



March 2, 2022 Regular Council Meeting

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Addition to the Consent Agenda Item 6.1.5 Questions received from Council seeking additional information and the corresponding responses provided by staff regarding the March 2, 2022 Council agenda items.

Council Meeting of March 2, 2022

6.4 Town of Halton Hills - New Gravel Extraction Licensing Applications Resolution
-will bring motion to support

Staff will be prepared.

6.15 Environmental Registry of Ontario Posting 019-5071 - Capital Paving Inc. Permit to take Water
-will bring motion and suggest a letter from Harden to limit the renewal of permit to 5 years

Staff will be prepared.

6.16 Peter Julian MP New Westminster - Burnaby -Seeking your endorsement for Bill C-229
-will bring motion to support

Staff will be prepared.

9.3.1 Report ADM-2022-011 – Publicized Display By-law Third Draft
-p. 70 re 2nd para. "and the opinion of Council under this section, if arrived at in good faith, is not subject to review by any court;"; what does this say in plain speak?

This section means that Publicized Display nuisance impacts can be considered as a nuisance by Council as authorized by Sec 128 of the Municipal Act, and the courts can't dispute Council's determination or opinion about the displays being considered a nuisance.



9.3.2 Report ADM-2022-012 – Municipal Election Key Dates and Restricted Acts

-at an earlier Council Meeting when mail in ballots were discussed, staff were asked to consider having boxes available at the office or/and voting location to accept mail-in ballots. Is having these boxes a possibility?

This is going to be included in the Voting Procedures for Vote by Mail. The idea is to have the option for vote by mail ballots to be dropped off to the Municipal Office until the polls close on voting day. This will ensure anyone that misses the mailing cut off date is still able to drop off a ballot. Additionally, if someone has mailed in a ballot too late and it will not arrive on time, staff will be utilizing 'real time' ballot strike off. This means if their ballot is not received by election day they would still have the ability to vote in person. Once a strike off is noted in the system, no other ballots for that elector are accepted. More details on this will be available in the procedures that will be made available shortly.

9.3.3 Report ADM-2022-013 – Draft Municipal Street Naming Policy

-there are some duplicate street names in the Township, which may cause confusion to emergency responders. Should there be some consideration for Township initiated changes in these instances? What are the Fire Dept.'s thoughts?

Staff can inquire with the Fire Department and the County and report back with the next draft.

Section 6. Assigning Street Suffixes

Should PVT also be on this list for a private road?

This can be added in the next draft.

Section 8.3 and 9.2.2 mention the costs to replace street signage

Does this include the Civic address signs that now include the street name?

Only certain locations within the Township would require the civic sign to be updated if a renaming occurred. The new emergency sign program only includes the street name on the civic signs for streets outside of the settlement areas, condos, subdivision, and areas around Puslinch Lake. The cost for a new civic sign is the same whether it includes the



street name or not. The 2022 fee is \$24.20. This would be covered by the \$200 fee paid by the requester to each impacted property.

Reimbursement Process:

8.3 Reimbursement requests are required to include all relevant documentation to the satisfaction of the Township.

Does this mean that affected residents will need to provide three quotes for any expenses claimed?

Section 8.3 could be revised as follows:

8.3 All costs associated with renaming a street shall be the responsibility of the requester(s) including but not limited to administrative costs associated with Township statutory notifications, ~~reasonable costs incurred by all affected property owners (as approved by the Township)~~ the flat fee paid to each affected property as outlined in Section 9.2, and the costs to replace street signage. ~~Requests for reimbursements from affected property owners shall be submitted to the Township within 45 days of the passing of the by-law to change the name of the street or shall forfeit the reimbursement. Reimbursement requests are required to include all relevant documentation to the satisfaction of the Township.~~ All fees are to be paid to the Township prior to the notification process commencing. The flat fees collected to be paid to each affected property owner shall be held as securities to be distributed to the affected property owners upon approval of the renaming. All fees are refundable to the requester except for the costs associated with the statutory notifications in the event an application is denied.

Section 8.10 describes the public notice that will be given after an application has been deemed complete and the suggested new name has been vetted.

What happens if there are several requests for additional names to be added to the list? Who will decide how many more names staff should review and who will pay for this additional review?

The intent of the current wording in the policy is to have the requester(s) provide proposed name(s) including the relevance and significance of the proposed name(s) and demonstrated compliance with the Township's Municipal Street Naming Policy as part of their application submission. This would be circulated to all affected property owners.



The intent is that the affected property owners provide feedback during the public consultation process including objection or support of any proposed name and the possibility of suggesting additional proposed names. If a new name or names were proposed during the public consultation, the same criteria would apply in terms of providing relevance, significance, and compliance with the policy. Staff would then compile this information into a staff report to Council.

Staff agree that there is likely another process that needs to be incorporated into the policy to outline how the new name would be selected if it were to be by a majority vote by the property owners on the selected street.

Section 8.13 indicates that the new name for the street will be selected by a majority vote of registered property owners on the affected street.

This suggests that 50% plus one of the registered property owners will need to agree on a name but it is unclear when or how this will occur.

This raises several questions and the potential costs that the Requestor would face for this process.

What happens if a majority of the registered owners do not vote?

Since any property can have more than one “registered property owners”, would a property with multiple registered owners receive multiple ballots for this vote?

Would there still be vote if the requestor only suggests one name?

What if there is a three or four way split for a name and no name receives a majority of the vote?

Who will run this process?

How much will this process cost the Requestor?

How will the registered owners vote?

Same comment as above. The current policy does not adequately contemplate the process for voting on a new street name. This can be included in the next draft upon direction from Council.

Section 9.2.2 regarding Additional costs to be paid by the requester.(s):

* \$200/residence or property on the affected street

* \$500/ legal business (in accordance with the Township zoning by-law) on the affected street



Owners of private roads such as a Condominium Corp, residents association or single owner may incur additional costs to update registered plans or legal descriptions of their property but these are not mentioned.

Could an additional group be added to this list for this type of expense?

Based on staff's research it has been confirmed that a person's property is identified as being a lot or part (or part thereof) on a plan (either plan of subdivision, reference plan, or other less commonly used type of plan, such as a "Judge's Plan") i.e. Part lot 15 on registered Plan 425. A property's legal title is not described as being on a road.

9.2.2 states that affected residents can claim " costs "to a maximum amount per property/residence/legal business as noted."

This suggests that affected residents will be submitting expenses and staff will be reviewing them for appropriateness prior to approving a different reimbursement amount. for each affected resident.

Considering that the Requestor will be paying for staff's time to review these submissions plus up to the maximum amount per submission, could it save the Requestor money and staff time if the reimbursements were just treated as a fixed amount?

This is a good suggestion and revised wording is suggested above for Section 8.3. Section 9.2.2 can be revised to state that the amounts are flat fees.

Calculation of Costs for Requestor:

It is implied that the total costs to be paid by the Requestor(s) will not be known until 45 days after Council decides to change the name. This makes it difficult for a requestor to know how much it might cost to complete the process.

Is the requestor expected to make this calculation or will Township staff provide an estimated maximum cost after receiving an application and prior to a requestor paying the nonrefundable \$700 Notification Fee? ?

The revised wording for Section 8.3 contemplates this and would provide the requester(s) the actual amount to be paid prior to making the application based on the number of affected properties and the flat fee structure.

Signing up for Reimbursement



Based on the current draft all effected properties, residents and businesses are assumed to be included in the total calculations of costs yet there may be several residents or property owners that would support the name change and were not planning to seek reimbursement, but with the current wording this would not be known until 45 days after the decision was made to change the name. This creates a large unknown for any requestor
Would it be possible to include something in the process whereby effected property owners would need to register for the reimbursement process earlier on to provide the requestor an indication of the potential costs?

The revised wording for Section 8.3 contemplates this and would provide the requester(s) the actual amount to be paid prior to making the application based on the number of affected properties and the flat fee structure.

Section 9.2.6:

This section refers to Section 8.2.

Should this be amended to refer to Section 8.3 that deals with costs?

This Section can likely be deleted if the revised wording in Section 8.3 is accepted. This would mean that all fees are paid prior to the application being circulated and held as securities by the Township pending the decision on the renaming.

Also this Section refers to a “Signed declaration by the requester(s) that all costs...shall be willingly paid by the requester”.

Does this mean that instead of providing securities up front, the Requestor or Requestors will not be asked to pay any fees until 45 Days after Council decides to change the name?

Same comment as above: This Section can likely be deleted if the revised wording in Section 8.3 is accepted. This would mean that all fees are paid prior to the application being circulated and held as securities by the Township pending the decision on the renaming.

The use of the term “requester(s)” suggests that there could be more than one Requestor yet the policy is silent on how the Township would apportion the costs if an application was received with 4 Requestors but 1 requestor failed to pay their share of the costs to the Township.



Would the Township simply increase the amount that the other requestors owe and leave it to the requestors to get that share from the fourth Requestor?
Or would the Township spend additional resources to try and recover the last portion from the defaulting party?

Same comment as above: If the revised wording in Section 8.3 were accepted, this would mean that all fees are paid prior to the application being circulated and held as securities by the Township pending the decision on the renaming. The requesters would need to work out amongst themselves how the costs would be shared.

Other municipal processes use securities that are provided earlier in the process to ensure that the funds are available from the applicants to complete the process.
Could we use a similar process here to give the applicants some idea of the costs they could be facing and provide the Township some assurance that the process is fully funded prior to entering into the main part of the process?

This is a good suggestion and has been incorporated in staff's responses.

Report ADM-2022-013

Is the intent that this policy apply to all roads (except county roads, MTO roads and other municipality roads) regardless of whether the road is owned by the township? (i.e. Private roads, roads within a condominium etc..) If so, for legal purposes and clarity, does that need to be specified?

The intent of the draft policy is to exclude only those roads where the Township does not have jurisdiction. All other roads, including private roads, are covered under the policy. Staff's intent behind the way the policy is currently written is to alert the reader to where the policy does not apply in an effort to make it clear where the Township can not take action. Staff can look at this section if it is unclear and bring back further suggestions on the wording if directed.

Section 8.13 – is this is the right order? Should this take place before 8.12?

Good suggestions. These sections can be re-ordered to make more sense for the reader.



Section 9.2.2 Additional cost to be paid by the requester \$200/residence and \$500/legal business – how have these costs been determined?

Staff looked at the cost to have mail forwarded by Canada Post for an interim period until the affected property owner can have the necessary updated made. The cost for mail forwarding for 1 year for a residential property is approximately \$90 and approximately \$60 for an additional 4 months. If a civic address sign is also required this is approximately \$25. Staff estimated \$200 would cover these related costs.

The cost for a business to have mail forwarded by Canada Post for an interim period of 1 year is approximately \$270. Staff incorporated the possibility that stationary may need to be updated as well and estimated \$500 would cover related costs.

Once incorporated into the Township's User Fees and Charges by-law, these costs would be subject to an annual review and could be amended if required.

Is a private road a street? To me it could be interpreted as not being included in this by-law unless specifically mentioned.

Section 2 refers to the scope and application of the policy in that it applies to road allowances in the Township of Puslinch excluding those road allowances where the Township does not have jurisdiction. Staff can include a definition section in the next draft if required.

Do we require a majority of the people affected by a name change to sign the application, similarly to the Wellington County Road Master Action Plan, if a petition is submitted it shall have 33% of the residents living on the street to be considered valid. If adopted for the street renaming this would also distribute the cost over a larger amount of people.

The intent of the draft policy as written does not require a minimum number of affected property owners to agree on the decision to rename. Staff's intention when drafting the policy was to reflect a similar process for planning applications under the Planning Act. An application is circulated to affected property owners who are invited to participate in the public consultation process. Similar to a planning application, Council considers the application and makes its decision based on compliance with policy, legislation, public feedback, and staff recommendations.



Is the intent that the Public have the final say in the new name and the choice of the name ? If so I see many votes taking a long time and costing the residents too much, I believe staff could review recommendations but have the Ultimate decision.

Staff can incorporate this into a next draft upon direction from Council.

Report 9.3.4 Flag Flying/Proclamation Policy

Is there any best practices guidelines between upper tier and lower tier municipalities in terms of flag flying? For example lower tier flying flags related to local issues and Upper tier flags flying in relation to broader issues.

No, not that staff is aware of. Each municipality tends to decide and recognize on its own.

What educational component would accompany any flag flying change? How would residents learn about why the flag position has changed? Or the meaning behind the flag?

It is anticipated that once approved by Council, this policy and the related information (i.e. designated dates for flags flying at half-mast would be made available on the Township's website.

How does the policy regarding the use of our digital sign and the proclamation policy relate? Would there be a coordinated effort to combine the messaging or separate use?

The use of the digital sign was not contemplated for this purpose.

What educational component would accompany a proclamation? How would residents learn about what the proclamation means?

It is anticipated that if approved by Council, this policy and the related information (i.e. designated dates for proclamation would be made available on the Township's website.

Please comment on the staff time predicted to handle the proclamation requests and the flag requests. Would you consider this an increased service level?

This is not possible to estimate at this time. Currently without a formal process not a lot of requests are received. Once a municipality makes a decision to make proclamations



and that becomes known, then there can be significant increase in requests but it is not possible to quantify at this time.

How many flags can be flown at one time?

Based on the research into other practices and federal protocols, it appears that a maximum of 2 flags should fly on a pole at one time.

Does the county have a policy on proclamations? How do they handle these requests?

The County has indicated that they do not make proclamations.

Report ADM-2022-012 Lame Duck - Restricted Acts and Municipal Election Key Dates:

The report stated "If, on August 19, 2022 (Nomination Day), 4 (four) or more current Members of Council decide not to run for office again for the 2022-2026 Term of Council, then Council would be considered lame duck"

One small clarification would be that even if 4 or more members did choose to run for office the Council could be considered as "lame duck".

It is more proper to state that If), 4 (four) or more current Members of Council decide not to run for positions that could lead to the same 4 members serving on the same Council again for the 2022-2026 Term of Council, then Council would be considered lame duck.

What is the difference?

If 4 of us decided to run for election again but 3 of the four ran for Mayor, since only 1 of the 3 candidates for Mayor can be considered as being able to be elected to the new Council the Council would be considered lame duck because only 2 members of the current Council could be elected to the new Council.

Follow up from the February 9, 2022 Council meeting:

The purpose of this response is to follow up regarding one outstanding question we received regarding the an item on the February 9th agenda that we were not able to answer at the time. The question was in regards to the response we had received from Guelph regarding our submitted comments/concerns re the Clair- Maltby Plan.



“we believe additional monitoring wells need to be installed and monitored as part of development evolution and this will help identify ambient conditions pre-development and changes post development.” Are there any monitoring wells proposed to be added by the City in Puslinch?

We have now received the response from our hydrogeologist as follows:

There are no proposed monitoring wells in the Township of Puslinch in regard to the Clair Maltby Secondary Plan. I continue to see this as a potential issue for residents south of Maltby Road as the only way to address storm water in the development area is to direct it to natural and engineered infiltration areas. Road salt is a particular concern as it will recharge with the stormwater. A detailed review of where infiltration will be concentrated compared to existing private wells should be made and monitoring wells installed accordingly.

This could be raised at the meeting, and if council desires, they could direct staff to forward this concern to Guelph asking for their response.