



May 3, 2023 Regular Council Meeting

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Addition to the Agenda Questions received from Council seeking additional information and the corresponding responses provided by staff regarding the May 3, 2023 Council agenda items.

Responses Appreciated Prior to Meeting

6.3 County of Wellington - Approval to amend a municipality's official plan - Environmental Registry of Ontario

-would like County to come to Council to give a presentation specifically regarding the timing and nature of the process to finalize the nature of the "Proposed Regional Significant Economic Development Area" in Puslinch as identified in Schedule A-16 of the Official Plan Amendment 119.

Staff will prepare a draft motion.

9.2 Finance Department

9.2.1 Report FIN-2023-015 - 2022 Development Charges

-p. 77 what are credits for development charges and how would they be used?

Section 38 of the Development Charges Act, 1997 provides information regarding credits. If a municipality agrees to allow a person to perform work that relates to a service to which a development charge by-law relates, the municipality shall give the person a credit towards the development charge in accordance with the agreement. The amount of the credit is the reasonable cost of doing the work as agreed by the municipality and the person who is to be given the credit. Township staff are not aware of any such agreements that the Township has entered into in the past.

9.2.2 Report FIN-2023-018 - Treasurer's Investment Report for 2022

-p.80 and 81 some of the interest rates don't make sense given the values of the principle and current value. As an example the last entry shows an interest rate of 5.05% and yet the difference between the principal and current value is less than \$1k on a principal of over \$1M.



In another example on p. 81 given the values of the final total principle and current value I get a rate of return in excess of 1%; since the report will be posted on line it is important to have wording to clarify the derivation of the stated current values from the interest rates.

The investments that were issued in 2022 only accrued interest on a pro-rated basis from the issue date to December 31, 2022. All other investments that were issued prior to 2022 would have accrued the full interest rate percentage noted in the table as they would have been accruing interest for the full year. Also, the last entry's interest rate is 5.05%, not 5.40%. The rate of return noted in the report of 2.88% includes the rate of return on the Township's investment income for both cash and temporary investments. The Township also obtains investment income on its cash accounts with its bank. The rate of return of 1.26% is the approximate rate of return on only temporary investments. This report is not posted on the Township's financial reporting page on the website. Future year reports will include wording to clarify the relationship between the value of the principal and current value of the Township's investments. Clarification can also be made by Township staff verbally at the meeting.

9.4 Planning and Building Department

9.4.1 Report BLD-2023-002 - Report for Council (Q1 2023) ≠

-p.113 the line **Residential Buildings** seems odd as there were 2.5 times more buildings constructed in 2022 than 2023 and yet the cost of construction is 17 times more in 2022 than 2023. Is it simply that bigger buildings were constructed in 2022?

In short, yes, more significant building projects were being performed in the first quarter of 2022.

The main difference can be seen in the type of residential building permits being issued:

- In the first quarter of 2022, 15 of 28 residential building permits issued were new houses, which generated much higher construction values.*
- When comparing the first quarter of 2023, of the 11 residential building permits issued, only one included a new house. The remaining residential buildings included "additions" and "interior renovations," which typically generate lower construction values.*

9.4.2 Report PD-2023-002 - Zoning By-law Amendment Application (D14/WDD)

Request for Council to deem the application complete/incomplete Functional Servicing Report (FSR)



-p.130 given the comment from County ie. “As this zoning is specifically related to another planning application and associated process that does not have same statutory time lines and forms the basis for the proposed Zoning By-law amendment, the Township may want to consider this and how it will impact the decision timelines for the subject Zoning By-law amendment. It is suggested that the Township focus their review on the Draft Plan of Subdivision first.” are we obligated to meet the timelines in the legislation to process the application if the plan of subdivision has not yet been approved?

Yes, the Township is required to meet the legislative timelines for a zoning by-law amendment application as outlined in section 34 of the Planning Act. The Planning Act does not require the completion of a draft plan of subdivision in order to process a zoning by-law amendment application. However, there is benefit to managing the applications concurrently, as much as possible.

9.4.3 Report PD-2023-003 - Zoning By-law Amendment Application (D14/AZI),
Request for Council to deem the application complete/incomplete

-p. 172 re “The noise assessment indicates that the noise by-laws of Puslinch and North Dumfries do not apply to the proposed breeding kennel”; is this true for Puslinch?

The Township Noise By-law does not address the noise from barking dogs. However, the Township Dog and Kennel Licensing By-law does address the noise associated with a kennel through the licensing requirements outlined in subsection 8.1.9:

8.1.9. in the discretion of the Township, in the case of a new Kennel or an expansion (either in area or in number of Dogs), a noise study from a qualified acoustical consultant demonstrating that predicted noise will not cause exceedances of environmental noise guidelines from stationary sources as published by the Ministry of the Environment, Conservation and Parks from time to time.

In addition, the Kennel By-law prohibits dogs from being kept outdoors between the hours of 8:00 p.m. and 7:00 a.m. The set fine for contravening this prohibition is \$100 per offence.



The County Planning comments have also identified a number of outstanding concerns relating to required setbacks and noise. Staff will continue to work with the applicant to ensure all areas associated with the kennel use are incorporated into the noise study.

9.7 Recreation Department

9.7.1 Report REC-2023-001 - Tender Results for Park Improvements

-p.177 re “It is recommended that the additional funds required of \$428K be funded by Cash in Lieu of

Parkland”; what are the projects that would have used this reserve in 2024 (drawdown of \$312.5k) and 2025 (drawdown of (\$90k)?

2024

- *Optimist Recreation Centre (ORC) - Rinkboard Replacement (Interior and Exterior) - \$100K*
- *Puslinch Community Centre (PCC) - Emergency Generator - \$100K*
- *PCC - Replacement of UV Pure Water Treatment System - \$7.5K*
- *PCC - Replacement of Sanitary Pumps and Control System - \$5K*
- *PCC - Window and Door Replacement Program - \$100K*

2025

- *PCC - Bar Counter, Bar Door, Cosmetic Upgrades - \$90K*

The use of these funds is in accordance with Section 42(15) of the Planning Act, 1990 which is outlined below:

Special account

(15) All money received by the municipality under subsections (6), (6.0.1) and (14) and all money received on the sale of land under subsection (5), less any amount spent by the municipality out of its general funds in respect of the land, shall be paid into a special account and spent only for the acquisition of land to be used for park or other public recreational purposes, including the erection, improvement or repair of buildings and the acquisition of machinery for park or other public recreational purposes. 1994, c. 23, s. 25; 2009, c. 33, Sched. 21, s. 10 (10); 2015, c. 26, s. 28 (10).



-p.179 what are the implications for deleting “Seferian Design Group and the Township of Puslinch have discussed possible cost saving measures with Ritchfield Inc. These include the following:

- Substituting concrete unit paving to a different type supplied by the same vendor. Colour, laying pattern, and sizing would remain the same.
- Deleting the fibreglass layer from tennis court surfacing.
- Substituting bioretention soil product for bioretention soil created on site.”

Seferian Design Group has confirmed that “there are no performance-based implications involved in substituting these items. We are still proposing concrete unit paving in the same colour from the same vendor, still getting bioretention soils, and the fibreglass layer is not needed as we are completely rebuilding the tennis court paving. Fibreglass is used more for restoration works.” Brad Smith from Seferian Design Group will be available at the meeting should Council have any further questions on this.

-p.134 would it be economically advantageous to drop the baseball netting and do it as part of a standalone project using contractors who specialize in this work and also seek separate grant funding?

Seferian Design Group has indicated that a “separate project would be beneficial. Township could hire the specialist directly and not pay an additional mark-up under a GC.”

10. Correspondence ≠

10.1 County of Wellington Resolution regarding County Official Plan Review – Agricultural

-how does current proposed mapping compare with the previous government mapping in area size?

Staff can request the County to provide this information when they present on this matter to Council at a future date.

-are severances permitted in prime agricultural areas?

Currently, severances are not permitted in the prime agricultural areas. Staff note that the following is proposed as noted in the Proposed Provincial Policy Statement, dated April 6, 2023 Environmental Registry of Ontario Posting # 019-6813:



4.3.3 Lot Creation and Lot Adjustments

1. Residential lot creation in prime agricultural areas is only permitted in accordance with provincial guidance for:

a) new residential lots created from a lot or parcel of land that existed on January 1, 2023, provided that:

- 1. agriculture is the principal use of the existing lot or parcel of land;*
- 2. the total number of lots created from a lot or parcel of land as it existed on January 1, 2023 does not exceed three;*
- 3. any residential use is compatible with, and would not hinder, surrounding agricultural operations; and*
- 4. any new lot:
 - i. is located outside of a specialty crop area;*
 - ii. complies with the minimum distance separation formulae;*
 - iii. will be limited to the minimum size needed to accommodate the use while still ensuring appropriate sewage and water services;*
 - iv. has existing access on a public road, with appropriate frontage for ingress and egress; and*
 - v. is adjacent to existing non-agricultural land uses or consists primarily of lower-priority agricultural lands.**

Staff are unclear how the proposed changes included in the Proposed Provincial Policy Statement would impact the Agricultural System mapping. The Township will receive an information report from the County and the independent planner retained by the Township at the May 24 Council meeting for consideration prior to submitting comments to the Province.

Item 6.1.1 – April 12 council minutes – Delegation by Paul Roberts. Resolution included a request for Kevin Mitchell from Dufferin to attend the May 3rd meeting to address concerns by resident. Has Dufferin responded?

Dufferin and Harden Environmental have responded and both agree that it would be beneficial to postpone a delegation to Council as it would be more productive for Dufferin to first have their hydrogeological consultant (GHD) prepare additional information to respond to Mr. Roberts comments and allow Harden to review prior to presenting to Council. Harden has also commented that it would be ideal to have an opportunity to review the 2022 Annual Monitoring Report for Aberfoyle Pit No. 2 prior to responding to Council as well.



Item 6.1.1 – April 12 council minutes – Mayor/Council updates included a resolution for MECP to be contacted to request 401 roadside cleanup in accordance with Act on Litter Ontario. Has the ministry provided a response?

This resolution was circulated and no response has been provided to date.

Item 6.3 – Approval of Official Plan Amendment 119 with 33 modifications – Will County planning staff be providing any information/reporting as to the impact of the modifications. Example – one of the modifications says Wellington will plan for a diverse range and mix of house options, densities, and unit sizes on full municipal services.

AND – Deferring the identification of the hamlet of Puslinch.

AND – adding lands located at 4631 Sideroad 20 North to the Regionally Significant Economic Development Study Area.

How do these modifications impact the township?

The County has indicated that it will present to Council at a future meeting. Staff will forward all comments/questions in advance so responses can be prepared.

Item 9.4.2 – Application D14/WDD – County of Wellington report indicates it would be more appropriate to have plan of subdivision complete prior to the zoning application. Is this the typical sequence of events for plan of subdivision first followed by zoning second?

Ideally, the application processes could run concurrently. However, the timelines and required materials as outlined in the Planning Act, differ between a zoning by-law amendment and a draft plan of subdivision application. Each approval authority has 30 days to respond to the applicant regarding completeness of the application once the required materials and fee have been provided. Once an application is deemed to be complete, the timeline for the Township to make a decision on the zoning amendment application is 90 days. Likewise, once the County has deemed the draft plan of subdivision to be complete, it has 120 days to make a decision.

If zoning comes after plan of subdivision, how do council and public comments get incorporated into the subdivision?

Ideally the zoning amendment review would inform the subdivision review and vice versa. The timelines under the Act make this challenging. Council and the public will have the opportunity to provide feedback throughout the process.



Would the applicants traffic impact study be peer reviewed by a township consultant?

Yes.

Item 9.7.2 – Roller Skating Pilot – Is there any possibility of adding either an evening or weekend time so that families with working parents can take advantage of the pilot program as well.

Traditionally, the Township has had reoccurring rentals on Wednesday and Thursday evenings for ball hockey, and the facility closes at 5pm on Friday's.

If Council chooses to add an additional evening time slot, staff suggest choosing either Monday or Tuesday evenings. The Township has traditionally received little to no rental requests on these evenings, and facility staff are already on-site as there are baseball and soccer rentals, therefore the financial impact would be minimal (ie. minimal lost rental revenue or incremental staffing costs). The Township has Saturday bookings for the Aberfoyle Farmers' Market until 2:00 p.m. There are also intermittent rentals on Saturday and Sunday afternoons. If there are no gym and/or rink rentals on Saturday or Sunday afternoons, the facility is typically closed in order to manage staffing costs. If there was a drop in program offered on weekends when there were no rentals, staffing costs would be incremental for this program.

Item 9.7.1 – Tender Results for Park Improvements – Some of our community user groups had previously done some fundraising for park upgrades (soccer and baseball) and if memory serves correct, the former tennis club had funds in their reserve fund for tennis court improvements. Were those anticipated contributions part of the budgeted \$1,826,664 or could those contributions cover part of the shortfall?

The Township received \$20K from the Puslinch Minor Soccer club in 2021 for the construction of the back soccer fields at the Puslinch Community Centre. The Township has also received \$31K from the former Puslinch Tennis Club. The Township agreed to use the funds from the former Puslinch Tennis Club exclusively for the rehabilitation of the tennis courts. The Township has also received an additional \$1K in donations as part of the parks revitalization projects fundraising page on the Township's website <https://puslinch.ca/parks-revitalization-projects/>. These funds have already been incorporated in the approved 2021/2022/2023 construction budget of \$1,826,664.