



MINUTES

DATE: December 15, 2021

REGULAR COUNCIL MEETING: 10:00 A.M.

The December 15, 2021 Regular Council Meeting was held on the above date and called to order at 10:00 a.m. via electronic participation.

1. **CALL THE MEETING TO ORDER**

2. **ROLL CALL**

ATTENDANCE:

Councillor Sara Bailey
Councillor Matthew Bulmer
Councillor Jessica Goyda
Councillor John Sepulis
Mayor James Seeley

STAFF IN ATTENDANCE:

1. Glenn Schwendinger, CAO
2. Mike Fowler, Director of Public Works, Parks and Facilities
3. Mary Hasan, Director of Finance/Treasurer
4. Courtenay Hoytfox, Municipal Clerk
5. Jeff Bunn, Deputy Clerk

3. **MOMENT OF REFLECTION**

4. **CONFIRMATION OF THE AGENDA**

Resolution No. 2021-397:

Moved by Councillor Sepulis and
Seconded by Councillor Goyda

That Council approves the December 15, 2021 Agenda and Addendum as circulated; and

That Council approves the additions to the agenda as follows:

Consent Agenda Item 6.1.6 Questions received from Council seeking additional information and the corresponding responses provided by staff regarding the December 15, 2021 Council agenda items.

CARRIED

5. **DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF:**

Councillor Goyda declared a potential pecuniary interest related to item 9.3.1, I have a pecuniary interest only in one property, 4726 Watson Rd S, as this property is owned by my parents.

Councillor Bulmer declared a potential pecuniary interest related to item 9.3.1 as a family member owns the property at 4422 Wellington Rd 32.

6. **CONSENT AGENDA**

6.1 Adoption and Receipt of the Minutes of the Previous Council and Committee Meetings:

6.1.1 November 17, 2021 Operating Budget Minutes

6.1.2 November 24, 2021 Council Minutes

6.1.3 September 21, 2021 Recreation Committee Minutes

6.1.4 November 9, 2021 Committee of Adjustment Minutes

6.1.5 November 9, 2021 Planning and Development Advisory Committee Minutes

6.1.6 Questions received from Council seeking additional information and the corresponding responses provided by staff regarding the December 15, 2021 Council agenda items

- 6.2 Compliance Assessment Report - Lafarge - McMillian Pit - 10671
- 6.3 Submit Questions for Provincial Ministers' Forums
- 6.4 November 2021 – Grand River Conservation Authority General Meeting Summary
- 6.5 Grand River Conservation Authority Staff Report & Draft Transition Plan Requirement under Ontario Regulation 687-21
- 6.6 Town of Cochrane - Property Assessment
- 6.7 Township of Amaranth - Supporting Resolution from Mattice-Val Cote regarding Municipal Property Assessment Corporation Update
- 6.8 Village of Thornloe - Supporting Resolution from Mattice-Val Cote regarding Municipal Property Assessment Corporation Update
- 6.9 Northumberland County Resolution - Federal and Provincial Funding of Rural Infrastructure Projects
- 6.10 Township of Amaranth - Supporting Lake of Bays Regarding Request for More Funding for Infrastructure
- 6.11 Township of Wainfleet - Infrastructure Funding
- 6.12 City of Kitchener - Liquor License Sales and Patio Extensions
- 6.13 Township of Wellington North - Alcohol and Gaming Commission of Ontario Use of Lottery Funds by Charitable Organizations
- 6.14 Town of Georgina - Lack of Recycling Options
- 6.15 City of St. Catharines - National Childcare Program
- 6.16 Municipality of Durham - Bus Stop Dead End Roads
- 6.17 City of Kitchener - Conversion Therapy
- 6.18 City of Kitchener - Fire Safety Measures
- 6.19 Top Aggregate Producing Municipalities of Ontario (TAPMO) Fee Schedule
- 6.20 Ministry of the Environment, Conservation and Parks – Updates to Noise Prediction Methods used for Assessing Road and Rail Traffic

Resolution No. 2021-398: Moved by Councillor Sepulis and
Seconded by Councillor Bailey

That the Consent Agenda items with the exception of items 6.13 listed for DECEMBER 15, 2021 Council meeting be received for information.

CARRIED

Resolution No. 2021-399: Moved by Councillor Sepulis and
Seconded by Councillor Bailey

That the Consent Agenda item 6.13 listed for DECEMBER 15, 2021 Council meeting be received; and

Whereas Council are in receipt of the Township of Wellington North - Alcohol and Gaming Commission of Ontario Use of Funds by Charitable Organizations dated Nov. 16, 2021; and

Whereas the Township recently received a Trillium grant for the purpose of funding municipal assets which is generated through lottery proceeds;

Be it resolved:

That staff be directed to draft a letter to be cosigned by the Mayor and CAO to the Alcohol and Gaming Commission of Ontario requesting that they change the Lottery Licensing Policy to allow eligible organizations to use the proceeds from lottery licenses for construction, renovation and improvement of buildings and facilities owned by or on land owned by municipalities used for purposes beneficial to the community and;

That a copy be sent to Speaker Ted Arnott requesting his support in this matter.

CARRIED

7. DELEGATIONS:

- 7.1 10:20 am Delegation by Christine Veit regarding the Community Safety and Well-Being Plan for Wellington County.



Resolution No. 2021-400:

Moved by Councillor Sepulis and
Seconded by Councillor Bulmer

That Council receives the Delegation by Christine Veit regarding the Community Safety and Well-Being Plan for Wellington County for information.

CARRIED

Council recessed from 10:55 – 11:00am

Roll Call

**Councillor Goyda
Councillor Sepulis
Councillor Bailey
Councillor Bulmer
Mayor Seeley**

Resolution No. 2021-401:

Moved by Councillor Sepulis and
Seconded by Councillor Goyda

That Council approves the delegation request made by Deanna Pinnegar - DMA - Representing Tridam - 6-11668 - 358 application.

CARRIED

Resolution No. 2021-402:

Moved by Councillor Sepulis and
Seconded by Councillor Bailey

That Council receives the delegation request made by Deanna Pinnegar - DMA - Representing Tridam - 6-11668 - 358 application for information.

CARRIED

8. PUBLIC MEETINGS:

8.1 January 19, 2022 Public Information Meeting held by electronic participation at 7:00pm regarding the following: 2022 Budget Public Information Meeting

9. REPORTS:

9.1 Puslinch Fire and Rescue Services

9.1.1 None

9.2 Finance Department

9.2.1 Report FIN 2021-043 Annual Indexing of Development Charges

Resolution No. 2021-403:

Moved by Councillor Sepulis and
Seconded by Councillor Bailey

THAT Report FIN-2021-043 regarding the Annual Indexing of Development Charges be received; and

That the indexed development charge rates outlined in Schedule B to Report FIN-2021-043 be approved.

CARRIED

9.2.3 Report 2021-044 Cancellation, Reduction or Refund of Taxes

Resolution No. 2021-404:

Moved by Councillor Sepulis and



Seconded by Councillor Goyda

THAT Report FIN-2021-044 regarding the Cancellation, Reduction or Refund of Taxes through Sections 358 be received; and

That Council for the Township of Puslinch reject s.358 Applications No. 5/2021 for the 2018 Taxation year, No. 6/2021 for the 2019 Taxation year and No. 7/2021 for the 2020 Taxation year relating to Roll No. 23-01-000-006-11668-0000 as the requirements for granting relief under section 358 have not been met.

CARRIED

9.2.4 Pre-Audit Planning Letter prepared by RLB

Resolution No. 2021-405:

Moved by Councillor Bulmer and
Seconded by Councillor Sepulis

THAT item 9.2.4 Pre-Audit Planning Letter prepared by RLB be received for information.

CARRIED

9.3 Administration Department

9.3.1 Report ADM-2021-077 – Proposed Puslinch Heritage Registry

Resolution No. 2021-406:

Moved by Councillor Sepulis and
Seconded by Councillor Goyda

That Report ADM-2021-077 regarding the Proposed Puslinch Heritage Registry be received; and

That Council adopts the Township of Puslinch Heritage Register as presented with the exception of the following properties:

**4726 Watson Road South; and
4422 Wellington Road 32;**

CARRIED

Councillor Goyda declared a potential pecuniary interest related to item 10.3 9.3.1, I have a pecuniary interest only in one property, 4726 Watson Rd S, as this property is owned by my parents and refrained from discussions and voting on that item.

Councillor Bulmer declared a potential pecuniary interest related to item 9.3.1 as a family member owns the property at 4422 Wellington Rd 32 and refrained from discussions and voting on that item.

Resolution No. 2021-407:

Moved by Councillor Sepulis and
Seconded by Councillor Bailey

That Council adds the following properties to the Township of Puslinch Heritage Register with undesignated status:

**4726 Watson Road South; and
4422 Wellington Road 32**

CARRIED



9.3.2 Report ADM-2021-080 – Council Comments regarding the Draft Site Alteration By-law

Resolution No. 2021-408:

Moved by Councillor Bailey and
Seconded by Councillor Goyda

THAT Council receives Report ADM-2021-080 titled Council Comments regarding the Draft Site Alteration By-law; and

That Council provided direction on revisions to be included in the next draft as noted below:



Draft By-law Section:	Comments:	Staff Explanatory Note:	Council Direction: (to be discussed at the meeting)
<p>Definitions</p>	<p><u>Councillor Bulmer:</u></p> <p>1. Definition of Clean Fill now includes possibly all of Ontario Regulation 406/19 and the application of this part of the definition is at the sole discretion of the Designated official. This creates several issues.</p> <ul style="list-style-type: none"> - this creates a definition that is a variable that is unknowable to the reader. - it is impractical to substitute all of O Reg 406/19 into the bylaw each place the words Clean Fill are found. - O Reg 406/19 includes parameters for Liquid Soil to be considered as Dry Soil which could conflict with Section 3 (b) of the draft bylaw. - it would be very helpful if this reference could be narrowed down to know which specific sections or clauses of the Regulation are to be considered as part of this definition. <p>2. Definition of) “Owner” includes “any Person who maintains or occupies land” This suggests that for the purposes of this bylaw the municipality would consider it appropriate to issue a permit or enter into an agreement with a maintenance contractor or tenant that is occupying a property without the registered owners consent. If this is not the intent then the definition should be improved.</p> <p>3. The definition of alteration states that anything under 100mm is not considered an alteration. This definition does not include an area or time limit. So, regardless of the area to be covered or the volume being placed or how often the material is placed, as long as the resulting grade change is under 100mm it is not considered as Alteration in this bylaw. However later clauses discuss both volume, area and time factor thresholds which complicates the understanding. For example, Section 9. states that “Where more than 1000 m3 of Fill is being Dumped or Placed on the Site or where the resulting proposed Finished Grade will be more than three (3) metres above or below adjacent</p>	<p>1. Council direction is needed to have this reviewed by the consultant and incorporated into the next draft.</p> <p>2. The definition of “owner” could be improved by changing the definition to:</p> <p><i>“Owner means the person who is the registered owner of the property.”</i></p> <p>Council may also consider clarifying the definition of “Permit Holder” to include the ability for an agent to obtain a permit subject to obtaining owner-authorization.</p> <p>3. Staff can review this definition based on the suggestion to increase from 0.5 hectare to 1 hectare. Staff also suggest reviewing the definition of Alteration to consider if a minimum threshold needs to be identified. Is there an opportunity to define Alteration without linking it to a specific change in elevation.</p>	<p>1. Staff to review the definition of clean fill to make it more understandable for the reader.</p> <p>2. Incorporate staff comments as noted.</p> <p>3. Staff to review based on Council and staff’s comments as noted. Staff to consider the need for individual definitions of alteration based on size of project (minor, small, large) and the potential for size of project to be tied to the volume of fill.</p> <p>Consider an increase in the area threshold from 0.5 Hectares to 1 hectare.</p>

Existing Grade or where site alteration occurs on an area greater than 0.5 hectares, then in addition to all the information set out in Section 6, the Owner shall be required to execute an agreement with the Township”.

Interpretation:

Since the threshold of more than 1000 m³ of Fill references being Dumped or Placed but does not reference Alteration, the 100mm exemption regarding Alteration may not apply. So 1000 cubic metres is the volume that is understood to trigger the need for an agreement. However, “the same clause goes on to state that where site alteration occurs on an area greater than 0.5 hectares”, does reference Alteration. So the definition of Alteration applies to this part of the clause. Meaning that any change in grade under 100mm is not considered as an Alteration and this area threshold can only apply when the proposed placement of fill exceeds 100mm. Other wise the placement of fill is not considered an Alteration. The net effect is that a change in grade greater than 100mm would be considered an alteration and if it were to occur on an area of at least 0.5 hectares then an agreement would be required. Since 0.5 hectares equals 5,000 square metres and the threshold depth for fill being considered an Alteration is 100mm, the threshold for an agreement would be at 500 cubic metres or half of what was stated earlier in the same clause. A simple fix would be to increase the area threshold from 0.5 Hectares to 1 hectare.

Councillor Bailey:

4. Consider adding definition for ‘native soil’ and ‘locally sourced fill’

4. These definitions can be incorporated with Council direction.

4. Staff to review and consider:
Native Soil:
Potential to include provisions in exemptions or S. 11.

Clean fill definition to include Source sites such as aggregate operation and included in the required documentation for testing.



S. 3

Councillor Bailey:

5. Liquid fill is not useful for site alteration regardless of chemical composition and its disposal should be prohibited in Puslinch.

Issues relating to the management of liquid soil – suggest just prohibit it

5. Liquid fill is noted as a prohibition in Section 3.b of the By-law:

Notwithstanding the provisions of this by-law, no person shall Place or Dump Fill or permit Fill to be Placed or Dumped that:

(b) is Fill in liquid or substantially liquid form;

5. Staff to review the new reg. with the consultant regarding liquid soil restrictions to potentially build in restrictions in the by-law.

Securities and Application Requirements

Councillor Bulmer:

6. Fix language regarding Securities. Section 4 lays out requirements that apply to all sizes of operations and indicates that the Applicant must provide “security in a form and amount to be determined in accordance with Schedule “C” to this by-law.”

However, Clause 2 regarding Securities in Schedule C only requires Securities for projects subject to Section 9 of the bylaw that are greater than 1000 cubic metres.

As a result, no Securities would be required for projects under 1,000 cubic metres.

At the same time, Section 9 (h) of the bylaw which suggests that Securities are required for projects greater than 1,000 cubic metres does not require such securities to be in a form and amount to be determined in accordance with Schedule “C. So projects over 1,000 cubic metres are not required to provide Securities in a manner described in Schedule C, which is where the details regarding such Securities are described.

7. Refine the Application and load tracking process to be in line with the Provincial regulations to ensure consistency, enforceability and defendability while maintaining the owners sole responsibility for the quality of any fill brought on site and damage that may result from same.

Councillor Bailey:

33. Recently the provincial government brought in a new regulation titled [On-Site and Excess Soil Management](#). The soil reuse rules of O. Reg. 406/19 came into effect

6. Staff can review and suggest that all projects described in S. 9 that require an agreement including the applicable terms which includes securities.

Projects that do not meet the thresholds identified in S. 9 would not require an agreement (or the associated terms including securities) and so could be considered ‘small scale projects’.

Subject to Council direction, the requirement for an agreement and securities can be clarified based on the thresholds in S. 9.

7. Council direction is needed to have this reviewed by the consultant and incorporated into the next draft.

6. Clarify that Scalable securities are required for all permits including permits for less than 1000m3.

Staff to review the Schedules and review S. 9 and S. 4 to ensure consistency.

7. Staff to review the new reg. with respect to the new registry and how to prohibit or require additional testing for fill coming from a source site that is not included on the registry.

January 1, 2021. On January 1, 2022 the requirements for testing of soil, tracking of trucks, and registration of soil movements will formally take effect. - Assuming a revised Site Alteration By-Law for Puslinch is adopted, what will Puslinch need to do to address the upcoming regulatory changes?

Excess soil disposal should be prohibited Puslinch

Incorporate peer review of initial source site assessments (Schedule B Environmental Control Program)

For consideration:

<https://www.excesssoils.com/municipalities-the-reg>

Section on Municipal Control of Quality, Quantity and Purpose - specifically the key takeaway on sharpening municipal tools

Councillor Goyda:

8. A control plan as set out in section 6 as written, is required by all applications. This is extremely expensive and not feasible for someone who wants to do a small project.

The addition of section 11 appears to allow for relief of this requirement as well as the fee which is great but there still remains no guidance on how that waiving of requirement is determined.

I'm concerned about this for those wanting to complete small projects for 2 reasons.

If one reads the requirement of a control plan with the understanding that it would be required no matter how small the project, the complexity and the cost involved would entice someone to just move ahead without a permit which is not what we want.

The applicant may proceed to obtain the requirements for a control plan at great cost only to find out when the application is submitted that it wasn't required. Which is also not what we want.

Question is - What would be process and criteria to have the requirement of a control plan and associated fee

8. Council could consider incorporating an additional set of application requirements for small-scale projects that do not exceed the thresholds identified in S. 9.

S. 11 could be further reviewed and revised to enable the Designated Official to exempt certain small-scale projects from requiring a permit altogether (landscaping, or paving an existing driveway for example)

The pre-consultation process already in place for planning applications can absolutely be utilized for Site Alteration Applications.

8. Staff to consider separate application requirements for 'small scale projects' and include a schedule for scalable projects (sample projects and the documentation required).

Expand the exemption section within the schedule to include sample projects.

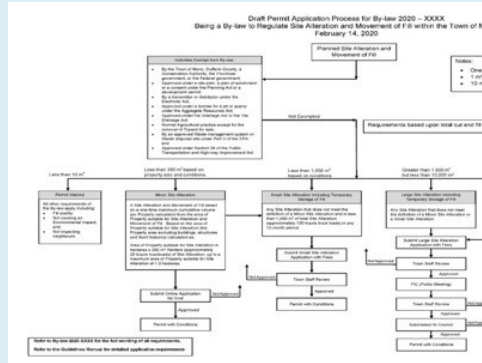
Re-order the by-law to include exemptions at the beginning of the by-law.

reduced or removed? When and how would this determination be made? Is there something we can do to provide more clarity on this?

Could there not be a simplified process for smaller projects such as adding gravel to driveways & laneways, filling in swimming pools etc...or alternatively, create a pre-consultation process whereby the scope of the application requirements could be determined and outlined so that both the applicant and the township have a clear understanding and expectation prior to application and work beginning?

Councillor Bailey:

9. Consider an application process visual with reasonable scale thresholds such as from the Town of Mono:
<https://mono.civicweb.net/document/56771>



9. This is great. Staff can consider incorporating something similar to this in a user guide.

9. Staff review the criteria from the Town of Mono by-law.

Public Notice

Councillor Sepulis:

10. Include the need for a public meeting for any fill operation in excess 10,000 cubic metres

Councillor Bulmer:

11. On February 4, 2015, Council passed By-law 11/15 to amend the Site Alteration By-law to implement a public notice and a public meeting requirement where an application is made for the importation of more than 1000 m3 of fill. However this is not reflected in the current draft. Since not all Site Alteration Bylaws include such a requirement but it is considered best practice for neighbours to be informed or consulted, it would be helpful to understand why this is not included or if an alternate trigger level would

10. - 14. What is the intent of a public meeting and what type of feedback is sought after through this process?

Council could consider replacing the requirement for a public meeting with public notice. This notice could include the project details including project duration, haul routes, etc. to make surrounding neighbours aware of the upcoming activities. The purpose would be to inform rather than to solicit feedback from the public. If the project complies with the by-law and public feedback received objecting to the project, what would be the expectation?

10.-14. Staff to consider when a public notice is required and when a public meeting is required and when a permit can be issued without public notification.

Include the purpose of the project in the application and notice.

make this more relevant.

Councillor Bailey:

12. When considering large scale site alteration proposals, notification to residents should be considered if a proposed haul route passes through hamlet or settlement area similar to the Dufferin Aggregate situation when their haul route was temporarily closed.

13. By-Law 11/15: “WHEREAS Council deems it expedient to provide a notification and public meeting process for a Site Alteration Permit that is greater than 1,000 cubic meters of fill.” There should continue to be opportunity for public input/debate when considering large scale site alteration permit applications.

14. When considering large scale site alteration proposals, notification to residents should be considered if a proposed haul route passes through hamlet or settlement area similar to the Dufferin Aggregate situation when their haul route was temporarily closed

Further considerations: What would trigger the requirement for public involvement in an application? (amount of fill, area of alteration, duration of project, etc.)

Monitoring and Reporting

Councillor Bulmer:

15. Add random testing of material that is brought on site.

16. The bylaw and Schedules are not clear regarding minimum monitoring or reporting of an operation. For example in section 9 (c) suggests that “ongoing or periodic monitoring of the activity” may be required, but it does not establish a minimum frequency for such monitoring. Also Section 9 (d) requires that the “Qualified Person or environmental consultant to report in writing on a regular basis”, however no minimum frequency of this reporting is provided.

As a result no monitoring or reporting is actually required until the completion of the project.

If this is not the intent, then minimum monitoring and reporting periods should be required either based on time or volume of fill imported.

Councillor Goyda:

15. – 19. Considerations:
-who is performing the random test?
-who is responsible to pay for random testing?
-who is responsible to review and approve the results?

Should minimum testing requirements be included in the by-law or is this more appropriate to include in the permit/agreement? It may be challenging to set a minimum frequency for all types of projects.

Further clarification is needed regarding monitoring requirements.

15. – 19. Consider linking testing requirements to the source site and scale of the project.

Random inspections of the site during the project to ensure QP is on site and allow the designated official the ability to take samples while on site for inspections. All costs associated with sampling are paid by the permit holder.

Review testing and inspection requirements should be reviewed with the consultant.

Monitoring and reporting should be

	<p>17. Is the expectation that the fill in each truck load be tested or that the fill at the source site is tested and is then representative of the fill in each truck? The current wording is not quite clear either way.</p> <p><u>Councillor Bailey:</u></p> <p>18. Need to define 'periodic' in 9c in regards to reporting. Perhaps this could be done in a manner consistent to the groundwater monitoring in Schedule B. (initial sampling, periodic testing, consistent sampling, quarterly basis) Also see https://osrtf.ca/wp-content/uploads/2017/12/OSRTF-Model-Fill-Management-Plan-2017-1.pdf</p> <p>19. Establish quantity thresholds that are defensible and risk based</p>		<p>required at stages of the project.</p>
<p>Agreement</p>	<p><u>Councillor Bulmer:</u></p> <p>20. While many Site Alteration bylaws require an agreement signed with the municipality, some require this to be signed by Council and some designate the authority to sign these agreements to staff similar to Site Plan Agreements. Should we consider this approach for applications between 1,000 cubic metres and 10,000 cubic metres?</p> <p><u>Councillor Goyda:</u></p> <p>21. Section 9 as written outlines that when more than 1000m3 of fill is being dumped or placed, the owner will be required to execute an agreement with the township including security as outlined in section h. There is no mention of securities if there is less than 1000m3 being dumped.</p>	<p>20. Delegated authority for signing agreements could be linked to project size and the requirement for public notification/consultation.</p> <p>21. The intent is likely to provide flexibility for small scale projects. However, where any of the thresholds are exceeded in S. 9 (3 metres above or below adjacent existing grade or where site alteration occurs on an area greater than 0.5 hectares) then an agreement with securities would be required.</p>	<p>20. Staff to review Council and staff comments to incorporate.</p> <p>21. Staff to review Council and staff comments to incorporate.</p>
<p>S. 11</p>	<p><u>Councillor Bulmer:</u></p> <p>22. Section 11 is a very beneficial clause which could benefit from an associated Schedule of sample projects that could be covered by this discretion such as regrading around buildings to address drainage issues that have developed over time or regrading of fence lines to facilitate</p>	<p>22. S. 11 could benefit from including a list of sample projects.</p>	<p>22. Staff to review Council and staff comments to incorporate.</p>

the installation of new fencing etc...		
<p>S. 21/22</p>	<p><u>Councillor Bailey:</u></p> <p>23. Re 21/22: Consider a renewal process rather than an extension after a permit has expired. If a project needs to be extended then it should occur before a permit expires. (A project achievable within a stipulated permit duration must be based on available material. A beneficial reuse site should not be permitted to go on for years like a waste disposal site.)</p>	<p>23. The responsibility is for the owner to ask for a renewal within 6 months of the expiry and a renewal may only be provided once for any permit. This suggests that the maximum length of time a project could occur would be 1 year for the original permit; max 6 months after expiry; additional 1-year extension if approved. This is a max of 2.5 years. Beyond this, a new permit would be required.</p>
<p>S. 25</p>	<p><u>Councillor Bulmer:</u></p> <p>24. Section 25 (g) makes reference to “ the Township’s by-law to prohibit the obstructing, encumbering, injuring or fouling of highways and bridges”.</p> <p>Is this the proper reference?</p> <p>25. Section 25 i) states “ensure the work that is the subject of the Permit does not occur in areas regulated by a Conservation Authority or approval agency without written approval of the respective regulatory agency, and in the event this occurs, ensure that the affected areas are restored to the satisfaction of the Designated Official.”</p> <p>Should this be amended to be “”restored to the satisfaction of the respective regulatory agency and the Designated Official”?</p>	<p>23. Staff to review and revise this section to require a permit to be extended prior to the expiry of the existing permit (remove the 6 months after expiry). The extension should be based on work completed and work remaining. Look at administrative fee for extensions.</p> <p>24. Staff are not aware of a Township By-law that prohibits this. This can be reviewed and revised.</p> <p>24. Staff to look at comments and revise this section.</p> <p>25. This makes sense and can be revised.</p> <p>25. Staff to look at comments and revise this section.</p>
<p>S. 26 Exemptions</p>	<p><u>Councillor Sepulis:</u></p> <p>26. As part of the public revenue process I believe a less onerous addition to this bylaw should be developed for less than 1000 cu m. including common sense exemptions such as:</p> <p style="padding-left: 20px;">26 Exemptions add clause “ (m) the redressing or repaving of an existing driveway or parking area with a maximum of 50mm of material and provided the existing drainage patterns are not affected</p>	<p>26. See comment No. 8:</p> <p>Council could consider incorporating an additional set of application requirements for small-scale projects that do not exceed the thresholds identified in S. 9.</p> <p>S. 11 could be further reviewed and revised to enable the Designated Official to exempt certain small-scale projects from requiring a permit altogether</p>

(landscaping, or paving an existing driveway for example)

The pre-consultation process already in place for planning applications can absolutely be utilized for Site Alteration Applications.

Councillor Bulmer:

27. (i) placing of Topsoil on gardens, lawns or other grassed areas, provided the Existing Grade is not increased in any period of five consecutive years by more than two hundred (200) millimeters anywhere on the Site;

Possible Interpretations:

- an owner can add 200mm of fill to a hay field but not to a corn field.
- if an owner of a 100 acre property adds 200mm of topsoil to fill in a small hollow in the front yard they will need to wait 5 years before they can do the same to the hollow in the back yard.

Questions:

- If a permit is not required to place this fill on grassed areas how will Township staff know if and when grades were changed and by how much?
- How does this work for a lot in a plan of subdivision or plan of condominium where changing the grades by this much from the grades approved as part of the development can effect the drainage of the entire development?

28. Missing an exemption regarding building permits. For example: construction of a building or structure pursuant to a valid building permit issued under the Ontario Building Code provided that the site grading plan accompanying the building permit application provides sufficient information to determine that the placing or dumping of fill conforms with the provisions of this By-law, and the amount of fill to be dumped or placed pursuant to the building permit does not exceed two hundred (200) cubic metres, and excavation and backfilling occurs within ten (10) metres of the building or structure and is incidental to the construction of the building or structure.

Councillor Bailey:

27. Considerations:

- Could the 200mm threshold be removed if small-scale project application requirements are established?
- Could placement of topsoil be considered in S. 11
- S. 27 contemplates fill placement for Normal Farm Practices
- S. 26 b. contemplates fill placement exemptions for development under the Planning Act

27. S. 26 b. staff to review permits in subdivisions after the completion of the subdivision and contemplate this in the exemption section.

28. S. 26 f. contemplates this exemptions and could be expanded to include specifics as noted.

28. Staff to review and consider how the site alteration by-law links to the building permit process.

29. Clarify intent of the statement S. 26(f)

Building permits should not (do not) imply consent for large scale site alteration

Small scale site alteration including landscaping should remain exempt from site alteration permit requirement

29. The intent of this section is to provide the ability for the legal development or demolition of a building without the need for a site alteration permit. There are limits to this, meaning that the fill needs to be directly associated with the development or demolition for which a legal building permit has been issued.

29. Driveway permits to be addressed through scalable projects.

S. 27

Councillor Bulmer:

30. Section 27 regarding Normal Farm Practices could be improved to provide a clearer indication of when a permit is required, even for a normal farm practice. For example, The Normal Farm Practices Board decision regarding Sniegthe vs. the Town of New Tecumseth clearly indicated that despite the fact that fill being imported can be considered as a Normal Farm Practice, there are times when the placement of fill that can be considered of a Normal Farm Practice still requires a permit from the municipality.

It appears that the part of Section 27 that states “Where section 9 of this by-law applies to the proposed Fill, an agreement under that section shall be required” , is intended to indicate that point.

However, this clause is stuck inside a number of other clauses that primarily indicates that no permit is required for a Normal Farm Practice.

So it is not clear exactly what is considered exempt as a normal farm practice and what is not.

30. It would be beneficial to expand on what is considered a normal farm practice and incorporate this into the By-law.

It may also be helpful to expand on what documentation may still be required for a project when applying this exemption.

30. Comments to be incorporated/expanded

S. 47

Penalties

Councillor Sepulis:

31. Re “(c) upon conviction for a continuing Offence, to a fine of not less than \$500 and not more than \$10,000 for each day or part of a day that the offence continues. The total of the daily fines may exceed \$100,000; and”; Should the word “not” be inserted after “may”

Councillor Bailey:

31. This is an error and the wording should be as follows:

“The total of the daily fines may not exceed \$100,000”

31. no further action required.

	32. Enforcement – all costs covered by permit holder including any peer review consultants and regular and random site audits	32. An enforcement provision and financial recoveries would be incorporated into any agreement/permit that is executed with a property owner either through the User Fees and Charges By-law or the agreement provisions.	32. no further action required.
General	<u>Councillor Bailey:</u> 34. Consider related increased training options if necessary for ‘Designated Official’.	34. Training requirements and opportunities will continue to be frequently reviewed by staff.	34. no further action required.
	35. Integrate related environmental protection plans	35. Council direction is needed to have this reviewed by the consultant and incorporated into the next draft.	35. no further action required. Include a review of lot lie setbacks and how this should be considered based on project size.
	36. Regardless of what we call large scale site alteration - building/demolition permit, development, agriculture, aggregate extraction, airport construction, beneficial reuse, dump, etc..., as a matter of policy the principle of protecting existing soils and ground water from contamination by chemically contaminated imported soils should be paramount when developing this By-Law.	36. N/A	

CARRIED

9.3.3 Report ADM-2021-079 – Health and Safety Policy and Violence and Harassment Policy Annual Review

Resolution No. 2021-409:

Moved by Councillor Bulmer and
Seconded by Councillor Sepulis

That Report ADM-2021-079 regarding the Health and Safety Policy and Harassment and Violence in the Workplace Policy Annual Review be received; and

That Council endorse the Health and Safety Policy and the Harassment and Violence in the Workplace Policy included as Schedule A and B respectively.

CARRIED

9.4 Planning and Building Department

9.4.1 None

Council recessed from 12:42pm to 1:00pm

Roll Call

**Councillor Goyda
Councillor Sepulis**

**Councillor Bailey
Councillor Bulmer
Mayor Seeley**

9.5 Emergency Management

9.5.1 Report ADM-2021-081 – 2021 Emergency Management Programme Report

Resolution No. 2021-410: Moved by Councillor Goyda and
Seconded by Councillor Sepulis

That Report ADM-2021-081 regarding the status of the Township's Emergency Management Programme for 2021 be received; and

That the Council of the Township of Puslinch accepts the annual status report of the Township's Emergency Management Programme for 2021.

CARRIED

9.5.1 Report ADM-2021-082 – Emergency Management Programme Committee Update Report

Resolution No. 2021-411: Moved by Councillor Bulmer and
Seconded by Councillor Sepulis

THAT Report ADM-2021-082 regarding the update to the Emergency Management Programme Committee be received; and further that the Council of the Township of Puslinch accepts the Emergency Management Programme Committee update; and,

That the Township Council maintains the 2016 appointments of the Emergency Management Programme Committee for the Township of Puslinch and removes an alternate/as designated language per member as follows:

**Member of Council (Mayor)
CAO/Clerk
Finance (Director of Finance/Treasurer)
Public Works (Director of Public Works and Parks)
Chief Building Official
Fire Department (Fire Chief, Deputy Fire Chief)
Wellington OPP (Inspector or Staff Sergeants, Sergeants)
Guelph Wellington EMS (Chief, Acting Chief, Supervisors)
Wellington Dufferin Guelph Public Health (Health and Safety Coordinator/Inspectors)
Emergency Management (CEMC), and Any other persons or agency representatives that may be appointed by Council from time to time; and,**

That Council designates authority to the Committee to appoint the CAO as Chair from their members; and,

That the Committee is responsible for overseeing the development of the Township of Puslinch Emergency Management Program ensuring that appropriate public education activities, training for emergency management officials and staff, and emergency management exercises are undertaken on an annual basis; and further,

That the CEMC shall provide Council with an annual report on the status of the Township's Emergency Management Program for their review, consideration and approval.

CARRIED

9.6 Roads and Parks Department

9.6.1 Report PW-2021-007- Bylaw Designating Specific No Truck Locations – REVISED

Resolution No. 2021-412:

Moved by Councillor Bulmer and
Seconded by Councillor Bailey

THAT Report PW-2021-007 entitled Bylaw Designating Specific No Heavy Truck Locations be received for information; and

That Council gives three readings to Bylaw 2021-063 being a Bylaw designating and posting portions of Watson Road S and portions of MacPherson’s Lane as No Heavy Trucks.

CARRIED

9.7 Recreation Department

9.7.1 None

10. CORRESPONDENCE:

10.1 None

11. COUNCIL REPORTS:

11.1 Mayor’ Updates

11.1.1 None

11.2 Council Member Reports

11.2.1 None

12. BY-LAWS:

12.1.1 BL2021-063 - Prohibit Heavy Vehicles on Municipal Highways

Resolution No. 2021-413:

Moved by Councillor Sepulis and
Seconded by Councillor Bailey

That the following By-laws be taken as read three times and finally passed in open Council:

12.1.1 BL2021-063 Being a by-law to prohibit heavy vehicles on municipal highways and to repeal By-law 36/13.

CARRIED

13. CLOSED SESSION:

Council was in closed session from 1:55p.m. to 2:36p.m.

The Clerk stopped the recording and removed all public attendees from the webinar. The webinar was then ‘locked’ so no new participants are able to join.

Resolution No. 2021-414:

Moved by Councillor Sepulis and
Seconded by Councillor Bailey

That Council shall go into closed session under Section 239 of the Municipal Act for the purpose of:

13.1 Adoption and receipt of the previous closed minutes

13.1.1 November 24, 2021 Closed Session

13.2 Confidential verbal report regarding personal matters about an identifiable individual, including municipal or local board employees – By-law Complaints in accordance with Section 3.14 c of the Township Corporate By-law Complaint Policy 2021-002.



CARRIED

Resolution No. 2021-415: Moved by Councillor Bailey and
Seconded by Councillor Goyda

THAT Council moves into open session at 2:36pm

CARRIED

Council resumed into open session at 2:36p.m.

Resolution No. 2021-416: Moved by Councillor Sepulis and
Seconded by Councillor Bailey

That Council receives the:

**13.1 Adoption and receipt of the previous closed minutes
13.1.1 November 24, 2021 Closed Session**

13.2 Confidential verbal report regarding personal matters about an identifiable individual, including municipal or local board employees – By-law Complaints in accordance with Section 3.14 c of the Township Corporate By-law Complaint Policy 2021-002; and

That staff proceed as directed.

CARRIED

14. BUSINESS ARISING FROM CLOSED SESSION:

None

15. NOTICE OF MOTION:

None

16. NEW BUSINESS:

None

17. ANNOUNCEMENTS:

17.1 Years of Service Recognition

18. CONFIRMATORY BY-LAW:

(a) By-Law to confirm the proceedings of Council for the Corporation of the Township of Puslinch

Resolution No. 2021-417: Moved by Councillor Bailey and
Seconded by Councillor Goyda

That the following By-law be taken as read three times and finally passed in open Council:

By-Law 2021-064 being a by-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch at its meeting held on the 15 day of December 2021.

CARRIED

19. ADJOURNMENT:

Resolution No. 2021-418: Moved by Councillor Sepulis and
Seconded by Councillor Bulmer

That Council hereby adjourns at 2:38 p.m.

CARRIED



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
DECEMBER 15, 2021 COUNCIL MEETING
VIRTUAL MEETING BY ELECTRONIC PARTICIPATION

James Seeley, Mayor

Courtenay Hoytfox, Clerk