



September 28, 2022 Regular Council Meeting

September 28, 2022

Addition to the Consent Agenda Item 6.1.4 Questions received from Council seeking additional information and the corresponding responses provided by staff regarding the September 28, 2022 Council agenda items.

Responses Appreciated Prior to Meeting

9.3 Administration Department

9.3.1 Report ADM-2022-048 – 2023 Council & Committee Meeting Dates

-what is the timing to get back into face to face meetings?

Staff are currently looking at options to conduct hybrid meetings. This may or may not be doable with the current AV equipment in Council Chambers.

– would this be the appropriate time for council to discuss returning to in-person council meetings?

The Procedural By-law does not specify how each meeting is to be conducted but proposes that either option (electronic or in-person) is permitted. This is going to depend primarily on what is possible with the AV equipment in Chambers. Staff are looking into options and inquiring with neighbouring municipalities on what might be required to host hybrid meetings. Staff is hoping to have a solution for Council for the last meeting of this term of Council and for the beginning of the next term of Council.

9.3.2 Report ADM-2022-049 - Township of Puslinch Annual Accessibility Status Report

-please comment with regard to the need to comply with the legislation related to existing parks; we have had concerns expressed about Boreham Park

It is our understanding that AODA was introduced in 2005 with the goal of a completely accessible Ontario by the year 2025. Park facilities in PCC and Boreham will comply with the act. Park spaces will also comply with the Integrated Accessibility Standards (part of



AODA act) which includes the design standards for the built environment (trails, parks, outdoor play spaces, etc.)

Does the AODA state what percentage of a facility shall be accessible ? Do our parks have to be AODA compliant for all areas?

Both Boreham Park and PCC Park will be accessible and comply with the Act, including the Integrated Accessibility Standards which includes design standards for the built environment (trails, parks, outdoor play spaces, etc.). In Boreham Park specifically, all pathways will be 100% accessible. Access to the play equipment and swings will be 100% accessible (via rubber surfacing). All benches and seating are 100% accessible. There is an accessible swing option on the swing set. The play structure itself is approx. 30-40% accessible and includes transfer standards and accessible play options.

9.3.3 Report ADM-2022-050 – Sunrise Therapeutic Riding & Learning Centre Site

Plan Control Agreement Request – Interest on Security Deposit
-why isn't interest normally paid back?

This would be very difficult to administer as the number of deposits received by the Township for various matters is extensive and the calculation involves a number of steps which would involve a significant amount of tracking by finance staff:

- *Date the security deposit is deposited in the Township's bank account;*
- *Any potential withdrawals on the securities to complete work or remedy any deficiencies;*
- *Partial refunds of the security deposit as work is completed in accordance with the agreement;*
- *Monthly interest rate during the timeframe the funds were in the Township bank account;*

Based on discussions with the Township's auditor, they do not have any audit clients who provide interest earned on deposits back to deposit holders as this would be very difficult to administer. The Township is also not aware of any of the lower tier municipalities in the County of Wellington providing interest earned on deposits back to deposit holders.



Another option Council could consider is to have Sunrise submit a grant application to the Township through its 2023 Grant Application Program for the interest they are not earning due to the security deposit cheque/bank draft that is being retained by the Township through this site plan process. An application would need to be submitted as soon as possible as the deadline to apply for a 2023 grant was August 31, 2022. This will enable Council to review all grant requests for all eligible organizations as part of one Township staff report to Council as part of operating budget deliberations. Council could authorize an exception to the deadline of August 31st not being met for Sunrise given the unique nature associated with this request. Sunrise has not submitted a grant request for the 2023 budget to date. It is recommended that the grant be payable to Sunrise at the completion of Sunrise's development project upon the site plan agreement requirements and conditions being met. Township staff could come up with an estimate of the approximate interest earned on the deposit and use that as a basis for the amount of the grant that is paid out.

9.3.4 Report ADM-2022-051 – Street Renaming Request – Swastika Trail

Staff contacted Canada Post to determine if changes to the street are planned within the next five years. Swastika Trail has a Cambridge mailing address with a postal code of N3C 2V4. Canada post confirmed that if the street name is changed, the postal code would be change at the same time.

Based on the above it is unclear what is proposed to occur.

Does Canada Post have any plans to change the Cambridge Addresses in the Township to be Puslinch addresses within the next 5 years?

Canada Post reached out to staff in March 2021 in response to the 2017 Council resolution (attached). Their email from March 2021 stated that they are now considering the initiative to change Cambridge, Moffat and Guelph addresses within Puslinch. Staff responded in March 2021 that the Township is still interested in pursuing the changes. To date, no preliminary meeting has been confirmed by Canada Post to discuss the potential for this project to commence.

Staff reached out specifically regarding the proposed renaming of Swastika Trail to see if this street was proposed to be updated to a Puslinch identifier in the next 5 years. Canada Post indicated the following: "if you are changing the street name, we would change the postal code at the same time. The postal code change would only affect Swastika Trail, or whatever the new name is."



Staff have since asked Canada Post to clarify if/when they anticipate this project starting and have not received a response. However, based on the email exchanges, it appears this is still in the preliminary stages and the timing of the project will depend on Canada Post resources.

Will Canada Post apply a new Cambridge postal code to just the homes on the renamed road?

Based on the Council resolution attached, the initiative is to change the mailing addresses to match the municipal address.

Will Canada Post apply a new Puslinch address and postal code to just the homes on the renamed road?

Same response as above.

Will Canada Post apply a new Puslinch address and Puslinch postal code to all of the properties in the Township that currently have a Cambridge address if the road name is changed? If so, how many properties would be effected?

No, only those properties affected by the street renaming would receive a Puslinch identifier.

Can we confirm that the applicant is a registered property owner on Swastika Trail and has satisfied this requirement of the policy? How was this confirmed?

Staff reviewed the Township Property data system to confirm ownership. Staff update this system based on MPAC sales data which is generated through the Registry Office.

How was the independent 3rd party selected who advised on the type of application?

Staff contacted a legal firm that specializes in human rights issues, deals with human rights applications and acts as counsel before the Human Rights Tribunal of Ontario. Staff advise the legal firm about the application that was received to rename Swastika Trail and that the application was put forward on the basis that the name Swastika is discriminatory and that it has a commonly acknowledged alternate negative or offensive



meaning. Staff requested that the legal firm recommend a qualified individual who has experience and credibility in commenting on the application. The legal firm recommended Bernie Farber of the Canadian Anti-Hate Network. Mr. Farber is the Chair of the organization and his qualifications are outlined in the peer review included in the staff report. As staff understands it, he also advises both the Provincial and Federal governments on similar matters.

The result of the judicial review came to council in 2018 during the current term of council but this did not entail a decision or vote to be made as to whether the name should be changed. When is the most recent date when a decision or vote was made regarding renaming Swastika Trail?

December 20, 2017

If council was in support of installing a plaque or monument of some type to provide history and education on the original meaning of the word Swastika, what would be the most appropriate way of implementing this? Would it be through the budget process? This could be a consideration regardless of whether the name changes or doesn't change.

Staff would need more information about this request in order to provide a response.

During the public process of the many drafts of the street naming policy coming before council, were there any formal comments from the community that were submitted for consideration?

Eleven (11) emails were received during this time in support of the Policy. None of the comments provided any suggestions to be considered by Council, and only provided support to adopt a Policy.

Could you please provide reference to the part of the municipal act that speaks to municipal jurisdiction to rename private roads?

Naming private roads – Municipal Act, 2001

48. A local municipality may name or change the name of a private road after giving public notice of its intention to pass the by-law. 2001, c. 25, s. 48.



In previous discussions about the renaming policy, I mentioned that Swastika as a name and symbol is used in Canada as a religious symbol. Freedom of Religion is a protected right under the Charter of Rights and freedoms in Canada. Can you explain how this consideration was evaluated in by the Consultant and their qualifications to for such review.

The scope of the peer review is based on the application. The renaming application was put forward on the basis that the name Swastika is discriminatory and that it has a commonly acknowledged alternate negative or offensive meaning. The Policy required that the existing name Swastika be tested to determine whether it is discriminatory and whether it has a commonly acknowledged alternate negative or offensive meaning. The peer reviewer that was selected is qualified to make this determination based on the recommendation staff received from the legal firm with expertise in this subject matter.

Did the consultant take into account the religious component of Swastika or strictly on a hate basis?

The peer reviewer provided his expert opinion based on the scope of the application. The renaming application was put forward on the basis that the name Swastika is discriminatory and that it has a commonly acknowledged alternate negative or offensive meaning. The Policy does not call for a review outside of the scope of the application. The applicant is responsible to pay the costs of the peer review, and as such staff do not expand the scope of the peer review beyond what the application and Policy warrant.

9.3.5 Report ADM-2022-051 – Street Renaming Request – Timberwalk Trail - Does a street name rhyming with Business name make the name not in compliance with the SRP?

The staff report details that the Name Timberwalk was decided on in 2016 by the developer Sloom Construction. Section 5.2.4 of the Policy prohibit names that are deliberately intended to advertise existing businesses, industries or other commercial ventures. Staff's recommendation is the given the timing and that the name was selected by the developer, the name Timberwalk Trail is not deliberately intending to advertise for Timberworx. However, this does not preclude Council from deciding to rename the street. Staff recommend that should Council decide to rename the street, that the application be processed under Section 8 of the Policy and the requester be responsible for all costs.



9.3.6 Report ADM-2022-053 – Heritage Structure Demolition - 82 Queen Street

-would it be possible to have a photograph of the property available for screen display at the meeting if needed?

Yes staff can have this prepared.

9.3.7 Report ADM-2022-054 – Procedural By-law

-p.116 rp. 14 re “(a) The decision pertaining to whether a meeting is in-person or virtual shall pertain to all of Council. Staff may participate either in-person or virtually at the discretion of the CAO. Electronic participation at an in-person meeting is not permitted for Council Members.”

Please explain why key staff should be given the option to be present or not at an in-person meeting ie. CAO, Clerk, Director of Finance and any staff making presentations.

-p. 118 rp. 18 Section 5.1; As PDAC members are to be backup fence reviewers as well, would this be the appropriate place to mention it?

-p. 122 rp. 19 re Council order of business has announcements as Item 7. What is the rationale for moving it up from current location?

-p. 123 rp 20 re “Public Presentations do not include third party presentations by Township consultants or presentations being made at the request of staff relating to a matter of Township business.”; might wish to consider adding words such as other public agencies which encompass County staff, Conservation Authorities, MTO etc.

Definitions - It is not clear the difference between the definition of “Advisory Committee” and “Committee”

Section 3.3 (ix) – this section is difficult to understand – perhaps can be reworded for better clarity

Section 4.6 (a) – Who makes the decision whether a meeting is in-person or virtual?

Section 4.6 (e)(iii) – Are delegations able to participate electronically during an in-person meeting or is this only possible during an electronic meeting?

Section 4.8 (c) (i) – small typo – the word “and” appears twice in a row.

Section 4.8 (c)(iii) – addendum agenda items received prior to noon on Tuesdays are discussed – maybe worthwhile referencing section 6.2 which deals with additions to the agenda after the deadline. Section 6.2 references section 4.8 so it would make sense that this would be true the other way around as well.

Section 5.2 – there are some committees in this section which were not in the previous version of the procedural by-law. Would it be possible to provide a small description of the new committees that have been added?



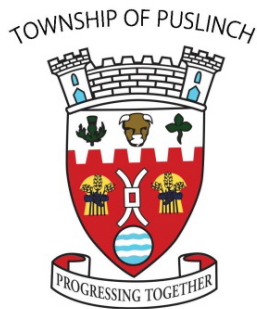
Section 6.4 (k) – A delegation shall only register themselves to speak and may not register other delegates – is the intent of this to limit delegations to only be one person? If 2 people wish to delegate together at the same time, is the intent that would no longer be permitted?

Section 7.2 – very good addition. Just to clarify. A motion to reconsider needs only a majority vote and then discussion can take place, but in order for an actual reconsideration to be carried, a 2/3rd vote is required? It would be helpful for “motion to reconsider” to be added to definition section.

Staff will review all Council comments and incorporate into the second draft of the by-law.

10.2 Ontario Ministry of Infrastructure – Accelerated High-Speed Internet Program
-do staff have a concern with meeting any of the requirements?

No, staff doesn't have any concerns with meeting the requirements.



Township of Puslinch

7404 Wellington Road 34

Puslinch, ON N0B 2J0

T: (519) 763 – 1226

F: (519) 763 – 5846

www.puslinch.ca

February 24, 2017

Canada Post
Andy Paterson
Manager, Government Affairs/Municipal Engagement

VIA E-MAIL: Andrew.Paterson@canadapost.postescanada.ca

To Canada Post:

RE: Mailing address changes for Canada Post

Please be advised that Township of Puslinch Council, at its meeting held on February 15, 2017, considered the aforementioned topic and subsequent to discussion, the following was resolved:

WHEREAS Canada Post has recently been making adjustments to several Puslinch mailing addresses, changing them from Guelph to Puslinch in order to match them to their municipal address;

AND WHEREAS it is desirable to have a matching municipal and mailing address for all properties in the Township in order to facilitate delivery of mail and emergency services;

THEREFORE BE IT RESOLVED that Council for the Township of Puslinch advises Canada Post that it is desirous that all mailing addresses within the Township be replaced with "Puslinch";

AND THAT Canada Post gives priority to replacing mailing addresses of other municipalities that are within Puslinch (i.e. Cambridge, Moffat, Guelph);

AND THAT this resolution be sent to the Honourable Michael Chong for his support.

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

Yours very truly,
Nina Lecic
Deputy Clerk

CC:

1. Wayne Beaton, Delivery Planning Manager, Canada Post, Wayne.Beaton@canadapost.postescanada.ca
2. Ian MacNeil, Delivery Planning, ian.macneil@canadapost.postescanada.ca
3. The Honourable Michael Chong, MP Wellington- Halton Hills, michael.chong@parl.gc.ca