CAs), while acknowledging that each watershed is different; and whether MVCA has more or less violations and enforcement activities compared to other CAs. W. Ernewein responded that in his experience and in talking with other regulations staff that the past year has been relatively heavy in enforcement. He explained a contributing factor was staff turnover and a backlog of outstanding violations that required catch-up to address. He could not comment on how MVCA volumes compared to other CAs.

G. Gower commented that it would be difficult to compare to other CAs, and noted that MVCA would be best to compare its own year-over-year trends. He noted that the MVCA website has valuable information regarding regulations and is a good source for municipalities to gain and understanding of who to contact for various concerns. W. Ernewein noted that when concerns arise that don't fit within MVCA's mandate, staff use the opportunity for public education.

P. Kehoe asked M. Craig if he has any additional information regarding the provincial legislative changes. M. Craig explained that conservation authority staff in Eastern Ontario meet annually to discuss enforcement files, and that MVCA is on-par with the other CAs with an average of 2-5 charges a year and roughly 100 inquiries. He noted that the number of violations varies. He agreed that these types of statistics can be tracked annually for a year-to-year analysis.

3. GM Update, Report 3428/24 (Sally McIntyre)

P. Kehoe asked S. McIntyre to comment on the CBC report regarding Ontario's Minister of Natural Resources intervening in the implementation of Rideau Valley, South Nation and Raisin River Conservation Authorities wetland policy and mapping updates by putting them on hold. S. McIntyre explained that in 2017 MVCA implemented comparable policies governing non-

provincially significant wetlands because of the hydrologic role they play in the watershed. The *Conservation Authorities Act* directs CAs to implement these policies, and noted that it was a challenging process for MVCA in 2017. RVCA, SNCA and RRCA are the last CAs in the province to implement these policies. The CAs were prompted to implement these policies in part due to the provincial regulatory changes that came into effect on April 1st. She explained that she cannot comment on the approach or methodology used in the implementation of their policies. She explained that she does not have any further insight into whether the hold by the Province will be permanent. She added that these types of policies have been in effect in all other CAs in the province for many years.

P. Kehoe explained that some of the municipalities on the Board share jurisdictions with more than one CA. When CAs have differing policies, it can cause confusion for municipal planning staff.

S. McIntyre presented the GM Update. She highlighted progress on the Kashwakamak Lake Dam EA and noted that MVCA staff will be attending and presenting at the upcoming Kashwakamak Lake Association Annual General Meeting. She said that MVCA is still waiting to hear about potential award of WECl funding and that J. Cunderlik had responded to questions from WECl regarding Year-2 projects. She noted that changes implemented under Bill 185 do not appear to have addressed concerns raised by Conservation Ontario. For example, there remain concerns regarding ministerial powers to override certain CA Board decisions. She also noted a funding opportunity for tree planting projects for municipalities.

R. Kidd asked if the ALUS program is advertised. S. McIntyre confirmed that MVCA advertises the ALUS program, promotes it on social media, and that a communications plan was developed for all stewardship programs. M. Craig added that ALUS programs are forwarded to all the member municipalities and to the Ontario Federation of Agriculture. ALUS staff also participate in local farm shows and agricultural fairs. M. Craig will confirm OFA circulation with R. Kidd. S. McIntyre added that MVCA is in partnership with other programs including the Rural Clean Water Program. She added that the ALUS program is fully subscribed for 2024. R. Kidd commented that ALUS programs are farm focused and that confirmation of OFA circulation is appreciated. He added that ALUS programs should be promoted through OFA.

4. Appointment to Public Advisory Committee, Report 3429/24 (Sally McIntyre)

P. Kehoe noted the qualifications set out in Bruce Moore's application to sit on the Mississippi River Watershed Plan Public Advisory committee.

BOD24/07/08 - 3

MOVED BY: R. Huetl

SECONDED BY: M. Souter

Resolved, That the Board of Directors appoint Bruce Moore to the Mississippi River Watershed Plan Public Advisory Committee.

“CARRIED”

5. Carp River Floodplain Mapping, Report 3430/24 (Juraj Cunderlik)

P. Kehoe noted that a submission received from Faith Blacquiere had been circulated to Board members, and that she was in attendance.

J. Cunderlik explained that regulatory hazard mapping was existing was prepared in 1983 and required updating. He highlighted the major development changes to the area since 1983 and how changes affect the hydrological response of the watershed. He noted that slope hazard was not previously mapped and that both flood and erosion hazards were mapped in the update. He overviewed the floodplain mapping methodology and highlighted that the project underwent a technical review process by a qualified third-party Engineering team from Stantec. He reviewed the data collected and used and noted that MVCA surveyed the entire river channel including the Carp River Restoration Area.

J. Cunderlik went on to provide a comprehensive presentation that addressed the modeling carried out, a comparison of 1:100 to 1:350-year event flood elevations, the creation of 47 map sheets using Drape 2019 imagery, and changes between old and new flood lines and elevations. He stated that 637 properties and infrastructure are affected by the mapping, with 29 newly affected properties since 1983 and 266 properties that are no longer affected. He also overviewed the public consultation process and noted major concern received regarding development in the upper watershed creating flooding in the lower watershed.

J. Cunderlik stated that maximum/peak flows are decreasing. He noted that the vast majority of flooding events are in the spring, which is related to snow melt during the spring freshet. He noted that there is a higher frequency in high flow events, due to factors such as climate change and urbanization. He noted that there is no evidence that flooding events are becoming more severe within the watershed, but may be more frequent.

J. Cunderlik stated that several fill projects that yet to be completed were accounted for within the modeling and study. He noted that the Glen Cairn flood control facility is the only flood control facility within the Carp River watershed.

A. Hubley asked if the storage capacity of the Glen Cairn flood control facility was measured after recent dredging and installation of a pump. J. Cunderlik responded that the pump was installed in a wet-pond up-stream of the Glen Cairn facility. He stated that the Glen Cairn facility is a dry-pond facility. The Glen Cairn facility was dredged roughly 10 years ago and needs more dredging to remove sediment.

A. Hubley asked if the pump works as a back-up should there be high levels of rainfall. J. Cunderlik confirmed. A. Hubley asked if stormwater management facilities were considered in the study. J. Cunderlik responded that the Glen Cairn flood control facility is the only facility that was considered as the provincial process does not consider stormwater facilities when completing floodplain mapping. He noted that stormwater management facilities are not regularly monitored for information or maintained.

A. Hubley asked if MVCA is accounting for water coming from the Fernbank development. J. Cunderlik responded that the City of Ottawa provided sewershed information that reflects artificial water transfers between the two watersheds.

G. Gower commented that J. Cunderlik did a good job addressing the questions and issues raised in the guest submission regarding the project. He asked how the City of Ottawa is involved in providing input and comments in the late stages of the project. J. Cunderlik responded that MVCA and the City of Ottawa have a floodplain mapping project agreement and that the City was involved in every stage of the process. The City of Ottawa supported 50% of the project cost and provided the LiDAR data. MVCA staff reviewed draft results with City staff in the planning and engineering departments.

G. Gower asked if there is any concern or any potential mitigations that might be needed based on the new floodplain mapping, and if there are any impacts on infrastructure, development underway or land designated for future development. J. Cunderlik responded that a few areas have higher flood elevations than the 1983 elevations. One area is upstream of the Campeau bridge built recently. MVCA consulted with the City regarding the existing infrastructure in the area to ensure mitigation of any concerns with infrastructure already in place. S. McIntyre added that MVCA staff identified and reviewed changes in floodlines with City staff. City staff were satisfied with MVCA's analysis and engagement with affected landowners.

C. Curry commented that consultation with City staff was highly appreciated and attended. She expressed the concerns of her community regarding a recent drowning at the Carp River Conservation Area, and asked if MVCA would be involved in site changes such as signage or a memorial tree planting. She asked if MVCA would require consultation prior to these activities and for the scope of MVCA's involvement and level of responsibility. S. McIntyre responded that MVCA's license of occupancy at CRCA allows naming rights, signage related to natural environment and flood mitigation, educational tours without the necessity of a permit, and for habitat enhancements. MVCA does not have day-to-day operations and maintenance responsibilities at that site, and the signage would be the purview of the City of Ottawa. MVCA would appreciate being informed of any safety improvements at the site and would not object to future works unless it has implications on the functioning of the facility. Any constructed works within the floodplain need to come to MVCA for approval if they fall within jurisdiction. C. Curry commented that if any future works are planned that she will consult with S. McIntyre.

J. Mason commented that there is a public perception that the Carp River is flooding more often and staying flooded. She commented that there needs to be education provided to the public regarding the mechanics of the Carp River including what may be causing more frequent flooding. She noted that the Carp River is complex. She expressed the frustration and disappointment of the community. She suggested that MVCA and City of Ottawa Councillors collaborate on education for the general public. She added that an information sheet regarding the Carp River and the restoration project would be useful as a tool for public education. She noted the negative public perception of the Carp River Restoration Project. P. Kehoe commented that S. McIntyre can address this in consultation with J. Mason and the City of Ottawa Councillors on the Board.

P. Kehoe asked if any members have questions regarding the guest submission from F. Blacquiere. He noted no questions were asked. P. Kehoe thanked F. Blacquiere for her submission and participation in the meeting.

BOD24/07/08 - 4

MOVED BY: J. Atkinson

SECONDED BY: G. Gower

Resolved, That the Board of Directors:

- a) **Adopt the report *Carp River Floodplain Mapping Update*, dated June 2024, and the associated GIS-based Regulation Limit and floodplain maps as the delineation of areas along the Carp River that are susceptible to flooding during the Regional flood standard as defined in Schedule 1 of Ontario Regulation 41/24, and**
- b) **Direct that the report, maps and Regulation Limit be used in the implementation of Ontario Regulation 41/24**

“CARRIED”

6. **Land Conservation Strategy – Current State, Report 3426/24, (Sally McIntyre)**

S. McIntyre stated that this project is designed to deliver on two of the six mandatory strategies required by end of 2024 as per Ontario Regulation 686/21: the Conservation Area Strategy and the Watershed-based Resource Management Strategy. She stated that completion of MVCA’s inventory of land set the stage to determine policy regarding those properties and the acquisition and disposal of property generally.

S. McIntyre reviewed the questions posed in the *Discussion Paper*. She noted that MVCA does not have a reserve fund for the acquisition of land and that policy is needed that would allow MVCA to consider the possibility of accepting land donations for the purpose of conservation or preservation.

S. McIntyre commented that MVCA does not have an active role in managing portage routes, but has done so historically and still receives calls regarding them. She stated that there is a need to contemplate how MVCA can help meet demand from a growing population in a manner that respects and protects natural heritage values of properties. She stated that several players operate in the land conservation and recreational sphere and that future requirements can be met by working in partnership with a variety of organizations.

She highlighted the questions regarding management of the Mill of Kintail Museum and its collection. She noted that other museums within MVCA jurisdiction are largely governed by not-for-profit, community-based organizations that may or may not have municipal funding. She stated that MVCA's governance is unique within the watershed, and museum operations is not a Category 1 service under the new regulation. Consideration is needed regarding the expiration of the 5-year contract signed by the municipalities for long-term management of the museum and its collection.

S. McIntyre reviewed MVCA's dams and their functions and questions posed in the Discussion Paper. She noted that Bennett Lake Dam and Farm Lake Dam were built and are operated to maintain recreational water levels and provide only local benefits—they do not provide habitat value or flood relief. She suggested that alternative cost-recovery methods should be considered for these facilities as is done by other CAs.

She summarized the proposed public consultation process and noted that briefings have been held with most member municipalities as well as with the Lanark and Frontenac counties. A virtual public information session is planned for July. Draft policy is planned to be tabled with the Board in October and finalized policy document to be tabled in December.

P. Kehoe commented that the Land Conservation Strategy is a highly consequential document that warrants a high level of consideration by the Board.

C. Curry commented that the annual report from Ottawa Hydro has valuable information regarding hydro electric power needs. She added that she feels there is a great need for hydro electric power and recommends that MVCA permit hydro development at dams where feasible and cost effective. She asked if Hydro Ottawa has been contacted as a key stakeholder in the project. S. McIntyre responded that Hydro Ottawa will be added to the list for consultation.

R. Kidd commented that there is no cost analysis accompanying the documents provided. He expressed concern in regards to expanding and adding programs and services. He noted the pending sale of the K&P Trail due to management difficulties. He expressed concerns regarding the cost implications associated with more land. S. McIntyre responded that the next stage of the project will include cost analysis. She noted that the K&P Trail is a large and linear asset that is costly and difficult to manage compared to a relatively small conservation area with limited use and costs. The counties have expressed interest in taking over the K&P trail and are

in a better position to manage and maintain it. The regulation asks to consider who is best positioned to deliver certain type of system or service. She highlighted that MVCA is best positioned toward managing parklands that are not linear in nature.

J. Mason commented that public consultation in the late summer is poor timing. She expressed concerns regarding the timing and public perception. She asked if MVCA will be consulting the general public on this project. S. McIntyre confirmed that is the case.

R. Kidd expressed concerns regarding funding for more Conservation Areas. He noted the difficulty in funding dam maintenance. P. Kehoe agreed that a cost-benefit analysis is needed in the next stages of the project. S. McIntyre added that any policy direction on this matter would factor into annual needs assessment and prioritized year-over-year. Nothing would happen immediately—it would be the beginning of a process that could take years to implement.

BOD24/07/08 - 5

MOVED BY: B. Holmes

SECONDED BY: D. Comley

Resolved, That the Board of Directors approve release of the attached documents for public consultation in accordance with the Consultation Plan for development of a Land Conservation Strategy as set out in this report.

“CARRIED”

Items 7 and Item 8 were considered in-camera.

7. K&P Trail Update, Report 3431/24, (Scott Lawryk)

8. Water & Sewer Update, Report 3432/24 (Scott Lawryk)

BOD24/07/08 - 6

MOVED BY: J. Atkinson

SECONDED BY: T. Popkie

Resolved, That:

The committee move to in-camera session for discussion of the following matter:

- **A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried by or on behalf of the Authority.**

And further resolved that:

- **Sally McIntyre, Scott Lawryk and Kelly Hollington remain in the room.**

"CARRIED"

BOD24/07/08 - 7

MOVED BY: J. Mason

SECONDED BY: R. Huetl

Resolved, That the Board move out of in-camera discussions

"CARRIED"

P. Kehoe noted that a closed meeting was held, the items considered concerned a position to be applied to negotiations carried on by or on behalf of the Board and that there was nothing further to report.

ADJOURNMENT

BOD24/07/08 - 8

MOVED BY: M. Souter

SECONDED BY: R. Kidd

Resolved, That the Board of Directors meeting be adjourned.

"CARRIED"

The meeting adjourned at time 2:51 p.m.

K. Hollington, Recording Secretary

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

Hybrid meeting held in-person and electronically

APPROVED MINUTES

Board of Directors **5/24** **Thursday, May 23, 2024**

Present:	Jeff Banks David Brown Brian Dowdall Trevor Johnson Anne Robinson Adam Turcotte Adrian Wynands	Anne Barr Barry Card Susan Irwin Angela Pierman Kristin Strackerjan Gary Waterfield
Regrets:	Sean Devine Mel Foster Wilson Lo	Steve Fournier Theresa Kavanagh Shawn Pankow
Staff:	Sommer Casgrain-Robertson Kathy Dallaire Diane Downey Eric Lalande	Dan Cooper Terry Davidson Marissa Grondin Glen McDonald
Guests:	None	

Chair Strackerjan called the meeting to order at 6:30 p.m.

1.0 Roll Call

General Manager/Secretary-Treasurer conducted a roll call.

2.0 Land Acknowledgement Statement

Chair Strackerjan gave the Land Acknowledgement statement.

3.0 Agenda Review

Chair Strackerjan reviewed the Agenda.

4.0 Adoption of Agenda

Resolution 1-240523

Moved by: Brian Dowdall
Seconded by: Adrian Wynands

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

Resolution Carried

5.0 Declaration of Interest

There were no declarations of interest.

6.0 Approval of Minutes of April 25, 2024

Resolution 2-240523

Moved by: Gary Waterfield
Seconded by: Susan Irwin

THAT the Board of Directors of the Rideau Valley Conservation Authority approves the Minutes of the Board of Directors Meeting #04/24, April 25, 2024 as circulated.

Resolution Carried

7.0 Business Arising from the Minutes

There was no business arising.

8.0 Financial Management Software

Kathy Dallaire, Manager of Finance, sought approval to purchase budget and reporting software to meet RVCA's evolving operational needs and ensure efficient and effective financial management.

A member indicated that they were impressed with the thorough and systematic approach taken by staff in selecting a preferred software. They also inquired if the cost would be covered by RVCA's current operations budget, which Ms. Dallaire confirmed it would be.

A member also asked how many years True Sky had been operating. Ms. Dallaire indicated that she would need to confirm and could report back to the board.

In response to a question, Ms. Dallaire also confirmed that after the initial three-year agreement, there would be ongoing licensing costs for the software, but staff anticipated that increases would be minimal.

Resolution 3-240523

Moved by: Anne Robinson
Seconded by: Anne Barr

THAT the Board of Directors of the Rideau Valley Conservation Authority approves True Sky to provide and implement a corporate management system software at a total cost of \$84,794 which is broken down into \$48,794 for software and \$36,000 for software maintenance costs for three years.

Resolution Carried

9.0 Development Activity Policies and Procedures

Sommer Casgrain-Robertson, General Manager, provided an overview of legislative changes, the process RVCA followed to update its *Development Activities Policies and Procedures* and next steps. She also thanked staff who were involved in drafting the policies, in particular, Eric Lalande, Senior Planner who led the initiative. Glen McDonald, Director of Science and Planning, then summarized key changes between the proposed policies and RVCA's current development policies.

In response to a question, Mr. McDonald explained that the RVCA will only comment on development within 30 metres of a watercourse where there is a natural hazard concern as conservation authorities can no longer address ecological concerns like water quality. This responsibility has now shifted solely to municipalities. Mr. McDonald also confirmed that the RVCA generally permits fill for a septic system within the 30-metre setback if no other area is available and natural hazard policies can be met.

In response to a question about safe access, Mr. McDonald explained that under the new proposed policies, safe access is determined based on the elevation of a road as well as the velocity of flood waters. On a private road, it would be the owner's responsibility to provide elevation data to determine safe access and they would have to apply for a permit from the RVCA if they wanted to raise the road. On a municipal road, the RVCA and municipality would work together to address the issue.

Ms. Casgrain-Robertson responded to a question by acknowledging that usually the RVCA would avoid consultation with agricultural communities in the spring and early summer, but that this policy update was precipitated by the legislative changes in February. Ms. Casgrain-Robertson added that preliminary consultation has already begun with local representatives of the Ontario Federation of Agriculture (OFA).

The member also asked if a summary of comments received will be provided to the Board. Ms. Casgrain-Robertson confirmed that a summary of comments will be prepared for the board and it will indicate how they were addressed or resolved by staff.

In response to a member, Ms. Casgrain-Robertson indicated that details regarding the Municipal Information Session on June 7, 2024 will be circulated shortly. She confirmed the session will be held at the Perth Civitan Hall from 9 am to 12:30 pm and that staff are currently finalizing an agenda. Both staff and elected officials are invited to attend.

Resolution 4-240523

Moved by: Adrian Wynands
Seconded by: Gary Waterfield

THAT the Board of Directors of the Rideau Valley Conservation Authority receives the attached draft *Development Activity Policies and Procedures* document and directs staff to undertake public consultation.

Resolution Carried

10.0 Updated Wetland Mapping

Ms. Casgrain-Robertson provided a summary of legislative changes, the current regulation of wetlands by RVCA, SNC and RRCA, new proposed mapping and a joint consultation process to be undertaken by all three conservation authorities. Mr. McDonald then summarized the policies that would apply in wetlands and within 30 metres of a wetland.

In response to a member, Ms. Casgrain-Robertson indicated that the regulation does not set a minimum size for wetlands.

The member then asked about specific lots of record in his municipality and if they could be built on, Ms. Casgrain-Robertson indicated that it would depend on whether any other natural hazard concerns were present like flooding or erosion.

The member then asked how lawyers know about changes in regulated areas. Mr. McDonald responded that lawyers will be informed in response to the standard clearance letters they request for property transactions. Also, when new regulation mapping is released, the RVCA informs local Real Estate Boards.

In response to a member who had concerns about staff resources, Ms. Casgrain-Robertson indicated that the proposed change in regulated wetlands is not expected to lead to a noticeable increase in permits as these

lands are generally not well suited for development but that workloads would be monitored.

A member noted that the term "marine facility" when used by municipalities includes boat storage on land. Mr. McDonald responded that staff would review the term to try and avoid confusion and that other sections of the policy address accessory structures such as boat houses.

Resolution 5-240325

Moved by:

Anne Robinson

Seconded by:

Trevor Johnson

THAT the Board of Directors of the Rideau Valley Conservation Authority receives this report and directs staff to undertake public consultation on draft wetland mapping.

Resolution Carried

11.0 Activity Report: March & April

Ms. Casgrain-Robertson provided a summary of program and event highlights from March and April 2024.

12.0 Meetings

- a) Summer Student Orientation – April 29, 2024
- b) Climate Network Lanark Natural Heritage Systems Workshop – May 8, 2024
 - Gary Waterfield noted that he attended the session and thought it was excellent
- c) RVCF Governance Committee Meeting – May 14, 2024
- d) RVCF Finance Committee Meeting – May 23, 2024

Upcoming

- e) Eastern Ontario Regional Housing Summit – May 28, 2024
 - Chair Strackerjan noted that she will be in attendance.
- f) Municipal Information Session – moved to June 7, 2024
 - Members were encouraged to attend with municipal staff and fellow members of council.
- g) RVCF AGM and Board Meeting – June 12, 2024
- h) RVCA Watershed Tour – June 21, 2024
 - Members were encouraged to attend with municipal staff and fellow members of council.
- i) CO Council Meeting – June 24, 2024
- j) Provincial GMs Meeting – June 25-26, 2024
- k) Next Board Meeting – July 25, 2025 (no meeting in June)

13.0 Member Inquiries

None.

14.0 New Business

Ms. Casgrain-Robertson informed members that:

- Cataraqui Conservation appointed David Ellingwood, former Director of Water Resources and Deputy CAO of North Bay-Mattawa Conservation Authority as their new General Manager; and
- Raisin Region Conservation Authority appointed Alison McDonald, former Managing Director of Approvals at South Nation Conservation as their new General Manager.

15.0 Adjournment

The Chair adjourned the meeting at 7:40 p.m. on a resolution by Trevor Johnson which was seconded by Anne Barr.

Kristin Strackerjan
Chair

Marissa Grondin
Recording Secretary

Sommer Casgrain-Robertson
General Manager/Secretary-Treasurer

Dear member municipalities,

The RVCA circulates the following email to all municipal CAOs, clerks and other interested staff after each Board meeting. The email provides:

- A link to approved minutes for our past month's meeting
- A summary of our current month's Board meeting
- The date of our next Board meeting

If you would like additional people in your office to receive this email directly, please let me know.

May 23, 2024 – Approved Minutes

- The purchase of budgeting and financial reporting software was approved
- Draft *Development Activity Policies and Procedures* were received and staff were directed to proceed with public consultation
- Updated wetland mapping was received and staff were directed to proceed with public consultation.
- Members received a summary of program delivery, operation and event highlights for March and April.

June 21, 2024 – Watershed Tour

- Thank you to all municipal staff and council members who attended our watershed tour at Baxter Conservation Area

July 25, 2024 – Meeting Summary

- A letter from the Ministry of Natural Resources was provided to the Board and staff indicated that the Ministry has directed the RVCA not to proceed with updates to its wetland mapping and policies.
- Aquafor Beech Limited was approved to complete floodplain and erosion hazard mapping on Faulkner Drain and Sawmill Creek in the City of Ottawa.
- Financial reports for the period ending May 31, 2024, were received.
- Replacement of three multi-function printers was approved
- Members received a summary of program delivery, operation and event highlights for May and June.

Next Meeting

- September 26, 2024 (there is no meeting in August)

Marissa

Marissa Grondin (she/her)
Executive Assistant
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