



April 13, 2022 Regular Council Meeting

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Addition to the Consent Agenda Item 6.1.2 Questions received from Council seeking additional information and the corresponding responses provided by staff regarding the April 13, 2022 Council agenda items.

Council Meeting of April 13, 2022

6.4 City of Hamilton - Road Closure Application 400 McCrae Station Road Flamborough
-does staff a concern with the closure?

Public Works does not have a concern

Consent 6.4 Road Closure - What is the reason for the requested closure? Does this road allowance allow for public access to Mountsberg lake?

The City of Hamilton notice indicates that the request has come from the owners of 400 McCrae Station Road. The subject section of road abuts the requester's property. The notice did not provide a reason for the request. It could be to potentially merge the road allowance and their property into one lot however, this is not confirmed. This does not appear to be a formal access to Mountsberg Lake.

Consent 6.9 CH spill hazard – will Township staff be involved in this engagement?

At this early stage of the Conservation Halton Project, they have prepared a Discussion Paper to initiate the process. As indicated in their correspondence, as they get into further details, they will consult with many agencies, including municipalities in their watershed. Puslinch will be part of this process. We have contacted CH and indicated that we are interested in and look forward to these discussions. Our primary focus will be to determine what will be taking place within Puslinch in the event of a spill and what



the expectation on Puslinch would be as we do not have the resources of other large municipalities within their watershed.

That being said, usually if there is a spill in the natural environment, the Spills Action Centre (SAC) is notified. SAC triages the call and notifies the local municipality based on risk. The SAC may or may not ask for assistance from the municipality. Regardless of who is called, the owner of the spilled materials usually bears responsibility/liability for costs incurred in clean up.

Consent 6.11 Electricity engagement – will County or Township representation be available to attend?

Yes, the Township will have a representative attending this to determine applicability, benefit to Township

6.25 Association of Municipalities Ontario - More Homes for Everyone Plan, Non-Resident Speculation Tax, and Fee Elimination for Volunteer Police Record Checks
-will County provide comments on ERO 019-5287 Seeking Feedback on Housing Needs in Rural and Northern Municipalities?

*Staff did contact the County and received the following information:
Staff from Social Services and Planning are working with the AMO Housing and Planning Task Force to respond to the many items announced by the Government on March 30th. The deadlines are tight. Based on the information available, the Housing Needs proposal will be a longer process with no set deadlines. In terms of our MCR/OP Review, there will definitely be an emphasis on affordable housing. The actual amendment/policies will come out later this year or early next. Staff is working on a report this week for Committee. It will go out to member municipalities shortly.*

Consent 6.26 ERO pause - it appears that the comment period ended April 10th, how does staff propose our comments be submitted?

Would like to support CFFO submission comments if still possible

<https://www.christianfarmers.org/issues/letters-submissions/submission-regarding-pause-of-excess-soil-requirements>



Staff inquired with Township consultants as to whether any comments would be put forward on the proposal from their perspective. Source Water Protection and Hardened Environmental confirmed that they would not be providing comments (unless directed by Council). If Council intends to submit comments, staff can send comments to MECP.LandPolicy@ontario.ca for consideration.

9.2.1 FIN-2022-011 - Remuneration and Expenses– 2021

Page 131 — how is the amount paid for remuneration to our Grand River Conservation Authority Member calculated? Why is this so high in comparison to other remuneration paid to members on other committees?

Chris White is the chair of the GRCA so he receives a higher amount. Staff confirmed this amount with the GRCA to ensure it is accurate. This amount is paid by GRCA to the Chair, Puslinch only pays a small proportion of that.

9.2.2 FIN-2022-013 - Fourth Quarter Financial Report - 2021

-based on this information can the surplus be calculated now and if so what is it?

The general surplus is \$569,206. The Township will be reporting on this at the May Council Meeting.

9.2.3 FIN-2022-014 - Temporary Borrowing By-law

-did we borrow in 2021?

No there was no temporary borrowing in 2021. This is a contingency measure that Puslinch has not had to utilize for at least the last several years.

9.2.4 Annual Building Permit Report

Page 171 –The building department had a surplus in 2021 of \$80,971 and a reserve balance of \$601,700.00. The balance in the reserve has enough to cover more than one year worth of expenses without any additional revenue coming in. Given this info, should the township be considering lowering the fees for building permits? What is a reasonable balance to be maintaining in the reserve?

From 2018 to 2020, the Township had a deficit in the building department which resulted in drawing money from the building reserve. 2021 is the first year in a few years



where we have a surplus in the Building Department. Also, the building department pays a portion of other department costs related to indirect support and services. Essentially, the building department reserve is doing exactly what it was intended for. Providing funds to pay for years where the current building permit fees are not covering the current work. Based on my understanding of the building reserve, many municipalities aim for a building reserve equal to 1.5 years of operating costs. The balance in the reserve is within this threshold.

To date of have not heard any complaints directly regarding our current fee structure. Council will have an opportunity during our annual review of our “fee and charges” by-law to look more closely at the building permit fees.

In 2021, there were 361 building permits issued compared to 256 in 2020. This is an increase of 41%. Is this increase comparable to other municipalities? What is driving this spike in building permits and is this expected to continue in 2022?

Staff cannot confirm precisely the stats from other municipalities at this time, but in speaking with other municipalities they appear to have had similar permit activity in 2021. The driver behind increased permit activity in Puslinch can be attributed to the development of new houses and accessory apartments on severances and currently approved subdivisions. The first quarter of 2022 does indicate that the increased permit activity will continue this year. A full analysis of the 1st quarter stats will be provided at the next council meeting.

9.3.3 ADM 2022-020 Temp Patio:

Q1: 6 appropriately zoned properties. Rather than 2022 being the last year, is there an option to reassess in October? What is the process for making the temporary patios permanent?

Property owners have the ability to make an application at any time to establish a permanent patio. The process may vary depending on the property and specifics of the proposed patio.

An application to amend the registered site plan would be the first step. This could include a pre-consultation with staff. The Township has two application types: Minor Site Plan and Standard Site Plan.

A Minor Site Plan may include, but is not limited, to the following:



- *Site works associated with the change of use of an existing building;*
- *Parking lot modifications, outdoor patios, landscape works and the placement of accessory buildings and structures;*
- *Minor revisions or building additions to existing commercial, industrial or residential developments*

A Standard Site Plan may include, but is not limited, to the following:

- *Requirement for technical studies (storm water management, geotechnical, hydrological, environmental impact assessment, etc.)*
- *Relates to a new development or major additions/alterations to an existing development or site design.*

Section 7 of the Township Site Plan Control By-law provides staff with the ability to approve minor changes to an existing site plan without requiring an amendment application if the proposed changes do not meet the criteria of a Minor Site Plan.

Additionally, the Planning Act allows for the passing of a temporary use by-law, which may not exceed three years from the date of passing. In keeping with this, 2022 will be the 3rd season where the temporary patios will be permitted. Staff recommend that 2022 be the last year for temporary patio permissions in order for a full review to take place. This will also allow time for businesses to make arrangements for the 2023 patio season if desired.

9.3.4 ADM 2022-021 Fence Viewers:

Q1: The direction was for staff to recruit 4 fence viewers. Three have been selected. I am aware of 2-3 more residents interested in being recruited. Is there opportunity for them to be included still and included in the training?

The Line Fence Viewer Appointment was advertised from December 17, 2021 to February 28, 2022. The recruitment process resulted in 3 successful candidates as noted in the staff report. Staff can initiate another recruitment process to fill the 4th position at the direction of Council. We cannot add individuals to a closed recruitment. The Committee of Adjustment members are also noted as being appointed in January 2023 to provide coverage in the event a fence viewer is unavailable. One of the reasons for appointing the citizen members of the Committee of Adjustment is that staff are in regular contact with committee members and there is the ability to include annual training at one of the



regularly scheduled monthly committee meetings. There is a cost saving component to this for the Township as annual training can be included during one of the regularly scheduled Committee meetings.

9.3.5 Report ADM-2022-022 - Municipal Street Naming Policy Second Draft

-assuming Council has no substantive comments what would be the next steps?

-at what stage would a by-law be proposed by staff?

Subject to Council direction, staff can bring a by-law forward to enact the policy once revisions to the policy conclude.

9.3.5 ADM 2022-022 Street naming policy:

Q1: Is the intention that staff will review all names within the Township to see if they fit the parameters set out in section 5?

Staff resources do not permit a comprehensive review of existing street names in the Township.

Q2: Last meeting there was discussion around the relevance of who is requesting an existing name change. In regards to private roads, if the requester is not the owner then support should/may be included with the application. How much support would staff suggest? (33.3% - 80%)

Staff are not recommending that a certain percent of support be required. The intention of the policy is to require public consultation for all renaming requests. This will allow those affected by the proposed renaming to provide feedback (support or objection). This would include the owner of a private road.

Page 199 – Street Naming Policy. Section 8.3 speaks to the flat fee paid to each affected property owner as outlined in section 9.2. This does not seem to be referencing the correct section. Should it not be as outlined in section 10.2.2?

This will be corrected in the next draft to reflect the updated section.

Section 9.3 speaks to the township being responsible for costs associated with renaming a street that is in non-compliance. Is this intended to mean township will be responsible for administrative costs and cost of street signage or is the intention that the township will also be



responsible for additional costs to the residences and businesses on the affected street similar to the fees paid by the requestor for a street that is in compliance (\$200 and \$500 to each affected residence/business)?

If it is demonstrated that an existing street name does not meet the Policy, the intention with this draft is for the Township to be responsible for all costs associated with renaming the street (administrative, signage, and the flat fee paid to each affected residence).

1. Section Headings:

Section 3 needs to be updated to match the changes made to the Policy. For example: Specifically this policy addresses the following:

Section 4 - Street naming and renaming categories Section 5 - Street Names – Suitability and Appropriateness Section 6 - Street Suffixes Section 7 - Procedure to Assign a Name to a New Street; Section 8 - Procedure for Renaming an Existing Street; Section 9 – Application requirements; and Section 10 – Reporting to Council Yet the new section headings are:

8. Procedure to Rename an Existing Street that is in compliance with the Policy 9. Procedure to Rename an Existing Street that is in non-compliance with the Policy 10. Application Requirements 10. Reporting to Council

This is noted and will be updated in the next draft.

2. Costs paid by Township under Section 9.

9.3 All costs associated with renaming a street that is in non-compliance with the Policy and where the re-naming has been approved by Council, shall be the responsibility of the Township. Although when the policy is read as a whole one might presume that this would not include the flat fee costs associated with Section 8 applications, this exclusion is not clear.

So does all costs” mean all municipal costs or all Municipal costs plus the flat fee costs indicated for Section 8 applications or is it all Municipal costs plus any costs incurred by all residents and property owners on the road related to the changing of the name even if they exceed the flat rate proposed for Section 8 applications?

If it is demonstrated that an existing street name does not meet the Policy, the intention is for the Township to be responsible for all costs associated with renaming the street



(administrative, signage, and the flat fee paid to each affected residence). This can be made more clear in Section 9.3

We also need to keep in mind that there are three types of situations that this policy needs to work for.

1. Township roads on Township property.
2. Privately owned roads on private property.
3. Privately owned roads on Township property.

If the Section 9.3 is to be read as only include Municipal costs, then situation 2 above would not be treated the same as situation 1 and 3.

So to ensure equal application, the policy should be amended to clarify if it is intended to include costs incurred by the owner of the land under the road since a Condo Corp or private road owner may have maps, documents or non municipal markings that they may need to update or replace.

Staff can review and incorporate this comment into the next draft to add clarity.

3. Confirmation of merit.

Section 9.5 regarding the clerk's department reviewing "the request to ensure conformity with the Municipal Street Naming Policy" could be assumed to include a test regarding the merit of an application being made under Section 9 rather than Section 8.

However the suggestion that staff has made such an assessment is not explicit, until Section 9.9.4 which occurs after a great deal of staff time has already been invested into the process. Would suggest that Section 9.5 be amended to include some language regarding staff confirming that the application merits the process and fee structure of Section 9 rather than Section 8 prior to initiating the remainder of the process.

Staff can review these sections for the next draft.

9.3.6 ADM 2022-023 Film Policy - In follow up to the idea that filming within Puslinch is a benefit to economic development, have there been any discussions on how we could advertise this? What mechanisms are there to help promote Puslinch as a "film friendly location"?

We will incorporate this into our website as a promotion and we will share with the County Economic Development group so that they are also aware and can promote



9.3.8 Report ADM-2022-025 - Triton Water Canada Holdings, Inc. Permit to Take Water
-when can we expect to see the Triton 2021 annual report and Harden's associated comments?

Stan will be at the meeting and can speak to this question

PTTW item 3.3 refers to Schedule A Item 6 which indicates more monitoring during low water advisory and if levels fall below historical levels then discussions will occur with the Province on mitigation measures. What would be the best way to ask that the Township be advised of this situation and involve the Township hydrogeologist?

Regarding low water, staff would suggest that we send a letter to the Guelph District Manager (Jeff Burdon) and the signing Director (Greg Meek) and ask them to notify the Township. We can also bring it up at the water management meetings under the Tier 3 that will hopefully be starting this year.

10.1 2021 Capital Paving Inc. Wellington Pit License 20085 Groundwater Annual Monitoring Report prepared by Groundwater Science Corp.
- will Township's Hydrogeologist review report?
-p.264 re "Capital is requesting to discontinue the water monitoring program as indicated on the site plans. However, if aggregate washing resumes in the future (eg. Portable washing plant brought on site), Capital would restart the monitoring as outlined in the site plans."; does our hydrogeologist agree?

This report is not regularly reviewed because the cost for the peer review is not recoverable from the operator. Staff can send to Harden Environmental for review subject to direction from Council. Staff can include the question noted above in the correspondence to Harden if directed.

10.2 2021 Roszell Pit License 625189 Groundwater Annual Monitoring Report prepared by Groundwater Science Corp.
-will our hydrogeologist should be asked to review report?
-p.279 re "As indicated in the Township of Puslinch August 15, 2018 Council Meeting Agenda Package (available at <https://puslinch.ca/calendar/>), the assessment and above noted recommendations were reviewed on behalf of the Township by Harden Environmental Ltd. and GWS Ecological & Forestry Services Inc. (Township consultants). The review concurred with the



recommended monitoring program changes and accepted the threshold recommendations. However, no review response has been received to date by the Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNR). Therefore the monitoring program has continued as per historical practice.”; what is the best way to advise Ministry of our concerns regarding the delay? Should a letter be sent by our hydrogeologist?

We are waiting for the peer review from Harden Environmental. Once this is received, staff will include the two Roszell reports (Roszell Pit Ecological Annual Report and the Groundwater Annual Monitoring Report) along with the 3 peer reviews on the same Council agenda for Council’s review. Staff have posed the question regarding the 2018 recommendations to Harden Environmental.

Correspondance 10.2 - re: no Ministry response on p4 of Groundwater Science Corp report. Is CBM restricted in any way to improving the monitoring program as per the recommendations as noted in 2018 by Harden and GWS?

Staff have posed this question to Harden Environmental.

10.2.1 2021 Roszell Pit License 625189 Groundwater Annual Monitoring Report

Peer Review prepared by Aboud & Associates Inc.

-will move that report be sent to the pit operator noting support for Golder’s recommendations and request timeline for implementing Golder recommendations as noted in section 7 of Appendix E to the Groundwater Sciences Report

Staff will have a draft motion prepared.

Page 423 – Ecology Peer Review of Roszell Pit. Will Harden Environmental be providing a report on the groundwater monitoring report as well?

Staff have been providing the peer reviews as we receive them. We are waiting for the peer review from Harden Environmental. Once this is received, staff will include the two Roszell reports (Roszell Pit Ecological Annual Report and the Groundwater Annual Monitoring Report) along with the 3 peer reviews on the same Council agenda for Council’s review.