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## THE CORPORATION OF THE TOWNSHIP OF PUSLINCH JULY 13, 2022 COUNCIL MEETING VIRTUAL MEETING BY ELECTRONIC PARTICIPATION

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#### AGENDA

**DATE:** Wednesday July 13, 2022

**CLOSED MEETING:** Directly following Section 12 By-laws

**REGULAR MEETING:** 10:00 A.M.

	• •	
1.	Call the Meeting to Order	
2.	Roll Call	
3.	Moment of Reflection	
4.	Confirmation of the Agenda ≠	
5.	Disclosure of Pecuniary Interest & the General Nature Thereof	
6.	Consent Agenda ≠	
	6.1 Adoption and Receipt of the Minutes of the Previous Council and Committee Meetings:	
	6.1.1 June 6, 2022 Council Minutes	5
	6.1.2 June 15, 2022 Council Minutes	7
	6.1.3 June 22, 2022 Council Minutes	17
	6.1.4 May 10, 2022 Committee of Adjustment Meeting Minutes	20
	6.1.5 May 10, 2022 Planning and Development Advisory Committee Minutes	23



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## THE CORPORATION OF THE TOWNSHIP OF PUSLINCH JULY 13, 2022 COUNCIL MEETING VIRTUAL MEETING BY ELECTRONIC PARTICIPATION

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6.3	Grand River Conservation Authority - Progress Report 1 and Inventory of Programs and Services	30
6.4	Dufferin Aggregates Monthly Monitoring Report - Mill Creek License 5738	35
6.5	Ministry of Natural Resources and Forestry - Dufferin Aggregates - Mill Creek Pit - Amendment to Groundwater Monitoring Program	38
6.6	Halton Region - Regional Official Plan Amendment Number 49	39
	Township of Matachewan - Resolution - Support of Inclusion of Mailing Addresses of Voters on Voter's Lists	40
6.8	Town of East Gwillimbury - Resolution -Summary and Implications of Provincial Bill 109 More Homes for Everyone Act, 2022	42
6.9	Township of West Lincoln - Summary and Implications of Provincial Bill 109 - More Homes for Everyone Act, 2022	44
6.10	Shadow Minister for Rural Economic Development and Rural Broadband Strategy - Request for Federal Funding	45
6.11	. Township of West Lincoln - Funding Support for Infrastructure Projects - Bridge and Culvert Replacements in Rural Municipalities	46
6.12	! Town of Aurora - Mandatory Firefighter Certification	47
6.13	Township of Greater Madawaska Resolution - Annual Emergency Exercise Exemption	49
6.14	City of Orillia - Resolution - Voluntary Russian Sanction Request	51
6.15	Municipality of Killarney - Support Resolution - City of Thorold Resolution - Russian Sanctions	52
6.16	Township of Lucan Biddulph - Voluntary Russian Sanctions	54
6.17	' Municipality of Shuniah - Resolution Supported - City of Brantford - Former Mohawk Institute Residential School Document Release	55
6.18	B Municipality of Brighton - Draven Alert	<b>57</b>
6.19	City of Guelph - Notice of Open House and Public Meeting of Council- Comprehensive Zoning Bylaw	59
6.20	Letter from Puslinch High-speed to Minister Surma	62
Dele	egations ≠	
	<b>10:05 AM</b> Delegation by Dawson McKenzie regarding the CBM Lanci Pit Extension Application ≠	63
	lic Meetings	
	None	
Rep	orts ≠	



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11.

boards/committees)

## THE CORPORATION OF THE TOWNSHIP OF PUSLINCH JULY 13, 2022 COUNCIL MEETING VIRTUAL MEETING BY ELECTRONIC PARTICIPATION

9.1	Puslinch Fire	e and Rescue Services	
	9.1.1	None	
9.2	Finance Dep	partment	
	9.2.1	Report FIN-2022-020 - 2021 Commodity Price Hedging Agreements ≠	71
	9.2.2	Report FIN-2022-026 - Cancellation Reduction or Refund of Taxes ≠	85
9.3	<b>Administrat</b>	ion Department	
	9.3.1	Report ADM-2022-043 – Concession Road 2 Aggregate Review (circulated	
		under separate cover) ≠	
	9.3.2	Report ADM-2022-044 – Municipal Street Naming Policy – Final Draft ≠	89
9.4	Planning and	d Building Department	
	9.4.1	County of Wellington Planning Recommendation Report – Lanci Pit Expansion application ≠	106
	9.4.2	County of Wellington Planning Recommendation Report – 711 Arkell Road, Slater application ≠	154
	9.4.3	County of Wellington Planning Recommendation Report – 6547 Wellington Road 34, Hutton application ≠	165
	9.4.4	County of Wellington Planning Recommendation Report – Internal Zoning Bylaw Amendment – Additional Residential Units (ARU) ≠	178
9.5	Emergency I	Management	
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10.2	Environmen	regates Aberfoyle Pit 2021 Annual Monitoring Report prepared by Harden tal Peer Review (Full 2021 Annual Monitoring Report prepared by GHD der separate cover) ≠	233
Cou	ncil reports ≠		
11.1	Mayor' Upda	ates	
11.2	Council Men	nber Reports (verbal or written updates from members who sit on	



Adjournment ≠

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## THE CORPORATION OF THE TOWNSHIP OF PUSLINCH JULY 13, 2022 COUNCIL MEETING VIRTUAL MEETING BY ELECTRONIC PARTICIPATION

12.	By-laws ≠	
	12.1 First, Second, Third Reading	
	12.1.1 BL2022-031 Being a By-law amend By-law 023/18, as amended, being the	235
	Zoning By-law of the Township of Puslinch - 711 Arkell Road, Slater	
	12.1.2 BL2022-032 Being a By-law amend By-law 023/18, as amended, being the Zoning By-law of the Township of Puslinch – 6547 Wellington Rd 34, Hutton	239
	12.1.3 BL2022-033 Being a By-law amend By-law 023/18, as amended, being the	243
	Zoning By-law of the Township of Puslinch - Internal Zoning By-law	
	Amendment – Additional Residential Units (ARU)	
13.	Closed Session – Pursuant to Section 239 of the Municipal Act, 2001 ≠	
	13.1 Confidential verbal report regarding litigation or potential litigation, including matters	
	before administrative tribunals, affecting the municipality or local board – notification of	
	pending litigation.	
14.	Business Arising from Closed Session	
15.	Notice of Motion	
16.	New Business	
17.	Announcements	
18.	Confirmatory By-law ≠	
	18.1 BL2022-034 Confirm By-law – July 13, 2022 ≠	248



#### MINUTES

<u>DATE:</u> June 6, 2022 <u>SPECIAL MEETING:</u> 3:30 P.M.

The June 6, 2022 Council Meeting was held on the above date and called to order at 3:30 p.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. Courtenay Hoytfox, Municipal Clerk

#### 3. MOMENT OF REFLECTION

#### 4. CONFIRMATION OF THE AGENDA

Resolution No. 2022-190: Moved by Councillor Bailey and

Seconded by Councillor Sepulis

That Council approves the June 6, 2022 Agenda as circulated.

**CARRIED** 

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

#### 6. CLOSED SESSION:

Council was in closed session from 3:33 p.m. to 3:53 p.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. 2022-191: Moved by Councillor Sepulis and

Seconded by Councillor Goyda

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

13.1 Confidential verbal report by Steven O'Melia, Partner, Miller Thomson LLP regarding litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Official Plan Amendment

**CARRIED** 

**Resolution No. 2022-192:** Moved by Councillor Bulmer and

Seconded by Councillor Sepulis

THAT Council moves into open session at 3:53 pm

**CARRIED** 

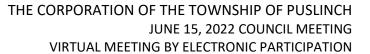


Moved by Councillor Sepulis and

Council resumed into open session at 3:53 p.m.

**Resolution No. 2022-193:** 

		Seconded by Councillor Bailey
	That Council receives the:	
	• • •	O'Melia, Partner, Miller Thomson LLP regarding litigation or ore administrative tribunals, affecting the municipality or nd
		with the Ontario Land Tribunal and take all steps necessary in ding concerns raised by the Township regarding the City of Clair-Maltby Secondary Plan.
		CARRIED
7.	BUSINESS ARISING FROM CLOSED SESSION None	<u>N:</u>
8.	NOTICE OF MOTION: None	
9.	CONFIRMATORY BY-LAW:	
	(a) By-Law to confirm the proceedings	s of Council for the Corporation of the Township of Puslinch
	Resolution No. 2022-194:	Moved by Councillor Goyda and Seconded by Councillor Sepulis
	That the following By-law be taken as	read three times and finally passed in open Council:
	By-Law 2022-023 being a by-law to con Township of Puslinch at its meeting he	nfirm the proceedings of Council for the Corporation of the eld on the 6 day of June 2022.
		CARRIED
10	ADJOURNMENT:	
	<u>Resolution No. 2022-195:</u>	Moved by Councillor Bulmer and Seconded by Councillor Sepulis
Th	at Council hereby adjourns at 3:54 p.m.	CARRIED
		James Seeley, Mayor
		Courtenay Hoytfox, Clerk





#### MINUTES

**DATE:** June 15, 2022 **COUNCIL MEETING:** 10:00 A.M.

The June 15, 2022 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. 2022-196: Moved by Councillor Sepulis and Seconded by Councillor Bailey

That Council approves the June 15, 2022 Agenda as circulated; and

That Council approves the addition to the agenda as follows:

Consent Item 6.1.4 Questions received from Council seeking additional information and the corresponding responses provided by staff regarding the June 15, 2022 Council agenda items.

CARRIED

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

None

#### 6. **CONSENT AGENDA**

- 6.1 Adoption and Receipt of the Minutes of the Previous Council and Committee Meetings:
  - 6.1.1 May 25, 2022 Council Meeting Minutes
  - 6.1.2 April 13, 2022 Public Information Meeting Minutes
  - 6.1.3 February 15, 2022 Recreation Committee Meeting Minutes
  - 6.1.4 Questions received from Council seeking additional information and the corresponding responses provided by staff regarding the June 15, 2022 Council agenda items
- 6.2 Ministry of Northern Development, Mines, Natural Resources and Forestry Oral Rabies



#### Vaccine Distribution

- 6.3 Wellington Dufferin Guelph Public Health Physicians Advisory Regarding Local Rabies Risk and Duty to Report
- 6.4 Upper Grand District School Board 2022 Long Term Accommodation Plan (LTAP) Annual Review Report
- 6.5 Grand River Conservation Authority Summary of General Meeting
- 6.6 Township of Centre Wellington Township Initiated Zoning Bylaw Amendment On-Farm Diversified Uses Additional Residential Units and Amending C2
- 6.7 Township of Lanark Highlands Support Resolution Ontario Must Build it Right the First Time
- 6.8 City of Cambridge Resolution Ontario Must Build it Right the First Time
- 6.9 Municipality of Shuniah Resolution Support for Funding Support for Infrastructure Projects
- 6.10 Town of Orangeville Resolution Dissolve the Ontario Land Tribunal
- 6.11 Town of Fort Erie Federal Government's Plans to Tax Vacant Foreign Owned Properties
- 6.12 Town of Fort Erie Bidding Wars on Apartment Rentals
- 6.13 City of Cambridge Resolution Free Public Transportation on Election Days
- 6.14 Town of the Blue Mountains Voter's List Information to Candidates
- 6.15 District of Muskoka Correspondence Annual Emergency Exercise Exemption
- 6.16 Town of Newmarket Mandatory Firefighter Certifications
- 6.17 Municipality of Shuniah Resolution Community Schools Alliance Action Plan
- 6.18 Niagara Region Resolution Voluntary Russian Sanction
- 6.19 Town of Fort Erie Niagara Region's Motion Voluntary Russian Sanction Request
- 6.20 Township of Espanola Support Resolution Russian Sanctions
- 6.21 City of Brantford Release of all Federal and Provincial Documents Related to the Former Mohawk Institute Residential School
- 6.22 City of Kitchener Energy Performance Tiers
- 6.23 Municipality of Chatham-Kent Retirement Home Funding
- 6.24 City of Cambridge Resolution Request to the Province of Ontario for a Plan of Action to Address Joint and Several Liability

Resolution No. 2022-197: Moved by Councillor Sepulis and

Seconded by Councillor Goyda

That the Consent Agenda items with the exception of items 6.1.1, 6.1.2 listed for JUNE 15, 2022 Council meeting be received for information.

CARRIED

Resolution No. 2022-198: Moved by Councillor Bailey and

Seconded by Councillor Sepulis

That the Consent Agenda item 6.1.1 listed for JUNE 15, 2022 Council meeting be received for information and that staff understand that the comment around the success of the fisheries included in Council Resolution 2022-184 will be broadened when reviewing this information as part of the service level review.

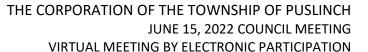
**CARRIED** 

Resolution No. 2022-199: Moved by Councillor Bulmer and

Seconded by Councillor Sepulis

That the Consent Agenda item 6.1.2 listed for JUNE 15, 2022 Council meeting be received; and

That Council request Harden Environmental to review and report to Council regarding the movement of water and hydrogeology aspects of the Lanci Pit expansion application and





other CBM pits located in the area including the Neubauer, Mast, Coburn and McNally Pits, to confirm whether the aggregate operations are operating in compliance with the operational plans as it relates to the movement of water and hydrogeology; and

That Council direct staff to report back on the costing to retain a consultant to perform a comprehensive review of the operational plans if required.

**CARRIED** 

#### 7. **DELEGATIONS:**

7.1 10:05 am Rob Stovel regarding Audrey Meadows Ltd. – Part Lots 17, 18, and 19, Concession 8, Township of Puslinch.

Resolution No. 2022-200: Moved by Councillor Sepulis and Seconded by Councillor Bailey

That Council receives the Delegation by Rob Stovel regarding Audrey Meadows Ltd. – Part Lots 17, 18, and 19, Concession 8, Township of Puslinch for information.

**CARRIED** 

#### 8. **PUBLIC MEETINGS:**

None

#### 9. **REPORTS**:

- 9.1 Puslinch Fire and Rescue Services
- 9.1.1 None
- **9.2 Finance Department**
- 9.2.1 Report FIN 2022-021 First Quarter Financial Report 2022

Resolution No. 2022-201: Moved by Councillor Sepulis and

Seconded by Councillor Bailey

THAT Report FIN-2022-021 entitled First Quarter Financial Report – 2022 be received.

**CARRIED** 

9.2.2 Report FIN-2022-024 – 2022 Development Charges Study Amendment

Resolution No. 2022-202: Moved by Councillor Sepulis and

Seconded by Councillor Goyda

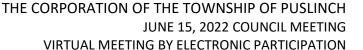
THAT Report FIN-2022-024 entitled 2022 Development Charges Study Amendment be received; and

THAT the Development Charges Study Amendment be completed with updated capital cost estimates including incorporating the needs identified in the Roads Management Plan.

**CARRIED** 

Council recessed from 12:25 pm to 12:55 pm

Roll Call





Councillor Goyda Councillor Sepulis Councillor Bailey Councillor Bulmer Mayor Seeley

9.2.3 Report FIN-2022-025 – Purchase of a Budget Solution

Resolution No. 2022-203: Moved by Councillor Bailey and

Seconded by Councillor Goyda

THAT Report FIN-2022-025 entitled Purchase of a Budget Solution be received; and

THAT Council authorize the award for the purchase and implementation of a budget solution to Questica Software Inc. to be funded by the Ontario Municipal Modernization Funding.

**CARRIED** 

**9.3 Administration Department** 

9.3.1 Report ADM-2022-035 – Corporate Work Plan Update

Resolution No. 2022-204: Moved by Councillor Sepulis and

Seconded by Councillor Goyda

THAT Report ADM-2022-035 regarding the 2022 Corporate Workplan update be received for information.

**CARRIED** 

9.3.2 Report REC-2022-010 – Proposed 2023 Recreation Committee Budget

**Resolution No. 2022-205:** Moved by Councillor Sepulis and

Seconded by Councillor Goyda

That Report REC-2022-010 entitled Proposed 2023 Recreation Committee Budget be received.

**CARRIED** 

9.3.3 Report REC-2022-009 - Aberfoyle Fall Fair Parking Update

Resolution No. 2022-206: Moved by Councillor Sepulis and

Seconded by Councillor Goyda

That Report REC-2022-009 entitled Aberfoyle Fall Fair Parking be received; and,

That Council endorse the Recreation Committee's recommendation to address parking for the Tractor Pull Event for the Aberfoyle Fair as follows:

1) That Vehicles related to the Tractor Pull park in the front and rear Puslinch Community

Centre parking lots the night of the event; and,

- 2) That the Aberfoyle Antique Market and Aberfoyle Public School be used for event attendee parking in addition to the available parking at the Puslinch Community Centre; and further,
- 3) That signage be posted in front of the new soccer field stating "No Vehicles Beyond



this Point".

Further, that the approved recommendations be forwarded to the Aberfoyle Agricultural Society and that the Recreation Committee provide Council an update after the 2022 Fall Fair takes place.

**CARRIED** 

9.3.4 Report ADM-2022-034 – Municipal Street Naming Policy Third Draft

Resolution No. 2022-207: Moved by Councillor Sepulis and Seconded by Councillor Goyda

That Report ADM-2022-034 entitled Municipal Street Naming Policy Third Draft be received; and

That Council directs staff to incorporate Council's comments into the next draft of the policy and bring this forward to Council for adoption at the next regular meeting.

**CARRIED** 

9.3.5 Report ADM-2022-036 - Joint Compliance Audit Committee for the 2022-2026 Council Term

Resolution No. 2022-208: Moved by Councillor Bailey and

Seconded by Councillor Goyda

That Report ADM-2022-036 entitled Joint Compliance Audit Committee be received; and

That Council approves the Terms of Reference for a Joint Audit Committee with the Wellington County municipalities, attached as Schedule "A", for the 2022-2026 Term of Council; and

That Council give three readings to by-law 2022-024 being a by-law to establish a Joint Compliance Audit Committee for the 2022-2026 Term of Council; and

That Council give three readings to by-law 2022-025 being a by-law to appoint Members to the Joint Compliance Audit Committee for the 2022-2026 Term of Council.

**CARRIED** 

9.3.6 Report ADM-2022-037 – Right to Disconnect Policy

**Resolution No. 2022-209:** Moved by Councillor Sepulis and

Seconded by Councillor Bulmer

That the Report ADM-2022-037 entitled Right to Disconnect From Work Policy be received; and

That Council adopts the Right to Disconnect From Work Policy as presented.

**CARRIED** 

9.3.7 Report ADM-2022-038 – Bill 109 More Homes for Everyone Act 2022

Resolution No. 2022-210: Moved by Councillor Sepulis and

Seconded by Councillor Bailey

That Report ADM-2022-038 entitled Bill 109 More Homes for Everyone Act 2022 be received; and

That Council give three readings to By-law 2022-026 being a by-law to establish a Site Plan



Control Area, to define classes of development and to delegate Council Authority pursuant to Section 41 of the Planning Act, R.S.O. 1990 c.P13. as amended, and to repeal By-law 2019-029.

**CARRIED** 

9.3.8 Report ADM-2022-041 – Recent Concerns/Questions regarding GJR and GJR Responses

Resolution No. 2022-211: Moved by Councillor Sepulis and

Seconded by Councillor Bailey

That the Report ADM-2022-041 entitled Recent Concerns/Questions re GJR Railway and GJR Response be received.

**CARRIED** 

Resolution No. 2022-212: Moved by Councillor Goyda and

Seconded by Councillor Bulmer

Whereas the City of Guelph and Guelph Junction Railway has shown commitment to the cleanup and removal of rail ties along the rail line and has indicated it will place an emphasis on removing remaining rail ties within the Township; and

Whereas there is significant concern with recent fires along the rail line in Puslinch, where stockpiles of rail ties are located;

Therefore, Puslinch Council continues to encourage the City of Guelph and Guelph Junction railway to make it a priority to remove the stock piled rail ties as soon as possible and no later than the first quarter of 2023; and further

That Puslinch Council requests that the City of Guelph and Guelph Junction Railway relocate water containers, where possible, closer to the large stock pile of ties located near Carter Road to be utilized by the Fire Department in the event of fire in that location.

**CARRIED** 

#### 9.4 Planning and Building Department

9.4.1 Report PD-2022-002 – Site Plan Agreement – Kristen Freure and Hazhaar Othman, 7272 Gore Road (K9 Shield), Part Lot 30, Concession Gore

Resolution No. 2022-213: Moved by Councillor Sepulis and Seconded by Councillor Goyda

That Report PD-2022-002 titled Site Plan Agreement – Kristen Freure and Hazhaar Othman for the property known municipally as 7272 Gore Road be received for information; and

That Council authorize the Mayor and Clerk to execute the signing of the Site Plan Agreement.

CARRIED

9.4.2 County of Wellington Planning Recommendation Report – Internal Zoning Bylaw Amendment – Additional Residential Units (ARU)

Resolution No. 2022-214: Moved by Councillor Sepulis and

Seconded by Councillor Goyda



That Council receive the County of Wellington Recommendation Report regarding the Internal Zoning Bylaw Amendment – Additional Residential Units (ARU); and

That Council direct Planning staff to bring forward a by-law incorporating the revision as discussed at the next regular Council meeting.

**CARRIED** 

- 9.5 Emergency Management
- 9.5.1 None
- 9.6 Roads and Parks Department
- 9.6.1 None
- 9.7 Recreation Department
- 9.7.1 None

#### 10. **CORRESPONDENCE:**

10.1 Dufferin Aggregates Aberfoyle Pit #2 2021 Annual Monitoring Report and Harden Environmental Services Peer Review

Resolution No. 2022-215: Moved by Councillor Sepulis and

Seconded by Councillor Bailey

That Council receive Correspondence item 10.1 regarding the Dufferin Aggregates Aberfoyle Pit #2 2021 Annual Monitoring Report and Harden Environmental Services Peer Review for information; and

That the Mayor be requested to contact the pit operator and request a response on the hydrogeologist report and request permission for Harden to attend the site for inspection; and

That the Mayor report back on this matter.

**CARRIED** 

10.2 Mill Creek Aggregate Pit 2021 Annual Monitoring Report and Harden Environmental Services Peer Review

**Resolution No. 2022-216:** Moved by Councillor Bulmer and

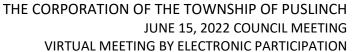
Seconded by Councillor Sepulis

That Council receive Correspondence item 10.2 regarding the Mill Creek Aggregate Pit 2021

Annual Monitoring Report and Harden Environmental Services Peer Review for information; and

That Council request that Harden Environmental advise on the following:

- The trend toward lower water levels in groundwater monitors adjacent to Pond #3 has
  declined between 2014 and 2020; clarification is requested as to why there was an unexplained stabilization of water levels in pond 3 in 2021 despite the noted lack of
  groundwater recharge; and
- 2. That in November of 2021 Dufferin began some form of passive movement of water between the Phase 4 and Phase 3 ponds; could this account for the sudden change in the





downward trend in water levels; and if so, is this a positive result or an action that is masking a potential issue; and

3. Did the operator obtain approval from the Ministry to initiate this passive movement of water; and further

That the peer review be forwarded to the pit operator and the MNRF for request for comment on the disruption to the creek.

**CARRIED** 

10.3 County of Wellington resolution regarding Official Plan Amendment

Resolution No. 2022-217: Moved by Councillor Bailey and Seconded by Councillor Goyda

That Council receive Correspondence item 10.3 regarding the County of Wellington resolution regarding Official Plan Amendment for information.

**CARRIED** 

#### 11. **COUNCIL REPORTS:**

11.1 Mayor' Updates

11.1.1 None

11.2 Council Member Reports

11.2.1 Councillor Bailey gave an update that the Safe Communities Bike Rodeo was a success.

Resolution No. 2022-218: Moved by Councillor Goyda and

Seconded by Councillor Sepulis

That Council receive the Council member updates for information.

CARRIED

#### 12. **BY-LAWS:**

12.1.1 BL2021-041 - Authorize Entering into a Transfer Payment Agreement – ICIP Program

Resolution No. 2022-219: Moved by Councillor Bulmer and

Seconded by Councillor Goyda

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

- 12.1.1 BL2022-024 Being a by-law to establish Joint Municipal Election Compliance Audit Committee.
- 12.1.2 BL2022-025 Being a by-law to appoint Members to the Wellington County Joint Municipal Election Compliance Committee.
- 12.1.3 BL2022-026 Being a by-law to appoint a Municipal Law Enforcement Officer and Property Standards Officer (Jacob Normore) for the Corporation of the Township of Puslinch.
- 12.1.4 BL2022-027 Being a by-law to establish a Site Plan Control Area, to define classes of development and to delegate Council Authority pursuant to Section 41 of the Planning Act, R.S.O 1990 c.P13, as amended, and to repeal By-law 2019-029.

**CARRIED** 

#### 13. **CLOSED SESSION:**



Council was in closed session from 3:04 p.m. to 4:06 p.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. 2022-220: Moved by Councillor Goyda and Seconded by Councillor Sepulis

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

- 13.1 Confidential report regarding a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board Line Fence Request
- 13.2 Confidential report regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose Lake Access

**CARRIED** 

Resolution No. 2022-221: Moved by Councillor Sepulis and

Seconded by Councillor Goyda

THAT Council moves into open session at 4:06 p.m.

**CARRIED** 

Council resumed into open session at 4:06 p.m.

Resolution No. 2022-222: Moved by Councillor Goyda and

Seconded by Councillor Bailey

#### That Council receives the:

- 13.1 Confidential report regarding a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board Line Fence Request
- 13.2 Confidential report regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose Lake Access; and

That staff proceed as directed.

**CARRIED** 

#### 14. **BUSINESS ARISING FROM CLOSED SESSION:**

None

#### 15. NOTICE OF MOTION:

None

#### 16. **NEW BUSINESS:**

Councillor Goyda remarked on the new stops signs at Hume Rd and commented that they are working great.



17.	ANNOUNCEMENTS	<b>:</b>

None

18.	CO	NFI	RM.	ATO	RY	BY-	LAW:
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(a) By-Law to confirm the proceedings of Council for the Corporation of the Township of Puslinch

Resolution No. 2022-223: Moved by Councillor Sepulis and Seconded by Councillor Bailey

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

By-Law 2022-028 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 June 2022.

**CARRIED** 

#### 19. **ADJOURNMENT:**

Resolution No. 2022-224: Moved by Councillor Bulmer and Seconded by Councillor Bailey

That Council hereby adjourns at 4:08 p.m.

CARRIED	
James Seeley, Mayor	
Courtenay Hoytfox, Clerk	



#### MINUTES

<u>DATE:</u> June 22, 2022 <u>SPECIAL MEETING:</u> 10:00 A.M.

The June 22, 2022 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 – Absent Councillor Jessica Goyda Councillor John Sepulis Mayor James Seeley

#### **STAFF IN ATTENDANCE:**

- 1. Glenn Schwendinger, CAO
- 2. Courtenay Hoytfox, Municipal Clerk
- 3. Jeff Bunn, Deputy Clerk

#### 3. MOMENT OF REFLECTION

#### 4. **CONFIRMATION OF THE AGENDA**

Resolution No. 2022-225: Moved by Councillor Sepulis and Seconded by Councillor Goyda

That Council approves the June 22, 2022 Agenda as circulated.

CARRIED

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

#### 6. **CLOSED SESSION:**

Council was in closed session from 10:03 a.m. to 10:18 a.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. 2022-226: Moved by Councillor Bailey and Seconded by Councillor Goyda

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

13.1 Confidential report by Glenn Schwendinger, CAO, regarding a position, plan, procedure, criteria or

instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – labour negotiations

**CARRIED** 



Resolution No. 2022-227: Moved by Councillor Sepulis and

Seconded by Councillor Goyda

THAT Council moves into open session at 10:18 am

**CARRIED** 

Council resumed into open session at 10:18 a.m.

Resolution No. 2022-228: Moved by Councillor Sepulis and

Seconded by Councillor Bailey

That Council receives the:

13.1 Confidential report by Glenn Schwendinger, CAO, regarding a position, plan, procedure, criteria or

instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – labour negotiations; and

That the Mayor and Clerk be authorized to execute a Shared Service Agreement with the Township of Centre Wellington with respect to the Services of a Fire Chief; and

That Council give three readings to By-law 2022-029 being a bylaw to appoint Tom Mulvey as Fire Chief for the Township of Puslinch effective June 29, 2022 subject to final execution of the Shared Services Agreement by Centre Wellington; and

That By-law 2021-043 be repealed being a By-law to appoint Brad Bigrigg as the interim Fire Chief for the Township of Puslinch and to resume the appointment of Brad Bigrigg as Deputy Fire Chief of Administration effective June 29, 2022 subject to final execution of the Shared Services Agreement by Centre Wellington.

**CARRIED** 

7. **BUSINESS ARISING FROM CLOSED SESSION:** 

None

8. **NOTICE OF MOTION:** 

None

#### 9. **CONFIRMATORY BY-LAW:**

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

Resolution No. 2022-229: Moved by Councillor Goyda and

Seconded by Councillor Bailey

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

By-Law 2022-030 being a by-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch at its meeting held on the 22 day of June 2022.

CARRIED

#### 10. ADJOURNMENT:

Resolution No. 2022-230: Moved by Councillor Goyda and



#### Seconded by Councillor Bailey

That Council hereby adjourns at 10:21 a.m.

CARRIED	
James Seeley, Mayor	
sames seeiey, mayer	
Courtenay Hoytfox, Clerk	



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
COMMITTEE OF ADJUSTMENT
MAY 10, 2022
7:00 PM
VIRTUAL MEETING BY ELECTRONIC PARTICIPATION

#### **MINUTES**

#### 1. CALL THE MEETING TO ORDER

The May 10, 2022 Committee of Adjustment Meeting was held on the above date and called to order at 7:00 p.m. via electronic participation.

#### 2. ROLL CALL

#### **MEMBERS IN ATTENDENCE**

Councilor John Sepulis, Chair Deep Basi Paul Sadhra Dan Kennedy Dennis O'Connor

#### **MEMBERS ABSENT**

None

#### **STAFF IN ATTENDANCE**

Lynne Banks, Development and Legislative Coordinator Courtenay Hoytfox, Municipal Clerk Meagan Ferris, Manager of Planning and Environment, County of Wellington

#### 3. **OPENING REMARKS**

The Chair welcomed those attending the meeting to the Committee of Adjustment and informed the attendees that Township Staff would present the application, then the applicant would have the opportunity to present the purpose and details of the application and provide any further relevant information. Following this, the public can obtain clarification, ask questions and express their views on the proposal. The members of the Committee can then obtain clarification, ask questions and express their views on the proposal. All application decisions are subject to a 20 day appeal period.

#### 4. DISCLOSURE OF PECUNIARY INTEREST

None

#### 5. APPROVAL OF MINUTES

Moved by: Deep Basi Seconded by: Paul Sadhra

That the Minutes of the Committee of Adjustment meeting held Tuesday, April 12, 2022 be adopted.

CARRIED

- **6.** <u>APPLICATIONS FOR MINOR VARIANCE OR PERMISSION</u> under section 45 of the Planning Act to be heard by the Committee this date.
- **6(a)** Minor Variance Application D13-BAR Paul and Rochelle Barber 7036 Concession 1, Concession 1 Front Part Lot 21, Township of Puslinch.

Requesting relief of New Comprehensive Zoning By-Law #23-2018, as amended from Section 11.4, Reduced Agricultural Lot Requirements, Table 11.3.

The purpose and effect of this application is to provide relief from:

1. Section 11.4, Table 11.3 to permit a reduced lot frontage of 12.19m (40 feet) for the proposed severed parcel instead of 25m as required.



# THE CORPORATION OF THE TOWNSHIP OF PUSLINCH COMMITTEE OF ADJUSTMENT MAY 10, 2022 7:00 PM VIRTUAL MEETING BY ELECTRONIC PARTICIPATION

- 2. To permit a reduced lot area of 0.79 acres (34,625 sq. ft.) for the proposed retained parcel instead of 0.4 ha (1 acre) as required.
- Paul Barber, applicant provided an overview of the application.
- John Sepulis noted that the County of Wellington Planning Report and the Township Building
  Department has requested that the application be deferred until the owner has and OLS survey
  completed and provided to the Township.
- Mr. Barber advised that his surveyor won't be able to work on the survey until the end of July and stated that he is agreeable to defer the application until he has the survey.

That Application D13-BAR requesting relief from provisions of Zoning By-Law #23-2018, as amended, from Section 11.4, Reduced Agricultural Lot Requirements, Table 11.3 to permit:

- 1. A reduced lot frontage of 12.19m (40 feet) for the proposed severed parcel instead of 25m as required.
- 2. A reduced lot area of 0.79 acres (34,625 sq. ft.) for the proposed retained parcel instead of 0.4 ha (1 acre) as required.

Is deferred until such time as the owner provides a survey prepared by an Ontario Land Surveyor (OLS) to the satisfaction of the Township and the County of Wellington.

**CARRIED** 

**6(b). Minor Variance Application D13-GRA – Michele and George Gray** – 6655 Concession 2, Concession 1 Rear Part Lot 7, Township of Puslinch.

Requesting relief of New Comprehensive Zoning By-Law #23-2018, as amended from Section 11.3, Agricultural Zone Requirements, Table 11.2 and from Section 4.16.1 MDS I New Non-Farm Uses.

The purpose and effect of this application is to permit:

- 1. A reduced lot frontage of the retained parcel to be 20m instead of 120m as required.
- 2. A reduced MDS I setback from the barns at 6657 Concession 2 to the severed parcel to be 33m instead of 196m as required.
- Jeff Buisman from Van Harten Surveying, agent for the applicant, provided an overview of the application.
- Lynne Banks read out the following comment received from Township resident, Kevin Johnson that states:

"Thank you for the opportunity to comment on this application.

I feel a 20m frontage is too small for a retained parcel on Concession 2. A minimum frontage of 30 meters would be a more appropriate size. I believe that historically this is the minimum frontage that would be allowed for a property in this area and I would ask that this minimum be maintained and a new precedent of small lots not be set.

Smaller lots with closer driveways will become a driving hazard on a road that is already dangerous. With its many blind hills and blind turns a precedent of smaller lots will surely make driving and especially cycling on this road very dangerous for residents and children. People have already resorted to posting mirrors on the opposite side of the road to their driveways so they are able to see above and around corners and hills."

- Andrew Good, adjacent property owner located at 6649 Concession 2 addressed the Committee and stated that he is a proponent of the application as it appears to meet safety requirements that are appropriate for the road.
- There were no further questions or comments from the public.
- Deep Basi asked if there are any other animals other than the small animals noted in Jeff Buisman's presentation.
- Jeff Buisman advised that there are mostly ducks, 100 chickens and a donkey.
- Deep Basi asked if the owner has any plans to relocate the animals.



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
COMMITTEE OF ADJUSTMENT
MAY 10, 2022
7:00 PM
VIRTUAL MEETING BY ELECTRONIC PARTICIPATION

- Dan Kennedy asked if there is safe entrance to the property.
- Jeff Buisman advised that there is safe entrance.
- Lynne Banks advised that she spoke with the Township's Public Works Department and it advised that the entrance will only be permitted along the eastern lot line as that is the only location that will allow for proper sight lines.
- Dan Kennedy asked that Dennis O'Connor speak to the number of chickens on the property.
- Dennis O'Connor advised that the MDS calculation is correct for the numbers of chickens on the property but he thinks there are too many animals for where the barns are located and the barns should be removed or relocated on the property.
- John Sepulis noted that asked Meagan Ferris that the planning report states that the property located at 6663 to the east is affected also by the livestock and that the MDS calculations do not meet the requirements.
- Meagan Ferris advised that they are flagging that there are existing houses that are also close to the structures as well and that they noted that 6663 is closer in comparison to where the new lot would be and the new house.
- Paul Sadhra asked if there is an option to move or limit the number of chickens on the property.
- Jeff Buisman advised that he would have to speak to the owner, and that the plan was to relocate some of the chickens to the other structure.
- Dennis O'Connor stated that if the animals of one of the structures are relocated to the other structure could be moved away from the neighbours property, he would be satisfied.
- John Sepulis asked Meagan Ferris if a condition can be added to the Decision that the animal be moved back from the property line on the neighbouring property.
- Meagan Ferris advised that it would be out of the scope of the Committee to impose a condition on an abutting property that is not subject to the application.
- Andrew Good noted that the chickens are free range and spend most of the time outdoors and the odour is negligible.

That Application D13-GRA requesting relief from provisions of Zoning By-Law #23-2018, as amended, to permit:

- 1. A reduced lot frontage of the retained parcel to be 20m instead of 120m as required.
- 2. A reduced MDS I setback from the barns at 6657 Concession 2 to the severed parcel to be 33m instead of 196m as required.

Is approved with three Committee members voting in favour of the application and two Committee members opposed and with the following condition:

That the proposed relief be based on the closest structure and that the variance be based on a proposed setback of 19 m with a relief of 177 m.

**CARRIED** 

#### 7. OTHER MATTERS

None

#### 8. ADJOURNMENT

Moved by: Dan Kennedy Seconded by: Dennis O'Connor

The Committee of Adjustment meeting adjourned at 7:36 p.m.

**CARRIED** 



#### **MINUTES**

#### 1. CALL THE MEETING TO ORDER

The May 10, 2022 Planning & Development Advisory Committee Meeting was held on the above date and called to order at 7:37 p.m. via electronic participation.

#### 2. OPENING REMARKS

The Chair advised that the following portion of the Committee meeting will be for the Committee to review and provide comments on development planning applications.

#### 3. ROLL CALL

#### **MEMBERS IN ATTENDENCE**

Councilor John Sepulis, Chair Deep Basi Paul Sadhra Dan Kennedy Dennis O'Connor

#### **MEMBERS ABSENT**

None

#### STAFF IN ATTENDANCE

Lynne Banks, Development and Legislative Coordinator Courtenay Hoytfox, Municipal Clerk Meagan Ferris, Manager of Planning and Environment, County of Wellington

#### 4. **DISCLOSURE OF PECUNIARY INTEREST**

None

#### 5. APPROVAL OF MINUTES

Moved by: Deep Basi Seconded by: Dennis O'Connor

That the Minutes of the Planning & Development Advisory Committee Meeting held Tuesday, April 12, 2022, be adopted.

**CARRIED** 

#### 6. APPLICATION FOR SITE PLAN URBAN DESIGN REVIEW

None

#### 7. ZONING BY-LAW AMENDMENT

#### 7(a) Zoning By-Law Amendment D14-AUD – Audrey Meadows

The purpose and effect of the proposed Official Plan Amendment is to add a Special Policy area to Section 9.8 Puslinch Local Policies of the County of Wellington Official Plan and amend Schedule A7 Puslinch to facilitate residential development on private on-site services on approximately 14.5 hectares of lands abutting an existing Country Residential subdivision (Audrey Meadows). The proposed amendment is to amend the Township of Puslinch new comprehensive Zoning By-law 23-2018 to rezone the subject lands



## THE CORPORATION OF THE TOWNSHIP OF PUSLINCH PLANNING & DEVELOPMENT ADVISORY COMMITTEE May 10, 2022 7:00 PM

VIRTUAL MEETING BY ELECTRONIC PARTICIPATION

from Agricultural (A) Zone to a specialized zone category (Rural Settlement Residential Zone (RSR)) to establish zone regulations specific to the proposed development.

- Rob Stovel, agent for the applicant, provided an overview of the application.
- Deep Basi asked if there are any plans to increase the number of lots to include lots allocated for more affordable housing.
- Rob Stovel advised that one way more affordable housing can be addressed is through possible rental units within the subdivision and that in in order to keep within the character of the neighborhood the lots must be larger in order to handle servicing requirements.
- Dan Kennedy asked what the anticipated completion date is and further noted that there are 9 existing lots to the south and asked if those owners are aware that there would be future houses built to the north of their properties.
- Rob Stovel advised that the owner has had dialogue with the neighbors and noted that the original plan was to put in a higher number of lots and further advised that the owner has been keeping the neighbors of the existing lots updated as the subdivision evolves.
- Dan Kennedy asked if there are any plans for a buffer to be placed between the existing lots and the new lots that will be created.
- Rob Stovel advised that rear lot buffering has been discussed and that there will be design input from the owner's landscape architect as to what options are available for a buffer between the properties.
- Dennis O'Connor asked if the Environmental Assessment will confirm that there is enough water in the aquifer to accommodate the proposed subdivision.
- Rob Stovel advised that the owner is working with the hydrogeologist to evaluate the water supply and is confident that the proposed subdivision site can be serviced adequately.
- John Sepulis asked if the one kilometer setback from the City of Guelph boundary requires an Official Plan amendment.
- Rob Stovel advised that it is part of an Official Plan Amendment application with the County of Wellington.
- John Sepulis noted that as part of Mr. Stovel's presentation he cited several sites that have development closer than one kilometer.
- Rob Stovel advised that there are several sites to the west and he will document those sites to Council's satisfaction.
- John Sepulis noted that the owner is proposing to add a rural residential settlement area designation to the zoning by-law and asked if that is a term familiar within the industry.
- Rob Stovel advised that different municipalities have different names for similar zones.
- John Sepulis asked if they are complying with all of the Provincial policies that are in currently in place.
- Rob Stovel advised that yes, they are, subject to the special policy that the owner has proposed will be consistent with the policies.
- John Sepulis noted that the lots to the north and to the west show wooded areas and asked if the plan shown is the current one.
- Rob Stovel advised that the plan shown to the Committee is the current one and that the original
  plan put forward was not received well by the peer reviewers and it was recommended to move
  away from the wood lots and resulted in the plan that the Committee was shown on the screen.
- John Sepulis noted that the report cites limited commercial space and asked for clarity.
- Rob Stovel advised that they weren't sure if there is a need for limited commercial space and would need feedback from Council to determine if it would be suitable.
- John Sepulis asked if the road system can support the increase in traffic in the area.
- Rob Stovel advised that Triton Engineering did a traffic study and looked at site lines and they felt that the site line was appropriate.
- Paul Ziegler from Triton Engineering advised that they have checked the site lines for the entrance to the proposed subdivision and there are no issues from a geometric perspective. He further noted that a recent traffic count has not been done but they can update the traffic counts and part of draft plan approval and a turning lane can be added if one is needed.
- Dan Kennedy asked if a new traffic study has been done.
- Paul Ziegler advised that the traffic counts will be done as part of draft plan approval.



• There were no further questions or comments from the Committee.

The Committee has the following comments:

The Committee approves the application in principle, subject to the following:

- 1. Hydrogeological Study
- 2. Traffic Study
- 3. Consideration for rear lot buffering from adjacent development
- 4. Conformance with provincial legislation

**CARRIED** 

#### 8. LAND DIVISION

**8(a) Severance application B43-22 (D10-MCF) – Allan McFee –** Part Lot 12, Concession 10, municipally known as 4677 Watson Rd S., Township of Puslinch.

Proposed lot line adjustment is 0.18 hectares with no frontage to be added to abutting rural residential lot – Travis, Laura, Robert and Pamela Bothwell.

Retained parcel is 10.7 hectares with 172.2m frontage, existing and proposed agricultural use with existing dwelling and accessory buildings.

- Jeff Buisman, agent for the applicant, provided an overview of the application.
- There were no questions or comments from the Committee.

The Committee supports the application in principal with the **following condition** imposed:

- 1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands. Any fees incurred by the Township for the review of this application will be the responsibility of the applicant; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- **Severance application B47-22 (D10-DAL) Teresa Dallan –** Part lot 9, Concession 9, municipally known as 935 Watson Rd S.

Proposed severance is 50m fr x 125m = 0.6 hectares (severed 1 on sketch), vacant land for proposed rural residential use.

Retained parcel is 106m fr x 125m = 1.3 hectares (retained 1 on sketch), existing and proposed rural residential use with existing dwelling, shed and old barn.

- Jeff Buisman, agent for the applicant provided an overview of the application.
- Jeff Buisman, agent for the applicant, provided an overview of the application.
- Lynne Banks advised that Committee that a desktop review of the proposed entrances has been completed, however safe site lines can't be confirmed until the locations of the proposed site lines are staked out.
- Deep Basi asked if the barn is still active or has it be decommissioned.
- Jeff Buisman advised that the barn was deactivated a long time ago.
- Deep Basi asked if the second barn shown on the plan is active.
- Jeff Buisman advised that MDS will not impact the neighboring properties.
- Dennis O'Connor advised that with respect to prime agricultural lands, will Jeff be following the boundary and keeping all of the prime agriculture together.



- Jeff Buisman noted that the lands to be severed contain a small portion that is prime agricultural. He further noted that in the lands to be retained 40 percent is secondary agriculture and 60 percent is prime agriculture.
- Dennis O'Connor asked if the 60 percent prime agriculture can be developed.
- Jeff Buisman advised that if the severance is granted, it would be for the whole parcel.
- Dennis O'Connor asked if the soil should be typed in order to find the line for prime agriculture and noted that he is concerned that some prime agriculture land could be severed and built on.
- Meagan Ferris advised that the lot was created in 2002 by consent and at the time planning staff
  determined that all of the land was secondary agriculture and that planning staff were satisfied
  at that time. She further noted that the County is confident that the designation line is between
  prime and secondary agriculture.
- Dennis O'Connor asked if the lands to be retained can be built on or is it prime agriculture and can only be farmed.
- Meagan Ferris advised that this will inadvertently create a building lot.
- John Sepulis asked if the applicant can demonstrate that the majority of the lands to be retained are mostly secondary agriculture, would the County be willing to approve the severance.
- Meagan Ferris advised that the information the County has is that the retained land is mainly prime agriculture land.
- Deep Basi asked if it can be built on.
- Meagan Ferris advised that they can build on it because the zoning would allow a house to be built on it but what makes it complicated is how the policy is reviewed, and noted that it's a little better if you switch it around and it does make it challenging from a severance perspective but if approved by the Committee that the newly retained land that is vacant could be built upon.
- John Sepulis noted that he thought Meagan Ferris mentioned that if the land is Prime Agricultural it can't be built on.
- Meagan Ferris advised that based off the zoning both lots have an agricultural zone which allows a single family dwelling but the issue is with policies with respect to severances and that there is no policy support for severances that are in the Prime Agricultural area.
- John Sepulis confirmed that theoretically you can't get a severance in Prime Agricultural land to build on it.
- Meagan Ferris confirmed that you can't get vacant lot severances and that the type of residential lot severance is for surplus farm dwelling in the Primary Agriculture area.
- Paul Sadhra noted that it is a unique situation and they could be creating a precedent.
- Dan Kennedy noted that Jeff Buisman mentioned in his presentation that the land would never be farmed.
- Jeff Buisman advised that the parcel is 2 hectares and that not too many farms survive on a 2 hectare parcel.
- Dennis O'Connor noted that this is a way around to sever a prime agriculture lot.
- There were no further questions or comments from the Committee.

The committee does not support the creation of a lot in prime agriculture land, however if the Land Division Committee approves that application then they are requesting that the **following conditions** 

- 1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands. Any fees incurred by the Township for the review of this application will be the responsibility of the applicant; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 2. That safe access to the lands can be accommodated to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.



- 3. That the owner obtain zoning conformity for the two existing accessory structures located on the retained lands.
- **8(c). Severance application B48-22 (D10-DAL) Teresa Dallan –** Part lot 9, Concession 9, municipally known as 935 Watson Rd S.

Proposed severance is 50m fr x 125m = 0.6 hectares (severed 2 on sketch), existing agricultural land for proposed residential use.

Retained parcel is 19.2 hectares with 219m frontage (retained 2 on sketch), existing and proposed agricultural use.

- Jeff Buisman, agent for the applicant, provided an overview of the application.
- John Sepulis asked planning staff if a condition can be imposed on another property if it is owned by the same owner
- Meagan Ferris advised that it would be difficult to do, and further noted that the County can make a condition if the application is approved at Land Division for zoning compliance.
- There were no further questions or comments from the Committee.

That the Committee supports the application with the **following conditions** to be imposed:

- 1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands. Any fees incurred by the Township for the review of this application will be the responsibility of the applicant; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 2. That safe access to both the retained and severed parcels can be accommodated to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 3. That the owner transfer a road widening across both the retained and severed parcels along the frontage of Watson Rd. S. to the Township of Puslinch and that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 4. That consideration be given to the MDS calculations for the barns, active and inactive, in the area and that the Township file with the Secretary-Treasurer of the Planning and land Division Committee a letter of clearance of this condition.

#### 9. OTHER MATTERS

None

#### 10. CLOSED MEETING

None

#### 11. NEXT MEETING

Next Regular Meeting will be held on Tuesday, June 14, 2022 @ 7:00 p.m.

#### 12. ADJOURNMENT

Moved by: Paul Sadhra Seconded by: Dan Kennedy

That the Planning & Development Advisory Committee is adjourned at 8:53 p.m.

**CARRIED** 



To GRCA/GRCF Boards and Grand River watershed municipalities - Please share as appropriate.

#### **Action Items**

The Board approved the resolutions in the following reports as presented in the agenda:

- GM-06-22-52 Inventory of Programs and Services Update
- GM-06-22-51 Progress Report 1 Ontario Regulation 687/21
- GM-06-22-55 Financial Summary
- GM-06-22-54 Foundation Member Appointments
- GM-06-22-58 Township of Wilmot Maintenance Agreement (amended)
- GM-06-22-59 Township of Woolwich Maintenance Agreement
- GM-06-22-56 Conestogo Dam Bridge Deck Rehabilitation DR22.027 Tender Award
- GM-06-22-C03 Property Disposition City of Guelph (closed agenda)

#### **Information Items**

The Board received the following reports as information:

- GM-06-22-53 Cash and Investment Status
- GM-06-22-57 Current Watershed Conditions

#### Correspondence

The Board received the following correspondence:

Canadian Coalition for Invasive Plant Regulation regarding a request for support.

#### **Source Protection Authority**

The General Membership of the GRCA also acts as the Source Protection Authority Board. No meeting of the Source Protection Authority was held.

For full information, please refer to the <u>June 24 Agenda Package</u>. Complete agenda packages and minutes of past meetings can be viewed on our <u>online calendar</u>. The draft minutes of this meeting will be posted on our online calendar within 30 days of the meeting date, in accordance with the Conservation Authorities Act.

You are receiving this email as a GRCA board member, GRCF board member, or a Grand River watershed member municipality. If you do not wish to receive this monthly summary, please respond to this email with the word 'unsubscribe'.

**From:** Eowyn Spencer <espencer@grandriver.ca>

**Sent:** Friday, June 24, 2022 11:24 AM

Grand River CA Progress Report #1 and Inventory of Programs & Services - O.Reg

**Subject:** 687/21 under the Conservation Authorities Act

GM-06-22-52 - Inventory of Programs and Services Update.pdf; GM-06-22-51 -

Progress Report 1\_Requirement under OReg 687\_21.pdf

Greetings Grand River watershed participating municipalities:

Please be advised that at the Annual General Meeting held on June 24, 2022, the GRCA General Membership passed the following two motions:

- THAT the update to the Grand River Conservation Authority's Inventory of Programs and Services be approved, circulated to all participating Grand River watershed municipalities, posted on the GRCA website, and submitted to the Ministry of Environment, Conservation and Parks in accordance with Ontario Regulation 687/21.
- 2. THAT Progress Report #1 be approved, circulated to all participating Grand River watershed municipalities, posted on the GRCA website, and submitted to the Ministry of Environment, Conservation and Parks in accordance with Ontario Regulation 687/21.

Accordingly, the Grand River Conservation Authority Inventory of Programs and Services Update, as well as Progress Report #1 are attached for your information. In accordance with O.Reg 687/21 under the *Conservation Authorities Act*, the Inventory will also be <u>posted on our website</u> and circulated separately as official submission to the Ministry of Environment, Conservation and Parks.

Should you have any comments on the update and progress report, or questions regarding the requirement under O.Reg 687/21 to circulate this information to our participating municipalities, please reach out directly to Samantha Lawson.

#### **Eowyn Spencer**

Executive Assistant
Grand River Conservation Authority

400 Clyde Road, PO Box 729 Cambridge, ON N1R 5W6 Office: 519-621-2763 ext. 2240

Toll-free: 1-866-900-4722

#### **Grand River Conservation Authority**

Report number: GM-06-22-52

**Date:** June 24, 2022

To: Members of the Grand River Conservation Authority

**Subject:** Inventory of Programs and Services Update

#### Recommendation:

THAT the update to the Grand River Conservation Authority's Inventory of Programs and Services be approved, circulated to all participating Grand River watershed municipalities, posted on the GRCA website, and submitted to the Ministry of Environment, Conservation and Parks in accordance with Ontario Regulation 687/21.

#### Summary:

Not applicable.

#### Report:

As a requirement under *Ontario Regulation 687/21*, the Grand River Conservation Authority (GRCA) developed an Inventory of Programs and Services based on the three categories identified in the Regulation. These categories include (1) Mandatory, (2) Municipally requested, and (3) Other (Authority determines are advisable).

In February 2022, the initial Inventory of Programs and Services was presented to the Board and circulated to all participating municipalities. To date, we have not received any comments or concerns on the initial Inventory.

On May 2, 2022, the Ministry of Environment, Conservation and Parks (MECP) hosted a workshop to provide feedback on all Conservation Authorities Inventories of Programs and Services. During this session, it was identified that any existing Memorandums of Understanding and/or Agreements should be identified in the Inventory. As such, Chart C (ii) Programs and Services Inventory Listing- Category 2- Information Requirements has been added to the Inventory of Programs and Services package. A copy of this new chart is attached to the report.

Once the revised Inventory of Programs and Services is approved, it will be circulated to all participating municipalities and the Ministry of Environment, Conservation and Parks. The revised inventory will also be posted on GRCA's website for public access.

#### **Financial Implications:**

Not applicable.

#### Other Department Considerations:

Not applicable.

#### Submitted by:

Samantha Lawson Chief Administrative Officer

#### **Programs & Services Inventory Listing - Category 2 - Information Requirements**

**GRAND RIVER CONSERVATION AUTHORITY** 

#### Extract:

Ontario Regulations 687/21 - Transition Plans and Agreements for Programs and Services Under Section 21.1.2 of the Act Section 6 Subsection 5 requirements

For each Category 2 program or service listed in the inventory under clause (2) (a), the authority shall include the following information:

- 1. The name of the municipality on behalf of which the program or service is provided.
- 2. The date on which the authority and the municipality entered into a memorandum of understanding or another agreement with respect to the provision of the program or service.

Department	Type of Agreement	Municipality	Date Signed
Resource Planning, Natural Heritage and Eng	l ineering		
Plan Review Services	MOA	County of Brant	February 10, 1999
Plan Review Services	MOU	City of Brantford	July 24, 2017
Plan Review Services	MOA	City of Guelph	April 1, 1997
Plan Review Services	MOU	Haldimand County	September 10, 2019
Plan Review Services	MOU	Region of Halton	July 16, 2018
Plan Review Services	MOU	Norfolk County	October 5, 2016
Plan Review Services	MOU	Region of Waterloo	September 10, 2019
Plan Review Services	MOU	Township of Southgate	July 1, 2017
Plan Review Services	MOU	Wellington County	November 1, 2017
Conservation Services-Rural Water Quality P			
Rural Water Quality Program	Agreement	County of Brant	June 25, 2019
Rural Water Quality Program	Agreement	Region of Waterloo	November 25, 2020
Rural Water Quality Program	Agreement	County of Dufferin	December 14, 2017
Rural Water Quality Program	Agreement	County of Wellington	June 14, 2017
Rural Water Quality Program	Council Approval	Haldimand County	February 16, 2021
Living Snow Fence	MOU	County of Dufferin	April 20, 2016
Resource Planning - Natural Heritage Manage	ement		
ESA Habitat Compensation Agreement -	Natural Heritage		
Birkett Lane & Brant Park	Habitat Agreement	City of Brantford	October 30, 2017

#### **Grand River Conservation Authority**

Report number: GM-06-22-51

**Date:** June 24, 2022

To: Members of the Grand River Conservation Authority

**Subject:** Progress Report #1- Ontario Regulation 687/21

#### **Recommendation:**

THAT Progress Report #1 be approved, circulated to all participating Grand River watershed municipalities, posted on the GRCA website, and submitted to the Ministry of Environment, Conservation and Parks in accordance with Ontario Regulation 687/21.

#### **Summary:**

Not applicable.

#### Report:

As a requirement under *Ontario Regulation 687/21*, the Grand River Conservation Authority (GRCA) developed and approved a Transition Plan (December 17, 2021) and Inventory of Programs and Services (February 28, 2022). The Inventory of Programs and Services is based on the three categories identified in the Regulation. These categories include (1) Mandatory, (2) Municipally requested, and (3) Other (Authority determines are advisable).

As required under Ontario Regulation 687/21 and identified in GRCA's Transition Plan, the GRCA is providing its first Progress Report. Under the Regulation the Progress Reports must include the following;

- Any comments or other feedback submitted by a municipality regarding the inventory
- A summary of any changes that the Authority has made to the inventory to address comments or other feedback- including a copy of the changed inventory and description of changes
- An update on the progress of negotiations on agreements with participating municipalities
- Any difficulties that the Authority is experiencing that might affect the ability of the Authority to complete the transition plan milestones

#### **Progress Report Details**

- 1) Municipal Comments/Feedback:
  - To date, staff have met with all participating municipalities to provide background and information on new regulations are associated requirements. At this time, staff have not received any formal comments or concerns from the participating municipalities regarding the Inventory of Programs and Services (dated Feb. 28, 2022).
- 2) Summary of Changes to Inventory of Programs and Services:
  - Through report GM-06-22-52, the Inventory of Programs and Services has been updated to include existing Memorandums of Understanding and/or Agreements with participating municipalities. Chart C (ii) Programs and Services Inventory Listing- Category 2- Information Requirements has been added.

- 3) Update on Progress of Negotiations with Participating Municipalities on Category 2 Programs and Services:
  - At this time, the GRCA is on track with the schedule identified in the GRCA's Transition Plan.
  - GRCA will be hosting virtual webinars in the near future for watershed municipalities to detail Category 2 programs and services.
  - GRCA staff are also working on developing a draft template for the Memorandum of Understanding for Category 2 Programs and Services.
  - GRCA staff will continue to work with neighboring Conservation Authorities (where possible) to help streamline the process of negotiations with shared participating municipalities on Category 2 Programs and Services.
- 4) Difficulties Reaching Transition Plan Milestones:
  - At this time, there have not been any difficulties identified in meeting transition plan milestones.

Once the Progress Report is approved, it will be circulated to all watershed municipalities and the Ministry of Environment, Conservation and Parks. The Progress Report will also be posted on GRCA's website for public access.

#### **Financial Implications:**

Not applicable.

#### **Other Department Considerations:**

Not applicable.

#### Submitted by:

Samantha Lawson Chief Administrative Officer



Dufferin Aggregates 2300 Steeles Ave W, 4<sup>th</sup> Floor Concord, ON L4K 5X6 Canada

June 6, 2022

Seana Richardson
Aggregates Technical Specialist
Ministry of Natural Resources and Forestry
Guelph District
1 Stone Road West
Guelph, Ontario
N1G 4Y2

Attention: Ms. Richardson

Re: Monthly Monitoring Report

Mill Creek Pit, License #5738

**Township of Puslinch, Wellington County** 

Please find enclosed the required monitoring data for the month of May 2022 for those monitoring wells that could be measured.

An exceedance of the threshold value occurred at the OW5-84 to DP5CR pair on May 5, 12, 19, 24, and is interpreted to be caused by the observed hydrogeological variability at this location. Proposed revised threshold values for the OW5-84 to DP5CR pair were submitted to the MNRF for review in early 2022.

If you have any questions, please do not hesitate to call.

Sincerely,

Martin Bradley Site Manager

Sonja Strynatka (GRCA)
Keyin Mitchell (Dufferin Aggregates)
University of Guelph



#### Monthly Reporting Mill Creek Aggregates Pit May 2022

				ividy 2021					
Date	DP21 (mASL)	Threshold Value (mASL)	Exceedance	Date	BH13 (mASL)	DP21 (mASL)	Head Difference (m)	Threshold Value (m)	Exceedance
5-May-22	305,95	305.60	NO	5-May-22	306.35	305.95	0.40	0.11	NO
12-May-22	305.86	305.60	NO	12-May-22		305.86	0.45	0.11	NO
19-May-22	222223000	305.60	NO	19-May-22	CA 2775 AND A	305.83	0.41	0.11	NO
24-May-22		305.60	NO	24-May-22		305.83	0.42	0.11	NO
Date	DP17 (mASL)	Threshold Value (mASL)	Exceedance	Date	BH92-12 (mASL)	DP17 (mASL)	Head Difference (m)	Threshold Value (m)	Exceedance
5-May-22	305.40	305.17	NO	5-May-22	305,86	305.40	0.46	0.14	NO
12-May-22	305.30	305.17	NO	12-May-22	305.74	305.30	0,44	0.14	NO
19-May-22	305.30	305.17	NO	19-May-22		305.30	0.44	0.14	NO
24-May-22	305.32	305.17	NO	24-May-22		305.32	0.40	0.14	NO
L+ Way LL	000.02		- 110						
Date	DP3 (mASL)	Threshold Value (mASL)	Exceedance	Date	DP6 (mASL)	DP3 (mASL)	Head Difference (m)	Threshold Value (m)	Exceedance
5-May-22	304,96	304.54	NO	5-May-22	305.96	304.96	1.00	0,73	NO
12-May-22		304.54	NO	12-May-22		304.88	0.97	0.73	NO
19-May-22		304.54	NO	19-May-22		304.75	1.07	0.73	NO
24-May-22		304.54	NO	24-May-22		304.75	1.01	0.73	NO
Date	DP2 (mASL)	Threshold Value (mASL)	Exceedance	Date	BH92-27 (mASL)	DP2 (mASL)	Head Difference (m)	Threshold Value (m)	Exceedance
5-May-22	304.27	303.69	NO	5-May-22	304.79	304.27	0.52	0.34	NO
12-May-22		303.69	NO	12-May-22	304.71	304.27	0.44	0.34	NO
19-May-22	TOTAL CO. (1) (1) (1) (1) (1) (1)	303.69	NO	19-May-22	304.72	304.21	0.51	0.34	NO
24-May-22		303.69	NO	24-May-22	304.73	304,21	0,52	0.34	NO
Date	DP1 (mASL)	Threshold Value (mASL)	Exceedance	Date	BH92-29 (mASL)	DP1 (mASL)	Head Difference	Threshold Value	Exceedance
5-May-22	304.36	303.97	NO	5-May-22	304.81	304.36	0.45	0.17	NO
12-May-22	The second second	303.97	NO.	12-May-22		304.28	0.49	0.17	NO
19-May-22		303.97	NO	19-May-22		304.27	0.51	0.17	NO
24-May-22		303.97	NO	24-May-22		304.29	0.55	0.17	NO
Date	DP5CR (mASL)	Threshold Value (mASL)	Exceedance	Date	OW5-84 (mASL)	DP5CR (mASL)	Head Difference (m)	Threshold Value (m)	Exceedance
5-May-22		302.86	NO	5-May-22	303.73	303.45	0,28	0.30	YES
12-May-22	120 Sept 200	302.86	NO	12-May-22	303.65	303.44	0.21	0.30	YES
19-May-22		302.86	NO	19-May-22		303,36	0.24	0.30	YES
24-May-22		302.86	NO	24-May-22		303.35	0.26	0.30	YES

Note: An exceedance of the threshold value occurred at the OW5-84 to DP5CR pair on May 5, 12, 19, 24, and is interpreted to be caused by the observed hydrogeological variability at this location. Proposed revised threshold values for the OW5-84 to DP5CR pair were submitted to the MNRF for review in early 2022.

Monthly Report	ting											
Mill Creek Aggr	egates Pit											
Vlay 2022					May Allou	vable as per	PTTW- Main Pond		May N	lowahle as r	per PTTW- Silt Pond	1
					(Imperial Gallons)	able as per l	(Lilres)		(Imperial Gallons)	Owable as p	(Litres)	
Total Monthly Preci	initation (mm):	60.6	Kitchener/Waterloo	(Actual)	2,500	per minute	11,365		2,597	per minute	11,806	
	nal Precipitation (mm):	62.3	Waterloo-Wellington	` '	1,800,000	per day	8,183,000		3,739,477	per day	17,000,000	
TOTAL MONTHLY MONTH	iai i recipitation (miny.	02.0	Trateiloo-vreiinigteil	A (oo-year Normal)	1,000,000	porday	0,100,000	1	0,700,171	porday	17,000,000	
Date	Below Water Table Extraction Phase 5	Below Water Table Extraction Phase 6	Water Pumped from Main Pond (gals)	Water Pumped from Active Sill Pond (gals)	Main Pond Level (mASL)	Exceedance Y/N (BELOW 305 5 mASL)	Phase 2 Pond Level (mASL)	Exceedance Y/N (BELOW 305_0 mASL)	Phase 3 Pond Level (mASL)	Exceedance Y/N (BELOW 303,85 mASL)	Phase 4 Pond Level (mASL)	Exceedance Y/N (BELOW 304_5 mASI
1-May-22			-									1.02
2-May-22	0	0	1,021,097	0	306.49	N	306.07	N	304.84	N	306.19	N
3-May-22	0	2,400	1,009,879	0	306.49	N	306.07	N	304.84	N	306,20	N
4-May-22	0	3,750	1,018,238	0	306.50	N	306.08	N	304,85	N	306,22	N
5-May-22	0	3,300	997,121	0	306,50	N	306.08	N	304.86	N	306.23	N
6-May-22	0	1,950	742,616	0	306,50	N	306.07	N	304.86	N	306.23	-N
7-May-22		-		720	7/4	2		165	•		ia i	N#:
B-May-22		=	*:		355		•	8:5	- 2	- 5	9;	(*:
9-May-22	0	3,450	1,612,815	0	306.51	N	306,08	N	304.85	N	306.22	N
10-May-22	0	3,600	1,610,395	0	306.51	N	306,08	N	304.85	N	306.22	N
11-May-22	0	3,750	1,564,861	0	306.50	N	306.07	N	304.83	N	306,21	N
12-May-22	0	3,750	1,637,451	0	306.50	N	306.07	N	304.84	N	306.21	N
13-May-22	0	1,950	1,532,746	0	306.50	N	306.07	N	304.83	N	306.21	N
14-May-22	0	1,650	651,989	0	306.47	N	306.07	N	304.83	N	306.21	N
15-May-22	8	-						3.61	<b>76</b>	-	(*)	060
16-May-22	0	3,450	1,544,184	0	306.50	N	306.07	N	304.83	N.	306.20	N
17-May-22	0	3,750	1,333,454	0	306.50	N	306.07	N	304.82	N	306,20	N
18-May-22	0	3,750	1,402,964	0	306.50	N	306.06	N	304.83	N	306.19	N
19-May-22	0	3,600	1,416,162	0	306,50	N	306.07	N	304.84	N	306.16	N
20-May-22	0	3,150	921,671	0	306.50	N	306.07	.N	304.85	N	306.14	N
21-May-22	0	0	432,680	0	306,50	N	306.07	N	304.87	N	306.11	N
22-May-22				7.65							(4)	
23-May-22				7,7								
24-May-22	0	3,600	1,032,316	0	306.49	N	306.06	N	304.89	N	306.09	N
25-May-22	0	3,750	1,137,461	0	306.48	N	306.06	N	304.89	N	306.07	N
26-May-22	0	3,750	1,110,625	0	306.49	N	306,06	N	304.90	N	306.06	N
27-May-22	0	3,150	1,106,445	0	306.49	N	306,06	N	304.91	N	306.04	N
28-May-22	0	1,500	462,375	0	306.49	N	306.06	N	304.91	N	306.03	N
29-May-22	2	-,,,,,,	-	16			3					
30-May-22	0	3,600	1,132,182	0	306.49	N	306.06	N	304.92	N	306.01	N
31-May-22	0	3,600	825,325	0	306.49	N	306,05	N	304.93	N	305.99	N
Total	0	70,200	27,257,049	0	2		-		-	-	==:	-



# Ministry of Natural Resources and Forestry

Integrated Aggregate Operations Section

Regional Operations Division 300 Water Street Peterborough, ON K9J 3C7

E: ARAApprovals@ontario.ca

#### Ministère des Richesses naturelles et des Forêts

Section de la gestion intégrée des agrégats

Division des opérations régionales 300, rue Water Peterborough (ON) K9J 3C7

E: ARAApprovals@ontario.ca



June 30, 2022

Dufferin Aggregates 2300 Steeles Ave W, 4th floor Concord, ON L4K 5X6

Subject: Groundwater Monitoring program

University of Guelph, Mill Creek Pit, ARA Licence # 5738,

Part Lots 24 and 21-24, Concession 1 & 2, Township of Puslinch, County of Wellington

Further to your amendment request of January 21, 2022, please be advised that the Ministry of Natural Resources and Forestry (MNRF) grants consent under the *Aggregate Resources Act* to proceed with an amendment to the groundwater monitoring program.

The monitoring program is required through conditions 19, 21 and 22 of the aggregate licence for this property, which requires the submission of hydrogeology, hydrology, fisheries, and wetland habitat monitoring reports for MNRF approval. This amendment to the groundwater monitoring program revises early warning and threshold values for the OW5-84 to DP5CR threshold pair, as recommended in the WSP Canada Inc. letter dated January 19, 2022, submitted in support of the request.

Should you have any questions please contact Sonya Zuber, Aggregate Specialist at sonya.zuber@ontario.ca.

Sincerely,

Katie O'Connell
Aggregate Resources Manager
Integrated Aggregate Operations Section

 Clerk, Township of Puslinch Clerk, County of Wellington MNRF - Guelph District University of Guelph



File Number:

ROPA 49

**Date of Adoption:** 

June 15, 2022

Municipality:

Halton Region

Date of Notice:

June 22, 2022

### **NOTICE OF ADOPTION**

# With respect to an Official Plan Amendment Subsection 17(23) and 26 of the Planning Act

A decision was made by Halton Regional Council to adopt Regional Official Plan Amendment (ROPA) No. 49, "An Amendment to Implement the Integrated Growth Management Strategy" through By-law No. 35-22, enacted and passed on June 15, 2022. ROPA 49 is the Region's second amendment adopted for the purpose of its municipal comprehensive review and update to the Halton Regional Official Plan under Section 26 of the *Planning Act*, R.S.O. 1990, as amended.

### **Purpose and Effect of the Official Plan Amendment**

The purpose of ROPA 49 is to implement the results of the Integrated Growth Management Strategy, which considered how to accommodate growth in Halton to 2051 as a part of a municipal comprehensive review process. ROPA 49 implements Regional Council's direction to accommodate population and employment growth within Halton's existing Regional Urban Boundary to 2041 and to develop a framework for planning for growth from 2041 to 2051. The amendment also includes other updates that support Halton's growth strategy, including updates to intensification and density targets, development phasing, the Regional Urban Structure, Strategic Growth Areas, Employment Areas, and corridor protection, among other things. The amendment applies to all lands in the Regional Municipality of Halton.

#### Effect of Written and Oral Submissions on Decision

Written and oral submissions on ROPA 49 were received and considered as a part of the Region's consultation process. The written submissions received during the ROPA 49 commenting period and the Region's responses are contained in Attachment #4 to Halton Region Staff Report No. LPS50-22, "Recommendation Report – Regional Official Plan Amendment No. 49 – 'An Amendment to Implement the Integrated Growth Management Strategy'", available online here: <a href="halton.ca/ropr">halton.ca/ropr</a>. In response to the written and oral submissions on ROPA 49, modifications were made to ROPA 49 to, among other things, add an objective related to climate change, revise the policy framework for major retail uses in employment areas, update the housing mix target, update corridor protection policies and mapping, and update the boundary of the Milton-Trafalgar GO Major Transit Station Area and a related change to the Regional Urban Boundary.

### **Approval Authority and Notice of Decision**

The Minister of Municipal Affairs and Housing is the approval authority of ROPA 49. Any person or public body is entitled to receive notice of the Minister's decision regarding ROPA 49 if a written request, containing the person's or public body's address, is made to the Minister. Requests to receive the Notice of Decision should be sent to:

Ministry of Municipal Affairs and Housing Municipal Services Office Central Ontario 777 Bay Street, 13<sup>th</sup> Floor Toronto, ON M7A 2J3

#### **Additional Information**

For more information on ROPA 49, contact Planning Services by email at <a href="mailto:ropr@halton.ca">ropr@halton.ca</a> or call 905-825-6000 ext. 7772. Information and material relating to ROPA 49 will be available for public inspection by appointment or by visiting <a href="mailto:halton.ca/ropr">halton.ca/ropr</a>.

If you require an alternative format or need accessibility-related accommodation to access ROPA 49 materials, please email accesshalton@halton.ca or call 311, 1-866-442-5866 or TTY 905-827-9833.

# **Other Related Applications**

None.



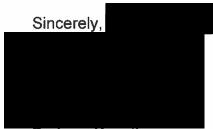
June 28, 2022

Premier Doug Ford Premier of Ontario Legislative Building Queen's Park Toronto ON M7A 1A1

# Dear Premier Ford:

At the meeting held on June 15, 2022, the Council of the Corporation of the Township of Matachewan passed Resolution 2022-148 supporting the inclusion of the mailing addresses of voters on voter's lists provided to candidates.

A copy of Resolution 2022-148 is attached. Your consideration and support of this resolution would be greatly appreciated.



Barbara Knauth Deputy Clerk

:bk

cc: Ontario Municipalities Steven Clark – Ministry of Municipal Affairs and Housing Canadian Civil Liberties Association

Phone: 705-565-2274

Fax: 705-565-2564



# THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN

P.O. Box 177, Matachewan, Ontario P0K 1M0

DATE: June 15, 2022

RESOLUTION #: 2022-[48

Moved by:

Seconded by:



WHEREAS it is in the best interest of good government and the democratic process that all Ontarians have access to candidate information during the upcoming municipal elections; and,

WHEREAS the clerks of some municipalities do not supply the mailing addresses of voters on the voters list to candidates, thereby limiting the access of voters who have mailing addresses outside the municipality to candidate information, effectively disenfranchising them;

BE IT RESOLVED THAT the Council of the Corporation of the Township of Matachewan expresses its support for the inclusion of the mailing addresses of voters on voter's lists provided to candidates;

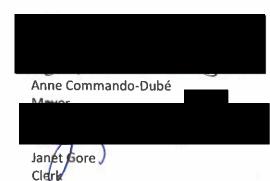
AND THAT a copy of this resolution be sent to all municipalities in Ontario to ask for their support;

AND THAT a copy of this resolution be sent to the Premier of Ontario and the Minister of Municipal Affairs and Housing;

AND THAT a copy of this resolution be sent to the Canadian Civil Liberties Association

		COUNCILLOR	YEA	NAY	PID
CARRIED	CARRIED / Ms. A. Comman				
	V	Mayor			
AMENDED	NDED Mr. N. Costello				
		Deputy Mayor			
DEFEATED	EFEATED Mr. G. Dubé				
	$oxed{oxed}$	Councillor			Ì
TABLED Mr. M. Young		Mr. M. Young			
		Councillor			
		Mrs. S. Dubé			
		Councillor			

Certified to be a true convert the original.



# **Corporate Services**



Tara Lajevardi, Hon.B.A.
Municipal Clerk/Director of Legislative Services
905-478-4282 ext. 3821
tlajevardi@eastgwillimbury.ca

June 15, 2022

Sent via email: <u>premier@ontario.ca</u>

Honourable Doug Ford Premier of Ontario Legislative Building Queen's Park Toronto ON M7A 1A1

Dear Premier Ford:

Re: Summary and Implications of Provincial Bill 109: More Homes for Everyone Act, 2022

For your information and records, at its electronic meeting held on June 7, 2022 the Council of the Town of East Gwillimbury enacted as follows:

WHEREAS the Town of East Gwillimbury is Canada's fastest growing municipality (with more than 5,000 residents) according to 2021 Census Canada data: and

WHEREAS the Council of the Town of East Gwillimbury has significant concerns regarding the impact of Bill 109 on the community planning process, and the ability of municipalities to deliver on initiatives to address housing supply and attainability, and

WHEREAS the refund provisions in Bill 109 will result in existing taxpayers subsidizing development applications as well as lost revenue and increased staff costs for municipalities; and

WHEREAS the prescription of what constitutes a complete application does not address differing levels of complexities and the unique circumstances and diverse landforms that exist across the province, nor does it recognize the collaborative process and relationships between parties that deliver results for municipalities; and

WHEREAS limiting conditions on Draft Plan of Subdivision does not address the unusual and often challenging circumstances best understood by local municipal staff and elected officials;

# **Corporate Services**



Tara Lajevardi, Hon.B.A.
Municipal Clerk/Director of Legislative Services
905-478-4282 ext. 3821
tlajevardi@eastgwillimbury.ca

BE IT THEREFORE RESOLVED THAT the Council of the Town of East Gwillimbury requests that Government of Ontario revisit the provisions of Bill 109 and work with all stakeholders, including municipalities represented by the Association of Municipalities of Ontario to deliver legislation that allows municipalities to plan, grow and deliver communities that adhere to local, provincially-approved Official Plans, rather than strict statutory timelines; and

THAT a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, MPP Caroline Mulroney, the Minister of Municipal Affairs and Housing, all York Region Mayors and Regional Chairs in Ontario; and

THAT a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

If you have any further questions, feel free to contact the undersigned.

Yours truly,



Tara Lajevardi, Hon.B.A. Municipal Clerk

cc: The Honourable Steve Clark, Minister of Municipal Affairs and Housing
The Honourable Caroline Mulroney, MPP York – Simcoe
York Region Mayors and Regional Chairs
Association of Municipalities Ontario
All Ontario municipalities



318 Canborough St. P.O. Box 400 Smithville, ON LOR 2A0

T: 905-957-3346 F: 905-957-3219 www.westlincoln.ca

# **CLERK'S DEPARTMENT**

June 28, 2022

Honourable Doug Ford Premier of Ontario Legislative Building Queen's Park Toronto, ON M7A 1A1

Dear Premier Ford:

Re: Summary and Implications of Provincial Bill 109: More Homes for Everyone Act, 2022

This correspondence is to confirm that on June 27, 2022, West Lincoln Township Council adopted the following resolution regarding the Summary and Implications of Provincial Bill 109: More Homes for Everyone Act, 2022

That, the correspondence from the Town of East Gwillimbury, dated June 15, 2022, requesting the Government of Ontario to revisit the provisions of Bill 109 and work with all stakeholders, including municipalities represented by the Association of Municipalities of Ontario to deliver legislation that allows municipalities to plan, grow and deliver communities that adhere to local, provincially-approved Official Plans, rather than strict statutory timelines; be received and supported; and,

That, a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, MPP Caroline Mulroney, the Minister of Municipal Affairs and Housing, Regional Chairs in Ontario, the Association of Municipalities of Ontario (AMO) and all Ontario municipalities

If any further information is required, please contact the undersigned at 905-957-5136.

Yours truly,

Joanne Scime Clerk

cc. The Honourable Steve Clark, Minister of Municipal Affairs and Housing
The Honourable Caroline Mulroney, MPP York-Simcoe
Regional Chairs in Ontario
AMO
All Ontario Municipalities



MAYOR JAMES SEELEY 7404 WELLINGTON RD. 34, RR#3 PUSLINCH ON N0B 2J0

# RECEIVED

JUN 0 6 2022 Township of Puslinch

Ottawa, June 2022

Dear MAYOR JAMES SEELEY and Council,

The economic contributions from rural communities are integral to Canada's success. Rural areas are home to many key industries such as manufacturing, forestry, agriculture, and energy.

Yet, municipalities under 20,000 residents receive less support from the federal government in comparison to their much larger counterparts. Red tape duplications and certain application requirements disproportionately burden small rural communities with very few staff.

This is unfair, unjust, and needs to be addressed urgently. As such, Conservative Shadow Minister for Rural Economic Development and Rural Broadband Strategy, M.P. Shannon Stubbs, Deputy Shadow Ministers M.P. Damien Kurek and M.P. Jacques Gourde, are seeking to convene a townhall with you to address federal funding for rural communities.

Rural Canadians must band together for fairer and more robust funding for communities all over rural Canada.

It is integral to our economy that the federal government works for everyone no matter where they live. The voices of rural Canadians need to be heard. We kindly ask you to express the three most important issues impacting your economic development as a rural community. We will use this feedback to ensure our work for rural Canada is as productive as possible and will determine the agenda for our proposed townhall. This is an opportunity to network, share your priorities, and solutions to the challenges we face.

We value hearing from you and should you wish to attend our forum, please email M.P. Stubbs at <a href="mailto:shannon.stubbs@parl.gc.ca">shannon.stubbs@parl.gc.ca</a>, M.P. Kurek at <a href="mailto:damien.kurek@parl.gc.ca">damien.kurek@parl.gc.ca</a>, or M.P. Gourde at <a href="mailto:jacques.gourde@parl.gc.ca">jacques.gourde@parl.gc.ca</a>.

Thank you for your time.

Shannon Stubbs, M.P.
Shadow Minister for Rural Economic Development and Rural Broadband Strategy
Lakeland

Damien C. Kurek, M.P.
Deputy Shadow Minister for Rural Economic
Development and Rural Broadband Strategy
Battle River—Crowfoot



Jacques Gourde, M.P.
Deputy Shadow Minister for Rural Economic
Development and Rural Broadband Strategy
Lévis—Lotbiniére



318 Canborough St. P.O. Box 400 Smithville, ON LOR 2A0

T: 905-957-3346 F: 905-957-3219 www.westlincoln.ca

# **CLERK'S DEPARTMENT**

June 28, 2022

Honourable Dominic LeBlanc Minister of Intergovernmenal Affairs, Infrastructure and Communities via email <a href="mailto:dominic.leblanc@parl.gc.ca">dominic.leblanc@parl.gc.ca</a>

Re: Funding Support for Infrastructure Projects - Bridge and Culvert Replacements in Rural Municipalities

This correspondence is to confirm that on June 27, 2022, West Lincoln Township Council adopted the following resolution regarding Funding Support for Infrastructure Projects - Bridge and Culvert Replacements in Rural Municipalities

That, the correspondence from the Township of East Hawkesbury, the Township of Clearview, the Township of Adjala-Tosorontio, the Township of Adelaide-Metcalfe, the Township of Lake of Bays, the Township of Amaranth, the Township of Scugog, and Northumberland County, requesting support by encouraging the Province of Ontario and the Government of Canada to provide more funding to rural municipalities to support infrastructure projects, including those projects related to major bridge and culvert replacements; be received and supported; and,

That, a copy of this resolution be sent to the Federal and Provincial Ministers of Infrastructure, Sam Oosterhoff, MPP - Niagara West, Dean Allison, MP - Niagara West, the Association of Municipalities of Ontario (AMO), and all Ontario Municipalities.

If any further information is required, please contact the undersigned at 905-957-5136.

Yours truly,

Joanne Scime
Clerk

CC.

Kinga Surma, MPP Minister of Infrastructure Sam Oosterhoff, MPP Niagara West Dean Allison, MP Niagara West AMO All Ontario Municipalities



Legislative Services Michael de Rond 905-726-4771 clerks@aurora.ca

Town of Aurora 100 John West Way, Box 1000 Aurora, ON L4G 6J1

May 31, 2022

Delivered by email sylvia.jones@ontario.ca

The Honourable Sylvia Jones Solicitor General of Ontario Ministry of the Solicitor General 25 Grosvenor Street, 18<sup>th</sup> Floor Toronto, ON M7A 1Y6

**Dear Solicitor General Jones:** 

Re: Town of Aurora Council Resolution of May 24, 2022

Motion 10.3 - Councillor Thompson; Re: Mandatory Firefighter Certification

Please be advised that this matter was considered by Council at its meeting held on May 24, 2022, and in this regard, Council adopted the following resolution:

Whereas municipal governments provide essential services to the residents and businesses in their communities; and

Whereas the introduction of new provincial policies and programs can have an impact on municipalities; and

Whereas municipal governments are generally supportive of efforts to modernize and enhance the volunteer and full-time fire services that serve Ontario communities; and

Whereas the Association of Municipalities of Ontario (AMO) believes in principle that fire certification is a step in the right direction, it has not endorsed the draft regulations regarding firefighter certification presented by the Province; and

Whereas municipalities and AMO are concerned the thirty-day consultation period was insufficient to fully understand the effects such regulations will have on municipal governments and their fire services; and

Whereas fire chiefs have advised that the Ontario firefighter certification process will create additional training and new costs pressures on fire services; and

Whereas the Ontario government has not provided any indication they will offer some form of financial support to deliver this service; and

Whereas AMO, on behalf of municipal governments, in a letter to Solicitor General Jones dated February 25, 2022, made numerous comments and requests to address the shortcomings in the draft regulations;

- Now Therefore Be It Hereby Resolved That the Town of Aurora does hereby support AMO's recommendations; and
- Be It Further Resolved That the Town of Aurora does hereby call on the Solicitor General of Ontario to work with AMO, municipal governments and fire chiefs across Ontario to address the concerns raised so that municipalities can continue to offer high quality services to their communities; and
- 3. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO), the Ontario Small Urban Municipalities (OSUM), and all Ontario municipalities for their consideration.

The above is for your consideration and any attention deemed necessary.

Yours sincerely,



Michael de Rond Town Clerk The Corporation of the Town of Aurora

MdR/lb

Copy: Association of Municipalities of Ontario (AMO)
Ontario Small Urban Municipalities (OSUM)
All Ontario municipalities



# Council Resolution Form

Date:

20 Jun 2022

No:

Resolution No.131-22

Moved By:

Councillor Rigelhof, Seconded by

Councillor MacPherson

Disposition:

CARRIED.

Item No:

7.06.1

Description: Annual Emergency Exercise Exemption

### **RESOLUTION:**

WHEREAS Ontario Regulation 380/04: Standards under the Emergency Management and Civil Protection Act sets the municipal standards for emergency management programs in Ontario and requires municipalities to conduct an annual exercise with their Emergency Control Group in order to evaluate the municipality's emergency response plan and procedures, O. Reg. 380/04, s. 12(6);

AND WHEREAS Emergency Management Ontario previously granted municipalities exemption for the annual exercise requirement when the municipality experienced an actual emergency with documented proof of the municipality actively engaging their emergency management procedures and plan in response to the emergency;

AND WHEREAS on August 5, 2021 the Chief, Emergency Management Ontario (EMO) issued a memo to Community Emergency Management Coordinators stating that effective immediately, the Chief, EMO would no longer be issuing exemptions to the O. Reg. 380/04 requirements to conduct an annual exercise;

AND WHEREAS municipalities experience significant costs and burden to staff resources when faced with the response to an actual emergency and activation of their Emergency Control Group and/or Emergency Operations Centre;

AND WHEREAS a municipality's response to an actual emergency is more effective than an exercise in evaluating its emergency response plan and procedures as mandated by O. Reg. 380/04;

equested by	<b>y</b> :
Yea	Nay
	•
<del></del>	
<del></del>	<del></del>

	Pg 1 of 2
MAYOR	
Declaration of Pecuniary Interest:	
Disclosed his/her/their interest(s), vacate seat(s), abstained from discussion and did not version.	

AND WHEREAS planning, conducting and evaluating an emergency exercise requires significant time and effort for the Community Emergency Management Coordinator and Municipal Emergency Control Group that is duplicated when the Municipality experiences a real emergency;

NOW THEREFORE, BE IT RESOLVED THAT the Council of the Township of Greater Madawaska hereby requests the Province of Ontario to amend Ontario Regulation 380/04 under the Emergency Management and Civil Protection Act to provide an exemption to the annual exercise requirement for municipalities that have activated their Emergency Control Group and/or Emergency Response Plan in response to an actual emergency that year in recognition of the significant resources used to respond to the emergency and the effectiveness of such response in evaluating the municipality's emergency response plan and procedures;

AND THAT a copy of this resolution by forwarded to the Premier of Ontario, local MPP, Minister of Municipal Affairs, Solicitor General, and all other municipalities of Ontario

Recorded Vote R	equested by	y:	
***************************************	*****************		MAYOR
	Yea	Nay	
B. Hunt			Declaration of Pecuniary Interest:
L. Perrier			
C. Rigelhof			
J. Frost			Disclosed his/her/their interest(s), vacated he/her/their
G. MacPherson		-	seat(s),
O. WIGGI HEISOH			abstained from discussion and did not vote

# **Hillary Miller**

From: Ashley Stafford <AStafford@orillia.ca>
Sent: Thursday, June 16, 2022 8:32 AM

**Subject:** City of Orillia Resolution - to all Ontario municipalities - Voluntary Russian Sanction

Request

# To all Ontario municipalities:

At its meeting held on June 6, 2022, Orillia City Council adopted the following resolution:

"THAT the correspondence dated April 19, 2022 from the Town of Gravenhurst regarding sanctions on Russia be received;

AND THAT the City of Orillia supports the sanctions related to Russia that have been enacted under the Special Economic Measures Act in order to respond to the gravity of Russia's violation of the sovereignty and territorial integrity of Ukraine, and grave human rights violations that have been committed in Russia;

AND THAT the City of Orillia supports the sanctions related to Belarus that have been enacted under the Special Economic Measures Act in response to the gross and systematic human rights violations that have been committed in Belarus, as well as Belarus' support of the Russian Federation's violation of the sovereignty and territorial integrity of Ukraine, which constitutes a grave breach of international peace and security that has resulted in a serious international crisis;

AND THAT this decision of Orillia Council be forwarded to all other municipalities within Ontario requesting they enact similar measures so that as a united front we can make a noticeable difference."

Thanks.



Ashley Stafford | Executive Assistant to Mayor and Council

Mayor's Office **T:** 705-326-1177 orillia.ca









This message is intended for the individual to whom it is addressed and may contain information that is confidential and exempt from disclosure under the Municipal Freedom of Information and Protection of Privacy Act. If you are not the intended recipient, please do not forward, copy or disclose this message to anyone and delete all copies and attachments received. If you have received this communication in error, please notify the sender immediately.



# The Corporation of the Municipality of Killarney 32 Commissioner Street Killarney, Ontario POM 2A0

MOVED BY:

Michael Reider

SECONDED BY:

Robert Campbell

# RESOLUTION NO. 22-220

WHEREAS the Country of Ukraine has experienced a premeditated and unprovoked invasion by Russia;

WHEREAS silence is complicity;

WHEREAS Canada imports hundreds of millions of dollars' worth of goods from Russia each year; and

WHEREAS negative financial impacts upon a country can be used as a means to deter further conflict;

**BE IT RESOLVED THAT** the correspondence received from the City of Thorold, the Town of Gravenhurst, the Town of Espanola and Niagara Region regarding sanctions on Russia be received for information;

AND THAT the Municipality of Killarney unequivocally denounces Russia's unjustifiable war against Ukraine;

AND THAT the Municipality of Killarney supports the sanctions which the Federal Government of Canada has thus far imposed on Russia;

**AND THAT** effective immediately and until a time when the sovereighty of Ukraine is once again unchallenged, the Municipality of Killarney will:

- 1) Not purchase any products (i.e. plywood, fertilizer, steel, furniture or machinery) which can be easily traced to have originated from Russia; and
- 2) Insist that any future contracts for services for the Municipality of Killarney abide by these same limitations within our municipality;

AND THAT upon confirmation that the Belarusian military is engaged within Ukraine that the Municipality of Killarney apply these limitations upon goods from that country as well;

AND THAT this decision of the Municipality of Killarney Council be forwarded to all other municipalities within Ontario requesting they enact similar measures so that as a united front we can make a noticeable difference.

Resolution Result		Recorded Vote				
		Council Members	YES	NO		
	CARRIED	Robert Campbell				
	DEFEATED	John Dimitrijevic				
	TABLED	Barbara Anne Haitse				
	RECORDED VOTE (SEE RIGHT)	Michael Reider				
	PECUNIARY INTEREST DECLARED	Jim Rook				
	WITHDRAWN	Nancy Wirtz				

I, Gilles G. Legault, Deputy Clerk-Treasurer of the Municipality of Killarney do certify the foregoing to be a true copy of Resolution #22-220 passed in a Regular Council Meeting of The Corporation of the Municipality of Killarney on the 8th day of June 2022.

Gilles G. Legault Deputy Clerk Treasurer

# **Hillary Miller**

From: Tina Merner <tmerner@lucanbiddulph.on.ca>

**Sent:** Wednesday, June 22, 2022 2:21 PM **Subject:** Voluntary Russian Sanctions

To all Ontario municipalities:

Please be advised that at its meeting held on June 21, 2022, Council of the Township of Lucan Biddulph adopted the following resolution:

# Resolution No. 153-2022

Moved by D. Regan

Seconded by J. Hodgins

THAT the correspondence dated April 19, 2022 from the Town of Gravenhurst regarding sanctions on Russia be received;

AND THAT The Township of Lucan Biddulph acknowledges the Country of Ukraine has experienced a premeditated and unprovoked invasion by Russia.

AND THAT the Township of Lucan Biddulph acknowledges that silence is complicity

AND THAT the Township of Lucan Biddulph supports the sanctions related to Russia that have been enacted under the Special Economic Measures Act in order to respond to the gravity of Russia's violation of the sovereignty and territorial integrity of Ukraine, and grave human rights violations that have been committed in Russia;

AND THAT the Township of Lucan Biddulph supports the sanctions related to Belarus that have been enacted under the Special Economic Measures Act in response to the gross and systematic human rights violations that have been committed in Belarus, as well as Belarus' support of the Russian Federation's violation of the sovereignty and territorial integrity of Ukraine, which constitutes a grave breach of international peace and security that has resulted in a serious international crisis;

AND THAT this decision of Lucan Biddulph Council be forwarded to all other municipalities within Ontario requesting they enact similar measures so that as a united front we can make a noticeable difference.

**CARRIED** 

# Tina Merner, Deputy Clerk

Township of Lucan Biddulph, 270 Main St., Box 190, Lucan, ON NOM 2J0 519-227-4491 ext. 23 www.lucanbiddulph.on.ca



# **MUNICIPALITY OF SHUNIAH**

420 Leslie Avenue, Thunder Bay, Ontario P7A 1X8
Phone: (807) 683-4545 Fax: (807) 683-6982
Email: shuniah@shuniah.org www.shuniah.org

June 30th, 2022

Federation of Canadian Municipalities (FCM) Association of Municipalities of Ontario (AMO)

Via Email

To Whom it may concern,

RE: Letter of Support – The Corporation of the City of Brantford - 5.1 Release of all Federal and Provincial Documents Related to the Former Mohawk Institute Residential School

Please be advised that, at its meeting on June 28th, 2022, the Council of the Municipality of Shuniah resolved to support the resolution adopted May 17, 2022 by The Corporation of the City of Brantford.

A copy of the above noted resolution is enclosed for your reference and consideration.

We kindly request your support and endorsement for the release of all Federal and Provincial document related to the Former Mohawk Institute Residential School.

Yours truly,

Kerry Bellamy Clerk KB/jk

Cc:

Right Hon. Justin Trudeau, Prime Minister of Canada

Hon. Doug Ford, Premier of Ontario

Hon. Marc Miller, Minister of Crown-Indigenous Relations

Hon. Patty Hajdu, Minister of Indigenous Services and MP

Hon. Greg Rickford, Minister of Indigenous Affairs

The Most Rev. Linda Nicholls, Primate of the Anglican Church of Canada

Hon. Kevin Holland, MPP Thunder Bay-Atikokan

Hon, Lise Vaugeois, MPP Thunder Bay Superior North

The Survivors Secretariat

All municipalities in Ontario



# COUNCIL RESOLUTION

3×			
SHUNLAH	Resolutio	n No.: 231-2	Date: <u>Jun 28, 2022</u>
Moved By:	Donna B	lunt	
	eral and Provincia		City of Brandtford regarding the ted to the Former Mohawk
BE IT RESOLVED	):		
Premier Doug Ford; M Services and MP Pat Church of Canada Lin the Federation of Car	Minister of Crown-Ind ty Hajdu; Minister of nda Nicholls; MPP Ko nadian Municipalities	ligenous Relations Ma Indigenous Affairs Gre evin Holland, MPP Lis	o: Prime Minister Justin Trudeau; rc Miller; Minister of Indigenous eg Rickford; Primate of the Anglican e Vaugeois; the Survivors' Secretariat; on of Municipalities of Ontario (AMO) imilar resolution.
Carried	Defeated  Municipality of Shunish	Amended  420 Leslie Avenue, Thunder E	Deferred  And Signature



Date:	June 20, 2022	No. 2022-256				
Moved By:						
Seconded B	y:					

Whereas the Ontario Amber Alert is a warning system that quickly alerts the public of a suspected abduction of children who are in imminent danger;

And Whereas the goal is to broadcast as much information about the child, the abductor and suspect vehicles as quickly as possible so that the public can respond with any relevant information that might lead to the child's safe return;

And Whereas people are encouraged to share the Amber Alert with as many people as possible. If a child or vulnerable person is abducted, spreading the information quickly is critical to their safe return;

And Whereas an Amber Alert makes the Public aware to keep an eye out for the child, vulnerable person, suspect and the vehicle described, in the alert. If they spot them, try to gather as many details as they can, including the specific location where they saw them, the time, the direction they were travelling in and any other identifying details that will help to locate them;

And Whereas an Amber Alert gives citizens instructions to call 9-1-1 or the phone number included in the alert immediately if they have a trip or a sighting related to an Amber Alert; An Amber Alert will only be activated if:

- The police have confirmed that an abduction has taken place; and
- There is reason to believe the victim is in danger of serious physical injury, and there is information available that, if broadcast to the public, could assist in the safe recovery of the victim.

And Whereas it is essential to remember that an Amber Alert is not always appropriate in every circumstance and that their continued effectiveness depends on ensuring that they are only used in cases that meet the above criteria;

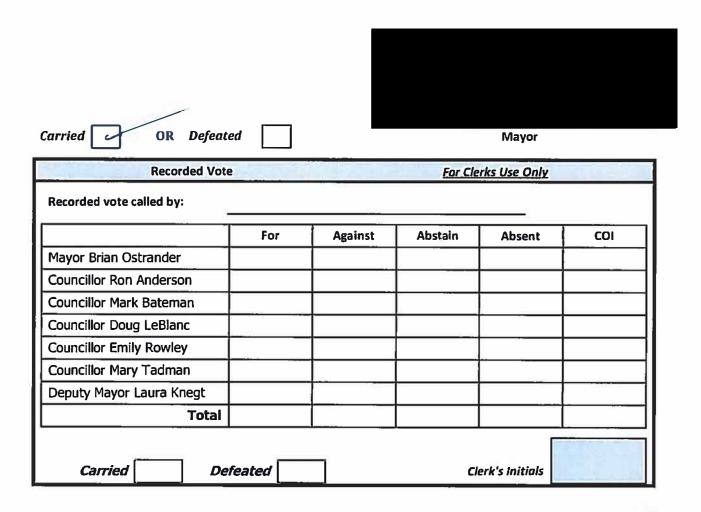
And Whereas the recent tragic death of 11 year old Draven Graham showed that the Amber Alert system is flawed when it comes to vulnerable children who can go missing but are not abducted;

And Whereas at the time this motion was written, there have been almost 75,000 citizens who had signed a petition on Change.Org requesting that a Draven Alert be created;

And Whereas it is clear that there needs to be an addition to the alert system to allow for law enforcement to send out an alert for vulnerable children who go missing under circumstances that do not involve an abduction but are at serious risk of injury or death;

Therefore be it resolved that the Municipality of Brighton and its Council endorse the following:

- 1. That the Minister of the Solicitor General and the Commissioner of the Ontario Provincial Police, as well as the Premier's Office, be requested to make the necessary changes to the Amber Alert system and create a new alert called the Draven Alert, which will protect vulnerable children who have not been abducted but are at high risk of danger, injury or death and alert the public that they are missing.
- 2. That this motion be sent to all municipalities across Ontario and the Association of the Municipalities of Ontario (AMO) for endorsement.



From: ZoningReview <ZoningReview@guelph.ca>

Sent: Thursday, June 16, 2022 3:09 PM

To: ZoningReview <ZoningReview@guelph.ca>

Subject: Notice of Open House and Public Meeting of Council- Comprehensive Zoning Bylaw

# Comprehensive Zoning Bylaw and Companion Official Plan Amendment

# Notice of Open House and Public Meeting of Council

In accordance with section 17, 21 and 34 of the Planning Act, an open house and public meeting of City Council will be held to consider the proposed new Zoning Bylaw and companion Official Plan Amendment.

The open house provides an opportunity to learn about the proposed Zoning Bylaw and Official Plan Amendment and to ask questions of City staff. This meeting will take place:

Open House Wednesday, July 6 2-4 p.m. and 6-8 p.m.

This is an in person open house, taking place in the Galleria at City Hall, 1 Carden Street, Guelph.

The purpose of the public meeting is to share information about the proposed Zoning Bylaw and Official Plan Amendment and consider public comments which will be reviewed by staff prior to Council's decision at a future meeting. This meeting will take place:

Statutory Public Meeting Wednesday, July 13 6 p.m.

This is a hybrid City Council meeting that can be watched online at <u>guelph.ca/live</u> or in-person in Council Chambers, 1 Carden Street, Guelph.

# Purpose and Effect of the Zoning Bylaw

The proposed Zoning Bylaw will replace the existing Zoning Bylaw (1995)-14864 in its entirety. The Zoning Bylaw implements the vision and policies of the current Official Plan and contemporary zoning practices, is user friendly and complies with the Accessibility for Ontarians with Disabilities Act (AODA). The new Zoning Bylaw places emphasis on built form, simplified uses and flexible zones.

# **Subject Lands**

The Comprehensive Zoning Bylaw applies to all land within the municipal boundaries of the City of Guelph.

# Purpose and Effect of the Official Plan Amendment

The proposed Official Plan amendment is being introduced to adjust the land use designations of specific properties to better reflect existing uses, built form and zoning permissions. The proposed OPA introduces a site-specific policy that recognizes existing density permissions on some lands within the city and proposes to redesignate site-specific properties from low density residential to medium density residential, high density residential and Mixed/Office commercial to better reflect the existing built form and uses.

# **Subject Lands**

The proposed OPA applies to the following properties:

3, 5, 7, 9 Algonquin Road; 201, 203 Alma Street North; 11 Arthur Street North; 65 Bagot Street; 5, 7, 9 Brant Avenue; 5, 6 Brentwood Drive; 29, 35 Cassino Avenue; 56, 60, 62, 64, 66, 68 Cedar Street; 7, 8 Christopher Court; 17, 18, 19, 26, 30 Drew Street; 6 Delhi Street; 30 Edinburgh Road North; 44, 46, 89, 109 Emma Street; 391 Eramosa Road; 1, 3, 5, 6, 7, 9 Forest Hill Drive; 36 Garth Street; 236 Gordon Street; 4, 6, 8, 10, 14 Home Street; 142-150 Imperial Road North; 16 James Street West; 8-10, 17, 33 Julia Drive; 316, 324 Kathleen Street; 50, 51 Kimberley Drive; 171 Kortright Road West; 219-225 London Road West; 57 Lonsdale Drive; 7, 8, 9, 10, 11 Manhattan Court; 46 Meadowview Avenue; 50 Mercer Street; 5, 9 Meyer Drive; 2, 8 Normandy Drive; 135 Oxford Street; 346, 350 Paisley Road; 20, 75 Preston Street; 32-46 Regent Street; 261-263, 300, 308, 310, 312, 314, 316, 318, 320, 321, 323, 460, 480 Speedvale Avenue East; 75, 77, 79, 81, 135, 136, 138, 139, 140 Speedvale Avenue West; 57 Suffolk Street West; 353, 355, 357, 361 Victoria Road North; 105, 119 Water Street; 222 Waverley Drive; 85-87, 89-93 Westwood Road; 68, 70, 72 William Street; 180 Willow Road; 14-16 Windsor Street; 560-562, 576 Woolwich Steet; 234 Yorkshire Street North; 70 Yorkshire Street South.

#### For more information

The proposed new Zoning Bylaw and companion Official Plan Amendment are available on guelph.ca/zoningreview. The Staff Report will be available on June 30, 2022 after 12 p.m. at guelph.ca/agendas.

The planner to contact for the Comprehensive Zoning Bylaw review is:

**Abby Watts, MCIP, RPP,** Project Manager- Comprehensive Zoning Bylaw Review, Policy Planning 519-822-1260 extension 3314 <a href="mailto:zoningreview@guelph.ca">zoningreview@guelph.ca</a>

# **How to Get Involved:**

Any person may attend the meeting and/or provide verbal or written comments on the application.

When we receive your registration, we will send you a confirmation message and instructions for participating in the hybrid public meeting will be provided. Instructions will also be provided during the meeting to ensure those watching online and attending in-person will be given the opportunity to speak.

**To speak to the amendment**, please notify the Clerk's Department no later than 10:00 a.m. on Friday July 8, 2022, by any of the following ways:

- · Register online at guelph.ca/delegation
- By phone at 519-837-5603 or TTY 519-826-9771
- By email to <a href="mailto:clerks@guelph.ca">clerks@guelph.ca</a>

When we receive your registration, we will send you a confirmation message and instructions for participating in the remote Council meeting. Instructions will also be provided during the meeting to ensure those watching the remote public meeting will be given the opportunity to speak.

**To submit written comments** and be included in the Council Agenda, we request written comments no later than 10:00 a.m. on Friday July 8, 2022, by any of the following ways:

- By email to <a href="mailto:clerks@guelph.ca">clerks@guelph.ca</a> and <a href="mailto:zoningreview@guelph.ca">zoningreview@guelph.ca</a> (attachments must not exceed 15 MB)
- In person at the ServiceGuelph Counter at City Hall, 1 Carden Street, Guelph
- By regular mail or courier to Guelph City Clerk, 1 Carden Street, Guelph ON N1H 3A1 or place them in the mail slot beside the main entrance to City Hall no later than 10:00 a.m. on Friday, July 8, 2022.

# **How to Stay Informed:**

If you wish to be notified of the City Council decision on this application you must make a written request to the City Clerk by way of email or regular mail as listed above.

# **Appeals Information:**

If a person or public body would otherwise have an ability to appeal the decision of the Council of the City of Guelph to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Guelph before the Official Plan Amendment is adopted, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Guelph before the Official Plan Amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

# **Notice of Collection of Personal Information:**

Personal information is being collected in order to gather feedback and communicate with interested parties regarding this Official Plan Amendment. Information provided or presented at a public meeting is considered a public record and may be posted on the City's website or made public upon request.

This information is collected under the authority of the Planning Act, R.S.O. 1990, cP.13. Questions about this collection should be directed to the Information and Access Coordinator at 519-822-1260 extension 2349 or <a href="mailto:privacy@guelph.ca">privacy@guelph.ca</a>.

# Accessibility:

Alternative accessible formats are available by contacting <u>planning@guelph.ca</u> or TTY 519-826-9771.

This o-mail massage (including attachment

This e-mail message (including attachments, if any) is intended for the use of the individual to whom it is addressed and may contain information that is privileged and confidential. If you are not the intended recipient, you are notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender and erase this e-mail message immediately.

June 24, 2022

Minister Surma Minister.MOI@ontario.ca Ministry of Infrastructure Office of the Minister 5th Floor, 777 Bay Street Toronto, Ontario M7A 2E1

Puslinch High-speed Internet Initiative Committee 7779 Maltby Road East Puslinch, ON NOB 2J0

Dear Minister Surma,

Congratulations on your re-appointment as Minister of infrastructure and the addition of your government real estate responsibilities.

I am writing in regard to your letter to me of Feb.4, 2022 wherein you state that "We are working hard with Canada to move these projects forward as quickly as possible and will have more information to share in the coming weeks". It's been almost 5 months and we are disappointed that of the 58 Ontario/Government of Canada co-funded projects noted in the July 2021 announcement with the federal government, there are still approximately 26 projects that have yet to be formally announced. Of those 26 we expect that there will be a project or projects that will have a positive impact on the quality of internet service available in Puslinch Township.

In Puslinch we badly need internet service alternatives. Most of our residents receive their service wirelessly - almost all of these residents receive service that is substantially worse than the basic high-speed internet service as defined by the CTRC. The longer our wait for better service, the more frustration our community feels. In addition, some residents have started to experience worsening service levels. This is due to the increasing demand on wireless internet services and a lack of commitment on the part of ISPs to expand either fibre or wireless service infrastructure in anticipation of the perceived imminent government-funded project announcements. In our discussions with parties within the internet service ecosystem, no-one has an understanding why the project delays have occurred and when announcements will be made.

We respectfully ask that a strong priority be placed on announcing the Ontario/Government of Canada jointly co-funded project or projects for Puslinch Township.

Sincerely,

Puslinch High-speed Internet initiative Committee

Glenn James,

Chair

glennwjames@outlook.com

cc: Ted Arnott, MPP, Wellington-Halton Hills, John Sepulis, Councillor, Township Of Puslinch



4222, 4228, and 4248 Sideroad 25 South, Puslinch

Official Plan Amendment OP 2020-04 Zoning By-law Amendment D14/CBM July 13th Council Meeting

# Overview

- CBM has applied for applications to permit an expansion of their Lanci Pit:
  - ARA Licence Application
  - Zoning By-law Amendment
  - County Official PlanAmendment
- Below water pit
- Licensed area: 14.8 ha
- Extraction area: 10.2 ha





# **Proposed Operation**

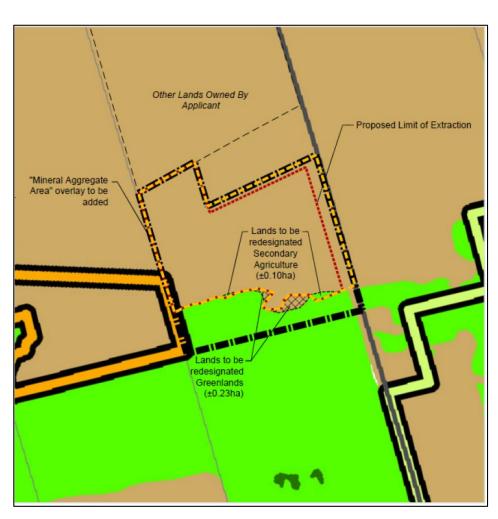
- "Feeder pit"
- Materials hauled to existing processing plant at Aberfoyle South Pit
- Utilize existing, permitted crossing on Concession 2
- No trucks on Sideroad 25
- No on-site processing, washing or crushing
- Same tonnage condition and hours of operation as Lanci Pit





# Official Plan Amendment

- Add "Mineral Aggregate Area" overlay to lands north of significant woodland
- Slight increase in Greenlands designation to reflect fieldverified woodland boundary
- Extend Sand & Gravel Resource Overlay to southern limit
- Lands would remain designated Secondary Agriculture

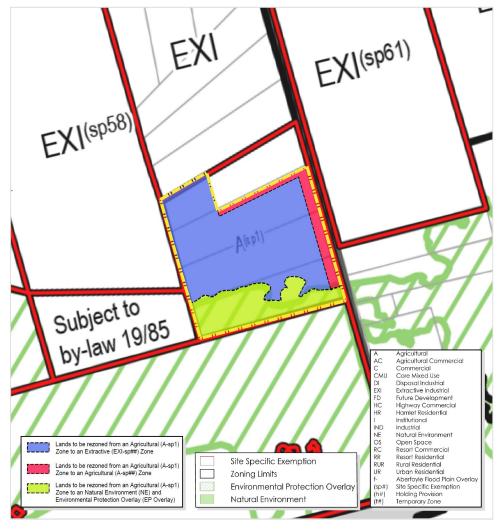


**Proposed County Official Plan Amendment** 



**Zoning By-law Amendment** 

- Rezone from
   Agricultural (A-sp1) to
   Extractive (EXI sp##),
   Agricultural (A-sp##),
   and Natural
   Environment (NE-sp##)
- Site Specific zoning through consultation with the County



**Proposed Township Zoning By-law Amendment** 







# **Technical Reviews**

- The following agencies and expert peer review comments have been addressed:
  - Ministry of Culture (Nov 20, 2018)
  - GRCA (Sept 8, 2020 & July 19, 2021)
  - GM BluePlan Engineering (Nov 27, 2020)
  - Wellington Source Water Protection (Feb 1, 2021)
  - GWS Ecological & Forestry Services (Mar 30, 2021)
  - Harden Environmental (Dec 22, 2021)
  - Valcoustics (April 5, 2022)
  - MECP (March, 2022)



# Closing

- Thank you for the opportunity to present this application and participate in this morning's Council Meeting
- We are pleased to answer any questions from Council





# **REPORT FIN-2022-020**

TO: Mayor and Members of Council

PREPARED BY: Mirela Oltean, Deputy Treasurer

PRESENTED BY: Mary Hasan, Director of Finance/Treasurer

MEETING DATE: July 13, 2022

SUBJECT: 2021 Commodity Price Hedging Agreements

File No. A09 HED

### **RECOMMENDATIONS**

That Report FIN-2022-020 entitled 2021 Commodity Price Hedging Agreements be received; and

That Council accepts the Treasurer's statement that based on the information supplied by Local Authority Services (LAS), all commodity price hedging agreements are consistent with the Township's statement of policies and goals related to the use of financial agreements to address commodity pricing and costs as outlined in Schedule B to Report FIN-2022-020.

#### DISCUSSION

### **Purpose**

The purpose of this report is to comply with the Treasurer's reporting requirements as set out by Ontario Regulation 653/05 of the Municipal Act, 2001.

### Background

Section 7(1) of Ontario Regulation 653/05, as amended states that if a municipality has commodity price hedging agreements in place, the Treasurer of the municipality must prepare and present to Council once every fiscal year a detailed report on all of those agreements. The report must contain the following information:

- 1. A statement about the status of the agreements during the period of the report, including a comparison of the expected and actual results of using the agreements.
- 2. A statement by the Treasurer that all of the agreements entered into during the period of the report are consistent with the municipality's statement of policies and goals related to the use of financial agreements to address commodity pricing and costs.

The Township entered into hedging agreements for natural gas and electricity procurement through Local Authority Services Limited (LAS), a wholly owned subsidiary of the Association of Municipalities of Ontario (AMO). These agreements are as follows:

- The Electricity Agency Appointment and Retainer Agreement dated September 19, 2012
- The Natural Gas Appointment and Retainer Agreement dated February 10, 2021

The Commodity Price Hedging Policy was approved by Council through adoption of By-law No. 56/12, attached as Schedule B to Report FIN-2022-020.

# **Natural Gas Procurement Program**

The LAS Natural Gas Procurement Program currently includes 170+ participating organizations. An annual price (per m³) for all natural gas consumption is determined by LAS and reflects LAS's completed gas purchases and expectations for spot market natural gas costs for the one-year period. LAS purchases physical natural gas and provides it to all enrolled municipalities based on their consumption requirements.

There is not a hedge percentage in the LAS Natural Gas Procurement Program. In situations when LAS over collects fees (ie. when spot market prices are lower than LAS's expectations), LAS provides the municipality with a rebate.

# **Electricity Procurement Program**

The LAS Electricity Procurement Program currently includes 130+ municipalities. LAS removes municipal accounts from government (default) pricing and instead purchases electricity forward price contracts for much of the municipality's consumption.

The Township hedges 50% of its electricity requirements while the remaining 50% is purchased at spot market prices.

# Purpose of Hedging

The goal of hedging is not to speculate on the future price of a commodity, but rather to fix its price to an agreed amount. Volatile shifts in utility prices create significant challenges for

municipalities in terms of meeting utility budgets. This uncertainty in energy pricing can impact decision making and cost control. The LAS programs offer more stable energy pricing. Utility costs are unpredictable. Therefore, in any given year there is the possibility that the hedged cost may be higher than the current spot market cost which would result in a higher cost to the Township.

Council at its meeting held on June 15, 2016 requested that future Commodity Price Hedging reports include scale of risk to the Township, information from LAS with respect to risk and whether this risk is insured. Schedule A attached to Report FIN-2022-020 includes specific information from LAS regarding the risk questions posed by Council.

# **Financial Implications**

#### Natural Gas

The 2021 actual natural gas costs amounted to \$21,730. The Township's natural gas costs have increased from 2020 to 2021 as outlined in the table below.

		2020	2021
Account	Facility	Actuals	Actuals
01-0070-4202	PCC	\$3,914	\$4,549
01-0080-4202	ORC	\$4,867	\$4,932
01-0170-4202	Municipal Office	\$10,532	\$12,249
	Total	\$19,313	\$21,730

The increase in costs from 2020 to 2021 relates to an increase in LAS commodity price rates and an increase in consumption rates from 2020 (70,010 m3) to 2021 (71,671 m3).

The Township utilized the LAS Natural Gas Procurement Program at the following commodity price rates from 2017 to 2022:

Time Period	Price per m <sup>3</sup> – includes LAS program fee	LAS Program Fee
Nov. 2017 to Oct. 2018	\$11.9 cents/ m <sup>3</sup>	\$0.003789 cents/ m <sup>3</sup>
Nov. 2018 to Oct. 2019	\$10.6 cents/ m <sup>3</sup>	\$0.003789 cents/ m <sup>3</sup>
Nov. 2019 to Oct. 2020	\$9.4 cents/ m <sup>3</sup>	\$0.003789 cents/ m <sup>3</sup>
Nov. 2020 to Oct. 2021	\$10.1 cents/ m <sup>3</sup>	\$0.003789 cents/ m <sup>3</sup>
Nov. 2021 to Oct. 2022	\$11.7 cents /m3	\$0.003789 cents/ m <sup>3</sup>

Outlined in the table below are the commodity price rates charged by Enbridge Gas (formerly Union Gas) compared to LAS from 2018 to 2021:

Date	Enbridge Gas Effective Commodity Price (cents/m³)¹	LAS Effective Commodity Price (cents/m³)	LAS Savings (Loss) (cents/m3)
Nov-21	\$17.1480	\$11.7	\$5.4480
Oct-21	\$17.1480	\$10.1	\$7.0480
Jul-21	\$13.2272	\$10.1	\$3.1272
Apr-21	\$13.7086	\$10.1	\$3.6086
Jan-21	\$13.4224	\$10.1	\$3.3224
20-Nov	\$12.8566	\$10.1	\$2.7566
20-Oct	\$12.8566	\$9.4	\$3.4566
20-Jul	\$12.1894	\$9.4	\$2.7894
Apr-20	\$12.1894	\$9.4	\$2.7894
Jan-20	\$13.4040	\$9.4	\$4.0040
Oct-19	\$13.3356	\$10.6	\$2.7356
Jul-19	\$16.2957	\$10.6	\$5.6957
Apr-19	\$17.1237	\$10.6	\$6.5237
Jan-19	\$18.0395	\$10.6	\$7.4395
Oct-18	\$15.1421	\$11.9	\$3.2421
Apr-18	\$13.9327	\$11.9	\$2.0327
Jan-18	\$15.9153	\$11.9	\$4.0153

The LAS natural gas rate was lower than the Enbridge Gas rates from January 2018 to present. If LAS collects more revenue through the set program rate than is required to run the program, an amount is rebated back to municipalities. The rebate provided is based on the quantity of natural gas consumed during the rebate period. In 2021, the Township received a rebate of \$521 for the period of November 1, 2019 to October 31, 2020. The rebate for the November 1, 2020 to October 31, 2021 period will be determined in 2022.

The following table shows the savings of \$3,301 for the Township based on hedging the natural gas rates with the LAS program:

http://www.ontarioenergyboard.ca/oeb/Consumers/Natural+Gas/Natural+Gas+Rates/Natural

<sup>&</sup>lt;sup>1</sup> Historical Natural Gas Rates

Month	LAS Saving/m3	Usage (m3)	Township Savings
January	\$ 0.033224	12,808	\$426
February	\$ 0.033224	15,610	\$519
March	\$ 0.033224	10,101	\$336
April	\$ 0.036086	6,501	\$235
May	\$ 0.036086	3,597	\$130
June	\$ 0.036086	2,785	\$100
July	\$ 0.031272	1,175	\$37
August	\$ 0.031272	1,267	\$40
September	\$ 0.031272	1,210	\$38
October	\$ 0.070480	979	\$69
November	\$ 0.054480	6,996	\$381
December	\$ 0.054480	8,642	\$471
Total		71,671	\$2,780
Rebate			\$521
Total Savings	•		\$3,301

# **Electricity**

Schedule C to Report FIN-2022-020 includes pricing details and expectations for 2021 obtained from LAS.

The 2021 actual electricity costs amounted to \$66,594. The Township's electricity costs have increased from 2020 to 2021 as outlined in the table below. While there was a decrease in consumption in 2021 compared to 2020, there was an increase in average LAS Price per kWh in 2021 compared to 2020.

		2020	2021
Account	Facility	Actuals	Actuals
01-0030-4201	Public Works - Railway Crossing	\$597	\$594
01-0030-4400	Public Works - Streetlights	\$19,367	\$20,528
01-0070-4201	PCC	\$6,800	\$7,085
01-0080-4201	ORC	\$22,339	\$21,484
01-0110-4201	Parks	\$2,128	\$2,618
01-0170-4201	Municipal Office	\$13,584	\$14,285
	Total	\$64,814	\$66,594

There are no rebates for the electricity program as LAS purchases a financial hedge for each participating municipality at a negotiated cost (per/kWh) and settles, as retailer, along with the spot market cost of power.

# **LAS Electricity Procurement Program – Excluding Streetlights**

The Township utilized the LAS Electricity Procurement Program at the following rates for 50% of the Township's electricity for all accounts excluding streetlights:

Year	Price per kWh – includes	LAS Program Fee
	LAS program fee	
2018	\$2.141 cents/kWh	\$0.0015 cents/kWh
2019	\$2.40 cents/kWh	\$0.0015 cents/kWh
2020	\$2.44 cents/kWh	\$0.0015 cents/kWh
2021	\$2.464 cents/kWh	\$0.0015 cents/kWh

#### **LAS Electricity Procurement Program – Streetlights**

Streetlights enrolled in the program continue to be billed at the prevailing spot market rates. Electricity costs are typically lower for streetlight accounts because streetlights are primarily operated when demand for electricity is lowest (i.e. overnight – from dusk to dawn), and with lower demand comes lower spot market rates.

The LAS program fee for streetlight accounts is \$6 per month per account.

The Township obtained a detailed Electricity Commodity Cost Review completed by LAS for the 2021 fiscal period and summarized and confirmed LAS's review in the table below. The total actual electricity savings in 2021 amounted to \$1,734 or 5.66% (savings of \$1,049 or 2.44% – 2020) when compared to prevailing government Time-of-Use and Tiered rates.

	2020			2021				
			\$	%				%
	RPP		Saving/	Saving/			\$ Saving/	Saving/
Program	Cost	LAS Cost	Loss	Loss	RPP Cost	LAS Cost	Loss	Loss
Hedge Accounts	\$36,077	\$35,732	\$345	0.96%	\$24,645	\$23,860	\$785	3.18%
Streetlights	\$6,873	\$6,169	<u>\$704</u>	10.2%	\$5,982	\$5,034	<u>\$949</u>	<u>15.9%</u>
Total	\$42,950	\$41,901	\$1,049	2.44%	\$30,627	\$28,894	\$1,734	5.66%

# **Applicable Legislation and Requirements**

Ontario Regulation 653/05 of the Municipal Act, 2001

# **Attachments**

Schedule A – Information from LAS Regarding Risk Questions

Schedule B – By-law No. 56/12 - Commodity Price Hedging Policy

Schedule C – LAS Electricity Program Pricing Details for 2021

**Respectfully submitted:** 

Reviewed by:

Mary Hasan
Director of Finance/Treasurer

Glenn Schwendinger Chief Administrative Officer

# Questions & Responses

 In the past, the Township's facilities were all metered separately under their own accounts with Hydro One. None of these separate accounts exceeded the limit to remain on the Regulated Price Plan (RPP), which is the regulated price hedge established by the Province. This negated any need or benefit of enrolling in any other hedge program.

# **LAS Reponses**

The Township still maintains separate accounts with Hydro One, still receives a bill from Hydro One for each one of those accounts, and each account still does not exceed the limits of the RPP. However, that has no bearing on the need or any benefits that would come as a result of participating in the LAS Electricity Program. This program is offered as an alternative to the government regulated rates, and neither the rates of the LAS Electricity Program or those regulated by the Ontario Energy Board claim to be the cheapest rates possible. Additionally, as outlined in my email, there are other benefits to the LAS Program beyond the price a municipality pays for its electricity.

2. What has changed to make this program more cost effective and less of a financial risk than remaining with Hydro One on the RPP?

# LAS Response

It is not a given that the "default" rates are the cheapest. Further, the idea of a hedge is not solely meant to provide the cheapest price possible, but also build in an element of budget stability, which assists in addressing the risk side of things.

Rates are not determined by Hydro One, but rather by the Ontario Energy Board (OEB). The OEB reviews these rates regularly and price changes are announced every 6 months, taking effect at May 1<sup>st</sup> and November 1<sup>st</sup>. Until the last two price announcements, there had been a regular trend of price increases to Time-of-Use (TOU) rates every 6-months for several years. It is important to note that the program provides an element of budget stability by fixing a portion of the commodity price (i.e. the hedge) for a calendar year, thus negating any changes to TOU rates during a particular program year. This is in effect "insurance" against unforeseen increases to TOU pricing, and in doing so your municipality is reducing its risk.

To specifically answer the question, what has changed is the market. As demonstrated in the email, the Global Adjustment portion of total commodity pricing has increased from about 6% of the total commodity cost in 2008 up to about 80% of the total commodity cost in 2016. However, with the recent announcement targeting the Global Adjustment portion of electricity bills for a 17% reduction, along with the early results in 2017, we're confident the market has begun to "correct" itself.

3. Section 3.1 (d) indicates that we have agreed to provide collateral or performance assurance required under any Financial Agreement. Which of our assets has

Council or staff decided to make available as collateral? What amount of our cash reserves has Council or staff decided to set aside to provide performance assurance?

# LAS Response

Neither Puslinch, nor any other municipality participating in the LAS Electricity Program has provided a list of assets or cash reserves as collateral. The key words in this particular clause are "if" and "Financial Agreements." We don't typically enter into financial agreements that require them, but if we do, then the municipality may be asked to do so. No assets or cash reserve have been put up by Puslinch, and if you were required to do so, the program contact would be well aware as to why.

4. In Section 3.1 g) We agree to provide an undefined amount of prudential support. In the context of the Ontario electricity market "prudential support" is the financial security required by the Independent Electricity System Operator (IESO) from market participants to cover any losses due to other defaulting or late paying electricity customers. In effect we have agreed to taking on a portion of the economic risk of the retail electricity market.

# LAS Response

The clause references the "distributor," which is this case is Hydro One, not the IESO. All this clause is saying is that <u>if</u>, in this case Hydro One, requests further information from the municipality in order for the municipality to enter into this type of agreement, that municipality would provide LAS with that information to pass along to the LDC (i.e. Hydro One).

5. Section 3.1 e) We are to keep the terms of this agreement confidential.

# **LAS Response**

The agreement to confidentiality is done to protect such things as hedging strategies or advice that may be provided by LAS or our 3<sup>rd</sup> party service providers, not to hide anything contained within the agreement from public record.

6. In Section 3.3 We agree to pay termination fees that result from any default of a financial agreement even if we are not the defaulting party.

#### LAS Response

Note that electricity is purchased for municipal members for one calendar year (i.e. 365 days). All this clause is stating is that the municipality is responsible for electricity purchases made on behalf of the municipality for that 365 day period regardless of any defaulting that may occur, be it LAS or the municipality that defaults. In other words, we've purchased electricity for a year for your municipality, so regardless of whether LAS default of the municipality defaults, the bills will still get paid.

#### THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

# BY-LAW NUMBER 56/12

Being a by-law to authorize the Township of Puslinch to establish a policy respecting Commodity Price Hedging for the Township of Puslinch.

WHEREAS Council for the Corporation of the Township of Puslinch considers it desirable to establish a Commodity Price Hedging policy.

NOW THEREFORE BE IT RESOLVED THAT Council does hereby enact the following as a By-law;

- THAT the Corporation of the Township of Puslinch does hereby adopt a policy respecting Commodity Price Hedging as attached hereto and marked as Schedule "A" to this By-law.
- 2. THAT this By-law shall take effect upon the date of passage.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 19th DAY OF SEPTEMBER, 2012.

Mayor Dennis Lever

Brenda Law, CAO/Clerk-Treasurer

### APPENDIX A

FINANCE POLICY

SUBJECT: COMMODITY PRICE HEDGING POLICY

# 1. Interpretation

This policy is to be interpreted and applied in accordance with the requirements of the *Municipal Act, 2001* ("the Act") and any regulations passed thereunder ("the regulations"). Terms used in the policy have the meanings applicable to those terms in the corresponding sections of the Act and the regulations.

# 2. <u>Purpose</u>

The purpose of this policy is to adopt a statement of the municipality's commodity price hedging policies and goals. Section 6(1) of O. Reg. 653/05 requires the adoption of such a statement before the municipality may enter into commodity price hedging agreements.

# 3 Statement of Commodity Price Hedging Policies and Goals

- (a) The Township of Puslinch will consider commodity price hedging agreements as a means of fixing, directly or indirectly, or enabling the municipality to fix, the price or range of prices to be paid by the municipality for the future delivery of some or all of the commodity or the future cost to the municipality of an equivalent quantity of the commodity, where it is advantageous for the municipality to do so.
- (b) In determining whether a particular commodity price hedging agreement is advantageous for the municipality, the following considerations will be taken into account:
  - (i) Any and all projects of the municipality are projects for which commodity price hedging agreements will be appropriate;
  - (ii) If, at the time, it is the opinion that fixed costs and estimated costs of the municipality will be reduced by virtue of the use of such an agreement;

- (iii) If, at the time, it is the opinion that the future price or cost to the municipality of the applicable commodity will be lower or more stable than it would be without the agreement;
- (iv) If, at the time, the project includes a detailed estimate of the expected result of using such an agreement;
- (v) If, at the time, it is the opinion that the financial and other risks to the municipality that would exist with the use of such an agreement will be lower than the financial and other risks to the municipality that would exist without such an agreement;
- (vi) If, at the time, it is the opinion that the agreement contains adequate risk control measures relating to such an agreement, such as,
  - (1) Limited credit exposure based on credit ratings and/or on the degree of regulatory oversight and/or on the regulatory capital of the other party to the agreement,
  - (2) a standard agreement,
  - (3) ongoing monitoring with respect to the agreement.



October 2020

# LAS Electricity Program Pricing Details for 2021

LAS recently completed a tendered purchase for the 2021 Electricity Program hedge that includes 133 enrolled municipalities. As in previous years, the term of the purchase is from January 1 to December 31, 2021.

**Effective January 1, 2021, the LAS program hedge cost will be an average of \$24.64/MW (2.464 ¢/kWh)**, including fees. This year, LAS secured a hedge price that will vary monthly; this will result in a lower average rate. Also note that comparative Time of Use (TOU) rates have increased an average of 23% as of November 1, 2020, while the LAS hedge price has increased 1%. See the chart below for the expected total commodity calculation.

# **Spot market consumption**

The spot market cost of electricity is dependent on the supply and demand of electricity on an hour-by-hour basis. However, over the past 12 months the weighted average spot market price was **1.452** ¢/kWh.

<u>Global Adjustment</u> = The average Global Adjustment charge over the past 12 months was **11.555** ¢/kWh. LAS has added 5% to this charge as a precaution for 2021 budgeting.

<u>Ontario Electricity Rebate</u> = Accounts participating in the LAS electricity program are removed from RPP and placed on hedge or spot billing, thereby qualifying for the Global Adjustment Modifier, or GA reduction.

As of November 1, 2019, the OER took effect, replacing the GA reduction. The Ontario Energy Rebate (OER) will replace the 8% rebate. Base invoices will see increased costs related to electricity consumption (including commodity, settlement and adjustments) within the billing period. These costs will be partially offset by the new Ontario Energy Rebate.

<u>Time of Use Rates</u> = Starting November 1, 2020, the Ontario Energy Board (OEB) have increased all Off/Mid/On-Peak periods and Tiered RPP rates.

The following chart illustrates the expected average total commodity cost in 2021. These are based on the LAS hedge price at 50%, and similar market pricing over the last 12 months.

Expected Commodity Costs @ 50% Hedged

	Price(¢/kWh)	Ratio	Total(¢/kWh)
LAS 2021 Hedge Price(including program fee)	2.464	50%	1.232
Avg. Spot Market - HOEP	1.452	50%	0.726
Global Adjustment	11.555	105%	12.133
Expected Total Commodity Rate (Jan.1 - Dec.31, 2021)			14.091

#### Notes:

- Average weighted HOEP price from October 2019 to September 2020. Past averages may not be indicative of future costs.
- Average Global Adjustment charge from November 2019 to October 2020 (plus 5% for caution)

• Based on November 2019 rates and assuming a usage pattern of 55% off-peak, 22.5% mid-peak, and 22.5% on-peak (representative of a typical municipal account) the TOU rate is 14.036 ¢/kWh.

There will be points during the term when the spot market cost is lower than the LAS hedge price. However, there will also be points during the term where the opposite is true, where the spot market price is higher than the LAS Hedge price. The hedge portion is intended to safeguard against large swings in the spot market during peak heating and cooling seasons.

#### **Streetlight Accounts:**

All enrolled streetlight accounts will continue to bill at the prevailing spot market rates in 2021.

Electricity costs are typically lower for streetlight accounts because streetlights are primarily operated when demand for electricity is lowest (i.e. overnight – from dusk to dawn), and with lower demand comes lower spot market rates. Over the most recent 12 months, the average streetlight commodity price was **1.119** ¢/kWh.

# **Expected Streetlight Costs**

Expected Total Commodity Rate (Jan.1 - Dec.31, 2021)	13.251 ¢/kWh
Global Adjustment	12.132 ¢/kWh
Avg. SL Spot Market-HOEP	1.119 ¢/kWh

#### Notes:

- Average spot market cost based on streetlight profile of an Ontario LDC October 2019 to September 2020. Costs within different LDC service areas may vary slightly.
- Average Global Adjustment charge from November 2019 to October 2020 (plus 5% for caution)
- Rate is the higher of the two-tier RPP rates as many municipal streetlight accounts get charged the majority of usage at the upper tier.

#### Current Time-of-Use (TOU) and RPP Rates

Effective November 1, 2020, Time of Use (TOU) electricity rates have been set for as follows:

On-Peak 21.7 ¢/kWh (7-11am and 5-7pm M-F)

• Mid-Peak 15.0 ¢/kWh (11am-5pm M-F)

Off-Peak
 10.5 ¢/kWh
 (7pm-7am M-F, plus weekends and holidays)

The RPP rates for 'eligible' municipal accounts, effective November 1, 2020 are:

- Up to 750 kWh 12.6 ¢/kWh
- All Additional Usage 14.6 ¢/kWh

The RPP ended in 2009 for municipal accounts with annual consumption of >250,000kWh; accounts that exceed this threshold, and which are not enrolled with a retailer (such as LAS) are billed at the weighted average spot market rate.



# **REPORT FIN-2022-026**

TO: Mayor and Members of Council

PREPARED BY: Sarah Huether, Taxation and Customer Service Supervisor

PRESENTED BY: Mary Hasan, Director of Finance/Treasurer

MEETING DATE: July 13, 2022

SUBJECT: Cancellation, Reduction or Refund of Taxes through Sections 357/358

File No. F22 TAX

#### RECOMMENDATION

That Report FIN-2022-026 entitled Cancellation, Reduction or Refund of Taxes through Sections 357/358 be received; and

That Council authorizes the Treasurer, through Sections 357/358 of the Municipal Act, to process the cancellation, reduction or refunds of property taxes for certain properties in the amount of \$18,523.00 for the years 2020, 2021, and 2022 as outlined in Schedule A to Report FIN-2022-026.

#### **DISCUSSION**

#### **Purpose**

The purpose of this report is to authorize the Treasurer to adjust the collector's roll under sections 357 and 358 of the Municipal Act, 2001.

#### Background

Sections 357 and 358 of the Municipal Act, allow for the reduction, cancellation or refund of taxes.

Section 357 (1) states upon application to the Treasurer of a local municipality, the local municipality may cancel, reduce or refund all or part of taxes levied on land in the year in respect of which the application is made.

Section 358 permits applications for tax adjustment, related to taxes levied in each or either of the two years preceding the year in which the application is made, by property owners who are

overcharged by reason of any gross or manifest error in the preparation of the assessment roll by the Municipal Property Assessment Corporation (MPAC) that was an error of fact.

Sections 357 (5) and 358 (9) require that Council hold a meeting at which time the applicants may make representation to Council and Council make a decision. Within 35 days after Council makes its decision an applicant may appeal the decision to the Assessment Review Board by filing a notice of appeal with the registrar of the board.

# **Discussion**

The majority of 357/358 applications received by the Township each year are for removal of mobile units or the demolition of a structure. The other applications are for a change in property class (ie. a resident no longer running a business from their property), or buildings damaged by fire.

Applications received by the Township are sent to MPAC for review and are returned with either a recommendation for tax adjustment or with no recommendation; which results in no associated tax adjustment. Applications that receive this type of recommendation indicate that the appeal does not meet the specified criteria under the Municipal Act or are adjusted through another process by MPAC.

Letters are sent to owners a minimum of 14 days before the scheduled Council meeting advising the property owners of the meeting of Council during which the request for the 357/358 reductions would be voted upon. Property owners are invited to attend the Council meeting in order for Council to have the opportunity to ask questions of the property owners prior to making their decision.

Schedule A to this report includes the properties who's 357/358 applications were approved by MPAC. Notice of Meeting letters were sent to the property owners on Monday June 20, 2022 advising them that their applications are being discussed by Council at the scheduled meeting on July 13, 2022.

A letter advising of Council's decision is required to be sent to the property owners within 14 days of the decision. For those properties which Council approves the application, the adjustment to their tax account will be made accordingly.

#### **Financial Implications**

The Township budgets for tax write offs issued or approved by MPAC including Section 357/358 refunds.

• The properties adjusted in Schedule A result in \$3,119 of Township property taxes being refunded, \$11,167 of County of Wellington property taxes being refunded and \$4,237 of Education property taxes being refunded.

Applicable Legislation and Requirements	
Municipal Act, 2001	
<u>Attachments</u>	
Respectfully submitted,	Reviewed by:
Mary Hasan, Director of Finance/Treasurer	Glenn Schwendinger, Chief Administrative Officer

# Schedule A to Report FIN-2022-026 List of Adjustments

Tax Year	Effective	Application	Roll Number	Reason	Township	County	Education	Total
Tax Teal	Date	Number	Koli Nullibei	Neason	<b>Tax Refund</b>	<b>Tax Refund</b>	Tax Refund	Tax Refund
2021	13-Oct-21	04-2022	23-01-000-002-13902	Demolition of SFD	\$234.70	\$855.10	\$210.33	\$1,300.13
2022	1-Jan-22	05-2022	23-01-000-002-13902	Demolition of SFD	\$1,487.22	\$5,324.75	\$1,283.67	\$8,095.64
2021	13-Oct-21	06-2022	23-01-000-002-13940	Demolition of Structures	\$196.82	\$717.08	\$176.39	\$1,090.29
2022	1-Jan-22	07-2022	23-01-000-002-13940	Demolition of Structures	\$1,157.12	\$4,142.88	\$2,535.88	\$7,835.88
2022	21-Jan-22	08-2022	23-01-000-003-16800	Razed by Fire	\$32.77	\$95.98	\$23.14	\$151.89
2022	15-Apr-22	09-2022	23-01-000-003-16800	Removal of Unit #156	\$6.19	\$18.15	\$4.38	\$28.72
2020	16-Dec-20	10-2022	23-01-000-003-16800	Removal of Unit #67	\$0.09	\$0.27	\$0.07	\$0.43
2021	1-Jan-21	11-2022	23-01-000-003-16800	Removal of Unit #67	\$2.09	\$6.22	\$1.53	\$9.84
2022	1-Jan-22	12-2022	23-01-000-003-16800	Removal of Unit #67	\$2.17	\$6.34	\$1.53	\$10.04
				Total for All Appeals	\$3,119	\$11,167	\$4,237	\$18,523



# **REPORT ADM-2022-043**

TO: Mayor and Members of Council

PREPARED BY: Glenn Schwendinger, CAO

Courtenay Hoytfox, Municipal Clerk

PRESENTED BY: Glenn Schwendinger, CAO

MEETING DATE: July 13, 2022

SUBJECT: Concession Road 2 Aggregate Review

#### RECOMMENDATION

That Report ADM-2022-043 entitled Concession Road 2 Aggregate Review be received; and

Whereas CBM has not adequately demonstrated compliance with its existing aggregate licences near Concession road 2 as noted in this report;

Therefore, all applications for new, expanded or amended aggregate operations that affect existing licences that are not in compliance with operational plans shall be deferred until compliance is adequately achieved; and

That the Township being the road authority undertake the identified short term safety measures and take all measures necessary to recoup all costs from CBM; and

That the Township indicate that CBM should move forward with planning and assuming all costs associated the interim and long term recommendations provided and implemented to the satisfaction of the Township; and

That the municipality will not accept industrial crossings into the future; and

That the Township should formally notify the MNRF about the identified safety concerns, and all compliance issues including concerns related to hydrogeology and movement of water, and request the MNRF to actively enforce the requirement for a conveyor for the existing operations, and in no way consider at grade crossings such as this for any future site approval moving forward; and further

Whereas the MNRF is the approval and regulatory body for aggregate licences;

That the MNRF be responsible for and accept all risks associated with the operations it approves and that the Township should not be forced to accept risk and liability for the Province and a private for profit corporation.

# **Purpose**

The purpose of this report is to provide Council with information relating to the CBM aggregate operations located on Concession 2 in the Township.

# **Background**

This report is in response to Council's direction from the meeting held on June 15, 2022 where Council passed the following resolution:

That Council request Harden Environmental to review and report to Council regarding the movement of water and hydrogeology aspects of the Lanci Pit expansion application and other CBM pits located in the area including the Neubauer, Mast, Coborn and McNally Pits, to confirm whether the aggregate operations are operating in compliance with the operational plans as it relates to the movement of water and hydrogeology; and

That Council direct staff to report back on the costing to retain a consultant to perform a comprehensive review of the operational plans if required.

In addition to the Harden Environmental review, staff have prepared a review from the perspective of the municipality with a focus on the overall impacts of the aggregate operations noted above. It is important to consider the many aspects of an operation and not in isolation of one specific site. The CBM aggregate operations span across multiple sites and licences and function together with the feeder pits transporting material to processing pits. An expansion to one site may affect other sites, neighbouring properties, the community, or the municipality as a whole. Planning policy is certainly a significant factor when Council makes a decision on an application; however, there are a number of other key aspects to consider as well. This report will address the following for Council's consideration:

- 1. Compliance with Provincial Policy, the Official Plan and local zoning
- 2. Hydrogeology and movement of water
- 3. Road safety and traffic impacts
- 4. Requirements of the Aggregate Resource Act and existing licences
- 5. Community concerns
- 6. The Lanci Pit expansion application what is being asked of Council at this time
- 1. The County of Wellington has prepared a planning recommendation report that provides a detailed review of the Lanci Pit Expansion application seeking to expand the licence to increase the maximum extraction amount to 1 000 000 tonnes annually. The Lanci Pit is a feeder pit with

materials being transported to the McNally Pit processing pit (Licence 5479) across Concession 2 to the north. It is important to acknowledge that compliance with planning policies is a significant part of the approval process for new or expanding aggregates. The County Planning recommendation report, as provided to Council, indicates that the proponent has demonstrated compliance with those policies and has worked through the required planning process to date. It is equally important to acknowledge that there are a number of other aspects to consider when making a decision on an application.

2. Harden Environmental has prepared a detailed review attached as Schedule "A" to this report. As noted in Schedule "A" process water is being discharged across licence boundaries from Licence 5497 to Licence 5520 and creating silt ponds that may be non-compliant with the operational plans for both processing pit licences.

The Lanci Pit expansion application would result in an additional 1 000 000 tonnes annually being transported across the Concession 2 to the McNally processing pit (licence 5497) for processing. There is a significant concern that the application is requesting additional material to be processed at a site that may not be compliant with its operational plan and discharging process water off-site to the silt ponds shown in Schedule "A". It is recommended that no additional material be processed at Licence 5497 or 5520 until the pit operator can adequately demonstrate compliance with the operational plans for both Licence 5497 and 5520.

In addition to the Lanci Pit expansion application, CBM proposed an amendment to the Neubauer and Mast Pits in order to combine the tonnage limits of both licences. The Neubauer and Mast Pits are feeder pits that transport material to the McNally pit (Licence 5497) for processing. Staff raised a number of concerns with the proposal at the October 13, 2021 Council meeting and Council directed staff to submit comments to the Environmental Registry of Ontario outlining the concerns. The commenting period for that proposal is now closed; however, it remains in the proposal stage of the notice process. As noted in the staff report from the October 2021 Council meeting, CBM advised that the production data for pits is sensitive and cannot be disclosed. Staff cannot access this information and therefore are not able to determine if the combined tonnage proposal will result in an increase in material being extracted, transported and processed. There is significant concern that the proposed amendment may intensify the hydrogeology and movement of water issues at the processing pits and therefore, staff recommend that these concerns be forwarded to the Ministry for consideration when reviewing the proposed amendment to the Neubauer and Mast Pit.

- 3. Staff retained the firm Acute to prepare a Preliminary Road Safety Assessment Report for a section of Concession 2 where CBM has established a road crossing to haul material from the Neubauer and Mast Pit across Concession 2 to the pit licence 5497 for processing. The Acute report is attached to this report as Schedule "B". The report outlines the road safety findings and recommendations. As noted, there are significant concerns relating to road safety at the existing crossing on Concession 2 where rock trucks cross over the municipal road from the Neubauer pit to the processing pit, licence 5497. Rock trucks are construction equipment that are intended to be utilized to move material around on the site. Rock trucks are not intended to be driven on a public road and are certainly not meant to interact with members of the public in cars, driving motorcycles, or cyclists on a regular basis without safety controls in place. Construction equipment and other equipment not intended to be driven on a public road are often exempt from a number of safety requirements in accordance with the Highway Traffic Act, for example:
  - Vehicle permits (licence plates and registration)
  - Driver's licence
  - Manufacturing standards
  - Safety lights/ marking/reflectors most notably on the side of the vehicles
  - Safety inspections
  - Drive clean
  - Commercial vehicle operators registration (CVOR)
  - Seat belt requirements
  - Vehicle insurance

Based on the findings of the safety assessment conducted, there are a number of concerns that have been identified that are a direct result of CBM's industrial crossing of the municipal road. The report includes a number of recommendations for the short term, as well as interim and long term. Given the assessment conducted, it is important for measures to be taken to address the safety concerns created by CBM's operation. The Township being the road authority should undertake these short term measures and take all measures necessary to recoup all costs from CBM. It is further recommended that the Township indicate that CBM should move forward with the interim and long term recommendations provided as the municipality will not accept crossings into the future. The Township should also formally notify the MNRF about the identified safety concerns, request that the MNRF actively enforce the requirement for a conveyor (or alternate of an auger) for the existing operations, and in no way consider at grade crossings such as this for any future site approval moving forward. The MNRF is the approval and regulatory body responsible and the Township should not be forced to accept risk and liability for the Province and a private for profit corporation.

Staff reviewed the operational site plans for the Lanci, Neubauer and Mast Pit in respect to the use of the public road as a part of the aggregate operations. The site plans show proposed entrance / exit locations that are currently being used on Concession 2. For clarity, an entrance means an area of ingress and egress from a privately or publicly owned property onto a Township road. A road crossing is where traffic crosses over a road and includes some form of traffic controls to mitigate the risk of an accident where traffic intersects. None of the site operational plans provides permission for the establishment of a road crossing and, further, the Township has not approved a road crossing at either location. The road crossings are currently unmarked with no traffic control measures in place. For perspective, an unmarked railway crossing where a train crosses every two minutes would never be acceptable.

As previously reported at the October 2021 Council meeting, the Neubauer pit operational site plan includes specific direction for how material is to be transported to the processing pit on the north side of Concession 2 to licence 5497. Note 13 of the operational plan states the following:

13. An entrance / exit has been proposed along Concession 2, this entrance will not be used for haulage of aggregate. At the present time it is intended that material will be moved from the property for processing at either the McNally pit to the north or the Mast Pit to the west via conveyor under the existing municipal road (occasional processing at the face may occur and will be shipped via trucks using the Mast pit entrance / exit). This will require additional studies and approval by the municipality which will be initiated once the licence is issued.

CBM is currently not in compliance with the Neubauer licence requirements and staff have requested a number of times since October 2021 that the conveyor system be established as outlined in the site licence. Alternatively, an auger could be used as is used in many similar applications depending on the material characteristics.

As noted in the Lanci pit expansion application, there is an existing entrance / exit on the North West corner of the property. CBM is proposing that this entrance / exit be utilized as a road crossing over Concession 2 to the processing pit licence 5497 on the north side of Concession 2. This road crossing is approximately 500 metres west of the Neubauer road crossing.

The Lanci pit operation plan note number 25 states the following:

25. An entrance / exit for trucks if shown at the northwest corner of this licence. This entrance is for general access to the property and to be used by trucks entering and leaving

the property. The entrance / exit has been assessed and deemed to be acceptable (refer to summary report Dec. 2005 by Grant Bacchus Ltd.)

At the present time it is intended that material will be moved from the property for processing at either the McNally pit to the north or the Mast pit to the east via conveyor under the municipal road. This will require additional studies and approval by the municipality which will be initiated once the licence is issued. The entrance / exit as proposed will still be required whenever shipping by truck is necessary.

The image below shows the current entrance / exit locations that are being used as a road crossing. The red circle is the Neubauer pit road crossing and the orange circle is the Lanci pit road crossing. Neither pit has established a conveyor system for the transport of material.



The combined annual tonnage for the Neubauer and Mast Pit is 1 250 000. This equates to a rock truck crossing over the road approximately once every two minutes. The Lanci pit expansion application proposes an annual tonnage of 1 000 000. It is reasonable to expect approximately the same frequency of rock trucks crossing the municipal road given the maximum tonnage limits are similar. The Lanci pit expansion proposal will mean that there will

be two uncontrolled road crossings within 500 metres on Concession 2 with rock trucks crossing every two minutes. This will intensify the safety concerns already present on this section of road. Both pit operations are required to transport material via conveyor under the municipal road. It is recommended that any no amendments or expansions to either licence be granted until compliance with the operational plans for both Neubauer and Lanci pit is adequately demonstrated.

It is recommended that the pit operator take a number of steps to mitigate the risk at these crossing until the conveyor system can be established. Immediate action needs to be the installation of proper signage and flag persons to comply with the Highway Traffic Act traffic control measures. Interim measures would include the installation of traffic lights to control traffic at the crossing. The ultimate solution is to eliminate the risk to the labours in the rock trucks and to the travelling public. The only way this is achieved is to transport the material via conveyor and eliminate the hauling by way of truck across the public road in accordance with the pit licence.

Conveyor systems are common across pit operations in Ontario. There is an example where a conveyor system is being used on Concession 2. Staff also reviewed a crossing in Halton Hills where traffic lights are being used at a 4-way stop to control the road crossing. CBM has stated that a conveyor cannot be used because the material has poor gradation and would clog the conveyor and be unsafe for staff. Staff suggest using an auger system similar to what is being used in other industries. It is not acceptable to shift the safety risks onto the travelling public who are using Concession 2 to benefit a private company. It has been communicated by CBM that there has not been an incident in the 10 years that they have been operating at this location. It is not an acceptable response to address the risk identified at the road crossing to simply say that there has not been an accident and so there will never be an accident. It is difficult to contemplate the severity of a collision between a vehicle, motorcycle or bicycle and a 30-tonne rock truck. It is recommended that if CBM continues to take the position that the road crossing is safe and in compliance with its licence, that CBM indemnify the Township from liability accepts all responsibility for any accident on the road that involves their operations or accidents that are a result of their operations (poor road conditions such as pot holes, dust etc.) Similarly, given that the Township is not the approval authority for issuing aggregate licences, if the pit operator will not take responsibility, the Ministry that approve the licence should take responsibility.

4. As Council is aware, all aspects of a proposed operation are to be considered prior to granting approval. For an aggregate, the process typically includes an amendment to the

Official Plan, an amendment to the Zoning By-law, and approval by the Minister by way of issuing a licence under the Aggregate Resource Act. Policy and planning compliance are one aspect of what needs to be considered when reviewing a proposal. Section 12 of the Aggregate Resources Act outlines considerations that should be taken prior the approval of a licence:

#### Matters to be considered

- **12** (1) In considering whether a licence should be issued or refused, the Minister or the Tribunal, as the case may be, shall have regard to,
  - (a) the effect of the operation of the pit or quarry on the environment;
  - (b) the effect of the operation of the pit or quarry on nearby communities;
  - (c) any comments provided by a municipality in which the site is located;
  - (d) the suitability of the progressive rehabilitation and final rehabilitation plans for the site;
  - (e) any possible effects on ground and surface water resources including on drinking water sources;
  - (f) any possible effects of the operation of the pit or quarry on agricultural resources;
  - (g) any planning and land use considerations;
  - (h) the main haulage routes and proposed truck traffic to and from the site;
  - (i) the quality and quantity of the aggregate on the site;
  - (j) the applicant's history of compliance with this Act and the regulations, if a licence or permit has previously been issued to the applicant under this Act or a predecessor of this Act; and
  - (k) such other matters as are considered appropriate. R.S.O. 1990, c. A.8, s. 12; 1996, c. 30, s. 9 (1, 2); 2002, c. 17, Sched. F, Table; 2017, c. 6, Sched. 1, s. 11 (1); 2017, c. 23, Sched. 5, s. 2; 2021, c. 4, Sched. 6, s. 30 (1).

In reviewing this list, there are significant concerns with the current operations of the CBM pits located on Concession 2. The compliance concerns have been noted throughout this report and include the following pits being out of compliance with their existing licences: Neubauer pit, Mast pit, Lanci pit, McNally pit and Aberfoyle pit. It is recommended that planning approvals for amendments or expansions be deferred until compliance with current licence requirements is demonstrated to the satisfaction of the Township. It is significant to note that the pit licence is what each aggregate operation is required to comply with and aggregate operators are self-regulating in this respect. There are systemic issues with this self-reporting model built into the

Aggregate resource Act and so it is essential to include all key provisions in the operational plan.

The province collects fees from aggregate producers for the use of municipal infrastructure and distributes those fees it to the municipality in the form of a provincial aggregate levy. This fee includes the wear and tear on the municipal road for the transporting the aggregate material to the market. It does not account for wear and tear on the public road to transport from the feeder pit to the processing pit and then again back out to market. This amount of back and forth is not contemplated in the Aggregate Resources Act and certainly is not reflected in the amount of aggregate levy paid to the municipality.

5. Staff note the Lanci pit expansion application is proposing to licence the entirety of the subject lands. However, the proposed zoning shows extraction limits within the subject property boarding the woodlot near the south of the property and along the property line that abuts Sideroad 25 S. The woodlot is proposed to be zoned Natural Environment and the area abutting Sideroad 25 S is proposed to be zoned Agricultural. Staff have raised concerns that the licence area should mirror the extractive zoning limits in order for Township by-laws to be administered. An example is the Township Site Alteration By-law. The provisions of the Site Alteration By-law do not apply to lands that are licenced under the Aggregate Resources Act. This poses a concern if activities were to occur outside of the extraction zoning limits, the Township would be in a position to request the Ministry to take enforcement action. This limits the ability of the Township to respond to community concerns and complaints and becomes reliant on the Ministry enforcement officials.

In summary, the Township needs to ensure that within the authority and legislative tools it has available, it can effectively ensure to residents that:

- 1. impacts of the operations are minimized;
- that the items listed in Section 12 of the Aggregate Resources Act have been adequately addressed;
- 3. that all affected aggregate sites are in compliance with their existing licences prior to approving any amendments or expansions;
- 4. that the operation is not creating or intensifying safety risks to the public

#### **Financial Implications**

As discussed throughout the report.

# **Applicable Legislation and Requirements**

Aggregate Resources Act R.S.O. 1990

Planning Act, R.S.O. 1990

Atta	chm	ents
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Schedule "A" Harden Environmental Report Schedule "B" Acute Safety Report Schedule "C" Neubauer Pit Operational Plan Schedule "D" Lanci Pit Operational Plan

Respectfully submitted,	Reviewed by:
Courtenay Hoytfox	Glenn Schwendinger
Municipal Clerk	CAO



Harden Environmental Services Ltd. 4622 Nassagaweya Puslinch Townline Road Moffat, Ontario, L0P 1J0

Phone: (519) 826-0099 Fax: (519) 826-9099

Groundwater Studies

Geochemistry

Phase I / II

Regional Flow Studies

Contaminant Investigations

OMB Hearings

Water Quality Sampling

Monitoring

Groundwater Protection

Studies

Groundwater Modelling

Groundwater Mapping

File: 0126

June 29, 2022

Township of Puslinch 7404 Wellington Road 34 Guelph, ON N1H 6H9

Attention: Glenn Schwendinger

CAO

Dear Mr. Schwendinger:

Re: Review of Licensed Aggregate Sites Council Resolution 2022-199

The Township of Puslinch Council Resolution 2022-199 requests that Harden Environmental review site plans and provide an opinion on compliance in regard to the movement of water and hydrogeology. The

pits included in the request are as follows.

Aberfoyle Pit
McNally Pit
McNally East Pit
Neubauer Pit
Puslinch Pit
License 5497
License 624864
License 625284
License 17600
License 624952
Coborn Pit
License 5563

The locations of the licensed areas are shown on the attached figures.

# **Monitoring Reports**

The Township of Puslinch receives groundwater monitoring reports for the Neubauer, and Mast (Puslinch) pits operated by CBM. There are no noncompliance issues in regard to reporting for these sites.

There are groundwater and surface water monitors on the Lanci, McNally and McNally East Pits, however, monitoring results are not forwarded to



the Township, and we cannot comment on the completeness of the monitoring or reporting.

# **Permits to Take Water (PTTW)**

There are two permits to take water issued to CBM St. Mary's in the Aberfoyle area. Permit 4031-BCGP9H is issued for the McNally Pit and has a daily maximum volume of 23,568,000 liters. Permit 8417-B5WQLE is issued for the Aberfoyle Pit and has a maximum daily volume of 23,567,040 liters.

We only have a copy of the previous permit for the McNally Pit that expired in 2014. A condition of the permit at that time was that there could be "no discharge off the gravel pit." This PTTW condition should be revised if it is on the current permit. We note that the site plan notes Page 2 of 3, Note 9 for the McNally Pit also states that there shall be no off-site discharge of process water. It is our observation from Sideroad 7 and from Google Earth images that process water from the McNally site is discharged off-site onto the Aberfoyle Pit. These sites are contiguous and have a '0 m' setback, however, they are identified by the Ministry of Natural Resources and Forestry (MNRF) as separate sites.

# **Site Plan Compliance Issues**

We reviewed the following site plans available at the Township of Puslinch office.

License 5520	Aberfoyle	Site Plans dated June 16, 2017
License 5497	McNally	Site Plans dated March 2009
License 624864	McNally East Site	Site Plans dated March 14, 2011
License 624592	Neubauer	Site Plans dated July 24, 2013
License 17600	Puslinch Pit	Site Plans dated June 2008
License 624952	Lanci Pit	Site Plans dated July 24, 2013

We note that the rehabilitation page of site plans for the Aberfoyle Pit and McNally East Pit show that the pit pond south of Hwy 401 belonging to License 5520 has a depth of 12 metres at the west end and depth of 5 m at the east end. The rehabilitation pages for both of these licenses show the final rehabilitation of that pond to be a water body and the cross-section A-A' on Site Plans for License 5520 also shows a pond with depth ranging from 12 m to 5 m. Presently this pond is being filled with discharge process water from License 5497.

A letter from the MNRF dated March 2, 2011 states that the discharge of water from License 5497 to License 5520 is not out of compliance considering that the sediments were being used for rehabilitation. It is our opinion that this is no longer the case and the filling of the pond in License 5520 is not consistent with the site plans given the final rehabilitation of that pond must result in an open water body with a water depth of between 5 and 12 metres. We estimate that 75% of the pond has been filled with fine-grained sediment and



in some locations of the former pond, vegetation is taking hold. Based on our experience with preparing site plans, this is an out of compliance issue.

According to the site plans for License 5497, the fine-grained sediment should be restricted to silt pond(s) located in the southeast area of the license. The silt pond is clearly marked on the plans with dimensions of 76 m x 76 m x 9 m. The issue of excess fines was raised at the time of licensing of the Neubauer Pit resulting in the letter from MNRF in 2011.

The site plans for the Aberfoyle Pit also do not identify this as a silt pond. The only silt pond area shown on the Aberfoyle Pit license is located on the north side of Hwy 401 and west of Concession 7 Road.

We also note that a pond on the north side of Hwy 401 on License 5520 is presently being filled with silt. This pond is identified as an open water body on the site plans with a stepped rehabilitated floor elevation of 295 m AMSL and 301 m AMSL. This is confirmed in cross section B-B' on the site plans showing a final water level of the pond at 308.5 m AMSL and a rehabilitated grade at 295 m AMSL and 301 m AMSL.

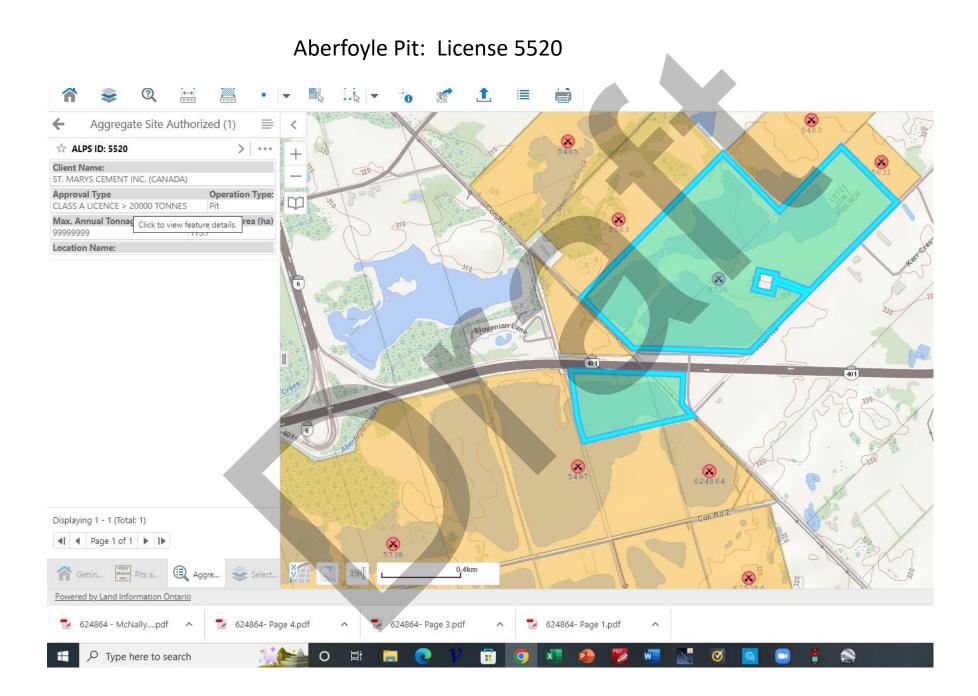
I have identified the two silt deposition locations that are out of compliance with the approved site plans on the attached Google Earth image.

Sincerely,

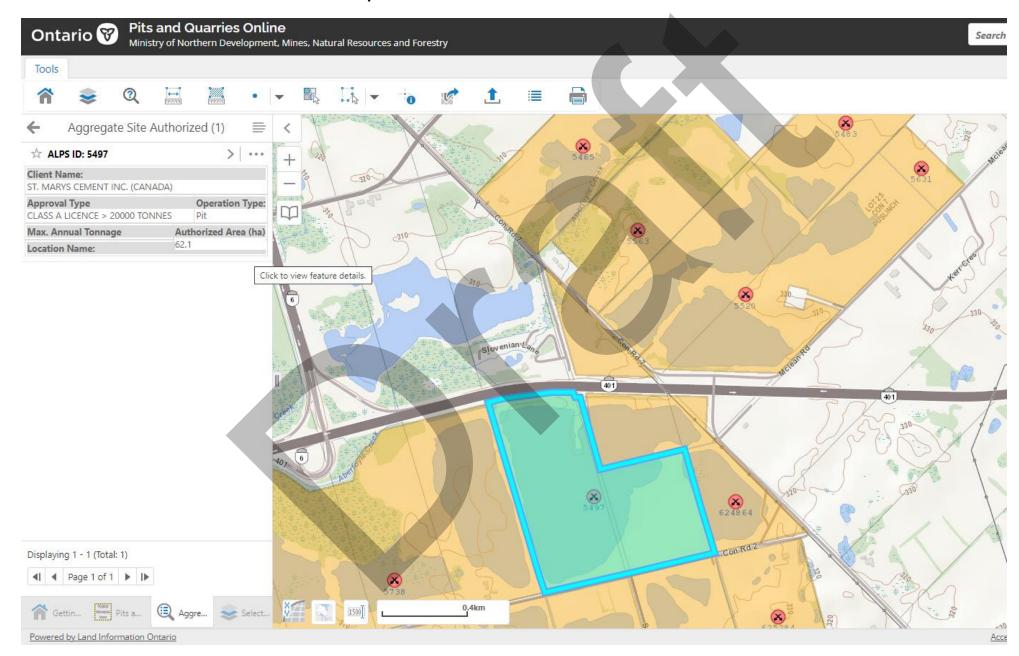
Harden Environmental Services Ltd.

Stan Denhoed, P.Eng., M.Sc.

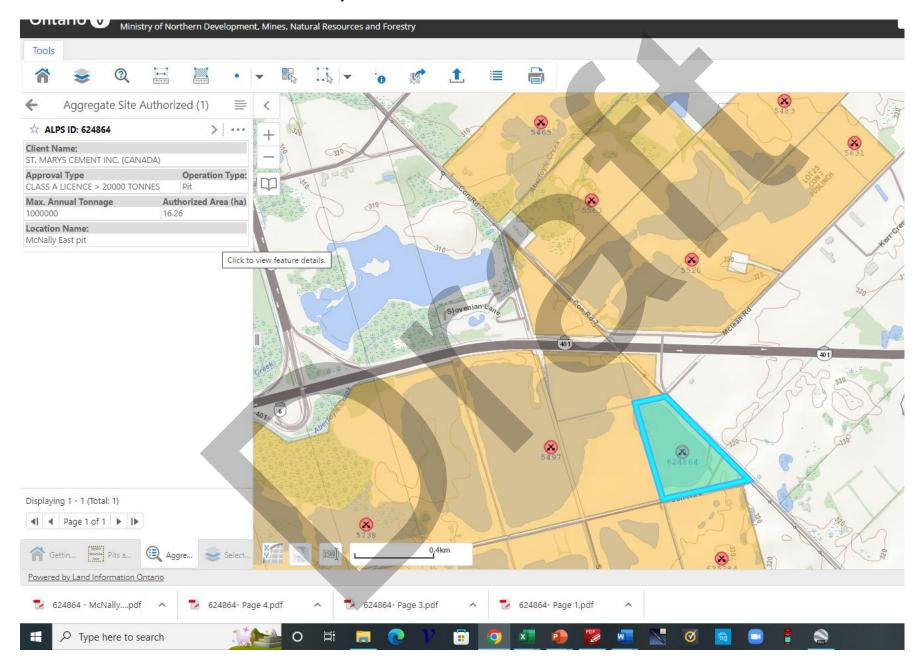
Senior Hydrogeologist



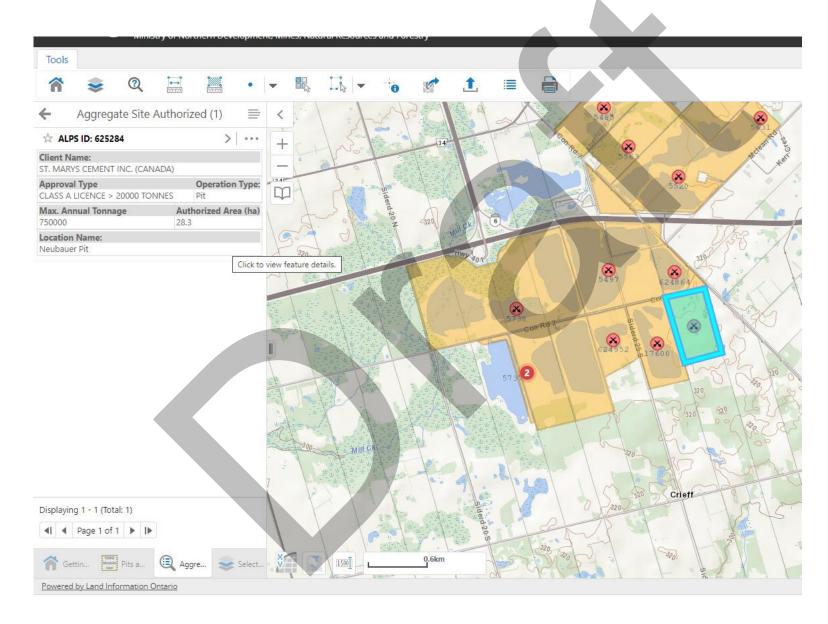
# McNally Pit: License 5497



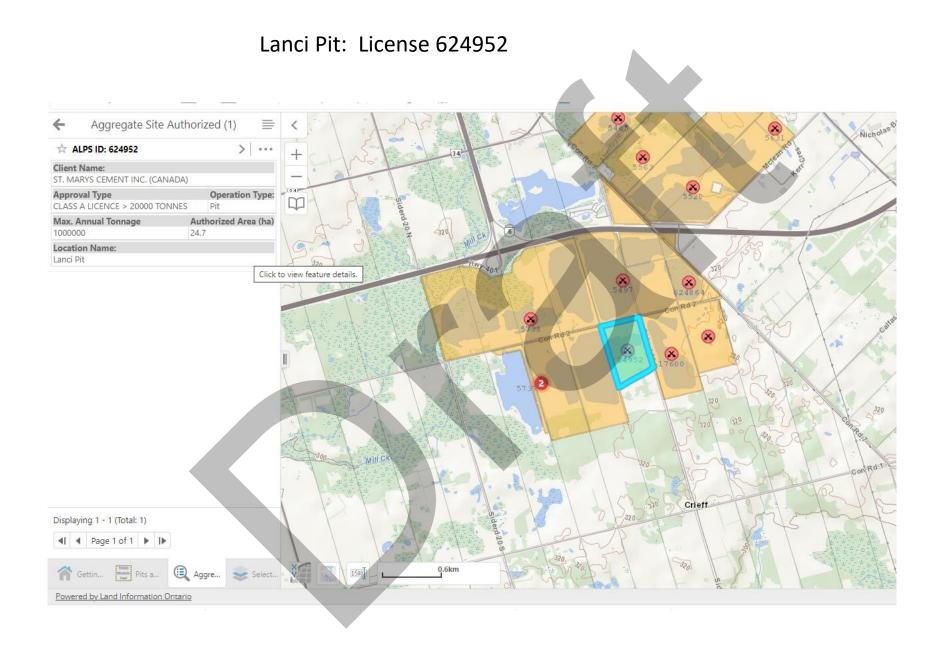
# McNally East Pit: License 624864



# Neubauer Pit: License 625284

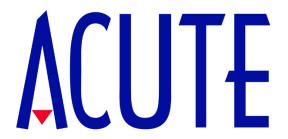


Mast (Puslinch) Pit: License 17600 Tools Aggregate Site Authorized (1) > ... ALPS ID: 17600 Client Name: ST. MARYS CEMENT INC. (CANADA) Approval Type Operation Type: CLASS A LICENCE > 20000 TONNES Authorized Area (ha) Max. Annual Tonnage 500000 37.1 Location Name: Click to view feature details. Crieff Displaying 1 - 1 (Total: 1) **∢I ∢** Page 1 of 1 ▶ **I**▶ Gettin... Pits a... 📵 Aggre... 😸 Select... Powered by Land Information Ontario



Coburn Pit: License 5563 Ontario 👸 Ministry of Northern Development, Mines, Natural Resources and Forestry Tools Aggregate Site Authorized (1) ALPS ID: 5563 Client Name: ST. MARYS CEMENT INC. (CANADA) Approval Type Operation Type: CLASS A LICENCE > 20000 TONNES Max. Annual Tonnage Authorized Area (ha) 22.3 454000 Location Name: Coburn Pit Click to view feature details. Displaying 1 - 1 (Total: 1) **∢I ∢** Page 1 of 1 ▶ **I**▶







Date: June 29, 2022

Project: CS22-010

Glenn Schwendinger Chief Administrative Officer (CAO) Township of Puslinch 7404 Wellington Road 34 Puslinch, Ontario N0B 2J0

Phone: (519) 824-1345 (ext. 222)

Cell: (519) 994-2440

Dear Mr. Schendinger:

Re: Preliminary Road Safety Assessment Report - Revised

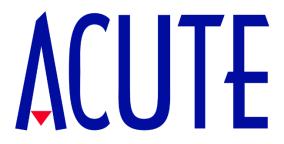
# 1.0 Project Overview

Acute Environmental & Safety Services Incorporated (ACUTE) was retained by the Township of Puslinch to conduct a preliminary Road Safety Assessment for an area of Concession 2 public road that passes through the St. Mary's Cement Inc. Canada (CBM) Neubauer – McNally Gravel pits truck entrance/exit (truck crossing). This document presents ACUTE's road safety findings and recommendations relating to the area of Concession 2 approximately within 500 metres East and West of the CBM truck crossing. The study area is presented on Figure 1.0, below.



FIGURE 1.0 STUDY AREA

Concession 2 is a paved public road, with a speed limit of 60 km/hr. for straight stretches, and 30 km/hr. for the Concession 2A merge curve to the East of the CBM





truck crossing. Concession 2 is regularly used by cars, trucks, motorcycles, school buses, and long-haul gravel trucks. Due to the close proximity to the 401, Concession 2 is regularly used as an alternative emergency detour route (EDR) in the event that there is a traffic issue on the 401. As a result, the traffic on Concession 2 can fill up very quickly, often resulting in bumper-to-bumper conditions.

Available Township of Puslinch information shows that regular traffic use has increased dramatically over the last several years. In 2015 traffic counts for Concession 2 were around 780 vehicles per day, but have more than doubled to 1650 per day, in 2022. ACUTE conducted a traffic breakdown study in May 2022, which indicated that, based on mid-week data, at the CBM truck crossing of Concession 2, the CBM rock truck crossing frequency is approximately one truck every 2 minutes, and the combined public vehicle plus highway hauler crossing frequency is approximately 1 vehicle every 1.25 minutes.

The high traffic frequency at the CBM truck crossing evidenced by the available data poses significant local environment risks as well as significant public road maintenance and public safety risks, such as:

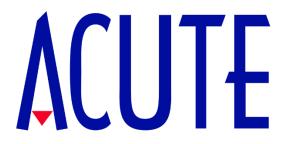
- collisions between public vehicles and construction site vehicles;
- single-vehicle accidents due to pavement debris, ruts, pot-holes, and slippery conditions in wet or freezing conditions;
- · significant dust creation in dry weather; and
- truck noise.

The following sections discuss in more detail specific roadway hazards in the area of the CBM truck crossing, as well as some suggested control measures to address identified high hazard issues.

# 2.0 Pertinent Gravel Pit and Public Roadway Legislation

St. Mary's Cement Inc. Canada (CBM) operates a gravel extraction and processing facility under the Aggregate Resources Act (ARA) licence No. 625284 issued by the Ontario Ministry of Northern Development, Mines, Natural Resources and Forestry (NDMNRF). The NDMNRF oversees the rules governing aggregate management, issues licences, permits and changes to existing approvals, inspects aggregate operations and responds to complaints, enforces compliance and ensures rehabilitation is carried out on sites.

Gravel pit operators, unless their site plan says otherwise, are required under the Aggregate Resources Act (ARA), to follow a set of minimum operating rules for pits and quarries which are set out in the general Regulation - Ontario Regulation 244/97.





Section 0.13 of Regulation 244/97 under the heading 'Control and Operation of Pit or Quarry' sets out 32 general items – operational rules - to be followed by Pit operators (see **Attachment A)**.

the Operational Plan for the Neubauer Pit (see **Attachment B**) issued December 2011, Notes 12 & 13, under the ENTRANCE/EXIT INFORMATION, require the following: Note 12. Every effort shall be made to combine entrance with Existing Mast Pit Entrance to the West. Note 13: An entrance/exit has been proposed along Concession 2. This entrance will not be used for haulage of aggregate (refer to Phase A Note #1). At the present time it is intended that material will be moved from the property for processing at either the McNally Pit to the North or the Mast Pit to the West via conveyor under the existing Municipal Road (occasional processing at the face may occur and will be shipped via trucks using the Mast Pit Entrance/Exit.) This will require additional studies and approval by the Municipality which will be initiated once the licence is issued.

The Township of Puslinch is required to ensure that roadway inspections and repairs as required by the ONTARIO REGULATION 239/02 minimum maintenance standards for municipal highways, under the Municipal Act, are conducted and documented.

# 3.0 Traffic Breakdown Survey and Risk Assessment

ACUTE conducted a May 2022 traffic breakdown survey (see **Attachment C**) which provided a break-down of the types and numbers of vehicles travelling along Concession 2 through the truck crossing zone, as follows:

Table 1 - ACUTE Traffic Breakdown Survey

Time	Number of Rock	Concession 2	Concession 2
rime	Trucks Crossing	Number of	Number of
	J	Highway Haulers	Public Vehicles
11:30 am – 11:45 am	8	1	3
11:45 am – 12:00 noon	9	9	7
12:00 noon – 12:15 pm	11	6	5
12:15 pm – 12:30 pm	9	5	13
12:30 pm – 12:45 pm	9	3	4
12:45 pm – 1:00 pm	5	4	3
1:00 pm – 1:15 pm	2	5	16
Total for the Period (105 Minutes)	53	33	51
Average vehicles crossing per 15 minute increment	7.57	4.71	7.29
Average vehicles crossing per minute (rounded)	0.5	0.3	0.5
Average unit vehicle crossing frequency	1 vehicle / 2 minutes	1 vehicle / 3.3 minutes	1 vehicle / 2 minutes





As indicated by Table 1, there is a rock truck crossing Concession 2 approximately every 2 minutes, and a public vehicle travelling past the truck crossing approximately every 2 minutes.

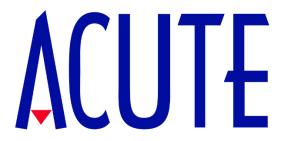
It should be noted that the combined public vehicle and highway hauler average unit vehicle crossing frequency is *1 vehicle every 1.25 minutes*.

# 4.0 Select Truck Crossing Photos

**Attachment D** presents select photos of the CBM truck crossing taken May 1, 2022 and May 10, 2022. The weather conditions on May 1, 2022 were cool and rainy while weather on May 10, 2022 was sunny, warm and dry. The following select photos are presented to clarify certain potential safety and environmental issues in the area of the CBM crossing.

**Photo 3** is a view looking West and shows a CBM rock truck crossing from the North side of Concession 2 to the South side of Concession 2. The stop sign at the bottom right marks the end of the bend of Concession road 2A (speed limit 30 km/hr.), which then leads uphill to the CBM crossing, which is approximately 600 metres.

Photo	Comment
	Photo 3 – May 10, 2022  Concession 2 heading West – rock truck visible crossing from North to South (McNally Pit to Neubauer Pit).
	Photo 14 - May 10, 2022
The state of the s	Dusty conditions showing rock truck crossing during dry weather.





Photos 6, 7, and 8 show the pavement conditions at the CBM rock truck crossing on May 1 and May 10, 2022. The photos show worn pavement, loose gravel and side and center of road depressions, which were water-filled on May 1, 2022. The photos also show the gravel driveways from the CBM pits leading onto Concession 2.

Photo	Comments
	Photo 6 – May 10, 2022  Concession 2 looking East from CBM truck crossing – worn pavement with loose gravel on North apron of pavement.
	Dhata 7 May 40 0000
	Photo 7 – May 10, 2022
	Concession 2 looking East from CBM truck crossing – worn pavement with loose gravel on South apron of pavement.
	Photo 8 – May 1, 2022
	Concession 2 looking West from CBM truck crossing – worn pavement with water-filled depressions in center and on the side of Concession 2.





Photos 11, 12 show the Concession 2 apron treatments at the McNally Pit (**Photo 11**) and the Dufferin Millbrook Pit (**Photo 12**). As the photos show, the paved Pit driveway out of the Dufferin Millbrook Pit results in a significant reduction in roadway debris and wear on Concession 2, relative to the McNally Pit crossing.

Photo 11 – May 1, 2022  McNally Pit entrance showing rutted gravel driveway at the CBM rock truck crossing of Concession 2.
Photo 12 – May 1, 2022  Dufferin Millbrook Pit showing paved driveway to Concession 2.

• Photo 13 shows the Dufferin aggregate conveyor which transports aggregate under Concession 2, and which is approximately 1 km west of the CBM truck crossing. In conversation with a Dufferin site supervisor, ACUTE learned that use of the conveyor has resulted in a dramatic reduction in noise, dust, and truck use and maintenance. ACUTE was informed that Dufferin inspects their truck crossings and perform roadway clean-up on a daily basis.

Photo	Comments
THE POSSING	Photo 13 – May 10, 2022  Dufferin aggregate conveyor under Concession 2





**Photo 15** shows a typical highway hauler with a pup trailer which ACUTE observed pass the CBM truck crossing approximately every 3.3 minutes.

Photo	Comments
	Photo 15 Highway hauler with pup trailer on Concession 2.

# 5.0 2020 Preliminary Ontario Road Safety Annual Report

As part of the preliminary road safety assessment, ACUTE reviewed the Ontario Ministry of Transportation (MTO) report titled, "Preliminary 2020 Road Safety Annual Report, Selected Statistics" which presents Fatality and Injury Data from the Ontario Collision Database (see **Attachment E**). Table 3.4, which follows, presents fatal and injury collisions by initial impact type (ACUTE Note: the Column 3 Total is incorrect. ACUTE has added a text box showing the estimated total).

Table 3.4: Fatal and Injury Collisions by Initial Impact Type, 2020

		Class of Collision	า
Initial Impact Type	Fatal	Personal Injury	Total
Approaching	87	671	1,343
Angle	42	3,044	8,323
Rear End	32	5,028	31,914
Sideswipe	17	1,332	16,227
Turning Movement	52	5,258	21,889
With Unattended Motor Vehicle	4	290	7,324
Single Motor Vehicle	271	7,432	32,603
Other	0	129	3,272
Unknown	0	0	0
Total	505	23,184	23,689

122,895





As Table 3.4 shows, Single Motor Vehicle accidents are the most frequent collisions that result in fatal or personal injury at 27% of the total.

# 6.0 CBM Truck Crossing - Existing Safety Measures and Gaps

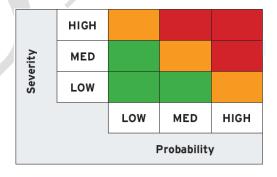
The following are existing safety measures, or gaps, observed by ACUTE, or understood to be in use in the area of the CBM truck crossing:

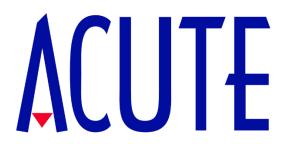
- 1. There are posted **60 km/hour** signs along Concession 2;
- There is a posted 30 km/hour sign approximately 500 m to the east at the Concession 2A junction;
- 3. There is a **Rough Road** sign approximately 150 m to the east of the truck crossing;
- 4. Rock trucks do not have broad-side reflectors to warn approaching vehicles after dark:
- 5. There are no flashing lights or street lights at the CBM truck crossing;
- 6. No traffic cones, or flag people are used by CBM at the crossing.
- 7. There are no pavement rumble strips in place at the Eastern or Western approach to the CBM truck crossing.

# 7.0 Preliminary Road Safety Risk Assessment of the Truck Crossing

ACUTE applied the Road Safety At Work (RSAW) semi-quantitative risk assessment procedure to determine the risk of a significant collision hazard occurring at the truck crossing. Two elements determine what the risk of a collision would be 1) **Probability of Occurrence** – the likelihood that a collision would occur; and 2) **Severity of Consequence** – the magnitude of loss, negative consequences, or impacts.

By combining both the probability of occurrence and the severity of consequence, a combined risk estimate is determined, using the following RSAW matrix.







Based on the RSAW risk matrix, ACUTE estimated semi-quantitative risks for the following scenarios.

<u>Scenario 1 – Single Vehicle Accident</u>: ACUTE estimates that there is a high risk of a single Motor Vehicle incident, based on the MTO Table 3.4 statistics shown above, and in consideration of the state of the pavement at the truck crossing, at the time of the site visits, created by the high frequency and high weight of rock truck crossings.

Scenario 2 – Collision between CBM Rock Truck and a Public Vehicle: ACUTE estimates that there is a high risk of a collision between a public vehicle and a rock truck loader due to the high frequency of loader crossings – an average of one truck every 2 minutes during working hours - there is a **medium probability & frequency of exposure** of a collision between a rock truck and a public vehicle, and the **severity of a collision would be high.** Medium probability and high severity combine for an aggregate **High Risk.** It should be noted that **High Risk** applies to a Loader Operator or the driver of a public vehicle; however, loader operators have a significantly higher frequency of exposure since it is ACUTE's understanding that there are only 3-4 CBM rock truck operators.

#### 8.0 Recommended Control Measures

It is commonly accepted by Ontario Safety Regulators that the main ways to control significant hazards are:

- **Elimination** (including substitution): remove the hazard from the workplace, or substitute (replace) hazardous materials or machines with less hazardous ones.
- **Engineering Controls**: includes designs or modifications to plants, equipment, ventilation systems, and processes that reduce the source of exposure.
- Administrative Controls: controls that alter the way the work is done, including signage, timing of work, policies and other rules, and work practices such as standards and operating procedures (including training, housekeeping, and equipment maintenance, and personal hygiene practices).
- **Personal Protective Equipment:** equipment worn by individuals to reduce exposure such as contact with chemicals or exposure to noise.

It is ACUTE's opinion that the most effective risk control measure to eliminate high frequency Concession 2 truck crossings and associated hazards is through the use of under-roadway conveyors or equivalent engineering solutions.

The following section summarizes ACUTE's recommendations, in order of priority, for eliminating or controlling the identified significant hazards, for the Township of Puslinch to consider.





#### PRIORITY ONE RECOMMENDATIONS

- 1.0 The Township should formally notify affected gravel pit owners of their obligations to comply with their operations plan, specifically with respect to the use of under-roadway conveyors as indicated in the entrance/exit information.
- 2.0 The Township should formally notify affected gravel pit owners of any existing by-law infractions relating to their operations and take appropriate action to ensure compliance.
- 3.0 The Township should ensure that roadway inspections and repairs as required by the ONTARIO REGULATION 239/02 minimum maintenance standards for municipal highways are conducted and documented.
- 4.0 The Township should explore the feasibilty of installing two temporary motionactivated signs indicating the presence of the CBM truck crossing hazard East and West of the CBM truck crossing.
- 5.0 The Township should investigate the feasibility of employing, on a temporary basis, a contractor to implement MTO Book 7 measures for the Rock Truck Crossing.

#### PRIORITY TWO RECOMMENDATIONS

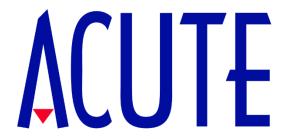
- 1.0 The Township should investigate the feasibility of installing street lighting at high frequency Concession 2 truck crossings;
- 2.0 The Township should explore the feasibility of adding rumble strips to the east and west of the CBM truck crossing.

# PRIORITY THREE RECOMMENDATIONS

- 1.0 The Township should consider means to persuade affected gravel pit owners to upgrade high frequency crossing pit driveways to include pavement extending approximately 50 metres into pit areas, and to establish inspection and cleaning protocols.
- 2.0 The Township should explore the feasibility of installing motion-activated traffic lights at the CBM truck crossing.

# 1.0 Scope Limitations

This report presents a preliminary Road Safety Assessment of conditions at the CBM Truck crossing in Puslinch, Ontario. The findings and recommendations are based on conditions and information reasonably available at the time of the visits. ACUTE has prepared this report using information understood to be factual and correct and cannot



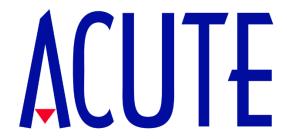


be responsible for conditions arising from information or facts that were concealed, unknown, or not fully disclosed to ACUTE at the time of the visits.

Sincerely

Graham Chevreau, B.Sc. (Hons), CRSP,

EH&S Specialist c.c. Ron Campbell





## **SUMMARY OF ATTACHMENTS**

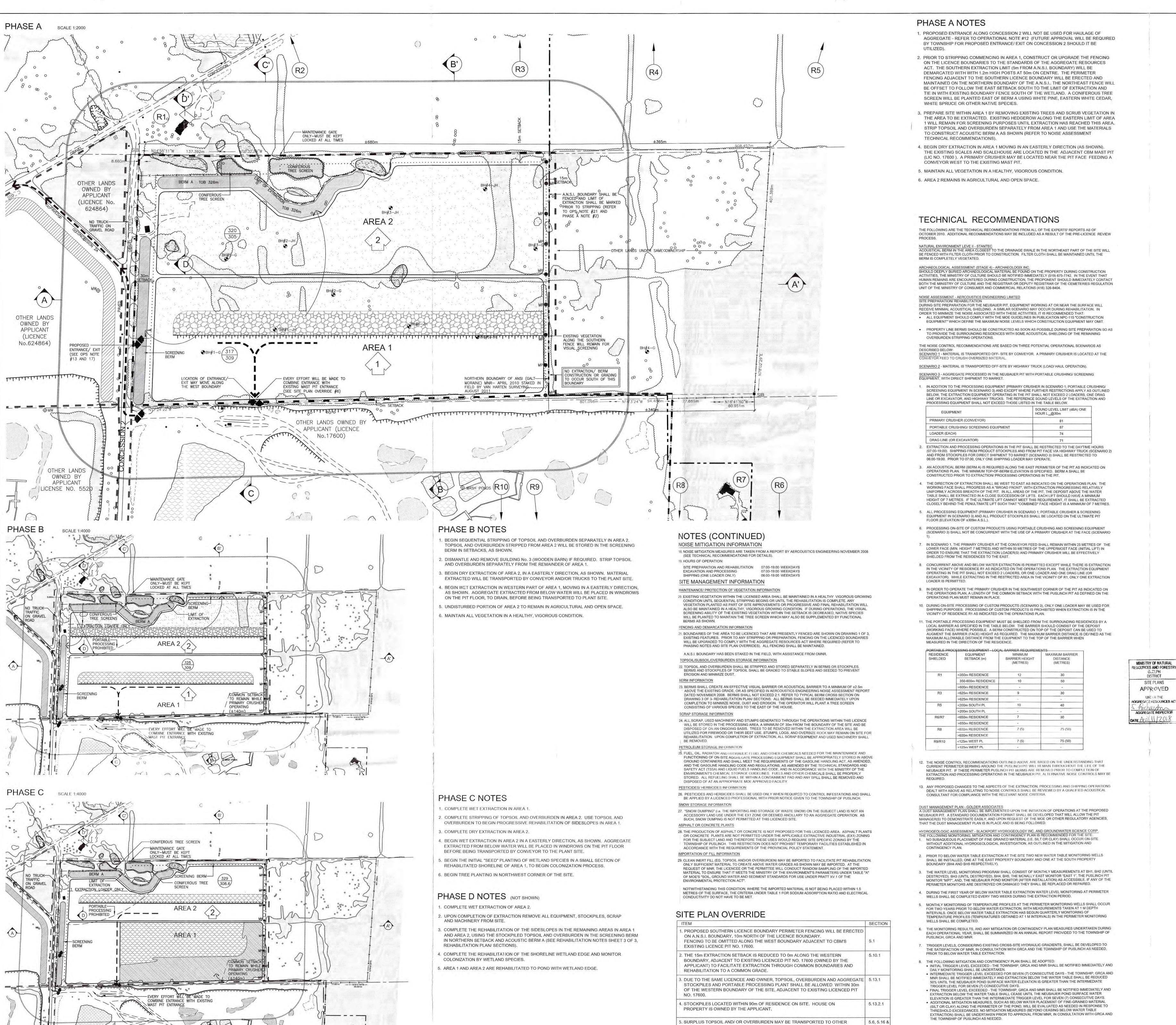
**ATTACHMENT A –** Regulation 244/97, Section 0.13, Control and Operations of Pit or Quarry

ATTACHMENT B - Neubauer Pit, 2011 Operational Plan, Select Notes

ATTACHMENT C - ACUTE Traffic Break-down Survey, May 10, 2022

ATTACHMENT D - ACUTE Photo Log - May 1, 2022 & May 10, 2022

**ATTACHMENT E –** Ontario Ministry of Transportation, Preliminary 2020 Ontario Road Safety Annual Report, Selected Statistics



LICENCED AREAS FOR REHABILITATION PURPOSES OR SOLD.

EXITS OF THE ADJACENT CBM MAST PIT LICENCE NO. 17600.

6. NO GATES REQUIRED AT THE PROPOSED ENTRANCE/ EXIT ALONG THE WEST BOUNDARY. LICENCEE WILL MAINTAIN GATES AT THE EXISITING ENTRANCE/ **LEGEND** BOUNDARY OF AREA TO BE LICENCED BOUNDARY OF EXISTING LICENCED AREA — — — — — — LIMIT OF EXTRACTION LINE 120m BOUNDARY LINE 

BOUNDARY OF EARTH SCIENCE ANSI, AS REVISED BY MNR, APRIL 2010 **EXISTING VEGETATION EXISTING BUILDING EXISTING BERM** PROPOSED ENTRANCE TO PIT BH#1- BORE HOLE # AND LOCATION PROPOSED BERM (DRILLED BY JAGGER HIMS OCTOBER 2005) EXISTING PRODUCT STOCKPILE BH#1-G BORE HOLE # AND LOCATION (DRILLED BY GOLDER ASSOCIATION OF THE PROPERTY EXISTING/ PROPOSED PIT FACE --- x--- EXISTING FENCE EXISTING SURFACE WATER STANDARD IRON BAR WETLAND AREA HYDRO POLE HYDRO TOWER UNDISTURBED AREA DIRECTION OF MATERIAL MOVEMENT

AREA STRIPPED OF TOPSOIL PRODUCT TRANSPORTATION ROUTE VIA HAUL ROAD OR AREA UNDER REHABILITATION DIRECTION OF EXTRACTION **EXISTING ELEVATION** PROPOSED ELEVATION LOCATION OF NOISE RECEPTOR NOTES

LOCATION OF MARKER POST

THIS PLAN DEPICTS A SCHEMATIC OPERATIONS AND REHABILITATION SEQUENCE FOR THIS PROPERTY BASED ON THE BEST INFORMATION AVAILABLE AT THE TIME OF PREPARATION. PHASES SHOWN A SCHEMATIC AND MAY VARY WITH MATERIAL QUALITY. SITE HYDROLOGY AND HYDROGEOLOGY OR MARKET DEMAND. PHASES DO NOT REPRESENT ANY SPECIFIC OR EQUAL TIME PERIOD. EXTRACTION SHALL GENERALLY FOLLOW THE SEQUENCE SHOWN. WHEN PARTIAL REHABILITATION OF A PHAS IS POSSIBLE IT SHALL BE CARRIED OUT. NOT WITHSTANDING THE EXTRACTION AND REHABILITATION PROCESS

ABOVE, DEMAND FOR CERTAIN PRODUCTS OR BLENDING OF MATERIALS MAY REQUIRE SOME DEVIATION IN THE EXTRACTION AND REHABILITATION PHASING. ANY MAJOR DEVIATIONS FROM THE OPERATIONS SEQUENCE

GENERAL INFORMATION

SHOWN WILL REQUIRED APPROVAL FROM MNR. REFER TO DRAWING 1 OF 3, EXISTING FEATURES, FOR A DESCRIPTION OF EXISTING VEGETATION AND BUILDINGS WITHIN THE 120 METRE BOUNDARY AND ON SITE. . SITE PLAN OVERRIDES ARE LISTED IN THE SITE PLAN OVERRIDE TABLE SHOWN ON THIS PAGE.

# RESOURCE INFORMATION RESOURCE INFORMATION IS INTERPOLATED FROM TEST PITS, COMPLETED DURING MARCH 1999,

MARCH 2000 AND BOREHOLES DRILLED IN APRIL 2000 AND A GEOTECHNICAL REPORT BY JAGGER HIMS LIMITED DATED JANUARY 2006. EXTRACTION/PROCESSING/HAULING INFORMATION

5. TOTAL AREA TO BE EXTRACTED IS 24.49 HECTARES. . MAXIMUM NUMBER OF TONNES OF AGGREGATE TO BE REMOVED FROM THE SITE IN ANY CALENDAR YEAR IS 750,000 TONNES.

. EXTRACTION OF SAND AND GRAVEL ABOVE WATER TABLE WILL TAKE PLACE IN 3 BENCHES, WITH A MAXIMUM HEIGHT OF ±8 METRES OR 1.5m ABOVE THE MAXIMUM REACH OF THE EQUIPMENT, UNDERWATER EXTRACTION WILL BE BY DRAGLINE OR EXCAVATOR TO A MAXIMUM DEPTH OF ±289.00m ASL. EXTRACTION WI INCLUDE EXTRACTION BELOW THE WATER TABLE OR THE EXTENT OF THE RESOURCE. THE GROUNDWATER TABLE ESTIMATED TO BE BETWEEN ±307.1-307.6m ASL (SEE HYDROGEOLOGICAL REPORT), EXTRACTION WILL INCLUDE EXTRACTION AND LOADING WITH FRONT END LOADERS AND TRANSPORTING BY CONVEYOR AND/ OR TRUCKS TO THE PLANT FOR FURTHER PROCESSING. REFER TO SECTIONS A-A', B-B' AND C-C' ON DRAWING 3 FO

PORTABLE PROCESSING EQUIPMENT, CRUSHING, AND SCREENING WILL BE USED ON SITE AND WILL BE LOCATE ON THE PIT FLOOR. OTHER EQUIPMENT TO BE USED IN THE OPERATION OF THE PIT MAY INCLUDE TRUCKS. LOADERS, DRAGLINE, EXCAVATOR, BULLDOZERS, SCRAPERS, CONVEYORS AND OTHER RELATED EQUIPMEN PRODUCT STOCKPILES WILL NOT EXCEED ±15 METRES IN HEIGHT. MATERIAL FROM OTHER LICENCED PROPERTIES (EG. SAND) MAY BE IMPORTED INTO THE SITE FOR BLENDING AND CUSTOM PRODUCTS.

EDEMOLISH OR RELOCATE BUILDINGS TO BE REMOVED LOCATED WITHIN AREA 2. NON-INERT DEBRIS FROM BUILDING DEMOLITION WILL BE MOVED OFF-SITE TO BE RECYCLED (EG. STEEL) OR TAKEN TO AN APPROVED DISPOSAL SITE. CLEAN INERT FILL (MEETING THE STANDARD MOE GUIDELINES FOR FILL), SUCH AS BRICKS, STONE OR CONCRETE WITHOUT RE-BAR MAY REMAIN ON-SITE TO BE USED FOR REHABILITATION OF ABOVE WATER SIDE SLOPES.

THAT IS ATTRIBUTED TO BELOW WATER OPERATIONS THEN REFER TO TECHNICAL RECOMMENDATIONS FOR 10. THERE MAY BE RECYCLING OF MATERIAL (ASPHALT AND CONCRETE) ON THIS SITE. MATERIAL IMPORTED FOR RECYCLING WILL BE STORED IN SEGREGATED STOCKPILES WITHIN THE STOCKPILING AND

9. IF THERE ARE ANY EARLY WARNING SIGNS OF IMPACT TO SURROUNDING GROUNDWATER USERS

PROCESSING AREA. 1. ALL BUILDINGS, EQUIPMENT, SCRAP AND MACHINERY ASSOCIATED WITH THE EXTRACTION OPERATIONS WILL BE REMOVED UPON COMPLETION OF EXTRACTION. NTRANCE/ EXIT INFORMATION

2. EVERY EFFORT SHALL BE MADE TO COMBINE ENTRANCE WITH EXISTING MAST PIT ENTRANCE TO THE

3. AN ENTRANCE/ EXIT HAS BEEN PROPOSED ALONG CONCESSION 2, THIS ENTRANCE WILL NOT BE USED FOR HAULAGE OF AGGREGATE (REFER TO PHASE A NOTE #1). AT THE PRESENT TIME IT IS INTENDED THAT MATERIAL WILL BE MOVED FROM THE PROPERTY FOR PROCESSING AT EITHER THE McNALLY PIT TO THE NORTH OR THE MAST PIT TO THE WEST VIA CONVEYOR UNDER THE EXISTING MUNICIPAL ROAD (OCCASIONAL PROCESSING AT THE FACE MAY OCCUR AND WILL BE SHIPPED VIA TRUCKS USING THE MAST PIT ENTRANCE/ EXIT). THIS WILL REQUIRE ADDITIONAL STUDIES AND APPROVAL BY THE MUNICIPALITY WHICH WILL BE INITIATED ONCE THE LICENCE IS ISSUED. A SIGN SHALL BE PLACED AT THE TRUCK ENTRANCE/ EXIT REMINDING DRIVERS OF THE PRESENCE OF SCHOOL BUSES ON THE ROADS SUCH AS:

> ATTENTION ALL DRIVERS USE EXTRA CAUTION WHEN DRIVING THESE ROADS AS THEY ARE ALSO SCHOOL BUS ROUTES

SHOULD AT ANY TIME THE PROPOSED ENTRANCE/ EXIT ALONG CONCESSION 2 BE INSTALLED THIS LICENCE THEN A SIGN WILL BE PLACE AT THE TRUCK ENTRANCE/ EXIT. HYDROGEOLOGICAL INFORMATION

TO ±307.1m A.S.L. IN THE SOUTHERN PART OF THE SITE. (REFER TO HYDROGEOLOGICAL REPORT LISTED

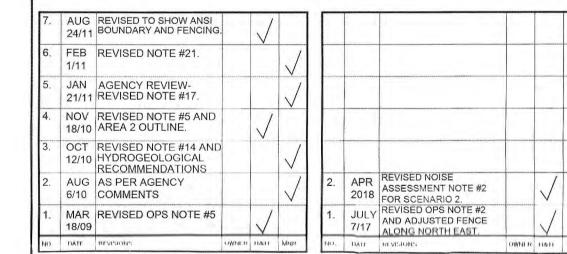
HYDROGEOLOGICAL INFORMATION INCLUDING GROUNDWATER ELEVATION WAS OBTAINED FROM REPORT BY BLACKPORT HYDROGEOLOGY INC. AND GROUNDWATER SCIENCE CORP, DATED OCTOBER 2008 AND MEMO DATED OCTOBER 8, 2010. 5. THE WATER TABLE ELEVATION WITHIN THIS PROPERTY RANGES FROM ±307.6m A.S.L. IN THE NORTH

6. SURFACE DRAINAGE ON THE PIT FLOOR WILL BE DIRECTED TO THE POND AS SHOWN ON THE SITE PLAN. IF REQUIRED, A PERMIT TO TAKE WATER UNDER THE ONTARIO RESOURCES ACT WILL BE OBTAINED. AIR QUALITY INFORMATION

7 WATER OR ANOTHER PROVINCIALLY APPROVED DUST SUPPRESSANT WILL BE APPLIED TO INTERNAL HAUL ROADS AND PROCESSING AREAS AS OFTEN AS REQUIRED TO MITIGATE DUST. IT IS EXPECTED THAT MOST OF THE MATERIAL FROM THIS LICENCE WILL BE MOVED FROM THIS LICENCE BY CONVEYOR UNDER THE ROAD ALLOWANCE TO AN ADJACENT LICENCE FOR PROCESSING (SEE NOTE #13).

ALL PROCESSING EQUIPMENT SHALL HAVE A CERTIFICATE OF APPROVAL FROM THE MOE IF REQUIRED. NO PROCESSING EQUIPMENT SHALL BE OPERATED WITHIN 200m OF A SENSITIVE RECEPTOR WITHOUT DUST SUPPRESSION SUCH AS WATER SPRAYS. SHOULD ON-SITE PROCESSING OCCUR, THE OPERATOR SHALL SUBMIT AN APPLICATION FOR A SECTION 9 APPROVAL INCLUDING AN EMISSION SUMMARY AND DISPERSION MODELLING REPORT PURSUANT TO THE REQUIREMENTS OF THE ENVIRONMENTAL PROTECTION ACT (CERTIFICATE OF APPROVAL - AIR), TO

DEMONSTRATE COMPLIANCE WITH ONTARIO REGULATION 419/05 (OR AS AMENDED). THE ESDM REPORT SHOULD BE UPDATED AS REQUIRED TO REFLECT ONGOING OPERATIONS AND ENSURE COMPLIANCE WITH APPLICABLE NOTES CONTINUED



Pre Licence Review

Project Name

SITE PLANS

UNITED RITHE

Site Plan Amendments

Markham, Ontario L6B 1A

Tel 905-294-8282 Fax: 905-294-762 www.harringtonmcavan.com Offices in Markham & Cambridge

St. Marys Cement Inc. (Canada)

**NEUBAUER PIT** 

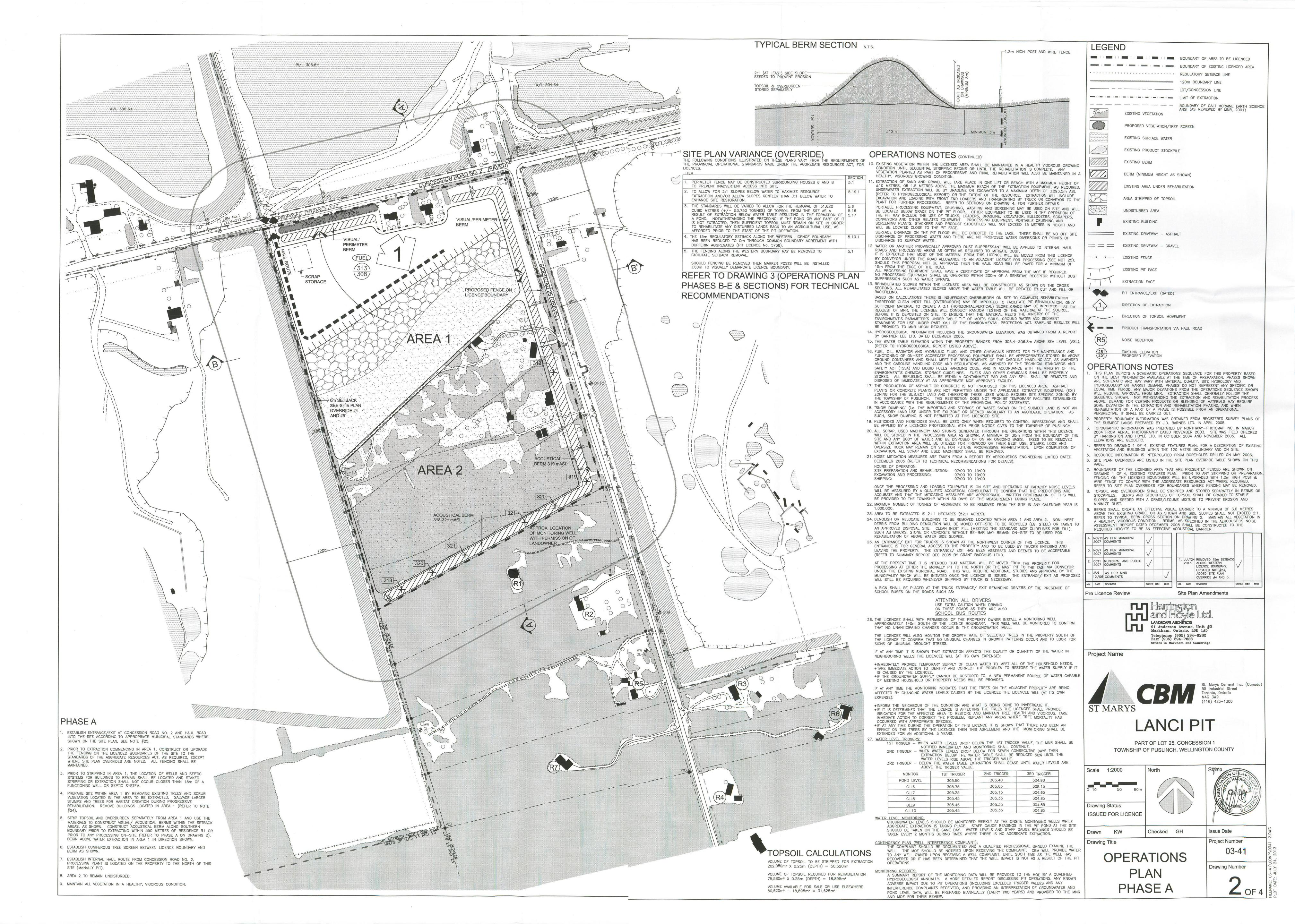
PART OF LOT 27, CONCESSION 1 TOWNSHIP OF PUSLINCH, COUNTY OF WELLINGTON

Scale AS SHOWN Drawing Status ISSUED FOR LICENCE

sue Date DEC 2011 Checked B.J./G.D.H.

Project Number Drawing Title 99-11

Drawing Number





# **REPORT ADM-2022-044**

TO: Mayor and Members of Council

PREPARED BY: Courtenay Hoytfox, Municipal Clerk

PRESENTED BY: Courtenay Hoytfox, Municipal Clerk

MEETING DATE: July 13, 2022

SUBJECT: Municipal Street Naming Policy Final Draft

#### **RECOMMENDATION**

That Report ADM-2022-044 entitled Municipal Street Naming Policy Final Draft be received; and

That Council hereby adopts the Municipal Street Naming Policy as [presented / amended].

#### **Purpose**

The purpose of this report is to provide Council with the final draft of the Street Re-naming Policy that incorporates the revisions requested at the June 15, 2022 Council meeting.

## **Background**

This draft includes revisions based on Council comments from the June 15, 2022 Council meeting. The revisions are noted in red font in the draft policy attached as Schedule "A". A summary of the revisions is below:

- 1. Revise Section 5.2.2 to state:
- 5.2.2 Names with any sexual overtones, inappropriate intentional humour, parody, or slang;

This change is to clarify that appropriate and inappropriate humour is not acceptable as a street name.

2. Revise Section 5.2.3 to state:

5.2.3 Names that have a secondary commonly acknowledged alternate negative or offensive meaning;

This change is to clarify that where a word has an alternate meaning, it must be a commonly accepted meaning of the word.

- 3. Revise Section 5.2.4 to state:
- 5.2.4 Names that <del>could be construed</del> deliberately advertise for, but not limited to, current operating businesses and industries;

This change is to clarify that street names may be accepted so long as the street name is not being used to deliberately advertise for a business or industry. The Policy provides an opportunity to recognize a business that has contributed to the Township so long as this can be demonstrated. There are examples of this type of street naming across Ontario.

- 4. Section 9.3 was updated to refer to Section 10.3
- 5. Table 2 Fees was updated to include a section regarding costs that may be borne by the owner of a private street if a re-naming application is approved.
- 6. Table 3 Fees was updated to include a section regarding costs that may be borne by the owner of a private street if a re-naming application is approved.

## **Financial Implications**

None

## **Applicable Legislation and Requirements**

Municipal Act, 2001

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_	LLO				ıLJ

Schedule "A" Municipal Street Naming Policy - Final Draft

Respectfully submitted,	Reviewed by:	
Courtenay Hoytfox, Municipal Clerk	Glenn Schwendinger, CAO	

# **Corporate Policy 2022-0X**



Title: Municipal Street Naming Policy

Policy No. 2022-0X

Date: Adoption: DATE, 2022 by Council Resolution No. 2022-XXX

**Subject:** Municipal Street Naming Policy

# 1. Policy Statement

To outline the process for the naming of new streets and establish a mechanism addressing requests to rename existing streets.

#### 2. Scope

This policy applies to roads allowances within the Township of Puslinch (including private roads in accordance with *Section 48 of the Municipal Act, 2001*) and does not apply to County road allowances, road allowances under the jurisdiction of the Ministry of Transportation, or road allowances under the jurisdiction of other municipalities.

## 3. Introduction

Street naming ensures that properties can be located easily by Emergency Services, the public, utility companies and businesses.

This policy responds to the needs of the community ensuring that a process is in place for the naming of new streets and responding to requests to rename existing streets.

This policy sets how new street names are identified and assigned as well as the process to facilitate the renaming of existing streets. 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 to Rename an Existing Street that Complies with the Naming Standards

- Section 9 Procedure to Rename an Existing Street that does not Comply with the Naming Standards
- Section 10 Application requirements; and
- Section 11 Reporting to Council
- Section 12 Validity

The substantive requirements of Sections 4, 5, and 6 of this Policy shall be hereinafter referred to as the "Naming Standards".

#### 4. Street Naming and Re-naming Categories

The categories listed below shall be used by a requester(s) when developing a proposal for a name for a new street or for proposing a renaming of an existing street.

- 4.1 Honouring those who have given their life in public service;
- 4.2 Honouring individuals for community service or for local, national or international historical reasons;
- 4.3 Names that promote pride in the Township, acknowledge local heritage and history, unique features and geography that meet one of the following criteria:
  - 4.3.1 Commemorates local history, places, events, culture;
  - 4.3.2 Strengthens neighbourhood identity to reflect the character of the area;
  - 4.3.3 Recognizes native wildlife, flora, fauna, natural features; and
  - 4.3.4 Recognizes communities that contribute to the public life of the Township.
- 4.4 Groups of names that represent specific themes and meet one of the criteria listed above are encouraged in new developments (subdivisions and condominiums) as they provide consistency and are easily recognizable for emergency services.

## 5. Suitability and Appropriateness of Street Names

- 5.1 Where possible, street names should be easily pronounced and recognized, using conventional spelling to avoid difficulties in emergency situations. Street names should be spelled the way they are pronounced. The Township recognizes this may not be possible for street names honouring individuals.
- 5.2 The following is not permitted:

- 5.2.1 Discriminatory or derogatory names or names that foster or perpetuate discrimination on the basis of race, creed, colour, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, political affiliation, sexual orientation, or other social factors;
- 5.2.2 Names with any sexual overtones, inappropriate intentional humour, parody, or slang;
- 5.2.3 Names that have a secondary commonly acknowledged alternate negative or offensive meaning;
- 5.2.4 Names that <del>could be construed</del> deliberately advertise for, but not limited to, current operating businesses and industries;
- 5.2.5 Names spelled differently but sounding alike (e.g. Night Street and Knight Street) or having the potential for similar pronunciation;
- 5.2.6 Names that are identical or similar to any existing street names within the County of Wellington;
- 5.2.7 Cardinal directions within the name of a street (e.g. West Front Street);
- 5.2.8 Former or discontinued street names;
- 5.2.9 Names with hyphens, apostrophes or dashes are discouraged and will only be considered on a case-by-case basis provided other criteria have been met;
- 5.2.10 Streets named after individuals should be a posthumous honour. Streets named after living individuals are discouraged since there could be future circumstances that may lead to an inappropriate use for that name. Although this is discouraged, Council may consider applications to honour living individuals through the naming of a street. In this situation, written consent from the individual is required;
- 5.2.11 Street names are generally limited to one word unless additional identification is necessary to provide recognition;
- 5.2.12 Street names should be limited, where possible, to a maximum of 15 characters with spaces and suffix included, and shall not exceed 20 characters in total to ensure that the name fits on the Township standard street sign;

#### 6. Assigning Street Suffixes

6.1 Proposed street names shall be assigned a street suffix in accordance with Table 1 below. Note not all Street Suffixes included in Table 1 are applicable within the Township.

Table 1 – Street Suffixes

Alley (ALLEY)	Knoll (KNOLL)
Avenue (AVE)	Lane (LN)
Boulevard (BLVD)	Laneway (LNWY)
Centre (CTR)	Place (PL)
Close (CLOSE)	Private (PVT)
Circle (CIR)	Ridge (RIDGE)
Court (CRT)	Road (RD)
Cove (COVE)	Row (ROW)
Crescent (CRES)	Run (RUN)
Drive (DR)	Street (ST)
Gate (GATE)	Square (SQ)
Gardens (GDNS)	Terrace (TERR)
Heights (HTS)	Trail (TRAIL)
Hill (HILL)	Way (WAY)

## 7. Procedure to Assign a Name to a New Street

- 7.1 Any new street within the scope of this policy must be assigned a name in accordance with the criteria set out in this policy;
- 7.2 All street name requests shall be submitted to the Clerks Department and shall include the application requirements noted in Section 10.1;
- 7.3 The Clerks Department will review the request to ensure conformity with the Municipal Street Naming Policy;
- 7.4 The Township may require a third party to review the request and submission documents in order to satisfy 7.3 and all costs associated with this review shall be paid by the requester;
- 7.5 The Clerks Department will circulate the appropriate documentation to internal and external agencies for comment. This will include Puslinch Fire and Rescue, Puslinch Public Works, Puslinch Building Department, the County of Wellington, and Canada Post. Township of Puslinch Advisory Committees and/or consultants, may be circulated on a request based on the proposed name and rationale where required. E.g., where a

street name with heritage significance is being requested, consultation with the Heritage Committee may be required; or where a street name is being requested based on native wildlife or natural features, consultation with the Township ecologist may be required;

- 7.6 In the event of a duplicate request for a new street name, the name will be assigned to the street in the order in which the applications were received. If the new street is not constructed within two years of Council approval, the name assignment shall be revoked.
- 7.7 The County of Wellington shall ensure that any new street name is checked against the County-wide street registry of existing names for duplication or similar sounding street names;
- 7.8 The Clerks Department shall prepare a report to Council seeking approval of the new street name(s) and identifying any relevant information provided by the requester and internal and/or external agencies through Council resolution;
- 7.9 Council approval and adoption of a by-law is required for the creation of any new street not created through the registration of a plan of subdivision or condominium within the Township;
- 7.10 The Clerks Department will work with the County of Wellington to have the new street name(s) added to the County GIS system.

## 8. Procedure to Rename an Existing Street that Complies with the Naming Standards

- 8.1 Any request to rename a street within the scope of this policy must be assigned a name in accordance with the criteria set out in this policy;
- 8.2 The renaming of streets that comply with the Naming Standards in this Policy shall not be initiated by the Township. Only a registered property owner on the subject street is able to initiate a renaming request by filing a formal application with the Clerk;
- 8.3 All street renaming requests shall be submitted to the Clerks Department and shall include the application requirements noted in Section 10.2;
- 8.4 Upon receiving a renaming request, Clerks department staff will review the application and prior to preparing a staff report, circulating notice and collecting fees and securities staff shall confirm the following:

- 8.4.1 The type of application required based on the existing street name in accordance with the Municipal Street Naming Policy; and
- 8.4.2 That the request and submission documents comply with the Municipal Street Naming Policy;
- 8.5 The Township may require a third party to review the request and submission documents in order to satisfy 8.4.1 and 8.4.2 and all costs associated with this review shall be paid by the requester.
- 8.6 Costs associated with renaming a street that complies with the Naming Standards shall be the responsibility of the requester(s) as set out in Section 10.2. All fees are to be paid to the Township prior to the notification process commencing in the form of a security. The flat fees that are collected are to be held as securities to be distributed to the residents of the street proposed to be renamed in accordance with s. 107 of the *Municipal Act, 2001*, upon approval of the renaming. Residents of the street proposed to be renamed may choose to opt into the aid distribution by way of written notice to the Township. All fees are refundable to the requester, excluding the costs associated with notifications, in the event an application is denied by Council.
- 8.7 Canada Post shall be circulated in order to advise whether changes to the subject street's addressing is planned within the next five years. If a change to addressing is planned, Council may consider delaying a street renaming to a future date;
- 8.8 Streets that have been renamed within the previous ten years shall not be renamed;
- 8.9 Renaming requests that have been denied by Council or where staff have deemed the application to be in non-compliance with the Municipal Street Naming Policy, shall not be requested again during the same term of Council;
- 8.10 Subject to Section 8.4, the Clerks Department will circulate the appropriate documentation to internal and external agencies for comment. This will include Puslinch Fire and Rescue, Puslinch Public Works, Puslinch Building Department, the County of Wellington, and Canada Post. Township of Puslinch Advisory Committees and/or consultants, may be circulated on a street renaming request based on the new proposed name and rationale where required. E.g., where a street name with heritage significance is being requested, consultation with the Heritage Committee may be required; or where a street name is being requested based on native wildlife or natural features, consultation with the Township ecologist may be required;

- 8.11 The County of Wellington shall ensure that any new street name is checked against the County-wide street registry of existing names for duplication or similar sounding street names;
- 8.12 All street renaming requests shall be subject to the notice requirements set out in the *Municipal Act, 2001*. All street renaming request shall be subject to public consultation as follows:
  - 8.12.1 A notice shall be placed on the Township's website at least 2 (two) weeks prior to the meeting at which Council considers the renaming of the street;
  - 8.12.2 A notice shall be published in the local newspaper at least once, a minimum of 2 (two) weeks prior to the meeting at which Council considers the renaming of the street;
  - 8.12.3 The notice shall be mailed to all residents of the street proposed to be renamed at least 2 (two) weeks prior to the meeting at which Council considers the renaming of the street;
  - 8.12.4 The notice shall include written rationale for the proposed street name(s) including the relevance and significance of the proposed name(s) and reference to the applicable Naming Standards with the Township's Municipal Street Naming Policy; and the option for the recipient of the notice to indicate an objection to the re-naming and/or the proposed name(s) by mail; if an objection is not submitted either in writing or by delegating to Council, the recipient will be considered to be in agreement.
- 8.13 Clerks Department staff will report to Council, providing background, summarizing public input, internal and external agency input, and a staff recommendation regarding the proposed renaming of the street;
- 8.14 Subject to Council's decision and in accordance with Section 48 of the Municipal Act, 2001, notice shall be given of Council's intention to pass a by-law renaming a street;
- 8.15 Council approval and adoption of a by-law is required for the renaming of streets under the jurisdiction of the Township and for the naming or renaming of private streets within the Township;
- 8.16 Council's decision on the street renaming shall be final and binding;

- 8.17 Notice of Council's decision shall be sent to all residents of the street proposed to be renamed;
- 8.18 Notice of Council's decision shall be sent to the County of Wellington, Canada Post, and any other relevant internal and external agency;
- 8.19 The Clerks Department will work with the County of Wellington to have the new street name(s) added to the County GIS system.

# 9. Procedure to Rename an Existing Street that does not Comply with the Naming Standards

- 9.1 Any request to rename a street within the scope of this policy must be assigned a name in accordance with the criteria set out in this policy;
- 9.2 The renaming of streets that does not comply with the Naming Standards in this Policy may be initiated by the Township or by a registered property owner within the Township.
- 9.3 All street renaming requests shall be submitted to the Clerks Department and shall include the application requirements noted in Section 10.3;
- 9.4 Upon receiving a renaming request, Clerks department staff will review the application and prior to preparing a staff report, circulating notice and collecting fees and securities staff shall confirm the following:
  - 9.4.1 The type of application required based on the existing street name in accordance with the Municipal Street Naming Policy;
  - 9.4.2 That the request and submission documents comply with the Municipal Street Naming Policy;
- 9.5 The Township may require a third party to review the request and submission documents in order to satisfy 9.4.1 and 9.4.2 and all costs associated with this review shall be paid by the requester.
- 9.6 Costs associated with renaming a street that does not comply with the Naming Standards in this Policy shall be be paid by the Requester(s) as set out in Section 10.2. All applicable fees are to be paid to the Township prior to the notification process commencing in the form of a security. The flat fees that are collected are to be held as securities to be distributed to the residents of the street proposed to be renamed in accordance with s. 107 of the *Municipal Act, 2001*, upon approval of the renaming.

Residents of the street proposed to be renamed may choose to opt into the aid distribution by way of written notice to the Township. All fees are refundable to the requester, excluding the costs associated with notifications, in the event an application is denied by Council.

- 9.7 Canada Post shall be circulated in order to advise whether changes to the subject street's addressing is planned within the next five years. If a change to addressing is planned, Council may consider delaying a street renaming to a future date;
- 9.8 Renaming requests that have been denied by Council or where staff have deemed the application to be in non-compliance with the Municipal Street Naming Policy, shall not be requested again during the same term of Council;
- 9.9 Subject to Section 9.4, the Clerks Department will circulate the appropriate documentation to internal and external agencies for comment. This will include Puslinch Fire and Rescue, Puslinch Public Works, Puslinch Building Department, the County of Wellington, and Canada Post. Township of Puslinch Advisory Committees and/or consultants, may be circulated on a street renaming request based on the new proposed name and rationale where required. E.g., where a street name with heritage significance is being requested, consultation with the Heritage Committee may be required; or where a street name is being requested based on native wildlife or natural features, consultation with the Township ecologist may be required;
- 9.10 The County of Wellington shall ensure that any new street name is checked against the County-wide street registry of existing names for duplication or similar sounding street names;
- 9.11 All street renaming requests shall be subject to the notice requirements set out in the *Municipal Act, 2001*. All street renaming request shall be subject to public consultation as follows:
  - 911.1 A notice shall be placed on the Township's website at least 2 (two) weeks prior to the meeting at which Council considers the renaming of the street;
  - 9.11.2 A notice shall be published in the local newspaper at least once, a minimum of 2 (two) weeks prior to the meeting at which Council considers the renaming of the street;

- 9.11.3 The notice shall be mailed to all residents of the street proposed to be renamed at least 2 (two) weeks prior to the meeting at which Council considers the renaming of the street;
- 9.11.4 The notice shall include written rationale demonstrating why the existing street name is not in compliance with the Township's Municipal Street Naming Policy; written rationale for the proposed street name(s) including the relevance and significance of the proposed name(s) and reference to the applicable Naming Standards with the Township's Municipal Street Naming Policy; and the option for the recipient of the notice to indicate an objection to the re-naming and/or the proposed name(s) by mail; if an objection is not submitted either in writing or by delegating to Council, the recipient will be considered to be in agreement.
- 9.12 Clerks Department staff will report to Council, providing background, summarizing public input, internal and external agency input, and a staff recommendation regarding the proposed renaming of the street;
- 9.13 Subject to Council's decision and in accordance with Section 48 of the Municipal Act, 2001, notice shall be given of Council's intention to pass a by-law renaming a street;
- 9.14 Council approval and adoption of a by-law is required for the renaming of streets under the jurisdiction of the Township and for the naming or renaming of private streets within the Township;
- 9.15 Council's decision on the street renaming shall be final and binding;
- 9.16 Notice of Council's decision shall be sent to all residents of the street proposed to be renamed;
- 9.17 Notice of Council's decision shall be sent to the County of Wellington, Canada Post, and any other relevant internal and external agency;
- 9.18 The Clerks Department will work with the County of Wellington to have the new street name(s) added to the County GIS system.

#### 10. Application Requirements

- 10.1 Application Requirements to Assign a Name to a New Street:
  - 10.1.1 Completed Township application form, as amended from time to time;

- 10.1.2 Written rationale for the proposed street name(s) including the relevance and significance of the proposed name(s) and reference to the applicable Naming Standards with the Township's Municipal Street Naming Policy;
- 10.1.3 Consent of the named party or named party representative if the proposed street name is in recognition of an individual (if applicable).
- 10.2 Application Requirements to Rename an Existing Street that complies with the Naming Standards:
  - 10.2.1 Completed Township application form, as amended from time to time;
  - 10.2.2 The applicable fee shall be paid by the requester(s) as set out in this policy or in accordance with the Township User Fees and Charges By-law. The application fee shall be as follows for the remainder of the 2022 calendar year:

Table 2 – Fees

Initial Application Review Fee	Includes an initial review of the application by Clerks Department staff to ensure completeness and compliance with the Township Municipal Street Naming Policy and may include a third party review as required
Application notice requirement Fee	\$700  Includes the cost of the notice requirements set out in Section 8.12. This is non-refundable in the event the street renaming is not approved and is payable prior to notification upon the approval of the complete application.
Flat Fee per property on the street proposed to be renamed	\$200 per residential property \$500 per legal business (in accordance with the Township zoning by-law)  Includes the cost for civic address signs and costs that may be borne by the residents of the street proposed to be renamed due to updating information to the new street name. Residents of the street proposed to be

	renamed shall be required to opt into the aid
	distribution by way of written notice.
Street Name Signage and installation	\$250/sign + \$100 installation fee
Street Name Signage and instanation	7250/31gm · 7100 mistanation rec
Private streets	Additional fees may be borne by the owner of a private
	street where the street re-naming requires the
	amendment of existing documents. Existing documents
	may include access agreements, maintenance
	agreements, etc.
	agreements, etc.
	The Township shall verify that each evicting decrees at
	The Township shall verify that each existing document
	is required to be amended in order to be valid where a
	street renaming has been approved.
	Private street owners shall be notified of the proposed
	street re-naming and will be required to produce the
	the existing documents that require amendment along
	with the amendment fee amount to the Township
	within 30 days of being notified.
	Document(s) will not be considered if submitted after
	the 30 days.
	Upon verification, the Township shall notify the
	requester of the additional fees to be paid in full by the
	requester to a maximum of \$1000. Any amount
	exceeding \$1000 shall be the responsibility of the
	private street owner.

<sup>\*\*</sup>The application fee for renaming a street shall be included in the Township User Fees and Charges By-law for 2023 and onwards.

10.2.3 Written rationale for the proposed street name(s) including the relevance and significance of the proposed name(s) and reference to the applicable Naming Standards within the Township's Municipal Street Naming Policy;

10.2.4 Consent of the named party or named party representative if the proposed street name(s) is in recognition of an individual (if applicable);

10.2.5 Documented support for the street renaming in the form of a petition and/or signed letters of support may be included with a street renaming application for consideration.

10.3 Application Requirements to Rename an Existing Street that does not comply with the Naming Standards:

10.3.1 Completed Township application form, as amended from time to time;

10.3.2 The applicable fee shall be paid by the requester(s) as set out in this policy or in accordance with the Township User Fees and Charges By-law. The application fee shall be as follows for the remainder of the 2022 calendar year:

Table 3 – Fees

Initial Application Review Fee	Includes an initial review of the application by Clerks Department staff to ensure completeness and
	compliance with the Township Municipal Street Naming Policy and may include a third party review as required
Application notice requirement Fee	No fee
Flat Fee per property on the street proposed to be renamed	\$100 per residential property \$250 per legal business (in accordance with the Township zoning by-law)  Includes the cost for civic address signs and costs that may be borne by the residents of the street proposed to be renamed due to updating information to the new street name. Residents of the street proposed to be renamed shall be required to opt into the aid distribution by way of written notice.
Street Name Signage and installation  Private streets	No fee  Additional fees may be borne by the owner of a private street where the street re-naming requires the amendment of existing documents. Existing documents may include access agreements, maintenance agreements, etc.

The Township shall verify that each existing document is required to be amended in order to be valid where a street renaming has been approved.

Private street owners shall be notified of the proposed street re-naming and will be required to produce the the existing documents that require amendment along with the amendment fee amount to the Township within 30 days of being notified.

Document(s) will not be considered if submitted after the 30 days.

Upon verification, the Township shall notify the requester of the additional fees and the Township and the requester shall each be responsible to pay 50% of the cost to a maximum of \$1000 total (\$500 paid by the Township and \$500 paid by the requester). Any amount exceeding \$1000 shall be the responsibility of the private street owner.

- \*\*The application fee for renaming a street shall be included in the Township User Fees and Charges By-law for 2023 and onwards.
  - 10.3.3 Written rationale demonstrating why the existing street name is not in compliance with the Naming Standards;
  - 10.3.4 Written rationale for the proposed street name(s) including the relevance and significance of the proposed name(s) and reference to the applicable Naming Standards with the Township's Municipal Street Naming Policy;
  - 10.3.5 Consent of the named party or named party representative if the proposed street name(s) is in recognition of an individual (if applicable);
  - 10.3.6 Documented support for the street renaming in the form of a petition and/or signed letters of support may be included with a street renaming application for consideration.

Table 4 – Procedure Summary

	Public Notification?	Council Approval?	Is there a cost and who is responsible?	Who can initiate the request?
Naming a new	No	Yes	Third Party review fees	Developer
Street			may apply	
Rename an Existing	Yes	Yes	The requester(s) is	Registered property
Street that the does			responsible for the full	owner on the street
Comply with the			cost for the street	proposed to be
Naming Standards			renaming	renamed street
Rename an Existing	Yes	Yes	The Township and the	The Township and/or a
Street that the does			requester share the	registered property
not Comply with the			costs for an approved	owner within the
Naming Standards			street renaming	Township

# 11. Reporting to Council

11.1 Staff shall review the Township's Municipal Street Naming Policy on an as needed basis to ensure the Policy remains current. Staff will report to Council in the event that amendments to the Township's Municipal Street Naming Policy are required.

# 12. Validity

12.1 If any section, subsection, paragraph, sentence, clause, or provision of this Policy be declared by a Court of competent jurisdiction to be invalid, illegal or ultra vires for any reason, all other provisions of this Policy shall remain and continue in full force and effect and shall remain valid and binding.



# PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

MEETING DATE: July 13<sup>th</sup>, 2022

**TO:** Glenn Schwendinger, CAO

Township of Puslinch

FROM: Meagan Ferris, Manager of Planning and Environment

County of Wellington

SUBJECT: RECOMMENDATION REPORT – Lanci Pit Expansion (CBM, a Division of St. Mary's)

County Official Plan Amendment File OP-2020-04 and Township Zoning By-law Amendment File #D14/CBM 4222, 4228 & 4248 Sideroad 25 South, Puslinch

**ATTACHMENTS:** 1 – Comments from the Public

2 – Applicant's Response to Public Comments

3 - ARA Site Plans (Updated)

4 - Proposed Draft Official Plan Amending By-law

5 - Proposed Draft Zoning By-law

#### **RECOMMENDATIONS:**

- 1) That Council receive this Planning Report by the County of Wellington Planning and Development Department;
- 2) That Council support the Official Plan Amendment and advise Wellington County Council of its position on the matter; and
- 3) That staff bring forward a final amending Zoning By-law for Council's approval upon the adoption of the Official Plan Amendment by Wellington County Council.

#### **SUMMARY**

The purpose of the subject Official Plan and Zoning By-law amendment applications is to amend the County of Wellington Official Plan and the Township Comprehensive Zoning By-law #023/18 to facilitate an expansion to an existing, below the water pit.

Under the Aggregate Resources Act (ARA), an application for a Category 1, Class "A" License has been applied for and the required public consultation under the ARA has was completed in 2021. The statutory public meeting under the *Planning Act* was held on April 13<sup>th</sup>, 2022 to consider comments from the public. The applicant has prepared a response to the public and Council comments provided on April 13<sup>th</sup>, which can be seen in **Attachment 2**. The comments received have also been reviewed and considered as part of planning staff's assessment. To assisting with addressing some of the concerns raised, provisions have been proposed within a draft amending by-law, which can be seen within **Attachment 5** of this report.

The intent of this report is to provide Council with information and a planning opinion, in order for Council to provide an opinion on the County of Wellington Official Plan Amendment. At this time, a decision on

the draft amending Zoning By-law is not required. Planning staff are seeking Council's endorsement of the Official Plan Amendment so that it can be considered by the County's Planning Committee.

Planning staff are of the opinion that the subject development proposal is consistent with the Provincial Policy Statement, the Provincial Growth Plan, has addressed the technical comments received from the various commenting agencies and consultants, and that public comments and concerns have been addressed.

If Council is in support of the proposed Official Plan amendment, a resolution of support is requested to be passed by Council and forwarded to the Wellington County Council.

#### **INTRODUCTION**

The intent of this report is to provide a summary of the technical studies submitted and reviewed by the Township's consultants and other commenting agencies, provide an analysis of related planning policies, and review public comments. This report includes a recommendation on the proposed applications and includes a draft amending by-law for both the Official Plan amendment and the Zoning By-law amendment. This report is specifically seeking Council's endorsement of the Official Plan amendment and a decision on the amending Zoning By-law is not required at this time.

The lands subject to the proposed amendments are known municipally as 4248, 4228 and 4222 Sideroad 25 S and combined are 14.8 ha (36.6 ac) in area. The subject applications seek to facilitate an expansion to an existing operation (Lanci Pit).

existing operation has frontage on Concession 2 and Sideroad 25 S as does the proposed expansion area. The intent is to utilize the existing haul route/access via Concession 2. No additional driveways proposed at this time and no washing, processing, dewatering of aggregate material will occur on the site. The applicant has identified the subject site as a "feeder pit" for the existing, CMB operation across the road (CBM Aberfoyle South Pit) where processing of material is proposed to occur.



Under the Aggregate Resources Act, the applicant has applied for a Category 1, Class "A" License, with a proposed annual tonnage of 1 000 000 annually. The proposal is to license the entirety of the subject lands, with extraction limited to an area approximately 10.1 ha in size. As shown on the Aggregate Resource Act (ARA) site plans, the area of extraction excludes the existing significant woodlands on-site (and the associated 5 m buffer from the dripline) and portion of lands along Sideroad 25 S and the south boundary of an existing, vacant lot. A copy of the ARA site plans can be seen in **Attachment 3**.

The lands subject to the proposed applications can be seen in Figure 1.

#### **PROPOSED AMENDMENTS**

The purpose of the subject applications is to amend both the County Official Plan and the Puslinch Zoning By-law. The applicant has worked with planning staff to amend the proposed draft Zoning By-law to assist with providing clear delineate where extraction is not explicitly permitted in the Zoning By-law and to consider future, after uses once extraction has ceased and the license surrender. It is noted that no decision on the proposed zoning by-law is required at this time.

A detailed description of the proposed amendments are included (below) as follows:

- Amend Schedule A7 (Puslinch) to include the subject lands in the Mineral Aggregate Area and redesignation portions of land from Greenland System to Secondary Agricultural (approximately 0.1 ha (0.24 ac)) and redesignate portion of land from Secondary Agricultural to Greenlands System (approximately 0.23 ha (0.56 ac));
- Amend Schedule C (Mineral Aggregate Resource Overlay) of the County Official Plan by extending the Sand and Gravel Resources of Primary and Secondary Significant overlay to include an additional 2.14 ha (5.2 ac) area of land; and
- Amend Schedule A of the Township Zoning By-law #023/18 by rezoning the subject lands from a site specific Agriculture (A)(sp1) Zone to a site specific Extractive (EXI sp104) Zone, a site specific Agriculture (A sp105) Zone, a site specific Natural Environment (NE sp106) Zone and Environmental Protection Overlay.

Copies of the draft amending by-laws for both the County Official Plan and Township Zoning By-law can be seen in **Attachment 4** and **Attachment 5**.

#### **REPORTS & STUDY SUMMARY HIGHLIGHTS**

As part of the formal submission and review process, the applicant submitted a series of technical studies which have been reviewed by staff, the Township's technical consultants and key commenting agencies. Included below is a summary of the report findings and conclusions from the applicable reviewers.

#### Natural Environment Assessment prepared by Golder and Associates Ltd (dated April, 2020)

The report prepared has concluded there will be no negative impacts on significant features and their functions within the study area provided best management practices are implemented including: a 5 metre setback from the significant woodland dripline; implementation of sediment and erosion control along the dripline of the significant woodlands; avoiding soil compaction along the dripline of the woodlands; complying with the removal of trees as per the Migratory Bird Conservation Act; and obtaining a permit from the Ministry of Environment, Conservation and Parks (MECP) regarding habitat removal.

With respects to the rehabilitation plan, the intent is to use locally native and non-invasive species to create a habitat to promote natural succession, including aquatic plants, the creation of shallow wetland habitats, the inclusion of marsh vegetation and the use of organic material and topsoil to promote shoreline vegetation. The proposed rehabilitation plan also is proposing a 3:1 slope (above water) to ensure stability and this area (approximately 1.3 ha) will be planted with trees to assist with compensation

from the loss of the plantation.

**Planning Comment** – The Township's consulting Ecologist (GWS Ecological & Forestry Services Inc.) has concluded that Golder has addressed all of their comments, including updates to the ARA Rehabilitation Plan (as seen in **Attachment 3**) regarding rehabilitation specifications (i.e. types of trees, area of planting etc.), and that a 5 m setback from the dripline is appropriate. The GRCA has also confirmed they have no objections, that they agree with the proposed best management practices and that they support the 5 metre significant woodland buffer. The GRCA has also recommended that the current groundwater monitoring program continue. Confirmation has been provided by the applicant that they are going through the MECP permitting process with respects to habitat removal.

#### Hydrogeological Assessment prepared by Golder Associates Ltd. (dated April, 2020)

This assessment has reviewed existing conditions and has assessed the resulting potential impacts to surface water and ground water in the area. Existing conditions were identified through a field program initiated in 2017. Impacts specific to groundwater levels, baseflow, water well quantities, aquifer vulnerability and groundwater quality, groundwater temperature and site water budgeting were assessed. The recommendations of the Golder report include: (i) continuation of groundwater monitoring and that this be incorporated with the existing monitoring occurring on the existing Lanci Pit site and (ii) best management practices will be followed for any potential fuel handling for equipment on-site. The recommendations of the assessment have been included in the noted of the ARA site plan (as seen in Attachment 3). Through additional analysis cumulative impacts have also been reviewed and satisfactorily assessed.

**Planning Comment** – The Township's consulting Hydrogeologist (Harden Environmental Services Ltd) initially expressed concerns regarding impacts, including cumulative impacts on groundwater, discharge to Mill Creek and the impacts to local water wells and water balance. Since the completion of the Golder report, additional analysis has been provided and has been reviewed. The Township's consulting Hydrogeologist has confirmed that they are now satisfied that the development proposal will not result in water quantity or quality issues or significant changes to groundwater discharge to Mill Creek, and that the cumulative impacts will not be increased.

#### Noise Impact Assessment prepared by Golder and Associates Ltd (dated April, 2020)

Fifteen (15) existing points of reception were evaluated, with the closest receptors being the vacant lot between the existing and proposed aggregate operation; 4225 Sideroad 25 South; 4219 Sideroad 25 South; 4207 Sideroad 25 South; and 4195 Sideroad 25 South. The assessment reviewed noise impacts for the above the water and the subsequent below the water extraction, including the specific equipment utilized initially (i.e. two front end loaders, haul trucks) and the use of draglines, one front end loader, and haul trucks at the below the water extraction stage.

The assessment also identified that noise barriers would be needed for above the water extraction, specifically along the vacant lot between the two sites, *if* a house was built prior to extraction. For below the water extraction, noise barriers are proposed along Sideroad 25 South that ranges 3 - 5.5 metres in height. The report identifies that the berm/barrier could be a different type of barrier or combination of barriers (i.e. tractor trailers or shipping containers) provided they meet a minimum height, surface density and are constructed without gaps. A series of assumptions were relied upon when calculating potential noise levels such as the extraction will be during the daytime and limited to 7:00 am to 7 pm; that there is a buffer of 15 m along the length of the vacant lot and 30 m along Sideroad 25 South; there is a 5 m buffer between the woodlot; that certain equipment would be utilized; that acoustic barriers or other

controls would be installed. Overall, the assessment concludes that noise levels would be at or below the MECP performance limits, with the installation of noise control measures.

Planning Comment – To address comments from the Township's acoustic consultant (Valcoustics Canada Ltd.) the ARA Operational Plans have been updated to include requirements specific to noise, including but not limited to: the equipment (i.e. operation, good working condition, and manufacturer noise control devised); the investigation of back up alarms to help offset back up beeper sounds; that the sound levels of equipment will be confirmed prior to operation; that equipment shall be located on the above the water pit floor following initial operation; and that an acoustic audit will be completed within 6 months of the start of extraction. The Township's consultant has confirmed that their comments have been addressed and that they agree that the MECP noise guideline limits will be met subject to the mitigation measures recommended by Golder and the updated notes on the Operation Plans.

Traditionally, the Township has accepted noise barriers in the form of earth berms; however, it is noted that other types of barriers could be utilized. The use of other types of barriers such as tractor trailers or shipping containers is uncommon within the Township. Consideration may be given to updating the ARA site plans to include notes regarding the type of alternative acoustic barriers and the need for the Township to be provided copies of the 6 month noise audit.

### Dust Management prepared by MHBC (dated July 13, 2020)

The letter submitted identifies that both prescribed requirements and CBM's policies will be utilized to manage dust. The letter also outlines that prescribed requirement for dust management for internal haul roads exist; that the overburden berms and stockpiles will be seeded to minimize dust; that the use of berms will assist with noise and dust mitigation; and that dust management will be monitored via annual Compliance Assessment Report audits and inspections from the Ministry of Northern Development, Mines, Natural Resources and Forestry. CBM's internal dust management policies are as follows: for internal road maintenance the use of surface materials that are smooth and reapplication of gravel to reduce silt; on-site speed limit of 25 km/h; and during non-freezing conditions water or another provincially approved dust suppressant will be used.

**Planning Comment** – The ARA site plans do include some notes regarding dust management and stockpiling; however, the ARA site plans should be updated to incorporate all of the proposed dust mitigation measures identified as notes on the ARA site plans.

### **PUBLIC & COUNCIL COMMENT SUMMARY**

As part of the public meeting held on April 13<sup>th</sup>, 2022, two members of the public spoke in opposition of the subject development proposals. A comment letter was received from one of the members of public that spoke at the Public Meeting; however, it was received after the preparation of the planning report. It was understood this letter was provided to Council under separate coverage; however, this letter has been included in **Attachment 1** for ease of reference. Below is a summary of comments from the public meeting.

### **Public**

The comments received from members of the public have been summarized as follows:

 Concerns with the Aggregate Resources Act process, the proposed site plans, and items for consideration under the ARA (i.e. the type of application, lack of limit on the days of operations, future site plan amendments)

- Rehabilitation and conformity with the Growth Plan
- Natural environment concerns, including the removal of a habitat of endangered species and the
   5 m setback from the woodlands including root compaction;
- Ground water impacts (i.e. wellhead protection area Q).
- Concerns regarding the increased life of the Lanci Pit and the use of the current Lanci Pit's hours of operation (7 am to 7 pm, daily, without weekend exclusion).
- Impact on the agricultural area

### Council

The comments received from Council have also been summarized below:

- Consideration of ways items such as tree planting and after uses can be ensured if the proposal intends to rezone the subject lands to an Extractive Zone and are subject to ARA site plan amendments.
- An interest in seeing rehabilitation and after uses that provide added value to the community.

### **Planning Comment**

The applicant has prepared a response to public and Council comments which can be seen in **Attachment 2**. It is our understanding the comments have not been received from any of the neighbours within the immediate area. Rehabilitation, natural environment and ground water concerns are addressed through the technical review as indicated by the Township's consultants. The applicant is also going through the Provincial approval process for the removal of an endangered species habitat. Impacts with respects to the immediate area and land use compatibility have been addressed by the applicant's Planner and through the submission and review of a noise impact assessment. It is further noted that the applicant is proposing that the subject expansion be subject to the same hours of operation that currently exists for the abutting Lanci Pit. Planning staff have also assessed this development proposal and the proposed use in relation to Provincial policy, which can be seen in the 'Policy Analysis' section of this report. Overall, the comments received from the public have been considered and are addressed.

### **UPDATE ON AGENCY COMMENTS**

As part of the public meeting report, a summary of the comments available at the time of report preparation were included. Since that time, confirmation has been provided that the ARA plans have addressed GM Blue Plans comments regarding identification of siltation fencing and final comments from the Township's consulting Noise Specialist (Valcoustics Canada Ltd) were received. With respects to the latter, confirmation has been provided that Valcoustics Canada Ltd. are satisfied that the mitigation measures proposed by Golder will ensure that the MECP noise guideline limits will be met and that the ARA site plans have been updated to address their outstanding comments. More details are within the planning comment under the 'Report & Study Summary' Section.

Overall, it has been concluded that the Township's consultants and external agencies, including source water protection and Grand River Conservation Authority staff have no objections to these applications. **POLICY ANALYSIS** 

### **PROVINCIAL POLICY STATEMENT (2020)**

The subject lands are designated primarily as Secondary Agricultural Area in the County Official Plan, as

such, Section 1.1.4 Rural Areas and Section 1.1.5 Rural Lands are applicable. Rural Areas are identified as a system of lands that include a variety of uses including natural resource areas. Although the Plan identifies the importance of leveraging rural assets and amenities, it also acknowledges that there is a need to protect the environment. On Rural Lands, permitted uses include the management or use of resources.

With respects to land use compatibility, it is noted that surrounding land uses consists of existing aggregate operation, the Crieff community to the south, and there is a vacant lot and four (4) dwellings in close proximity and along Sideroad 25 South. The applicant had prepared a series of supporting studies, including a Noise Impact Assessment and a Hydrogeological Assessment. Noise mitigation measures (i.e. acoustic barriers, requirements for equipment) are proposed as extraction occurs and Township Hydrogeologist has concluded that they are satisfied and do not object to this application. It is noted that an updated door to door survey will be required prior to extraction to update existing information regarding private wells within 500 m and within 6 months of extraction an acoustic audit has been required by the Township's noise consultant. These are included as notes on the ARA site plans as seen in Attachment 3.

Under Section 2.5 of the PPS, there is policy direction for the protection of long-term resource supply and that these resources shall be made available as close to markets as possible and that there is no requirement for a demonstration of need. Further, the policy direction identifies that "extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts".

Progressive and final rehabilitation shall be required to accommodate subsequent land uses, promote land use compatibility, recognize the interim nature and mitigate potential impacts. Final rehabilitation shall take into consideration surrounding land uses and approved land use designations. Comprehensive rehabilitation planning is also encouraged where there is a concentration of operations. **Attachment 3** includes a copy of the ARA site plans, including the proposed rehabilitation plan. Tree planting approximately 1.3 ha in area is proposed and rehabilitation also proposed to introduce aquatic habitat within the resulting pond. The applicant has indicated that they intend to leave an area that is outside of the extraction area (i.e. along the south boundary of the existing vacant lot and along Sideroad 25 S) for future, after uses. These after uses have also been considered in the proposed draft amending Zoning Bylaw as seen in **Attachment 5**. Although not clearly indicated on the ARA plans, the applicant has indicated that once extraction is completed, that there is an intent to create one large lake that connects both the existing Lanci Pit lake with the proposed 5.9 ha lake within the expansion area.

With respect to cultural heritage and archaeology, the applicant has completed a Stage 1 and Stage 2 Archaeological Assessment. The Assessment has been filed with the Ministry of Tourism, Culture and Sport and no additional review is required.

The subject lands contain an identified significant woodland. No extraction is proposed within the lands identified as significant woodland in the County Official Plan. As part of the supporting studies, an Environmental Impact Assessment and Hydrogeological Assessment was submitted, reviewed and accepted by the Township's consultants. The conservation authority and the Township's consultants have provided confirmation that natural heritage impacts and water quality and quantity impacts have been adequately assessed. It is further noted that applicant is working to obtain Provincial approvals regarding habitat removal for an endangered species.

### **PROVINCIAL GROWTH PLAN (2019)**

The intent of this application submitted by CBM is to continue aggregate extraction next to an existing licensed pit they also own and utilize the existing internal haul route and access to Concession 2 via the existing pit. It is further understood the long term rehabilitation plan is to connect the existing pond with the new pond, creating one large lake, once extraction has ceased. When considering new or expanding mineral aggregate operations, Section 4.2.8 is applicable. Section 4.2.8 c) allows for expansions to existing mineral aggregate operations within in the Growth Plan's Natural Heritage System, if consistent with the Provincial Policy Statement and the rehabilitation requirements of the Growth Plan.

Section 4.2.8.4. outlines rehabilitation requirements with the need for below the water pits to be rehabilitated to aquatic enhancement, the combined terrestrial and aquatic rehabilitation will need to meet the intent of item b) with respects to feature health, diversity, size and that extraction within a feature is to be completed and rehabilitated as early as possible. Policies with respects to final rehabilitation seek to establish a minimum of forest cover.

The applicant's Planner and the supporting environmental assessment prepared by Golder has indicated a pond approximately 6.1 ha in size would result. It is noted that through the detailed review that the pond size was amended to recognize the final, smaller area of 5.9 ha. The proposed rehabilitation will include shallow shoreline wetlands, the introduction of additional forest lands, and preservation of the significant woodlands on-site. The rehabilitation plans also include the introduction of approximately 1.3 ha of tree covering on the side slopes and along the woodlands with the use of species types common to the area. There was an endangered species habitat identified on-site and the applicant is going through the permitting process for removal and replacement of this habitat pursuant to Provincial requirements. Further, it is understood that the long term rehabilitation plan would result in a connection of the two water features into one larger lake. The applicant's Planner has also indicated that the overall rehabilitated area (new and retained) would equate to approximately 4.1 ha.

### **GREENBELT PLAN (2017)**

The subject lands are not located within the Greenbelt Plan.

### **COUNTY OFFICIAL PLAN**

Within the County Official Plan the subject lands are designated as Secondary Agricultural Area with a portion of the site being within the Greenland Systems and within the Paris Galt Moraine. The feature identified within the Greenlands System designation is significant woodlands. The County Official Plan identifies that a majority of the subject lands, excluding the lands identified as significant woodlands, are identified to contain sand and gravel resources of primary and secondary significance.

As previously mentioned in the public meeting report, an aggregate operation is a permitted use within the Secondary Agricultural Area. New or expanding operations may be permitted, subject to an amendment to the Official Plan. Section 6.6.5 is applicable, and the following will need to be considered:

- a) the impact on adjacent land uses and residents and public health and safety;
  - Planning Comment The applicant has submitted a series of technical assessments, including a Noise Impact Assessment and a Hydrogeological Assessment. Through mitigation and best management practices, the applicant's consultants have concluded that this development proposal is appropriate. It has been further concluded by the Township's consultants and the GRCA that impacts can and will be mitigated, with no

objections to the application remaining. A recommendation for an acoustic audit 6 months from the start of extraction activities was given by the Township's acoustic engineer. Prior to extraction, a door to door survey to update the existing private water supply data for properties within 500 m shall also be complete. Both items are included as notes on the amended ARA Operation Plans as seen in **Attachment 3**.

It is understood that the Township has also commissioned a consultant to prepare a safety audit with respects to the subject proposal. At the time of preparation of this report the findings of the safety audit were not available.

b) the impact on the physical (including natural) environment;

Planning Comment – The proposal seeks to remove a plantation from the subject site and
retain a woodlot that has been identified in the County Official Plan and field verified by
Golder and the Township's Ecologist (GWS Ecological & Forestry Services Inc.). The
proposal is next to an existing operation which is close to completion. The intent is to
utilize the existing haul route, access, and the proposed expansion will maintain the same
hours of operation and annual tonnage.

The applicant's environmental assessment identified habitation for an endangered species (little brown myotis) and the applicant is working through a permitting process with the Ministry of Environment, Conservation and Parks (MECP) to obtain the necessary permits for habitat removal. It is understood that this process through the Province has been supported by a mitigation plan.

Mitigation of impacts to the significant woodlands have been proposed, including a spatial buffer, implementation of sediment controls to limit runoff from entering the forest, and recommendations regarding limiting machinery activity (specifically during the wet periods) to avoid soil compaction.

c) the capabilities for agriculture and other land uses;

• Planning Comment – The subject lands currently contain two dwellings and include a forest plantation. The subject lands are primarily identified as Secondary Agricultural Area with the County Official Plan. The Secondary Agricultural Area policies recognizes that these areas have potential to sustain some agricultural uses. Permitted uses include: all uses within the prime agricultural area, small-scale commercial, industrial and institutional uses, and public service facilities. It is noted that the subject lands are not currently in cultivation, is comprised of three lots ranging in size from 4.4 ha to 5.8 ha, and generally functioned as larger, rural residential lots.

d) the impact on the transportation system;

Planning Comment – The applicant has indicated the intent is to use the internal haul route via the existing Lanci Pit operation, which runs along the westerly boundary. The proponent intends to process material at the northern plant (Aberfoyle South Pit) on the north side of Concession Road 2, therefore the existing access will be utilized. It understood that the applicant is of the opinion that due to the annual tonnage, haul route

and hours of operation will remain the same and that there will be no new impacts. Although no truck access is proposed on Sideroad 25 S, the proposed draft amending bylaw includes a provision providing clarity that truck access is only permitted from Concession 2.

e) existing and potential municipal water supply resources are protected in accordance with Sections 4.9.5 and 4.9.5.9 of this Plan and the applicable Source Protection Plan.

• Planning Comment – Section 4.9.5 and 4.9.5.9 are related to source water protection and mineral aggregate operations. The subject lands are not located within a Wellhead Protection Area for quality and is not in a Highly Vulnerable Aquifer, but has been identified as being located in a Significant Groundwater Recharge Area. The Township's Hydrogeologist has reviewed water balance and cumulative impacts and is satisfied that an increase in infiltration will occur and has concluded that the cumulative impacts will not result in any greater impact if this application is approved. The supporting environmental and hydrogeological studies also recommend best management practices for the storage/handling of fuel, including spill management plans. Source Water Protection staff have expressed no objections to this application.

f) the possible effect on the water table or surface drainage patterns;

Planning Comment – As mentioned above, in item e) water balance and cumulative impacts have been assess by the Township's Hydrogeologist. Further, the applicant has confirmed that a Permit to Take Water is not required. There are no watercourses or waterbodies on the subject lands and the applicant has indicated that runoff generally drains internally to the existing Lanci Pit site and, at times, the neighboring pit to the west. There are no anticipated adverse effects from runoff.

g) the manner in which the operation will be carried out;

• Planning Comment — Extraction is proposed to be completed in a single phase, working in a north to south direction for above the water extraction and moving south to north for below the water extraction. No on-site processing or dewatering is proposed to take place. Extraction of material will be completed using excavators and draglines. The intent is to implement hours of operation of 7 am to 7 pm (daily), which is the same of the existing operation, and utilize the existing entrance at Concession 2. No truck access is proposed on Sideroad 25 S.

Acoustic barriers are proposed to be installed in the second phase of extraction and will be implemented sooner if the vacant lot is built upon in the above-water extraction stage. The ARA Operation Plans also identifies an area for scrap storage and fuel storage, which is near the southern boundary of the existing operation. Any aggregate stockpiling will occur on the pit face and not exceed 15 m in height.

h) the nature of rehabilitation work that is proposed; and

• **Planning Comment** – The proposed rehabilitation of the subject lands is a 5.9 ha pond with tree and shrub planting along the edge of the pond. The rehabilitation plan also

includes an introduction of aquatic habitat. The applicant has identified the long term intent to create one large lake with the abutting, existing pond. The proposal will be rehabilitated to a similar state of the current Lanci Pit operation immediately north; however, more natural woodlands will be retained on this portion of the site. Tree planting approximately 1.3 ha in area is also proposed. The applicant has further indicated that the overburden will be used for progressive rehabilitation or stockpiling for later rehabilitation.

Section 6.6.8 of the Official Plan also sets out items for consideration for rehabilitation for new aggregate operations; however, complete rehabilitation for below the water table extraction is not required subject to criteria in Section 6.6.9. The applicant has identified that there is 3 – 4 million tonnes of material on site and that the sand and gravel deposit is approximately 20 m thick. The subject lands are not designated as Prime Agricultural Area and impacts to the environment have been considered through the submission and review of technical studies. With respects to after uses and land use compatibility, as mentioned above, the intent is to create a pond. It is recognized that other land uses will be limited on the subject lands due to the extraction area, the retained significant woodlands and the proposed pond. However, the applicant has provided conceptual plans to demonstrate the potential for inclusion of building envelopments along Sideroad 25 S. The draft amending zoning by-law also proposes after uses (once extraction has ceased and the license is relinquished) for uses including: single detached dwelling, conservation use, park use. However, it is recognized that development potential for a single family dwelling will be required to be demonstrated prior to a future building permit.

i) the effect on cultural heritage resources and other matters deemed relevant by Council

Planning Comment - The applicant has submitted an Archaeological Assessment (Stage 1 and 2) which have concluded that no archaeological resources were found and no addition archaeological assessment is required. This study has been filed with the Ministry.

With respects to the County's Greenland System, and other water resource specific policies, including the Paris Galt Moraine and the Mill Creek watershed, the potential impacts of this proposal have been adequately assessed and evaluated.

### PROPOSED OFFICIAL PLAN AMENDMENT

The proposed Official Plan Amendment is to identify the subject lands as part of the Mineral Aggregate Area on Schedule A7; include a portion of the lands (excluding the natural feature) within the Mineral Aggregate Resource Overlay (Schedule C); and to redesignate portions of the Greenland System based on updated field verification of the significant woodlands on-site. The County Official Plan allows expansions and new or expanded mineral aggregate operations and extraction below the water table provided policies in Section 6.6.5 and 6.6.9 are met. These policies have been evaluated in the above policy analysis section for the Official Plan.

A copy of the draft Official Plan amendment by-law can be seen in **Attachment 4**. As part of this report, planning staff is seeking Council's endorsement of the County Official Plan amendment.

### PROPOSED TOWNSHIP ZONING BY-LAW AMENDMENT

The subject lands are currently zoned as a site specific Agriculture (A)(sp1) Zone and a portion of the subject lands, specifically 4222 Sideroad 25, is subject to the Township's Environmental Protection Overlay. The site specific zoning allows for a kennel as an additional use.

The applicant has initially proposed to rezone the subject lands to Extractive (EXI) Zone which included the full list of permitted uses and no additional considerations; however, panning staff and the applicant have worked on preparing a revised, proposed amending by-law which can be seen in **Attachment 5**. The intent of the draft amending by-law as follows:

### Site Specific Extraction Zone

- Scale back the location of the Extractive (EXI) Zone to align with where extraction is proposed to
  occur and scope the uses in the EXI Zone to the following: a pit, agricultural use, conservation use,
  pit and wayside pit or quarry; and
- Clarification has been added that a conservation uses in the EXI Zone includes the required tree planting of approximately 1.3 ha as required as part of rehabilitation.

### Site Specific Agricultural Zone

- Add a site specific Agriculture (A) Zone to the lands outside of the extraction area (i.e. along Sideroad 25 S and the southerly boundary of the vacant lot) and establish permissions for uses after extraction. These uses include: a single detached dwelling, accessory apartment, community use, home business, home industry, and a public park.
- The site specific provision clarifies: that the visual/acoustic berms are permitted within this area
  for the duration of the license; that the scoped uses are permitted after extraction, rehabilitation
  has occurred and the license has been surrendered; and that the reduced Agricultural Lot Zone
  regulations shall apply to future dwellings; and
- Identify the haul route access is only permitted on Concession Road 2.

### <u>Site Specific Natural Environment Zone</u>

- Rezone the significant woodlands and the 5 m buffer to the NE Zone; and
- Place the Environmental Protection Averlay over the significant woodlands identified via field verification.

The proposed amendments would seek to align the extraction zone with the extractive area; limit the uses of the aggregate operation to reflect the proposal (i.e. no on-site processing, washing, dewatering); clarify the truck access to align with the proposed haul route; allow for uses to occur on-site along Sideroad 25 S once extraction has ceased, rehabilitation has occurred and the license has been surrendered; and to include added protections for the significant woodlands on-site and the associated buffer. The proposed zoning amendment has been prepared to address the proposed uses and after uses based on comments received from the public and Council.

### **PLANNING OPINION**

The subject application has been through a detailed review since application submission. In support of the application, the applicant has submitted technical studies to evaluate the site and potential impacts of the proposed use. More specifically, a Hydrogeological Assessment has assessed ground water and surface water impacts; the Natural Environment Assessment assessed the features on site and any potential on-site and offsite impacts; and a Noise Impact Assessment has reviewed and proposed mitigation measures to address potential off-site impacts to adjacent sensitive land uses. All commenting

agencies and Township consultants circulated through the *Planning Act* process have confirmed their comments have been satisfactorily addressed and there are no objections to the subject development proposal. It is further noted that the intent is to preserve the significant woodlands on-site and introduce a 5 m wide buffer to protect the feature; obtain the appropriate Provincial approvals for the removal of an endangered species habitat; introduce noise mitigation measures as extraction occurs; and to progressively rehabilitate the subject site into a water feature with aquatic habitat and plantings along the shoreline and on-site (i.e. 1.3 ha of trees).

At this time, Planning staff are seeking Council's endorsement on the County Official Plan amendment as planning staff are satisfied that the use is appropriate and the comments from the public have been considered and have been addressed. Prior to the approval of the amending Zoning By-law, Council may wish the following items to be addressed:

- An update of the ARA site plans to include notes regarding items such as: dust management; revised wording of the alternative acoustic barriers; and confirmation that the Township will receive copies of the updated well survey and acoustic audit; and
- Approval of the Ministry of Environment, Conservation and Parks permit for the removal of habitat of an endangered species.

Council may wish to also consider the conclusions to the safety audit and include these findings within their comments either through a note on the ARA site plans or a recommendation to the Ministry.

Planning staff are of the opinion that the subject development proposal and principle of use is appropriate and represents appropriate development that is consistent and in conformity with Provincial policy and the County of Wellington Official Plan.

Respectfully submitted,

Meagan Fins

County of Wellington Planning and Development Department

Meagan Ferris, RPP MCIP

Manager of Planning and Environment

### **MILL CREEK STEWARDS**

6927, Concession 2 Puslinch, Cambridge. Ontario. N3C 2V4 April 08, 2022

Mr. Aldo Salis
Director of Planning and Development. County of Wellington
74 Woolich Street
Guelph, Ontario. N1H 3T9

Re: Letter of Objection- CBM/St Marys Application for an Amendment to the Official Plan (County of Wellington), Extension to Lanci Pit, Rear Lot 25, Concession 1, Puslinch.

Dear Mr. Salis,

This letter presents objections on behalf of myself and our informal community group, the Mill Creek Stewards. We begin with a general objection followed by eight specific objections, all of which deal with aspects of this proposed Amendment and their negative impact on planning in the County/Township.

The general objection deals with County/Township planning in general, noting this aspect is recognized under the license approval submission, Aggregate Resources Act, Part II, Item 12. (last amended 2021), whose subheadings are used below.

### **Planning**

### 12 (1) (g) any planning or land use considerations

- (i) CBM/ St Marys states in its Planning Report Summary Statement (PRSS) Puslinch Zoning Bylaw, "No new non-agricultural buildings are permitted within 500 m of the property boundary. These setbacks were put in place to ensure compatibility between the retreat centre and the adjacent pits."
- (ii) CBM/St Marys states in its PRSS Aggregate Resources Act, "The rehabilitated landform may provide opportunities for future residential development fronting onto Sideroad 25."
- (iii) CBM/St Marys states in its PRSS Project Description, "There will be a 0 m extraction setback....This provides for a coordinated approach to effective resource management by not unnecessarily sterilizing significant aggregate resources."
- (iv) CBM/St Marys states in its O.P. 5.19.1, "Variations. To allow for 2:1 slope below water to maximize resource extraction."

With respect to (i), these setbacks were not a negotiated compromise on the part of the industry and the rest of the community but dictated by an OMB decision, in response to a plan to marginally expand the conference facilities of the Crieff Hills Christian Retreat Centre. This OMB decision was contrary to Puslinch Township's planning and land use considerations and contrary to long-term, economic rural community development. TCG Materials Ltd. v. Puslinch (Township) 1990 O.M.B.D. No. 910

With respect to (ii), a consultant contracted a decade ago by Puslinch Township to review the main Lanci Pit site plan proposal, noted "Human habitation within these fragmented areas will be significantly reduced in the short-term and this condition will likely persist in the long-term due to the narrow strips of land left for housing and limited ability of the native soils and oligotrophic pit ponds to assimilate sanitary sewage." GWS Ecological & Forestry Services Inc.

With respect to (iii), the same consultant, GWS Ecological & Forestry Services Inc. also stated, "In light of the extensive existing and proposed mining below the water table, this area will eventually become a series of small rectangular lakes, separated by roads and narrow, unattractive ribbons of land. This future landscape will not provide favourable habitat for most wildlife species other than possibly some wildfowl. Current wildlife movement patterns will also likely be affected."

Quite simply (see Appendix A), do we when planning, choose to "sterilize" some non-renewable resources or sterilize rural development of our community including its economy and its environment.

Which brings us to the eight specific objections:

### Planning for the Environment.

### • 12 (1) (a) effect on the environment

In seeking this Amendment, CBM/St Marys states in its PRSS Executive Summary, "it is expected that there will be no negative impacts to the significant natural features and functions on and adjacent to the subject lands." however under PR Natural Heritage Features, Golder more specifically states, "there will be no residual impacts because either the habitat wouldn't be removed or only a limited amount of habitat would be removed relative to what is currently available in the local landscape."

We note the more specific statement because in Appendix B you'll see photographs of "what is currently available in the local landscape" that CBM/ St Marys "interprets" as so capable of mitigating impact. We mostly see more aggregate pits and ponds. It's also worth noting that the lands presently proposed for the extraction amendment, were the mitigating local landscape referred to in CBM/St Marys' main Lanci Pit site plan, presented a decade ago.

The fact is our Puslinch community can't afford the creeping aggregate sprawl, whose site plans continually suggest bordering lands will be the mitigating solution to "effects on the environment", especially when those same lands become the next pits.

If there were any doubts about potential continued sprawl, we note CBM/ St Marys states in its PRSS Growth Plan Policy, "There is no aggregate extraction proposed within the adjacent significant woodlands". They then go on to state under PRSS Land Holdings, "CBM is proposing to license this area in its entirety." and then tucked away under PRSS Water Resources, "Drilling has indicated that the sand and gravel deposit may extend further south (under the woodlands) than the mapping indicates."

Future aggregate sprawl in Puslinch Township, has clearly already been mapped out in aggregate industry boardrooms.

But let's also look at the environmental protection aspect of this proposal. As one example, CBM/St Marys states in its PRSS Proposal, "A 5 m extraction setback is proposed from the drip line of the significant woodland immediately south of the subject lands." In its Operations Plan 1.2.16, CBM also states, "The depth of extraction ranges from....to 24 m in the southeast portion of the site." That's a 72 foot high excavation face composed of unstable soil, the height equivalent of an eight story building." standing immediately next to those significant woodlands with 5 m of protection. It gets worse as CBM goes on in O.S. Variations. 5.19.1. to propose, "a 2:1 slope below water to maximize resource extraction.", a slope that will make the above ground excavation face even more unstable as well as the below water table face. This instability CBM casually notes under its Rehabilitation Site Plan with the statement, "Below water slopes will occur to the natural angle of repose."

This and other adverse impacts on the County/Township's environmental planning are the first reason we object to granting this OP Amendment.

### Planning and Agricultural Resources

 12 (1) (f) any possible effects of the operation of the pit or quarry on agricultural resources

In seeking this Amendment, CBM/St Marys states under its PRSS Agricultural Resources, "The subject lands are not recognized as a prime agricultural area based on both the Province's Agricultural System for the Greater Golden Horseshoe and the County's Official Plan" but does go on to note, "While the subject lands are not located within a prime agricultural area, they would be considered prime agricultural lands based on OMAFRA's mapping." In addition it notes under PRSS Background that, "there are limited agricultural uses in the vicinity of the subject lands."

The requirement for prime agricultural <u>area</u> is strictly a matter of sufficient prime farmland acreage within a given area. It is interesting to note that when seeking license approval for a neighbouring pit as far back as 1989 (the McMillan Pit), the aggregate industry's supporting Agricultural Assessment stated, "the presence of various commercial operations in the area has already weakened the farm community... the farmland community is broken by licensed aggregate pits" Gartner Lee Ltd. 1989.

Clearly over the last four decades, the aggregate industry has "broken" the local farm community in Puslinch and subsequently the agricultural use of local lands, hence any potential for its remaining prime agricultural land to be protected as an "area". The resulting lack of a prime agricultural area classification shouldn't be positioned as a positive factor supporting an Amendment for further destruction of Puslinch farmland.

This and other adverse impacts on the County/Township's agricultural resource planning are the second reason we object to granting this OP Amendment.

### Planning and Water Resources

 12 (1) (e) any possible effects on ground and surface water resources including drinking water

Under the PRSS Executive Summary, CBM/St Marys states, "the proposed extraction will not have adverse effects on the water resources of the area."

However under PRSS Water Resources it states, "Below water extraction will result in the eventual creation of a permanent pond that will flatten water levels in its vicinity. The magnitude of the water level change is estimated to be approximately 0.1 m at the pit pond. Golder concluded it is not expected there will be any adverse impacts to water quantity at surrounding private wells as a result of this minor water level change."

Quite simply, "will not" does not mean the same as "not expected to" or "will flatten water levels in its vicinity". Given the existing extent of aggregate mining, and its effect on water levels (see the most recent CBM Roszell Pit review by Aboud & Associates Inc., April 04, 2022. "In conclusion, our review has determined.... that the project is likely contributing to low water levels in the Roszell wetlands"), the Puslinch community can not afford anymore "not expected to"s.

This and other adverse impacts on the County/Township's water resource planning are the third reason we object to this OP Amendment.

### Planning and Rehabilitation

 12 (1) (d) the suitability of the progressive and final rehabilitation plans for the site.

In seeking this Amendment, CBM/St Marys states in its PRSS Proposal, "the rehabilitated landform will be compatible with the surrounding area.

They then go on to state under PR Surrounding Land Uses that, "The Lanci Pit is located immediately north of the subject lands, while the CBM Puslinch Pit is located to the east... and the Dufferin Mill Creek Pit is located directly west of the subject lands."

What then does "compatible with the surrounding area" mean as it certainly could legally mean compatible with surrounding aggregate pits.

If it means as stated in the PRSS Executive Summary, "an ecologically based rehabilitation plan .... to enhance the natural heritage system.", then we would note a similar statement was included over a decade ago in the site plan approved for the main Lanci Pit. Since the present PRSS Proposal states, "Extraction has primarily been completed on this site (Lanci Pit) and the majority of the site has been rehabilitated to open water with naturalized side-slopes.", we could reasonably expect the main Lanci Pit to already demonstrate CBM/ St Marys' rehabilitation commitment.

We refer you to Appendix C for photographs of that main Lanci Pit illustrating not rehabilitation commitment but rather a significant lack of commitment, i.e. CBM/St Marys' interpretation of "an enhanced natural heritage system".

The fact is our Puslinch community's planning can't afford this interpretation of rehabilitation, let alone more.

This and other examples of adverse "rehabilitation" impacts on the County/ Township's planning are the fourth reason we object to granting this OP Amendment.

### **Planning and County/Township Communities**

### • 12 (1) (b) the effect of the operation of the pit on nearby communities

The Puslinch community in 1989 was presented with a Rehabilitation Plan for the Aberfoyle Pit (now owned by CBM/St Marys), as part of a new pit license application. It stated, "The Aberfoyle site is one of the most successful and certainly the most visited of all the operations. Since rehabilitation is producing a beautiful site, with wooded slopes surrounding a lake, the site is in demand for a variety of recreational uses." and "The property has had an ongoing program of Progressive Rehabilitation for the last 20 years (1969-1989). ....the result is a lake, with side slopes graded, topsoiled, seeded and planted. The working areas of the pit have been integrated with areas that will never be extracted, to produce an attractive and diverse landscape." and "Less than 10% of the property contains remaining reserves... some of these reserves will be left in the ground permanently to allow for

future development. *Purchase of the* Edgington's property will extend the life of the pit by two years at the most. i.e. 1989-2001. As the pit is approaching depletion of resources, TCG has retained consultants to review development plans for the property.... By establishing an appropriate after use now, the Company can plan the final stages of operation to facilitate the development of the property.... The objective is to create a finished property that will have development potential for housing or recreation or industrial use, providing an asset to the community and the Company."

One of the critical considerations when considering effects of aggregate pits on nearby communities, especially planning, has to be duration of pit activity, including all forms of aggregate activity. The above quote from 1989 clearly suggests that the company is seeking a new pit license because the lifespan of the Aberfoyle Pit is no greater than two years. That was thirty years ago and during that period, aggregate activity has not only increased but moved closer to the community of Aberfoyle (just 500 m away).

We refer you to Appendix D for photographs illustrating the aggregate industry's interpretation of pit duration and rehabilitation and the resulting "minimal" social impact with respect to noise, dust and traffic.

The fact is despite some good rehabilitation efforts at this pit, CBM/ St Marys "interpretation" of duration and final rehabilitation of the Aberfoyle Pit, completely negates those efforts and is digging the Aberfoyle community into a massive aggregate hole.

CBM/ St Mary's also casually notes under PRSS Proposal, "the proposed hours of operation for the expansion including extraction and shipping are 7am to 7pm daily" rather than on weekdays, as is standard.

This and other adverse effects of this proposed Amendment on the County/ Township's planning for communities close to aggregate pits, are the fifth reason we object to granting this OP Amendment.

### **Planning and Aggregate Industry Compliance**

 12 (1) (j) the applicant's history of compliance with this Act and the regulations, if a license has previously been issued to the applicant under the license.

In seeking this Amendment, CBM/St Marys states in its PRSS Conclusion, "The operational design of the pit incorporates the recommendations of the technical reports prepared for the application in order that the pit can operate within Provincial guidelines and minimize social and environmental impacts."

We would note that CBM/St Marys in its Neubauer Pit Site Plan from a decade ago stated, "At the present time it is intended that material will be moved from the property for processing at either the McNally Pit to the north or the Mast Pit to the west, via conveyor belt under the existing municipal road."

This conveyor belt to minimize social impact has never materialized and once again CBM/St Marys says it's a matter of interpretation.

We refer you to Appendix E for photographs illustrating yet again, a CBM/St Marys interpretation, in this case CBM/St Marys' interpretation of minimal social impact with respect to community road safety.

The fact is our Puslinch community can't afford this or any of the preceding "interpretations" of CBM/St Marys.

This and other examples of non-compliance impacts on the County/Township's general community planning are the sixth reason we object to granting this OP Amendment.

# Planning and Aggregate Industry Consideration for its Partner Communities

 12 (1) (c) comments provided by the municipality in which the site is located.

Members of municipal Council (Township of Puslinch) have on multiple occasions commented on their opposition to any expansion of "below water table" (BWT) pit acreage. Most recently, the municipality passed a resolution supporting a

moratorium on further aggregate pit licenses in Ontario, pending a complete review of the province's approach to aggregate mining.

Our Puslinch community recognizes the valuable resource role of all of our residents, green-space, businesses, farmers, institutions and wetlands in supporting the broader provincial and federal communities, including our aggregate industry partners. However that support requires that partners within and between communities must play their role fairly to ensure the trust necessary for communities to plan and prosper. At present, the aggregate industry's provincially supported approach to gravel mining has been far from fair. The result has been broad distrust between the aggregate industry and its community.

The adverse impact of this distrust on the County/Township's planning is the seventh reason we object to granting this OP Amendment.

And finally we attach a sample page from CBM/St Marys' Planning Report and Aggregate Resources Act Summary Statement as Appendix F. For your information we have highlighted inconsistencies and vague words and phrases in red. The resulting sadly colourful page illustrates the significant potential for "interpretation" by CBM/ St Marys in the future. These interpretations reflect an equal or greater potential for future damage to the planning of our local community's social and physical infrastructure, and sadly without significant gain for the broader provincial community.

Unfortunately these vague words, inconsistencies and "interpretations" continue with future CBM project proposals. On their company website alongside this Lanci Pit expansion proposal is another project proposal: "CBM aggregate is exploring the opportunity and feasibility of developing a pit at 6947 Concession 2, Puslinch...... This pit... would be an expansion of the Aberfoyle South Pit." We refer you to Appendix B again, this time to judge how it would be possible for a new site (marked with an X) located two kilometres away from the Aberfoyle South Pit, to be considered an expansion rather than a new pit (except that the approval process for expansion is easier). This kind of communication manipulation continues the cascade of distrust, which makes the aggregate industry's role in our community, so much more difficult.

Therefore the adverse impact of this escalating motivation for community distrust, on the future role of CBM/St Marys itself in our the County/Township's planning, is our eighth and final reason for objecting to this OP Amendment.

We respectfully submit that approving this Official Plan Amendment would not be in the interests of the Township or broader County community.

John McNie DVM. MSc. Phd.

6927 Concession 2, RR# 22

Cambridge, Ontario

N3C-2V4

### APPENDIX A



### **APPENDIX B**



### APPENDIX C



### APPENDIX D



### APPENDIX E



### APPENDIX F

### 3.3 Agricultural Resources

The subject lands are not recognized as a prime agricultural area based on both the Province's Agricultural System for the Greater Golden Horseshoe and the County's Official Plan (Figures 6 & 7, respectively). According to soils mapping from OMAFRA, the subject lands contain Class 2 and 3 soils (Burford Loam and Dumfries Sandy Loam) (Figure 8). While the subject lands are not located within a prime agricultural area, they would be considered prime agricultural lands based on OMAFRA's mapping.

There are no existing agricultural uses on the subject lands or adjacent lands. County and Provincial policy do not require that the subject lands be rehabilitated to an agricultural use.

### 3.4 Water Resources

Golder prepared a Hydrogeological Study in accordance with the Aggregate Resources of Ontario Provincial Standards, the Growth Plan and the County's Official Plan. The study characterized the existing hydrogeological, hydrological and related natural environment conditions in the vicinity of the subject lands. Further, it assessed the potential impacts, if any, of the proposed below water extraction on groundwater and groundwater uses, surface water and groundwater dependent receptors within the natural environment.

Terms of reference for the Hydrogeological Study were provided to MNRF, the Township and County through the pre-consultation process.

The northern half of the subject lands is outwash gravel and part of the Spillway physiographic landform. The southern half is defined as Wentworth Till (sandy silt till deposit). The surficial coarse-grained deposits are underlain by till and extend to bedrock based on the mapping. Drilling has indicated that the sand and gravel deposit may extend further south than the mapping indicates.

There are no permanent surface water features on the subject lands, which are determined to be internally drained. Mill Creek is located over 1.5 km north and west of the subject lands with intervening aggregate licences between the creek and subject lands.

Below water extraction will not involve any pumping or active dewatering. According to Golder's Hydrogeological Study, the majority of pore water removed during extraction will eventually return to the aquifer via passive drainage within the stockpiled material.

Below water extraction will result in the eventual creation of a permanent pond that will flatten water levels in its vicinity. The magnitude of the water level change is estimated to be approximately 0.1 m at the pit pond. Golder concluded it is not expected there will be any adverse impacts to water quantity at surrounding private wells as a result of this minor water level change.



KITCHENER WOODBRIDGE LONDON KINGSTON BARRIE BURLINGTON

May 2, 2022

Meagan Ferris
Manager of Planning and Environment
County of Wellington
74 Woolwich Street
Guelph, ON N1H 3T9

Dear Meagan:

RE: CBM Aggregates Lanci Pit Expansion, Township of Puslinch

**Summary of Public & Township Council Comments** 

**OUR FILE Y321V** 

The following provides a summary of comments received up to and at the public meeting on April 13, 2022 for the Lanci Pit Expansion, and CBM Aggregates (CBM) respective responses where appropriate.

As noted, there were no public objections received under the Aggregate Resources Act (ARA).

As part of consultation activities under the ARA, CBM offered to meet with interested members of the public, which resulted in one landowner, Crieff Hills Retreat, availing themselves of this opportunity. In March 2021, CBM met with Crieff Hills and the discussion focussed primarily on proposed setbacks, retaining the significant woodland to act as an additional buffer from their lands, and rehabilitation opportunities. At the conclusion of the meeting, Crieff Hills indicated they were unlikely to object to the application.

Through the Planning Act process, we are aware of two members of the public that provided written and/or oral comments (John McNie and Kathy White). It should be noted that these landowners are approximately 3 km and 5 km, respectively, from the proposed pit expansion. There have been no stated concerns or objections from members of the public that reside closest to the subject lands.

Several comments and questions were also received from members of Township Council at the public meeting. These comments are summarized and responded to within this letter.

### John McNie (6927 Concession 2)

The April 8, 2022 letter from Mr. McNie outlines specific objections, which are listed below with a high-level response provided by CBM thereafter.

### 1. Planning for the Environment

This area of Puslinch contains high quality sand and gravel resources that are located with close access to provincial highways and market areas. They have been recognized in Provincial and County mapping accordingly. The wise use and management of mineral aggregate resources is a matter of Provincial interest, including making these resources available as close to markets as possible.

The 5 m setback from the dripline of the significant woodland was determined in consultation with NDMNRF, GRCA and the Township's ecologist. The side slopes adjacent to the woodland will be planted with deciduous and coniferous trees, totalling approximately 1.3 ha in area. The area of tree planting will extend from near the shoreline of the proposed pond to the edge of the significant woodland.

### 2. Planning and Agricultural Resources

As noted in the application materials, there are no agricultural uses on or adjacent to the subject lands. The site is not designated Prime Agricultural in the County's Official Plan. We do not anticipate any potential adverse impacts on agricultural resources. The proposed application satisfies applicable agricultural policy requirements in the PPS, Growth Plan and County Official Plan.

### 3. Planning and Water Resources

The water resources report was reviewed by the Township's hydrogeologist (Stan Denhoed), GRCA and MECP. There are no outstanding technical concerns. Stan Denhoed concluded: "we are satisfied that the re-zoning of the lands to aggregate extractive will not result in water quality or water quantity issues arising for water well supplies or significant changes in groundwater discharge to Mill Creek".

### 4. Planning and Rehabilitation

The proposed rehabilitation includes the creation of a 6 ha pond, shallow shoreline wetlands, and 1.3 ha of new tree plantings. Further, the plan has been designed to allow for after-use development potential, such as three new houses along Sideroad 25. The Township's ecologist was satisfied with the proposed rehabilitation plan.

### 5. Planning and County/Township Communities

Utilizing the Aberfoyle South Pit for aggregate processing and shipping optimizes the use of existing pit infrastructure that is already established. The processing plant at the Aberfoyle South Pit is well buffered from sensitive uses and is located in close proximity to an existing significant noise source that being Highway 401.

### 6. Planning and Aggregate Industry Compliance

CBM recently met with the Township to discuss the existing truck crossing on Concession 2. CBM is committed to working with the Township to help ensure any of the truck crossings remain safe and in good condition.

### 7. Planning and Aggregate Industry Considerations

This concern speaks to a distrust with the aggregate industry including an "escalating motivation for community distrust". We are hesitant to provide a response to these statements but we would note that CBM has been actively engaged in the review process for this application and has worked diligently to respond to and address any concerns or questions from the community, as well as the technical reviewers. We hope the efforts and discussions at the public meeting help illustrate CBM's commitment to working collaboratively with the Township and County on this application and any future applications.

CBM has always had a positive relationship with their neighbours and the communities in which they operate. They consider themselves to have an 'open door' policy and are happy to discuss any concerns the public may have with their current or future/planned operations.

### Kathy White (4540 Wellington Road 35)

Kathy White provided oral comments at the public meeting. Concerns were expressed regarding "expansion" licensing, significant woodlands, proposed setbacks, removing houses and wellhead protection areas, among others.

In response, we offer the following:

- While the application is considered an "expansion" of the Lanci Pit, it has been prepared in accordance with the new licence application requirements under the Aggregate Resources Act, as well as complete Zoning By-law Amendment and Official Plan Amendment applications to permit the use.
- The significant woodland is included in the application as it is located on a portion of the subject lands. The proposed licensed boundary coincides with the property boundaries. The boundary of the significant woodland has been field verified in consultation with the Township ecologist and is not included in the proposed extraction area. Further, this area is proposed to be designated Greenlands in its entirety and is not included in the Mineral Aggregate Resources Overlay.
- The proposed setbacks adjacent to the vacant lot were agreed to by that landowner. The setback next to the significant woodland was determined in consultation with the Township's ecologist, GRCA and NDMNRF.
- There are currently two houses on the subject lands which would be removed prior to extraction. CBM has developed a plan that would potentially allow for three new houses following pit operations.
- A portion of the subject lands is located within WHPA-Q. There will be no pumping or active dewatering on the site. There will also be no reduction of annual recharge relative to existing conditions. Wellington Source Protection agreed with these findings and has no concerns with the application.

### **Township Council Comments**

We have attempted to summarize the questions and comments from Township Council at the public meeting with our responses provided immediately thereafter:

Will the areas containing the new wooded areas [we assume this refers to the trees that will be planted as part of the rehabilitation efforts] and potential residences be zoned extraction?

- That is what has been proposed. The tree planting areas that will be carried out as part of the rehabilitation of the property will occur on the created side slope of the pit, which is within the extraction area. The potential houses would be located within the 30 m setback, which won't be extracted but will contain berms during the operation of the pit. We believe this could be resolved through the drafting of a mutually satisfactory by-law that accomplishes both objectives.

We have limited ability as Township to control ARA process and site plans. What can we do to incorporate our requests through the municipal planning process?

- CBM is willing work with the Township on an acceptable by-law that helps implement the site plan and provides additional comfort for the Township.

We like the idea of the tree plantings and the after-use concept plan but it is only a plan. The ARA allows these plans to be amended without us having a say. The ARA rules have created the problems. We have concerns with our ability to influence any changes.

- CBM cannot guarantee that a site plan may not need to be amended at some point in the future. However, if there is a hypothetical amendment applied for by CBM to the NDMNRF that constitutes a major deviance from the current plans this would be considered a Major Amendment and the Township would be circulated for comment prior to approval. Under the current ARA regulations, it is unusual from our experience for a major amendment to be approved with unresolved comments/concerns from a municipality. As mentioned at the public meeting, CBM wants to work with the Township to help implement the after-use concept plan that was presented in the presentation.

What about the crossing on Concession 2? Is there a willingness on CBM's part to take responsibility for it and ensure it is appropriately maintained?

- The existing crossing on Concession 2 would be used to access this site as opposed to Sideroad 25. CBM recently met with Township staff to discuss safety measures and road improvements at a nearby pit crossing on Concession 2. CBM is committed to ensuring the same safety and maintenance measures are in place at this crossing.

What is the significance of adding new lands to the mineral aggregate overlay?

- A small area roughly 2 ha in size is proposed to be added to the County's mineral aggregate overlay so that the boundary is consistent with the proposed Mineral Aggregate Area designation. Essentially this would create one line instead of two.

It is refreshing to see this rehabilitation proposal and we hope it comes to fruition. If this is the end use as presented, this could be something the community could get behind.

- CBM is pleased to see such comments and wants to work with the Township and County to help bring this plan to reality.

If you have any questions or require further information, please let us know.

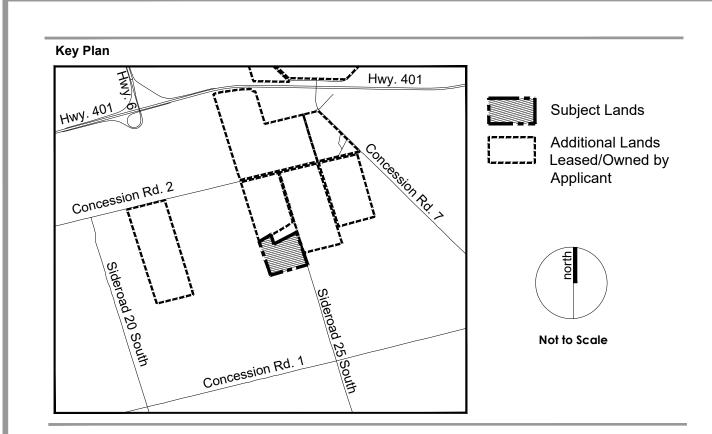
Yours truly,

**MHBC** 

Neal DeRuyter, BES, MCIP, RPP

cc. Lynne Banks, Township of Puslinch David Hanratty / Steve May, CBM Dawson McKenzie, MHBC

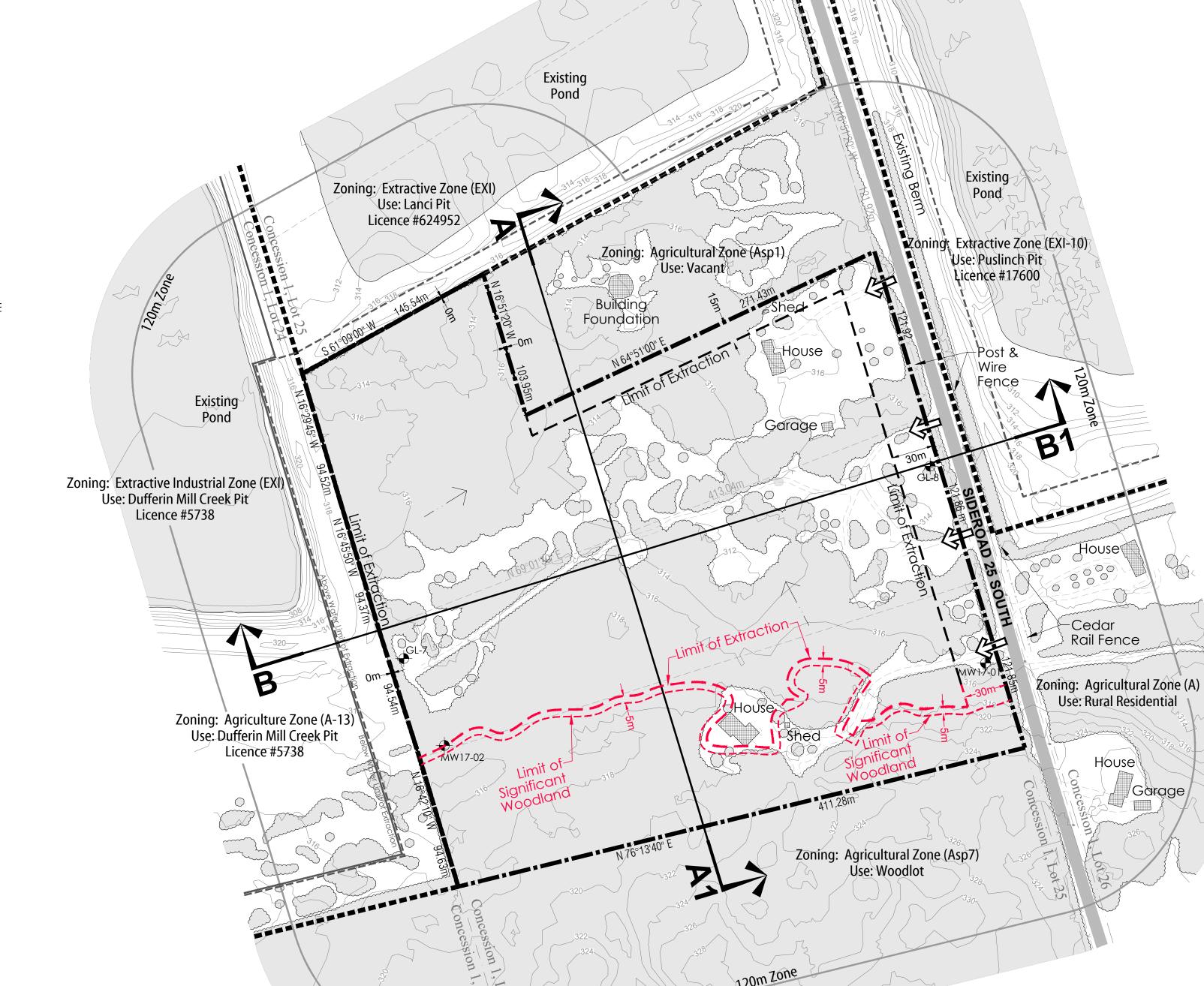
# Attachment 3 - ARA Site Plans (Updated)

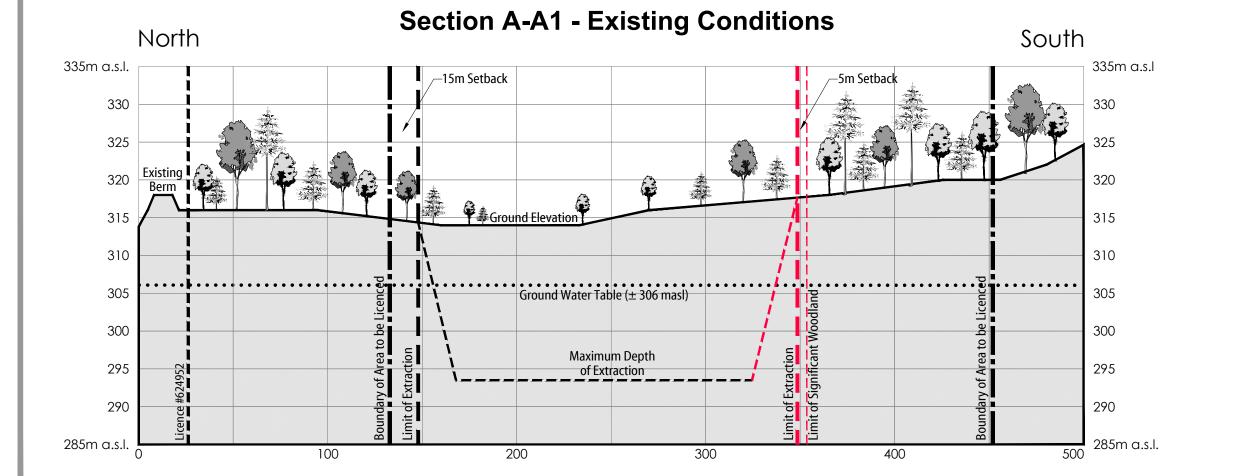


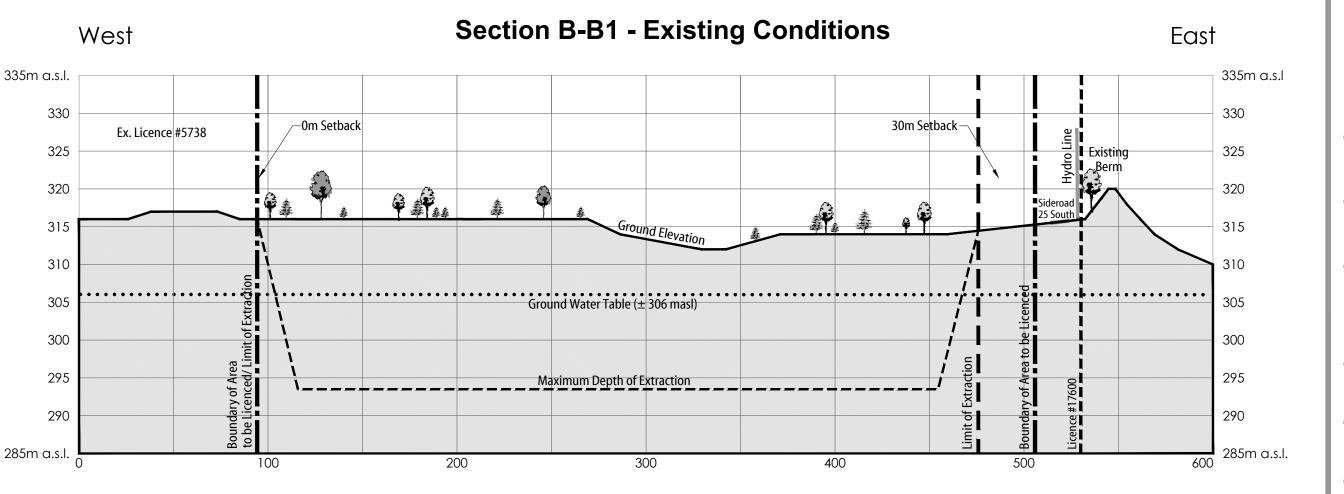
# **Notes**

- 1. THIS SITE PLAN IS PREPARED UNDER THE AGGREGATE RESOURCES ACT CLASS A LICENCE, CATEGORY 1.
- 2. TOPOGRAPHIC INFORMATION BASED ON APRIL 18, 2017 AERIAL IMAGERY AND 2015 SOUTHWESTERN ONTARIO ORTHOIMAGERY PROJECT (SWOOP) DTM. MAPPING IS PRODUCED AT REAL WORLD SCALE AND COORDINATES (UTM ZONE 17, NAD 83 6°). CONTOUR INTERVAL IS 2.0 METRE. ALL ELEVATIONS ARE GEODETIC.
- 3. PROPERTY BOUNDARY INFORMATION OBTAINED FROM REGISTERED SURVEY PLANS PREPARED BY J.D. BARNES LTD. IN APRIL 2005 AND SEVERANCE PLAN PREPARED BY DELPH & JENKINS NORTH LTD. (REGISTERED REFERENCE PLAN-2019)
- 4. ZONING INFORMATION OBTAINED FROM SCHEDULE 'A' TOWNSHIP OF PUSLINCH ZONING BY-LAW NO. 23/2018- APRIL, JANUARY 2020
- 5. THE ELEVATION OF THE EXISTING GROUNDWATER TABLE VARIES FROM 305.8 TO 306.6 masl.
- 6. LAND USE INFORMATION COMPILED FROM APRIL 18, 2017 ORTHO PHOTO AND SITE VISIT IN 2019.
- 7. AREA TO BE LICENCED
- ± 14.8 ha. (± 36.6 ac.)
- AREA TO BE EXTRACTED ± 10.1 ha. (± 25.0 ac.)

8. ALL MEASUREMENTS SHOWN ON THIS PLAN ARE IN METRES.







House

0000

-Cedar Rail Fence

Use: Rural Residential

House (

Garage

**Legal Description** 

PART OF LOT 25 **CONCESSION 1** TOWNSHIP OF PUSLINCH

**COUNTY OF WELLINGTON** 

Legend

Boundary of Area to be Licenced L.... Limit of Extraction

ALL SETBACKS DRAWN TO SCALE
AND SHOW LABELED DISTANCES

**Existing Fence** 1.2m POST & WIRE FARM FENCE UNLESS OTHERWISE NOTED

Public Road (Unpaved) Private Laneway/

Roadway Field Access

Hydro Pole/Line

Building/Structure LOCATION AND USE FOR BUILDINGS ON-SITE AND WITHIN 120m ARE SHOWN ON THIS PAGE

Monitoring Well **+** GOLDER ASSOCIATES

**Existing Licenced Boundary** LICENCES #17600, 5738 and 624952 \*====#

**Existing Limit of Extraction** LICENCES #17600, 5738 and 624952

Elevation, Contour METRES ABOVE SEA LEVEL (m A.S.L.)

**Existing Vegetation** 

Limit of Significant Woodland

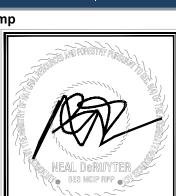
Direction of Surface Drainage (IF ANY)

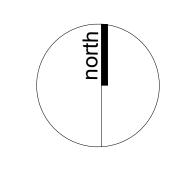
**Cross Sections** SEE PAGE 1 OF 3 FOR
EXISTING CROSS SECTIONS
AND PAGE 3 OF 3 FOR
REHABILITATED CROSS SECTIONS

Site Plan Amendments Description



MNRF Approval Stamp







St. Marys Cement Inc. (Canada) 55 Industrial St. Toronto, Ontario M4G 3W9 Tel: (416) 423-1300

**Applicant's Signature** 



**Y321V** 

# **Lanci Pit Expansion**

MNRF Licence Reference No. Revised for re-submission to MNRF- Jan. 5, 2020 Plan Scale 1:2,000 (Arch D) 1:2 [1mm = 2 units] MODEL Drawn By

**EXISTING FEATURES PLAN** 

Drawing No.

1 OF 3

K:\Y321V-CBM-Lanci Pit Extension\A\Exfeplan\_1of3\_Jan5\_2020.dwg

NUMBERING SCHEME USED FOR OPERATIONAL NOTES REFERS TO AGGREGATE RESOURCES ACT PROVINCIAL STANDARDS FOR A CLASS "A" CATEGORY 1

Sequence and Direction 1.2.1 This plan depicts a schematic operations sequence for this property based on the best information available at the time of preparation. Any major deviations from the operations sequence shown will require approval from MNRF. Extraction shall follow the sequence shown. Above water extraction will occur in a north to south direction, followed by below water extraction in a south to north direction. Notwithstanding the extraction and rehabilitation process above, demand for certain products or blending of materials may require some deviation in the extraction and rehabilitation areas, and when rehabilitation of an area is possible from an operational perspective, it shall be carried out.

Topsoil and Overburden Stripping and Stockpiling .2.2 Topsoil and overburden shall be stripped and stored separately in berms or stockpiles. Berms and stockpiles of topsoil shall be graded to stable slopes and seeded with a grass/legume mixture to prevent erosion and minimize dust.

1.2.3 Extraction will be completed in a single above water extraction lift with front end loaders and/or excavators, followed by below water extraction with a dragline in accordance with Ministry of Labour requirements. The maximum lift height will be 10 m.

### Main Internal Haul Roads

1.2.4 All traffic for operations will enter and exit the site from Concession Road 2 through the existing Lanci Pit (Licence #624952) as shown on the Sequence of Operations Diagram. Locations of internal haul routes may vary depending on face locations and extent of rehabilitation/backfilling.

1.2.5 The operational entrance/exit will be accessed through the existing Lanci Pit (Licence #624952) as shown on the Sequence of Operations Diagram and will not be gated (see variations from operational standards Table 5.2, this page).

1.2.6 The elevation of the established water table varies from 305.8 to 306.6 masl (Golder Associates, 2020).

### Surface Water Diversion/Discharge Points

.2.7 There are no existing surface water features within the proposed extraction area and no discharges to or diversions of surface water features are proposed.

1.2.8 Boundaries of the Licenced area that are presently fenced are shown on drawing 1 of 3, Existing Features Plan. Prior to any stripping or preparation, fencing on the Licenced boundaries will be upgraded and installed with 1.2m high post & wire fence or as otherwise required by the Aggregate Resources Act.

Protective snow fencing will be installed along the 5m setback from the dripline of the significant woodland. This protective fencing must be maintained in a functional condition until the commencement of rehabilitation work at which time it should be dismantled. If aradients indicate there is potential for run-off to enter the significant woodland. silt fencing shall be installed (see Note 1.2.27 Natural Environment).

### Proposed Buildings and Structures 1.2.9 None.

### Topsoil and Overburden Stockpiles

.2.10 Overburden and topsoil not required for immediate use in berm construction or progressive rehabilitation may be temporarily stockpiled throughout the extraction area. Any stockpile to be stored longer than year will be vegetated to control erosion.

<u>Aggregate Stockpiles</u>
1.2.11 Aggregate stockpiles will be located close to the pit face and will not exceed 15m in height.

Temporary Scrap Storage
1.2.12 All scrap, used machinery and stumps generated through the operations within this licence will be stored where indicated on the Sequence of Operations and be disposed of on an ongoing basis. Trees to be removed within the extraction area will be utilized for firewood or their best use. Stumps, logs and oversize rock may remain on site for future progressive rehabilitation. Upon completion of excavation, all scrap and used machinery shall be removed.

Fuel Storage
1.2.13 Fuel trucks are used as the primary method for onsite refueling of equipment within the pit in accordance with the "Prescribed Conditions" that apply to all Category 1 licences. All fuel storage and associated products are stored in above around tanks or containers and in compliance with the Technical Standards and Safety Act, 2000, Liquid Fuels Regulation O.Reg.217/01 and Liquid Fuels Handling Code, 2000.

1.2.14 The area to be extracted is  $\pm 10.1$  ha. ( $\pm 25.0$  ac).

.2.15 Setbacks will be as shown and labelled on the Sequence of Operations Diagram on this page and page 1 of 3 (see Variations from Operational Standards Table O.S. 5.10.1).

1.2.16 The proposed maximum depth of extraction is indicated by the proposed spot elevations on the Sequence of Operations Diagram, this page. The depth of extraction ranges from approximately 18m in the central portion of the site to 24m in the southeast portion of the site.

# 1.2.17 No processing on site.

 $\overline{1.2.18}$  Refer to Sequence of Operations Diagram or "Typical Berm Detail", this page. Berms may be higher than shown on this plan and may be constructed in advance of when they are required. Overburden may be stored in separate berms throughout the extraction area.

1.2.19 All proposed berms will be constructed in accordance with the "Typical Berm Detail", this page, and will be vegetated and maintained to control erosion. Temporary erosion control will be implemented as required.

### Equipment 1.2.20 The equipment used on site may include: loaders, excavators, dragline, bulldozer and haul trucks.

<u>Tree Screens</u>
1.2.21 No tree screens are proposed for this site.

1.2.22 The hours of operation will be 7:00 am to 7:00 pm daily. Activities used to prepare the site for excavation, such as the stripping of topsoil, the construction of berms, or activities related to the remediation of the site after the extraction is completed are considered to be construction activities and are only permitted to occur during the daytime (i.e. 0700 to 1900 hours) Monday to Friday except statutory holidays.

Tree and Stump Disposal 1.2.23 Timber resources will be salvaged for use as saw logs, fence posts and fuel wood where appropriate. Stumps and brush cleared during site preparation may remain on site for future progressive rehabilitation.

1.2.24 Location of cross sections are as shown. Cross sections are provided on Existing Features Plan page 1 of 3 and Rehabilitation Plan page 3 of 3.

# Variations from Operational Standards

# 1.2.25 See table this page for Operational Standards (Section 5.0 of ARA Provincial Standards) that will be varied by this site plan.

Tonnage Limit

1.2.26 The maximum number of tonnes of aggregate to be removed from the site in any calendar year is 1,000,000 tonnes, unless licence 624952 has removed aggregate in the same calendar year. Where aggregate has been removed from licence 624952 in the same calendar year as material has been removed from this licence, the total maximum number of tonnes of aggregate to be removed from the two sites combined is 1,000,000.

# 1.2.27 Technical Recommendations

Noise: "Noise Impact Assessment CBM Aggregates, a division of St. Marys Cement Inc. (Canada) Proposed Lanci Pit Expansion, Golder Associates, April 2020" and "Responses to Noise Peer Review, December 2021 & February 2022"

- Equipment will be operated as intended by manufacturer specifications.
- Equipment will be serviced and generally kept in good working condition. • Equipment will be fitted with manufacturer specified and properly functioning noise control devices
- On-site roadways shall be maintained to limit noise resulting from trucks driving over ruts and pot-holes • Alternative to narrow band back up alarms will be investigated and used at the site, on licensee's
- equipment, provided they are found to meet the licensee's safety requirements. Prior to operations commencing, sound measurements of the equipment to be used
- on site, will be undertaken to confirm the maximum emission levels provided in Table 1 are not exceeded.
- Operating equipment must operate within 30 m of the extraction face and be located on the above water pit floor following initial operations.
- To confirm that sound levels from the pit operations are in compliance with the MECP sound level limits, an acoustic audit will be completed within 6 months of the start of extraction activities on the site.

The barriers shall be installed based on the following requirements and as shown on the Sequence of Operations:

### **Above Water Extraction**

1. If a residence is constructed and occupied on vacant lot POR005 prior to extraction taking place, a 3.5m high acoustic barrier shall be constructed along the southern boundary of POR005.

### **Below Water Extraction**

1. If a residence is constructed and occupied on vacant lot POR005 prior to extraction taking place, a 3.5m and a 5.5m high acoustic barrier shall be constructed along the western and southern boundaries of POR005, respectfully.

2. Prior to below water extraction occurring in the area identified on the Sequence of Operations, construct a 5.5m high acoustic barrier adjacent to the southeast corner of the extraction area.

• If a residence is constructed and occupied on vacant lot POR005, extraction must not occur within the areas where the noise study indicates requirement for a sound barrier until such barrier is constructed. Acoustic barriers can be constructed as earth berms, or other suitable

acoustic barriers such as trailers or containers as long as the height and

density requirements are met. Acoustic barriers may be substituted through equipment modification, other control measures and/or local barriers if an updated noise report indicates MECP sound level limits in NPC-300 (as amended from time to time)

### Table 1 - Sound Emission Limits for Pit Equipment

can be met prior to their implementation.

Source ID	Source Description	Number of Equipment	Overall Sound Power Level (dBA) <sup>1</sup>
SP01	Dragline	1	112
SLO1	Haul Truck	1	100
SIO1 / SLO2 <sup>2</sup>	Loader - Material Excavating/ Loading	2	107

Values presented in the table above do not include adjustments that were considered in the modelling (i.e., time weighting) <sup>2</sup> Average sound power level representing various loader activities.

Hydrogeological Level 1 and 2 Assessment, Proposed Lanci Pit Expansion, Golder Associates, April 2020" and Response to MECP Comments,

1. Groundwater monitoring shall continue through Operations to confirm conclusions of the impact assessment. This monitoring shall be incorporated into the existing monitoring program that is on-going for the current Lanci Pit operation.

2. CBM's BMP for fuel handling shall be followed while any refuelling of equipment is occurring on site.

3. Prior to the commencement of extraction operations, a door to door survey to update the existing private water supply wells/receptors within 500m of the Site shall be completed.

Natural Environment: "Natural Environment Level 1/2 Report, Proposed Lanci Pit Expansion, Golder Associates, April 2020"

1. To comply with the MBCA, avoid removal of vegetation during the active season for breeding birds (April 15- August 15), unless construction disturbance is preceded by a nesting survey conducted by a qualified biologist. If any active nests are found during the nesting survey, a buffer shall be installed around the nest to protect against disturbance. Vegetation within the protection buffer cannot be removed until the young have fledged the nest.

2. Consult with the MECP on permitting requirements for removal of habitat for eastern small-footed myotis. Additional conditions related to mitigation or monitoring may be stipulated as part of a permit under the ESA or MECP approval.

3. A 5m setback from the dripline of the significant woodland shall be established, reflecting the extraction area as presented on the Operations Plan. This setback shall be demarcated clearly in the field prior to commencement of operations. The boundary of the significant woodland and associated dripline may be reviewed in the future in conjunction with additional fieldwork.

Associates Ltd., November 2, 2018"

1. The Stage 2 assessment resulted in the recovery of zero

across the study area and the lack of identified artifacts

during the test pit survey, the information potential and

undocumented archaeological resources be discovered,

sites and therefore subject to Section 48(1) of the Ontario

archaeological resources must cease alteration of the site

compliance with Section 48(1) of the Ontario Heritage Act.

2. The Funeral, Burial and Cremation Services Act, 2002, S.O.

2002, c.33, requires that any person discovering or having

knowledge of a burial site shall immediately notify the police

Heritage Act. The proponent or person discovering the

archaeologist to carry out archaeological fieldwork, in

immediately and engage a Licenced consultant

or coroner. It is recommended that the Reaistrar of

immediately notified.

Cemeteries at the Ministry of Consumer Services is also

be low. No further archaeological assessment is

recommended for the study area. Should previously

artifacts. Given the occurrence of some disturbance activity

cultural heritage value of the study area was determined to

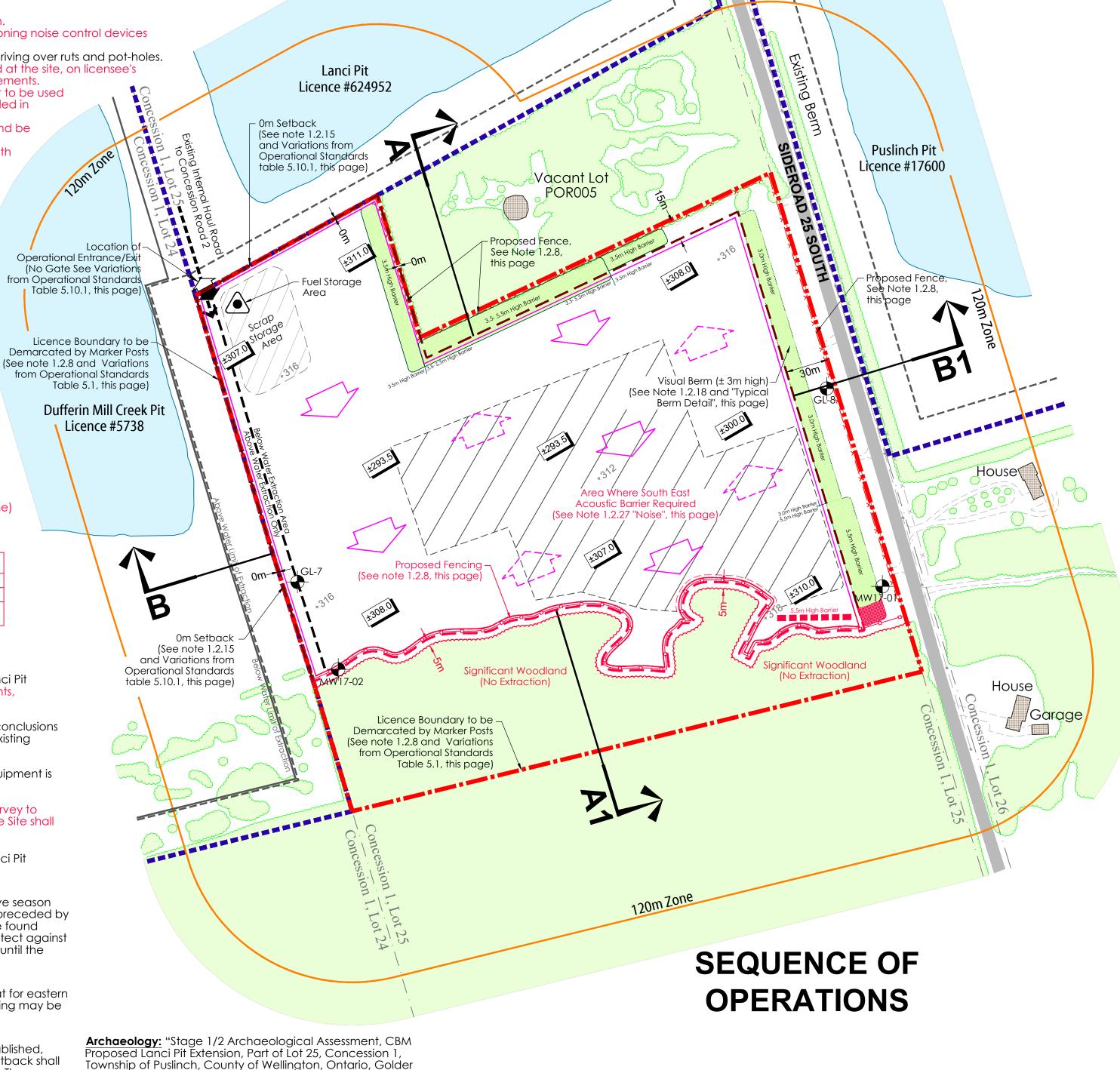
they may be representative of a new archaeological site or

4. If gradients indicate there is potential for runoff to enter the significant woodland, implementation of sediment and erosion controls shall occur prior to commencement of operations to prevent the runoff of suspended solids into the woodland, and prevent encroachment into the woodland during vegetation clearing in the setback area. In particular, in areas where potential runoff exists, in addition to the demarcation of the dripline, silt fencing (or similar) shall be installed along the dripline of the significant woodland in those areas prior to commencement of activities on the site, including site preparation and vegetation clearing.

5. Where installed, silt fencing shall be maintained for the duration of the operations phase adjacent to the woodland and shall include regular inspections for signs of damage or deterioration.

6. Following rehabilitation of the southern portion of the site, any silt fencing or other erosion/sediment controls that had been installed, shall be removed from the site.

7. To avoid compacting the soil in the setback area (which can negatively impact tree roots) the use of heavy machinery shall be minimized, particularly during wet periods (e.g., spring) when soil may already be saturated.



VARIATIONS FROM OPERATIONAL STANDARDS

VARIATION

southern limits of the boundary of area to be Licenced, or

other common boundaries with adjacent pit licences. The

boundary will be demarcated by marker posts in sufficient

numbers to adequately delineate the location of the top

of bank where it does not clearly define itself and/or the

boundary of the site with each post visible from the next.

No gate(s) will be required at the internal access point(s)

Om excavation area setback along common boundary

with existing pit #624952 and existing pit #5738. 0m and

along the common boundary between this site and

15m setbacks along Gots property (POR005) per

To allow for 2:1 slopes below water to maximize

Licence #624952.

resource extraction.

agreement with landowner.

Fencing will not be required along the western and

-15.0-30.0m-

THE BERM AD IACENT TO SIDEROAD 25 SOUTH

OTHER SIDE SLOPES WILL BE 1.5:1

WILL BE GRADED TO A 2:1 SIDE SLOPE. ALL

Typical Berm Detail

BERMS WILL BE VEGETATED AND MAINTAINED TO CONTROL EROSION.

TEMPORARY EROSION CONTROL WILL BE IMPLEMENTED AS REQUIRED

**Legal Description** 

PART OF LOT 25 **CONCESSION 1** TOWNSHIP OF PUSLINCH

**COUNTY OF WELLINGTON** 

## Legend

Boundary of Area to be Licenced

Limit of Extraction ALL SETBACKS DRAWN TO SCALE AND SHOW LABELED DISTANCES

\_\_\_\_\_ General Direction

LICENCES #17600, 5738 and 624952 **Existing Spot Elevation** 

LICENCES #17600, 5738 and 624952

Existing Licenced Boundary

Existing Limit of Extraction

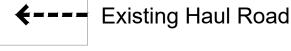


REFER TO NOTES (THIS PAGE) FOR

Proposed Spot Elevation MAXIMUM DEPTH OF EXTRACTION

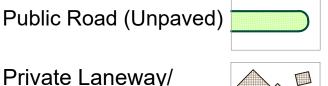
Existing Vegetation

METRES ABOVE SEA LEVEL (m A.S.L.)



Roadway

ADDITIONAL DETAILS



Building/Structure LOCATION AND USE FOR BUILDINGS

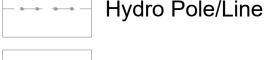
**Proposed Barrier** 



Monitoring Well

GOLDER ASSOCIATES

Existing Fence 1.2m POST & WIRE FARM FENCE UNLESS OTHERWISE NOTED Proposed Fence



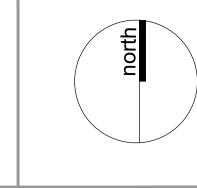


**Cross Sections** SEE PAGE 1 OF 3 FOR



**MNRF Approval Stamp** 







St. Marys Cement Inc. (Canada) 55 Industrial St. Toronto. Ontario M4G 3W9 Tel: (416) 423-1300

**Applicant's Signature** 



# Project **Lanci Pit Expansion**

Plan Scale 1:2,000 (Arch D)

MNRF Licence Reference No.

Revised for re-submission to MNRF- Jan. 5, 2021 Submission to MNRF- May 2020 1:2 [1mm = 2 units] MODEL Drawn By **Y321V** Checked By

Pre-approval review:

File Name **OPERATIONS PLAN** 

Drawing No. 2 OF 3

K:\Y321V-CBM-Lanci Pit Extension\A\Operations 2of3 Jan5 2021.dwg

### NUMBERING SCHEME USED FOR REHABILITATION NOTES REFERS TO AGGREGATE RESOURCES ACT PROVINCIAL STANDARDS FOR A CLASS "A" CATEGORY 1 LICENCE APPLICATION.

Sequence and Direction

1.3.1 Rehabilitation will be progressive following the direction of extraction and proceed to limits of extraction as outlined on the Sequence of Operations diagram located on Page 2 of 3. Minor deviations/variations in operational/rehabilitation sequence will be permitted in order to adjust for any variable resource and market conditions. Sufficient working and travel areas will remain active.

Topsoil and Overburden

1.3.2 Topsoil will be used in the progressive rehabilitation of the pit side slope areas. Topsoil and subsoil will be stripped, stored, and re-applied separately. Areas of compacted soils will be ripped to alleviate compaction without mixing soil layers. Soils (topsoil and subsoil) will be replaced at variable depths (minimum 150mm-300mm) on backfilled and/or side slope areas. Overburden and/or imported material will be used to backfill pit faces to a 3:1 slope or gentler.

Proposed Vegetation 1.3.3 & 1.4.3 The proposed rehabilitation includes an opportunity to enhance the biological diversity of the local landscape. Shallow shoreline planting zones will include, but are not limited to non-invasive species such as red-osier dogwood, slender willow and herbaceous plants such as water plantain, lake sedge, swamp milkweed, soft stem bulrush and common cattail; and other native wetland plants that are suited to the site conditions and present in the local area. The shallow shoreline areas will include nodal shrub plantings near the shore, woody debris and boulders, etc. to provide waterfowl and reptile basking, bird perching, and waterfowl nesting locations; and will incorporate a combination of fine sand and coarse stone pond bottom (see Shallow Shoreline Detail this page). All ground covers on side slopes will be maintained and replaced should it fail to establish itself to control erosion. Trees and shrubs will be maintained in a healthy vigorous growing condition. Planting is also proposed within the setback and in side slope areas. Planting will include a variety of deciduous (<30% mix) and coniferous species (>70% mix) common to the local landscape as outlined

1. White cedar, white spruce, sugar maple, red maple, paper birch and basswood along the setback to the significant woodland and on the north-facing slope.

2. White pine, white cedar, Norway spruce, European larch & trembling aspen, balsam poplar, black cherry, red oak and bur oak on the west-facing slope.

Shrubs such as serviceberry, nannyberry, ninebark, dogwoods, highbush cranberry, elderberry, choke cherry, choke berry, willows and others may be used to add diversity and increase pollinator/wildlife diversity especially in the transition between wetland and upland areas, but will not contribute to the tree density calculation.

To meet requirements for woodland classification, 1,600 seedlings per ha will be planted in the planting areas identified on the Rehabilitation Plan. Planting would be at approximately 2.5 m spacing. A survival target rate of at least 75% will apply after 2 years of planting (1,200 trees / ha). Infill planting will be completed if the survival target rate is not exceeded after

The coniferous seedlings will generally be 2+ year plugs. Deciduous seedlings/saplings will be a minimum of 30 cm in height and ideally 50-90 cm. Guarding of deciduous trees vulnerable to rodent damage and mulching with either coco discs or wood chips will be implemented.

Approximately 1.3 ha of the site will be planted with coniferous and deciduous trees. The planting of shrubs will not contribute to the tree density requirement.

species if they establish within the 5 m southern boundary setback as well as 10 m south of the dripline of the significant woodland. The intent is to minimize the future spread of invasive species to the interior of the adjacent significant woodland. The intent will be to complete the treatment of cutting and application of herbicide twice- once early in the operation and once

Slope Creation & Rehabilitated Landform 1.3.4 & 1.4.2 Final pit landform will generally be in accordance with the drawing as shown on this page. Rough grading to create a stable side slope shall be carried out progressively as extraction proceeds across the site to minimize the final grading work to be undertaken following the completion of resource extraction. Final side slopes will be graded 3:1 or gentler and seeded with a grass/legume and wildflower mixture consisting of non-invasive species to ensure stability.

The wildflower mix will include native species such as Wild Bergamot (Monarda), Brown Eyed Susans (Rudbeckia), various asters (Symphotrichum spp.), Butterfly & swamp Milkweed (Asclepias spp), Evening primrose (Oenothera biennis) and other appropriate native species. Side slopes above water table will be established using a combination of backfill and/or cut and fill methods using on-site overburden, aggregate material, and/or imported materials. Side slopes will be irregular with an average top to bottom grade not steeper than 3:1. Below water extraction and shoreline formation by dragline around perimeter edge of pond directly abutting rehabilitated side slopes will be excavated in a manner that will result in the retention of a 5m wide bench along the shoreline above water. This bench allows for equipment manoeuvering and helps ensure the above-water slope remains stable. Below water slopes will occur to the natural angle of repose except where site specific grading to establish shallow shoreline areas occurs. The total area of the final lake may be smaller than as shown on the drawing if gentler side

slopes are created.

1.3.5 Progressive rehabilitation shall follow the Sequence of Operations diagram/ notes on page 2 of 3 and as described in

Importation of Fill

1. Clean inert fill may be imported to facilitate the establishment of minimum 3:1 (horizontal:vertical) slopes or greater slopes on the pit faces. The licensee must ensure that the material is tested at the source, before it is deposited on-site, to ensure that the material meets the Ministry of the Environment, Conservation and Parks(MECP) criteria under Table 1 of MECP's Soils, Ground Water and Sediment Standards for use under Part XV.1 of the Environmental Protection Act. Sampling results will be provided to MNRF upon request.

2. Notwithstanding Condition 1, where the imported material is not being placed within 1.5 metres of the surface, the criteria under Table 1 for sodium adsorption ratio and electrical conductivity do not have to be met.

Buildings & Structures

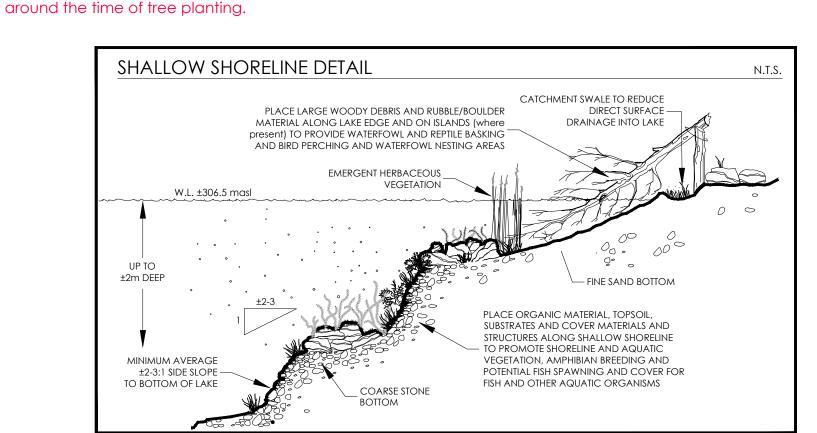
1.4.4 No buildings or structures associated with aggregate operations will remain on site.

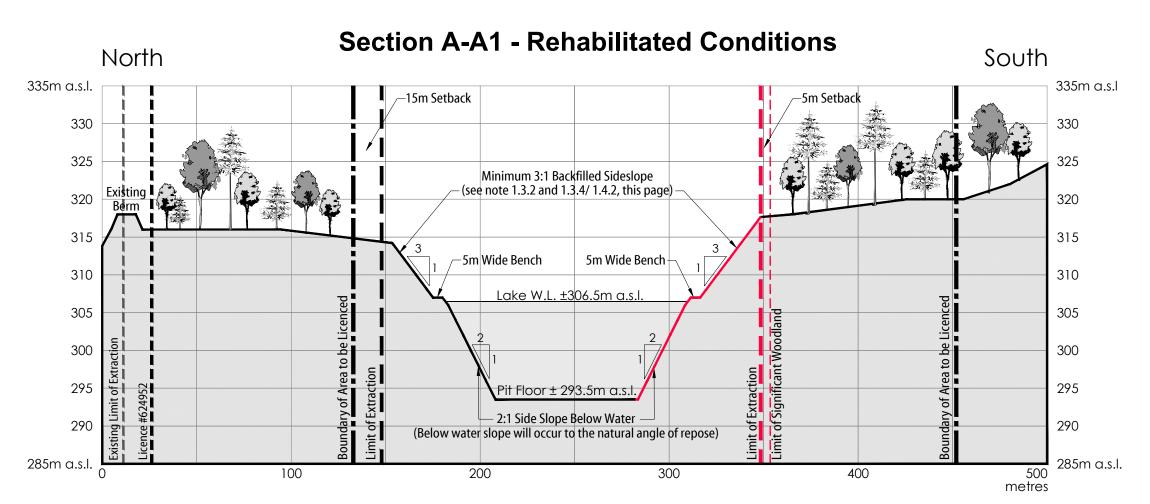
1.4.5 The post extraction water level of the proposed Lake is ± 306.5 masl as shown on the Rehabilitation plan and Cross-Sections.

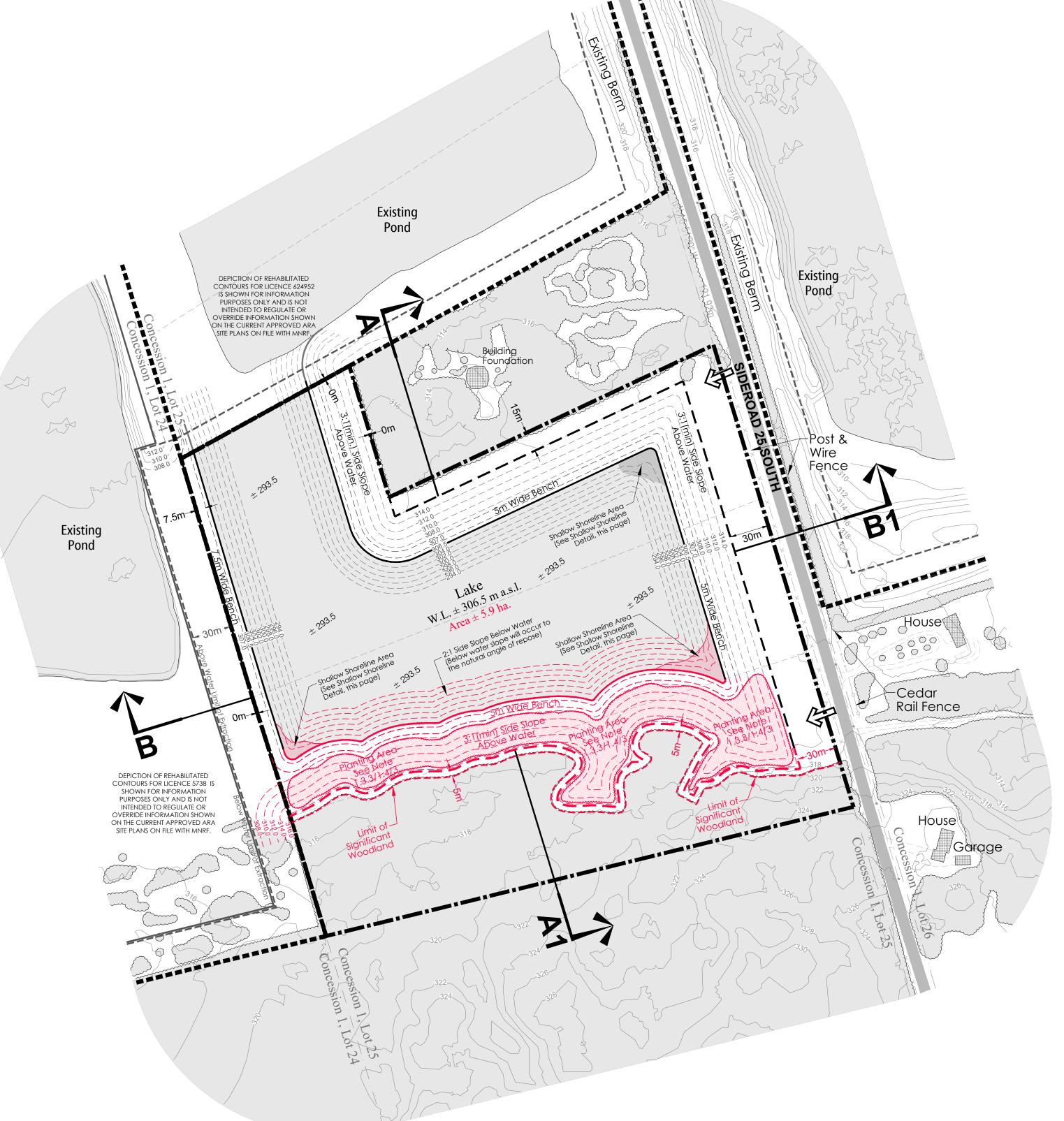
post-extraction pond.

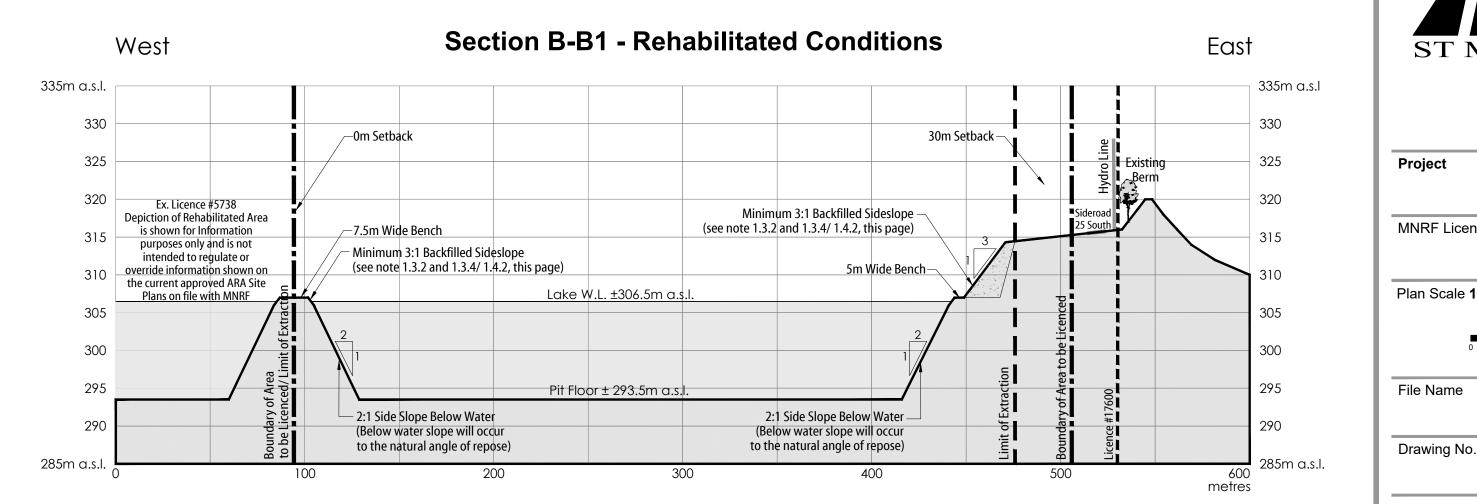
1.4.6 There will be no roads remaining on site.

Surface Water Drainage & Discharge 1.4.7 Final surface drainage will follow the rehabilitated contours as shown and generally be directed towards the









**Legal Description** 

PART OF LOT 25 **CONCESSION 1** TOWNSHIP OF PUSLINCH COUNTY OF WELLINGTON

Legend

Boundary of Area to be Licenced **!-** . **---** . **--**Limit of Extraction ALL SETBACKS DRAWN TO SCALE

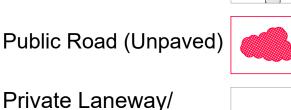
AND SHOW LABELED DISTANCES

**Existing Limit of Extraction** LICENCES #17600, 5738 and 624952

ICENCES #17600, 5738 and 624952

Existing Licenced Boundary

Existing Fence 1.2m POST & WIRE FARM FENCE UNLESS OTHERWISE NOTED



Proposed Vegetation PLANTING AREA SEE NOTE 1.3.3/1.4.3

Existing Vegetation

Roadway



**Proposed Shoreline** 

Limit of Significant

Proposed Lake

Wetland Area





Field Access



**Cross Sections** REHABILITATED CROSS SECTIONS



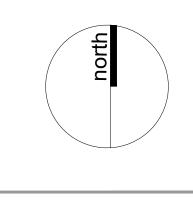
Elevation, Contour METRES ABOVE SEA LEVEL (m A.S.L.)





**MNRF Approval Stamp** 







St. Marys Cement Inc. (Canada) 55 Industrial St. Toronto, Ontario M4G 3W9 Tel: (416) 423-1300



St. Marys Cement Inc. (Canada) **Lanci Pit Expansion** 

MNRF Licence Reference No. Revised for re-submission to MNRF- Jan. 5, 2021 Submission to MNRF- May 2020 Plan Scale 1:2,000 (Arch D) 1:2 [1mm = 2 units] MODE Drawn By **Y321V** File Name

**REHABILITATION PLAN** 

3 OF 3

C:\Users\gcurnow\Desktop\Redline\_Rehab\_3of3\_Jan5\_2020.dwg

# AMENDMENT NUMBER \_\_\_\_\_ TO THE OFFICIAL PLAN FOR THE COUNTY OF WELLINGTON

Applicant: CBM Aggregates, a Division of St. Marys Cement Inc. (Canada)Proposed Lanci Pit Expansion

Part Lot 25, Concession 1 Township of Puslinch

County File No. OP-2020 - 04

<b>AMENDMENT</b>	NUMBER
------------------	--------

# TO THE COUNTY OF WELLINGTON OFFICIAL PLAN

### **INDEX**

### PART A- THE PREAMBLE

The Preamble provides an explanation of the proposed amendment including thepurpose, location and background information, but does not form part of this amendment.

### **PART B - THE AMENDMENT**

The Amendment describes the changes and/or modifications to the Wellington CountyOfficial Plan which constitute Official Plan Amendment Number \_\_\_\_\_

### **PART C- THE APPENDICES**

The Appendices, if included herein, provide information related to the Amendment, butdo not constitute part of the Amendment.

### PART A - THE PREAMBLE

### **PURPOSE**

The purpose of this proposed Amendment is to:

- Amend Schedule A7 of the Official Plan (the land use schedule for the Township of Puslinch) to allow for expansion of an aggregate extraction operation by adding the Mineral Aggregate Area overlay to the expansion lands with the exception of a portion of the Greenlands designation to be retained.
- 2. Amend Schedule A7 of the Official Plan to remove a portion of the Greenlands designation from the proposed extraction area and replace it with the Secondary Agricultural designation. Conversely, remove a portion of the Secondary Agricultural designation from outside of the proposed extraction area and replace it with the Greenlands designation.
- 3. Amend Schedule C of the Official Plan (Mineral Aggregate Resource Overlay) to addmissing portions of the proposed extraction area to the Sand and Gravel Resources of Primary and Secondary Significance boundary.

These amendments represent map changes only.

### LOCATION

The subject lands are located immediately south of the existing CBM Lanci Pit which is approximately 24.7 ha (61 ac) in size. The lands are located on the west side of Sideroad 25South on Part of Lot 25, Concession 1 in the Township of Puslinch.

In conjunction with a licence application under the Aggregate Resources Act, this application proposes to licence 14.8 ha (36.6 ac) of land of which 10.1 ha (25 ac) are proposed for extraction.

### **BASIS**

The County Official Plan provides for the establishment of new or expanded aggregate extraction operations subject to consideration of the potential impacts of such land uses on the natural environment, surrounding land uses, and the agricultural operations. The proposed extraction area includes three properties consisting of two dwellings, woodlands and open areas.

The proposed extraction area contains approximately 3 to 4 million tonnes of high quality sand and gravel resources. Resources will be extracted both above and below the water table similar to the existing pit.

The maximum annual tonnage limit is proposed to be 1,000,000 tonnes in combination with the existing Lanci Pit. There will be no aggregate processing on the subject lands as extracted resources will be transported by truck north to the Aberfoyle South Main Pit

operation for processing and shipment. The existing haul route and main entrance onto Concession Road 2 will remain the same.

The subject lands are within the Secondary Agricultural and Greenlands designation of the County of Wellington Official Plan. The features related to the Greenlands designation of the site are identified as significant woodlands which are located outside of the proposed extraction area.

New or expanded mineral aggregate operations shall only be established through amendment to Mineral Aggregate Area shown on Schedule 'A' of the Official Plan. To permit an expanded extraction operation, an Official Plan Amendment is required to include the proposed expansionlands within the Mineral Aggregate Area.

As part of this application, a request has also been made to revise the boundary of the Greenlands designation which would result in a total net increase of the Greenlands designation of approximately 0.13 ha (0.32 ac). These changes are being made to more closely align with the field-verified boundary of the adjacent significant woodlands which will be protected from aggregate extraction.

The Mineral Aggregate Resource Overlay on Schedule 'C' of the Official Plan generally identifies areas of high potential for mineral aggregate extraction. These lands have been identified based on geological information in the Ministry of Northern Development and Mines Aggregate Resources Inventory Paper (ARIP No. 162) or are areas licensed for a pit and quarry. The amendment also includes a map change to include the southern portion of the proposed extraction area within the Schedule C overlay (approximately 2.1 ha/ 5.2 ac). The Greenlands designation to be retained and added to on the subject lands has not been included within the overlay.

### **OTHER APPROVALS**

An application for a Category 1, Class A licence under the Aggregate Resources Act has been submitted to the Ministry of Natural Resources and Forestry.

An application for a zoning by-law amendment (file #D14/CBM) to permit the pit has also been submitted to the Township of Puslinch.

### SUPPORTING INFORMATION

In support of the proposed amendment to the Official Plan, CBM Aggregates has prepared a hydrogeological assessment, archaeological assessment, natural environment assessment, noise assessment and planning justification report.

### PART B - THE AMENDMENT

All of this part of the document entitled **Part B - The Amendment**, consisting of the following text and maps constitute Amendment No.\_\_\_\_to the County of Wellington Official Plan.

### **DETAILS OF THE AMENDMENT**

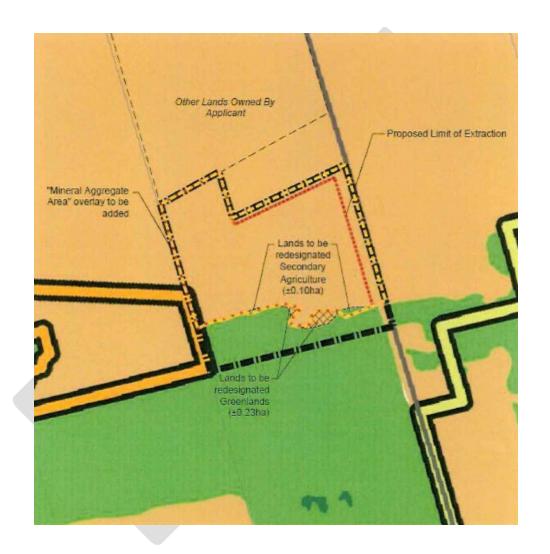
The Official Plan of the County of Wellington is hereby amended as follows:

- 1. THAT **Schedule A7 (Puslinch)** be amended by changing the designation on portions of Part Lot 25, Concession 1, in the Township of Puslinch from Greenlands to Secondary Agricultural, Secondary Agricultural to Greenlands, and by adding the Mineral AggregateArea to the subject lands as illustrated on the attached Schedule "A" of this Amendment.
- 2. THAT **Schedule C** (**Mineral Aggregate Resource Overlay**) be amended by expandingthe Mineral Aggregate Resource Overlay on Part Lot 25, Concession 1, in the Townshipof Puslinch by revising the Sand and Gravel Resources of Primary and Secondary Significance boundary as it relates to the subject land as illustrated on the attached Schedule "B" of this Amendment.

# AMENDMENT NUMBER \_\_\_\_\_ TO THE COUNTY OF WELLINGTON OFFICIAL PLAN

Schedule "A"

Amendment to Schedule A7 (Puslinch)

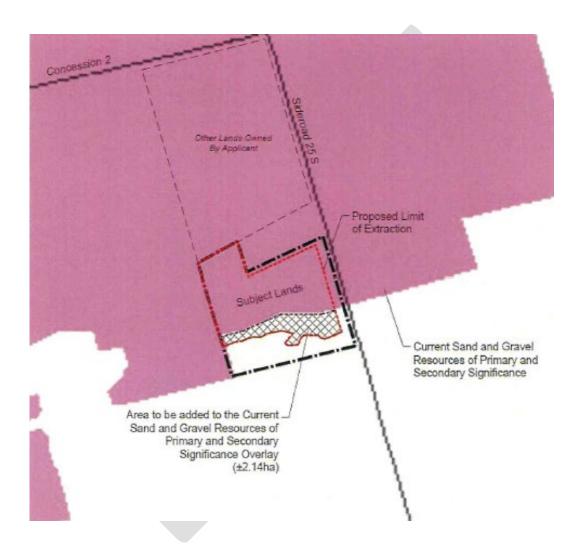


The lands are proposed to be identified as part of the Mineral Aggregate Area, with portions to be re-designated from 'Secondary Agricultural Area' to 'Greenlands' and 'Greenlands' to 'Secondary Agricultural Area'

# AMENDMENT NUMBER \_\_\_\_\_ TO THE COUNTY OF WELLINGTON OFFICIAL PLAN

Schedule "B"

# Amendment to Schedule "C"



The hatched area is to be added to Schedule 'C' - Mineral Aggregate Resource Overlay

BY-LAW NUMBER \_\_\_\_/2022

# A BY-LAW TO AMEND BY-LAW NUMBER 023/18, AS AMENDED, BEING THE ZONING BY-LAW OF THE TOWNSHIP OF PUSLINCH

**WHEREAS**, the Council of the Corporation of the Township of Puslinch deem it appropriate and in the public interest to amend By-Law Number 023/18 pursuant to Section 34 of the Planning Act, R.S.O. 1990 as amended;

# NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PUSLINCH ENACTS AS FOLLOWS:

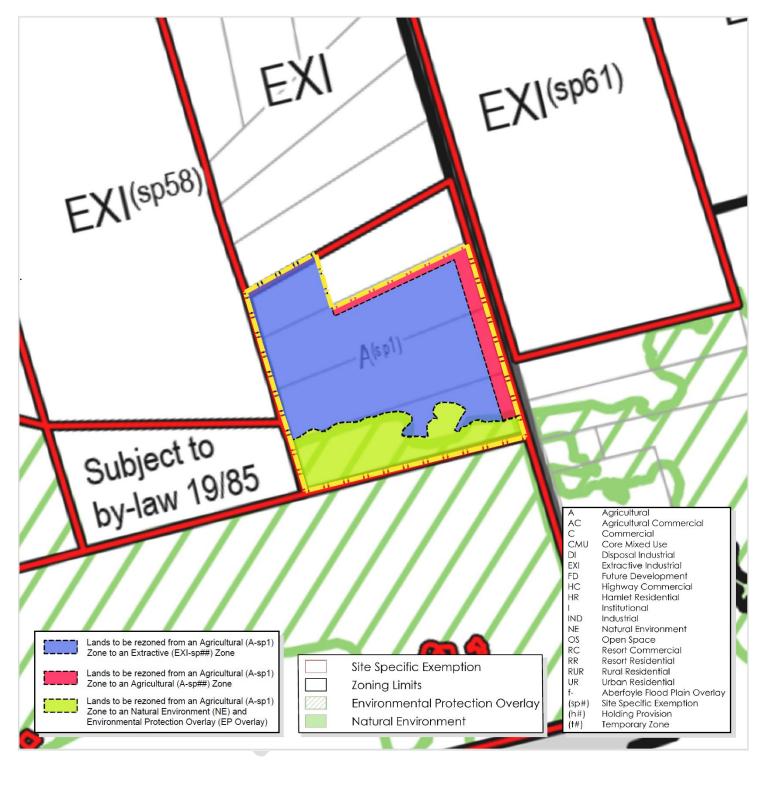
- 1. That Schedule "A" of By-law 023/18 is hereby amended by rezoning PT LOT 25, CON 1 within the Township of Puslinch, 4222-4248 Sideroad 25 S, from an AGRICULTURAL SITE SPECIFIC PROVISION 1 (A-sp1) to EXTRACTIVE (EXI) SITE SPECIFIC PROVISION (EXIsp104); AGRICULTURAL (A) SITE SPECIFIC PROVISION (A sp105); NATURAL ENVIRONMENT (NE) SITE SPECIFIC PROVISION (NE sp106) and ENVIRONMENTAL PROTECTION OVERLAY as shown on schedule "A" of this By-law.
- 2. That Table 14.1, Site Specific Special Provisions is amended by adding the following Site Specific Special Provisions:

No.	Parent Zone	By-law	Additional Permitted Uses	Prohibited Uses	Site Specific Special Provisions
##	EXI	##/2022	Only Permitted Uses: Pit; Agricultural use; Conservation use; Wayside Pit or Quarry.	N/A	A conservation use shall include new tree planting of approximately 1.3 ha in area on land adjacent to the significant woodland as required by progressive rehabilitation for the pit.  The truck haul route access is permitted via
##	A	##/2022	Only Permitted Uses: Accessory apartment; Community use; Dwelling, single detached; Home business; Home industry; Public park.	N/A	Concession 2.  Visual and acoustic mitigation required for the pit can occur on these lands while such lands remain licensed under the Aggregate Resources Act.  The uses permitted in this zone are only permitted following extraction, rehabilitation of the pit, and surrendering of the license under the Aggregate Resources Act.  The Reduced Agricultural Lot Requirements in Section 11.4 of this Bylaw shall apply to the
##	NE	##/2022	N/A	N/A	entirety of these lots.  Sediment and erosion control measures are
					permitted within the 5 m setback from the dripline of the significant woodland.

3.	. If By-law Number/2022 has come into full force and effect as it relates to the above-noted lands, this By-law shall become effective from the date of passage by Council and come into force in accordance with the requirements of the <i>Planning Act</i> , R.S.O. 1990 as amended including the provisions of Section 24(2), if applicable.			
RE	AD A FIRST AND SECOND TIME THIS_		_OF	, 2022.
MA	AYOR		CLERK	
RE	EAD A THIRD TIME AND PASSED THIS_		_OF	, 2022.
MA	AYOR		CLERK	

# BY-LAW NUMBER \_\_\_\_/2022

# Schedule "A"



	e "A" to By-law No	/2022
Passed this	_day of	, 2022
MAYOR		
CLERK		

EXPLANATION OF BY-LAW NO.		
By-law Number amends the Township of Puslinch Zoning By-law LOT 25, CON 1 within the Township of Puslinch, 4222-4248 Side AGRICULTURAL SITE SPECIFIC PROVISION 1 (A sp1) to EXTRACTIVE PROVISION (EXI sp104); AGRICULTURAL (A) SITE SPECIFIC PROVISIO ENVIRONMENT (NE) SITE SPECIFIC PROVISION (NE sp106) a PROTECTION OVERLAY as shown on schedule "A" of this By-law	eroad 25 S, from an E (EXI) SITE SPECIFIC N (A sp105); NATURAL	
The purpose of the amendment is to allow for the expansion of the Lanci Pi	t by approximately 14.8	

The purpose of the amendment is to allow for the expansion of the Lanci Pit by approximately 14.8 ha (36.6 ac) with 10.1 ha (25 ac) intended for extraction. Below water extraction is permitted on the existing Pit and is also planned for the subject lands.

More specifically, the amendment will establish an Extractive Zone where extraction is proposed to occur; incorporate after use permissions for the lands retained in a site specific Agriculture Zone; and protect the field verified significant woodlands and the associated 5 m buffer by placing it within the Natural Environment Zone and extending the Environmental Protection Overlay to include the feature and the buffer. The site specific clauses proposed further clarify uses and establish after uses once extraction and rehabilitation has been completed and the license has been surrendered.

This application is related to County Official Plan Amendment \_\_\_\_ and County File # OP-2020-04.



# PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development

Department

**MEETING DATE:** July 13<sup>th</sup>, 2022

TO: Glenn Schwendinger, CAO

Township of Puslinch

**FROM:** Zach Prince, Senior Planner

County of Wellington

SUBJECT: RECOMMENDATION REPORT – Lisa and Abigail Slater

**Zoning By-law Amendment Application D14/SLA** 

Concession 10 Rear Part Lots 7 to 9

711 Arkell Road

ATTACHMENTS: 1 – Aerial of Subject Property

2 – Draft Zoning By-law

#### **RECOMMENDATIONS:**

 That Council receive this Planning Report by the County of Wellington Planning and Development Department; and

2) That Council pass the by-law included within this report as Attachment 2.

## **SUMMARY**

The purpose of this application is to amend the Township of Puslinch Zoning By-Law 23-2018 to recognize two (2) existing residential dwelling units in addition to the existing primary dwelling in the Agriculture Zone.

Planning staff generally have no major concerns with the Zoning Amendment, as presented. The proposal will recognize an existing situation and will seek to preserve a heritage building in the rural area.

This proposal is consistent with the Provincial Policy Statement (2020), the Provincial Growth Plan (2019) and conforms to the County of Wellington Official Plan. There were no public or agency concerns or objections raised during the circulation or at the public meeting. It is recommended that this application be approved subject to the attached zoning by-law.

### **INTRODUCTION**

The subject property is legally described as Concession 10 Rear Part Lots 7 to 9 and municipally known as 711 Arkell Road within the Township of Puslinch. The lands are approximately 40 ha (98.84 ac) and contains an existing primary detached dwelling, two detached residential units and an accessory structure (stone storage building) as shown in **Attachment 1**. The surrounding land uses are primarily agricultural in nature and Starkey Hill Conservation area is located to the East of the subject property.

#### **PROPOSAL**

The purpose of the Zoning By-law amendment is to rezone the subject property from Agricultural (A) to Agriculture Site Specific to recognize the two existing additional residential dwellings (secondary

dwelling and former stone stable [third dwelling]). The existing secondary dwelling is  $98.10 \text{ m}^2$  (1,056 ft²) in size and located approximately 47 m (131.23 ft) from the primary dwelling. The former stable (third dwelling) is  $310\text{m}^2$  (3,341 ft²) in size and located approximately 52 m (164.04 ft) from the primary dwelling.

#### **BACKGROUND**

The subject property is related to the consent application B50/21. The application proposed to sever a 0.8 ha (2 ac) vacant rural residential parcel in the Secondary Agricultural area. A parcel of 38 ha (98 ac) would be retained for the existing residential use with an three dwellings, a storage building (former barn) and a shed. This rezoning is intended to address a condition of the severance application, that was granted provisional consent by the Wellington County Land Division Committee. It is noted that the site specific zoning is not proposed to be applied on the conditionally severed portion.

The primary dwelling is 425 m² (4,577 ft²), owner occupied and was built approximately in 1867. The secondary dwelling is located to the front and west of the main dwelling and was built in 1980, a building permit has been provided for this dwelling. The applicant has indicated the secondary dwelling is occupied by long term tenants. The stone 'coach house' (third dwelling) was originally built as a stable, but was later renovated in 1982 to be used as a farm management office, as indicated on the building permit that has been provided by the applicant and the applicant has indicated the building has been used as a residential unit for some time. The applicant has also indicated that the former stone stable building (third dwelling) is occupied by long term tenants.

It is to be noted that the primary dwelling, the stone coach house and the barn (storage) are registered as Heritage properties in December 2021 within the Township of Puslinch.

# Zoning By-law #19/85

Under the former Township By-law the property was zoned Agricultural (A) and Natural Environment (NE). The former by-law recognized existing dwellings in Section 3(5)(e)(i) from the date of passing of the by-law (Township adopted on July 17<sup>th</sup>, 1985). The above section would capture one of the structures as legal non-conforming (secondary dwelling) but the history of the converted stable is unclear. To provide further clarity, as this By-law is no longer in force and effect on this site, the proposed amending by-law seeks to recognize the former stable (third dwelling).

### **PLANNING ANALYSIS**

# PROVINCIAL POLICY – PROVINCIAL POLICY STATEMENT (PPS 2020) & A PLACE TO GROW (GROWTH PLAN 2020)

The Provincial Policy Statement (2020) provides policy direction regarding matters of provincial interest that are applicable to all development within the Province of Ontario. The Growth Plan provides a policy framework that builds onto the Provincial Policy Statement (2020) and provides more specific policy direction regarding growth and where it should occur.

Due to the subject land's location, under the PPS and the Growth Plan the rural areas and rural land policies have been considered. Section 1.1.4.1 of the PPS states that "Healthy, integrated and viable rural areas should be supported by:

- a) Building upon rural character, and leveraging rural amenities and assets
- d) Encouraging the conservation and redevelopment of existing rural housing stock on rural lands"

Similar to the PPS, Section 2.2.9 establishes policies for Rural Areas, with permitted uses including: management or use of resources; resource-based recreational uses; and other rural land uses that are not appropriate in settlement areas provided they are: (i) compatible with the rural landscape and surrounding land uses; (ii) will be sustained by rural service levels; and (iii) will not adversely affect the protection of agricultural uses and other resource-based uses...".

The intent of this application is to legalizing the existing, historical dwellings on-site which have existing servicing and have been established since the 1980's, while also preserving structures that have been identified to have cultural heritage significance to the Township of Puslinch. No new development is being proposed. The County Official Plan identifies a significant wooded area on a portion of the overall property; however, the portion of the site specifically subject to the amendment are not within this feature.

#### **COUNTY OF WELLINGTON OFFICIAL PLAN**

The subject property is designated as Secondary Agricultural, Core Greenlands and Greenlands within the County of Wellington Official Plan. Identified features include Significant Wooded Areas, Wetlands and Provincially Significant Wetlands regulated by Grand River Conservation Authority (GRCA), the existing structures are located outside of the identified features on the site. The subject lands are located within the Paris Galt Moraine Policy Area.

Section 4.4.2 of the Official Plan allows a variety of housing types provided they efficiently use available servicing and are appropriate to site conditions and existing patterns of development.

Regarding Heritage Buildings, Section 4.1.1 allows a municipality to identify cultural heritage resources under O.Reg 9/06. The subject property is identified in the Township's heritage registry including the former stable building.

As per Section 4.4.6.2 of the Official Plan, allows an Additional Residential Unit (ARU) as a separate standalone ancillary building or as part of an ancillary building. An ARU is prohibited from being severed from the property and is subject to criteria including the following:

- Located within the main building cluster and outside of hazard lands;
- Secondary to the primary dwelling;
- Adequate services are available; and
- Minimum Distance Separation can be met.

The Official Plan provides policies regarding non-conforming uses in Section 13.8 including 13.8.4 "A zoning by-law may contain separate provisions with respect to uses which are permitted but do not comply with various regulations such as setbacks, yard requirements and parking standards."

### **PUBLIC MEETING AND COMMENTS**

A public meeting for the subject application was held on April 13<sup>th</sup>, 2022 and no members of the public spoke for or against the application. Agencies and Township staff have reviewed the proposal and no objections have been received. The Township's Planning and Development Advisory

Committee (PDAC) provided comments on the application on March 8<sup>th</sup>, 2022 and were in favour of the proposal including the preservation of the existing heritage structures.

### **ZONING BY-LAW #023/18 (Current By-law in force and effect)**

The subject property is zoned Agricultural (A), Natural Environment (NE), and Environmental Protection Overlay. The existing structures are located in the A zone. Planning staff are considering the former stone stable (third dwelling) in the context of the Additional Residential Unit permissions in the County of Wellington Official Plan and the Township's zoning by-law. Below is a table of the required provisions in the zoning By-law.

Section	Required	Proposed
4.2.b.i	The building is located within 15 m of the single detached dwelling on the lot	52 m
4.2.b.iv	A maximum of one accessory apartment is provided on the lot.	2 detached accessory apartments are proposed on the lot
4.2.b.v	The maximum floor area shall not exceed 40 percent of the floor area of the principal dwelling unit to a maximum of 130 m <sup>2</sup>	73% and 310 m <sup>2</sup>

# **Proposed Zoning By-law Amendment**

The proposed amendment seeks to recognize the existing buildings on the subject property. The proposed amendment considers these uses as a long standing situation in the Township and existing conversion and preservation of the heritage structures. The amendment seeks to restrict the size of the units to the existing size, not allowing further additions or expansions to the additional units or further accessory apartments on the site. Further, the By-law seeks to clarify that the existing storage building (former barn) is not capable of housing livestock.

A copy of the draft amending by-law for council's consideration is included as **Attachment 2.** 

### **PLANNING OPINION**

Existing Uses

The basis of this application is to address the two additional dwellings that are located on the subject lands. The applicant has demonstrated and the Township has confirmed that building permits have been received at different times for the two additional dwelling units. Sufficient detail has not been available to establish the history of the former stable (third dwelling) but the building permit provided does recognize that the Township has issued an approval of sorts for the conversion of the structure. The details of the former stable conversion to a farm office in 1982 are somewhat unknown but the applicant has indicated that the building has been used as a residence for some time. The former Zoning By-law recognized existing dwellings at the date of passing of the By-law (i.e. 1985), to which the applicants have indicated the building was being used as a residence since the initial construction but there no permits or floor plans confirming this.

Based on the provisions currently in place in the Township's Zoning By-law, the former stable building (third dwelling) has been considered in the context of the current accessory apartment provisions. However, the structure far exceeds the permitted area of an accessory apartment and the required distance from the principal dwelling. Recognizing that the structure is an existing heritage building

planning staff are satisfied that the former stable (third) dwelling would meet the intent of Provincial Policy and the County of Wellington Official Plan, provided no further dwellings are permitted and that the use remains limited to the existing size and location to the principal dwelling.

Further, the Township may require a building permit to recognize that this structure is being used as a dwelling and the applicable building code provisions are met.

The building permit from 1980 for the residence at the front of the property is clear in that the permit was for a single detached dwelling and the applicant has indicated that this has been used as such since the construction. Based on the provisions of the former 1985 zoning By-law (Section 3(5)(e)(i)) planning staff are considering this building as a legal non-conforming use. The proposed amending By-law does not provide additional permissions for this dwelling, if reconstruction or other developments were proposed to this structure in the future, the requirements are set out in the legal non-conforming sections of the Township's zoning by-law.

# Access & Servicing

The existing buildings on the property are serviced by an existing shared laneway entering the site. Each dwelling is serviced by existing individual septic systems. There are 2 wells located on the site, one services the primary dwelling and the secondary (legal non conforming dwelling) and the second well services the former stable dwelling (third dwelling).

## Heritage designation

Planning staff are also aware of the heritage designations placed on the buildings on the property, the former stable, former barn and the principal dwelling. The proposed recognition of the former stable as a residential use would be considered an appropriate conversion to preserve the existing structure.

Planning staff are satisfied that this proposal is generally in conformity with the Provincial Policy Statement (2020), the Provincial Growth Plan (2020), and maintains the intent and purpose of the County of Wellington Official Plan and Township Zoning By-law. Planning staff have no concerns recognizing these as existing uses as the draft zoning By-law and recommendation report seeks to recognize the former stable as an additional dwelling unit and recognize the legal non-conforming status of the secondary dwelling at the front to the property.

Respectfully submitted,

County of Wellington Planning and Development Department

Zach Prince MCIP RPP

Senior Planner

**ATTACHMENT 1 – Aerial of Subject Lands** 



ATTACHMENT 2	<ul> <li>Draft Zoning</li> </ul>	<b>By-law Amendment</b>
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# ZONING BY-LAW AMENDMENT to By-law 023/18

for

Lisa and Abigail Slater 711 Arkell Road Puslinch

Township Rezoning Application D14/SLA

BY-L	AW N	<b>IUMBER</b>	

# A BY-LAW TO AMEND BY-LAW NUMBER 023/18, AS AMENDED, BEING THE ZONING BY-LAW OF THE TOWNSHIP OF PUSLINCH

**WHEREAS**, the Council of the Corporation of the Township of Puslinch deem it appropriate and in the public interest to amend By-Law Number 023/18 pursuant to Sections 34 of the Planning Act, R.S.O. 1990 as amended;

# NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PUSLINCH ENACTS AS FOLLOWS:

- 1. That Schedule "A" of By-law 023/18 is hereby amended by rezoning Rear Part Lots 7, 8, and 9, Concession 10, municipally referred to as 711 Arkell Road, from **AGRICULTURAL** (A) ZONE to an **AGRICULTURAL** (A-101) ZONE with a site specific use provision, as shown on schedule "A" of this By-law.
- 2. That Section 14 Site-Specific Special Provisions is amended by adding site-specific special provision **AGRICULTURAL (A-101) ZONE** as follows:

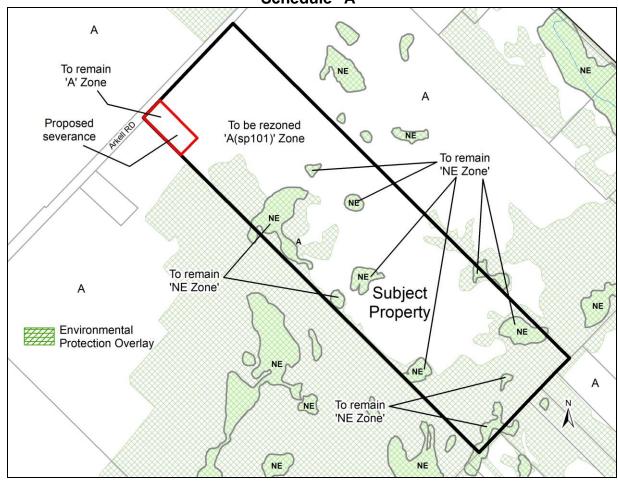
No.	Parent	By-law	Additional	Prohibited	Site Specific Special Provisions
	Zone		Permitted Uses	Uses	
101	А		An Additional Detached Dwelling that existed on the date of passing of this By-law	The existing barn is prohibited from housing livestock.	The second unit occupying the former stone stable building shall be located 52 m from the principal dwelling.  The total number of dwelling units onsite is limited to three dwelling units, which includes the principal dwelling.

- 3. That the subject land as shown on Schedule "A" to this By-Law shall be subject to all applicable regulations of Zoning By-Law 023/18, as amended.
- 4. This By-law shall become effective from the date of passage by Council and come into force in accordance with the requirements of the Planning Act, R.S.O. 1990, as amended.

READ A FIRST AND SECOND TIME THIS	OF	, 2022.
MAYOR	CLERK	
READ A THIRD TIME AND PASSED THIS	OF	, 2022.
MAYOR	CLERK	

BY-LAW NUMBER \_\_\_\_\_

Schedule "A"



# Highlighted area to be rezoned from: AGRICULTURE (A) ZONE to an AGRICULTURAL (A-101) ZONE with a site specific special provision

	"A" to By-law No		000
Passed this	_ day of	, 2	022.
MAN/OD			
MAYOR			
CL EDIZ			
CLERK			

EXPLANATION OF BY-LAW NO. \_\_\_\_\_

Rear Part of Lots 7, 8, an AGRICULTURE (A	amends the Township of Puslinch Zoning , and 9, Concession 10, municipally referred to a) ZONE to an AGRICULTURAL (A-101) ZONI on Schedule "A" of this By-law.	as 711 Arkell Road, from

The purpose of the proposed zoning by-law amendment is to recognize the existing dwellings on the site (main residence, and a former stable as an additional dwelling) and to prohibit livestock within the existing agricultural structures. This rezoning is the result of conditions of severance application B50-20, which was granted by provisional approval by the Wellington County Land Division Committee in September 2021.



# PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development

Department

MEETING DATE: July 13<sup>th</sup>, 2022

**TO:** Glenn Schwendinger, CAO

Township of Puslinch

**FROM:** Zach Prince, Senior Planner

County of Wellington

SUBJECT: RECOMMENDATION REPORT – James Hutton and Sharon Hutton

**Zoning by-law Amendment Application D14/HUT** 

Rear Part Lots 2 & 3, Concession 2

6547 Wellington Road 34

ATTACHMENTS: 1 – Aerial of Subject Property

2 – Public Comments3 – Draft Zoning By-law

#### **RECOMMENDATIONS:**

 That Council receive this Planning Report by the County of Wellington Planning and Development Department; and

2) That Council pass the by-law included within this report as Attachment 3.

# **SUMMARY**

The purpose of this application is to amend the Township of Puslinch Zoning By-Law 23-2018 to permit an 86m² home business within a portion of a detached accessory structure and add an existing 206m² detached accessory structure as an accessory apartment (former main dwelling) as a permitted use. The accessory apartment is located 73 m from the primary dwelling and located in the Natural Environment (NE) zone.

Planning staff generally have no major concerns with the Zoning Amendment, as presented. Staff and agencies have reviewed the proposal and no objections have been raised. The proposal will recognize an existing situation which would represent a conversion to an accessory apartment.

This proposal is consistent with the Provincial Policy Statement (2020), the Provincial Growth Plan (2019) and conforms to the County of Wellington Official Plan. There were no public or agency concerns or objections raised during the circulation or at the public meeting. It is recommended that this application be approved subject to the attached zoning by-law.

### **INTRODUCTION**

The subject property is legally known as Rear Part Lots 2 & 3, Concession 2 and municipally known as 6547 Wellington Road 34 within the Township of Puslinch. The lands are approximately 22.66 ha (55.99 ac) and contains an existing dwelling, a detached accessory structure (former primary

dwelling), a second detached structure (proposed home office), pool and pool shed. The surrounding properties are rural residential and agriculture. A subject property map is identified in **Attachment 1**.

#### **PROPOSAL**

The purpose of the Zoning By-law amendment is to rezone the subject property from Agricultural (A) to Agricultural Site Specific and Natural Environment (NE) to a site specific Natural Environment zone to legalize an existing detached accessory structure (former main dwelling) to be recognized as a detached Accessory Apartment located in the NE zone, and to permit a home business within a separate existing accessory structure located in the A zone. The proposed Accessory Apartment is located 73 m (239 ft) from the principal dwelling, and is 206m² in area. The home business is proposed to be 86m² (925 ft²) in area and occupy a portion of an existing detached accessory structure (269 m²).

### **BACKGROUND**

The original dwelling, which is now proposed to be considered an Accessory Apartment and is the subject of this application, was originally constructed in the 1960's (based on information from MPAC). The previous owner of the site was issued a permit to build what is now the primary dwelling on the site in 2014. However, in order for the new dwelling to be permitted the original dwelling was required to be renovated to a recreational building so that the use was no longer considered a dwelling.

The applicant acquired the subject property in September 2014 and prior to his acquisition, the previous owner had constructed the new single family dwelling. The applicant has identified that the original dwelling was converted back to a residential dwelling at the time the current owner acquired the property in 2014. Since that time, the Township received a complaint regarding the use which has triggered the need to address this issue of non-compliance with the Zoning By-law.

A Minor Variance application was heard by the Township's Committee of Adjustment on August 10<sup>th</sup>, 2021. At that time the application was to recognize the non compliance of the distance required for an Accessory Apartment to the main dwelling only (73 m rather than the required 15 m), the application was denied by the Committee. Since the minor variance application, an enlarged home business has been identified and included in the non-compliance for the property which is also included in this proposed zoning by-law amendment.

A housekeeping amendment was approved by Township Council in January 2021 which modified the accessory apartment provisions to allow an accessory apartment above or within a detached structure in the Agricultural (A) zone. Previous to the amendment an accessory apartment was only permitted within the main dwelling or above a detached structure (ie garage).

The County adopted OPA 112 in 2020 which brought the Official Plan in to conformity with Bill 108 regarding additional dwelling units. The changes to the Official Plan included the number of units permitted on a lot and the requirement for units to be Ancillary to the main dwelling on the lot. The Township has initiated a review of the Zoning By-law to align with OPA 112 and generally

supported proposed amendments to the Township's zoning by-law subject to some revisions at the June 15<sup>th</sup>, 2022 council meeting.

### **PLANNING ANALYSIS**

# PROVINCIAL POLICY – PROVINCIAL POLICY STATEMENT (PPS 2020) & A PLACE TO GROW (GROWTH PLAN 2020)

The Provincial Policy Statement (2020) provides policy direction regarding matters of provincial interest that are applicable to all development within the Province of Ontario. The Growth Plan provides a policy framework that builds onto the Provincial Policy Statement (2020) and provides more specific policy direction regarding growth and where it should occur. As the subject lands are located outside of a settlement area the Rural Area and Land use policies apply.

Similar to the PPS, the Growth Plan directs growth to settlement areas, unless where otherwise permitted. Section 2.2.9 establishes policies for Rural Areas. Within Rural Areas, there are Rural Lands, which are defined as "lands which are located outside of settlement areas and which are outside prime agricultural areas". Further, Section 2.2.9 permits development outside of settlement areas provided they are compatible with the rural landscape and surrounding land uses, sustained by rural service levels and not adversely affect agricultural uses or resource-based uses. Development of the subject lands are to comply with these policies.

### **COUNTY OF WELLINGTON OFFICIAL PLAN**

The subject property is designated as Secondary Agricultural, Core Greenlands and Greenlands within the County of Wellington Official Plan. Identified features include Wetlands, Provincially Significant Wetlands, Environmentally Sensitive Area, Significant Wooded Area, Slope Erosion Allowances and Flood Plain regulated by GRCA. A portion of the subject lands are also located within the Paris Galt Moraine Policy Area. The proposed accessory apartment (existing structure) is located in the Slope Erosion Allowance, within the GRCA regulated area.

As per Section 4.4.6.2 of the Official Plan, an Additional Residential Unit (ARU) may be permitted as a separate standalone Ancillary Building or as part of an Ancillary Building. An Additional Residential Unit is prohibited from being severed from the property and is subject to the following criteria being met:

- Located within the main building cluster and outside of hazard lands;
- Secondary to the primary dwelling;
- Adequate services are available; and
- MDS can be met

Section 8.3.8 of the Official Plan permits a home occupation in a single detached dwelling unit provided that the home occupation is a business which is clearly secondary to the residential use and does not generate noise, odour, traffic or visual impacts which may have adverse effect on nearby properties.

#### **PUBLIC MEETING AND COMMENTS**

This application was circulated to statutory agencies by the Township of Puslinch on January 5<sup>th</sup>, 2022. A statutory public meeting was held on March 23<sup>rd</sup>, 2022, in which no one spoke. Agencies and staff have review the proposal and no objections have been received. Prior to the public meeting written comments were received regarding the ownership of the property previously, the comments are included as **Attachment 2**.

The application was also discussed at the Township's Planning and Development Advisory Committee (PDAC) meeting on March 8<sup>th</sup>, 2022, comments include; not allowing the accessory apartment to be severed in the future, opportunities to reduce the size of the proposed apartment, and no concerns regarding proposed home office.

# **ZONING BY-LAW 023/18**

The subject property is zoned Agricultural (A), Natural Environment (NE), and Environmental Protection Overlay. The existing dwelling is located in the NE zone. Planning staff are considering the former main dwelling as a conversion to an accessory dwelling unit in the context of Section 4.2.b in the Township's zoning By-law and the Additional Residential Unit policies in the County of Wellington Official Plan. Below is a table of the required provisions in the zoning By-law.

Section	Required	Proposed
4.2.b.i	The building is located within 15 m of the single	74 m
	detached dwelling on the lot	
4.2.b.v	The maximum floor area shall not exceed 40	19% and 206 m <sup>2</sup>
	percent of the floor area of the principal	
	dwelling unit to a maximum of 130 m <sup>2</sup>	
4.11.a. iv	The maximum floor area dedicated to the all	86m <sup>2</sup>
	home businesses on a lot shall not exceed the	
	lessor of 25 percent of the floor area of the	
	dwelling unit on the lot of 50m <sup>2</sup> .	

Further, as per Section 4.11.a.iii. a home business is permitted within an accessory structure in the Agriculture (A) Zone and the application is proposing to permit a home business of 86m<sup>2</sup>, which exceeds the permitted area in the By-law (50 m<sup>2</sup>).

### Proposed Zoning By-law Amendment

The proposed amendment seeks to recognize the existing dwelling on the subject property as an accessory apartment. The by-law recognizes that the dwelling may operate on both floors of the dwelling. The applicant has indicated that there may be an opportunity to reduce the size of the unit to better align with the By-law, the reserved area would be accessory storage space for the users of the principal dwelling. Based on the location of the dwelling (73 m from the principal dwelling) and the existing additional accessory structure serving the principal dwelling, planning staff are not proposing to delineate portions of the structure but are recommending that the entire structure be recognized as an accessory apartment.

A portion of the subject property is also zoned to permit a kennel (sp1), staff are proposing to remove this existing permission from the lands. The permissions were added under the former Township zoning By-law and a kennel has not operated on the property.

### **PLANNING OPINION**

Location in NE zone

The proposed accessory apartment is located in the Slope Erosion Allowance, within the GRCA regulated area. The Grand River Conservation Authority has reviewed the proposal and has no concerns with permitting and recognizing the existing structure in this area. The proposed zoning by-law would limit the size of the apartment to the existing size, further additions or units within the structure would not be permitted.

### **Proposed Home Business**

The applicant operates and existing business 'Hutton Forestry Products' and is proposing to use the Home Office space as a satellite office for the existing operation. The County Official Plan allows for Home Businesses subject to them being small scale and secondary to the primary residential use of the property. Regarding the scale of the use, planning staff are proposing to limit the area of the home business to  $86m^2$  which would occupy a portion of the accessory dwelling. The applicant has provided a floor plan showing the space would primarily occupy 2 office spaces.

### Access & Servicing

The existing buildings on the property are serviced by an existing shared laneway entering the site. Each dwelling is serviced by existing individual septic systems. There are 2 wells and 2 septic systems located on the site, the principal dwelling and home office share the same well and septic system.

Planning staff are satisfied that this proposal is generally in conformity with the Provincial Policy Statement (2020), the Provincial Growth Plan (2020), and maintains the intent and purpose of the County of Wellington Official Plan and Township Zoning By-law. Planning staff have no concerns with the proposed accessory apartment or proposed enlarged home business as the draft zoning By-law seeks to recognize the former main dwelling as an additional dwelling unit and limits the home business in scale to ensure the use remains small scale and secondary to the residential use of the property.

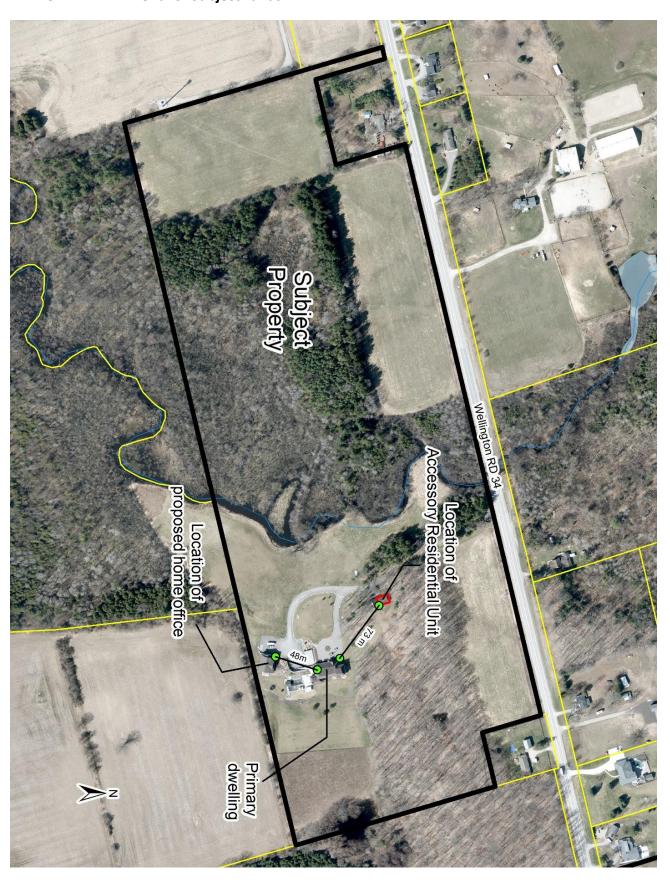
Respectfully submitted,

County of Wellington Planning and Development Department

Zach Prince MCIP RPP

Senior Planner

**ATTACHMENT 1 – Aerial of Subject Lands** 



# **ATTACHMENT 2 – Public Comments**



B. LACKENBAUER\* S.R. GRANT\* L.E. WAY\* R.K. BICKLE C.D. CLEMMER\* R.E. WEBER A.D. HUNSBERGER

J.H. BENNETT\* T.J. McGOWAN\* E.J. DREYER†\* D.E. PHILLIPS-BROWN R.W. SCRIVEN\* E.G. KADWELL N.K.WOZNIAK

SENIOR COUNSEL: F.D. CARERE\*

R.M. LITTLE

HON. R.C. SILLS, Q.C (1932 - 2015) | H.W. SNYDER J.R. GUY | W.C. DREWITZ | A.T. KELLER | RETIRED:

> PERSONAL EMAIL: TMARKO@KW-LAW.COM DIRECT TELEPHONE EXT: 519-744-4491

March 22, 2022

### **BY EMAIL**

Township of Puslinch – Planning 7404 Wellington Rd 34 Puslinch ON N0B 2J0

planning@puslinch.ca

To whom it may concern:

Re:	Notice of Public Meeting – March 23, 2022 – Proposed Amendments to Puslinch Zoning By-law #2019-023 (File No. D14/HUT)
	re the solicitors for and and this letter is meant to serve as a statement of fact for bove meeting and is neither in opposition or support of the proposed amendments to the By-
Welli was	In Poladian was the previous owner of the property in question, municipal address 6547 ington Rd 34, who had sold the property as is in 2014, to James Hutton. When the property sold as is, Dwelling #1 and Dwelling #3, were completely empty and not habitable. Any vations or changes made after the sale in 2014 were not made by
If you	u have any questions or concerns please do not hesitate to reach out.
Your	s Truly,
MAL	OORIN, SNYDER LLP
Per:	
	THOMAS MARKO

**Articling Student** 

ATTA	CHMENT	3 - Draft	Zoning	By-law A	Amendment
~	CILIVIEIAI	<b>9 D</b> 1411		DY IGEN	

# ZONING BY-LAW AMENDMENT to By-law 023/18

for

James and Sharon Hutton 6547 Wellington Road 34 Puslinch

Township Rezoning Application D14/HUT

BY-LAW NUMBER	BY-L	AW I	NUMBER	
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# A BY-LAW TO AMEND BY-LAW NUMBER 023/18, AS AMENDED, BEING THE ZONING BY-LAW OF THE TOWNSHIP OF PUSLINCH

**WHEREAS**, the Council of the Corporation of the Township of Puslinch deem it appropriate and in the public interest to amend By-Law Number 023/18 pursuant to Sections 34 of the Planning Act, R.S.O. 1990 as amended;

# NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PUSLINCH ENACTS AS FOLLOWS:

- 1. That Schedule "A" of By-law 023/18 is hereby amended by rezoning portions of Rear Part Lots 2 and 3, Concession 2, municipally referred to as 6547 Wellington Road 34, from AGRICULTURAL (A) ZONE, NATURAL ENVIRONMENT (NE) ZONE, and site specific AGRICULTURAL (A sp1) ZONE to an AGRICULTURAL (A sp102) ZONE and NATURAL ENVIRONMENT (NE sp103) ZONE with a site specific use provision, as shown on schedule 'A' of this By-law.
- 2. That Section 14 Site-Specific Special Provisions is amended by adding site-specific special provision AGRICULTURAL (A sp102) ZONE and NATURAL ENVIRONMENT (NE sp103) as follows:

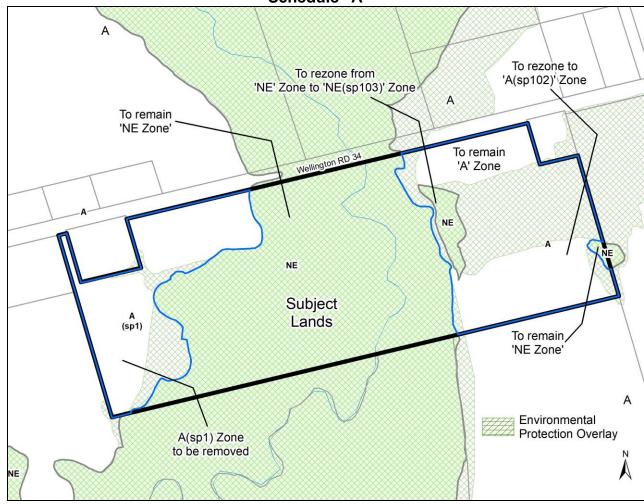
No.	Parent	By-law	Additional	Permitted	Prohibited Uses	Site	Specific	Special
	Zone		Uses			Provi	sions	
102	A		An 86 m <sup>2</sup> Hon business occ portion of an a structure.	cupying a	No human habitation permitted within any portion of the accessory structure used as a home business.			
103	NE		An existing ac apartment with NE zone on the passing of this The existing a apartment casevered in the	thin the ne date of s By-law.  accessory  nnot be		apart the fo dwell	206 m <sup>2</sup> acc ment occu ormer main ing shall be from the p ling.	ipying elocated

- 3. That Schedule 'A' of By-law 023/18 is further amended by removing the existing provision A(sp1) and rezoning to Agricultural (A) the subject lands as shown on Schedule 'A' of this By-law.
- 4. That the subject land as shown on Schedule 'A' to this By-Law shall be subject to all applicable regulations of Zoning By-Law 023/18, as amended.
- 5. This By-law shall become effective from the date of passage by Council and come into force in accordance with the requirements of the Planning Act, R.S.O. 1990, as amended.

READ A FIRST AND SECOND TIME THIS	OF	, 2022.
MAYOR	CLERK	
READ A THIRD TIME AND PASSED THIS	OF	, 2022.
MAYOR	CLERK	

BY-LAW NUMBER \_\_\_\_\_

Schedule "A"



Areas identified above are to be rezoned from:

AGRICULTURE (A) ZONE to AGRICULTURAL (A sp102) ZONE and NATURAL

ENVIRONMENT to NATURAL ENVIRONMENT (NE sp103) ZONE with site specific special provisions

This is Schedu	ule "A" to By-law No	
Passed this _	day of	, 2022.
MAYOR		
CLERK		

EXPLANATION OF BY-LAW NO

	EXI EXIVATION OF	D1 LAW 110		
By-law Number	amends the Townsh	nip of Puslinch Z	oning By-law 023	/18 by rezoning
Front Part of Lot 16, C	Concession 2, municipal	lly referred to as	6547 Wellington I	Road 34, from an
AGRICULTURE (A) Z	ONE to an AGRICULTU	JRAL (A-102) ZO	ONE with a site sp	ecific provision
as shown on Schedule	e "A" of this By-law.	, ,	•	•
	•			

The purpose of the proposed zoning by-law amendment is to permit an existing dwelling to be converted into an accessory apartment/additional dwelling unit and form the entirety of a detached structure.

Two dwellings currently exist on the subject property and this rezoning would allow the former main dwelling constructed in the 1970s to exist as an accessory apartment/additional dwelling unit. This by-law also recognizes that the accessory dwelling is located 73 m from the main dwelling and is located within the Natural Environment zone. Further, this by-law seeks to permit a home office located in a detached, accessory structure.

In addition to the new uses, this By-law removes the existing site specific provision for a kennel on the property. A kennel was not constructed on the lands and the existing location does not meet the required distance for a new kennel in the Township's kennel license, as such the site specific permissions (sp1) is being removed.



# PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

MEETING DATE: July 13<sup>th</sup>, 2022

**TO:** Glenn Schwendinger, CAO

Township of Puslinch

FROM: Joanna Salsberg, Planner

Meagan Ferris, Manager of Planning & Environment

County of Wellington

SUBJECT: Revised By-law for Final Approval

D14/ARU – Internal Zoning By-law Amendment – Additional Residential Units (ARU)

ATTACHMENTS: 1- Revised Draft Zoning By-law

#### **RECOMMENDATIONS:**

1) That Council approve the revised by-law attached to this report.

### **SUMMARY**

On June 15<sup>th</sup>, 2022, planning staff brought forward a Planning Recommendation Report regarding Additional Residential Units (ARUs), which included a draft by-law, for Council's consideration. The draft by-law prepared and the associated recommendation report prepared by planning staff considered the existing by-law provisions, changes to the *Planning Act* and County of Wellington Official Plan, the local context of the community, best practices applied in other communities, as well as feedback from Council, commenting agencies and the public.

Additional feedback was provided by Council at the June 15<sup>th</sup> Council meeting and a request to further adjust the by-law provisions was requested. A final copy of the by-laws, amended to reflect the changes recommended by Council are attached for Council approval.

The subject Zoning By-law amendment application and recommendation report with a draft by-law were presented to Township Council on June 15<sup>th</sup>, 2022 for consideration. Township Council has provided planning staff with the recommendation that three items be addressed prior to the By-law Amendment being approved by Council. The requested items to be reviewed are summarized below:

- That the floor area calculation for ARUs and the principal dwelling in regards to basements be reviewed for further clarity.
- That the wording specific to the siting of an addition/attached ARU when exterior alterations to a principal detached dwelling are proposed be reviewed to provide flexibility for large rural properties.
- That the addition of specific wording referencing conversions of an existing principal dwelling to an ARU is reviewed when a new principal dwelling is proposed.

Planning staff have attached a revised final amending by-law to this report (**Attachment 1**) that reflects the changes requested by Council.

With respects to the floor area calculations, in discussion with Township staff, it is understood that the calculation of floor area currently includes all storeys, which includes basements and attics. However, basement and attics are typically only included in the floor area calculations if they have been *finished* through the installation of drywall. Planning staff have adjusted the wording of the definition of "habitable room" and the provisions related to the calculation to reflect this approach. The proposed amendments to the By-law intends to further clarify this approach to ensure consistency with current practices.

The intent of applying floor area calculations is to ensure the unit is clearly secondary and subordinate to the primary dwelling in scale and function, which further ensures consistency with the County Official Plan.

Respectfully submitted

County of Wellington Planning and Development Department

Joanna Salsberg, B.A., M.PL.

Planner

Meagan Ferris, RPP MCIP

Meagan Finn

Manager of Planning and Environment

BY-LA	W NU	<b>MBER</b>	

# A BY-LAW TO AMEND BY-LAW NUMBER 023/18, AS AMENDED, BEING THE ZONING BY-LAW OF THE TOWNSHIP OF PUSLINCH

**WHEREAS**, the Council of the Corporation of the Township of Puslinch deems it appropriate and in the public interest to amend By-Law Number 023-2018 as amended, pursuant to Sections 34 of the Planning Act, R.S.O. 1990 as amended;

# NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PUSLINCH ENACTS AS FOLLOWS:

- 1. THAT Section 3.0 Definitions, is amended by deleting the definition for 'Accessory Apartment' in its entirety and adding the following two definitions in alphabetical order:
  - "Additional Residential Unit (Attached): a self-contained *dwelling unit* with a private kitchen, bathroom facilities and sleeping areas, which is within a *single detached*, *semi-detached*, or *townhouse dwelling* and is clearly secondary and subordinate to the principal *dwelling unit*."
  - "Additional Residential Unit (Detached): a self-contained dwelling unit with a private kitchen, bathroom facilities and sleeping areas, which is within part of or whole of a building ancillary to a single detached, semi-detached, or townhouse dwelling and is clearly secondary and subordinate to the principal dwelling unit. For the purpose of this use, ancillary means a shed, private garage, carriage house or barn, and does not mean a temporary building or structure."
- 2. THAT Section 3.0 Definitions, is amended by adding the following definition in alphabetical order:
  - "Habitable Room: For the purposes of Section 4.2, shall mean any finished room in a dwelling unit used or capable of being used by one or more persons for living, sleeping, eating, food preparation or sanitation."
- 3. THAT Section 4.2, Accessory Apartments, is amended by deleting the section in its entirety and replacing it with the following:

#### 4.2 "ADDITIONAL RESIDENTIAL UNITS

A maximum of two *additional residential units* shall be permitted per *lot* in any *Zone* where a *single detached*, *semi-detached* or *townhouse dwelling* is permitted, subject to the following provisions:

- a. General Provisions for Attached and Detached Additional Residential Units:
  - i. The maximum total *floor area* of an *additional residential unit* shall not exceed 45 percent of the total *floor area* of the principal *dwelling unit* up to a maximum of 130 m². The calculation of *floor area* shall include any part of a *dwelling unit* that meets the definition of a *habitable room*;

- The *height* of the *additional residential unit(s)* shall not exceed the *height* of the principal *dwelling unit*;
- iii. **Driveway** access to both the principal **dwelling unit** and the **additional residential unit** shall be shared and limited to one so that no new entrance from the street shall be created:
- iv. That appropriate, individual on-site sewage and water services are approved for the lot and there is adequate capacity for the additional residential unit(s) and any other uses on the lot;
- v. Shall be required to conform to all Ontario Building Code and Ontario Fire Code regulations;
- vi. Shall be required to conform to Minimum Distance Requirements (4.16.1), where applicable;
- vii. Shall not be permitted within hazardous lands as identified and regulated by the applicable Conservation Authority; and
- viii. An *additional residential unit* shall not be permitted within a *bed and breakfast establishment*.
- ix. An existing principal dwelling unit may be considered as an additional residential unit once a new principal dwelling unit has been constructed, provided that the existing dwelling unit meets Section 4.2.
- b. Additional Residential Unit (Attached)

Where permitted by this By-law, one *additional dwelling unit (attached)* shall be permitted, subject to 4.2 a) and the following:

- i. Shall be permitted within the principal *dwelling unit* or attached to the principal *detached dwelling*;
- ii. When exterior alterations to the principal **detached dwelling** are proposed for an attached **additional residential unit**, the following applies:
  - i. Shall comply with the minimum required *yard* standards of the **Zone** in which such *building* is situated; and
  - ii. Shall not be located in front of the principal *detached dwelling* on a *lot* with a *lot area* of 0.8 ha or less unless buffered and/or screened from the *street* to the satisfaction of the Township.
- iii. Each *dwelling unit* shall have a separate, private entrance;
- iv. Notwithstanding Section 4.2.a) i), if located in a **basement**, the **additional residential unit** may occupy the whole of the **basement**.
- c. Additional Residential Unit (Detached)

Where permitted by this By-law, one **additional dwelling unit (detached)** shall be permitted in an **ancillary building** subject to 4.2 a) and the following:

- Shall be located on the same *lot* as the principal *detached dwelling*, semi-detached dwelling unit, or townhouse dwelling and shall not be severed from the principal dwelling unit.
- ii. Shall comply with the minimum required *yard* standards in which the unit is situated:
- iii. The **additional residential unit** shall be within the existing building cluster and located within 40 metres of the principal **dwelling unit** on the **lot**.
- iv. In addition to item 4.2 a) ii), the maximum *building height* for an *ancillary building*:
  - i. Shall be no more than 5 m if the **additional residential unit** occupies a majority of or the entirety of an **ancillary building**;
  - ii. May be up to 8 m if the *additional residential unit* is above the *first storey* of the *ancillary building*.
- v. All provisions within Section 4.4 are applicable, except for provisions that conflict with Sections 4.2 c) ii) and c) iv); and
- vi. A *garden suite* must not be located on the same lot"
- 1. THAT Section 4.25.b.iii, Short Term Accommodation, is amended by replacing the term 'accessory apartment' with 'additional residential unit (attached or detached)'
- 2. THAT Section 5, Parking and Loading Regulations, Table 5.2, Residential Parking Space Requirements, is amended by deleting and replacing the term 'Accessory apartment' with 'Additional Residential Units (Attached and Detached)' in the Use column,
- 3. THAT Section 5, Parking and Loading Regulations, Table 5.2, Residential Parking Space Requirements, Minimum Parking Space Requirement column is amended by deleting the term 'dwelling unit' and replacing it with 'additional residential unit' and including the following sentence after principal dwelling unit:
  - "A *parking space* that is provided and maintained for the sole use of the occupant of the *additional dwelling unit* may be a tandem *parking space*."
- 4. THAT Section 6.2 Table 6.1, Residential Zone Permitted Uses, is amended by replacing the term 'Accessory Apartment' with 'Additional Residential Unit (Attached)' and 'Additional Residential Unit (Detached)'.
- THAT Section 7.2, Table 7.1, Core Mixed-Use Zone Permitted Uses (Residential Uses), is amended by replacing the term 'Accessory Apartment' with 'Accessory Dwelling Unit'.

- 6. THAT Section 11.2, Table 11.1, Agricultural Zone Permitted Uses, is amended by replacing the term 'Accessory Apartment' with 'Additional Residential Unit (Attached)' and 'Additional Residential Unit (Detached)'.
- 7. THAT Section 12.2, Table 12.2, Permitted Uses Other Zones, is amended by adding the term 'Accessory Apartment' with 'Additional Residential Unit (Attached) and Additional Residential Unit (Detached)' and permitting these uses within the FD2 Zone category.
- 8. THAT Section 13.4.d.i, Aberfoyle Flood Plain Overlay, is amended by replacing the term 'Accessory Apartment' with 'Additional Residential Unit (Attached and Detached)'.

READ A FIRST AND SECOND TIME THIS	DAY OF	, 2022
MAYOR	CLERK	
READ A THIRD TIME AND PASSED THIS _	DAY OF	, 2022
MAYOR	CLERK	

#### THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

By-law Number	amends the Township of Puslinch Comprehensive Zoning By-law
023-2018	<u> </u>

EXPLANATION OF BY-LAW NO.

**THE PURPOSE AND EFFECT OF THE ZONING BY-LAW AMENDMENT** is to provide for changes to the Comprehensive Zoning By-law regarding Additional Residential Units as generally itemized below:

- I. Replace the definition of 'Accessory Apartment' with new definitions for 'Additional Residential Unit (Attached)' and 'Additional Residential Unit (Detached)'.
- II. Replace the term 'Accessory Apartment' throughout the by-law with the new terms 'Additional Residential Unit (Attached) and 'Additional Residential Unit (Detached)'.
- III. Deleting the existing provisions for 'Accessory Apartments' in its entirety and replacing it with a new Section 4.2 that includes general provisions applicable to all 'Additional Residential Units' and establishes additional provisions specific to the type of Additional Residential Unit (i.e. attached or detached).
- IV. Adjust the parking provisions for 'Additional Residential Units' to allow tandem parking.
- V. Clarify the term for a dwelling unit in the Core Mixed Use (CMU) Zone.

For the purpose of clarity, all terms, including those both bolded and italicized, that are also listed in Section 3 – Definitions are subject to the corresponding definitions.



### **REPORT REC-2022-011**

TO: Mayor and Members of Council

PREPARED BY: Mike Fowler, Director of Public Works, Parks and Facilities

Mary Hasan, Director of Finance/Treasurer

PRESENTED BY: Mike Fowler, Director of Public Works, Parks and Facilities

MEETING DATE: July 13, 2022

SUBJECT: Tender Results for Sports Lighting Upgrades

File: F18SPO

#### **RECOMMENDATIONS**

That Report REC-2022-011 entitled Tender Results for Sports Lighting Upgrades be received; and

That the tender for the Sports Lighting Upgrades be awarded to Nadelec Contracting Inc. at their tendered amount of \$653,302 inclusive of the non-refundable portion of HST; and

That the remaining portion of funding required of \$266,465 from the 2021/2022 approved budget be funded as follows:

- Investing in Canada Infrastructure Program \$177,518; and
- Fundraising/Cash in Lieu \$82,236; and
- Development Charges \$6,711; and

That Council authorizes the Mayor and Clerk to sign the required contract documents.

#### **Purpose**

The purpose of this report is to seek Council's approval to award Contract No. PK22-001 for the the Puslinch Community Centre (PCC) Park Soccer Field and Old Morriston Ball Park Sports Lighting.

As the total tender amounts exceed the budget and the \$500,000 threshold noted in the Township's Purchasing & Procurement of Goods and Services By-law 60/08, Council authorization is required.

### Background

The Township was successful in obtaining funding from the Investing in Canada Infrastructure Program (ICIP) – Community, Culture and Recreation Stream for the following two projects with 73.33% of the projects' total eligible costs funded by the ICIP:

- PCC Renovation and Upgrade which includes the PCC Park Soccer Field Sports Lighting;
   and
- Replacement of the Lights and Upgrading of the Washrooms at the Old Morriston Park.

A public tender for the PCC Park Soccer Field and Old Morriston Ball Park Sports Lighting was advertised on the Bids and Tenders website for four weeks and closed on June 27, 2022. As a result of a call for tenders, two (2) bids were received as follows:

Nadelec Contracting Inc. Fairway Electrical Services Inc.

After a review of the submitted bids, staff are recommending the contract be awarded to Nadelec Contracting Inc.; the lowest compliant bid submitted which aligns with Moon-Matz Ltd. Consulting Engineers' recommendation attached as Schedule A to this Report. The successful bid conforms to the specifications as requested in the tender document.

#### FINANCIAL IMPLICATIONS

The 2021/2022 Capital Budget includes total combined funding of \$426,821 for the PCC Park Soccer Field and Old Morriston Ball Park Sports Lighting based on the estimate of costs known in 2019 from the landscape architect engaged on the PCC Park Renovation and Upgrade project. This information was based on the latest information that Township staff had at the time.

There are additional funds required of \$266,465 when compared to the 2021/2022 budget of \$426,821 based on the breakdown of costs as detailed below totaling \$693,285:

Description	PCC Park Soccer Field	Replace Lights at Old
	Sports Lighting	Morriston Park
Contract Tender Price (excluding taxes)	\$354,400	\$287,600
Add: Non-refundable portion of HST	\$6,239	\$5,063
Add: Hydro One Engineer/Permit Costs	\$11,563	\$1,271

Add: Design and Project Management	\$13,575	\$13,575
Total Cost Per Project	\$385,777	\$307,508
Grand Total Cost		\$693,285

The tender results reflect current costs of both construction materials and labour and is in-line with industry pricing standards. The pandemic has inflated construction costs including rising metal, electrical, fuel, cement, and steel costs as has been observed throughout the construction industry.

It is recommended that the additional funds required of \$266,465 be funded by the ICIP, Fundraising/Cash in Lieu, and Development Charges.

Project Description	Asset No	Funding Source	2021/2022 Approved Budget	2022 Proposed Based on Additional Funds Required	Additional Funds Required
PCC Park Soccer Field	N/A - NEW	ICIP	\$162,866	\$282,890	-(\$120,024)
PCC Park Soccer Field	N/A - NEW	Fundraising/Cash in Lieu	\$50,128	\$87,070	-(\$36,942)
PCC Park Soccer Field	N/A - NEW	Development Charges	\$9,106	\$15,817	-(\$6,711)
Old Morriston Park Lights	3063 & 3064	ICIP	\$150,122	\$207,616	-(\$57,494)
Old Morriston Park Lights	3063 & 3064	Fundraising/Cash in Lieu	\$54,599	\$99,893	-(\$45,294)
Total			\$426,821	\$693,285	-(\$266,465)

Itemized costing for the other components of the PCC Park Renovation and Upgrade are provided in Report REC-2022-012 as directed by Council at its October 13, 2021 Council Meeting. Report REC-2022-012 also outlines the estimated financial implications associated with the following parks projects as outlined below:

- PCC Park Soccer Field Sports Lighting
- PCC Park Renovation and Upgrade
- Replace Lights at Old Morriston Park Asset No. 3063 and 3064
- Playground area at Boreham Park (also known as Arkell Park) Asset No. 3075

#### APPLICABLE LEGISLATION AND REQUIREMENTS

The works for the above projects have been procured in accordance with the Township's Purchasing and Procurement of Goods and Services By-law 60/08.

### **ATTACHMENTS**

Schedule A: Moon-Matz Ltd. Consulting Engineers Recommendation Report - PK22-001 — PCC Park Soccer Field and Old Morriston Ball Park Sports Lighting.

Respectfully submitted:

Reviewed by:

Mary Hasan
Director of Finance/Treasurer

Glenn Schwendinger Chief Administrative Officer

Mike Fowler Director of Public Works, Parks and Facilities



Head Office: 2902 South Sheridan Way, Suite 300, Oakville, ON L6J 7L6 Tel:(905) 274-7556 Fax:(905) 274-5382

To: **Township of Puslinch** Ref. No.: 6420

7404 Wellington Rd 34

Puslinch, ON NOB 2J0 Date: June 29, 2022

Attn: Mary Hasan, Director of Finance/Treasurer Email: mhasan@puslinch.ca

Mike Fowler, Director of Public Works, Parks and mfowler@puslinch.ca

**Facilities** 

From: Chris Monaco

Re: PK22-001 - PUSLINCH COMMUNITY CENTRE PARK SOCCER FIELD AND OLD MORRISTON

**BALL PARK SPORTS LIGHTING** 

Dear Mary / Mike:

As requested, we have reviewed the submitted bids for the above referenced Project.

The bids for the above-mentioned Contract were received by the Township of Puslinch.

The two bidders are summarized as follows:

### Bid Results - PK22-001

Puslinch Community Centre Park Soccer Field and Old Morriston Ball Park Sports Lighting

Company	Total Bid	General	Section A (PCC Park Soccer Field)	Section B (Morriston Ball Park)	Contingency Allowance	Pretender Estimate	Tender Variance
Nadelec Contracting Inc.	\$642,000	\$20,000	\$319.400	\$252,600	\$50,000	\$752,491	(-14.6%)
Fairway Electrical Services Inc.	\$829,482	\$12,850	\$346,667	\$419,965	\$50,000	\$752,491	10.2%

• All the bid prices include all applicable taxes and duties except H.S.T.

### Outline of Work:

Puslinch Community Centre Park Soccer Field - The scope is to provide new sports field lighting including new electrical power service bunker, electrical distribution equipment, sports field lighting poles, lighting fixtures, underground conduit, trenching and wiring.

Old Morriston Ball Park - The scope is to replace the existing sports field lighting with new sports field lighting including new electrical power service bunker, electrical distribution equipment, sports field lighting poles, lighting fixtures, underground conduit, trenching, wiring and removals of existing sports field lighting and power distribution.

#### **Review of Bids Received:**

The lowest bidder was submitted by Nadelec Contracting Inc.



Head Office: 2902 South Sheridan Way, Suite 300, Oakville, ON L6J 7L6 Tel:(905) 274-7556 Fax:(905) 274-5382

Moon-Matz Ltd. total pretender construction cost estimate for this project was \$752,491.00 which included a 5% contingency (\$35,832.91). It should be noted that our pretender construction cost estimate is based on published construction pricing data for Ontario and is based on data for the Canadian Construction Industry. The comparison of bids is as follows:

- The lowest bidder (Nadelec Contracting Inc.) is approximately 14.6% lower than the pretender construction cost estimate.
- The second bidder (Fairway Electrical Services Inc.) is approximately 10.2% higher than the pretender construction cost estimate.
- All bidders provided a fully completed cost breakdown.
- The schedule of unit prices were completed by both bidders, the low bidders unit prices are lower than the second low bidder which is favourable for the Township should additional work be required.
- The variance between the low bid and the pretender estimate is (-14.6%).
- The possible reason for the (-14.6%) variance with the lowest bidder and the pretender construction estimate could be due to market conditions and the contractor's perception of the complexity of the work as compared to the estimating team.

We have worked with both bidders in the past on similar projects and of similar complexity and the quality of work for both bidders was acceptable.

Based on the above, the compliant lowest bidder is \$642,000.00 submitted by **Nadelec Contracting Inc.** Our experience with this bidder is satisfactory and we recommend that the township of Puslinch award this project to the lowest compliant bidder (**Nadelec Contracting Inc.**).



projects.

### **REPORT REC-2022-012**

TO:	Mayor and Members of Council
PREPARED BY:	Mike Fowler, Director of Public Works, Parks and Facilities Mary Hasan, Director of Finance/Treasurer
PRESENTED BY:	Brad Smith, Senior Landscape Architect, Seferian Design Group
MEETING DATE:	July 13, 2022
SUBJECT:	Puslinch Community Centre Park and Boreham Park Landscape Concept Plans File: F18PUS
RECOMMENDATIO	NS
•	2022-012 entitled Puslinch Community Centre Park and Boreham Park : Plans be received; and
	portion of funding required of \$ from the 2021/2022/2023 budgets vs for Concept:
<ul> <li>Fundraising</li> </ul>	Canada Infrastructure Program - \$; and //Cash in Lieu - \$; and nt Charges - \$; and
	s staff to apply for the Ontario Trillium Foundation – Capital Grant Program ark Playground project; and
That Council autho	rize the issuance of a Request for Tender based on Concept
<u>Purpose</u>	
The purpose of this	report is to seek Council's approval to issue a Request for Tender for the

Puslinch Community Centre (PCC) Park Renovation and Upgrade and Boreham Park Playground

### **Background**

The Township was successful in obtaining funding from the Investing in Canada Infrastructure Program (ICIP) – Community, Culture and Recreation Stream for the following two projects with 73.33% of the projects' total eligible costs funded by the ICIP:

- PCC Renovation and Upgrade which includes the PCC Park Soccer Field Sports Lighting;
   and
- Replacement of the Lights and Upgrading of the Washrooms at the Old Morriston Park.

The PCC Park Soccer Field and Old Morriston Ball Park Sports Lighting projects tender results are provided in Report REC-2022-011.

Council at its meeting held on October 13, 2021 through Council Resolution No. 2021-299 directed staff as follows:

That Report FIN-2021-032 regarding the Puslinch Community Centre Park Renovation and Upgrade and Replacement of the Lights and Upgrading of the Washrooms at Old Morriston Park - Funding Recommendations be received; and

That the Puslinch Community Centre Park Renovation and Upgrade costs estimated at \$1,836,765 be funded as follows:

- Investing in Canada Infrastructure Program \$1,346,900
- Fundraising/Cash in Lieu of Parkland \$404,245
- Parks and Recreation Services Development Charges \$75,620
- County Accessibility Grant Funding \$10,000; and

That the Replacement of the Lights and Upgrading of Washrooms at the Old Morriston Park estimated at \$204,721 be funded as follows:

- Investing in Canada Infrastructure Program \$150,122
- Fundraising/Cash in Lieu of Parkland \$54,599; and

That Council request that once a detailed list of components for the projects with associated costs is finalized, the Recreation Committee liaise with community groups in order to facilitate fundraising efforts for the Puslinch Community Centre Park Renovation and Upgrade and the Replacement of the Lights and Upgrading of Washrooms at the Old Morriston Park; and

That the Recreation Committee's and community groups coordinated fundraising efforts be prioritized as a goal/objective for 2022/2023 with final funds provided to the Township by December 1, 2023; and

That the Mayor pursue corporate sponsorship opportunities and report back to the Recreation Committee to assist with fundraising; and

That staff proceed as directed.

#### **FINANCIAL IMPLICATIONS**

The 2021/2022/2023 Capital Budget includes total combined funding of \$2,271,486 for the following projects based on the estimate of costs known in 2019 from the landscape architect engaged on the PCC Park Renovation and Upgrade project. This information was based on the latest information that Township staff had at the time:

- PCC Park Soccer Field Sports Lighting
- Old Morriston Ball Park Sports Lighting
- PCC Park Renovation and Upgrade
- Playground area at Boreham Park (also known as Arkell Park) Asset No. 3075

Based on recent tender results for other Township projects, the pandemic has inflated construction costs as has been observed throughout the construction industry and within the municipal sector.

Similar to past practise, the results of the tender for the PCC Park Renovation and Upgrade and Playground area at Boreham Park will be provided to Council given Council authorization is required for tender amounts exceeding the \$500,000 threshold noted in the Township's Purchasing & Procurement of Goods and Services By-law 60/08.

It is recommended that Township staff apply for the Ontario Trillium Foundation – Capital Grant Program for the Boreham Park Playground project. The deadline to apply for the grant is August 3, 2022 with a term of 12 months and a maximum award of \$150,000. The 2023 Capital Budget for the Boreham Park Playground project will be updated if the Township is successful in this grant funding application.

### Concept A:

There are additional funds required of \$119,132 when compared to the 2021/2022/2023 budget of \$2,271,486 based on the breakdown of costs as detailed below totaling \$2,390,618 for Concept A:

Description	Puslinch Community Centre Park Renovation and Upgrade	Boreham Park Playground	PCC Park Soccer Field Sports Lighting	Replace Lights at Old Morriston Park
Contract Tender Price (excluding taxes)	\$1,335,268	\$205,442	\$354,400	\$287,600
or Pre-Tender Cost Estimate				
Add: Non-refundable portion of HST	\$23,506	\$3,617	\$6,239	\$5,063
Add: Hydro One Engineer/Permit Costs	N/A	N/A	\$11,563	\$1,271
Add: Design and Project Management	\$98,150	\$6,350	\$13,575	\$13,575
Add: Provisional Chainlink Baseball Net	\$25,000	N/A	N/A	N/A
Total Cost Per Project	\$1,481,924	\$215,409	\$385,777	\$307,508
<b>Grand Total Cost</b>				\$2,390,618

It is recommended that the additional funds required of \$119,132 for Concept A be funded by the ICIP, Fundraising/Cash in Lieu, and Development Charges as outlined below:

Project Description	Asset No	Funding Source	2021/2022 /2023	2022 Proposed Based on	Additional Funds
			Budget	Additional	Required -
				Funds	Concept A
				Required -	
				Concept A	
PCC Park Soccer Field	N/A - NEW	ICIP	\$162,866	\$282,890	-(\$120,024)
PCC Park Soccer Field	N/A - NEW	Fundraising/Cash in Lieu	\$50,128	\$87,070	-(\$36,942)
PCC Park Soccer Field	N/A - NEW	Development Charges	\$9,106	\$15,817	-(\$6,711)
Old Morriston Park Lights	3063 & 3064	ICIP	\$150,122	\$207,616	-(\$57,494)
Old Morriston Park Lights	3063 & 3064	Fundraising/Cash in Lieu	\$54,599	\$99,893	-(\$45,294)
PCC Park Renovation/Upgrade	Various	ICIP	\$1,184,034	\$1,086,695	\$97,339
PCC Park Renovation/Upgrade	Various	Fundraising/Cash in Lieu	\$354,117	\$308,292	\$45,825
PCC Park Renovation/Upgrade	Various	Development Charges	\$66,514	\$76,937	-(\$10,423)
PCC Park Renovation/Upgrade	Various	County Accessibility	\$10,000	\$10,000	\$0
Boreham Park Playground	3075	Development Charges	\$45,000	\$42,145	\$2,855
Boreham Park Playground	3075	Fundraising/Cash in Lieu	\$165,000	\$153,263	\$11,737
Boreham Park Playground	3075	County Accessibility	\$20,000	\$20,000	\$0
Total			\$2,271,486	\$2,390,618	-(\$119,132)

### **Concept B:**

There are additional funds required of \$352,964 when compared to the 2021/2022/2023 budget of \$2,271,486 based on the breakdown of costs as detailed below totaling \$2,624,450 for Concept B:

Description	Puslinch Community Centre Park Renovation and Upgrade	Boreham Park Playground	PCC Park Soccer Field Sports Lighting	Replace Lights at Old Morriston Park
Contract Tender Price (excluding taxes)	\$1,534,460	\$236,037	\$354,400	\$287,600
or Pre-Tender Cost Estimate				
Add: Non-refundable portion of HST	\$27,013	\$4,155	\$6,239	\$5,063
Add: Hydro One Engineer/Permit Costs	N/A	N/A	\$11,563	\$1,271
Add: Design and Project Management	\$98,150	\$6,350	\$13,575	\$13,575
Add: Provisional Chainlink Baseball Net	\$25,000	N/A	N/A	N/A
Total Cost Per Project	\$1,684,623	\$246,542	\$385,777	\$307,508
Grand Total Cost				\$2,624,450

It is recommended that the additional funds required of \$352,964 for Concept B be funded by the ICIP, Fundraising/Cash in Lieu, and Development Charges as outlined below:

Project Description	Asset No	Funding Source	2021/2022 /2023	2022 Proposed Based on	Additional Funds
			Budget	Additional	Required -
				Funds Req'd -	Concept B
				Concept B	
PCC Park Soccer Field	N/A - NEW	ICIP	\$162,866	\$282,890	-(\$120,024)
PCC Park Soccer Field	N/A - NEW	Fundraising/Cash in Lieu	\$50,128	\$87,070	-(\$36,942)
PCC Park Soccer Field	N/A - NEW	Development Charges	\$9,106	\$15,817	-(\$6,711)
Old Morriston Park Lights	3063 & 3064	ICIP	\$150,122	\$207,616	-(\$57,494)
Old Morriston Park Lights	3063 & 3064	Fundraising/Cash in Lieu	\$54,599	\$99,893	-(\$45,294)
PCC Park Renovation/Upgrade	Various	ICIP	\$1,184,034	\$1,171,700	\$12,334
PCC Park Renovation/Upgrade	Various	Fundraising/Cash in Lieu	\$354,117	\$417,635	-(\$63,518)
PCC Park Renovation/Upgrade	Various	Development Charges	\$66,514	\$85,287	-(\$18,773)
PCC Park Renovation/Upgrade	Various	County Accessibility	\$10,000	\$10,000	\$0
Boreham Park Playground	3075	Development Charges	\$45,000	\$48,236	-(\$3,236)
Boreham Park Playground	3075	Fundraising/Cash in Lieu	\$165,000	\$178,305	-(\$13,305)
Boreham Park Playground	3075	County Accessibility	\$20,000	\$20,000	\$0
Total			\$2,271,486	\$2,624,450	-(\$352,964)

### **APPLICABLE LEGISLATION AND REQUIREMENTS**

None

### **ATTACHMENTS**

Schedule A: Seferian Design Group Presentation for PCC Park and Boreham Park Landscape Concept Plans

Schedule B - Seferian Design Group Itemized Costing - Concept A

Schedule C - Seferian Design Group Itemized Costing - Concept B

Respectfully submitted: Reviewed by:

Mary Hasan
Director of Finance/Treasurer

Glenn Schwendinger Chief Administrative Officer

Mike Fowler
Director of Public Works, Parks and Facilities



23 BROCK ROAD SOUTH, PUSLINCH, ON PROJECT NO: 22-030 | Contract Number: 2022-001 DATE: 2022.06.27 (revision 1)



# **SITE OVERVIEW**















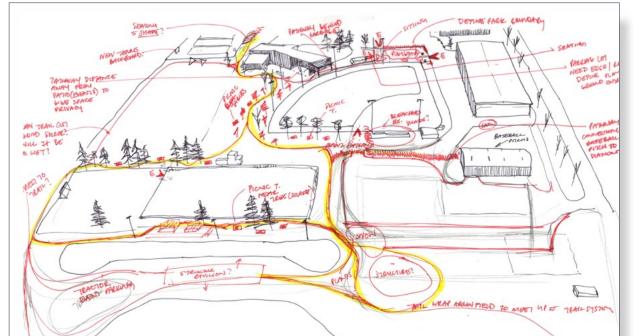


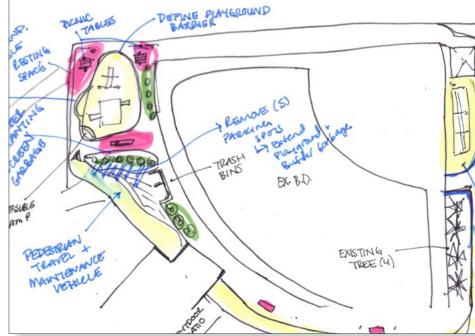
# **EXISTING SITE CONDITIONS**

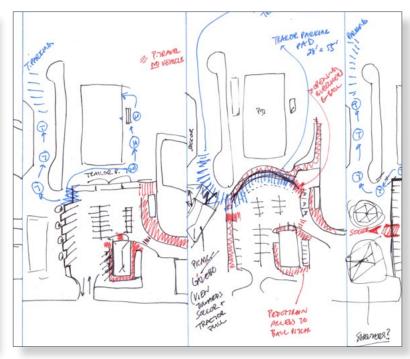


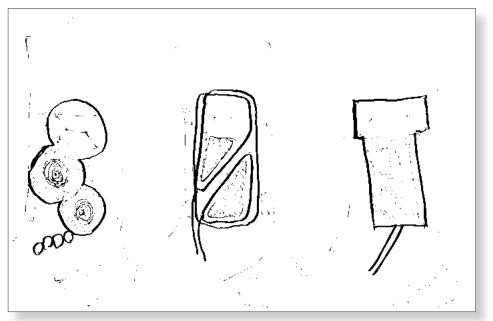


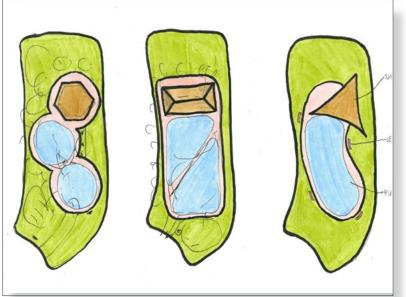
## **PUSLINCH CC PARK**













**BOREHAM PARK** 

# **CONCEPT DEVELOPMENT**





### **PUSLINCH CC PARK**

### SITE PLAN (A)



### LEGEND

NEW PARKING LOT



STONEDUST PATHWAYS (2m WIDE)



1 NEW PARKING LOT

CENTRAL GATHERING SPACE/ PLAZA

3) NEW FENCING HORSE PADDOCK

4 RE-GRADED TRACTOR PULL

5 BLEACHERS ON CONCRETE PAD

6 STORAGE SHED

7 NEW PLAYGROUND

8 TENNIS COURT RE-SURFACING

9 BUFFER PLANTINGS

10) SOCCER BLEACHERS ON CONCRETE PAD

EXISTING TREES

PROPOSED PLANTINGS

PROPOSED SHADE STRUCTURE

PROPOSED CLUSTER SEATING (20+ UNITS)

PROPOSED BIKE PARKING (6 UNITS)

TRASH RECEPTACLES

BASEBALL SAFETY NETTING
(EXACT LOCATION TO BE FINALIZED IN
DETAILED DESIGN)

THREE (3) CONCEPTS FOR PLAYGROUND, SITE FURNISHING, PICNIC TABLES AND GROUND SURFACING WILL BE DETERMINED IN THE DETAILED DESIGN PHASE

LOCATION OF BENCHES, CLUSTER SEATING, BIKE RACKS TO BE FINALIZED IN THE DETAILED DESIGN PHASE.





ENTRANCE/ EXIT

### **PUSLINCH CC PARK**

### SITE PLAN (B)

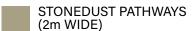


MAIN PARKING LOT ENTRANCE/ EXIT

### LEGEND

NEW PARKING LOT







1 NEW PARKING LOT

2 CENTRAL GATHERING SPACE/ PLAZA

3) NEW FENCING HORSE PADDOCK

4) RE-GRADED TRACTOR PULL

5 BLEACHERS ON CONCRETE PAD

6 STORAGE SHED

(7) NEW PLAYGROUND

(8) TENNIS COURT RE-SURFACING

9 BUFFER PLANTINGS

SOCCER BLEACHERS ON CONCRETE PAD

EXISTING TREES

PROPOSED PLANTINGS

PROPOSED SHADE STRUCTURE

PROPOSED CLUSTER SEATING (20+ UNITS)

PROPOSED BIKE PARKING (6 UNITS)

TRASH RECEPTACLES

BASEBALL SAFETY NETTING
(EXACT LOCATION TO BE FINALIZED IN
DETAILED DESIGN)

THREE (3) CONCEPTS FOR PLAYGROUND, SITE FURNISHING, PICNIC TABLES AND GROUND SURFACING WILL BE DETERMINED IN THE DETAILED DESIGN PHASE

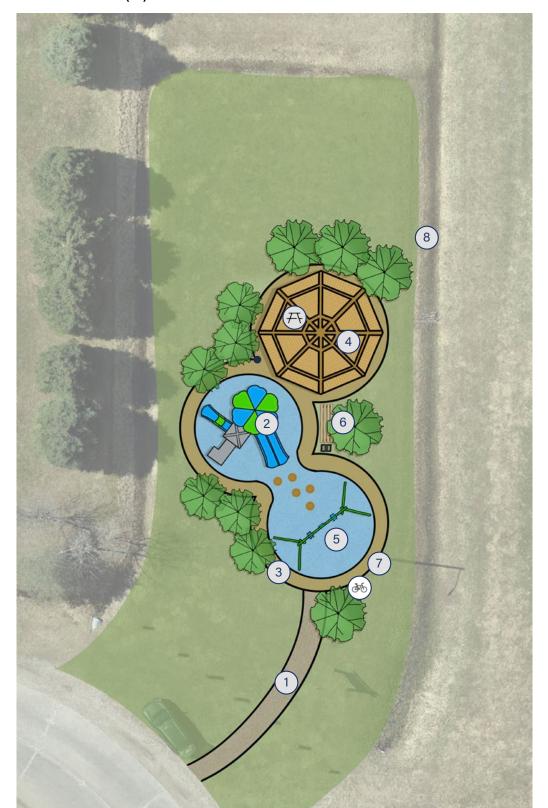
LOCATION OF BENCHES, CLUSTER SEATING, BIKE RACKS TO BE FINALIZED IN THE DETAILED DESIGN PHASE.



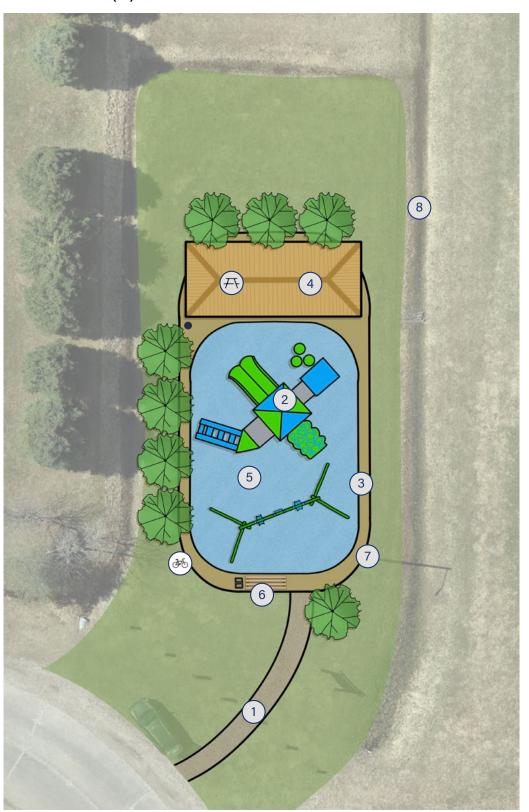


### **BOREHAM PARK**

SITE PLAN (A)



## SITE PLAN (B)



### **LEGEND**

- 1 MAIN PATH CONNECTION
- 2 PLAYGROUND EQUIPMENT
- 3 ASPHALT WALKWAY
- 4 SHADE STRUCTURE + SEATING
- 5 RUBBER PLAY SURFACE
- 6 BENCHES
- 7 EXISTING LIGHT POST (TO REMAIN)
- 8 EXISTING PERIMETER SWALE (TO REMAIN)
- PROPOSED PICNIC TABLES
- PROPOSED TREE PLANTINGS
- FROPOSED BIKE PARKING
- TRASH RECEPTACLE

TRASH RECEPTACLES AND SITE FURNISHING PLACEMENT TO BE FINALIZED IN DETAILED DESIGN.

PLAYGROUND DRAINAGE (i.e. SOAK AWAY PIT, ETC.) TO BE FINALIZED IN DETAILED DESIGN

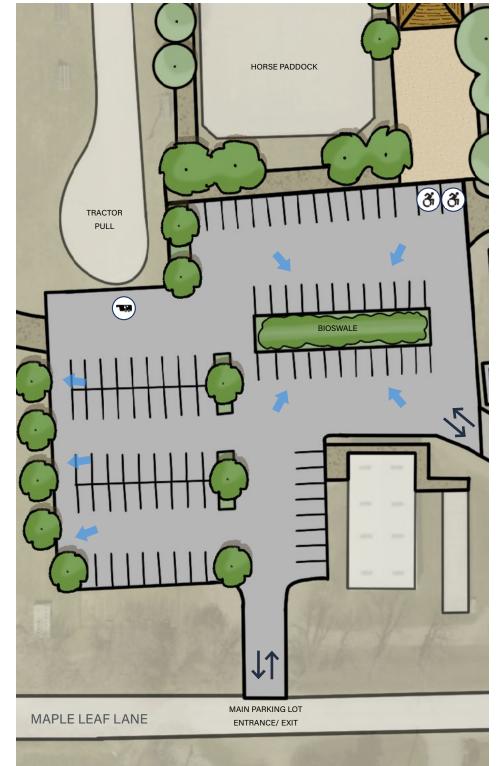


Scale NTS





## **PUSLINCH CC PARK - PARKING LOT CONFIGURATION OPTIONS**





**CONCEPT B** - 88 PARKING STALLS + 2 ACCESSIBLE

### **LEGEND**





5.2.3 Dimensions of Parking Spaces, Puslinch Zoning Bylaw (2020)

PROPOSED DRAINAGE (CONCEPTUAL)

↓↑ VEHICULAR ENTRANCE/ EXIT

















Scale NTS





**CONCEPT A - 88 PARKING STALLS + 2 ACCESSIBLE** 

## PUSLINCH GATHERING SPACE/ PARK PLAZA

SURFACING (PLAZA & PATHWAYS)



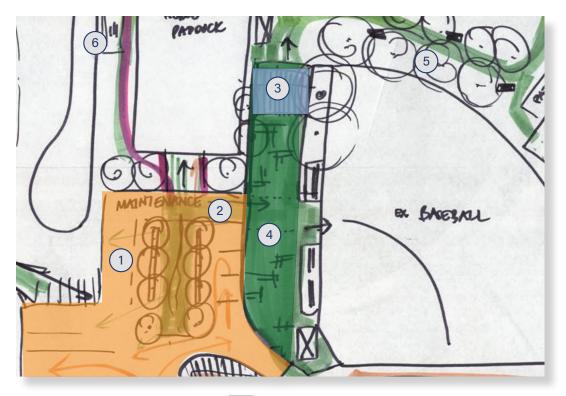


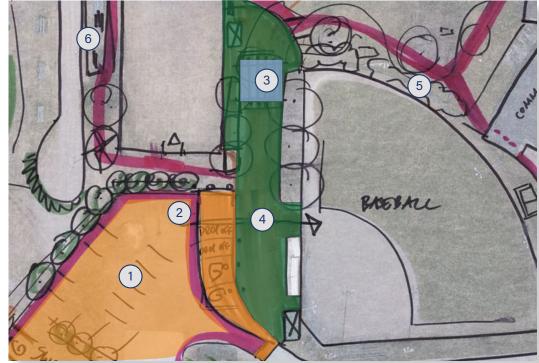












### **LEGEND**

- 1 NEW PARKING LOT
- 2 ACCESSIBLE PARKING SPOTS
- 3 SHADE STRUCTURE + SEATING
- (4) CENTRAL GATHERING SPACE/ PLAZA
- 5 BUFFER PLANTINGS
- 6 BLEACHERS ON CONCRETE PAD
- ASPHALT PARKING LOT
- CENTRAL GATHERING SPACE/ PLAZA
- PAVED TRAIL NETWORK
- SHADE STRUCTURE
- TRAIL NETWORK
- PROPOSED PLANTINGS



Scale NTS





## **HORSE PADDOCK**

### FENCING MATERIAL



EX. PADDOCK FENCING



EX. ENTRANCE

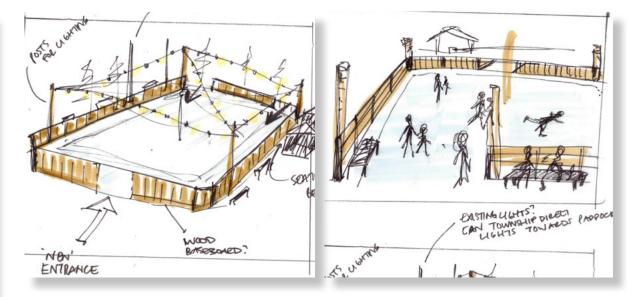


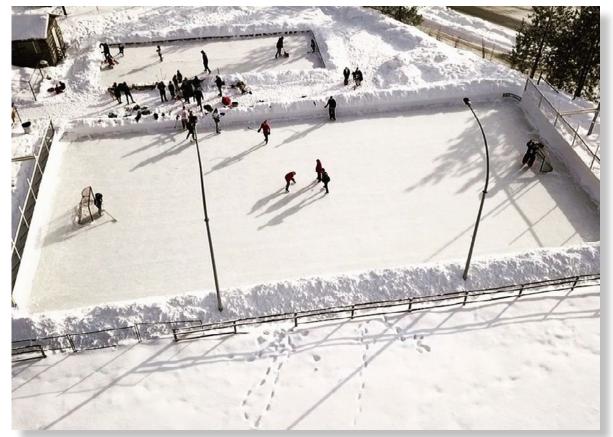
TIMBER FENCE



PAINTED FENCING

### SEASONALITY





WINTER SKATING





## **PUSLINCH CC PARK - PLAYGROUND OPTIONS**



EX. PLAYGROUND SPACE



STRUCTURE TO BE RE-INSTALLED



HIXON PARK - SEFERIAN DESIGN GROUP



MICO PARK - SEFERIAN DESIGN GROUP



SPACE THEME PLAY STRUCTURE - JAMBETTE



COLOURFUL PLAY SURFACE - PARK AND PLAY





## PARKING LOT STORAGE SHED ENHANCEMENTS













## **SITE FURNITURE**

### **BLEACHERS**



**ULINE: ALUMINUM BLEACHERS** 



**WOOD ALTERNATIVE** 

### **BENCHES**



HAUSER: BENCH



LANDSCAPE FORMS: GENERATION 50

### **CLUSTER SEATING**

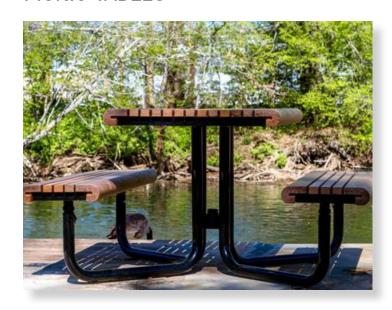


MAGLIN: 400SERIES



VICTOR STANLEY: A-363

### PICNIC TABLES



LANDSCAPE FORMS: GRETCHEN PICNIC TABLE



HAUSER: APEX PICNIC TABLE





## Cost Estimate for Landscape Items (Concept Design) Puslinch CC Park Upgrade | Puslinch ON

Date Prepared: 2022-06-27 Based on plans dated: 2022-06-27



AREA OF WORK	SL	JBTOTAL
Puslinch Community Centre Park Upgrade - CONCEPT A	\$	1,181,653.00
Boreham Park Upgrade - CONCEPT A	\$	181,807.0
	SUBTOTALS	\$ 1,363,460.0
	10% Contingency	\$ 136,346.0
	Electrical Allowance (3%	(a) \$ 40,903.80

#### NOTE:

This cost estimate is based on the conceptual landscape drawings prepared by Seferian Design Group (SDG) and dated 2022-06-27.

This costs estimate has been produced for budgetary purposes only. The figures noted within reflect an approximate cost of construction for the above mentioned development. SDG does not guarantee contractor bid prices or actual construction costs.

This estimate does not include (unless otherwise noted):

- Contractor mark-up or allowance for inflation
- Contingency may include, but not limited to, mobilization, demobilization, staging, access, layout, site fencing, removals, rough grading, etc.
- Other non-landscape related site installations
- Consultant fees
- Engineering and/or inspection fees
- Permit fees
- HST

## Cost Estimate for Landscape Items (Concept Design) Puslinch CC Park Upgrade | Puslinch ON

Date Prepared: 2022-06-27 Based on plans dated: 2022-06-27



ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	
Pusi	Puslinch Community Centre Park Upgrade - CONCEPT A					
1.0	ASPHALT PAVING (TRAILS): SUPPLY AND INSTALL ASPHALT PAVING FOR TRAILS. COSTS TO INCLUDE ALL GRANULAR BASE WORK (COSTS ASSUME GRANULAR BASE AND PAVEMENT ARE 75mm THICK AND 3000mm WIDE)	587	m²	\$33.50	\$19,664.50	
2.0	ASPHALT PAVING (PARKING LOT): SUPPLY AND INSTALL ASPHALT PAVING FOR PARKING LOT. COSTS TO INCLUDE ALL GRANULAR BASE WORK (COSTS ASSUME GRANULAR BASE IS 450mm THICK AND ASPHALT IS 100mm THICK).	4258	m²	\$77.50	\$329,995.00	
3.0	CONCRETE PAVING: SUPPLY AND INSTALL CONCRETE PAVING FOR SITE FURNITURE PADS AND CENTRAL GATHERING SPACE. COSTS TO INCLUDE ALL GRANULAR BASE WORK, FALSE WORK, FORM WORK, REINFORCING, JOINTS, AND FINISHING.	744	m²	\$125.00	\$93,000.00	
4.0	STABILIZED GRANULAR SURFACING (STONEDUST): SUPPLY AND INSTALL GRANULAR PATHWAYS (ASSUME 3000mm WIDE). COSTS TO INCLUDE ALL GRANULAR BASE WORK AND BONDING AGENT (ROMEX).	1300	m²	\$40.00	\$52,000.00	
5.0	STABILIZED GRANULAR SURFACING (FOR TRACTOR PULL):SUPPLY AND INSTALL GRANULAR TRACTOR PULL. COSTS TO INCLUDE ALL GRANULAR BASE WORK AND BONDING AGENT (ROMEX).	1060	m²	\$40.00	\$42,400.00	
6.0	TENNIS COURT IMPROVEMENTS:					
a)	COURT ASPHALT SURFACING: SUPPLY AND INSTALL ASPHALT SURFACING AND GRANULAR BASE (COSTS ASSUME GRANULAR BASE AND PAVEMENT ARE 75mm THICK)	1747	m²	\$33.50	\$58,524.50	
b)	COURT NETTING	3	ea	\$500.00	\$1,500.00	
c)	COURT PAINTING	1	lump sum	\$5,000.00	\$5,000.00	
7.0	PLAYGROUND:					
a)	PLAYGROUND: SUPPLY AND INSTALL PLAYGROUND STRUCTURE. COSTS TO INCLUDE REUSING RED COMMEMORATIVE STRUCTURE.	1	lump sum	\$75,000.00	\$75,000.00	
b)	RUBBER SURFACING: SUPPLY AND INSTALL RUBBER SURFACING IN PLAYGROUND AREA. COSTS TO INCLUDE ALL GRANULAR BASE WORK AND DRAINAGE.	484	m²	\$200.00	\$96,800.00	
c)	SUPPLY AND INSTALL CLEAR STONE DRAINAGE LAYER AND DRAINAGE TRENCH. COSTS TO INCLUDE ALL DRAINAGE PIPE AND FILTER FABRIC.	48.4	m3	\$70.00	\$3,388.00	
d)	PLAYGROUND AREA CURBING: SUPPLY AND INSTALL NEW PLAYGROUND CURB. COSTS TO INCLUDE ALL GRANULAR BASE WORK, FORM WORK, DRAINAGE, FILTER FABRIC, REINFORCING JOINTS, AND FINISHING.	91	lin. m.	\$100.00	\$9,100.00	
e)	SIGNAGE: NEW PLAYGROUND REGULATORY SIGNAGE ON TELESPAR POSTS INCLUDING GRANULAR BASES.	1	each	\$250.00	\$250.00	
8.0	<b>FENCING (DECORATIVE)</b> : SUPPLY AND INSTALL 1219mm HIGH DECORATIVE FENCE WITH FOOTINGS.	30	lin. m.	\$425.00	\$12,750.00	
9.0	FENCING (TIMBER RANGE): SUPPLY AND INSTALL TIMBER RANGE FENCE. COSTS TO INCLUDING FOOTINGS, WOOD, CABLES, HARDWARE, FASTENERS, ETC.	100	lin. m.	\$150.00	\$15,000.00	
10.0	FENCING (HORSE PADDOCK): PAINT, REPAIR, AND STRAIGHTEN HORSE PADDOCK FENCING.	1	lump sum	\$10,000.00	\$10,000.00	
11.0	STORM ALLOWANCE: SUPPLY ALL LABOUR, EQUIPMENT AND MATERIAL TO INSTALL ALL STORM SEWER WORK INCLUDING EXCAVATION, BEDDING, BACKFILL, PIPE, AND CATCHBASIN. CATCHBASIN TO OUTLET TO ADJACENT SWALE.	1	lump sum	\$20,000.00	\$20,000.00	



12.0	SITE FURNISHINGS:				
a)	SUPPLY AND INSTALL <b>BACKED BENCH.</b> COSTS TO INCLUDE STAINLESS STEEL TAMPER PROOF BOLTS.	15	each	\$1,880.00	\$28,200.00
b)	SUPPLY AND INSTALL <b>BIKE RACK.</b> COSTS TO INCLUDE STAINLESS STEEL TAMPER PROOF BOLTS.	6	each	\$380.00	\$2,280.00
c)	SUPPLY AND INSTALL <b>CLUSTER SEATING (TABLE).</b> COSTS TO INCLUDE STAINLESS STEEL TAMPER PROOF BOLTS.	20	each	\$3,465.00	\$69,300.00
d)	SUPPLY AND INSTALL SURFACE-MOUNTED <b>TRASH RECEPTACLE</b> AS PER SHEET L-502. COSTS TO INCLUDE STAINLESS STEEL TAMPER PROOF BOLTS.	7	each	\$2,843.00	\$19,901.00
e)	SUPPLY AND INSTALL <b>MAIN SHADE SHELTER.</b> COSTS TO INCLUDE ALL FOOTINGS, ENGINEERED DRAWINGS, FREIGHT, ETC.	1	each	\$70,000.00	\$70,000.00
f)	SUPPLY AND INSTALL <b>PLAYGROUND SHADE SHELTER.</b> COSTS TO INCLUDE ALL FOOTINGS, ENGINEERED DRAWINGS, FREIGHT, ETC.	1	each	\$50,000.00	\$50,000.00
g)	SUPPLY AND INSTALL <b>SOCCER FIELD SHADE SHELTER.</b> COSTS TO INCLUDE ALL FOOTINGS, ENGINEERED DRAWINGS, FREIGHT, ETC.	1	each	\$50,000.00	\$50,000.00
h)	SUPPLY AND INSTALL <b>BLEACHERS</b>	7	each	\$1,300.00	\$9,100.00
13.0	PLANTINGS:				
a)	SUPPLY AND INSTALL DECIDUOUS TREES: SIZE 60mm CAL. W.B.	40	each	\$550.00	\$22,000.00
b)	SUPPLY AND INSTALL SHRUBS: VARIOUS SIZES	50	each	\$50.00	\$2,500.00
c)	SUPPLY AND INSTALL PERENNIALS AND GRASSES: SIZE: 1 GALLON POTTED	200	each	\$20.00	\$4,000.00
14.0	ARCHITECTURAL IMPROVEMENTS (I.E. PAINTING) TO THE BUILDING NEAR BASEBALL DIAMOND (ALLOWANCE). NO STRUCTURAL IMPROVEMENTS.	1	lump sum	\$10,000.00	\$10,000.00
			Conce	pt A Subtotal:	\$ 1,181,653.00
PROV	/ISIONAL ITEMS:				
1.0	MESH BASEBALL NETTING	100	lin.m	\$150.00	\$15,000.00
2.0	CHAINLINK BASEBALL NETTING	100	lin.m	\$250.00	\$25,000.00



ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	
Bore	Boreham Park Upgrade - CONCEPT A					
1.0	ASPHALT PAVING (TRAILS): SUPPLY AND INSTALL ASPHALT PAVING FOR TRAILS. COSTS TO INCLUDE ALL GRANULAR BASE WORK (COSTS ASSUME GRANULAR BASE AND PAVEMENT ARE 75mm THICK)	54	m²	\$33.50	\$1,809.00	
2.0	CONCRETE PAVING: SUPPLY AND INSTALL CONCRETE PAVING FOR SITE FURNITURE PADS. COSTS TO INCLUDE ALL GRANULAR BASE WORK, FALSE WORK, FORM WORK, REINFORCING, JOINTS, AND FINISHING.	170	m²	\$125.00	\$21,250.00	
3.0	PLAYGROUND:					
a)	PLAYGROUND: SUPPLY AND INSTALL PLAYGROUND STRUCTURE	1	lump sum	\$65,000.00	\$65,000.00	
b)	PLAYGROUND SURFACING: SUPPLY AND INSTALL ENGINEERED WOOD FIBAR PLAYGROUND SURFACING OVER DRAINAGE LAYER.	120	m²	\$60.00	\$7,200.00	
c)	SUPPLY AND INSTALL CLEAR STONE DRAINAGE LAYER AND DRAINAGE TRENCH. COSTS TO INCLUDE ALL DRAINAGE PIPE AND FILTER FABRIC.	12.0	m3	\$70.00	\$840.00	
d)	PLAYGROUND AREA CURBING: SUPPLY AND INSTALL NEW PLAYGROUND CURB. COSTS TO INCLUDE ALL GRANULAR BASE WORK, FORM WORK, DRAINAGE, FILTER FABRIC, REINFORCING JOINTS, AND FINISHING.	49	lin. m.	\$100.00	\$4,900.00	
e)	ACCESSIBLE RAMPS: SUPPLY AND CONSTRUCT ACCESSIBLE RAMPS INCLUDING ALL FORM WORK, FALSE WORK, GRANULAR BASES, REINFORCING, JOINTS, AND FINISHING PER CONTRACT DRAWINGS	1	each	\$1,200.00	\$1,200.00	
f)	SIGNAGE: NEW PLAYGROUND REGULATORY SIGNAGE ON TELESPAR POSTS INCLUDING GRANULAR BASES.	1	each	\$250.00	\$250.00	
4.0	SITE FURNISHINGS:					
a)	SUPPLY AND INSTALL <b>BACKED BENCH</b> . COSTS TO INCLUDE STAINLESS STEEL TAMPER PROOF BOLTS.	2	each	\$1,880.00	\$3,760.00	
b)	SUPPLY AND INSTALL <b>BIKE RACK.</b> COSTS TO INCLUDE STAINLESS STEEL TAMPER PROOF BOLTS.	3	each	\$380.00	\$1,140.00	
c)	SUPPLY AND INSTALL <b>CLUSTER SEATING (TABLE)</b> . COSTS TO INCLUDE STAINLESS STEEL TAMPER PROOF BOLTS.	1	each	\$3,465.00	\$3,465.00	
d)	SUPPLY AND INSTALL SURFACE-MOUNTED <b>TRASH RECEPTACLE</b> AS PER SHEET L-502. COSTS TO INCLUDE STAINLESS STEEL TAMPER PROOF BOLTS.	1	each	\$2,843.00	\$2,843.00	
e)	SUPPLY AND INSTALL <b>SHADE SHELTER</b> . COSTS TO INCLUDE ALL FOOTINGS, ENGINEERED DRAWINGS, FREIGHT, ETC.	1	each	\$60,000.00	\$60,000.00	
5.0	PLANTINGS:					
a)	SUPPLY AND INSTALL DECIDUOUS TREES: SIZE 60mm CAL. W.B.	12	each	\$550.00	\$6,600.00	
b)	SUPPLY AND INSTALL SHRUBS: VARIOUS SIZES	15	each	\$50.00	\$750.00	
c)	SUPPLY AND INSTALL PERENNIALS AND GRASSES: SIZE: 1 GALLON POTTED	40	each	\$20.00	\$800.00	
Concept A Subtotal:					\$ 181,807.00	

## Cost Estimate for Landscape Items (Concept Design) Puslinch CC Park Upgrade | Puslinch ON

Date Prepared: 2022-06-27 Based on plans dated: 2022-06-27



AREA OF WORK	SUE	BTOTAL
Puslinch Community Centre Park Upgrade - CONCEPT B	\$	1,357,929.0
Boreham Park Upgrade - CONCEPT B	\$	208,882.0
	SUBTOTALS	\$ 1,566,811.0
	10% Contingency	\$ 156,681.1
	Electrical Allowance (3%)	\$ 47,004.3

#### NOTE:

This cost estimate is based on the conceptual landscape drawings prepared by Seferian Design Group (SDG) and dated 2022-06-27.

This costs estimate has been produced for budgetary purposes only. The figures noted within reflect an approximate cost of construction for the above mentioned development. SDG does not guarantee contractor bid prices or actual construction costs.

This estimate does not include (unless otherwise noted):

- Contractor mark-up or allowance for inflation
- Contingency may include, but not limited to, mobilization, demobilization, staging, access, layout, site fencing, removals, rough grading, etc.
- Other non-landscape related site installations
- Consultant fees
- Engineering and/or inspection fees
- Permit fees
- HST



ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	
Pusi	Puslinch Community Centre Park Upgrade - CONCEPT B					
1.0	ASPHALT PAVING (TRAILS): SUPPLY AND INSTALL ASPHALT PAVING FOR TRAILS. COSTS TO INCLUDE ALL GRANULAR BASE WORK (COSTS ASSUME GRANULAR BASE AND PAVEMENT ARE 75mm THICK AND 3000mm WIDE)	507	m²	\$33.50	\$16,984.50	
2.0	ASPHALT PAVING (PARKING LOT): SUPPLY AND INSTALL ASPHALT PAVING FOR PARKING LOT. COSTS TO INCLUDE ALL GRANULAR BASE WORK (COSTS ASSUME GRANULAR BASE IS 450mm THICK AND ASPHALT IS 100mm THICK).	4266	m²	\$77.50	\$330,615.00	
3.0	CONCRETE PAVING: SUPPLY AND INSTALL CONCRETE PAVING FOR SITE FURNITURE PADS, PEDESTRIAN WALKWAY, AND CENTRAL GATHERING SPACE. COSTS TO INCLUDE ALL GRANULAR BASE WORK, FALSE WORK, FORM WORK, REINFORCING, JOINTS, AND FINISHING.	2040	m²	\$125.00	\$255,000.00	
4.0	STABILIZED GRANULAR SURFACING (STONEDUST): SUPPLY AND INSTALL GRANULAR PATHWAYS (ASSUME 3000mm WIDE). COSTS TO INCLUDE ALL GRANULAR BASE WORK AND BONDING AGENT (ROMEX).	1669	m²	\$40.00	\$66,760.00	
5.0	STABILIZED GRANULAR SURFACING (FOR TRACTOR PULL):SUPPLY AND INSTALL GRANULAR TRACTOR PULL. COSTS TO INCLUDE ALL GRANULAR BASE WORK AND BONDING AGENT (ROMEX).	1060	m²	\$40.00	\$42,400.00	
6.0	TENNIS COURT IMPROVEMENTS:					
a)	COURT ASPHALT SURFACING: SUPPLY AND INSTALL ASPHALT SURFACING AND GRANULAR BASE (COSTS ASSUME GRANULAR BASE AND PAVEMENT ARE 75mm THICK)	1747	m²	\$33.50	\$58,524.50	
b)	COURT NETTING	3	ea	\$500.00	\$1,500.00	
c)	COURT PAINTING	1	lump sum	\$5,000.00	\$5,000.00	
7.0	PLAYGROUND:					
a)	PLAYGROUND: SUPPLY AND INSTALL PLAYGROUND STRUCTURE. COSTS TO INCLUDE REUSING RED COMMEMORATIVE STRUCTURE.	1	lump sum	\$75,000.00	\$75,000.00	
b)	RUBBER SURFACING: SUPPLY AND INSTALL RUBBER SURFACING IN PLAYGROUND AREA. COSTS TO INCLUDE ALL GRANULAR BASE WORK AND DRAINAGE.	452	m²	\$200.00	\$90,400.00	
c)	SUPPLY AND INSTALL CLEAR STONE DRAINAGE LAYER AND DRAINAGE TRENCH. COSTS TO INCLUDE ALL DRAINAGE PIPE AND FILTER FABRIC.	45.2	m3	\$70.00	\$3,164.00	
d)	PLAYGROUND AREA CURBING: SUPPLY AND INSTALL NEW PLAYGROUND CURB. COSTS TO INCLUDE ALL GRANULAR BASE WORK, FORM WORK, DRAINAGE, FILTER FABRIC, REINFORCING JOINTS, AND FINISHING.	86	lin. m.	\$100.00	\$8,600.00	
e)	SIGNAGE: NEW PLAYGROUND REGULATORY SIGNAGE ON TELESPAR POSTS INCLUDING GRANULAR BASES.	1	each	\$250.00	\$250.00	
8.0	FENCING (DECORATIVE): SUPPLY AND INSTALL 1219mm HIGH DECORATIVE FENCE WITH FOOTINGS.	30	lin. m.	\$425.00	\$12,750.00	
9.0	FENCING (TIMBER RANGE): SUPPLY AND INSTALL TIMBER RANGE FENCE. COSTS TO INCLUDING FOOTINGS, WOOD, CABLES, HARDWARE, FASTENERS, ETC.	100	lin. m.	\$150.00	\$15,000.00	
10.0	FENCING (HORSE PADDOCK): PAINT, REPAIR, AND STRAIGHTEN HORSE PADDOCK FENCING.	1	lump sum	\$10,000.00	\$10,000.00	
11.0	STORM ALLOWANCE: SUPPLY ALL LABOUR, EQUIPMENT AND MATERIAL TO INSTALL ALL STORM SEWER WORK INCLUDING EXCAVATION, BEDDING, BACKFILL, PIPE, AND CATCHBASIN. CATCHBASIN TO OUTLET TO ADJACENT SWALE.	1	lump sum	\$20,000.00	\$20,000.00	



12.0	SITE FURNISHINGS:				
a)	SUPPLY AND INSTALL <b>BACKED BENCH.</b> COSTS TO INCLUDE STAINLESS STEEL TAMPER PROOF BOLTS.	15	each	\$1,880.00	\$28,200.00
b)	SUPPLY AND INSTALL <b>BIKE RACK.</b> COSTS TO INCLUDE STAINLESS STEEL TAMPER PROOF BOLTS.	6	each	\$380.00	\$2,280.00
c)	SUPPLY AND INSTALL <b>CLUSTER SEATING (TABLE).</b> COSTS TO INCLUDE STAINLESS STEEL TAMPER PROOF BOLTS.	20	each	\$3,465.00	\$69,300.00
d)	SUPPLY AND INSTALL SURFACE-MOUNTED <b>TRASH RECEPTACLE</b> AS PER SHEET L-502. COSTS TO INCLUDE STAINLESS STEEL TAMPER PROOF BOLTS.	7	each	\$2,843.00	\$19,901.00
e)	SUPPLY AND INSTALL <b>MAIN SHADE SHELTER.</b> COSTS TO INCLUDE ALL FOOTINGS, ENGINEERED DRAWINGS, FREIGHT, ETC.	1	each	\$80,000.00	\$80,000.00
f)	SUPPLY AND INSTALL <b>PLAYGROUND SHADE SHELTER.</b> COSTS TO INCLUDE ALL FOOTINGS, ENGINEERED DRAWINGS, FREIGHT, ETC.	1	each	\$50,000.00	\$50,000.00
g)	SUPPLY AND INSTALL <b>SOCCER FIELD SHADE SHELTER.</b> COSTS TO INCLUDE ALL FOOTINGS, ENGINEERED DRAWINGS, FREIGHT, ETC.	1	each	\$50,000.00	\$50,000.00
h)	SUPPLY AND INSTALL <b>BLEACHERS</b>	6	each	\$1,300.00	\$7,800.00
13.0	PLANTINGS:				
a)	SUPPLY AND INSTALL DECIDUOUS TREES: SIZE 60mm CAL. W.B.	40	each	\$550.00	\$22,000.00
b)	SUPPLY AND INSTALL SHRUBS: VARIOUS SIZES	50	each	\$50.00	\$2,500.00
c)	SUPPLY AND INSTALL PERENNIALS AND GRASSES: SIZE: 1 GALLON POTTED	200	each	\$20.00	\$4,000.00
14.0	ARCHITECTURAL IMPROVEMENTS (I.E. PAINTING) TO THE BUILDING NEAR BASEBALL DIAMOND (ALLOWANCE). NO STRUCTURAL IMPROVEMENTS.	1	lump sum	\$10,000.00	\$10,000.00
			Conce	pt B Subtotal:	\$ 1,357,929.00
PROV	ISIONAL ITEMS:				
1.0	MESH BASEBALL NETTING	100	lin.m	\$150.00	\$15,000.00
2.0	CHAINLINK BASEBALL NETTING	100	lin.m	\$250.00	\$25,000.00



ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	
Bore	Boreham Park Upgrade - CONCEPT B					
1.0	ASPHALT PAVING (TRAILS): SUPPLY AND INSTALL ASPHALT PAVING FOR TRAILS. COSTS TO INCLUDE ALL GRANULAR BASE WORK (COSTS ASSUME GRANULAR BASE AND PAVEMENT ARE 75mm THICK)	54	m²	\$33.50	\$1,809.00	
2.0	CONCRETE PAVING: SUPPLY AND INSTALL CONCRETE PAVING FOR SITE FURNITURE PADS. COSTS TO INCLUDE ALL GRANULAR BASE WORK, FALSE WORK, FORM WORK, REINFORCING, JOINTS, AND FINISHING.	178	m²	\$125.00	\$22,250.00	
3.0	PLAYGROUND:					
a)	PLAYGROUND: SUPPLY AND INSTALL PLAYGROUND STRUCTURE	1	lump sum	\$70,000.00	\$70,000.00	
b)	PLAYGROUND SURFACING: SUPPLY AND INSTALL ENGINEERED WOOD FIBAR PLAYGROUND SURFACING OVER DRAINAGE LAYER.	250	m²	\$60.00	\$15,000.00	
c)	SUPPLY AND INSTALL CLEAR STONE DRAINAGE LAYER AND DRAINAGE TRENCH. COSTS TO INCLUDE ALL DRAINAGE PIPE AND FILTER FABRIC.	25.0	m3	\$70.00	\$1,750.00	
d)	PLAYGROUND AREA CURBING: SUPPLY AND INSTALL NEW PLAYGROUND CURB. COSTS TO INCLUDE ALL GRANULAR BASE WORK, FORM WORK, DRAINAGE, FILTER FABRIC, REINFORCING JOINTS, AND FINISHING.	60	lin. m.	\$100.00	\$6,000.00	
e)	ACCESSIBLE RAMPS: SUPPLY AND CONSTRUCT ACCESSIBLE RAMPS INCLUDING ALL FORM WORK, FALSE WORK, GRANULAR BASES, REINFORCING, JOINTS, AND FINISHING PER CONTRACT DRAWINGS	1	each	\$1,200.00	\$1,200.00	
f)	SIGNAGE: NEW PLAYGROUND REGULATORY SIGNAGE ON TELESPAR POSTS INCLUDING GRANULAR BASES.	1	each	\$250.00	\$250.00	
4.0	SITE FURNISHINGS:					
a)	SUPPLY AND INSTALL <b>BACKED BENCH</b> . COSTS TO INCLUDE STAINLESS STEEL TAMPER PROOF BOLTS.	2	each	\$1,880.00	\$3,760.00	
b)	SUPPLY AND INSTALL <b>BIKE RACK.</b> COSTS TO INCLUDE STAINLESS STEEL TAMPER PROOF BOLTS.	3	each	\$380.00	\$1,140.00	
c)	SUPPLY AND INSTALL <b>CLUSTER SEATING (TABLE)</b> . COSTS TO INCLUDE STAINLESS STEEL TAMPER PROOF BOLTS.	2	each	\$3,465.00	\$6,930.00	
d)	SUPPLY AND INSTALL SURFACE-MOUNTED <b>TRASH RECEPTACLE</b> AS PER SHEET L-502. COSTS TO INCLUDE STAINLESS STEEL TAMPER PROOF BOLTS.	1	each	\$2,843.00	\$2,843.00	
e)	SUPPLY AND INSTALL <b>SHADE SHELTER.</b> COSTS TO INCLUDE ALL FOOTINGS, ENGINEERED DRAWINGS, FREIGHT, ETC.	1	each	\$70,000.00	\$70,000.00	
5.0	PLANTINGS:					
a)	SUPPLY AND INSTALL DECIDUOUS TREES: SIZE 60mm CAL. W.B.	8	each	\$550.00	\$4,400.00	
b)	SUPPLY AND INSTALL SHRUBS: VARIOUS SIZES	15	each	\$50.00	\$750.00	
c)	SUPPLY AND INSTALL PERENNIALS AND GRASSES: SIZE: 1 GALLON POTTED	40	each	\$20.00	\$800.00	
Concept B Subtotal:				\$ 208,882.00		



NICOLE CARDOW DEPUTY CLERK T 519.837.2600 x 2524 F 519.837.1909 E nicoleca@wellington.ca 74 WOOLWICH STREET GUELPH, ONTARIO N1H 3T9

July 4, 2022

Wellington County Member Municipality Clerks

Amanda Knight, Township of Guelph/Eramosa Lisa Campion, Town of Erin Kerri O'Kane, Township of Centre Wellington Larry Wheeler, Township of Mapleton Annilene McRobb, Town of Minto Karren Wallace, Township of Wellington Courtenay Hoytfox, Township of Puslinch aknight@get.on.ca
Lisa.campion@erin.ca
kokane@centrewellington.ca
LWheeler@mapleton.ca
annilene@town.minto.on.ca
kwallace@wellington-north.com
choytfox@puslinch.ca

Good afternoon,

At its meeting held June 30, 2022 Wellington County Council approved the following recommendations from the Planning Committee:

"That the report County Official Plan Review – Public Consultation and Engagement Overview # 2 be received for information; and

That the County Clerk circulate the report to member municipalities for information."

and

"That the report County Official Plan Review – Progress Report #6 be received for information; and

That the County Clerk forward the report to Member Municipalities."

Enclosed is the County Official Plan Review – Progress Report #6, and County Official Plan Review – Public Consultation and Engagement Overview #6.

Should you have any questions, please contact Sarah Wilhelm, Manager of Policy Planning at <a href="mailto:sarahw@wellington.ca">sarahw@wellington.ca</a>.

Sincerely,

Nicole Cardow Deputy Clerk



### COUNTY OF WELLINGTON

### **COMMITTEE REPORT**

**To:** Chair and Members of the Planning Committee

From: Sarah Wilhelm, Manager of Policy Planning

**Date:** Thursday, June 09, 2022

Subject: County Official Plan Review – Progress Report #6



### 1.0 Purpose

This progress report for the County Official Plan Review covers the period from January to May 2022.

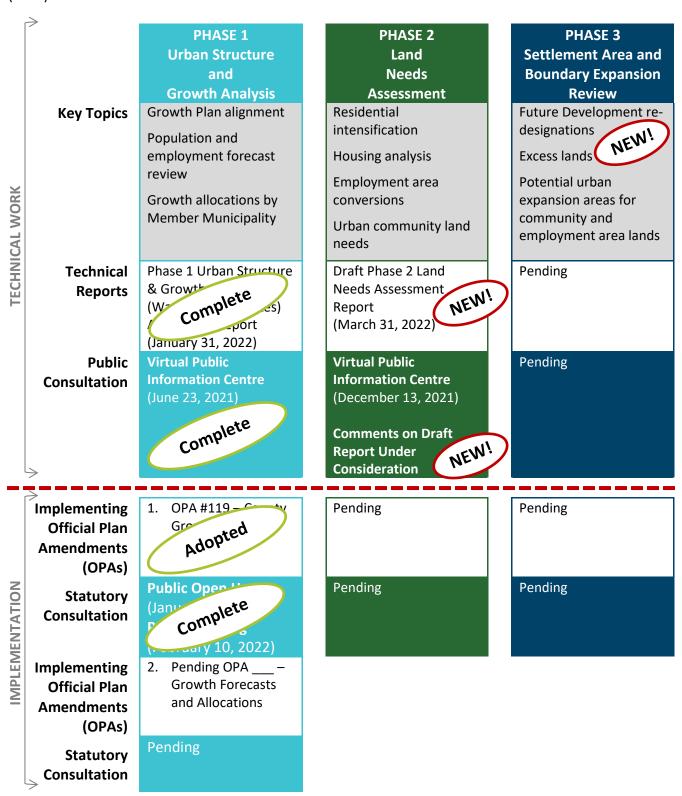
### 2.0 Key Updates

- As part of the Municipal Comprehensive Review, the County's Draft Phase 2 Land Needs
  Assessment (LNA) was released to the public and circulated for comment on April 5, 2022.
   Comments are being reviewed by the County and consultants, Watson & Associates.
- The Province has completed its review of the LNA and has reached out to staff to schedule a meeting. The County also requires a decision from the Province on our May 2021 request for an alternative intensification target of 15% before we can finalize the LNA.
- Once the LNA is finalized, the next phase of the Municipal Comprehensive Review will consider
  appropriate locations for future residential, commercial and industrial lands within settlement
  areas and where needed, through settlement area boundary expansions. This work will be carried
  out collaboratively with each applicable Member Municipality.
- The County will initiate a Phase 3 Settlement Area and Boundary Expansion Review based on a
  detailed analysis and evaluation framework which will meet the policies of the Provincial Policy
  Statement, Provincial Growth Plan, Provincial Greenbelt Plan and County Official Plan.
- Public engagement activities to date in 2022 have been focused on statutory meetings for Official Plan Amendment 119 (County Growth Structure).
- Recent municipal consultation has included attendance at Member Municipality Council meetings on request (May 4, 2022 Township of Puslinch Council meeting and May 9, 2022 Township of Wellington North Council Meeting) and additional meetings with municipal staff as needed.
- The following County Planning Committee Reports have been brought forward to Council since the last progress report:

PD2022-01	County Official Plan Review – OPA 119 Statutory Public Consultation	January 2022
PD2022-02	County Official Plan Review – Progress Report #5	January 2022
PD2022-07	County Official Plan Review – Growth Forecasts and Allocations	March 2022
PD2022-11	County Official Plan Review – Draft Land Needs Assessment	April 2022
PD2022-14	County Official Plan Review – OPA 119 Recommendation Report	May 2022

### 3.0 Work Plan

The current work plan for the growth management component of the municipal comprehensive review (MCR) is as follows.



### 4.0 Agricultural Policy and Mapping Review

The County has retained Planscape consultants to assist with the agricultural policy and mapping review. To date, the County and Planscape have had a pre-consultation with Provincial staff and a meeting with the agricultural stakeholder group. The project is in the background review and data collection stage.

### 5.0 Recommendations

That the report "County Official Plan Review – Progress Report #6" be received for information; and

That the County Clerk forward the report to Member Municipalities.

Respectfully submitted,

Sarah Wilhelm, MCIP, RPP

Manager of Policy Planning



### COUNTY OF WELLINGTON

### **COMMITTEE REPORT**

**To:** Chair and Members of the Planning Committee

From: Jameson Pickard, Senior Policy Planner

Sarah Wilhelm, Manager of Policy Planning

Date: Thursday, June 09, 2022

Subject: County Official Plan Review – Public Consultation and Engagement Overview #2



### 1.0 Purpose

This report provides Council with an update about additional public comments on the Official Plan Review since we first reported on the topic in September 2021 (PD2021-21). This report also provides some updates on progress made under some of the areas of interest identified through the comments.

Staff notes that this report does not address submissions that the County has received on the Phase 2 Land Needs Assessment report or Official Plan Amendment No. 119. Comments received related to these matters have been or will be summarized in separate committee reports.

### 2.0 Background

Since the launch of the Official Plan Review project, Planning Staff have received comments and inquiries from local residents, developers and stakeholders.

The following sections of this report provide more detail regarding the comments we have received and summarizes and responds to some of the major themes that have emerged from the feedback.

Staff have also prepared comment summary tables in Appendix A. Complete comments are available in the project file.

### 3.0 Public Feedback

Planning Staff have been collecting and responding to public and stakeholder feedback since the Official Plan Review project was initiated in September 2019. Through these discussions there have been some common areas of interest that have emerged and continue to be on the minds of the public, which are summarized below. We note that interest continues to be high in the same areas reported on previously.

### 3.1 Secondary Agricultural Area Severances

We continue to receive inquiries about revising the Secondary Agricultural consent policies so that they would allow for consideration of an additional severance on properties that have had a severance past March 1<sup>st</sup>, 2005. While we are reviewing this matter, no decisions have been made at this time.

### 3.2 Future Development Re-designation

The County has received several inquiries about when and how it will consider the re-designation of land designated Future Development (FD). County Staff and our consultants (Watson & Associates) have completed a detailed inventory of FD lands in the County. Section 2.4.7 of the draft Land Needs Assessment report provides more details about the total amount of FD lands in the County and where it is located. Through Phase 3 and in consultation with Member Municipalities and the public, the County will identify appropriate FD lands for re-designation and identify excess lands in accordance with the Growth Plan.

### 3.3 Urban Centre Expansions

County staff continue to receive requests to expand urban centres in Wellington County and has received inquiries about expanding the urban centres of Aberfoyle, Arthur, Dratyon, Elora/Salem, Fergus, Harriston, Moorefield, Morriston, Mount Forest and Rockwood. The County is required by Provincial policy to ensure there is a suitable amount of designated land available in our Member Municipalities to accommodate forecasted growth.

At this time, Watson & Associates has completed a draft of the Land Needs Assessment (LNA) as part of Phase 2 of the County's growth management work. While this report is still under review, the draft results indicate that the urban centres in Centre Wellington, Erin, Mapleton and Minto require additional community area and/or employment area lands (or both) to accommodate forecasted growth to 2051.

County staff are currently in the detailed planning stages of Phase 3 of the Municipal Comprehensive Review (MCR). Through this phase the County, in consultation with Member Municipalities, will evaluate and recommend directions for settlement area boundary expansions, as well as other redesignation requests.

### 3.4 Employment Area Conversions

The County continues to receive inquires about the employment area conversion process. We note that the window for submitting urban employment area conversion requests closed in 2021. Planning Staff have provided a detailed review of the submissions received in Planning Report <u>PD2022-11</u>.

### 4.0 Future Engagement

As the Official Plan Review progresses, the County will be scheduling additional public consultations to gather more feedback as it relates to the various components of work underway. We note that the Official Plan Review project webpage and the digital mailing list is the best source of information for additional opportunities for the public and stakeholders to engage in the Official Plan Review.

### Recommendations

That the report "County Official Plan Review – Public Consultation and Engagement Overview # 2" be received for information; and

That the County Clerk circulate the report to member municipalities for information.

Respectfully submitted,

Jameson Pickard, B.URPL, MCIP, RPP

Jameson Pickard

Senior Policy Planner

Sarah Wilhelm, MCIP, RPP Manager of Policy Planning

Appendix A Public Comment Summary

### **Appendix A**

**Public Comment Summary** 

Table 1A COUNTY-WIDE Public Comments

ID#	Comment Summary	Staff Response
Weston Consulting August 27, 2021 035	Comments submitted were seeking clarification about the County's MCR process and if settlement area boundary expansion requests were still being accepted.	Staff provided a response advising that settlement area boundary expansions would be considered through Phase 3 of the Official Plan Review.
Urban Metrics Inc. December 29, 2021 086	Comments submitted were seeking clarification about the timing of the County's Land Need Assessment analysis and its release.	Staff provided a response advising the anticipated timing of the Land Needs Assessment results.
JL Cox Planning Consultants Inc. January 28, 2022 092	Comments submitted were seeking an update about the timing of the County's review of the Provincial Agricultural System Mapping and an implementing official plan amendment to the County Official Plan. Concerns were raised about the impact of a future official plan amendment on pending consent applications.	Staff provided a response advising that the timing of an Official Plan amendment to implement the Agricultural System mapping is not known at this time. Staff advised that they are unware of any interest of the Province to impose the Provincial Agricultural System Mapping in advance of the County's refinement of it. Staff also noted that potential Greenbelt area expansions, proposed by the Province, may impact implementation of the Agricultural System Mapping.
KLM Planning Partners Inc. March 30, 2022	Comments submitted were seeking an update on the status of various components of work being completed through the Municipal Comprehensive Review, including the growth management technical work, implementing official plan amendments and settlement area boundary expansions.	Staff provided a response with an update on the status of the various components of work being completed.

Table 2A CENTRE WELLINGTON Public Comments

ID#	Comment Summary	Staff Response
Seaton Group March 17, 2022 010	<ul> <li>Comments reiterate interest in expanding the settlement area of Fergus to include the property at 795 Anderson St N, or to develop their rural lands for Country Residential purposes.</li> </ul>	The proposal for this site has been filed as a Settlement Area Boundary Expansion request, which will be considered as part of the Phase 3 technical work. Staff advised that new Country Residential development is not permitted by the County Official Plan.
Two members of the Public 032	The County continues to receive submissions regarding the need to protect and conserve cultural heritage resources in Elora/Salem and Fergus.  These comments encourage the County to better address cultural heritage protection in our technical background work and Official Plan in accordance with applicable Provincial legislation.	These comments have been considered through the preparation of the County' technical background work (Growth Forecasts and Land Needs Assessment). Please refer to report PD2021-21 for additional details of the comments and responses provided.
JL Cox Planning Consultants Inc. August 30,2021 074	Request to have industrially designated lands at 6430 Beatty Line N converted to a mixed use designation in the settlement area of Fergus.	Staff acknowledged receipt of this request. The Phase 2 draft Land Needs Assessment considers this request and provides a review and recommendation on how to proceed. Planning report PD2022-11 also provides more details about Employment Area conversion request that the County received and their impacts on the draft Land Need Assessment.
Polocorp Inc. March 31, 2022 075	These comments build on previous comments submitted requesting an expansion to the urban centre of Fergus to include the property at 968 St. David Street N. Comments also seek clarification regarding aspects of the technical work being completed through the MCR.	The proposal for this site has been filed as a Settlement Area Boundary Expansion request, which will be considered as part of the Phase 3 technical work.
Fryett Turner Architects Inc. August 30,2021	Request to have industrially designated land at 22 Park Street converted to a Highway Commercial designation in the settlement area of Elora/Salem.	Staff acknowledged receipt of this request. The Phase 2 draft Land Needs Assessment considers this request and provides a review and recommendation on how to proceed. Planning report PD2022-11 also provides more details about Employment Area conversion request that the County received and their impacts on the draft Land Need Assessment.

BSRD Limited August 31, 2021 078	•	Request to expand the settlement area of Elora/Salem and Fergus to include the properties at 6574 Gerrie Road and 6470 Beatty Line N.	Proposals for these sites have been filed as Settlement Area Boundary Expansion requests, which will be considered as part of the Phase 3 technical work.
MHBC November 1, 2021 081	•	Request to expand the settlement area of Elora/Salem to include the property at 7581 Sideroad 15.	The proposal for this site has been filed as a Settlement Area Boundary Expansion request, which will be considered as part of the Phase 3 technical work.
Cuesta Planning Consultants Inc. January 21, 2022	•	Request to expand the settlement area of Fergus to include the property at 965 Gartshore St.	The proposal for this site has been filed as a Settlement Area Boundary Expansion request, which will be considered as part of the Phase 3 technical work.
Public January 21, 2022 090	•	Request to expand the settlement area of Fergus to include the property at 965 Gartshore St.	The proposal for this site has been filed as a Settlement Area Boundary Expansion request, which will be considered as part of the Phase 3 technical work.
Gatto Homes Inc. April 7, 2022 098	•	Request to expand the settlement area of Fergus to include the property at 851 Wellington Road 18.	The proposal for this site has been filed as a Settlement Area Boundary Expansion request, which will be considered as part of the Phase 3 technical work.

### **Table 3 ERIN Public Comments**

ID#	Comment Summary	Staff Response
Public May 10, 2022 028	These comments build on previous comments requesting to expand the Hamlet of Ospringe to include the property at 5475 Second line. New comments seek clarification about the County's Official Plan Review process and if any other formal submissions requirements are necessary to support expansion requests.	The proposal for this site has been filed as a Settlement Area Boundary Expansion request, which will be considered as part of the Phase 3 technical work.

Table 4 GUELPH/ERAMOSA Public Comments

ID#	Comment Summary		Staff Response
GWD Limited May 17, 2021 041	•	Comments build on previous submissions requesting to expand the settlement area of Rockwood to include the property at 8531 Highway 7. New comments provide additional rationale for the expansion request.	The proposal for this site has been filed as a Settlement Area Boundary Expansion request, which will be considered as part of the Phase 3 technical work.
Public July 19, 2021 067	July 19, 2021 digital mailing list. Comments expressed interest in having property in Guelph/Eramosa rezoned.		Staff added this person to the digital mailing list and made note of their rezoning request.
		Para antiquia a Prima Ancia II antiquiale	Chaff a dua and a day disparent of many and This was a constant ill be
Public October 25, 2021	•	Request to have Prime Agricultural lands in Guelph/Eramosa re-designated to Highway Commercial.	Staff acknowledged receipt of request. This requests will be considered as part of the Phase 3 technical work.
080			
Weston Consulting	•	Request to expand the Rural Employment Area in	The proposal for this site has been filed as a Rural Employment
December 3, 2021		Guelph/Eramosa to include the property at 4952 7 <sup>th</sup> line.	Area request, which will be considered as part of the Phase 3 technical work.
083			
Keller Williams Edge Realty January 6, 2022	•	Request to expand the Urban Centre of Rockwood to include the property located at 5149 Wellington Road 27.	The proposal for this site has been filed as a Settlement Area Boundary Expansion request, which will be considered as part of the Phase 3 technical work.
087			

**Table 5** Minto Public Comments

ID#		Comment Summary	Staff Response
Patterson Planning Consultants Inc. September 1, 2021	loca	quest to re-designate portions of industrial land ated at 5924 Wellington Road 123 in Palmerston a Highway Commercial Official Plan designation.	Staff responded to request advising that the deadline for Employment Area Conversion requests had passed and that the request did not meet our submission requirements. The lands subject to this request were recently designated industrial
076			through a Town initiated amendment.
Landscout Investments November 21, 2021		quest to expand the settlement area of Clifford add additional lands to a parcel at 41 Park Street.	The proposal for this site has been filed as a Settlement Area Boundary Expansion request, which will be considered as part of the Phase 3 technical work.
082			

**Table 6** Puslinch Public Comments

ID#	Comment Summary	Staff Response
Public December 20, 2021 084	• Comments submitted were related to the Secondary Agricultural residential severance policy. Particularly, if the Official Plan Review will result in a change to the March 1st, 2005 date to allow an additional residential severance off properties that have been severed past this date.	Staff responded advising that this matter is currently under review and a decision on a change to the secondary agricultural severance policies has not been made at this time.
Public April 4, 2022 097	<ul> <li>Inquiry was related to the Secondary Agricultural residential severance policy. Particularly, regarding the implementation of the Provincial Agricultural System mapping in to the County Official Plan.</li> </ul>	Staff responded advising that the Agricultural System Mapping will be reviewed through the on-going Official Plan Review. The mapping will be implemented through a future official plan amendment.

Table 4 WELLINGTON NORTH Public Comments

ID#	Comment Summary	Staff Response
Public March 22, 2022 034	Request to have property in Arthur located at PT PARK LOT 1 PARK LOT 2 N/S; MACAULEY ST considered for a severance through the Municipal Comprehensive Review Process. The lands are currently designated Future Development in the County Official Plan. Comments build on previous submissions and seek details about the status of the County's Official Plan Review.	The proposal for this site has been filed as a Future Development re-designation request, which will be considered as part of the Phase 3 technical work.
Public August 4, 2021 073	Request to have lands located at 15 Wells Street E in Arthur re-designated from a Future Development to a Highway Commercial Official Plan designation.	The proposal for this site has been filed as a Future Development re-designation request, which will be considered as part of the Phase 3 technical work.
BSRD Limited August 31, 2021 078	Request to have lands at the South end of Schmidt Drive in Arthur re-designated from a Future Development to a Residential Official Plan designation.	The proposal for this site has been filed as a Future Development re-designation request, which will be considered as part of the Phase 3 technical work.
Trenwith Investments December 21, 2021 085	Request to have lands located at 590 Queen Street W in Mount Forest re-designated from Highway Commercial to a Residential Official Plan Designation.	The proposal for this site has been filed as a re-designation request, which will be considered as part of the Phase 3 technical work.
Swift Lending Solutions February 2, 2022 091	Request to have lands located at 665 Eliza Street in Arthur re-designated from Future Development to a Residential Official Plan Designation.	The proposal for this site has been filed as a Future Development re-designation request, which will be considered as part of the Phase 3 technical work.

Public February 4, 2022 093	Request to have lands located at 650 Queen Street in Mount Forest re-designated from Future Development to a Residential Official Plan Designation.	The proposal for this site has been filed as a Future Development re-designation request, which will be considered as part of the Phase 3 technical work.
Public March 9, 2022 095	Request to have lands located at PT PARK LOT 1     PARK LOT 2 N/S; MACAULEY ST in Arthur redesignated from Future Development to a Residential Official Plan Designation.	The proposal for this site has been filed as a Future Development re-designation request, which will be considered as part of the Phase 3 technical work.
SCS consulting Group Ltd. April 22, 2022 099	Request to have lands located at 665 Eliza Street in Arthur re-designated from Future Development to a Residential Official Plan Designation.	The proposal for this site has been filed as a Future Development re-designation request, which will be considered as part of the Phase 3 technical work.



Harden Environmental Services Ltd. 4622 Nassagaweya-Puslinch Townline Road Moffat, Ontario, L0P 1J0

Phone: (519) 826-0099 Fax: (519) 826-9099

**Groundwater Studies** 

Geochemistry

Phase I / II

Regional Flow Studies

Contaminant Investigations

**OMB** Hearings

Water Quality Sampling

Monitoring

**Groundwater Protection** 

Studies

Groundwater Modelling

Groundwater Mapping

Our File: 0132

June 3, 2022

Township of Puslinch 7404 Wellington Road 34 Guelph, ON N1H 6H9

Attention: Glenn Schwendinger

**CAO** 

Dear Mr. Schwendinger:

# Re: Dufferin Aggregates Aberfoyle Pit #2 (CRH Canada Group)

### **2021 Monitoring Report Review**

Below water table extraction occurred at this site between February and December in 2021. The below water table extraction expands the pit pond in a westerly direction.

The groundwater levels east of the pit pond approached their historical low elevation in 2021 with lower water levels only occurring on two occasions in the past 32 years of monitoring. Conversely, the water levels in groundwater monitors west of the site are well within their historic range and have been lower on sixteen occasions.

The westward expansion of the pit pond results in water levels rising west of the pit and falling east of the pit. The consequence of this is that water levels in nearby wetlands along the northeastern edge of the pit have lower water levels and at one station SW2-91, no water has been recorded since October 2020. It is our opinion that low recharge rates in 2021 are not fully responsible for the absence of water in the wetland.

I will request a site visit with CRH Canada Group and their consultant so I can see firsthand the on-site conditions. We have previously recommended that SW2-91 be installed to a greater depth to allow for

### **Dufferin Aberfoyle Pit No. 2**

June 3, 2022 Page 2

continuous water level monitoring. After our meeting I will report to council on recommendations for next steps.

Other than the wetland water level issue we are satisfied with the report.

Sincerely

Harden Environmental Services Ltd.

Stan Denhoed, P.Eng., M.Sc.

Stal enloyed

Senior Hydrogeologist

### ZONING BY-LAW AMENDMENT to By-law 023/18

for

Lisa and Abigail Slater 711 Arkell Road Puslinch

Township Rezoning Application D14/SLA

BY-L	AW N	<b>IUMBER</b>	

# A BY-LAW TO AMEND BY-LAW NUMBER 023/18, AS AMENDED, BEING THE ZONING BY-LAW OF THE TOWNSHIP OF PUSLINCH

**WHEREAS**, the Council of the Corporation of the Township of Puslinch deem it appropriate and in the public interest to amend By-Law Number 023/18 pursuant to Sections 34 of the Planning Act, R.S.O. 1990 as amended;

# NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PUSLINCH ENACTS AS FOLLOWS:

- 1. That Schedule "A" of By-law 023/18 is hereby amended by rezoning Rear Part Lots 7, 8, and 9, Concession 10, municipally referred to as 711 Arkell Road, from **AGRICULTURAL** (A) ZONE to an **AGRICULTURAL** (A-101) ZONE with a site specific use provision, as shown on schedule "A" of this By-law.
- 2. That Section 14 Site-Specific Special Provisions is amended by adding site-specific special provision **AGRICULTURAL (A-101) ZONE** as follows:

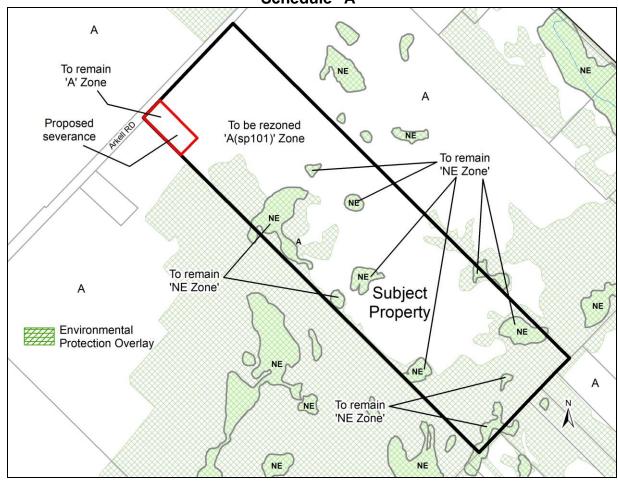
No.	Parent	By-law	Additional	Prohibited	Site Specific Special Provisions
	Zone		Permitted Uses	Uses	
101	A		An Additional Detached Dwelling that existed on the date of passing of this By-law	The existing barn is prohibited from housing livestock.	The second unit occupying the former stone stable building shall be located 52 m from the principal dwelling.  The total number of dwelling units onsite is limited to three dwelling units, which includes the principal dwelling.

- 3. That the subject land as shown on Schedule "A" to this By-Law shall be subject to all applicable regulations of Zoning By-Law 023/18, as amended.
- 4. This By-law shall become effective from the date of passage by Council and come into force in accordance with the requirements of the Planning Act, R.S.O. 1990, as amended.

READ A FIRST AND SECOND TIME THIS	OF	, 2022.
MAYOR	CLERK	
READ A THIRD TIME AND PASSED THIS	OF	, 2022.
MAYOR	CLERK	

BY-LAW NUMBER \_\_\_\_\_

Schedule "A"



# Highlighted area to be rezoned from: AGRICULTURE (A) ZONE to an AGRICULTURAL (A-101) ZONE with a site specific special provision

	"A" to By-law No		000
Passed this	_ day of	, 2	022.
MAN/OD			
MAYOR			
CL EDIZ			
CLERK			

EXPLANATION OF BY-LAW NO. \_\_\_\_\_

Rear Part of Lots 7, 8, an AGRICULTURE (A	amends the Township of Puslinch Zoning , and 9, Concession 10, municipally referred to a) ZONE to an AGRICULTURAL (A-101) ZONI on Schedule "A" of this By-law.	as 711 Arkell Road, from

The purpose of the proposed zoning by-law amendment is to recognize the existing dwellings on the site (main residence, and a former stable as an additional dwelling) and to prohibit livestock within the existing agricultural structures. This rezoning is the result of conditions of severance application B50-20, which was granted by provisional approval by the Wellington County Land Division Committee in September 2021.

### ZONING BY-LAW AMENDMENT to By-law 023/18

for

James and Sharon Hutton 6547 Wellington Road 34 Puslinch

Township Rezoning Application D14/HUT

BY-LAW NUMBER	BY-L	1 WA	NUMBER	
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# A BY-LAW TO AMEND BY-LAW NUMBER 023/18, AS AMENDED, BEING THE ZONING BY-LAW OF THE TOWNSHIP OF PUSLINCH

**WHEREAS**, the Council of the Corporation of the Township of Puslinch deem it appropriate and in the public interest to amend By-Law Number 023/18 pursuant to Sections 34 of the Planning Act, R.S.O. 1990 as amended;

# NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PUSLINCH ENACTS AS FOLLOWS:

- 1. That Schedule "A" of By-law 023/18 is hereby amended by rezoning portions of Rear Part Lots 2 and 3, Concession 2, municipally referred to as 6547 Wellington Road 34, from AGRICULTURAL (A) ZONE, NATURAL ENVIRONMENT (NE) ZONE, and site specific AGRICULTURAL (A sp1) ZONE to an AGRICULTURAL (A sp102) ZONE and NATURAL ENVIRONMENT (NE sp103) ZONE with a site specific use provision, as shown on schedule 'A' of this By-law.
- 2. That Section 14 Site-Specific Special Provisions is amended by adding site-specific special provision AGRICULTURAL (A sp102) ZONE and NATURAL ENVIRONMENT (NE sp103) as follows:

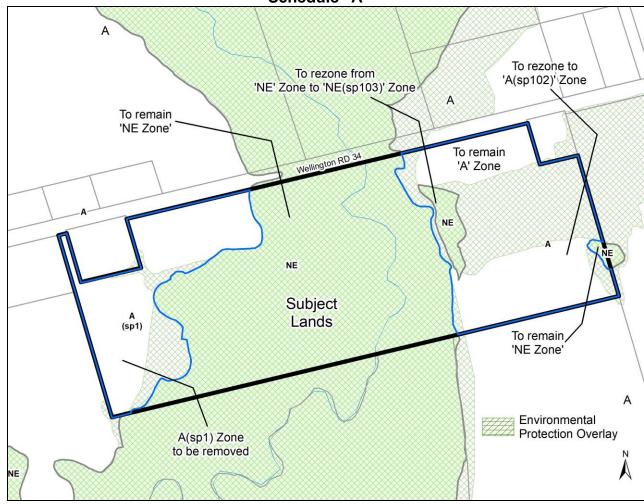
No.	Parent	By-law	Additional	Permitted	Prohibited Uses	Site	Specific	Special
	Zone		Uses			Provi	sions	
102	A		An 86 m <sup>2</sup> Hon business occ portion of an a structure.	cupying a	No human habitation permitted within any portion of the accessory structure used as a home business.			
103	NE		An existing ac apartment with NE zone on the passing of this The existing a apartment can severed in the	thin the ne date of s By-law.  accessory  nnot be		apart the fo dwell	206 m <sup>2</sup> acc ment occu ormer main ing shall be from the p ling.	ipying elocated

- 3. That Schedule 'A' of By-law 023/18 is further amended by removing the existing provision A(sp1) and rezoning to Agricultural (A) the subject lands as shown on Schedule 'A' of this By-law.
- 4. That the subject land as shown on Schedule 'A' to this By-Law shall be subject to all applicable regulations of Zoning By-Law 023/18, as amended.
- 5. This By-law shall become effective from the date of passage by Council and come into force in accordance with the requirements of the Planning Act, R.S.O. 1990, as amended.

READ A FIRST AND SECOND TIME THIS	OF	, 2022.
MAYOR	CLERK	
READ A THIRD TIME AND PASSED THIS	OF	, 2022.
MAYOR	CLERK	

BY-LAW NUMBER \_\_\_\_\_

Schedule "A"



Areas identified above are to be rezoned from:

AGRICULTURE (A) ZONE to AGRICULTURAL (A sp102) ZONE and NATURAL

ENVIRONMENT to NATURAL ENVIRONMENT (NE sp103) ZONE with site specific special provisions

This is Schedu	ule "A" to By-law No	
Passed this _	day of	, 2022.
MAYOR		
CLERK		

EXPLANATION OF BY-LAW NO

	EXI EXIVATION OF	DI LAW NO			
By-law Number	amends the Townsh	hip of Puslinch Z	Zoning By-law 0	23/18 by rezoning	
Front Part of Lot 16, C	Concession 2, municipal	lly referred to as	6547 Wellingto	on Road 34, from a	ın
AGRICULTURE (A) Z	ONE to an AGRICULTU	URAL (A-102) Z	ONE with a site	specific provision	
as shown on Schedule	e "A" of this By-law.	, ,			
	•				

The purpose of the proposed zoning by-law amendment is to permit an existing dwelling to be converted into an accessory apartment/additional dwelling unit and form the entirety of a detached structure.

Two dwellings currently exist on the subject property and this rezoning would allow the former main dwelling constructed in the 1970s to exist as an accessory apartment/additional dwelling unit. This by-law also recognizes that the accessory dwelling is located 73 m from the main dwelling and is located within the Natural Environment zone. Further, this by-law seeks to permit a home office located in a detached, accessory structure.

In addition to the new uses, this By-law removes the existing site specific provision for a kennel on the property. A kennel was not constructed on the lands and the existing location does not meet the required distance for a new kennel in the Township's kennel license, as such the site specific permissions (sp1) is being removed.

BY-LA	AW NU	<b>IMBER</b>	

# A BY-LAW TO AMEND BY-LAW NUMBER 023/18, AS AMENDED, BEING THE ZONING BY-LAW OF THE TOWNSHIP OF PUSLINCH

**WHEREAS**, the Council of the Corporation of the Township of Puslinch deems it appropriate and in the public interest to amend By-Law Number 023-2018 as amended, pursuant to Sections 34 of the Planning Act, R.S.O. 1990 as amended;

# NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PUSLINCH ENACTS AS FOLLOWS:

- 1. THAT Section 3.0 Definitions, is amended by deleting the definition for 'Accessory Apartment' in its entirety and adding the following two definitions in alphabetical order:
  - "Additional Residential Unit (Attached): a self-contained *dwelling unit* with a private kitchen, bathroom facilities and sleeping areas, which is within a *single detached*, *semi-detached*, or *townhouse dwelling* and is clearly secondary and subordinate to the principal *dwelling unit*."
  - "Additional Residential Unit (Detached): a self-contained dwelling unit with a private kitchen, bathroom facilities and sleeping areas, which is within part of or whole of a building ancillary to a single detached, semi-detached, or townhouse dwelling and is clearly secondary and subordinate to the principal dwelling unit. For the purpose of this use, ancillary means a shed, private garage, carriage house or barn, and does not mean a temporary building or structure."
- 2. THAT Section 3.0 Definitions, is amended by adding the following definition in alphabetical order:
  - "Habitable Room: For the purposes of Section 4.2, shall mean any finished room in a dwelling unit used or capable of being used by one or more persons for living, sleeping, eating, food preparation or sanitation."
- 3. THAT Section 4.2, Accessory Apartments, is amended by deleting the section in its entirety and replacing it with the following:

#### 4.2 "ADDITIONAL RESIDENTIAL UNITS

A maximum of two *additional residential units* shall be permitted per *lot* in any *Zone* where a *single detached*, *semi-detached* or *townhouse dwelling* is permitted, subject to the following provisions:

- a. General Provisions for Attached and Detached Additional Residential Units:
  - i. The maximum total *floor area* of an *additional residential unit* shall not exceed 45 percent of the total *floor area* of the principal *dwelling unit* up to a maximum of 130 m². The calculation of *floor area* shall include any part of a *dwelling unit* that meets the definition of a *habitable room*;

- The *height* of the *additional residential unit(s)* shall not exceed the *height* of the principal *dwelling unit*;
- iii. **Driveway** access to both the principal **dwelling unit** and the **additional residential unit** shall be shared and limited to one so that no new entrance from the street shall be created:
- iv. That appropriate, individual on-site sewage and water services are approved for the lot and there is adequate capacity for the additional residential unit(s) and any other uses on the lot;
- v. Shall be required to conform to all Ontario Building Code and Ontario Fire Code regulations;
- vi. Shall be required to conform to Minimum Distance Requirements (4.16.1), where applicable;
- vii. Shall not be permitted within hazardous lands as identified and regulated by the applicable Conservation Authority; and
- viii. An *additional residential unit* shall not be permitted within a *bed and breakfast establishment*.
- ix. An existing principal dwelling unit may be considered as an additional residential unit once a new principal dwelling unit has been constructed, provided that the existing dwelling unit meets Section 4.2.
- b. Additional Residential Unit (Attached)

Where permitted by this By-law, one *additional dwelling unit (attached)* shall be permitted, subject to 4.2 a) and the following:

- i. Shall be permitted within the principal *dwelling unit* or attached to the principal *detached dwelling*;
- ii. When exterior alterations to the principal **detached dwelling** are proposed for an attached **additional residential unit**, the following applies:
  - i. Shall comply with the minimum required *yard* standards of the **Zone** in which such *building* is situated; and
  - ii. Shall not be located in front of the principal *detached dwelling* on a *lot* with a *lot area* of 0.8 ha or less unless buffered and/or screened from the *street* to the satisfaction of the Township.
- iii. Each *dwelling unit* shall have a separate, private entrance;
- iv. Notwithstanding Section 4.2.a) i), if located in a **basement**, the **additional residential unit** may occupy the whole of the **basement**.
- c. Additional Residential Unit (Detached)

Where permitted by this By-law, one **additional dwelling unit (detached)** shall be permitted in an **ancillary building** subject to 4.2 a) and the following:

- Shall be located on the same *lot* as the principal *detached dwelling*, semi-detached dwelling unit, or townhouse dwelling and shall not be severed from the principal dwelling unit.
- ii. Shall comply with the minimum required *yard* standards in which the unit is situated;
- iii. The **additional residential unit** shall be within the existing building cluster and located within 40 metres of the principal **dwelling unit** on the **lot**.
- iv. In addition to item 4.2 a) ii), the maximum *building height* for an *ancillary building*:
  - i. Shall be no more than 5 m if the *additional residential unit* occupies a majority of or the entirety of an *ancillary building*;
  - ii. May be up to 8 m if the *additional residential unit* is above the *first storey* of the *ancillary building*.
- v. All provisions within Section 4.4 are applicable, except for provisions that conflict with Sections 4.2 c) ii) and c) iv); and
- vi. A *garden suite* must not be located on the same lot"
- 1. THAT Section 4.25.b.iii, Short Term Accommodation, is amended by replacing the term 'accessory apartment' with 'additional residential unit (attached or detached)'
- 2. THAT Section 5, Parking and Loading Regulations, Table 5.2, Residential Parking Space Requirements, is amended by deleting and replacing the term 'Accessory apartment' with 'Additional Residential Units (Attached and Detached)' in the Use column,
- 3. THAT Section 5, Parking and Loading Regulations, Table 5.2, Residential Parking Space Requirements, Minimum Parking Space Requirement column is amended by deleting the term 'dwelling unit' and replacing it with 'additional residential unit' and including the following sentence after principal dwelling unit:
  - "A *parking space* that is provided and maintained for the sole use of the occupant of the *additional dwelling unit* may be a tandem *parking space*."
- 4. THAT Section 6.2 Table 6.1, Residential Zone Permitted Uses, is amended by replacing the term 'Accessory Apartment' with 'Additional Residential Unit (Attached)' and 'Additional Residential Unit (Detached)'.
- THAT Section 7.2, Table 7.1, Core Mixed-Use Zone Permitted Uses (Residential Uses), is amended by replacing the term 'Accessory Apartment' with 'Accessory Dwelling Unit'.

- 6. THAT Section 11.2, Table 11.1, Agricultural Zone Permitted Uses, is amended by replacing the term 'Accessory Apartment' with 'Additional Residential Unit (Attached)' and 'Additional Residential Unit (Detached)'.
- 7. THAT Section 12.2, Table 12.2, Permitted Uses Other Zones, is amended by adding the term 'Accessory Apartment' with 'Additional Residential Unit (Attached) and Additional Residential Unit (Detached)' and permitting these uses within the FD2 Zone category.
- 8. THAT Section 13.4.d.i, Aberfoyle Flood Plain Overlay, is amended by replacing the term 'Accessory Apartment' with 'Additional Residential Unit (Attached and Detached)'.

READ A FIRST AND SECOND TIME THIS	DAY OF	, 2022
MAYOR	CLERK	
READ A THIRD TIME AND PASSED THIS _	DAY OF	, 2022
MAYOR	CLERK	

By-law Number	amends the Township of Puslinch Comprehensive Zoning By-law
023-2018	<u> </u>

EXPLANATION OF BY-LAW NO.

**THE PURPOSE AND EFFECT OF THE ZONING BY-LAW AMENDMENT** is to provide for changes to the Comprehensive Zoning By-law regarding Additional Residential Units as generally itemized below:

- I. Replace the definition of 'Accessory Apartment' with new definitions for 'Additional Residential Unit (Attached)' and 'Additional Residential Unit (Detached)'.
- II. Replace the term 'Accessory Apartment' throughout the by-law with the new terms 'Additional Residential Unit (Attached) and 'Additional Residential Unit (Detached)'.
- III. Deleting the existing provisions for 'Accessory Apartments' in its entirety and replacing it with a new Section 4.2 that includes general provisions applicable to all 'Additional Residential Units' and establishes additional provisions specific to the type of Additional Residential Unit (i.e. attached or detached).
- IV. Adjust the parking provisions for 'Additional Residential Units' to allow tandem parking.
- V. Clarify the term for a dwelling unit in the Core Mixed Use (CMU) Zone.

For the purpose of clarity, all terms, including those both bolded and italicized, that are also listed in Section 3 – Definitions are subject to the corresponding definitions.

### **BY-LAW NUMBER 034-2022**

Being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Puslinch at its Council meeting held on July 13, 2022.

**WHEREAS** by Section 5 of the *Municipal Act, 2001, S.O. 2001, c.25* the powers of a municipal corporation are to be exercised by its Council;

**AND WHEREAS** by Section 5, Subsection (3) of the *Municipal Act*, a municipal power including a municipality's capacity, rights, powers and privileges under section 8, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

**AND WHEREAS** it is deemed expedient that the proceedings of the Council of the Corporation of the Township of Puslinch at its Council meeting held on July 13, 2022 be confirmed and adopted by By-law;

**NOW THEREFORE** the Council of the Corporation of the Township of Puslinch hereby enacts as follows:

- The action of the Council of the Corporation of the Township of Puslinch, in respect of each recommendation contained in the reports of the Committees and each motion and resolution passed and other action taken by the Council at said meeting are hereby adopted and confirmed.
- 2) The Head of Council and proper official of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said action of the Council.
- The Head of Council and the Clerk are hereby authorized and directed to execute all documents required by statute to be executed by them, as may be necessary in that behalf and the Clerk authorized and directed to affix the seal of the said Corporation to all such documents.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 13<sup>TH</sup> DAY OF JULY, 2022.

James Seeley, Mayor
Courtenay Hoytfox, Clerk