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MINUTES

SEP 29 2014

Township of Puslinch

Board of Directors Meeting

September 4, 2014

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I.G.# /

Minutes of the Board of Directors meeting held on Thursday, September 4, 2014 at Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario at 7:00 p.m.

PRESENT: Brian McHattie, in the Chair
Dan Bowman
Robert Pasuta
Brad Whitcombe

Santina Moccio
Maria Topalovic

Richard MacDonald, Foundation Chair

PHONE: James Howlett

REGRETS: Chad Collins, Tom Jackson, Brenda Johnson, Duke O'Sullivan

STAFF PRESENT: Sandy Bell, Rondalyn Brown, Lisa Burnside, Grace Correia, Gord Costie, Chris Firth-Eagland, Bruce Harschnitz, Darren Kenny, Judy Love, Don McConnell, Neil McDougall, Scott Peck, John Williams, and Rick Woodworth – HCA Staff

OTHERS: Richard Leitner – Media

1. CALL TO ORDER

The Chair called the meeting to order and welcomed everyone present.

2. DECLARATIONS OF CONFLICT OF INTEREST

The Chair asked members to declare any conflicts under the Board's Governance Policy. There were none.

3. APPROVAL OF AGENDA

The Chair requested any additions or deletions to the agenda. The Chair indicated that there is one delegation under 4.1; the member briefing under 5.1 will be tabled and brought forward to the October Board of Directors meeting; under New Business – 12.3 – this report will be presented after the delegation.

BD12,2009

MOVED BY: Robert Pasuta
SECONDED BY: Maria Topalovic

THAT the agenda be approved as amended.

CARRIED

4. DELEGATIONS

4.1 Hermitage Ruins – Restoration Project

Councillor Lloyd Ferguson introduced Bob Wilkins and Matt Kuhlmann. Councillor Ferguson indicated the Hermitage Ruins is a heritage property designated under the Ontario Heritage Act and the ruins are in a state of collapse. HCA staff has requested a Heritage permit for removal of portions of the ruins which was denied by the Committee. Councillor Ferguson indicated that staff would prefer to keep the existing structure but lack sufficient funds to complete the work. The Heritage Permit application was referred to Councillor Ferguson to try to find a solution to salvage the existing structure. Councillor Ferguson contacted Bob Wilkins who is very passionate about heritage.

Bob Wilkins provided a brief presentation on the restoration project and indicated that Matt Kuhlmann is a stone mason who provided a quote on the project. Their proposal includes mapping all cut stone on the 3 main walls and label and remove one stone at a time. They would reconstruct the walls one stone at a time using heritage mortar for all joints. The reconstruction would include a new concrete foundation and internal supporting steel skeleton.

It was agreed to establish a funding relationship between the HCA, the City of Hamilton, and private donors with \$200K from the HCA, \$200K from the City of Hamilton, and the balance of funds required to complete the project come from the community. Bob indicated that he has already raised \$75,000 towards this project.

Board members are happy that the Hermitage is being restored. Staff still need to reapply for a permit to the Heritage Committee and complete the fundraising for the project.

BD12,2010**MOVED BY: Santina Moccio
SECONDED BY: Maria Topalovic****THAT the Board of Directors approves the following recommendations:****THAT the Board of Directors resolution of April 3, 2014, BD12,1969 approving "Concept 7" at an estimated cost of \$144,000 to \$194,000 as the preferred option for restoring the hermitage ruins be rescinded; and****THAT the proposal by Rock Solid attached as Schedule 'A' be approved as the preferred option for the restoration of the Hermitage Ruins; and****THAT staff be directed to pursue the required permits to implement the restoration works detailed in Schedule 'A'; and****THAT staff be directed to include the necessary funds in the HCA 2015 Capital Budget Program of \$130,000 to bring the total HCA funding contribution for restoration of the Hermitage Ruins to \$200,000; and****THAT staff be directed to enter into contribution agreements and any other agreements with the City of Hamilton and the Hamilton Conservation Foundation to establish a funding relationship between the HCA, the City of Hamilton, and private donors with \$200K from the HCA, \$200K from the City, and the balance from donations; and further****THAT staff be directed to enter into detailed discussions with Rock Solid to finalize the scope of work and cost estimates, for the proposed works in Schedule 'A' and report back through the Budget & Administration Committee to the Board of Directors for the consideration of contractual arrangements.****CARRIED**

5. MEMBER BRIEFING**5.1 2014 Capital Budget Progress Report**

The member briefing in regards to the 2014 Capital Budget Progress has been tabled and will be brought forward to the October Board of Directors meeting.

6. APPLICATIONS - DEVELOPMENT, INTERFERENCE WITH WETLANDS, AND ALTERATIONS TO SHORELINES AND WATERCOURSES

(Copies of the supporting staff report are available from the Authority's Administration Office)

Darren Kenny presented the report and answered Board member's questions.

BD12,2011

MOVED BY: Santina Moccio

SECONDED BY: Robert Pasuta

THAT the Board of Directors receive the Summary Enforcement Report SER – 7/14.

CARRIED

7. MINUTES OF PREVIOUS MEETING (July 3, 2014)

BD12,2012

MOVED BY: Santina Moccio

SECONDED BY: Dan Bowman

THAT the Board of Directors approve the following recommendation:

THAT the minutes of the Board of Directors meeting held on July 3, 2014 be approved.

CARRIED

8. BUSINESS ARISING FROM THE MINUTES

There was none.

9. PRE-DISTRIBUTED CORRESPONDENCE

The following correspondence was received:

9.1 Thank You Letter from Hamilton Community Foundation

BD12,2013

**MOVED BY Brad Whitcombe
SECONDED BY Maria Topalovic**

THAT the pre-distributed correspondence be received.

CARRIED

10. OTHER CORRESPONDENCE

There was none.

11. REPORTS

11.1 Budget & Administration Committee (Minutes – July 17, 2014)

Santina Moccio presented the minutes of the Budget & Administration Committee meeting held on July 17, 2014.

Resolution Number from Budget & Administration Committee Minutes – BA1421
– 6 Month Financial Results

BD12,2014

**MOVED BY: Santina Moccio
SECONDED BY: Brad Whitcombe**

**THAT the Board of Directors approve the following
recommendations:**

THAT the 6 month financial results be received.

CARRIED

Resolution Number from Budget & Administration Committee Minutes – BA1422
– Vendor Listing

BD12,2015

**MOVED BY: Santina Moccio
SECONDED BY: Brad Whitcombe**

**THAT the Board of Directors approve the following
recommendations:**

THAT the Vendor Listing report be received.

CARRIED

Resolution Number from Budget & Administration Committee Minutes – BA1423
– Governance Review

BD12,2016

MOVED BY: Santina Moccio
SECONDED BY: Brad Whitcombe

THAT the Board of Directors approve the following recommendations:

- 1. Amend Section 17.6 (“Voting by Telephonic or Electronic Means”) of the Administrative Regulations and Governance Policies, as noted in this report to clarify rules and proceedings regarding voting by telephone and email and requirement of Board to vote at next meeting to ratify any vote that was not unanimous**
- 2. Direct staff to consider, and report back to the Budget & Administration Committee regarding, recommendations generated by Conservation Ontario on steps that may be required for Conservation Authorities to comply with the Ontario *Not-for-Profit Corporations Act* once it comes into force in a few years’ time; and**
- 3. Request that the Budget & Administration Committee, in addition to conducting annual governance reviews as provided for in Section 31.3 (“Governance”) of the Administrative Regulations and Governance Policies, undertake a comprehensive review of the Administrative Regulations and Governance Policies in 2018.**

CARRIED

Motion to Receive the Minutes

BD12,2017

MOVED BY: Santina Moccio
SECONDED BY: Brad Whitcombe

THAT the minutes of the Budget & Administration Committee meeting held on July 17, 2014 be approved.

CARRIED

11.2 Foundation Chairman's Report

Richard MacDonald reported on the following:

- Total donations for July and August - \$78,135
 - \$45,000 grant from the RBC Bluewater Fund for the Hamilton-Halton Watershed Stewardship Program
 - \$10,000 donated for memorial benches
 - \$3,300 was raised for the Veldhuis project through sales of donated cacti at the Cactus Festival
 - \$5,500 was donated for the Equestrian Ride
 - \$5,000 grant from Canon and Evergreen for planting material at both Christie Lake and the Veldhuis site
 - \$3,100 donated for the Education Program
 - The remaining \$3,700 is made up of monthly gifts and gifts with pass renewals.
- Year-to-Date
 - Total Donations for our fiscal year-to-date (December 2013 to August 2014) - \$837,564
- Foundation Events
 - September 13 – Equestrian Ride at Dundas Valley CA
 - September 20 – TD Community Tree Planting Festival
 - October 18 – Nature Crawl – Shades of Autumn at Dundas Valley CA

12. **OTHER STAFF REPORTS/MEMORANDUMS**

12.1 Westfield Heritage Village – Visitor Centre Feasibility Study

Rondalyn Brown presented the report. Westfield Heritage Village would like to undertake a Feasibility Study to identify the need, size, location, functions, staffing and finances for a Visitor's Centre at the Village. Funding for the study would be cost shared with community and government partners. The Feasibility Study would provide critical information necessary to go forward with plans to fundraise and construct the appropriate facility.

There are two parts to the feasibility study; one addressing the building itself and other looking at the potential for funding for the project.

Staff require Board approval to be eligible to apply for the Canada Cultural Spaces Fund for development of a Feasibility Study. The Hamilton Conservation Foundation has committed \$18k in matching funds for this study.

BD12,2018**MOVED BY: Robert Pasuta
SECONDED BY: Santina Moccio****THAT the Board of Directors approve the following recommendations:****THAT staff be authorized to apply to the Canada Cultural Spaces Fund for development of a Feasibility Study for the Westfield Heritage Visitor Centre.****CARRIED****12.2 HCA Planning & Regulation Policies & Guidelines – Section 3.1.7
Wetlands Policy Revision**

Scott Peck presented the report. Prior to our review of this document, staff were aware of an issue relating to Section 3.1.7 i), subsection ii). The existing policy is prohibitive in that staff has no ability to assess the proposal as the policy presents an outright prohibition on swimming pools within 30 metres of a wetland.

Staff are of the opinion that the prohibition should be deleted. In implementing this change, a proposal to construct a swimming pool would still require a permit from the HCA and the permit application would include the submission of an environmental impact study.

Scott indicated that all policies and guidelines are being reviewed.

BD12,2019**MOVED BY: Brad Whitcombe
SECONDED BY: Maria Topalovic****THAT the Board of Directors approve the following recommendations:****THAT Section 3.1.7 i), subsection ii) of the HCA Planning & Regulation Policies and Guidelines be deleted.****CARRIED****12.3 East Mountain Wetland Restoration Project**

Chris Firth-Eagland presented the report. Staff have been working on a general concept of establishing a new conservation area on the East Hamilton Mountain. It has been envisioned that a fundamental function of this new conservation area would be its role in mitigating surface water runoff issues. Upper Stoney and Battlefield Creek watersheds have been prime candidates due to their rural

attributes of open space, areas of low functioning agricultural lands, appropriate zoning regulations, low flow attributes and their potential through wetland restoration for beneficial storm water management.

At the Board of Directors meeting of April 3, 2014, direction was given to pursue potential funding sources.

Staff made a presentation on this concept to the Heritage Green Community Trust. Councillor Brad Clark, who is a member of the Trust, advanced our request for \$2 million in land acquisition funding from Heritage Green; by asking the Municipality to match the ask, with a further \$2 million. The Councillor's notice of motion is public and will be considered by City Council on September 10. The HCA will commit \$500 k for this project.

Additional funding requests will target stewardship initiatives, water management research/design and wetland restoration project work.

The creation of a new conservation area on the Stoney Creek Mountain is a long range proposal. The securement of significant land acquisition funding is the first step in this initiative.

Board members indicated that it was a tremendous opportunity for the HCA. It will involve virtually every aspect of our collective functions and will require a significant team effort to succeed.

BD12,2020

MOVED BY: Maria Topalovic

SECONDED BY: Brad Whitcombe

THAT the Board of Directors approve the following recommendations:

THAT staff be directed to enter into Contribution Agreements and any other ancillary agreements with the City of Hamilton and the Heritage Green Community Trust, necessary to facilitate the granting and management of funds of \$2 million from each entity, for the purpose of land acquisition in the Upper Stoney and Battlefield Creeks watersheds, in the vicinity of the Devil's Punch Bowl; and

THAT \$500,000 from the HCA land acquisition fund be dedicated as its contribution to support this land acquisition project; and

THAT the HCA be directed to enter into a contribution agreement and any other ancillary agreements with the

Hamilton Conservation Foundation necessary to facilitate the granting and managing of the \$250k from the Hamilton Conservation Foundation in support of this land acquisition project; and further

THAT staff be directed to apply on behalf of the HCA to appropriate external granting agencies for additional sums as deemed necessary to facilitate the research, design, development, stewardship and management of the lands acquired in this land acquisition project.

CARRIED

12.4 Upcoming Events

Gord Costie provided an update of the upcoming events that are included in the agenda package.

13. NEW BUSINESS

There was none.

14. IN-CAMERA ITEMS FOR MATTERS OF LAW, PERSONNEL AND PROPERTY

BD12,2021 **MOVED BY:** **Maria Topalovic**
SECONDED BY: **Brad Whitcombe**

THAT the Board of Directors moves *in camera* for matters of law, personnel and property.

CARRIED

There was one personnel matter discussed during the *in camera* session.

BD12,2022

Moved By:	Santina Moccio
Seconded By:	Brad Whitcombe

THAT the Board of Directors moves out of *in camera*.

CARRIED

14.1 Confidential Report BA/Jul 01-2014

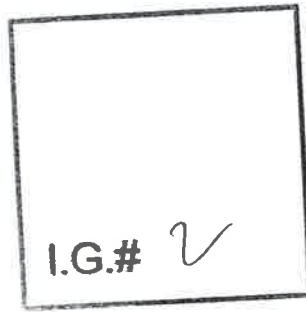
Scott Peck presented the report and answered Board members questions.

BD12,2023**MOVED BY: Brad Whitcombe
SECONDED BY: Santina Moccio****THAT the Board of Directors approve the following recommendations:****THAT the Hamilton Conservation Authority Stewardship Program with a partner agreement with Conservation Halton (Option 3) be endorsed; and further****THAT staff be authorized to revise the memorandum of agreement with Conservation Halton for the Hamilton-Halton Watershed Stewardship Program to reflect a continued tactical relationship with Conservation Halton for the joint stewardship program; and a separation of employee services and responsibilities as detailed in the Hamilton Conservation Authority Stewardship Program (Option 3).****CARRIED****15. NEXT MEETING**

The next meeting of the Board of Directors will be held on Thursday, October 2, 2014 at 7:00 p.m. at Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario.

16. ADJOURNMENT

On motion, the meeting adjourned.



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Burlington, Ontario L7P 0G3
conservationhalton.ca

Protecting the Natural
Environment from
Lake to Escarpment

October 2, 2014

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OCT 06 2014
Township of Puslinch

Mayor Lever and Members of Council
Karen Landry, Clerk-Treasurer
Township of Puslinch
RR #3
Guelph ON N1H 6H9

Dear Mayor Lever and Members of Council:

Re: Conservation Halton 2015 Budget

Please be advised that the 2015 Budget for Conservation Halton will be presented by staff to the Conservation Halton Board of Directors on November 13, 2014 and considered for approval.

In accordance with the Conservation Authorities Act we are hereby providing you with 30 days notice with regard to our budget presentation at the full Board.

Please contact me if you have any questions or concerns regarding the Conservation Halton 2015 Budget.

Yours truly,


Ken Phillips
CAO/Secretary-Treasurer

cc Marnie Piggot, Director Financial and Administrative Services, Conservation Halton

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GRCA Current



October 2014 • Volume 19, Number 9

GRCA General Membership

Chair Jane Mitchell

Vice-Chair Vic Prendergast

Townships of Amaranth, East Garafraxa, Melancthon and Southgate and Town of Grand Valley
Tom Nevills

Townships of Mapleton and Wellington North Pat Salter

Township of Centre Wellington
Joanne Ross-Zuj

Town of Erin, Townships of Guelph/Eramosa and Puslinch
John Brennan

City of Guelph
Bob Bell, Maggie Laidlaw

Region of Waterloo
Les Armstrong, Todd Cowan,
Jan d'Ailly, Rob Deutschmann,
Jean Haalboom, Ross Kelterborn,
Geoff Lorentz, Claudette Miller,
Jane Mitchell, Warren Stauch

Municipality of North Perth and Township of Perth East
George Wicke

Halton Region J. Barry Lee

City of Hamilton Jeanette Jamieson

Oxford County Bruce Banbury

County of Brant
Brian Coleman, Steve Schmitt

City of Brantford
Robert Hillier, Vic Prendergast

Haldimand and Norfolk Counties
Lorne Boyko, Fred Morison

Hydro corridor restoration

A hydro corridor restoration project is taking place at the GRCA Administration Centre in Cambridge.

The project is expected to reduce the number of non-native invasive shrubs in the corridor, reduce the need for periodic herbicide treatments and improve aesthetics. It will also establish a seed source collection area for native plants and provide a demonstration site for alternative hydro corridor maintenance.

The area was cleared in August and will be seeded with native grasses and wildflowers in late fall.

Five vacant houses to be demolished

The GRCA plans to demolish five vacant houses on GRCA property.

These buildings are located at Luther Marsh, Everton, Puslinch Township and two at Guelph Lake. Most of the buildings have been vacant for some time and would be very costly to repair. An additional house on the Apps' Mill property was also slated for demolition. However it was destroyed by fire a couple days before the GRCA board meeting.

Municipalities have been consulted regarding these proposed demolitions which are expected to cost \$180,000 to \$230,000. They will save the GRCA money in the longer term. None of these buildings are considered suitable to be put up for sale because of the location or other issues.

Water Management Plan endorsed by partners

A plan to address water supply, water quality and flooding in the Grand River watershed has been endorsed by water management agencies from all levels of government and is ready for implementation.

The Grand River Watershed Water Management

Plan has been five years in the making. It's a product of a collaborative partnership of municipalities, provincial ministries, the federal government, Six Nations of the Grand River and the Grand River Conservation Authority.

Copies of the plan and more information are available on www.grandriver.ca/wmp.

Representatives of the plan partners met in September at the GRCA head office to mark the completion of the plan and to discuss its implementation. The plan includes 43 recommendations and 165 action items that the partners have already agreed to undertake. The action items respond to the three key challenges facing the watershed today: high population growth, extensive agriculture and a changing climate.

As the action items are implemented there will be improvements in water quality in the Grand River and its tributaries. In addition, that will also have a positive impact on the health of Lake Erie because the Grand is one of the largest sources of nutrient pollution in the eastern basin of the lake.

New boardwalk at Laurel Creek Park

The Kitchener-Grand River Rotary Club completed a new boardwalk at Laurel Creek that was used at the Mud Puppy Trail Race in September.

About 250 metres of new trail now connect the boardwalk to the trail system. The boardwalk is on the green trail in the park brochure. The new water crossing means that an old route from a number of years ago has been reopened.

This is a significant improvement at the park and is the first of many trail enhancement projects that are expected at Laurel Creek in coming years.

Herbicide used to remove invasive plants

Portions of Snyder's Flats Conservation Area in Woolwich Township were closed to the public during the week of Sept. 29 while a herbicide was used to control an outbreak of phragmites, an



invasive plant species.

The affected sections of the trail network within the conservation area were marked as closed. GRCA staff will be applying the herbicide glyphosate, which is better known by the trade name Roundup, that has been adopted by conservation organizations as a safe and effective way to remove invasive species.

In most areas, the herbicide will be applied by hand to individual plants. Some larger areas will be tackled with backpack-style sprayers.

Phragmites australis, also known as European common reed, is a species that came to North America from Eurasia. The plant spreads quickly and out-competes native species for water and nutrients. It releases toxins from its roots into the soil to hinder the growth and kill surrounding plants.

Warm wet September

September was wet with most rain falling during two storms early in the month.

The first rainstorm was Sept. 5 to 6 and widespread. However the central areas received the heaviest rainfall while very little rain fell in the headwaters area. Less than a week later, a second weather event covering the entire watershed resulted in saturated conditions and high runoff across the watershed. Shand Dam received the most rain in September with 187 mm, more than double the long-term average of 81 mm. The GRCA issued three warning messages in September.

September was also warm with an average of 14.5 degrees, about 0.5 degrees warmer than usual.

Reservoirs were above the normal operating range for the time of year with the exception of Conestogo, which needed to be drawn down due to maintenance on the dam gates that was planned for early October.

Ice storm funding request update

The GRCA has received an application package from the Ministry of Municipal Affairs and Housing to be used to submit a claim for the ice storm cleanup costs.

The ice storm took place in December 2013 and GRCA forestry staff and contractors have been working to clean up the damage to trees that resulted from this storm.



Hundreds of Grade 4 students from Haldimand County, Six Nations of the Grand River and Mississauga of the New Credit attended the first ever Haldimand Children's Water Festival that took place Oct. 1 and 2 at Taquanyah Nature Centre. This is the third such festival within the Grand River watershed. It was a project initiated by the Grand River Conservation Foundation.

This was an unanticipated expense for this year's budget. However, the GRCA hopes that through this program, the province will provide financial assistance for the clean up.

The deadline for submitting claims has been extended from Oct. 31 to Dec. 31, 2014.

300,000 trees available for spring 2015

The GRCA has an inventory of 300,000 trees available to private landowners for spring 2015.

Trees help improve the water quality in many ways. These trees are available to rural landowners with property that is greater than one hectare (2.5 acres) exclusive of buildings, within the Grand River watershed.

Landowners who plan to plant their own trees can purchase a minimum order of 200 seedlings or 20 saplings or potted plants. They can order online or by mail anytime before March 1 for spring pick up at the GRCA. Orders opened Oct. 2 and the best selection is early on, as some more popular species sell out.

But for plantings that will be done by GRCA staff, the deadline is Dec. 1. The minimum order is 500 seedlings or 30 saplings

or potted plants. A site visit by a member of the GRCA staff is a necessary first step prior to Dec. 1.

This is part of the GRCA's long-term commitment to increase tree cover within the Grand River watershed. Information about funding assistance for trees through a variety of programs is also provided by GRCA staff.

This issue of GRCA Current was published in October 2014.

It is a summary of the September business conducted by the Grand River Conservation Authority board and committees as well as other noteworthy happenings and topics of interest.

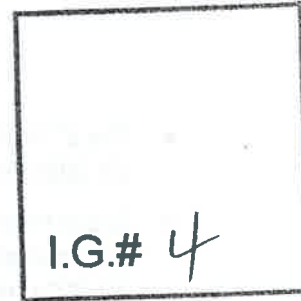
The Grand River Conservation Authority welcomes the photocopying, forwarding and distribution of GRCA Current.

Next board meeting: Friday, Oct. 24 at 9:30 a.m., GRCA Administration Centre.

Reports mentioned in GRCA Current: www.grandriver.ca/MeetingReports.

For coming events, please see www.grandriver.ca/Calendar.

The August-September issue of Grand Actions newsletter is available at: www.grandriver.ca/GrandActions



Grand River Conservation Authority General Membership/Special Budget Meeting

Thursday, September 11, 2014

The following are the minutes of the General Membership/Special Budget Meeting held at 9:30 a.m. on Thursday, September 11, 2014 at the Administration Center, Cambridge, Ontario.

Members Present:

J. Mitchell, Chair, L. Armstrong, B. Banbury, B. Bell, L. Boyko, J. Brennan, B. Coleman, J. d'Ailly, R. Deutschmann, J. Haalboom, J. Jamieson, R. Kelterborn, M. Laidlaw, B. Lee*, G. Lorentz, C. Millar, F. Morison, V. Prendergast, J. Ross-Zuj, P. Salter

Members Regrets:

T. Cowan, R. Hillier, T. Nevills, S. Schmitt, W. Stauch, G. Wicke

Staff:

J. Farwell, K. Murch, D. Bennett, D. Boyd, N. Davy, J. Griffin, S. Lawson, S. Radoja, D. Schultz, N. Munn, B. Parrott, S. Wilbur, R. Wu-Winter

Also Present:

None

1. Call to Order:

J. Mitchell, Chair, called the meeting to order at 9:30 a.m.

**2. Roll Call and Certification of Quorum – 13 members constitute a quorum
(1/2 of members appointed by participating municipalities)**

The Secretary-Treasurer called the roll and certified a quorum with 19 members present. A total of 20 members attended the meeting.

3. Chair's Remarks:

J. Mitchell welcomed members, staff and guests and made the following comments:

- The Lake Erie Region Source Protection Committee met on September 4, 2014. Agenda topics included updates on the various Source Protection Plans and recommended approaches to ministry comments.

- The 5th Annual Mudpuppy Trail Run will take place at Laurel Creek on September 13, 2014. Fundraising supports Rotary Children's Charities including KidsAbility.
- Grand River Conservation Authority (GRCA) will host an open house at the Administration Centre in conjunction with Doors Open Waterloo on September 20, 2014 from 10:00 a.m. to 5:00 p.m. Staff will conduct tours of the flood control centre and the dam. There will be displays about the GRCA's many responsibilities as it marks the 20th anniversary of the designation of the Grand River and its major tributaries as Canadian Heritage Rivers.
- The 13th Annual Run for the Toad Race will be held at Pinehurst Lake on October 4, 2014. The proceeds from the race are donated to the Grand River Conservation Foundation (GRCF) and used for trail improvements at Pinehurst Lake.
- The members were emailed an invitation to the 2014 Grand River Watershed Awards and Canadian Heritage River Celebration which will be held on October 23, 2014 at 7:00 p.m. at the Waterloo Region Museum. GRCA members from 1994 have been invited to attend to celebrate the 20th anniversary of the Heritage River designation.
- P. Salter reminded the members of the upcoming Natural and Cultural History of Arthur and Area and the Headwaters of the Grand River – 20th Anniversary Celebration of the Heritage River Designation workshop to be held on October 3, 2014 at the Senior's Hall in Arthur. The event will include a guided walking tour of Arthur, a bus tour to the source of the Grand River near Shrigley and a visit to the Luther Marsh Wildlife Management Area.

*B. Lee joined the meeting at 9:35 a.m.

4. Review of Agenda:

J. Mitchell indicated that an additional matter would be discussed under Item 17 – Closed Meeting with respect to personal matters about an identifiable individual, including municipal or local board employees.

Moved by: B. Coleman
 Seconded by: J. d'Ailly
 (Carried)

THAT the agenda for the General Membership/Special Budget Meeting of September 11, 2014 be approved as amended.

5. Declarations of Pecuniary Interest:

There were no declarations of pecuniary interest made in relation to the matters to be dealt with.

6. Minutes of the Previous Meeting:

General Membership Meeting –August 22, 2014

J. Mitchell referred to page 6 of the minutes where reference was made to “all sluiceways in free flowing dams”. She indicated that this would be amended to read “all free flowing sluiceways in dams”.

Moved by: L. Boyko
Seconded by: P. Salter
(Carried)

THAT the Minutes of the General Membership Meeting of August 22, 2014 be approved as amended.

7. Business Arising from Previous Minutes:

None

8. Hearing of Delegations:

None

9. Presentations:

R. Wu-Winter, Watershed Forester, Grand River Conservation Authority (GRCA) conducted a PowerPoint presentation indicating that:

- Emerald Ash Borer (EAB) is a non-native beetle likely introduced to North America in wooden shipping material and was detected in 2002.
- EAB larvae feed/tunnel under bark.
- EAB kills virtually all ash of significant size.
- There is ten years between first detection and loss of all untreated ash trees in an area.
- EAB was first detected in the Grand River watershed in 2010 in Kitchener, Brantford and at the Puslinch Tract.
- GRCA’s EAB strategy includes: detection and risk assessment; hazard tree removal; treatment; replanting/restoration; communications; and strategy assessment and adaptation.
- It is anticipated that the budget implications will approximate \$5 million to \$10million over ten years.
- Prioritization and management planning will be based upon: degrees of risk (human, infrastructure, ecosystem); preponderance of ash; and stage of local infestation.
- The significant challenge of EAB is that resources required to meet hazard tree policy and standards on all parts of GRCA properties will likely exceed available resources.

G. Lorentz referred to the possible sale of timber. He asked what that means. R. Wu-White said that it could be firewood and sawlogs. G. Lorentz asked whether EAB has any

predators. R. Wu-Winter responded that there are two types of Asian wasps that have been released in other areas but there is no evidence that they are controlling EAB.

L. Boyko asked what the province's position is with respect to this issue. J. Farwell answered that staff are going to continue to pressure the province for funding however no program for funding has been announced to date. L. Boyko said the strategy for GRCA properties is not going to accomplish anything. He said EAB will not stop at the borders of GRCA's property. R. Wu-Winter said that GRCA has to do something because there are hazardous trees on its property. L. Boyko said GRCA could clear cut and remove all ash trees. R. Wu-Winter said GRCA is primarily removing hazard trees. J. Mitchell said that hazard trees present a liability and they must be removed. L. Boyko said both conservation authorities and municipalities should be talking to the province. He said everyone is only taking care of themselves.

M. Laidlaw said that EAB has been evident since 2002. She asked if any scientists were working on a solution. R. Wu-Winter said that there are chemical treatments which GRCA is applying to some trees, however it is expensive. M. Laidlaw asked if there are any ash trees that are resistant to EAB. R. Wu-Winter said that there are few such trees. M. Laidlaw asked if a tree becomes hazardous as soon as it is infected and whether there are degrees of hazard. R. Wu-Winter said that there are degrees of hazard.

J. d'Ailly said that it appears that the amount GRCA spends will depend on how it defines "hazard". He would like a discussion on degrees of hazard. R. Wu-Winter said "hazard" is well defined by arborists. He said that if a tree has been compromised and there is a target then the tree is a hazard. The degree of risk is lower on a trail where people are passing by rather than a campsite where people are standing a longer time. J. d'Ailly said when other trees fall down it is attributed to nature.

B. Lee asked if staff has done an inventory of what ash is not impacted. R. Wu-Winter said that GRCA is in the process of doing that. B. Lee said he thinks harvesting is the best solution and the trees should be taken down while they are still healthy. He then said it is not worth the members and staff wasting their time on the province. He believes that Conservation Ontario should lobby the government. J. Mitchell said Conservation Ontario is lobbying however with no result.

R. Deutschmann said GRCA cannot do what it would like to do because it is cost prohibitive. He said that the members are making a decision that has potential legal implications. He said that GRCA should make its point forcefully perhaps by a symbolic closing of its parks. He said if the members are expected to decide the degree of risk GRCA is willing to accept he would like legal advice.

J. Brennan said GRCA's investment in the strategy is not expected to be a cure however it will spend more money in the future because of the liability.

J. Jamieson asked if it is beneficial to cut infected trees down or should they be left to die. R. Wu-Winter said that cutting the trees down will not stop the spread of EAB. J. Jamieson asked if mountain ash trees are affected by EAB. R. Wu-Winter said that mountain ash are not "ash" trees.

S. Wilbur, Executive Director, Grand River Conservation Foundation (GRCF) conducted a PowerPoint presentation indicating:

- The GRCF is a registered charity with a 16 member Board of Directors.
- The GRCF undertakes fundraising for GRCA projects with few or no alternative funding sources.
- Ongoing program support for GRCA includes: ecological restoration; tree planting; outdoor education; trail maintenance; and partnership projects such as Water Festivals and the Mill Creek Rangers.
- \$4 million has been raised by the GRCF since 2010.
- There were 660 donors in 2013.
- Giving programs include: memorial forests and donations; corporate partnerships; bequests and planned giving; undesignated giving; fund raising events; and online giving.
- The GRCF will celebrate its 50th anniversary in 2015.
- Current projects include: the Haldimand Children's Water Festival; Shade's Mills Natural Playground; and the new Guelph Lake Nature Centre Complex.
- The GRCF awards Community Conservation Grants and Scholarships each year.
- Local school and community group projects are funded by GRCA's Thiess River Prize endowment.

There were no questions or comments with respect to this matter.

10. Correspondence:

- a) Copies for members

None

- b) Not copied

None

11. 1st and 2nd Reading of By-Laws:

None

12. Presentation of Reports:

- a) **GM-09-14-91** Conservation Area Operations – Revised Five Year Forecast

D. Bennett conducted a PowerPoint presentation indicating :

- Park revenue estimates outlined in the current five year forecast exceed the revenue generating potential of the park system in an average year of operation.

- This places reliance on the use of reserves to fund revenue shortfalls when park attendance is impacted by poor weather.
- Revised revenue estimates have been prepared which better reflect the revenue that can be generated in an average year.
- Various options are being explored to increase park attendance and to generate new revenue streams.
- Park expenses will be reviewed to identify areas of potential savings.
- It has become necessary to lower the revenue expectations for the parks while at the same time identifying potential expense reductions.
- Poor weather in 2014 will impact upon park revenue.
- The annual Season's Pass was changed in 2014 to a Membership Pass which expires at the end of twelve months rather than at the end of the calendar year.
- A review of the fees charged by competing public and private campgrounds indicates limited ability to increase revenues by raising fees.
- Options under consideration include: increasing the number of parks that are open to the public year round; greater focus on events to drive day use revenues e.g. festivals, trail races, etc.; improvements to park infrastructure e.g. trails, pavilions, etc. that would encourage more park visits and support park events; offering cabins and/or yurts as a new camping revenue source; and increasing the number of serviced campsites to better meet demand for these facilities.
- It is anticipated that 2014 revenue will be \$300,000 less than budgeted.

J. Mitchell said that during her recent visit to Byng Island Park it became evident that campers want hydro to recharge their telephones.

J. d'Ailly said that he had always thought the parks were breaking even and from his perspective reserves should not be used. He said the parks should pay for themselves.

M. Laidlaw said that she could understand supplementing the parks in a poor year. She suggested that an event be held in September similar to Hillside such as a "welcome back students" event. She also likes the idea of cabins and yurts.

R. Deutschmann asked when staff expects to go forward with the concepts for increased revenues. D. Bennett answered that a cabin will cost between \$25,000 and \$30,000 and installing them will depend upon how quickly certain things can be implemented. R. Deutschmann asked if there is a business plan in place. D. Bennett said that there is not yet a business plan for this specific activity, but it was identified as an opportunity in the comprehensive business plans there were previously presented to the members. Staff can prepare more detailed business plans once they know where and when certain concepts will be proposed. R. Deutschmann said that the concepts sound haphazard and the members need to see exactly what is proposed and the cost of implementation. He said GRCA has limited resources already and staff are talking about significant upfront costs. He said the members need to see a written business plan. He asked who internally is responsible for this program. He then said the members need more than a PowerPoint presentation.

B. Coleman said he likes the idea of cabins because they are more comfortable for campers. He suggested that events be held on weekdays as well because not everyone camps on weekends.

Resolution 110-14

Moved by: M. Laidlaw

Seconded by: B. Coleman

(Carried)

THAT Report GM-09-14-91 – Conservation Area Operations – Revised Five Year Forecast be received as information.

b) **GM-09-14-92** Preliminary 2015 Budget

S. Radoja conducted a PowerPoint presentation indicating:

- The GRCA 2014 budget is approximately \$29.5 million.
- The budget consists of three main categories: operating budget for ongoing program costs (\$23.0 million – 78% of total budget); capital budget for program capital expenditures (\$3.0 million – 10% of total budget); and special projects with special funding (\$3.3 million – 12% of total budget).
- Major assumptions in the five year forecast (2014 to 2018) include: continued operation of existing programs; compensation and benefits - 2.25% rate increase less \$70,000 in restructuring wage savings; property tax increase of 3%; administration and operating increase of 2%; water control structure capital expenses of \$1.5 million; and park capital expenses of \$600,000.
- EAB expenses for 2014 to 2018 are forecast to be \$4 million and it is assumed that reserves will be used to fund expenditures.
- The provincial funding commitment for the source protection planning program is to March, 2015.
- The forecasted 2015 Operating Budget is \$23,035,775 which is a 0.18% change over the 2014 Operating Budget.
- The actual balance in reserves at year end 2013 was \$13.5 million.
- The forecasted balance at year end 2018 is \$10.5 million.
- The general municipal levy increase for 2015 is forecast at 2.5%.
- WSIB rates may increase by 30% in 2015 as a result of the presumptive cancers for fire fighters inclusion on the government services group.

R. Deutschmann asked for clarification the change in WSIB rates is due to the increase for firefighters. S. Radoja responded in the affirmative.

M. Laidlaw asked when GRCA will find out whether it has been successful in obtaining provincial funding for ice storm damage. S. Radoja said that applications will be available in the near future however the process may not be complete by the end of the year.

J. d'Ailly referred to reserves and expressed concern about a decrease in large part due to EAB. He noted that the presenter said the cost of dealing with the infestation might

be less than forecast and in his opinion it does not look good to show \$4 million in the budget.

J. Brennan noted that some reserves can be used for items determined by the members and others are allocated for capital items. He said that they should be broken out. S. Radoja referred him to page 4 of the report in this regard.

Resolution 111-14

Moved by: J. Brennan

Seconded by: L. Armstrong

(Carried)

THAT Report GM-09-14-92 – Preliminary 2015 Budget be received as information.

13. Committee of the Whole:

None

14. General Business:

None

15. 3rd Reading of By-Laws:

None

16. Other Business:

None

17. Closed Meeting: (motion required pursuant to Section 36 of By-Law 1-2014)

a) Proposed Property Dispositions (Verbal Report) [*confidential*]

b) Discussion Re: personal matters about an identifiable individual, including municipal or local board employees.

Resolution No. 112-14

Moved by: M. Laidlaw

Seconded by: V. Prendergast

THAT the General Membership/Special Budget Meeting adjourn into closed session to discuss proposed property dispositions and personal matters about an identifiable individual, including municipal or local board employees.

The meeting adjourned at 11:20 a.m.

The meeting reconvened at 11:45 a.m.

18. Next Meetings:

- General Membership Meeting
Friday, September 26, 2014 – 9:30 a.m.
Auditorium/Boardroom, Administration Centre, Cambridge
- General Membership Meeting
Friday, October 24, 2014
Auditorium/Boardroom, Administration Centre, Cambridge

19. Adjourn

The meeting adjourned at 11:50 a.m.

20. Grand River Source Protection Authority Meeting (if required)

Chair

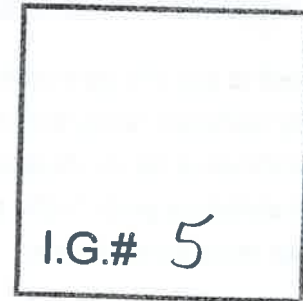
Secretary-Treasurer



MUNICIPAL PROPERTY ASSESSMENT CORPORATION

September 24, 2014

Mayor Marolyn Morrison
Town of Caledon
6311 Old Church Road
Caledon ON L7C 1J6



Dear Mayor Morrison:

Thank you for the opportunity for me, and other representatives from the Municipal Property Assessment Corporation (MPAC), to meet with you at the recent Greater Toronto Countryside Mayors Alliance meeting on September 12, 2014. I understand and appreciate the concerns raised by you and Mr. Doug Barnes, Chief Administrative Officer, Town of Caledon, at the meeting and also in your August 11, 2014 letter to the Association of Municipalities of Ontario (AMO). I would like to take this opportunity to provide some additional information on how gravel pits are assessed.

MPAC strives to serve property taxpayers and stakeholders with accurate and timely property assessments through openness and transparency. We take the concerns raised in your letter to AMO seriously and remain committed to working with all affected parties and stakeholders.

As background, there are approximately 2,700 gravel pits across Ontario. When a gravel pit is sold, the sale amount reflects the value of the land and improvements (i.e., buildings, scales, etc.), plus the value of the aggregate under the land and the licence devoted to the property. The licence to extract the aggregate runs with the land and is only separable from the land if the licence is surrendered.

Several gravel pit owners were dissatisfied with their 2008 CVA. As a result, there are currently 362 gravel pit outstanding appeals for the 2009-2012 property tax years. A major issue is the position taken by the industry that the land should be valued using bulk residential and farm rates, as opposed to the current valuation method, which is to value as industrial land.

To meet the needs of all parties involved, MPAC is presently in the process of reviewing alternative valuation methods, which will be discussed at the upcoming October 24, 2014 Alternative Dispute Resolution (ADR). Originally, the Assessment Review Board scheduled a multi-day hearing and my understanding is that all parties to the appeal, including the Town of Caledon, requested the hearing be converted to the ADR process.

As indicated to you and your colleague mayors at our meeting, the Municipal Relations team is proactively communicating with municipal staff on the progress of the gravel pit appeals, and we will continue to do so. As also discussed, a municipality is encouraged to exercise their rights as a statutory party to the appeal process and get involved and keep informed throughout the appeal process.

If you have any additional questions, please feel free to contact me at 905-837-6189.

Yours truly,



Joan Young
Vice-President, Stakeholder Relations and Communications

Copy Pat Vanini, Executive Director, Association of Municipalities of Ontario
Doug Barnes, Chief Administrative Officer, Town of Caledon
Antoni Wisniowski, President & CAO, MPAC
Larry Hummel, Chief Assessor, MPAC
Paul Campbell, Director, Centralized Properties, MPAC
Arthur Anderson, Director, Municipal Relations, MPAC
Cathy Ranieri-Sweenie, Manager, Public Affairs, MPAC
Heather Colquhoun, Account Manager, Municipal Relations, MPAC



OFFICE OF THE MAYOR

MAROLYN MORRISON

TOWN HALL
6311 Old Church Road
Caledon, ON L7C 1J6

www.caledon.ca

905.584.2272 x.4155 | 1.888.CALEDON
FAX 905.584.4325

marolyn.morrison@caledon.ca

August 11, 2014

To: Association of Municipalities of Ontario

Re: Province wide Gravel Pit Assessment Appeals

The property assessments of fourteen of the twenty-five gravel pit properties in the Town of Caledon are currently under appeal before the Assessment Review Board for the taxation years 2009 to 2012, with two of these appeals ranging from 2006 to 2012. These appeals have been supported by the Ontario Stone, Sand and Gravel Association (OSSGA).

The Town of Caledon has invested significant time and resources to defend these appeals and attempt to reach a consensus between the Town, members of the Top Aggregate Producing Municipalities of Ontario (TAPMO), the Municipal Property Assessment Corporation (MPAC) and the OSSGA on a methodology to be used to assess gravel pit properties and prevent further costly litigation. In doing so, the Town and its consultants have relied upon the assessments as provided by MPAC as the basis for the defense of these appeals. These assessments were provided by MPAC based on land tables of the sales of vacant industrial lands.

At May discovery proceedings, MPAC has stated that it is no longer supporting its assessments or its assessment methodology. At this late date in the proceedings, MPAC is exploring an entirely new valuation approach for all gravel pits. Rather than basing the assessment on land usage and value per acre, MPAC is looking at adopting a Business Enterprise Valuation (BEV) methodology. Such a method relies on the full financial disclosure by gravel pit owners and operators. Under this method, income is examined and then expenses and values of certain tangible items are reduced from the value. This method is highly complex. If MPAC is successful in retroactively applying this BEV methodology, the outcome of this approach is unknown. It may adversely affect municipal budgets and could jeopardize the property assessment and taxation base.

.../2



We are requesting that AMO exercise its authority and direct the Board of Directors of MPAC to defend its extended land tables as the appropriate method of assessing aggregate sites. This methodology has been used historically for gravel pit properties in the Province and is consistent with the aim of achieving current value assessments. There are too many unknowns in MPAC's newly conceived model to be utilizing it at this late stage in the assessment appeal process. This move was not discussed with the municipalities involved in these appeals prior to its introduction at the May discovery proceedings.

Sincerely,



Marolyn Morrison
Mayor
Town of Caledon



RBZ



2014-286

Date: July 8, 2014

Moved by: R. Paterak Seconded by: M. B. B.

That Report CS-2014-066 regarding Assessment Appeals on Gravel Pit Properties, be received; and

That the Treasurer be authorized to enter into contracts or agreements necessary to defend the Town's position with respect to the aggregate assessment appeals within the approved budget; and

That the Mayor be directed to correspond with the Association of Municipalities of Ontario (AMO) to request that AMO request the Board of Directors of the Municipal Property Assessment Corporation (MPAC) to exercise its authority in directing the Corporation to defend its extended land tables as the appropriate method of assessing aggregate sites; and

Request the Municipal Property Assessment Corporation (MPAC) to discuss strategy with the Association of Municipalities of Ontario (AMO) prior to defending class assessment appeals such as the recent golf course assessment appeals and now aggregate assessment appeals.

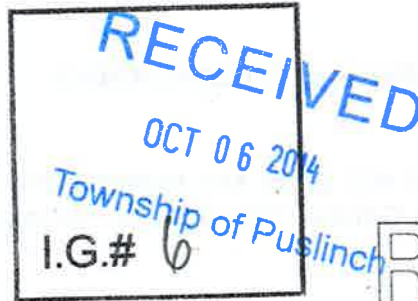
RECORDED VOTE	YES	NO	CONFLICT	ABSENT
Councillor Beffort				
Councillor deBoer				
Councillor Foley				
Councillor McClure				
Mayor Morrison				
Councillor Paterak				
Councillor Mezzapelli				
Councillor Thompson				
Councillor Whitehead				
TOTAL				

MAYOR: J. B. B.

☒ CARRIED ☐ LOST

September 25, 2014

John Farley
Creating Homes Inc.
123-35 Mountford Drive
Guelph, ON
N1E 0G6



RECEIVED
SEP 26 2014
COPY

CITY CLERK'S OFFICE

Dear Mr. Farley:

RE: 5 Gordon Street Plan of Condominium | Plan No. 23CDM14504

As City Council's delegated approval authority for most condominium applications in the City of Guelph, I would like to confirm that your condominium application for draft plan approval has been reviewed by the City of Guelph Planning Services and as of the date of this letter, I have decided to approve the condominium plan for 5 Gordon Street under Section 51 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, subject to the conditions attached.

By copy of this letter, I am requesting the City Clerk to initiate the Notice of Decision circulation which will be mailed in accordance with Section 51(37) of the *Planning Act*. This Notice of Decision of the approval of the plan including conditions will be circulated for a 20 day time period during which, any person or public body may file a notice of appeal of the decision. Should no appeals be filed, the approval of the condominium plan of subdivision shall be deemed to have been made on the day after the last day for appealing the decision.

Once your condominium plan has received draft plan approval, when you wish to register your plan, please contact the Planning Services Staff and advise in writing how you have satisfied all of the conditions of draft plan approval.

If you have any questions on this file, please contact Michael Witmer, Development and Urban Design Planner, Planning Services at (519) 837-5616, extension 2790.

Yours truly,


Todd Salter
General Manager, Planning Services

MW/ts

Attach.
cc:

Stephen O'Brien, City Clerk
Kealy Dedman, City Engineer, Engineering Services
Donna Jaques, City Solicitor
Sylvia Kirkwood, Manager of Development Planning
Richard Charity, Gordon Street Co-operative Development Corp.

CLERK'S DEPARTMENT	
TO	
Copy	
Please Handle	
For Your Information	
Council Agenda	OCT 15/14
File	

City Hall
1 Carden St
Guelph, ON
Canada
N1H 3A1

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

guelph.ca



Conditions (23CDM14504)

PREAMBLE: Draft Plan Approval will lapse and expire after five years (5) from date of issuance of approval from the General Manager of Planning Services.

- 1) That this approval applies to the Draft Plan of Condominium prepared by Black, Shoemaker, Robinson and Donaldson Limited, Project No. 10-8657-8 dated May 13, 2014, illustrating a fifty-five (55) unit residential condominium building with six (6) commercial units and fifty-four (54) parking spaces and common elements comprising of the lobby area, an elevator, stairways, hallways, garbage room, bicycle room/storage and private laneways/drive aisles.
- 2) The owner shall develop the site in strict accordance with the Ontario Building Code as set out in Section 6 of Ontario Regulation 48/01, as amended from time to time, and the approved plans, including but not limited to, the fully detailed site plan, servicing plan, grading and drainage plan, landscape plan, photometrics plan, building elevations and building drawings and mechanical drawings approved by the City in accordance with Section 41 of the Planning Act, to the satisfaction of the City, prior to the registration of the Plan of Condominium.
- 3) The owner acknowledges and agrees that the City can and shall make a detailed site inspection at 5 Gordon Street to ensure the site is completed according to the plans approved by the City, prior to the registration of the Plan of Condominium.
- 4) The owner acknowledges and agrees that the Plan of Condominium be registered in one (1) phase.
- 5) The owner shall pay any outstanding debts owed to the City, prior to the registration of the Plan of Condominium.
- 6) Prior to the registration of the Plan of Condominium, the owner shall provide the City with a drainage certificate from an Ontario Land Surveyor or a Professional Engineer stating that the buildings constructed and the grading of the lots is in conformity with the drainage plan and that any variance from the plan has received the prior approval of the City Engineer.
- 7) Prior to the registration of the Plan of Condominium, the owner shall provide the City with a certificate from a Professional Engineer certifying that the sanitary sewers, building drains, building sewers, building storm drains, building storm sewers, watermains, water distribution system, hydrants, catchbasins, roadways, driveways, parking areas and sidewalks that are to become part of the common facilities and areas, are in good

repair, free from defects and functioning properly.

- 8) That a Professional Engineer and/or Ontario Land Surveyor identifies all the sanitary sewers, building drains, building sewers, building storm drains, storm sewers, stormwater management system, watermains and water distribution system, serving the site and also identifies the locations where easements are required prior to registration of the Plan of Condominium.
- 9) Prior to the registration of the Plan of Condominium, an independent lawyer shall certify that the proposed condominium phase has easements for all the sanitary sewers, building drains, building sewers, building storm drains, storm sewers, stormwater management system, watermains and water distribution system serving the condominium phase, which are located on private lands other than the lands included in the phase being registered.
- 10) Prior to the registration of the Plan of Condominium, the owner shall provide the City with a certificate from a Professional Engineer certifying that the infrastructure placed below grade (not within the built structure) is not contributing to any flooding of the basement/cellar area of the adjacent property known as 15-17 Gordon Street.
- 11) Prior to the registration of the Plan of Condominium, the owner shall provide the City with a certificate from an Ontario Land Surveyor or a Professional Engineer certifying that the surface water drainage of the site is contained and controlled on site and is not contributing to any flooding of the basement/cellar area of the adjacent property known as 15-17 Gordon Street.
- 12) Prior to the registration of the Plan of Condominium, an independent lawyer shall certify that the following warning clause has been incorporated into the Condominium Declaration as well as Purchase and Sale Agreements: *"WARNING: Canadian National Railway Company (CNR) or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."*
- 13) Prior to the registration of the Plan of Condominium, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or

households within the plan, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.

- 14) Further to requirements outlined in Condition 3, any works not completed as per the approved site plans shall be completed prior to registration of the Plan of Condominium, and/or the Owner shall pay to the City a security amount representing the outstanding items therein as agreed to by the Manager of Development Planning.
- 15) The owner agrees to provide the City's Planning, Building, Engineering and Environment department with a digital file of the plan of condominium in an AutoCAD (*.dwg) format prior to the registration of the Plan of Condominium.
- 16) Prior to the City's final approval of the Plan of Condominium, the City shall be advised in writing by the owner how conditions 1 through 15 have been satisfied or acknowledged, whatever the case shall be.

NOTES:

1. The Developer is responsible for contacting Canada Post and arranging mailbox locations and mail delivery methods for the development.
2. Draft Plan of Condominium approval will expire five (5) years from the date draft plan approval is issued.

Notice of the Decision

CLERK'S DEPARTMENT	
TO	
Copy	
Please Handle	
For Your Information	
Council Agenda	Oct 15/14
File	IN THE MATTER

of a Draft Plan of Condominium Subdivision by The Corporation of the City of Guelph



of a decision for approval of a Draft Plan of Condominium Subdivision for Lot 194 and Part of Lot 178, registered Plan 8 (Also known as Parts 1 to 5, Plan 61R20178) (23CDM14504), municipally known as 5 Gordon Street, in the City of Guelph, County of Wellington.

TAKE NOTICE that the General Manager of Planning Services of The Corporation of the City of Guelph gave approval for a Draft Plan of Condominium Subdivision on the 25th day of September, 2014, under subsection 51 (31) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, in respect for Lot 194 and Part of Lot 178, registered Plan 8 (Also known as Parts 1 to 5, Plan 61R20178) (23CDM14504), municipally known as 5 Gordon Street, in the City of Guelph, County of Wellington.

AND TAKE NOTICE that the applicant, or any person or public body that made a written submission before the Decision may, at anytime before the approval of the final plan of condominium subdivision, appeal any of the conditions imposed by the General Manager of Planning Services of the Corporation of the City of Guelph to the Ontario Municipal Board by filing a notice of appeal with the Clerk of The Corporation of the City of Guelph.

AND THAT any appeal to the Ontario Municipal Board in respect of the decision to approve the draft plan of condominium subdivision, or any of the conditions of the draft plan of condominium subdivision may be made by filing with the Clerk of The Corporation of the City of Guelph, not later than the 23rd day of October, 2014, at 4:30 p.m., a notice of appeal setting out the objection and reasons in support of the objection. The applicable fee of \$125, **paid by cheque or money order**, made payable to the "Minister of Finance", must also be submitted with the appeal.

A copy of the Decision, including the conditions, is included. All of the related information for the draft plan of condominium subdivision is available for inspection at Planning & Building, Engineering and Environment office, City Hall, 3rd Floor, 1 Carden Street, Guelph, Ontario, during business hours (8:30 a.m. to 4:30 p.m., Monday to Friday).

You will be entitled to receive notice of any changes to the conditions of approval of the draft plan of condominium subdivision if you have made a written request to be notified of changes to the conditions.

No person or public body shall be added as a party to the hearing of the appeal

Board, the requisite appeal forms are available from the Ontario Municipal Board on their website at www.omb.gov.on.ca, or you may obtain the appeal forms from the City Clerk's Department, c/o ServiceGuelph, 1st Floor, City Hall, 1 Carden Street, Guelph, Ontario.

DATED at the City of Guelph this 3rd day of October, 2014.

Stephen O'Brien
City Clerk
Guelph City Hall
1 Carden Street
Guelph, Ontario N1H 3A1

REPORT

TO General Manager of Planning Services

SERVICE AREA Planning, Building, Engineering and Environment

DATE September 25, 2014

SUBJECT **Proposed Draft Plan of Residential Condominium Subdivision
5 Gordon Street
(23CDM14504)** – Gordon Street Co-operative Development Corp.

REPORT NUMBER 14-58

COPY

RECOMMENDATION

Draft Plan of Condominium Approval, subject to the conditions outlined in **Schedule 2**.

BACKGROUND

The City of Guelph is in receipt of an application for Draft Plan of Condominium from Mr. John Farley/Creating Homes Inc. (on behalf of Gordon Street Co-operative Development Corp.). The subject property has an area of approximately 0.178 hectares.

The applicant is requesting draft plan approval for a fifty-five (55) unit residential condominium building with six (6) commercial units at grade, being registered in one (1) single phase. The condominium is also proposed to have all fifty-four (54) off-street parking spaces be exclusive use (E.U.) to the condominium with no common parking spaces. Further, balconies associated with the residential units will be exclusive use areas. The common elements of the plan of condominium are proposed to consist of the lobby area, an elevator, stairways, hallways, garbage room, bicycle room/storage and private laneways/drive aisles. The land and building would be subdivided in accordance with the attached proposed Draft Plan of Condominium (**Schedule 3**).

The property is designated 'Mixed Use 1' in the current Official Plan (through the Downtown Secondary Plan) and is zoned CR-8 (Specialized Commercial-Residential) in the City of Guelph's Zoning By-law. This application for Draft Plan of Condominium approval does not affect the site's present Official Plan designation or zoning.

Initial site plan approval (Site Plan File #: SP11A010) was issued by the City for this development on January 28, 2013 (**Schedule 4**). Building permits have been issued for the main building, and partial occupancy was granted for the residential units on May 7, 2014. The commercial units on the main floor are currently only partially finished and construction is ongoing in select commercial units.

Planning, Engineering and Environmental Services Comments

Planning Services recommends approval of this application for Draft Plan of Condominium, subject to the conditions outlined in **Schedule 2**. The development has received the necessary initial site plan approval, and the main building permits for the structure and residential units have been issued, as well as partial occupancy granted. The draft plan approval conditions recommended in **Schedule 2** will ensure that the site development is completed to the satisfaction of the City, prior to the registration of the plan of condominium.

Since occupancy has been granted, it has come to staff's attention that the building was not constructed as per the initially approved site plan (SP11A010). In response to this, the property owner submitted an 'as-built' site plan (File #: SX14C003) on August 11, 2014 to properly identify all existing built conditions of the building and site. It is noted that the 'as-built' site plan will have to be approved prior to registration of the plan of condominium.

Location

5 Gordon Street (**Schedule 1**); legally described as LOT 194 AND PART OF LOT 178, REGISTERED PLAN 8 (Also Known as Parts 1 to 5, Plan 61R-20178), CITY OF GUELPH, COUNTY OF WELLINGTON.

Summary of Proposal

Request for draft plan approval of a fifty-five (55) unit residential condominium building with six (6) commercial units and fifty-four (54) parking spaces and common elements comprising of the lobby area, an elevator, stairways, hallways, garbage room, bicycle room/storage and private laneways/drive aisles. The condominium will be registered in one (1) phase.

DEPARTMENTAL & AGENCY CONSULTATION

The summary of comments received in the review of the application is included in **Schedule 5**.

ATTACHMENTS

Schedule 1 - Location Map

Schedule 2 - Conditions

Schedule 3 - Proposed Condominium Plan

Schedule 4 - Approved Site Plan

Schedule 5 - Department/Agency Comment Checklist



Prepared By:

Michael Witmer

Development and Urban Design Planner

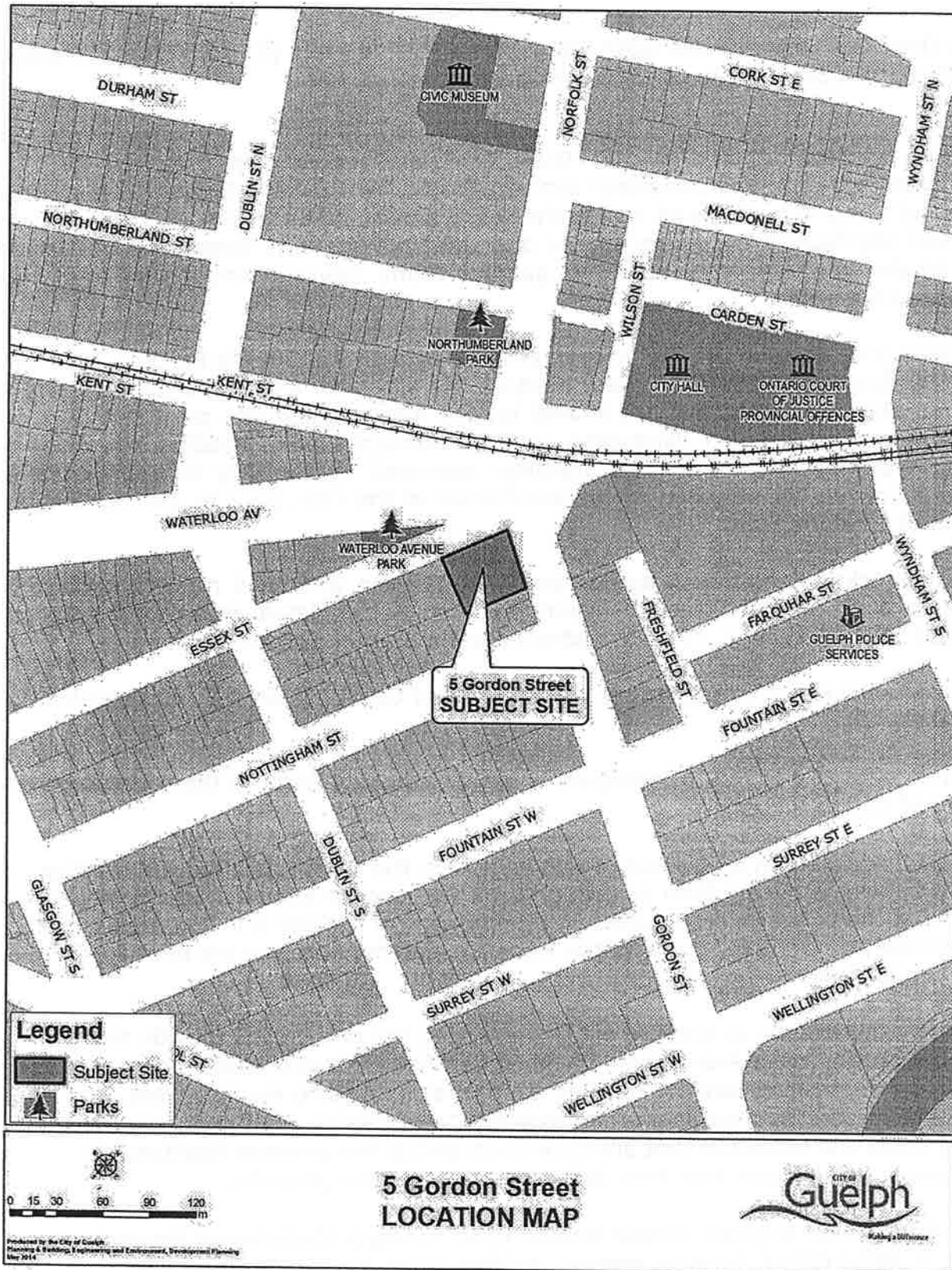


Approved By:

Todd Salter

General Manager of Planning Services

SCHEDULE 1 Location Map



SCHEDULE 2

Conditions

PREAMBLE: Draft Plan Approval will lapse and expire after five years (5) from date of issuance of approval from the General Manager of Planning Services.

- 1) That this approval applies to the Draft Plan of Condominium prepared by Black, Shoemaker, Robinson and Donaldson Limited, Project No. 10-8657-8 dated May 13, 2014, illustrating a fifty-five (55) unit residential condominium building with six (6) commercial units and fifty-four (54) parking spaces and common elements comprising of the lobby area, an elevator, stairways, hallways, garbage room, bicycle room/storage and private laneways/drive aisles.
- 2) The owner shall develop the site in strict accordance with the Ontario Building Code as set out in Section 6 of Ontario Regulation 48/01, as amended from time to time, and the approved plans, including but not limited to, the fully detailed site plan, servicing plan, grading and drainage plan, landscape plan, photometrics plan, building elevations and building drawings and mechanical drawings approved by the City in accordance with Section 41 of the Planning Act, to the satisfaction of the City, prior to the registration of the Plan of Condominium.
- 3) The owner acknowledges and agrees that the City can and shall make a detailed site inspection at 5 Gordon Street to ensure the site is completed according to the plans approved by the City, prior to the registration of the Plan of Condominium.
- 4) The owner acknowledges and agrees that the Plan of Condominium be registered in one (1) phase.
- 5) The owner shall pay any outstanding debts owed to the City, prior to the registration of the Plan of Condominium.
- 6) Prior to the registration of the Plan of Condominium, the owner shall provide the City with a drainage certificate from an Ontario Land Surveyor or a Professional Engineer stating that the buildings constructed and the grading of the lots is in conformity with the drainage plan and that any variance from the plan has received the prior approval of the City Engineer.
- 7) Prior to the registration of the Plan of Condominium, the owner shall provide the City with a certificate from a Professional Engineer certifying that the sanitary sewers, building drains, building sewers, building storm drains, building storm sewers, watermains, water distribution system, hydrants, catchbasins, roadways, driveways, parking areas and sidewalks that are to become part of the common facilities and areas, are in good repair, free from defects and functioning properly.
- 8) That a Professional Engineer and/or Ontario Land Surveyor identifies all the sanitary sewers, building drains, building sewers, building storm drains, storm sewers,

stormwater management system, watermains and water distribution system, serving the site and also identifies the locations where easements are required prior to registration of the Plan of Condominium.

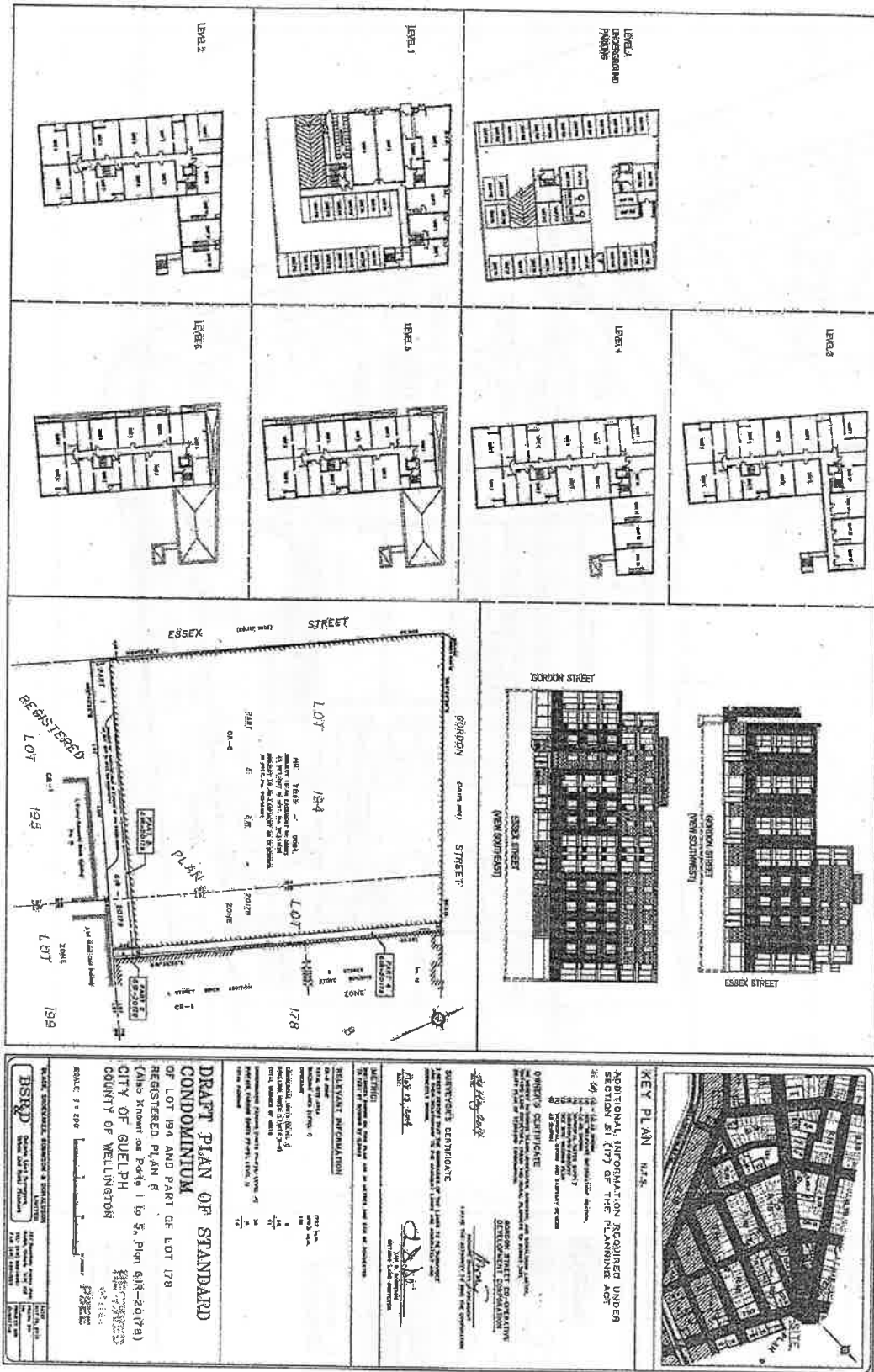
- 9) Prior to the registration of the Plan of Condominium, an independent lawyer shall certify that the proposed condominium phase has easements for all the sanitary sewers, building drains, building sewers, building storm drains, storm sewers, stormwater management system, watermains and water distribution system serving the condominium phase, which are located on private lands other than the lands included in the phase being registered.
- 10) Prior to the registration of the Plan of Condominium, the owner shall provide the City with a certificate from a Professional Engineer certifying that the infrastructure placed below grade (not within the built structure) is not contributing to any flooding of the basement/cellar area of the adjacent property known as 15-17 Gordon Street.
- 11) Prior to the registration of the Plan of Condominium, the owner shall provide the City with a certificate from an Ontario Land Surveyor or a Professional Engineer certifying that the surface water drainage of the site is contained and controlled on site and is not contributing to any flooding of the basement/cellar area of the adjacent property known as 15-17 Gordon Street.
- 12) Prior to the registration of the Plan of Condominium, an independent lawyer shall certify that the following warning clause has been incorporated into the Condominium Declaration as well as Purchase and Sale Agreements: *"WARNING: Canadian National Railway Company (CNR) or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."*
- 13) Prior to the registration of the Plan of Condominium, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the plan, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
- 14) Further to requirements outlined in Condition 3, any works not completed as per the approved site plans shall be completed prior to registration of the Plan of Condominium, and/or the Owner shall pay to the City a security amount representing the outstanding items therein as agreed to by the Manager of Development Planning.
- 15) The owner agrees to provide the City's Planning, Building, Engineering and Environment department with a digital file of the plan of condominium in an AutoCAD (*.dwg) format prior to the registration of the Plan of Condominium.

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- 16) Prior to the City's final approval of the Plan of Condominium, the City shall be advised in writing by the owner how conditions 1 through 15 have been satisfied or acknowledged, whatever the case shall be.

NOTES:

1. The Developer is responsible for contacting Canada Post and arranging mailbox locations and mail delivery methods for the development.
2. Draft Plan of Condominium approval will expire five (5) years from the date draft plan approval is issued.

SCHEDULE 3
Proposed Condominium Plan



Architectural floor plan of a building at 37 Gordon St. The plan shows a large rectangular building with a central corridor, multiple rooms, and a large open area. The building is situated on a corner lot, with Waterloo Street to the north and Gordon Street to the east. The plan includes detailed room layouts, dimensions, and annotations. A north arrow is located in the upper right corner. The plan is dated 1/15/00 and is a site plan for a building at 37 Gordon St.

LEGEND

 Free Pressed Direction

SCHEDULE 5
Department/Agency Comment Checklist

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Development Planning		✓	<ul style="list-style-type: none"> Standard conditions; build in accordance with approved site plan(s); CN Rail warning clause
Engineering Services		✓	<ul style="list-style-type: none"> Standard conditions; certification required from Engineer to ensure no flooding or drainage onto 15-17 Gordon Street
Finance	✓		
Parks Planning	✓		
Canada Post		✓	<ul style="list-style-type: none"> Centralized lock box facility to be provided
Rogers Cable	✓		
Wellington Catholic District School Board	✓		
Fire Department	✓		
Guelph Hydro	✓		
Union Gas	✓		
Upper Grand District School Board	✓		
Guelph Police Services	✓		
Economic Development	✓		